

OCTOBER 27, 2026

Americana

Law and Legal History

1682–1965



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We are pleased to present a selection of 64 books, manuscripts, pamphlets, documents, and photographs illustrating the development of American law and legal institutions from the colonial period through the twentieth century.

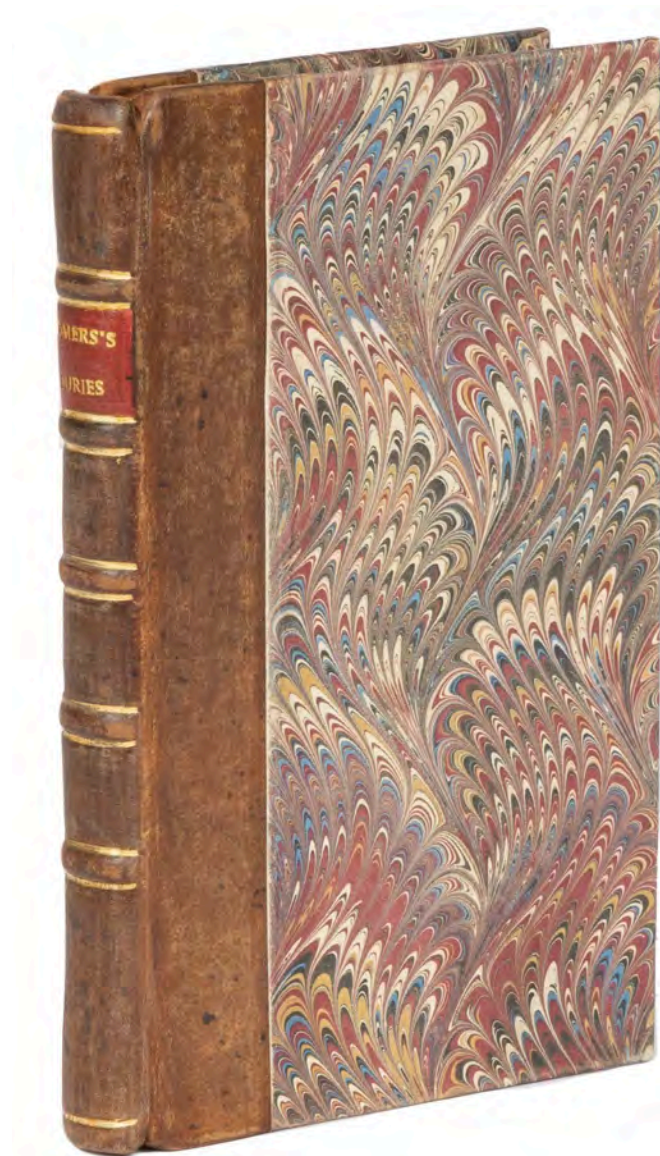
The collection encompasses a broad range of subjects, including constitutional law, the American Revolution, the founding of the Republic, slavery and emancipation, religious liberty, freedom of the press, women's rights, criminal justice, and the evolution of American jurisprudence. Several important English legal works illuminate the intellectual and constitutional foundations of American law, particularly the traditions of individual liberty, trial by jury, and limitations on governmental power that informed the American Revolution and the framing of the Constitution.

Among the highlights are significant works relating to the ratification of the United States Constitution, landmark trials and judicial decisions, and books associated with leading figures in American legal and political history. Particularly noteworthy are volumes with distinguished provenance, including a book from the law library of Alexander Hamilton bearing his signature and those of two of his sons, as well as works owned or inscribed by prominent American lawyers, judges, and statesmen.

The selection also includes rare legal manuscripts, broadsides, and other ephemeral materials that document the administration of justice, the practice of law, and the social and political controversies that shaped American legal institutions.

Taken together, these works offer a varied perspective on the development of American law, from its English antecedents to the emergence of a distinct national legal tradition.

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**The Grand Jury as a Safeguard Against Arbitrary Prosecution: An
English Foundation of an American Constitutional Right**

1. [Somers, John Somers, Baron (1651-1716), Attributed].

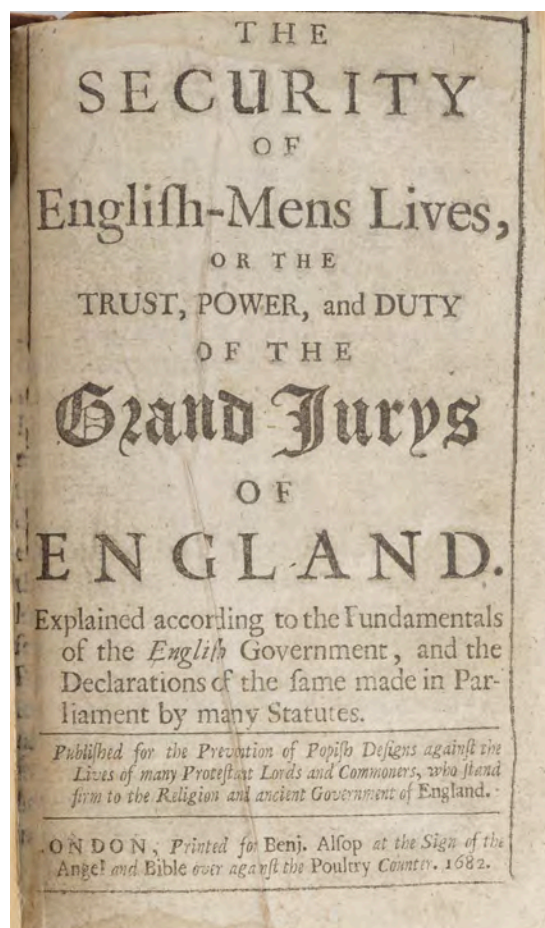
The Security of English-Mens Lives, Or the Trust, Power, And Duty of the Grand Jurys of England. Explained According to the Fundamentals of the English Government, And the Declarations of the Same Made in Parliament by Many Statutes. Published for the Prevention of Popish Designs Against the Lives of Many Protestant Lords and Commoners, Who Stand Firm to the Religion and Ancient Government of England. London: Printed for Benj. Alsop, 1682.

Octavo (6" x 3-3/4"; 15.2 x 9.5 cm). 168 pp. Period-style quarter calf over marbled boards, lettering piece and gilt-edged raised bands to spine, endpapers renewed. Light toning to interior, light soiling and a few creases to title page, which has a ruled border. Head of text block trimmed with some loss to page numbers and rule at head of title page. A handsome copy. \$1,500.

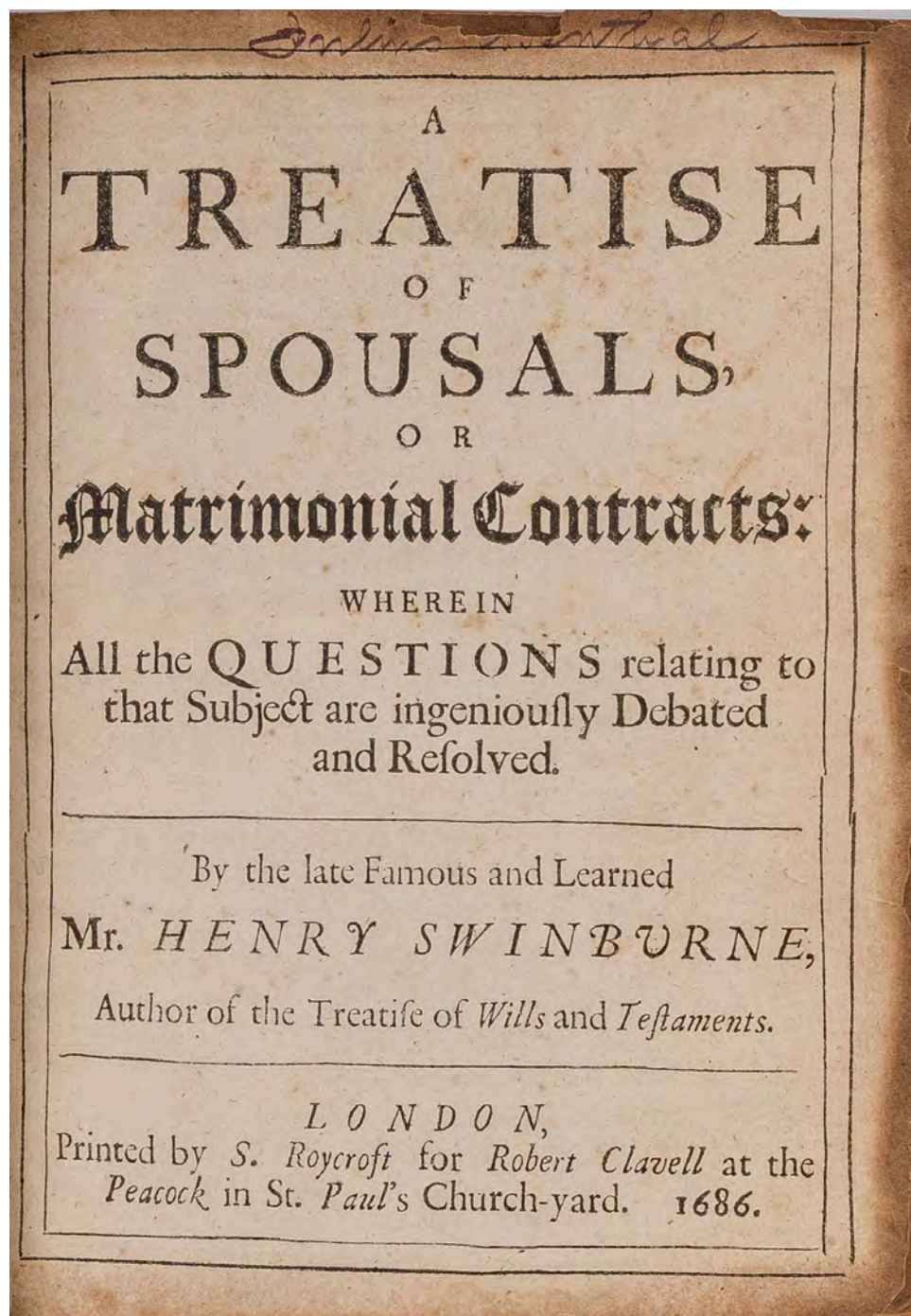
* Second edition. First published in 1681, this influential defense of the independence of the grand jury appeared during the Exclusion Crisis, when fears of Catholic succession and royal absolutism intensified the struggle between Charles II and his parliamentary opponents. It argues that grand jurors have the right and duty to exercise independent judgment in determining whether an indictment should proceed, thereby protecting subjects against arbitrary prosecution by the Crown. The work is closely associated with the celebrated case of Anthony Ashley Cooper, First Earl of Shaftesbury [1621-1683], a leading Whig opponent of the King, against whom a London grand jury refused to return an indictment for high treason in November 1681. An important statement of the constitutional principle that the grand jury serves as a safeguard of individual liberty against executive power, it contributed to the developing understanding of the jury's protective role in English law, a principle subsequently inherited by American constitutional jurisprudence.

Published anonymously, the work is traditionally attributed to John Somers, an eminent Whig lawyer and statesman who played an important role in the constitutional settlement following the Glorious Revolution and later served as Lord Chancellor of England. His association with this defense of the grand jury reflects the broader Whig commitment to the rule of law and limitations on arbitrary royal authority.

English Short-Title Catalogue R10363.



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From the Library of Julius Rosenthal: A Rare 1686 First Edition of the Foundation of English Marriage Law

2. Swinburne, Henry [c.1551-1624].

A Treatise of Spousals, Or Matrimonial Contracts: Wherein All the Questions Relating to that Subject are Ingeniously Debated and Resolved. London: Printed by S. Roycroft for Robert Clavell at the Peacock in St. Paul's Church-Yard, 1686. [xvi], 240 pp. Quarto (7-3/4" x 5-1/2"; 19.5 x 14 cm).

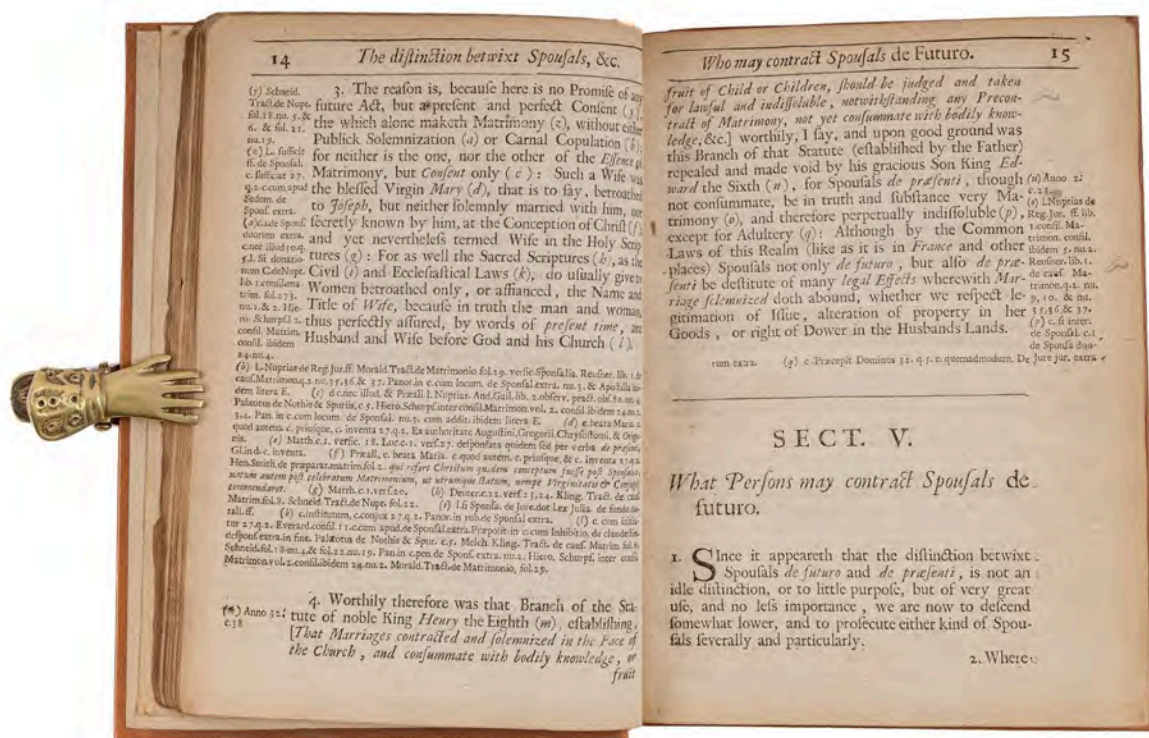
Period-style calf, blind rules and fillets to boards, raised bands, blind fillets and lettering piece to spine, endpapers renewed (with old paper). Negligible light rubbing and a few faint scratches to exterior. Moderate toning to text, occasional sparse light foxing, some offsetting to first and final several leaves resulting in brittle and lightly worn or chipped page edges, no loss to text, later owner signature of Julius Rosenthal to title page, portions of signature affected by chipping, faint pencil underlining and markings in a few places. A very good copy of a landmark work. \$3,500.

* First edition. Swinburne's *Treatise of Spousals* is the first English legal treatise dedicated to matrimonial contracts and a primary milestone in the legal history of women. Written by a Judge of the Consistory Court at York, the work provides a definitive 17th-century resolution to the complexities of betrothals vs. marriage, dissolution and divorce, and the rights of women.

This copy features the signature of Julius Rosenthal (1828-1905), the legendary librarian of the Chicago Law Institute and a titan of the 19th-century American bar.

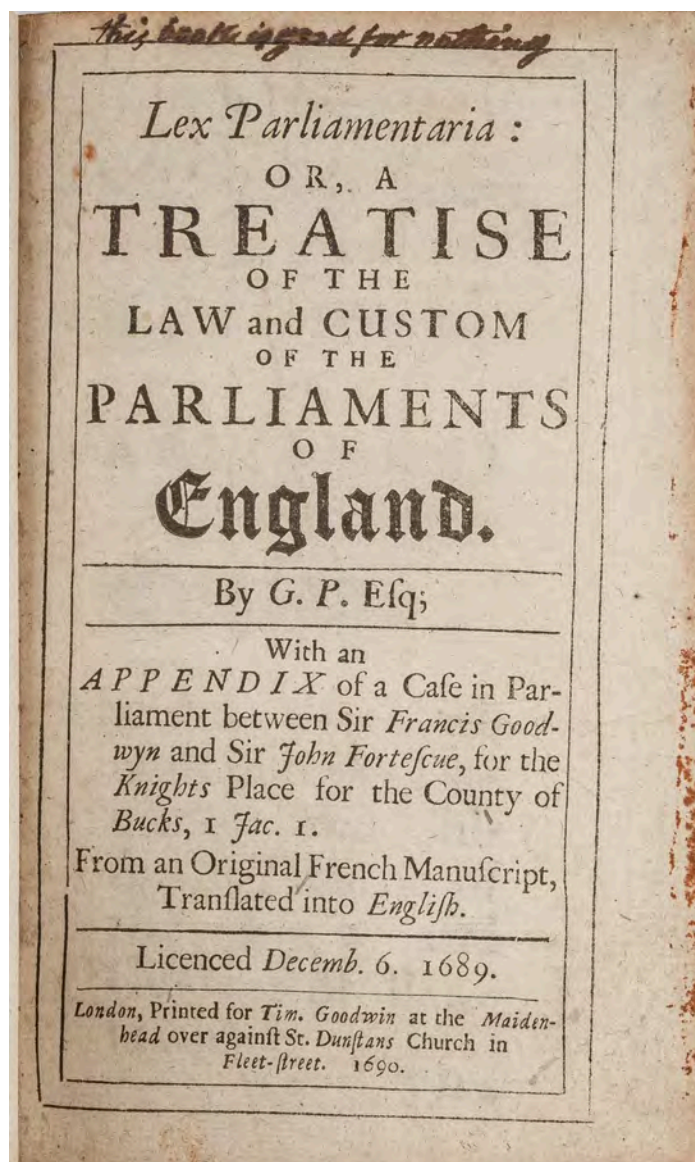
Although written decades before its 1686 publication, Swinburne's "Spousals" remained the undisputed authority on the subject for over a century. This copy, with its connection to one of America's great legal bibliophiles, is a premier acquisition for any collection of Anglo-American jurisprudence.

English Short-Title Catalogue R22016.



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An Important Statement of Whig Ideology Endorsed by Thomas Jefferson

3. P[hilips], G[eorge] [1599?-1696].

[Petyt, George (1636-1707), Attributed].

Lex Parliamentaria: Or, A Treatise of the Law and Custom of the Parliaments of England. By G.P. Esq; With an Appendix of a Case in Parliament between Sir Francis Goodwyn and Sir John Fortescue, for the Knights Place for the County of Bucks, 1 Jac. I. From an Original French Manuscript, Translated into English. Licenced Decemb. 6. 1689.

London: Printed for Tim. Goodwin at the Maiden-Head over Against St. Dunstons Church in Fleet-Street, 1690. [xvi], 320 pp. Two leaves of advertisements, usually at rear of text, bound before p. 1. Octavo (6-1/4" x 3-3/4"; 15.9 x 9.5 cm).

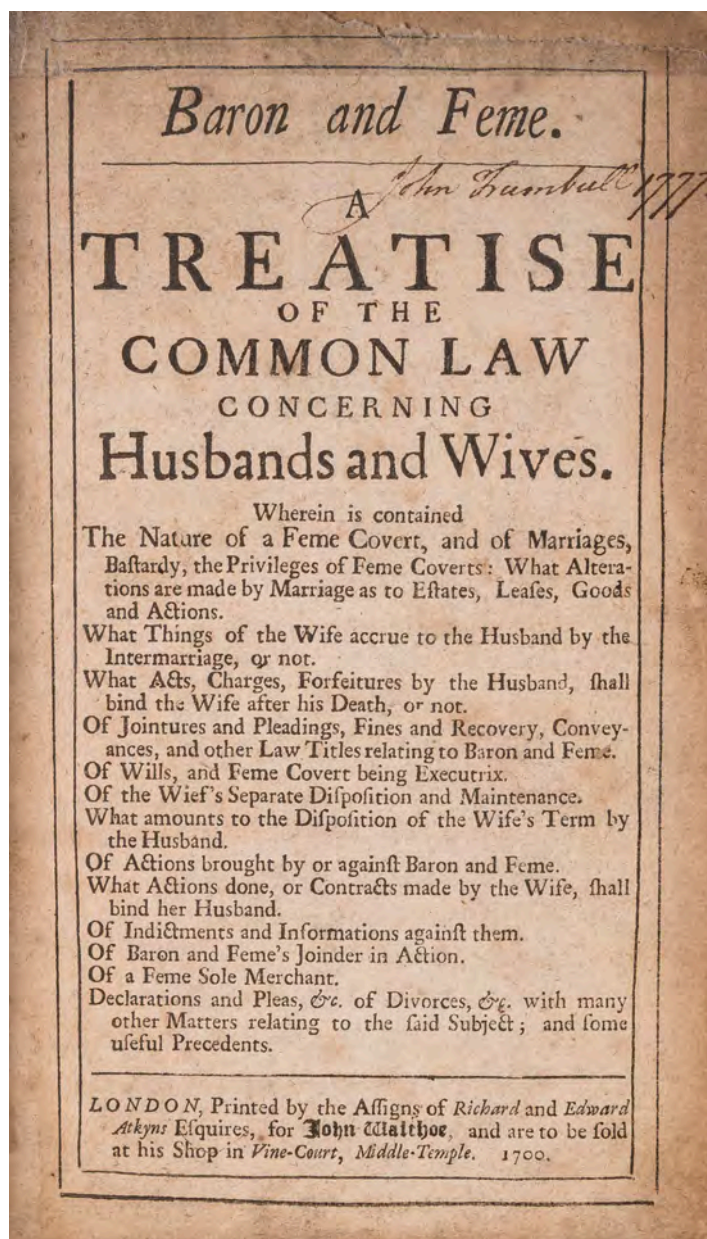
Contemporary sheep, rebacked in period-calf, blind rules to boards, raised bands, blind fillets and retained contemporary lettering piece to spine. Light rubbing and minor scratches and scuffs to boards, moderate rubbing to board edges, corners bumped and somewhat worn. Moderate toning to interior, light browning and faint dampspotting in places, staining to fore-edge of title page, "This book is good for nothing" in small early hand to head of title page. An attractive copy. \$1,750.

* First edition. Formerly attributed to George Petyt, *Lex Parliamentaria* is an early handbook on parliamentary procedure. It is notable for its strongly Whiggish ideology. Published shortly after the end of the Glorious Revolution--a period that witnessed the deposition of King James II, the passage of the Bill of Rights and the accession of his daughter and her husband as queen and king--it asserts Parliamentary supremacy and the inferiority of monarchs. It was highly regarded by the American Founding Fathers. Jefferson, for example, who owned a copy of this edition and often recommended this book to others.

Sowerby, *The Library of Thomas Jefferson* 2893. *English Short-Title Catalogue* R4908.



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First Edition of the Earliest English Treatise on Marriage Law With the Contemporary Signature of John Trumbull

4. [Marriage Law]. [Great Britain].

Baron and Feme: A Treatise of the Common Law Concerning Husbands and Wives... London: Printed by the Assigns of Richard and Edward Atkyns Esquires, for John Walthoe, And are to be Sold in his Shop in Vine-Court, Middle-Temple, 1700.

Octavo. (7" x 4-1/4"; 183 x 110 mm). [xxx], 380, [36] pp. Lacking the advertisement leaves (one facing title, four at end).

Contemporary sheep, sympathetically rebacked retaining original spine with raised bands and lettering-piece; boards with blind fillets. Moderate wear, corners rubbed; title and front free endpaper rehinged, small marginal repair to title. Moderate toning, occasional light damp-marking; a few minor marginal defects (including a small tear to L4).

Ownership inscription of John Trumbull, dated 1777, to title and following leaf. Housed in a quarter morocco clamshell case. A very good copy with notable early American legal provenance. \$7,500.

* First edition of the earliest English treatise devoted exclusively to the law of husband and wife, and one of the principal early attempts to systematize the common-law doctrine of coverture in a single, practical work. Issued in expanded editions (1719, 1738), it remained a point of reference for eighteenth-century practitioners and compilers.

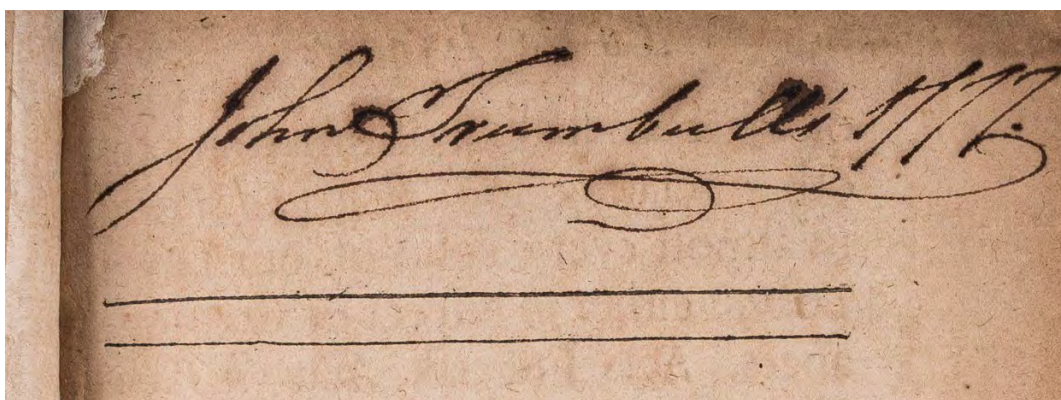
The treatise organizes the law of marriage as a coherent doctrinal field, proceeding from formation (solemnization and validity) through the incidents of coverture to dissolution and separation. Its treatment of the feme covert is comprehensive, addressing personal status, contractual incapacity, property rights, and procedural position. In contrast to earlier, more diffuse authorities, it offers a structured exposition designed for professional use, with attention to pleading, evidentiary questions, and precedent.

Of particular legal interest is its detailed account of the interaction between strict coverture doctrine and the equitable and customary devices that qualified it. The discussion of marriage settlements, trusts, and separate maintenance agreements documents the means by which property could be secured to or for the use of married women notwithstanding their formal incapacity at common law. In this respect the work is a key witness to the developing accommodation between common law and equity in the regulation of marital property.

The treatise also situates marriage within a wider legal framework, incorporating related topics such as bastardy and irregular unions, thereby reflecting the jurisdictional overlap between ecclesiastical, common-law, and equitable courts. Its scope and organization anticipate later eighteenth-century efforts to rationalize discrete areas of private law into systematic doctrinal categories.

The present copy's ownership by John Trumbull (1750-1831)-lawyer, State's Attorney for Hartford County, and later a judge of the Connecticut Supreme Court-illustrates the transatlantic reception of English matrimonial law. Works of this kind formed part of the working library of American practitioners, for whom the principles of coverture, as articulated here, remained authoritative well into the early national period.

Glover, *Engendering Legitimacy: Law, Property, and Early Eighteenth-Century Fiction* 74. Greenberg, "Introductory Note" in *Legal Treatises (Essential Works for the Study of Early Modern Women: Part 1)*, Volume 3. *English Short-Title Catalogue* R6177.



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1719 Compilation of New York Laws Printed in London by John Baskett

5. [New York].

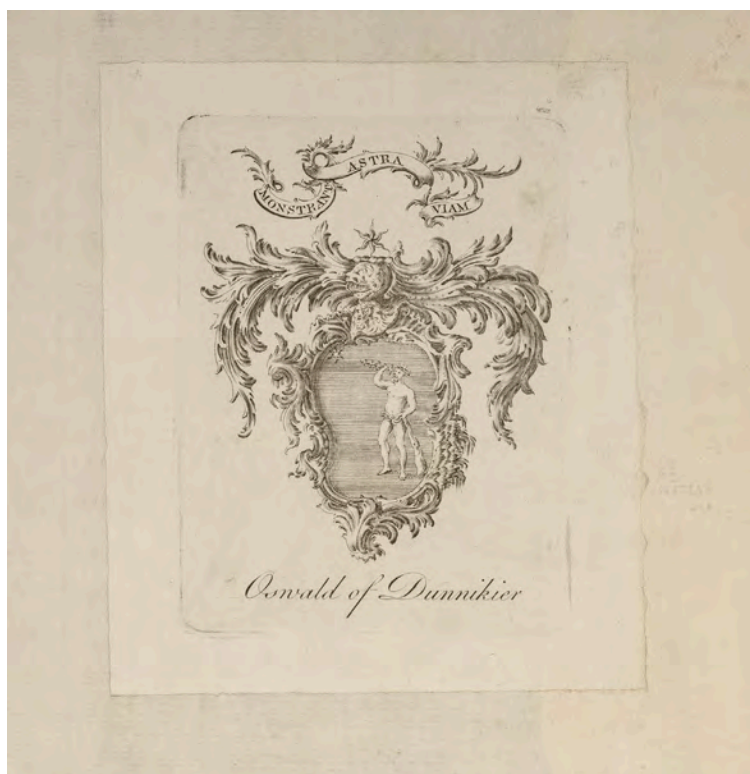
Acts of Assembly Passed in the Province of New-York, From 1691, To 1718. London: Printed for John Baskett, Printer to the Kings Most Excellent Majesty, 1719. xv, 292 pp. Folio (13-1/2" x 8-1/2").

Contemporary calf, rebacked, gilt rules to boards, extra gilt spine with raised bands and lettering piece, endleaves retained, hinges mended. Shallow scuffing to boards, some rubbing to extremities, corners bumped, hinges starting, early armorial bookplate of the Oswalds of Dunnikier, Fife to front pastedown. Light toning to text, somewhat heavier in places, light foxing to a few leaves, light soiling and faint spotting to title page, a tear near the gutter carefully repaired. A very handsome copy. \$3,000.

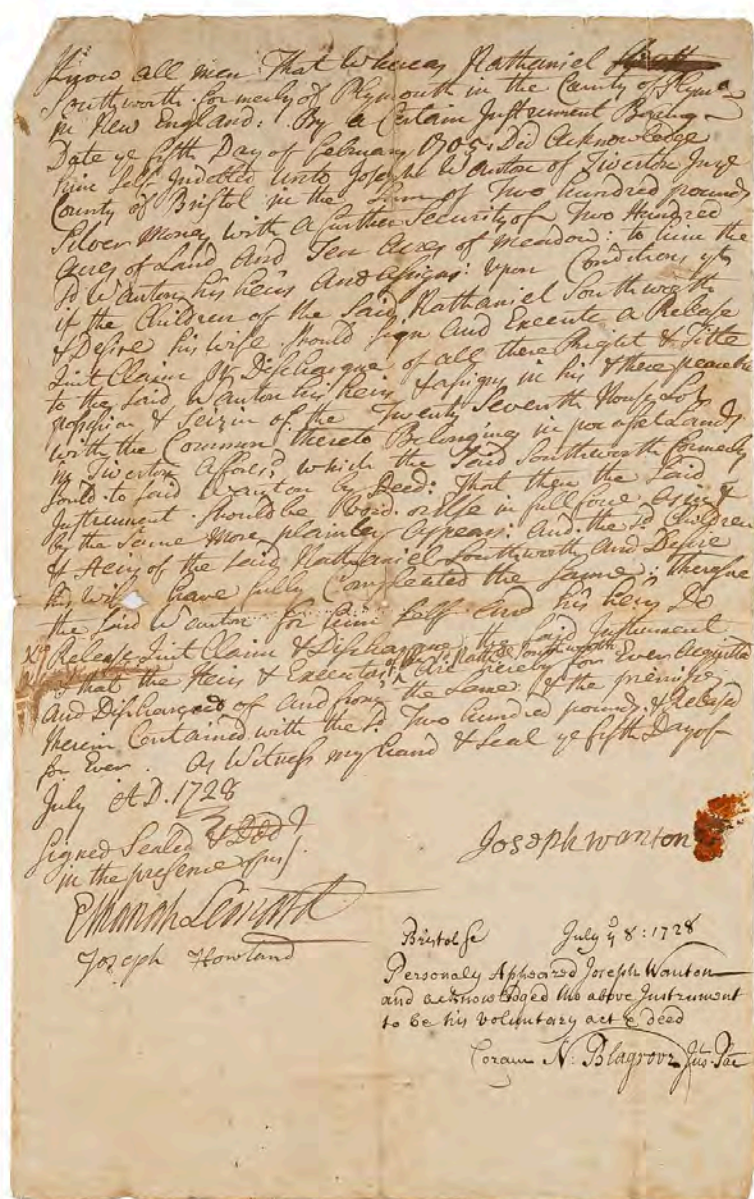
* Published the same year as William Bradford's compilation, this was the fourth codification of New York laws, preceded by three collections printed by William Bradford in 1694, 1710 and 1713. It comprises all the acts of the New York Assembly from 1691 through 1718, including many concerning trade and slaves, such as the 1709 "Act for Preventing the Conspiracy of Slaves." According to Rich, Baskett's edition was likely copied from Bradford's and "according to Trott, printed by order of the Lords Commissioners of Trade and Plantation." Titles of expired or repealed laws are included.

The Oswalds of Dunnikier, Fife were a politically connected family of Scottish merchants active in the Atlantic trade.

Rich, *Bibliotheca Americana Nova* 26. Tower, *The Charlemagne Tower Collection of Colonial Laws* 609. Benedict, *Acts and Laws of the Thirteen Original Colonies and States* 332.



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A Rhode Island Debt Settlement Signed by Future Governor Joseph Wanton, 1728

6. [Manuscript]. [Rhode Island]. Wanton, Joseph (1705-1780).

[*Autograph Legal Document Signed, Acknowledging Settlement of a Debt*]. Bristol, Rhode Island, July 5, 1728.

One manuscript leaf, approximately 12-1/4" x 7-1/2" (31.1 x 19.1 cm), written on one side and docketed on the verso, "Joseph Wanton's Release." Signed by Wanton, with a wax seal at the signature. Light browning, horizontal and vertical folds, and some separation along the fold lines; otherwise legible. A substantial and appealing early Rhode Island legal manuscript. \$950.

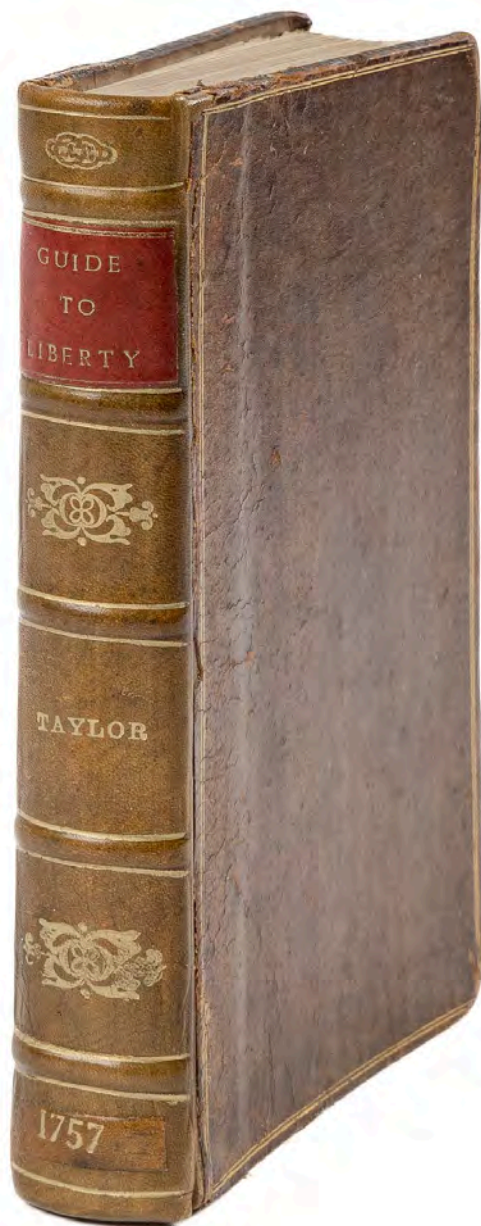
An early financial and legal document signed by Joseph Wanton, then a young Rhode Island merchant, acknowledging the settlement of a debt owed by Nathaniel Southworth, Jr., through the transfer of land and money. Dated at Bristol in 1728, the document records a private transaction involving the conveyance of real property and monetary consideration, illustrating the use of land transfers to discharge debts in colonial New England.

Wanton would later become one of the most prominent political figures in colonial Rhode Island. Elected governor in 1769, he served through 1775, during the increasingly contentious years preceding the American Revolution. He was also an original corporator and trustee of the College in the English Colony of Rhode Island and Providence Plantations, founded in 1764 and subsequently known as Brown University. This document, executed more than three decades before those achievements, offers an early glimpse of Wanton's commercial and legal affairs.

A desirable signed document connecting an important Rhode Island colonial official with the everyday workings of eighteenth-century debt settlement, property conveyance, and regional commerce.



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The Blueprint for 1776: Lord Somers' 1757 Compendium of the Rights of Englishmen

7. [Somers, John Somers, Baron (1651-1716)].

[Lewis, John, Editor, Author of *The Sequel of Advice to Posterity*].

A Guide to the Knowledge of the Rights and Privileges of Englishmen. Containing, I. Magna Charta, with Remarks Thereon; II. The Bishops Curses; III. The Habeas Corpus Act; IV. The Bill of Rights; And, V. The Act of Settlement: With an Exhortation to the Christian and Independent Clergy, The Gentry, Freeholders, And Other Electors of Members to Serve in Parliament. To Which is Added, The Security of Englishmens Lives: Or, The Trust, Power, And Duty of the Grand Juries of England. Published in Consequence of the Recommendation of the Author of, Advice to Posterity, In his Sequel Thereof. With a Short Prefatory Address to the Public by the Editor. London: Printed for J. Scott, 1757. ix, [1], 254 pp. Includes one-page publisher list, errata slip tipped onto verso of title page. 12mo. (6-1/2" x 4"; 16.5 x 10 cm).

Contemporary speckled calf, gilt rules to boards, rebacked in period style with gilt-edged raised bands, a red leather title label ("Guide to Liberty") to spine, and a secondary compartment mislabeled "Taylor" in gilt; blind tooling to board edges, edges of text block speckled red, endpapers retained. Light rubbing and a few small scuffs to boards, faint dampstain to rear board, moderate rubbing to board edges, corners bumped, hinges mended. Very light toning to interior, eighteenth or nineteenth-century owner signature ("W.C. Grove") to title page, otherwise internally clean. A very good copy with a fresh interior. \$1,750.

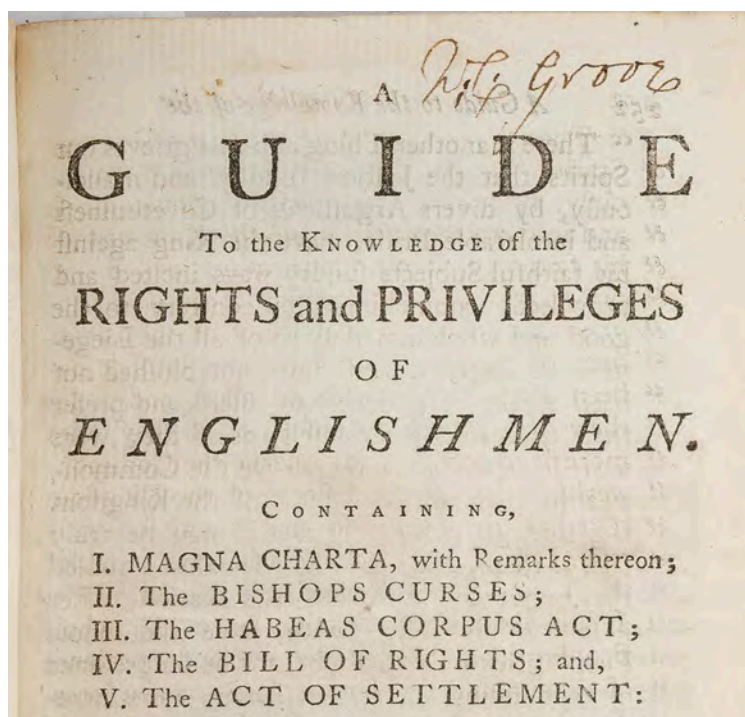
* First edition (of this anonymously edited imprint). Attributed to John Lord Somers, a chief architect of the English Bill of Rights, and edited by John Lewis, this work is a definitive compendium of the foundational documents of British liberty and serves as a powerful 18th-century manual for civic independence and legal protection. It includes Somers' landmark treatise on the "Trust, Power, and Duty of the Grand Juries of England." This text remains a seminal work of legal thought, arguing that the grand jury is the primary barrier against "false accusers" and arbitrary state power.

Attributed sometimes to John Dunton and Daniel Defoe, it went through numerous editions and includes the full text and commentary on Magna Charta, the Habeas Corpus Act, the Bill of Rights, and the Act of Settlement. This work served as a foundational "legal toolkit" for the American Revolutionary generation. While printed in London, its contents, specifically those attributed to Lord Somers, provided the intellectual and legal justification for colonial resistance.

Somers was viewed by Thomas Jefferson and John Adams as the "Oracle" of Whig ideology. The included treatise, *The Security of Englishmen's Lives*, was central to the American concept of the Grand Jury. By empowering juries to block "malicious and oppressive prosecution," Somers' principles enabled colonial juries to refuse to indict fellow patriots, effectively neutralizing British law years before 1776.

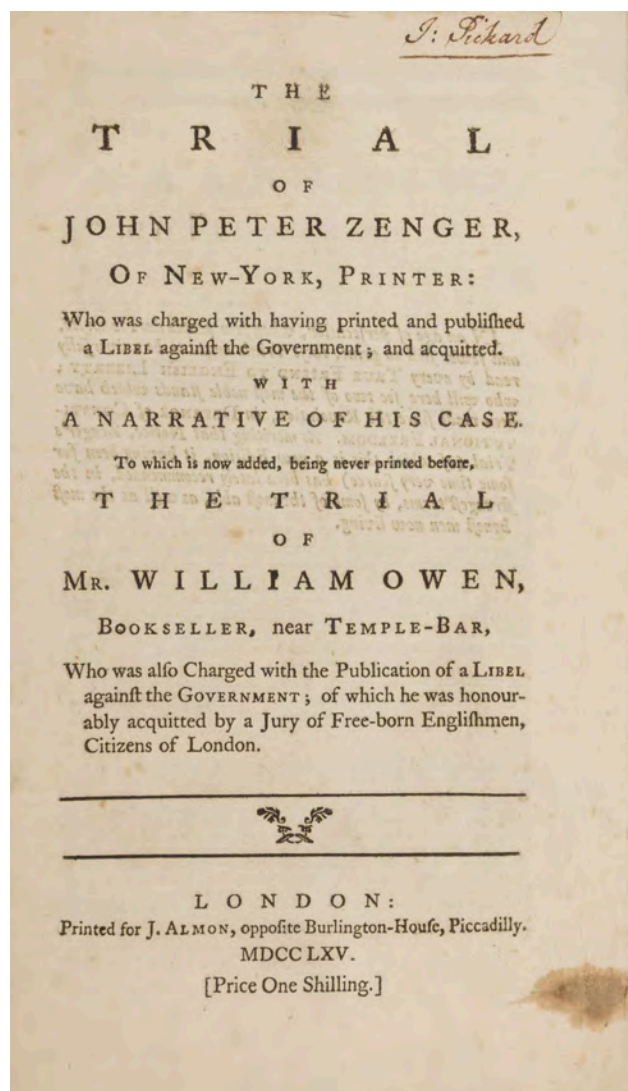
The documents contained here are the direct ancestors of the U.S. Bill of Rights. From the right to petition to protections against excessive bail, the American Founders essentially "re-adopted" these 1689 principles into the U.S. Constitution.

English Short-Title Catalogue T61073.



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A Landmark in the History of Freedom of the Press:

The First Edition to Unite Two Landmark Anglo-American Press Trials, Zenger and Owen (1765)

8. [Trial].

Zenger, John Peter, Defendant.

Owen, William, Defendant.

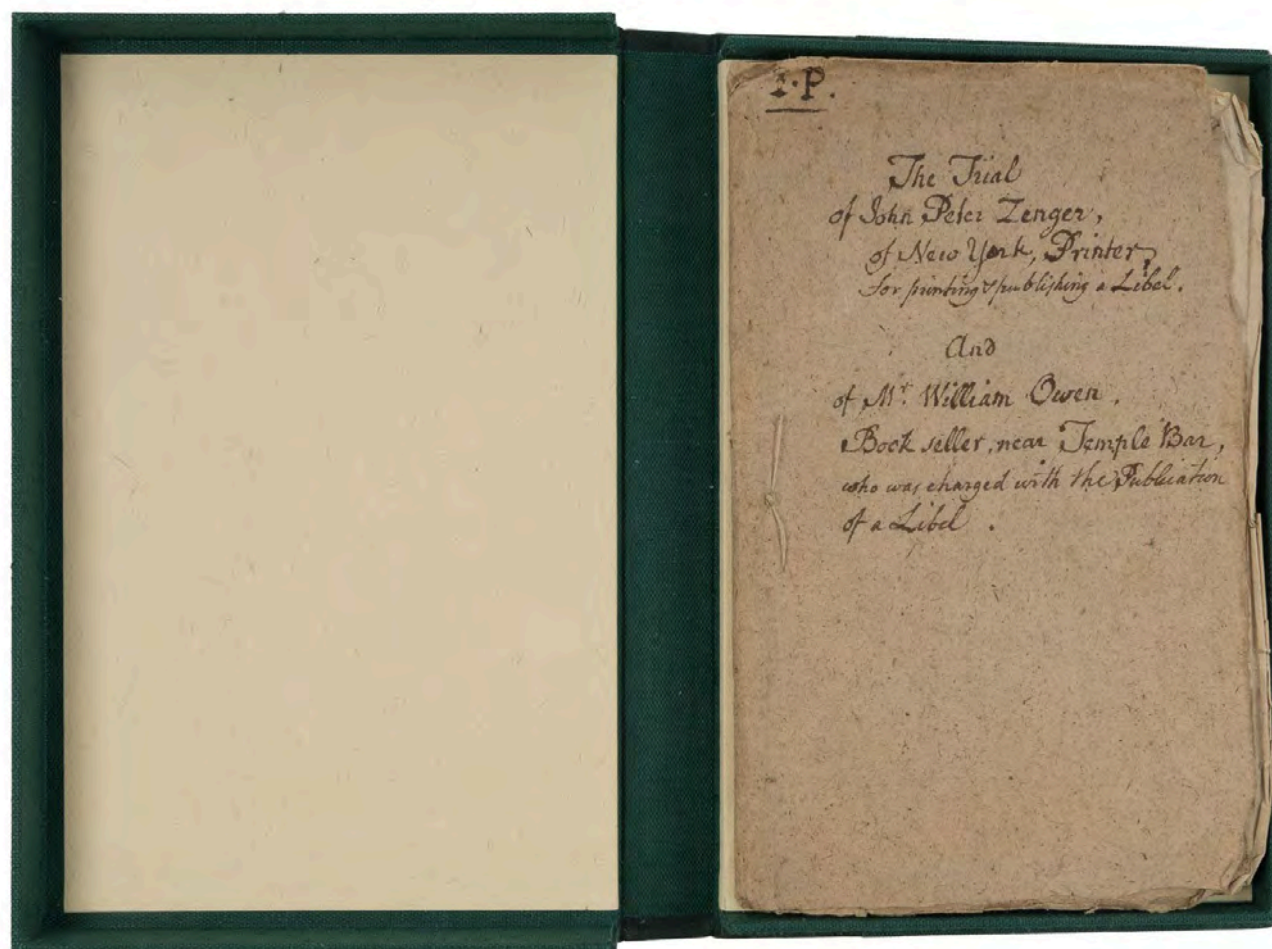
The Trial of John Peter Zenger, Of New-York, Printer: Who Was Charged with Having Printed and Published a Libel Against the Government; And Acquitted. With a Narrative of His Case. To Which is Now Added, Being Never Printed Before, The Trial of Mr. William Owen, Bookseller, Near Temple Bar, Who Was Also Charged with the Publication of a Libel Against the Government; Of Which He was Honourably Acquitted by a Jury of Free-Born Englishmen, Citizens of London. London: Printed for J. Almon, Opposite Burlington-House, Piccadilly, 1765. 59, [1] pp. (final page publisher's advertisement).

Octavo (9" x 5-1/2"; 22.9 x 14 cm). Contemporary stab-stitched plain paper wrappers, title in an elegant contemporary manuscript hand to front wrapper, edges untrimmed. Light toning, minor dust-soiling to wrappers, otherwise a crisp, very good copy. Early ownership signature ("J. Pickard") to upper margin of title page. An appealing, unsophisticated copy preserved in a custom dark green morocco and cloth clamshell box. \$5,000.

* First Almon edition, and the first edition to combine the celebrated 1735 trial of John Peter Zenger, a landmark in the development of freedom of the press in America, with the 1752 London libel trial of bookseller William Owen. Prosecuted for printing criticism of New York's royal governor, William Cosby, Zenger was defended by Andrew Hamilton of Philadelphia, who argued that truth should constitute a defense against libel. Although the court rejected this argument, the jury acquitted Zenger, an influential assertion of the jury's independence in political prosecutions. First published in 1736, the account, generally attributed to James Alexander, became an enduring statement of resistance to arbitrary government and an important antecedent of the First Amendment. Owen was prosecuted for publishing *The Case of Alexander Murray*; his acquittal similarly demonstrated the power of juries in prosecutions for political libel. Issued by the prominent London opposition bookseller John Almon during the mounting imperial controversy of 1765, this edition brings together two notable Anglo-American trials illustrating the jury's role in protecting political expression.

An exceptional copy, rarely encountered in such an appealing, unrestored contemporary state, with an early ownership signature of "J. Pickard."

English Short-Title Catalogue T51691. McCoy, *Freedom of the Press* Z8. Sabin, *A Dictionary of Books Relating to America* 106311. Howes Z6.



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A Complete Set of Bacon's *Abridgment*, "Quite a Law Library in Itself"

9. Bacon, Mathew [fl. 1730].
[Gilbert, Sir Jeffrey (1674-1726)].
[Sayer, Joseph (fl. 1750)].
[Ruffhead, Owen (1723-1769)].

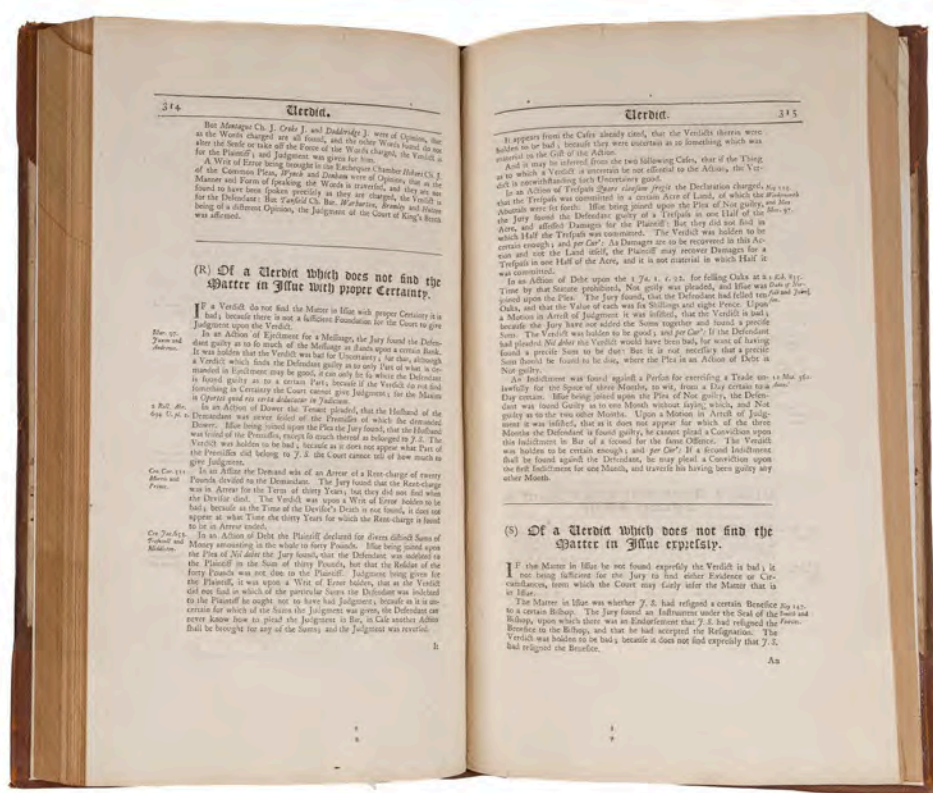
A New Abridgment of the Law. Corrected; With Many Additional Notes and References. London: Printed by his Majesty's Law-Printers, For J. Worrall and Co. [et al.], 1768-1770. 5 volumes (the fifth dated 1770). Complete set. Folio (14-1/4" x 7-3/4"; 36.2 x 19.70 cm).

Contemporary calf, rebounded, period-style spines with raised bands, lettering pieces and gilt ornaments, fillets, volume numbers and publication dates, corners of Volumes 1, 3, 4 and 5 restored, blind tooling to board edges, endpapers renewed. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities with light wear to spine ends, heavier rubbing to corners, which are bumped, hinges just starting at ends. Moderate toning, negligible light crinkling to heads of text blocks, light spotting and foxing in places, moderate staining to fore-margins of Volume 2, lower outside corner of leaf 5H (pp. 393-394) in Volume 4 lacking with no loss to text, minor worming to margins of Volume 5 in a few places, early owner signature (John Lane) to its title page. A very good set. \$2,500.

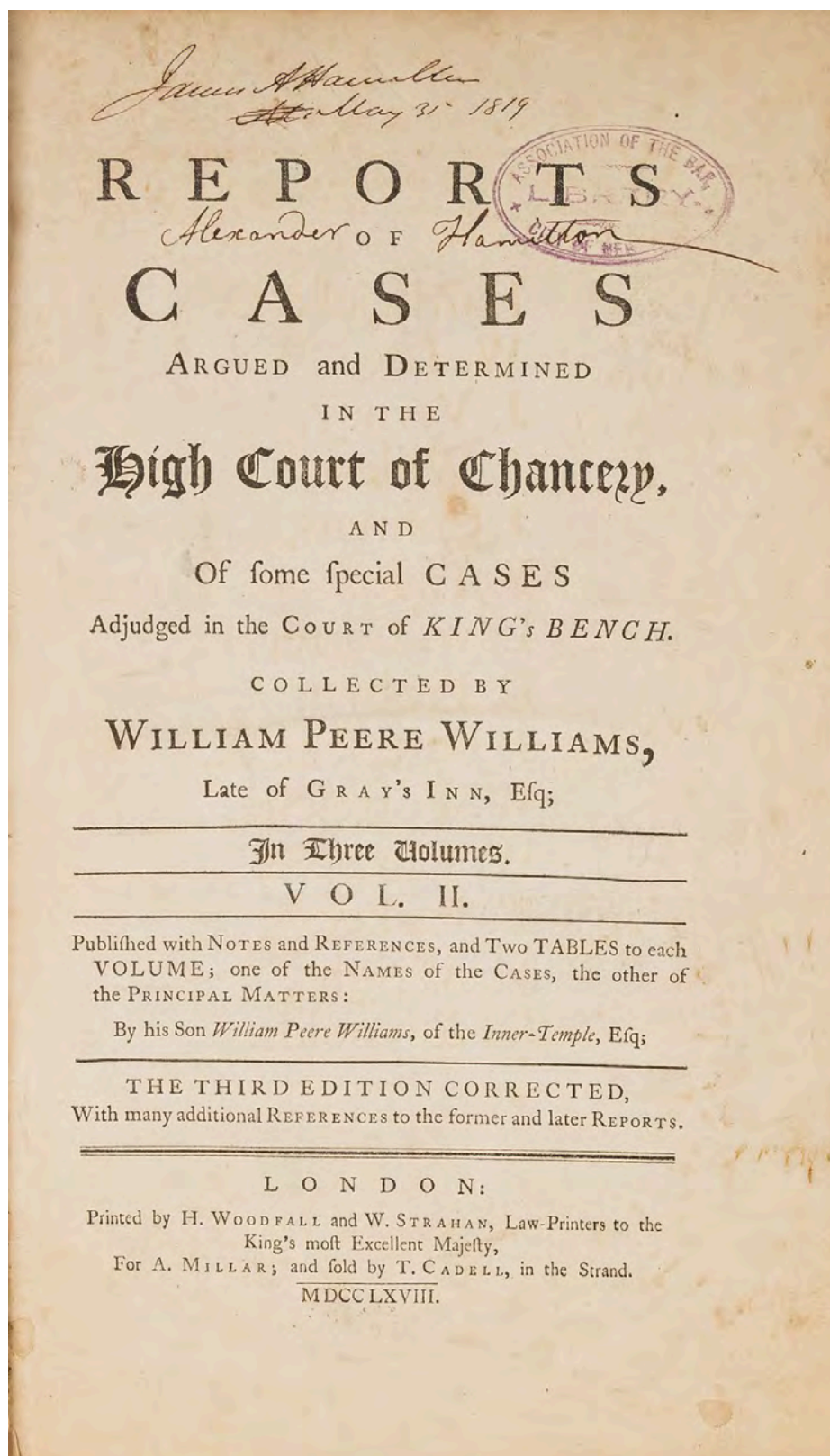
* Third edition. Bacon's *Abridgment* is a digest of cases and treatises written by Gilbert. It was popular among English and American practitioners into the early nineteenth century because its logical system of subdivisions within each title was a significant improvement over previous compendia. It was also considerably more comprehensive. As Marvin notes, it was "quite a law library in itself." Jefferson, who owned a copy of the fifth edition, saw it as the definitive statement of English law and the successor to the works of Bracton and Coke.

The *Abridgment* was compiled and mostly edited by Bacon. The first volume was published in 1736 and new volumes were issued until the work was interrupted by Bacon's death. (His last entry was "Sheriff.") The rest of the work was edited by Sayer and Ruffhead. It went through some seven English and two American editions, the latter edited by Bird Wilson and John Bouvier.

Marvin, *Legal Bibliography* 85. Sowerby, *Catalogue of the Library of Thomas Jefferson* 1792 (citing the fifth edition). *English Short-Title Catalogue* N5624.



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From the Law Library of Alexander Hamilton, Signed by Him and Two of His Sons

10. Hamilton, Alexander (1757-1804); Hamilton, James Alexander (1788-1878); Hamilton, Philip (1802-1884), Former Owners. Williams, William Peere (1664-1736), Reporter.

Reports of Cases Argued and Determined in the High Court of Chancery, And of Some Special Cases Adjudged in the Court of King's Bench. London: Printed by H. Woodfall and W. Strahan for A. Millar; and sold by T. Cadell, 1768. Third edition. Volume II only (of three). [viii], 755, [75] pp. Folio (12" x 7-1/2"). Modern tan library cloth, red and black leather lettering pieces to spine, renewed endpapers, cloth hinges. Some external soiling, lettering pieces chipped and worn. Moderate toning, occasional light foxing, a few partial cracks to text block, all leaves secure. Small clean tear to fore-edge margin of pp. 731-732, not affecting text; imprimatur leaf starting at head. A very good copy internally. Alexander Hamilton's signature on title page, that of his son James Alexander Hamilton at head of title page, and that of his youngest son, Philip Hamilton, at head of p. 58. Ex-library, Association of the Bar of the City of New York, with its small ink stamp on title page and library marking crossing part of Hamilton's surname, which remains legible. Housed in a custom blue half-morocco clamshell case, spine gilt-lettered. **SOLD.**

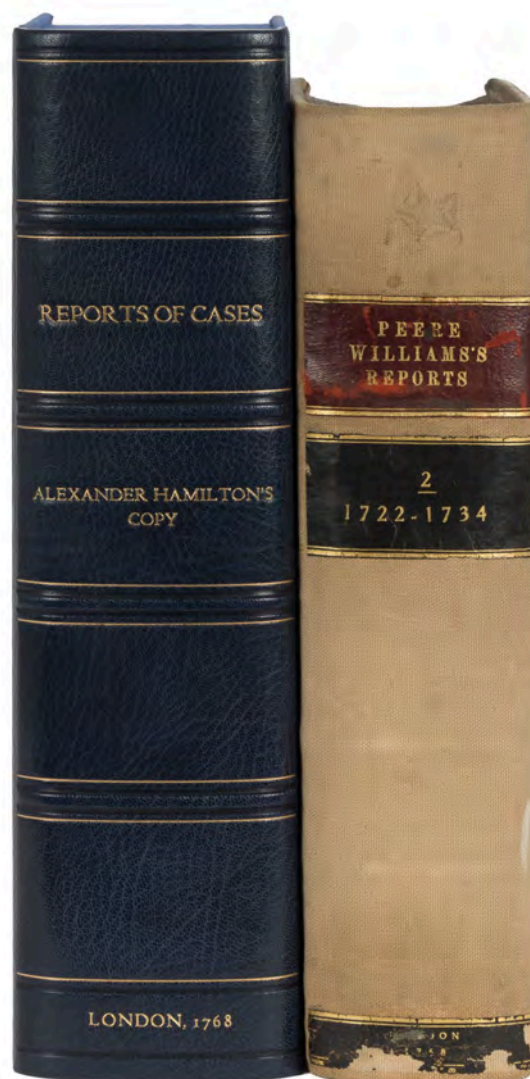
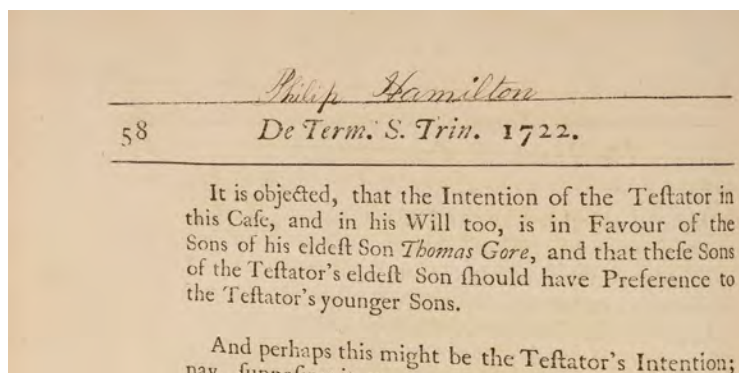
* An exceptional association copy from the law library of Alexander Hamilton, one of the principal architects of the American constitutional and financial systems, bearing his signature and those of two of his sons, both members of the New York bar. William Peere Williams's Reports, comprising cases decided principally in the High Court of Chancery, were among the most respected English collections of equity decisions available to eighteenth-century American lawyers. John William Wallace described them as "one of the most perspicuous, useful, and interesting repositories of equity law to be found in the language." Their importance extended beyond English jurisprudence: the principles of equity embodied in these reports informed American law concerning trusts, estates, fiduciary obligations, property, and commercial transactions. Hamilton, whose distinguished New York practice included substantial commercial and equity litigation, was familiar with Peere Williams's reports, which are cited in the documentary record of his legal practice.

Hamilton's ownership is established by his distinctive signature on the title page, written across the printed typography, with "Alexander" to the left and "Hamilton," terminating in a characteristic flourish, to the right of the word "of." This unusual placement recalls the manner in which Hamilton inscribed other volumes from his library. The present copy is further distinguished by the signatures of two of his sons: James Alexander Hamilton (1788-1878), who served as acting Secretary of State under Andrew Jackson and United States Attorney for the Southern District of New York, and Philip Hamilton (1802-1884), the youngest of Hamilton's children, named for his eldest brother, who died following a duel in 1801. Philip also pursued a legal career and served as an assistant United States Attorney under James. Their signatures provide tangible evidence of the volume's association with successive members of the Hamilton family and suggest its continued place within the family's legal library.

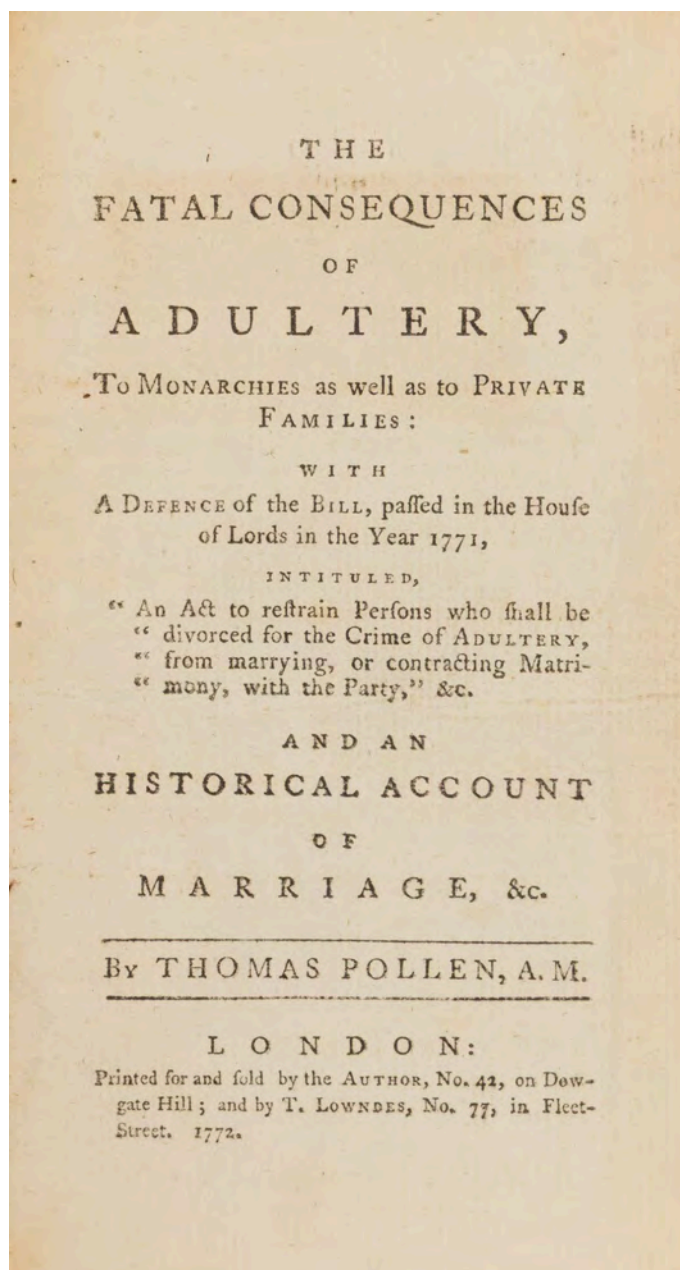
The association is especially resonant in light of Hamilton's contribution to the development of American commercial law. Following his service as the first Secretary of the Treasury, Hamilton resumed his New York practice, where questions of property, credit, contracts, and equitable remedies formed an important part of his professional work. The presence of his signature in a standard English equity reporter illustrates the continuing reliance of the early American bar upon English legal authorities, even as an independent American jurisprudence was taking shape. The additional signatures of James Alexander and Philip Hamilton give this volume an unusually intimate connection with the legal careers of Hamilton's family.

Books from Alexander Hamilton's personal law library are seldom encountered in commerce. The present volume is particularly desirable for its combination of a significant eighteenth-century legal text, Hamilton's distinctive ownership signature, and the signatures of two sons who followed him into the legal profession.

Wallace, *The Reporters* 498. Goebel, ed., *The Law Practice of Alexander Hamilton (LPAH)* I:343 (vide 862), II:118, 119, 147, 312, 313.



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Scarce Posthumous 1772 Sole Edition on Divorce and State Morality –
Written by the Colonial Rector of Newport, Rhode Island, from the Library of Herman Wm. Kapp

11. Pollen, Thomas (c. 1703-1768).

The Fatal Consequences of Adultery, To Monarchies as well as to Private Families: with A Defence [sic] of the Bill, passed in the House of Lords in the Year 1771, Intituled [sic] "An Act to restrain Persons who shall be divorced for the Crime of Adultery, from marrying, or contracting Matrimony, with the Party," &c. And an Historical Account of Marriage, &c. London: Printed for and sold by the Author, [i.e., the Author's Estate]; No. 42, on Dowgate Hill; and by T. Lowndes, No. 77, in Fleet-Street, 1772.

First and only edition. 12mo. 6-1/2" x 4-1/8" 198 x 121 mm. xi, [1], 287, [1] pp. with a half-title.

Contemporary tan calf, rebacked with a gilt-lettered spine with blind rules. New endpapers. Minimal toning to text block, minor intermittent foxing, corners gently bumped. With a handsome custom red morocco bookplate gilt-stamped "From The Books of Herman Wm. Kapp" affixed to the front pastedown. A clean, tight, and very good copy. \$2,000.

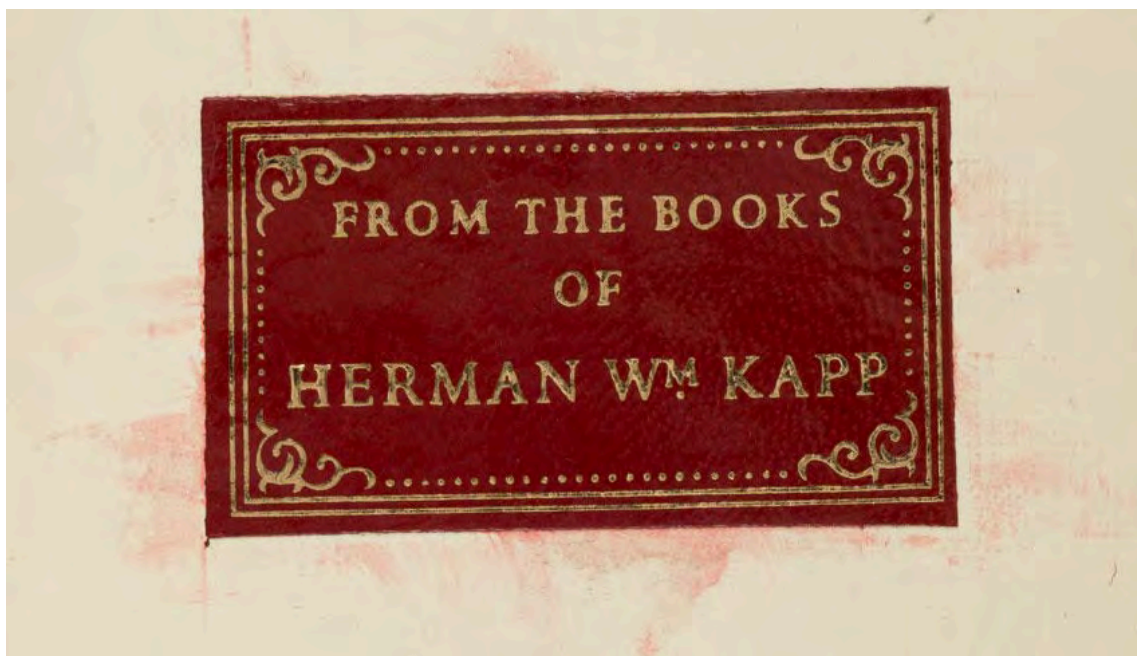
* A scarce, highly polemical work published during a period of intense public anxiety over high-profile aristocratic divorce cases (such as the notorious Grosvenor case of 1770). Writing in defense of the failed Marital Restraints Bill of 1771, which sought to legally ban divorced, adulterous parties from marrying their lovers, Pollen argues that the strict subjugation of women to their husbands is vital to the role of government as a preserver of social mores.

Pollen was an Oxford-educated cleric who served from 1754 to 1760 as the missionary rector of Trinity Church in Newport, Rhode Island, under the auspices of the Society for the Propagation of the Gospel in Foreign Parts (SPG). A prominent colonial intellectual, he famously collaborated directly with Benjamin Franklin on a plan to establish a local school for free and enslaved Black children.

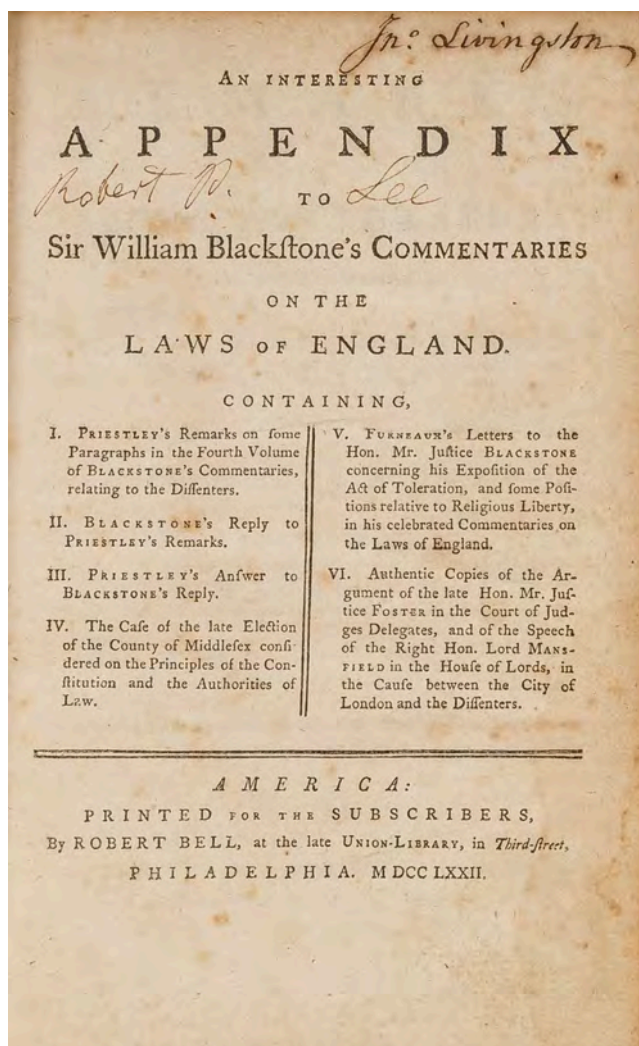
This 1772 printing represents the definitive, sole edition of the text; no subsequent reprints were ever published. General trade distribution was handled by John Oliver (c. 1702-1775), official printer to the Society for Promoting Christian Knowledge (SPCK).

This copy boasts a distinguished provenance, having once belonged to the library of Herman Wm. Kapp, a highly regarded bibliophile and a prominent member of the venerable Grolier Club.

OCLC locates 1 copy in a U.S. law library at UC Berkeley. *English Short Title Catalogue* T112995.



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The "Palladium of Conscience": Robert Bell's Colonial American Collection on Religious Liberty and Constitutional Rights

12. Priestley, Joseph [1733-1804].
Blackstone, Sir William [1723-1780].
Furneaux, Philip [1726-1783].
Foster, Sir Michael [1689-1763].
Murray, William, Earl of Mansfield (1705-1793)].

An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters. II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County of Middlesex Considered on the Principles of the Constitution and the Authorities of Law. V. Furneaux's Letters to the Hon. Mr. Justice Blackstone Concerning his Exposition of the Act of Toleration, And Some Positions Relative to Religious Liberty, in his Celebrated Commentaries on the Laws of England. VI. Authentic Copies of the Argument of the Late Hon. Mr. Justice Foster in the Court of Judges Delegates, And of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters. [Philadelphia]: Printed for the Subscribers, By Robert Bell, 1772 [-1773].

Americana: Law and Legal History, 1682–1965 • October 27, 2026

Octavo (9" x 5-3/4"). [iv], iv, [5]-119, [1], xii, 155, [1] pp. Each section preceded by divisional title page, first section also preceded by general title page, title page of *Letters to the Honourable Mr. Justice Blackstone* dated 1773. Includes one-page publisher advertisement for Bell's 1773 printing of Ferguson's *Essay on the History of Civil Society* and a subscription for a second American edition of Blackstone's *Commentaries*.

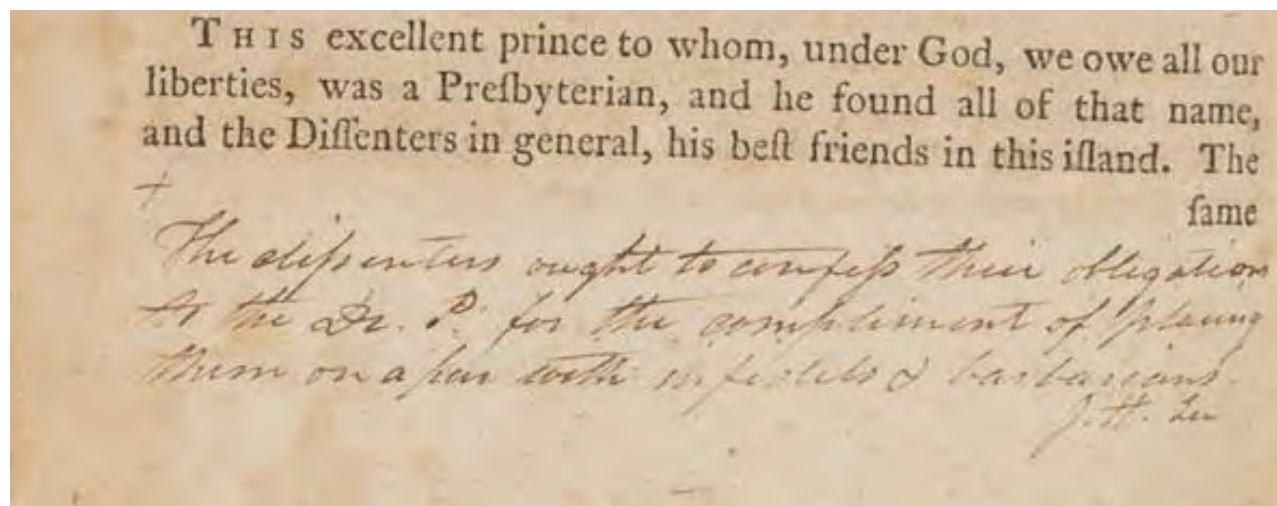
Period-style quarter calf over cloth, raised bands, lettering piece and blind ornaments to spine, endpapers renewed. Light rubbing to spine ends and corners, small recent owner bookplate to front free endpaper. Moderate toning, occasional light foxing, faint dampstaining to margins in places. Early owner verse inscription of William Raisbeck dated 1785 to front endleaf, early owner signatures, of Robert P. Lee (possibly Robert Perine Lee (1766-c.1845) and Jonathan Livingston, to title page, another Livingston signature to following leaf, annotations, presumably by Livingston, to a few leaves, annotations signed "J.H. Lee" or "Jo H. Lee" to several leaves. A desirable copy. \$1,750.

* An important colonial American collection of English legal and political writings concerning religious liberty, freedom of conscience, parliamentary representation, and constitutional rights. Published in Philadelphia on the eve of the Revolution by Robert Bell, who would issue the first American edition of Thomas Paine's *Common Sense* in 1776, it brings together Joseph Priestley's celebrated controversy with Blackstone over the legal disabilities of Protestant Dissenters, Philip Furneaux's defense of religious toleration, and the arguments of Sir Michael Foster and Lord Mansfield concerning the exclusion of Dissenters from public office. It also addresses the disputed Middlesex election involving John Wilkes, whose prosecution for seditious libel and exclusion from Parliament made him a symbol of resistance to arbitrary authority on both sides of the Atlantic. The collection illuminates the Anglo-American constitutional debates over religious and political liberty that preceded the American Revolution and anticipated principles later embodied in the First Amendment.

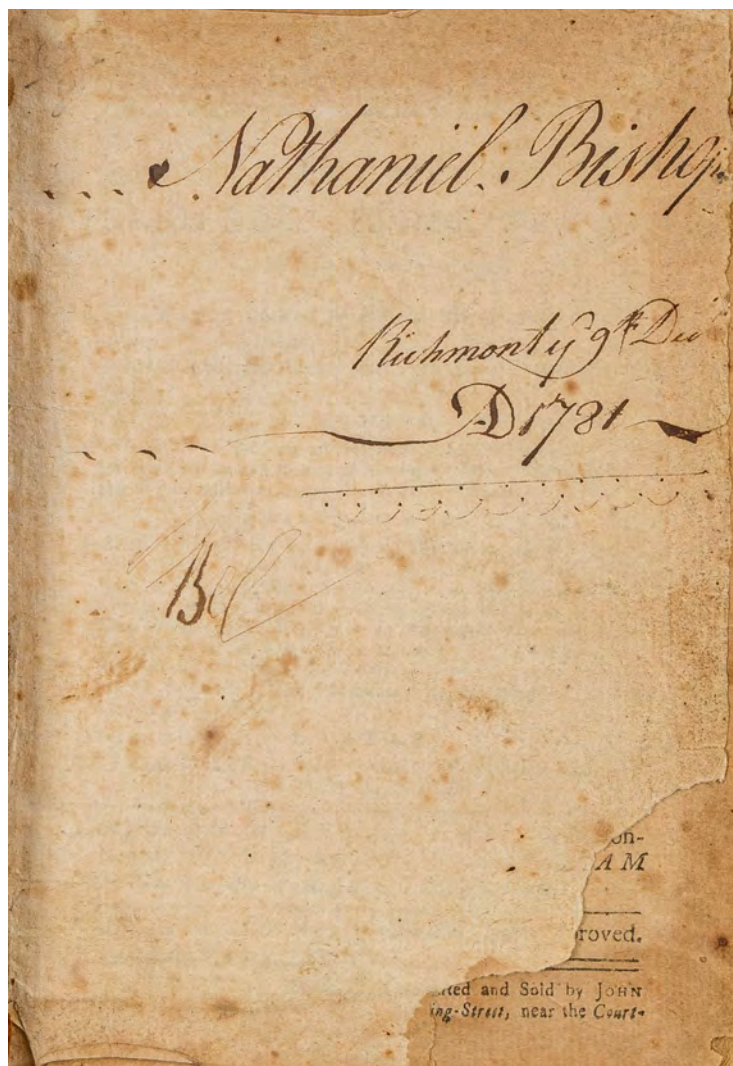
This copy is a bibliographical variant, with a general title page dated 1772 and a divisional title dated 1773; Laeuchli identifies five variants. It retains Bell's one-page advertisement for his 1773 edition of Ferguson's *Essay on the History of Civil Society* and a subscription notice for a second American edition of Blackstone's *Commentaries*.

The early ownership inscriptions and annotations provide evidence of the volume's use by successive readers. Particularly appealing is William Raisbeck's apparently youthful verse inscription, dated 1785: "William/ Raisbeck/ His Book/ god giv him grace for to Look/ and Under Stand Laerning is/ better then Hous or Land." Other early owners include Robert P. Lee and Jonathan Livingston, with manuscript annotations attributed to Livingston and signed by J.H. or Jo H. Lee.

Eller, *The William Blackstone Collection in the Yale Law Library* 255. Laeuchli, *A Bibliographical Catalog of William Blackstone* 615.



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A Landmark of American Constitutional Liberty, Owned by an Original Subscriber and Early Massachusetts Judge

13. [Care, Henry (1646-1688)].
N[elson], W[illiam] [b.1653], Editor.

English Liberties, Or The Free-Born Subject's Inheritance. Providence: Printed and Sold by John Carter, 1774. viii, 350, [6] pp. Includes six-page subscriber list. Octavo (7" x 4-3/4"; 17.8 x 12.1 cm).

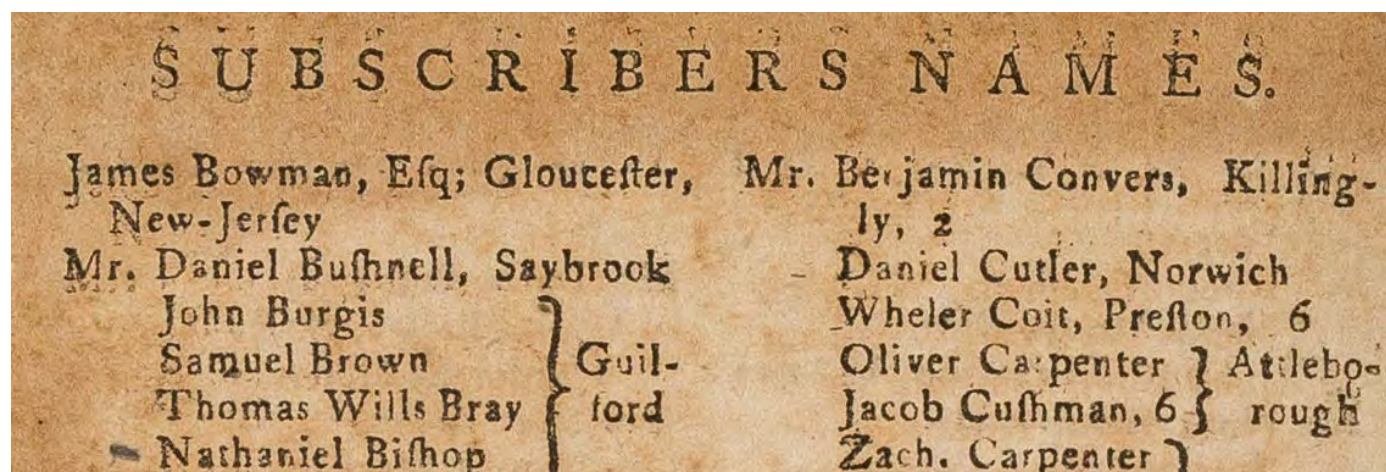
Contemporary sheep, raised bands to spine, blind tooling to board edges. Light rubbing and a few shallow scuffs and scratches to boards, faint early ink annotation to front board, moderate rubbing to extremities, front joint starting, rear joint cracked, chipping to spine ends, corners bumped and worn, hinges cracked (rear hinge before final text leaf). Faint offsetting to preliminaries, small tear and early ink annotation ("August 24th: 1796") to front pastedown. Contemporary ownership signature of Nathaniel Bishop [1757-1826], dated Richmond, Massachusetts, December 9, 1781, to front free endpaper, which is lightly edgeworn and lacks its lower outer corner. Moderate toning and light foxing to interior, printer's flaw to p. 93 with loss of text, light soiling and a few tiny spark burns to several leaves. A good, unsophisticated copy. Housed in a custom quarter morocco clamshell box. \$7,500.

* Second American edition of one of the most influential works on English constitutional liberty published in colonial America. Preceded by the Boston edition of 1721, this Providence edition appeared in 1774, the year of the First Continental Congress and the Intolerable Acts, and less than a year after the Boston Tea Party. A publisher's note states that the edition was "principally designed for America" and included "extracts from several late celebrated writers on the constitution" (p. vi). Its publication reflects the growing American demand for works defending constitutional rights against arbitrary government.

First published in England around 1680, *English Liberties* presents a Whig interpretation of English law and government, incorporating Magna Carta and other foundational constitutional documents. It places particular emphasis on trial by jury, the protection of individual liberties and the limitations of governmental power. One of the earliest legal works printed in colonial America, it became an important source of constitutional ideas for the Revolutionary generation. It was a principal source for William Penn's *Excellent Privilege of Liberty and Property* (1687), and its influence has been traced in the constitutional thought of George Mason and the development of American declarations of rights. Thomas Jefferson owned two copies, and the work's principles concerning individual liberty, due process and limitations on governmental authority anticipate provisions of the federal Bill of Rights.

An especially desirable copy with contemporary subscriber provenance and an important association with the early Massachusetts judiciary. The front free endpaper bears the ownership inscription of Nathaniel Bishop [1757-1826], dated Richmond, Massachusetts, December 9, 1781. Bishop, whose name appears among the subscribers to this edition as a resident of Guilford, Connecticut, settled in Richmond in 1777. He served for approximately thirty years as register of probate and justice of the peace, subsequently becoming a judge of the Court of Common Pleas (1795-1811) and Chief Justice of the Court of Sessions. He also served in the Massachusetts legislature. His ownership provides a particularly appropriate association for a work intended both as a defense of constitutional liberties and as a practical guide to English law, demonstrating its use by a member of the first generation of American jurists following independence.

Cone & Root, *Record of the Descendants of John Bishop* (1951) 40. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2702, 2703. Cohen, *Bibliography of Early American Law* 3416.



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A 1777 Robert Bell Philadelphia Imprint with Contemporary Annotations by a Loyalist Relating Shakespeare and Richardson to the American Revolution

14. Thomson, James [1700-1748].
[Murray, John (1726-1800)].

The Seasons: Containing, Spring. Summer. Autumn. Winter. With Poems on Several Occasions. To Which are Added, An Account of the Life and Writings of the Author. Philadelphia: Printed and sold by Robert Bell, 1777. [x], 251 (i.e. 253), [3] pp. Copperplate portrait frontispiece of Thomson. Text followed by 3 pp. of publisher advertisements. Octavo (7-1/4" x 4-1/2"; 18.6 x 11.5 cm).

Contemporary sheep, raised bands, blind fillets and blind-stamped "T" to spine. Light rubbing to boards, some shallow scuffing near edges, moderate rubbing to extremities, spine ends chipped, corners bumped and worn, hinges cracked. Toning and light foxing to interior. Later bookplate and shelf label of Amedeo Alaimo to front pastedown, later ink owner stamp of the Comte de Ludolf to foot of title page. Owner signatures of John Murray to pp. 3, 44 and 160, underlining, marks to margins and brief annotations in his hand throughout, brief annotations to pp. 75 and 76, longer annotations to recto and verso of rear endleaf, pencil annotation in Alaimo's hand to rear pastedown. Housed in a handsome dark blue quarter morocco clamshell case. A notable edition with a fascinating provenance. \$7,500.

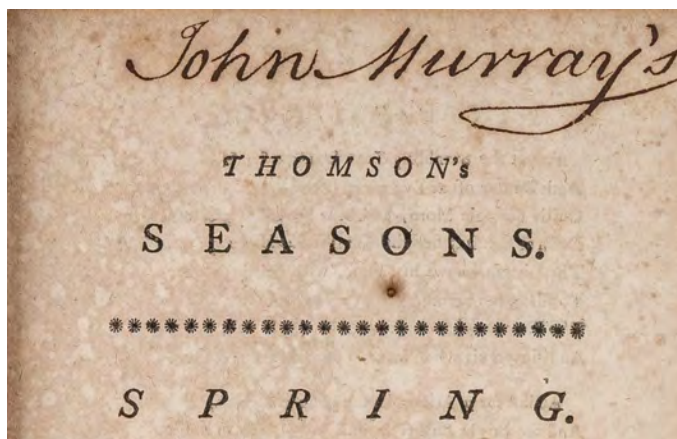
* First Philadelphia edition, and the first edition printed in the independent United States. Published in four parts from 1726 to 1730, *The Seasons*, a celebration of country life, was one of the most popular poems of the eighteenth century. It inspired several subsequent works, including Haydn's oratorio *The Seasons* and paintings by Gainsborough, Turner and Fuseli. The very rare first American edition was published without an imprint in 1764, most likely in Boston. Bell, the publisher of the second edition, specialized in inexpensive editions of important English books. One of these was the first American edition of Blackstone's *Commentaries*. He was also the first publisher of Thomas Paine's *Common Sense*.

Murray, the annotator of our copy, was a staunch Loyalist. A member of a landed Scottish family in Philiphaugh, and a Member of Parliament from the Scottish district of Lanark (Linlithgow) Burghs from 1754 to 1761, he had considerable landholdings in the Carolinas and Georgia. After suffering serious financial losses, he and his family moved to Georgia and establish a residence at his plantation near Savannah around 1769. Banished from Georgia in 1782 for his active opposition of the Revolution, Murray returned to Scotland with his family. He pursued Loyalist compensation claims with some success, but he could not restore his finances. Around 1785 the Murrays settled in Jamaica, where he owned a plantation.

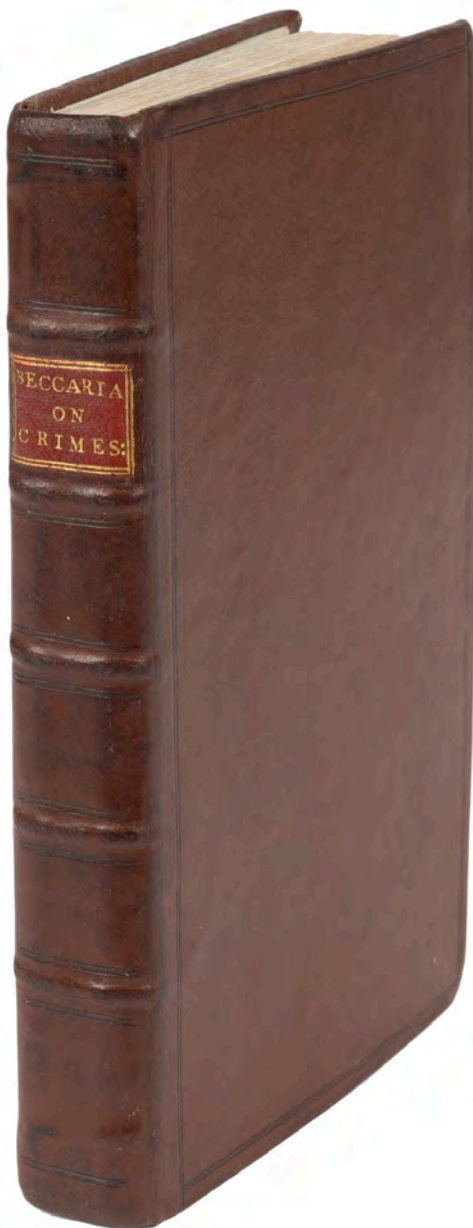
Murray's underlining and manuscript additions show his dismay and anxiety about the Revolution. The longest is a section of John of Gaunt's "This England" speech from Shakespeare's *Richard II*, which omits the concluding lament. It is cross-referenced with Thomson's lines on Britain: "At once the Wonder, Terror, and Delight, / Of distant Nations; whose remotest Shore/ Can soon be shaken by thy Naval Arm." Another substantial annotation draws parallels between Thomson's poem and a passage in Richardson's *Clarissa* that references a "potent invader" and a "self-circumscribed tyrant."

Our copy's curious later European provenance likely began with the sale of Murray possessions that preceded the family's move to Jamaica. A subsequent owner, the Comte de Ludolf, was one of a line of counts of Ludolf of the late-eighteenth and nineteenth centuries. Peers of the Holy Roman Empire, the Ludolfs served in the diplomatic corps of the Kingdom of Sicily, mostly at the Ottoman Porte. A later count of Ludolf, Emanuel [1823-1898], was the Austrian envoy to Paris, Holland, Spain, the Holy See and in Asia. He died in the north-Italian town of Vercelli in northern Italy, which may explain how the book ended in the hands of Amedeo Alaimo, a 19th-century Italian bibliophile, who added a few annotations to the book's rear pastedown.

Library Hub locates one copy of this imprint outside North America (National Library of Scotland). "Murray, John (1726-1800), of Philiphaugh, Selkirk," *The History of Parliament* (accessed online). "John Murray," Ancestry.Com, UK, *American Loyalist Claims, 1776-1835* (facsimiles of the manuscript documents held by the UK National Archives accessed through Ancestry.com). Hildeburn, *A Century of Printing: The Issues of the Press in Pennsylvania, 1685-1784* 3640. *English Short-Title Catalogue* W3007.



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Early American Edition of Beccaria in an Exceptional Period-Style Binding

15. Beccaria, [Cesare Bonesana, Marchese di] [1738-1794].

Voltaire [Arouet, François-Marie] [1694-1778].

Sharpe, Granville [1735-1813].

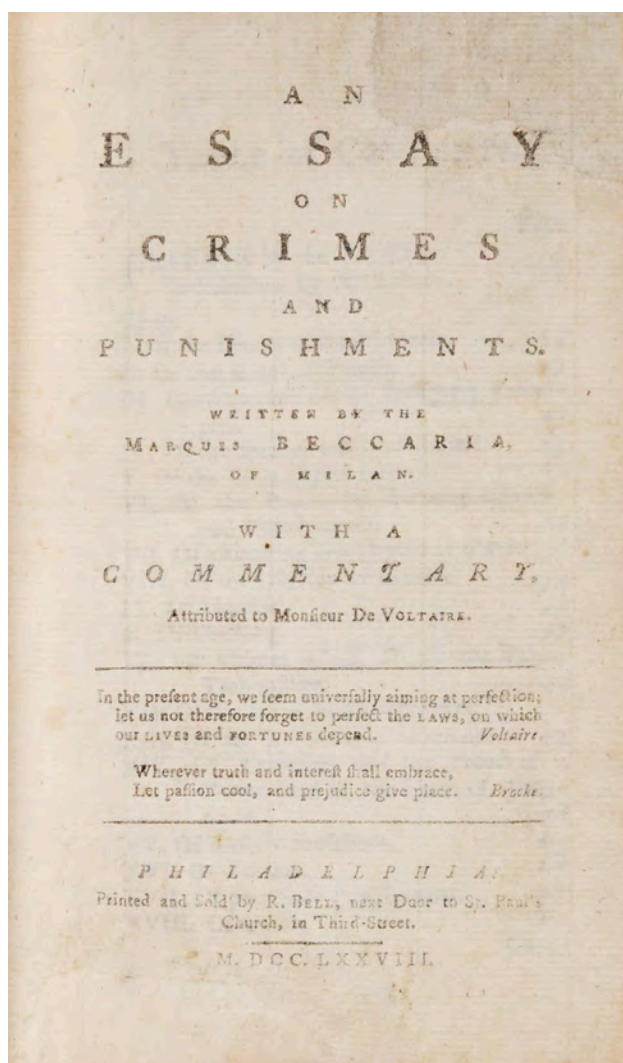
Rousseau, Jean-Jacques [1712-1778].

An Essay on Crimes and Punishments. Written by the Marquis Beccaria of Milan. With a Commentary Attributed to Monsieur De Voltaire. Philadelphia: Printed by R. Bell, 1778. [iv], 352, [4] pp. Includes one-page publisher list. Three works in one with continuous pagination. The second work, preceded by a half-title and title page, is Sharpe's *Remarks on the Opinions of Some of the Most Celebrated Writers on Crown Law, Respecting the Due Distinction Between Manslaughter and Murder*; the third, with a drop-head title, is J.J. Rousseau, *Citizen of Geneva, His Opinion on Duelling*. Octavo (7-1/2" x 4-1/2"; 19 x 11.45 cm).

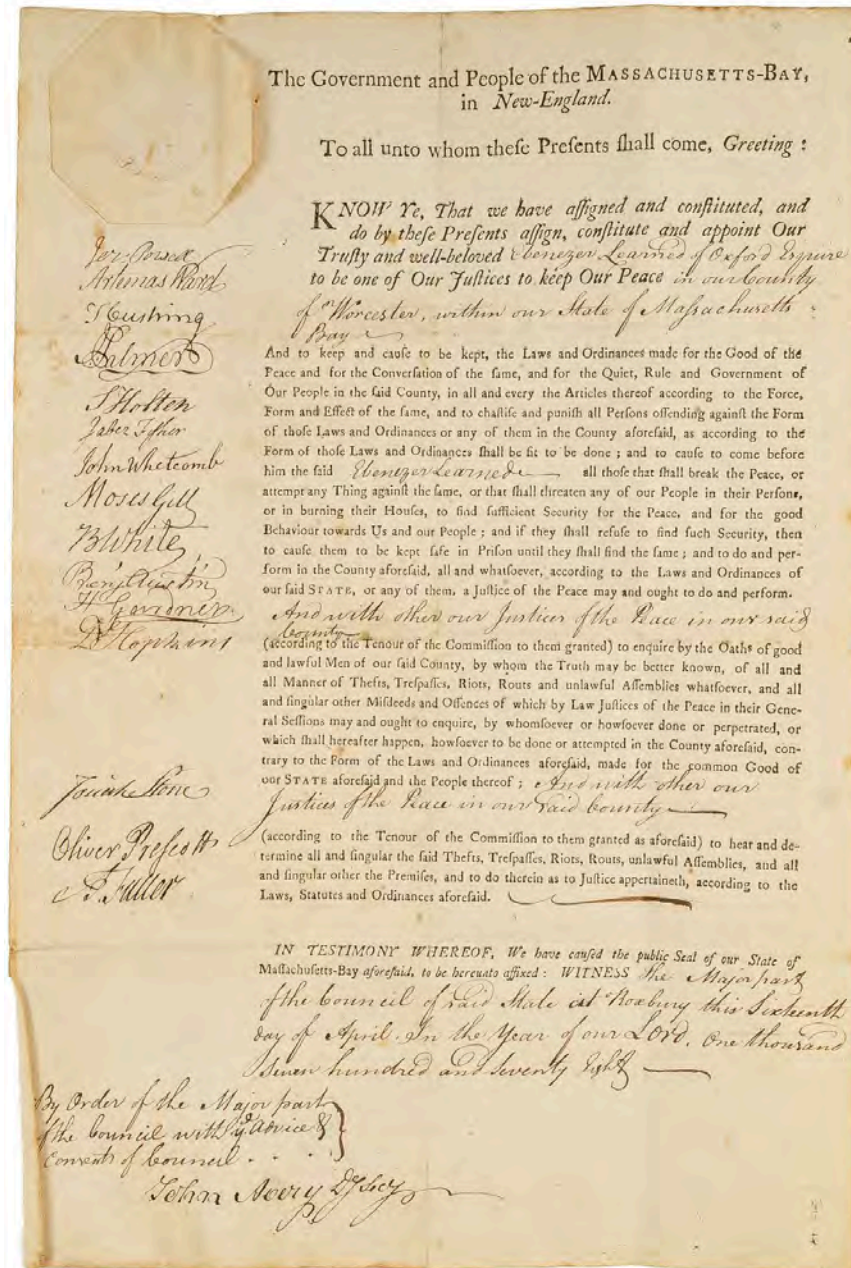
Superb period-style calf by Philip Dusel, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed, upper corner and chip to foot of title page restored, leaves washed. Light toning, slightly heavier in places, faint spotting to a few leaves. An exceptional copy. \$3,500.

* With a table of authorities and cases. *Dei Delitti e Delle Pene* (1764) was the first systematic study of the principles of crime and punishment. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the medieval era. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, who saw Beccaria as a source of enlightened ideas to reform English common law. Though the date of the true first edition has been debated, it is clear today that the first American edition was published in Charleston, SC, in 1777. What appeared to be earlier American imprints, including a 1773 New York imprint, have been ascertained to be ghosts.

Cohen, *Bibliography of Early American Law* 4233.



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A Revolutionary War Judicial Commission Appointing Saratoga General Ebenezer Learned,
Signed by Fifteen Members of the Massachusetts Council

16. [Massachusetts]. [Justices of the Peace].

The Government and People of the Massachusetts-Bay, In New-England. To All Unto Whom These Presents Shall Come, Greeting: Know Ye, That We Have Assigned and Constituted, And Do by These Presents Assign, Constitute and Appoint Our Trusty and Well-Beloved [Ebenezer Learned of Oxford Esquire] to be One of Our Justices to Keep Our Peace [In Our County of Worcester, Within Our State of Massachusetts Bay].... Roxbury, April 16, 1778.

Part-printed document, completed in manuscript, 15-3/4" x 10-1/2" (40 x 26.7 cm). Signed by fifteen members of the Massachusetts Council and John Avery, Jr., Deputy Secretary, with large embossed seal to upper right corner. Moderate toning, faint spotting, horizontal and vertical fold lines. A well-preserved document with distinguished Revolutionary War associations. \$4,500.

An important Revolutionary War judicial commission appointing Brigadier General Ebenezer Learned (1728-1801), a distinguished Continental Army officer and veteran of the Saratoga campaign, a justice of the peace for Worcester County. Issued during the transition from British colonial rule to independent statehood, it bears the signatures of fifteen members of the Massachusetts Council, the governing body exercising executive authority before the adoption of the Massachusetts Constitution of 1780. An evocative document of the establishment of republican government and the administration of justice during the American Revolution.

Following the collapse of royal authority in Massachusetts in 1774, the colony established a provisional government operating under a modified version of its colonial charter. From 1775 until the adoption of the state constitution in 1780, executive authority was exercised by a Council elected by the House of Representatives, without a royal governor. The appointment of justices of the peace was an essential function of this government, ensuring the continuity of local judicial administration during the Revolutionary War. Issued in the name of "The Government and People of the Massachusetts-Bay," this commission illustrates the transfer of political and judicial authority from the Crown to the representatives of the people, a fundamental development in the constitutional history of the American Revolution.

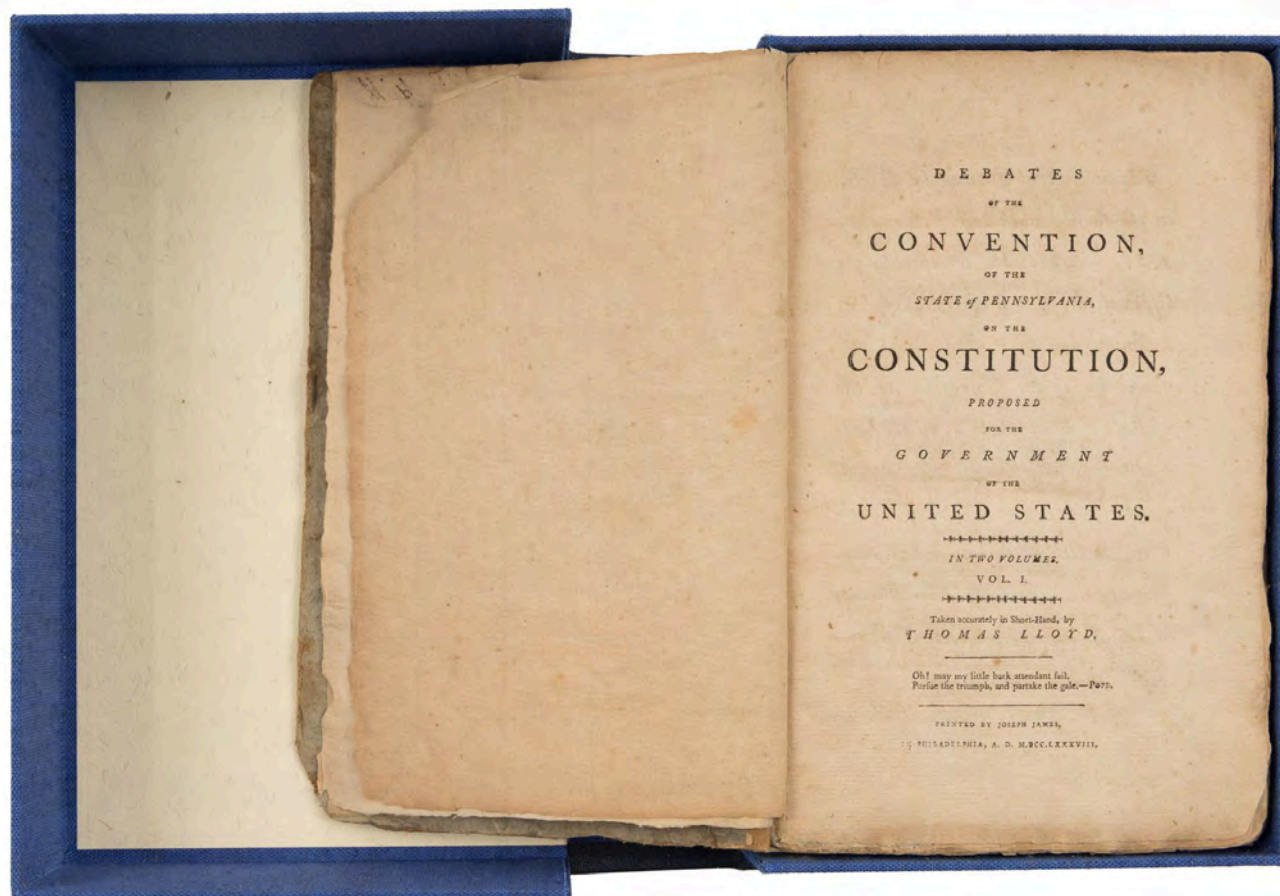
The recipient, Ebenezer Learned, was a veteran of the French and Indian War who commanded Massachusetts troops during the opening stages of the Revolution. Following the battles of Lexington and Concord, he marched his regiment to Cambridge and subsequently participated in the Siege of Boston. Promoted to brigadier general in the Continental Army, he commanded a brigade under Major General Horatio Gates during the Saratoga campaign of 1777, which culminated in the surrender of British General John Burgoyne. The American victory at Saratoga was a decisive turning point in the Revolutionary War and helped secure the French alliance. Learned resigned his Continental Army commission in March 1778 because of ill health. His appointment to the Worcester County magistracy the following month documents his transition from military command to civil office and illustrates the continuing role of Revolutionary officers in the administration of government and justice. He subsequently participated in Massachusetts public affairs, served in the state legislature, and supported the established government during Shays' Rebellion.

Of particular significance are the signatures of fifteen members of the Massachusetts Council, including Artemas Ward (1727-1800), Thomas Cushing III (1725-1788), and Oliver Prescott (1731-1804). Ward, a major general in the Continental Army, commanded the Massachusetts forces assembled outside Boston following Lexington and Concord and held overall command before George Washington's arrival in July 1775. He later served in the United States House of Representatives. Cushing, a prominent merchant and Revolutionary statesman, represented Massachusetts in the First and Second Continental Congresses and subsequently became the Commonwealth's first lieutenant governor. Prescott, a physician and major general of the Massachusetts militia, was active in the political and military affairs of Revolutionary Massachusetts. The commission was also signed by John Avery, Jr. (1739-1806), Deputy Secretary, who became the first Secretary of the Commonwealth under the Massachusetts Constitution of 1780 and held that office until his death.

An unusually compelling association of Revolutionary military history and the development of American civil government, this commission documents the exercise of judicial authority by Massachusetts's provisional republican government at a critical moment in the struggle for independence. Its distinguished recipient, substantial group of Revolutionary-era signatures, and direct connection to the establishment of civil justice under an independent government make it a significant primary document of early American constitutional and legal history.

Schultz, *Legislators of the Massachusetts General Court, 1691-1780* (accessed online).

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**The Pennsylvania Ratification Debates of 1787:
James Wilson's Landmark Defense of the United States Constitution**

17. Lloyd, Thomas, (1756-1827), Reporter.

Debates of the Convention of the State of Pennsylvania, On the Constitution, Proposed for the Government of the United States. In Two Volumes. Vol. I [all published]. Philadelphia: Printed by Joseph James, 1788.

First edition, with the 1788 title page and corrected pagination on pp. 21-24. Octavo (8-1/2" x 5-1/2"; 21.6 x 14 cm). 147, [1, blank], [4] pp. Complete with terminal index and errata leaf. Original boards, professionally rebaked in period style, edges untrimmed. Moderate rubbing to boards and wear to corners, moderate toning and occasional light foxing to text, a few early ink marginal annotations, later pencil references to index, minor wear to endleaves. Contemporary ownership signature of "R.E. Griffith" to front flyleaf. Housed in a handsome custom quarter blue morocco clamshell box with raised bands and gilt-lettered spine. \$25,000.

* First edition of one of the most important contemporary records of the debates over ratification of the United States Constitution, preserving the celebrated speeches of James Wilson and Thomas McKean before the Pennsylvania ratifying convention in November and December 1787. Recorded in shorthand by Thomas Lloyd, an accomplished pioneer of American stenography, the volume also contains an early printing of the proposed Constitution. Pennsylvania, the second state to ratify, was a crucial battleground in the struggle for adoption of the new federal government.

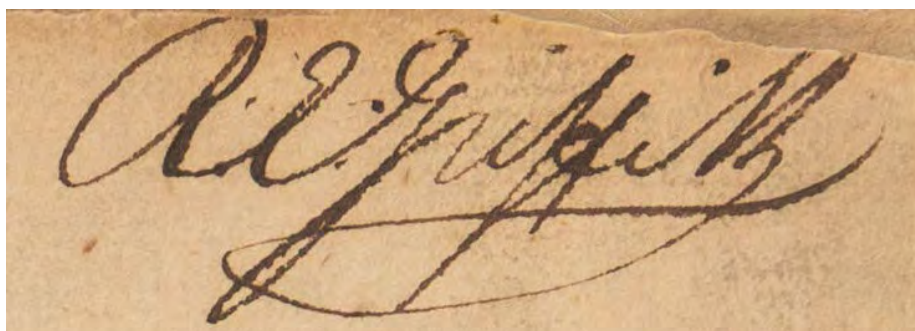
Wilson, a principal architect of the Constitution and later an Associate Justice of the United States Supreme Court, delivered an influential defense of the proposed federal system. His speeches addressed popular sovereignty, the division of federal and state powers, executive authority, representation and the protection of individual liberties. Together with *The Federalist*, these debates constitute an indispensable contemporary source for understanding the constitutional principles advanced by the advocates of ratification.

Although the title page announces two volumes, only the first was published. The projected second volume, intended to preserve the arguments of opponents of ratification, never appeared. Contemporary Anti-Federalists accused their opponents of suppressing publication of their speeches, and subsequent historical accounts have described Federalist efforts to prevent publication of the opposing arguments. Consequently, Lloyd's record preserves predominantly the speeches of Wilson and McKean, making it both an important constitutional document and a revealing example of the political struggle over the public presentation of the ratification debates.

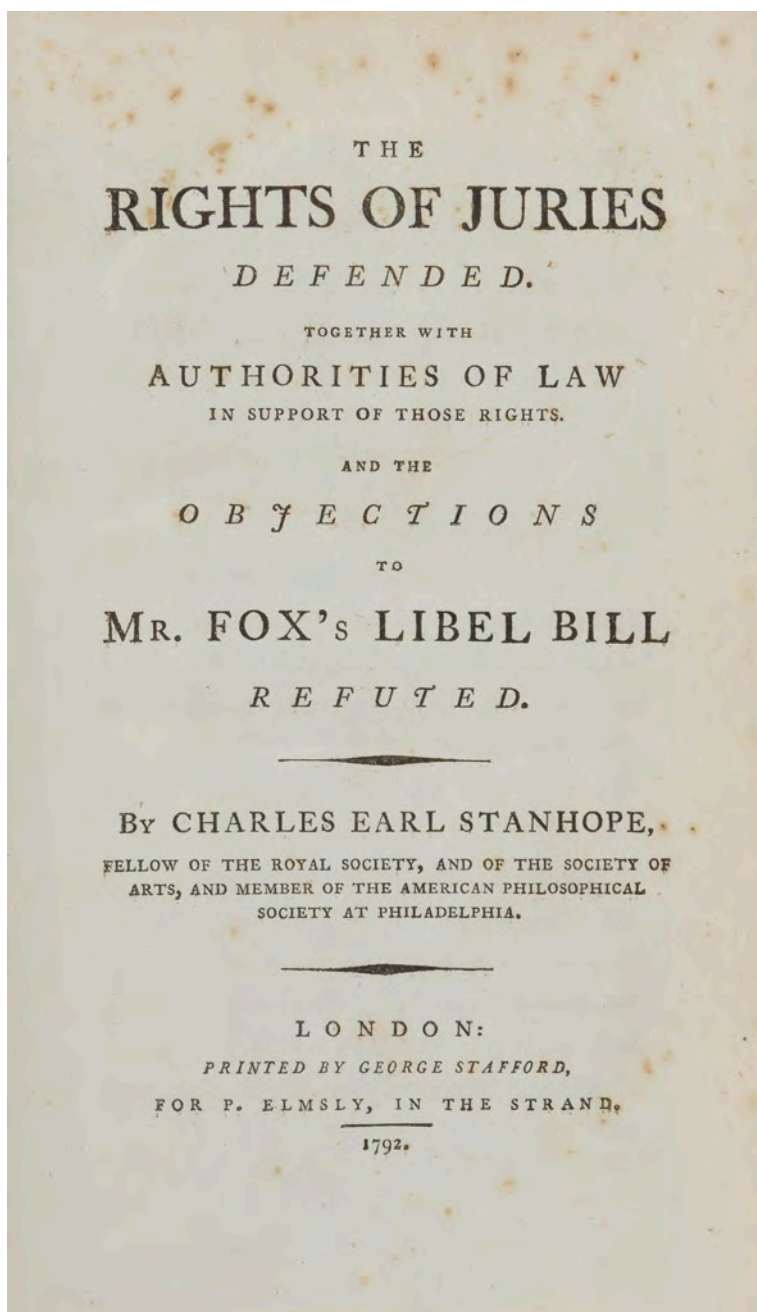
An especially appealing copy with contemporary Philadelphia mercantile provenance. The ownership signature of "R.E. Griffith" is attributable to Robert Eglesfeld Griffith [1756-1833], a prominent Philadelphia merchant associated with Nicklin & Griffith and the Society of St. George. Griffith belonged to the city's influential commercial community, whose interests in interstate commerce, public credit and economic stability were closely connected to the constitutional questions under debate. His ownership provides a noteworthy contemporary association between the ratification controversy and Philadelphia's mercantile elite.

Bibliographical note: Howes records an issue dated 1787, but no copy has been located. As noted by Freeman's in its catalogue of June 30, 2026, the debates extend to December 11, 1787, Lloyd's certification on the verso of the title page is dated December 29, and contemporary newspaper advertisements announce publication on February 4, 1788. This evidence strongly suggests that the supposed 1787 issue is a bibliographical ghost and that the 1788 printing is the first edition.

Sabin, *Dictionary of Books Relating to America* 60040. Evans, *American Bibliography* 21365. Cohen, *Bibliography of Early American Law* 2884.



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Two Cornerstones of English Liberty

18. Stanhope, Charles, Earl [1753-1816].

The Rights of Juries Defended, Together with Authorities of Law in Support of Those Rights. And the Objections to Mr. Fox's Libel Bill Refuted. London: Printed by George Stafford, For P. Elmsly, 1792.

Octavo. [iv], 164 pp. Complete with half-title. (8-1/2" x 5-1/4"; 21.6 x 13.3 cm). Modern full paneled tan calf, spines with two contrasting gilt-lettered morocco labels. Armorial bookplate of Hugh Cecil, Earl of Lonsdale, to the front pastedown. Interior leaves crisp and clean. A very good, handsomely bound copy. \$1,500.

* First and only edition of this spirited defense of British civil liberties, carrying profound transatlantic legal significance. Published at the absolute peak of state panic surrounding the French Revolution, this pivotal tract addresses the acute threats posed to trial by jury and freedom of the press by contemporary seditious libel prosecutions. Written specifically to support Charles James Fox's historic Libel Bill of 1792, Stanhope directly challenges the judicial status quo of the era, wherein crown-appointed judges reserved the right to determine whether a text was legally libelous-leaving juries with the hollow task of merely confirming the physical fact of publication. Stanhope heavily relies on Thomas Erskine's landmark defense of William Shipley (the Dean of St. Asaph) to argue that a jury must possess the power to return a general verdict on the whole matter at issue.

This core legal argument-that juries have the right to determine both the law and the facts-shared a direct philosophical bond with the American Founding generation. During the Early Republic, American legal architects heavily integrated these exact English common-law defense models into the fabric of the Sixth Amendment and early state constitutions. Furthermore, the author himself was highly regarded across the Atlantic; as a Member of Parliament, Stanhope had fiercely opposed Great Britain's war against the American Colonies, cementing his reputation as a staunch ally to the nascent United States. His enduring impact on American intellectual life was formally recognized later in life when he was elected a member of the American Antiquarian Society in 1816.

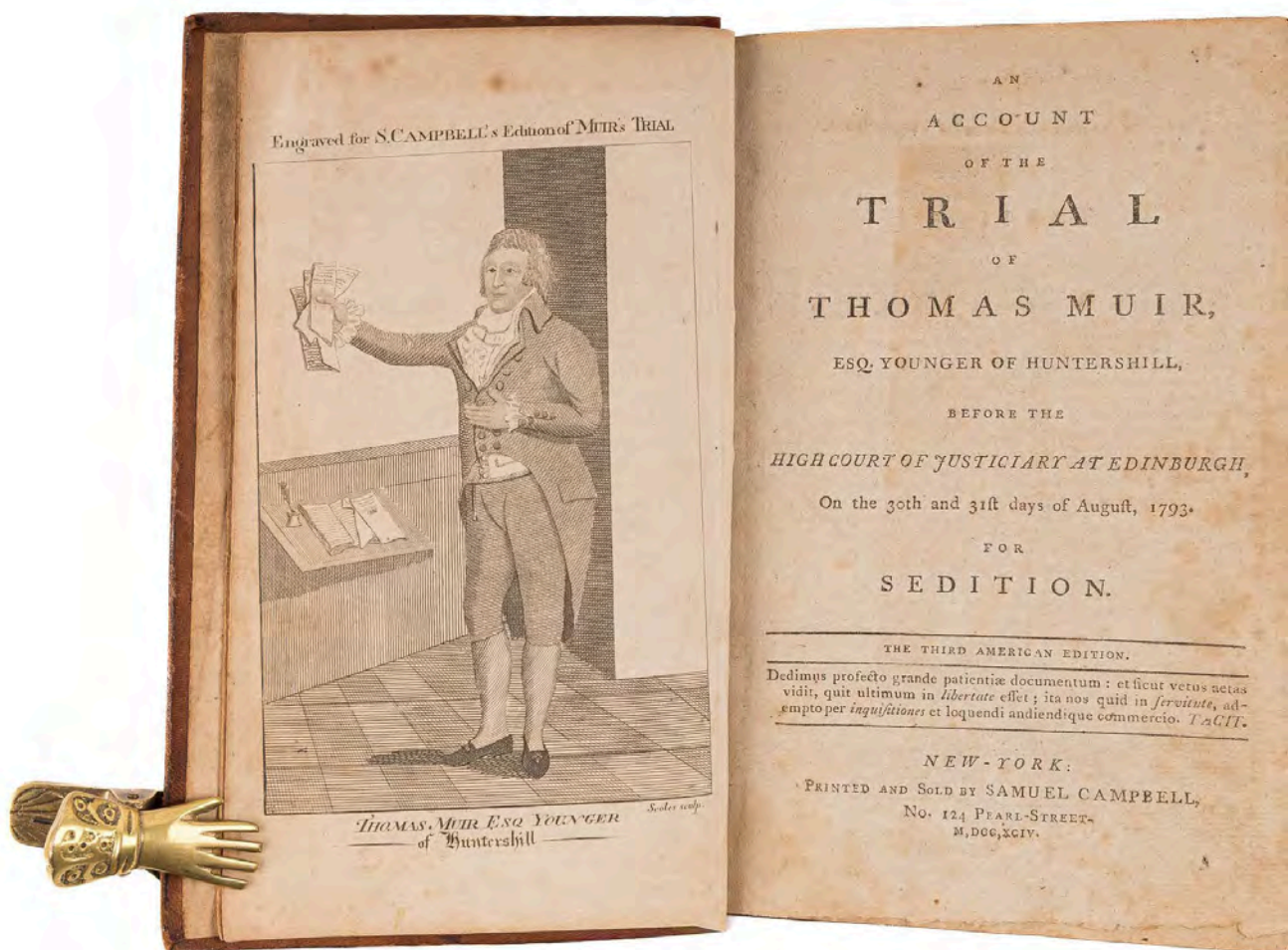
By advocating for a legal shift that foreshadowed both England's dramatic 1794 Treason Trials and the codification of American jury protections, Stanhope's work stands as a monument to shared Anglo-American liberty.

This copy boasts a distinguished provenance, bearing the armorial bookplate of Hugh Lowther, 5th Earl of Lonsdale (1857-1944), the iconic "Yellow Earl" and famed British sportsman whose magnificent library was housed at Lowther Castle.

English Short-Title Catalogue T140652.



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New York Editions of Two Trials of "Scottish Martyrs" Owned by a Scottish Immigrant Who Became a Successful Businessman and an Important Figure in New York State Politics

19. [Trials].

Muir, Thomas [1765-1798], Defendant.

An Account of the Trial of Thomas Muir, Esq. Younger, Of Huntershill, Before the High Court of Justiciary at Edinburgh, On the 30th and 31st Days of August, 1793, For Sedition. New York: Printed and Sold by Samuel Campbell, No. 124 Pearl-Street, 1794. [iv], 110 pp. With an engraved frontispiece of Muir.

[Bound with]

Gerrald, Joseph [1763-1796], Defendant.

The Trial of Joseph Gerrald, Delegate from the London Corresponding Society, To the British Convention. Before the High Court of Justiciary at Edinburgh, On the 3d, 10th, 13th, And 14th of March, 1794. For Sedition. Taken in Short-Hand by Mr. Ramsey. New York: Printed and Sold by Samuel Campbell, No. 124, Pearl-Street, 1794. 207, [1] pp. With a frontispiece portrait of Gerrald.

Together 2 titles in 1 volume. Octavo (8-1/4" x 5"; 20.8 x 12.5 cm). Contemporary sheep treated to resemble tree-calf, gilt fillets and lettering piece to spine, blind tooling to board edges. Moderate rubbing to exterior, slight chipping to spine ends, corners bumped, later bookplate of Duncan McMartin to front pastedown, early owner signature of Archibald McIntyre to front free endpaper. Moderate toning to interior, occasional light foxing. A very good copy in a well-preserved, unsophisticated binding. \$1,500.

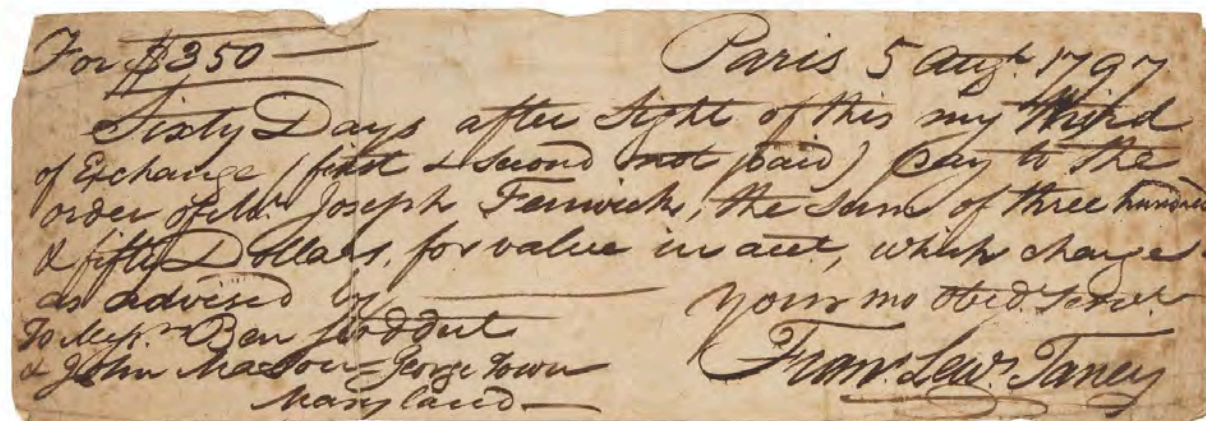
* Third and first American editions, respectively. Scotsmen Thomas Muir, an advocate, and Joseph Gerrald, a political activist, were ardent supporters of the American and French Revolutions and a proponent of comprehensive parliamentary reform in Great Britain. Both men were involved with the London Corresponding Society, which was targeted alongside other groups during a wave of prosecutions by Pitt's government after the French Revolution. In 1793, five men were tried for sedition in highly politicized proceedings, among them Muir and Gerrald. The trials predictably resulted in guilty verdicts. Muir and Gerrald were both sentenced to fourteen years' transportation to the Australian penal colony of Botany Bay. Gerrald died there in 1796; Muir managed to escape, but his health was ruined as a result and he died in 1798. The five activists tried between 1793 and 1794 are often referred to as the "Scottish Martyrs."

One of the owners of our copy appears to have been Archibald McIntyre [1772-1858], a Scottish immigrant to New York who became a successful businessman and an important figure in state politics. He served as an assemblyman, deputy secretary of state, and ultimately state comptroller from 1806-1821.

Muir: Cohen, *Bibliography of Early American Law* 13353. Ferguson, *Bibliography of Australia* 190. Gerrald: Not in Cohen. See Ferguson 179 (Edinburgh edition).



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A Surviving Original Counterpart of the Bill of Exchange in *Fenwick v. Sears's Administrators* (1803)

20. [Manuscript]. Taney, Francis Lewis [1762-1802].

Autograph bill of exchange signed, Paris, 5 August 1797. Single leaf (3" x 9-1/4"; 7.5 x 23 cm), manuscript in ink, docketed on verso "Joseph Fenwick, Paris 5 Augst. 1797." Diamond-shaped embossed French Revolutionary fiscal stamp depicting Liberty wearing a Phrygian cap, with circular revenue stamp reading "AU DESSUS DE 1000 F. JUSQ. A 2000 F." Old folds, light soiling and creasing, text in dark, legible ink. \$1,500.

An interesting surviving document of early American transatlantic commerce, closely associated with the transaction underlying *Fenwick v. Sears's Administrators*, 5 U.S. (1 Cranch) 259 (1803), a case heard by the United States Supreme Court during the February 1803 term, when John Marshall was Chief Justice. Drawn in Paris by Francis Lewis Taney, a Maryland merchant engaged in extensive commercial and speculative enterprises, the bill directed Benjamin Stoddert and John Mason of Georgetown, Maryland, to pay \$350 to the order of Joseph Fenwick, the American consul at Bordeaux. Stoddert, a prominent Georgetown merchant, subsequently served as the first United States Secretary of the Navy; Mason was the son of George Mason of Virginia, an influential figure in the framing of the American constitutional system.

The transaction became the subject of litigation after Fenwick indorsed a bill drawn by Taney to George Sears of Baltimore. The instrument was presented for acceptance in March 1798 and subsequently protested for non-payment. Following Sears's death, his administrators brought an action against Fenwick in the Circuit Court of the District of Columbia. The resulting appeal raised questions concerning the authority of a notary public, the proper timing of protests, notice of dishonor, and the liability of endorsers under the law merchant. The Supreme Court, however, disposed of the case on a question of probate jurisdiction, holding that letters of administration granted in Maryland did not authorize the administrators to maintain their action in the newly established District of Columbia. The decision illustrates the jurisdictional complications attending the creation of the federal district and the adaptation of established legal procedures to the institutions of the early Republic.

Of particular significance, the present manuscript appears to be the third counterpart of the set of bills of exchange underlying *Fenwick v. Sears's Administrators*, 5 U.S. (1 Cranch) 259 (1803). Cranch's report reproduces the second bill of the set, dated Paris, 5 August 1797, drawn by Francis Lewis Taney for \$350, payable to Joseph Fenwick and directed to Benjamin Stoddert and John Mason. The surviving manuscript corresponds in these essential particulars but is designated the third of exchange. Such instruments were customarily drawn in sets of two or three counterparts, transmitted separately to guard against loss or delay, with payment of one discharging the obligation represented by the others. The published proceedings expressly refer to the first and third bills of the set, making the present manuscript a potentially significant surviving counterpart of the commercial instrument at the center of this early Supreme Court litigation.

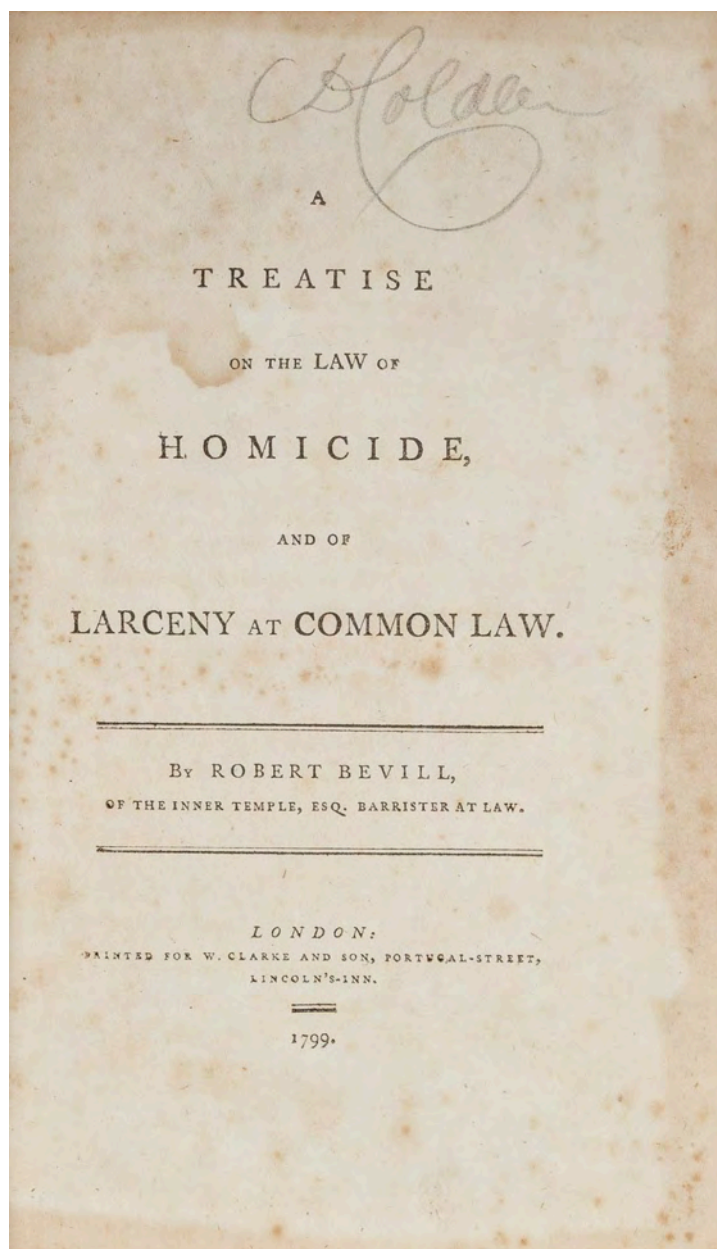
The manuscript also preserves evidence of the administrative and fiscal practices governing commercial transactions in Revolutionary France. Its embossed Liberty stamp, depicting the figure in a Phrygian cap, and circular revenue marking for instruments valued above 1,000 and up to 2,000 francs are characteristic of the documentary culture of the French Republic. These markings give the instrument an additional dimension as an artifact of the international commercial networks connecting France and the United States during a period of increasing diplomatic and maritime tension.

An uncommon example of early American commercial paper, associated with litigation reported in the first volume of Cranch's Supreme Court Reports, and of interest for the history of negotiable instruments, transatlantic trade, French Revolutionary fiscal administration, and the establishment of federal jurisdiction in the District of Columbia.

Fenwick v. Sears's Administrators, 5 U.S. (1 Cranch) 259-281 (1803).



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Owned by New York Mayor and Legal Reformer Cadwallader David Colden

21. Beville, Robert [1770-1824].

A Treatise on the Law of Homicide, And of Larceny at Common Law. London: Printed for W. Clarke and Son, 1799. [xiv], 287 pp. Octavo (9" x 5-3/4"; 22.8 x 14.6 cm).

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and some minor nicks and scuffs to boards, moderate rubbing to extremities with some wear to spine ends and corners, rear joint cracked. Armorial bookplate of Cadwallader David Colden to front pastedown, annotation in his hand to front free endpaper, Colden's signature in pencil to head of title page. Moderate toning and light foxing to text, faint dampstaining in a few places. A nice copy of a scarce title. \$2,500.

* First and only edition. Bevill was a barrister of the Inner Temple who sought to synthesize disparate common law rulings into foundational legal principles. Writing in his preface, he notes: "I have collected everything to be found in the books which appeared to be material; and I have endeavoured to extract all the principles by which the law, as to these offenses, is governed..." [iii-iv].

Published at the close of the 18th century, Bevill's work represents an early era of criminal law specialization. At this time, practitioners typically relied on broad, multi-subject encyclopedias like *Blackstone's Commentaries*. This dedicated volume reflects a critical shift toward specialized legal textbooks.

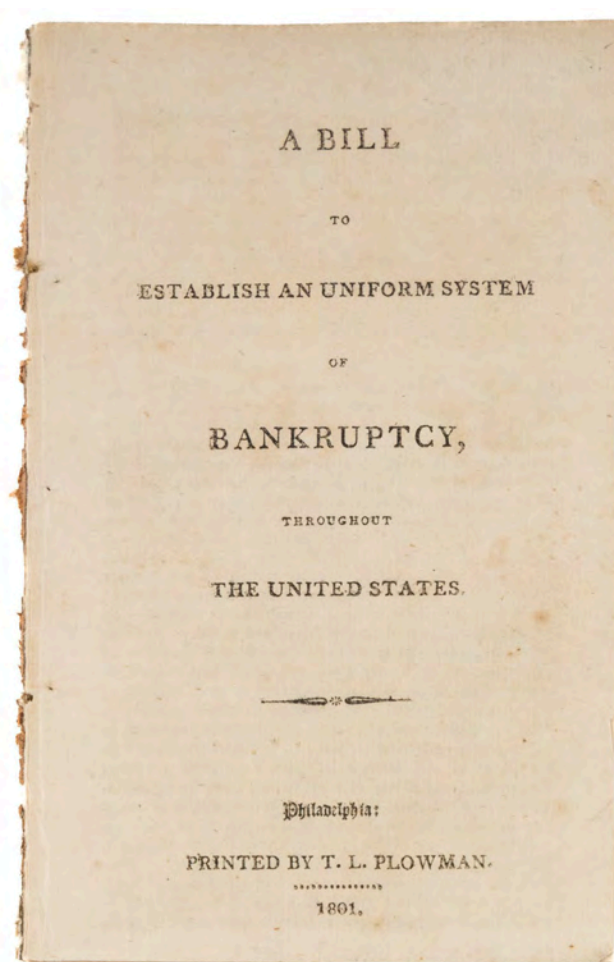
This copy boasts an exceptional transatlantic legal provenance. It belonged to Cadwallader David Colden [1769-1834], a member of a distinguished New York family who served as Mayor of New York City (1818-1821), a U.S. Representative (1821-1823), and a New York State Senator (1825-1827). Beyond his political career, Colden was a prominent elite legal mind, serving as District Attorney for New York County and pioneering early American juvenile justice reforms.

The volume illustrates how early American architects of law relied heavily on contemporary English texts to construct the post-Revolutionary United States legal framework. Colden's manuscript note on the front free endpaper provides a direct window into this conceptual evolution. It reads: "Murder is a killing of malice-/ Malice is where there is a felonious and deliberate intent/ to do bodily harm by probable means." This inscription captures an early American jurist actively defining criminal intent (*mens rea*) using English common law precedents.

English Short-Title Catalogue N14026. Rigg, revised by Wood, "Bevill, Robert", *Oxford Dictionary of National Biography* (accessed online).



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A Rare Early Federal Bankruptcy Bill OCLC Locates One Copy of This Printing

**22. [Bankruptcy].
[United States].**

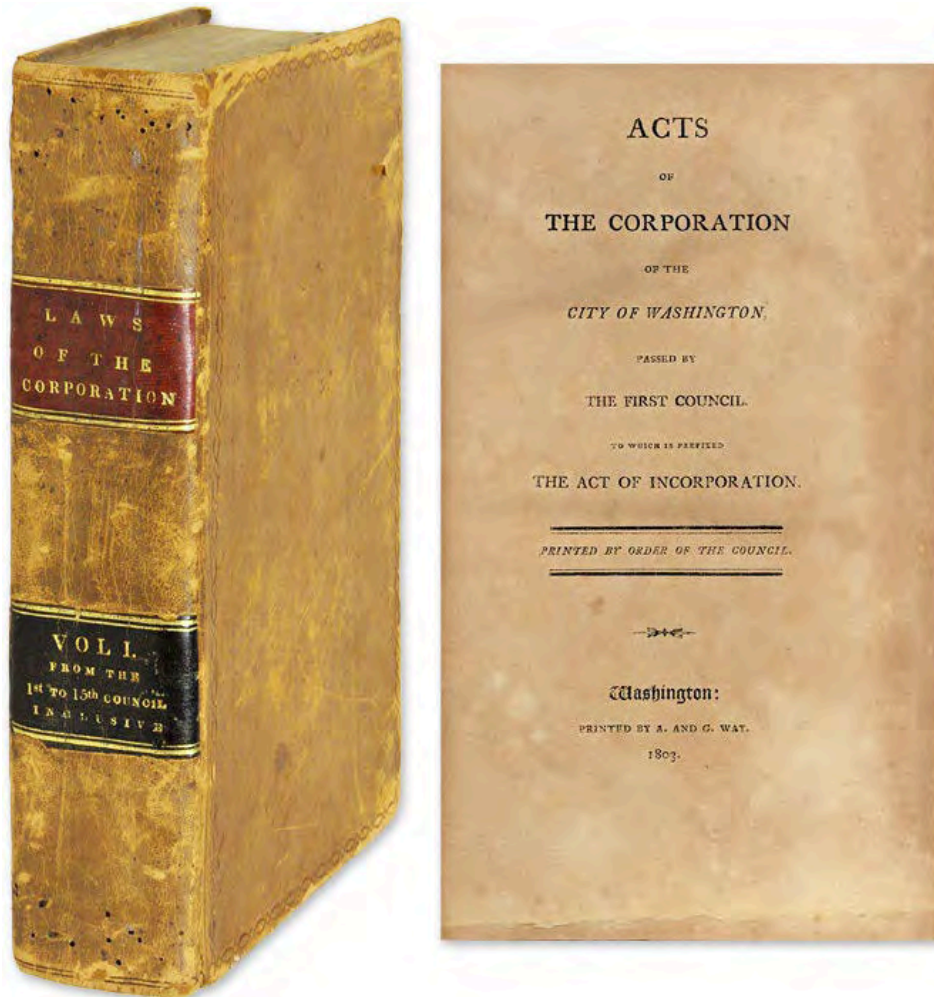
A Bill to Establish an Uniform System of Bankruptcy, Throughout the United States. Philadelphia: Printed by T.L. Plowman, 1801. 28 pp. Octavo (6-3/4" x 4-1/4"; 17.1 x 10.8 cm).

Disbound stab-stitched pamphlet. Moderate toning, light soiling to exterior, a few minor spots to title page. Rare. \$1,500.

* An exceptionally rare printing of an early federal bankruptcy bill, closely associated with the establishment of the first national bankruptcy system. Enacted on April 4, 1800, under the bankruptcy clause of the Constitution, the first federal Bankruptcy Act drew heavily upon English commercial law and established uniform procedures for the insolvency of merchants and traders. An important early assertion of federal authority over commercial affairs, the legislation proved controversial and was repealed in December 1803. The United States would not enact another federal bankruptcy law until 1841. A significant document in the formative history of American bankruptcy and commercial law.

OCLC locates only 1 copy of this printing (at Harvard). Not found in Cohen or Sabin.

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The Early Years of Washington, D.C.

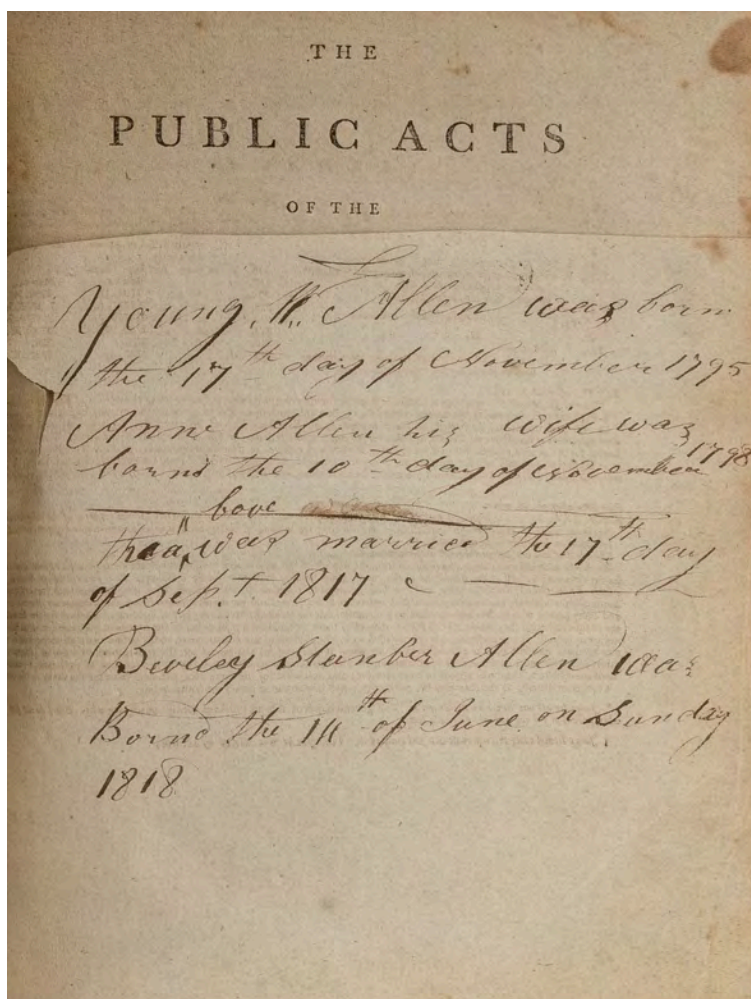
23. [Washington, D.C.].

[*Volume of Fifteen Pamphlets on the Establishment and Conduct of the City*]. Washington, DC: Printed by A. and G. Way [and other printers], 1803-1818.

Contemporary sheep, blind fillets to boards, red and black lettering pieces to spine (reading Laws/of the/Corporation and Vol I./From the/ First to 15th Council/Inclusive. Some rubbing to boards and extremities, a few shallow scuffs to boards, minor worming to spine and pastedowns. Moderate toning and occasional browning and light foxing to text, internally clean. \$2,250.

* This fascinating volume offers an excellent perspective on the formative years of Washington, D.C., from the 1803 "Act to Incorporate the Inhabitants of the City of Washington, in the District of Columbia" to 1818 legislation to pave roads in the district. This volume contains fifteen volumes of acts passed by the first fifteen governing councils. Eleven are titled *Acts of the Corporation of the City of Washington* (1803, 1804, 1805, 1806, 1807, 1808, 1809, 1811, 1813, 1814, 1816). The remaining four are titled *Laws Passed by the Eighth [Twelfth, Fourteenth, Fifteenth] Council* (1810, 1815, 1817, 1818).

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North Carolina Public Acts with 1804-1805 Appendix

24. Martin, François-Xavier [1762-1846], Editor.

Iredell, James [1751-1799], Compiler.

The Public Acts of the General Assembly of North-Carolina. Volume I. Containing the Acts from 1715 to 1790; Revised and Published, Under the Authority of the Legislature. Newbern (NC): Martin & Ogden, 1804. [iv], 501, [1] pp.

[Bound with]

Martin, François-Xavier, Compiler.

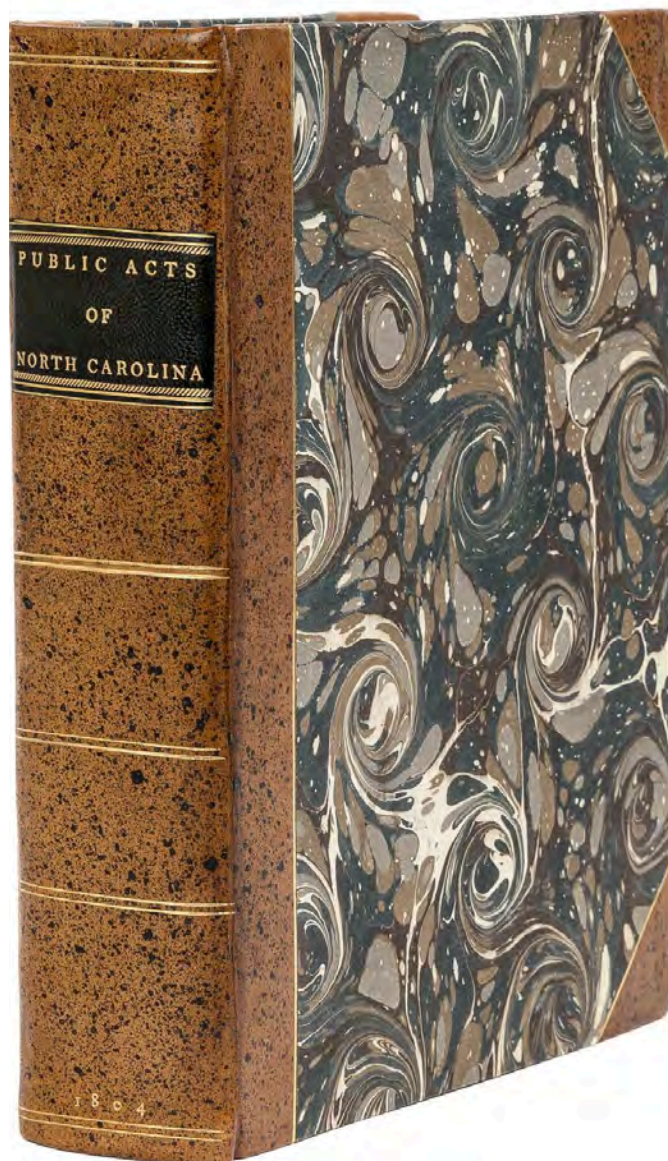
The Public Acts of the General Assembly of North-Carolina. Volume II. Containing the Acts from 1790 to 1803; Revised and Published, Under the Authority of the Legislature. Newbern (NC): Martin & Ogden, 1804. 226, [16], [2]; [227]-272 pp. With a one-page list of books published or distributed by Martin. Pp. [227]-272 is an appendix of acts from 1804 to 1805.

Quarto (9-1/4" x 7-3/4"). Period-style speckled calf over marbled boards, gilt rules to boards, lettering piece, gilt fillets and gilt publication date to spine. Light browning to interior, light foxing and spotting in places, all edges trimmed, recent repairs to edges of title page of Volume I, light edgewear to a few leaves at beginning and end of text, minor chipping to fore-edges of several leaves at center of text, original front wrapper of appendix bound in. Annotation in contemporary hand to last page of text, ownership inscription (of the Superior Court of Law for Perquimans County, indicating that the volume was processed by clerk Robert Wheaton, dated August 19, 1808), at bottom of last page of Appendix. A very nice copy with the uncommon appendix. \$2,500.

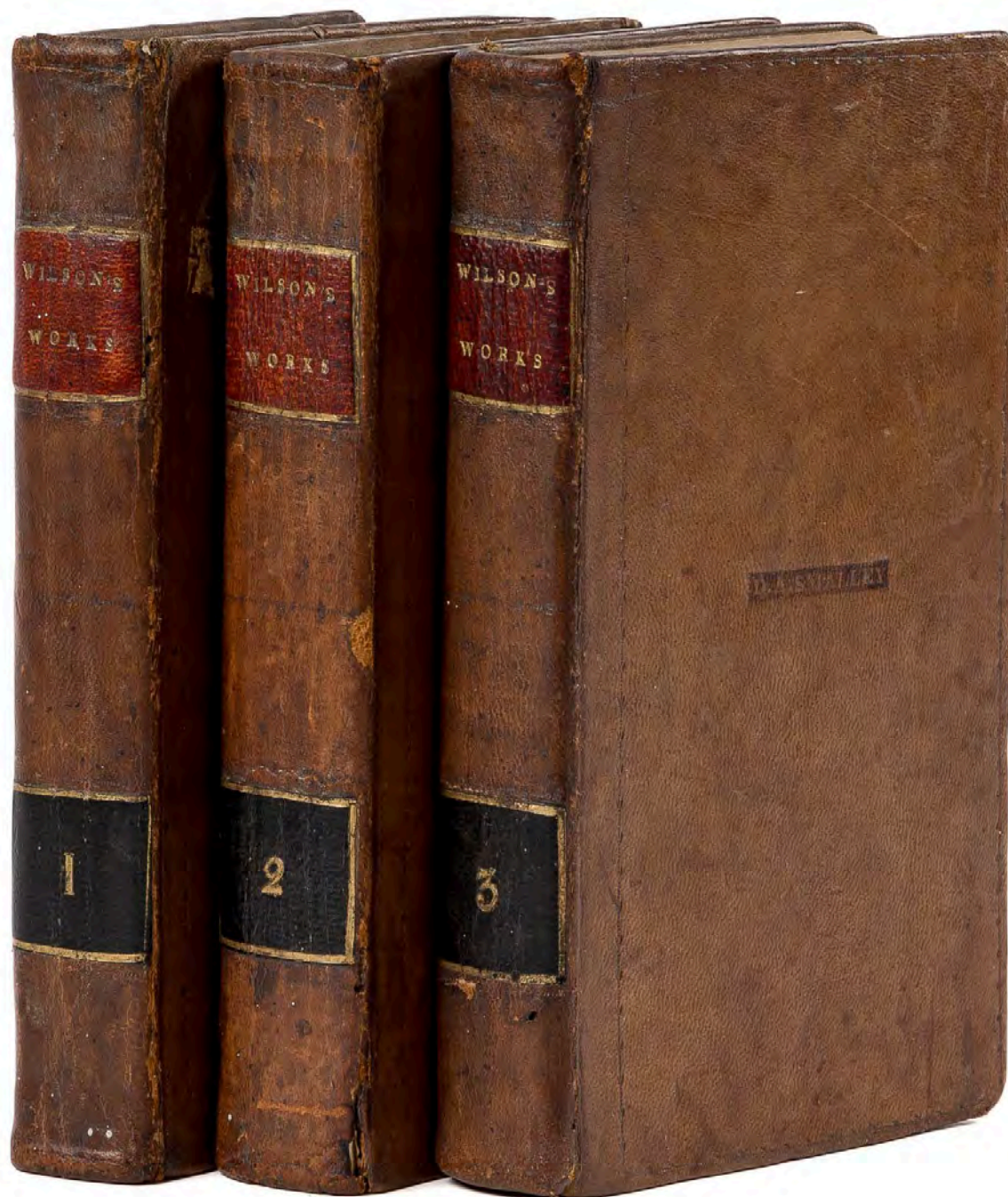
* Only edition. Martin's revision of James Iredell's compilation of the laws of North Carolina from 1715 to 1790, with Martin's own compilation of the laws from 1790 to 1803. With side-notes, index and the texts of the North Carolina Constitution (1776), the Articles of Confederation (1781), the Treaty of Paris (1783), the U.S. Constitution (1787), and documents relating to its ratification by North Carolina.

An important figure in the legal history of the South, Martin was a French-born lawyer, judge, author, translator, printer and historian. His career began in North Carolina. He later moved to the Louisiana Territory, where he played a central role in the reorganization of the legal system. Appointed attorney general when Louisiana became a state, he is considered the father of Louisiana jurisprudence.

Babbitt, *Hand-List of Legislative Sessions and Session Laws* 385.



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**James Wilson's Foundational Lectures on American Law and Constitutional Government,
First Edition, with Distinguished American and Canadian Judicial Provenance**

25. Wilson, James (1742-1798). Wilson, Bird (1777-1859), Editor.

The Works of the Honourable James Wilson, LL. D. Published Under the Direction of Bird Wilson, Esquire. Philadelphia: At the Lorenzo Press, 1804. Three volumes.

Americana: Law and Legal History, 1682–1965 • October 27, 2026

Octavo (8-1/4" x 5"; 21 x 12.7 cm). xvi, 467; vi, 497; iv, 439 pp. Copperplate engraved portrait frontispiece of James Wilson by Abraham Edwin with original tissue guard in Volume I. Contemporary sheep, spines with blind fillets and contrasting red and black morocco gilt lettering pieces. Front boards of all volumes bear the small embossed ownership stamp of Federal Judge "D.A. Smalley" to centers; Smalley's signature also present on title pages. Front pastedowns with the ownership signature of Canadian jurist "T.C. Aylwin," dated 1856.

Light rubbing, minor scuffs and faint staining to boards. Some foxing and dampstaining to frontispiece, with offsetting to title page. Moderate toning, light foxing and occasional offsetting to text. Light dampstaining to upper corners of most leaves in Volume II; minor marginal wear and toning to pp. 67-70 of Volume III. A well-preserved, apparently unrestored set in contemporary bindings, with distinguished American and Canadian judicial provenance. \$9,500.

* First edition. One of the foundational works of American constitutional jurisprudence and among the earliest comprehensive attempts to establish a systematic exposition of American law upon the principles of the new federal republic. James Wilson, one of only six men to sign both the Declaration of Independence and the United States Constitution, was among the foremost legal thinkers of the founding generation. A leading participant in the Constitutional Convention of 1787, a vigorous advocate of popular sovereignty and a strong national government, and one of the original Associate Justices of the United States Supreme Court, Wilson played a central role in shaping the constitutional principles of the early republic.

Published posthumously under the direction of his son, Bird Wilson, these volumes preserve Wilson's celebrated lectures on law, delivered at the College of Philadelphia beginning in 1790. Conceived as an ambitious exposition of American jurisprudence, the lectures sought to provide the new republic with a systematic treatment of law comparable in scope to Blackstone's Commentaries, but grounded in American constitutional institutions and the sovereignty of the people. Wilson delivered his inaugural lecture on December 15, 1790, before a distinguished audience that included President George Washington, Vice President John Adams and members of Congress, an occasion that underscored the national importance attached to his undertaking. His lectures addressed natural law, the law of nations, the common law, the origins of political society, constitutional government and the relationship between individual rights and civil authority. Written by one of the principal framers of the Constitution, they constitute one of the earliest substantial expositions of the philosophical and legal principles underlying the American constitutional system.

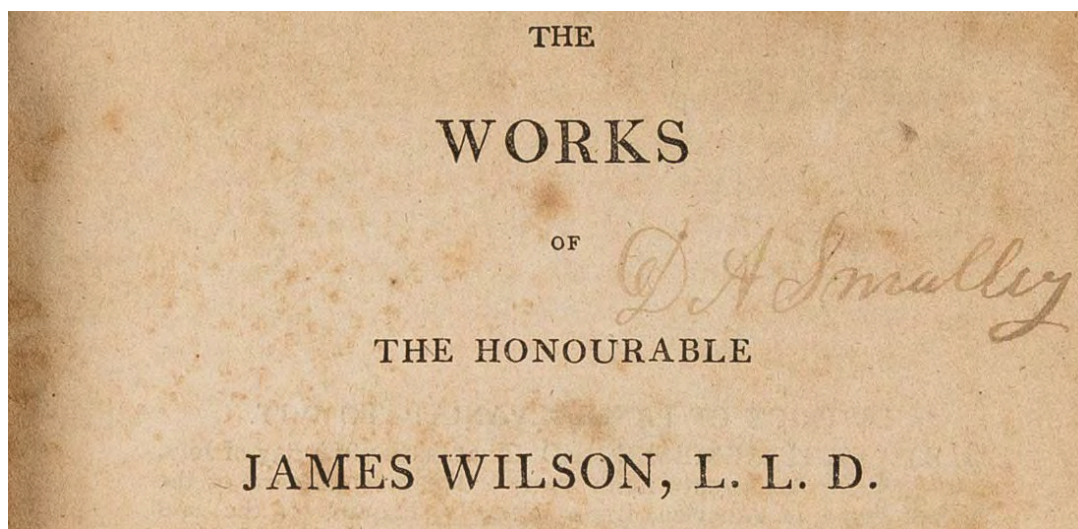
Central to Wilson's jurisprudence was his insistence that sovereignty resided ultimately in the people rather than in the several states or their governments, a principle that informed both his constitutional theory and his judicial opinions. His understanding of popular sovereignty received an important expression in *Chisholm v. Georgia*, 2 U.S. (2 Dall.) 419 (1793), in which he joined the Supreme Court majority holding that a state could be sued in federal court by a citizen of another state. The decision, subsequently superseded in important respects by the Eleventh Amendment, became a landmark in the early interpretation of federal judicial power and state sovereignty. Wilson's lectures thus possess exceptional importance not only as an early systematic statement of American legal principles but also as an exposition of the constitutional philosophy of a jurist directly involved in establishing and interpreting the new federal government.

The present set has distinguished transnational legal provenance, having belonged to two prominent nineteenth-century jurists whose careers were closely associated with the constitutional and political development of the United States and British North America. Thomas Cushing Aylwin (1806-1871), whose ownership signatures are dated 1856, was a Canadian lawyer, political reformer, Solicitor General for Lower Canada and judge. Active in the political and legal affairs of Lower Canada during a period of constitutional transformation, Aylwin participated in the development of responsible government and the parliamentary institutions that preceded Canadian Confederation in 1867. His ownership of Wilson's Works is of particular interest as evidence of the presence of this foundational American constitutional text in the library of a prominent Canadian jurist during the formative decades of British North American constitutional development.

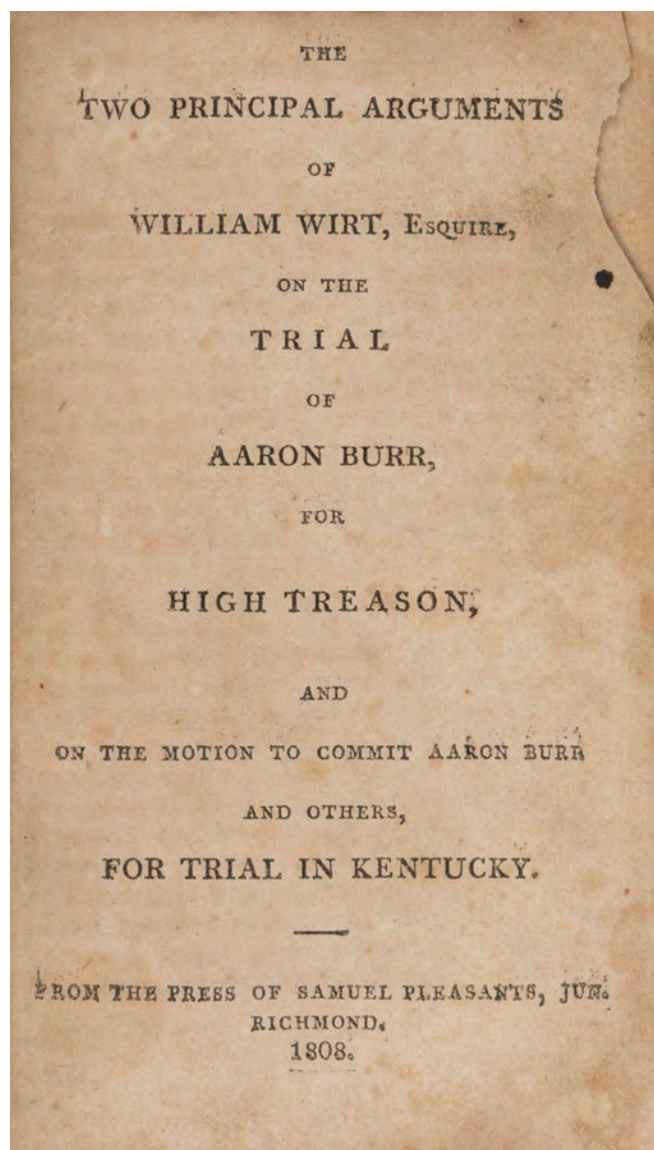
The volumes also bear the ownership stamps and signatures of David Allen Smalley (1809-1877), United States District Judge for Vermont and chairman of the Democratic National Committee from 1856 to 1860. Appointed to the federal

bench by President James Buchanan in 1857, Smalley served during the turbulent years preceding and encompassing the Civil War, when questions of federal authority, constitutional allegiance and individual liberties assumed exceptional importance. His ownership provides a notable association with the federal judiciary during one of the most consequential periods in American constitutional history. The presence of both Aylwin's and Smalley's ownership marks in this set establishes an unusual connection between two distinguished North American jurists and the foundational constitutional writings of one of the principal architects of the American republic.

Cohen, *Bibliography of Early American Law* 2309. Sabin, *A Dictionary of Books Relating to America* 104632.



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Streeter 1693: The Prosecution's Arguments at the Burr Treason Trial

26. [Trial].

Burr, Aaron [1756-1836], Defendant.

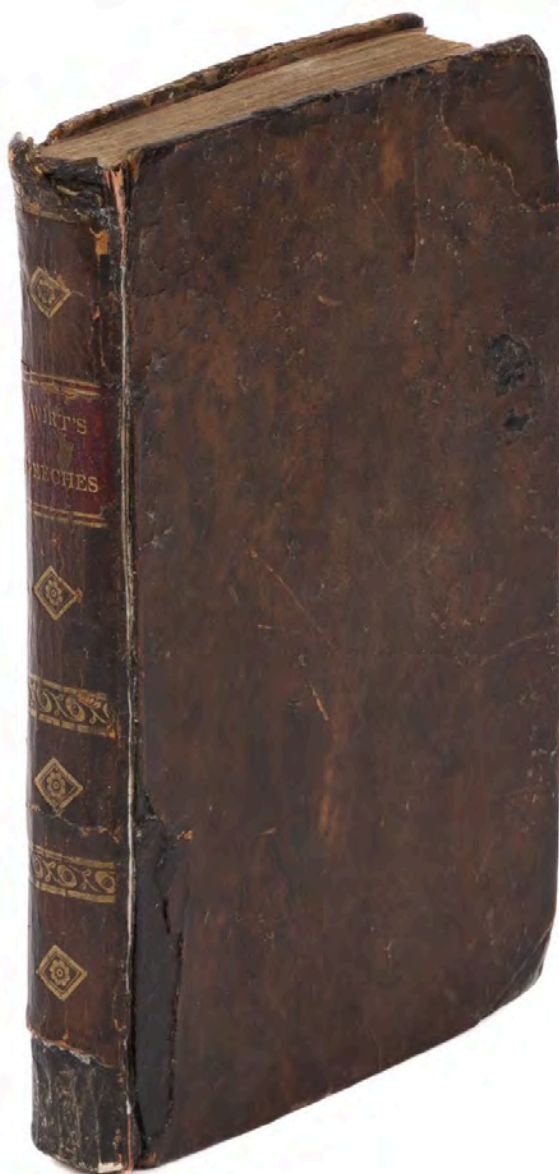
Wirt, William [1772-1834].

The Two Principal Arguments of William Wirt, Esquire, On the Trial of Aaron Burr, For High Treason, And on the Motion to Commit Aaron Burr and Others, For Trial in Kentucky. Richmond: From the Press of Samuel Pleasants, Jun., 1808. [iv], 221 pp. Advertisement leaf follows title page. Not issued with the portrait frontispiece (of Aaron Burr), which is true of only a few copies. 12mo. (5-3/4" x 3-1/2"; 14.6 x 8.9 cm).

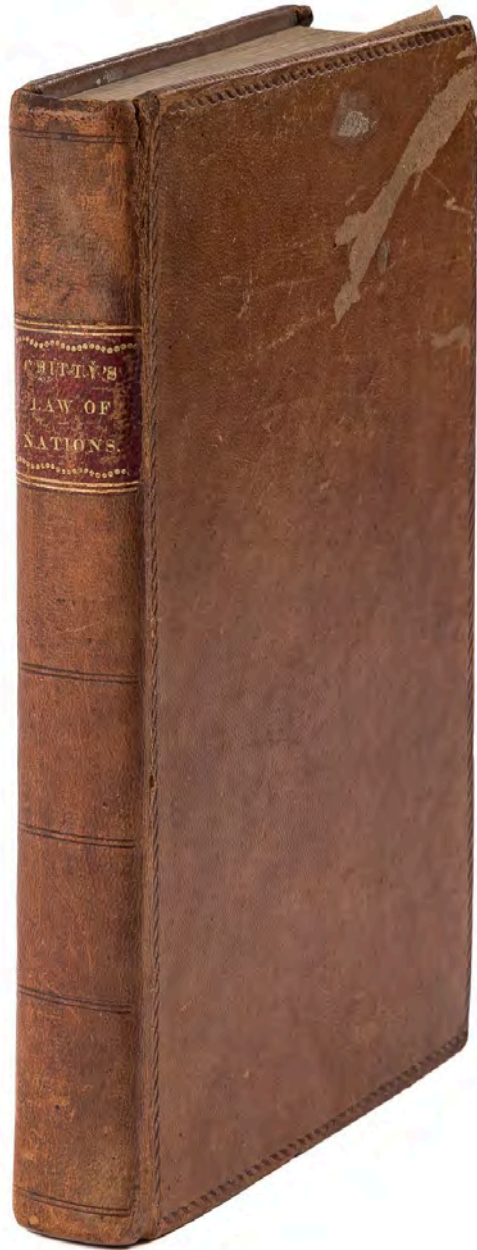
Contemporary tree calf, gilt title and ornaments to spine, endpapers renewed with marbled paper. Light rubbing, nicks and scratches to boards, moderate rubbing to extremities, front hinge cracked, chips to spine ends and front board at foot of joint and lower outside corner, corners bumped and somewhat worn. Moderate toning to interior, light browning, light foxing and faint dampstaining in places, chips to fore-edges of front endleaf and title page. A very good copy overall. \$2,500.

* Only edition. Burr was implicated in a plot to steal land from Mexico and the Louisiana Purchase in order to establish an independent country. Arrested and tried in 1807 on charges of treason, he was acquitted due to a lack of specific evidence. Wirt, his prosecutor, was United States Attorney for the District of Virginia. His famous principal speech in the trial of Aaron Burr lasting nearly four hours. Characterized by considerable eloquence, wit and logic, it enhanced his national stature. Wirt went on to serve as United States Attorney General under Presidents Monroe and John Quincy Adams, where he did much to define the office and enhance its stature.

The last copy at auction was sold at Sotheby's in 2021 for \$2,142. Like ours, it does not have a frontispiece. Streeter, *The Celebrated Collection of Americana Formed by the Late Thomas Winthrop Streeter* 1693 (with frontispiece). Identical to our copy: Cohen, *Bibliography of Early American Law* 14120. Howes, *USiana* W-587. Sabin, *A Dictionary of Books Relating to America* 104883.



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**First and Only American edition of Chitty's *A Practical Treatise on the Law of Nations*
Owned by a U.S. Secretary of State**

27. Chitty, Joseph [1776-1841].

A Practical Treatise on the Law of Nations, Relative to the Legal Effect of War on the Commerce of Belligerents and Neutrals; And on Orders in Council and Licences. To Which Are Added, Extracts from Grotius, Bynkershoek, And Vattel: Also, The Letter of Sir William Scott, And of the Duke of Newcastle, &c. Containing Matters Applicable to the Law of Prize.

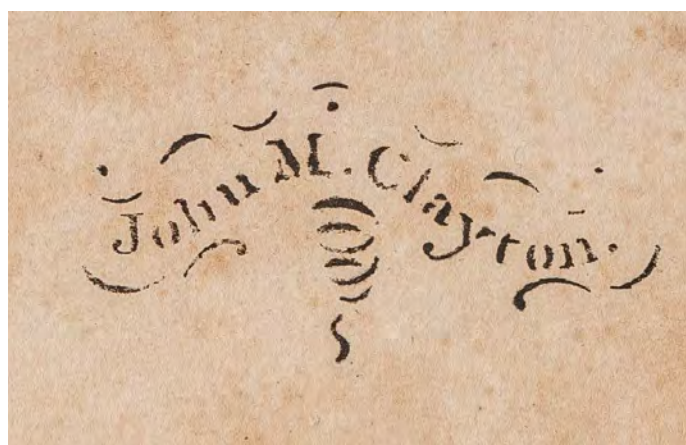
Boston: Published by Bradford and Read, 1812. xii, 340, [4] pp. Includes four-page publisher list. Octavo (8-1/2"x 5-1/4"; 21.6 x 13.3 cm).

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine, blind tooling to board edges. Light rubbing to boards, shallow scuffs to upper outside corner of front board, moderate rubbing to extremities, front joint just starting at head, corners bumped, hinges cracked, front free endpaper detaching. Moderate toning and light foxing to interior, occasional faint dampstaining to margins. Early book label, "J.M. Clayton's," to front pastedown, early inkstamps of John M. Clayton to front free endpaper and left margin of p. 40. A good copy in an appealing contemporary binding. \$1,250.

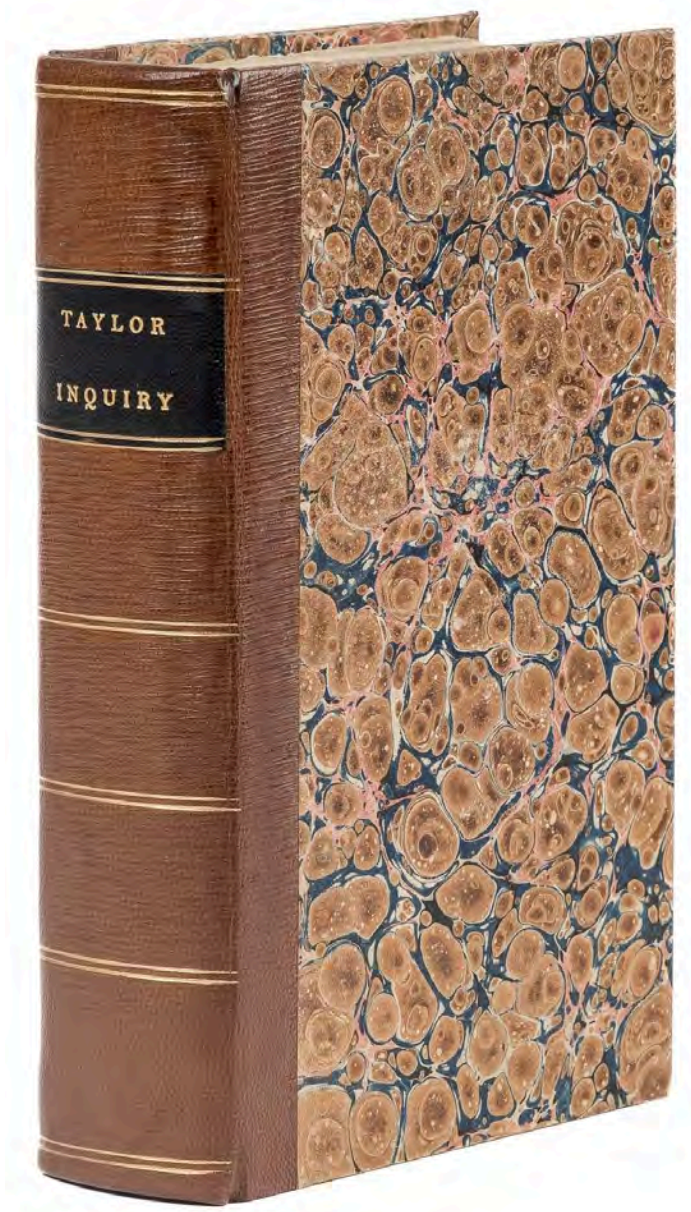
* Published the same year as the sole London edition, this is the first and only American edition of Chitty's major contribution to international law. Published precisely at the onset of the War of 1812, the treatise offers critical contemporary insights into the Anglo-American trade tensions, maritime restrictions, and highly volatile laws of blockade and prize capture that fueled the conflict.

Chitty was one of the most wide-ranging and prolific British legal writers of the nineteenth century; this treatise and his 1813 edition of Beawes's *Lex Mercatoria* represent his major contributions to international law. While Marvin's *Legal Bibliography* notes some contemporary criticism of the work, it highly praises its compilation of Sir William Scott's landmark judgments in prize cases (p. 190).

Cohen, *Bibliography of Early American Law* 7175.



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A Foundational Text of Jeffersonian Democracy: The First Edition of Taylor's Masterwork

28. Taylor, John, Of Caroline [1753-1824].

An Inquiry into the Principles and Policy of the Government of the United States. Comprising Nine Sections, Under the Following Heads: I. Aristocracy; II. The Principles of the Policy of the United States, And of the English Policy; III. The Evil Moral Principles of the Government of the United States; IV. Funding; V. Banking; VI. The Good Moral Principles of the Government of the United States; VII. Authority; VIII. The Mode of Infusing Aristocracy into the Policy of the United States; IX. The Legal Policy of the United States. Fredericksburg, [VA]: Green and Cady, 1814. viii, 656, [1] pp. Octavo (8" x 5"; 20.3 x 12.7 cm).

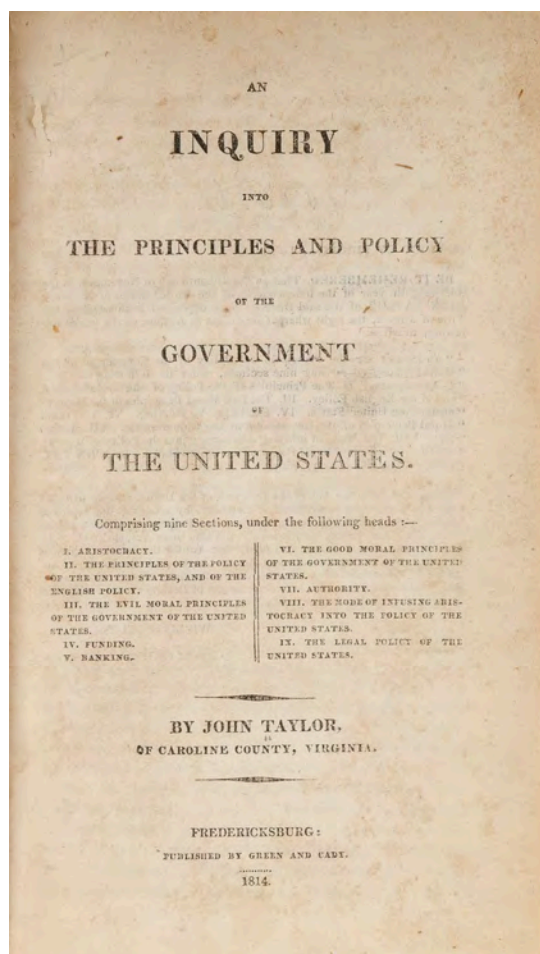
Expertly bound in period-style quarter morocco over marbled boards, gilt fillets and calf lettering piece to spine, endpapers renewed. Light browning to interior, unobtrusive light foxing and light dampspotting in places. A handsome copy. \$1,850.

* First and only edition. This work stands as the definitive Jeffersonian response to John Adams's *Defence of the Constitutions*. Taylor fiercely rejects the "natural aristocracy" of paper and patronage, arguing instead for decentralized government and shorter executive terms.

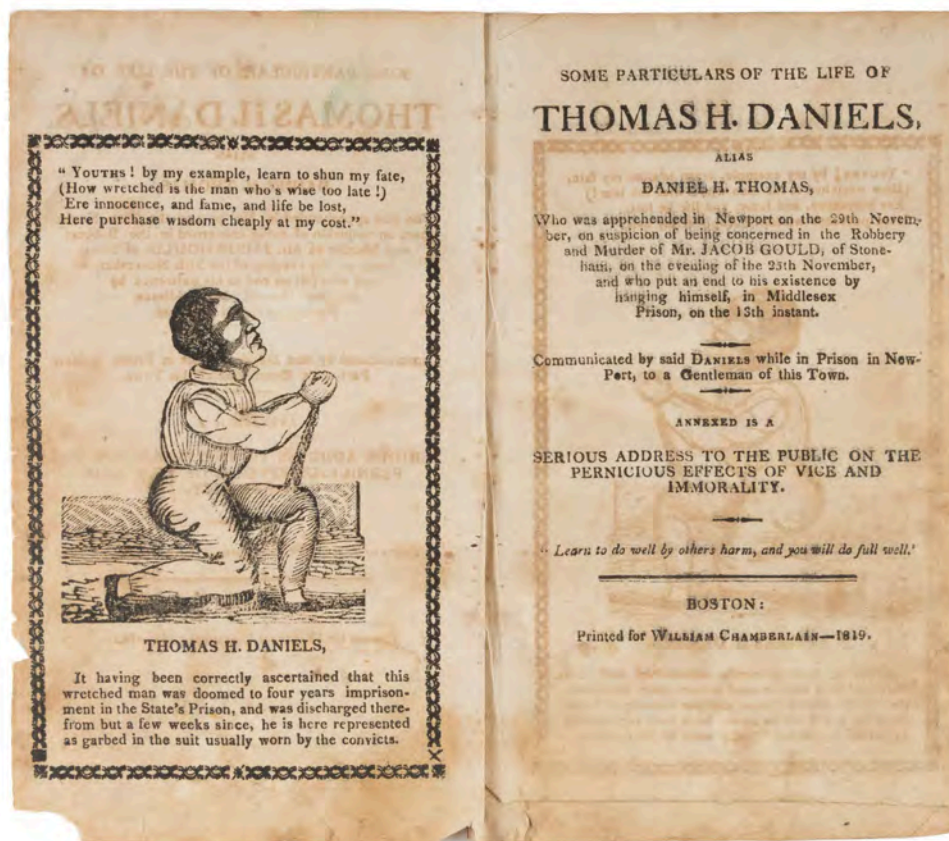
As Charles Beard noted in the *Dictionary of American Biography*, this work "deserves to rank among the two or three really historic contributions to political science which have been produced in the United States." It remains the primary source for understanding the intellectual roots of Southern states' rights and antebellum political theory.

A reply to John Adams's *Defence of the Constitutions of Government of the United States of America*, this book rejects the concept of "a natural aristocracy" of "paper and patronage" and a powerful federal government based on a system of debt and taxes. Also opposed to the extent of power awarded to the executive office, it calls for shorter terms for the president and all elected officers. It was a deeply influential work among antebellum Southern proponents of states' rights and decentralized government. A later assessment by Charles Beard in the *Dictionary of American Biography* says it "deserves to rank among the two or three really historic contributions to political science which have been produced in the United States."

Dictionary of American Biography IX:331. Sabin, *A Dictionary of Books Relating to America* 94491. Cohen, *Bibliography of Early American Law* 5823.



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McDade 240: "How Wretched is the Man Who's Wise Too Late"

29. Daniels, Thomas H. [d.1819].

Some Particulars of the Life of Thomas H. Daniels, Alias Daniel H. Thomas, Who Was Apprehended in Newport on the 29th November, On Suspicion of Being Concerned in the Robbery and Murder of Mr. Jacob Gould, Of Stoneham, on the Evening of the 25th November, And Who Put an End to His Existence by Hanging Himself, In Middlesex Prison, On the 13th Instant. Communicated by Said Daniels While in Prison in Newport, To a Gentleman of This Town. Annexed is a Serious Address to the Public on the Pernicious Effects of Vice and Immorality. Boston: Printed for William Chamberlain, 1819. 24 pp. Woodcut portrait frontispiece. 12mo. (7" x 4").

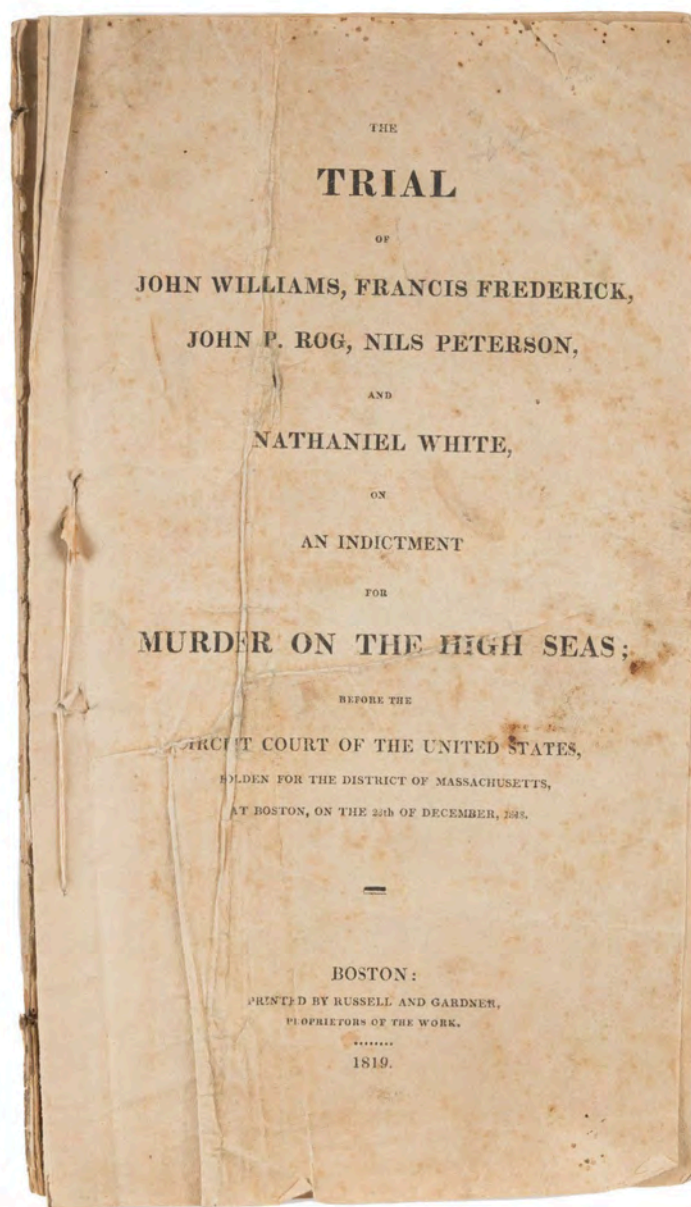
Disbound stab-stitched pamphlet. Light browning and dampspotting, a few minor chips and tears to margins of frontispiece. Rare. \$1,850.

* Only edition. Daniels, who took part in a robbery that ended in murder, had a criminal career that included convictions for horse-theft and counterfeiting. He hanged himself in his cell with a handkerchief. The frontispiece depicts Daniels kneeling in chains in his cell below a stanza of verse, which summarizes the message of the pamphlet: "Youths! By my example, learn to shun my fate, (How wretched is the man who's wise too late!), Ere innocence, and fame, and life be lost, Here purchase wisdom cheaply at my cost."

This title is rare in commerce; its last two auction sales were in 1991 and 1910. OCLC locates 10 copies, 1 in a law library (Harvard).

McDade, *The Annals of Murder* 240.

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Mutiny, Murder, and Piracy on the High Seas

30. [Trials].

Williams, John [1789-1819], Primary Defendant.

The Trial of John Williams, Francis Frederick, John P. Rog, Nils Peterson, And Nathaniel White, On an Indictment for Murder on the High Seas; Before the Circuit Court of the United States, Holden for the District of Massachusetts, At Boston, On the 29th of December, 1818. Boston: Printed by Russell and Gardner, 1819. 92 pp. Octavo (9-1/2" x 5-1/2"; 24.1 x 14 cm).

Stab-stitched pamphlet, untrimmed edges. Moderate edgewear, moderate toning and light foxing to text, title page wrinkled. Interesting listing of 17 names, presumably the crew, at the bottom of the last page. \$1,500.

* Only edition of the official contemporary account of a notorious American piracy trial.

In 1816, the defendants staged a violent mutiny aboard the schooner *Plattsburgh* off the coast of Georgia. Driven by the allure of \$40,000 in specie hidden on board, the crew brutally murdered the ship's supercargo, Thomas Bayard—a bloody affair recounted in graphic detail across the pamphlet's 92 pages.

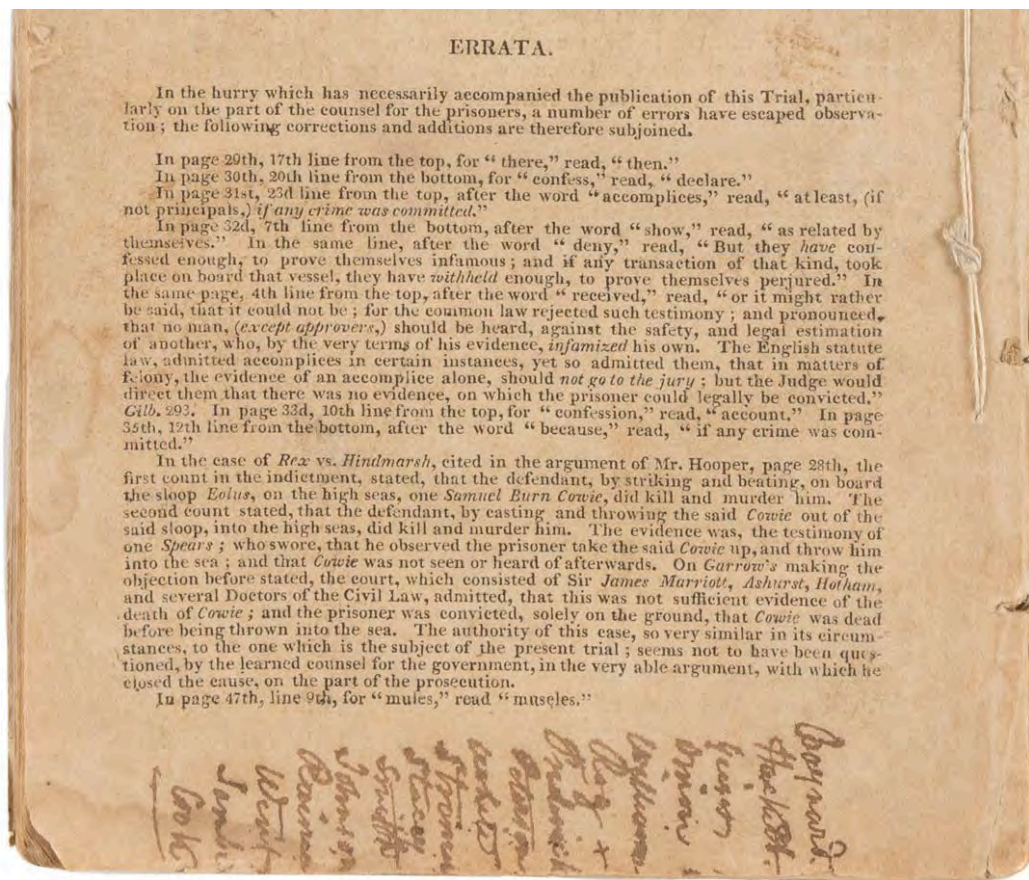
After dividing the plunder, the mutineers sailed the vessel to Denmark. Their plot unraveled in Copenhagen when the ship's mate, who had been held hostage during the voyage, managed to escape and alert the authorities.

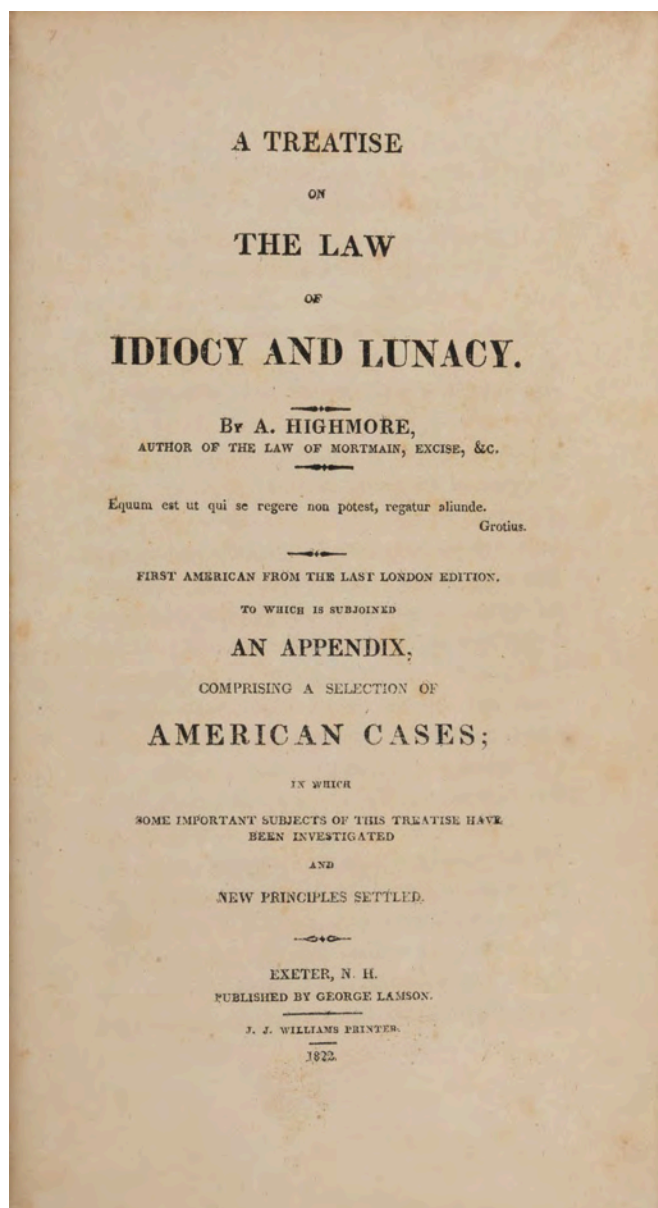
The high-stakes case was tried before Supreme Court Justice Joseph Story, sitting in his capacity as Judge of the U.S.

Circuit Court for the District of Massachusetts. The jury convicted Williams, Frederick, Rog, and Peterson of murder and piracy (Nathaniel White was acquitted). The four condemned men were executed by hanging in January 1820.

A highly sensationalized case that captivated early 19th-century America, spawning several popular narratives. This official printing remains the definitive, comprehensive account of the proceedings.

Cohen, *Bibliography of Early American Law* 13248. McDade, *The Annals of Murder* 1103.

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American Edition of One of The First Books on the Law of "Idiocy and Lunacy"

31. Highmore, A[nthony] [1758-1829].

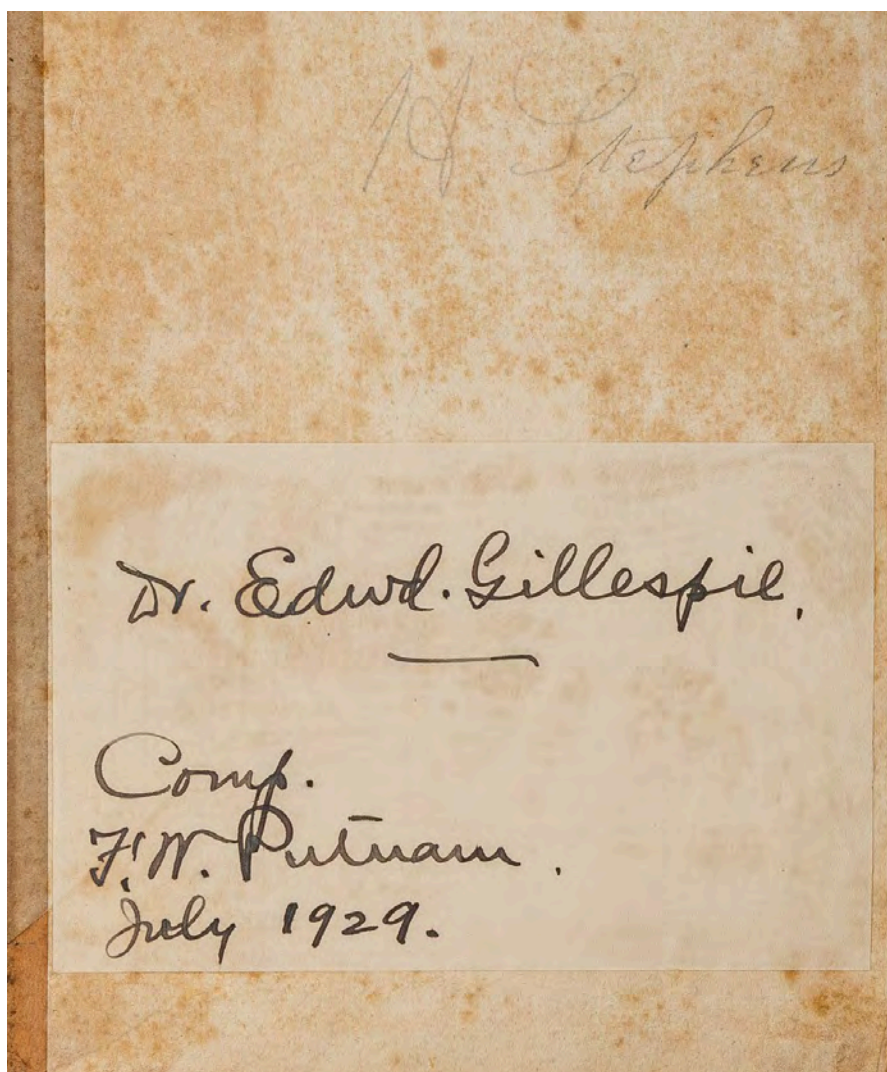
A Treatise on the Law of Idiocy and Lunacy. To Which is Subjoined an Appendix, Comprising a Selection of American Cases; In Which Some Important Subjects of This Treatise Have Been Investigated and New Principles Settled. Exeter, NH: Published by George Lamson, 1822. x, [2], 194 pp. Octavo (8-1/2" x 5"; 21.6 x 12.7 cm).

Contemporary three-quarter sheep over paper boards, green lettering piece and blind fillets to spine. Light rubbing and a few ink spots to boards, moderate rubbing to extremities, minor scuffing to spine, corners bumped and somewhat worn, front joint and hinge just starting at head, faint early owner signature in pencil (of H. Stephens) and clipped inscription ("Dr. Edwd Gillespie./ Comp./ F.W. Putnam./ July 1929") to front pastedown. Moderate toning, light foxing to some leaves, a few leaves have early marks to margins. A very good copy. \$1,500.

* Only American edition, based on the first London edition, 1807. Highmore, a British legal writer and solicitor, was secretary to the London Lying-In Hospital. One of the very first books on the topic, this treatise examines precedents concerning the insane and their treatment under the law. It discusses the meaning of "ideot," *non compos mentis* and lunacy, as well as the custody of lunatics, commission of the insane to hospitals or asylums, *habeas corpus*, disability and recovery of the insane, regulations of asylums and criminal cases involving the insane. Our American edition has a 27-page Appendix with valuable information on the insanity plea and the American criminal justice system at the time. It replaces that of the 1807 English edition which relates only to English courts.

Dr. Edward Gillespie [1872-1949], a later owner of this copy, worked as a psychiatrist at the Binghamton State Hospital in New York from 1896 until his retirement in 1937. Formerly the New York State Inebriate Asylum, Binghamton was the first American institution designed to treat alcoholism as a mental disorder. Frederick Wallace Putnam [b.1856] was a fellow Binghamton physician and enthusiastic antiquarian collector.

Cohen, *Bibliography of Early American Law* 8818.



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A SKETCH OF THE LIFE, CONDEMNATION, AND DEATH, OF THE THREE MALEFACTORS,



Who were hanged at Buffalo, 17th June, 1825, for the Murder of
JOHN LOVE.

NELSON THAYER, ISRAEL THAYER, JR. and ISAAC THAYER, being about to receive the just punishment due to their crimes, by being cut off from the land of the living, and from among men, have detailed, since their condemnation, to various visitors to their prison, at different times, the following facts and history of their lives and conduct in the world:

They are all brothers, and the sons of Israel Thayer, and were all born in the county of Worcester, Massachusetts. The oldest, Nelson, was 25 years of age in September last; Israel, Jr. the next oldest, was 23 in April last, and Isaac, the youngest, was 21 in March last. They have all been bred up to farming, and having had but little care taken of their education, they have spent their whole lives in a state of comparative ignorance. This they know by having seen others around them who were bred to the same profession, possessing much more knowledge of mankind in general, and of business and books, than themselves. They all, at an early age, contracted habits of idleness, and a dislike to labor or attention to business, and from this they date the commencement of that unhappy career which is now cut short and ended upon the gallows. Their father, about 10 years since, removed from Massachusetts to this part of the country, and brought them all with him. He chose a farm in Boston, Erie, or (as it was then called) Niagara county, where they were all more or less employed in cultivating the soil. The land being good, they had little trouble in raising produce enough for their own support. When they were not busy upon the farm, they were seldom in any useful employment, and their time was often very badly spent with idle people, at taverns and other lounging places. In the year 1819, Nelson, the oldest of them, was married, and in 1824 following, Israel, junr. the second in age, was also married. Isaac, the youngest, has never had a wife; but while the other two took up farms, near their father's, he remained at home, being under age. Neither of them, however, was at all improved in his habits, as he grew older; but, on the contrary, all gave way to their idle and dissolute propensities, more and more, as their minds grew stronger, and needed more to employ them. This, they have seen, would have been prevented, had they, in early life, given a right direction to their thoughts, and instead of attending shooting-matches and lounging about taverns, had employed their time in conducting their business, and in reading instructive books. As they were all near neighbors, after two of them were married they still associated together, as before, in all their pastimes; and in proportion as they indulged their idleness, was the damage their business suffered by neglect. For some time, however, they managed to get their support from their farms, by adding to their products all the property which they could obtain upon credit, from others. This practice, though it helped them at the moment, was very ruinous to their estates at last. Their creditors became uneasy; and seeing they suppose, little hope of their ever giving better attention to their farms, and thereby paying their debts, they commenced many prosecutions to recover what justly belonged to them. These, they for a time found means to settle, by procuring loans of money and other property, from different people, under various promises and agreements. Still, however, their affairs were in a bad condition, which was more owing to neglect than any other cause.

In the month of October last, JOHN LOVE, the unhappy man for whose murder they were executed, came to the town of Boston, and took board at one of their dwellings. He was a man too much like himself in some respects, but in others he differed entirely. He had no regular employment, nor did he labor; but having considerable money, and a good deal of shrewdness, he continued to increase it continually by loaning it, in small sums, and for short periods, upon such conditions as he could get. They being always in want of assistance, by reason of the management of their affairs, had frequent recourse to loans of Mr. Love, to relieve their embarrassments, and get clear of the public officers, who continually pressed them for payment. It was not long that they managed in this way, before they found themselves in the same trouble with Love, that they had been in with others when he relieved them. When they had borrowed money and paid up an execution, they never thought of going steadily to work to provide for the payment of the loan; but, on the contrary, when the debt was paid, and the officer gone, their practice was to resume their idle habits, and squander their treasure in increase their debts, until the day of payment again arrived, and found them unprepared. In this way they could not continue long; and finding their affairs getting worse every day, and not knowing how to satisfy, without labor, the just and lawful demands of Love, it was one day proposed, when they were all together, that they should take his life, and thus settle his demands against them! This was four or five weeks before the fatal deed was done, and they all that time kept their awful purpose in view, and occasionally talked of the arrangements.

At length, finding their embarrassments increasing upon them, they resolved to carry their bloody purpose into execution on the evening of the 15th of December last. On that day, Israel butchered his hogs, and as that would cause blood to appear about the house, they thought it a good time for their purpose. It was agreed, therefore, among them, that Love should be induced to go that night, if possible, from the house of Nelson to that of Israel, where they would all assemble to cut up the pork, and spend the evening. They were careful to send a boy, by the name of D. Pierce, who lived with Israel, home to spend the night with his mother, who lived near; and Israel's wife was induced to go on a visit, for the evening, to a neighbor's house. Their plan of getting Love to the house was successful, and there the arrangements for the fatal deed were completed. It was agreed that Isaac should shoot Love through the window, with a rifle, which was loaded by Israel, and left near a log, at the place agreed upon, while the other two brothers should fix their attention by conversation. This was done: Love was sitting by the fire, with his boots and stockings off, (for the understanding was that he would stay all night,) warming his feet and talking with Nelson, when Isaac came to the window, and putting the rifle in where a pane of glass was wanting, he shot the unfortunate Love through the head. It was agreed that if the shot did not entirely kill the victim, he should be despatched by Nelson and Israel, who were both in the room. When Isaac had discharged the shot, he went away to the house of a neighbor, where he staid some time, before he returned; and as Love did not fall from his chair, Nelson, with the meat-axe he was using, gave him a blow behind the ear which salled him over, and then he repeated it upon the back of the head. This last blow brought him to the floor, and a third was then applied, which cut the neck and side of the face very much. The body was then drawn out of the house, and secreted near it. They were stout enough to carry such a weight, in any other case; but on seeing Love actually dead, under their hands, their strength and courage both failed them, and they felt as if sinking under some insupportable burden. When the body was out of the house, Nelson and Israel finished cutting up the pork; and about the time they had done, Isaac came back. On entering the house, he said there appeared to have been butchering done there, but he had performed his part, and should do no more. Having said this, he again went away. They then washed up the blood upon the floor, and there being some in the chair where the murdered man had sat, which they could not readily get off, they put some pieces of bloody meat in the chair, as if to show that it came from that. Two of them, Nelson and Israel, then took up the body and carried it a few rods, to a brook, intending to bury it in the bottom of the stream; but when they attempted to dig, they were prevented by a rocky bottom, a few inches from the surface. They then buried it by the side of a log near the place. They then all went to the house of Mr. Irish, where Israel's wife was, and after staying some time, they went back to the fatal house, taking Israel's wife with them. Isaac says that when he first put the rifle to his face, to fire, he was so affected that he could not take aim; but after trying a little time to compose his nerves, he so far succeeded as to be able to get off the gun. The three then took immediate possession of all Love's property, his horse, pocket-book, papers, cash, and every thing belonging to him, which they immediately commenced disposing of to the best advantage. Finding a power of attorney necessary for the collection of Love's debts, they forged one, and then commenced suits for his demands. The murder was committed on the 15th of December, 1824; and although much inquiry was made for Love, yet no legal notice was taken of the suspicious circumstances, until late in the month of February, 1825, when a search was made throughout the neighborhood, for the body of Love, which was finally found where they had buried it. They were all three arrested and taken to prison at Buffalo, together with their father, who, they all say, was entirely innocent of the deed.

On the 21st day of April, 1825, Israel, Jr. and Isaac, were brought to the bar of their trial, before Judge Walworth, at Buffalo. They both pleaded "not guilty," but the testimony, although all circumstantial, was too clear for their escape, and they were found guilty, after a brief hearing of two days. The following day, 23d of April, Nelson was brought up for trial, entered the same plea, and was condemned on the same testimony. On Monday the 25th, they were all put to the bar, for the last time, to receive their sentence, and being asked if they had any thing to say why they should not be sentenced to die, they all replied in the negative. They were then most solemnly condemned to be hanged by the neck until dead, on the 17th day of June, 1825, between the hours of 12 at noon and 2, P. M. This order of the court was carried into effect at the time appointed. The three brothers were taken from the common jail, amidst an immense concourse of people, who had assembled to witness the awful scene, and conveyed to the gallows, a little north of Buffalo village, under a suitable guard. As soon as was convenient, after the arrival of the procession, the fatal arrangements were completed, and when the drop fell, they were all, at the same instant, launched into eternity!

While in prison, they were attended by a variety of Clergymen, of different denominations, who all had considerable conversation with them upon the subject of their situation. Nothing, however, transpired, which gave evidence that they felt any anxiety to attend to what was said to them by their visitors, although they always conversed very readily.

There is not, probably, a parallel case to this in the history of man. It was truly afflicting, to see three young men, all brothers, thus brought to an ignominious death for a crime committed to gratify a love for idleness and a lust for money. May all others take warning by this solemn example!!!

A Murderous Trio of Brothers in Buffalo, New York

32. [Broadside].

[Execution].

Thayer, Nelson [1798-1825].

Thayer, Israel [1801-1825].

Thayer, Isaac [1804-1825].

A Sketch of the Life, Condemnation, and Death of the Three Malefactors, Who Were Hanged at Buffalo, 17th June, 1825, For the Murder of John Love. [Buffalo, NY: S.n.], 1825.

19-1/4" x 12" broadside, edges untrimmed. Text in two columns below headline and woodcut vignette of three caskets. Moderate toning, light foxing, a few small faint dampstains, horizontal and vertical fold lines, minor rust marks and a few tiny tears to right column, two mended on verso with loss to one letter of text and no loss to legibility. \$3,500.

* The 1825 execution of the Thayer brothers stands as a foundational event in early American true-crime history, representing the first public hanging in Buffalo, New York. On June 17, 1825, an estimated 20,000 spectators gathered from across Western New York and Canada to witness the simultaneous execution of Nelson, Israel, and Isaac Thayer. This massive crowd vastly outnumbered the actual population of Buffalo at the time, turning a solemn legal punishment into a massive public spectacle. The sheer scale of the event underscored a profound cultural obsession with public justice and the moral consequences of violent crime in the early republic.

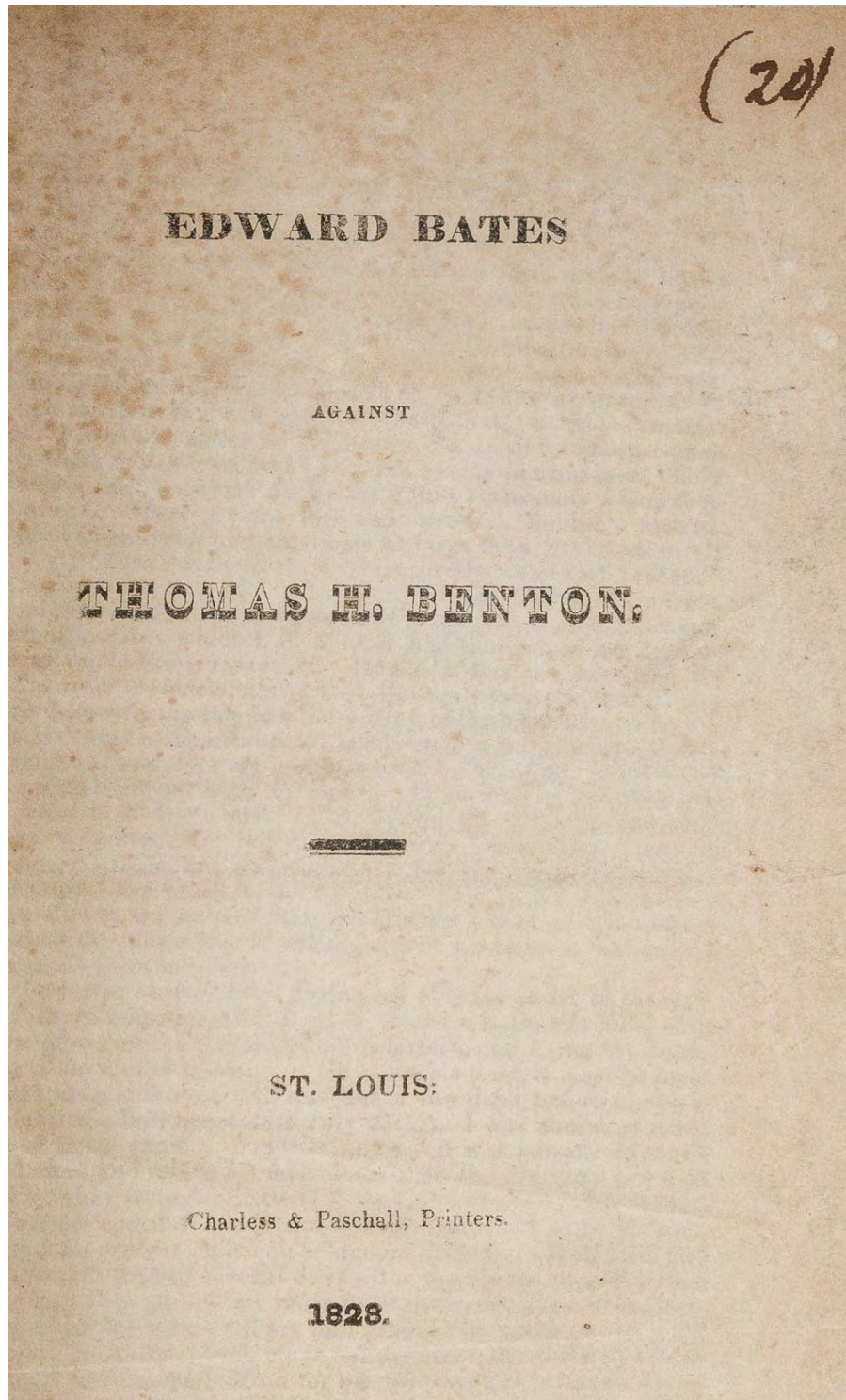
The murder of John Love occurred during a period of intense economic and social transformation for the region. The Erie Canal was nearing completion in late 1825, rapidly shifting Buffalo from a sleepy frontier outpost into a bustling, transient trade hub. The narrative presented in ephemeral literature like this broadside directly reflected the anxieties of traditional rural communities facing this sudden economic shift. By framing the brothers' motives as a "love for idleness and a lust for money," the text served as a cautionary tale against the perceived moral corruptions of modern commercial greed, rapid wealth accumulation, and the abandonment of honest agricultural labor.

Beyond its immediate local impact, the trial and execution left a lasting footprint on American literature and folklore. The sensational nature of three brothers conspiring to commit murder inspired "*The Murder of John Love*," a famous American folk ballad that was sung across the Northeast for decades. The cultural memory of the execution persisted long into the 19th century, eventually catching the attention of Mark Twain, who famously satirized the enduring local notoriety of the crime in his 1870 short story *First Interview with Artemus Ward*. Ephemeral broadsides like this unrecorded variant were the true engines of this cultural longevity, operating as both the breaking news of their day and the primary medium through which early Americans processed collective trauma and moral instruction.

This rare broadside appears to be an unrecorded variant of a related broadside with similar contents and a nearly identical title (beginning *A Sketch of the Life, Condemnation, And Death of the Three Thayers...*).

No copies located on OCLC, which locates 4 copies of the related broadside (New-York Historical Society, American Antiquarian Society, University of Michigan Clements Library, Cornell).

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A Rare 1828 Western Americana Incunabulum: Edward Bates vs. Thomas Hart Benton

33. Bates, Edward [1793-1869].

Edward Bates Against Thomas H. Benton. St. Louis: Charless & Paschall, Printers, 1828.

Twelve pages. Duodecimo (7-1/2" x 4-3/4"; 19cm x 12cm). Stab-stitched pamphlet as issued, currently housed and preserved in modern plain paper wrappers. Edges untrimmed and retaining original margins. Very Good. Text block exhibits moderate, uniform age-toning and faint, localized foxing consistent with the paper stock of the western frontier. The title page features a small, neat contemporary ownership or catalog shelf-mark ("20") in an early hand in the upper margin, not affecting text. A remarkably crisp, structurally sound, and structurally complete copy of an exceptionally fragile frontier survival. Rare in commerce, with few copies appearing at auction over the past century. \$1,250.

* This foundational Western Americana tract represents a critical chapter in the early legal and political history of the Trans-Mississippi West. Published during the fiercely contested congressional election of 1828, the pamphlet is Edward Bates's highly charged defense against allegations leveled by the formidable Democratic Senator, Thomas Hart Benton. Benton had publicly charged Bates—then serving as Missouri's lone representative in the U.S. House—with gross misconduct and a failure to protect his constituents' local property rights.

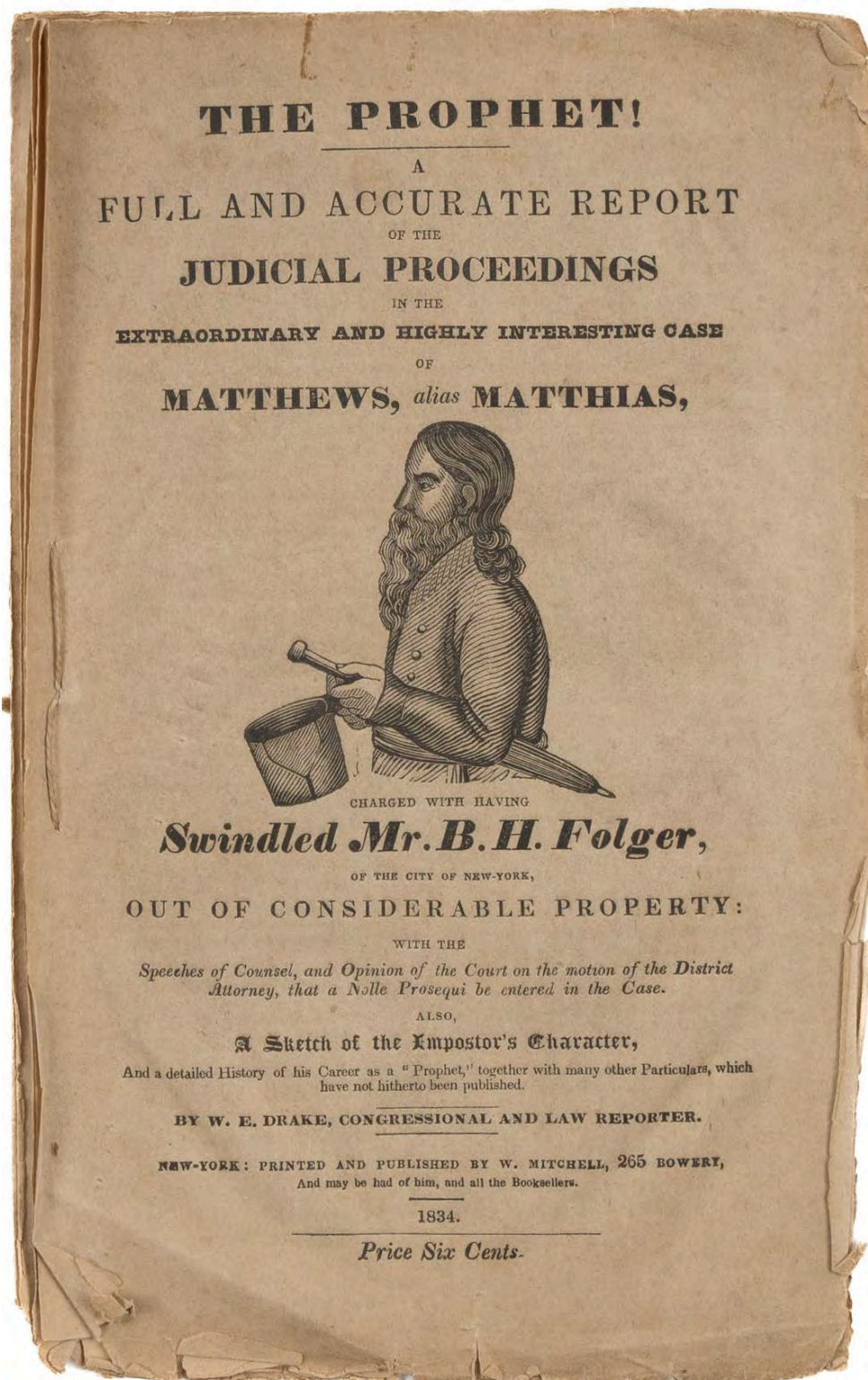
The core of their dispute centered on the complex, highly contentious adjudication of Spanish and French land grants in Missouri and Arkansas following the Louisiana Purchase. Speculators and original settlers frequently clashed over unconfirmed, incomplete titles issued by colonial commandants. While Benton championed the validation of expansive, often dubious speculative grants to court wealthy local interests, Bates favored rigorous federal oversight via a board of land commissioners to weed out fraudulent claims.

In this scathing rebuttal, Bates turns the tables on his adversary, utilizing his legal acumen to methodically paint Benton as a corrupt opportunist, a public defaulter, and a dishonest lawyer. He meticulously details Benton's controversial past actions as a director of the failed Bank of Missouri and argues that Benton's senatorial career was stained with systemic speculation. Beyond the immediate political vitriol of the Bates-Benton rivalry, the pamphlet is legally significant for its sophisticated observations on the intersection of Spanish civil law and American public land policy, serving as an essential contemporary source on how colonial land tenure shaped early American jurisprudence.

Bibliographically, this item is a premium regional incunabulum. It stands as an important artifact from the famous St. Louis printing firm of Charless & Paschall. Joseph Charless, the senior partner, was the first who introduced the first printing press to the territory in 1808. This specific pamphlet represents one of the earliest productions issued after Nathaniel Paschall joined the firm as a full partner in March 1828. Author Edward Bates would go on to carve out a monumental legacy, serving as Missouri's first state attorney general and eventually achieving national prominence as the U.S. Attorney General in President Abraham Lincoln's wartime "Team of Rivals" cabinet.

The Celebrated Collection of Americana Formed by the Late Thomas Winthrop Streeter 1853. Cohen, *Bibliography of Early American Law* 7901.50.

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The Prophet Matthias Scandal: A Rare Contemporary Trial Pamphlet with an Important Association to the Early Life of Sojourner Truth

**34. [Trial]. [Truth, Sojourner].
Matthews, Robert ("Prophet Matthias") (1792-1841).
Drake, W. E.**

The Prophet! A Full and Accurate Report of the Judicial Proceedings in the Extraordinary and Highly Interesting Case of Matthews, alias Matthias, Charged with Having Swindled Mr. B.H. Folger, of the City of New York, Out of Considerable Property... New York: Printed and published by W. Mitchell, 1834.

Octavo (9-1/2" x 6"; 24 x 15 cm). 16 pp. Title-page with a striking woodcut portrait of Robert Matthews. Sewn self-wrappers. Light edge wear and minor chipping to margins, scattered foxing. A well-preserved, very good copy. \$2,850.

* First edition. A scarce contemporary account of the judicial proceedings against Robert Matthews, the self-proclaimed religious prophet known as "Prophet Matthias," whose sensational rise and fall became one of the most notorious religious scandals of Jacksonian America. Matthews established a religious community known as the "Kingdom," attracting followers through his claims of divine authority and unconventional doctrines concerning marriage, property and spiritual obedience. Its collapse generated widespread newspaper coverage and a substantial pamphlet literature, exposing the tensions between evangelical revivalism, religious experimentation, personal authority and the law in antebellum America.

The present pamphlet reports proceedings arising from Matthews's alleged fraudulent acquisition of property from Benjamin H. Folger, a wealthy New York merchant and prominent member of his religious community. The controversy was closely associated with the suspicious death of another follower, Elijah Pierson, which subsequently led to Matthews's prosecution for murder in 1835. Although acquitted of that charge, Matthews became the subject of intense public scrutiny, and the scandal contributed to contemporary debates over religious fanaticism, fraud and the vulnerability of converts to charismatic spiritual leaders.

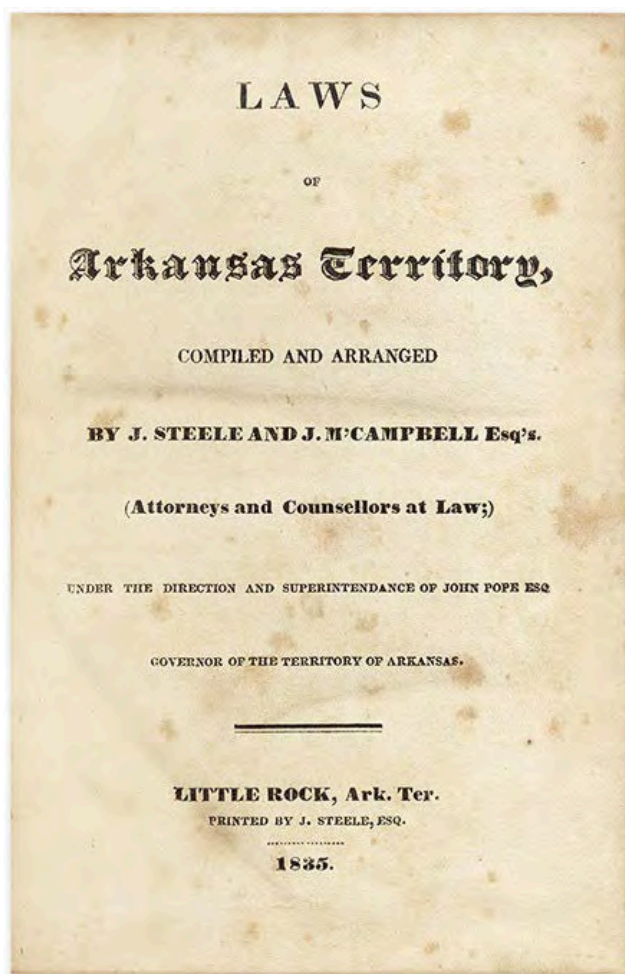
The affair has particular historical significance through its association with Isabella Baumfree, later known as Sojourner Truth (c.1797-1883), the celebrated abolitionist and women's rights advocate. Having secured her freedom from slavery in New York, Isabella became involved with Matthews's religious circle and worked in the household at Sing Sing where the community was established. Following Pierson's death and the collapse of the Kingdom, she was herself accused of involvement in the alleged poisoning. Although no criminal prosecution against her followed, the accusations threatened her reputation and livelihood. She subsequently brought a successful slander action against Benjamin H. Folger, obtaining damages of \$125, a remarkable legal victory for a Black woman in antebellum America.

Truth later recounted her experiences with Matthews and his followers in her *Narrative of Sojourner Truth* (1850), which devoted a substantial section to the affair and its aftermath. The episode occupies an important place in her early biography, illustrating both her involvement in the religious ferment of the Second Great Awakening and her determination to defend her character through the courts. Her successful slander action was one of two notable legal victories she achieved against white adversaries, the earlier having secured the return of her son Peter, who had been illegally sold into slavery in Alabama.

Although Truth is not named in the present pamphlet, it provides a contemporary account of the legal controversy surrounding the religious community in which she lived and worked, preceding the publication of her *Narrative* by sixteen years. A scarce and evocative survival of the sensational trial literature of the Jacksonian era, with important associations to the early life of Sojourner Truth and broader significance for the history of religious movements, race, gender and legal culture in antebellum America. OCLC locates 16 copies, only two in U.S. law libraries (Yale University and the University of Missouri).

Cohen, *Bibliography Early of American Law* 14033. *American Imprints* 25642; McDade, *Annals of Murder* 672 (note).

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The Final Territorial Compilation of the Laws of Arkansas

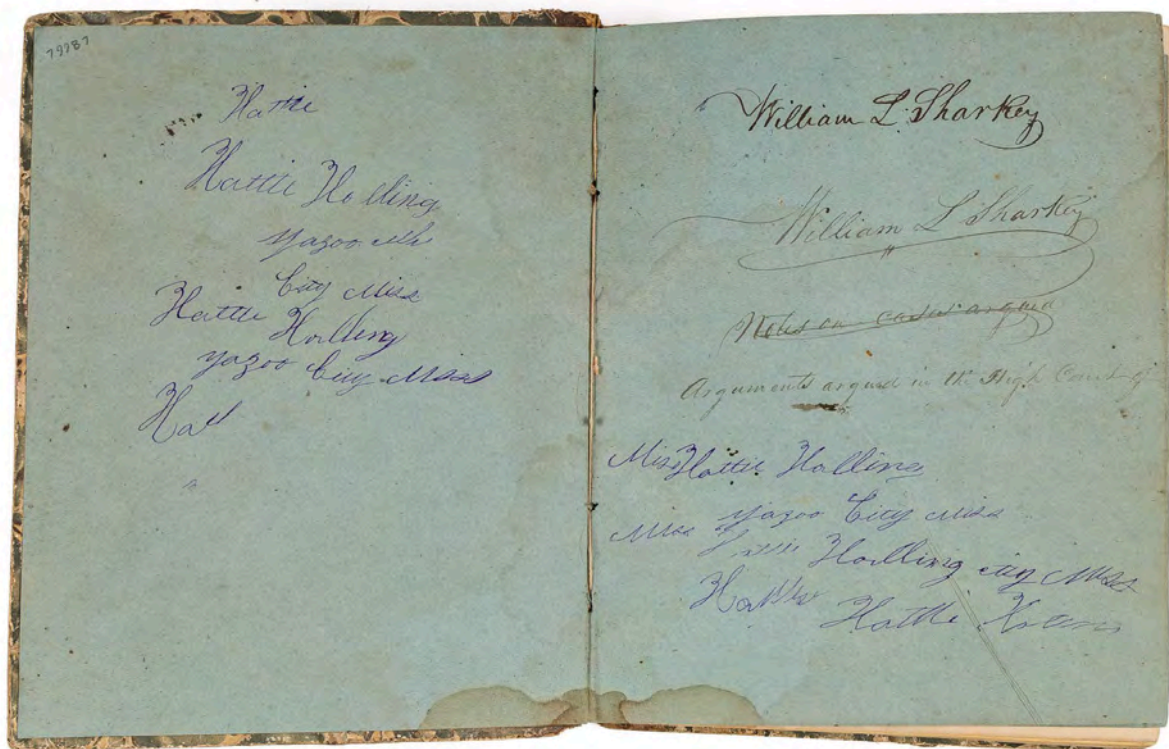
35. [Arkansas].
Steele, J.
M'Campbell, J[ames].

Laws of Arkansas Territory. Little Rock, Ark. Ter.: Printed by J. Steele, 1835. [iv], 562, [12] pp. Octavo (7-1/2" x 5").

Contemporary calf, blind fillets to boards, lettering piece and early owner label (Pettit & Pettit) to spine. Light rubbing to extremities, light scuffing to boards, spine abraded with wear along joints and spine ends, hinges cracked. Toning and foxing text, light browning in places, internally clean. \$2,000.

* Originally part of the Territory of Louisiana, then the Territory of Missouri, Arkansas Territory was established in 1819. It became a state in 1836. The first territorial compilation, a brief 149-page volume that included statutes of Missouri, was published in 1821. Steele and Campbell's alphabetically digested compilation was the second and last published during the territorial period. As indicated by such sections as Indians, Slaves and Vice and Immorality, it offers an interesting perspective on Arkansas when it was beginning its transition from a territory to a state. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 16.

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**The Bench Book of Chief Justice William L. Sharkey:
A Unique Antebellum Mississippi Supreme Court Manuscript (1835-1837)**

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

Notes on Cases Argued before the High Court of Errors and Appeals.
Jackson, MS, 1835-1837.

Quarto (7-1/2" x 6-1/4"; 17.8 x 15.9 cm). 130 pp. Content in a neat, highly legible cursive hand to rectos and versos. Bound in contemporary quarter sheep over marbled boards, gilt-ruled spine. A commercial blank book manufactured in the North, featuring a copperplate pictorial title vignette on the first leaf captioned "Album, New York, 1832" and text block sections in various pastel paper stocks. Moderate rubbing to boards, heavier wear to extremities, spine ends, and corners; rear joint starting but text block remains secure. Moderate interior toning with faint dampstaining to early leaves; large fragments missing from the final two leaves, and several leaves neatly excised from the center and rear (with stubs remaining). Autograph signature of William L. Sharkey alongside his handwritten, crossed-out title trial "Notes on Cases Argued" and subsequent finalized header "Arguments Argued in the High Court of" to the front free endpaper. Later ownership inscriptions and address of Miss Hattie Holling of Yazoo City, Mississippi, to the front endpapers and pastedown. Accompanied by three loose leaves of contemporary legal notes and an original receipt for a law journal subscription laid in. \$7,500.

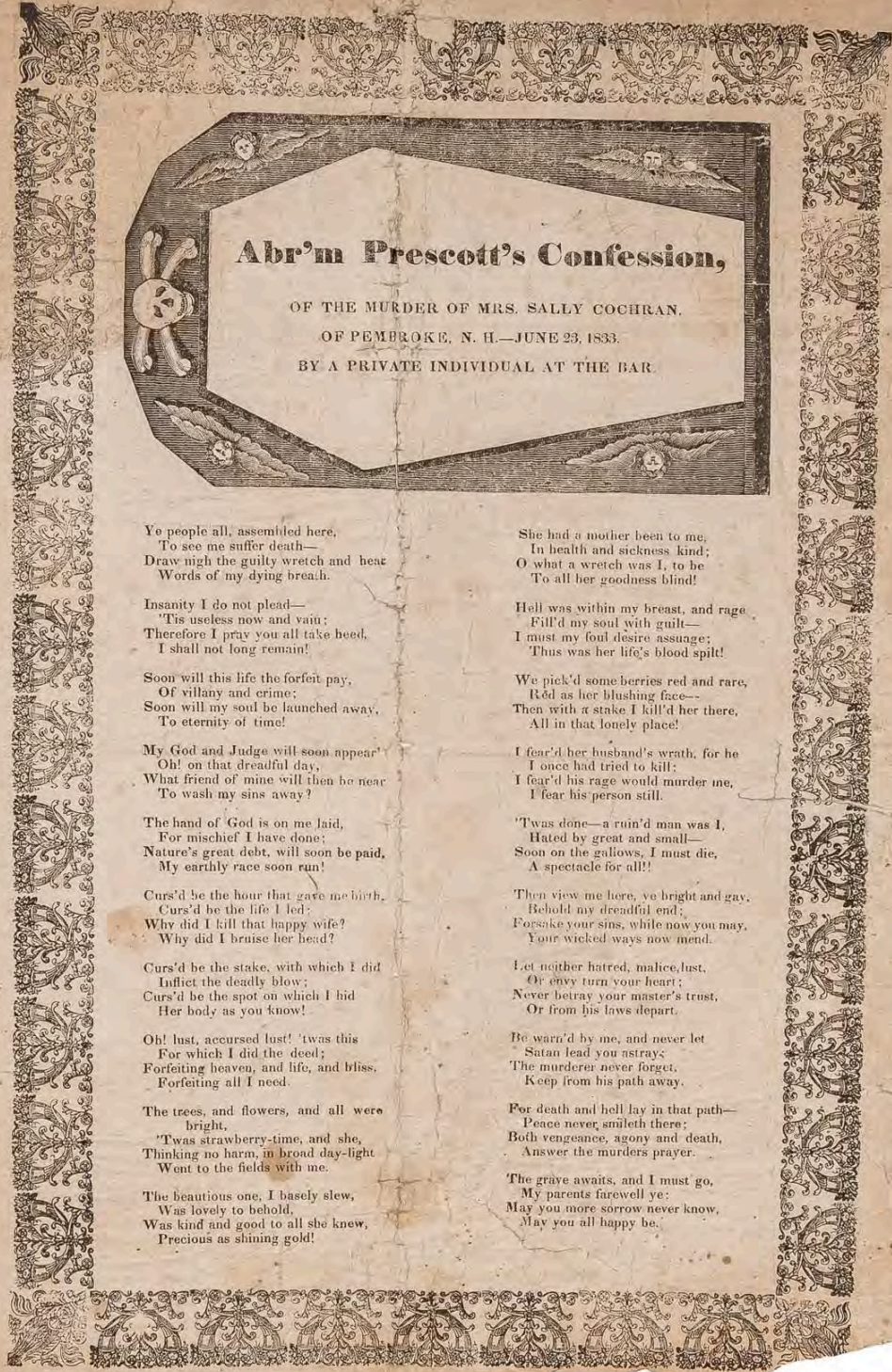
* This remarkable personal judicial notebook was kept by William L. Sharkey during his foundational early years as Chief Justice of the Mississippi High Court of Errors and Appeals—the state's supreme court. Sharkey, a Tennessee-born lawyer who later emerged as an unyielding Southern Unionist, provisional governor during Reconstruction, and U.S. Senator-elect, held the state's highest judicial post from 1832 to 1851. His tenure began immediately following the ratification of Mississippi's landmark 1832 Constitution, a radical Jacksonian document that made Mississippi the first state in the nation to transition to an entirely democratically elected judiciary.

Spanning the July Term of 1835, the December Term of 1836, and the January Term of 1837, the manuscript comprises roughly 50 highly detailed entries that serve as personal case reports. Because early Mississippi frontier jurisprudence was fluid and official state print reports were frequently delayed or sparsely detailed, judges relied heavily on private notebooks to track precedents. The absolute scarcity of revisions or corrections within these pages strongly indicates that Sharkey carefully compiled these fair-copy summaries from rougher notes taken live on the bench.

The scope of the trials documented here offers a vital window into the economic machinery of the antebellum Deep South during a period of explosive territorial expansion and speculative land booms. The vast majority of the cases deal intimately with property litigation, debt actions, and complex estate disputes, legal battlegrounds that directly dictated the distribution of wealth, land ownership, and enslaved labor in the Mississippi Delta. Unusually substantive and expansive for a high-court judicial manuscript, this volume provides a fascinating, private counterpoint to official published records, preserving the analytical mind of one of the nineteenth-century South's most formidable legal figures. While lower court dockets from this era survive in institutional archives, private bench books belonging to antebellum state Supreme Court justices are profoundly rare in commerce; no comparable examples are traced in the modern auction records.



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Abr'm Prescott's Confession,

OF THE MURDER OF MRS. SALLY COCHRAN.
OF PEMBROKE, N. H.—JUNE 23, 1833.
BY A PRIVATE INDIVIDUAL AT THE BAR.

Ye people all, assembled here,
To see me suffer death—
Draw nigh the guilty wretch and hear
Words of my dying breath.

Insanity I do not plead—
'Tis useless now and vain;
Therefore I pray you all take heed,
I shall not long remain!

Soon will this life the forfeit pay,
Of villany and crime;
Soon will my soul be launched away,
To eternity of time!

My God and Judge will soon appear!
Oh! on that dreadful day,
What friend of mine will then be near
To wash my sins away?

The hand of 'God is on me laid,
For mischief I have done;
Nature's great debt, will soon be paid,
My earthly race soon run!

Curs'd be the hour that gave me birth,
Curs'd be the life I led;
Why did I kill that happy wife?
Why did I bruise her head?

Curs'd be the stake, with which I did
Inflict the deadly blow;
Curs'd be the spot on which I hid
Her body as you know!

Oh! lust, accursed lust! 'twas this
For which I did the deed;
Forfeiting heaven, and life, and bliss,
Forfeiting all I need.

The trees, and flowers, and all were
bright,
'Twas strawberry-time, and she,
Thinking no harm, in broad day-light
Went to the fields with me.

The beautiful one, I basely slew,
Was lovely to behold,
Was kind and good to all she knew,
Precious as shining gold!

She had a mother been to me,
In health and sickness kind;
O what a wretch was I, to be
To all her goodness blind!

Hell was within my breast, and rage
Fill'd my soul with guilt—
I must my foul desire assuage;
Thus was her life's blood spilt!

We pick'd some berries red and rare,
Red as her blushing face—
Then with a stake I kill'd her there,
All in that lonely place!

I fear'd her husband's wrath, for he
I once had tried to kill;
I fear'd his rage would murder me,
I fear his person still.

'Twas done—a ruin'd man was I,
Hated by great and small—
Soon on the gallows, I must die,
A spectacle for all!!

Then view me here, ye bright and gay,
Behold my dreadful end;
Forsake your sins, while now you may,
Your wicked ways now mend.

Let neither hatred, malice, lust,
Or envy turn your heart;
Never betray your master's trust,
Or from his laws depart.

Be warn'd by me, and never let
Satan lead you astray;
The murderer never forget,
Keep from his path away.

For death and hell lay in that path—
Peace never smil'd there;
Both vengeance, agony and death,
Answer the murders prayer.

The grave awaits, and I must go,
My parents farewell ye;
May you more sorrow never know,
May you all happy be.

"Oh! Lust, Accursed Lust! 'Twas This for Which I Did the Deed"

37. [Murder Broadside]. Prescott, Abraham (d. 1836).

A Private Individual at the Bar. Abr'm Prescott's Confession, Of the Murder of Mrs. Sally Cochran of Pembroke, N.H.--June 23, 1833. [Concord, NH.?]: S.n., 1836.

Single-sheet broadside, measuring 17" x 11-1/2" (43.2 cm x 29.2 cm). Letterpress text in two columns, containing twenty stanzas of verse enclosed within a decorative woodcut ornamental border; the text is surmounted by a large woodcut vignette of a coffin. Good condition. Light uniform browning with a few minor stains; original horizontal and vertical fold lines exhibit some small tears repaired on the verso, without loss to text. Edges chipped, with a notable section lacking from the bottom margin just touching the bottom right corner of the border, but entirely clear of the letterpress verse. A remarkably well-preserved, fragile survival of early New England street literature. \$1,950.

This exceptionally rare execution broadside serves as a sensational artifact from one of the most legally significant criminal cases in early nineteenth-century New England. Abraham Prescott was convicted of the brutal June 1833 murder of his employer's wife, Sally Cochran, following two highly publicized trials held in Concord, New Hampshire, in 1834 and 1835. The case drew massive public interest and stands as a major landmark in American legal history due to the robust, deeply sophisticated insanity defense mounted by Prescott's counsel, a strategy that sparked intense contemporary debate regarding moral insanity, somnambulism, and criminal responsibility long before the modern legal standard was codified.

Despite his lawyers' innovative defense, Prescott was sentenced to death. After a temporary stay delayed his initial December 1835 execution date, he was publicly hanged in Hopkinton, New Hampshire, on January 6, 1836. Published immediately following his execution to satisfy a captivated public, this broadside features a dramatic, moralizing verse account that rejects the insanity defense entirely. Instead, it explicitly frames the murder as a calculated crime of passion, capturing the prevailing public sentiment and punitive theological views of the era with the striking verse: "Oh! lust, accursed lust! 'twas this / For which I did the deed; / Forfeiting heaven, and life, and bliss, / Forfeiting all I need."

OCLC locates 7 copies (AAS, Brown, Dartmouth, Harvard, Peabody Essex, University of Michigan, Yale). See McDade, *The Annals of Murder* 769. Burt, *American Murder Ballads*, pp. 66-67.

[View Additional Images or Order This Item](#)



Antebellum Virginia Docket Book

38. [Manuscript].

[Virginia].

[Justice's Docket Book, Amherst County, Virginia, 1850-1859]. 2 books. [200]; [212] pp. Folio (13-1/2" x 8-1/4" and 12-3/4" x 8"; 34.3 x 20.9 and 32.4 x 20.3 cm).

Quarter and three-quarter sheep over marbled boards, one book has lettering piece reading "Justice's Docket." Bindings lightly cocked, moderate rubbing to boards and board edges with light wear to corners, spine of one book abraded, its boards partially detached. Light toning, light foxing in places, staining to leaves at beginning and end of each book. Text in legible hands to approximately 80 pp., a few leaves removed, torn or partially lacking with some loss to content, one book has additional annotations to pastedowns and adjacent endleaves. \$1,850.

* This paired set of manuscript ledgers captures daily legal and economic life in Antebellum Virginia, recording appearances at a Justice's Court in Amherst County. Local family names throughout the text—including Dr. William S. Dillard, a member of a prominent Amherst medical family—firmly anchor the volumes to the county seat of Amherst. (The volumes were acquired directly from a Dillard descendant).

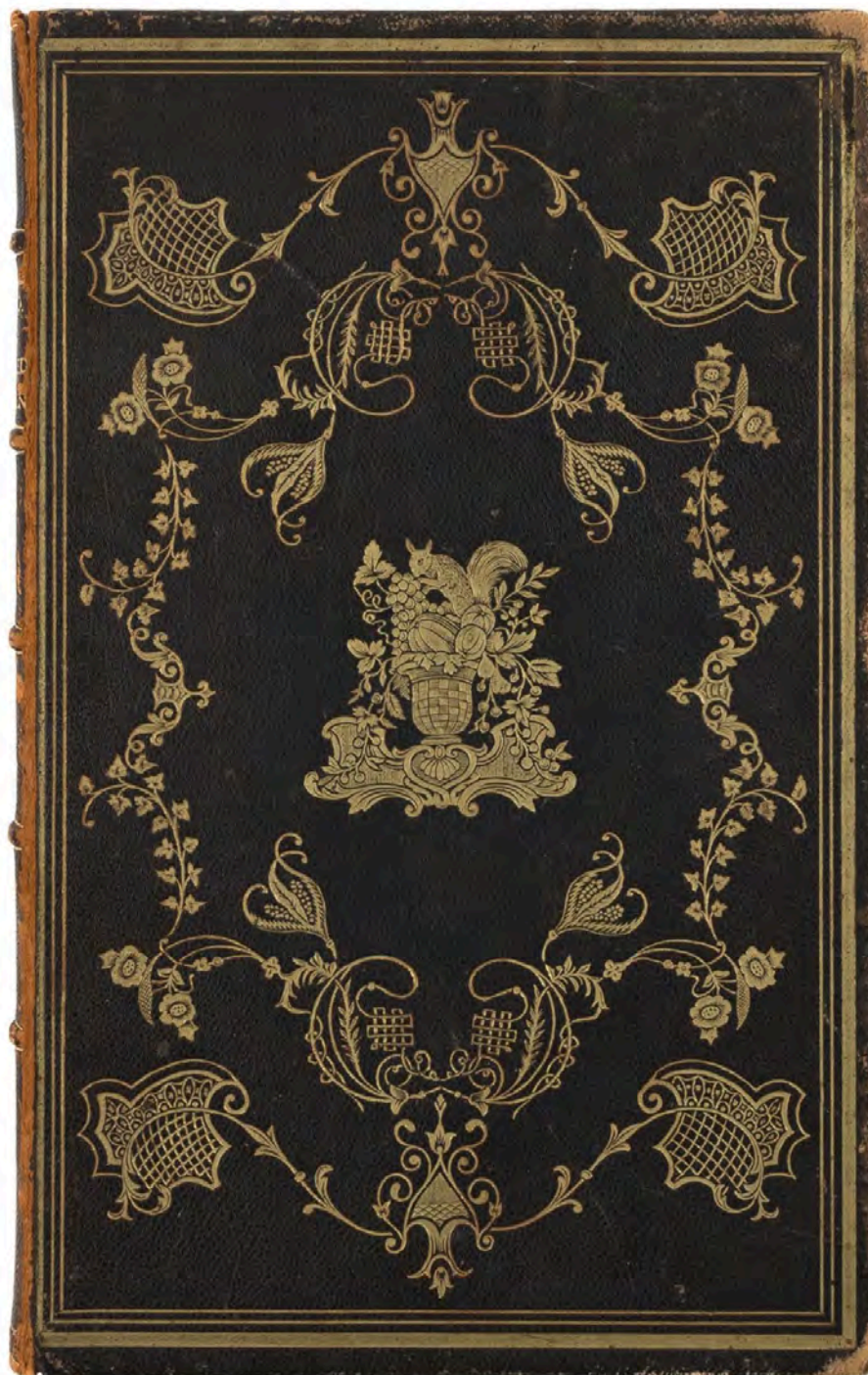
The legal entries are meticulously organized in columns under the following contemporary headings: "Parties Names," "Date of Judgment," "Amount of Judgment," "Interest from Costs," "Exon. [Execution] When Delivered," "To Whom Delivered," "When Returnable," and "Return." While the core legal record spans the turbulent decade of 1850 to 1859, the books remained in the family as a domestic record. The rear of one volume contains local sales transactions dating from

1880 to 1889, alongside a fascinating homegrown recipe for "foxgrape wine" dated 1881.

An excellent primary source for Southern legal history, debt collection practices, and post-war rural ecology.



[View Additional Images or Order This Item](#)



The Trial of an Early Jewish California Financier, in an Elaborately Gilt Contemporary Morocco Binding

39. Stanly, Edward. Park, T[renor] W[illiam]. Naglee, Henry M[orris]. Cohen, Alfred A[ndrew].

Arguments of the Hon. Edward Stanly, of Counsel for the Receiver, and T.W. Park, Esq., of Counsel for Alvin Adams, with the Charge of the Court, at the Trial of Alfred A. Cohen on a Charge of Embezzlement, in the Case of Adams & Co., By H.M. Naglee, Receiver, Versus Alfred A. Cohen. San Francisco: Whitton, Towne & Co., 1856.

Americana: Law and Legal History, 1682–1965 • October 27, 2026

Octavo. 88 pp. 8-5/8" x 5-3/4"; 219 mm x 146 mm.

Contemporary pebble-grained black morocco, boards elaborately gilt with symmetrical arrangements of floral and foliate scrollwork, latticework ornaments and a large central stamp depicting a squirrel amid fruit and foliage above a basket, all within multiple gilt fillet borders. Spine gilt-lettered "Adams & Co. vs. Alfred Cohen," with date 1856 at foot. Moderate to considerable rubbing and wear to spine, joints and extremities, with some exposure of underlying leather at edges. Boards retain their striking gilt decoration. A very good copy in an unusually elaborate decorative binding. \$1,500.

* A scarce San Francisco legal imprint documenting the proceedings against Alfred A. Cohen (1829-1887), an early Jewish California merchant, financier and future attorney, arising from the collapse of Adams & Company during the financial panic of 1855. One of the principal express and banking concerns operating in Gold Rush California, Adams & Company suspended operations in February 1855 amid a wider crisis of confidence in San Francisco's financial institutions. The ensuing disputes over the firm's assets and the conduct of its receivers produced extensive litigation and public controversy. Cohen, who had arrived in California in 1850 and established himself in commercial and financial affairs, became a central figure in these proceedings.

The present work prints the arguments of Edward Stanly, counsel for the receiver Henry M. Naglee, and Trenor W. Park, counsel for Alvin Adams, together with the court's charge in the action against Cohen. Tried before Judge John S. Hager in March 1856, the proceedings resulted in a verdict against Cohen for \$269,000. The case offers a revealing account of the legal and financial difficulties attending the collapse of a major banking and express enterprise in early California, particularly the administration of insolvent estates, the responsibilities of receivers and the contested disposition of commercial assets. Its publication also reflects the considerable public interest in the Adams & Company failure and the controversies surrounding its aftermath.

The trial formed a consequential episode in Cohen's remarkable career. Born into a Jewish mercantile family, Cohen established himself in California during the Gold Rush and subsequently became a prominent member of the state's legal and business community. Following his imprisonment in connection with the Adams & Company controversy, he studied law and was admitted to practice in California in 1857. He later pursued a successful career as an attorney and became extensively involved in railroad development, including the establishment of the San Francisco and Oakland Railroad. His experience illustrates the close relationship between commerce, litigation and entrepreneurial advancement in nineteenth-century California.

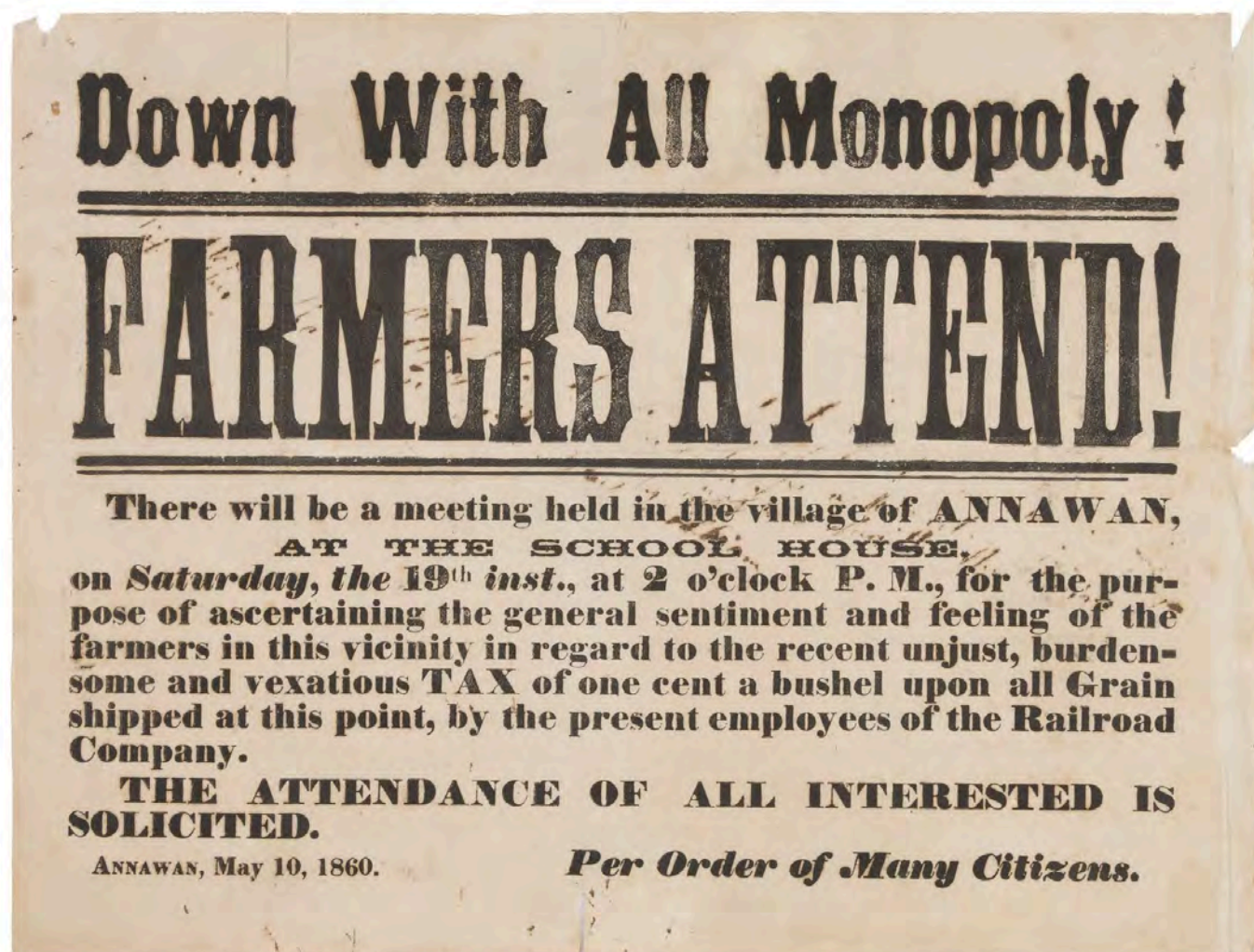
The proceedings are also of interest in the context of early Jewish life in the American West. Jewish merchants and financiers participated prominently in California's rapid commercial expansion, while also encountering the religious and ethnic prejudices of the period. Cohen's prosecution should be understood within the turbulent political and financial environment of Gold Rush San Francisco, although the present account does not establish that religious prejudice was a determining factor in the litigation.

The elaborate contemporary binding is an especially attractive feature of this copy. Its richly gilt floral decoration, latticework ornaments and unusual squirrel-and-fruit central vignette are far more ambitious than the utilitarian bindings ordinarily associated with nineteenth-century American trial pamphlets. A desirable example of early California legal printing, combining Gold Rush financial history, the biography of a prominent Jewish pioneer and an exceptional contemporary binding.

OCLC locates 23 copies with only one copy in a U.S. law school at Harvard.

Cowan, *Bibliography of the History of California and the Pacific West*.

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An Unrecorded Illinois Farmers' Protest Against Railroad Charges,
Seventeen Years Before the Granger Cases

40. [Broadside]. [Agriculture]. [Railroads]. [Illinois].

Down With All Monopoly! Farmers Attend! Annawan, Illinois: [s.n.], May 10, 1860.

Single-sheet broadside (approximately 9" x 12"), printed horizontally on cream-colored paper in several sizes and styles of display type, the principal heading in large, bold lettering. Light marginal chipping and edge-browning, otherwise very good, with strong, clear printing. \$950.

An apparently unrecorded pre-Civil War Illinois broadside calling upon local farmers to organize against a grain-shipping charge imposed by railroad employees, an early expression of the agrarian opposition to railroad monopolies that would become a central issue in American politics and regulatory law after the Civil War. Dated May 10, 1860, the broadside summons farmers to a public meeting at the Annawan schoolhouse on Saturday, May 19, to consider the imposition of a charge of one cent per bushel on grain shipped from the town's railroad station. Denouncing the assessment as an "unjust, burdensome and vexatious TAX," the anonymous organizers, acting "Per Order of Many Citizens," sought to determine the sentiment of local farmers concerning the charge. Its emphatic opening declaration, "Down With All Monopoly!," gives the document the character of a public protest as well as a meeting notice.

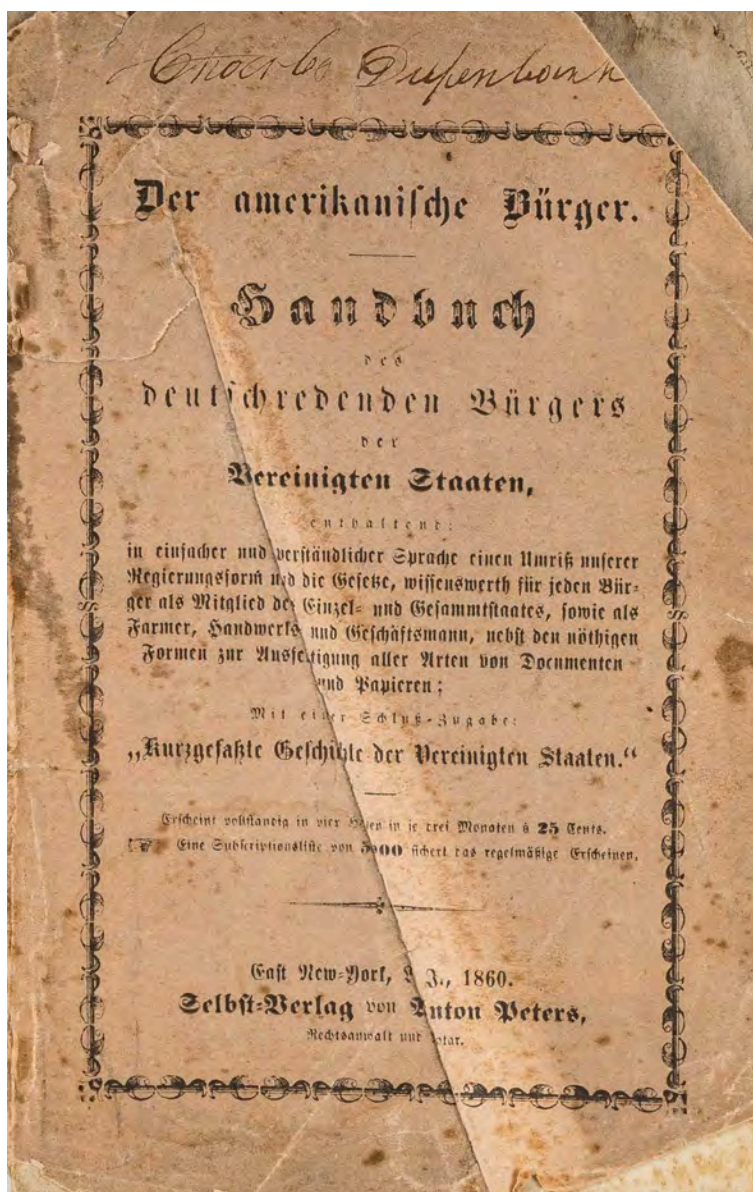
Issued seven years before the founding of the National Grange in 1867, the broadside documents the existence of organized local opposition to railroad charges well before the emergence of the better-known postwar agrarian reform movements. Railroads were essential to the commercial development of the agricultural Midwest, connecting rural producers with distant markets, but their control over transportation facilities and charges also generated disputes concerning access, rates and the economic power of transportation companies. The Annawan protest provides a contemporary illustration of these tensions at the local level, as farmers challenged what they regarded as an arbitrary burden upon the marketing of their crops.

The grievances expressed in this broadside anticipate those that later animated the Granger movement and the campaign for state regulation of railroad and grain-storage charges. These controversies eventually reached the United States Supreme Court in the Granger Cases of 1877, including *Munn v. Illinois*, 94 U.S. 113, which upheld state regulation of grain-warehouse charges, and *Peik v. Chicago & Northwestern Railway Co.*, 94 U.S. 164, which sustained certain state railroad-rate regulations. The Court's decisions helped establish the constitutional framework for regulating private enterprises affected with a public interest, although the scope of state authority over interstate transportation was subsequently restricted in *Wabash, St. Louis & Pacific Railway Co. v. Illinois*, 118 U.S. 557 (1886). The present broadside predates these developments by seventeen years and provides evidence of the local economic grievances from which the broader movement for railroad regulation emerged.

An uncommon survival of ephemeral political printing from antebellum Illinois, combining the history of Midwestern agriculture, railroad development, popular protest and the origins of American economic regulation. Its direct appeal to farmers, emphatic typography and specific objection to a one-cent-per-bushel charge make it a particularly revealing document of rural resistance to railroad pricing practices before the Civil War.

No copies located in OCLC; apparently unrecorded in the institutional bibliographies consulted.

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A Civic Guide for German-Speaking Americans

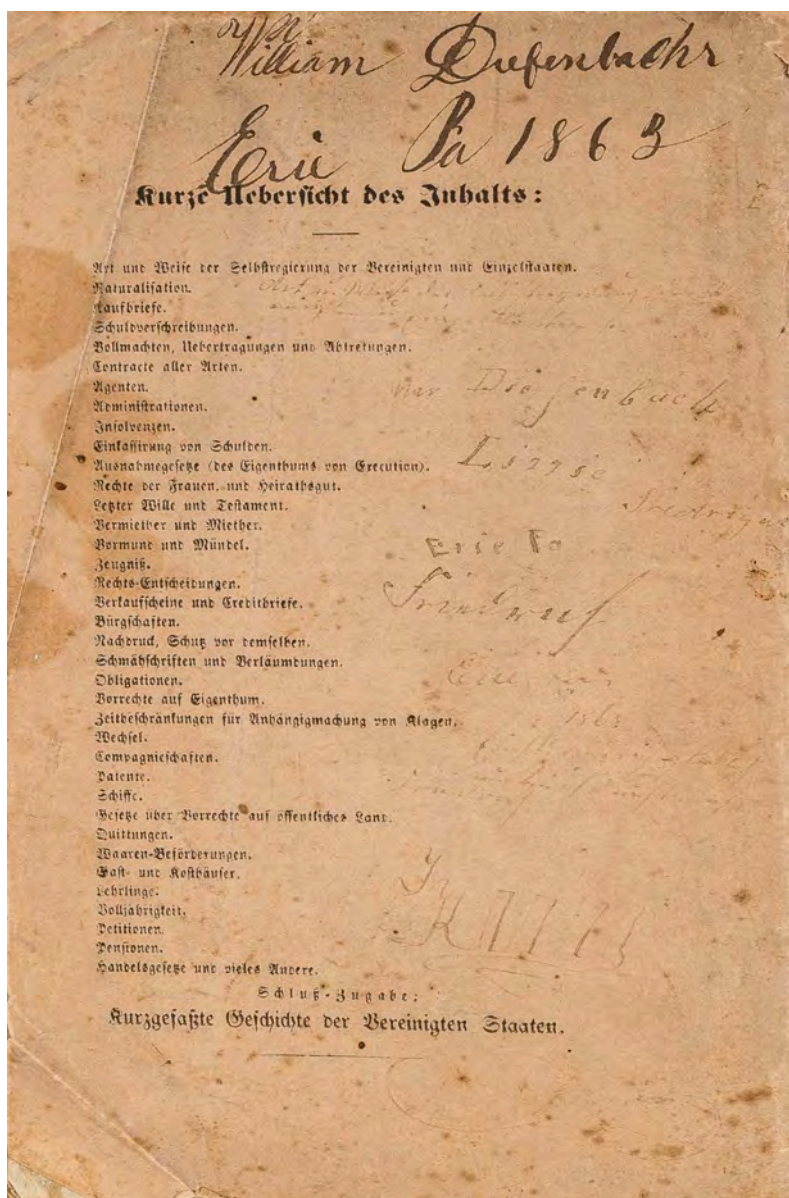
41. Peters, Anton, Publisher.

Der Amerikanische Bürger. Handbuch des Deutschredenden Bürgers der Vereinigten Staaten, Enthaltend in Einfacher und Verständlicher Sprache Einen Umriss Unserer Regierungsform, Und die Gesetze, Wissenswerth Für Jeden Bürger Als Mitglied des Einzel- Und Gesamtstaates, Sowie Als Farmer, Handwerks- Und Geschäftsmann, Nebst den Nöthigen Formen Für Ausfertigung Aller Arten von Documenten und Papieren; Mit Einer Schlusszugabe: "Kurzfassende Geschichte der Vereinigten Staaten." East New York: Selbst-Verlag von Anton Peters, 1860. iv, 60 pp. Octavo (7" x 4-1/2"; 17.75 x 11.5 cm).

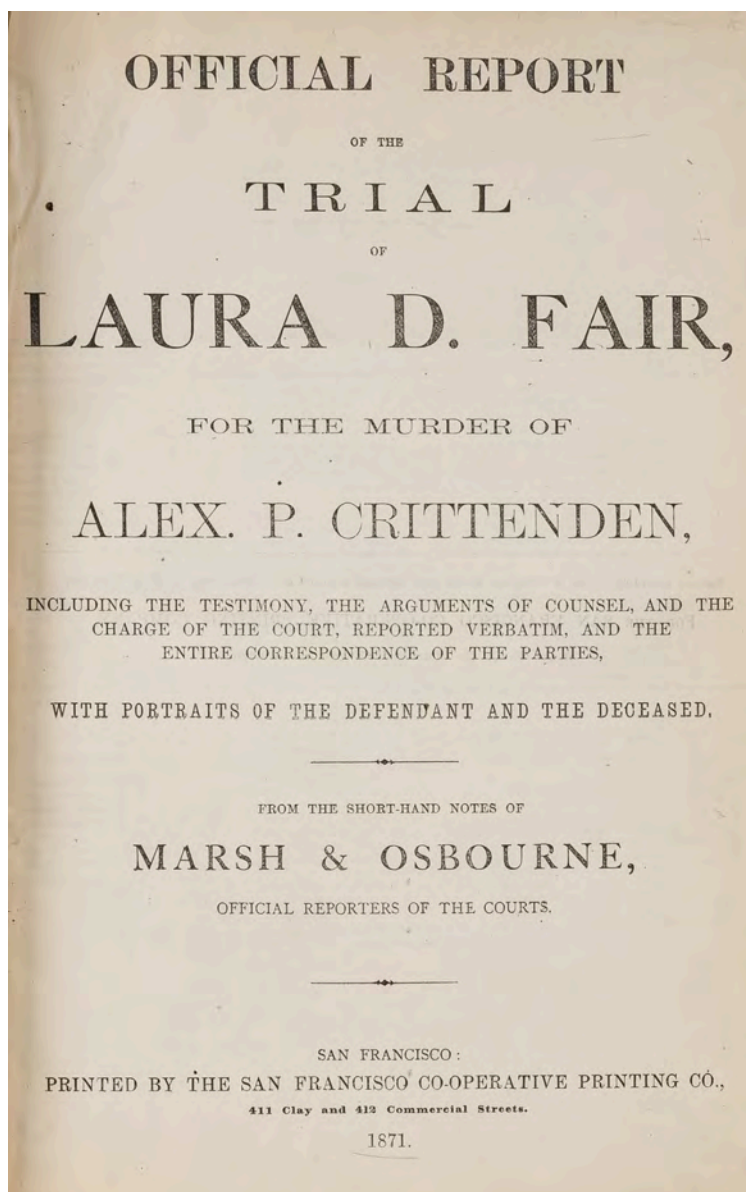
Stab-stitched pamphlet in printed wrappers, text in German and English. Wear and soiling to wrappers, tear to upper front wrapper causing it to separate, its upper and lower corners lacking, crease to front wrapper and title page, early owner signatures (of members of the Diefenbach family, Erie, Pennsylvania) to wrappers, light toning and foxing to interior, small stain to upper corner of pp. 39-42. Rare. \$2,500.

* Only edition located. Intended for the "German-speaking citizen," this rare pamphlet contains a brief explanation of the function of the American court system and a history of the United States. It also includes various forms in German and English, including citizenship and naturalization oaths, indentures, real estate transactions and other contracts.

OCLC locates 2 copies (UNC-Chapel Hill, German Society of Pennsylvania). Not in Sabin.



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A Landmark Gilded Age Murder Trial-Offered with Its Definitive Modern History

42. [Trial].

Fair, Laura D., Defendant.

Official Report of the Trial of Laura D. Fair, For the Murder of Alex. P. Crittenden. San Francisco: Printed by the San Francisco Co-Operative Printing Co., 1871. 4, 325, xvii pp. With two full-page woodcut portraits of Fair and Crittenden as a double frontispiece.

Octavo (9-3/4" x 6-1/2"; 24.8 x 16.5 cm). Stab-stitched book bound in early twentieth-century three-quarter sheep over marbled boards, gilt title to spine, front board detached. Rubbing, light wear to extremities, front joint starting, chipping to spine ends, corners bumped and worn, hinges cracked (front hinge reinforced with archival tissue), library bookplate (with deaccession stamp) to front pastedown. Moderate toning to interior; light edgewear and a few chips to portrait leaves; light foxing to last few leaves; tear to head of gutter of title page; internally clean.

Housed in attractive custom crimson clamshell box, quarter morocco over cloth with raised bands and gilt title to spine. \$1,250.

* First and only edition of the official report documenting the "Ferryboat Murder," a landmark case of femininity, insanity, and Victorian scandal. When Laura Fair discovered her lover, Alexander Crittenden, had no intention of leaving his wife, she fatally shot him aboard a San Francisco ferry in front of his family. The ensuing trial became a national lightning rod for Victorian anxieties regarding the "sanctity of the family" and the legal rights of women.

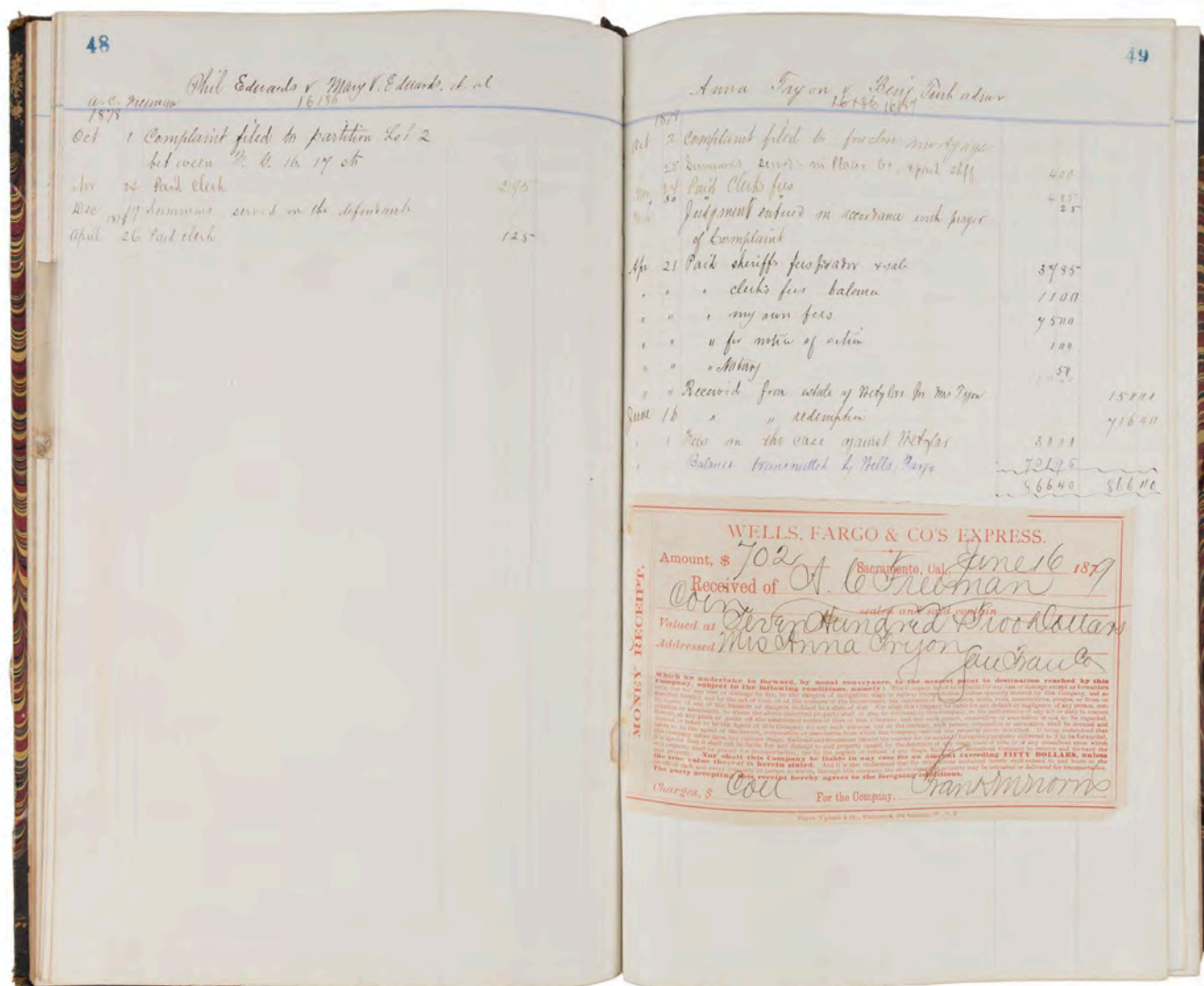
In a pioneering and controversial defense, Fair's counsel argued she was a victim of "Moral Mania," a temporary insanity triggered by her menstrual cycle and "nervous prostration." While the suffragist movement championed her as a victim of a patriarchal legal system, the public was captivated by the scandalous correspondence printed here in full. This historical drama is explored in depth in Gary Krist's *Trespassers at the Golden Gate* (2025), which contextualizes the trial within Gilded Age San Francisco.

This remains a cornerstone text for the study of 19th-century gender politics and the 'insanity' defense.

McDade, *The Annals of Murder* 291. Krist, *Trespassers at the Golden Gate* (2025) (a copy of this work is included).



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A Distinguished California Jurist's Manuscript Register of
Legal Proceedings During the Constitutional Reform Era, 1877-1880

43. [Manuscript]. [California].

Freeman, Abraham Clark [1843-1911].

Register of Actions and Proceedings. [Sacramento County, California], 1877-1880. Folio (13" x 7-3/4"; 33 x 19.7 cm). 244 pp. Manuscript in a single, highly legible cursive hand. Contemporary three-quarter sheep over marbled boards, gilt fillets to spine, marbled edges. Contemporary manuscript title ("Register of Actions and Proceedings") to front pastedown.

Light rubbing and minor scuffs to boards, dampstain to rear board, heavier rubbing to extremities with minor wear to spine ends and corners, chip to foot of spine. Joints starting slightly at head, hinges tender but holding. Slight offsetting to corners of first two leaves. Light toning to interior, occasional light foxing and minor spots and stains. Several related contemporary documents tipped or laid in. Good to very good. \$3,500.

An extensive manuscript register documenting the private legal practice of Abraham Clark Freeman, one of California's most distinguished nineteenth-century lawyers, legal authors and constitutional reformers, during the years surrounding the state's Constitutional Convention of 1878-1879. Freeman arrived in California from Illinois in 1861 and was admitted to the bar in 1864. He achieved national prominence with his *Treatise on the Law of Judgments* (1873), described in an early history of Sacramento County as the first legal treatise of national scope written or published in California. Its exceptional reception helped establish California's reputation as a center of American legal scholarship. Freeman subsequently became an influential editor of American case-law reports, assuming the editorship of *American Decisions* in 1879.

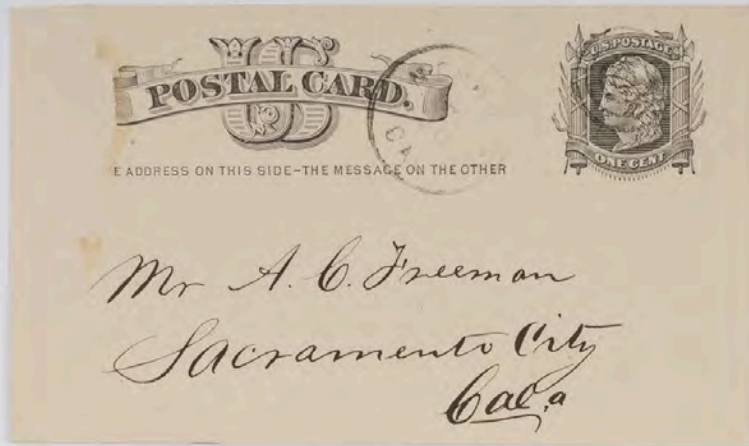
The present register covers a particularly significant period in Freeman's career and California's constitutional development. Freeman served as a delegate to the Constitutional Convention of 1878-1879, which drafted the state's second constitution amid intense controversies over railroad monopolies, corporate power, taxation, labor relations and political representation. Ratified in 1879, the new constitution substantially reorganized the state's legal and political institutions. Freeman also served on a commission charged with recommending amendments to bring California's statutory codes into conformity with the new constitution. This manuscript thus records his private practice during a period when he was directly engaged in the revision of the state's fundamental law and emerging as a nationally recognized authority on American jurisprudence.

The 244 pages contain a substantial record of civil actions and legal proceedings, providing a detailed view of the commercial, financial and property disputes occupying Sacramento's legal profession during the Gilded Age. Among the individuals appearing in the register are Darius Ogden Mills (1825-1910), the prominent banker, financier and co-founder of the Bank of California, whose interests extended across mining, banking, railroads and real estate, and Samuel Brannan (1819-1889), the celebrated California pioneer, merchant and real-estate speculator, widely regarded as the state's first millionaire. Brannan's later career was marked by financial reversals and extensive litigation. The appearance of these figures illustrates the connections between legal practice, private wealth and the commercial interests that shaped California's economic development during the nineteenth century.

The manuscript is further enhanced by related contemporary documents, including an 1879 Wells Fargo & Co. receipt for a \$702 money order associated with the settlement of a foreclosure, and a postcard addressed to Freeman from E.M. Marsham. These materials provide additional evidence of the financial transactions and practical administration of legal business in late nineteenth-century California, when Wells Fargo played a prominent role in banking, express services and the movement of funds throughout the West.

An unusually substantial surviving record of the private practice of a nationally prominent California legal author and constitutional reformer, offering valuable primary evidence of civil litigation, commercial relationships and the administration of justice in Sacramento during a formative period in the state's legal history.





In the District Court of sixth Judicial District
SACRAMENTO COUNTY.
No. 2.

Anna Dwyer
vs.
Deaf Turk Executors of estate of
Julia Cummings et al

Sacramento, April 9th 1879
Mr A C Freeman City
To M. M. Drew, Sheriff, Jr.

To Sheriff's Fees due in the above entitled action.

<i>Serving Summons & Complaint in Turk</i>	<i>1 00</i>
<i>" " on Graham</i>	<i>1 00</i>
<i>Copies & Mileage</i>	<i>1 50</i>
<i>Returning returns of Sale & mileage</i>	<i>3 30</i>
<i>Certificate of Sale & Copy</i>	<i>1 50</i>
<i>Commission on \$685.00</i>	<i>20 55</i>
<i>Advertising on Record in case</i>	<i>7 50</i>
<i>Feeling with Recorder</i>	<i>1 50</i>
Recd payt.	<i>37 85</i>

M M Drew Sheriff
By A C Ester Manager

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"That Scar Was Won by a Slave": A Unique Piece of Illustration Art

44. Kemble, E[dward] W[indsor] [1861-1933].

"Look!" He Cried, "And Bless the Sight, For that Scar was Won by a Slave." [New York], September 1887.

Attractively glazed and matted 10-1/2" x 8-1/2" (26.7 x 21.6 cm) pen-and-ink drawing in handsome 16" x 14-1/2" (40.6 x 36.8 cm) wooden frame. A few minor nicks and scratches to frame, a few tiny spots to matte, light uniform toning to image. Overall a crisp, well-preserved piece of original late 19th-century American illustration art. \$1,850

* This striking, emotionally charged drawing was executed as an illustration for "De Valley an' de Shadder," a short story by Macon, Georgia author Harry Stilwell Edwards (1855-1938). It was first published in *The Century Magazine* (January 1888, p. 476) and later reprinted in Edwards' collection *Two Runaways and Other Stories* (New York: Century Co., 1889, opposite p. 192, where it bears the variant caption, "See, If I Speak Not the Truth!").

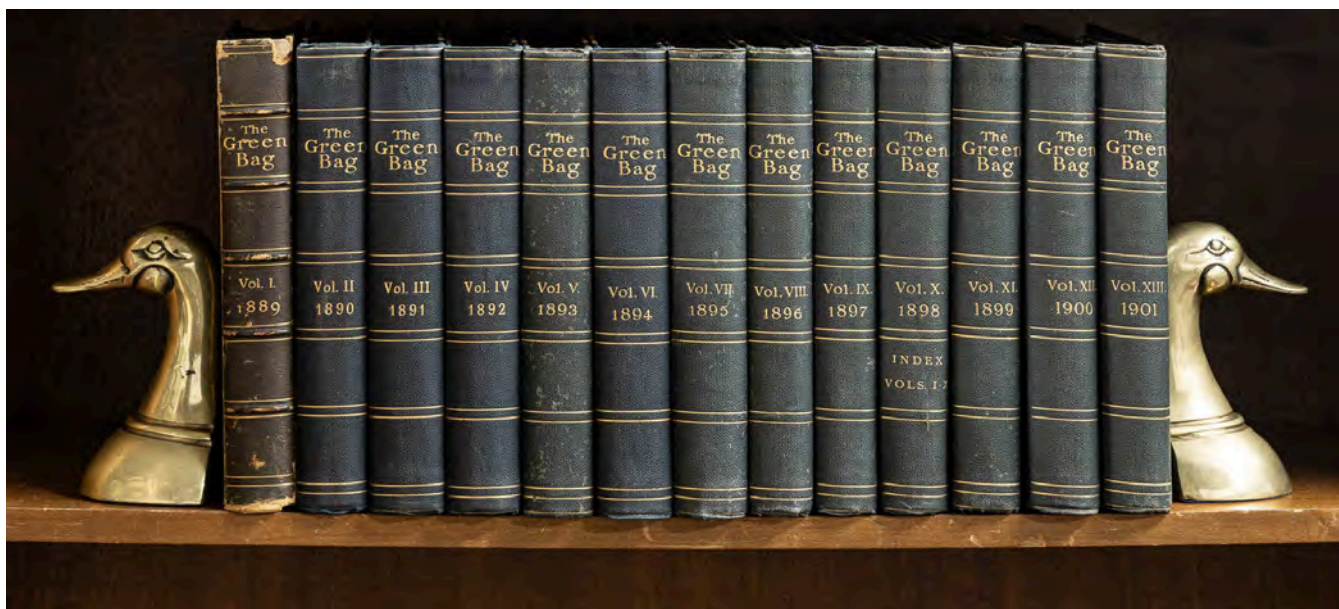
While both Edwards' prose and Kemble's illustrations frequently relied on the paternalistic and racial stereotypes standard for Southern literature of the Reconstruction era, Kemble-famed as the original illustrator of Mark Twain's *Adventures of Huckleberry Finn*-frequently injected a depth of humanity into his subjects that contrasted with the stock-caricatures of his contemporaries.

"Look!" He Cried captures the dramatic climax of the story. In a packed courtroom, General Robert Thomas defends a former slave, Ben Thomas, who stands accused of murdering a vicious local antagonist. To prove Ben's honorable character, the General aggressively bares the defendant's chest to reveal a massive scar-sustained at Gettysburg during Pickett's Charge, when Ben braved battlefield fire to carry the body of his slain master (the General's brother) to safety.

Edwards' text captures the exact moment Kemble illustrates: "See if I speak not the truth!" He tore open the prisoner's shirt and laid bare his breast, on which the silent splendor of the afternoon sun streamed. A great ragged seam marked it from left to right. "Look!" he cried, "and bless the sight, for that scar was won by a slave in an hour that tried the souls of freemen and put to its highest test the best manhood of the South."

A powerful and visually arresting piece by one of America's foremost Golden Age illustrators, capturing the complex, post-Civil War "Lost Cause" mythology of the American South.

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A Handsome, Lavishly Illustrated Chronicle of American Law, 1889-1901

45. [Journal].

Fuller, Horace W., Editor, Volumes I-XI.

Baldwin, Thomas. Tileston, Editor, Volume XIII.

The Green Bag: A Useless but Entertaining Magazine for Lawyers.

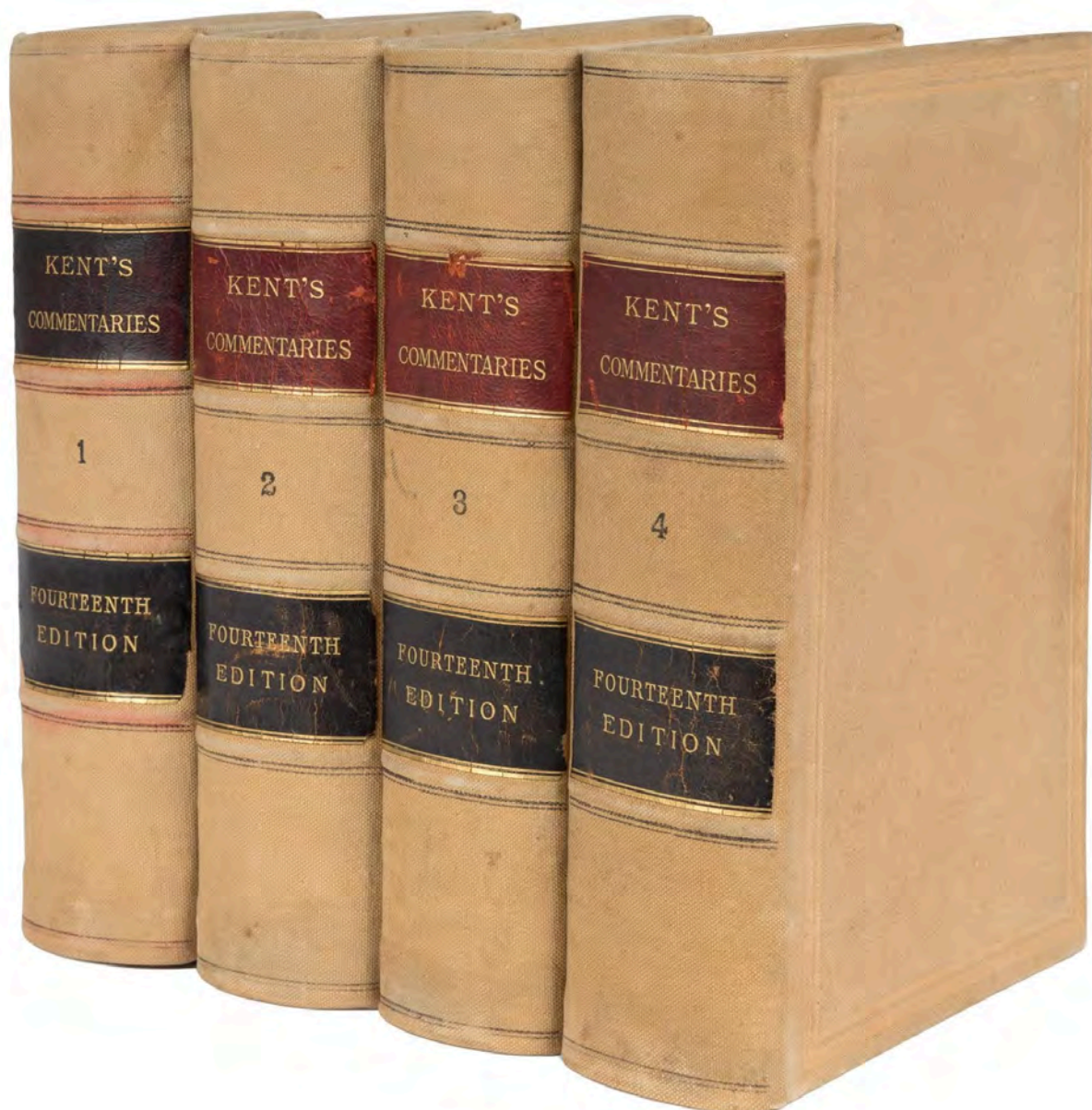
Boston: The Boston Book Company. Volume I-XIII (1889-1901). 13 volumes. Indexed, Volume X has a cumulative index. Illustrated throughout with plates, photographs and engravings. Quarto (10-1/2" x 8"; 26.7 x 20.3 cm).

Volume I: Contemporary three-quarter calf over marbled boards, raised bands and gilt title to spine. Others: contemporary three-quarter pebbled cloth over marbled boards, gilt fillets and titles to spines. (All volumes have similar appearance.) Some rubbing with minor wear, chip to head of Volume I, minor scuff to spine of Volume X, some hinges starting, one cracked but secure, internally clean. A handsome set. \$1,500.

* These are the first thirteen volumes of an important legal periodical that was published in 26 volumes from 1889 and 1914. As its subtitle suggests, *The Green Bag* is full of colorful anecdotes, humorous verse, curious cases and other diversions. It is also a useful resource for the legal historian, one that offers book notices and reviews, biographies of contemporary legal figures based on first-hand accounts, obituaries, studies of current events, professional notices, profiles of law schools throughout the United States and other important source materials. F.W. Maitland, Louis Brandeis and Theodore Dwight are among the many important jurists who contributed to this journal. Well designed and handsomely produced, it is a pleasure to read and handle these volumes.

Marke, *A Catalogue of the Law Collection at New York University* (1953) 1160.

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The Definitive Final Edition of Kent's *Commentaries* Edited by Holmes

46. Kent, James [1763-1847].

Gould, John M. [1848-1909], Editor.

Holmes, Oliver Wendell, Jr. [1841-1935], Editor.

Commentaries on American Law. Fourteenth Edition. Boston: Little, Brown & Co., 1896.

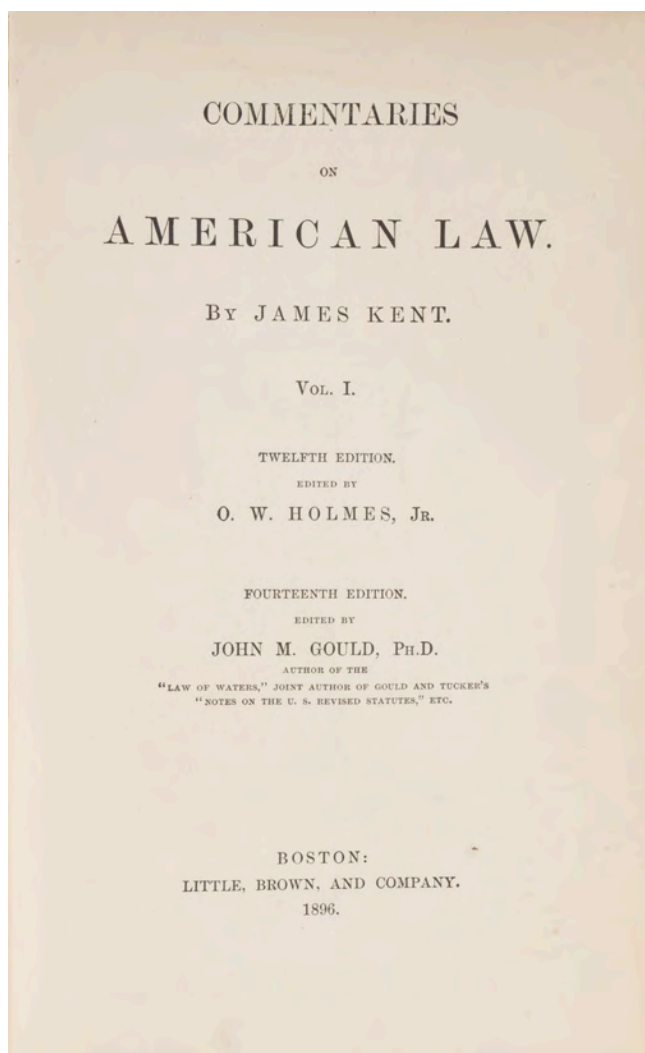
Four volumes. Octavo (9-1/2" x 6"; 24.3 x 15.24 cm). cccvii, 534; x, 715; xlii, 650; xx, 693 pp. Original cloth, blind frames to boards, red and black lettering pieces to spines. Light soiling and shelfwear, a few minor stains to boards, light edgewear and a few nicks to lettering pieces, spine ends bumped. Light toning to interiors, light soiling to a few leaves in each volume, a few cracks to text blocks of Volumes I and II, faint dampstaining to margins of Volume I. A very good set. \$1,500.

Tel: (800) 422-6686 or (732) 382-1800 | law@lawbookexchange.com | www.lawbookexchange.com

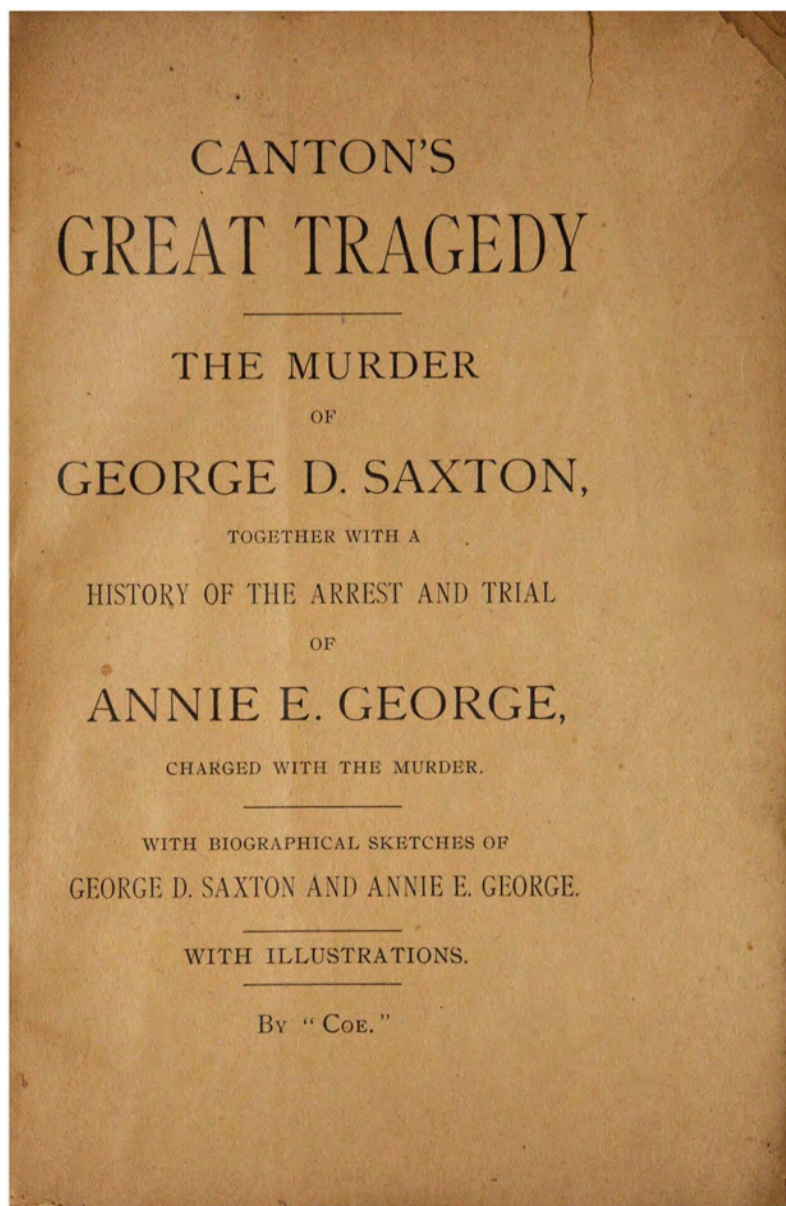
* The fourteenth and final edition of Kent's monumental work. This definitive printing is based on the landmark twelfth edition edited by Oliver Wendell Holmes, Jr., retaining all of his extensive notes alongside new annotations by John M. Gould.

James Kent's *Commentaries* is widely considered the single most important treatise on early American law. Writing in 1847, Marvin ranked it above Blackstone's "Commentaries," observing that it contains "not only a clear statement of the English law, with all the alterations that have taken place since the time of Blackstone, but a full account of the main principles of Equity, also, a review of the modifications engrafted on the English law by the different states of the Union." Published during a transitional era when there was significant post-Revolutionary hostility toward English common law, Kent's text successfully harmonized and naturalized English legal principles for an American framework, deeply shaping the jurisprudence of the young republic.

Marvin, *Legal Bibliography* 438. Dauchy [et al.], *The Formation and Transmission of Western Legal Culture: 150 Books that Made the Law in the Age of Printing* 104. *Catalogue of the Library of the Harvard Law School* (1909) I:1088.



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**A Fragile Survival of a Sensational Gilded Age Murder Trial:
The Killing of President McKinley's Brother-in-Law**

47. [Murder]. [Albaugh, Thurlow K. (1868-1937)]. George, Annie E. [b.1859]. Saxton, George D. (1848-1898).

Canton's Great Tragedy: The Murder of George D. Saxton, Together with a History of the Arrest and Trial of Annie E. George, Charged with the Murder. With Biographical Sketches of George D. Saxton and Annie E. George. With Illustrations. [Wooster, OH: Press of Clapper Printing Co., 1899]. [ii], 308 pp. 14 leaves of plates. Illustrations. Octavo (7-1/2" x 5-1/4"; 19 x 13 cm).

Original pictorial wrappers, moderate soiling, rubbing to extremities with wear to spine ends and corners, small hole to front wrapper. Moderate browning to text, faint dampstaining to fore-edges of a few leaves near rear of text. Housed in an attractive custom green cloth clamshell box with gilt-lettered morocco spine label. \$950.

* Only edition. A detailed contemporary account of one of the most sensational American murder trials of the late nineteenth century, involving the killing of George D. Saxton, brother of Ida Saxton McKinley, wife of President William McKinley. Saxton, a prominent Canton, Ohio, businessman, was shot and killed on October 7, 1898. Annie E. George, a married woman with whom he had reportedly maintained a longstanding intimate relationship, was arrested and charged with his murder. The case attracted widespread publicity, heightened by Saxton's relationship to the presidential family and the scandalous circumstances surrounding his death.

George's trial, held in Canton in 1899, became a widely followed courtroom spectacle. The prosecution sought to establish her responsibility for Saxton's death, while the defense challenged the evidence against her. The proceedings brought questions of sexual morality, personal reputation, and the treatment of women accused of violent crimes into the public arena. George was ultimately acquitted, an outcome that added to the notoriety of the case.

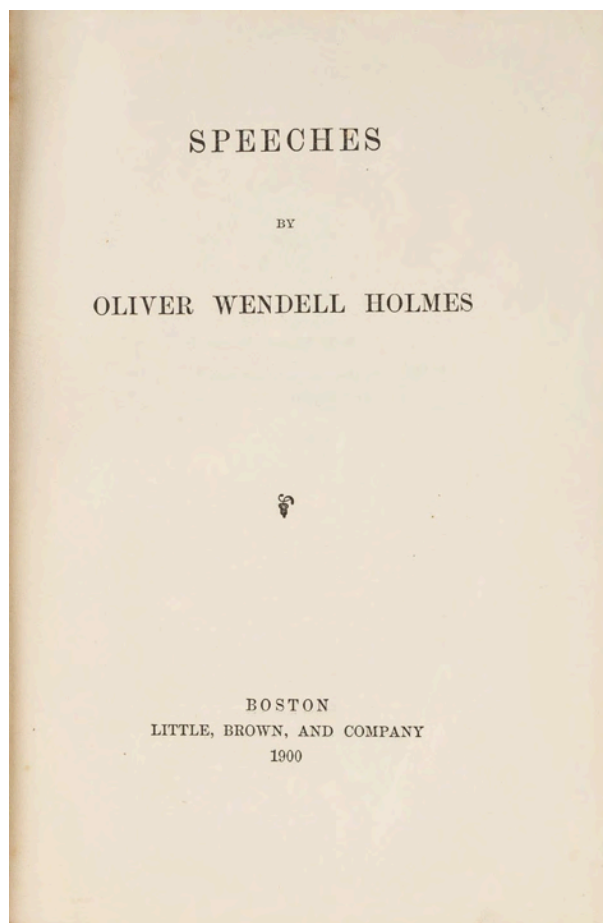
A fragile survival of the sensational crime literature of Gilded Age America, preserved in its original pictorial wrappers. Published shortly after George's acquittal, *Canton's Great Tragedy* is a valuable contemporary account of a nationally publicized murder trial, notable for its connection to the presidential family and its illumination of contemporary attitudes toward sexual morality, female defendants, and the administration of criminal justice.

The title page attributes the work to "Coe," a pseudonym associated with Thurlow K. Albaugh (1868-1937), an Ohio theatrical manager and proprietor.

OCLC locates 2 copies in law libraries (Harvard, University of Minnesota). McDade, *The Annals of Murder* 334.



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Inscribed by Oliver Wendell Holmes, Jr. to Lady Evelyn Charteris Vesey,
Viscountess de Vesci, a Member of the Influential British Intellectual Circle Known as the Souls

48. Holmes, Oliver Wendell, Jr. (1841-1935).

Speeches. Boston: Little, Brown, and Company, 1900. Octavo (8-1/2" x 5-1/2"). [vi], 86 pp.

Original printed paper-covered boards, top edge gilt, other edges deckle. Moderate rubbing and dampstaining to boards, moderate rubbing to extremities with wear to spine ends and corners, corners lightly bumped. Armorial bookplate of Lady Evelyn Charteris Vesey, Viscountess de Vesci, designed by Charles William Sherborn, to front pastedown. Moderate toning to interior, light foxing in places, mostly to gutters. Presentation inscription from Holmes, partially overwritten by an annotation in Lady de Vesci's hand, to front free endpaper. Six-page offprint, Speech of Mr. Justice Holmes at a Dinner of the Harvard Law School Association of New York, On February 15, 1913, laid in; moderately toned and edgeworn, with two horizontal folds and short clean tears to several leaves along folds. Housed in a custom dark green quarter-morocco clamshell box over cloth. \$1,500.

* Fourth edition. An interesting association copy of Holmes's collected speeches, presented by the author to Lady Evelyn Charteris Vesey [1849-1939], Viscountess de Vesci, a prominent member of the influential British intellectual and social circle known as the Souls. The inscriptions on the front free endpaper read "from the author" in Holmes's hand and "Sent me by" in Lady de Vesci's hand, the latter partially overwriting the former.

One of the most influential figures in American legal history, Oliver Wendell Holmes, Jr. was serving as a justice of the Supreme Judicial Court of Massachusetts when this collection appeared. Appointed to the United States Supreme Court in 1902, he would become one of the principal architects of modern American jurisprudence. His speeches, delivered on professional, commemorative and other occasions, offer a personal expression of the intellectual outlook, literary sensibility and professional ideals that informed his legal philosophy. The 1900 edition, published before his appointment to the United States Supreme Court, is particularly interesting as a record of his developing jurisprudential outlook and his reflections on the law and the legal profession.

Lady de Vesci was the daughter of Francis Richard Charteris, 10th Earl of Wemyss [1818-1914], and the wife of John Robert William Vesey, 4th Viscount de Vesci [1844-1903], an Anglo-Irish peer, army officer and Lord Lieutenant of Queen's County, Ireland. She belonged to the Souls, an influential circle of aristocrats, politicians, writers and artists prominent in British intellectual and social life during the late Victorian and Edwardian periods. Among the artists associated with this circle was John Singer Sargent, who portrayed Lady de Vesci in a charcoal drawing dated 1910 and also painted her father. Her engraved armorial bookplate, designed by the distinguished British engraver Charles William Sherborn [1831-1912], provides an additional record of this notable provenance.

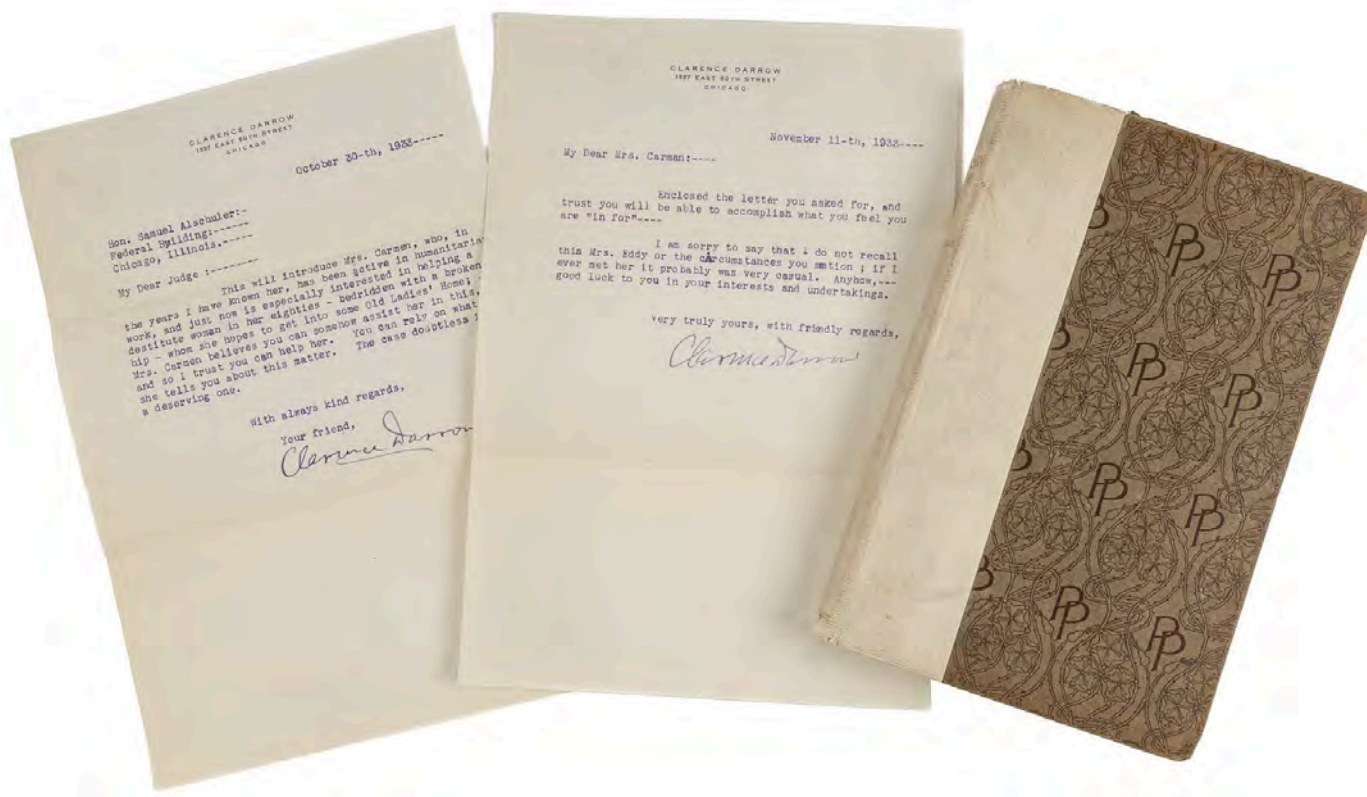
The presentation is particularly interesting in light of Holmes's longstanding intellectual and personal connections with Great Britain. A frequent visitor to England, Holmes cultivated friendships among British jurists, scholars and members of the literary and political establishment. His association with Lady de Vesci places this volume within the cultivated transatlantic social milieu in which legal, political and literary ideas circulated between Britain and the United States at the turn of the twentieth century.

Laid into the volume is a six-page offprint of Holmes's address to the Harvard Law School Association of New York on February 15, 1913, known as *Law and the Court*. Delivered during his tenure on the United States Supreme Court, the address considers the role of the judiciary and the exercise of judicial power, including judicial review. Its presence is a particularly appropriate accompaniment to this earlier collection, extending the volume's interest from Holmes's Massachusetts judicial career into his later reflections on the constitutional role of the courts.



A handwritten note in cursive script that reads "Sent me Long the author". The ink is dark and the handwriting is fluid.

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Inscribed by Darrow, With Two Warm Signed Letters

49. Darrow, Clarence [1857-1938].

A Persian Pearl and Other Essays. Chicago: C.L. Ricketts (Lakeside Press colophon), 1902. 160, [1] pp.

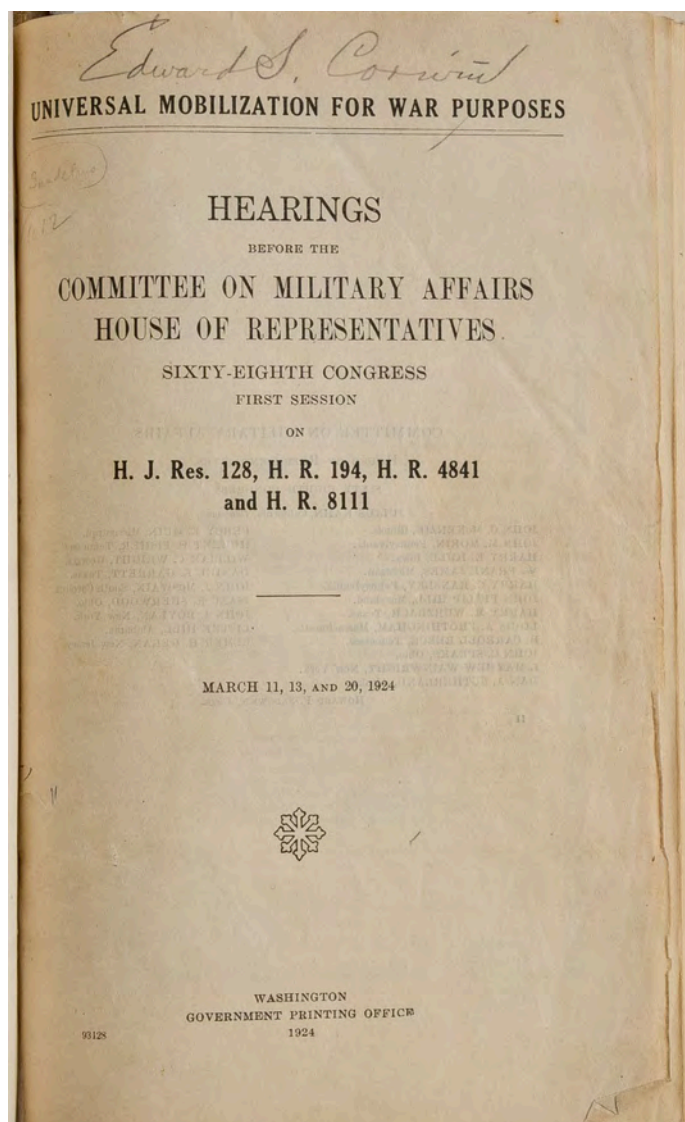
Quarter cloth over patterned paper boards, gilt title to spine, top edge gilt, deckle fore and bottom edges. Light soiling along spine and cloth sections of boards, corners bumped and worn. Light toning to interior, large presentation inscription to front endleaf: "To Mrs. Claire Carmen/ From Clarence Darrow/ April 4th 1916." Two typed letters, signed, on Darrow's personal stationery, laid in, one from Darrow to "My Dear Mrs. Carman [sic]," the other from Darrow to Samuel Alschuler. \$1,750.

* Second edition. *A Persian Pearl* was Darrow's first book and remains the cornerstone of any Darrow collection. It consists of five essays. "A Persian Pearl" is an appreciation of Omar Khayyam's *Rubaiyat*. The other essays discuss Walt Whitman, Robert Burns, realism in literature and art and the importance of facing up to past mistakes without fear or shame.

This copy was inscribed to Mrs. Claire Carmen in 1916. Based on the date of the typed letters, it appears she had a long-term acquaintance with Darrow. The letter addressed to her encloses "the letter [she] asked for" and wishes her "good luck...in [her] interests and undertakings." The other letter is addressed to Samuel Alschuler [1859-1939], a former politician and judge on the United States Court of Appeals for the Seventh Circuit. It is a letter of introduction for Mrs. Carmen, who was trying to help a "destitute woman in her eighties" get into a nursing home and believed that Alschuler could assist with this.

Hunsberger, *Clarence Darrow: A Bibliography* 44.

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**From the Working Library of Edward S. Corwin, with
His Manuscript Annotations and Presentation Inscriptions from Distinguished Constitutional Scholars**

50. Corwin, Edward S. [1878-1963].

[Articles, Essays, Addresses, Supreme Court Decisions, Government Publications and Transcripts of Congressional Hearings from the Library of Edward S. Corwin]. 38 titles in 4 books. Various paginations and imprints, most journal articles offprints. Three volumes measuring 10-1/4" x 6-1/2" (26 x 16.5 cm), one measuring 9-1/2" x 6" (24 x 15 cm).

Contemporary buckram, gilt spine titles: "The Monroe Doctrine/ Whitton Et Al.," "Freedom of the Seas," "Powers of the National Government/ Pamphlets II" and "The President and His Powers." Moderate shelfwear, light to moderate toning to contents, occasional creasing and light to moderate edgewear to individual pamphlets. Several items signed or annotated by Corwin or bearing presentation inscriptions to him. Bold Corwin signature to front free endpaper of *The President and His Powers*, "Ex Libris E.S. Corwin" inscriptions to front free endpapers of all volumes, additional Corwin signatures to several internal title pages. An important association collection. \$2,500.

An important surviving portion of the personal working library of Edward S. Corwin, one of the foremost American constitutional scholars of the twentieth century, comprising a substantial collection of articles, offprints, addresses, Supreme Court briefs and government publications relating to presidential authority, federal constitutional powers, international law and American foreign policy. Organized into four contemporary bound volumes under topical spine titles, the collection includes five works by Corwin, two bearing his manuscript corrections, underlinings and marginalia; eight additional items with substantial annotations attributed to him; and eight presentation copies inscribed by distinguished contemporaries, including Pulitzer Prize-winning constitutional historian Charles Warren and international law scholar Quincy Wright.

Corwin joined the faculty of Princeton University in 1905 at the invitation of Woodrow Wilson and succeeded him as McCormick Professor of Jurisprudence in 1908. A leading authority on the Constitution, the presidency and the distribution of governmental powers, he became one of the most influential interpreters of American constitutional development during the Progressive and New Deal eras. His scholarship examined the historical foundations of federal authority, the growth of executive power, judicial review and the constitutional implications of international relations. His work culminated in such major studies as *The President: Office and Powers* (1940), a landmark examination of the historical development and constitutional authority of the American presidency.

The present collection is particularly significant for its concentration on questions that occupied Corwin throughout his scholarly career. The volume entitled *The President and His Powers* contains material relating to presidential tenure, executive removal authority, the pardon power, foreign relations and the legislative process. Of special interest are briefs and arguments associated with *Myers v. United States* (1926), the landmark Supreme Court decision concerning presidential authority to remove executive officers, and *Ex parte Grossman* (1925), which affirmed the president's constitutional power to pardon criminal contempt. These documents illuminate contemporary controversies over executive authority and the separation of powers, subjects central to Corwin's subsequent scholarship on the presidency.

The volume entitled *Powers of the National Government* addresses congressional war powers, military jurisdiction, federal regulation, treaty-making authority and the constitutional relationship between national and state governments. It includes Corwin's "The Power of Congress to Declare Peace" (1920) and *Martial Law, Yesterday and Today* (1932), together with writings by Charles Warren, John W. Foster and other prominent legal commentators. Particularly noteworthy are congressional hearings on universal mobilization for war purposes (1924), reflecting constitutional controversies surrounding military preparedness, compulsory service and the expansion of federal authority following the First World War.

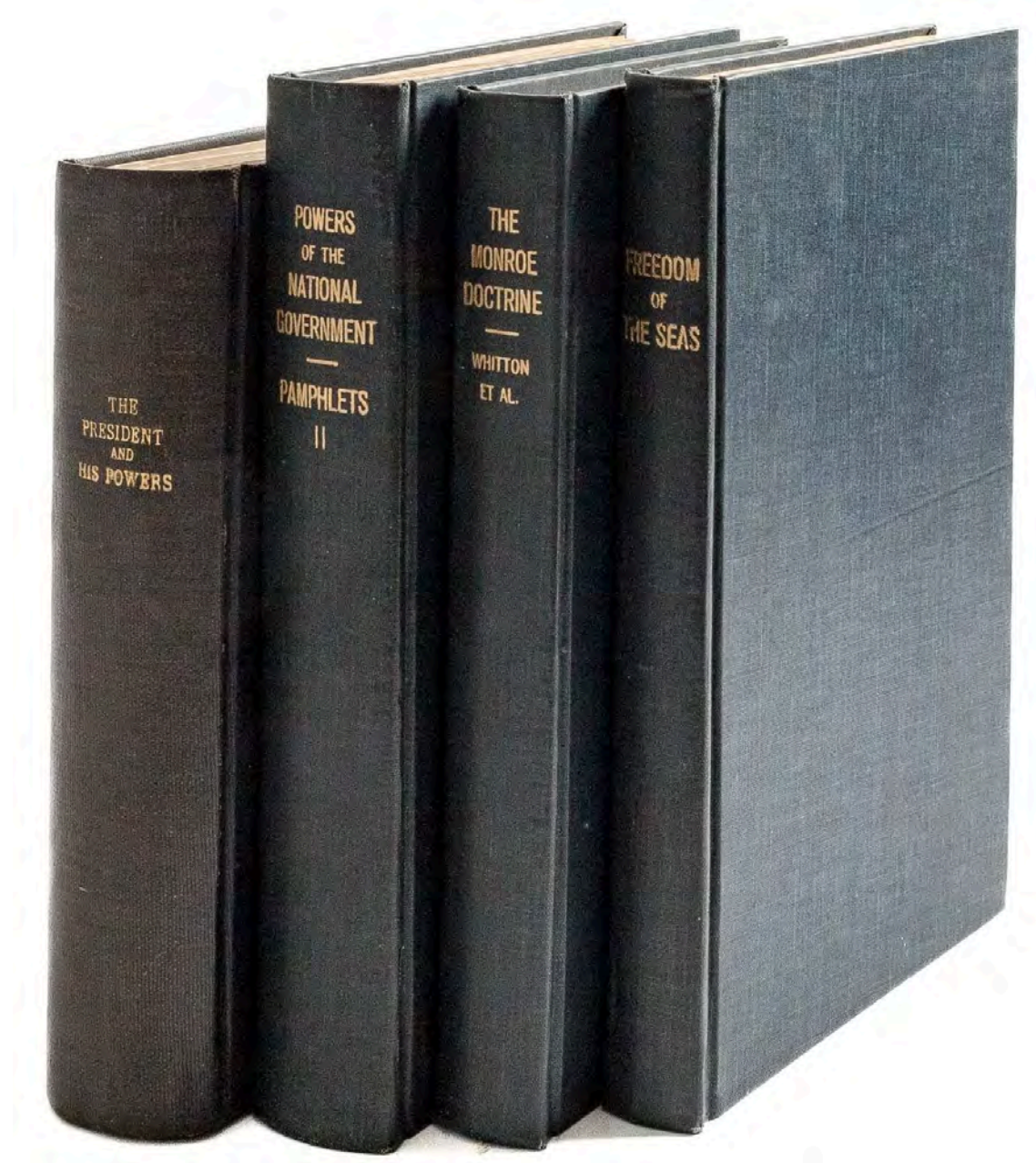
The remaining volumes, *The Monroe Doctrine and Freedom of the Seas*, document Corwin's sustained interest in the constitutional and international dimensions of American foreign policy. They include his essays "The Monroe Doctrine" (1923) and "The Freedom of the Seas" (1919), together with studies by John B. Whitton, J. Reuben Clark, Ramsay Muir and other authorities. These materials examine the development of American hemispheric policy, maritime commerce, belligerent rights and the relationship between national sovereignty and international law during and after the First World War.

Of particular importance are the manuscript annotations, corrections and presentation inscriptions preserved throughout the collection. Corwin's markings in copies of his own writings offer potentially valuable evidence of his continuing engagement with published arguments, while his annotations to the work of other scholars provide a more immediate record of his reading and intellectual interests. The presentation inscriptions from Charles Warren, Quincy Wright and other contemporaries further document his place within an influential network of American constitutional historians, political scientists and international law scholars.

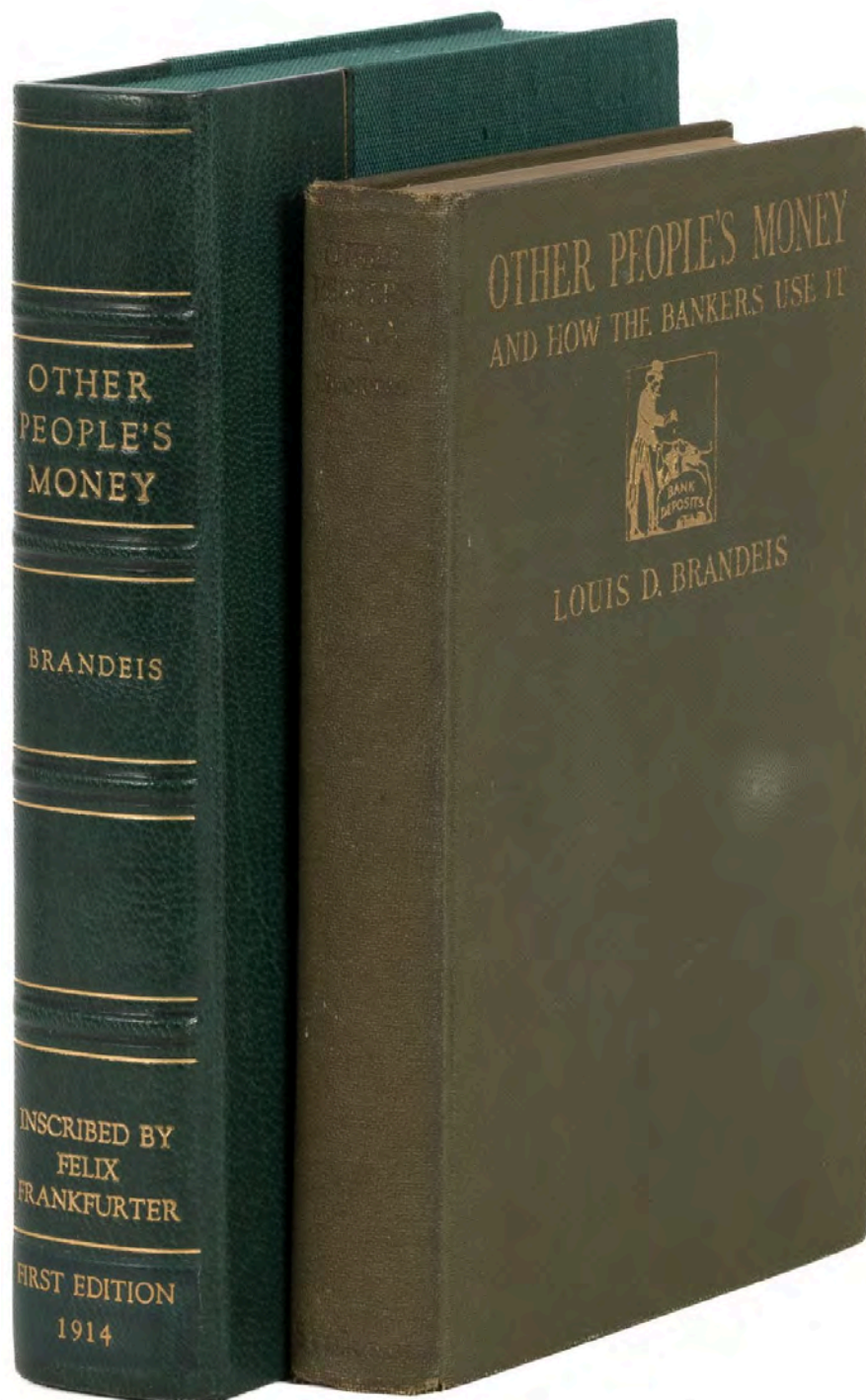
The topical arrangement of the volumes, together with their ownership inscriptions and manuscript annotations, gives this collection the character of a working scholarly reference library rather than an assemblage of unrelated pamphlets. Particularly noteworthy is the volume devoted to presidential powers, whose contents anticipate many of the constitutional

questions examined in Corwin's later landmark study of the presidency. An unusual and historically significant association collection, preserving tangible evidence of the reading, research interests and scholarly relationships of one of the most influential American constitutional scholars of the twentieth century.

A complete, itemized list of the 38 titles is available upon request.



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Passing the Progressive Torch: An Exceptional Association Copy of
Brandeis's Antitrust Masterpiece, Inscribed by Felix Frankfurter to One of His "Happy Hot Dogs"

51. Brandeis, Louis D. [1856-1941].

Other People's Money and How the Bankers Use It. New York: Frederick A. Stokes Company, [1914].

Americana: Law and Legal History, 1682–1965 • October 27, 2026

First edition, first issue. Octavo (190 x 125 mm). xiv, [2], 223 pp. Publisher's original olive-drab cloth, front board and spine lettered in gilt. Small, faint stain to front board; light rubbing and wear to spine ends and corners; majority of gilding rubbed away from spine title. Text block moderately toned due. A very good, structurally sound copy. Gift inscription from U.S. Supreme Court Justice Felix Frankfurter to his protégé and prominent New Deal attorney, Francis M. Shea, on the front free endpaper. Housed in a custom green morocco clamshell box. \$2,500.

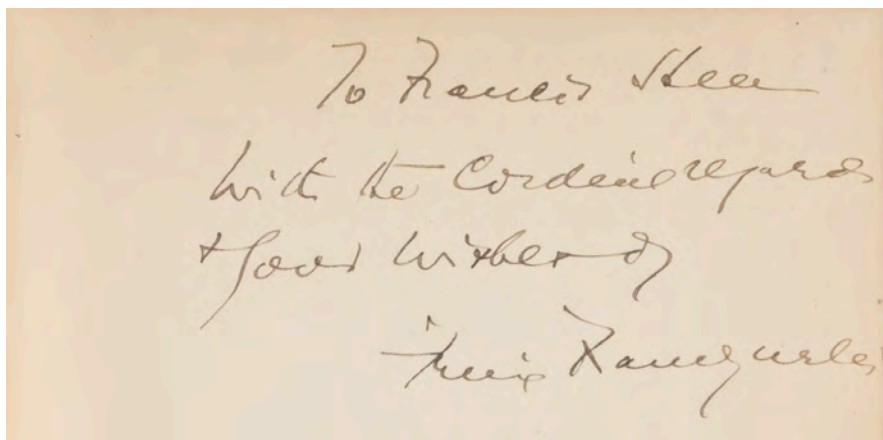
* First edition of Brandeis's landmark Progressive Era critique of "Our Financial Oligarchy," based on his series of articles published in Harper's Weekly from 1913 to 1914. This copy boasts an exceptional legal association, representing a rare, multi-generational lineage of American progressive jurisprudence.

The inscription on the front free endpaper reads: "To Francis Shea / With the cordial regards / & good wishes of / Felix Frankfurter."

Published just two years before Brandeis's historic appointment to the Supreme Court, "Other People's Money" serves as the definitive text of the Progressive Era's war on monopolies. It directly influenced Woodrow Wilson's "New Freedom" platform and laid the intellectual groundwork for the Federal Trade Commission and the Clayton Antitrust Act. Brandeis and Felix Frankfurter (1882-1965) shared one of the most famous mentorships in American legal history; when Brandeis ascended to the high court in 1916, Frankfurter effectively took over his role as the chief intellectual advisor to the progressive movement.

Frankfurter subsequently used his post at Harvard Law School to funnel his brightest students, affectionately nicknamed his "Happy Hot Dogs," directly into FDR's New Deal administration to implement these very ideals. This copy was inscribed by Frankfurter to one of those prized students, Francis M. Shea (1905-1989; LL.B., 1928). By gifting this specific text to Shea, Frankfurter was quite literally passing down the foundational text of their legal movement to the next generation.

Shea went on to a highly distinguished career, serving as a pivotal New Deal administrator and heading the Claims (now Civil) Division as Assistant Attorney General under President Roosevelt. Recruited by Robert H. Jackson, Shea later served as a prosecutor at the Nuremberg Trials, helping to design the International Military Tribunal, before co-founding the influential Washington law firm Shea & Gardner. A spectacular association copy connecting the architect of Progressive Era legal philosophy directly to the mid-century architects of its implementation.



To Francis Shea
With the Cordial regards
& good wishes of
Felix Frankfurter

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III Justice Precedent

Wearing his famous wig i composed entirely of split hairs
and adorned with the Ceremonial Crimson Tape

**"His Famous Wig Composed Entirely of Split Hairs and
Adorned with the Ceremonial Crimson Tape"**

**52. Robinson, Boardman [1876-1952].
[Becker-Rosenthal Murder Trial].**

Mr. Justice Precedent. [New York, 1914]. 21" x 15-1/2" (53.3 x 39.4 cm) gouache image on 26" x 19-1/2" (66 x 49.5 cm) sheet, image signed twice and inscribed by Robinson, caption in pencil below image, most likely in another hand, laid down on illustration board. Image in 30-1/2" x 24" (77.5 x 60.9 cm) wooden frame, glazed. Light soiling, a few minor stains and four crop-marks to margins outside of image, which could be covered with a matte, image fine. Several minor scuffs and nicks to frame. An exceptional, unique piece of original artwork capturing a defining moment in American legal and criminal history. \$3,500.

* This striking original gouache was created to illustrate "Leaden Footed Justice in New York State," a feature article published in the Special Feature section of the New York Tribune on Sunday, March 1, 1914. The penciled caption reads: "Mr. Justice Precedent wearing his famous wig composed entirely of split hairs and adorned with the ceremonial crimson tape."

The caricature was a scathing commentary on the notoriously protracted, bureaucratically tangled legal proceedings of the Becker-Rosenthal Murder case, which centered on NYPD Police Lieutenant Charles Becker, who ran a massive protection racket targeting illegal Manhattan casinos. When gambling house owner Herman Rosenthal threatened to expose Becker's corruption to District Attorney Charles S. Whitman, Becker hired a gang of underworld executioners (including "Gyp the Blood" and "Lefty Louie") to gun Rosenthal down outside the Hotel Metropole.

The investigation and subsequent trials completely dominated New York front pages. Becker's first trial began on October 7, 1912, resulting in a conviction that was subsequently overturned on appeal by the New York Court of Appeals due to judicial bias. His highly anticipated second trial began on May 6, 1914 (just over two months after this cartoon appeared). Becker was convicted a second time and, after his appeals were exhausted in 1915, went to the electric chair at Sing Sing marking the first time in U.S. history a police officer was executed for murder.

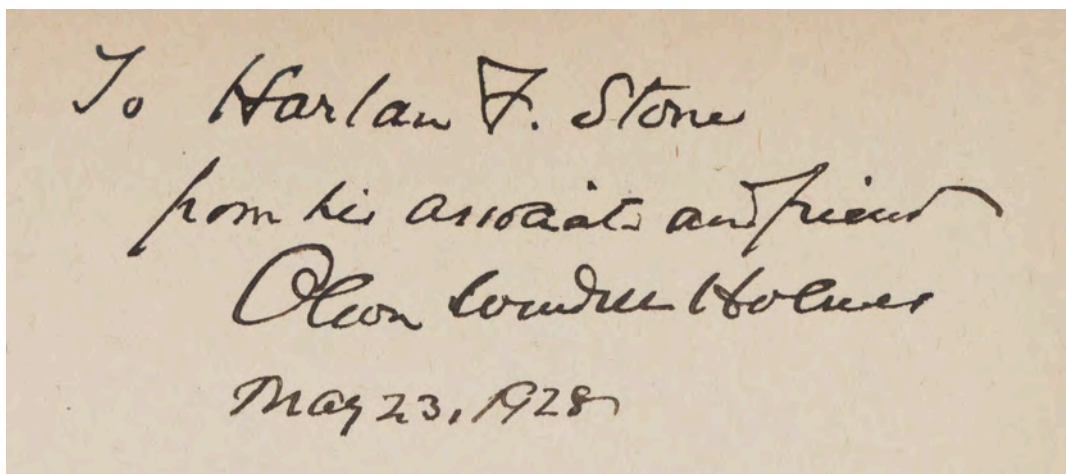
The case profoundly shook the public psyche and entered the cultural lexicon, most famously referenced a decade later by F. Scott Fitzgerald in *The Great Gatsby* through the character of Meyer Wolfsheim.

Boardman Robinson was one of the most influential American political cartoonists and illustrators of the early twentieth century. A native of Nova Scotia, he studied in Boston before completing his artistic training in Paris at the Académie Colarossi and the École des Beaux-Arts.

During his Paris years, Robinson developed a deep affinity for the expressive, heavily contoured satirical work of French masters Honoré Daumier, Jean-Louis Forain, and Théophile Steinlen. That influence is on brilliant display in *Mr. Justice Precedent*, where bold line work and dramatic tonal washes elevate a daily newspaper cartoon into a powerful piece of fine art caricature. Robinson served as a staff editorial cartoonist for the New York Tribune from 1910 to 1914; this piece represents the peak of his influential tenure there.

The artwork is signed twice by Robinson. The second signature forms part of a warm, though now mostly illegible and undated, presentation inscription dedicated to a local attorney—a fitting contemporary provenance for an iconic piece of New York legal satire.

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**Presentation Copies from Oliver Wendell Holmes
and Felix Frankfurter Inscribed to Harlan Fiske Stone**

53. Holmes, Oliver Wendell, Jr. [1841-1935].

Speeches. Boston: Little, Brown, and Company, 1918. [vi], 103 pp.

Original printed paper boards. Light soiling, somewhat heavier on spine, moderate rubbing to extremities with some wear to spine ends and corners. Moderate toning to text, author inscription to front free endpaper.

[Boxed with]

Frankfurter, Felix [1882-1965].

Mr. Justice Holmes and The Supreme Court. Cambridge: Harvard University Press, 1938. 137 pp. Frontispiece. Original cloth, gilt title to spine. Light rubbing to extremities with light wear to spine ends and corners, light fading to spine. Moderate toning to interior, author inscription to front free endpaper.

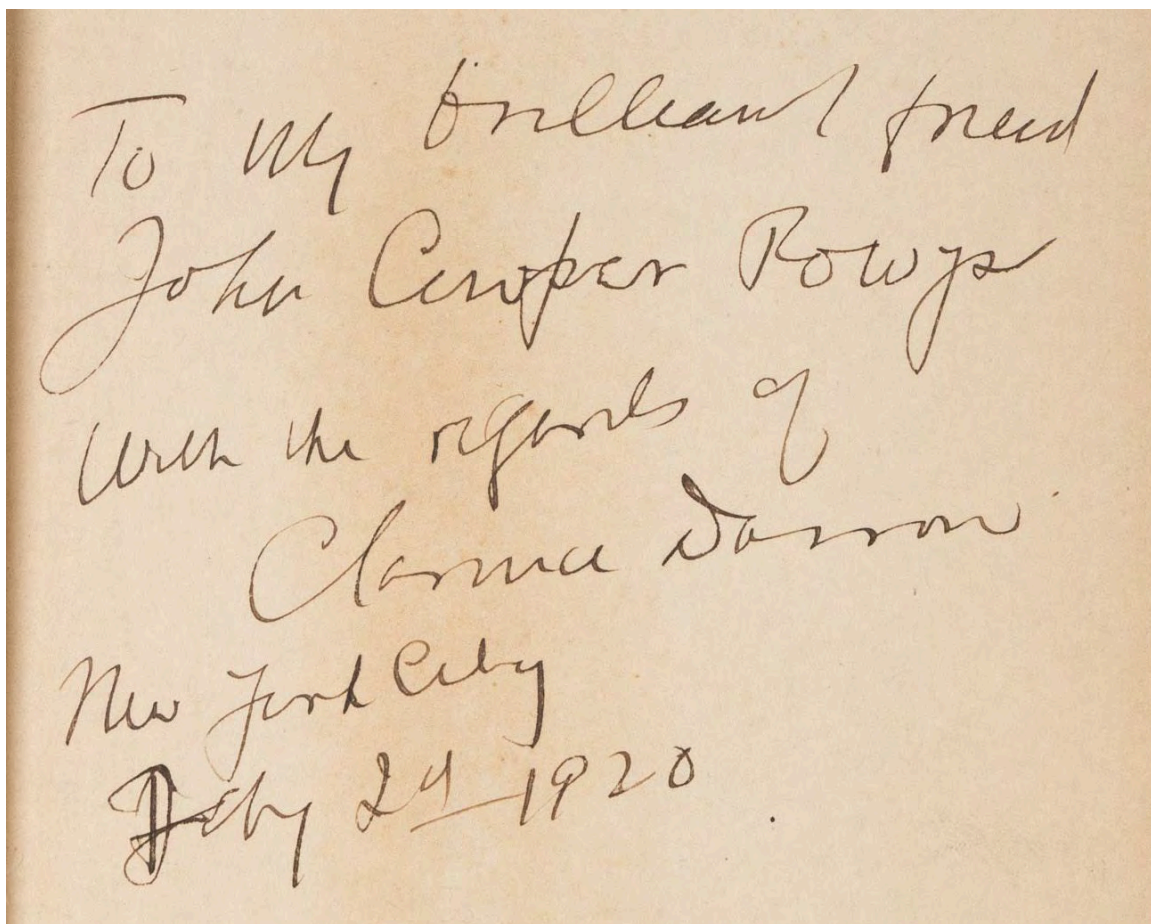
Books, each in a cloth flap folder, housed in handsome two-compartment cloth slipcase, quarter morocco spine with raised bands, gilt ornaments and gilt title reading: *Of Holmes Frankfurter & Stone, Books and Inscriptions*. \$5,000.

* Both of these books were presented to Harlan Fiske Stone when he was an associate justice of the U.S. Supreme Court. (He was chief justice from 1941 to 1946.)

Speeches: fourth edition, inscribed: "To Harlan F. Stone from his associate and friend Oliver Wendell Holmes. May 23, 1928." It is the final compilation of 19 speeches containing: "Memorial Day" (1884), "Harvard College in the War" (1885), "The Puritan" (1886), "The Profession of the Law" (1886), "On Receiving the Degree of Doctor of Laws" (1886), "The Use of Law Schools" (1886), "Sidney Bartlett" (1889), "Daniel S. Richardson" (1890), "The Use of Colleges" (1891), "William Allen" (1891), "The Soldier's Faith" (1895), "Learning and Science." (1895), "George Otis Shattuck" (1897), "Walbridge Abner Field" (1899), "At a Dinner Given by the Bar Association of Boston" (1900), "John Marshall" (1901), "Ipswich" (1902), "The Class of '61" (1911) and "Law and the Court" (1913).

Mr. Justice Holmes first edition, inscribed: "For H.F.S., a meagre conveyance of your great friend, but it comes to you with the highest regards from F.F. Cambridge, 6 October 1938." Frankfurter became Stone's associate on the Court in 1939. Holmes retired in 1932.

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Inscribed to Notable Philosopher and Critic John Cowper Powys

54. Darrow, Clarence [1857-1938].

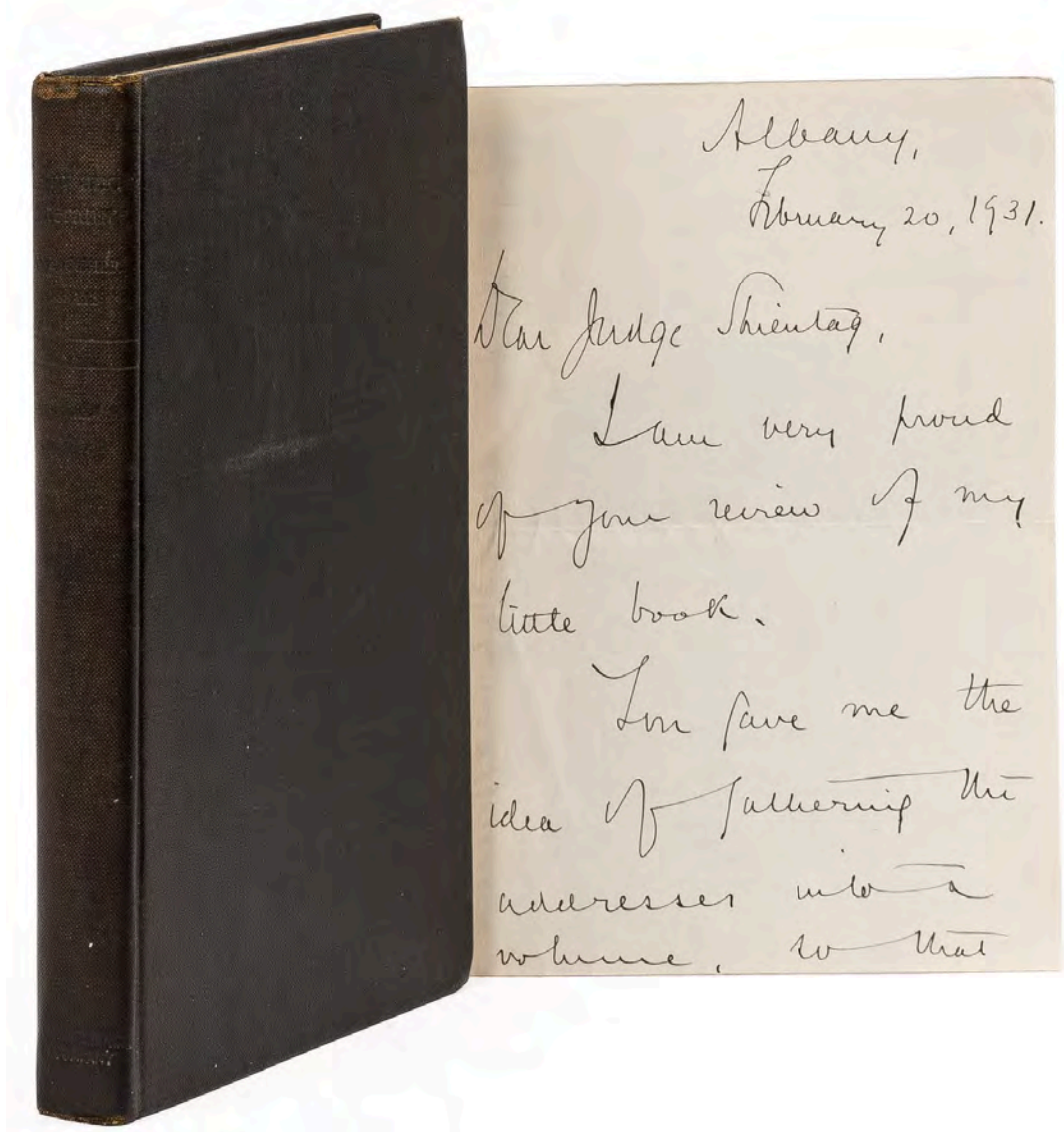
Farmington. New York: B.W. Huebsch, 1919. x, 220, [2] pp. Includes two-page advertisement for this book.

Original cloth, gilt titles to front board and spine. Light fading, some staining to front board, spine ends and corners lightly bumped and worn, pencil annotation to front pastedown, internally clean. Inscription "To my brilliant friend/ John Cowper Powys/ With the regards of /Clarence Darrow/ New York City/ Feby 29 1920" in ink to front free endpaper. \$1,500.

* Third edition. *Farmington* is a fictionalized account of the author's youth in Ohio. Though it went through seven editions, it was never a critical or commercial success. This pained Darrow, who considered it his finest book. Powys [1872-1963] was an English philosopher, novelist, poet and critic who lectured in the United States from 1905 to the early 1930s. Darrow, an admirer of his work, was a correspondent of both Powys and his brother Llewelyn. He considered Powys "a genius," albeit with a "hopeless streak of mysticism about him" (Darrow, Tietjen, ed.).

Darrow, Tietjen, Ed. *In the Clutches of the Law: Clarence Darrow's Letters* 430. Hunsberger, *Clarence Darrow: A Bibliography* 121.

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A First Edition of Cardozo's *Law and Literature* with a Related Cardozo Letter

55. Cardozo, Benjamin N. [1870-1938].

Law and Literature and Other Essays and Addresses. New York: Harcourt, Brace and Company, [1931]. [ix], 190 pp.

Cloth. Light rubbing, spine ends and corners bumped, lettering rubbed away from spine, light toning to interior.

[With]

[Manuscript].

Cardozo, Benjamin N.

[Shientag, Bernard L. (1887-1952)].

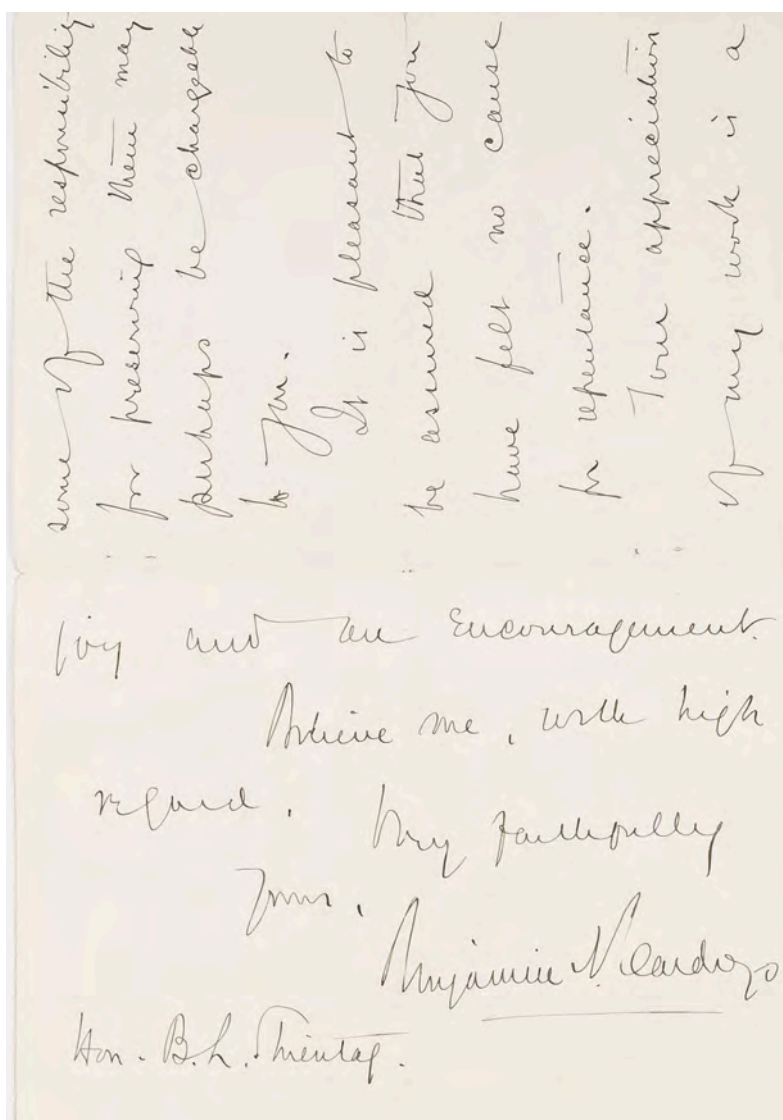
[Autograph Letter, Signed, To Bernard L. Shientag, February 20, 1931].

Single sheet folded to form a pair of 8" x 6" (20.3 x 15.2 cm) leaves, content to both sides of first leaf and recto of second. Light soiling and edgewear, horizontal fold line.

Together two items. \$1,250.

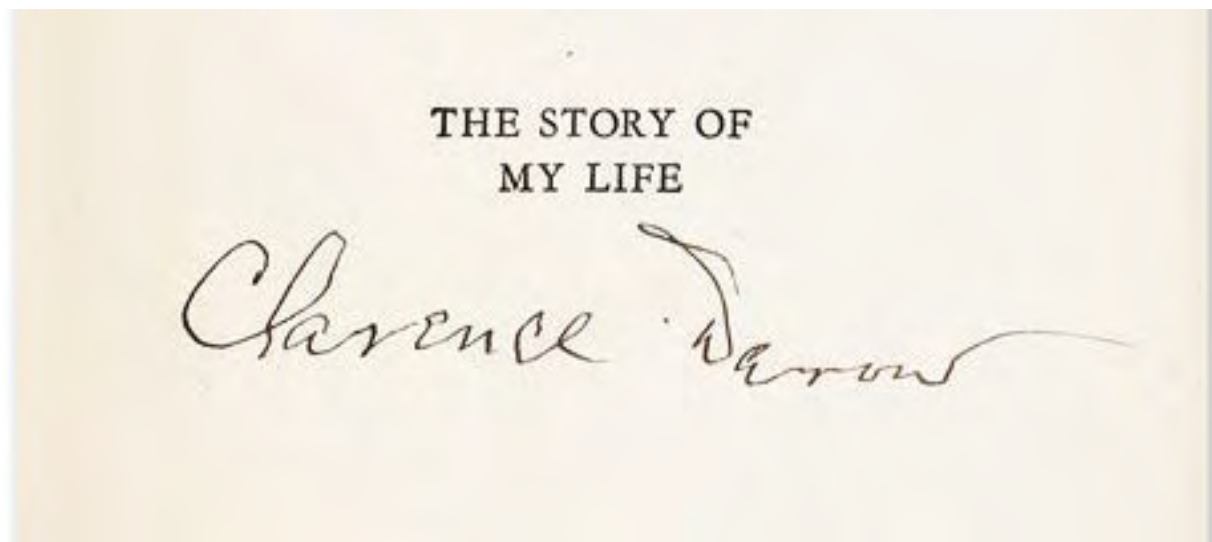
* Shientag was a distinguished New York Supreme Court Justice and legal author. The letter reads, in part: "I am very proud of your review of my little book [*Law and Literature*]. You gave me the idea of fathering the addresses into a volume, so that some of the responsibility for preserving them may perhaps be chargeable to you. It is pleasant to be assured that you have felt no cause for repentance. Your appreciation of my work is a joy and an encouragement."

Far from a "little book," Cardozo's *Law and Literature* is widely considered one of the most important American books on the law written in the twentieth century. Cardozo was a justice of the New York Supreme Court from 1914 to 1917, an associate judge of the New York Court of Appeals from 1917 to 1926, chief judge of that court from 1926 to 1932 and an associate justice of the U.S. Supreme Court from 1932 until his death. He believed that the courts should not just interpret the law, but also adapt it to address changing social conditions.



some of the responsibility
for preserving them may
perhaps be chargeable
to you.
It is pleasant to
be assured that you
have felt no cause
for repentance.
Your appreciation
of my work is a
joy and an encouragement.
Believe me, with high
regard,
Yours,
Benjamin N. Cardozo
Hon. B. L. Shientag.

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**An Exceptional Association Copy of Darrow's Autobiography with
His Bold Signature and Uncommon Book Label**

56. Darrow, Clarence [1857-1938].

The Story of My Life. New York: Charles Scribner's Sons, 1932. viii, [iv], 465 pp. 14 plates (with 16 illustrations).

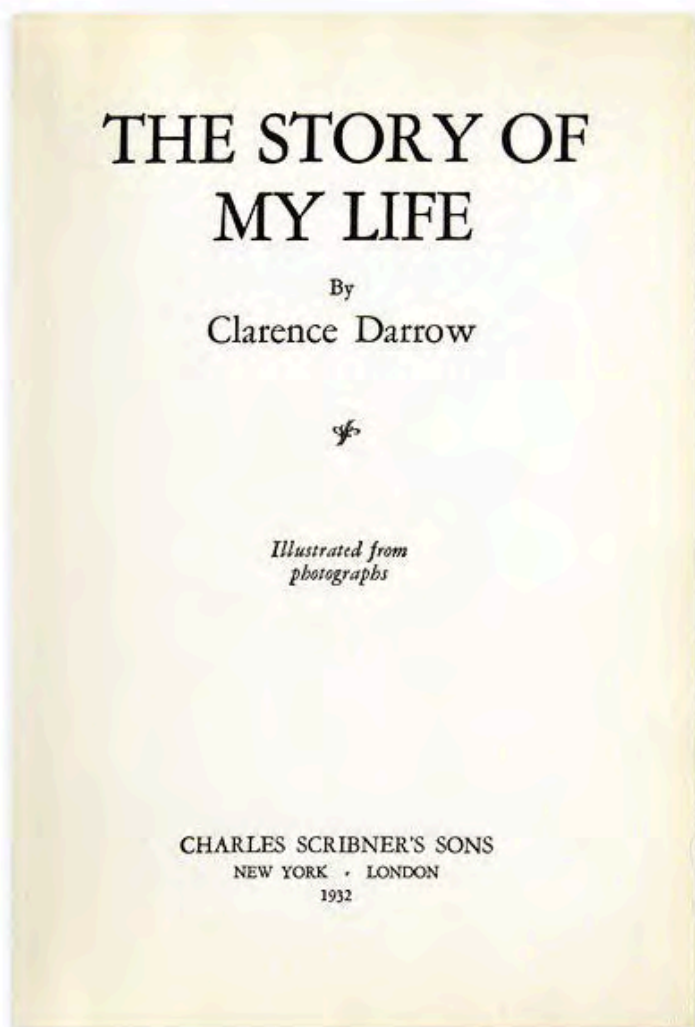
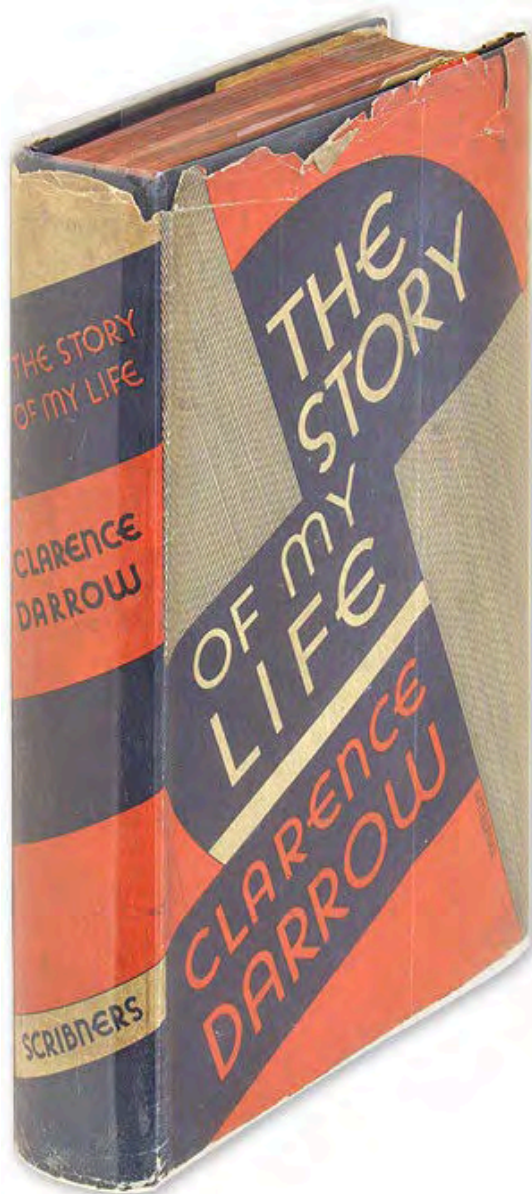
Octavo. 9" x 6"; 21.5 x 14.5 cm. Original blue cloth, front cover and spine gilt stamped with author and title. Light rubbing to spine ends and corners, otherwise a very good copy in an edgeworn, creased, and lightly soiled dust jacket. Black morocco law book spine label, measuring 2-1/2" x 3/4" (6.35 x 2 cm) and gilt stamped "C.S. Darrow.", affixed to upper left corner of front pastedown. Bold signature of Clarence Darrow to half-title page. \$2,500.

* First edition, first printing (Scribner "A" on copyright page). A highly exceptional association copy of one of the great American legal autobiographies of the twentieth century, bearing both Darrow's bold signature and an uncommon specimen of his personal office property labels.

The black morocco label affixed to the front pastedown represents a fascinating quirk of Darrow's personal library. Rather than a traditional printed bookplate, it is a gilded leather spine label typically manufactured for serial law reports and treatises. According to rare law book dealer and authority Jordan "Joe" Luttrell, Darrow's almost invariable practice was to affix his bookplate to the top left-hand corner of a book's front pastedown, frequently signing the volume in conjunction with his ownership mark. Office spine labels used in this fashion are significantly scarcer than his standard printed bookplates or ink ownership stamps, appearing on only a handful of books retained in his private collection.

When Darrow died in 1938 at the age of 81, he was universally recognized as one of the premier trial attorneys and public intellectuals of his era. While other contemporary lawyers contributed more to formal legal doctrine or amassed greater corporate wealth, none matched Darrow's legacy as a relentless crusader for labor rights, civil liberties, and the common man. This copy offers an intimate physical link to the legendary defense counsel's office library at the twilight of his career.

Luttrell, Jordan [Joe]. "Clarence Darrow and the Books in His Life." *AB Bookman's Weekly* (April 24, 1995).



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The Supreme Court's "Nine Old Men" During the New Deal Constitutional Crisis

57. Fruhauf, Aline (1907-1978).

Baseball Team [aka "Nine Old Men"].

[New York: Hand-printed by the artist at 326 E. 37th St.], 1936.

Original collotype caricature on heavy cream paper. Sheet measures 9" x 16". Signed and titled in pencil by the artist at lower margin, numbered 21/400. Small, isolated ink spots, minor stray ink mark at lower right, light toning. Verso with Fruhauf's penciled studio address and title (Aline Fruhauf / 326 E 37 / "Baseball Team"), as well as an old gallery or frame-shop inventory number ("82" inside a circle) in light pencil at the center. A remarkably fine, bright copy. \$1,500.

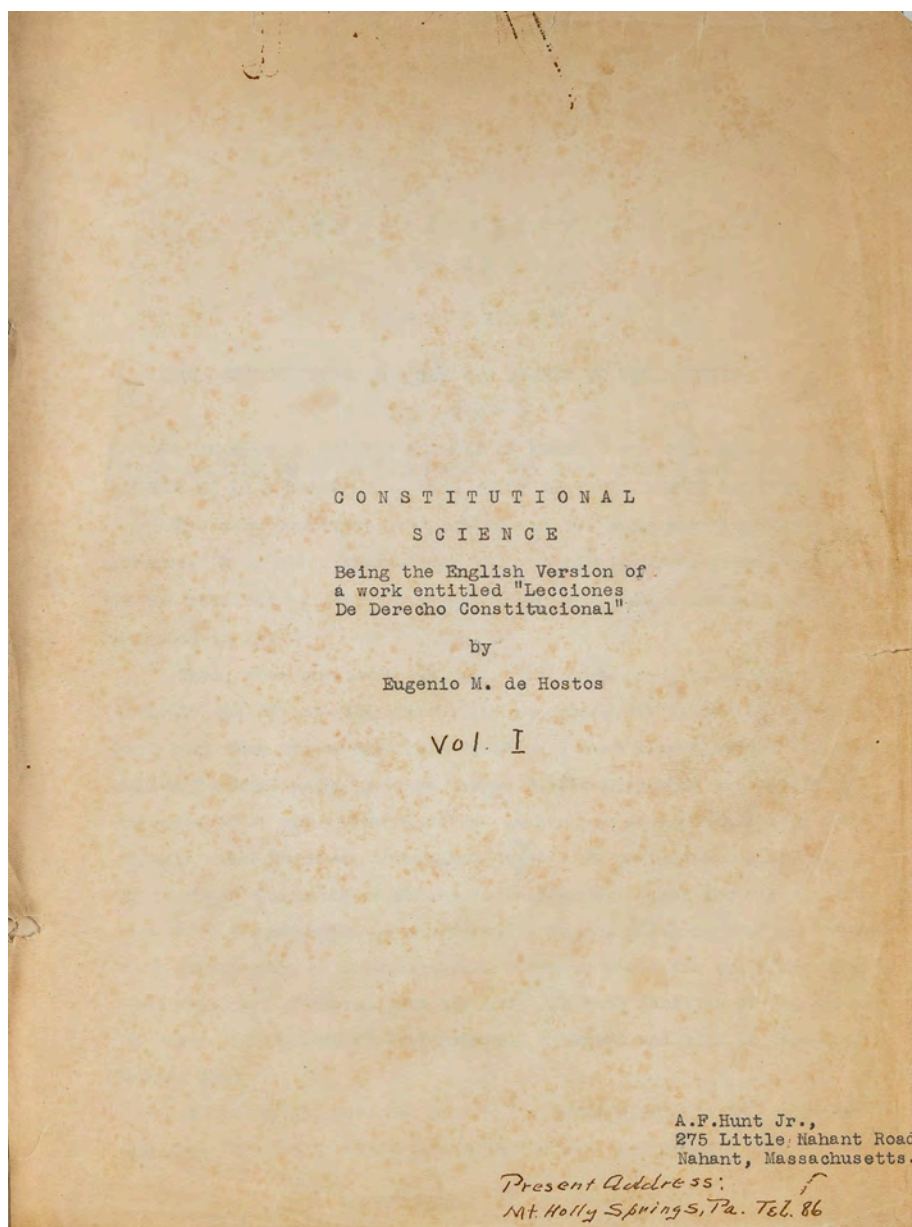
A striking, signed caricature of the nine justices of the United States Supreme Court during its historic confrontation with President Franklin D. Roosevelt over New Deal legislation. Based on the Court's official group portrait of 1932, Fruhauf depicts Chief Justice Charles Evans Hughes and Associate Justices Louis Brandeis, Willis Van Devanter, James Clark McReynolds, George Sutherland, Owen J. Roberts, Pierce Butler, Harlan Fiske Stone and Benjamin N. Cardozo, arranged as a baseball lineup. The composition features the printed word "SUE" in the upper corner, an integral element of Fruhauf's original design and a suggestive reference to the Court's judicial function.

Created in 1936, at the height of the constitutional struggle over the New Deal, the caricature portrays a Court sharply divided over the extent of federal regulatory authority. Its conservative bloc, known as the "Four Horsemen," Butler, McReynolds, Sutherland and Van Devanter, frequently opposed Roosevelt's legislative program. The resulting conflict culminated in the president's controversial 1937 proposal to enlarge the Court. Fruhauf's witty portrayal offers a distinctive contemporary visual record of one of the defining constitutional controversies of twentieth-century America.

An accomplished American caricaturist and printmaker, Fruhauf was particularly admired for her incisive portraits of prominent public figures. The present example, signed and numbered by the artist, bears her contemporary Manhattan studio annotations. An example of this composition is held by the National Portrait Gallery, Smithsonian Institution.

National Portrait Gallery, Smithsonian Institution, object S/NPG.83.11.

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The Lost English Translation of the 'Citizen of the Americas' on Constitutional Theory

58. [Manuscript].

Hostos, Eugenia María de [1839-1903].

Hunt, A[ibert]. F[rancis]., Jr. [1872-1947], Translator.

Constitutional Science: Being the English Version of a Work Entitled "Lecciones De Derecho Constitucional" by Eugenio M. de Hostos. Nahant, Massachusetts and Mt. Holly Springs, Pennsylvania, May 16 (?), 1939. 2 volumes. [i], 229; [i], 258 ff. Folio (11" x 7-3/4").

Typescript bound in stiff textured paper covers with metal brads. Rubbing and light wear to extremities, moderate toning to interior, light foxing to a few leaves, first two leaves of Vol. I loosening. Manuscript corrections, additions and redactions in ink and pencil to several leaves in each volume. **SOLD.**

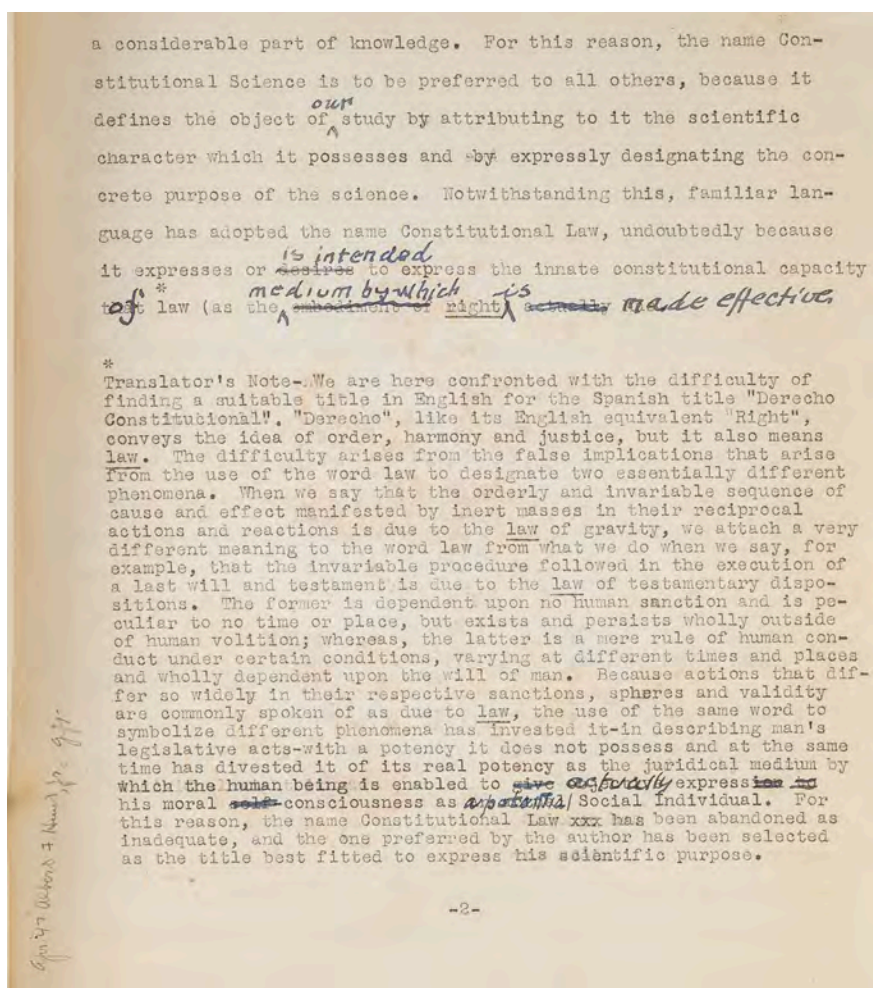
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* An extraordinary and apparently unpublished English translation of the 1887 masterpiece by the "Citizen of the Americas," Eugenio María de Hostos. While Hostos is widely celebrated as a pioneer of sociology and pedagogy, his *Lecciones* represents his most rigorous contribution to legal theory, synthesizing the development of global constitutional law. In this work, Hostos performs a sophisticated comparative analysis, utilizing American foundations, citing *The Federalist*, Story's *Commentaries*, and the Declaration of Independence, to argue for the institutional development of Latin America.

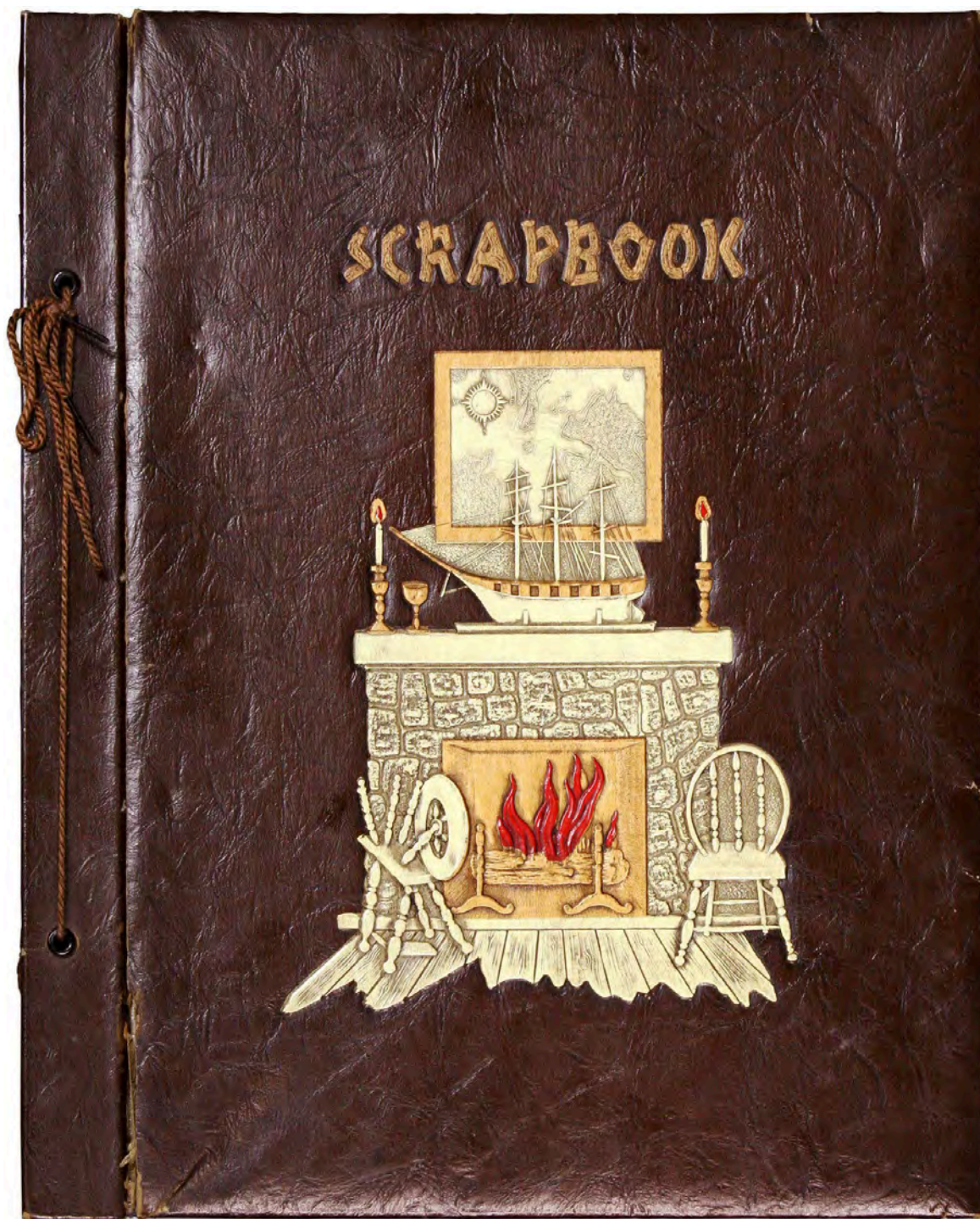
The translator, Albert Francis Hunt Jr., was a New York University-trained attorney who established a practice in Puerto Rico by 1906, placing him at the epicenter of the island's legal transition following the Insular Cases. Hunt's deep immersion in this post-1898 landscape likely motivated his project to bridge the gap between Spanish civil law and American constitutionalism. In a 1939 centenary tribute, Hunt explicitly compared Hostos to Emerson and Lincoln, lamenting that his "timeless ideas" remained ignored by the English-speaking world.

Despite Hunt's claims of translating other major works by Hostos, such as *Moral Social* and *Sociología*, no such publications appear in the Library of Congress or major bibliographical databases. This manuscript stands as a vital primary source for the study of 20th-century Pan-Americanism and the intellectual effort to translate Latin American liberal thought for a North American audience.

Eugenio María de Hostos: Promoter of Pan Americanism 164.



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Scrapbook Compiled by a Lawyer Who Served as an F.B.I. Agent in the Early 1940s

59. [Scrapbook].

[Whitticar, Ralph M.].

[*Scrapbook Compiled by FBI Agent and Lawyer Ralph M Whitticar*]. Richmond and Fredericksburg, VA, 1941-1947, 1982-1983.

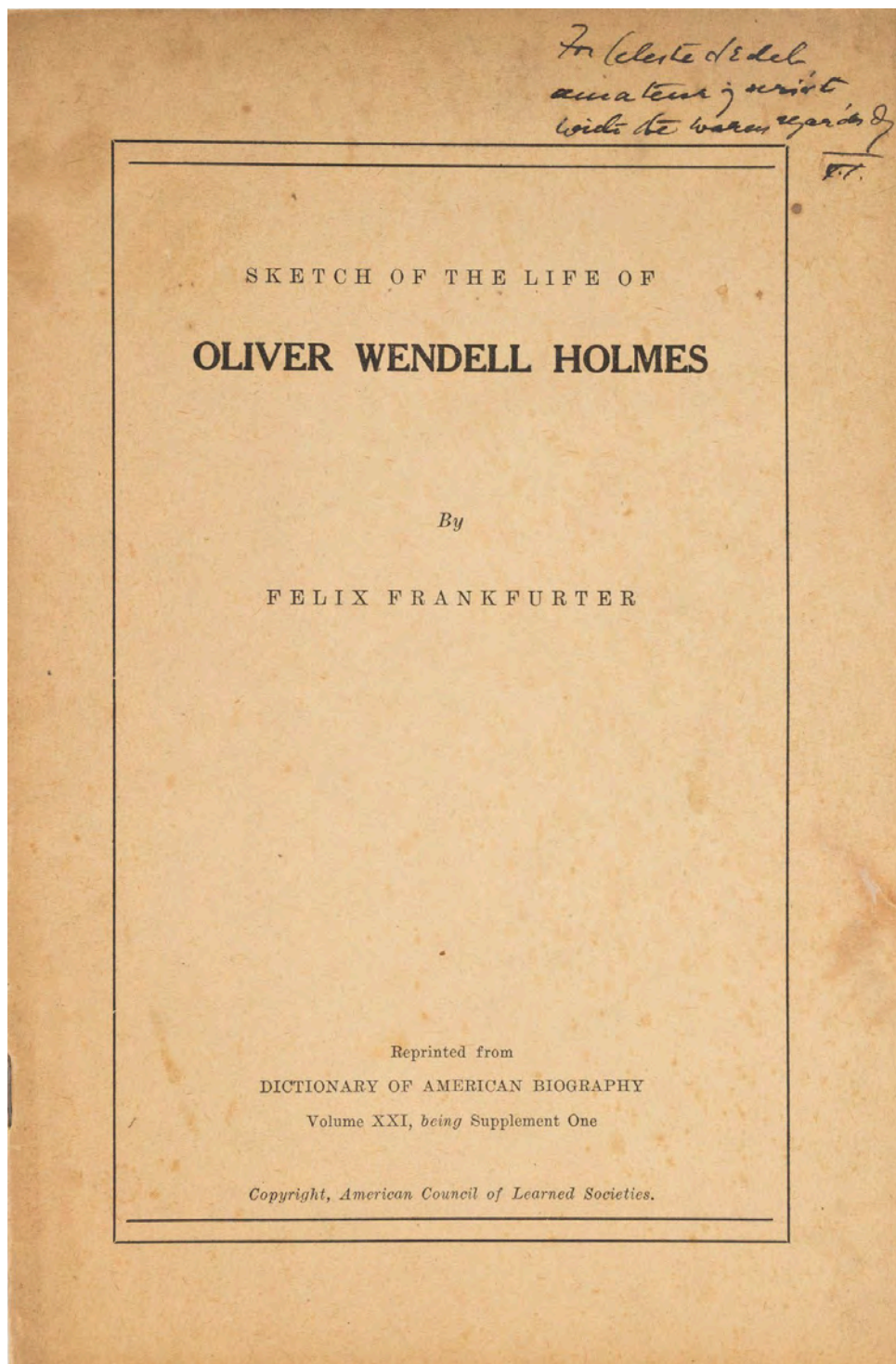
[100] pp. Folio (14-1/2" x 11-1/2"; 36.8 x 29.2 cm).

Padded imitation calf with ties, large hearth scene stamped to front cover below "Scrapbook." Light wear to extremities, front board detached, rear board partially detached, first leaf detached and moderately edgeworn, some edgewear and minor tears to several following leaves. Photographs, newspaper clippings, letters and documents affixed (with glue or cello tape) to rectos of 33 pages, three newspaper clippings from 1982 and 1983 laid in at rear of book. Most of these items have brief annotations. \$1,500.

* Ralph Whitticar was a lawyer from Columbus, Ohio who joined the F.B.I. as a special agent in 1941. He served in Washington, DC and Virginia until he resigned in 1944 to take a position with the Virginia Department of Motor Vehicles. Remaining in Virginia, he returned to legal practice in 1946. This scrapbook, which is devoted to Whitticar's career, is devoted mostly to his years in the F.B.I., which were clearly a high point in his life. He was involved in several cases in Washington, DC, Virginia and Kentucky. Several pages, most with photographs taken, we presume, by Whitticar or other agents, are devoted to his role in the capture of legendary bootlegger, robber and murderer Kinnie Wagner. There are also four letters to Whitticar from J. Edgar Hoover, one of them a letter of commendation.



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Three Inscribed Copies of Frankfurter's *Sketch of the Life of Oliver Wendell Holmes*

60. Frankfurter, Felix [1882-1965].

Sketch of the Life of Oliver Wendell Holmes. Reprinted from *Dictionary of American Biography Volume XXI, Supplement One*. [New York?]: American Council of Learned Societies, [1944]. 29 pp.

Stapled pamphlet in stiff printed green wrappers, bound in recent quarter morocco over cloth, gilt title to spine. Light fading to wrappers, internally clean, presentation inscription "For David R. Essig, with the good wishes of Felix Frankfurter Xmas '60" to front wrapper.

[Boxed with]

Frankfurter, Felix.

Sketch of the Life of Oliver Wendell Holmes. Reprinted from Dictionary of American Biography Volume XXI, Being Supplement One. [New York?]: American Council of Learned Societies, [1944]. 23 pp.

Stapled pamphlet in stiff printed tan wrappers. Light soiling and a few faint stains to wrappers, gradually diminishing faint stain to fore-edge of first 15 pages, presentation inscription "For Celeste Jedel, amateur jurist, with the warm regards of F.F." to front wrapper.

[And]

Frankfurter, Felix.

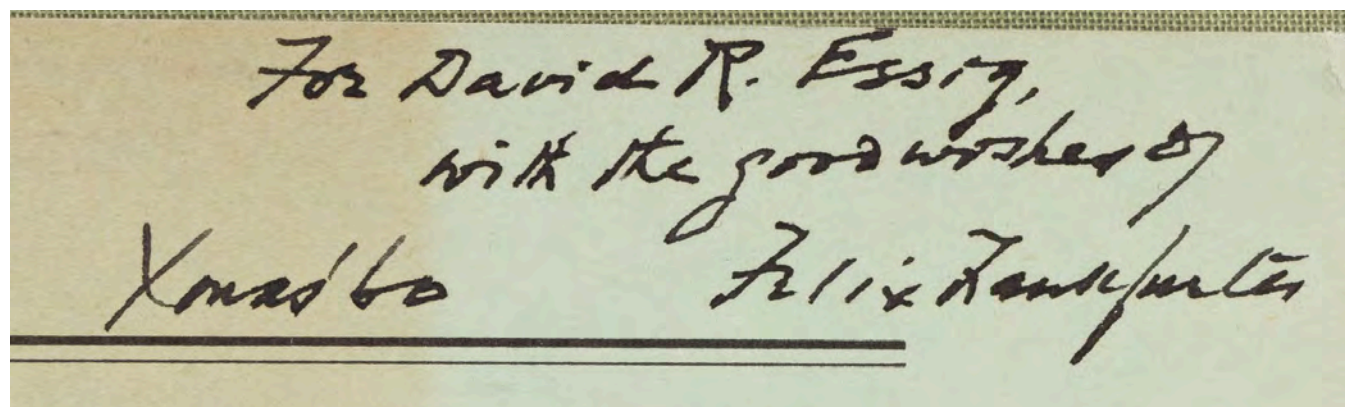
Sketch of the Life of Oliver Wendell Holmes. Reprinted from Dictionary of American Biography Volume XXI, Being Supplement One. [New York?]: American Council of Learned Societies, [1944]. 12 pp.

Stapled pamphlet in self-wrappers, text in two columns. Light toning, presentation inscription "For Evey & Dave, with the affection of FF." to front wrapper.

Items, each in a cloth flap folder, housed in handsome two-compartment cloth slipcase, quarter morocco spine with raised bands, gilt ornaments and lettering piece. \$1,500.

* These three copies of Frankfurter's biography of Holmes written for the *Dictionary of American Biography* are each inscribed to friends of Frankfurter's, including Celeste Jedel [c.1911-1948]. Jedel and Frankfurter met in the Roosevelt administration, where Jedel was an assistant to Raymond Moley [1886-1975]. Moley and Frankfurter were both members of Roosevelt's informal "Brain Trust" and he regarded Jedel as a reliable asset with "an extraordinarily brilliant mind" (Lash).

Lash, *Dealers and Dreamers: A New Look at the New Deal* 109.



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**A Rare 1944 Class Portrait of the Robert H. Terrell Law School,
Produced by the Celebrated Scurlock Studio**

61. [Law Schools]. [African Americans].

Class of 1944. Robert H. Terrell Law School. [Washington, DC]: Scurlock Studio, [1944].

Undated composite photograph measuring 11" x 13-1/2" (27.9 x 34.3 cm), with hand-lettered text, mounted on 14" x 17" (35.6 x 43.2 cm) illustration board. Toning and light soiling, chips, tears and creases to edges of board, upper and lower left corners creased, lower right corner lacking. A few tiny stains to photograph, which is otherwise fine. \$1,500.

A rare photographic record of the Robert H. Terrell Law School, an important historically Black institution established in Washington, DC, in 1931 after Howard University discontinued its evening law program. Named for Robert Heberton Terrell [1857-1925], a pioneering African American jurist and judge of the District of Columbia Municipal Court, the coeducational school provided opportunities for legal education to Black students during an era of widespread racial discrimination. Its graduates went on to careers in law, government and public service.

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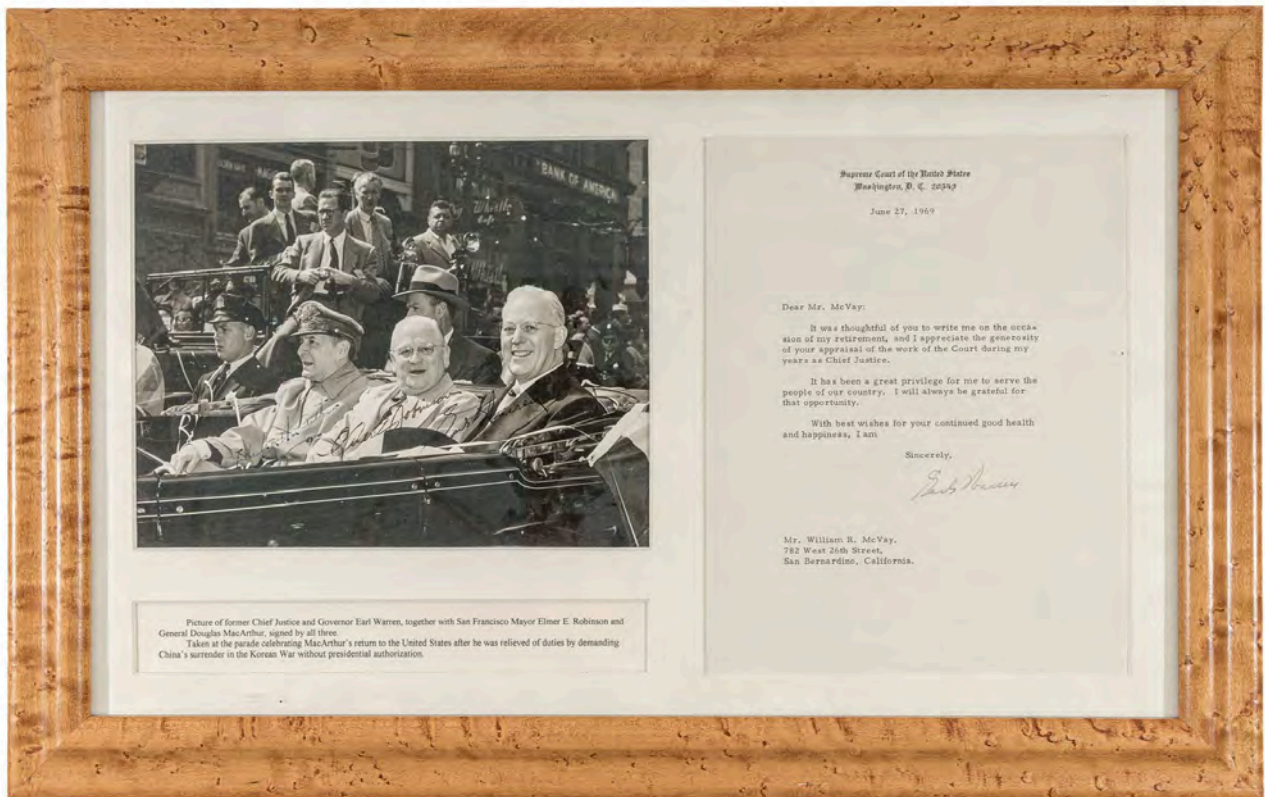
Produced by the celebrated Scurlock Studio, one of Washington's foremost African American photographic establishments, this composite portrait depicts the school's founder and dean, George Arthur Parker, together with its six graduates of 1944, including one woman. The unusually small graduating class reflects the wartime circumstances affecting American legal education. The photograph is also a notable example of the work of the Scurlock Studio, which documented Washington's African American professional, political and cultural communities for much of the twentieth century.

Of particular interest is the family connection to the desegregation of American legal education. Elwin Franklin Jarmon, Jr., son of the graduate pictured at lower left, was among the first six African American students admitted to the University of Texas School of Law in 1950, following the Supreme Court's landmark decision in *Sweatt v. Painter*, 339 U.S. 629 (1950). That decision, rejecting the adequacy of segregated legal education in Texas, was an important precursor to *Brown v. Board of Education* (1954). The portrait thus offers a connection between two generations of African American legal education and the struggle for equal access to the legal profession.

An exceptionally scarce survival. A photograph relating to the Robert H. Terrell Law School is preserved in the Scurlock Studio Records at the Smithsonian Institution's National Museum of American History, although its identification as an example of this particular 1944 composite has not been confirmed. No additional examples of the present composition have been located in OCLC or auction records.

References: "Robert H. Terrell Law School," African American Heritage Trail, Cultural Tourism DC; Washington, "History and Role of Black Law Schools," North Carolina Central Law Review, Vol. 5, No. 2, pp. 167-168; "The First African American Graduates of the University of Texas School of Law," Tarlton Law Library, University of Texas; Smithsonian Institution, National Museum of American History, Scurlock Studio Records.

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General Douglas MacArthur's Triumphant Return to San Francisco Following His Dismissal by President Truman: A Photograph Signed by MacArthur, Earl Warren and Mayor Elmer Robinson

62. Warren, Earl [1891-1974].
MacArthur, Douglas [1880-1964].
Robinson, Elmer [1894-1982].

[8" x 10" Black-and-White Photograph of Douglas MacArthur, Elmer Robinson and Earl Warren]. [San Francisco, 1951]. Signed by all three subjects.

[With]

Warren, Earl.

[Typed Letter, Signed, On U.S. Supreme Court Letterhead, To William R. McVay, Washington, DC, June 27, 1969]. 1 pp.

Together two items in attractively matted and glazed 14-1/4" x 22-1/4" frame. Fine, horizontal fold lines to letter. \$1,500.

An evocative photograph of General Douglas MacArthur during the San Francisco celebrations welcoming him home following his controversial dismissal by President Harry S. Truman in April 1951, signed by MacArthur and his two distinguished companions, California Governor Earl Warren and San Francisco Mayor Elmer E. Robinson. Taken during the city's parade honoring the general, the photograph shows the three men seated in an open automobile in a motorcade. MacArthur, wearing his trademark military cap and trench coat, is seen in profile, while Warren and Robinson face the camera.

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On April 11, 1951, Truman relieved MacArthur of his commands in the Far East following an increasingly public disagreement over the conduct of the Korean War, particularly the general's advocacy of expanding military operations against Communist China in opposition to the administration's policy of limiting the conflict. His dismissal precipitated one of the most consequential confrontations between civilian and military authority in modern American history, raising fundamental constitutional questions concerning presidential powers as commander in chief and the obligation of military officers to comply with civilian direction. MacArthur's return to the United States was greeted with extraordinary public enthusiasm, reflecting the deep political divisions provoked by Truman's decision.

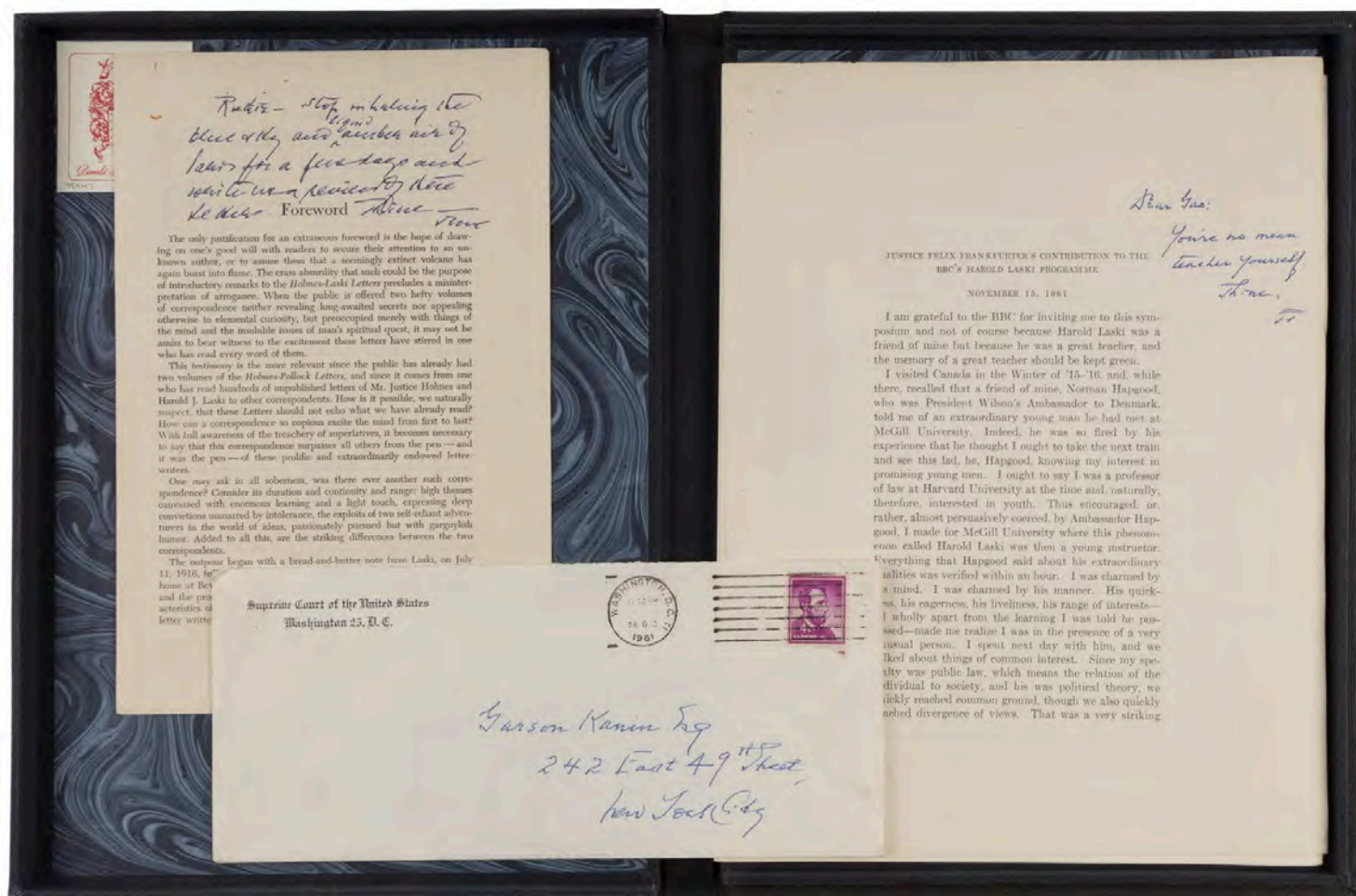
The presence of Earl Warren adds particular interest to this photograph. At the time governor of California, Warren would become Chief Justice of the United States in 1953 and preside over one of the most consequential periods in the history of the Supreme Court. His tenure included the landmark decision in *Brown v. Board of Education* (1954), which declared racial segregation in public schools unconstitutional, and other decisions that transformed American constitutional law. Elmer E. Robinson, mayor of San Francisco from 1948 to 1956, joined Warren in welcoming the celebrated general.

Accompanying the photograph is a typed letter signed by Warren, dated June 27, 1969, on United States Supreme Court letterhead, thanking William R. McVay for his good wishes upon Warren's retirement as Chief Justice. Warren had stepped down only four days earlier, on June 23, concluding nearly sixteen years at the head of the Court. The letter thus documents the closing days of his judicial career, while the photograph captures him at an earlier moment of national prominence, before his appointment to the Supreme Court.

An appealing association of three notable American public figures, particularly significant for its connection to the constitutional controversy surrounding MacArthur's dismissal and its documentation of Earl Warren's public career before and at the conclusion of his tenure as Chief Justice.



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Rare Frankfurter Items About Harold Laski with Presentation Inscriptions to Garson Kanin and Ruth Gordon

63. Frankfurter, Felix [1882-1965].

[Gordon, Ruth [1896-1985].

"Foreword to *Holmes-Laski Letters*." Cambridge, MA: Harvard University Press, 1953. xiii-xvi pp.

8-3/4" x 5-3/4" bifolium. Light toning, two horizontal fold lines, two pinholes to upper margin, small rust marks to head of first page along with presentation inscription from Frankfurter: "Ruthie-stop inhaling the/ blue sky and liquid amber air of/ Paris for a few days and/ write us a review of these/ letters. Thine, Felix."

[Boxed with]

Frankfurter, Felix.

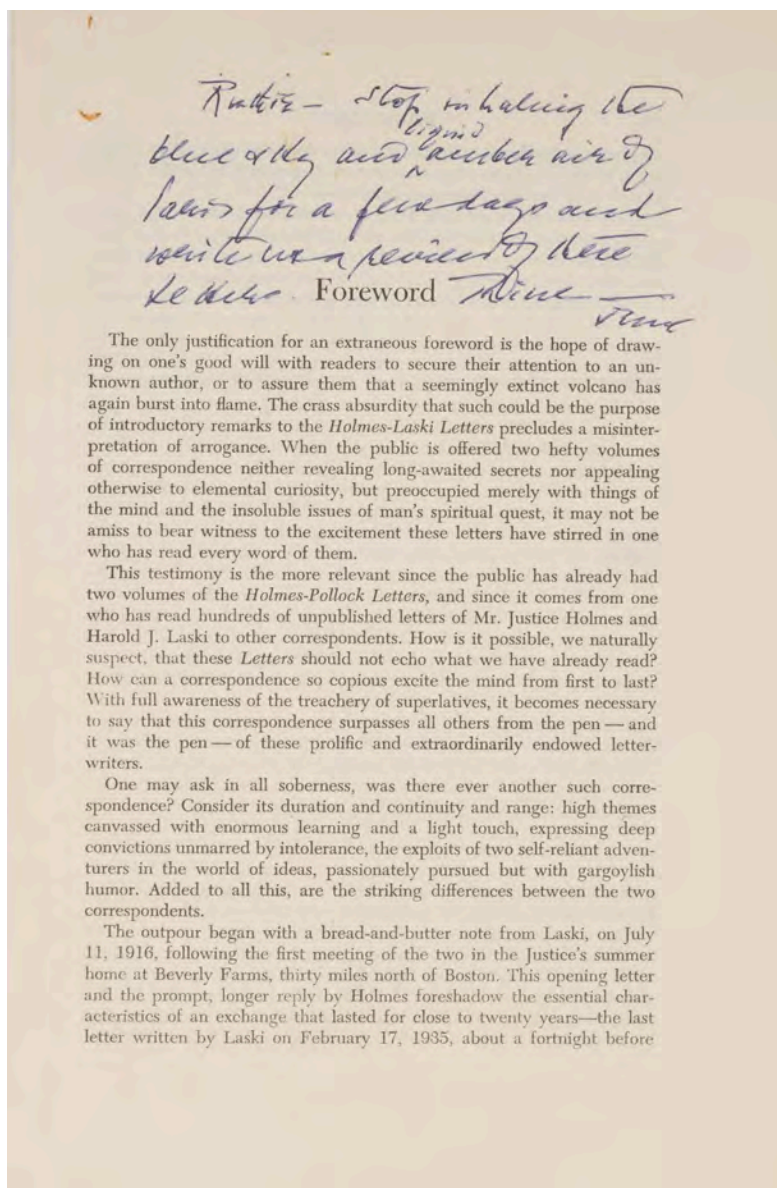
[Kanin, Garson (1912-1999)].

"Justice Felix Frankfurter's Contribution to the BBC's Harold Laski Programme, [London], November 15, 1961." 7 ff.

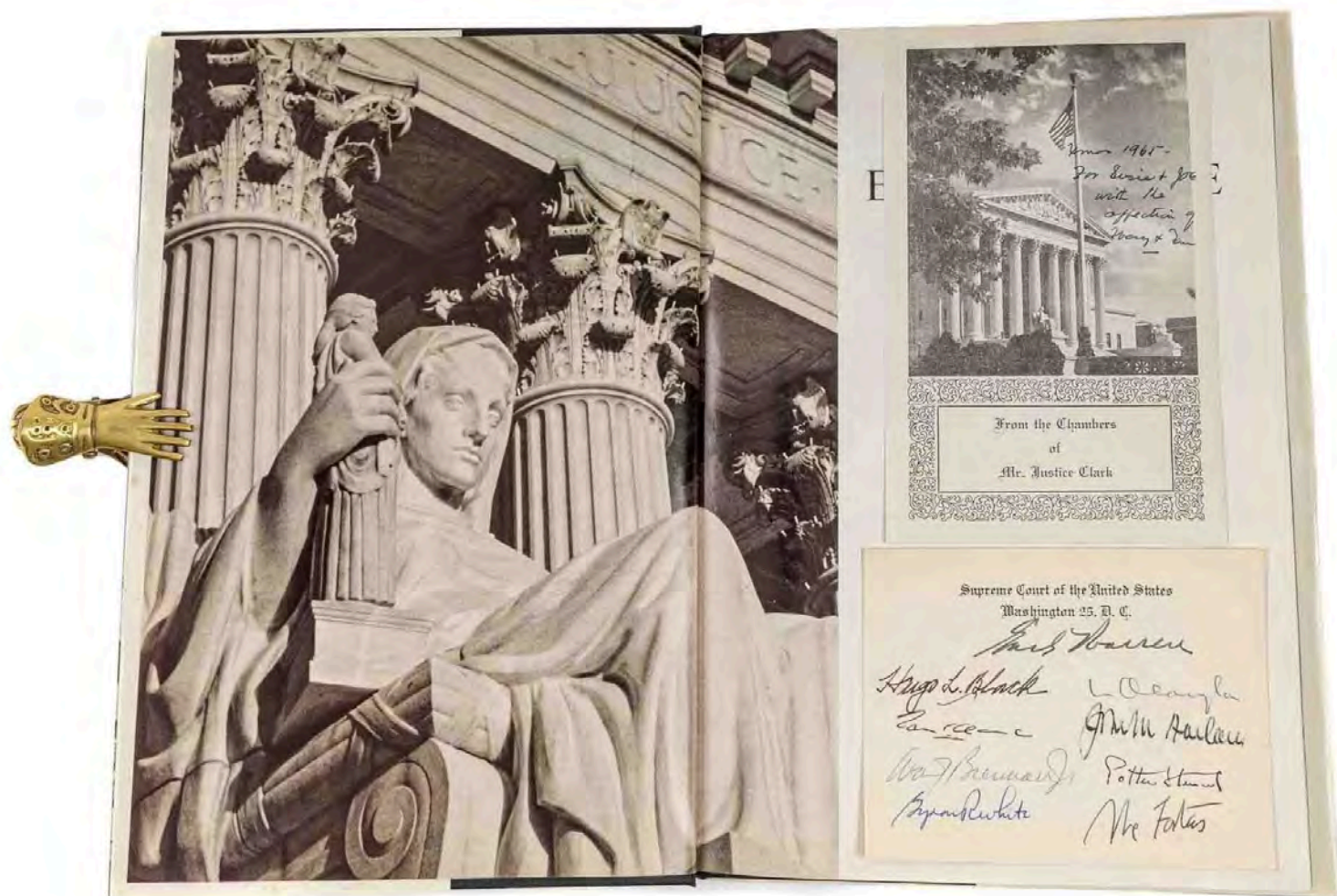
10-1/2" x 8" single-sided printed sheets with transmittal envelope. Light toning, two horizontal fold lines, traces of removed staples from upper-left corners, a few tiny spots to first leaf, which has an inscription from Frankfurter to its upper-right corner: "Dear Gar:/ You're no mean/ teacher yourself./ Thine,/ FF."

Items housed in cloth clamshell box, morocco lettering piece to spine, bookplate of Donald Scott Carmichael to inside front. \$1,500.

* Laski [1893-1950], the English political theorist, economist and correspondent of Oliver Wendell Holmes, Jr. [1841-1935], was one of Frankfurter's friends and an important intellectual influence. Kanin and Ruth Gordon [1896-1985], his wife, were close to Frankfurter in his later years. Both had successful careers in theater and film. Kanin was a playwright and film director. Gordon, the more famous of the two, was an actress, screenwriter and playwright.



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Signed by the Nine Justices of the Warren Court

64. Harrell, Mary Ann.

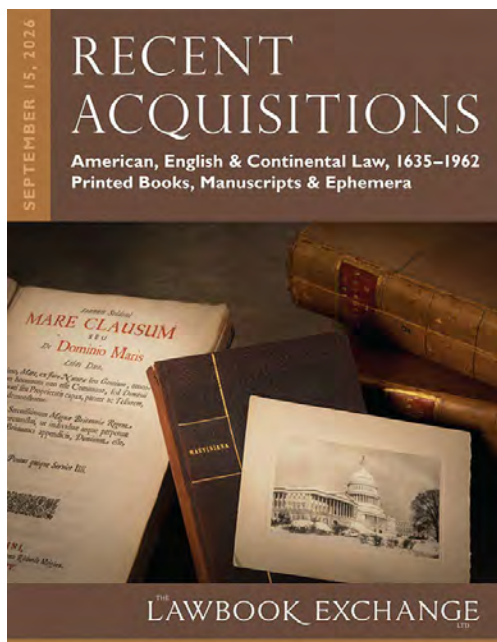
Equal Justice Under Law: The Supreme Court in American Life. Washington D.C.: Foundation of the Federal Bar Association with the Cooperation of the National Geographic Society, [1965]. 143 pp. Illustrations, most in color.

Cloth in lightly edgeworn dust jacket. Supreme Court note card signed by all nine members of the Warren Court and Supreme Court bookplate of Tom Clark (with later gift inscription) affixed to front free endpaper. \$1,750.

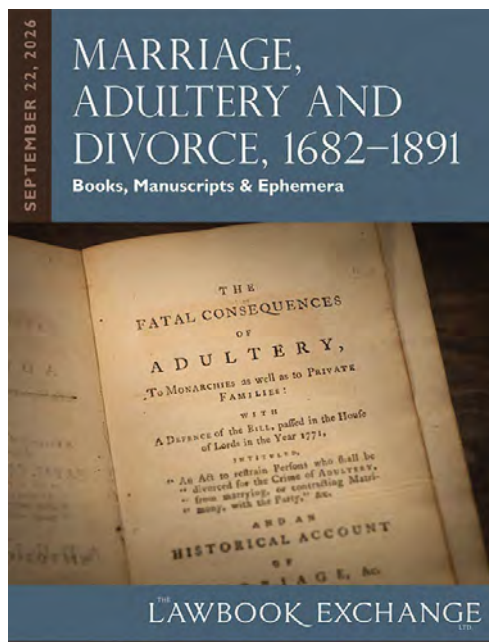
* A popular history of the U.S. Supreme Court. The affixed note card is signed by Chief Justice Earl Warren, as well as associate justices Hugo L. Black, William O. Douglas, Tom C. Clark, John M. Harlan, William J. Brennan, Potter Stewart, Byron R. White and Abe Fortas.

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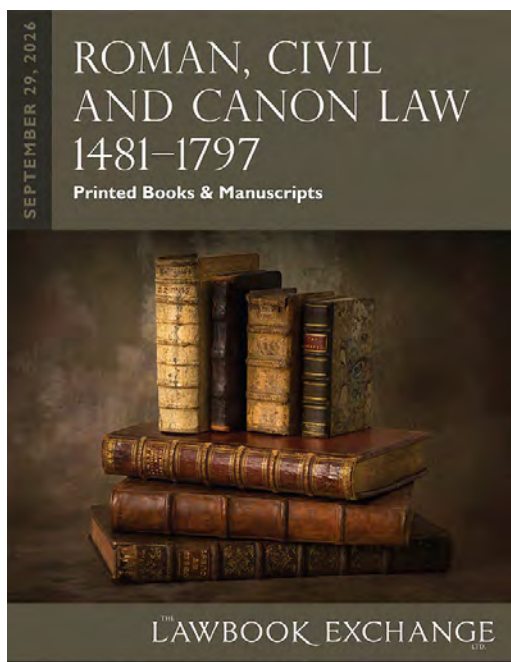
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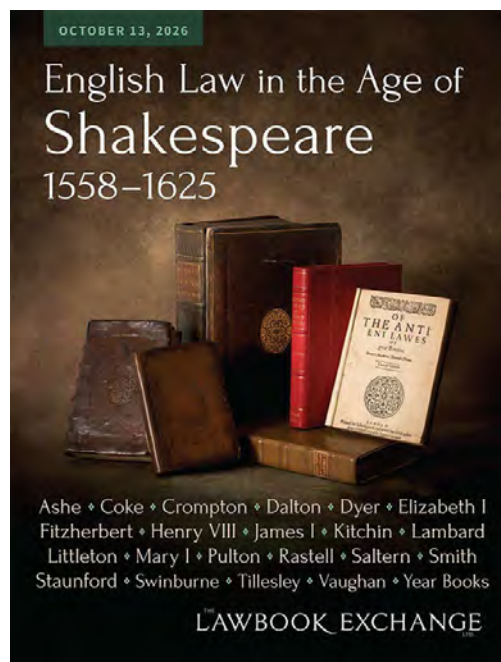
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