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**Dutch Influence on the Reception of Roman Law in the Scottish Legal  
System: A Case Study of the Newhailes Library, 1685-1792**

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by Research

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## **Abstract**

Spanning over three generations, the Dalrymple of Hailes family, consisting of famous Scottish lawyers, collected a magnificent collection of law books, embodied in the Newhailes Library. Sir David Dalrymple, 3<sup>rd</sup> Baronet of Hailes (1726-1792) and his grandfather, Sir David Dalrymple, 1<sup>st</sup> Baronet of Hailes (1665-1721), equipped with a solid legal education from the Netherlands, embarked on influential legal careers and, together with Hailes' father, Sir James Dalrymple, 2<sup>nd</sup> Baronet of Hailes (1692-1751), gathered many interesting Dutch Roman law works throughout their lives. At the same time, the Scottish legal landscape was characterised by its reception of Roman law, strongly influenced by Dutch legal scholarship, for example via Scottish students studying (Roman) law in the Netherlands in large numbers and bringing the valuable knowledge gleaned back to their homeland. These events make one wonder, to what extent was the Newhailes Library emblematic of a trend of Dutch influence on the reception of Roman law in the Scottish legal system, that was present at the time? This thesis will explore the answer to this question in depth, thoroughly examining the detailed Dutch Roman law contents of the Newhailes Library, as well as the nature of Hailes' familial and professional background, and the Newhailes Library in relation to two other renowned Scottish law libraries.

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My thanks also go to the National Library of Scotland for granting me access to the Newhailes Library's collection, navigating me through difficulties that I encountered when using their catalogue and their dedication to the preservation of this remarkable collection.

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## **Declaration**

I declare that, except where explicit reference is made to the contribution of others, this dissertation is the result of my own work and has not been submitted for any other degree at the University of Glasgow or any other institution.

Printed name: Jochem Luc Koers

Signature:

## 1. Introduction

On 21 January 1764, having by then lived and studied in the Netherlands for around half a year, James Boswell, 9<sup>th</sup> Laird of Auchinleck (1740-1795), a renowned Scottish advocate, diarist and biographer, wrote the following poem:

With the same ease that blackguards feed on tripe  
Have I, James Boswell, learnt to smoke a pipe:  
For I am now a very Dutchman grown,  
As all at Utrecht cannot fail to own.<sup>1</sup>

With his poem, Boswell symbolises the occurrence of a well-established occurrence that had been taking place since 1680, namely the vast increase in the number Scottish law students commencing their legal studies at Dutch universities, rather than at universities in their homeland.<sup>2</sup> It is this development that consists of and reflects a much larger and more significant phenomenon that took place in the 17<sup>th</sup> and 18<sup>th</sup> centuries: the consistent and considerable influence of Dutch legal culture on the development of law in Scotland, and more specifically, the subsequent effects of the Roman-Dutch legal tradition on the reception of Roman law in the Scottish legal system.

Scotland occupies a unique position amongst legal systems in the world. Being a so-called hybrid or mixed legal system, its distinctive nature is mainly displayed in its unusual legal history, which characterises itself through a strong influence of Roman law commencing in the late Middle Ages, and the presence of a substantial common law influence since the Union with England Act 1707.<sup>3</sup> Still, the reception of Roman law took place considerably later in Scotland than in continental Europe. Across continental Europe, Roman law gained foothold as early as the 11<sup>th</sup> century, as it was being widely applied in local legal systems as part of the *ius commune*. As it took a significant while longer for Roman law to make its way into Scotland's legal system and practice, the strongest influences emanated from continental European countries in which Roman law had already strongly established its

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<sup>1</sup> FA Pottle, *Boswell in Holland, 1763-1764* (Heinemann 1952) 122.

<sup>2</sup> KG Baston and JW Cairns, 'An elegant legal education: The Studies of Charles Binning, a Scottish Pupil of Cornelis van Eck' (2015) 83 *The Legal History Review* 179.

<sup>3</sup> WM Gordon, 'Roman Law in Scotland' in R Evans-Jones (ed), *The Civil Law Tradition in Scotland* (The Stair Society 1995) 13-40; JW Cairns, 'The Origins of the Edinburgh Law School: The Union of 1707 and the Regius Chair' (2007) 11 *Edinburgh Law Review* 300.



roots. Scotland's legal system was greatly affected by these emanations. At first, France greatly prompted the incorporation of Roman law in the Scottish legal system over the course of the 16<sup>th</sup> and 17<sup>th</sup> centuries. However, with Louis XIV's Revocation of the Edict of Nantes through the Edict of Fontainebleau in 1685 and with William of Orange's accession to the Scottish throne in 1689, which consequently involved Scotland in a war with France, France lost its position as Scotland's main inspirational source for the endorsement of Roman law.<sup>4</sup> It was from this moment onwards that the Netherlands entered the scene as Scotland's new, main source of Roman law.

Great variation exists in the manners through which the Netherlands exercised direct and indirect influence on the further introduction of Roman law in Scotland. Throughout this work, these factors will be reflected upon as not only independent aspects, but ultimately as a system of jointly acting, interconnected facets as well.

As mentioned earlier, one of the most important of these factors was the practice of Scottish law students pursuing their academic educations in law at Dutch universities. The Dutch universities of Leiden, Utrecht, Groningen and Franeker were incredibly popular amongst Scottish students for studying law, not just because of their accessible nature and vibrant student life, but due to their highly renowned law professors as well. Whilst studying under these professors, Scottish students would seldomly attend *lectiones* (public lectures); it was the *collegia domestica* (private lectures) that were mainly favoured.<sup>5</sup> The Netherlands had developed a legal system similar to the Scottish legal system in that it required university-trained advocates and judges to work in its courts.<sup>6</sup> The studies of these Scottish law students were mainly centred around Roman law and, to a lesser extent, natural law and feudal law. Occasionally, their self-assembled curriculum would be expanded to criminal law or even Canon law.<sup>7</sup> Tuition in Roman law was regarded as the fundamental part of studying law abroad in the Netherlands, as a thorough knowledge of Roman law was (and still is) one of the Faculty of Advocates' main requirements for

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<sup>4</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30.

<sup>5</sup> KG Baston, *Charles Arenkine's Library: Lawyers and Their Books at the Dawn of the Scottish Enlightenment* (Brill 2015) 59-62. See on public and private lectures: CD van Strien and MJAM Ahsmann, 'Scottish law students in Leiden at the end of the seventeenth century: the correspondence of John Clerk, 1694-97' (1992) 19/20 *Lias* 271/1; JW Cairns, 'Importing our lawyers from Holland': Netherlands influence on Scots law and lawyers in the eighteenth century' in GC Simpson (ed), *Scotland and the Low Countries* (Tuckwell 1996) 136-153.

<sup>6</sup> KG Baston, *Charles Arenkine's Library: Lawyers and Their Books at the Dawn of the Scottish Enlightenment* (Brill 2015) 59-62.

<sup>7</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30.

admittance. Dutch universities offered this legal education in its most elegant and enlightened form, shaping the students according to the prototype of the learned, polite gentleman that the Faculty of Advocates sought after so strongly.<sup>8</sup>

The spread of Dutch law books in Scotland was another way through which Roman law in Scotland was shaped by the Netherlands. The end of the 17<sup>th</sup> century characterised itself by individuals starting to obsessively collect books. Book collecting became popular amongst those preoccupied with and studying for the legal profession as well. From a pragmatic point of view, this meant that it was the norm for advocates and other legal practitioners to, through book collecting, keep their knowledge and skills up to date for their professional practice, whilst students would require the works for their studies (i.e. Dutch textbooks being the basis of instruction in Roman law).<sup>9</sup> From a cultural perspective, book collecting was an extensively exercised occupation and a popular trend amongst the intellectual classes of Scottish society. Book collecting evolved itself into a ‘sport’, and quite a fashionable one as well, knowing feverous rivalry among its practitioners.<sup>10</sup> It was through these means that Dutch books on Roman law widely found their way into Scottish society and henceforth unfolded their vast influence on Scotland’s legal system, introducing it to and painting it with the fashion of the Roman-Dutch legal tradition.

The fact that Dutch law books significantly spread throughout Scotland demonstrates the presence of a lively book trade between the Netherlands and Scotland, and depended on the existence of a strong, well-established culture of book printing and selling in the Netherlands. Therefore, it is no surprise to note that many famous book printers, sellers and auctioneers were established in the Netherlands, selling all sorts of books that were not available anywhere else, and positioning the Netherlands as Europe’s main centre for book production and trade.<sup>11</sup> This was due to the Netherlands being one of the few countries in

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<sup>8</sup> JW Cairns, ‘Importing our lawyers from Holland’: Netherlands influence on Scots law and lawyers in the eighteenth century’ in GC Simpson (ed), *Scotland and the Low Countries* (Tuckwell 1996) 136-153.

<sup>9</sup> JW Cairns, ‘Importing our lawyers from Holland’: Netherlands influence on Scots law and lawyers in the eighteenth century’ in GC Simpson (ed), *Scotland and the Low Countries* (Tuckwell 1996) 136-153.

<sup>10</sup> JW Cairns, ‘Law Books, 1707-1918’ in S Manning (ed), *The Edinburgh History of Scottish Literature, 2: Enlightenment, Britain and Empire (1707- 1918)* (Edinburgh University Press 2007) 191-197; KG Baston, *The Library of Charles Areskine (1680-1763): Scottish lawyers and book collecting, 1700-1760* (Edinburgh University Press 2011) 30-58, 183-202; KG Baston, ‘Humanist Books and Lawyers’ Libraries in Early Eighteenth-Century Scotland: Charles Areskine of Alva’s Library’ in PJ du Plessis and JW Cairns (eds), *Reassessing Legal Humanism and its Claims: Petere Fontes?* (Edinburgh University Press 2015) 348-76.

<sup>11</sup> R van Vliet, ‘Print and Public in Europe, 1600-1800’ in S Eliot and J Rose (eds), *A Companion to the History of the Book* (Wiley-Blackwell 2007) 248-249; KG Baston, *The Library of Charles Areskine (1680-1763): Scottish lawyers and book collecting, 1700-1760* (Edinburgh University Press 2011) 93-99. For the book trade between Scotland and the Low Countries in the 16<sup>th</sup> and 17<sup>th</sup> centuries, see: AJ Mann, *The Scottish Book Trade, 1500–1720: Print Commerce and Print Control in Early Modern Scotland: An Historiographical Survey of the Early Modern Book in Scotland* (Tuckwell Press 2000) 67-93; E Mijers,

Europe that, at the given time, implemented and enforced freedom of speech and freedom of religion. This tolerant environment gave book printers the confidence to print and sell their books without fear of persecution.<sup>12</sup> It was this liberal culture of book printing that strongly impelled Scottish lawyers and law students to buy their books on Roman law from the Netherlands, regardless of whether the author was Dutch or not. Practices such as these further stimulated and formed Scotland's reception of Roman law.

Another noteworthy factor that stimulated the development of Roman law in Scotland, was Dutch humanism. By the end of the 16<sup>th</sup> century, humanism had moved itself from France to the Netherlands. The St Bartholomew's Day Massacre resulted in the death of many humanists, whilst others, such as François Hotman, Joseph Scaliger and Hugues Doneau, escaped France. Many fled to the Netherlands, where interest in humanism was already growing. As a result, in the decades that followed, humanism was widely welcomed and adopted in the Netherlands.<sup>13</sup>

Libraries, at that time the only usable means through which vast amounts of knowledge could be transferred, were of paramount importance for the education and interests of a society's leading classes. The persons who owned these libraries or made extensive use of them, were learned individuals who were not only academically engaged to a great extent, but who were very influential as well. In order to make effective use of a library, one needed to be able to read (Latin), which was a skill that only certain educated people could acquire in the 18<sup>th</sup> century. Additionally, one would mainly decide to specifically read legal books and other relevant legal documents, if they could be of substantial contribution to one's professional activities. In this case, these professional activities would directly or indirectly entail giving shape to the legal system, whether that was as a lawyer, judge, lawmaker or an academic.<sup>14</sup> It is therefore of interest to this work to study Dutch books on Roman law from such libraries, as this gives significant insight into the different *modi*

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'The Scottish-Dutch trade' in SW Brown and W McDougall (eds), *The Edinburgh History of the Book in Scotland*, vol 2 (Edinburgh University Press 2012) 203-220. An example of a renowned Dutch book printer and trader that frequently engaged in business with Scottish lawyers and students was Pieter van der Aa (1659-1733) in Leiden.

<sup>12</sup> KG Baston, *The Library of Charles Areskine (1680-1763): Scottish lawyers and book collecting, 1700-1760* (Edinburgh University Press 2011) 85; E Mijers, 'The Scottish-Dutch trade' in SW Brown and W McDougall (eds), *The Edinburgh History of the Book in Scotland, vol. 2: Enlightenment and Expansion: 1707-1800* (Edinburgh University Press 2012) 203-220.

<sup>13</sup> GCJJ van den Bergh, *Die holländische elegante Schule: ein Beitrag zur Geschichte von Humanismus und Rechtswissenschaft in den Niederlanden 1500-1800* (Klostermann 2002) 71-80; JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30.

<sup>14</sup> KG Baston, *The Library of Charles Areskine (1680-1763): Scottish lawyers and book collecting, 1700-1760* (Edinburgh University Press 2011) 24-26, 42-48.

*operandi* through which Roman-Dutch law shaped the Scottish legal system, making it easier to understand how this influence was materialised.

As referred to at the start of this work, James Boswell was an influential advocate and owned an expansive library as well. Interestingly enough, Boswell studied in Utrecht in 1763 and 1764, being one of the last Scottish students that chose a legal education in the Netherlands. The main inducement that influenced this decision was a piece of career advice, given to him by a good friend of his father, Sir David Dalrymple, 3<sup>rd</sup> Baronet of Hailes (1726-1792).<sup>15</sup> Hailes himself was a renowned advocate, who would later be elevated to the bench in the Court of Session, and eventually served as Lord of Justiciary.<sup>16</sup> Without much hesitation, it can be concluded that Hailes, taking into consideration the important positions he occupied during his lifetime, was one of the most influential lawyers of his time and played a substantial part in shaping the Scottish legal system. However, it was not just Hailes himself who exercised such considerable influence over his country's legal system; his father and his grandfather were successful lawyers and lawmakers as well. His father, Sir James Dalrymple, 2<sup>nd</sup> Baronet of Hailes (1692-1751), was active as a Member of Parliament for the Haddington Burghs from 1722 to 1734 and as the Principal Auditor of the Exchequer in Scotland from 1721 to 1751.<sup>17</sup> His grandfather, Sir David Dalrymple, 1<sup>st</sup> Baronet of Hailes (1665-1721), was a younger son of James Dalrymple, 1<sup>st</sup> Viscount Stair (1619-1695). He studied law in Utrecht, like Hailes himself, before he became a renowned advocate.<sup>18</sup> He later served as Solicitor General from 1701 to 1709, Lord Advocate from 1709 to 1711 and 1714 to 1720, and Dean of the Faculty of Advocates from 1712 to 1721. Politically, he was active as a Commissioner for the Union with England in 1706, Member of Parliament for the Haddington Burghs from 1708 to 1721 and the Auditor of the Exchequer in Scotland from 1720 to 1721.<sup>19</sup> Considering these facts, it can be justifiably assumed that the Dalrymple of Hailes family was a family of some of Scotland's most distinguished lawyers.

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<sup>15</sup> A portrait of Hailes by Allan Ramsay (apr. 1766-1767) can be found in Appendix A.

<sup>16</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30, 30-74; P Cadell, 'Dalrymple, Sir David, third baronet, Lord Hailes (1726-1792), judge and historian', *Oxford Dictionary of National Biography* (2004).

<sup>17</sup> JM Simpson, 'Dalrymple, Sir James, 2nd Bt. (1692-1751), of Hailes, Haddington' in R Sedgwick (ed), *The History of Parliament: The House of Commons 1715-1754* (Boydell and Brewer 1970).

<sup>18</sup> GWT Ormond, *The Lord Advocates of Scotland from the Close of the Fifteenth Century to the Passing of the Reform Bill*, vol 1 (David Douglas 1888) 301-312; GE Cokayne, *Complete Baronetage*, vol 4 (William Pollard & Co 1900-1906) 396-398; JP Balfour, *Scots Peerage*, vol 8 (David Douglas 1911) 114-147; MD Young, *Parliaments of Scotland: Burgh and Shire Commissioners*, vol 1 (Scottish Academic Press 1992) 174.

<sup>19</sup> J Sorensen, 'Dalrymple, Sir David, first baronet (c. 1665-1721), politician', *Oxford Dictionary of National Biography* (2004).

The Dalrymple of Hailes family established their permanent residence in an estate called Newhailes House. This Palladian-style country house was bought by Hailes' grandfather in 1701, who added the east wing to the house with the idea of preserving his ever-expanding book collection in it.<sup>20</sup> Over the following century, the house was passed on to Hailes' father and eventually to Hailes himself.<sup>21</sup> Both men made significant contributions to the library as well, expanding it significantly.<sup>22</sup> The result was truly magnificent: an extensive library, containing around 1,200 law books, of which an estimated 800 are on Roman law.<sup>23</sup>

From the above information, it can be derived that the Dalrymple of Hailes family and their Newhailes Library are emblematic of the legally evolving Scotland of that time. As such, this work's time period has been chosen to reflect the Dalrymple of Hailes family members' involvement in this evolution, in the context of Dutch influence on Scotland's reception of Roman law. The start year, 1685, constitutes the year in which Hailes' grandfather is believed to have embarked upon his legal studies in Utrecht.<sup>24</sup> The end year, 1792, is the year in which Hailes passed away, thus concluding the family's active and highly influential involvement in Scotland's legal development, also through the Newhailes Library. It appears that up until now, the significance of the Newhailes Library has mainly been left unexplored. This work will make use of the Newhailes Library as its main body of sources via the National Library of Scotland, with the aim of illustrating how this library and its contents functioned as a symbol of the aforementioned influence, linking the practice and theory of Dutch Roman law to the development and use of Roman law within the Scottish legal system.

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<sup>20</sup> I Gow, '“The Most Learned Drawing Room in Europe?”: Newhailes and the Classical Scottish Library' in DC Mays, MS Moss and MK Oglethorpe (eds), *Visions of Scotland's Past: Looking to the Future: Essays in Honour of John R. Hume* (Tuckwell Press 2000); PH Reid, 'The Decline and Fall of the British Country House Library' (2001) 36 *Libraries & Culture* 345, 359; JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30.

<sup>21</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30; A Broadie, *The Scottish Enlightenment: The Historical Age of the Historical Nation* (Birlinn 2007) 26-27.

<sup>22</sup> I Gow, '“The Most Learned Drawing Room in Europe?”: Newhailes and the Classical Scottish Library' in DC Mays, MS Moss and MK Oglethorpe (eds), *Visions of Scotland's Past: Looking to the Future: Essays in Honour of John R. Hume* (Tuckwell Press 2000); PH Reid, 'The Decline and Fall of the British Country House Library' (2001) 36 *Libraries & Culture* 345, 359.

<sup>23</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30, 30-74.

<sup>24</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30, 30-74; J Sorensen, 'Dalrymple, Sir David, first baronet (c. 1665–1721), politician', *Oxford Dictionary of National Biography* (2004).

## 2. The Dalrymple of Hailes Family and the Netherlands

When you write to me about Utrecht, *vous me faites rajeunir*.<sup>25</sup> I reflect with pleasure on the easy days which I passed there, and I am proud of being remembered by so many persons who honoured me with their friendship.<sup>26</sup>

It is this illuminating fragment of a letter that Hailes wrote to Boswell on 10 May 1764, sharing with him the warm and pleasant memories he had of his study time in Utrecht. Boswell, who was studying in Utrecht at the time this letter was written, had already been introduced to some of the Netherlands' most prominent members of society by Hailes.<sup>27</sup> The fact that Hailes was able to introduce Boswell to these people marks an interesting part of Hailes' time as a student in the Netherlands. As a result of Hailes' student time in the Netherlands, he was deeply embedded in Dutch culture and society. This resulted in his complete familiarisation with the Dutch social norms, language, people and legal education. As this work aims to discuss the Dutch influence on Scotland where the reception of Roman law is concerned, and a case study of the Newhailes Library will be the means by which this is done, it is essential to not only consider the influence, library and intellectual engagement of the Dalrymple of Hailes family, but their ties to the Netherlands as well. This chapter aims to accomplish this by examining, amongst other sources, letters written by Hailes to Boswell, which provide direct insights into his thoughts and experiences.

### 2.1. The societal and legal background of the Dalrymple of Hailes family

During the course of the 17<sup>th</sup> and 18<sup>th</sup> centuries, the Dalrymple of Hailes family did not shy away from intellectually engaging themselves with the issues and challenges of their society. Being a family of well-educated, academically trained lawyers, statesmen and soldiers, they preoccupied themselves with advising governments, adjudicating legal cases, reading and writing books, undertaking research, engaging in discussions with their peers,

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<sup>25</sup> Translates to: 'you bring me back to my youth'.

<sup>26</sup> FA Pottle, *Boswell in Holland, 1763-1764* (Heinemann 1952) 236.

<sup>27</sup> FA Pottle, *Boswell in Holland, 1763-1764* (Heinemann 1952) 286. Hailes had already introduced Boswell to Count Nassau, which placed him in the circle of friends and relations of Belle de Zuylen, who belonged to the old aristocratic family of Van Tuyll van Serooskerken.

and travelling the world.<sup>28</sup> A family of landowners, they belonged to Scotland's minor aristocracy, and though not incredibly wealthy, they are characterised for their strong intellectual hinterland, engaging themselves with broader studies than just those that were related to their profession.

A clear example of the Dalrymple of Hailes family's intellectual engagement is displayed in their bibliographies. Many members of the Dalrymple family wrote on all sorts of subjects, not just on those that were related to their professions. For example, Alexander Dalrymple (1737-1808), who was employed by the Royal Navy as Hydrographer, wrote many books on his various travels through different parts of the world, and the cultures he subsequently engaged with.<sup>29</sup> Hailes himself wrote many books on historical subjects, such as his *Annals of Scotland*. With his *Remarks on the History of Scotland*, he even established his reputation for writing history in a completely new way. Hailes also wrote works related to classics and church history.<sup>30</sup> Hailes' great-grandfather, James Dalrymple, gained fame for writing perhaps his greatest of works, *The Institutions of the Law of Scotland*, which became known as 'Stair's Institutions', and which form the foundation of modern Scots law.<sup>31</sup> Many of the books they wrote were added to the collection of the Newhailes Library.

As mentioned in the introduction, the members of the Dalrymple of Hailes family occupied many important positions throughout their careers. These were often positions with a high level of responsibility and power, equipping them with the means of making significant contributions to the development of their field of expertise, and more importantly, to society as a whole. To be able to carry out such functions and make the best possible contributions, the Dalrymple of Hailes family members made sure they were well-learned and cultivated individuals through and through, leaving nothing to chance. By way of maintaining their intellectual mastership they, throughout their lifetimes, collected, read and wrote books, attended and hosted scholarly and professional events, engaged themselves with academic research, and occupied themselves with other pastimes such as listening to and playing classical music, attending theatre productions and engaging with

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<sup>28</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30.

<sup>29</sup> HT Fry, *Alexander Dalrymple, 1737-1808 and the Expansion of British Trade* (Royal Commonwealth Society 1970). An example of his work being: A Dalrymple, *An Historical Collection of the Several Voyages and Discoveries in the South Pacific Ocean* (J Nourse, T Payne and P Elmsley 1770).

<sup>30</sup> P Cadell, 'Dalrymple, Sir David, third baronet, Lord Hailes (1726–1792), judge and historian', *Oxford Dictionary of National Biography* (2004).

<sup>31</sup> JD Ford, 'Dalrymple, James, first Viscount Stair (1619-1695), lawyer and politician', *Oxford Dictionary of National Biography* (2009).

botanics.<sup>32</sup> For example, over the course of the years, many renowned individuals, such as Samuel Johnson, Adam Smith, Robert Fergusson and members of the Stevenson family stayed at Newhailes House as a guest of the Dalrymple of Hailes family.<sup>33</sup> Also, Hailes was known for maintaining a good relationship with David Hume, with whom he had many fruitful discussions on a wide variety of academic topics.<sup>34</sup> It was these activities that shaped the Dalrymple of Hailes family members into able, knowledgeable and refined gentlemen, with keen minds and quick-witted personalities.

At the basis of the Dalrymple of Hailes family's intellectual engagement and consequent influence lies their educational background. When one studies the Dalrymple of Hailes family's most prominent lawyers, it is difficult to miss a rather relevant aspect: Hailes, his grandfather and his great-grandfather studied Roman law in the Netherlands, in either Utrecht or Leiden.<sup>35</sup> As such, they had chosen the Netherlands as the locus for establishing the main basis of their academic, legal and social education. This is an intriguing detail, as it marks that members of a renowned family, when on the brink of becoming great lawyers, decided to be educated by Dutch academics, according to Dutch norms and most importantly, in Roman-Dutch law. It was these decisions to study abroad that characterise the start of the transmission of Dutch legal culture into Scotland.<sup>36</sup> This process proved to be paramount to the shaping of Scotland's legal system as it is known today. Next, this chapter will illustrate how the Dalrymples of Hailes were educated in the Netherlands by discussing the details of Hailes' study time in Utrecht.

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<sup>32</sup> Author's research of shelfmark Nha.M of the Newhailes Library.

<sup>33</sup> RH Carnie, 'A biographical and Critical Study of the Life and Writings of Sir David Dalrymple' (PhD thesis, University of St Andrews 1954); I Gow, "'The Most Learned Drawing Room in Europe?': Newhailes and the Classical Scottish Library' in DC Mays, MS Moss and MK Oglethorpe (eds), *Visions of Scotland's Past: Looking to the Future: Essays in Honour of John R. Hume* (Tuckwell Press 2000) 94; A Broadie, *The Scottish Enlightenment: The Historical Age of the Historical Nation* (Birlinn 2007) 26-27; D Allan, *Making British Culture: English Leaders and the Scottish Enlightenment, 1740-1830* (Routledge 2008) 37.

<sup>34</sup> RH Carnie, 'The Hume-Hailes Relationship' (1978) 14 *Forum for Modern Language Studies* 289, 289-303.

<sup>35</sup> P Cadell, 'Dalrymple, Sir David, third baronet, Lord Hailes (1726-1792), judge and historian', *Oxford Dictionary of National Biography* (2004); J Sorensen, 'Dalrymple, Sir David, first baronet (c. 1665-1721), politician', *Oxford Dictionary of National Biography* (2004); JD Ford, 'Dalrymple, James, first Viscount Stair (1619-1695), lawyer and politician', *Oxford Dictionary of National Biography* (2009). Hailes and his grandfather both studied at the University of Utrecht; Hailes' great-grandfather, Viscount Stair, studied at the University of Leiden.

<sup>36</sup> JW Cairns, 'Importing our Lawyers from Holland: Netherlands' Influences on Scots Law and Lawyers in the Eighteenth Century' in GG Simpson (ed), *Scotland and the Low Countries, 1124-1994* (Tuckwell Press 1996).



## 2.2. Hailes' correspondence with Boswell: legal education in Utrecht

Many relevant documents still exist, which prove to be incredibly useful sources, giving insight into the wide variety of aspects of Hailes' relation to the Netherlands generally and his study time in Utrecht specifically. One series of such documents comprises the correspondence between Hailes and Boswell, before and during the latter's study time at the University of Utrecht. Examining the letters will display a peek into Hailes' mind and his reminiscence of his own study time in Utrecht. During his time in the Netherlands, Hailes soon developed a soft spot for Utrecht. He described, when advising Boswell on Lord Auchinleck's inclination of prompting Boswell to study in Utrecht, the following affectionate recollection:

I believe Utrecht may be a very good place. I may have a partiality for it from a happy year which I spent in the beatifull [sic] City, and from the great partiality and friendship which I met there, from men and women. [I]f you should chance to be fixed upon Utrecht, you will be among my friends male and female, as if you were at Edinburgh, and though my Ladys [sic] may be too old for your acquaintance, yet their daughters are I suppose as agreeable as their mothers were.<sup>37</sup>

It can be derived from this fragment that Hailes had greatly appreciated his time in Utrecht and that it had left him with very happy memories. Whilst studying in Utrecht, Hailes seemed to have enjoyed a wide social life, in which many of his friends and acquaintances were leading members of Utrecht society. In his letter, he even speaks of the women he met in Utrecht, and that they might be of potential interest to Boswell as well. This information gives insight into the fact that Hailes felt at home in the Netherlands and that he had built up a decent life for himself there. It proves that he had adapted himself to the Dutch way of life, which had influenced him not only then, but, as follows from this letter, at later stages of his life as well. In a letter written to Boswell on 1 July 1763, Hailes wrote the following regarding Leiden as Boswell's potential place to study:

I happened to find your father inclined for Leyden, [b]ut as I knew it to be a dull place, I say: gifted Utrecht, where you will have the Company of women very

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<sup>37</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1422. Mentioned in: JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30.

amicable and well bred, and many of them *qui parlent bien Fran[ç]ais*,<sup>38</sup> I knew several others who had been at Paris, and the truth is that that Province has rather a greater partiality for France, than agrees with a system of a serious and frugal Republic, as Holland ought to be.<sup>39</sup>

It seems from this letter that Hailes was familiar with Leiden as a place for studying as well, though he thought Utrecht to be a considerably more pleasant place to study. This marks that Hailes was accustomed to Dutch student life to such an extent that he found that he was able to judge which place would be his preference. Again, Hailes refers to the pleasant company of women in Utrecht, of whom he speaks with praise. This again proves that Hailes was well familiarised with Dutch society, and that he, whilst being in Utrecht, had put up an effort to incorporate into Dutch society. On the money given to Boswell by his father, Hailes wrote the following:

[A] sum between 200 and 300 [pounds] will enable you to live as genteely [sic] as any man of sense would wish to live at Utrecht.<sup>40</sup>

With this line, Hailes stresses with what income a decent life can be lived in Utrecht as a student, giving insight into Hailes' knowledge of what is required financially to live a proper student life in Utrecht. In the same letter, Hailes provides Boswell with advice on how to spend his time in Utrecht:

[I]n order to fill up your forenoons, after you have acquired French, at which you must labour for two or three months with diligence, you may take a course of the Pandects, which will [take] an hour in the day, and as much for you to recollect and write down what you have learned. [T]his will be an amusement to you, and with the knowledge which you already have if you choose to be examined with the other students, you will pass as a mighty clever fellow. Whether you choose to take an hour of the Institutes also, will depend upon your own fancy. [T]here is a sort of lecture which Professor Wesseling, a very learned man, gave, *notitia serum publicarium*, entertaining and useful. [A]ll this may be attended to and yet, your afternoon and evenings left at your own disposal. [Y]ou will find card assemblies,

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<sup>38</sup> Translates to: 'who speak French well'.

<sup>39</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1423.

<sup>40</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1423.

parties where there are [an] abundance of sweetmeats etcetera, and when you are acquainted and if so inclined, snug partys [sic] of dancing. [T]his last was lost upon me, but I remember I used to devour the sweetmeats. [Y]ou will dine at the Vieux Chateau D'Anvers, a house well known to the British for these sixty years past, and where you will meet with the people of fashion *qui ne tiennent pas menage*, and sometimes with the married men to[o].<sup>41</sup>

It is this passage that demonstrates how deeply embedded Hailes was in Dutch student life in Utrecht, being able to recall all his happy memories and advising Boswell in detail on what and where to spend his time. It becomes clear that Hailes' student life in Utrecht has left strong positive impressions on him. He also shares with Boswell that it is key to properly adapt to Dutch culture, in order for one to be able to get the most out of their time:

The only secret to be easy in Holland, as well as in every other country, is to seem pleased and not to despise or ridicule everything that is not to the customs of one's own country. [O]f the English 19 out of 20 stumble upon this rock, they are constantly upon the fret, and make not only themselves but every body [sic] about them uneasy. Conformity in trifles is the great rule of Politeness. I think that I may venture to promise you recommendations at Utrecht, nor do I believe that I am yet forgot there.<sup>42</sup>

He finishes his letter to Boswell by concluding the following:

In short you may be amused and improved of at Utrecht, and be very fit to proceed to France in the spring.<sup>43</sup>

On 18 July 1763, Hailes writes a letter to Boswell, in which he combats the latter's notions of Utrecht, writing him the following:

I have known English gentlemen gape and yawn at Utrecht, and not know what to do with themselves, without ever recollecting that their ignorance of French and

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<sup>41</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1423.

<sup>42</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1423.

<sup>43</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1423.

their sovereign contempt of everything that was not just as in their own country, excluded them from all intercourse with foreigners.<sup>44</sup>

It seems that Hailes defended making acquaintance and socialising with foreigners fervently in front of Boswell, and he shares his view on English gentlemen who would rather stay within their own circles. This proves that Hailes was unprejudiced, of open mind and adaptable spirit. He would later introduce Boswell to Count Frederick of Nassau, in a letter written 23 July 1763.<sup>45</sup> It becomes clear that Hailes still feels strongly connected with his acquaintances in Leiden, and therefore asked Boswell on multiple occasions to make enquiries for him. In a letter written on 28 July 1763, Hailes wrote the following:

I do believe that if there be any Englishman at Utrecht he will not speak French if he can avoid it, for English will be easier to him, and easy is the darling passion for every half-instructed youth. (...) I wish you would enquire for me, whether there is in the Library of the University at Leyden, any [manuscripts] notes or corrections relating to the Fragments of the Greek Lyrics. [Y]our father told me several years ago, that he had a remembrance of some such thing, but he could not give me any particulars. I think he also mentioned a [manuscript] of Anacreon, I want to know its age, and the first line of each poem in it. The librarian if he is not a notorious blockhead will be able to inform you of all those particulars.<sup>46</sup>

By September 1763, Boswell had arrived in Utrecht, where he was stricken with depression, which he wrote about to Hailes. Hailes is grieved by Boswell's emotional state and advises him to fill his time with study and exercise in a letter written on 26 September 1763:

[A]s soon as the weather sets in for frost, learn to skate. You will find a master for that exercise where you are. Skate in company and you will run no danger of drowning, nor much of ducking. There was a shoemaker, an eminent professor in skating, at Utrecht when I was there; his name Lebonk. (...) It will amuse you to take a college on the *Notitia rerum publicarum*. I just suggest such things as I think

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<sup>44</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1425.

<sup>45</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1426.

<sup>46</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1428.

may entertain you till you come to have facility in understanding and speaking French.<sup>47</sup>

This passage provides a remarkable insight into Hailes' understanding of Dutch everyday and customary practices, and his high level of adaptiveness. It evidences that he had, at the time, really built up a life for himself in the Netherlands. The ice skating is perhaps one of the most clear examples of this.

On 2 December 1763, Hailes wrote to Boswell in French, responding to the latter's experience of the Dutch being 'cold'. Hailes responded by writing about Dutch culture and social norms, explaining to Boswell that Dutch politeness is a bit 'dry', but that is important, when studying abroad, to accustom oneself to the customs established elsewhere. He explains that the Dutch do not give dinners, instead, they rather go to the promenade and socialise in public places.<sup>48</sup> Eventually, Hailes was right about Utrecht, as Boswell changed his mind, saying:

I now find Utrecht to be what Sir David found it.<sup>49</sup>

In a letter written on 11 April 1764, Hailes wrote to Boswell about the Dutch, about his happy memories of Utrecht and his acquaintance there, a certain Madame Sichterman. Hailes specifically asked Boswell to make enquiries into Madame Sichterman:

There is no people in the universe so free from low spirits or the affectation of them as the Dutch. They cannot endure anything that looks being pensive without a cause; and as for low spirits, they laugh at them. When you write to me about Utrecht, *vous me faites rajeunir*. I reflect with pleasure on the easy days which I passed there, and I am proud of being remembered by so many persons who honoured me with their friendship. Let me entreat you to make my best compliments to all my friends (...) Madame Sichterman, my old friend - an expression more tender than polite - does she remember me?<sup>50</sup>

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<sup>47</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1429. Mentioned in: FA Pottle, *Boswell in Holland, 1763-1764* (Heinemann 1952) 40-41.

<sup>48</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1430.

<sup>49</sup> FA Pottle, *Boswell in Holland, 1763-1764* (Heinemann 1952) 80.

<sup>50</sup> MS Pottle, CC Abbott and FA Pottle, *Catalogue of the Papers of James Boswell at Yale University*, vol 2 (Edinburgh University Press 1993) C 1431.

From the abovementioned letter fragment, it can be concluded that Hailes was not only very knowledgeable when it came to Dutch cultural practices, but he was very much embedded in Dutch social life as well. This is displayed by, amongst other things, the great number of Dutch friends and acquaintances that Hailes had, and his ability to keenly advise others on similarly kindling friendships with Dutch people. The fact that Hailes still reflects on his past times with his friends so fondly, and cherishes the old friendships so much as to enquire about those particular individuals almost two decades after his departure, evidences the important role that his study time in Utrecht played in his (later) life.

### **2.3. Interim conclusion**

As briefly touched on in the introduction, the Dalrymple of Hailes family enjoyed collecting books from the various places in the world that they had visited and where they had resided. Hailes himself was no exception. During his time in the Netherlands, he collected various Dutch law books which he, like his grandfather before him, installed in the Newhailes Library. As such, the number of Dutch law books in the Newhailes Library quickly grew. However, it was not just Hailes himself who accessed and read these books. Other learned individuals, often involved in legal work as well, were able to make use of Hailes' collection too.<sup>51</sup> This enhances the Newhailes Library's illustration of the Netherlands' influence on the reception of Roman law in Scotland even further. In order to better understand the role of the Newhailes Library in this context, it is relevant for these books to be examined in greater depth. This is what the next chapter of this work is dedicated to.

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<sup>51</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30.

### 3. Roman Law Books by Dutch Authors in the Newhailes Library

Now that this work has provided an insight into the Dalrymple of Hailes family and more specifically, Hailes' connection to the Netherlands, its next step will be to dive deeper into the contents of the Newhailes Library. As discussed, the Newhailes Library contained far from only law books and, as a matter of fact, was filled with a very wide variety of books on different topics, proving the comprehensive nature of such libraries at the time.

Generally, it was not uncommon for learned individuals with their own libraries to collect the occasional, more commonly published law book from time to time, but the Dalrymple of Hailes family, being prominent lawyers themselves, seemed to have a particular passion for collecting a wider and more in-depth variety of them. As will be seen, this passion did not just limit itself to the more standard works from Great Britain and overseas, but to rarer or peculiar ones as well. This chapter will explore the Newhailes Library's law books written by Dutch authors. The methodology by which this is done, and relevant background information, will first be discussed. Subsequently, the books themselves and their authors will be discussed, as well as how they are emblematic of the reception of Roman law in Scotland, in the context of this work.

#### 3.1. Methodology and background of the case study

The Newhailes Library as it existed at the time of Hailes' life is still fully intact. That said, one aberrant aspect is that the actual library and its contents have been separated. The bookshelves and other distinct interior attributes are still present in the library wing of Newhailes House in Musselburgh. The books themselves, however, are no longer present in the library. All books were removed from the library in the 1970s, in lieu of death duties on the estate of Sir Mark Dalrymple, 3<sup>rd</sup> Baronet of New Hailes (1915-1971). A few of the books were auctioned, although the particular details of those works are not known. Most books, however, were given to the National Library of Scotland, and currently reside in several locations, mostly in the George IV Bridge Building and the Advocates Library.<sup>52</sup> The National Library of Scotland has digitalised the complete catalogue, making it accessible via their website. The author has used this digital catalogue of, and online and physical access to the collection as a means to conduct extensive research into the collected

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<sup>52</sup> RL Betteridge, "A library of books shall be the subject of my meditations': The Library of the Dalrymples of Newhailes' (2013) 8 *Journal of the Edinburgh Bibliographical Society* 33. Further details were provided to the author by a staff member from the National Trust for Scotland's Newhailes House and Gardens.

law books that the Newhailes Library contained. As already mentioned, the collection contains about 1,200 law books. Shelf marks Nha.I, Nha.K and Nha.L contain by far the most law books, with very occasionally some more, separate works in other listed shelf marks or in miscellaneous ('Nha.Misc'). Two thirds of all the law books, which constitutes about 800 books, are Roman law related.<sup>53</sup> After thorough research, the author has discovered that 266 of these 800 books are Dutch, meaning that they were either written by a Dutch author, published in the Netherlands, or both.

The author has created a summarised list of the 266 Dutch Roman law-related books in the Newhailes Collection. This list is added to the work in Appendix B. The law books in the list have been sorted alphabetically by authors' surnames. For a book to classify for inclusion in this list, it is firstly required to focus on Roman law, at least in a wider sense. Secondly, it has to be either authored by a Dutchman, published in the Netherlands, or both.

Concerning the divergence of this list of, on the one hand, Dutch-authored books and, on the other hand, Dutch-published books, it is important to provide two brief definitions. Firstly, this work considers an author to be Dutch if they were either born in the Netherlands or working in the Netherlands in a relevant role for quite some time (at least several years). Secondly, when this work speaks of 'Dutch' in the context of the Newhailes Library and how it is emblematic of the reception of Roman law in Scotland, it refers to the 17<sup>th</sup> and 18<sup>th</sup> century geographical definition of the word. This definition contains, in comparison to today's definition, a significant part of what is now Belgium (mainly Flanders). As such, books with cities of origin such as Antwerp or Leuven, are also included in the list.

Appendix C contains several tables with further details building on the list of Appendix B. This document contains the total number and specific list numbers of the books on the list written by Dutch authors, published in the Netherlands and both. Furthermore, it contains the same types of data with regard to the specific authors of the books, the places of publication and the specific publishers of the books. The data of these three categories has first been sorted by number of books, and then in alphabetical order. It should be noted that some books have been written by multiple authors and/or published by multiple publishers.

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<sup>53</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30, 30-74.



This explains the occasional occurrence of some books appearing behind the name of multiple authors or publishers, and the number of books counted adding up to a number that is higher than the actual books counted.

Of the 266 Dutch Roman law-related books in the Newhailes Collection, 200 were written by Dutch authors, 211 were published in the Netherlands, and 145 can be classified as falling under both categories. It is the 200 law books written by Dutch authors that this chapter will focus on, to assess and evaluate the extent to which the reception of Roman law in the Scottish legal system is represented by the Newhailes Library, both in a general and specific sense. Firstly, this will be done by analysing the data with regard to the general number of Roman law books written by Dutch author's in the Newhailes Library. Secondly, the specific authors and the number of times their works appear on the list will be examined. This will be done in conjunction with looking into the list's specific Roman law books written by these authors.

### **3.2. The Newhailes Library's Dutch-authored Roman law collection and its general symbolism**

The presence of 200 different Roman law books written by numerous Dutch authors is in itself an important factor to consider when assessing the Newhailes Library's role in allowing Dutch influence on the reception of Roman law to take place in Scotland. From the data in Appendix C, it can be derived that these 200 books were written by in total 128 Dutch authors. Both of these numbers are highly relevant when reasoning towards proving the premise of the Newhailes Library playing the aforementioned enabling role. The next few paragraphs will further explain this.

In order to demonstrate the Newhailes Library's emblematic role in Scotland's legal landscape, it is first important to look at the general influence of extensive law libraries on a society, its legal practices and its laws. During the 17<sup>th</sup> and 18<sup>th</sup> centuries, Europe saw a vast amount of legally relevant knowledge become available. Reflecting this, law schools on the continent enriched their curricula accordingly, resulting in a general existence and availability of more information. In order for Scottish law students, practitioners and academics to benefit from this new information, it needed to be readily obtainable. Fortunately, private and public law libraries emerged and expanded rapidly in Scotland, giving the desired result. Having once been difficult to find, never mind access, for law students, this scholarship was now made widely available via these libraries. One gains an

even more thorough grasp of the importance of these libraries when considering the fact that libraries were one of the very few means through which knowledge could be accessed conveniently at the time. Back then, the books that these libraries held were the only means through which the large amounts of knowledge could be gained. There were various ways through which libraries provided this accessibility. Public law libraries standardly welcomed students, allowing them to read and borrow books of help to their studies.<sup>54</sup> Additionally, private collectors owning a law library would permit students and other interested individuals access to the library to read and borrow books for a fee, considering it a moral obligation or even a privilege to share knowledge with others.<sup>55</sup>

As discussed, the accessibility of law books brought about effective availability of information. Such information was often shared between and debated by influential individuals. For example, a lively practice of book sharing emerged amongst Scottish advocates. An example of this was that of Hailes and Andrew Fletcher of Saltoun, who shared the contents of their libraries with Thomas Ruddiman. This custom of book sharing became standard. Authors now recognised that book sharing had become an ingrained part of the system; structural editorial assistance was even provided by some library owners.<sup>56</sup> It can be assumed that Scotland's legal landscape, including its legal education, was influenced by the accessibility of knowledge via the law books held by Scottish (law) libraries. An increase in the available law courses and subjects in Scottish universities may have been caused by this, as the texts used to teach and study for such courses were now accessible. There are various examples of this. For instance, *collegia* in Roman law became widely taught in Edinburgh in the 1690s.<sup>57</sup> Moreover, using imported textbooks from the Netherlands, John Millar (1735-1801) gained a head start and overtook the Edinburgh Law School in terms of the diversity of courses that he provided.<sup>58</sup> The

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<sup>54</sup> J Durkan and A Ross, *Early Scottish Libraries* (John S Burns 1961). For specific examples, refer to: JW Cairns, 'John Millar, Ivan Andreyevich Tret'yakov, and Semyon Efimovich Desnitsky: A Legal Education in Scotland, 1761-1767' in T Artemieva, P Jones and M Mikeshin (eds), *Russia and Scotland in the Enlightenment: Proceedings of the International Conference 1-3 September 2000* (St Petersburg Centre for the History of Ideas 2001) 20-37.

<sup>55</sup> For further information, see: KG Baston, *Charles Areskine's Library: Lawyers and Their Books at the Dawn of the Scottish Enlightenment* (Brill 2015); KG Baston, *The Library of Charles Areskine (1680-1763): Scottish lawyers and book collecting, 1700-1760* (Edinburgh University Press 2011).

<sup>56</sup> KG Baston, *The Library of Charles Areskine (1680-1763): Scottish Lawyers and Book Collecting, 1700-1760* (Edinburgh University Press 2011) 193-196.

<sup>57</sup> JW Cairns, 'The Origins of the Edinburgh Law School: The Union of 1707 and the Regius Chair' (2007) 11 *Edinburgh Law Review* 300, 300-348; JW Cairns, 'The First Edinburgh Chair in Law: Grotius and the Scottish Enlightenment' in R van den Bergh (ed), *Ex iusta causa traditum: Essays in Honour of Eric H. Pool* (Unisa Fundamina 2005) 32-58.

<sup>58</sup> JW Cairns, 'The Origins of the Glasgow Law School: The Professors of Civil Law, 1714-61' in P Birks (ed), *The Life of the Law* (Hambledon Press 1993) 151-194; JW Cairns, "'As Famous a School for Law as Edinburgh for Medicine": The Glasgow Law School, 1761-1801' in A Hook and R Sher (eds), *The Glasgow*

importation of law books from the Netherlands, and them furnishing law libraries in Scotland became normalised. This circumstance may have played a role in the decreasing number of Scottish law students choosing to study in the Netherlands, in the mid-18<sup>th</sup> century.<sup>59</sup> Students would not have to travel to Dutch universities anymore, to obtain the information required to become a lawyer in Scotland.

Considering the role that law books played in the development of legal-societal processes, such as adjudicating and legislating, but also in more standard aspects of the legal landscape, such as legal practice and legal education, it can be concluded that private law libraries like the Newhailes Library were hugely important. It should again be stressed that the books that such libraries offered were the only sources of information at the time that were directly available. In light of this conclusion, the fact that the Newhailes Library, which was a prominent library in and of itself, contained 200 Dutch-authored Roman law books written by a total of 128 Dutch authors, can be perceived in a whole new context. It means that the knowledge in these specific books became shared between influential individuals, allowing them to specifically use this knowledge to introduce new ideas and alter existing legal rules, based on Roman law. The specific books that could have played a role in this, will be discussed in the next part of this chapter.

### **3.3. The Newhailes Library's Dutch-authored Roman law collection and its specific symbolism**

As the number of Dutch-authored Roman law books in the Newhailes Library in the context of this work has now passed review, it is time to look at the authors at hand, and their works. One would expect a magnificent library such as the one at Newhailes to contain large collections of books written by only a few, specifically chosen Dutch authors. However, the contrary is true. When studying the details of the book list, something that is particularly noteworthy, is that the 200 books are divided over a large number of Dutch authors, rather than just a select few. In fact, there are only four authors of whom more than four books on Roman law are present in the library. The next part of this chapter will first discuss the four Dutch authors of whom more than four Roman law books are present in the Library and some of their works specifically, after which it will discuss the authors

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*Enlightenment* (Birlinn 1995) 133-159. John Millar was the Regius Professor of Civil Law at the University of Glasgow.

<sup>59</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30, 30-74.

of whom four books are present on the list, and some of their works. It will then focus on the authors of whom three books are present on the list, and some of their works, and subsequently the remaining Dutch authors and their works, where relevant.

Something to bear in mind whilst moving forwards, is the appearance of multiple copies of one work in the Newhailes Library. This could signify several things. It may mean that Hailes or his predecessors received the book as a gift, perhaps even more than once. Another explanation may be that Hailes or his predecessors once borrowed the book, never returned it, and then got their own copy. It is also possible that Hailes' predecessors previously got the book, and that Hailes later bought it again, for example for study purposes, especially when he was in Utrecht and did not have access to the Newhailes Library.

### *3.3.1. Authors with five or more listed books*

Although the Newhailes Library does not contain vast collections of books from particular individuals, there are a few authors of whom a significantly larger number of books are present on the list of Appendix B. The four authors of whom more than four books are present on this list are Claude Saumaise (12 books), Hugo Grotius (nine books), Johann Heineccius (seven books) and Abraham Wieling (five books). These authors and their included works will now be discussed in the context of this work.

Claude Saumaise (1588-1653) was a French philologist, who became professor at Leiden University in 1631.<sup>60</sup> His books on the list do contain a few Roman law passages, but they are primarily philological or theological in nature. Saumaise was, after all, not a jurist, and instead focussed on very different areas of academia. The Roman law passages in his book were likely of a more supportive nature. As such, it can be concluded that it is likely that his books in the Newhailes Library have not been of great influence on Scotland's reception of Roman law.

Hugo Grotius (1583-1645) was a Dutch legal scholar and is considered one of the greatest jurists that ever lived. He is particularly renowned for his contributions to the development

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<sup>60</sup> H Chisholm, 'Salmasius, Claudius', *Encyclopædia Britannica* (1911) 81.

of international law, with his masterpiece being *De Jure Belli ac Pacis* (1625).<sup>61</sup> The Newhailes Library contains quite a few copies of this book, as well as one *Mare Liberum* and another book on the law of war, which was jointly written with Janus Klenckius. In these books, Grotius' main foundational principles derive from natural law, although he occasionally touches on Roman law as well. That said, he also wrote on various solely Roman law topics; one of such works can be found in the Newhailes Library, which focusses entirely on the *Corpus Juris Civilis*. Studying Grotius' copies of books found in the Newhailes Library and their contents, it is likely that, also where he touched on Roman law, Grotius' works have been of enormous influence in Scotland. This is mainly due to the fact that for centuries, Grotius is considered one of the most prominent legal scholars in the world, and the knowledge he shares in his books is considered very authoritative in many legal areas.

Johann Heineccius (1681-1741) was a German jurist and worked as a professor of law at the University of Franeker from 1723 to 1727. His main focus was Roman law, but also natural law.<sup>62</sup> Two of his works in the Newhailes Library are on the arrangement of Justinian's Institutes. Other works are on the history of Roman and Germanic civil rights, on the *Leges Juliae* and *Lex Papia et Poppaea*, and on 'auditor's methods' in civil law. The final two works are lectures on Grotius' *De Jure Belli ac Pacis*, which were both published after Heineccius' death. Heineccius is generally considered a renowned Roman lawyer, and his works are known to have played an influential role in the explanation and interpretation of Roman law, especially in the 18<sup>th</sup> century. It is therefore likely that Hailes cherished Heineccius' works and used them frequently (especially during his time in Utrecht), and that thereby, it determined Scotland's interaction with Roman law.

Abraham Wieling (1693-1746) was a German legal scholar who became professor of Roman civil law at the University of Franeker in 1727, succeeding Johann Heineccius. In 1739, he took on the position of professor of civil and feudal law at Utrecht University, switching to a professorship in public and Roman law in 1743, which he stayed in until his death. Wieling had particularly made a name for himself as the author of numerous legal manuals and treatises.<sup>63</sup> Of his five books on Appendix B's list, only three are relevant in

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<sup>61</sup> MJAM Ahsmann, 'Grotius as a jurist' in R Feenstra (ed), *Hugo Grotius, a Great European 1583-1645* (Meinema 1983); JW Cairns, 'The First Edinburgh Chair in Law: Grotius and the Scottish Enlightenment' in R van den Bergh (ed), *Ex iusta causa traditum: Essays in Honour of Eric H. Pool* (Unisa Fundamina 2005).

<sup>62</sup> K Luig, 'Heineccius – a German jurist in Franeker' (2011) 79 *The Legal Historical Review* 219.

<sup>63</sup> AJ van der Aa, 'Wieling (Abraham)', *Biographisch woordenboek der Nederlanden* (1877) 183-185; J van Kuyk, 'Wieling (Abraham)', *Nieuw Nederlandsch biografisch woordenboek* (1914) 1418-1421; G Becker, *The German students and professors at the Franeker Academy* (Verlag Der Meilenstein 1942) 83.

the context of this work. These concern restored jurisprudence and a chronological index of the *Corpus Juris Civilis*, a book written jointly with Ulrik Huber (1636-1694) on less common works of private and public law, and a posthumous work edited by Cornelius Vonck (1724-1769) on jurisprudence and case law. Wieling's works are generally considered to be quite influential, also in the area of Roman law, even though his expertise was wider than that.

### 3.3.2. Authors with four listed books

There are six authors of whom four Roman law books are present in the Newhailes Library. These are Pieter van Brederode, Jacques de Corte, Ulrik Huber, Antonius Matthaeus II, Everhard Otto and Johannes Voet. These authors and most of their included books will now be discussed in the context of this work.

Pieter van Brederode (1559-1637) was a Dutch, legally educated diplomat who served as an agent at various German monarchs, and as jurist for and delegate to the United States of Austria. Apart from this information, the fact that he was a skilled jurist, and his list of publications, not much is known about him.<sup>64</sup> The Newhailes Library contains a combined work on contract law and *inter vivos* action, succession, and structured information on civil and criminal law including new developments and commentaries. Another interesting, included book concerns a revised, logical analysis of the '*Institutionum imperialium*'. Considering the fact that Pieter van Brederode was not a well-known legal scholar and that he only wrote books on (Roman) law sporadically, it is unlikely that his works in the Newhailes Library were of great influence. That said, they may have still been an interesting read.

Jacques de Corte (1510-1567) was a Flemish jurist and Hellenist, who worked as a lawyer and local politician in Bruges. He became particularly known for his Latin translations of Greek texts on (parts of) the *Corpus Juris Civilis*. His first work concerned a Latin translation of Theophilus' Greek *Paraphrase* on the Institutes, which was published in 1536. All four works in the Newhailes Library concern Latin translations of Theophilus' texts on the Institutes, some written jointly with other authors. As these works make Theophilus' commentary on the Institutes available in Latin, this may have given

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<sup>64</sup> AJ van der Aa, 'Brederode (Pieter Cornelis van)', *Biographisch woordenboek der Nederlanden* (1855) 1262; MC Rosenstein, 'Brederode (Pieter Cornelisz.)', *Nieuw Nederlandsch biografisch woordenboek* (1927) 204.

interesting insights which would have otherwise remained unknown. That said, it is unlikely that these translations were of great influence, although they may have been relevant to the work that Hailes and his companions pursued.

Ulrik Huber was a Dutch legal scholar and judge, and professor of law at the University of Franeker from 1665 until 1679, and from 1682 until his death. In 1657, when only in his early twenties, he was appointed as professor of Eloquence and History at the University of Franeker. Huber is regarded as a highly renowned legal academic, and was internationally well-known for his work on Roman law. His best-known work is *De jure civitatis libri tres* (1672), which considers various legal grounds for slavery.<sup>65</sup> The Newhailes Library contains one copy of this work as well. Three other relevant works that the list of Appendix B contains are on the *Corpus Juris Civilis*, more specifically the Institutes and Digest, and on related private and public law topics. Regardless of the fact that the Newhailes Library does not contain a great number of books by Huber, there is not much doubt as to the influence of the works that it does contain. Huber was one of the most renowned Roman lawyers of his time, and his works made him an international authority in the field of Roman law.

Antonius Matthaeus II (1601-1654) was a Dutch legal scholar, and became professor of law at the University of Harderwijk in 1629. He wrote several works on Roman law, but specialised in criminal law as well. In his work the *Commentarius de Criminibus* (1644), he aligned relevant Roman criminal law principles with Dutch law, providing commentaries on books 47 and 48 of the Digest. Uniquely, in this book, he refers to pure Roman law as it existed at the time, and does not allow any influence by Germanic, Italian or canon law.<sup>66</sup> Two books on the list of Appendix B contain various parts of this work. A third book contains his law lectures, more specifically on the foundations of law, the Institutes and the Digest. It is likely that these works have been of influence, especially the ones on criminal law, as these were relatively well-read at the time, and hands on in the sense that they directly addressed the laws as they existed at the time, and suggested realistic changes based on Roman law principles.

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<sup>65</sup> AJ van der Aa, 'Huber (Ulricus)', *Biographisch woordenboek der Nederlanden* (1855) 1376-1382; FJ van den Branden and JG Frederiks, 'Huber (Ulricus)', *Biographisch woordenboek der Noord- en Zuidnederlandsche letterkunde* (1888-1891) 377; J van Kuyk, 'Huber (Ulricus)', *Nieuw Nederlandsch biografisch woordenboek* (1911) 1165-1168.

<sup>66</sup> AJ van der Aa, 'Matthaeus II (Antonius)', *Biographisch woordenboek der Nederlanden* (1869) 386-387; G van der Heijden, 'Matthaeus (Antonius) (2)', *Nieuw Nederlandsch biografisch woordenboek* (1927) 847-848.

Everhard Otto (1686-1756) was a German legal scholar, who was professor of law at Utrecht University from 1720 until 1739. An internationally renowned jurist, he specialised in Roman law and was, amongst other things, known for his *Thesaurus Juris Romani* (1725-1735).<sup>67</sup> The most relevant work on the list of Appendix B is a jointly written work that constitutes a commentary on the Institutes. The other three works do lightly touch on Roman law, but not to a sufficient degree. It is likely that, even though Otto was a renowned Roman lawyer, his specific books in the Newhailes Library will not have been of extensive influence, given the fact that most of them only slightly or briefly mention Roman law.

Johannes Voet (1647-1713) was a Dutch legal scholar, who was professor of law at Utrecht University from 1673 to 1680, and professor of law at Leiden University from 1680 until his death. Voet is very renowned for his work on Roman law, especially on Roman-Dutch law. His most famous work is his *Commentarius ad Pandectas* (1698).<sup>68</sup> Appendix B's list contains three interesting works by Voet. They are all strongly Roman law orientated, and constitute a copy of *Commentarius ad Pandectas*, a compendium on the Digest, and a lecture on inheritance law. Considering Voet's impeccable reputation as a highly successful Roman law jurist and the relevance of these books, it is likely that Voet's books in the Newhailes Library have been of significant influence, and through Hailes played a role in Scotland's reception of Roman law.

### 3.3.3. Authors with three listed books

There are 12 authors of whom three Roman law books are present in the Newhailes Library. These are Jean Barbeyrac, Cornelis van Bijnkershoek, Everhardus Bronchorst, Pieter Burman, Jean le Clerc, Hubert van Giffen, Joannes Gronovius, Guilielmus Grotius, Simon van Leeuwen, Gerard Noodt, Arnoldus Vinnius and Paul Voet. The next paragraphs will briefly discuss each author and highlight their most relevant work(s) in the context of this thesis.

Jean Barbeyrac (1674-1744) was French jurist who was professor of law at the University of Groningen from 1717 until his death. His works mostly focussed on natural law, but

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<sup>67</sup> I Maclean, 'The Thesauruses of Otto and Meerman as Publishing Enterprises: Legal Humanism in its Last Phase, 1725-1780' in PJ du Plessis and JW Cairns (eds), *Reassessing Legal Humanism and its Claims: Petere Fontes?* (Edinburgh University Press 2016).

<sup>68</sup> AJ van der Aa, 'Voet (Johanes)', *Biographisch woordenboek der Nederlanden* (1876) 303-304; J van Kuyk, 'Voet (Johannes)', *Nieuw Nederlandsch biografisch woordenboek* (1914) 1328-1329.



occasionally touched on Roman law as well.<sup>69</sup> His three works on Appendix B's list are all on natural law, and Roman law is only included in them marginally. As such, regardless of Barbeyrac's reputation as a legal scholar, his works in the Newhailes Library will not have been of great influence on the reception of Roman law in Scotland.

Cornelis van Bijkershoek (1673-1743) was a Dutch jurist and president of the *Hoge Raad van Holland en Zeeland* ('High Court of Holland and Zeeland'), the Netherlands' supreme court at the time. He is renowned for his contributions to the development of international law, especially the law of the sea, in which his *De Dominio Maris Dissertatio* (1702) played a particularly important role. In the context of international law, he wrote on Roman law as well, of which his *Observationes Juris Romani* (1710) is a well-known example.<sup>70</sup> The Newhailes Library contains one copy of this work, with the other two books being more general and natural law orientated. The copy of *Observationes Juris Romani* may well have influenced Scottish lawyers' ideas on international law.

Everhardus Bronchorst (1554-1627) was a Dutch legal scholar and professor of law at Leiden University from 1587 until his death. He wrote on a variety of Roman law topics. His name attracted a great number of foreign students to Leiden University.<sup>71</sup> All three of his books on the list of Appendix B are on the Digest, and provide a wide variety of commentaries. Considering Bronchorst's standing in the field, and the nature of these books, it can be concluded that Bronchorst was indeed considered to be an influential Roman lawyer.

Pieter Burman (1668-1741) was a Dutch classical scholar, who obtained a doctorate in law from the Utrecht University in 1688, and became professor at the same university in 1696. Burman is particularly known for his Latin publications of Roman texts, and is renowned for his work in classics.<sup>72</sup> That said, he was not a legal scholar, and he only touched on Roman law topics occasionally. Only one of his books on Appendix B's list revolves specifically around (Roman) law, and focusses on the law of marriage. It is unlikely that

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<sup>69</sup> AJ van der Aa, 'Barbeyrac (Jean)', *Biographisch woordenboek der Nederlanden* (1854) 107-109; C Serrurier, 'Barbeyrac (Jean)', *Nieuw Nederlandsch biografisch woordenboek* (1911) 235-237.

<sup>70</sup> J van Kuyk, 'Bijkershoek (Cornelis van)', *Nieuw Nederlandsch biografisch woordenboek* (1911) 533-536.

<sup>71</sup> AJ van der Aa, 'Bronchorst (Everard van)', *Biographisch woordenboek der Nederlanden* (1855) 1411-1413; J van Kuyk, 'Bronchorst (Everardus)', *Nieuw Nederlandsch biografisch woordenboek* (1911) 471-472.

<sup>72</sup> AJ van der Aa, 'Burman (Pieter)', *Biographisch woordenboek der Nederlanden* (1855) 1594-1600; T Dokkum, 'Burman (Pieter) (1)', *Nieuw Nederlandsch biografisch woordenboek* (1914) 354-358.

Burman's works in the Newhailes Library have played a significant role in Scotland from a Roman law perspective.

Jean le Clerc (1657-1736) was a Genevan theologian who became professor of philosophy, belles-lettres and Hebrew, and later church history at in the Remonstrant Seminary in Amsterdam. He published an impressive number of influential theological works in his lifetime.<sup>73</sup> His works in the Newhailes Library focus on libraries, and although they briefly touch on Roman law, it is likely that their substantive influence remained limited.

Hubert van Giffen (1533-1604) was a Dutch legal scholar, who was born in Buren and studied a doctorate in law at the University of Leuven. During his lifetime, he held several professorships at various German universities, and become renowned for his works on Roman law.<sup>74</sup> Two of his books in the Newhailes Library focus solely on Roman law; one provides commentaries on the Institutes, the other is a more general work focussing on the disposition of the *Corpus Juris Civilis*. It is plausible that these works have been of some influence in Scotland.

Joannes Gronovius (1611-1671) was a German classical scholar, who was appointed professor of Greek language and history at Leiden University in 1658, and 6th librarian of the same university in 1665. Gronovius was one of the most prominent philologists of his time, but also wrote the occasional commentaries on law.<sup>75</sup> All of the three books on the list of Appendix B only briefly discuss Roman law; two concern commentaries on Grotius' *De jure belli et pacis*, another is on Seneca's work. Any influence in the field of Roman law seems marginal.

Guilielmus Grotius (1597-1662) was a Dutch legal practitioner, who practised before the *Hoge Raad van Holland en Zeeland* and was considered a highly skilled lawyer at the time. He is the younger brother of Hugo Grotius, and some of the works that he wrote were focussed on Roman law.<sup>76</sup> All three of his books in the Newhailes Library are law-related, but only one is on Roman law specifically, and focusses on the Digest. It is difficult to say

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<sup>73</sup> H Chisholm, 'Le Clerc, Jean', *Encyclopædia Britannica* (1911) 354-355; G Watson, 'Leclerc, Jean (1657-1736)', *The New Cambridge Bibliography of English Literature* (1972).

<sup>74</sup> AJ van der Aa, 'Giffen (Hubert van)', *Biographisch woordenboek der Nederlanden* (1862) 178-180.

<sup>75</sup> AJ van der Aa, 'Gronovius (Johannes Fredericus)', *Biographisch woordenboek der Nederlanden* (1862) 437-440; JW Bierma, 'Gronovius (Johannes Fredericus)', *Nieuw Nederlandsch biografisch woordenboek* (1911) 989-992.

<sup>76</sup> MJAM Ahsmann, 'Willem de Groot (1597-1662) en zijn studie te Leiden in het licht van brieven van zijn broer Hugo' (1982) 50 *The Legal History Review* 371, 371-401; R Huybrecht, 'Groot, Willem de (1597-1662)', *Biografisch Woordenboek van Nederland* (2013).

whether his books have been of some influence, as he was mainly renowned within the Netherlands.

Simon van Leeuwen (1625-1682) was a Dutch legal practitioner, who practiced in Leiden and before the *Hoge Raad van Holland en Zeeland*. He is known for the many books that he wrote during his lifetime, in which he showed a particular interest in Dutch history, but also in Roman law.<sup>77</sup> His three books on Appendix B's list are all completely on Roman law, and focus on various parts and aspects of the *Corpus Juris Civilis*. His books have been of major influence and his particular works in the Newhailes Library have probably played an important part in the reception of Roman law in Scotland, considering Hailes' education and work.

Gerard Noodt (1647-1725) was a Dutch legal scholar, and became professor of law at the University of Franeker in 1679. Noodt was one of the most renowned legal academics of his time and is, amongst other things, known for his works on jurisprudence.<sup>78</sup> His books in the Newhailes Library are heavily jurisprudence related, but significantly touch on Roman law as well. One work is particularly focussed on the Digest. Noodt's work on Roman law has been influential all over Europe. It is likely that his books in the Newhailes Library have contributed to this in Scotland.

Arnoldus Vinnius (1588-1657) was a Dutch legal scholar, and professor of law at Leiden University from 1633 until his death. Vinnius is considered one of the most renowned Dutch jurists of the 17<sup>th</sup> century. Most of his books are on Roman law, however, he is well known for creating a mixture of Roman law, customary law and natural law in the context of Dutch law.<sup>79</sup> His three books on the list of Appendix B are fully focussed on Roman law, and provide commentaries on the various parts of the *Corpus Juris Civilis*. It is likely that these works have been of influence in Scotland's reception of Roman law, given their nature and Vinnius' expertise.

Paul Voet (1619-1667) was a Dutch philosophical and legal scholar, who held various professorships at Utrecht University from 1641 onwards. He is the father of Johannes

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<sup>77</sup> AJ van der Aa, 'Leeuwen (Simon van)', *Biographisch woordenboek der Nederlanden* (1865) 275-279; J van Kuyk, 'Leeuwen (Simon van)', *Nieuw Nederlandsch biografisch woordenboek* (1911) 1261-1263.

<sup>78</sup> AJ van der Aa, 'Noodt (Gerard)', *Biographisch woordenboek der Nederlanden* (1868) 289-293; J van Kuyk, 'Noodt (Gerard)', *Nieuw Nederlandsch biografisch woordenboek* (1912) 999-1001.

<sup>79</sup> AJ van der Aa, 'Vinnius (Arnoldus)', *Biographisch woordenboek der Nederlanden* (1876) 234-235; J van Kuyk, 'Vinnius (Arnoldus)', *Nieuw Nederlandsch biografisch woordenboek* (1914) 1312-1314.

Voet, and wrote on a wide variety of topics during his lifetime, with Roman law often recurring in his works.<sup>80</sup> His works in the Newhailes Library are focussed on various areas of law and philosophy, but not Roman law in particular. It is likely that his works have been of some influence in Scotland's reception of Roman law, be it limited.

### 3.3.4. *Authors with two listed books*

There are 23 authors of whom two Roman law books are present in the Newhailes Library. For the sake of brevity, this work will limit itself to discussing the five most relevant of these authors, and their works. These authors are Johann Boeckelmann, Cornelius van Eck, Joachim Hoppers, Antonius Schultingh and Philippus Vitriarius.

Johann Boeckelmann (1633-1681) was a German legal scholar, who was professor of law at Leiden University from 1671 until his death. Most of his works are Roman law orientated. He based his teaching methods at Leiden on shorter, summarised versions of the *Corpus Juris Civilis*, one of these being *Compendium Institutionum*.<sup>81</sup> Both of Boeckelmann's books in the Newhailes Library are copies of this work. Given the novelty of this teaching method at the time, it is likely that these unique books have stimulated the development of Roman law in Scotland.

Cornelius van Eck (1662-1732) was a Dutch legal scholar, who became professor of law at the University of Franeker in 1685 as the successor of Gerard Noodt, and became professor of law at Utrecht University in 1693. A substantial number of his works is on Roman law.<sup>82</sup> One of his works in the Newhailes Library is completely focussed on the Digest. The other book contains a few Roman law passages, but is mostly constitutional law orientated. Van Eck's books are likely to have influenced Scotland's acceptance of Roman law, and his book on the Digest may have made a contribution to this.

Joachim Hoppers (1523-1576) was a Dutch jurist, who was professor of law at the University of Leuven, judge in the *Grote Raad van Nederland te Mechelen* ('Great Council of the Netherlands at Mechelen'), member of the *Geheime Raad* ('Secret Council') and

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<sup>80</sup> AJ van der Aa, 'Voet (Paulus)', *Biographisch woordenboek der Nederlanden* (1876) 304-305; J van Kuyk, 'Voet (Paulus)', *Nieuw Nederlandsch biografisch woordenboek* (1914) 1329-1330.

<sup>81</sup> AJ van der Aa, 'Böckelmann (Johan Frederik)', *Biographisch woordenboek der Nederlanden* (1854) 682-683; J van Kuyk, 'Bockelmann (Johannes Frederik)', *Nieuw Nederlandsch biografisch woordenboek* (1914) 125.

<sup>82</sup> AJ van der Aa, 'Eck (Cornelis van)', *Biographisch woordenboek der Nederlanden* (1859) 6-7; J van Kuyk, 'Eck (Cornelis van)', *Nieuw Nederlandsch biografisch woordenboek* (1911) 784-786.

member of the *Raad van State* ('Council of State').<sup>83</sup> One of his works on Appendix B's list is completely centred around the Digest, the other contains annotations on the Institutes. Considering Hoppers' prominent positions, it is likely that these works have been of influence in Scotland.

Antonius Schultingh (1659-1734) was a Dutch legal scholar, who was professor of law at the University of Harderwijk, the University of Franeker and eventually Leiden University. Throughout his career, he primarily focussed on Roman law.<sup>84</sup> Both of his books in the Newhailes Library focus completely on Roman law, one on the Digest and the other on decrees of Roman emperors to settle disputes. Considering Schultingh's academic career and works, it is likely that Hailes had at least read these works.

Philippus Vitriarius (1647-1720) was a German legal scholar, who was professor of law at Leiden University from 1682 until 1719. Apart from writing on Roman law, German constitutional law was of particular interest to him. During his time in Leiden, he attracted a large number of students from the German Empire.<sup>85</sup> His works on the list of Appendix B both focus on the Institutes, with one specifically looking into Roman-Germanic law. These books are likely to have been of influence in Scotland's development of Roman law.

### 3.3.5. *Authors with one listed book*

There are 83 authors of whom one Roman law book is present in the Newhailes Library. The five that this work will discuss are Nicolaas Everaerts, Friedrich Houck, Marcus Lycklama a Nijeholt, Antonius Matthaeus I and Alexander Pagenstecher. Similar to the previous few paragraphs, this work will limit itself to discussing these most relevant authors and their works.

Nicolaas Everaerts (1461/1462-1532) was a Dutch jurist, who was both a legal academic and judge. From 1492 onwards, he taught at the University of Leuven, where he became rector in 1504. He became a judge in the *Grote Raad van Nederland te Mechelen* in 1505, president of the *Hof van Holland* ('High Court of Holland') in 1510, and eventually

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<sup>83</sup> AJ van der Aa, 'Hoppers (Joachim)', *Biographisch woordenboek der Nederlanden* (1867) 1253-1259; H Brugmans, 'Hopperus (Joachim)', *Nieuw Nederlandsch biografisch woordenboek* (1927) 622-623.

<sup>84</sup> AJ van der Aa, 'Schultingh (Antonius)', *Biographisch woordenboek der Nederlanden* (1874) 537-539; J van Kuyk, 'Schultingh (Antonius)', *Nieuw Nederlandsch biografisch woordenboek* (1911) 1462-1464.

<sup>85</sup> AJ van der Aa, 'Vitriarius (Philippus Reinhardus)', *Biographisch woordenboek der Nederlanden* (1876) 260; J van Kuyk, 'Vitriarius (Philippus Reinhardus)', *Nieuw Nederlandsch biografisch woordenboek* (1914) 1316-1317.

president of the *Grote Raad van Nederland te Mechelen* in 1528. The only work published during his lifetime, *Topicorum seu de locis legalibus liber* (1516), is considered to be of high practical importance for jurists at the time.<sup>86</sup> The Newhailes Library contains a copy of this work as well. Even though it is not fully Roman law orientated, it is likely that this work's influence in Scotland was substantial nonetheless. An important note with regard to Everaerts (also called Nicolaus Everardi), is that he should not be confused with the Nicolaus Everardi (1495-1570) who was a judge in the German Empire, and professor in Ingolstadt. Two works on the list of Appendix B are by the latter (35 and 73), whilst one is by the former (74). For book 73 on the list, the NLS accidentally provided the birth and death date of the former, whilst the book is written by the latter.

Friedrich Houck (1708-1767) was a German legal scholar, who became professor of civil law at Utrecht University in 1746. He primarily wrote on Roman law topics.<sup>87</sup> His book in the Newhailes Library is a more general civil law related work. Interestingly, Hailes studied in Utrecht from 1745 until 1747, during which Houck was installed as a law professor.<sup>88</sup> As such, it is not unthinkable that they crossed paths, and that Houck actually taught Hailes. This provides context for the work in the Newhailes Library, and displays an interesting influence that Houck may have had on Scotland via Hailes.

Marcus Lycklama a Nijeholt (apr. 1570-1625) was a Dutch jurist, who qualified as a lawyer in Leeuwarden in 1593, and was appointed professor of law at the University of Franeker (which had not yet been granted university status) in 1604.<sup>89</sup> His work on Appendix B's list focusses on the *Corpus Juris Civilis* in a broad sense, and provides various commentaries. It is likely that this work, considering its strong Roman law nature and Lycklama a Nijeholt's position in Franeker, was influential in Scotland's reception of Roman law.

Antonius Matthaeus I (1564-1637) was a German legal scholar, who was professor of law at the University of Groningen from 1625 until his death. Before his time in Groningen, he wrote his most famous work, the at the time well-known *Notae et animadversiones in*

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<sup>86</sup> AJ van der Aa, 'Everardi (Nicolaus)', *Biographisch woordenboek der Nederlanden* (1859) 244-246; J van Kuyk, 'Everardi (Nicolaus)', *Nieuw Nederlandsch biografisch woordenboek* (1914) 358-360.

<sup>87</sup> AJ van der Aa, 'Houck (Fred. Gothofr.)', *Biographisch woordenboek der Nederlanden* (1867) 606-607; J van Kuyk, 'Houck (Friedrich Gotfried)', *Nieuw Nederlandsch biografisch woordenboek* (1912) 1308.

<sup>88</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30, 30-74.

<sup>89</sup> AJ van der Aa, 'Lycklama a Nijeholt (Mr. Marcus)', *Biographisch woordenboek der Nederlanden* (1865) 771-773; J van Kuyk, 'Lycklama a Nijeholt (Marcus)', *Nieuw Nederlandsch biografisch woordenboek* (1912) 857-858.

*libros IV Institut. jur. Imp. Justinian* (1600). His work in the list of Appendix B constitutes a varied lecture on the different parts of the *Corpus Juris Civilis*. It is likely that this work has been of some influence in Scotland's reception of Roman law, due to it being instructional and understandable in nature.

Alexander Pagenstecher (1659-1716) was a German jurist, who became professor of law at the University of Groningen in 1694. He came from a prominent line of jurists, and wrote various works on Roman law during his lifetime.<sup>90</sup> His book in the Newhailes Library is on the Institutes. Even though this book will probably not have been a major influence, it may still have made a noteworthy contribution to Scotland's Roman law development.

### 3.4. Interim conclusion

A reasonably large number of Roman law books in the Newhailes Library has been written by Dutch authors. This occurrence in and of itself has exerted influence on the Scottish legal landscape and its development of Roman law. Scarce knowledge was now made readily available to its seekers, resulting in a shift in perception and tradition. Acquiring content on Roman law, whether that be original, adapted or contextual, did no longer require Scottish lawyers to frequently and extensively travel abroad. Rather, it was now within arm's reach. This domesticated and accelerated the spread of Roman law, and the many Dutch-authored commentaries, lectures and ideas on it, in Scotland. The Newhailes Library, with its 200 Dutch-authored Roman law books, contributed to this.

It was not just this general impact, but also the individual books that were of specific influence on the development of Roman law in Scotland. The 200 books on the list of Appendix B differ greatly amongst themselves when it comes to their relevance in the context of this work. From what has been reviewed, it can roughly be gathered that this relevance depended on mainly two factors. These are the content of the book itself and the standing of its author. For example, a book solely focussing on Roman law that was written by a renowned, internationally well-known Roman law professor, is likely to have been more influential than, say, a philology book that only briefly touches on Roman law and that was written by a lesser-known philologist not specialised in law. Unfortunately, no hard conclusions can be drawn about the influence of the specific books on the

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<sup>90</sup> AJ van der Aa, 'Pagenstecher (Alexander Arnold)', *Biographisch woordenboek der Nederlanden* (1872) 24-27; J van Kuyk, 'Pagenstecher (Alexander Arnoldus)', *Nieuw Nederlandsch biografisch woordenboek* (1912) 1052-1054.

reception of Roman law in the Scottish legal system. This is due to the fact that it is very difficult to trace which particular books influenced which precise Roman law inspired doctrines in Scotland, and that this is not an exercise that this work has set for itself. In this light, it is conceivable that the specific books have been of some influence, however, the depth and magnitude of this remains unknown. The Newhailes Library's Dutch-authored Roman law contents provide interesting insights nonetheless.

Studying the Dutch-authored contents of the list of Appendix B is only half the tale. In order to gain a complete image of the influence of the Newhailes Library's Dutch Roman law contents, the places of publication and publishers of the works require review as well. The next chapter is committed to this subject.



## 4. Roman Law Books Published in the Newhailes Library

With the first half of this work's main core having been discussed, this chapter will analyse the second half: the Dutch-published Roman law books in the Newhailes Library. During the time period which this work focusses on, the Netherlands was known as Europe's epicentre for printing and publishing.<sup>91</sup> Such activities were enabled by a number of important factors, some of them being the high concentration of intellectual hubs, the great number of skilled publishers and the tolerant mindset with regard to free speech.<sup>92</sup> Such stimulating conditions allowed academia to flourish generally, and the legal science most certainly benefitted from this. As such, it is not surprising that a substantial number of the Roman law books in the Newhailes Library, 211 out of approximately 800, had been published in the Netherlands. Interestingly enough, not all of these Dutch-published Roman law books were written by Dutch authors: only 145 are Dutch-authored, meaning that the remaining 66 were works of foreign authors. With the ultimate aim of gauging Dutch influence on the reception of Roman law in the Scottish legal system and whether the Newhailes Library is emblematic of this, this chapter will look into two important aspects of the 211 Dutch-published books: data regarding the different cities that the books were published in, and data regarding the specific publishers that the books originate from. Such findings and information will provide novel insights into a more general aspect of Scotland's reception of Roman law: the Dutch book trade.

### 4.1. The Newhailes Library's Dutch-published Roman law books and their cities of publication

The first part of this chapter will be dedicated to exploring and expanding on the different Dutch cities that the Roman law books from Appendix B's list were published in. There are various noteworthy explanations for why certain books and numbers of works originated from these specific cities. Such information could contribute to shining light on the role that Dutch book publication and trade have played in Scotland's reception of

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<sup>91</sup> L Cruz, 'The Secrets of Success: Microinventions and Bookselling in the Seventeenth-Century Netherlands' (2007) 10 *Book History* 1, 1-28; PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) para 6.

<sup>92</sup> L Cruz, 'The Secrets of Success: Microinventions and Bookselling in the Seventeenth-Century Netherlands' (2007) 10 *Book History* 1, 1-28; PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) para 5.

Roman law, in this case via the Newhailes Library. The cities that will be discussed were often hotbeds of book publication and trade in their own right. Such an occurrence usually went hand in hand with there being a strong intellectual presence, for example via a university.<sup>93</sup> Each city was unique in their book publication practices due to a number of factors, which each merit discussion where relevant. Overall, with their output of books, these cities played an enormous role in the spread of knowledge, making it widely accessible. Roman law was no exception to this. Law professors were now able to transport their knowledge from their university directly into the Scottish advocate's library, in this case the Newhailes Library. Reviewing the cities listed in Appendix C will help to draw a map which provides direction in navigating the role of Dutch book publication and trade in this work's context.

Before delving into the specific cities and the books originating from them, it is important to review the general data available in relation to the cities. In total, of the 211 Dutch-published Roman law books in the Newhailes Library, 208 were published in 19 different Dutch cities. The other three books were (very likely) published in the Netherlands, albeit that the city is not mentioned, and therefore remains unknown. Appendix C provides a list of the specific cities of publication, together with the number of and specific publications per city. The cities of publication are categorised based on the descending number of publications. If this number is the same, then categorisation is alphabetical. The total number of works set out in this specific list slightly exceeds the total number of Roman law books published in the Netherlands, as some of these works mention two cities of publication. As indicated in the previous chapter, when this work speaks of 'Dutch cities', it refers to Dutch cities in the time period that this work focusses on, meaning that several cities in modern-day Belgium are included as well. The fact that the 208 books of which the city of publication is known originate from 19 different cities is interesting, as this is quite a significant number. From this, it can be derived that the Dalrymple of Hailes family collected Dutch law books from a wide variety of places, and not just the cities where they studied. This could imply that they sometimes went to greater lengths to collect a book, and did not merely collect those books which they happened to come across. This number of cities, however, should not be overestimated, as the number of books originating from each city varies greatly depending on the specific city. These discrepancies become clear when looking at the exact numbers in the data directly: only two cities constituted the

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<sup>93</sup> PG Hofstijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) paras 5-6, 24.

location of publication of 50 or more books (Leiden and Amsterdam). Furthermore, only one city had between 25 and 49 books published in it (Utrecht), and only one city had between ten and 24 books published in it (Antwerp). Eight cities had between two and nine books originating from them (Franeker, Leuven, The Hague, Leeuwarden, Groningen, Liège, Rotterdam and Brussels), whilst seven cities had only one book originating from them (Bruges, Delft, Deventer, Dordrecht, Gorinchem, Gouda and Harlingen). As such, it can be concluded that there are great divergences in the number of books published per city. A clear gap can be spotted: there are a few cities that have, relatively speaking, a lot of books deriving from them, whilst the vast majority of the cities only have a few books published there. As discussed previously, further studying these cities that the books derive from, especially those that are associated with many of the books, is beneficial for this work's purposes. The next paragraphs will discuss these cities, in the order of number of books, from highest to lowest, starting with the four cities which had ten or more Roman law books in the Newhailes Library published in them.

#### 4.1.1. *Cities with ten or more listed books*

Of all the Dutch Roman law works present in the Newhailes Library, most were published in Leiden. Indeed, 58 of these books have '*Lugduni Batavorum*', or variations thereof, mentioned in relation to their place of publication (not to be confused with just *Lugduni*, which denotes Lyon). This is unsurprising, although very interesting, as Leiden at the time truly was (and still is) one of the Netherlands' leading intellectual hubs, especially in law. This is mainly due to the fact that, in 1575, the *Academia Lugduno-Batava*, or Leiden University, was established, as a reward of William, Prince of Orange, to the city, for its commendable efforts during the Eighty Years' War, more particularly during its siege by the Spanish troops in 1573 and 1574. Leiden University was the first university established in the Netherlands as it is known in the modern day, and the second in the modern-day Benelux (with the University of Leuven being the first).<sup>94</sup> Soon after its establishment, the university would attract a wide range of successful academics, particularly in law. Roman law became the primary field of law that Leiden University's scholars specialised in, with the private '*collegia*' dominating its instruction. Many famous names were associated with Leiden's law school, such as Hugo Grotius, Johannes Voet and Arnoldus Vinnius.<sup>95</sup> Given

<sup>94</sup> See generally: W Otterspeer, *The Bastion of Liberty: Leiden University Today and Yesterday* (Beverly Jackson tr, Leiden University Press 2008).

<sup>95</sup> MJAM Ahsmann, 'Grotius as a jurist' in R Feenstra (ed), *Hugo Grotius, a Great European 1583-1645* (Meinema 1983); R Feenstra, 'New reflections on some law professors at Leiden between c. 1580 and c. 1715' (2013) 81 *The Legal History Review* 5.

this strong (legal) intellectual presence in the city, an established network of printers and publishers was required, to cater to the academic activities of the scholars. Such a network was indeed embedded in the city, prominently positioning itself not only within the Dutch book trade, but also beyond that, in the international market. Pieter van der Aa (1659-1733) is an example of a particularly famous publisher and book trader who was set up in Leiden, and was especially known for his maps and atlases.<sup>96</sup> That said, he also published law books. Overall, it is understandable that Leiden is the city in which most Roman law books in the Newhailes Library were published.

The second Dutch city in terms of highest number of published Roman law works is Amsterdam. A good 53 Roman law books from Appendix B's list were published in this city. Unlike Leiden, this was not almost solely due to the presence of an all-encompassing academic institution; the Municipal University of Amsterdam was only founded in 1877, whilst the University of Amsterdam as it is known today was established in 1961. That said, the predecessor of the Municipal University of Amsterdam, the *Athenaeum Illustre* of Amsterdam, was already founded in 1632. The presence of this *Athenaeum Illustre* could have influenced Amsterdam's role in book publication and trade somewhat, as it was a renowned institution with famous scholars affiliated with it.<sup>97</sup> However, this was not the primary element that facilitated Amsterdam's extensive culture of printing and publishing, and made Amsterdam 'the Bookshop of the World'. A great deal of factors contributed to this. One is Amsterdam's convenient geographical location and characteristics; not only was it ideally located for the vast distribution of books throughout Europe, it was also a melting pot of many people from different cultures and disciplines, and with different backgrounds. On top of this, Amsterdam really was the general epicentre of the Low Countries at the time, attracting a very large number of people, also due to its political and religious tolerance, and liberal stance on free speech.<sup>98</sup> It was, inter alia, these factors that made Amsterdam a very appealing place for book publishers to set up shop, and see their business flourish due to the favourable conditions. Subsequently, the growing number of skilled publishers was attractive to renowned authors for the publication of their books, as

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<sup>96</sup> PG Hoftijzer, 'The Leiden bookseller Pieter van der Aa (1659-1733) and the international book trade' in C Berkvens-Stevelinck et al (eds), *Le magazine de l'univers: The Dutch Republic as the centre of the European book trade* (Brill 1992).

<sup>97</sup> Generally refer to: PJ Knegtman, *From Illustrious School to University of Amsterdam* (Amsterdam University Press 2007). Three famous scholars that taught at the *Athenaeum Illustre* were Caspar van Baerle, Gerardus Vossius and Petrus Camper.

<sup>98</sup> PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) para 5; A Pettegree and A der Weduwen, *The Bookshop of the World: Making and Trading Books in the Dutch Golden Age* (Yale University Press 2019) 217-318.

they would be able to share in the profits of this as well.<sup>99</sup> It is likely that this was the case for Roman law authors, making Amsterdam an important source of Roman law texts.

Third on the list is Utrecht, with 36 Roman law books in the Newhailes Library originating from there. On the list of Appendix B, Utrecht as a place of publication is mostly denoted in the works as '*Ultrajecti*' or '*Trajecti ad Rhenum*'. As is the case with Leiden, Utrecht was an important centre of book publication and trade mainly due to it being another intellectual hub in the Netherlands. This was the result of it being home to Utrecht University, which was founded in 1636. To date, Utrecht University continues to provide a well-rounded legal education, as well as influential contributions to legal academia. Many renowned law professors were affiliated with Utrecht University, amongst others Abraham Wieling, Everhard Otto, Johannes Voet and Cornelius van Eck.<sup>100</sup> Utrecht is especially interesting to note due to Hailes' own legal education there, as well as his grandfather's. This could be a good explanation for the particularly high number of Roman law books in the Newhailes Library published in Utrecht, as Hailes and his grandfather will have collected Roman law books capturing their interest whilst they studied there. Given Hailes' continuance of his career as an advocate, he primarily studied Roman law in Utrecht, making his collection of books with a Roman law theme understandable.<sup>101</sup> It can be garnered that Utrecht was an important source of the Roman law collection in the Newhailes Library.

Fourthly, Antwerp has 19 Roman law books in the Newhailes Library originating from it, which is listed in Appendix B's works by '*Antuerpiæ*'. Where Utrecht was more similar to Leiden, Antwerp was slightly more similar to Amsterdam, in that the city did not host a major educational institution such as a university until the 19<sup>th</sup> century, when the Saint-Ignatius School for Higher Education in Commerce (now the University of Antwerp) was founded. That said, other factors contributed to Antwerp's position in book publication and trade in the time period that this work focusses on. Earlier, in the 16<sup>th</sup> century, Antwerp is considered to have been the printing capital of the low countries. As a port city, Antwerp constituted an ideal geographical location for the vast spread of books throughout Europe.

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<sup>99</sup> PG Hoftijzer, 'Metropolis of Print: The Amsterdam Book Trade in the Seventeenth Century' in P O'Brien et al (eds), *Urban Achievement in Early-Modern Europe: Golden Ages in Antwerp, Amsterdam and London* (Cambridge University Press 2001) 249-263.

<sup>100</sup> T Welten, 'Utrechtse Hoogleraren in de rechten (1636-1815): Enkele aspecten van de geschiedenis van de rechtenfaculteit te Utrecht' (1987) 55 *The Legal History Review* 67; MJAM Ahsmann, R Feenstra and CJH Jansen, *Bibliografie van hoogleraren in de rechten aan de Utrechtse Universiteit tot 1811* (Koninklijke Nederlandse Akademie van Wetenschappen 1993).

<sup>101</sup> JW Cairns, 'Legal Study in Utrecht in the late 1740s: The Education of Sir David Dalrymple, Lord Hailes' (2002) 8 *Fundamina* 30.

The most famous printer from Antwerp was perhaps Christophe Plantin (1520-1589), by whom four Roman law books in the Newhailes Library were published as well. During the Eighty Years' War, many skilled printers fled from Antwerp to avoid religious persecution at the hands of the Spanish, in favour of Leiden or Amsterdam. Nevertheless, Antwerp remained a centre of book publication and trade, with several printers still maintaining a presence there.<sup>102</sup> Most Roman law books in the Newhailes Library were published in Antwerp before the effects of the Eighty Years War materialised.

#### 4.1.2. Cities with less than ten listed books

Now that the four cities with ten or more Roman law books in the Newhailes Library originating from them have been discussed, the cities with less than ten publications can be turned to. The next paragraphs aim to discuss these cities concisely, providing the most noteworthy and relevant details.

Franeker is the place of publication of nine Roman law books in the Newhailes Library. This is not surprising, given the fact that Franeker was an intellectual hub due to it housing the University of Franeker. The University of Franeker was established in 1585, and until about 1700, the university was considered to be of high renown, attracting many students from far and wide. Similar to Leiden and Utrecht, such success as a university brought it with it a lively book trade, allowing academics from the university to have their works published in the same city. Several famous law professors at the University of Franeker were Johann Heineccius, Abraham Wieling, Ulrik Huber, Gerard Noodt and Cornelius van Eck. Unfortunately, from 1700, the university deteriorated, with student numbers dropping. Eventually, Napoleon closed the University in 1811. The University was not restored after the departure of the French occupier.<sup>103</sup>

Seven Roman law books in the Newhailes Library were published in Leuven; this is indicated in the works by '*Lovanii*'. Book publishing and trade were greatly stimulated by the presence of the old University of Leuven, which was founded in 1425, but closed when

<sup>102</sup> PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) para 7. For further information on the *Officina Plantiniana*, refer to: L Voet, *The Golden Compasses: A History and Evaluation of the Printing and Publishing Activities of the Officina Plantiniana at Antwerp*, vol 1-2 (Van Gendt & Co 1969-1972).

<sup>103</sup> MJAM Ahsmann, 'De juridische faculteit te Franeker 1585-1635: Een studie over de professoren en hun onderwijs met lijsten van verdedigde disputaties' (1986) 54 *The Legal History Review* 3; R Feenstra, 'Ten Franeker Law Professors and Their Bibliography: Some Results of Recent Research' (2002) 8 *Fundamina* 103; R Feenstra, MJAM Ahsmann and TJ Veen, *Bibliografie van hoogleraren in de rechten aan de Franeker Universiteit tot 1811* (Koninklijke Nederlandse Akademie van Wetenschappen 2003).

South Netherlands came under French rule in 1797.<sup>104</sup> The old University of Leuven was a renowned institution, and attracted many accomplished academics, such as Joachim Hoppers and Nicolaas Everaerts. Leuven's printers catered to the needs of the University's academics.

The Hague is the place of origin of six Roman law books in the Newhailes Library, which the works convey by using (variations of) '*Hagae Comitum*' or '*Hagae Batavorum*'. Whilst Amsterdam was the Netherlands' main centre of book trade with nearly 33 percent of all books in the 17<sup>th</sup> century printed there, cities like The Hague accounted for a fair part of book trade as well. In the case of The Hague, this was due to it being a central and important city, particularly given the fact that the national government was (and still is) located there.<sup>105</sup> To this effect, all printers that were associated with the States General by printing official publications were based in The Hague, or had at least an office there.<sup>106</sup> Moreover, The Hague is very closely located to Leiden, which made it a good alternative place of publication for academics from Leiden University.

Leeuwarden is the place of publication of four Roman law books in the Newhailes Library. Although Leeuwarden did not host a university, nor was it a very centrally located city, it was still a relatively large city, and the capital of the Dutch province of Friesland. As such, it was still an important place when it came to book publication and trade.<sup>107</sup> In addition, Leeuwarden is closely located to Franeker, meaning that academics from Franeker could alternatively have had their works published there.

Three Roman law work in the Newhailes Library were published in Groningen. Again, this is due to Groningen being a university city, with the University of Groningen being located there since 1614. Famous law professors at the University of Groningen were Jean Barbeyrac, Antonius Matthaeus I and Alexander Pagenstecher.<sup>108</sup> As with all university cities, a lively culture of book publication and trade was stimulated by the high amount of academic activity.

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<sup>104</sup> See generally: E Lamberts and J Roegiers, *Leuven University: 1425-1985* (Leuven University Press 1990).

<sup>105</sup> PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) para 6.

<sup>106</sup> The States General was the body of delegates representing the United Provinces of the Netherlands during the time of the Dutch Republic (1579-1795).

<sup>107</sup> PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) para 6.

<sup>108</sup> See generally: B Hempenius-van Dijk et al, *Bibliografie van hoogleraren in de rechten aan de universiteiten van Groningen en Harderwijk tot 1811* (Koninklijke Nederlandse Academie van Wetenschappen 2013).

Liège is next on the list, and another three Roman law books in the Newhailes Library were published there. Not much is particularly known about Liège as a centre of book publication and trade. That said, a factor that could have contributed to these law books having been published there, is the fact that it is located centrally and, as such, constituted an important economic hub in the 17<sup>th</sup> and 18<sup>th</sup> century.<sup>109</sup> This could have stimulated its book trade significantly.

A further three Roman law books in the Newhailes Library were published in Rotterdam. Rotterdam, or ‘Little London’, as it was known as at the time, was an important centre of book trade in the Netherlands in the 17<sup>th</sup> century. This was mainly due to it being a very conveniently located seaport, from which books could easily be distributed across Europe. Rotterdam was a prosperous financial centre in general due its many, extensive trading activities, further stimulating a flourishing environment for book trade. Additionally, together with those in Leiden and Amsterdam, Rotterdam’s booksellers represented London booksellers specialised in ‘Latin trade’, the import of scholarly and scientific books.<sup>110</sup> Reinier Leers (1654-1714), who published two of the three Rotterdam-published Roman law books in the Newhailes Library, was perhaps the most well-known printer in Rotterdam.<sup>111</sup> These facts make it surprising that more Roman law books in the Newhailes Library were not published in Rotterdam.

Brussels is the place of publication of two Roman law books in the Newhailes Library. Between 1555 and 1713, Brussels was under Spanish rule, and it was only with the Treaty of Utrecht that Brussels was under placed under Austrian rule, marking the start of the Austrian Netherlands. This makes Brussels geographically Dutch, but not so much culturally. A well-known printer in Brussels was Eugène-Henri Fricx (1644-1730), who mostly specialised in the publication of religious works.<sup>112</sup>

The cities that are the place of publication of only one Roman law book in the Newhailes Library (Bruges, Delft, Deventer, Dordrecht, Gorinchem, Gouda and Harlingen) will not be discussed separately. There are, however, several relevant comments to be made about

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<sup>109</sup> Generally refer to: J Stiennon, *Histoire de Liège* (Privat 1991); B Demoulin, *Geschiedenis van Luik: Stad, hoofdstad, metropool* (Marot 2017).

<sup>110</sup> PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) paras 6, 16, 23.

<sup>111</sup> OS Lankhorst, ‘Reinier Leers, Uitgever en Boekverkoper te Rotterdam (1654–1714): Een Europees "Libraire" en Zijn Fonds’ (PhD thesis, Radboud University Nijmegen 1983) 1-14.

<sup>112</sup> PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) para 30.



some of these cities. Delft was considered to be a larger player in the Dutch book trade market due to it being an industrial town. Book trade in Bruges and Harlingen was particularly present due to both being (near) a seaport.<sup>113</sup> Bruges, Deventer and Dordrecht each had an *Athenaeum Illustre*, which may have stimulated book trade in those places, as such institutions employed various academics.<sup>114</sup>

#### 4.1.3. Reflection

This first part of the chapter has aimed to shed light on the forces behind the publication of Roman law books in the Netherlands, and subsequently on the presence and spread of works such as those in the Newhailes Library. It can be said that the Netherlands, and its various cities, can rightfully be marked as Europe's central hub for book trade in the time period that this work focusses on. In this light, Dutch book printing and publication of that time can be considered a driving force behind the reception of Roman law in Scotland, given the previously discussed importance of those books. However, to make this conclusion complete, one further aspect of Dutch book trade is still to be examined: the publishers of the works.

## 4.2. The Newhailes Library's Dutch-published Roman law books and their publishers

With the Dutch cities of publication of the Roman law books in the Newhailes Library discussed, the reasoning of book publication and trade as a reflection of the reception of Roman law in the Scottish legal system will now be completed by reviewing the publishers of those works. Looking into these publishers in the context of this work is relevant from a number of perspectives. Firstly, such information will demonstrate the extent to which each publisher specialised in the publication of Roman law books and, therewith, how (much) that publisher specifically influenced the reception of Roman law in Scotland. Secondly, where it concerns publishers who are better known or about whom more details are available, insight may be provided into the magnitude of the spread of those specific Roman law works, and how this spread further influenced Scotland's reception of Roman law. Thirdly, exploring this will help in gaining a more thorough understanding of the

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<sup>113</sup> PG Hoftijzer, *The Dutch Republic, Centre of the European Book Trade in the 17th Century* (Institut für Europäische Geschichte 2015) para 6.

<sup>114</sup> A Pettegree and A der Weduwen, *The Bookshop of the World: Making and Trading Books in the Dutch Golden Age* (Yale University Press 2019) 172-194.

Netherlands' culture of book printing in the time period that this work focusses on and will, as such, aid this chapter in producing more all-encompassing conclusions.

The final list of Appendix C sets out the different publishers of the works on Appendix B's list. The publishers are categorised per city of publication, and listed based on the descending number of publications. Where the number of publications is the same, publishers are categorised alphabetically, first based on city, and if the city is also the same, based on name. As is the case with cities of publication, more books can be found on this list than the total number of Roman law books in the Newhailes Library that are published in the Netherlands. This is due to various books having been jointly published by two or more publishers. This is similar to how, in the previous chapter, various books were jointly authored. In addition, some publishers may be mentioned multiple times, if works on Appendix B's list published by them originate from different cities, given that the publishers are categorised per city. The next paragraphs will discuss the publishers of the Dutch-published books on the list of Appendix B. This will be carried out by discussing these publishers in descending order of number of publications. To begin, publishers with ten or more publications will be examined, after which the publishers with between five and nine publications will pass review. Subsequently, publishers with four and then three publications will be analysed. Publishers with only one or two publications will not be examined, as this would not provide enough substance to draw a sufficient connection in the context of this work.

#### *4.2.1. Publishers with ten or more listed books*

There are three publishers by whom ten or more Roman law books that are present in the Newhailes Library were published. These are Johannes Janssonius van Waesberge (Amsterdam) (12 books), Joannes Maire (Leiden) (11 books) and Elzeviriana (Leiden) (ten books). The next paragraphs will briefly discuss each publisher and highlight the most important aspects in the context of this thesis.

Johannes Janssonius van Waesberge (1616-1681) was a Dutch printer, publisher and book trader, who was mostly active in Amsterdam, Utrecht and Breda. Van Waesberge came from a family of printers and book traders that were primarily based in Rotterdam. Around 1675-1676, he had established the *Officina Janssonio-Waesbergiana*, which he ran together with his two sons. Van Waesberge published a number of famous (academic) works, and

exclusively printed the works of Athanasius Kircher (1602-1680).<sup>115</sup> With his extensive publications, Van Waesberge contributed to the spread of Roman law in Scotland, especially given the fact that 12 Roman law books in the Newhailes Library were published by him in Amsterdam alone.

Joannes Maire (1603-1657) was a Dutch printer, publisher and book trader, and was solely active in Leiden. It is known that the existence of the university greatly contributed to his business, resulting in him publishing at least 527 titles, mostly on medicine, theology and classical philology. René Descartes and Erasmus are amongst the authors whose books he published.<sup>116</sup> Like Van Waesberge, with his 11 publications of Roman law works in the Newhailes Library, his contribution to Scotland's Roman law reception was relatively significant.

Officina Elzeviriana, or House of Elzevir, was a famous publishing house that existed for over 130 years (1580-1712). It was founded by Lodewijk (or Louis) Elzevir (1540-1617), who came from Leuven and studied under the famous Christophe Plantin in Antwerp. Elzeviriana was very well known in Europe, published books for many famous academic authors, and distributed a wide variety of them to all corners of the continent. Amongst these exports were many publications on Roman law.<sup>117</sup> Ten of these made their way into the Newhailes Library. Given their prominence in this period, Elzeviriana's contribution to the reception of Roman law is considered to be relatively sizeable.

#### *4.2.2. Publishers with between five and nine listed books*

There are four publishers by whom between five and nine Roman law books that are present in the Newhailes Library were published. These are Willem van de Water (Utrecht) (nine books), Johannes van der Linden Jr (Leiden) (seven books), Johannes Broedelet (Utrecht) (six books) and Philippus Nutius (Antwerp) (five books). The next paragraphs will briefly expand on these publishers and identify the most important aspects in the context of this work.

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<sup>115</sup> See generally: AM Ledeboer, *Het geslacht Van Waesberghe: Eene bijdrage tot de geschiedenis der boekdrukkunst en van den boekhandel in Nederland* (Martinus Nijhoff 1869).

<sup>116</sup> R Breugelmans, *Fac et Spera: Joannes Maire, Publisher, Printer and Bookseller in Leiden, 1603-1657: A Bibliography of His Publications* (Brill 2003) 1-27.

<sup>117</sup> H Chisholm, 'Elzevir', *Encyclopædia Britannica* (1911) 304; DW Davies, *The World of the Elseviers 1580-1712* (Martinus Nijhoff 1954) 1-33, 142-155.

Willem van de Water (fl. 1686-1728) was a Dutch printer, publisher and book trader who was mainly active in Utrecht. He was Utrecht University's official printer from 1699 until he died. He had set up shop on Oudkerkhof. He seemed to be frequently written about in correspondence by Scottish students studying in the Netherlands.<sup>118</sup> Given his importance as an academic publisher, and his role in supplying Scottish (law) students with their study materials, it can be noted that he played a significant part in the spread of Roman law in Scotland.

Johannes van der Linden Jr (fl. 1708-1731) was a Dutch printer, publisher and book trader who had set up shop in Leiden. He was particularly known for printing the *Bibliotheca Cuningamia* (1730), and had a substantial number of Scottish clients.<sup>119</sup> Given these details, and the fact that he published seven of the books on Appendix B's list, he has made some contributions to Scotland's reception of Roman law.

Johannes Broedelet (fl. 1722-1771) was a Dutch printer, publisher and bookseller who was active in Utrecht from 1722 until his death. He worked mainly for Utrecht University, and was the son of Willem Broedelet, who was also a bookseller in Utrecht.<sup>120</sup> Not much is known about him, so it is difficult to draw any conclusions about him in the context of this work.

Philippus Nutius (1543-1586) was a Flemish printer, publishers and bookseller in Antwerp. His father, Martinus Nutius I (1515-1558), was also a printer. He learned the trade from his father.<sup>121</sup> Again, not much is known about his precise trade, so not much can be said about him in light of this work's context.

#### 4.2.3. Publishers with four listed books

There are six publishers by whom four Roman law books that are present in the Newhailes Library were published. These are Daniel Elzevir (Amsterdam), Joan and Cornelius Blaeu (Amsterdam), Christophe Plantin (Antwerp), Felicem Lopez (Leiden), Justus Livius (Leiden) and Johannes Ribbius (Utrecht). These publishers will now be reviewed.

<sup>118</sup> E Mijers, *'News from the Republic of Letters': Scottish students, Charles Mackie and the United Provinces, 1650-1750* (Brill 2012) 138.

<sup>119</sup> E Mijers, *'News from the Republic of Letters': Scottish students, Charles Mackie and the United Provinces, 1650-1750* (Brill 2012) 139.

<sup>120</sup> Bibliothèque nationale de France, 'Broedelet, Johannes (17..-1771?)', *Catalogue général* (2021).

<sup>121</sup> M Rooses, 'Nutius (Philippe)', *Biographie Nationale de Belgique* (1901).

Daniel Elzevir (1626-1680) was a Dutch printer, publisher and book trader, who was a member of the famous book printing family Elzevir. As such, he joined the House of Elzevir. In 1654, he joined his cousin Louis Elzevir (1604-1670) (third of his name) in Amsterdam. In the context of this work, they are particularly known for printing various Roman law works, particularly a magnificent *Corpus Juris Civilis* in two volumes.<sup>122</sup> Given this information, Daniel Elzevir contributed to the reception of Roman law in the Scottish legal system, as some of the Roman law works that he printed had clearly been exported or taken along to Scotland.

Joan and Cornelius Blaeu (1596-1673, 1610-1648) were Dutch cartographers, printers, publishers and booksellers, that were particularly famous for their mapmaking. They were the sons of the famous Willem Blaeu (1571-1638), who had set up shop in Amsterdam in 1596, and later became hydrographer for the *Vereenigde Oost Indische Compagnie* ('United East India Company').<sup>123</sup> After his law studies in Leiden, Dr Joan Blaeu took over his father's business. He published many different atlases, maps and other books with his brother, and made his shop famous.<sup>124</sup> As such, his indirect contributions to the spread of Roman law in Scotland can be considered to be significant.

Christophe Plantin was a Flemish printer, publisher and book trader who primarily worked and resided in Antwerp. Apart from being involved in the book trade, Plantin was also a Renaissance humanist. Plantin was perhaps the most well-known book trader in Antwerp at the time, and various famous authors had their books printed by him. He printed many religious and academic works. After the Spanish burned down Antwerp in 1576, Plantin's business was reduced significantly. When asked by the states of Holland to become a typographer for the newly established Leiden University in 1583, he moved to Leiden, leaving his office in the care of his sons-in-law. Several years later, he returned back to this office, where he worked until his death in 1589.<sup>125</sup> Given Plantin's expansive reputation in Europe, it is likely that he has played a decent role in Scotland's reception of Roman law as well, via the Roman law works that he published, which include those in the Newhailes Library.

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<sup>122</sup> DW Davies, *The World of the Elseviers 1580-1712* (Martinus Nijhoff 1954) 97-121.

<sup>123</sup> Generally refer to: J Keuning and M Donkersloot-de Vrij, *Willem Jansz. Blaeu: A biography and history of his work as cartographer and publisher* (Theatrum Orbis Terrarum 1973).

<sup>124</sup> J Keuning, 'Blaeu, (Dr. Joan) (1)', *Nieuw Nederlands biografisch woordenboek* (1937).

<sup>125</sup> See generally: L Voet, *The Golden Compasses: A History and Evaluation of the Printing and Publishing Activities of the Officina Plantiniana at Antwerp*, vol 1-2 (Van Gendt & Co 1969-1972); S Langereis, *De woordenaar: Christoffel Plantijn, 's werelds grootste drukker en uitgever (1520-1589)* (Balans 2014).

Felicem Lopez (fl. 1664-1693), also known as Felix Lopez de Haro, was a printer, publisher and book trader. His father, David Lopez de Haro (1602-1670), was also a printer. He was active in Leiden, and between 1679 and 1688 had a shop opposite Leiden University's Academy Building. He primarily printed academic works.<sup>126</sup> Given that not very much is known about Lopez, no hard conclusions can be drawn about his role in the context of this work.

Justus Livius (fl. 1632-1650) was a printer who was active in Leiden.<sup>127</sup> Very little is known about him, so unfortunately, nothing relevant can be noted about him for this work's purposes.

Johannes Ribbius (fl. 1666-1714) was a printer, publisher and book trader. He was active in Utrecht. His shop was located on the Korte Jansstraat.<sup>128</sup> Again, very little is known about this publisher, making it difficult to gauge his significance in relation to the reception of Roman law in Scotland.

#### 4.2.4. Publishers with three listed books

There are six publishers by whom three Roman law books that are present in the Newhailes Library were published. These are Louis Elzevir (Amsterdam), Wetsteniana (Amsterdam), the Verdussen family (Antwerp), Jordaan Luchtmans (Leiden), Gijsbert van Zijll (Utrecht) and Hermanus Besseling (Utrecht). The next paragraphs will briefly discuss these publishers and, where possible, make observations in light of this work's purposes.

Louis Elzevir was a Dutch printer, publisher and book trader who was the co-founder of the Amsterdam printing press of the House of Elzevir. As previously discussed, he ran the Amsterdam office together with his cousin Daniel. He published a wide variety of influential Roman law works.<sup>129</sup> Like Daniel, he indirectly contributed to the reception of Roman law in the Scottish legal system, as at least some of the Roman law works that he printed had ended up in Scotland. Combined, Daniel and Louis published seven of the Roman law books in the Newhailes Library, with Amsterdam as the place of publication.

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<sup>126</sup> G van Loon, 'Genealogie en biografie van een Leidse boekverkopersfamilie' in PG Hoftijzer and TSJG Bögels (eds), *David en Felix Lopez de Haro (1627–1694): Boekverkopers op het Rapenburg over de Academie* (Bibliotheek der Rijksuniversiteit Leiden 1985); A Compston, 'All Manner of Industry and Ingenuity': *A Bio-Bibliography of Thomas Willis 1621 - 1675* (Oxford University Press 2021) 121.

<sup>127</sup> CERL Thesaurus, 'Livius, Justus', *CERL Thesaurus* (2006).

<sup>128</sup> German National Library, 'Ribbius, Johannes', *Katalog der Deutschen Nationalbibliothek* (2021).

<sup>129</sup> DW Davies, *The World of the Elseviers 1580-1712* (Martinus Nijhoff 1954) 97-121.

Taken together with the ten Roman law books in the Newhailes Library published by the House of Elzevir in Leiden, this reflects the incredible influence of this printing house alone.

Wetsteniana was a Dutch publishing house in Amsterdam, that was founded by Hendrik Wetstein (1649-1720). He published many works that were intellectual in nature, and in that way, made important contributions to the academic world.<sup>130</sup> Not much more is known about him, which makes it difficult to draw any relevant conclusions.

The Verdussen family was a dynasty consisting of many printers that were active in Antwerp, that lasted over 200 years. The founder of the publishing house was Hieronymus Verdussen (1552-1635). After his apprenticeship, he vastly expanded his business. He alone would print almost 300 works on a wide variety of topics, many academically orientated. Amongst the books that the Verdussen family published were various Roman law works as well.<sup>131</sup> Given that three of the works on Appendix B's list are published by this family, and the influence of their publishing house is extensive, it can be noted that their activities have made a contribution to Scotland's reception of Roman law.

Jordaan Luchtmans (1652-1708) was a Dutch printer, publisher and bookseller, who was active in Leiden. He is the founder of the publishing house now known as Brill, which he founded in 1683. Luchtmans published many works for Leiden University, and had good connections with the institution. He became a successful businessman, and his publishing house, which was located next to the Academy Building, flourished.<sup>132</sup> Given these details, the three Roman law works in the Newhailes Library, and the fact that Brill, to date, is still a renowned publisher of (legal) academic works, it can be concluded that Luchtmans' contributions to the spread of Roman law in Scotland are present, to say the least.

Gijsbert van Zijll (fl. 1645-1672) was a Dutch printer, publisher and book trader. His business was located in Utrecht on the Ganzenmarkt, where he published a variety of academic works.<sup>133</sup> Not much further information is known about Van Zijll, so no relevant conclusions can be drawn.

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<sup>130</sup> AJ van der Aa, 'Wetstein (Johan Hendrik)', *Biografisch woordenboek der Nederlanden* (1877).

<sup>131</sup> S van Rossem, 'Het gevecht met de boeken: De uitgeversstrategieën van de familie Verdussen (1589-1689)' (PhD thesis, University of Antwerp 2014) 23-50.

<sup>132</sup> AJ van der Aa, 'Luchtmans (Jordaan)', *Biografisch woordenboek der Nederlanden* (1865); S van der Veen et al, *Brill: 325 jaar uitgeven in dienst van de wetenschap* (Brill 2008) 9-44.

<sup>133</sup> CERL Thesaurus, 'Van Zijll, Gijsbert', *CERL Thesaurus* (2021).

Hermanus Besseling (fl. 1723-1761) was a Dutch printer, publisher and book trader. Apart from the fact that he was active in Utrecht, there is no other relevant information available about him.<sup>134</sup> As such, nothing of interest can be noted about him in the context of this work.

### 4.3. Interim conclusion

When reviewing the cities of origin of the Dutch Roman law works in the Newhailes Library, one cannot fail to miss that Leiden and Amsterdam, and to a lesser extent Utrecht, score particularly highly. The reasons for this have been outlined: Leiden and Utrecht had vibrant printing cultures due to the presence of two renowned universities, Amsterdam's success as a centre of book trade is attributable to a wide variety of reasons. Determining the cities of origin of the Dutch Roman law books in the Newhailes Library, means determining the places and related factors that have contributed to the reception of Roman law in the Scottish legal system. For Leiden and Utrecht, for example, the universities were a driving force behind the spread of Roman law works to Scotland, making universities important catalysts of Scotland's reception of Roman law. In Amsterdam, factors such a geographical location, social composition, commercial flourishing, and political and religious tolerance all played a part in Amsterdam's book trade, and thus made an indirect contribution in this work's context. For cities of origin with fewer listed Roman law works in the Newhailes Library, similar, albeit weaker, conclusions can be drawn based on factors that influenced the printing, publishing and selling of books there.

Examining the publishers of the Dutch Roman law books in the Newhailes Library has proven to be particularly interesting. In a fair number of instances, the publishers' influence on the Roman law collection of the Newhailes Library is logical, for example, due to a publisher being known to have been a powerhouse, it being located in a university city with close ties to academia, or it being known to have had a particularly sizeable Scottish clientele. In those instances, it is a small step to conclude that a publisher has, via the works in the Newhailes Library, indirectly contributed to Scotland's reception of Roman law. However, where those reasons are absent, this may be an indication of Hailes or his predecessors going more out of their way to collect a work. Unfortunately, in such a situation, less context is present to draw a more colourful conclusion about the publisher playing an important role in the context of this work. Nevertheless, this does not mean that

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<sup>134</sup> CERL Thesaurus, 'Besseling, Hermanus', *CERL Thesaurus* (2008).



no such contribution existed. In addition, the fact that a publisher published a lot of Roman law works in the Newhailes Library may indicate a larger contribution, but this does not have to be the case. Weight also lies on the content of the books and how it was received in Scotland. This would provide interesting material for future study.

Having painted the full picture of the Dutch Roman law collection of the Newhailes Library, its origins and its emblematic nature in relation to Dutch influence on the reception of Roman law in Scotland, it is now useful to place the Newhailes Library, its law collection and the information researched into a wider context. The next chapter will aim to do this by comparing the Newhailes Library to similar libraries at the time.

## 5. The Newhailes Library and Its Counterparts: A Comparative Analysis

With complete insight into the Dutch Roman law contents of the Newhailes Library having been provided, it is now time to place this gained knowledge within the wider landscape of law libraries at the time. To this effect, the Roman law contents of the Newhailes Library, more particularly the Dutch ones, are to be examined in light of and compared to those of other prominent Scottish libraries specialising in the collection and display of law books. Such a contextualisation will allow for an assessment of whether the Newhailes Library was truly emblematic of the reception of Roman law in Scotland. This is relevant, as it will give an indication of the scope of effect of the contents of the collection, as discussed in the previous chapters. For example, if it turns out that there were not many law libraries that were similar to or equalled the Newhailes Library in its contents and magnitude, then that may indicate that the Newhailes Library's Dutch Roman law works were particularly or even greatly novel and significant in Scotland. However, if it turns out that more rivalling law libraries did exist, then this may somewhat alter the perception of the degree to which the Newhailes Library's Dutch Roman law collection was emblematic in this work's context, and indicate that the Newhailes Library moved with the times, without rendering invalid the conclusion that it was emblematic to begin with.

So, the question comes, which law libraries at the time should be subject to a comparison with the Newhailes Library? In answering this question, there are several considerations that need to be taken into account. At the outset, it would be impossible for this work to draw comparisons with every law library in Scotland at the time. Therefore, a selection has to be made based on certain criteria. The first of these criteria is available information. It is more feasible and likely to provide accurate conclusions about a comparison with a law library of which more is known, in terms of background information and contents. Secondly, the person(s) or organisation connected with the library are important. This will help in gaining a better idea of the significance of the library through the nature of the activities of these associated parties. Thirdly, the extent to which the library is still intact is of importance, in the sense that its contents, particularly as they were at the time, have been preserved and recorded well, attesting to its accuracy. Using these criteria, there are two libraries suitable for comparison that can be identified. These are the Advocates Library and the library of Charles Areskine, Lord Tinwald (1680-1763).

## 5.1. The Advocates Library

### 5.1.1. Background information

Formally founded in 1689, the Advocates Library constitutes the law library of the Faculty of Advocates, and is located in Parliament House on the Royal Mile in Edinburgh. The actual library had already been operational since 1682.<sup>135</sup> Its founding was primarily initiated by Sir George Mackenzie of Rosehaugh (1636/1638-1691), an advocate and later Lord Advocate, and author of the famous textbook *Institutions of the Law of Scotland* (1684), after his installation as Dean of the Faculty of Advocates.<sup>136</sup> In 1710, the library gained legal deposit privilege, greatly contributing to its expansion over the next two centuries, until the creation of the National Library of Scotland in 1925. This led to the Advocates Library gifting all of its non-legal works to the National Library of Scotland.<sup>137</sup>

The current Advocates Library's collection is digitally categorised by the National Library of Scotland, similar to the Newhailes Library. In the instances where a book is held in the Advocates Library, it is listed as belonging to the National Library of Scotland. As such, it will mention the National Library of Scotland as its primary location (for example its General Reading Room), whilst indicating that the work is stored in the Advocates Library. This means that the public can request access to the work, at which point the National Library of Scotland will temporarily move it from the Advocates Library to one of its reading rooms. The Advocates Library's contents are only accessible to the public via this route.

Unfortunately, it is not readily known when the relevant Roman law works that are present in the Advocates Library were exactly added to the collection. This makes a comparison with the Newhailes Library in the set timeframe more complicated, in that it will only permit preliminary conclusions to be drawn, with the necessary reservations. That said, this chapter aims to generally gauge the broader setting and context that the Newhailes Library existed in, rather than discovering detailed findings from the comparison. Also, with the

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<sup>135</sup> TI Rae, 'The origins of the Advocates' Library' in P Cadell and A Matheson (eds), *For the encouragement of learning: Scotland's National Library, 1689-1989* (HMSO 1989); J St Clair and R Craik, *The Advocates' Library: 300 Years of a National Institution 1689-1989* (HMSO 1989) 23-50.

<sup>136</sup> C Jackson, 'Mackenzie, Sir George, of Rosehaugh (1636/1638-1691)', *Oxford Dictionary of National Biography* (2004).

<sup>137</sup> TI Rae, 'The origins of the Advocates' Library' in P Cadell and A Matheson (eds), *For the encouragement of learning: Scotland's National Library, 1689-1989* (HMSO 1989); J St Clair and R Craik, *The Advocates' Library: 300 Years of a National Institution 1689-1989* (HMSO 1989) 23-50.

existing books in the Advocates Library, and the year and author that they were published, a rough reconstruction can be made. The catalogues of the Advocates Library, which are all publicly and digitally accessible, are a great aid in this endeavour, as each has a year of publication specified. If a book is included in such a catalogue, that would provide an idea of the year in which it was present in the Advocates Library, and may therefore provide indirect information on when it was accessioned. Such a method would provide a great tool for further study.

### *5.1.2. Comparative analysis*

In many respects, even though both contain works of a very similar nature, the Newhailes Library and the Advocates Library are generally not very much alike. Their origins are different indeed. Where the former was a library intended for private use, which was collected together by a few influential individuals for their own purposes, the latter functioned as a public library, and was intended for wider usage by numerous people. Where the Newhailes Library's driving force was a few individuals spanning over several generations, the Advocates Library's driving force was the always existent, singular constant institution that is the Faculty of Advocates. This makes the Advocates Library a more permanent venture that is guaranteed of continuing existence over the centuries, whilst the Newhailes Library's existence is much more precarious, being dependent upon the pursuits and plans of its owners. Whilst the libraries were predominantly legal in nature, neither of them was limited to solely legal books. The Newhailes Library contained many other works as well, and even though its focus was law books, Hailes, and his father and grandfather were more widely intellectually engaged, and therefore collected books of other disciplines too. With the Advocates Library, the history behind its start as a more general library has already been touched on, and is attributable to its previous legal deposit privilege.

The book list that constitutes Appendix B is derived from a list that has been compiled using the online catalogue of the National Library of Scotland. That particular digital list also contains details on the location(s) of the work, and any collection it belongs to. All books state the Newhailes Collection as its location, but frequently, other collections are mentioned as locations as well, in which case the National Library of Scotland holds multiple copies of the work from different collections. One other collection that is frequently mentioned together with the works in Appendix B's list is the Advocates Library. This gives very useful insight into which books both the Newhailes Library and

the Advocates Library contained, but also which books the Newhailes Library contained that the Advocates Library did not contain. It only does not provide insight into the works that the Advocates Library did contain, but that the Newhailes Library lacked. This will require studying the current National Library of Scotland's digital catalogue, but also historical catalogues of the Advocates Library. In light of these considerations, this analysis will be relatively brief, and only limit itself to studying data about works that are included in both libraries, compared to those that can only be found in the Newhailes Library, to give a small peek into the Newhailes Library's collection in comparison with that of the Advocates Library. Engaging in an all-encompassing study that looks at the full collections of both libraries, as well as the value and influence of each specific work that is either included in both or just in one collection (and why this is the case), is an endeavour that would have to be pursued as a separate project, given the magnitude of such a pursuit.

Moving to the analysis of the Dutch Roman law contents of the Newhailes Library and the Advocates Library, it is beneficial to first look at the works that are contained in both libraries. The following works on the list of Appendix B are also present in the Advocates Library: 3, 4, 5, 6, 13, 14, 15, 22, 23, 27, 31, 34, 43, 48, 53, 73, 75, 80, 82, 90, 95, 96, 103, 112, 114, 121, 127, 128, 130, 131, 133, 134, 135, 136, 137, 141, 142, 143, 147, 157, 158, 159, 173, 174, 175, 180, 182, 190, 192, 193, 194, 195, 196, 199, 202, 211, 215, 216, 217, 221, 222, 227, 248, 249, 252, 254 and 255. This adds up to a total of 67 of the 266 Dutch Roman law books in the Newhailes Library, that the Advocates Library also contains, which constitutes just over a quarter. This number is in itself interesting, as this is quite a significant number, but one would also expect that a library the size of the Advocates Library would contain many of the works that the Newhailes Library contains as well, also given that the latter is far smaller, and a personal rather than a public collection. This fact gives a rough indication that the Newhailes Library was really a unique library in its own right, rather than more of a personal copy of larger counterparts. This novelty is further demonstrated by the argument that, because of its unique contents, the Newhailes Library preserves an aspect of Scottish lawyers' professional life better than the Advocates Library. Further, apparently almost three quarters of the Dutch Roman law books in the Newhailes Library were not accessible via the Advocates Library, giving the Newhailes Library a distinctive position in the field. That said, this finding should not be exaggerated, as more than a quarter of similar Dutch Roman law books being present in both libraries is still significant. From that perspective, it could potentially be said that the Newhailes Library could be considered as a modern library at the time, and one that mattered and took part in the tradition of bringing knowledge in (Dutch Roman) law to Scotland, as

apparently, it contained a considerable number of works that the major law Scottish library at the time contained as well.

Of the 67 Dutch Roman law works of Appendix B's list that are also present in the Advocates Library, at least half are 'pure' Roman law works that focus completely on Roman law as their central theme, rather than it being part of a larger topic. This provides important insight into the consideration that the Newhailes Library was indeed emblematic when it comes to Dutch influence on the reception of Roman law in Scotland at the time, assuming that the Advocates Library was indeed the most influential law library in Scotland at the time.<sup>138</sup> This is due to the fact that a fairly significant number of (particularly strong) Dutch Roman law works in the Newhailes Library were also included in the Advocates Library, attesting to the notion that the Newhailes Library was indeed a modern private law library for its time, further suggesting its emblematic character. That said, to gain a full grasp and subsequently draw harder conclusions on the Newhailes Library's emblematic role in Scotland's reception of Roman law in comparison to the Advocates Library, looking into the works that the Advocates Library contains that the Newhailes Library lacks, also in conjunction with the Advocates Library's catalogues to potentially uncover when the works were added, would be required. Such a substantial study could be a worthwhile pursuit in a separate project, as noted previously.

## 5.2. Charles Areskine's library

### 5.2.1. Background information

Upon the completion of his legal studies in the Netherlands in 1711 and his qualification as an advocate in the same year, Charles Areskine embarked on a notable legal career, that would last for more than 50 years. His first milestone came in 1725, when he was appointed as Solicitor General. Various other important positions followed suit in the subsequent decades, such as that of Lord Advocate in 1737, Bencher as Lord Tinwald in 1744 and Lord Justice Clerk in 1748.<sup>139</sup> It is likely that his book collecting activities started

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<sup>138</sup> Refer to: J St Clair and R Craik, *The Advocates' Library: 300 Years of a National Institution 1689-1989* (HMSO 1989) 23-50.

<sup>139</sup> JW Cairns, 'Erskine, Charles, Lord Tinwald (bap. 1680, d. 1763), judge advocate', *Oxford Dictionary of National Biography* (2004); KG Baston, *Charles Areskine's Library: Lawyers and Their Books at the Dawn of the Scottish Enlightenment* (Brill 2016) 16-33, 59-84; KG Baston, 'Humanist Books and Lawyers' Libraries in Early Eighteenth-Century Scotland: Charles Areskine of Alva's Library' in PJ du Plessis and JW Cairns (eds), *Reassessing Legal Humanism and its Claims: Petere Fontes?* (Edinburgh University Press 2016).

as early as his student time at the University of Edinburgh from 1693, and had strongly been influenced by his study time in the Netherlands between 1707 and 1711.<sup>140</sup> Following his professional success and the earnings that he acquired from his estates, he intensified and organised his practice of book collecting into that of establishing his own private library, keeping a catalogue of his collection as of 1731 until his death.<sup>141</sup>

As is the case with the Advocates Library and the Newhailes Library, many of the books that the collection contained remain with the National Library of Scotland, and are shelfmarked and listed. These books are labelled with ‘Alva.’ followed by a number. Often, the National Library of Scotland specifically mentions that Charles Areskine was the former owner of the book. These details provide a good basis for a comprehensive comparison with the Newhailes Library to be undertaken. All of these works have their location listed as the Special Collections Reading Room and are stored onsite, making them easily accessible to the public. Further information on the collection and a rough indication of when the specific works had been acquired are provided in Areskine’s catalogue, which is also accessible via the National Library of Scotland, and could be used for further study.<sup>142</sup>

### 5.2.2. Comparative analysis

In many ways, Charles Areskine’s library is very much similar to the Newhailes Library. This starts with strong parallels between their owners. Similar to Hailes, Areskine was a renowned advocate that held various important legal positions in his life, allowing him to exert great influence on Scotland’s legal landscape. Furthermore, like Hailes and many other prominent Scottish lawyers at the time, Areskine studied law in the Netherlands, but choosing Leiden rather than Utrecht as his place of study.<sup>143</sup> As such, a clear parallel can be noted: a legal education with a strong Roman law component, followed by a distinguished legal career. This particular developmental pattern often went hand in hand

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<sup>140</sup> KG Baston, ‘Humanist Books and Lawyers’ Libraries in Early Eighteenth-Century Scotland: Charles Areskine of Alva’s Library’ in PJ du Plessis and JW Cairns (eds), *Reassessing Legal Humanism and its Claims: Petere Fontes?* (Edinburgh University Press 2016).

<sup>141</sup> JW Cairns, ‘Erskine, Charles, Lord Tinwald (bap. 1680, d. 1763), judge advocate’, *Oxford Dictionary of National Biography* (2004); KG Baston, ‘Humanist Books and Lawyers’ Libraries in Early Eighteenth-Century Scotland: Charles Areskine of Alva’s Library’ in PJ du Plessis and JW Cairns (eds), *Reassessing Legal Humanism and its Claims: Petere Fontes?* (Edinburgh University Press 2016).

<sup>142</sup> The catalogue has reference number MS.3283 and is titled ‘Catalogus Librorum D. Dni. Caroli Areskine de Barjarg, Regiarum Causarum Procuratoris. 1731’.

<sup>143</sup> JW Cairns, ‘Erskine, Charles, Lord Tinwald (bap. 1680, d. 1763), judge advocate’, *Oxford Dictionary of National Biography* (2004); KG Baston, *Charles Areskine’s Library: Lawyers and Their Books at the Dawn of the Scottish Enlightenment* (Brill 2016) 16-33, 59-84.

with a strong culture of book collecting, especially of Dutch Roman law books, and the physical accumulation of these works in a private library. Both the Newhailes Library and Charles Areskine's library came to existence in this manner.

Given the great similarities in the background and nature of both libraries, conclusions following an adequate comparative analysis will primarily have to be achieved by comparing the particular contents of the libraries. To this extent, it is important to identify the books that are the same. As was the case with the comparative analysis with the Advocates Library, a need for brevity prevents every single Dutch Roman law book in each of the libraries from being compared. As such, a comparison along more general lines will have to be carried out, with the occasional focus on themes of particular importance or influence.

Similar to the Advocates Library, the digital list that Appendix B is based on also contains an indication of the instances where a book is not only present in the National Library of Scotland via the Newhailes Collection, but where a book is present via Charles Areskine's collection as well. Again, this provides information about which books both the Newhailes Library and Charles Areskine's library contain, but also which books the Newhailes Library holds that are absent in Charles Areskine's library. The works that Charles Areskine's library does contain, but that the Newhailes Library does not have, can be found by studying the current National Library of Scotland's digital catalogue and the aforementioned book list that Charles Areskine compiled. As is the case with the comparison between the Newhailes Library and the Advocates Library, such a full-on analysis, that contemplates the entire collections of both libraries, as well as the value and influence of each specific work that is either included in both or just in one collection (and why that is so), would be very extensive in nature, and would benefit from being the centre focus of a separate study, rather than being a part of this differently orientated work. As such, the aim of the analysis in this chapter would be to provide a more general context for the Newhailes Library, in order to gain a general idea of its emblematic nature at the time. This analysis will primarily comprise the data that can be derived from Appendix B's list, namely the number of Dutch Roman law books that both the Newhailes Library and Charles Areskine's library contain, compared to those that are only included in the Newhailes Library.

In providing a thorough analysis of the Newhailes Library in the context of Charles Areskine's library, and therewith the wider law library landscape at the time, it is useful to



examine the number and the specifics of the Dutch Roman law works that both libraries contained. The relevant works included in both libraries' collections are as follows: 13, 27, 28, 49, 80, 97, 120, 121, 139, 182, 186, 194, 197, 224, 243, 250, 255 and 256. This constitutes a total of 18 works that appear in both libraries. This is a remarkably small number, especially compared to the 67 Dutch Roman law works appearing in both the Newhailes Library and the Advocates Library. That said, the nature of the Advocates Library is very different to that of the Newhailes Library and Charles Areskine's library, making a comparison such as this one rather difficult. Still, it is surprising that two libraries that are so alike, not only with regard to their owners' backgrounds, but also with regard to their nature, only contain so few of the same Dutch Roman law works. This is significant, as this information emphasises how unique these private law libraries truly were to their owners; they contained books that were specifically sought after by them. It should be noted that the small number of Dutch Roman law books that have been listed in the Newhailes Library as also being present in Charles Areskine's library, does not necessarily mean that Charles Areskine's library contains few Dutch Roman law books; it may well contain a number of such books that the Newhailes Library does not contain.

Of the 18 works of Appendix B's list that appear in Charles Areskine's library as well, not very many are 'pure' Roman law works. In fact, most of the works are relatively soft in this regard, and only touch on Roman law as part of a larger topic. This strengthens the notion that the Newhailes Library and Charles Areskine's library were not very much alike when it comes to the Dutch Roman law contents of each collection. This, again, emphasises the uniqueness of private law libraries at the time, containing books that primarily interested the owner, rather than appealing to the more general public interest of Scottish lawyers at the time. This information does, however, make it more difficult to draw hard conclusions about the Newhailes Library's Dutch Roman law influence in Scotland in relation to that of other private law libraries, in this case Charles Areskine's library. This would require extensive research on the particular works that both libraries have in common, and even more so on those that the libraries do not have in common. This submission has already carried out this work for specifically the Newhailes Library. Exploring those particular Dutch Roman law works in Charles Areskine's library, including an examination of when they could have been added by looking at Charles Areskine's catalogue, and comparing those works with the relevant contents of the Newhailes Library, is an extensive task in and of itself, which would, as with the Advocates Library, potentially be suitable for a further research project.

### 5.3. Interim conclusion

There are multiple cautious conclusions that can be drawn from this chapter's contributions to the overall work. It should be noted that these conclusions are more preliminary in nature and, as indicated previously, more in-depth study would be required to draw harder conclusions. The findings in relation to each comparative analysis will be presented, after which a more general conclusion is reached.

With regard to the Newhailes Library compared to the Advocates Library, when it comes to a more general emblematic character, particularly based on the background and context of each library, the Advocates Library clearly had a different, much broader relationship with Scotland's legal landscape at the time than the Newhailes Library did, having been built for a different purpose. That said, when looking at the contents, both libraries are reasonably similar due to the number of works that they have in common, although, simultaneously, the uniqueness of the Newhailes Library is certainly displayed by its works that are not present in the Advocates Library.

Concerning the comparison between the Newhailes Library and Charles Areskine's library, the conclusions drawn are seemingly somewhat the reverse of those from the prior comparison. The background and context of the Newhailes Library and Charles Areskine's library are alike, and the libraries would therefore appear to have played similar roles at the time. On the other hand, when looking at the contents of the collections, these diverge significantly, which emphasises the unique character of each library, as well as the strong preferences of their owners.

Based on the information in this chapter and the insights that it provides, one can cautiously conclude that the Newhailes Library was indeed a significant actor when it comes to the spread of novel Dutch Roman law knowledge, and was therewith emblematic of the reception of Roman law in Scotland, not just when viewed on its own merits, but also when placed in a wider context. With this final finding in hand, this work can move on to drawing its overarching and closing conclusions.

## 6. Conclusion

This work has endeavoured to thoroughly research the extent to which the Newhailes Library is emblematic of the Dutch influence on the reception of Roman law in Scotland between 1685 and 1792. Overall, this aim has been worked towards by following three main steps.

Firstly, insight has been given into the background of the owners (i.e. Hailes, and his father and grandfather), and how this aligns with the traditional path of notable Scottish lawyers at the time. From the analysis undertaken, it has followed that this traditional path is itself emblematic of the Dutch influence on the reception of Roman law in Scotland, via a legal education in the Netherlands with a strong Roman law component, followed by a highly distinguished legal career in Scotland with its accompanying influence, combined with a passion for book collecting to build up a private library. The Dutch Roman law influence exercised through the Newhailes Library's contents is mainly demonstrated by the fact that Hailes, whilst following this traditional path, 1) further built up the Newhailes Library following a legal education in the Netherlands and 2) applied these contents in practice through his subsequent influential positions, given that those contents are essentially a materialisation of Hailes' own knowledge, and a representation of other notable Scottish lawyers' knowledge at the time. These two aspects already demonstrate how Dutch influence on the reception of Roman law in Scotland could have manifested through the Newhailes Library, therewith shaping the foundations of the findings, reasonings and conclusions presented in the next step.

Secondly, the two following chapters sought to demonstrate the emblematic nature of the contents of the Newhailes Library in terms of Scotland's reception of Roman law via Dutch scholarship directly, by looking at the raw material, and more specifically the numbers of books/data, authors, cities of publication and publishers. From these analyses, it has followed that the Newhailes Library has indeed made a contribution to the domestication and acceleration of the spread of Roman law in Scotland, specifically via the Dutch-authored and Dutch-published commentaries, lectures and ideas about it. This was particularly due to the manner in which the library made this knowledge readily available. Many of the Dutch books that were made available were heavily centred on Roman law, and were written by renowned Roman law scholars. Further, these books often originated

from Dutch places with a strong intellectual culture, such as university cities, whilst certain publishers could be considered as driving forces behind the export of Roman law works to Scotland. The research conducted on factors such as these has proven how the Newhailes Library fits within the Roman law reception that Scotland underwent, and how it was emblematic of this development.

Thirdly, in the final chapter, an attempt was made to put this symbolic nature of the Newhailes Library into perspective, by comparing it with two other renowned law libraries at the time: the Advocates Library and Charles Areskine's library. The aim of this was to assess the relative degree to which the Newhailes Library is emblematic of Dutch influence on the reception of Roman law in Scotland. From these comparisons, it has followed that the Newhailes Library is indeed representative of the spread of Dutch Roman law books in Scotland, and is therewith demonstrative of the reception of Roman law in Scotland.

Following these points, it can rightfully be concluded that the Newhailes Library is emblematic of Dutch influence on the reception of Roman law in Scotland. This conclusion is interesting from a number of perspectives.

Firstly, it provides direct insight into how an aspect of the reception of Roman law, particularly in Scotland, took place. It has turned out that an extensive private law library, which culminated from a combination of individuals' education, professional career and passion for book collecting, is a means through which such a process can manifest. That is, of course, not to say that this is the only or main route through which this specific occurrence took place. However, it does fit some pieces of the puzzle together, and therewith help to gain a better understanding of the bigger picture of Scotland's reception of Roman law, or, even more broadly, of similar receptions of legal ideology.

Secondly, this thesis has contributed to gaining a better, more complete understanding of the collection of law books by Scottish legal practitioners at the time, as Hailes' book collection is representative of those of other lawyers who had private law libraries and who took a similar career path to him. Insight has also been given into various factors that may have incited individuals to collect particular books or types of books, in this case, Dutch Roman law books. These factors include their exposure to intellectual hubs, for example by studying at a university of intellectual prominence, living in a city where knowledge exchange was thriving, and being able to access books from liberal, intellectually minded authors and publishers. The Netherlands has been demonstrated as being a place where

these factors were particularly prominent and were clearly influential upon Hailes' choices in selecting particular Dutch Roman law books for his collection. Considering this as a representation of the collection of law books by Scottish legal practitioners at the time, it can be seen on a more general level that the degree to which these factors are present in the place that a Scottish lawyer studied, worked or lived, will have influenced the choices that they made in relation to their collection of law books. In that light, it is interesting to think about how Dutch influence on the reception of Roman law in Scotland may have differed, had these factors not been so prominent in the Netherlands, or had it not been the case that so many Scottish lawyers at the time elected to study there.

Thirdly, this work has given further information about Hailes himself. His habit of book collecting was a key part of his identity, both professionally and personally. From a professional perspective, the Dutch Roman law books that this thesis has discussed are an insight into his legal mind, or at least a part of it, as they are essentially a materialisation of an aspect of his legal knowledge. This is important, because this is knowledge that he would have directly applied whilst carrying out his practice of law in Scotland in relevant situations, for example, where Roman legal sources were being interpreted and relied upon. Further, given the fact that this was an endeavour by multiple generations of the family, and that the library was situated at the family home, Hailes' book collection, including the Dutch Roman law books listed in this thesis, can be understood from a personal perspective as well. In this regard, insight has been given into how Hailes, and his father and grandfather, personally chose to shape the contents of the familial library.

On a final note, whilst the Newhailes Library has been demonstrated as being emblematic of Dutch influence on the reception of Roman law in Scotland between 1685 and 1792, which is interesting for a number of reasons, it also serves as an inspiration on its own merit. It showcases the significance of the educational and professional journey, the intellectual curiosity and the dedication of preserving knowledge through book collecting of Scottish lawyers, such as Hailes, at the time. Without these elements, private law libraries such as the Newhailes Library would not have been a route through which the reception of Roman in Scotland could materialise. In this light, the Newhailes Library stands as an archetype as well as an important legal historical emblem.

## 7. Appendices

Contents:

7.1. Appendix A - Portrait of Hailes

7.2. Appendix B - List of Dutch Roman law books in the Newhailes Library

7.3. Appendix C - Further data regarding Appendix B

### 7.1. Appendix A - Portrait of Hailes



A Ramsay, 'Dalrymple, Sir David, third baronet, Lord Hailes (1726-1792)' (*Art UK*, approximately 1766-1767).

Use of photograph by kind permission of the National Trust for Scotland.

## 7.2. Appendix B - List of Dutch Roman law books in the Newhailes Library

1

Book

Digestum nouum, seu Pandectarum iuris ciuilis tomus tertius, ex Pandectis Florentinis, ...  
repræsentatus

Accursius, (glossator)

Antuerpiæ, ex officina Philippi Nutii, 1576

2

Book

Infortiatum, seu Pandectarum iuris ciuilis tomus secundus, ex Pandectis Florentinis, ...  
repræsentatus

Accursius, (glossator)

Antuerpiæ, ex officina Philippi Nutii., An. 1575

3

Book

Digestum vetus, seu Pandectarum iuris ciuilis tomus primus, ex Pandectis Florentinis, ...  
repræsentatus

Accursius, (glossator)

Antuerpiæ, ex officina Philippi Nutii., 1576

4

Book

Antonii Augustini Archiepiscopi Tarraconensis de legibus et senatusconsultis liber:  
adiunctis legum antiquarum & senatusconsultorum fragmentis,

Agustín, Antonio, 1517-1586; Orsini, Fulvio, 1529-1600; Beys, Gilles, active 1580-1595:  
printer.

Parisiis, apud Aegidium Beysium, ..., 1584

5

Book

Iustiniani imperatoris edicta: item, Iustini, Tiberii ac Leonis Augustorum Nouellae  
Constitutiones.

Agylaeus, Henricus, 1532 or 1533-1595



Lugduni, apud Gulielmum Rouillium, ..., 1571

6

Book

Iustiniani imperatoris edicta: item, Iustini, Tiberii ac Leonis Augustorum Nouellae constitutiones.

Agylaeus, Henricus, 1532 or 1533-1595

Lugduni, apud Gulielmum Rouillium., 1581

7

Book

Moysis Amyraldi theol. & philosophi clarissimi, de jure naturae, quod connubia dirigit, disquisitiones sex. Ex Gallica versae a Bern. Henr. Reinoldo, ... ex bibliotheca Gerh. von Maastricht, ... qui notas aliaque ejusdem argumenti addidit.

Amyraut, Moïse, 1596-1664; Reinhold, Bernhold Heinrich, 1677-1726; Maastricht, Gerhard van; Baerle, Caspar van, 1584-1648

Stadae, apud Henricum Brummerum, ..., 1712

8

Book

Georgii d'Arnaud variarum coniecturarum libri duo. In quibus plurima iuris ciuilibus, aliorumque auctorum loca emendantur aut explicantur. Accedunt eiusdem duae dissertationes de iure seruorum, et de his qui pretii participandi causa sese venundari patiuntur. ...

Arnaud, Georgius d'.

Leouardiae, apud Gulielmum Coulon, ..., 1744

9

Book

Q. Asconii Pediani commentationes, in aliquot M. Tullii Ciceronis orationes. Cum accuratissimis editionibus collatae. Reliqua, quae continentur, versa exhibet pagina.

Asconius Pedianus, Quintus, 9 B.C.-76 A.D

Lugd. Batau. Ex officina Francisci Hackii, anno 1644

10

Book

Josephi Averanii v. cl. jurisconsulti, & in illustri Academia Pisana antecessoris, interpretationum juris libri duo; in quibus multa cum juris civilis, tum aliorum veterum scriptorum, loca nova ratione illustrantur: multa item ex antiquitate Romana Graecaque docte pertractantur.

Averani, Giuseppe, 1662-1738

Lugduni Batavorum, apud Petrum vander Aa, ..., 1716

11

Book

Bibliotheca Baldaeana, sive catalogus elegantissimus rarissimorum & antiquissimorum in omni studiorum genere librorum, ... quos ... collegit ... Petrus Baldaeus, ... quorum auctio hebebitur in aedibus Andreae Dykhuysen et Samuelis Luchtmans. A.d. 2. Novemb. & seq. 1711.

Baldaeus, Petrus.

Lugduni Batavorum, apud Andream Dykhuysen, Samuelem Luchtmans. Ubi catalogi distribuuntur., 1711

12

Book

Traite du jeu, ou l'on examine les principales questions de droit naturel et de morale qui ont du rapport a cette matiere.

Barbeyrac, Jean, 1674-1744

Seconde edition, revue & augmentee. A laquelle on a joint un discours sur la nature du sort, & quelques autres ecrits de l'auteur, ... A Amsterdam, chez Pierre Humbert., 1737

13

Journal

Nouvelles de la république des lettres.

Bayle, Pierre, 1647-1706; Larroque, Daniel de, 1660-1731; Barrin, Jean, approximately 1640-1718; Bernard, Jacques, 1658-1718; Douglas, George (Lord), 1667 or 1668-1693: former owner. NLS: Hall.192.e.2-6

A Amsterdam, : Chez Henry Desbordes ..., 1684-1718

14

Book

Dissertationes selectae criticae de poetis Graecis & Latinis, nempe Jac. Palmerii kritikon epicheirema pro Lucano contra Virgilium ex scriniis J. Berkelii, A.f. Ren. Rapini comparatio Homeri & Virgilii ... D. Blondelli comparatio Pindari & Horatii. Jac. Tollii poetarum Latinorum cum Graecis comparationes, ...

Berkelius, Janus, active 1704; Le Paulmier, Jacques, 1587-1670

Lugduni in Batavis, apud Cornelium Boutesteyn, Jordanum Luchtmans., 1707

15

Book

Bibliographia juridica & politica novissima: perpetuo continuanda; sive, conspectus primus catalogi librorum juridicorum, canonicorum, legalium, politico-legalium, ut & politicorum, quotquot ... ab anno ... 1651. per universam Europam, in quavis lingua, ... typis prodierunt.

...

Beughem, Cornelis à, active 1678-1710

Amstelaedami, apud Janssonio-Waesbergios, 1680

16

Book

Iulij a Beyma IC. primarij iuris civilis profess. quondam in Academia Leydensi, ... commentaria in varios titulos iuris, ... Item tractatus singularis de mora. De usura. De eo quod interest. De poenali stipulatione. Et de dividuis & individuis.

Beyma, Julius van.; Tinwald, Charles Erskine (Lord), 1680-1763: former owner. Library holding : Alva.216

Leovardiae, typis Claudij Fontani, ..., anno 1645

17

Book

Cornelii van Bynkershoek, jurisconsulti, ad l. Axiosis IX. de lege Rhodia de jactu liber singularis. Et de dominio maris dissertatio.

Bijnkershoek, Cornelis van, 1673-1743

Hagae Batavorum, apud Joannem Verbessel, Joan. fil. ..., 1703

18

Book

Cornelii van Bynkershoek, Jcti et senatoris, opuscula varii argumenti, his inscriptionibus:  
I. Praetermissa ad L.2. D. de orig. juris. II. De rebus Mancipi et nec Mancipi. ... VI. De  
legatis poenae nomine.

Bijnkershoek, Cornelis van, 1673-1743

Lugduni Batavorum, apud Joannem vander Linden, juniorem., 1719

19

Book

Cornelii van Bynkershoek, jcti et senatoris, observationum juris Romani libri quatuor. In  
quibus plurima juris civilis aliorumque auctorum loca explicantur & emendantur.

Bijnkershoek, Cornelis van, 1673-1743

Lugduni Batavorum, apud Joannem vander Linden, juniorem., 1710

20

Book

Reginae Christianissimae jura in Ducatum Brabantiae, et alios ditionis Hispanicae  
principatus.

Bilain, Antoine, -1672

[Netherlands?], 1667

21

Book

Valentini Jo. Blondeel dissertatio academica de legibus.

Blondeel, Valentyn Jan, active 1745

Editio secunda praefatione & adnotationibus auctior. Trajecti ad Rhenum, apud Herm.

Besseling, ..., 1745

22

Book

Johannis Friderici Böckelmanni Jcti compendium Institutionum Cæs. Justiniani. Sive  
elementa juris civilis in brevem & facilem ordinem redacta

Boeckelmann, Johann Friedrich, 1633?-1681

Editio novissima ab auctore recognita, ... Ultrajecti. Apud Antonium Schouten., 1694

23

Book

Johannis Friderici Böckelmanni Jcti compendium Institutionum Cæs. Justiniani. Sive elementa juris civilis in brevem & facilem ordinem redacta.

Boeckelmann, Johann Friedrich, 1633?-1681

Lugduni Batav. Apud Felicem Lopez, 1679

24

Book

Jo. Henr. Boecleri de scriptoribus Graecis & Latinis, ab Homero ad initium saeculi post Christum natum decimi sexti, commentatio postuma.

Boecler, Johann Heinrich, 1611-1672

Editio secunda. Ultrajecti, apud Guilielmi vande Water, 1700

25

Book

Defensio Belgarum contra evocationes et peregrina judicia.

Bourgogne, Nicolas de, 1586-1649

Leodii, apud Sebastianum Creel., 1665

26

Book

Jus Belgarum circa Bullarum Pontificiarum receptionem.

Bourgogne, Nicolas de, 1586-1649

Editio altera, auctior & correctior. Leodii, apud Sebastianum Creel, 1665

27

Book

Jacobi Bouricii, J.C. Frisii, captivus sive enchiridion defensionum. ...

Bouricius, Jacobus, 1542?-

Magdeburgi & Lipsiae, apud Christoph. Seidelium., A.C. 1716

28

Book

Iacobi Bouricii. I.C. Frisij. Advocatus.

Bouricius, Jacobus, 1542?--; Tinwald, Charles Erskine (Lord), 1680-1763: former owner.

Library holding : Alva.236

Leovardiae. Apud Gysbertum Symbonis, ao 1650

29

Book

Eurematica, siue cautelae I. In contractibus et actibus inter vivos: II. In testamentis et successione utraque, testamentaria scil. & legitima: III. In judicialibus, tam civilibus, quam criminalibus. Omnia novo & accurato ordine praeter recentem cautelarum accessionem, novasque veterum cautelarum censuras composita: ...

Brederode, Pieter Cornelis van.

Francofurti & Erfurt. Impensis, Benjamin Hempelii., 1682

30

Book

Analysis seu resolutio dialectica quatuor librorum Institutionum imperialium. ... Omnia nunc recens emendata et aucta, notis ...illustrata

Brederode, Pieter Cornelis van.

[Argentorati] excudebat Theodosius Rihelius., [1593?]

31

Book

Everhardi Bronchorst JC. in titulum Digestorum de diversis regulis iuris antiqui enarrationes.

Bronchorst, Everhardus (1554-1627)

Editio postrema, ab ipso authore recognita, & multis exemplis amplificata, & a plurimis mendis repurgata. Francofurti, apud Egenolphum Emmelium, anno 1626

32

Book

Everardi Bronchorst Dautentriensis, i.c. Enantiophanon centuriae quatuor, et conciliationes eorundem, : iuxta seriem Pandectarum dispositae..

Bronkhorst, Everard von, 1554-1627

[Lugduni Batauroum] : ex officinâ Plantiniana, apud Christophorum Raphelengium, ..., 1598.

33

Book

Everhardi BronchorstI, JCTi & in Academia Leydensi qvondam antecessoris primarii,  
commentarius in titulum Digestorum de diversis regulis juris antiqui,

Bronkhorst, Everard, 1554-1627

Editio novissima ... cui accesserunt auctoris vita, ejusq[ue] duae orationes ... quarum prima  
de studio juris recte instituendo; ac altera de dignitate ac praestantia jurisprudentiae.

Lipsiae, sumptibus Johannis Luderwaldi, bibliopol. Magdeburg. Literis viduae Johannis  
Wittigau, 1692

34

Book

Henrici Brouwer, JC. de jure connubiorum libri duo. In quibus jura naturae, divinum,  
civile, canonicum, prout de nuptiis agunt, referuntur, expenduntur, explicantur.

Brouwer, Hendrik, -1714; Burman, Pieter, 1668-1741

Editio secunda, ab auctore olim emendata, & plurimis in locis insigniter aucta. Delphis  
apud Adrianum Beman., 1714

35

Book

Memoriale juridicum novum. Quo continentur totius juris civilis constructio, series  
nexusque librorum corporis juris utriusque, ut & indices titulorum cum locorum similium  
collatione, ...

Brucksilber, Georg.; Cothmannus, Ernest, 1557-1624; Everardi, Nicolaus

Amsterodami, apud viduam Adr. Gasbequi., 1687

36

Book

Io. Salom. Brunquelli, potentiss. Magnae Britann. Reg. a consil. aul. ... historia iuris  
Romano-Germanici, a primis reipublicae Romanae atque Germanicae initiis ad nostra  
vsque tempora ex suis fontibus deducta. ... Accessit dissertatio praeliminaris de linguarum,  
philosophiae, antiquitatum, et historiarum studio cum iurisprudentia iungendo.

Brunquell, Joannes Salomo, 1693-1735

Editio tertia, prioribus multo auctior et castigatior, ... Amstelaedami, apud Franciscum  
l'Honore & Filium., 1740

37

Book

Petri Burmanni oratio funebris in obitum viri clarissimi Joannis Georgii Graevii, ... habita  
XI. Kal. Martias MDCCIII.

Burman, Pieter, 1668-1741

Trajecti ad Rhenum, ex officina Guilielmi van de Water, ..., 1703

38

Book

Le gazetier menteur, ou Mr. le Clerc convaincu de mensonge de & [sic] calomnie,

Burman, Pieter, 1668-1741

A Utrecht, chez Guillaume vande Water, ..., 1710

39

Book

Pauli Busii j.c. Zvollani, in illustri Frisiorum Academiae Pandectarum professoris.

Subtilium iuris, id est, dissertatum academicarum de jure theorico subtiliore libri VII.

Busius, Paulus, -1617

Editio tertia, ... Heidelbergæ, typis Adriani Wyngaerden, ..., anno 1665

40

Book

Tractatus de annuis redditibus, libris duobus explicatus. Quibus ius reddituum ex monumentis veterum prudentum et constitutionum principalium, itemque iure canonico & moribus recepto, perspicue explicatur. Confirmatae ijsdem sunt pleraeque doctorum ea de re sententiae; & aliorum opiniones falsae confutatae.

Busius, Paulus, -1617

Coloniae Agrippinae, apud Antonium Hierat, ..., anno 1601

41

Book

Bipertita iuris pontificii synopsis: cuius priore parte continetur Henricii Canisii summa iuris canonici ... posteriore parte continentur Paratitla in vniuersum iuris canonici corpus.

Scilicet Nicolai Frerotii, in Decretum, in Sextum, Clementinas, & Extrauagantes: et Alexandri Chassanaei in Decretales Gregorii IX.

Canisius, Heinrich, 1548-1610; Florens, Franciscus, -1650; Chassanaenus, Alexander Parisiis, : Apud viduam Gervasii Alliot, ..., 1659



42

Book

Henrici Canisi Noviomagi, Belgae, in Academia Ingolstadiensi SS. canonum profess. ordinarii & primarii, opera quae de jure canonico reliquit: in libb. V. Decretalium. In tit. De regulis juris lib. VI. De differentiis j.u. Summa juris canonici. Insertus est, auctarii vice, commentarius brevis in librum V. Decretal. exceptus Lovanii sub D. Ioan. Wiringo, ... Omnia studio & industria ValerI Andreae, ...  
Canisius, Heinrich, 1548-1610; Andreas, Valerius; Wiringus, Joannes, -1601  
Lovanii, typis ac sumptibus Andreae BouvetI, 1649

43

Book

Paraphrasis in tres libros priores Institutionum Iustiniani imperatoris,  
Cantiuncula, Claudius, -1560?; Cruderus, Georgius  
Lovanii, excudebat vidua Seruatij Sasseni, sumptibus hæredum Arnoldi Byrckmanni.,  
Anno 1562

44

Book

Hieronymi Cardani, Mediolanensis, proxeneta, seu De prudentia ciuili liber; recens in lucem protractus: vel e tenebris erutus.  
Cardano, Girolamo, 1501-1576  
Lugd. Bat. Ex officina Elzeviriana, anno 1627

45

Book

Lud. Carrionis Emendationum et obseruationum liber secundus ...  
Carrion, Louis, 1547-1595  
Lutetiae, : apud Aegidium Beysium, ..., 1583.

46

Book

Josephi Laurentii Mariae de Casaregis J.C. Genuen. collegiati, ... discursus legales de commercio in duos tomos distributi, ... quibus in hac secunda editione tomi primi a pluribus praeli mendis expurgata ... nec non consulatus maris cum explicatione ejusdem

authoris ultra brevem tractatum de avariis Quintini Weytsen ... in fine secundi tomi locatum ...

Casaregi, Giuseppe Lorenzo Maria, 1670-1737; Weytsen, Quintin, 1518-1565  
Florentiae 1719. Typis regiae celsitud. Apud Jo: Cajetanum Tartinium, & Sanctem Franchium., [1719]

47

Book

Sextus decretalium liber,  
Catholic Church. Pope (1294-1303 : Boniface VIII)  
Antuerpiae, ex officina Christophori Plantini, 1569

48

Book

Practicarum quaestionum rerumque in supremis Belgarum curiis actarum et obseruatarum decisiones  
Christinaeus, Paulus, 1553-1631  
Antuerpiae, ex officina Hieronymi Verdussii., Anno 1626-1633

49

Book

Pauli Christinaei I.U.D. domini de Beysssem, Bueken et Assent, ... in leges municipales eiusdem ciuitatis ac provinciae commentaria ac notae. ...  
Christinaeus, Paulus, 1553-1631  
Editio secunda ... studio & opera D. Sebastiani de Christynen ... Antuerpiae, apud Hieronymum Verdussium, anno 1642

50

Book

Arn. Clapmarii de arcanis rerumpublicarum libri sex,  
Clapmarius, Arnoldus, 1574-1604; Besold, Christoph, 1577-1638; Corvinus, Johannes Arnoldi, approximately 1582-1650; Rosellus, Franciscus; Ruprecht, Wolfgangus Henricus  
Amsterodami, apud Ludovicum Elzevirium, 1641

51

Book

R.V. Johannis Cloppenburgii S. S. theologiae professoris epistola, qva ad calumnias Salmasianas ex parte respondetur.

Cloppenburg, Johannes, 1592-1652

Lugduni Batavorum, apud Justum Livium, 1640

52

Book

Ioh. CloppenburgI de foenore et vsuris, brevis institutio, : cum ejusdem epistola ad Cl. Salmasium.

Cloppenburg, Johannes, 1592-1652

Lugd. Batav. : Ex officina Elseviriorum., 1640

53

Book

Gerhardi Cocceji. JC. S. Caes. Palat. comitis, ... ad tit. Pandectarum, De origine juris & omnium magistratuum, & successione prudentium, l. Princeps. 31. de ll. tit. Pandectar. De constitutionibus Principum, commentarii historici, politici, iuridici.

Coccejus, Gerhardus, active 1660

Groningae typis Francisci Bronchorstii ..., anno 1660

54

Book

Theophili Institutionum iuris ciuilis libri IIII.

Corte, Jacques de, approximately 1505-approximately 1567; Hotman, François, 1524-1590; Theophilus,, active 6th century

Lugduni, apud Ioannem Frellonium., 1557

55

Book

Arnoldi Coruini ius canonicum per aphorismos strictim explicatum.

Corvinus, Arnoldus, -approximately 1680

Amstelodami, apud Iohannem Ianssonium iuniorem., 1657

56

Book

Didaci Couarruias a Leyua Toletani episcopi Segobiensis ... opera omnia: ...

Covarrubias y Leyva, Diego de, 1512-1577; Uffel, Jean van, approximately 1577-1617;  
Brederode, Pieter Cornelis van  
Antuerpiae, apud viduam & haeredes Petri Belleri., Anno 1614

57

Book

Imperatoris Iustiniani Institutionum libri IV. Argumentis paragraphor. nec non  
annotationibus ac notis doctiss. scriptorum illustrati. Quibus adjunximus Leges XII. tab.  
explicatas. Vlpiani tit. XXIX. adnotatos. Caii libros II. Institut. ...

Crispinus, Joannes, -1572; Pace, Giulio, 1550-1635

Amstedami, apud Iohan. et Cornel. Blaeu., 1642

58

Book

Institutionum juris canonici libri quatuor

Cucchi, Marco Antonio, 1506-1567; Maresius, Samuel

Groningae, typis Francisci Bronchorstii, ..., anno 1660

59

Book

Everardi Ottonis, jcti & antecessoris, ad Fl. Justiniani pp. Aug. Institutionum, sive  
elementorum libros IV. a Cujacio emendatos, notae criticae et commentarius; in quo juris  
Romani principia, rationes, progressus & meliores interpretes indicantur.

Cujacius, Jacobus; Otto, Everhard, 1685-1756

Trajecti ad Rhenum, apud Jacobum van Poolsum., 1729

60

Book

Guilielmi Cup, Jcti et antecessoris in illustri Frisiorum Academia ... Fasciculus  
dissertationum juridicarum : ejusdemque notae & animadversiones in quatuor  
Institutionum libros D. Justiniani sacratissimi imperatoris..

Cup, Wilhelm.

Franequerae, : apud Henricum Johan. Prigge., Anno 1664.

61

Book

Gisberti Cuperi Observationum libri tres. : In quibus multi auctorum loci, qua explicantur, qua emendantur, varii ritus eruuntur, & nummi elegantissimi illustrantur..

Cuper, Gisbert, 1644-1716

Ultrajecti [Utrecht], : Apud Petrum Elzevier,, M DC LXX. [1670]

62

Book

Praxis rerum ciuiliium opus absolutissimum. praetoribus consulibus magistratibus et officariis vtilissima ac necessaria

Damhoudere, Joost de, 1507-1581; Thulden, Nicolaus

Antuerpiae apud Gasparem Bellerum, anno 1617

63

Book

Tractatus criminalis D. Tiberii Deciani Vtinensis, comitis, equitisque, ... duobusque tomis distinctus; ...

Decianus, Tiberius, 1508?-1581?; Brederode, Pieter Cornelis van

Francofurti ad Moenum, impensis Petri Fischeri., 1591

64

Book

Practica criminalis canonica. Nouissime recognita, duodecim capitibus aucta, ...

Diaz de Luco, Joannes Bernardus,, -1556; Lopez de Salsedo, Ignatius, active 1563

Antuerpiae, apud Ioannem Keerbergium., Anno 1593

65

Book

Iani Dousae Nordouicis, pro Satyrico Petronii Arbitri viri consularis, praecidaneorum libri tres.

Does, Johan van der, 1545-1604

Lugduni Batauorum, ex officina Ioannis Paetsij., Anno 1583

66

Book

Legum delectus ex libris Digestorum & Codicis. Ad usum scholæ & fori. Accedunt singulis legibus suæ summæ earum sententiam brevi complexæ.

Domat, Jean

Editio secunda, à mendis purgata. Amstelædami, ex officina Wetsteniana., 1703

67

Book

Hugonis Donelli iurisconsulti Ad legem Justiniani, de sententiis, quae pro eo, quod interest, proferuntur: sive, de eo, quod interest, liber..

Doneau, Hugues, 1527-1591

Lugduni Bataurum, : ex officina typographica Patiana., 1630.

68

Book

Hugonis Donelli iurisconsulti Commentarius ad titulum Institutionum de actionibus..

Doneau, Hugues, 1527-1591

Lugduni Bataurum, : ex officina typographica Patiana., 1630.

69

Book

Theophili antecessoris Institutionum libri quatuor,

Doujat, Jean, 1609-1688; Corte, Jacques de, approximately 1505-approximately 1567;

Cujacius, Jacobus; Fabrot, Charles Annibal, 1580-1659; Theophilus,, active 6th century

Parisiis, apud Antonium Dezallier, ..., 1681

70

Book

Nic. Duysendaelders Amstelaedamensis jc. Observationes ad leges, statuta, consuetudinesque Amstelaedamenses..

Duysendaelders, Nicolaas.

Amstelaedami, : apud Isaacum de la Tombe ..., Anno 1662.

71

Book

Cornelii van Eck, Jcti & antecessoris Ultrajectini principiorum juris civilis, secundum ordinem Digestorum, pars altera.

Eck, Cornelius van, 1662-1732

Trajecti ad Rhenum, apud Guilielmum vande Watfr [sic], Guilielmum Broedelet, 1713

72

Book

Opuscula duo ethica et philologica: I. Des. Erasmi Roterodami de lingua: II. Plutarchi de vitioso pudore, quem dysopian vocant.

Erasmus, Desiderius, -1536; Plutarch.

Witebergae. Impensis Zachariae Schureri, ... typis Cratonianis., Anno 1603

73

Book

Dn. Nicolai Euerhardi Amstelrodamensis ic. et in alma Academia Ingolstadiensi antecessoris, ... Solemnis repetitio celeberrimi capituli, Quoniam contra falsam. Extrà De probationibus. : In qua continentur processualium materiarum praecipuarum vberimae discussiones: tum inprimis De testibus, et De fide instrumentorum tractatus amplissimi: ... opus ex manuscripto exemplari, ...

Everardi, Nicolaus, 1462 or 1463-1532; Zinzerlingus, Justus

Francofurti. : Sumptibus Iohannis Berneri ..., Anno 1618.

74

Book

Loci argumentorum legales,

Everardi, Nicolaus.

Lugduni, apud Gabrielem Cotier., 1556

75

Book

Epistola Car. Ann. Fabroti antecessoris Aquisextiensis de mutuo. : Cum responsione Cl. Salmasii ad AEGidium Menagium..

Fabrot, Charles Annibal, 1580-1659; Saumaise, Claude, 1588-1653

Lugduni Batavorum, : Ex officina Ioannis Maire., 1645.

76

Book

Theophilou tou antikensoros institouton biblia 4. = Theophili antecessoris Institutionum libri IV.

Fabrot, Charles Annibal, 1580-1659; Corte, Jacques de, approximately 1505-approximately 1567; Theophilus,, active 6th century  
Parisiis, sumptibus Mathurini du Puis, ..., 1638

77

Book

Theophilou tou antikensoros institouton biblia 4. Theophili antecessoris Institutionum libri IV.

Fabrot, Charles Annibal, 1580-1659; Corte, Jacques de, approximately 1505-approximately 1567; Theophilus,, active 6th century  
Editio secunda. Parisiis, apud viduam Mathurini du Puis, ..., 1657

78

Book

Epistola Car. Ann. Fabroti antecessoris Aquisextiensis de mutuo. Cum responsione Cl. Salmasii ad AEGidium Menagium.

Fabrot, Charles Annibal, 1580-1659; Saumaise, Claude, 1588-1653  
Lugduni Batavorum, ex officina Ioannis Maire., 1645

79

Book

D. Justiniani sacratissimi principis Institutionum, sive elementorum, libri quatuor. Quibus subjungitur Theophili paraphraseos versio Latina C.A. Fabroti, aliquot locis emendata.

Fabrot, Charles Annibal, 1580-1659; Theophilus,, active 6th century  
Lugduni Batavorum, apud Johannem vander Linden, juniorem., 1715

80

Book

Dn. Hect. Felicii, jurisconsulti Italiae praeclarissimi, tractatus desideratissimus de communione seu societate, deque lucro item ac quaestu, damno itidem ac expensis, primum in Germania ab Angelo Felicio auctoris filio LL. candidato publici juris factus. Omnibus tum in scholis tum in foro versantibus utilis ac necessarius. ...

Felicius, Hector.; Felici, Angelo; Boxel, Hugo; Tinwald, Charles Erskine (Lord), 1680-1763: former owner. Library holding : Alva.220  
Gorinchemi. Ex officina Pauli Vink, ..., anno 1666



81

Book

Gerh. Feltmanni de titulis honorum libri duo. In quibus de variis variarum gentium personarumque titulis edissertatur multaque & varia juris publici cum Germanici tum Belgici argumenta examinantur & tam rebus gestis quam nonnullis nuper judicatis inlustrantur. ...

Feltman, Gerhard, 1637-1696

Bremae. Apud Hermannum Brauerum ..., 1691

82

Book

Gerh. Feltman. Jcti. Tractatus de jure in re & ad rem. : Id est introductio ad jurisprudentiam veterem & novam. ...

Feltman, Gerhard, 1637-1696

Editio tertia prioribus auctior & emendatior.. Amstelodami, : apud Henricum & Theodorum Boom., 1672.

83

Book

Christophori Forstneri Austrii, ad libros sex priores annalium C. Cornelii Taciti notae politicae. Quibus pleraque omnia, quae reliquis quoque Taciti libris continentur, suis quaeque locis explicantur. Adjuncta est in fine, ejusdem oratio, habita Venetiis in excellentissimo collegio mense Julio, anno MDCXXV. ...

Forstner, Christoph von, 1598-1667

Editio ultima, prioribus longe emendatior, ... Lugd. Batavorum, apud Franciscum Moyardum, 1655

84

Book

Conclusion des defenses de Mr Fouquet, contenant son interrogatoire, le journal de ce qui c'est passe en son affaire depuis le jour de sa capture, ses remarques sur le procede qu'on a tenu contre luy, les avis de ses juges, les conclusions des procureurs du Roy, & sa sentence de bannissement.

Fouquet, Nicolas, 1615-1680

[Amsterdam] [Daniel Elzevier], 1668

85

Book

Suite du recueil des defenses de Mr Fouquet, divisé en sept tomes.

Fouquet, Nicolas, 1615-1680

[Amsterdam] [Daniel Elzevier], 1667

86

Book

Recueil des defenses de Mr Fouquet. Tome premier[-cinquieme].

Fouquet, Nicolas, 1615-1680; Fouquet, Nicolas, 1615-1680

[Amsterdam] [Daniel Elzevir], 1665

87

Book

Factum de Monsieur Foucquet pour servir de response aux objections de fait & de droit que l'on a formees contre l'escrit dudit Sieur. Divise en deux parties.

Fouquet, Nicolas, 1615-1680

[Netherlands?], 1666

88

Book

Gulielmi Fornerii et Antonii Contii tractatus de feudis. Ut & constitutio Caroli III. imp.

Fournier, Guillaume.; Leconte, Antoine, 1517-1586; Freher, Marquard, 1565-1614; Eck, Cornelius van, 1662-1732; Hotman, François, 1524-1590

Trajecti ad Rhenum, apud Antonium Schouten., 1698

89

Book

Catalogus selectissimorum librorum celeberrimi viri Petri Francii ... quorum plurimi manuscripti antiqui bonae notae tam Graeci quam Latini; alii virorum doctrina illustrium manu & annotatis ornati. Una cum indice iconum pictarum illustrium eruditorum ... horum omnium fiet auctio a d. XIV. Aprilis MDCCV. & seqq. in aedibus defuncti ...

Francius, Petrus, 1645-1704

Amstelaedami, ex officina Wetsteniana, 1705

90

Book

Vitae tripartitae iurisconsultorum veterum

Franck, Johannes Christophorus; Rutilio, Bernardino, 1504-1538; Bertrand, Jean, 1527-1594; Grotius, Guilielmus

Halae Magdeburgicae, typis Grunerianis 1718 sumptibus bibliopolii noui apud Felicem du Serre, ubi & Lipsiae per nundinas sub aedibus Schambergianis venales prostant., [1718]

91

Book

Joannis Garsiae Gallesi JC. de expensis et meliorationibus, commentarius. Cui de novo accesserunt Joannis Garsiae a Saabedra tractatus. De donatione remuneratoria. De tacito fideicommisso. De hypotheca post contractum. De conjugali acquaeatu.

Garcia de Saavedra, Juan.

Editio ultima. Amstelaedami, apud Joannem a Ravesteyn, 1668

92

Book

Alberici Gentilis juriscons. Hispanicae advocationis (in quo tractatu diversae illustres quaestiones maritimae secundum jus gentium & hodiernam praxin quam nitide perlustrantur & deciduntur) libri duo. ...

Gentili, Alberico, 1552-1608; Gentili, Scipione, 1563-1616; Tinwald, Charles Erskine (Lord), 1680-1763: former owner. Library holding : Alva.161

Editio secunda priori emendatior. Amstelredami, apud Joannem Ravesteinium, ..., 1661

93

Book

Oberti Giphanii philosophi & ICTi clarissimi commentarij in decem libros Ethicorum Aristotelis ad Nicomachum, post sat bene longam suppressionem, boni publici gratia, iam primum in lucem editi. ...

Giffen, Hubert van, approximately 1533-1604

Francofurti, impensis Lazari Zetzneri ..., 1608

94

Book

D. Huberti Giphanii jurisconsulti celeberrimi, antecessoris nobilissimi, ... oeconomia iuris, siue dispositio methodica omnium librorum ac titulorum totius juris civilis imperatoris Justiniani ...

Giffen, Hubert van, approximately 1533-1604

Argentorati, sumptibus Lazari Zetzneri ..., anno 1612

95

Book

D. Huberti Giphanii ic. præstantissimi, antecessoris nobilissimi, ... in quatuor libros Institutionum juris civilis Justiniani principis commentarius absolutissimus secunda hac editione ex manuscriptis, ... magna cura emaculatus atque à mendis liberatus. Huic accedunt ejusdem auctoris. I. De imperatore Justiniano commentarius elaboratissimus: ... II. Rerum Romanarum index historicus, ...

Giffen, Hubert van, approximately 1533-1604; Tinwald, Charles Erskine (Lord), 1680-1763: former owner. Library holding : Alva.221

Argentorati. Sumptibus Lazari Zetzneri ..., anno 1611

96

Book

Corpus iuris ciuilis Romani, in quo Institutiones, Digesta ad Codicem Florentinum emendata, Codex item et Novellae, nec non Justiniani Edicta, Leonis et aliorum imperatorum Novellae, canones apostolorum, feudorum libri, leges XII. tabb. et alia ad jurisprudentiam ante-Justinianeam pertinentia scripta, cum optimis quibusque editionibus collata, exhibentur.

Godefroy, Denis, 1549-1621; Leeuwen, Simon van, 1625-1682

Editio nouissima ... Lipsiae, sumptibus Jo. Friderici Gleditschii B. filii., Anno 1720

97

Book

Bibliotheca Goesiana sive catalogus librorum, numismatum, iconum, caelaturarum, caeteraque pretiosae suppellectilis, musaei, ... Dr. Gulielmi Goesii, ... quae publica auctione distrahentur in aedibus Johannis de Vivie, bibliopolae Leidensis, ad diem Lunae VII. Aprilis, anni MDCLXXXVII. st. Greg.

Goes, Willem, 1611-1686

Lugduni Batavorum, apud Johannem de Vivie., 1687

98

Book

Petri Gudelini J.C. antecessoris Academiae Louaniensis de iure feudorum et pacis  
commentarii, ad mores Belgij ac Francie conscripti: quibus in hac iterata editione accessere  
Henrici Zoesii ... praelectiones feudales, editio tertia correctior. ...

Goudelin, Pierre, 1550-1619; Gudelinus, Petrus, 1550-1619; Zoesius, Henricus, 1571-1627  
Louanii, typis Hieronymi Nempaei, ao. 1663

99

Book

Dn. Antonii Gomezii, iurisconsulti Hispani, ... ad leges Tauri commentarius.

Gómez, Antonio, 1501-; Gómez Cornejo, Diego

Antuerpiæ, apud Petrum & Ioannem Belleros., 1624

100

Book

Catalogus bibliothecae luculentissimae, & libris rarissimis instructae, qua usus est, dum  
viveret vir summus Jo. Georgius Graevius, ... : cujus auctio habebitur, in aedibus defuncti,  
ad diem.

Graevius, Joannes Georgius, 1632-1703

Trajecti ad Rhenum, : ex officina Guilielmi vande Water, ..., [1703]

101

Book

Theod. I.F. Graswinckel Jcti Delphensis Dissertatio, de praeludiis justitiae & juris, :  
adversus R.P.F. Rebillum Lusitanum, ex Societate Jesu. Accessit ejusdem dissertatio, De  
fide haereticis & Rebellibus servanda..

Graswinckel, Theod. I. F., 1600-1666

Dordraci, : apud Abrahamum Andream., Anno 1660.

102

Book

Jani Vincentii Gravinae Jcti & antecessoris Romani orationes et opuscula, : quorum series  
conspicitur post praefationem..

Gravina, Gianvincenzo, 1664-1718

Trajecti ad Rhenum, : Apud Gulielmum vande Water, Acad. typogr., 1713.

103

Book

Tractatus de legibus abrogatis et inusitatis in Hollandia vicinisque regionibus.

Groenewegen van der Made, Simon van, 1613-1652

Editio tertia / ab auctore ante obitum recognita & plurimis in locis aucta.. Amstelaedami. :

Apud Joannem Janssonium a Waesberge, & viduam Elizaei Weyerstraet., 1669.

104

Book

Joh. Fred. Gronovii ad L. & M. Annaeos Senecas notae.

Gronovius, Joannes Fredericus, 1611-1671

Lugd. Batav. Ex officina Elseviriana., 1649

105

Book

Isagoge ad praxin fori Batavici.

Grotius, Guilielmus.

Amstelaedami, ex typographia Joannis Blaeu., 1655

106

Book

Vitae jurisconsultorum quorum in Pandectis extant nomina

Grotius, Guilielmus.; Grotius, Jacobus

Lugduni Batavorum, apud Felicem Lopez., 1690

107

Book

Le droit de la guerre, et de la paix.

Grotius, Hugo, 1583-1645; Barbeyrac, Jean, 1674-1744; Tinwald, Charles Erskine (Lord), 1680-1763: former owner. Library holding : Alva.186-187

A Amsterdam, : Chez Pierre de Coup., 1724.

108

Book

Hugonis Grotii De jure belli ac pacis librorum III. Compendium, annotationibus & commentariis selectis illustratum. In usum studiosae juventutis academiae Edinensis.

Grotius, Hugo, 1583-1645; Scott, Gulielmus, active 1707

Edinburgi : excudebant haeredes & successores Andreae Anderson, anno Dom., 1707

109

Book

Hugonis Grotii de jure belli ac pacis librorum III. compendium. Annotationibus & commentariis selectis illustratum.

Grotius, Hugo, 1583-1645

Londini, impensis T. Ward, ..., 1718

110

Book

Hugo Grotius de mari libero. et P. Merula de maribus.

Grotius, Hugo, 1583-1645

Lugd. Bataurorum, ex officina Elzeviriana., Anno 1633

111

Book

Hugonis Grotii de iure belli ac pacis libri tres, in quibus jus naturae & gentium, item juris publici praecipua explicantur.

Grotius, Hugo, 1583-1645

Editio nova cum annotatis auctoris, ... accesserunt annotata in epistolam Pauli ad Philemonem, et dissertatio de mari libero. Amstelaedami, apud Ioannem Blaev., 1667

112

Book

Hugonis Grotii de jure belli ac pacis libri tres, in quibus jus naturae & gentium, item juris publici praecipua explicantur.

Grotius, Hugo, 1583-1645; Gronovius, Joannes Fredericus, 1611-1671

Editio novissima cum annotatis auctoris, ... accesserunt annotata in epistolam Pauli ad Philemonem, dissertatio de mari libero, & libellus singularis de aequitate, indulgentia & facilitate, ... nec non Joann. Frid. Gronovii ... notae ...in totum opus de jure belli ac pacis. Amstelaedami, apud Janssonio-Waesbergios, 1680

113

Book

Hugonis Grotii de jure belli ac pacis libri tres, in quibus jus naturae & gentium, item juris publici praecipua explicantur. ... Accesserunt annotata in epistolam Pauli ad Philemonem, dissertatio de mari libero, & libellus singularis de aequitate indulgentia, & facilitate, ...

Grotius, Hugo, 1583-1645; Gronovius, Joannes Fredericus, 1611-1671

Editio novissima, ... Amstelodami, apud Janssonio-Waesbergios., 1701

114

Book

Hugonis Grotii florum sparsio ad ius Iustinianum

Grotius, Hugo, 1583-1645

Parisiis, apud viduam Gulielmi Pelé, ..., 1642

115

Book

Institutionum D. Iustiniani sacratissimi principis libri III.

Haloander, Gregor, 1501-1531

Antuerpiae in aedibus Ioannis Steelsij., 1553

116

Book

Io. Gottl. Heineccii, ic. et antecessoris, praelectiones academicae in Sam. Pufendorffii de officio hominis et civis libros II.

Heineccius, Johann Gottlieb, 1681-1741

Berolini sumt. Io. Andr. Rudigeri, 1742

117

Book

Io. Gottl. Heineccii, ic. et antecess. praelectiones academicae in Hugonis Grotii de iure belli et pacis libros III.

Heineccius, Johann Gottlieb, 1681-1741

Berolini impens. Io. Andr. Rudigeri., 1744

118

Book



Ioann. Gottlieb Heinecci i.u.d. phil. p.p. ord. iur. extraord. ... antiquitatum Romanarum iurisprudentiam illustrantium syntagma secundum ordinem Institutionum Iustiniani digestum in quo multa iuris Romani atque auctorum veterum loca explicantur atque illustrantur.

Heineccius, Johann Gottlieb, 1681-1741

Halae Magdeb. 1719. Sumptu Novi Bibliopolii, [1719]

119

Book

Io. Gottl. Heineccii, ic. s. Reg. Mai. Pruss. consil: ... historia iuris ciuilis Romani ac Germanici, qua vtriusque origo et vsus in Germania ex ipsis fontibus ostenditur, commoda auditoribus methodo adornata, ...

Heineccius, Johann Gottlieb, 1681-1741

Editio auctior atque nitidior. Lugduni Batauorum apud Ioh. & Herm. Verbeek, 1740

120

Book

Io. Gottl. Heinecci ic. ad legem Iuliam et Papiam Poppaeam commentarius, quo multa iuris auctorumque veterum loca explicantur, vindicantur, emendantur atque illustrantur.

Heineccius, Johann Gottlieb, 1681-1741

Amstelaedami, apud Janssonio-Waesbergios, 1731

121

Book

Io. Gottl. Heineccii, icti, cons. aulae regiae Pruss. ... antiquitatum Romanarum iurisprudentiam illustrantium syntagma; secundum ordinem Institutionum Iustiniani digestum. ...

Heineccius, Johann Gottlieb, 1681-1741

Editio sexta, auctior & emendatior. Traiecti ad Rhenum, sumptibus Ioannis Broedelet, ..., 1745

122

Book

Elementa iuris ciuilis secundum ordinem Institutionum, commoda auditoribus methodo adornata,

Heineccius, Johann Gottlieb, 1681-1741

Editio quarta indicibus necessariis aucta. Amstelodami, apud Ianssonio-Waesbergios, 1738

123

Book

Desiderii Heraldii Quaestionum quotidianarum tractatus. : Eiusdem Observationes ad ius Atticum et Romanum, in quibus Claudii Salmasii miscellae deffensiones[sic], eiusque specimen expenduntur..

Hérauld, Didier, 1579-1649; Saumaise, Claude, 1588-1653

Parisiis, : sumptibus [brace] Geruasii Alliot, ... et Caroli Chastellain, ..., 1650.

124

Book

Protheoria siue dispositio titulorum Pandectarum iuris ciuilis, : ex clarissimi iuricons. D. Ioachimi Hopperi Phrisii praelectionibus collecta, nunc primum in tabulas digesta, per Ottonem ab Hoeuel..

Hoppers, Joachim, 1523-1576; Hövel, Otto von

Coloniae Agrippinae : Apud haeredes Arnoldi Birckmanni,, Anno 1564.

125

Book

Institutiones imperiales, cum nouis & breuibus adnotationibus,

Hoppers, Joachim, 1523-1576; Brincklay, Stephen, active 1569: former owner. Library holding: Nha.I267

Coloniae apud haeredes Iohannis Quentelij & Geruuinum Calenium, anno Christi nati 1565

126

Book

Friderici Godefridi Houckii Jcti & professoris publici oratio inauguralis, de proprio obligationum jure, ex variis causarum figuris. : Dicta publice die XX. Junii MDCCXLVI. cum professionem juris civilis ordinariam, in illustri Trajectina Academia, auspicaretur..

Houck, Friedrich Gotfried, 1708-1767

Trajecti ad Rhenum, : ex officina Joannis Broedelet, academiae typographi,, MDCCXLVI [1746].

127

Book

Ulrici Huberi Jcti & antecessoris Franequerani opera minora et rariora, juris publici et privati.

Huber, Ulrik, 1636-1694; Wieling, Abraham, 1693-1746

Trajecti ad Rhenum, sumtibus J.H. Vonk van Lynden, 1746

128

Book

Ulrici Huberi de jure civitatis, libri tres. Novam juris publici universalis disciplinam continentes. Insertis aliquot de jure sacrorum & ecclesiae, capitibus.

Huber, Ulrik, 1636-1694

Editio quarta, variis locis ab auctore aucta & recognita. ... Franequerae, apud Bernardum Wibranda., 1708

129

Book

Ulrici Huberi supremae Frisiorum Curiae ex-senatoris, digressiones Justinianae in partes duas, quarum altera nova, distinctae: quibus varia & imprimis humaniora juris continentur. Insertus est de jure in re & ad rem quod dicitur, Tractatus, & adjuncta de ratione discendi atque docendi juris diatribe, per modum dialogi. ...

Huber, Ulrik, 1636-1694

Franequerae, apud Johannem Gyselaar, Henricum Amama, & Zachariam Taedama., 1688

130

Book

Ulrici Huber jurisconsulti & ex-senatoris Frisii eunomia Romana sive censura censurae juris Justinianae; continens examen praecipuorum juris locorum, secundum Pandectas & Institutiones; ... postumum opus, quod accurate recensuit, in lucem edidit, ... una cum oratione funebri habita in memoriam auctoris, Zacharias Huber, ...

Huber, Ulrik, 1636-1694; Huber, Zacharias, 1669-1732; Vitringa, Campegius, 1659-1722

Franequerae, apud Leonardum Strickium, 1700

131

Book

Zachariae Huber, Ulr. fil. juris-consulti & antecessoris, dissertationes juridicae et philologicae, quibus explicantur, ac observationibus humanioribus illustrantur selecta controversiarum atque legum capita.

Huber, Zacharias, 1669-1732

Franequerae, apud Henricum Amama, Arnoldum Jelmeri, & Bernardum Wibranda, 1703

132

Book

De iure regni diascepsis

Irvine, Alexander, active 1627

Lugd. Bat. Ex officina Elzeuiriana, anno 1627

133

Book

De Pyn-bank wedersproken, en bematigt

Jonctys, Daniel, 1600-1654

t'Amsterdam. by Hendrick Maneke., [165-?]

134

Book

Jani Klenckii institutiones juris naturalis, gentium, et publici, ex H. Grotio, de jure belli ac pacis excerptae, altera cura accuratiores, & auctiores. Addita est ejusdem dissertatio de civitatum mutationibus.

Klenckius, Janus, active 1648; Grotius, Hugo, 1583-1645

Parisiis, apud Fridericum Leonardum, ..., 1670

135

Book

Vindiciae veterum scriptorum, contra J.Harduinum S.J.P. Additae sunt viri eruditi observationes chronologicae in prolusionem & historiam Veteris Testamenti.

La Croze, Maturin Veyssière, 1661-1739; Des Vignoles, Alphonse, 1649-1744

Roterodami, typis Regneri Leers, 1708

136

Book

Methodica iuris traditio, seu ratio compendiaria, perveniendi ad veram solidamque iurisprud. mirifice ad omnes libros iuris: & DD. recte intelligendos vtilis, ex ore doctissimi, clarissimique iurisconsulti D. Conradi Lagi annotata. ...

Lagus, Conradus, -1546

Lovanii, excudebat Bartholomaeus Grauius, suis, ac Martini Rotarij, impensis., An. 1552

137

Book

Dn. sacratissimi principis Iustiniani pp. a Iuris enucleati ex omni vetere iure collecti Digestorum seu Pandectarum libri quinquaginta: : cvm breuissimis doctissimorum quorundam iurisconsultorum annotationibus in margine adscriptis, quibus plerique loci vel restituuntur, vel diligentius explicantur:

Le Caron, Louis, 1534-1613; Leconte, Antoine, 1517-1586

Antuerpiae, : Ex officina Christophori Plantini ..., 1575.

138

Journal

Bibliothèque ancienne et moderne.

Le Clerc, Jean, 1657-1736

A Amsterdam : Chez David Mortier ..., 1714[-1730]

139

Journal

Bibliothèque choisie : pour servir de suite a la Bibliothèque universelle

Le Clerc, Jean, 1657-1736

A Amsterdam : Chez Henri Schelte, 1703[-1718]

140

Journal

Bibliothèque universelle et historique : de l'année M. D. LXXXVI[-M. D. XCIII].

Le Clerc, Jean, 1657-1736; Lacroze, Jean Cornand de, -approximately 1705; Bernard, Jacques, 1658-1718

A Amsterdam : Chez Wolfgang, Waesberge, Boom and van Someren, 1686[-1718]

141

Book

Observations sur un manuscrit, intitulé Traitté du peculat.

Le Vayer de Boutigny, (Roland) (M), 1627-1685

[Bruxelles?], 1666

142

Book

Codicis Dn. Iustiniani sacratissimi principis pp. Augusti, repetitæ prælectionis libri XII.

Leconte, Antoine, 1517-1586; Accursius, (glossator)

Antuerpiæ, ex officina Philippi Nutii, 1576

143

Book

De origine & progressu juris civilis Romani authores & fragmenta veterum  
jurisconsultorum,

Leeuwen, Simon van, 1625-1682; Vinnius, Arnoldus, 1588-1657; Tinwald, Charles

Erskine (Lord), 1680-1763: former owner. Library holding : Alva.301

Lugd. Batavor. Apud Arnoldum Doude, Cornelium Driehuysen, 1671

144

Book

Corpus juris civilis, : Pandectis ad Florentinum archetypum expressis, Institutionibus,  
Codice et Novellis, addito textu Græco, ut & in Digestis & Codice, legibus &  
constitutionibus Græcis, cum optimis quibusque editionibus collatis.

Leeuwen, Simon van, 1625-1682; Godefroy, Denis, 1549-1621; Cujacius, Jacobus; Paulus,  
Julius; Anselmo, Antomio

Amstelodami, apud Joannem Blaeu. Ludovicum, & Danielem Elzevirios. Lugd.

Batavorum, apud Franciscum Hackium., 1663

145

Book

De iustitia et iure ceterisq[ue] virtutibus cardinalibus libri quatuor, ad 2.2. D. Thomae a  
quaest. 47. vsque ad q. 171.

Lessius, Leonardus, 1554-1623

Editio sexta, auctior et castigatior; ... Antuerpiae, ex officina Plantiniana, apud

Balthasarem Moretum et viduam Io. Moreti, et Io. Mursium, 1626

146

Book

Johannis Lomeieri ecclesiastae Zutphaniensis de bibliothecis liber singularis.

Lomeier, Johannes, 1636-1699

Editio secunda, priori multo auctior, & addito rerum indice locupletior. Ultrajecti, ex officina Johannis Ribbii, ..., anno 1680

147

Book

Marci Lycklama a Nyeholdt, equitis aurati jurisc. FrisI, membranarum libri septem, in quibus ad constitutiones Codicis & Novellarum plurimas, leges Pandectarum infinitas, Institutionum paragraphos nobiliores, ... de rebus in iis per sectas nostrorum temporum maxime controversis commentarii breves & solidi.

Lycklama a Nijeholt, Marcus, -1625

Editio secunda. Leowardiae, apud Johannem Jansonium de Fries, anno 1644

148

Book

Jacobi Maestertii, j.c. de iustitia romanarum legum libri duo repetitae praelectionis.

Accedunt dissertationes duae eodem auctore.

Maestertius, Jacobus.; Irvine, George: former owner. Library holding: SBA.448; Barjarg,

James Erskine (Lord), 1723-1796: former owner. Library holding: Alva.121

Lugduni Bataurum [Leiden], : Ex officinâ Nicolai Rosae,, anno M D XLVII. [1547]

149

Book

Jacobi Maestertii, j.c. equitis, domini de Rosenburgh, Misterton, &c. ... sedium atque tractatum illustrium juris materiarum omnium, quas aut vivus edidit, aut post mortem postumas reliquit. ...

Maestertius, Jacobus.

Lugduni Bataurum, ex officina Jacobi Voorn, Salomonis Wagenaer, ao. 1664

150

Book

Les nobles dans les tribunaux, traite de droit enrichi de plusieurs curiositez utiles de l'histoire et du blazon, ou les questions qui conviennent aux nobles sont succinctement agitees & definies sur toutes les matieres les plus importantes & les plus choisies, ...

Malte, Herman Francois de.

A Liege, chez Guillaume Henry Streel, ..., 1680

151

Book

Bibliotheca Marckiana, continens theologicos, juridicos, politicos, philosophicos, medicos, ... Quorum omnium publica fiet auctio. In taberna libraria Abrahami De Hondt, bibliopolae. Ad diem 31. Octobr. & sequent. 1712. ...

Marck, Henricus Hadrianus van der.

Hagae-Comitum, apud Abrahamum De Hondt, ..., 1712

152

Book

Joan. Guil. Marckarti interpretationum receptarum juris civilis lectionum libri duo. In quibus variae leges ab emendationibus liberantur, explicantur, illustrantur.

Marckart, Johann Wilhelm, active 1736

Trajecti ad Rhenum. Apud J.H. Vonk a Lynden, 1747

153

Book

Joan. Guil. Marckarti probabilia receptarum lectionum juris civilis.

Marckart, Johann Wilhelm, active 1736

Trajecti ad Rhenum apud Matthaëum Visch., 1737-1738

154

Book

Gerh. von Mastricht, JC. antecessoris & histor. profess. ord. in elector. Duisburg. Academ. historia juris ecclesiastici et pontificii, seu de ortu, progressu, incrementis, collectionibus, auctoribusque juris ecclesiastici & pontificii tractatio.

Mastricht, Gerhard van, 1639-1721

Amstelaedami. Apud Ysbrandum Haring, ..., 1686

155

Book

Antonii Matthaëi J.U.D. & Professoris in illustri Academia Groningae & Omlandiae collegia iuris sex I. Fundamentorum juris. II. Institutionum. III. & IV. Earundem. V. Pandectarum. VI. Codicis; & disputationes quaedam extraordinariae. ...

Matthaëus, Antonius, 1564-1637

Editio altera. Franekeræ, apud Henricum & Johannem Deuringios., Anno 1647



156

Book

De criminibus ad lib. XLVII. et XLVIII. Dig. commentarius Antonii Matthaei, IC. ...

Adjecta est brevis & succincta juris municipalis interpretatio, cum indice triplici; ...

Matthaeus, Antonius, 1601-1654

Editio quarta, prioribus auctior & emendatior. Vesaliae typis Andreae ab Hoogenhuysen ..., 1679

157

Book

Antonii Matthaei de auctionibus libri duo: quorum prior venditiones, posterior locationes quae sub hasta fiunt, exequitur: adjecto passim voluntariarum auctionum jure.

Matthaeus, Antonius, 1601-1654

Trajecti ad Rhenum, typis Johannis a Waesberge, ..., 1653

158

Book

De criminibus ad lib. XLVII. et XLVIII. Dig. commentarius Antonii Matthaei, IC. ...

Adjecta est brevis & succincta iuris municipalis interpretatio, ...

Matthaeus, Antonius, 1601-1654; Tinwald, Charles Erskine (Lord), 1680-1763: former owner. Library holding : Alva.328

Editio secunda, priori auctior & emendatior. Amstelodami, ex officina Johannis a Waesberge, anno 1661

159

Book

Antonii Matthaei disputationes de successione XX. De matrimoniis XIII. De tutelis V. In illustri Academia Vltrajectina publice ventilatae, ... cum auctario, de divortio legum & usus.

Matthaeus, Antonius, 1601-1654; Tinwald, Charles Erskine (Lord), 1680-1763: former owner. Library holding : Alva.327

Ultrajecti typis Theodori ab Ackersdijck, & Gisberti a Zijll., 1652

160

Book

Antonii Matthaei juris in illustri Academia Lugdano-Batava antecessoris de nobilitate, de principibus, de ducibus ... de advocatis ecclesiae de Comitatu Hollandiae et Dioecesi Ultraiectina libri quatuor : in quibus passim diplomata & acta hactenus nondum visa..

Matthaeus, Antonius, 1635-1710

Amstelodami, & Lugd. Batavor. : apud Janssonio-Waesbergios, & Felicem Lopez., MDCLXXXVI [1686].

161

Book

Antonii Matthaei a. f. a. n. de probationibus liber.

Matthaeus, Antonius, 1635-1710

Lugduni Batavorum, : apud [brace] Felicem Lopez et Arnoldum Doude [brace], 1678.

162

Book

Remarques sur les Germanismes. Ouvrage utile aux Allemands, aux Francois, et aux Hollandois, &c.

Mauvillon, Eléazar, 1712-1779

A Amsterdam, chez Pierre Mortier., 1747

163

Book

Pandectae uniuersi iuris civilis: siue Collegium iuridicum Argentoratense: : omne jus pandectarum, quodque eidem ex codic. Instit. Novell. Justinianeis respondet, unà perpetuaque causarum methodo dispositum: cum supplemento juris tùm canonici, tùm novissimi ex imperial. constit. & forensibus observationibus: exhibens: opus adornatum in Academia Argentoratensi à juris studiosis et candidatis:

Meier, Justus, -1622

Argentorati. : Sumptibus Eberhardi Zetzneri ..., Anno 1616-1617.

164

Book

Joannis Mercerii, J.C. conciliator sive ars conciliandorum eorum quae in jure contraria videntur, utendisque iis quae vere contraria sunt.

Mercier, Jean, 1545-1600; Reinold, Bernhardus Henricus

Ultrajecti, apud Guilielmum Broedelet., 1713

165

Book

Joannis Meursii Themis Attica : sive de legibus Atticis libri II..

Meurs, Johannes van, 1579-1639

Trajecti ad Rhenum, : apud [brace] Joannem vande Water, Joannem Ribbium, Franciscum Halma, [brace] bibliopol., Anno 1685.

166

Book

AEgidii Menagii juris civilis amoenitates ad Ludovicum Nublaeum, advocatum Parisiensem. In quibus plurimae iurisconsultorum leges & veterum autorum loci notantur, illustrantur & emendantur.

Ménage, Gilles, 1613-1692; Gutberleth, Tobias, 1675-1703; Tinwald, Charles Erskine (Lord), 1680-1763: former owner. Library holding : Alva.279

Editio quarta, prioribus longe auctior & emendatior. Franequerae, apud Leonardum Strickium, 1700

167

Book

Pauli Montani I.C. et in senatu Ultrajectino sereniss. Philippi Hispaniarum regis, quondam consilarii dignissimi, tractatus novus, de jure tutelarum, et curationum, : in quo universa tutelarum materia ... tam theorice quam practice declaratur, & enucleatur ...

Montanus, Paulus, 1530-1587; Montanus, Balthasar

Hagae-Comitis, : Apud Henricum de Swaef., 1656.

168

Book

Tractatus de tutore, curatore, et usufructu mulieri relicto.

Montanus, Paulus, 1530-1587; Gutierrez, Joannes, -1618; Cavalcanti, Borgnino, 1530-1607  
Genevae, typis & sumptibus Samuelis de Tournes., 1675

169

Book

G. vander Muelen in historiam Pomponii de origine juris, et omnium magistratum & successione prudentium, exercitationes. Pars prima[-II.]

Muelen, Gulielmus van der.

Trajecti ad Rhenum, ex officina Francisci Halma, ..., 1691-1693

170

Book

De ratiociniis administratorum, et computationibus variis aliis, tractatus praegnantissimus. Omnibus juri operam dantibus, tam in theoria, quam praxi, utilis, iudicibus et advocatis pernecessarius.

Munoz de Escobar, Francisco, active 1618

Goudae, sumptibus Guilielmi vander Hoeve, anno 1662

171

Book

Ioachimi Mynsingeri a Frundeck IC. nobiliss. & clariss. Apotelesma, hoc est, corpus perfectum scholiorum ad Institutiones Iustinianaeas pertinentium.

Mynsinger, Joachimus.; Reyger, Arnoldus de

[Lovanii] væneunt Lovanii, apud Ioannem Sassenum f. Bibliop. Iuratum, anno 1619

172

Book

Johannis Nicolai antiquitatum professoris tractatus de Synedrio AEgyptiorum, illorumque legibus insignioribus, vbi variae antiquitates & mores lectu jucundi adducuntur, poenae in transgressores proferuntur & testimoniis aliorum scriptorum tam Jctorum quam historicorum probantur. ...

Nicolai, Johann, 1665-1708

Lugduni Batauorum, apud Henricum de Swart, 1706

173

Book

Gerardi Noodt, jureconsulti & antecessoris, commentarius in D. Justiniani, sacratissimoprincipis, Digesta, sive Pandectas, juris enucleati, ex omni vetere jure collecti quorum prima pars, in quatuor libros distributa, hoc volumine exponitur

Noodt, Gerard.

Lugduni Batavorum, apud Johannem vander Linden, juniorem., 1716

174

Book

Gerardi Noodt, Noviomagi, jurisconsulti et antecessoris, opera omnia,

Noodt, Gerard.

Lugduni Batavorum, apud Johannem vander Linden, juniorem., 1724

175

Book

Gerardi Noodt, jurisconsulti & antecessoris, de forma emendandi doli mali, in contrahendis negotiis admissi, apud veteres, liber.

Noodt, Gerardus.

Lugduni Batavorum, apud Johannem vander Linden, Juniorem., 1709

176

Book

Everardi Ottonis de aedilibus coloniarum et municipiorum liber singularis. In quo nonnulla iuris ciuilis aliorumque veterum scriptorum loca illustrantur et status municipiorum subinde explicatur.

Otto, Everhard, 1685-1756

Francofurti apud Thomam Fritsch., Anno 1713

177

Book

Everardi Ottonis de diis vialibus plerorumque populorum dissertatio. In qua nonnulla S. Scripturae et juris ciuilis aliorumque veterum auctorum capita illustrantur.

Otto, Everhard, 1685-1756

Halae Magdeburgicae sumtibus auctoris. Prostat in officina Rengeriana, 1714

178

Book

Everardi Ottonis, Jcti, de Stoica veterum jurisconsultorum philosophia oratio, dicta in Templo Academico majore, a.d. IV. Kal. Novembr. MDCCXIV. Quum ordinariam juris professionem in Academia Regia Duisburgensi solenni ritu auspicaretur.

Otto, Everhard, 1685-1756

Duisburgi ad Rhenum, typis Joannis Sas, ..., [1714?]

179

## Book

Julii Pacii a. Beriga j.c. cl. analysis Institutionum imperialium.

Pace, Giulio, 1550-1635; Wassenaer, Gerard van, 1588 or 1589-1664; Schotanus, Bernardus, 1598-1652

Trajecti ad Rhenum, ex officina Rudolphi a Zyll, ..., anno 1686

180

## Book

Alexandri Arnoldi Pagenstecheri JC. in illustri Groningae atque Oml. Academia juris publ. & priv. professoris ord. aphorismi juris ad Institutiones Justinianaeas.

Pagenstecher, Alexander Arnold, 1659-1716

Editio quinta prioribus auctior, ... subjiciuntur & accessiones Irnerianae. Amstelaedami, ex officina Wetsteniana., 1705

181

## Book

V. cl. Petri Peckii in titt. Dig. & Cod. ad rem nauticam pertinentes, commentarii. Quibus nunc accedunt notae cum ampla dote variarum circa rem navalem observationum beneficio Arnoldi Vinnii, J.C. Item leges navales & jus navale Rhodiorum, Gr. Lat.

Peck, Pierre, 1529-1589; Vinnius, Arnoldus, 1588-1657; Laurentius, Johannes, active 1667-1677

Amstelodami, apud viduam Joannis Henrici Boom., 1668

182

## Book

Tractatus de testamentis coniugum, in quinque libros distinctus,

Peck, Pierre, 1529-1589

Coloniae Agrippinae, apud Antonium Hierat, ..., anno 1599

183

## Book

Ant. PerezI j.c. S.C. & R. Majestatis consiliarii, in Academia Louaniensi legum antecessoris, praelectiones in duodecim libros Codicis Justiniani imp. Quibus leges omnes & authenticæ perpetuâ serie explicantur, mores hodierni inseruntur, & quid sit iuris antiqui, novi, & novissimi, enodatur, ac breviter exponitur

Perizius, Antonius.

Editio tertia ab auctore recognita & aucta, ... Amstelodami, apud Ludovicum Elzevirium, anno 1653

184

Book

Institutionum, siue primorum totius iurisprudentiæ elementorum libri quatuor, Dn. Iustiniani, ... autoritate iussuque compositi Perrinus, Ægidius; Accursius, (glossator) Antuerpiæ, ex officina Philippi Nutii., 1576

185

Book

AntonI PerezI J.C. S.C. & R. Majest. consilarii in Academia Lovaniensi iuris civilis antecessoris, Institutiones imperiales, erotematibus distinctae, atque ex ipsis principiis regulisque juris, passim insertis, explicatae.

Pérez, Antonio, 1583-1673; Hogenuysen, Andreas van, active 1670

Editio novissima. Vesaliae, : Apud Andream ab Hogenuysen ..., 1670

186

Book

Ant. PerezI j.c. S.C. & R. Majestatis consilarii, ... prælectiones in duodecim libros codicis Justiniani imp. ...

Pérez, Antonio, 1583-1673

Antverpiæ. Apud Joannem Baptistam Verdussen, ..., 1738

187

Book

Philippi de Leyden tractatus juridico-politici, ... accedunt huic editioni auctoris vita, medulla tractatum, et index legum, ad quas scripsit.

Philippus, (de Leyden), -1382; Petzoldus, Sebastianus

Amstelaedami, apud Sebastianum Petzoldum, ..., ao. 1701

188

Book

Laurentii Pignorii Patavini De servis, & eorum apud veteres ministeriis, commentarius. : In quo familia, tum urbana, tum rustica, ordine producitur & illustratur..

Pignoria, Lorenzo, 1571-1631; Douglas, George (Lord), 1667 or 1668-1693: former owner. Library holding: E.58.f.14(1)

Editio novissima aucta, emendata, & figuris aeneis exornata. Amstelodami, : Sumptibus Andreae Frisii., 1674.

189

Book

Johannis Baptistae Pontani, advocati quondam Romani nobilissimi, de spolio tractatus absolutissimus et tam iudicibus ipsis, quam advocatis utilissimus, saepius a multis desideratus. Nunc primum in Germania lucidatus. ...

Pontanus, Johannes Isacius, 1571-1639

Francofurti & Lipsiae. Sumptibus Theophili Henrici Grentzii, bibliopolae Hannoverani & Hildesiensis. Guelferbyti, typis Caspari Johannis Bismarci, 1686

190

Book

Titi Popmae Phrysii De operis servorum liber..

Popma, Titus, -1620; Douglas, George (Lord), 1667 or 1668-1693: former owner. Library holding: E.58.f.14(2)

Editio novissima, ab innumeris mendis expurgata, & diversitate characterum exornata..

Amstelodami : Apud Andream Frisium,, M. DC. LXXII. [1672]

191

Book

Guilielmi Postelli De republica, seu Magistratibus Atheniensium liber. : Ex Musaeo Joan. Balesdens, in Principe Senatu advocati. Accessit Antonii Thysii IC. Discursus politicus de eadem materi<sup>a</sup>, & collatio Atticarum & Romanarum legum..

Postel, Guillaume, 1510-1581; Balesdens, Jean, -1675

Lugduni Batavorum, : Ex Officina Joannis Maire., 1645.

192

Book

S Pufendorffii de officio hominis et civis juxta legem naturalem libri duo.

Pufendorf, Samuel (Freiherr von), 1632-1694



Editio septima prioribus correctior, additionibus & emendationibus Weberi, duplicibus lemmatibus, ac perpetuis ad Hugonem Grotium & majus auctoris opus remissionibus, aucta. Trajecti ad Rhenum. Apud Jacobum Broedelet., 1723

193

Book

Les devoirs de l'homme, et du citoien, tels qu'ils lui sont prescrits par la loi naturelle.

Pufendorf, Samuel (Freiherr von), 1632-1694; Barbeyrac, Jean, 1674-1744

Cinquieme edition, accompagnee, ... des deux discours sur la permission & sur le benefice des loix; & du jugement de M. Leibniz sur cet ouvrage, avec des reflexions du meme traducteur: ... A Amsterdam, chez la veuve de P. de Coup, & G.Kuyper., 1735,1734

194

Book

Iac. Raevardi I.C. variorum, siue de iuris ambiguitatibus libri quinque.

Raevardus, Jacobus, approximately 1535-1568

Brugis Flandrorum, excudebat Hubertus Goltzius., 1564

195

Book

Iacobi Rævardi Brugensis iurisconsulti egregij & antecessoris Duacæni opera quæ reperiri potuerunt omnia in tomos II. digesta, ...

Raevardus, Jacobus, approximately 1535-1568

Lugduni, sumptibus Ludouici Prost hæredis Rouille., 1623

196

Book

Tribonianus, sive errores Triboniani de poena parricidii in [paragraph sign]. alia deinde Lex 6. Inst. de publicis judiciis. Academica analecta. ...

Ramos del Manzano, Juan Francisco.

Lugduni Batavorum, apud Janssonios vander Aa, 1728

197

Book

Cypriani Regneri propempticon ad nobilissimum eruditissimumque D. Claudium Salmasium.

Regneri ab Oosterga, Cyprianus, 1614-1687  
Lugduni Batavorum, apud Justum Livium., 1640

198

Book

Petri Cunaei sententia defensa a Cypriano Regneri I.V.D. mutuum esse alienationem.  
Adversus Sphalmasium quendam, dominum de Sancto Lupo.  
Regneri ab Oosterga, Cyprianus, 1614-1687  
Lugduni Bataurorum, apud Iustum Livium., 1640

199

Book

Dissertatio juridica inauguralis, de moderamine inculpatae tutelae, : quam favente Deo ter  
opt. max. ex auctoritate magnifici rectoris, Francisci Burmanni ... nec non amplissimi  
senatus academici consensu, et nobilissimae Facultatis Iuridicae decreto, pro gradu  
doctoratus summisque in utroque jure honoribus & privilegiis rite ac legitime  
consequendis, eruditorum disquisitioni submittit. Hermannus Joannes Roelinck ... ad diem  
IX Julii h.l.q.s..  
Roelinck, Hermannus Joannes.  
Trajecti Viltorum, : ex officina Joannis Broedelet, academiae typographi,, MDCCXLVI  
[1746].

200

Book

Institutionum Dn. Iustiniani sacratissimi principis pp. A. libri IIII. Ex manuscriptorum  
librorum, & Digestorum collaione castigati  
Roussard, Louis  
Antuerpiae, ex officina Christophori Plantini., 1567

201

Book

Ius ciuile manuscriptorum librorum ope, summa diligentia et integerrima fide infinitis locis  
emendatum, et perpetuis notis illustratum  
Roussard, Louis; Douaren, François, 1509-1559; Tinwald, Charles Erskine (Lord), 1680-  
1763: former owner. Library holding : Alva.173, Alva.174, Alva.175, Alva.176  
Antuerpiae. Ex officina Christophori Plantini, 1567

202

Book

Thesaurus fructuum et interesse: continens I. Tractatum Petri Gilkenii JC. ... de fructibus, eidemq[ue] ab authore, commentando in titulum de acquir. rer. domin. annexis materiis. II. Decisiones varias Camerae Imp. decade votorum comprehensas. III. Responsum amicabile Hartmanni Pistoris JC. ... IV. Exetasin explicat I. Bonaefidei, de acquirendo rerum dominio, Ignatii Hannielis U.J.D. ... V. Ad constitutiones regias, Petri Rebuff. commentarium de fructibus.

Rulant, Rutgerus, 1568-1630; Gilkenius, Petrus, active 1606; Pistoris, Hartmann; Hanniel, Ignatius; Rebuffi, Pierre, 1487-1557

Hamburgi, ex bibliopolio Frobeniano, typis Philippi ab Ohr, 1608

203

Book

Christ. Adami Ruperti hist. prof. olim Altdorfini. Ad Enchiridion Pomponii JC. de origine [sic] juris ejusq. interpret. libri III. Animadversionum tertia elaborati cura, cum rerum ac verborum largo judice [sic].

Rupertus, Christophorus Adamus, 1612-1647; Pomponius, Sextus Franequerae, ex officina Leonardi Strik, ..., 1696

204

Book

Speculum juridico historico politicum, exhibens explanationem proemii & tituli primi Instit. D. Justiniani imperatoris: praemissis duabus tabulis; ... in quo insuper praeter veteris Romani juris principia & solida fundamenta. ... moderni quoque imperii Romano Germ. status ... tractatur.

S. D. B. ((Author))

Amstelodami, apud Jacobum Bloemendael., Anno 1677

205

Book

Confutatio diatribae de mutuo, tribus disputationibus ventilatae auctore & praeside Io. Iacobo Vissembachio I.V.D. ...

Saumaise, Claude, 1588-1653; Tabor, Joannes Otto, 1604-1674

Lugduni Batavorum, ex officina Ioannis Maire., 1645

206

Book

Disquisitio de mutuo. Qua probatur non esse alienationem.

Saumaise, Claude, 1588-1653

Lugduni Batavorum, ex officina Ioannis Maire., 1645

207

Book

Cl. Salmasii responsio ad calumniatoriam epistolam Ioh. Cloppenburgii.

Saumaise, Claude, 1588-1653

Lugduni Batavorum, ex officina Ioannis Maire., 1640

208

Book

Excerpta ex Claudii Salmasii dissertationibus de trapezitis, &amp; in ea theologi cujusdam breves notae.

Saumaise, Claude, 1588-1653

Lugduni Bataurorum, apud Iustum Livium., 1640

209

Book

Miscellae defensiones pro Cl. Salmasio, de variis observationibus &amp; emendationibus ad ius Atticum et Romanum pertinentibus.

Saumaise, Claude, 1588-1653

Lugduni Batavorum, ex officina Ioannis Maire., 1645

210

Book

De vsuris liber,

Saumaise, Claude, 1588-1653

Lugd. Batavor. Ex officina Elseviriorum., 1638

211

Book

Diatriba de mutuo, non esse alienationem. Adversus Coprianum quemdam iuris doctorem.

Saumaise, Claude, 1588-1653

Lugduni Batavorum, ex officina Ioannis Maire., 1640

212

Book

Dissertatio de foenore trapezitico, in tres libros divisa.

Saumaise, Claude, 1588-1653

Lugduni Batavorum, ex officina Ioannis Maire., 1640

213

Book

De modo vsurarum liber,

Saumaise, Claude, 1588-1653

Lugd. Bataur. Ex officina Elseviriorum., 1639

214

Book

Nobiliss. atque illustriss. viri, Rab. Herm. Schelii domini Venebruggae & Welbergii, ... de jure imperii liber posthumus.

Schelius, Rabodus Hermannus, 1622-1662; Hogers, Theophilus, 1636-1676

Amstelodami, apud Danielelem Elsevirium, 1671

215

Book

Syntagma criticum variorum auctorum, in quo jurisconsulti, philosophi, historici, oratores & poetae emendantur & illustrantur. Accesserunt varii indices

Schmincke, Johann Hermann; Barjarg, James Erskine (Lord), 1723-1796: former owner.

Library holding : Alva.230

Marburgi Cattorum, apud Philippum Casimirum Mullerum, ..., 1717

216

Book

Martini Schoockii imperium maritimum, ita explicatum ut non solum ejus ostendantur praerogativae, verum etiam cuique genti, maxime Belgis foederatis suis vindicetur honos;

...

Schoock, Martinus, 1614-1669

Amstelodami, apud Joannem Janssonium., 1654

217

Book

Antonii Schultingii, jurisconsulti & antecessoris, Enarratio partis primae Digestorum, seu Pandectarum, D.N. Justiniani, sacratissimi principis. : Accedit Dissertatio ad l. I. [section symbol]. ult. D. de quaestionibus. De eo, qui crimen capitale ultro ac falso confessus, & condemnatus est, comperta postea innocentia, liberando..

Schultingh, Antonius, 1659-1734

Lugduni Batavorum, : apud Joh. vander Linden, juniorem., 1720.

218

Book

Antonii Schultingii Joh. fil. jurisconsulti & antecessoris dissertationes, de recusatione judicis, pro rescriptis imperatorum Romanorum, de transactione super controversiis, quae ex ultimis voluntatibus proficiscuntur, etiam non inspectis vel cognitis illarum verbis recte ineunda. : Accedit oratio de jurisprudentia Marci Tullii Ciceronis..

Schultingh, Antonius, 1659-1734; Schultingh, Antonius, 1659-1734

Lugduni Batavorum, : apud Joh: du Vivie, Andream Dyckhuisen, & Joh: Arn: Langerack., 1714.

219

Book

Ioannis Seldeni mare clausum seu de dominio maris libri duo. ... Accedunt Marci Zuerii Boxhornii apologia pro navigationibus Hollandorum adversus Pontum Heuterum, et tractatus mutui commercii & navigationis inter Henricum VII. regem Angliae & Philippum archiducem Austriae.

Selden, John, 1584-1654; Boxhorn, Marcus Zuerius, 1612-1653; Heuter, Pontus, 1535-1602

Londini [i.e.Amsterdam?], iuxta exemplar Will. Stanesbeii pro Richardo Meighen., 1636

220

Book

Caroli Sigonii de antiquo iure populi Romani libri XI. Duo de ciuium Romanorum, tres de Italiae, totidem de prouinciarum antiquo iure, reliqui de Romanae iurisprudentiae iudiciis. ... Editioni huic nouissimae ... addita & inserta sunt, quae in editione Parisiensi, ...

reperiuntur. ... Accessit ... animadversiones Ioannis Georgii Graevii, ... nova dissertatio prooemialis Thomasiana de vsu vario studii antiquitatum, imprimis in studio iurisprudentiae Romanae.

Sigonio, Carlo, 1524?-1584; Graevius, Joannes Georgius, 1632-1703

Lipsiae et Halae prostant in officina Adami Sellii, 1715

221

Book

Isagoge sive introductio in jurisprudentiam Romanam juxta ordinem Institutionum imperialium,

Silvius, Johannes, active 1685

Roterodami, typis Regneri Leers, 1685

222

Book

Histoire de l'origine & du progrès des revenus ecclesiastiques, : où il est traité selon l'ancien & le nouveau droit, de tout ce qui regarde les matieres beneficiales, de la régale, des investitures, des nominations & des autres droits attribués aux princes

Simon, Richard, 1638-1712

A Francfort [i.e. Rotterdam?], : Chez Frederic Arnaud, 1684

223

Book

I. Sleidani de quatuor summis imperiis libri tres: postrema editione hac accurate recogniti.

Sleidanus, Johannes, 1506-1556

Amstelodami, apud Ludovicum Elzevirium, ao. 1654

224

Book

Thomae Smithi Angli De republica Anglorum libri tres.

Smith, Thomas, 1513-1577

Editio vltima prioribus multo auctior.. Lug. Batauor. : Ex officina Elzeviriana., 1641.

225

Book

Disputatio inauguralis philologico-juridica. Ad pr. L. I. ff. de constitutionibus principum. :  
 Quam annuente Deo opt. max. ex auctoritate magnifici rectoris, D. Francisci Fabricii ... nec  
 non amplissimi senatus academici consensu, & nobilissimae Facultatis Juridicae decreto,  
 pro gradu doctoratus summisque in utroque jure honoribus, & privilegiis rite ac legitime  
 consequendis, publico examini submittit Henricus Stephanus van Son ... ad diem 29.  
 Octobris MDCCXVI hora locoque solitis..

Son, Henricus Stephanus van.

Lugduni Batavorum, : apud Conradum Wishoff., [1746]

226

Book

De legibus Hebraeorum ritualibus, et earum rationibus, libri tres.

Spencer, John, 1630-1693

Editio secunda, priori indice locorum S. Scripturae locupletiore, nec non indice rerum &  
 verborum maxime memorabilium novo aucta. Hagae-Comitum, : Apud Arnoldum Leers,  
 1686

227

Book

Series cum summarijs titulorum in Digest. & Codic. contentorum, ad modum  
 continuationis Tribonian: adfecta. Cui adjectae sunt disputationes quaedam de  
 interpretatione, & fictione juris &c.

Steinberg, Joannes.

Groningae, ex officina typographica Augustini Eissens, 1641

228

Book

Clarissimi ac amplissimi viri D. Petri Stockmans olim in academia Lovaniensi legum  
 professoris, ... opera omnia, quotquot hactenus separatim edita fuere nunc primum in unum  
 corpus collecta & emendatiora prodeunt.

Stockmans, Peter, 1608-1671

Bruxellis, typis Judoci de Grieck, ..., 1700

229

Book



Diatriba juridica inauguralis, ad tit. D. quarum rerum actio non datur, : quam ... ex auctoritate rectoris magnifici, Francisci Burmanni ... nec non amplissimi senatus academici consensu, atque nobilissimae Facultatis Juridicae decreto, pro gradu in utroque jure doctoratus, cunctisque praerogativis, & honoribus rite ac legitime consequendis, sollemni eruditorum disquisitioni exponit Janus Hugo van Stryen, Goudanus. Ad diem VII Novembris, loco horisque solitis..

Stryen, Janus Hugo van.

Trajecti Batavorum, : ex officina Joannis Broedelet, academiae typographi,, MDCCXLVI [1746].

230

Book

Bernhardi Sutholt j.u.d. & professoris ordinarii, dissertationes undeviginti, quibus universum jus Institutionum ex principiis explicatur, ... accessit ejusdem auctoris tractatus de jurisdictione, nec non oratio de ratione interpretandi jris, & philosophiae activae cum juris studio conjunctione.

Sutholt, Bernardus, active 1625

Editio ultima & correctissima. Amstelodami. Apud Johannem a Maanen., An. 1665

231

Book

D. Thomas Aquinas de rebuspublicis, et principum institutione, libri IV.

Thomas, (Aquinas, Saint), 1225?-1274

Lugduni Batavorum, ex officina Ioannis Maire., 1651

232

Book

Theodori Triglandii J.U.D. & Professoris paedia juris, sive examen Institutionum, nova arte & methodo concinnatum, ita ut locis difficilioribus vice commentarii inservire possit: ... Accedunt huic editioni index titulorum alphabeticus & catalogus vett. JCC. ordine chronologico.

Triglandius, Theodorus, active 1671

Oxoniae, e Theatro Sheldoniano, 1710

233

Book

Andreae Vallensis vulgo del Vault Andanensis I.U.D. ... paratitla iuris canonici, siue decretalium D. Gregorii Papae IX. summaria ac methodica explicatio. Opus nouum, scholae ac foro, & decretis Concilij Tridentini accommodatum.

Vallensis, Andreas, 1596-1636

Sexta editio multo accuratius quam antehac emendata, ... Lugduni, sumptibus Laurentii Anisson, & Ioan. Bapt. Devenet., 1658

234

Book

Principia, et loci communes seu regulae, tam decisionum, quam argumentorum u. j. cum plenissima doctorum allegatione collecta

Vaz Barbosa, Simão, 1591-1681

Editio nova priori correctior, pluribusque iuris regulis & additionibus, ... auctior. Trajecti ad Rhenum, typis Gisberti a Zijll, & Theodori ab Ackersdijck, 1651

235

Book

D. Justiniani sacratissimi principis, Institutionum, sive elementorum, libri quatuor, notis perpetuis multo, quam hucusque, diligentius illustrati,

Vinnius, Arnoldus, 1588-1657

Editio novissima, prioribus longe auctior & emendatior ... Lugduni Batavorum, apud Petrum van der Aa., 1709

236

Book

Philippi Reinhardi Vitriarii, jcti, & antecess. Lugd. Bat. institutiones juris publici Romano-Germanici selectae antiuum & modernum imperii Romano-Germanici statum: vera ejus principia, controversias illustres, & earum rationes cum affirmantes, tum negantes, & decedentes, methodo Institutionum Iustiniani ex ipsis fontibus exhibentes.

Vitriarius, Philippus Reinhardus, 1647-1720

Editio nova prioribus omnibus correctior. Accesserunt Aurea Bulla, Instrumenta pacis Westphalicae, Suecicum & Gallicum, & Capitulatio Caroli VI. Lugd. Batav. Ex officina Boutesteniana., 1723

237

Book

Universum jus civile privatum ad methodum Institutionum Justiniani

Vitriarius, Philippus Reinhardus.; Forbes, Duncan, 1685-1747: former owner. Library holding

Lugd. Batavorum [Leiden]. : Apud Jordanum Luchtman., 1697.

238

Book

Johannis Voet, P.F. G.N. J.U.D. & antecessoris Nassovici. De familia erciscunda liber singularis. Quo varia est exposita dividendarum haereditatum methodus ejusque divisionis effectus & praecipuae pleraeque controversiae ex civili & consuetudinario jure definitae.

Voet, Johannes, 1647-1713

Ultrajecti, apud Johannem Ribbium, 1672

239

Book

Johannis Voet, P.F.G.N. Jcti & antecessoris in Academia Lugduno Batava de jure militari liber singularis. In quo plurimae ad militiae militumque jura pertinentes controversiae juxta leges, gentium mores, & rerum judicatarum exempla sunt definitae.

Voet, Johannes, 1647-1713

Editio secunda, priore auctior & emendatior. Hagae Comitum, apud Petrum a Thol., 1705

240

Book

Johannis Voet P. F. G. N. J. U. D. & antecessoris Lugduno Bat. compendium juris juxta seriem Pandectarum, adjectis differentiis juris civilis et canonici. Ut et definitionibus ac divisionibus praecipuis secundum Institutionum titulos

Voet, Johannes, 1647-1713

Editio tertia priore emendatior, & auctior ... Lugduni Batavorum, apud Cornelium Boutesteyn, Jordanum Luchtman., 1707

241

Book

Johannis Voet jcti & antecessoris in Academiâ Lugduno-Batavâ commentarius ad Pandectas. In quo praeter Romani juris principia ac controversias illustriores, jus etiam hodiernum, & praecipuae fori quaestiones excutiuntur. Tomus primus,[-secundus.] ...

Voet, Johannes, 1647-1713

Editio quarta. Hagæ-Comitum, apud Abrahamum de Hondt., 1723

242

Book

Pauli Voet i.c. ac philosophiae in Academ. Ultraj. Profess. Ordinarii de duellis, licitis & illicitis, liber singularis..

Voet, Paul, 1619-1667

Ultrajecti, : Ex officina Gisberti a Zyll., Anno MDCXLVI [1646].

243

Book

Pauli Voet, jur. in Acad. Ultraj. antecessoris, ... jurisprudentia sacra, instituta juris Caesarei cum divino, consuetudinario, atque canonico, in multis, collatione.

Voet, Paul, 1619-1667

Amstelodami, ex officina Johannis Janssonii a Waesberge, anno 1662

244

Book

Mobilium & immobilium natura, modo academico & forensi ad evidentiores juris statutarii intellectum strictim proposita

Voet, Paul, 1619-1667

Ultrajecti, ex officina Johannis Ribbii, ..., anno 1666

245

Book

Iacobi Voorda Icti & antecessoris Frisii ad legem Falcidiam commentarius, quo multa iuris Iustiniani loca exponuntur, illustrantur, emendantur, vindicantur. Accedit eiusdem dissertatio de legato partitionis.

Voorda, Jacobus, 1690-1768

Harlingae, bibliop. Folkerus vander Plaats, 1730

246

Book

Joannis Caroli van Wachendorff, J.U.D. dissertationum trias, I. De principe legibus soluto. II. De conditione triticiaria. III. De pactis nudis.

Wachendorff, Joannes Carolus van, active 1730

Trajecti ad Rhenum, apud Joannem Broedelet, 1730

247

Book

Briani Walton S.T.D. dissertatio in qua, de linguis orientalibus, Hebraica, Chaldaica, Samaritana, Syriaca, Arabica, Persica, Aethiopica, Armena, Copta. Et de textuum, & versionum quae in ... polyglottis Bibliis, habentur, antiquitate, autoritate & usu breviter disseritur.

Walton, Brian, 1600-1661; Wower, Johann van der, 1574-1612

Daventriae, typis, Johannis Colombii, typographi, anno 1658

248

Book

Joannis van de Water Jcti Observationum juris Romani libri tres. : In quibus multa Juris civilis capita emendantur & explicantur, ac nonnulla aliorum auctorum loca illustrantur..

Water, Joannes van de.

Trajecti Batavorum, : apud Guilielmum van de Water., 1713.

249

Book

Nobilis, magnifici & praeclarissimi JC D. Petri Wesenbecii in Academia Ienensi, Witenbergensi et Altorphina quondam antecessoris ... responsa: in materiis contractuum, successionum, legitimae, inuentarii, testamentorum, seruitutum, collectarum, delictorum, feudorum & similium ... .

Wesenbecius, Petrus, 1546-1603

Francofurti, ex officina typographica Ioannis Saurii, impensis Petri Kopffii., 1607

250

Book

Subscriptio in causa Honoldina ad consilium seu responsum iuris a Domino Christophoro Herdessiano I.D. conscriptum.

Wesenbeck, Matthaeus, 1531-1586

Noribergae, apud Theodoricum Gerlatzenum, in officina Ioannis Montani ..., 1567

251

Book

L'ambassadeur et ses fonctions.

Wicquefort, Abraham de, 1606-1682; Galardi, Ferdinand de

Derniere edition, augmentée des reflexions sur les memoires pour les ambassadeurs, de la reponse à l'auteur. Et du discours historique de l'election de l'Empereur, & des Electeurs par le meme auteur. ... A Cologne [i.e. Netherlands], chez Pierre Marteau., 1690

252

Book

Abrahami Wieling, iurisconsulti, & antecessoris, de logomachiis iurisconsultorum oratio. : Dicta in auditorio maximo die XXI. Iulii, A. AE. V. MDCCXLIV. quum nobilissimus iuvenis, Matthias Straalmannus, Amstelaedamensis, iuris utriusque doctor publice ac more maiorum inauguraretur..

Wieling, Abraham, 1693-1746

Traiecti Viltorum. : Apud Io. Broedelet, acad. typogr., MDCCXLIV [1744].

253

Book

Abrahami Wieling iurisc. et antec. nubes testium. Sive apologetici pars altera. Opus postumum.

Wieling, Abraham, 1693-1746; Vonck, Cornelius Valerius, 1724-1769

Trajecti Viltorum. Apud Herm. Besseling ..., 1746

254

Book

Larva calumniatoribus detracta.

Wieling, Abraham, 1693-1746

Viltraiecti. Apud Herm. Besseling, ..., anno 1745

255

Book

Iurisprudencia restituta, sive index chronologicus in totum iuris Iustinianaei corpus, : ad modum Iac. Labitti, Ant. Auustini, & Wolfg. Freymonii, nova tamen & faciliore methodo collectus. Accesserunt opuscula IV. I. Vsus Pandectarum per Iac. Labittum cum notis Wilh. Schmuccii. II. Henrici Hahnii oratio de vsu chronologiae in jure. III. Henrici Brenmanni dissertatio de legum inscriptionibus. IV. Bern. Henricii Reinoldi oratio de inscriptionibus legum Dig. & Cod.

Wieling, Abraham, 1693-1746; Labittus, Jacobus, 16th century; Schmuck, Wilhelm, 1575-1634; Hahn, Henricus; Brenkman, Hendrik, 1681-1736; Reinoldus, Bernardus, Henricus, 1677-1726; Vitriarius, Johann Jakob, 1679-1745: former owner.; Wieling, Abraham, 1693-1746: former owner.

Amstelaedami, : Apud Ianssonio-Waesbergios., MDCCXXVII.. [1727]

256

Book

Diatriba de mutuo, esse alienationem; tribus disputat. publicis ventilata

Wissenbach, Johannes Jacobus, 1607-1665

Franekerae apud Uldericum Balck, ... & Joh. Fabiani Deuring., Anno 1642

257

Book

Ioannis Zangeri I.C. tractatus duo: vnus de exceptionibus, alter de quaestionibus seu de torturis reorum, ad editionem postremam ab autore recognitam & lecturis auctam, de novo recusi.

Zanger, Johann, 1557-1607; Zanger, Johann, 1557-1607

[Amstelodami] prostant Amstelodami, apud Ioan: Ianssonium, anno 1643

258

Book

Richardi Zouchei, J.C. elementa jurisprudentiae, definitionibus, regulis & sententiis selectoribus juris civilis, illustrata; accesserunt, descriptiones juris & iudicii, sacri, militaris, et maritimi.

Zouch, Richard, 1590-1661

Lugd. Batavorum, apud Johannem & Danielem Elsevirios, 1652

259

Book

Iudex magistratus senator libris IV. exhibitus. I. Virtutes. II. Iuris-dictionem. III. Politiam. IV. Autocratiam spectat.

Zype, Frans van den, 1580-1650

Antuerpiae, apud Hieronymum Verdussium., 1633

260

Book

Corpus juris civilis.

Editio nova. Prioribus correctior. Amstelodami, : Sumptibus Societatis, 1700

261

Book

Les droits de l'Empire sur l'estat ecclesiastique, recherchez & pleinement eclaircis a l'occasion de la dispute de Comacchio, et des droits particuliers de la serenissime maison d'Este sur cette ville. Pour servir de reponse tant aux deux ecrits publiez sous le titre de Premiere & seconde deffense du domaine temporel du S. Siege, qu'a un autre livre intitule Dissertation historique &c. ... Le tout traduit de l'Italien.

A Utrecht. Chez Guillaume vande Water, ..., 1713

262

Book

Enchiridion titulorum iuris, quibus vniuersum pene ius summatim continetur de verborum obligationibus, de verborum significatione, de diuersis regulis iuris antiqui, rubricae iuris. Omnia secudum editionem Florentinam, & cum breuibus ac nouis annotatiunculis.

Lovanii apud Petrum a Colonia ..., anno 1554

263

Book

Institutiones imperiales cum nouis & breuibus annotationibus.

Lovanii apud Petrum Colonaem ..., anno 1554

264

Book

Recueil de pieces sur la contestation entre les princes du sang. Avec une lettre au sujet du demele des presidens a Mortier et des ducs et pairs. A quoi l'on a ajoute le songe du petit P. Andre.

A Amsterdam, chez Jean Potgieter, 1716

265

Book

Breuis confutatio notarum Larvati cujusdam theologi in excerpta dissertationis de trapezitis Cl. Salmasii.



Lugduni Batavorum, ex officina Ioannis Maire., 1640

266

Book

Imperatoris Iustiniani Institutionum libri III. Adjecti sunt ex digestis tituli De verborum significatione et De regulis iuris: cum indice ad eosdem.

Amsterodami, apud Guiljelmum Caesium., Anno 1622

### 7.3. Appendix C - Further data regarding Appendix B

#### 7.3.1. Details - General

Characteristic	Number of books	Specific book list numbers
Dutch author	200	4, 5, 6, 7, 8, 11, 12, 13, 14, 16, 17, 18, 19, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 80, 81, 82, 88, 89, 90, 93, 94, 95, 96, 97, 98, 100, 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133, 134, 138, 139, 140, 141, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 155, 156, 157, 158, 159, 160, 161, 163, 165, 166, 167, 168, 169, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 185, 187, 189, 190, 193, 194, 195, 197, 198, 199, 202, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 225, 228, 229, 230, 232, 233, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 248, 249, 250, 251, 252, 253, 254, 255, 256, 259
Dutch place of publication	211	1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 32, 34, 35, 36, 37, 38, 42, 43, 44, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 67, 68, 70, 71, 75, 78, 79, 80, 82, 83, 84, 85, 86, 87, 88, 89, 91, 92, 97, 98, 99, 100, 101, 102, 103, 104, 105,

		106, 107, 110, 111, 112, 113, 115, 119, 120, 121, 122, 126, 127, 128, 129, 130, 131, 132, 133, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 164, 165, 166, 167, 169, 170, 171, 172, 173, 174, 175, 179, 180, 181, 183, 184, 186, 187, 188, 190, 191, 192, 193, 194, 196, 197, 198, 199, 200, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 218, 219, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266
Both characteristics	145	8, 11, 12, 13, 14, 16, 17, 18, 19, 21, 22, 23, 28, 32, 34, 35, 37, 38, 42, 48, 49, 50, 51, 52, 53, 55, 56, 58, 59, 60, 61, 62, 65, 67, 68, 70, 71, 75, 78, 80, 82, 88, 89, 97, 98, 100, 101, 103, 104, 105, 106, 107, 110, 111, 112, 113, 119, 120, 121, 122, 126, 127, 128, 129, 130, 131, 133, 138, 139, 140, 141, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 155, 157, 158, 159, 160, 161, 165, 166, 167, 169, 171, 172, 173, 174, 175, 179, 180, 181, 187, 190, 193, 194, 197, 198, 199, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 218, 219, 221, 225, 228, 229, 230, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 248, 251, 252, 253, 254, 255, 256, 259

## 7.3.2. Details - Authors

<b>Author</b>	<b>Number of books</b>	<b>Specific book list numbers</b>
Saumaise, Claude	12	75, 78, 123, 205, 206, 207, 208, 209, 210, 211, 212, 213
Grotius, Hugo	9	107, 108, 109, 110, 111, 112, 113, 114, 134
Heineccius, Johann Gottlieb	7	116, 117, 118, 119, 120, 121, 122
Wieling, Abraham	5	127, 252, 253, 254, 255
Brederode, Pieter Cornelis van	4	29, 30, 56, 63
Corte, Jacques de	4	54, 69, 76, 77
Huber, Ulrik	4	127, 128, 129, 130
Matthaeus II, Antonius	4	156, 157, 158, 159
Otto, Everhard	4	59, 176, 177, 178
Voet, Johannes	4	238, 239, 240, 241
Barbeyrac, Jean	3	12, 107, 193
Bijnkershoek, Cornelis van	3	17, 18, 19
Bronchorst, Everhardus	3	31, 32, 33
Burman, Pieter	3	34, 37, 38
Clerc, Jean le	3	138, 139, 140
Giffen, Hubert van	3	93, 94, 95
Gronovius, Joannes Fredericus	3	104, 112, 113
Grotius, Guilielmus	3	90, 105, 106
Leeuwen, Simon van	3	96, 143, 144
Noodt, Gerard	3	173, 174, 175
Vinnius, Arnoldus	3	143, 181, 235
Voet, Paul	3	242, 243, 244
Agylaeus, Henricus	2	5, 6

Boeckelmann, Johann Friedrich	2	22, 23
Bouricius, Jacobus	2	27, 28
Buis, Paulus	2	39, 40
Canisius, Heinrich	2	41, 42
Christinaeus, Paulus	2	48, 49
Cloppenburg, Johannes	2	51, 52
Doneau, Hugues	2	67, 68
Eck, Cornelius van	2	71, 88
Everardi, Nicolaus	2	35, 73
Feltman, Gerhard	2	81, 82
Graevius, Joannes Georgius	2	100, 220
Hoppers, Joachim	2	124, 125
Huber, Zacharias	2	130, 131
Maestertius, Jacobus	2	148, 149
Marckart, Johann Wilhelm	2	152, 153
Matthaeus III, Antonius	2	160, 161
Montanus, Paulus	2	167, 168
Peck, Peter	2	181, 182
Raevardus, Jacobus	2	194, 195
Regneri ab Oosterga, Cyprianus	2	197, 198
Schultingh, Antonius	2	217, 218
Vitriarius, Philippus Reinhardus	2	236, 237
Andreas, Valerius	1	42

Arnaud, Georgius d'	1	8
Baerle, Caspar van	1	7
Baldaeus, Petrus	1	11
Bayle, Pierre	1	13
Berkelius, Janus	1	14
Beyma, Julius van	1	16
Beys, Gilles	1	4
Blondeel, Valentyn Jan	1	21
Boxel, Hugo	1	80
Boxhorn, Marcus Zuerius	1	219
Brenkman, Hendrik	1	255
Brouwer, Hendrik	1	34
Carrion, Louis	1	45
Coccejus, Gerhardus	1	53
Corvinus, Arnoldus	1	55
Corvinus, Johannes Arnoldi	1	50
Cup, Wilhelm	1	60
Cuper, Gisbert	1	61
Damhoudere, Joost de	1	62
Does, Johan van der	1	65
Duysendaelders, Nicolaas	1	70
Erasmus, Desiderius	1	72
Everaerts, Nicolaus	1	74
Francius, Petrus	1	89
Gilkenius, Petrus	1	202

Goes, Willem	1	97
Goudelin, Pierre	1	98
Graswinckel, Theodorus	1	101
Groenewegen van der Made, Simon van	1	103
Grotius, Jacobus	1	106
Gutberleth, Tobias	1	166
Heuter, Pontus	1	219
Hogenhuysen, Andreas van	1	185
Houck, Friedrich Gotfried	1	126
Jonctys, Daniel	1	133
Klenckius, Janus	1	134
Laurentius, Johannes	1	181
Lessius, Leonardus	1	145
Leyden, Philips van	1	187
Lomeier, Johannes	1	146
Lycklama a Nijeholt, Marcus	1	147
Malte, Herman Francois de	1	150
Marck, Henricus Hadrianus van der	1	151
Maresius, Samuel	1	58
Matthaeus I, Antonius	1	155
Meier, Justus	1	163
Meurs, Johannes van	1	165

Montanus, Balthasar	1	167
Muelen, Gulielmus van der	1	169
Nicolai, Johann	1	172
Pagenstecher, Alexander Arnold	1	180
Pontanus, Johannes Isacius	1	189
Popma, Titus	1	190
Reyger, Arnoldus de	1	171
Roelinck, Hermannus Joannes	1	199
Schelius, Radbodus Hermannus	1	214
Schmincke, Johann Hermann	1	215
Schoock, Martinus	1	216
Schotanus, Bernardus	1	179
Silvius, Johannes	1	221
Son, Henricus Stephanus van	1	225
Stockmans, Peter	1	228
Stryen, Janus Hugo van	1	229
Sutholt, Bernhardus	1	230
Thulden, Nicolaus	1	62
Trigland, Theodoor	1	232
Uffel, Jean van	1	56
Vallensis, Andreas	1	233



Vitriarius, Johann Jakob	1	255
Vitringa, Campegius	1	130
Vonck, Cornelius	1	253
Voorda, Jacobus	1	245
Wassenaer, Gerard van	1	179
Water, Joannes van de	1	248
Wesenbecius, Petrus	1	249
Wesenbeck, Matthaeus	1	250
Weytsen, Quintin	1	46
Wicquefort, Abraham de	1	251
Wiringus, Joannes	1	42
Wissenbach, Johannes Jacobus	1	256
Zoesius, Henricus	1	98
Zype, Frans van den	1	259

### 7.3.3. Details - Places of publication

Place of publication	Number of books	Specific book list numbers
Leiden	58	9, 10, 11, 14, 18, 19, 23, 32, 44, 51, 52, 65, 67, 68, 75, 78, 79, 83, 97, 104, 106, 110, 119, 132, 143, 144, 148, 149, 160, 161, 172, 173, 174, 175, 191, 196, 197, 198, 205, 206, 207, 208, 209, 210, 211, 212,

		213, 217, 218, 224, 225, 231, 235, 236, 237, 240, 258, 265
Amsterdam	53	12, 13, 15, 35, 36, 50, 55, 57, 66, 70, 82, 84, 85, 86, 89, 91, 92, 103, 105, 107, 111, 112, 113, 120, 122, 133, 138, 139, 140, 144, 154, 158, 160, 162, 180, 181, 183, 187, 188, 190, 193, 204, 214, 216, 219, 223, 230, 243, 255, 257, 260, 264, 266
Utrecht	36	21, 22, 24, 37, 38, 59, 61, 71, 88, 100, 102, 121, 126, 127, 146, 152, 153, 157, 159, 164, 165, 169, 179, 192, 199, 229, 234, 238, 242, 244, 246, 248, 252, 253, 254, 261
Antwerp	19	1, 2, 3, 47, 48, 49, 56, 62, 64, 99, 115, 137, 142, 145, 184, 186, 200, 201, 259
Franeker	9	60, 128, 129, 130, 131, 155, 166, 203, 256
Leuven	7	42, 43, 98, 136, 171, 262, 263
The Hague	6	17, 151, 167, 226, 239, 241
Leeuwarden	4	8, 16, 28, 147
Groningen	3	53, 58, 227
Liège	3	25, 26, 150
Rotterdam	3	135, 221, 222
Unknown	3	20, 87, 251
Brussels	2	141, 228
Bruges	1	194
Delft	1	34
Deventer	1	247
Dordrecht	1	101
Gorinchem	1	80
Gouda	1	170
Harlingen	1	245

## 7.3.4. Details - Publishers

<b>Place of publication</b>	<b>Publisher</b>	<b>Number of books</b>	<b>Specific book list numbers</b>
Amsterdam	Joannem Janssonium a Waesberge	12	15, 103, 112, 113, 120, 122, 158, 160, 216, 243, 255, 257
Leiden	Ioannis Maire	11	75, 78, 191, 205, 206, 207, 209, 211, 212, 231, 265
Leiden	Elzeviriana	10	44, 52, 104, 110, 132, 144, 210, 213, 224, 258
Utrecht	Guilielmi van de Water	8	24, 37, 38, 71, 100, 102, 248, 261
Leiden	Joannem van der Linden	7	18, 19, 79, 173, 174, 175, 217
Utrecht	Ioannis Broedelet	6	121, 126, 199, 229, 246, 252
Antwerp	Philippi Nutii	5	1, 2, 3, 142, 184
Amsterdam	Daniel Elzevier	4	84, 85, 86, 214
Amsterdam	Iohan. et Cornel. Blau	4	57, 105, 111, 144
Antwerp	Christophori Plantini	4	47, 137, 200, 201
Leiden	Felicem Lopez	4	23, 106, 160, 161
Leiden	Justum Livium	4	51, 197, 198, 208
Utrecht	Johannem Ribbium	4	146, 165, 238, 244
Amsterdam	Ludovicum Elzevirium	3	50, 183, 223
Amsterdam	Wetsteniana	3	66, 89, 180
Antwerp	Hieronymi Verdussii	3	48, 49, 259
Leiden	Jordanum Luchtmans	3	14, 237, 240

Utrecht	Gisberti a Zyll	3	159, 234, 242
Utrecht	Hermanus Besseling	3	21, 253, 254
Amsterdam	Joannem Ravesteyn	2	91, 92
Amsterdam	Sumptibus Andreae Frisii	2	188, 190
Franeker	Leonardum Strickium	2	130, 166
Groningen	Francisci Bronchorstii	2	53, 58
Leiden	Andream Dyckhuysen	2	11, 218
Leiden	Arnoldum Doude	2	143, 161
Leiden	Cornelium Boutesteyn	2	14, 240
Leiden	Johannem de Vivie	2	97, 218
Leiden	Patiana	2	67, 68
Leiden	Pieter van der Aa	2	10, 235
Leuven	Petrum a Colonia	2	262, 263
Liège	Sebastianum Creel	2	25, 26
Rotterdam	Regneri Leers	2	135, 221
The Hague	Abrahamum de Hondt	2	151, 241
Unknown	Unknown	2	20, 87
Utrecht	Antonium Schouten	2	22, 88
Utrecht	Franciscum Halma	2	165, 169
Utrecht	Guilielmum Broedelet	2	71, 164
Utrecht	J.H. Vonk van Lynden	2	127, 152
Utrecht	Theodori ab Ackersdijck	2	159, 234
Amsterdam	Adr. Gasbequi	1	35
Amsterdam	David Mortier	1	138
Amsterdam	Franciscum l'Honore & Filium	1	36

Amsterdam	Guiljelmum Caesium	1	266
Amsterdam	Hendrick Maneke	1	133
Amsterdam	Henri Schelte	1	139
Amsterdam	Henricum & Theodorum Boom	1	82
Amsterdam	Henry Desbordes	1	13
Amsterdam	Iohannem Ianssonium	1	55
Amsterdam	Isaacum de la Tombe	1	70
Amsterdam	Jacobum Bloemendael	1	204
Amsterdam	Jean Potgieter	1	264
Amsterdam	Joannis Henrici Boom	1	181
Amsterdam	Johannem a Maanen	1	230
Amsterdam	P. de Coup & G. Kuyper	1	193
Amsterdam	Pierre de Coup	1	107
Amsterdam	Pierre Humbert	1	12
Amsterdam	Pierre Mortier	1	162
Amsterdam	Sebastianum Petzoldum	1	187
Amsterdam	Sumptibus Societatis	1	260
Amsterdam	Unknown	1	219
Amsterdam	Wolfgang, Waesberge, Boom and Van Someren	1	140
Amsterdam	Ysbrandum Haring	1	154
Antwerp	Balthasarem Moretum	1	145
Antwerp	Gasparem Bellerum	1	62

Antwerp	Ioannem Keerbergium	1	64
Antwerp	Ioannis Steelsij	1	115
Antwerp	Joannem Baptistam Verdussen	1	186
Antwerp	Petri Belleri	1	56
Antwerp	Petrum & Ioannem Belleros	1	99
Bruges	Hubertus Goltzius	1	194
Brussels	Judoci de Grieck	1	228
Brussels	Unknown	1	141
Delft	Adrianum Beman	1	34
Deventer	Johannis Colombii	1	247
Dordrecht	Abrahamum Andream	1	101
Franeker	Bernardum Wibranda	1	128
Franeker	Henricum & Johannem Deuringios	1	155
Franeker	Henricum Amama, & Zachariam Taedama	1	129
Franeker	Henricum Amama, Arnoldum Jelmeri, & Bernardum Wibranda	1	131
Franeker	Henricum Johan. Prigge	1	60
Franeker	Leonardi Strik	1	203
Franeker	Uldericum Balck & Joh. Fabiani Deuring	1	256
Gorinchem	Pauli Vink	1	80

Gouda	Guilielmi van der Hoeve	1	170
Groningen	Augustini Eissens	1	227
Harlingen	Folkerus van der Plaats	1	245
Leeuwarden	Claudij Fontani	1	16
Leeuwarden	Gulielmum Coulon	1	8
Leeuwarden	Gysbertum Symbonis	1	28
Leeuwarden	Johannem Jansonium de Fries	1	147
Leiden	Boutesteniana	1	236
Leiden	Christophorum Raphelengium	1	32
Leiden	Conradum Wishoff	1	225
Leiden	Cornelium Driehuysen	1	143
Leiden	Francisci Hackii	1	9
Leiden	Franciscum Moyardum	1	83
Leiden	Henricum de Swart	1	172
Leiden	Ioannis Paetsij	1	65
Leiden	Ioh. & Herm. Verbeek	1	119
Leiden	Jacobi Voorn, Salomonis Wagenaer	1	149
Leiden	Janssonios van der Aa	1	196
Leiden	Joh. Arn. Langerack	1	218
Leiden	Nicolai Rosae	1	148
Leiden	Samuelem Luchtmans	1	11
Leuven	Andreae Bouveti	1	42
Leuven	Arnoldi Byrckmanni	1	43

Leuven	Bartholomaeus Grauius	1	136
Leuven	Hieronymi Nempaei	1	98
Leuven	Ioannem Sassenum f. Bibliop. Iuratum	1	171
Liège	Guillaume Henry Streel	1	150
Rotterdam	Unknown	1	222
The Hague	Arnoldum Leers	1	226
The Hague	Henricum de Swaef	1	167
The Hague	Joannem Verbessel	1	17
The Hague	Petrum a Thol	1	239
Unknown	Pierre Marteau	1	251
Utrecht	Jacobum Broedelet	1	192
Utrecht	Jacobum van Poolsum	1	59
Utrecht	Joannem van de Water	1	165
Utrecht	Johannis a Waesberge	1	157
Utrecht	Matthaeum Visch	1	153
Utrecht	Petrum Elzevier	1	61
Utrecht	Rudolphi a Zyll	1	179



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