

A SELECTION OF PAMPHLETS

September 8, 2015



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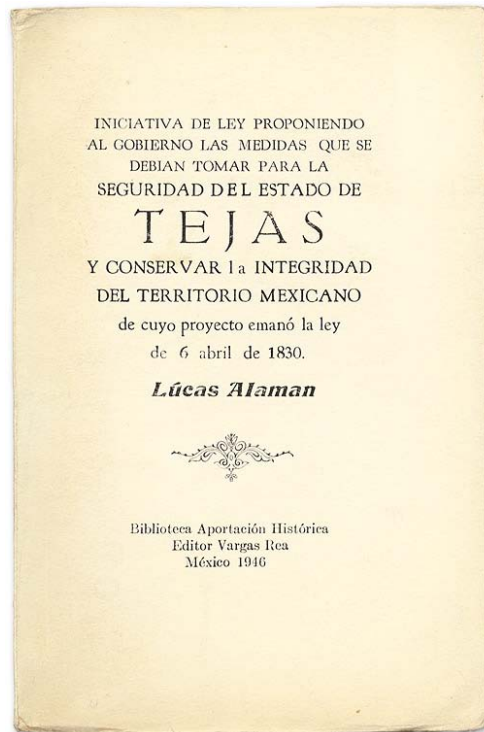
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A Selection of Pamphlets

8 September 2015



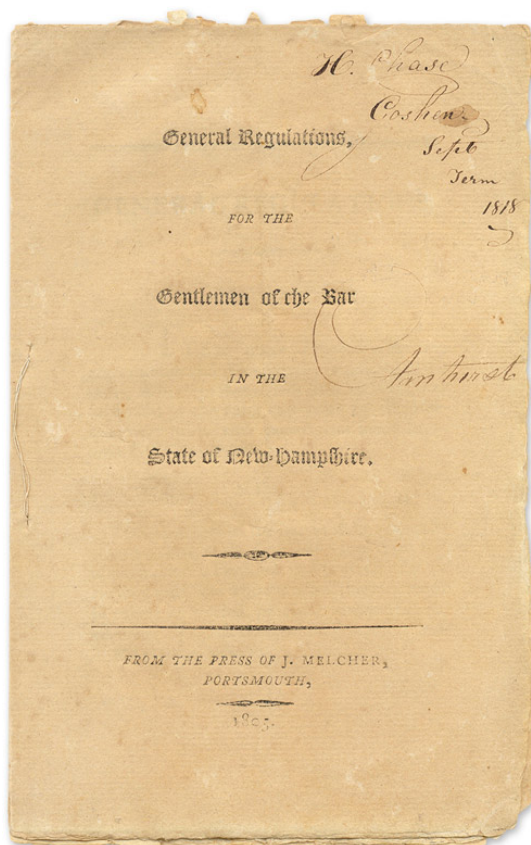
The Law of April 6, 1830: An Important Stimulus for Texas Independence

1. Alaman, Lucas [1792-1853]. [Law of April 6, 1830].

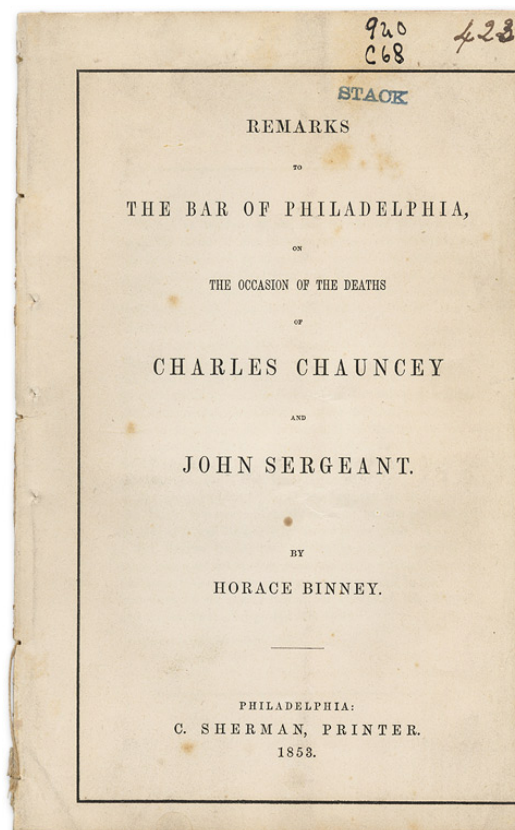
Iniciativa de Ley Proponiendo al Gobierno Las Medidas que se Debían Tomar Para la Seguridad del Estado de Tejas y Conservar la Integridad del Territorio Mexicano de Cuyo Proyecto Emanó la Ley de 6 Abril de 1830. Mexico City: Biblioteca Aportación Histórica, 1946.

Original printed wrappers lightly soiled, internally clean. \$100.

* From a facsimile edition limited to 100 copies, this number 94. An important figure in nineteenth-century Mexican history, Alaman was a scientist, historian and political leader. For most of the 1820s and 30s he was Minister of Interior and Exterior Relations, a post that combined the functions of a secretary of state, secretary of the interior and attorney general. The *Iniciativa*, better known as the Law of April 6, 1830, addressed Mexican concerns over the growing population of Americans in Texas, many brought by U.S.-based agents called *empresarios*. "The Law of April 6, 1830, said to be the same type of stimulus to the Texas Revolution that the Stamp Act was to the American Revolution, was initiated by Lucas Alaman y Escalada, Mexican minister of foreign relations, and was designed to stop the flood of immigration from the United States to Texas. (...) The law...authorized a loan to finance the cost of transporting [Mexican] colonists to Texas, opened the coastal trade to foreigners for four years, provided for a federal commissioner of colonization to supervise empresario contracts in conformity with the general colonization law, forbade the further introduction of slaves into Mexico, and apparently was intended to suspend existing empresario contracts. Article 11...was intended to prohibit or limit immigration from the United States.": Curtis Bishop, "Law of April 6, 1830" in *Handbook of Texas Online*.



Item 2



Item 3

1805 New Hampshire Bar Regulations

2. [Bar Associations].

[New Hampshire].

General Regulations, For the Gentlemen of the Bar in the State of New Hampshire. Portsmouth: From the Press of J. Melcher, 1805. 12 pp. 12mo. (7" x 4-1/2").

Stab-stitched pamphlet in self-wrappers, untrimmed edges. A few tiny flecks, faint crease through center. Early names and annotations to exterior and foot of p. 12, interior otherwise clean. An interesting item. \$650.

* This is the final approved set of rules adopted in 1804. They offer a fascinating look at the New Hampshire Bar and, more generally, the legal profession at that time. OCLC locates 6 copies, 3 in law libraries (Harvard, University of Virginia, Yale). Not in Cohen.

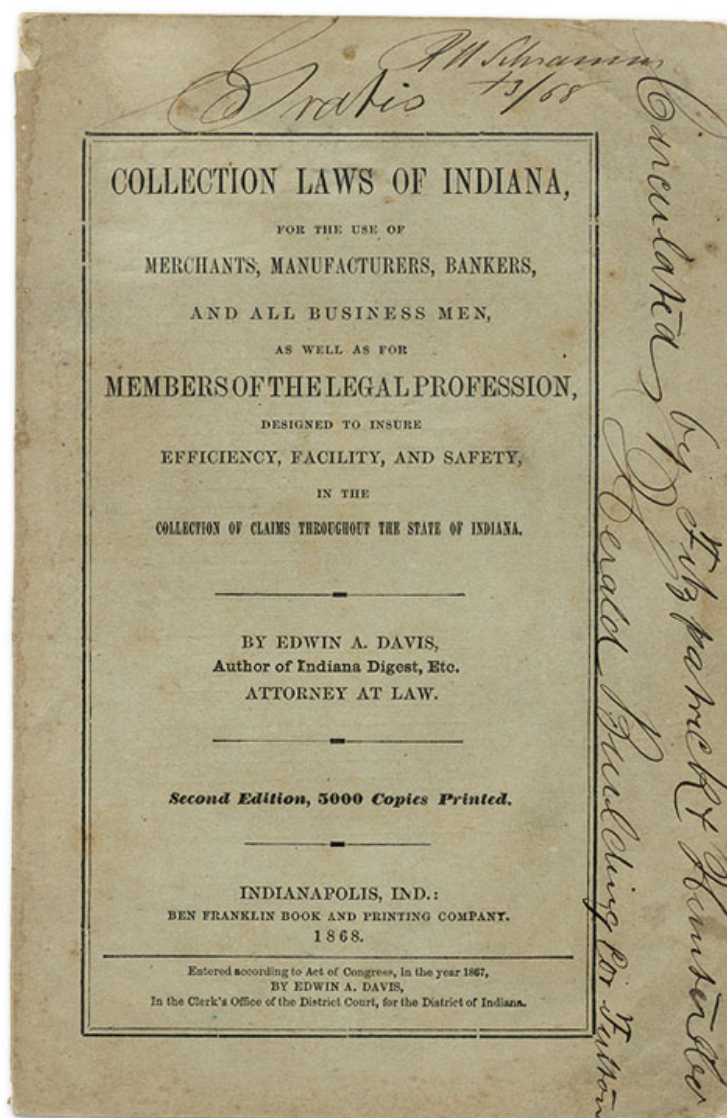
Remarks by a Leader of the Philadelphia Bar

3. Binney, Horace [1780-1875].

Remarks to the Bar of Philadelphia, On the Occasion of the Deaths of Charles Chauncey and John Sergeant. Philadelphia: C. Sherman, 1853. 39 pp. Text framed with black borders. Octavo (8-1/2" x 5").

Disbound stab-stitched pamphlet in printed wrappers. Light soiling, fore-edge trimmed affecting borders, internally clean. Ex-library. Hand-lettered location number to head of title page. \$75.

* Binney was a leader of the Philadelphia bar and the author of *The Leaders of the Old Bar of Philadelphia* (1866).



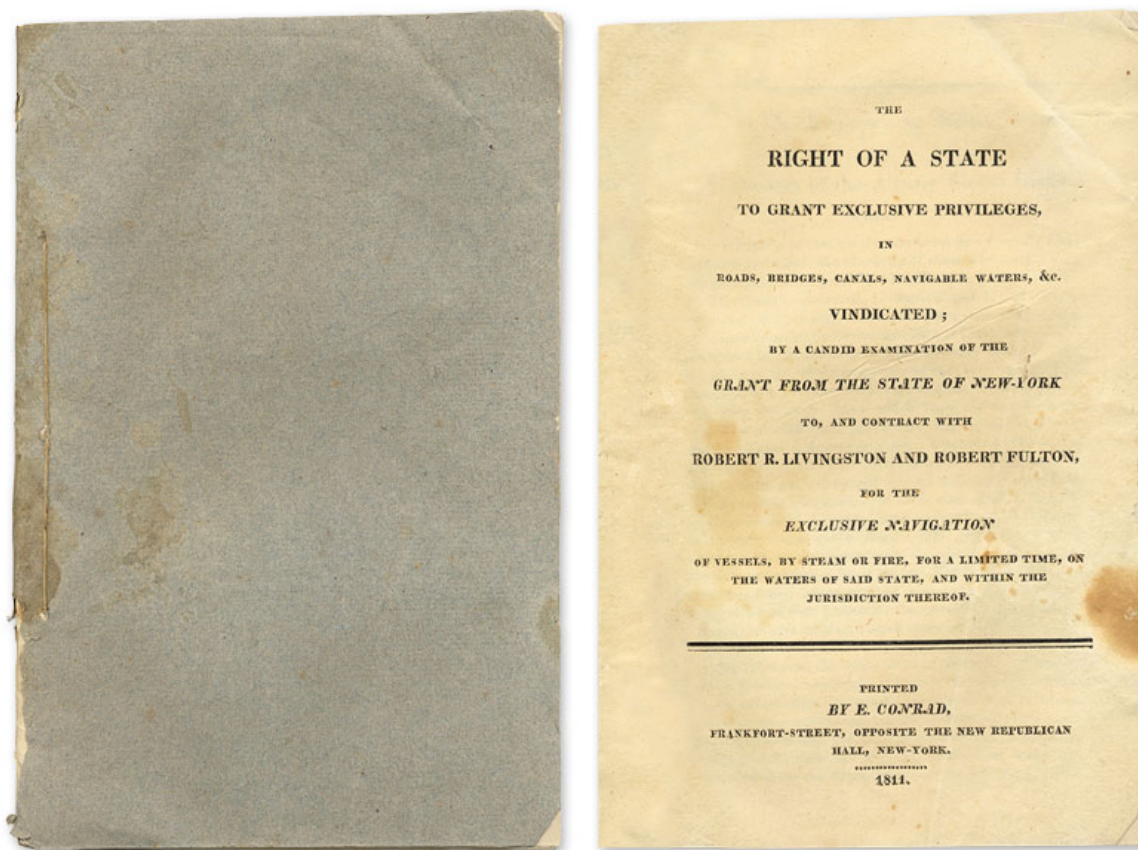
1868 Indiana Guide With a List of Attorneys

4. Davis, Edwin A.

Collection Laws of Indiana, For the Use of Merchants, Manufacturers, Bankers, And All Business Men, As Well as for Members of the Legal Profession, Designed to Insure Efficiency, Facility, And Safety, In the Collection of Claims Throughout the State of Indiana. Indianapolis: Ben Franklin Book and Print Co., 1868. 48 pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printer wrappers. Light soiling, minor wear to spine ends and corners, some toning and occasional light foxing to text. Annotations and signatures to front wrappers and first leaf of text, interior otherwise clean. \$100.

* Second edition. First published in 1867, this guidebook includes sections on bankruptcy, divorce law, contracts of married women, bonds, bills, and notes. It also has a valuable list of attorneys arranged by county. It is designated "second edition" with an 1867 copyright. Davis was a United States Commissioner and an Indiana attorney; the first two pages advertise his services as a specialist in bankruptcy law and debt collection. Davis also published a digest and reports of cases of the Indiana Supreme Court and edited a revision of Indiana statutes. OCLC locates 5 copies, 1 in a law library (Harvard).



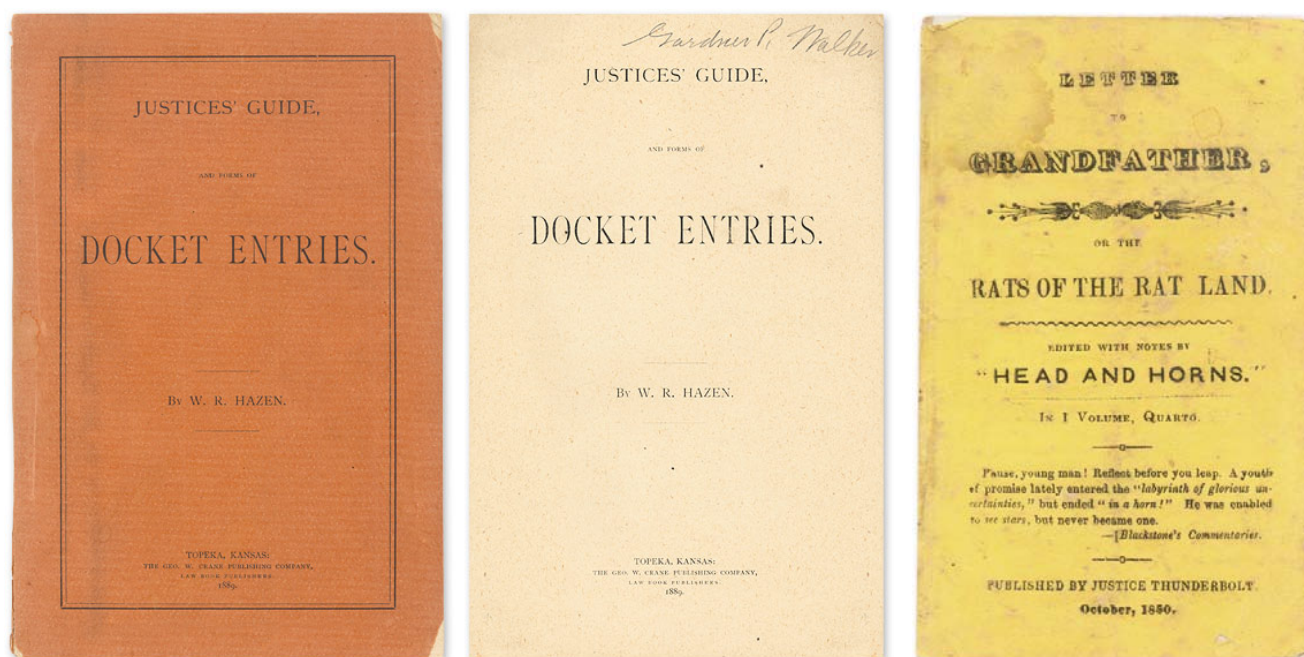
The Prehistory of *Gibbons v. Ogden*

5. [Fulton, Robert]. [Livingston, Robert L.].

The Right of a State to Grant Exclusive Privileges, In Roads, Bridges, Canals, Navigable Waters, &c. Vindicated; By a Candid Examination of the Grant from the State of New-York to, And Contract with Robert R. Livingston and Robert Fulton, For the Exclusive Navigation of Vessels, By Steam or Fire, For a Limited Time, On the Waters of Said State, And Within the Jurisdiction Thereof. New York: Printed by E. Conrad, 1811. 44, [9] pp. Octavo (7-3/4"x 5").

Stab-stitched pamphlet in plain wrappers. Light rubbing to extremities, a few minor chips and creases, small stain to front board, wrapper worn away from foot of spine. Moderate toning to text, faint dampspotting and stains to first few leaves of text, internally clean. \$950.

* First edition. This anonymously written pamphlet analyzes the case of *Robert R. Livingston and Robert Fulton v. The Owners of the Albany Steam Boats*, the first of a series of cases that culminated in the landmark U.S. Supreme Court decision *Gibbons v. Ogden*. The Livingston-Fulton monopoly was granted by the State of New York in 1798. The rival Albany Company challenged this monopoly unsuccessfully in 1810. Livingston and Fulton attempted to secure monopolies elsewhere in the United States and succeeded in obtaining one in Orleans Territory. More competitors challenged Livingston and Fulton, arguing that the commerce power of the federal government was exclusive and superseded state or territorial laws. The most important of these was *Gibbons v. Ogden* (22 U.S. 1), which was decided in 1824. The Court overturned the New York-granted monopoly, declaring that the Commerce Clause granted Congress the exclusive power to regulate interstate commerce. More important, this definition of commerce was broad enough to include inland navigation. The final nine pages of our pamphlet, "Supplemental Remarks," are not recorded in Sabin or American Imprints. OCLC locates 12 copies, none in law libraries. Cohen, *Bibliography of Early American Law* 14736.



Item 6

Item 7

1889 Guide for Novice Justices in Kansas

6. Hazen, W.R.

Justices' Guide, And Forms of Entries. Topeka, KS: The Geo. W. Crane Publishing Co., 1889. 30 pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light rubbing to extremities with minor wear to spine ends and corners, wrappers just beginning to detach at foot, corner cropped from a page with no loss to text. Early owner signature to front free endpaper, interior otherwise clean. \$250.

* Only edition. This little book was intended "for the justice of the peace who has been elected to office on account of his good common sense and integrity, rather than his knowledge of the law" (1). OCLC locates 1 copy (Pittsburg State University, KS).

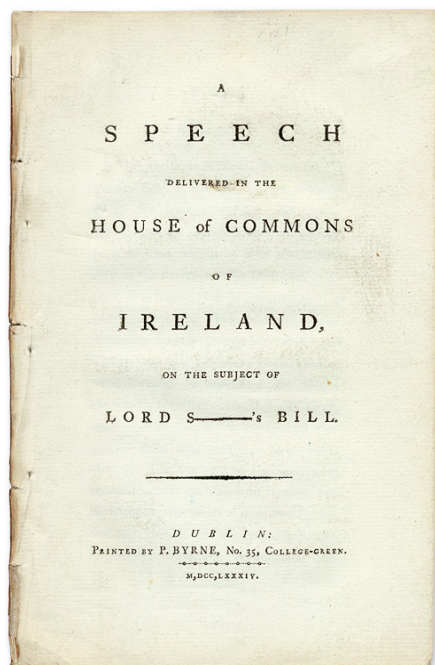
Includes a "Quote" from Blackstone

7. Head and Horns.

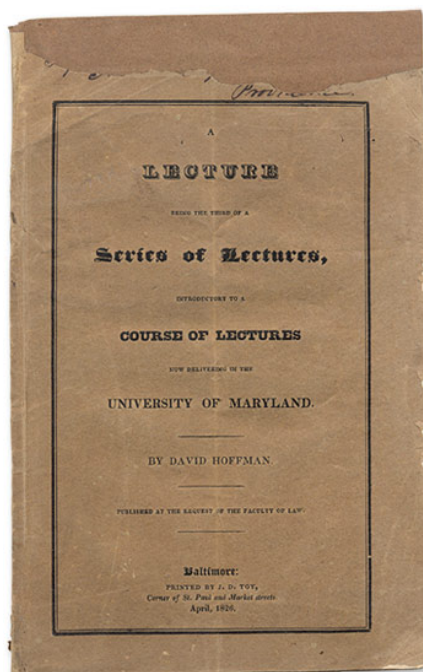
Letter to Grandfather, Or the Rats of the Rat Land. N.p: Published by Justice Thunderbolt, October, 1850. [8] pp. 12mo. (5-3/4" x 3-1/2").

Stab-stitched pamphlet in printed wrappers. Some soiling and a few minor stains to exterior, edges trimmed closely to text (with no loss). Toning and negligible light foxing to text, internally clean. \$125.

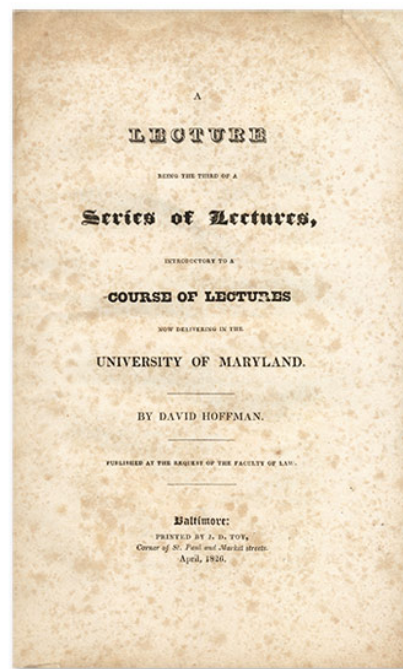
* The front wrapper of this anti-lawyer pamphlet bears a facetious "quote" from Blackstone's *Commentaries*: "Pause young man! Reflect before you leap. A youth of promise lately entered the 'labyrinth of glorious uncertainties,' but ended in a horn!" He was enabled to see stars, but never became one." No copies located on OCLC.



Item 8



Item 9



Argument for an Impeachment in the Irish House of Commons

8. [Hely Hutchison, John, Attributed].

A Speech Delivered In The House Of Commons Of Ireland, On the Subject of Lord S_____s Bill. Dublin: P. Byrne, 1784. 31, [1] pp. Octavo (8" x 5").

Neatly disbound, light soiling to title page. Light toning to text, internally clean. \$125.

* Only edition. A legal-constitutional essay arguing for impeachment by the House of Commons over proceedings by an *ex-post-facto* bill in the House of Lords in a case involving a member of Lords. This speech has been attributed to Hely-Hutchison, an Irish patriot, who supported Irish independence and political liberty for Roman Catholics. He is best known for his *Commercial Restraints of Ireland*, 1779, a strong defense of free trade. See *Dictionary of National Biography*, missing this. *English Short-Title Catalogue* N24430.

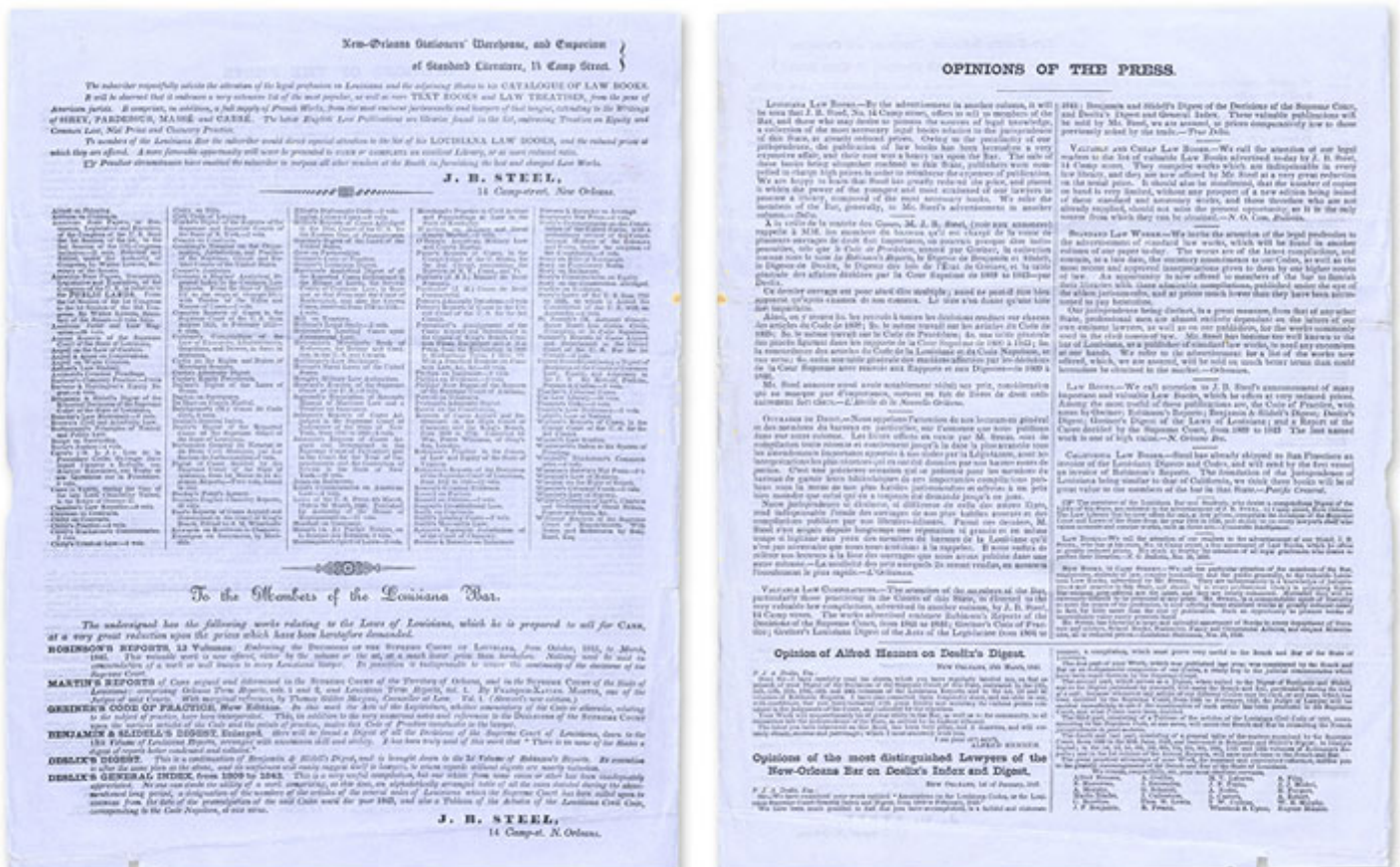
Hoffman's Third Lecture

9. Hoffman, David [1784-1854].

A Lecture, Being The Third Of A Series Of Lectures, Introductory To A Course Of Lectures Now Delivering in the University of Maryland. Published At The Request Of The Faculty Of Law. Baltimore: Printed by J.D. Toy, April 1826. 62 pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, blank upper margin and spine expertly restored. Some edgewear, faint vertical crease through center. Moderate toning and dampspotting to text, internally clean. \$500.

* One of a series of (at least) nine "introductory" lectures, four of which, including this, were published separately. They were reprinted collectively, with other material, in Hoffman's *Introductory lectures* ... (1837). This one is devoted to moot courts, an extensive model of which (pp. 50-61) is preceded by a discussion of general issues including pleading, evidence, actions, and especially the value of debating. Hoffman was a pioneer in American legal education. In 1817 Hoffman published his classic *Course of legal study*, and in 1823 began to lecture at the University of Maryland, having been appointed professor of law there in 1816. OCLC locates 15 copies, 5 in law libraries (Columbia, Duke, Harvard, University of Maryland, US Supreme Court). Cohen, *Bibliography of Early American Law* 8631, 8625.



Rare New Orleans Law-Bookseller Advertisement

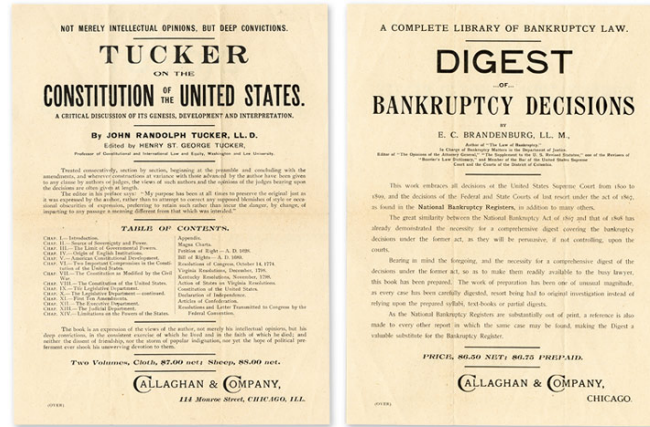
10. [Legal Publishing].

Steel, J.B.

New-Orleans Stationers' Warehouse, and Emporium of Standard Literature.

The Subscriber Respectfully Solicits the Attention of the Legal Profession in Louisiana and the Adjoining States to His CATALOGUE OF LAW BOOKS. New Orleans: J.B. Steel, [c. 1847]. 10-3/4" x 8-3/8" pamphlet printed on blue paper, text, mostly in two or five columns, to recto and verso. Faint horizontal fold lines, a few small tears and chips to edges. \$350.

*Steel was an important New Orleans publisher and bookseller. This advertising sheet lists about 150 book titles, a smaller group dealing with Louisiana law is described in some detail. The verso contains testimonials from the press about Steel (including two in French) and two blurbs for Deslix's *Index and Digest*. OCLC locates many books, pamphlets, almanacs, etc., published by Steel in New Orleans, 1846-1861, but only one similar broadsheet advertisement from 1852 pertaining to law books (at Yale).



"Deep Convictions"

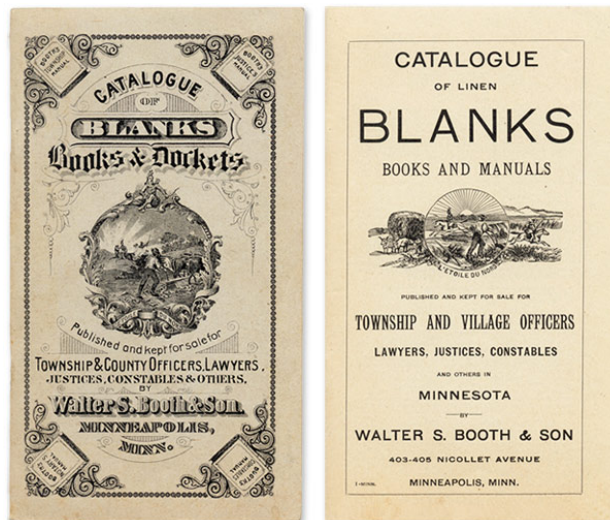
11. [Legal Publishing].

[Tucker, John Randolph (1823-1897)].

Not Merely Intellectual Opinions, But Deep Convictions. Tucker on the Constitution of the United States: A Critical Discussion of Its Genesis, development and Interpretation by John Randolph Tucker/ A Complete Library of Bankruptcy Law. Digest of Bankruptcy Decisions by E.C. Brandenburg. Chicago: Callaghan & Company, c. 1899. 12" x 9" leaflet.

Light browning, faint horizontal fold lines, light edgewear. \$150.

* This is a two-sided prospectus for Tucker's *Constitution of the United States* and Brandenburg's *Index-Digest of Bankruptcy Decisions*, both published by Callaghan in 1899.



Attractive Minnesota Publisher Catalogue from 1910

12. [Legal Publishing].

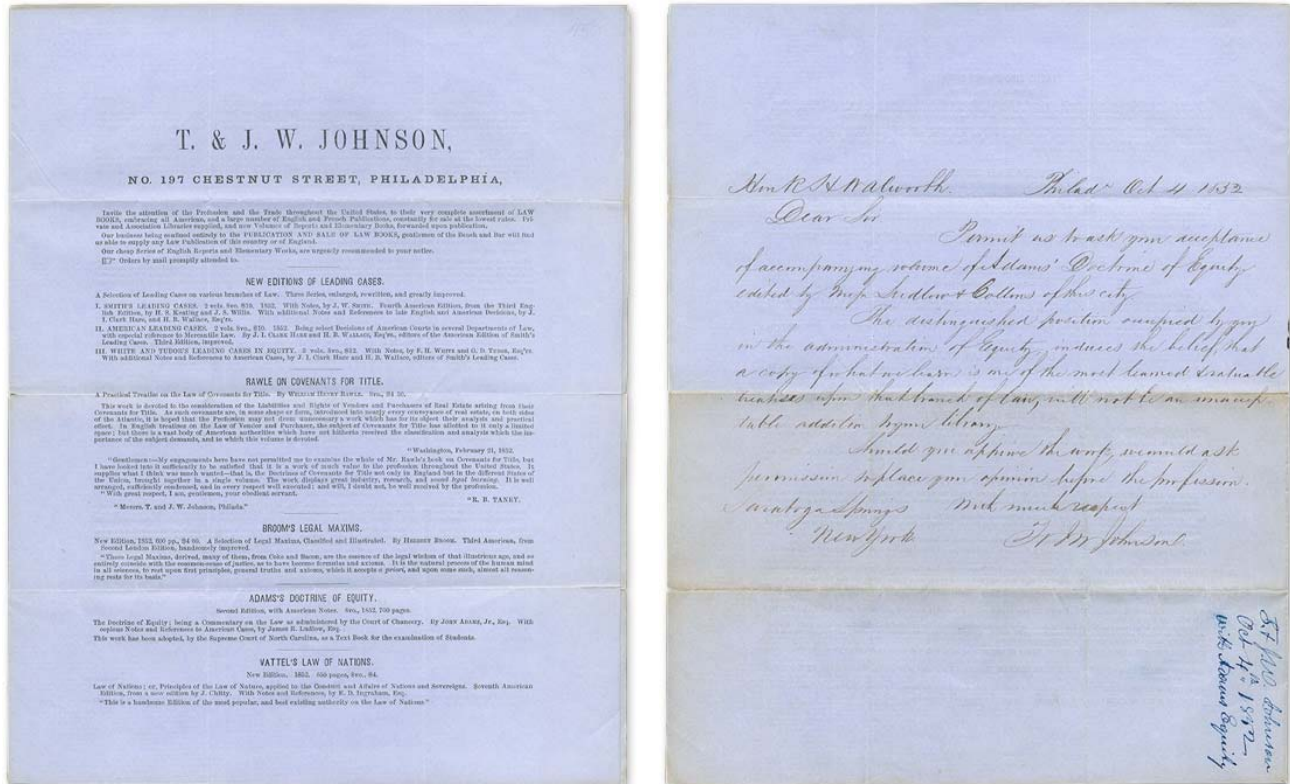
Walter S. Booth & Son.

Catalogue of Linen Blanks, Books & Manuals Published and Kept for Sale for Township & Village Officers, Lawyers, Justices, Constables and Others in Minnesota. Minneapolis: Walter S. Booth & Son, [1910].

48 pp. 6-1/2" x 3-1/2" brochure.

Stiff colored pictorial wrappers. Light edgewear and soiling, internally clean. A well-preserved item. \$125.

* Booth's publications and forms are described in detail. The sections in the manual advising town officials about the proper forms and books for their work and how to use them are especially interesting.



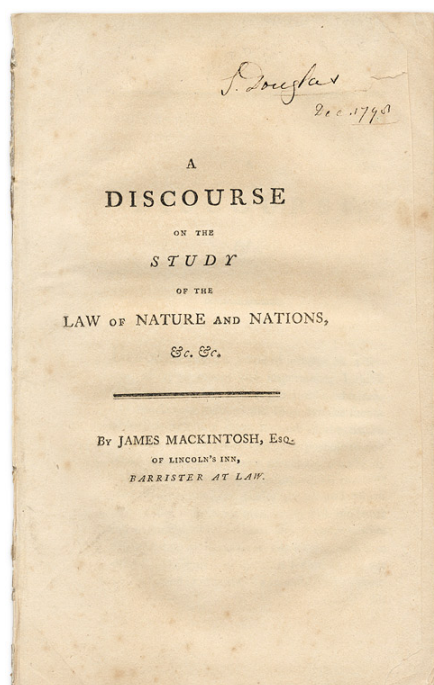
With a Letter from Mr. Gould

13. [Legal Publishing].

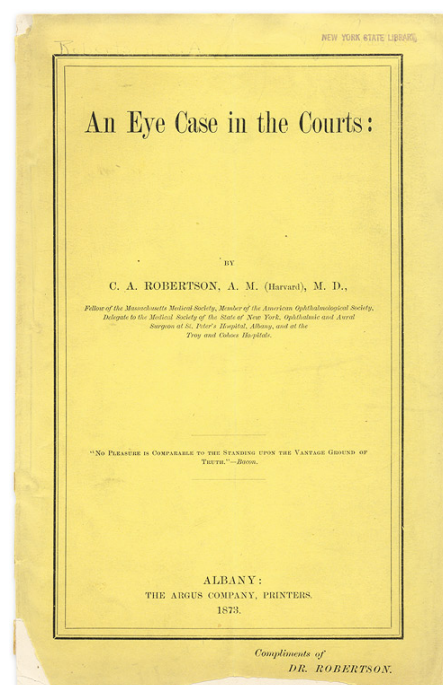
Wm. A. Gould and Co.
Gould, Banks & Co.

Wm. A. Gould & Co., Law Booksellers, No. 104 State Street, Albany, And Gould, Banks & Co., No. 144 Nassau Street, New York, Have Constantly on Hand a Large and General Assortment of Law Books, Both Ancient and Modern. [Running Title]. Albany, January, 1845. Single sheet folded once to form two 12-1/2" x 8" leaves. Text on recto of first leaf, verso addressed and franked, letter to recto of second leaf. Light toning, fold lines, some with tears mended with archival tape, small chip from sealing wax, light rubbing to edges. \$300.

* This circular was mailed to P.C. Johnson, Maine's secretary of state. It has a letter from William Gould, dated December 23, 1844, saying that he is sending a set of *Hill's Reports* in response to Johnson's request. Gould, Banks & Company was the oldest law bookseller and publisher in America. *Hill's Reports*, a set of New York reports in six volumes, was one of its publications.



Item 14



Item 15

Scarce Essay Praised by Holdsworth

14. Mackintosh, James [1765-1832].

A Discourse On The Study Of The Law Of Nature And Nations, &c. &c. By James Mackintosh, Esq. of Lincoln's Inn, Barrister at Law. [half-title]. [London, 1798]. [ii], 66 pp. Octavo (8" x 5").

Neatly disbound pamphlet. Light toning and edgewear. "S[y]lvester] Douglas/ Dec 1798" to head of title page, "Bruton St 31. Dec 1798" in his hand at foot of p. 66. \$350.

* First edition. This was issued in a small number of copies for private distribution. Trade editions followed in 1799 and 1800. It is scarce in this form, and desirable with this provenance, leaving no question as to the date of issue. Sylvester Douglas [1743-1823], lawyer, politician, and compiler of the *Reports of Geo. III, 1779-1781*, resided at Bruton Street during this time. The *Discourse* served as a preliminary introduction to a series of lectures delivered before a distinguished audience at Lincoln's Inn in 1799 and again in 1800. According to Holdsworth, "It is an able introduction possessed of literary qualities which were not usually found in law books." Mackintosh, Scottish jurist, politician, and historian, was one of the most versatile and cultured men of his time. These public lectures mark an important moment in his political as well as legal career. Spurred by the success of his *Vindiciae Gallicae* (1791), an ardent defense of the French Revolution, Mackintosh, who received a medical degree in 1787, quit his medical practice and was called to the bar in 1795. Ironically, by 1799 bitterly disillusioned with events in France, Mackintosh made these lectures the occasion for a public recantation of his Francophile sentiments, leading Wordsworth, Coleridge and others to excoriate him for his apostasy. No copies located on OCLC. Holdsworth, *A History of English Law* XII:282. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:597.

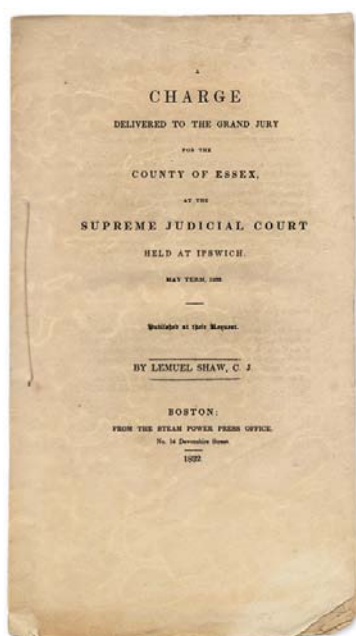
Tort Case Involving an Accident on a Steamboat

15. Robertson, C.A.

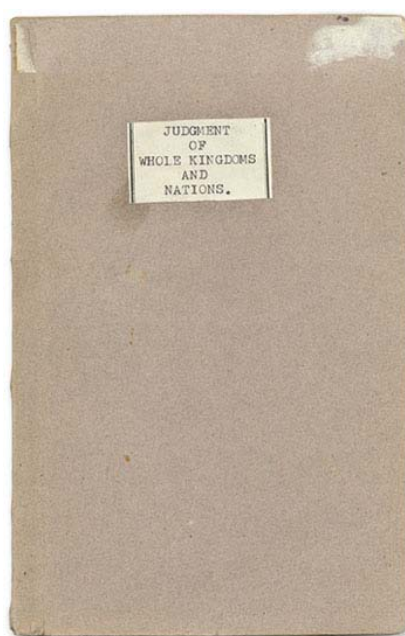
An Eye Case in the Courts. Albany: The Argus Company, Printers, 1873. 21 pp. Octavo (9" x 6").

Stab-stitched pamphlet in printed wrappers. Light soiling, faint vertical crease through center, a few chips to edges of wrappers and a few leaves, small library stamp to head of front wrapper, some wear to spine ends, light toning to text, internally clean. \$150.

* Only edition. An interesting tort case involving a man whose eye was injured while traveling on a Hudson River steamboat. Robertson was a medical expert for this case (*John C. Tinny v. The New Jersey Steamboat Company*). No copies located on OCLC.



Item 16



Item 17

A Remarkable Jury Charge by Lemuel Shaw

16. Shaw, Lemuel [1787-1861].

A Charge Delivered To The Grand Jury For The County Of Essex, At the Supreme Judicial Court Held at Ipswich. May Term, 1832. Published at Their Request. Boston: From the Steam Power Press Office, 1832. 16 pp. Octavo (9-1/2" x 5-1/2").

Stab-stitched pamphlet in self-wrappers. Light soiling to exterior, some toning to text, internally clean. A well-preserved copy. \$100.

* First edition. On the principles of government, the role of grand juries, and specifically the imminent reform in judicial procedure relating to capital crimes in Massachusetts. Shaw calls attention to a new statute about to take effect which will greatly limit the role of the Supreme Judicial Court in hearing capital cases, and goes on to discuss such capital crimes as treason, murder, rape, arson, and (at the time) burglary and robbery. Shaw "had a remarkable power to charge juries so that they understood the exact question before them ..." DAB, also noting, "Probably no other state judge has so deeply influenced commercial and constitutional law throughout the nation" (*Dictionary of American Biography*). Cohen, *Bibliography of Early American Law* 4087.

Classic Essay on the Rights of Englishmen

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

[Defoe, Daniel (1661?-1731)], Attributed.

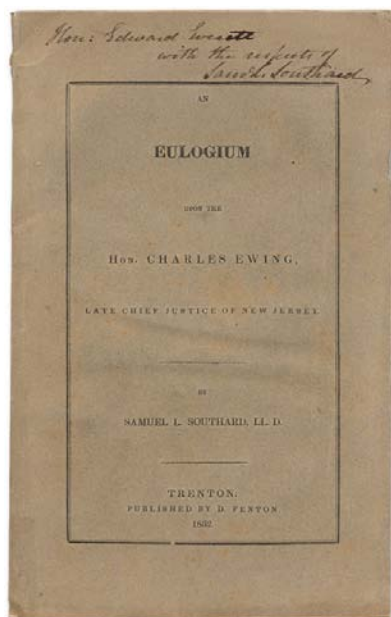
[Dunton, John (1659-1733)], Attributed.

True Lover of the Queen and Country.

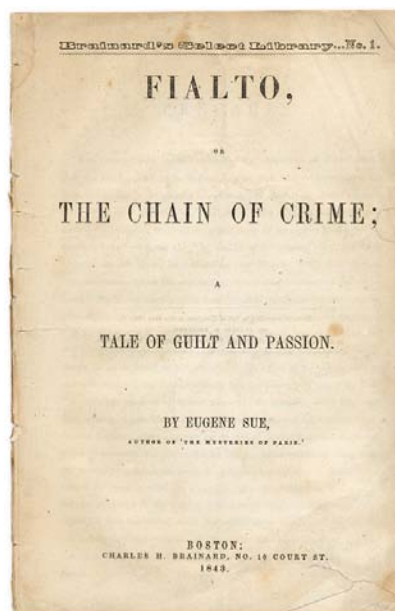
The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, And Prerogative of Kings, And the Rights, Priviledges, And Properties of the People: Shewing, The Nature of Government in General, Both from God and Man. An Account of the British Government, And the Rights and Priviledges of the People in the Time of the Saxons, And Since the Conquest. (...) Recommended as Proper to be Kept in All Families, That Their Childrens Children May Know the Birth-Right, Liberty and Property Belonging to an English-Man. And that They May Have a Just Notion of Government and of Obedience, According to Scripture, Law and Undeniable Reason. London: Printed For, And Sold By T. Harrison, 1710. [viii], 71, [1] pp. Octavo (7-1/2" x 4-1/2").

Stab-stitched pamphlet in later plain wrappers, recent typewritten title label and fragment of another label to front wrapper. Some wear to spine ends and corners, a minor tear to bottom edge of front wrapper. Some toning to text, a few page numbers affected by trimming, internally clean. \$850.

* Fourth edition, corrected. This highly popular tract was first published in 1709 with the title *Vox Populi, Vox Dei, Being True Maxims of Government*. Somers, the most likely author, was a barrister of the Middle Temple, Lord Chancellor of England and the author of *The Security of Englishmen's Lives* (1681), a tract on juries and one's right to a jury trial. The present work outlines the development of English freedoms, and calls for religious freedom, resistance to tyranny and a limited monarchy. It found a ready audience in the colonies on the eve of the American Revolution and was issued by presses in Philadelphia, Boston and Newport. It was read by several Founding Fathers, including Thomas Jefferson, who owned the 1773 Philadelphia imprint. This work is attributed sometimes to John Dunton or Daniel Defoe. See Sowerby, *Catalogue of the Library of Thomas Jefferson* 2712. This imprint not in the *English Short-Title Catalogue*.



Item 18



Item 19

Inscribed to Edward Everett

18. Southard, Samuel L. [1787-1842].

An Eulogium Upon the Hon. Charles Ewing, Late Chief Justice of New Jersey. Trenton: Published by D. Fenton, Printed at the Union Office, 1832. 38 pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in stiff printed wrappers. Light rubbing to extremities. Presentation inscription from Southard to Edward Everett to front wrapper, light toning to text, internally clean. \$50.

* First edition. A distinguished New Jersey judge, Ewing [1780-1832] was appointed in 1819 to revise the laws of New Jersey and in 1824 was appointed chief justice of the state supreme court. Southard was himself a distinguished New Jersey jurist, as well as a governor and senator. He is believed to have drafted the Missouri Compromise. Clergyman, statesmen, and president of Harvard, Everett is remembered as the featured speaker at the dedication of the Gettysburg cemetery who was upstaged by Lincoln. Cohen, *Bibliography of Early American Law* 1990.

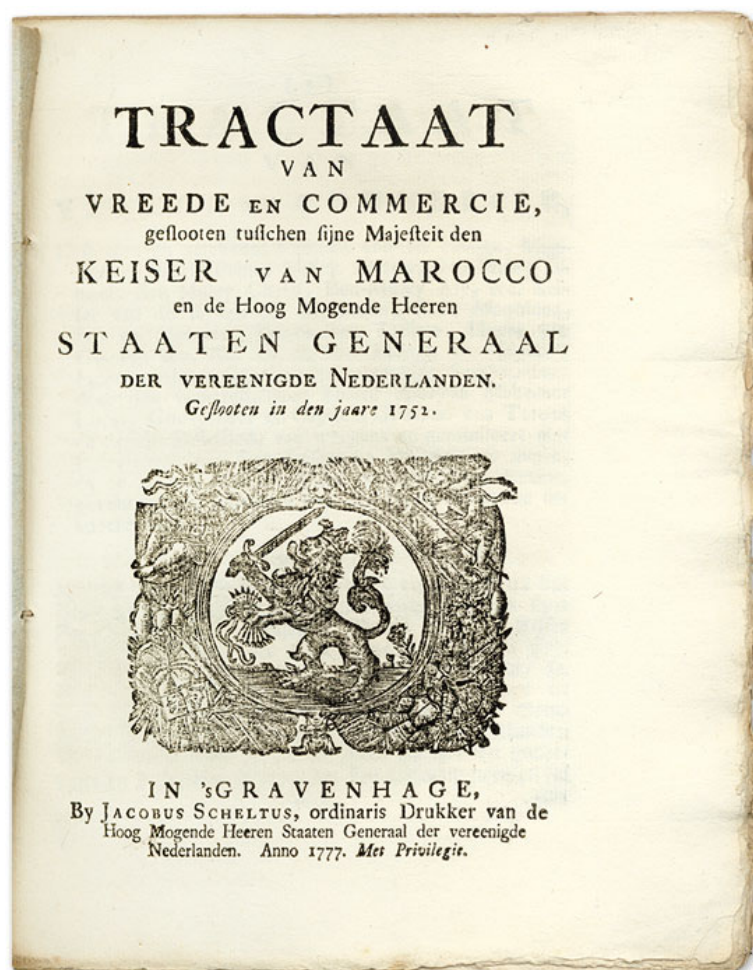
"A Tale of Crime and Passion"

19. Sue, Eugene [1804-1857], Nominal Author.

Fialto, Or the Chain of Crime; A Tale of Crime and Passion. By Eugene Sue. Boston: Charles H. Brainard, 1843. 40 pp. Text in parallel columns. Octavo (8-3/4" x 5-1/2").

Disbound stab-stitched pamphlet. Minor edgewear, light soiling and a few minor stains to exterior, light toning to text. \$175.

* Only edition. Not by Sue, this is a loose adaptation of Sue's 1841 *Mathilde* by an anonymous author. OCLC locates 4 copies (at the American Antiquarian Society, Case Western Reserve University, the Library Company of Philadelphia and Yale).



1777 Treaty Between the Netherlands and Morocco

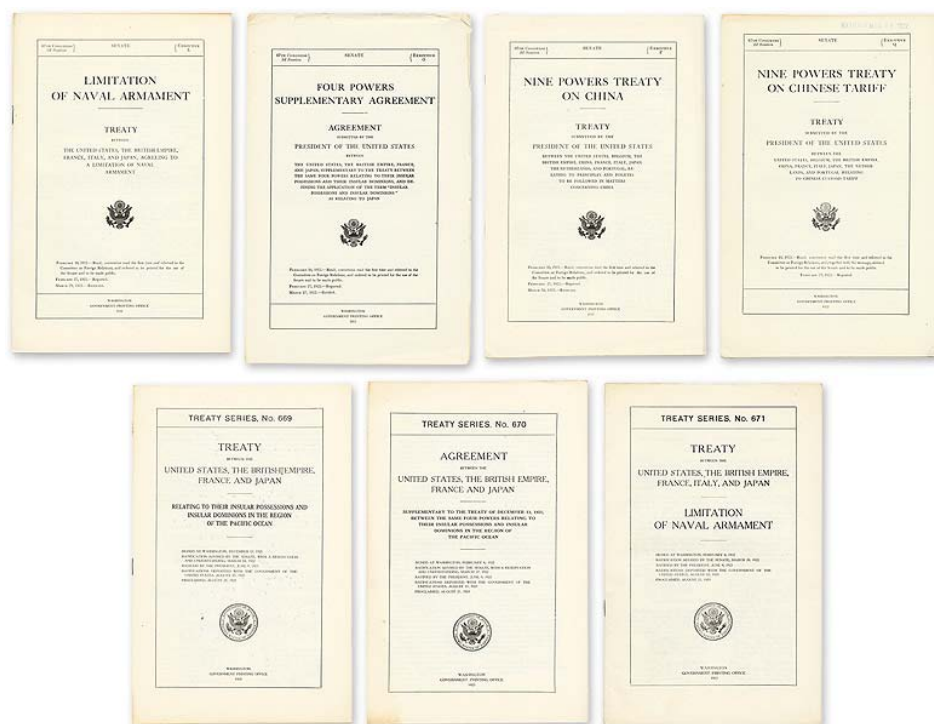
20. [Treaties].

Netherlands (United Provinces).

Tractaat van Vrede en Commerce, Geslooten Tusschen Sijne Majesteit den Keiser van Marocco en de Hoog Mogende Heeren Staaten Generaal der Vereenigde Nederlanden. Geslooten in den Jaare 1752. The Hague: By Jacobus Scheltus, 1777. 26 pp. Quarto (8" x 6-1/2").

Stab-stitched pamphlet in plain wrappers, uncut and unopened. Light soiling, wrappers partially detached, light toning to text. \$175.

* Second edition, with additions. This commercial treaty between the United Provinces and Morocco first appeared in 1752. The second edition has pages of new documents. No edition listed in Kress.



Treaties and Agreements of the Washington Naval Conference, 1921-22

21. [Treaties]. [World War I].

Limitation on Naval Armament: Treaty Between the United States, the British Empire, France, Italy, and Japan, Agreeing to a Limitation of Naval Armament. 35 pp.

[And]

Four Powers Supplementary Agreement: Agreement Submitted by the President of the United States Between the United States, the British Empire, France, and Japan, Supplementary to the Treaty Between the Same Four Powers Relating to Their insular Possessions and Their Insular Dominions, And Defining the Application of the Term "Insular Possessions and Insular Dominions" as Relating to Japan. 4 pp.

[And]

Nine Powers Treaty on China: Treaty Submitted by the President of the United States Between the United States, Belgium, The British Empire, China, France, Italy, Japan, The Netherlands, And Portugal, Relating to Principles and Policies to be Followed in Matters Concerning China. 11 pp.

[And]

Nine Powers Treaty on Chinese Tariff: Treaty Submitted by the President of the United States Between the United States, Belgium, The British Empire, China, France, Italy, Japan, The Netherlands, And Portugal relating to Chinese Customs Tariff. 12 pp.

[And]

Treaty Between the United States, The British Empire, France and Japan. Relating to Their Insular Possessions and Insular Dominions in the Region of the Pacific Ocean. Treaty Series, no. 669. 8 pp.

[And]

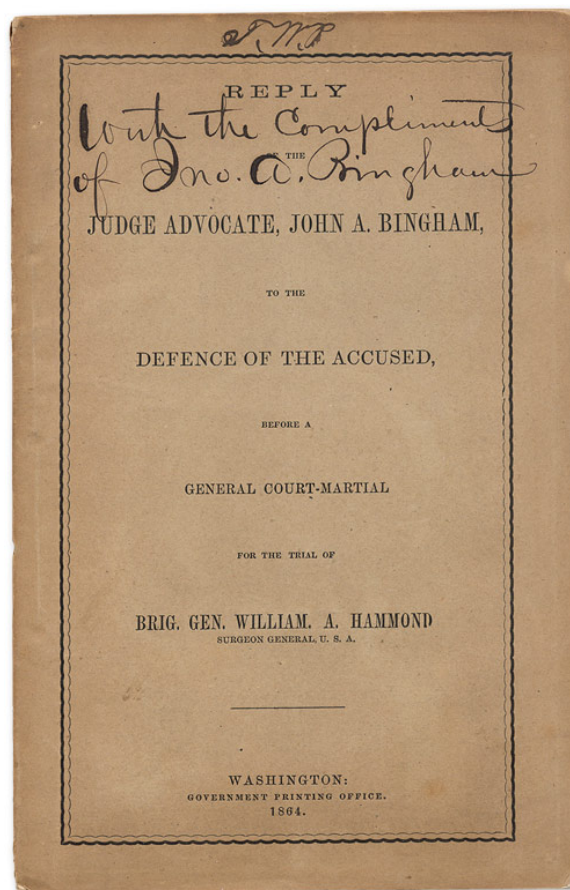
Agreement Between the United States, The British Empire, France and Japan Supplementary to the Treaty of December 13, 1921, Between the Same Four Powers relating to Their Insular Possessions and Insular Dominions in the Region of the Pacific Ocean. Treaty Series, no. 670. 5 pp.

[And]

Treaty Between the United States, The British Empire, France, Italy, and Japan. Limitation of Naval Armament. [Five Power Treaty] 36 pp. Treaty Series, no. 671.

Washington: Government Printing Office, 1922, 1923. Seven items in all. Text in English with Parallel French translation. Original printed wrappers, creased edges with a few minor tears to one item, otherwise fresh. \$150.

* The Washington Naval Conference was held in Washington, D.C. from 12 November 1921 to 6 February 1922. Conducted outside the auspices of the League of Nations, it was attended by nine nations having interests in the Pacific Ocean and East Asia. (The Soviet Union was excluded.) The first disarmament conference in history, it concluded several agreements and the Four-Power Treaty, Five-Power Treaty and Nine-Power Treaty. It is considered a model disarmament conference because it produced agreements that preserved peace during the 1920s. However, it also enabling the Japanese Empire to pursue its imperialist ambitions, which contributed to the outbreak of World War II.



**The Politically Motivated
1862 Court-Martial of the U.S. Surgeon General**

22. [Trial].

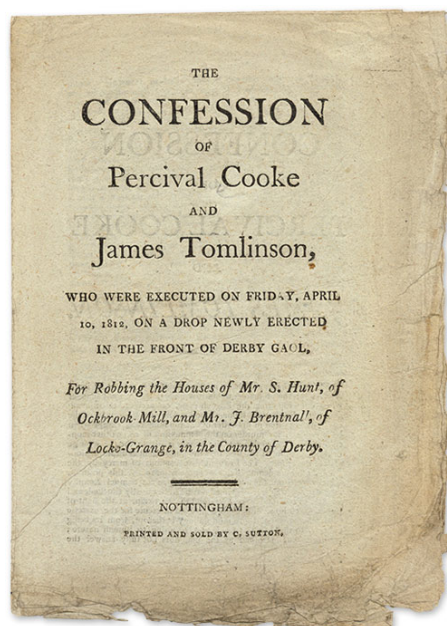
Bingham, John A.

Hammond, William Alexander [1828-1900], Defendant.

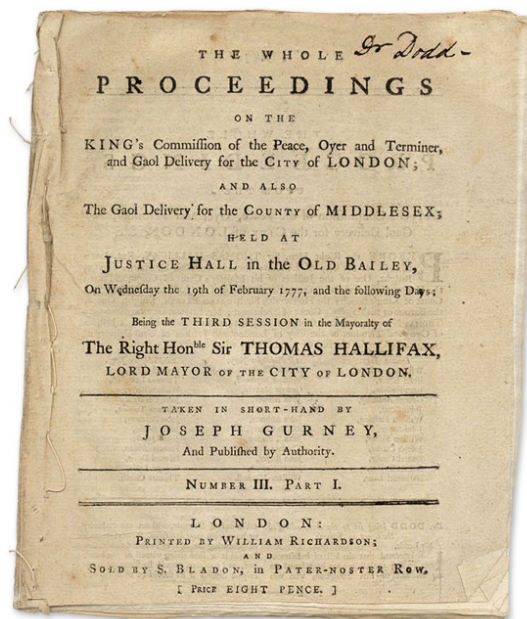
Reply of the Judge Advocate, John A. Bingham, To the Defence of the Accused, Before a General Court-Martial for the Trial of Brig. Gen. William A. Hammond, Surgeon General, U.S.A. Washington: Government Printing Office, 1864. 64 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Light soiling, light wear to spine ends and corners. Presentation inscription to head of front wrapper, internally clean. \$250.

* A fine presentation copy boldly inscribed on the front wrapper "J.W.P. (?) with the compliments of Jno. A. Bingham." A prominent Ohio lawyer and politician, Bingham also played a leading role after the war in connection with the trial of the Lincoln's assassins, the impeachment of Andrew Johnson, and the passage of the Fourteenth Amendment, whose due process and equal protection clauses he framed. Bingham served in Congress from 1854 to 1873, except for his appointment as judge advocate in 1864. As a consequence of a clash with Secretary Stanton, Hammond was charged with irregularities in the awarding of military contracts. Later exonerated, Hammond was a visionary reformer in his role as surgeon general. After the war he made pioneering contributions to American neurology. Not in the *Harvard Law Catalogue*.



Item 23



Item 24

Did the Punishment Fit the Crime?

23. [Trial].

Cooke, Percival, Defendant.

Tomlinson, James, Defendant.

The Confession of Percival Cooke and James Tomlinson, Who Were Executed on Friday, April 10, 1812, On a Drop Newly Erected in Front of Derby Goal, For Robbing the Houses of Mr. S. Hunt, Of Oakbrook Mill, And Mr. J. Brentnall, Of Locke-Grange, In the County of Derby. Nottingham: Printed and Sold by C. Sutton, [1812]. 8 pp. Quarto (7" x 5").

Single leaf folded to form four pages, edges unopened, deckle edges. Woodcut tail-piece depicting a casket. Light soiling, a bit heavier near edges. \$175.

* A sympathetic account of two condemned prisoners. The anonymous author questions whether these two men deserved to be hanged. Not in the *British Museum Catalogue*.

A Notable Forgery Trial

24. [Trial].

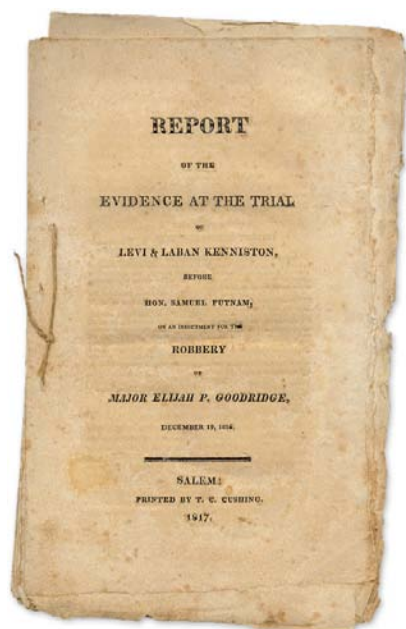
Dodd, William [1729-1777], Defendant.

Gurney, Joseph, Reporter.

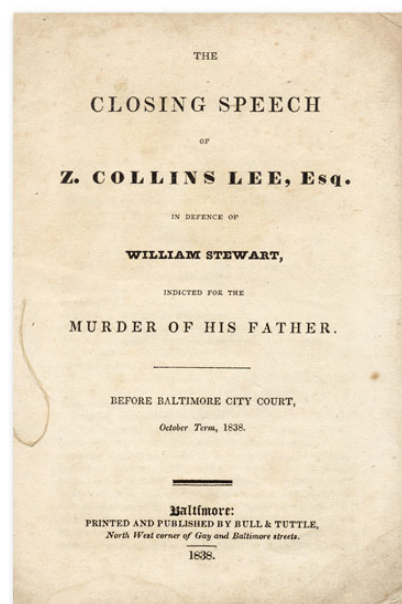
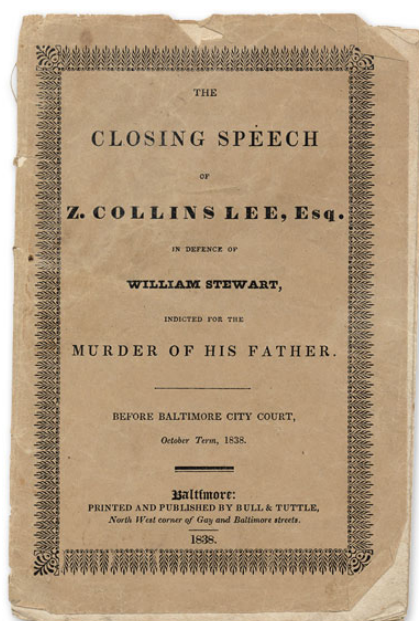
The Whole Proceedings of the King's Commission of the Peace, Oyer and Terminer, And Gaol Delivery for the City of London; And Also the Gaol Delivery for the County of Middlesex; Held at Justice Hall in the Old Bailey, On Wednesday the 19th of February 1777, And the Following Days. London: Printed by William Richardson, [1777]. 94-124 pp. Quarto (9" x 7-1/2").

Stab-stitched pamphlet in self-wrappers. Light soiling and edgewear, some toning to text. "Dr. Dodd" in contemporary hand to head of title page, interior otherwise clean. \$350.

* The complete number as issued, containing the report of the trial of William Dodd, clergyman and author, for counterfeiting a bond in the amount of 4200 pounds with the intention to defraud his former pupil, Lord Chesterfield. The objections to the indictment made by counsel (94-106) are followed by the trial itself (106-118). Dr. Dodd was found guilty but the jury recommended clemency. Despite the intercession of Samuel Johnson and numerous others-one petition was said to have been signed by 23,000 people-Dodd was hanged. *English Short-Title Catalogue* T219028.



Item 25



Item 26

False Accusations of Robbery

25. [Trial].

Kenniston, Levi, Defendant.

Kenniston, Laban, Defendant.

Report of the Evidence at the Trial of Levi & Laban Kenniston, Before Hon. Samuel Putnam on an Indictment for the Robbery of Major Elijah P. Goodridge, December 19, 1816. Salem: Printed by T.C. Cushing, 1817. 32 pp. Octavo (9-1/2" x 5-1/2").

Stab-stitched pamphlet, untrimmed edges. Light browning, faint dampspotting to portions of text, internally clean. \$150.

* Only edition. "Elijah Goodridge brought charges against a number of individuals whom he accused of robbing him, but apparently no robbery had taken place. Goodridge's accusations had been fabricated and the defendants were acquitted after a trial in the Massachusetts Supreme Judicial Court" (Cohen). This is one of three accounts of this case. Cohen, *Bibliography of Early American Law* 14018.

He Shot His Father, Then Hacked the Body with an Axe

26. [Trial].

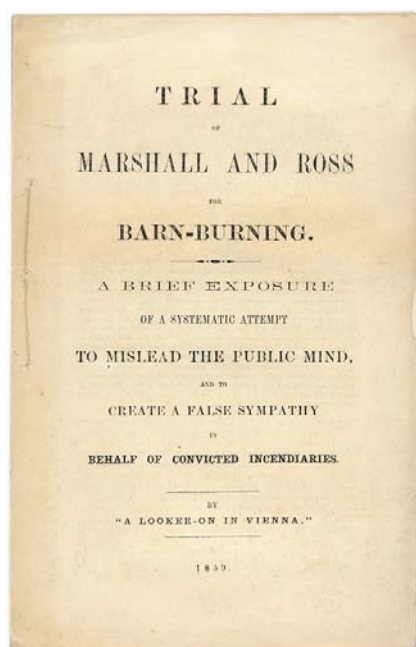
Lee, Z. Collins.

Stewart, William, Defendant.

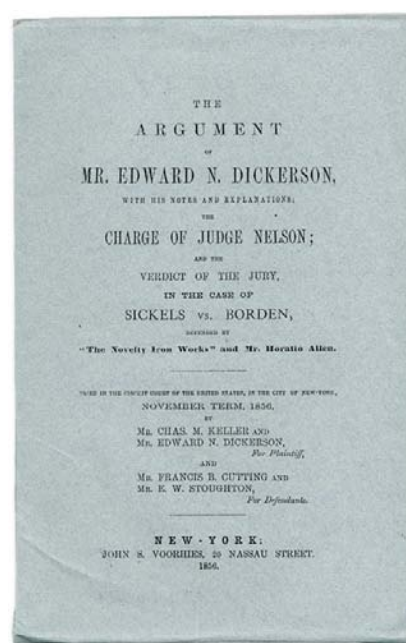
The Closing Speech of Z. Collins Lee, Esq. In Defence of William Stewart, Indicted for the Murder of His Father. Before Baltimore City Court, October Term, 1838. Baltimore: Printed and Published by Bull & Tuttle, 1838. 16 pp. 12mo. (6-1/2" x 4-1/2").

Stab-stitched pamphlet in printed wrappers. Some edgewear, small chips to edges of wrappers, short splits at spine. Moderate toning to text, internally clean. \$750.

* Hoping to inherit his father's estate, Stewart shot him in the head, then beat him with a hatchet to hide the identity of his body. Stewart was tried and convicted of second-degree murder. "The pistol balls were specially molded for that weapon and were so identified, in what may be one of the earliest cases of such evidence" (McDade, note to 914). OCLC locates 5 copies (at Cornell, the Library of Congress, the American Antiquarian Society, Harvard Law School and the University of Virginia). McDade, *The Annals of Murder* 915.



Item 27



Item 28

A Case of Arson in Gloucester, Massachusetts

27. [Trial].

Looker-on in Vienna.

Trial of Marshall and Ross for Barn-Burning: A Brief Exposure of a Systematic Attempt to Mislead the Public Mind, And Create a False Sympathy in Behalf of Convicted Incendiaries. [Gloucester, MA: S.n.], 1859. 20 pp. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light soiling and negligible edgewear, rear wrapper lacking, light toning to text. \$650.

* Only edition. Marshall and Ross (we are never given their first names) were a tenant and hired hand of a Mr. Niles, a farmer. They were convicted of arson after Niles's barns were destroyed by fire. This verdict seemed unfair and the defense attorney petitioned successfully for an appeal. Published in the weeks leading up to the second trial, this pamphlet offers an argument for their conviction. An interesting case, it is also a fine record of the social setting of criminal law in small-town New England in the mid-nineteenth century. OCLC locates 5 copies in North America law libraries (Columbia, Harvard, Library of Congress, Social Law, University of Missouri). *Catalogue of the Library of the Harvard Law School* (1909) II:1140.

An Interesting Patent Case

28. [Trial].

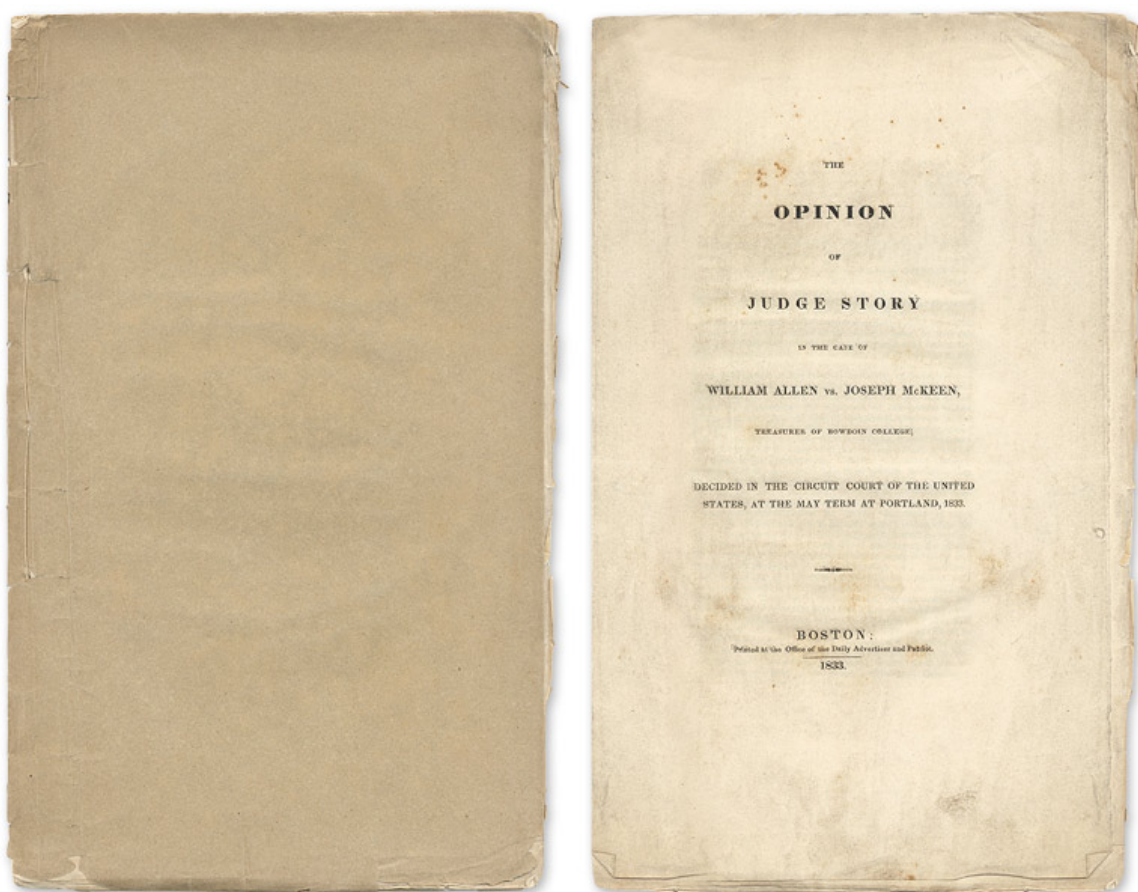
[Sickels Et Al. v. Corliss Et Al.]

Dickerson, E[dward] N[icoll] [1824-1889].

The Argument of Mr. Edward N. Dickerson: With His Notes and Explanations: The Charge of Judge Nelson: And the Verdict of the Jury in the Case of Sickels vs. Borden Defended by "The Novelty Iron Works" and Mr. Horatio Allen. New York: John S. Voorhies, 1856. 67 pp. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in recent facsimile printed wrappers. Faint dampstaining, soiling, cello tape residue and clean tears to title page. Light foxing, internally clean. \$50.

* Argued by a great patent lawyer and reported at 22 *Federal Cases* 67, this case involved the infringement of Sickels's patent on a steam valve device, an important innovation that enabled the development of more powerful steam engines. The jury found a verdict for the plaintiff for \$720. Dickerson was the outstanding authority on patent law in the United States at this time. Cohen, *Bibliography of Early American Law* 11530.



Legacy of the Dartmouth College Case

29. [Trial].

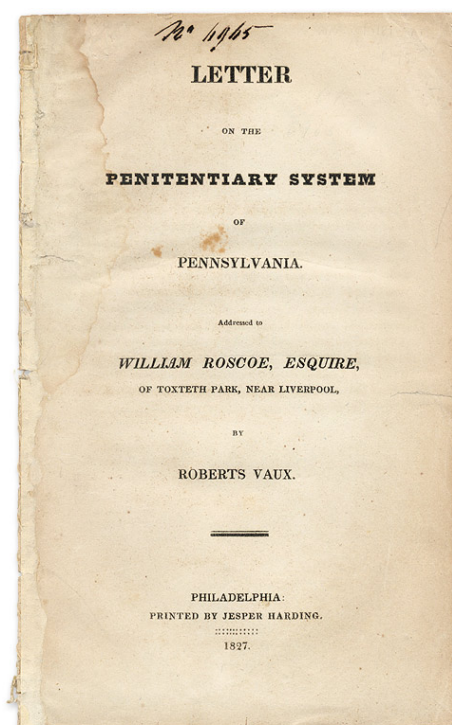
Story, Joseph [1779-1845].

McKeen Joseph, Defendant.

The Opinion of Judge Story in the Case of William Allen vs. Joseph McKeen, Treasurer of Bowdoin College, Decided in the Circuit Court of the United States, At the May Term at Portland, 1833. Boston: Printed at the Office of the Daily Advertiser and Patriot, 1833. 21, [1] pp. Octavo (9-3/4" x 6").

Stab-Stitched pamphlet in plain wrappers, untrimmed edges. Minor chipping and chairs to edges, light soiling to title page, internally clean. \$750.

* Only edition. William Allen's service as President of Bowdoin College was terminated by an act of the Maine legislature in 1831, but he continued to serve because no agreement could be reached on his successor. Allen then sued the college treasurer for payment of his salary. The trial court found for the defendant. Judge Story, drawing on the precedent established by the Dartmouth College Case, reversed the verdict in the U.S. Circuit Court, declaring the Maine law to be an unconstitutional violation of the contract between Allen and the College. OCLC locates 5 copies, none in law libraries. Cohen, *Bibliography of Early American Law* 11572.



A Defense of the Pennsylvania System of Penology

30. Vaux, Roberts [1786-1836].

Letter On The Penitentiary System Of Pennsylvania. Addressed to William Roscoe, Esquire, Of Toxteth Park, Near Liverpool. Philadelphia: Printed by Jasper Harding, 1827. 15 pp. Octavo (8-1/4" x 5").

Disbound stab-stitched pamphlet. Light soiling, some shelfwear and faint dampstaining. Early annotation to head of title page, internally clean. \$150.

* Only edition. A defense of the system of separate confinement, written by a leader in the Pennsylvania prison reform movement. Works such as this, together with the writings of foreign observers, helped spread the influence of the Pennsylvania system throughout Europe. Cohen, *Bibliography of Early American Law* 4480.



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