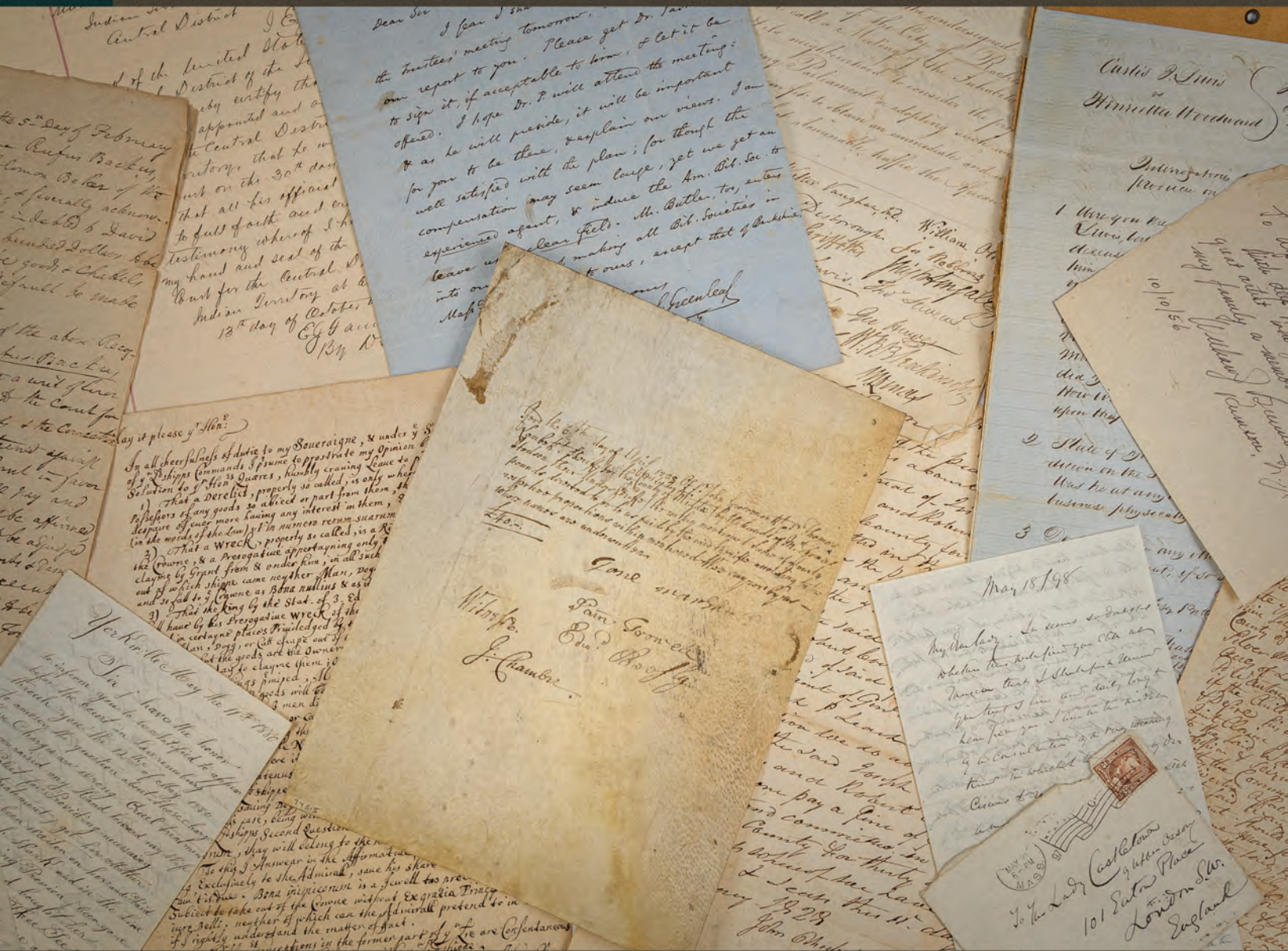


MAY 14, 2024

# MANUSCRIPTS

## 1664-1965

### 30 Items





To Alfred Eisenstaedt  
 With deep appreciation to a  
 great artist who gave me and  
 my family a memorable afternoon  
 William J. Brennan, Jr.  
 10/10/56 Rumson, N.J.

To Alfred Eisenstaedt  
 a great artist  
 subscribed with  
 great respect  
 Reinhold Niebuhr  
 May 14, 1956.

**Greetings to Alfred Eisenstaedt from  
 U.S. Supreme Court Justice Brennan and Reinhold Niebuhr**

**1. Brennan, William J, Jr. [1906-1997].**

**Niebuhr, Reinhold [1892-1971].**

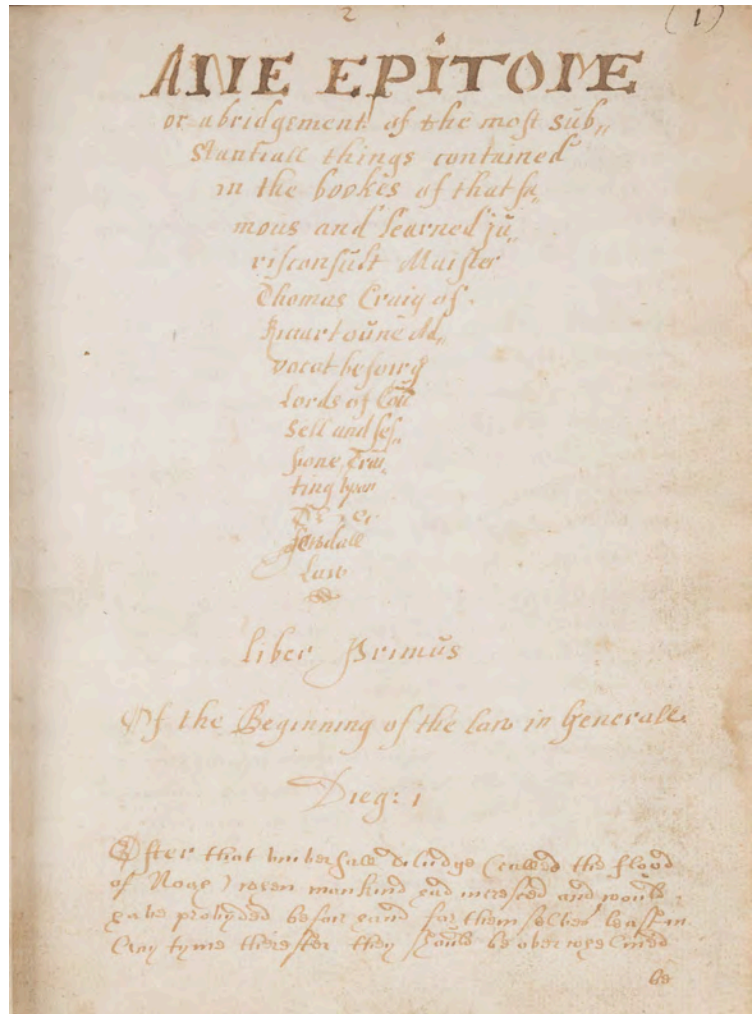
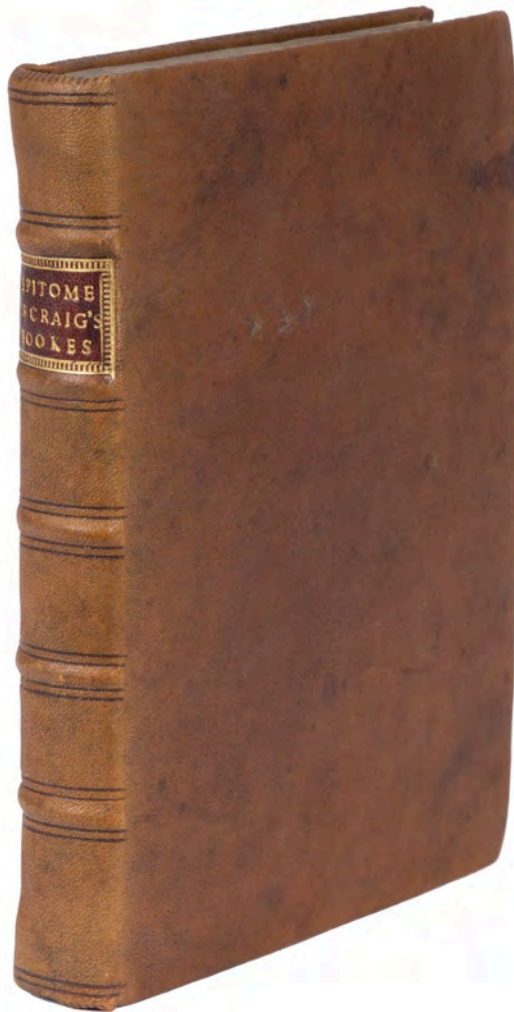
**[Eisenstaedt, Alfred (1898-1995)].**

*[Leaf from an Autograph Book that Belonged to Alfred Eisenstaedt, Dated October 10 and May 14, 1956].*

5" x 6-1/4" removed leaf, untrimmed edges, stab holes to left margin, Brennan inscription to one side, Niebuhr inscription to the other. Light toning, otherwise fine. \$300.

\* One of the great photographers and photojournalists of the twentieth century, Eisenstadt was one of *Life* magazine's staff photographers from 1936 to 1972, where he published such iconic images as "V-J Day in Times Square." William J. Brennan, then about five years into his tenure as an associate justice of the U.S. Supreme Court, and Niebuhr, then at the height of his fame as a theologian and public intellectual, were among the hundreds of notables he photographed for the magazine. The inscriptions (Niebuhr's from May 14 and Brennan's from October 10) are warm and admiring; both refer to Eisenstaedt as a "great artist."

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### Manuscript Epitome of Sir Thomas Craig's *Jus Feudale*

#### 2. [Craig, Sir Thomas (c.1548-1608)].

*An Epitome or Abridgement off the Most Substantiall Things Contained in the Bookes off that Famous and Learned Jurisconsult Mr. Thomas Craiges off Riccarton, Advocat before the Lords of Counsell and Session, Treating upon the Feudal Law.* [Scotland, 17th century]. [iv], 326 pp. Octavo (6-3/4" x 5-1/4").

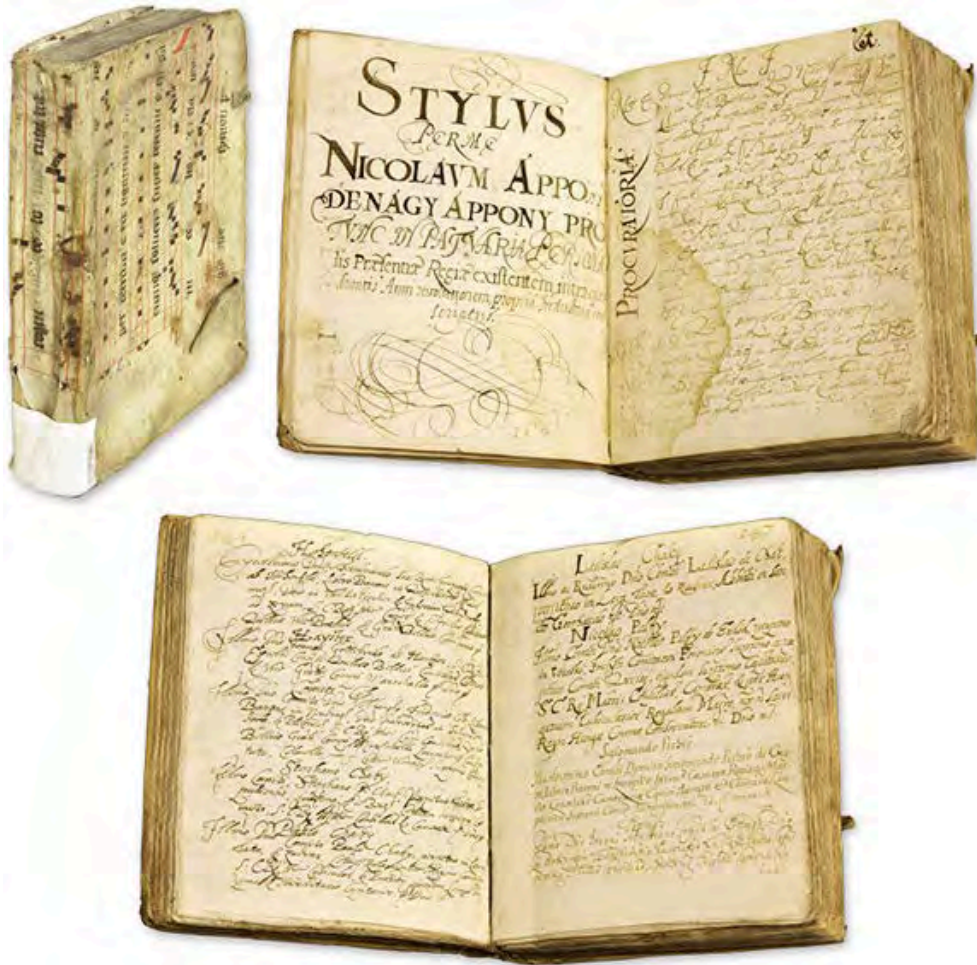
Recent period-style sheep, raised bands, blind fillets and lettering piece to spine, blind tooling to board edges, endpapers renewed. Light toning, somewhat heavier in places, occasional light foxing and soiling, faint dampstaining to first third of text block, text in a small elegant hand. \$2,750.

\* A neatly written manuscript copy of an unpublished epitome of Sir Thomas Craig's *Jus Feudale*, one of the first comprehensive legal treatises written in Scotland. First published in 1603, it is an essential work in seventeenth-century Scottish legal history. Craig's object was to assimilate the laws of England with those of Scotland. Unfortunately for him, however, the work had the opposite effect and became important in the codification of Scottish law as a body separate from English law.

OCLC locates a similar manuscript at Harvard Law School; we located another similar copy at the British Library.

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Tel: (800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887 | [law@lawbookexchange.com](mailto:law@lawbookexchange.com) | [www.lawbookexchange.com](http://www.lawbookexchange.com)



**Seventeenth-Century Hungarian Manuscript  
Compiled by a Law Student Preparing for His Final Examination**

**3. De Nagy, Nicholaum Appony, Compiler.**

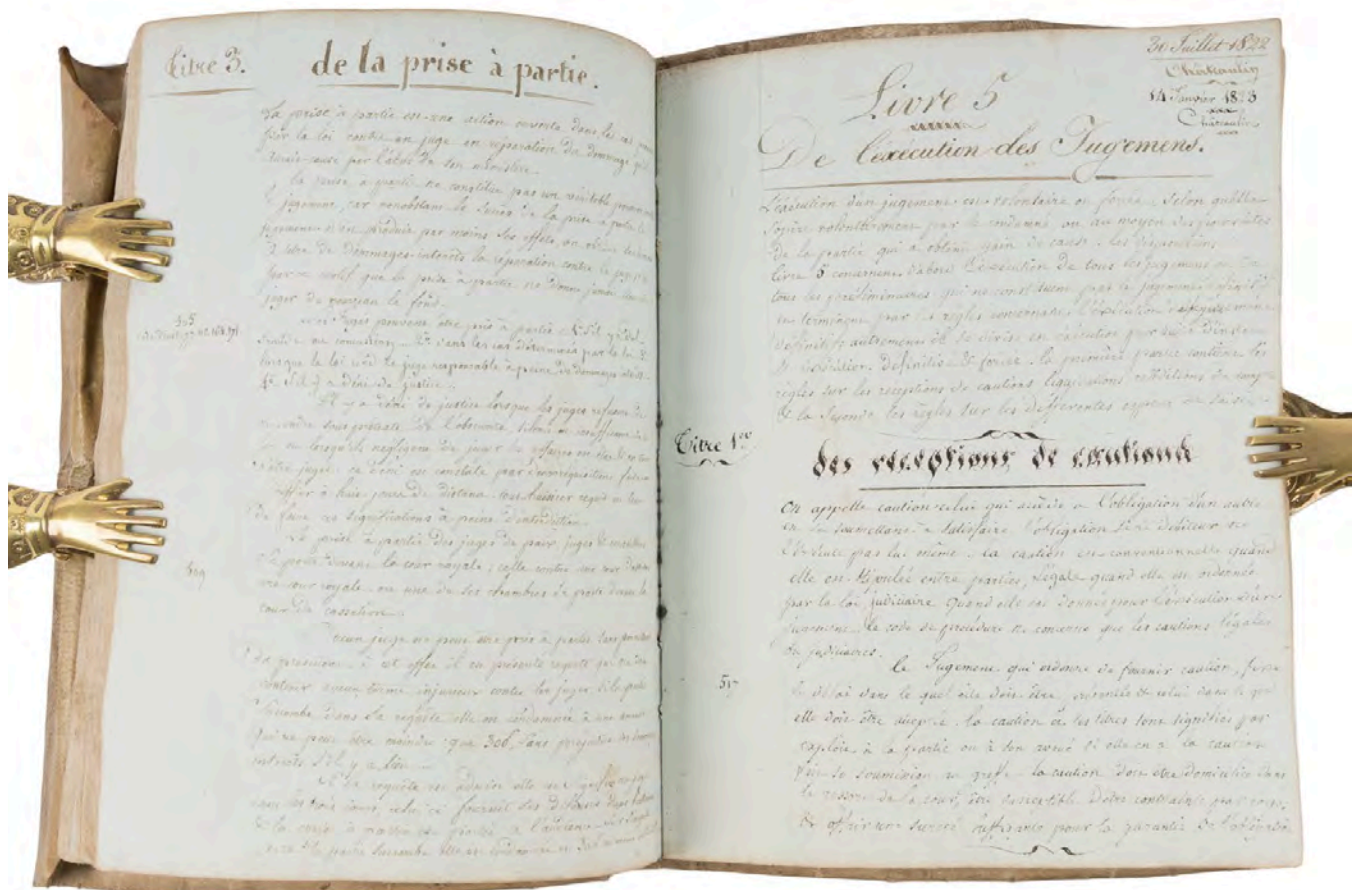
*Pia Mentins Exerectia*. [Probably Hungary, c. 1670]. 479 pp. Quarto (8" x 6-1/4").

Contemporary vellum (cut from an antiphonal), fragments of thong ties. Some soiling and edgewear, boards slightly bowed, crack to center of spine near foot, vellum beginning to crack through rear pastedown, front hinge starting, rear hinge partially cracked. Light toning to interior, early inscriptions and signature to front pastedown, text in Latin, written in a fine secretarial hand. \$2,000.

\* Probably compiled in Hungary, this is a reference work for Hungarian law students during the *patvaria* (or *patvaristak*), a two-year training period for that preceded final examinations and admission to practice. It has a number of additional annotations to the endleaves and text. The pastedown is inscribed with an early owner's name, "Ioannes," above the Latin motto "Sors Bona Nil Aliud" (Good Luck, Nothing Else). The rear pastedown has the motto, "dat Galenus opes, dat Justinianus honores, solus Aristoteles cogitur ire pedes," which is based on the quote by Robert Burton [1577-1640]: "Galen gives wealth, Justinian honors, but Moses must go on foot with a beggar's wallet." Our scribe, who seems to have been familiar with Burton, substitutes Aristotle for Moses. Nicholaas Appony de Nagy was a member of a noble Hungarian family.

[Order This Item](#)





Handsome French Manuscript on Procedure from 1821

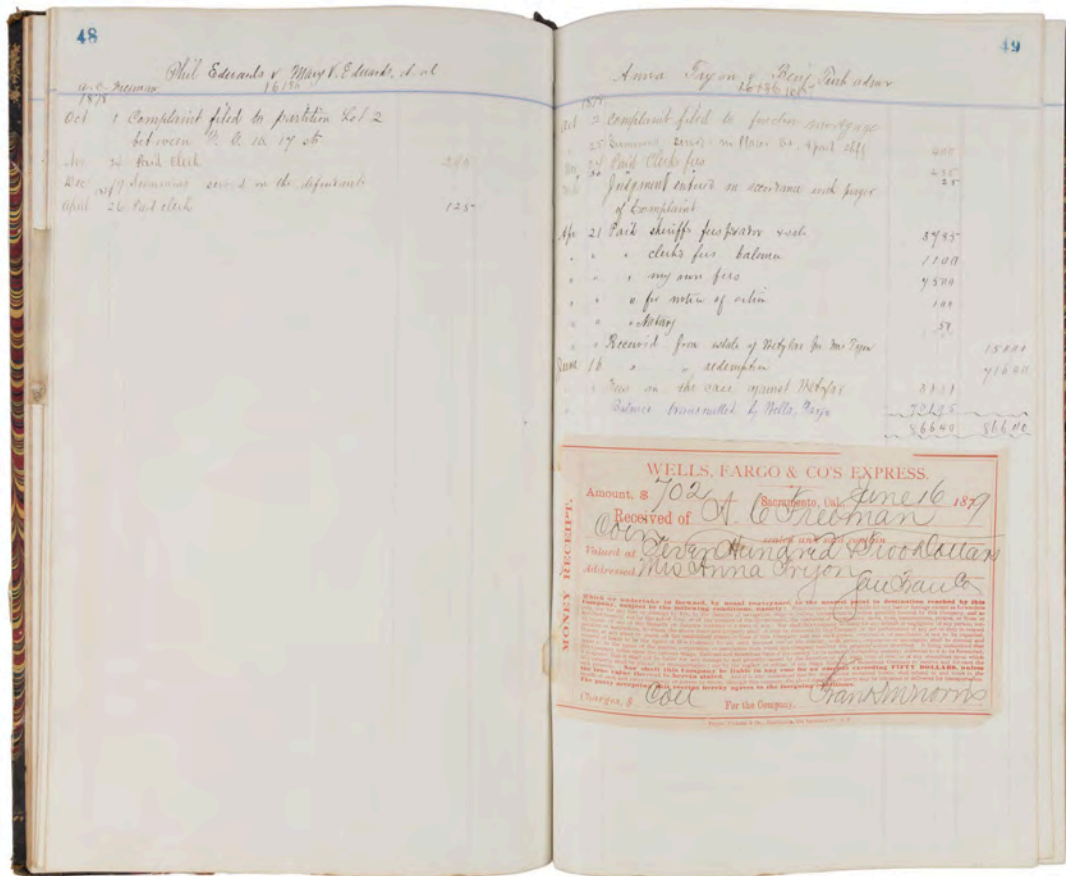
4. [France].

Procédure. Rennes, France, 1821. 100 pp. Quarto (8" x 6-1/2").

Contemporary limp vellum with flap, tie lacking. Light soiling and a few minor stains and tiny holes, spine ends bumped, vellum beginning to crack through pastedowns, which have some worming. Light toning to text, some soiling to title page, burn-through from a few letters of title (due to acidic ink). Text in small elegant hand to rectos and versos of 41 leaves, most beginnings and ends of most sections have calligraphic decorations. Handsome. \$750.

\* Carefully organized and written with fine penmanship, this is a fair copy of lecture notes on procedure. It is arranged in three books with chapters (titles) and furnished with side-notes. The final six leaves, in the same hand, are a collection of poems (on non-legal subjects).

[Order This Item](#)



**An Interesting Piece of California Legal History**

**5. Freeman, Abraham Clark [1843-1911].**

*Register of Actions and Proceedings*. Sacramento County, CA, 1877-1880. 244 pp. Folio (13" x 7-3/4").

Contemporary three-quarter sheep over marbled boards, gilt fillets to spine, marbled edges. Light rubbing to boards, dampstain to rear board, heavier rubbing to extremities with some wear to spine ends and corners, chip to foot of spine, joints starting very slightly at head, hinges starting, slight offsetting to corners affecting first two leaves, contemporary handwritten title reading "Register of Actions and Proceedings" to front pastedown. Light toning to interior, occasional light foxing, minor spots and stains in a few places. Text in single legible hand, related documents tipped or laid in at several places. \$2,500.

\* Freeman was an influential California lawyer and author. After coming to California from Illinois in 1861, he settled in Sacramento County and received his law license three years later. In the 1870s he wrote a number of legal works, including *A Treatise on the Law of Judgements*, the first national treatise written or published in California and still highly regarded today. He was also a member of California's Constitutional Convention of 1878-1879 and took an active interest in legal reform in the state.

In this register he lists legal cases in which he was involved during his years in private practice. Nearly all are civil, and some involve noted California citizens such as the banker D.O. Mills or the businessman Sam Brannan. Several receipts and case-related documents are laid in. These include a postcard addressed to Freeman from an E.M. Marsham and a receipt for a \$702 money order from Wells Fargo dated 1879 related to the settling of a foreclosure.

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**An Eminent Admiralty Lawyer Offers  
Legal Advice in Hope of Regaining Royal Favor**

**6. Godolphin, John [1617-1678].**

**[Maitland, John (1616-1682), 1st Duke of Lauderdale].**

[Autograph Letter, Signed, To the Earl of Lauderdale, London, Doctors Commons, February 23, 1664]. Single leaf folded to form bifolium (12" x 8") with integral address leaf and red wax seal.

Light toning, very light foxing, some soiling to address panel, small tears along fold lines and under seal. Typed transcript included. \$1,250.

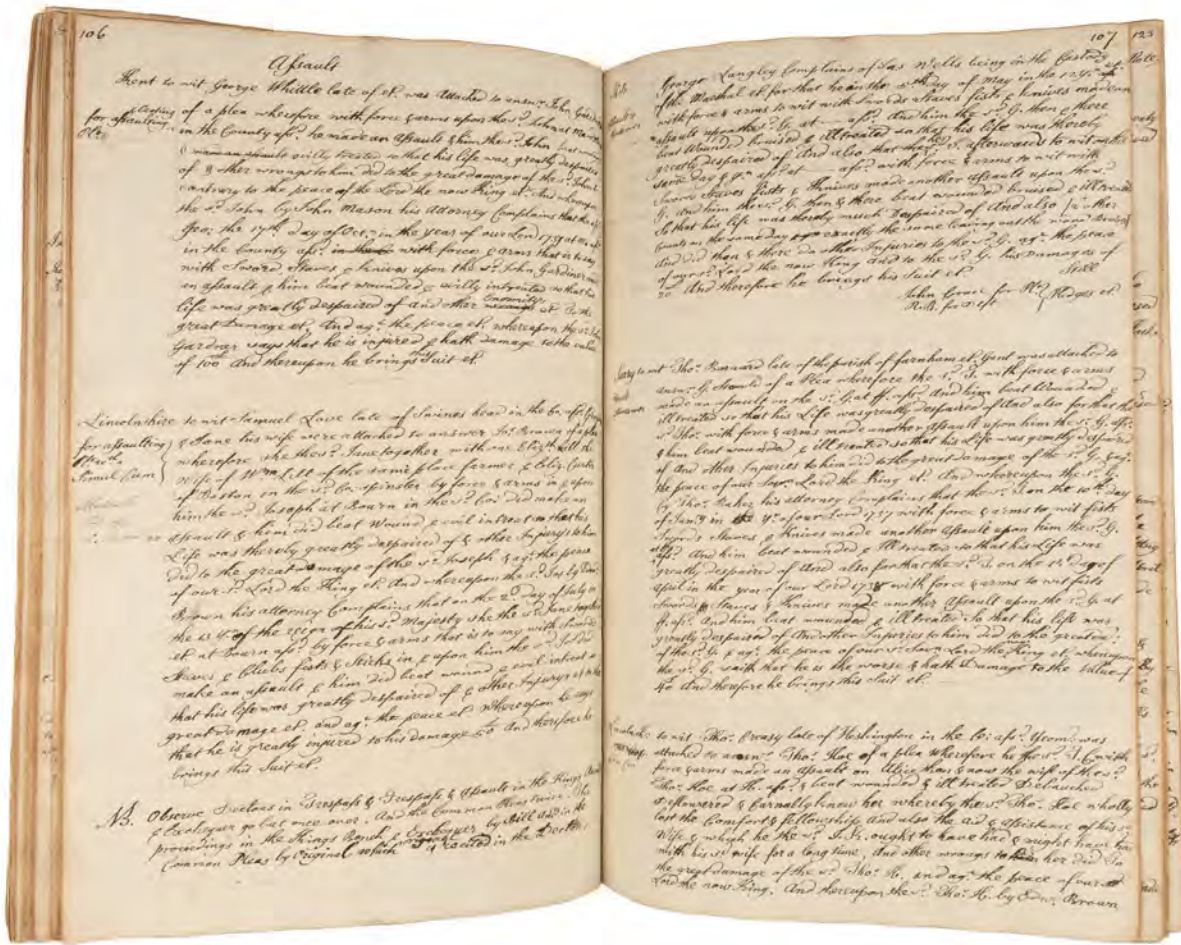
\* John Godolphin had been a Parliamentarian from the early stages of his career and served as a judge of the admiralty court in the Commonwealth until the Restoration of Charles II in 1660 cost him the job. John Maitland, Earl, later First Duke, of Lauderdale became a favorite of Charles II after helping the king gain support in Scotland. Godolphin is perhaps best known for his treatise *A View of the Admiral Jurisdiction*, which appeared in 1661 and may have brought him to Maitland's attention.

This fascinating letter reflects both Godolphin's deep knowledge of admiralty law and his precarious political position after the English Civil Wars. Here, he uses the former to restore the latter, begging the influential Maitland to leverage the advice Godolphin has given into a formal "pardon of course" (or pardon *de cursu*). "And," he writes, "not only so, but [I] heerby also Crave Leave to preserv my humble supplication to your Lordshippe that by your Honor's Influence his Matie may be graciously pleased to make a farder & more publick use of his Loyall Subiect." It is unclear from available records whether Godolphin ever received such a pardon, but his legal career continued. Perhaps thanks to this letter, he was reportedly made a king's advocate (ODNB).

*Oxford Dictionary of National Biography* (ODNB) (accessed online).

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**An Eighteenth-Century English  
Manuscript Compilation of Forms and Cases**

**7. [Great Britain].**

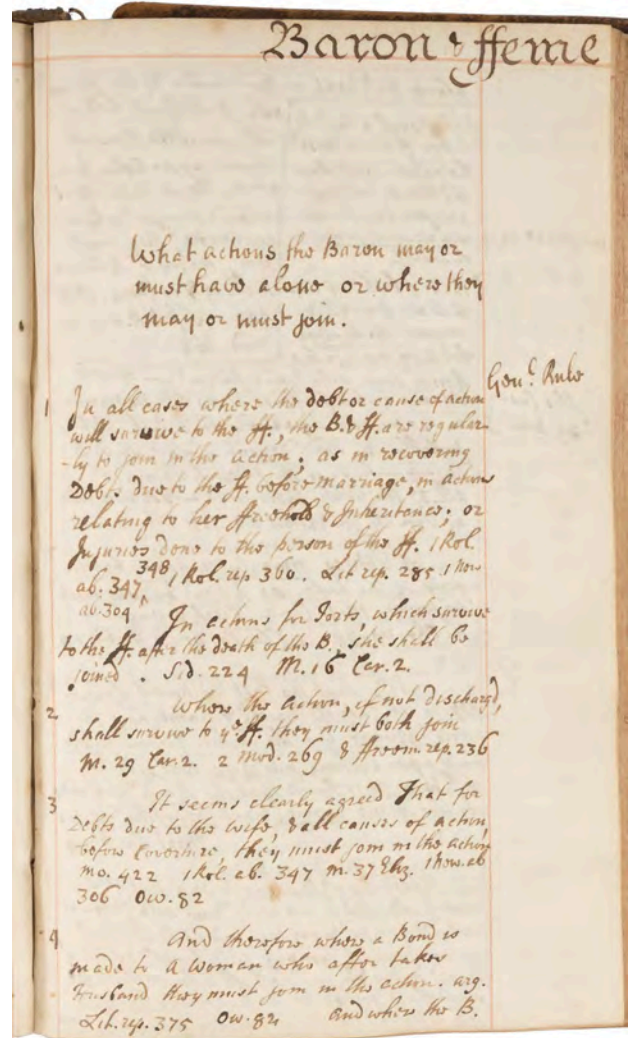
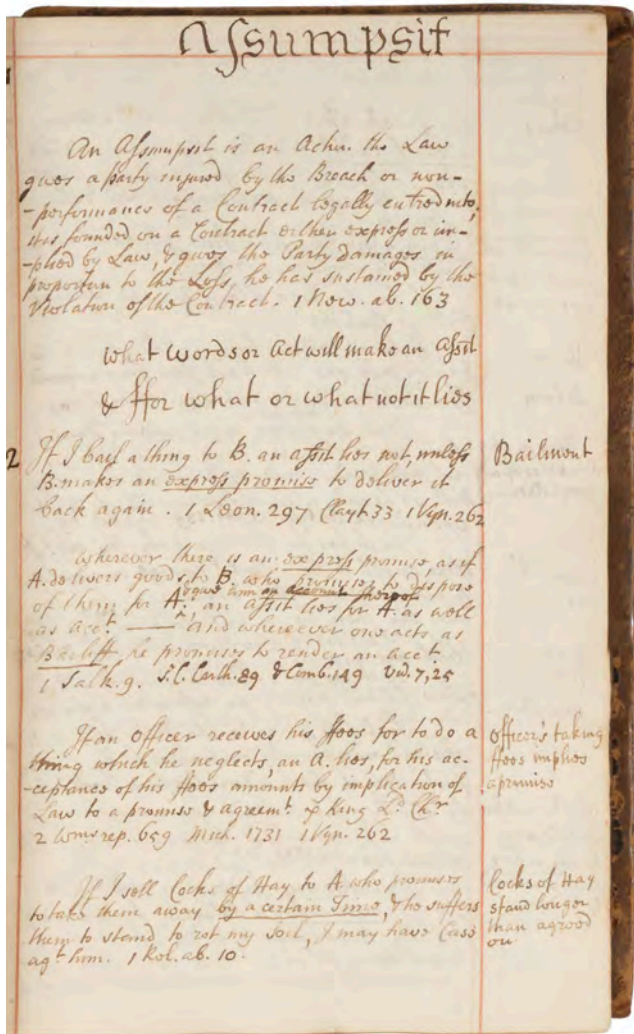
[Collection of Forms and Cases]. [Great Britain, 1777]. [iv], 177 pp. Folio (12-1/4" x 8").

Disbound, light soiling to exterior, light rubbing to corners of text block, first signature partially detached but secure, leaf containing pp. 21-22 detached and lightly worn along fore-edge, chipping and edgewear to edges of first four leaves, offsetting to margins of first leaf, folds to lower outside corners of final two leaves. Moderate toning to interior, text in neat hand, "23 April 1777" to recto of first leaf. \$1,500.

\* Probably the work of a law student, this is a collection of forms, ranging from receipts to complex wills, and case reports, all with original notes, some quite extensive, by the compiler. The examples date from the 1740s to 1770s and are drawn from counties to the south and north of London and the Midlands, such as Devon and Lincolnshire. Most deal with commercial transactions and real property, but there are some concerning assault and other criminal matters. Although the entries have few corrections, and several are arranged by topic, they are not organized systematically. It may have been an intermediary draft of a reference work.

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Manuscript Reference Dealing with Assumpsit and Family Law

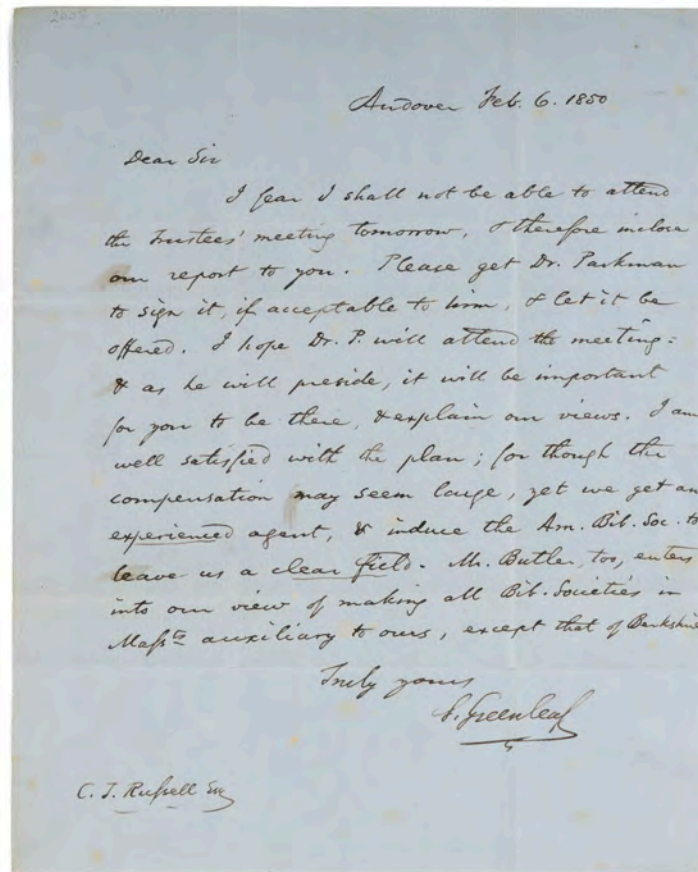
8. [Great Britain].

[Legal Handbook]. [Great Britain, c.1750]. 400 pp., 357 pp. with content. Octavo (7" x 4-1/4").

Contemporary calf, gilt rules to boards, extra-gilt spine with raised bands, blind tooling to board edges, speckled edges. A few scuffs, nicks and spots to boards, which are separated but secure, rubbing to extremities with wear to spine ends, corners and joints, front free endpaper detached, some offsetting to initial and final leaves. Text written in a small, tidy hand within ruled margins, one leaf neatly removed (likely by the author), light toning and occasional light foxing. \$2,500.

\* This manuscript is divided into two sections: Assumpsit and Baron and Feme, which has a subsection on Master and Servant. Topics covered include torts, debt, coverture and the master-servant relationship. The text is arranged as a set of principles supported by case and statutory citations, some of them in side-notes.

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### Political Maneuvering at the Massachusetts Bible Society

#### 9. Greenleaf, Simon [1783-1853].

[Autograph Letter, Signed, To Charles Theodore Russell, Andover, MA, February 6, 1850].

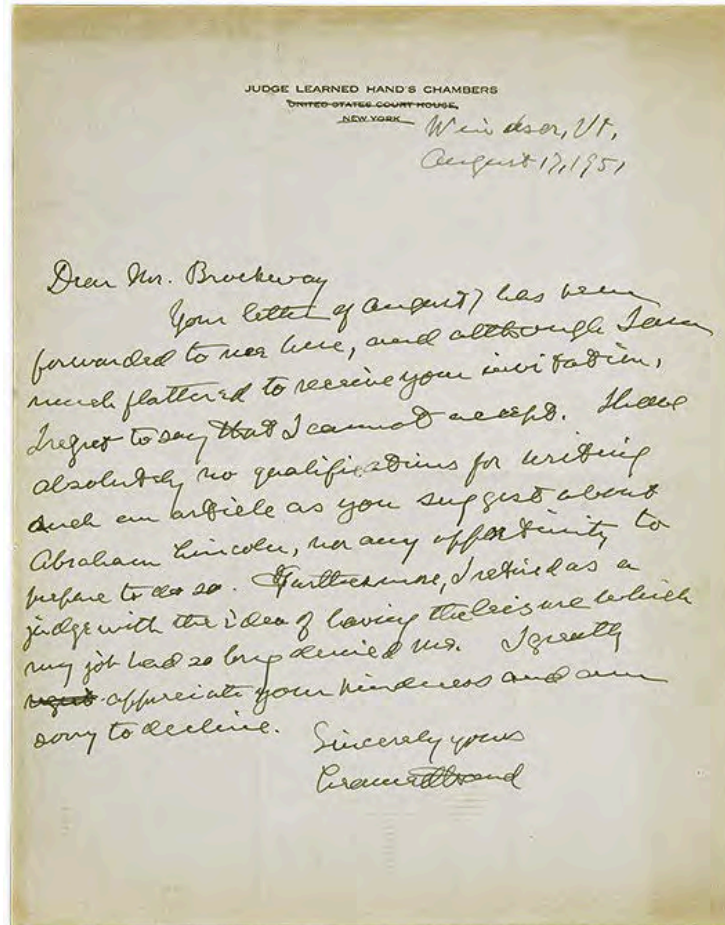
1 pp. letter to 10" x 8" bifolium on blue paper with integral address leaf and residue from wax seal, docketed "Simon Greenleaf Feby 6 1850" on verso. Light foxing, horizontal and vertical fold lines, light soiling to address leaf, a few small holes forming at intersection of fold lines, small clean tear to fore-edge of first leaf and small hole to fore-edge of second leaf, text not affected. \$250.

\* In addition to his many accomplishments as Dane Professor at Harvard Law School, Greenleaf was a Christian of profound faith. His 1846 work *The Testimony of the Evangelists* was a landmark in the development of juridical apologetics, the defense of faith through legal reasoning. He was also the president of the Massachusetts Bible Society for a number of years.

In this letter, he writes to Charles T. Russell [1815-1896], a Harvard Law School alumnus and fellow lawyer, in advance of a meeting of the Society which he could not attend and asks Russell to help him gain support for a recommendation. The letter reads, in part: "I fear I shall not be able to attend the 'Trustees' meeting tomorrow, & therefore inclose our report to you. Please get Dr. Parkman to sign it, if acceptable to him, & let it be offered. I hope Dr. P. will attend the meeting, & as he will preside, it will be important for you to be there, & explain our views." Dr. Parkman was likely the Rev. Francis Parkman, Sr. [1788-1853].

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### Learned Hand Declines an Offer to Write an Article About Abraham Lincoln

#### 10. Hand, Learned [1872-1961].

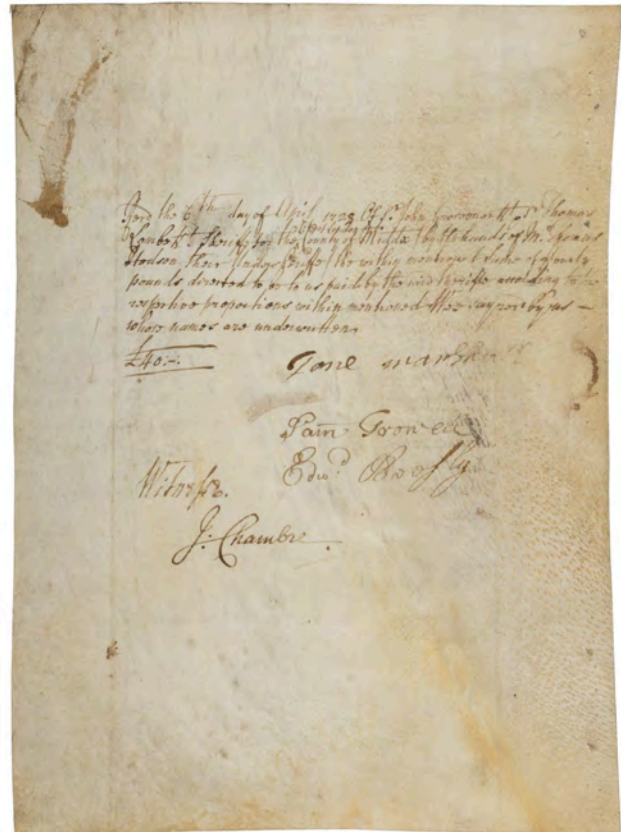
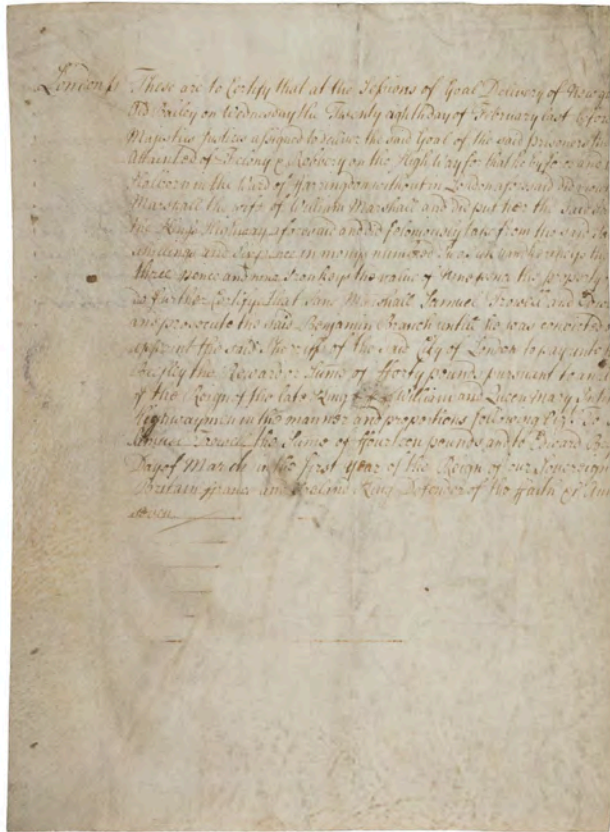
[Autograph Letter, Signed, On Hand's U.S. Court House Letterhead, Address Struck-Through and Corrected, Windsor, VT, August 17, 1951].

11" x 8-1/2" sheet. Some toning, fold lines, two vertical and one horizontal, light offsetting (from corrugated screen?) to verso, with a bit of negligible show-through on recto. \$1,250.

\* One of the most significant American jurists of the twentieth century, Hand was a judge of the U.S. Southern District of New York, later a judge of the Court of Appeals, Second Circuit. He was renowned for his judgments, which were also admired for their lucidity and elegance. This letter is addressed to a "Mr. Brockway" who solicited an article from Hand about Abraham Lincoln. Brockway was likely historian and political scientist Thomas Parmelee Brockway [1898-1999], then a professor at Bennington College. Hand declined, saying he had "absolutely no qualifications" to write about Lincoln or time "to prepare to do it." He adds: "Furthermore, I retired as a judge with the idea of having the leisure which my job had so long denied me."

At the time of this letter Hand was a retiree, but he would soon return to work. Assuming senior status, he continued to hear special cases for the next ten years. During that time he published two books: *The Spirit of Liberty* (1952) and *The Bill of Rights* (1958). Brockway would eventually manage to procure some writing from Hand. *Language and Politics* (1965), a collection of essays edited by Brockway, included a contribution from Hand titled "The Meaning of Liberty."

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### The Perils of the Highway in Hanoverian England

#### 11. [Highway Robbery].

[Document Recording a Reward Granted for the Conviction of Highway Robber Benjamin Branch]. [London, February 28, April 6, 1728].

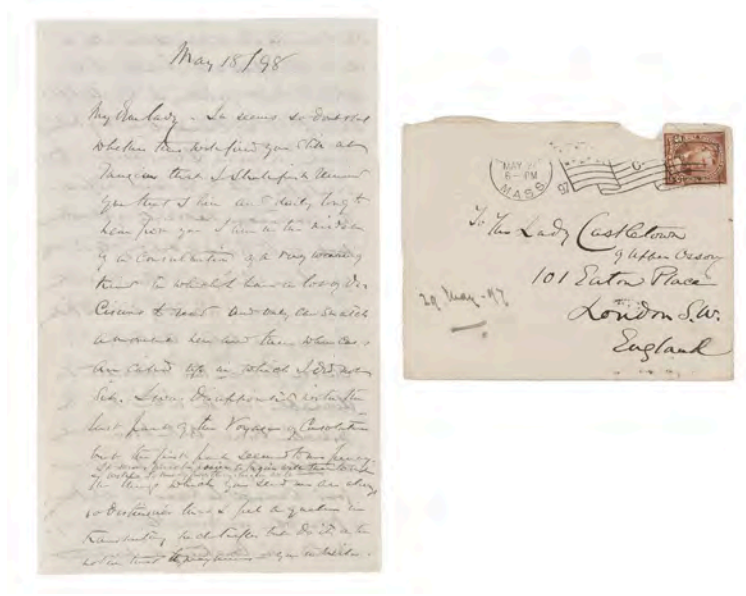
10-1/2" x 7-1/2" vellum leaf, text in neat hands to recto and verso. Light soiling, a few smudges and minor stains, text affected by trimming with minor loss to legibility. SOLD

\* This fascinating document concerns a robbery committed by Benjamin Branch, a notable footpad. One side, affected by trimming, is dated February 28, 1728. It gives the details of the case and information concerning a £40 reward, the statutory reward for information leading to the conviction of street robbery in London and Westminster. The other side, not affected by trimming, is dated April 6, 1728. It attests to the payment of the reward and is signed by the victim of the crime, Jane Marshall, the two men who came to her aid and apprehended Branch, Simon Trowell and Edward Beezley, and a witness, "J. Chambre."

Branch was part of the infamous James Dalton gang, a band of street robbers. Along with Christopher "Kit" Rawlings and William Holden, Branch and Dalton specialized in snatching women's purses, which were usually tied inside the waist of a skirt. Prowling around Lincoln's Inn Fields and Fleet Street, this gang managed to steal more than 500 purses. Branch's career was ended by Trowell and Beezley. He was convicted of violent theft and assault and hanged.

See "Benjamin Branch" in *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org)).





**"Dont Blame Me for Talking Law –  
If My Pen Will Shape Any Words It is To Be Expected"**

**12. Holmes, Oliver Wendell, Jr. [1841-1935].**

**[Castletown, Lady Clare (1853-1927)].**

[Autograph Letter Signed "H" to Lady Clare Castleton, Boston (?), May 18, 1898].

8" x 5" bifolium, content filling rectos and versos of both leaves. Faint vertical and horizontal fold lines, negligible ink show-through in a few places.

**[With]**

[Unrelated 3-1/4" x 4-3/4" Autograph Envelope Addressed to Castleton, Postmarked Boston, May 21, 1897, Five-Cent Stamp Affixed].

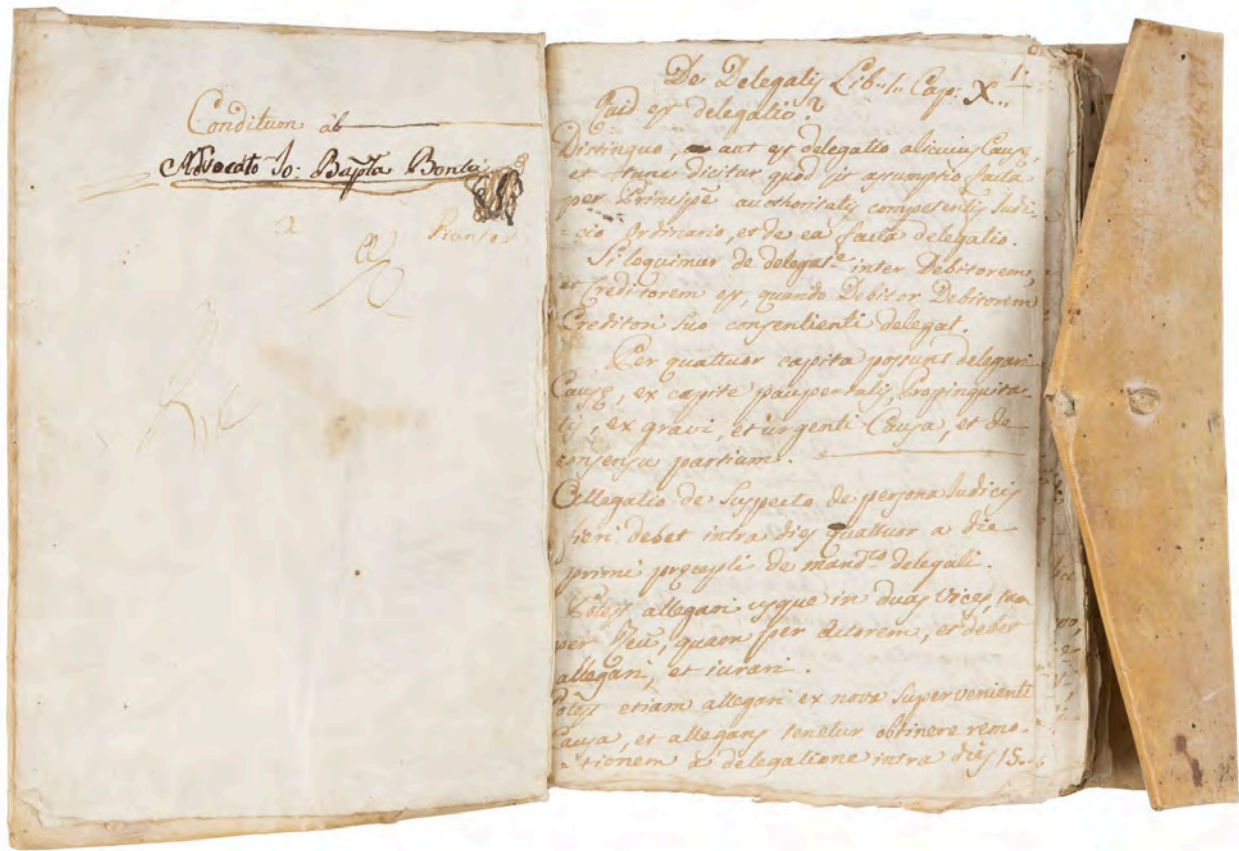
Light soiling, tears along opening, most of rear flap lacking.

Together two items. \$4,500.

\* This letter dates from the early years of Holmes's lengthy correspondence with Lady Clare Castletown, an aristocratic woman with whom Holmes had an intense flirtation in the late 1890s. Holmes, then an associate justice of the Massachusetts Supreme Judicial Court, mentions his desire to see her again, the Spanish-American War, which began the previous month, and the novel *A Voyage of Consolation* by Sara Jeannette Duncan.

Most of the letter describes his approach to the law. It reads, in part: "It is a rather curious experience, the continuous necessity of adjustment [word crossed out] to the point of view of others & when you have strong and clear convictions. Law in general admits of such adjustments because at bottom the decision is a choice between two inconsistent desirables - and the intensity of the [illegible] desires. On the degree to which the opponent courses aim for the general good cannot be measured without precision - But when it comes to the measuring of words, in construing an instrument or a statute, theoretically some ones [sic] construction is absolutely right and another [sic] are wrong -- and the decision a matter of literary tact. If others do not agree with you, the logical answer is that they do not perceive as much as you do - [illegible] always my trust in any controversy which is not the final thing to be said, and what it comes down to, is, '[illegible] I have more spiritual discernment than thou.' Dont [sic] blame me for talking law - if my pen will shape any words it is to be expected."

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### Italian Manuscript Formbook in a Wallet Binding

#### 13. [Italy].

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

Contemporary Italian tacketed wallet binding of limp vellum, remnants of thong-and-toggle fastener, untrimmed edges. Light soiling and shelfwear, "Formularium Instrorum" to front cover in later hand, along with lists of years 1801-1806 and some other, illegible marks, "1797" to head of spine. Light toning to interior, light soiling to a few leaves, text in neat legible hand. \$7,500.

\* The front pastedown is signed "Advocado Jo: [Giovanni] Baptista Bonta," who was probably the compiler of this manuscript. Its small format, wallet binding, topical organization and index suggest it was a portable reference work. The portions in Latin, many with book and chapter citations, primarily appear to be paraphrased excerpts from the civil statutes of the Republic of Genoa. Others are in question-and-answer format and appear to deal with topics in Roman law. Many, if not most, of the Latin passages are followed by forms in Italian dealing with the area of law cited in the previous passage; some of the statutory material appears in Italian as well. The manuscript generally deals with practical topics, such as notaries, wills, contracts and some procedural matters, and likely served as a portable manual of everyday practice for a working lawyer. One of the forms appears to be dated April 13, 1797, almost precisely two months before Genoa became the Ligurian Republic under Napoleon, suggesting that the manuscript may also provide insights into late Genoese legal tradition and practice within a system on the brink of transformation.

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State of New York: On the 5<sup>th</sup> Day of February  
 1806 before me came Rufus Backus,  
 Brass Sergeant & Solomon Baker of the  
 County of Washington, & severally acknow-  
 -ledged themselves to be indebted to David  
 Richardson in sixteen hundred Dollars to be  
 paid on their respective goods & Chattel,  
 lands & Tenements if Default be made  
 in the following Condition -

The Condition of the above Recogni-  
 -zance is that if Rufus Backus  
 aforesaid shall prosecute a writ of Habeas  
 from the Supreme Court to the Court for  
 the Trial of Impleasments & the Comstock  
 of Error on a judgment obtained against  
 him in the said Supreme Court in favor  
 of the said David Richardson & shall pay and  
 satisfy, if such judgment shall be affirmed  
 the debt or damages & Costs to be adjudged  
 upon such judgment & all Costs & Damages  
 to be awarded for the Delay of Execution  
 then the above Recognizance to be void  
 otherwise to be & remain in full Force

Has been & acknowledged }  
 before me Feby 5<sup>th</sup> 1806 }  
 Wm Kent

#### A Court Document in Kent's Hand, Signed by Kent

#### 14. Kent, James [1763-1847].

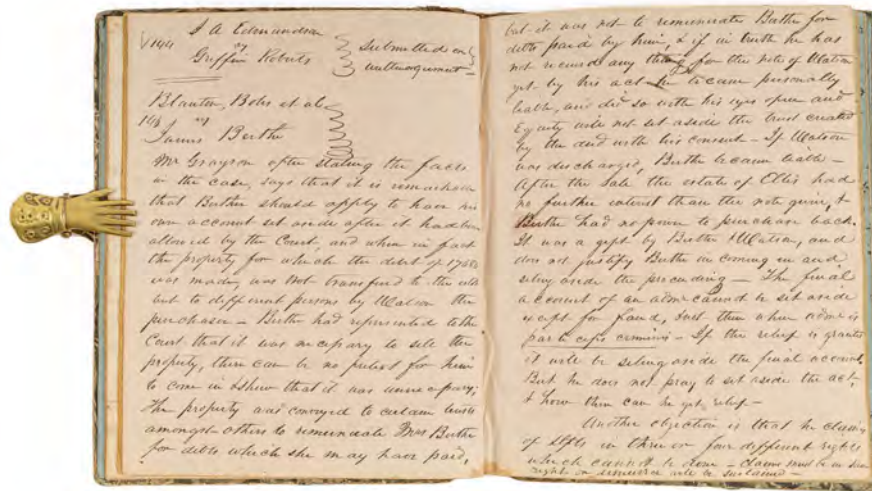
[*Court Document in Kent's Hand, Signed by Kent*]. [New York]: February 5, 1806. 4 pp.

12-3/4" x 8-1/4" bifolium, docketed on verso of second leaf.

Horizontal fold lines, a few with minor tears, light browning and minor edgewear. Content in small hand filling one page. \$950.

\* A recognizance composed and signed by Kent when he was chief justice of the New York Supreme Court. It concerned a sum of \$1,600.00 owed to David Richardson by Rufus Backus. This debt was related to land owned in Washington County, NY. Kent, the great judge and legal scholar, is known for his path-breaking *Commentaries on American Law* (1826-1830) and precedent-setting career as chief justice of the New York Supreme Court (1804-1814) and chancellor of New York (1814-1823).

[Order This Item](#)



### Detailed Case Notes of an Important Early Mississippi State Supreme Court Judge

#### 15. [Mississippi].

#### [Sharkey, William L. (1798-1873)].

[Notes on Cases]. [Jackson, MS, 1835-1837]. [130] pp. (some leaves removed from center and rear). Three leaves of notes and a receipt (for a law journal subscription) laid in. Quarto (7-1/2" x 6-1/4").

Quarter sheep over marbled boards, gilt spine, copperplate pictorial vignette to first leaf captioned "Album, New York, 1832," sections of text block in various colors. Moderate rubbing to boards, heavier rubbing to extremities, with wear to spine and corners, rear board just beginning to separate, but secure. Moderate toning to interior, faint dampstaining to first few leaves of text block, large sections lacking from final two leaves, content in neat hand to rectos and versos, Sharkey's signature, "Arguments Argued in the High Court of" and crossed-out note reading "Notes on Cases Argued," to front free endpaper, later signatures and address (of Miss Hattie Holling of Yazoo City) to front free endpaper and pastedown. \$7,500.

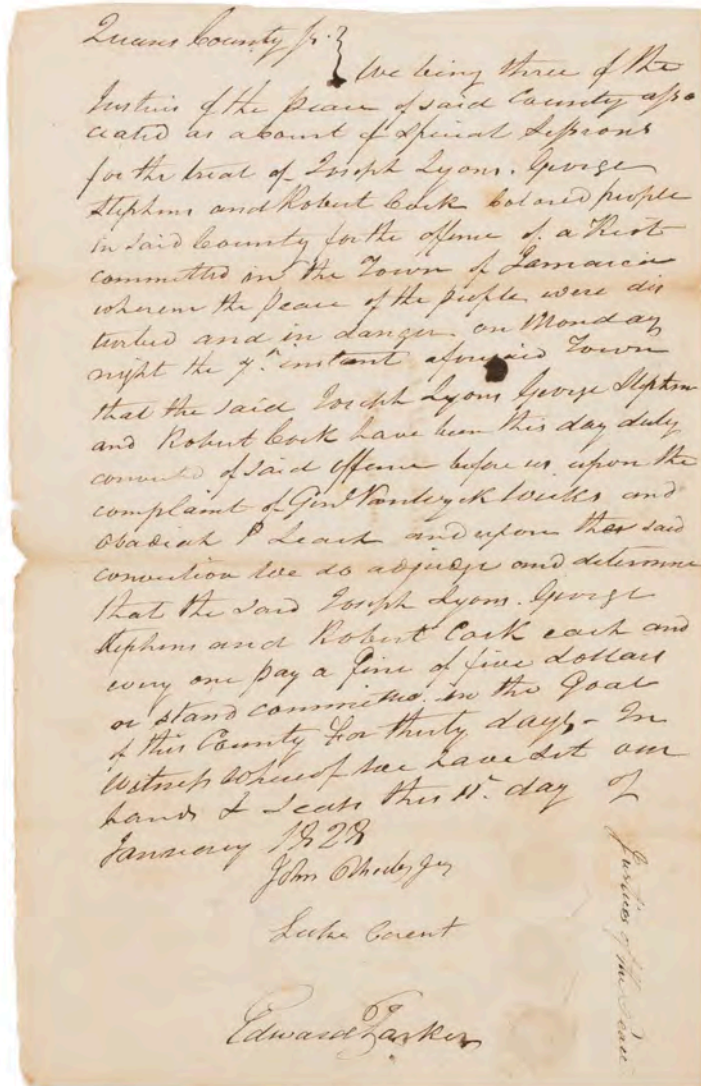
\* Born in Tennessee, Sharkey was a lawyer, judge and politician who spent most of his life in Mississippi, which became a state in 1817. He served a single term in the Mississippi House of Representatives from 1828 to 1829 and was the U.S. Consul in Havana, Cuba from 1851 to 1854. A staunch Unionist, he was Mississippi's commissioner on Reconstruction and its provisional governor in 1865. Appointed to the U.S. Senate, he wasn't seated when the legislature failed to ratify the 13th Amendment. He then retired from politics and returned to his legal practice.

Sharkey compiled the manuscript offered here when he was one of the three justices of the Mississippi Supreme Court, then called the High Court of Errors and Appeals, a post he held from 1832 to 1851. It is a collection of notes on cases heard before that court in July Term, 1835, December Term, 1836, and January Term 1837, about 50 in all. Most of these concern property and estates. Most of these are quite detailed, filling several pages, and are, in effect, case reports. There are very few changes or corrections, which suggests these entries were compiled from an earlier set of notes. Clearly written and often quite engaging, they offer an interesting personal counterpart to the official case reports.

While manuscript case records of lower-level judicial officials are fairly common, those of upper-level judges are not. A search of auction records from the past 150 years locates no other examples by a state Supreme Court justice, much less one from the Antebellum South.

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Three "Colored People" Convicted for Rioting

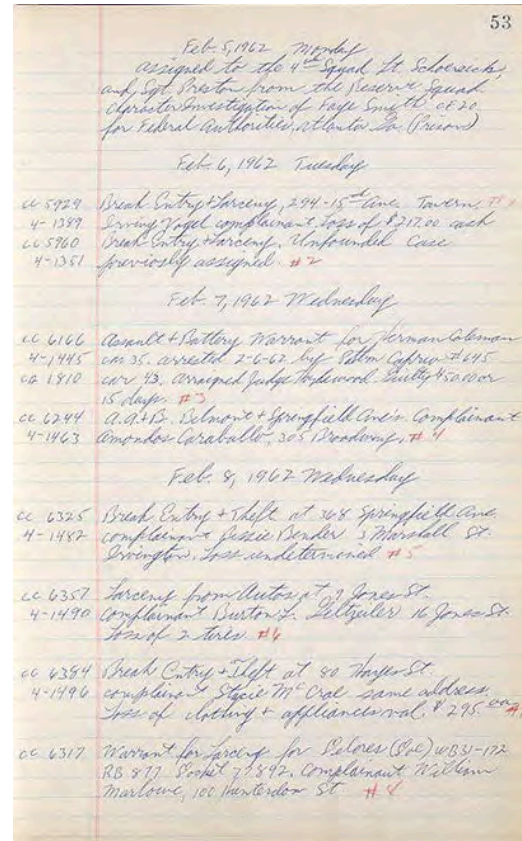
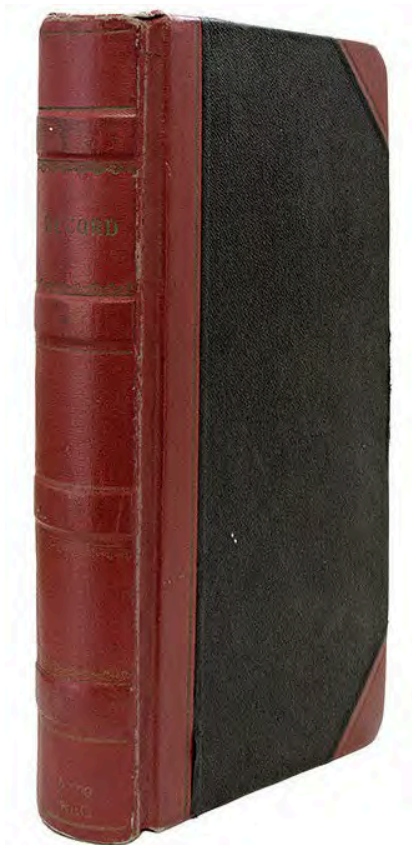
16. [New York].

[Conviction for Rioting]. Queens County, New York, January 11, 1828. 2 pp.

12-1/2" x 8" leaf, wax seals to recto, docketed on verso. Moderate toning, light foxing, three horizontal fold lines with short tears at ends affecting text without loss. Content in neat hand with autograph signatures and seals of three justices of the peace. \$1,500.

\* This document records the conviction of Joseph Lyons, George Stephens and Robert Cock, "colored people," for a riot in Jamaica, New York on the night of January 4th, 1828. Each man was sentenced to pay a fine of five dollars or face thirty days in jail.

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### Daily Record of a Police Officer in Newark, New Jersey in the Early 1960s

#### 17. [Newark, New Jersey].

[*Personal Logbook of a Newark, New Jersey Police Officer*]. [Newark, NJ]?, February 5, 1962-September 21, 1965. 500 pp. Thumb-tabbed index. Folio (13-3/4" x 8-1/2").

Three-quarter cloth over contrasting pebbled cloth, raised bands and faded gilt ornaments and title (Record) to spine. Some rubbing to extremities with light wear to spine ends and corners, heavier wear to fore-edges of boards. Text in neat hand to rectos and versos of all 500 pages. SOLD

\* This privately compiled record allows us to trace the daily work life of a police officer in Newark, New Jersey in the years immediately preceding the riots of 1967. At this time, Newark was coping with deindustrialization, migration of the white middle class to the suburbs and an influx of poor African Americans, who were confronted with housing and job discrimination. At the same time the composition of the city's government and police force was predominantly white. Compiled with great care, it is both a log book and diary. Here is a list of typical entries: "Responded to Police Headquarters on a call from Lt. O'Leary of the night bureau. From there with Det. Thran to N.Y.C. to pick up prisoner," "Assigned to the New York Police Academy for school", "On duty with Det. Roller Lt. Pichel working desk [in author's absence]," "Assigned in uniform at 5:30am for detail at Newark Airport," "Attending seminar at Rutgers New Brunswick," "Returned to duty in the 1st squad from prosecutor's office" and "Home for working Saturday."

He had a few interesting assignments. He was part of a "Special Detail guarding President Kennedy at Columbus Day Parade" and was part of a detail to "guard Sen. Humphrey" when he visited the city. However, most of the entries chronicle crimes, apprehensions, arrests and responses to complaints. Many of these are cases of vandalism, petty theft, low-level violence and other "quality of life" issues that afflict cities in decline.





### Documents of a Contentious 1880 Divorce in Indiana

#### 18. [Ober, Anthony].

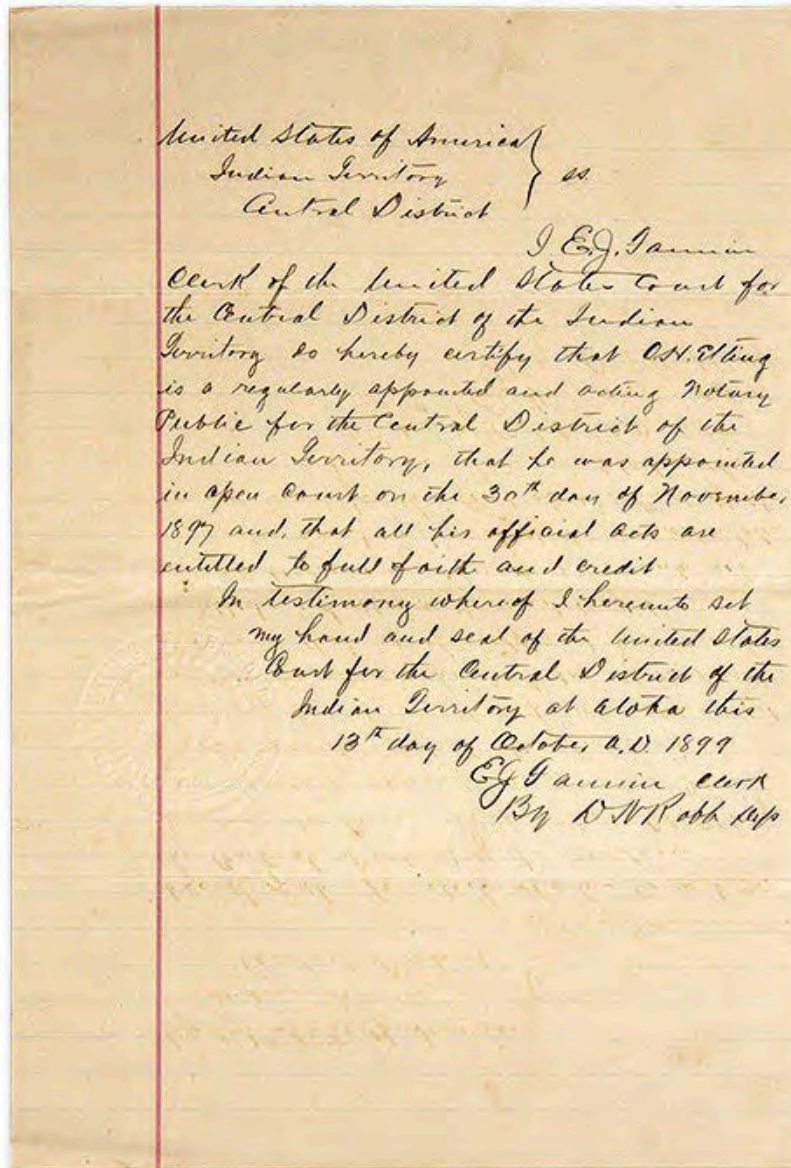
[*Legal Rant Over a Contentious Divorce and a Personal Summons to Appear in Court*]. Yorkville, IN, 1880.

Two bifolio letters, 8" x 5," manuscript in ink, dated March 11 and May 11, 1880. Letter of May 11 docketed "Yorkville Ind." Light toning, vertical and horizontal fold lines. \$250.

\* Two almost stream-of-consciousness letters concerning Ober's contentious divorce from his wife. Ober's handsome penmanship is a stark contrast to his poor spelling, lack of punctuation and obviously anxious mental state. (Ober's spelling and sentence construction also suggests that German may be his native language.) Ober's letter of March 11 is an unleashed flood of words: "Sir I have the honor To inform you about the Notification To Appear before the Court in Lawrenceburg [Dearborn County, Indiana] i got. Twice Notified now by Attorney Holman to appear the 10th of March and 24th April at 9 O'Clock. A.M. at Court Room in Lawrenceburg and i can't see my Wife or some of Parents nor of her Attorney's i see she tried to give me expenses to runn me Back and Forward my Wife and the familie Left me and Promised me her Little girl to cook my crop... She want to gve me the Divorce on Account to Collect the five hundred Dollars \$500 which i Loaned her father all the Charges are Lies except hard Words and der [there] i give you a Statement about does [those] words She Smashed the Buckey [buggy] and ruined the Horse She came Home in the Evening vitout [without] a Buckey nor Horse that on one Sunday and several other cases and i Notify that i never will Pay nothing about my wife so long She will Stay outside my House...i Married that woman not on Account her good Look or about her Money because it got none around the intire Familie want to get my Money I took her for to doe My work and to Live Still togeter [together]..."

Ober's second letter appears to assume the form of a personal, rather than court-issued, summons to appear in court. He seems to be reconciled to the divorce. The letter may be addressed to his attorneys, Holman and Schwartz, likely former (and future) Congressman William S. Holman and former mayor of Lawrenceburg and Bavarian immigrant, John Schwartz: "Sir i have the honor to inform you to be Notified to appear before the court in Lawrenceburg throuh you the 12the of May 1880 to anwser [answer] the question about those charges those Charges are wrong Cruel treatment i never raised my Hand toward my Wife and Neglect for Providing necessairy Care or Treatment...so Mister Holman and Schwartz i wish you will finish the Divorce case to receive the Divorce From my Wife i been praieing [praying] and Talken to her to come Back shee wouldned [wouldn't] doed [do it] She want allways my Money and Put me Now in so deep expences and Shee Brought not one cent in the Marriage so is my will and wish to tak [take] the Divorce from her because we can Live any more Peacefull together..." It appears that Anthony Ober wants out, at any cost.

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Document Appointing a Notary Public in Oklahoma Indian Territory

19. [Oklahoma].  
[Indian Territory].

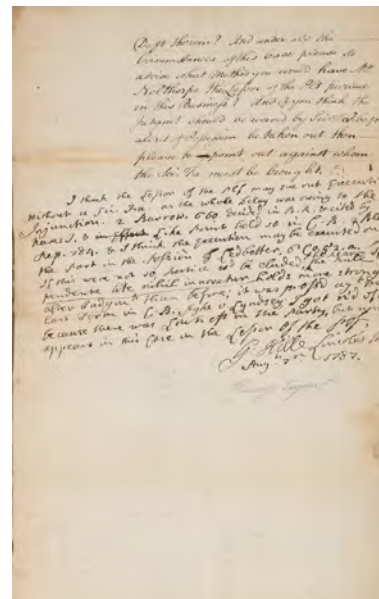
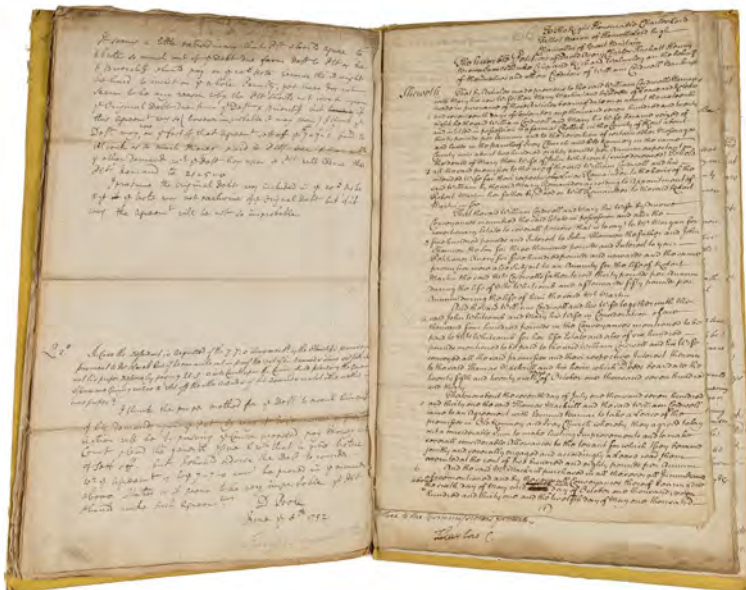
[Document Appointing A Notary Public for the Central District of the Indian Territory]. Atoka, Oklahoma, October 13, 1899. Single 12-1/2" x 8" leaf, embossed seal of the United States District Court in the Central District, Indian Territory.

Light toning, horizontal fold lines, short tear along fold, text in ink on lined paper. \$250.

\* Signed by Territorial Clerk E.J. Tannin, and Deputy Clerk D.N. Robb, this document certifies the appointment of O.H. Etting. Robb, an early white settler and merchant at Atoka, served as Treasurer of the Murrow Indian Orphan Home, established by the American Baptist Mission to care for orphan children of the Choctaw and Chickasaw Nations. The organization still operates today, supported by donations from the Cherokee Nation and other sources.

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**A Collection of Manuscript Legal Briefs  
From the Library of Sir Thomas Phillipps**

**20. Phillipps, Sir Thomas [1792-1872], Compiler and Former Owner.**

[*A Collection of 34 Scribal Briefs and Legal Documents*]. [England], 1722-1811. [71] ff. Folio (13-1/2" x 8-1/4").

Nineteenth-century plain yellow paper-covered (Middle Hill) boards, struck-through ink title ("Grenada Papers") and pencil annotation to spine. Light rubbing and soiling to boards, joints cracked, bottom portion of spine lacking, light wear to board edges and corners, which are bumped. Moderate toning to documents, horizontal fold lines, occasional light soiling, clean tears to several documents, a few of which are neatly mended with cellotape or tissue, a few documents torn or mended with minor loss to text, later (nineteenth-century) pencil notes to several documents. **SOLD**

\* This collection of eighteenth and early nineteenth-century legal documents comes from the library of Sir Thomas Phillipps [1792-1872], an antiquarian and book collector. His profound devotion to antiquarian material, particularly to manuscripts, resulted in one of the largest private collections held by a single individual, if not the largest. This volume gathers 34 legal documents from the Inns of Court and Chancery. 23 are scribal briefs, 19 of which have autograph opinions on the cases by the attorneys involved. (The others are clerical copies which include the attorney's opinion.) The cases concerned a diverse array of topics, including wills, bankruptcy, family law, ecclesiastical matters and contracts. The other documents are petitions and orders, most involving bankruptcy or lunacy.

The lawyers whose opinions are expressed in these legal cases include:

- George Harris [1716-1808], Doctors' Commons, King's serjeant;
- George Hill [1716-1808], Lincoln's and Furnival's Inn, King's serjeant;
- Humphrey Henchman [1669-1739], Doctors' Commons, civil lawyer and defense attorney for Henry Sacheverell;
- Sir Richard Perryn [1723-1803], baron of the exchequer;
- Sir George Hay [1715-1778], lawyer and politician;
- Sir George Sowley Holroyd [1758-1831], judge;
- Sir James Alan Park [1763-1838], judge;
- George Perrot [1710-1780], baron of the exchequer.

*Catalogus Librorum Manuscriptorum in Bibliotheca D. Thomae Phillipps, Bart.* (1837) 19188.



**c.1783 French Manuscript on Political Science and National Character**

**21. [Political Science].**

[*Manuscript Account of English and European History*]. [France, c.1783]. Two parts. 140-219; 1-169 ff. Quarto (7-3/4" x 6-1/2").

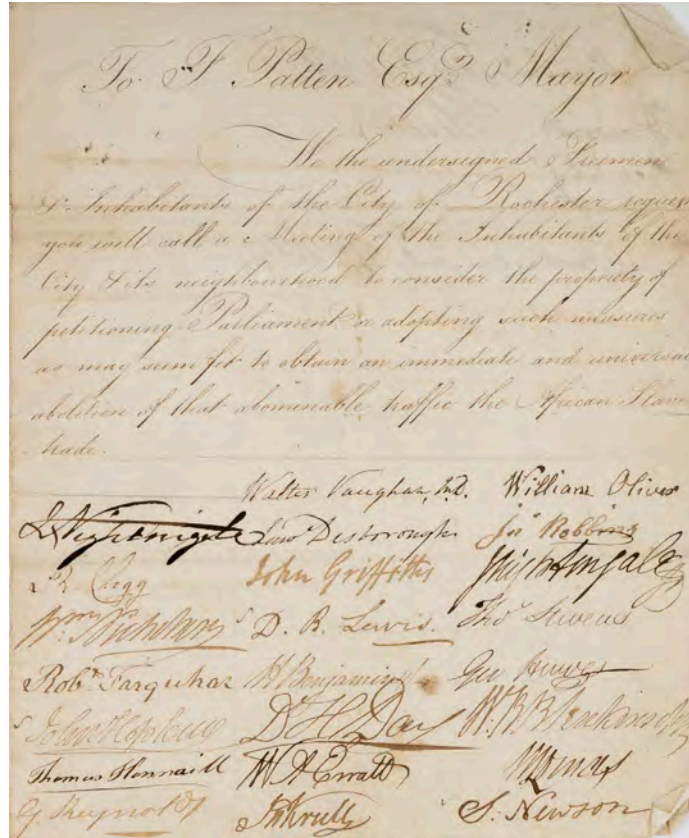
Contemporary three-quarter vellum over marbled boards, raised bands and faint early hand-lettered title to spine, ends rouged. Moderate rubbing and some stains to boards, spine lightly soiled, heavier rubbing to extremities with some wear to board edges, corners bumped, later ownership stamps to pastedowns and endleaves. Light toning and infrequent light foxing, slight soiling and trimming to upper margins in a few places, light soiling to first leaf. Written in ink in an elegant hand with a possible second contemporary hand appearing in latter third of text block, rules to right margins and some contemporary corrections/additions in pencil. \$1,250.

\* The manuscript appears to be in two parts. Preceded by a genealogy of the House of Bourbon, Part 1 (140-219 ff.), which is largely concerned with treaties and dynasties, covers the history of Europe in the seventeenth and eighteenth centuries. It seems to be incomplete as pagination starts at p. 140. A new section heading appears on p. 168. Part 2 (1-169 ff.), titled *Partie Politique*, is a treatise on the national character, government and interests of England, rendered in great and sometimes fascinating detail. Remarks on the English character are cutting but affectionate: despite their "melancholic and choleric" temperament, "one may depend on their friendship." There is an extensive discussion of the structure of Parliament and the check it places on the monarch's power, indicative of the sharp contrast to the French system at the time. This section does not end "finis" as part one does and may therefore be incomplete as well, with the manuscript being the second volume of three or more in a set.

Neither the order nor contents of the manuscript correspond precisely with any major English histories and constitutional studies of the period, such as those of de Lolme or Voltaire. This suggests that it is not an exact copy of another text and possibly even represents an original work of some kind. An unusual manuscript that gives an interesting look into international relations of the late eighteenth century, particularly between France and Britain.

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**"An Immediate and Universal Abolition  
of that Abominable Traffic the African Slave-Trade"**

**22. [Slavery].  
[Great Britain].**

*Requisition to the Mayor for Common Hall Respecting Slave Trade* [Docket Title]. Rochester, Kent, July 4, 1814. 2 pp.

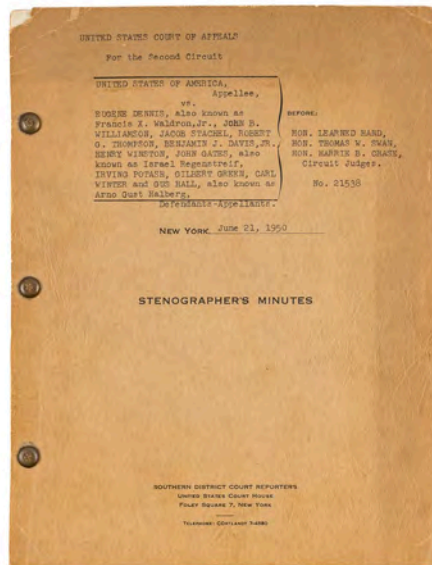
8-3/4" x 7-1/4" bifolium, text in copperplate script to first page followed by 28 autograph signatures and date, docket to verso. Light toning, soiling and a few faint stains, horizontal and vertical fold lines, corners folded, small holes and clean tears starting along fold lines, no loss to text. An interesting document. \$1,650.

\* The French slave trade was effectively ended during the Napoleonic Wars because of British blockades of French ships. Following Napoleon's defeat in 1814, British anti-slavery activists realized that the end of the blockade would mean the resumption of the slave trade, which had been abolished in Great Britain in 1807. Activists quickly mobilized to petition the government to use their leverage at the Congress of Vienna to force the abolition of the slave trade in France. The movement drew wide support. Some 1,370 petitions were produced in 1814, signed by up to between one-fifth and one-third of adult men (Huzzey).

Our document is a request to the mayor of Rochester to "call a Meeting of the Inhabitants of the City & its neighbourhood to consider the propriety of petitioning Parliament or adopting such measures as may seem fit to obtain an immediate and universal abolition of that abominable traffic the African Slave-trade." It is signed by 28 inhabitants of the city.

Huzzey, "The Congress of Vienna and Abolition of the Slave Trade" (accessed online).

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**Stenographer's Transcript of the First Day of an Important  
1950 Free-Speech Trial that Led to *Dennis v. United States***

**23. [Smith Act Trials].**

**United States Court of Appeals for the Second Circuit.**

*United States of America, Appellee, vs. Eugene Dennis, Also Known as Francis X. Waldron, Jr., John B. Williamson, Jacob Stachel, Robert G. Thompson, Benjamin J. Davis, Jr., Henry Winston, John Gates, Also Known as Israel Regenstreif, Irving Potash, Gilbert Green, Carl Winter and Gus Hall, Also Known as Arno Gust Halberg, Defendants-Appellants. Before: Hon. Learned Hand, Hon. Thomas W. Swan, Hon. Harrie B. Chase, Circuit Judges. No. 21538, Stenographer's Minutes. New York: Southern District Court Reporters, June 21, 1950. 135, [1] ff.*

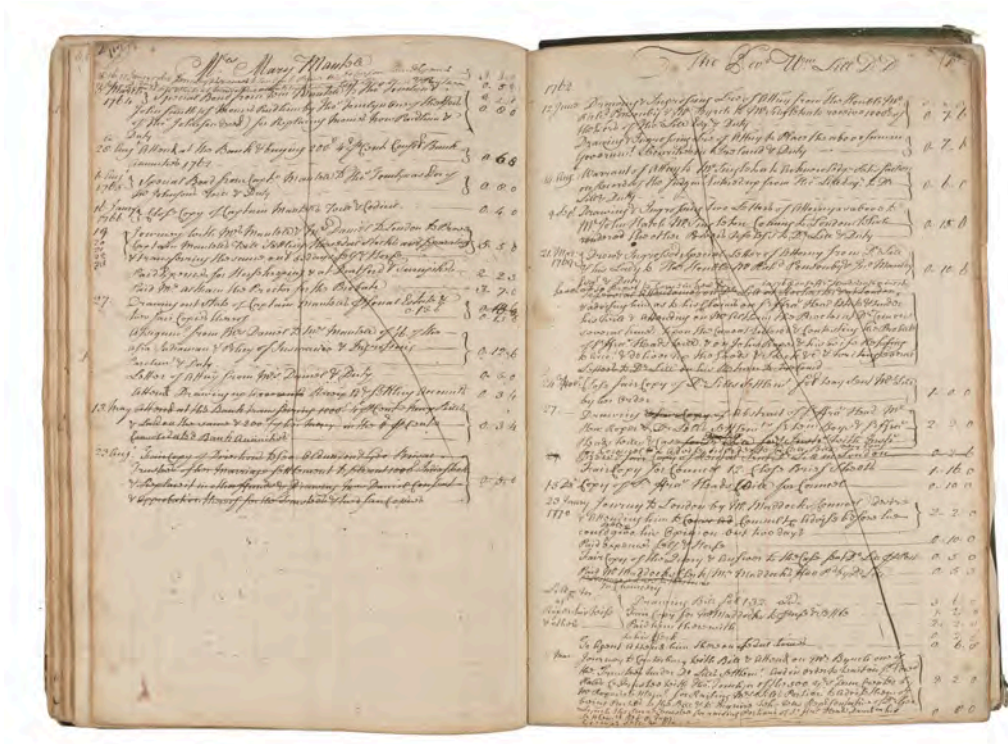
Typescript (not a carbon copy) on single-sided leaves in textured stiff wrappers with metal fasteners. Light soiling, fading and edgewear to wrappers, internally clean. SOLD

\* The Alien Registration Act, popularly known as the Smith Act, is a federal statute enacted in 1940 that set criminal penalties for individuals who advocated the overthrow of the U.S. government by force. It also required all non-citizen adult residents to register with the federal government. It was invoked most often after World War II in cases against alleged communists and socialists. The Smith Act trials of Communist Party leaders in New York City from 1949 to 1958 were the most important cases tried under this law. Sensational trials that reflected contemporary anxieties about communism, they led to nearly 200 convictions. (The statute has since been amended several times.)

The most important of the Smith cases, the trial of Eugene Dennis and eleven other leaders of the American Communist Party was tried in New York in 1949 and resulted in guilty verdicts. The U.S. Court of Appeals and Supreme Court upheld the conviction in *Dennis v. United States* (1951). However, the Supreme Court's decision paved the way for later Supreme Court rulings that overturned it, most notably *Yates v. United States* (1957) and *Brandenburg v. Ohio* (1969).

Our typescript records the first day of the three-day appeal trial, which ended on June 23, 1950. An important historical document, it is especially interesting for the colloquy with Judge Hand, which runs from leaf 105 to the end of the transcript. It shows a contrasting view of Hand, who was generally an advocate of political free speech. In this case, he wrote the unanimous opinion that upheld the decision of the lower court.





**Eighteenth-Century Account Books of  
a Law Firm in Rochester, Kent, England**

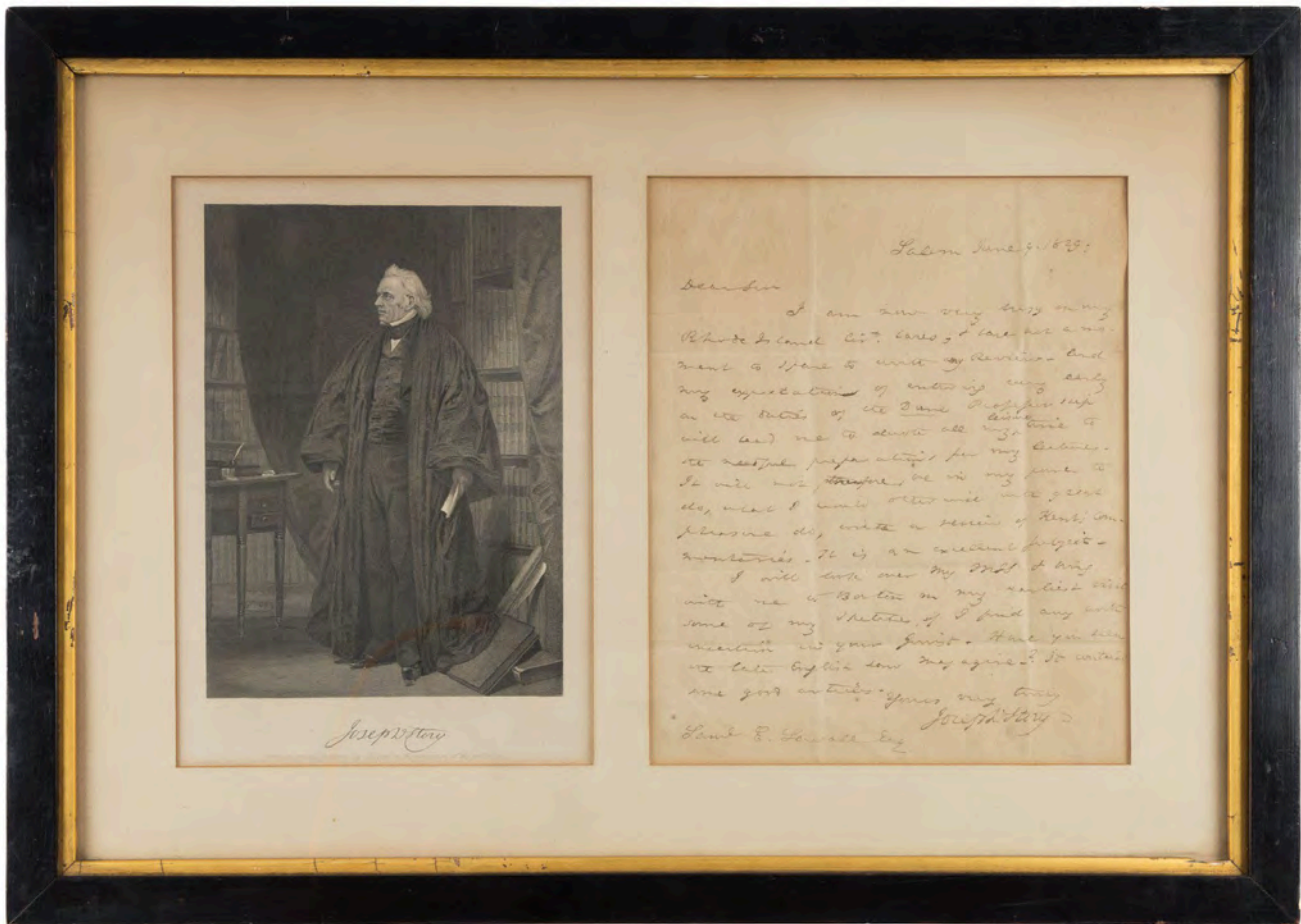
**24. [Solicitors].  
[Great Britain].**

[*Two Account Books*]. Rochester, England, 1752-1791, 1797-1800. [xiii], 145; [xxvi], 744 pp. Main texts of both volumes preceded by thumb-tabbed indexes. Folio (14-1/4" x 9-1/2" and 14-1/2" x 9-1/2")

**Book 1:** Contemporary green vellum, blind rules and large blind arabesques to boards, spine perished, boards detached, slightly bowed and lightly rubbed, moderate rubbing to board edges with wear to corners. Moderate toning to text, preliminary leaves, including first part of index (to letter P) lacking, five other leaves neatly removed, first quarter of text block and a few blank leaves at end of text block detached and moderately edgeworn. **Book 2:** Contemporary plain vellum, blind rules and calf bosses to boards, small calf title labels reading "Bill Book C" to front board and spine, marbled endpapers. Light soiling, moderate rubbing to boards and extremities, joints just starting at ends, corners bumped and somewhat worn, three index leaves detached and edgeworn with loss to thumb-tabs. **Both:** Moderate toning, light foxing in places, content in neat hands to rectos and versos of all paginated leaves. \$2,850.

\* These two books provide a half-century record of an (unidentified) elite firm of solicitors in Rochester, Kent, an important town about 30 miles from London. The entries record clients, legal services provided, fees charged and dates of payment. Among the clients are several gentlemen, nobles, military and naval officers, city officials and high-ranking clergymen, as well as businesses, civic organizations, the Town of Rochester and the dean and chapter of Rochester Cathedral. There are also occasional entries for people in the middle and lower-middle classes. Along with people in the town, the firm served clients in such neighboring villages as Gillingham and Chatham. Also valuable for their insights into social history, these books provide a vivid legal record of an important English town during the second half of the eighteenth century.

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### "I Am Now Very Busy"

25. Story, Joseph [1779-1845].

[Sewall, Samuel E. (1799-1888)].

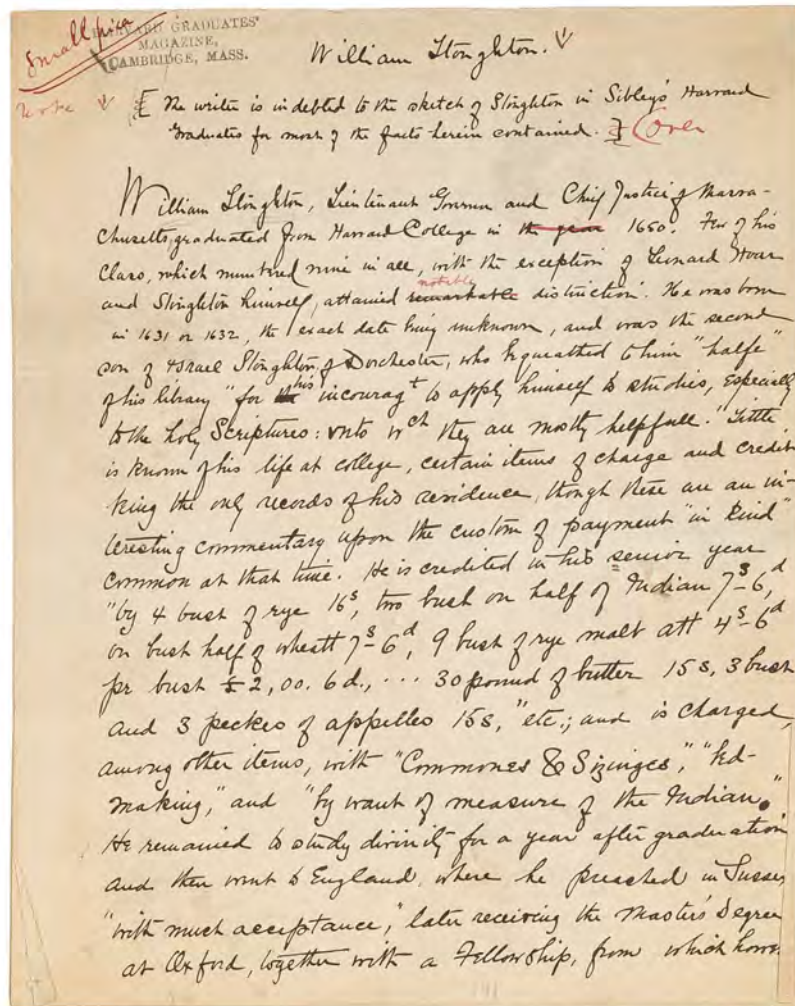
[Autograph Letter, Signed, Salem, MA, June 9, 1829].

Single-page letter on 10" x 8" sheet and 9-1/2" x 7" engraved portrait of Story in judicial attire in attractively matted and glazed 13-3/4" x 19-1/4" frame. Moderate toning to matte, letter and margins of portrait, some edgewear and a few minor chips to frame. \$1,500.

\* Story regrets that he does not have time to write a review of Kent's *Commentaries on American Law* (first edition 1826) for the *American Jurist*, which was edited by Sewall. Story says he is too busy with circuit-court duties and "the needful preparations" for his lectures at Harvard Law School. He promises to look over his manuscripts at a later date to see if he has anything to submit. Sewall, a Boston lawyer, was a prominent abolitionist and suffragist. Story was a distinguished U.S. Supreme Court justice, Harvard Law School professor and legal author best known for his *Commentaries on the Constitution* (first edition 1833), a landmark in American law.

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Manuscript of an Early Work by the Author of the Ephraim Tutt Novels

26. Train, Arthur C. [1875-1945].

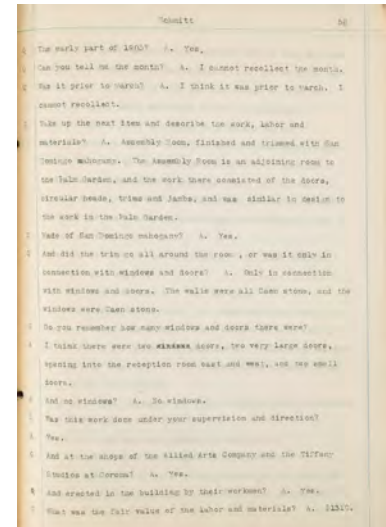
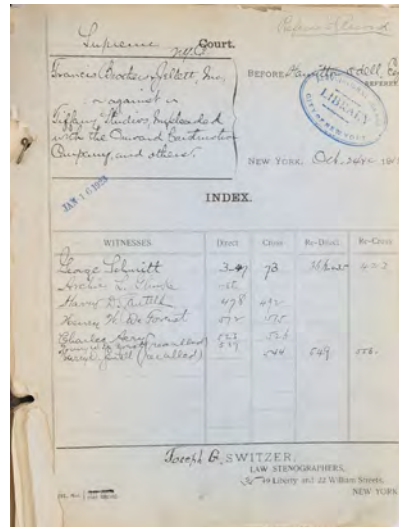
"William Stoughton." [Cambridge?, 1896]. 8 ff.

8" x 10" leaves, content to rectos. Light toning and soiling, minor folds, wear and chips to corners of a few leaves. Inkstamp of *The Harvard Graduates' Magazine* to head of first leaf, part-printed editorial note to its verso, corrections and notes by editor in a few places. Unrelated 1947 newspaper clipping about Train's will laid in. \$750.

\* Train was a lawyer and a versatile, prolific and popular author, playwright and journalist. He is best known for a series of novels and articles featuring the shrewd New England Lawyer Ephraim Tutt. Our copy-edited manuscript of a biography of Stoughton [1631-1701], the Massachusetts magistrate and administrator, was published in the September 1896 issue of *The Harvard Graduates' Magazine* (pp. 34-39).

In 1896 Train was a few months past his graduation from Harvard College and a first-year student at Harvard Law School. His Stoughton piece appears to be his first post-graduate publication. The small number of editorial changes, all of them minor, shows that he was already a talented writer.

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**Includes a Wealth of Detail About the Interior  
of One of New York City's Grandest Apartment Buildings**

**27. [Trial].**

**[Francis Brothers & Jellett v. Tiffany].**

*Supreme Court, New York Co. Francis Brothers & Jellett Against Tiffany Studios, Impleaded With the Onward Construction Company, And Others Before Hamilton Odell, Esq., Referee, New York, October 24th, 1912.* New York: Joseph G. Switzer, Law Stenographers, [October 24, 1912-December 16, 1913]. Small folio (11" x 8").

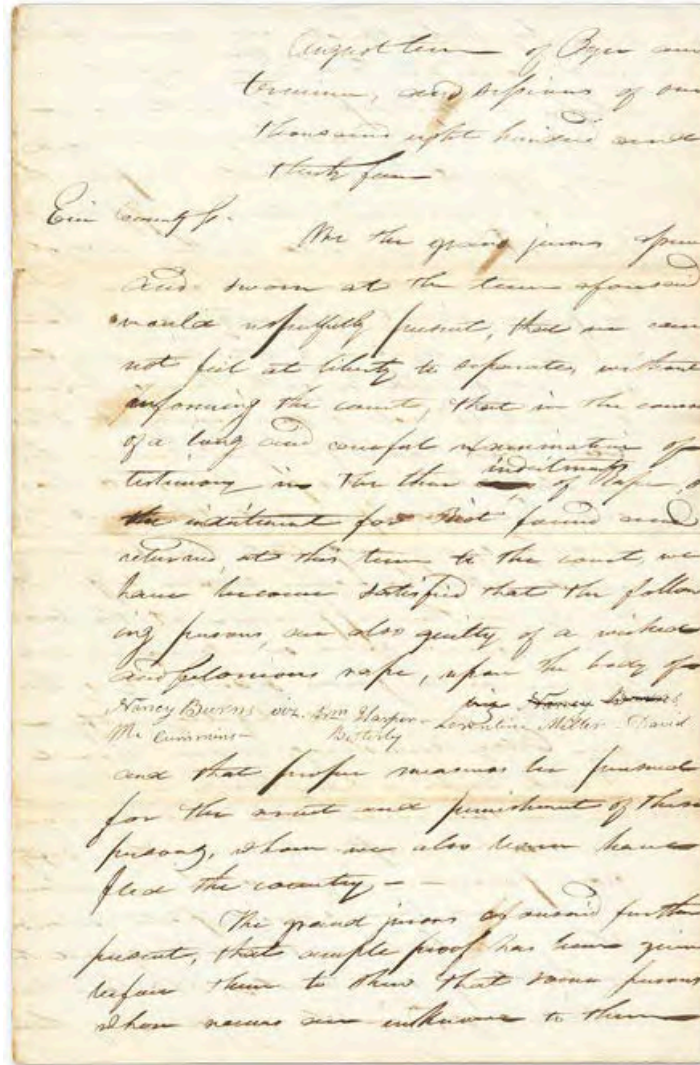
Original typescript in tied binding with stiff three-quarter cloth over marbled boards, typescript label reading "FRANCIS BROS. & JELLETT vs. TIFFANY STUDIOS" to front board. Moderate rubbing to boards, heavier rubbing and chipping to board edges, one of the two clasps securing ties detached from front board. Text in six sections, the first preceded by part-printed cover sheet completed in manuscript, other sections preceded by divisional pages with dates of trial in manuscript. Light toning to interior, first two leaves detached and moderately edgeworn, "Referee's Record" in pencil and small library stamp of the New York City Bar Association and small date stamp, "Jan 16, 1923," to cover sheet. \$2,500.

\* One of a small number of copies, this transcript records a dispute concerning payment and fees involving an important Philadelphia architecture and engineering firm, America's premier interior design firm and one of New York City's greatest residential buildings: The Ansonia, which was intended by its builder, the eccentric William Earl Dodge Stokes, to be the best of its kind. It belonged to Hamilton Odell [1834-1922], a distinguished New York City lawyer who was appointed to hear the case. The core of the dispute was compensation for construction and installation owed by Tiffany to Francis Brothers.

This transcript is interesting, in part, as a record of how firms like these contracted business. More important, it records a wealth of detail about the design, construction, materials and furnishings used in the public rooms of this building, most of which were subjected to decay, destruction and subsequent remodelings. It states, for example, that the Palm Garden on the ground floor had a floor of quarter-sawn oak and four doors with mahogany casings with classically fluted pilasters and cornices with small carved heads. Its detail is often granular: each of the four doors was constructed from 30 square feet of pine and covered on both sides with 30 square feet of mahogany in a quarter-inch veneer, which was intended to match a custom-built reception desk. Along with furnishings, it discusses the techniques and materials used in their installation, the names of craftspeople and sub-contractors and vendors and expenses (the desk was \$350.00). In all, it is a valuable supplement to the plans, visual documentation and written accounts of this New York City landmark.

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### Witness Tampering by "Bribes, Threats and Alarms"

28. [Trial].

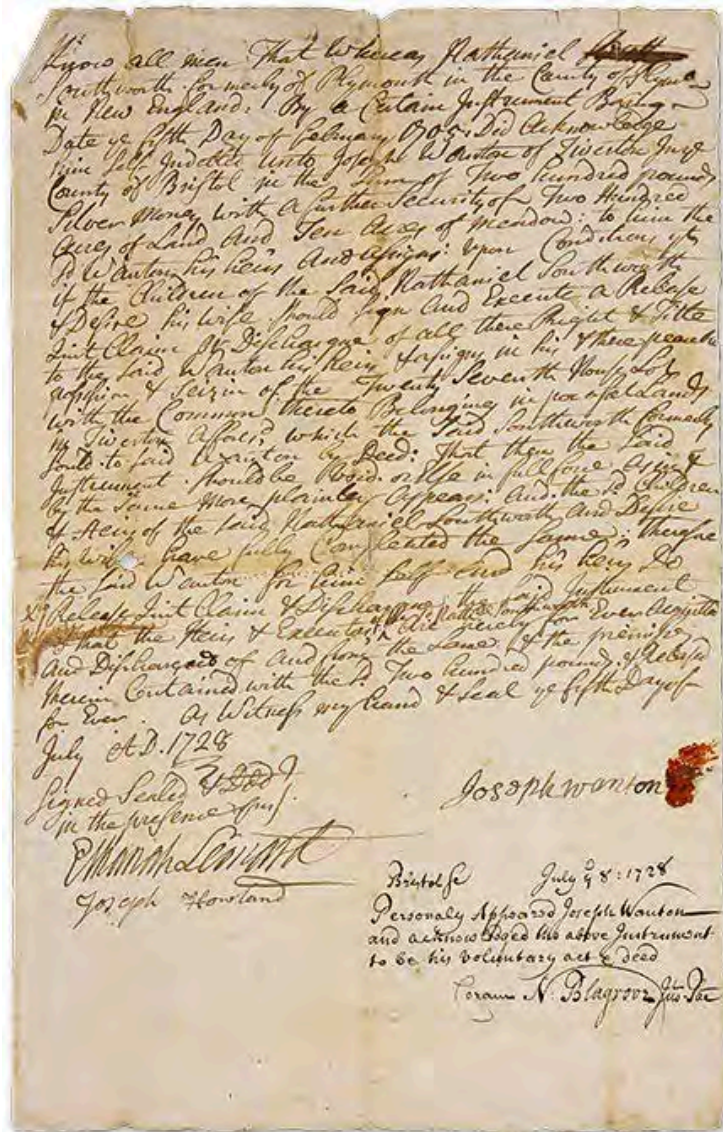
[Pennsylvania].

[Grand Jury Presentment Concerning Improprieties in a Rape Case]. [Erie County, PA, August 8, 1834]. 4 pp. 13" x 8" bifolium, docketed on verso of second leaf.

Horizontal fold lines, a few with minor tears, light browning and minor edgewear. Content in small hand filling three pages. Item accompanied by typed transcription. \$1,250.

\* This appears to be a document from an unrecorded rape case. It reads, in part: "We the grand jurors... have become satisfied that the following persons are also guilty of a wicked and felonious rape, upon the body of Nancy Burns viz., Wm. Harper, Lorentine Miller, David McCummins and that proper measures be pursued for the arrest and punishment of these persons, whom we also learn have fled the country. The grand jurors further present, that ample proof has been given before them to show that some persons whose name are unknown to them have by bribes, threats and alarms, spirited away one of two or three very important witnesses in this very important matter..."

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A Rhode Island Debt Claim from 1728

29. Wanton, Joseph [1705-1780].

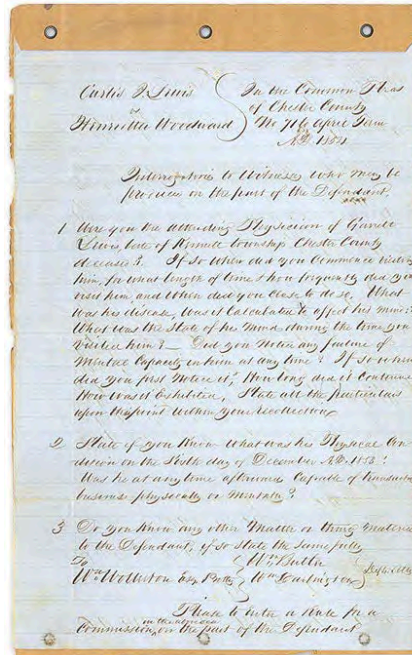
[Autograph Legal Document, Signed, Bristol, Rhode Island, July 5, 1728].

12-1/4" x 7-1/2" leaf, franked below signature, docketed on verso ("Joseph Wanton's Release"). Light browning, horizontal and vertical creases, wax seal at signature, some separation along fold lines. \$950.

\* This document certifies that Nathaniel Southworth, Jr., has transferred land and money to Wanton to settle a debt. Wanton was a successful Newport, Rhode Island merchant who was involved with privateers during the French and Indian wars. He was also one of the original trustees of the school that eventually became Brown University. He served as Governor of Rhode Island from 1769-1775, but was removed from office for refusing to swear an oath of loyalty to the Continental Congress. He had frequent business dealings with the Southworth family, prominent residents of Middleborough, MA.

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### 1854 Interrogatory Concerning the Mental Fitness of the Decedent in an Inheritance Case

30. [Wills].

[Mental Fitness].

Lewis, Garrett.

Skinner, Dr. W.C.

[1854 Legal Interrogatory of a North Carolina Medical Doctor W.C. Skinner Concerning the Illness, Mental Fitness and Death of Garrett Lewis of Chester County, Pennsylvania]. [West Chester, Chester County, Pennsylvania, October 23, 1854]. [4] ff. Folio (12" x 8").

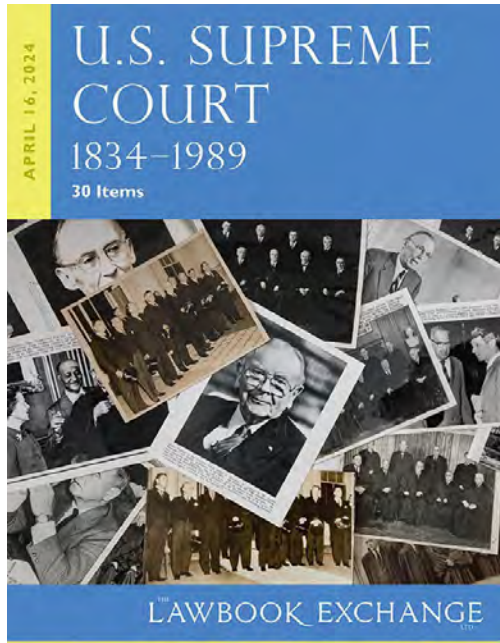
Four leaves of lined blue paper, with outer wrapper affixed with grommets along top edge, content to rectos and versos of first two leaves, and recto of third leaf, embossed seal of Court of Common Pleas of Chester County to third leaf. Faint horizontal fold lines, moderate edgewear to wrapper, scattered foxing. A well-preserved item. \$350.

\* Legal interrogatory of North Carolina physician Dr. W.C. Skinner concerning the December 1853 death of his patient, Garrett Lewis of Chester County, Pennsylvania, from consumption. Dr. Skinner's answers to the lawyer's questions and the facts he supplied were in aid of the lawsuit *Curtis F. Lewis v. Henrietta Woodward*. This complex case appears to have concerned the deceased's will—witnessed by Dr. Skinner—and the state of his mind when he executed it. The document reveals a thorny and problematic relationship between physician and patient that encompassed not only the patient's health, but his personal financial affairs.

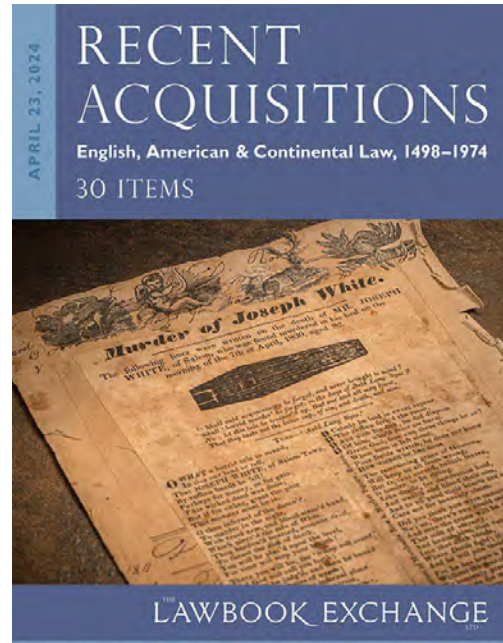
The 1854 interrogatory is directed to county prothonotary, William Wollerton. The manuscript appears to be an official copy; it is sealed by the Court of Common Pleas and is attested to by Wollerton as being "From the Record." It comprises three multi-part questions posed by the defendant's attorneys, William Butler and William Darlington. The questions focus on the deceased's state of mind on December 6, 1853, presumably the date of his will. Troublingly, the third question reveals that Dr. Skinner witnessed the deceased's will. Skinner declares: "I believe he knew he was signing his will, but he was incapable of comprehending any provision of said will. In a word I believe he was in such a condition as to readily & unresistingly sign any paper that might have been presented to him." An interesting legal document outlining a physician's involvement in his patient's financial and estate affairs.

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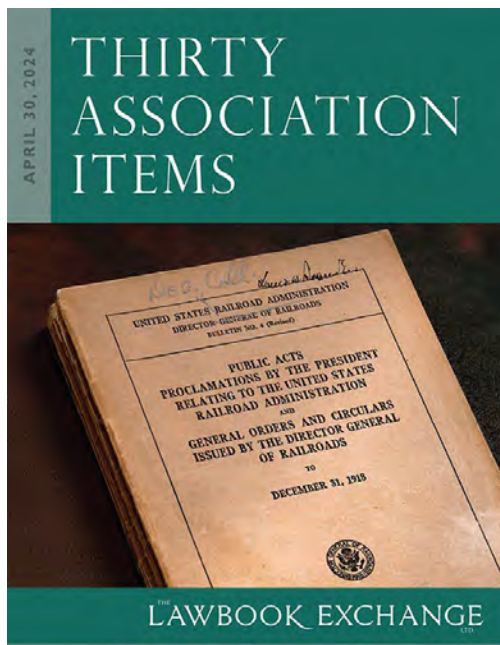
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