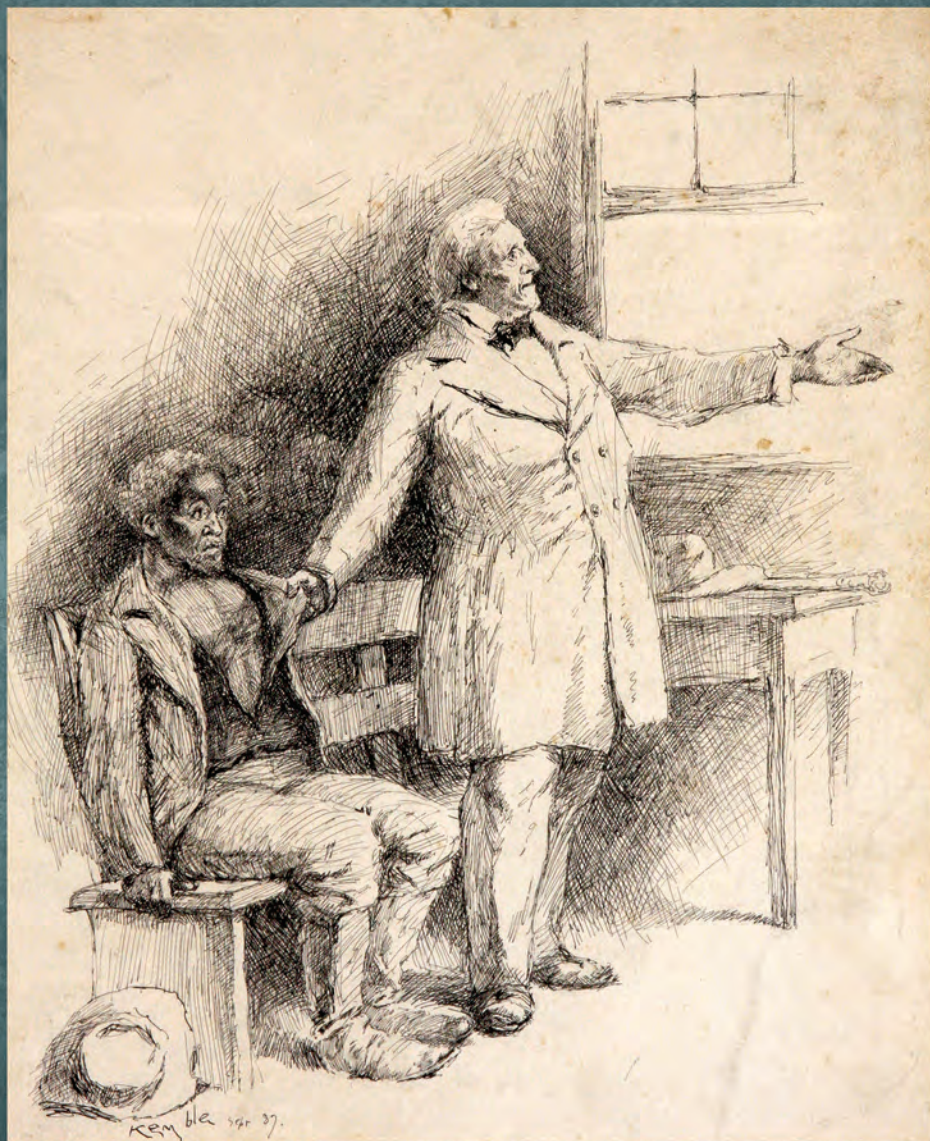


Legal, Political & Social Americana

30 ITEMS

November 3, 2020



THE
LAWBOOK EXCHANGE
LTD.



Nineteenth-Century Archive Concerning American Tariffs

1. [Archive]. [Tariff Laws].

[Pamphlets, Circulars, Offprints and Letters Concerning Tariffs]. Massachusetts, New York and Washington, DC, 1823-1902.

72 items, comprising 42 pamphlets, 12 offprints, 10 circulars and 8 letters, sizes range from 5-1/4" x 3-1/4" to 12-1/2" x 9-1/2." Light to moderate toning, browning to a few pieces, fold lines, minor wear and soiling, a few items neatly split along fold lines. \$1,800.

* A representative sampling of issues concerning tariffs during the nineteenth century, this archive includes analytical and polemical pieces, speeches, printings of U.S. Congressional bills and letters. Most of the items date from the 1870s, 1880s and 1890s, the decades of the "Gilded Age," a period of rapid economic growth, considerable income inequality, labor unrest and the beginnings of the modern global economy. Two of the letters are addressed to members of the U.S. Congress, two are (unrelated) replies from U.S. congressmen. One is a mimeograph from October 18, 1890 by Samuel W. Mendum, secretary of the United Questions Club of Massachusetts, containing eight questions, that was sent to each congressional candidate in Massachusetts. It is accompanied by a letter with answers from Jonas H. French, a candidate from the Seventh District. Taken together, this archive is an excellent resource of primary materials for students of a perennial issue in American politics. A complete list of items is available on request. [Order This Item](#)



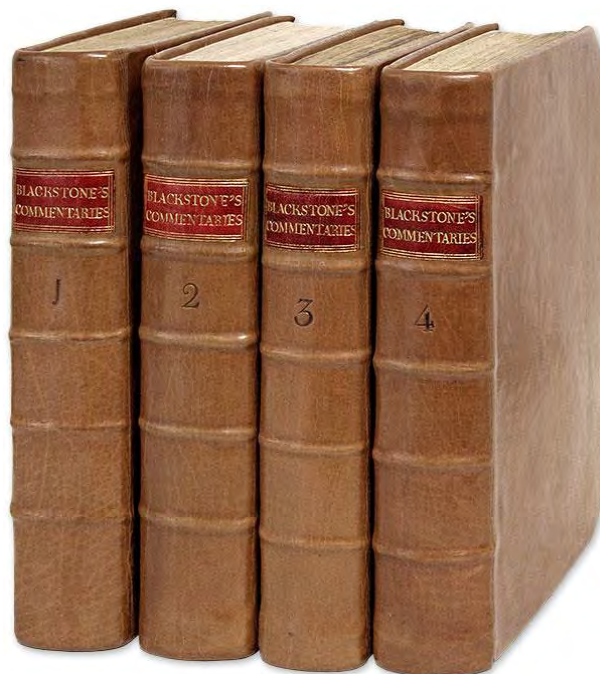
A Record of Daily Life in Baltimore in 1797

2. [Baltimore].

[Six Issues of the Federal Gazette & Baltimore Daily Advertiser]. Baltimore, May 26 and 27 and June, 21, 23, 24 and 27, 1797. 10-3/4" x 12-1/2" bifolia, 1 has an additional leaf titled "Federal Gazette Extra."

Light soiling, Moderate browning and edgewear, horizontal and vertical fold lines. A well preserved group. \$450.

* This paper served the members of Baltimore's commercial and professional communities. As one would expect in a prosperous port city, these issues are dominated by shipping notices and advertisements for a dazzling array of imported goods. There are also notices, including several reporting runaway slaves, and advertisements for services, real estate, slaves and local agricultural products. The news items, which comprise about 40 of the content, are a mostly brief reports on local, national and international events. Taken together, these papers offer a fascinating record of daily life in Baltimore during at the end of the eighteenth century. [Order This Item](#)



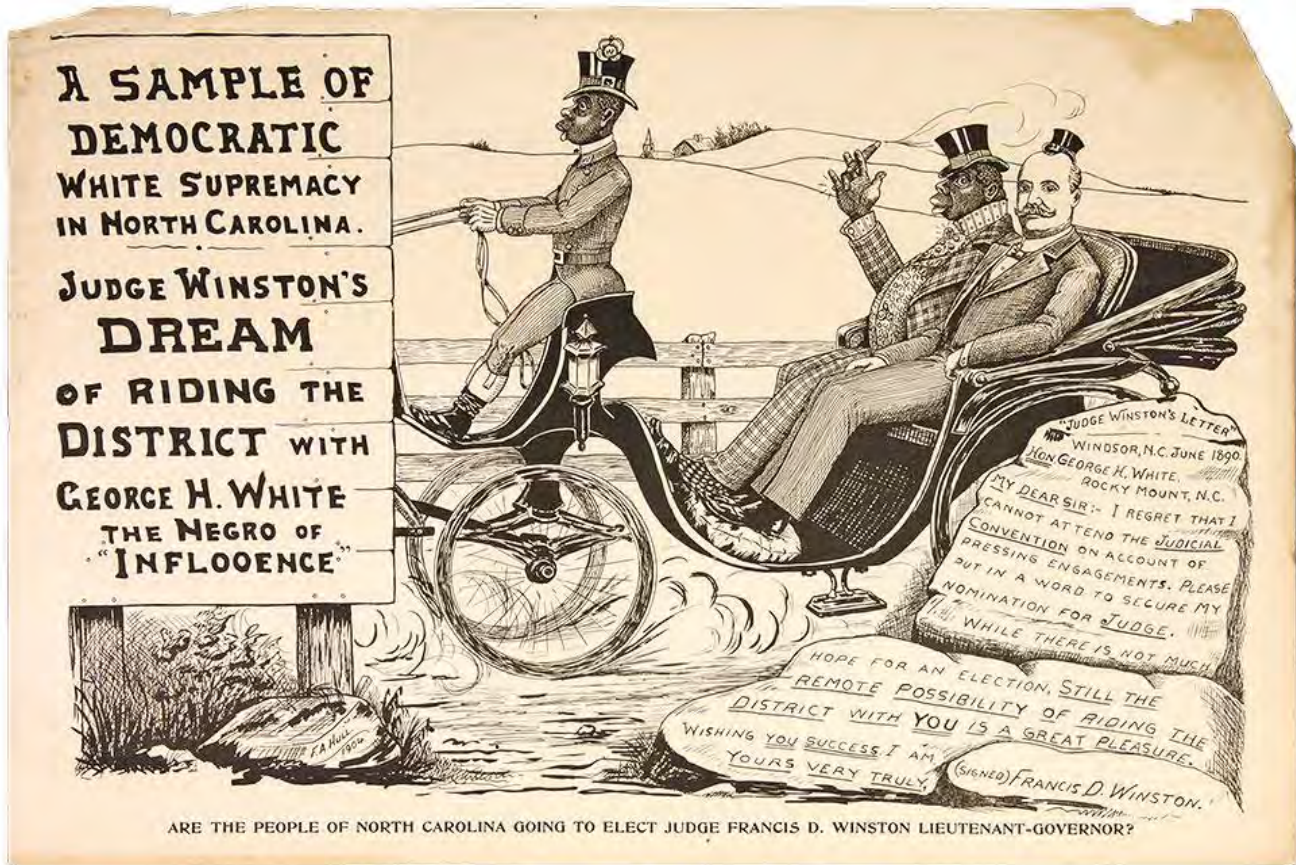
**The First American Edition of Blackstone's
Commentaries in a Superb Period-Style Binding**

Blackstone, Sir William [1723-1780].

Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition. [Philadelphia]: Robert Bell, 1771-1772. Four volumes. [viii], ii, [vi], 485; [viii], 520, xix; [viii], 455, [1], xxvii; [xxii], [viii], 436, vii, [1], [39] pp. Copperplate Table Of Consanguinity and copperplate folding Table of Descents in Volume II. Folding table is a high-quality bound-in facsimile. 22-page subscriber list in Volume IV. Publisher advertisements in Volume I, 2 leaves before title page, and Volume III, p.456. Publisher advertisement, tipped-in to front endleaf, lacking from Volume IV. Octavo (9" x 5-3/4").

Handsome period style calf by Philip Dusel, with raised bands, lettering pieces and blind-stamped volume numbers to spines, blind tooling to board edges, endpapers renewed. Moderate toning, light foxing, faint dampspotting and inkspots in places, early owner signatures to preliminaries of Volumes I, III and IV, paper repair to title page of Volume II and chip to fore-edge of Leaf Q2 (pp. 125-126) in Volume IV with negligible loss to text. An appealing copy in a superb binding. \$12,500.

* First American edition. Blackstone's *Commentaries*, a synoptic review of the English legal system, is the most influential publication in the history of modern Anglo-American law. It was especially popular in America, where it was the standard introductory legal textbook into the late nineteenth century and was the primary, or only, book studied by hundreds of self-taught lawyers, such as Abraham Lincoln. The first multi-volume book printed in America, Bell's edition, a reprint of the fourth London edition, 1770, is a landmark in the history of American publishing. Our set contains the two tipped-in advertisement leaves, for *An Interesting Appendix* (Volume III) and Ferguson's *Essay on the History of Civil Society* (Volume IV), that are often missing in copies of this set. Volume IV also includes a 22-page subscriber list of 839 men, who ordered 1,557 sets. This impressive group included John Adams, John Jay, John Dickinson, several colonial governors and many other leaders of colonial America. Sixteen subscribers were signers of the Declaration of Independence who went on to serve as members of the Continental Congress. Eller, *The William Blackstone Collection in the Yale Law Library* 80. Laeuchli, *A Bibliographical Catalogue of William Blackstone* 131. [Order This Item](#)



The "Negro of 'Infloence'"

4. [Broadside].
[African-Americans].
[North Carolina].
Hull, F[red] A., Engraver.

A Sample of Democratic White Supremacy in North Carolina. Judge Winston's Dream of Riding the District with George H. White, the Negro of "Infloence." Are the People of North Carolina Going To Elect Judge Francis D. Winston Lieutenant-Governor? [Asheville?] North Carolina: F.A. Hull, 1904. 10" x 14" lithographed pictorial broadside, text in upper left and lower right corner.

Moderate toning, negligible chipping and light staining to upper right corner, image not affected. \$1,850.

* A scathing racist attack against Judge Francis D. Winston, the Democratic candidate for Lieutenant Governor of North Carolina. He is seen riding in a coach alongside a grotesquely caricatured George Henry White, Republican congressman from North Carolina, 1897-1901, a symbol of Reconstruction and the last African-American congressman to survive the beginning of the Jim Crow era. The coachman is depicted in a similar manner. Winston is accused, in a letter supposedly written in 1890 and transcribed here, of seeking White's influence with African-American voters to win his judgeship. Winston asks White to promote his candidacy and suggests the "possibility of riding the district with you." Hull was a civic leader, politician and artist in Ashville, N.C. OCLC locates 2 copies (UNC-Chapel Hill, Yale). [Order This Item](#)



**"Establish Peace Throughout
the Land and Drive King Bacchus Out"**

5. [Broadside].

Gork, W.H.

A Convict's Confession. [Johnstown, PA?, 1890?].

12-1/4" x 6" broadside, verse text in two columns below headline. Light brownning, three horizontal fold lines, negligible light edgewear, a (tiny) bit of tape residue near top and bottom edges. \$300.

* Gork, born and raised in Johnstown, PA, failed to follow his mother's advice and turned to a life of crime. He blames his failure on alcoholism and calls for prohibition, which will "establish peace throughout our land" by driving "King Bacchus out." Our conjectured date for this piece is based on a reference in the first stanza to the Johnstown flood, which took place in 1889. [Order This Item](#)



Will a New Tax be Necessary to Finance the Louisiana Purchase?

6. [Broadside]. [Louisiana Purchase].

Direct Tax. [New Hampshire: S.n, c.1807].

18" x 11" broadside, untrimmed edges, text in three columns. Light browning and foxing, vertical and horizontal fold lines, few minor tears along folds. \$1,850.

* Signed in type by "Americanus," this broadside discusses the cost of the Louisiana Purchase. The writer argues the difficulty, if not impossibility, of paying France without a special tax due to the revenue loss to the Embargo Act. The table described the proportionate cost to each New Hampshire county of the \$15 million bill. The author also warns of the threat of European war. No copies listed on OCLC. Shaw and Shoemaker, *American Bibliography* 1983. [Order This Item](#)



The Deadliest Railroad Disaster of Its Day

7. [Broadside].
McDevitt, John.

Disastrous Calamity on the North Pennsylvania Rail Road. Philadelphia: John McDevitt, 1856.

14" x 10" broadside, verse text in four columns below headline with woodcut grave scene, text enclosed by woodcut decorative border.

Light browning, a few small ink stains, some wear and several minor tears to edges, some repairs on verso with archival tape, very small burn hole to lower margin. \$950.

* Also known as the Camp Hill Disaster and Picnic Train Tragedy, the Great Train Wreck of 1856 occurred in Whitemarsh Township, Pennsylvania, between Camp Hill Station and Fort Washington Station, on July 17, 1856. It was caused by a collision by two trains traveling on the same track in converging directions. Between 59 and 67 were killed and over 100 were wounded. It was the deadliest railroad catastrophe in the world up to that time. This verse account is rare and apparently unrecorded. OCLC locates 1 copy (at the Hagley Museum). We also located a copy at the Library of Congress. [Order This Item](#)



A Tax to Defray the Cost of the Revolutionary War

8. [Broadside].
[Taxation].
[Massachusetts].

Commonwealth of Massachusetts. (Tax No 3.). Boston, June, 1783. 16" x 10" broadside, amount of assessed tax and date added in manuscript by Thomas Ivers, treasurer and receiver-general of Massachusetts, his signature, dated October 1, 1783, below text.

Mounted on linen, lightly browned, some edgewear, sections lacking from corners and along fold lines with minor loss to text. A rare item. \$750.

* This broadside is, in effect, a warrant to collect unpaid taxes. In this particular case, an amount of four pounds and four shillings to be collected by the constable or collector in the town of Leverett, Massachusetts. According to Ford, this broadside was printed in June of 1783, at a time when the Commonwealth was trying to pay down expenses associated with the war. Financial hardship from the war would persist long after the conflict with Great Britain ended, and the Commonwealth applied sustained pressure to collect revenue from its cities and towns. Interestingly, this prophetic broadside foretells Shays's Rebellion, in that just three years later perceived economic and taxation inequities prompted rural central and western Massachusetts such as Leverett to rise up in a series of historic protests against the Commonwealth. No copies listed on OCLC. Ford, *Broadsides & Ballads &c. Printed in Massachusetts 1639-1800* 2371.

[Order This Item](#)



Colorfully Illustrated Broadside Concerning a Notable 19th-Century Libel Case in Salem, Massachusetts

9. [Broadside]. [Temperance].

[Cheever, George Barrell (1807-1890)].

Deacon Giles's Distillery. New York: National Temperance Society and Publication House, [c. 1865-1867]. 2 pp.

14" x 10-1/4" broadsheet, 2 pp. text in three columns, 6-1/4" x 8-3/4" woodcut below headline. Moderate toning, horizontal and vertical fold lines, minor staining to margins along horizontal center fold, tears along fold lines near center and foot of sheet with negligible minor loss to image, two of them mended with archival tape. \$1,500.

* Cast in the form of a dream, Reverend Cheever's Temperance tract is a thinly disguised portrayal of John Stone, a well-liked Unitarian deacon in Salem who owned a distillery. It was first published in 1835 as a newspaper article and as an illustrated broadside. Cheever's neighbors were outraged by this slanderous text and he was soon convicted for libel, imprisoned and publicly whipped. A case that attracted a good deal of attention, it brought Cheever fame among the nation's temperance reformers, abolitionists and social reformers and it sparked interest in his tract, which led to several later editions, primarily in pamphlet format. Our example was published by The National Temperance Society and Publication House, founded in 1865, and possibly issued after Cheever's 1867 retirement from the ministry. Its large, half-page wood engraving shows barrels of Deacon Giles's brew in the foreground, labeled "Dea. Giles Distiller," "N[e]w E[ngland] Rum," "Sinfulness," "Poverty," "Death," and "Hell." and "Dea. Giles Distiller." Behind this is an infernal scene of a fiery and steaming distillery tended by nine horned and cloven-hoofed devils; at the right is seen a business office provocatively labeled "Deacon Giles's Counting Room. Bibles for Sale." OCLC locates 2 copies (Harvard Divinity School and Peabody Essex Museum). Not in McCoy. [Order This Item](#)



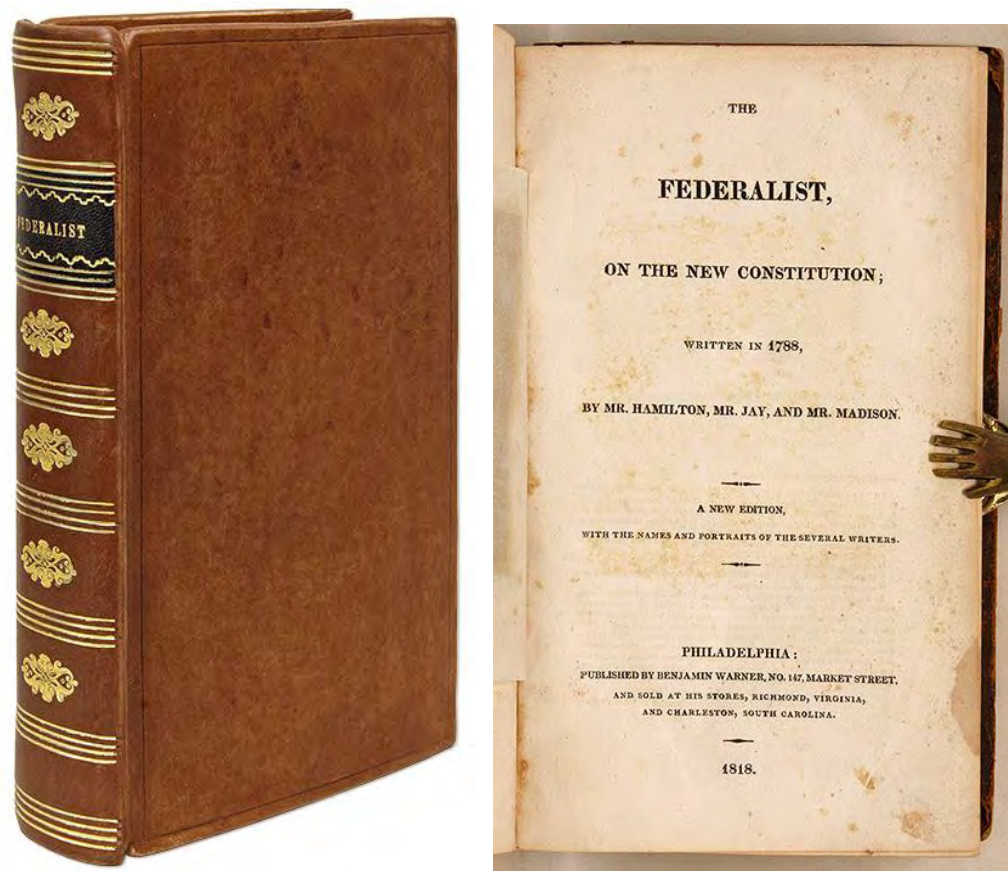
The Underbelly of the Gilded Age

10. [Crime].
[Vice].
[United States].

The Illustrated Police News, Law-Courts and Weekly Record, For the Week Ending September 16, 1869. Vol. 7. No. 151. 8 pp. [Boston, MA]: Police News Pub. House, 1869. Engraved woodcut illustrations. 20-1/2" x 14-1/2."

Moderate toning, edgewear and creases, a few minor tears along fold lines. \$350.

* *The Illustrated Police News* (ca. 1860-1904) or the *Police News* was a weekly periodical published in Boston. The editors or owners included John Stetson and A.H. Millett. Like its model the *National Police Gazette*, the *Illustrated Police News* provided sensationalistic crime and disaster stories, sexual titillation and coverage of sporting events, all with woodcut engravings that often skirted the edge of obscenity. Articles in this 1869 issue include "Female Pickpockets in New York," "A Wronged Wife Assaults her Husband's Paramour in a Milwaukee Brothel," "Hibernia vs. Teutonica—A Rich Fistic Encounter in Pittsburgh, Pa." and "Death in the Mines of Avondale, Pa." [Order This Item](#)



Appealing 1818 Edition of *The Federalist*

11. Hamilton, Alexander [1755-1804].

James Madison [1751-1836].

John Jay [1745-1829].

The Federalist, On the New Constitution; Written in 1788. A New Edition, With the Names and Portraits of the Several Writers. Philadelphia: Published by Benjamin Warner, 1818. vi, [7]-504 pp. Lithographed portrait frontispiece of Hamilton, two other plates with portraits of Madison and Jay, all portraits have tissue overlays. Octavo (8-1/2" x 5-1/4").

Recent period-style calf, lettering piece, gilt fillets and gilt ornaments to spine, endpapers renewed. Light toning, occasional light foxing. A handsome copy. \$4,500.

* Second single-volume edition, a reissue of the first with plates. With the text of the Articles of Confederation and the U.S. Constitution. Of the eighty-five essays, John Jay wrote numbers 1-5 and 54, Madison wrote numbers 10, 14, and 37-48. Numbers 18-20 were written by all three. The remaining 50 were written by Hamilton. (The author's name is listed at the end of each essay in this edition.) The essays aimed to encourage ratification of the proposed constitution by New York State, but were immediately recognized as the most compelling commentary on the most radical form of government the world had yet seen. Most of these essays appeared under the collective pseudonym "Publius" in New York newspapers and journals from October 27, 1787 to early June 1788. The M'Lean brothers published the first edition of *The Federalist* (along with the text of the Constitution) in 1788 as a two-volume set. The present edition follows the text of the 1802 Hopkins edition, which was the first to include corrections by Jay and Hamilton. Cohen, *Bibliography of Early American Law* 2818. Ford, *Bibliography and Reference List of the History and Literature Relating to the Adoption of the Constitution of the United States 1787-1788* 14 (50). [Order This Item](#)



"That Scar Was Won by a Slave"

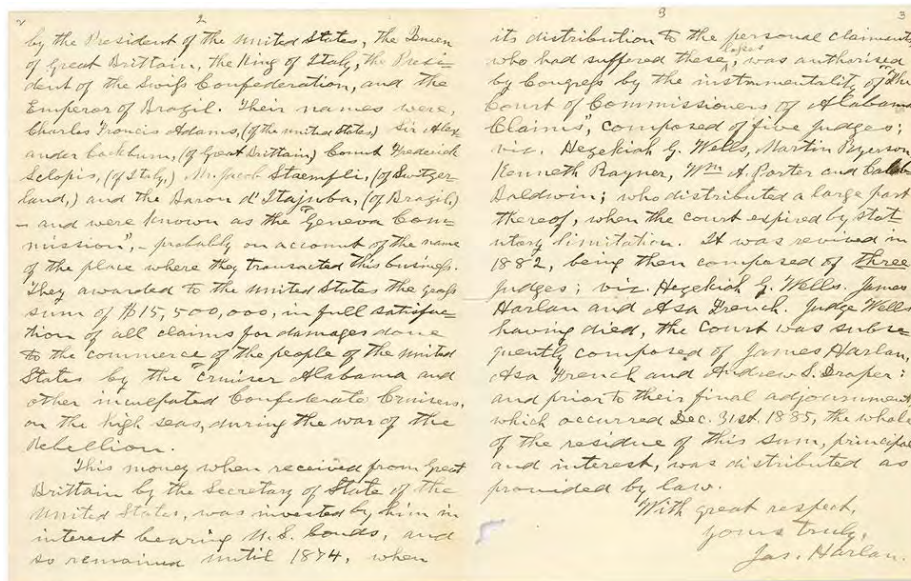
12. Kemble, E[dward] W[indsor] [1861-1933].

"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" pen-and-ink drawing in handsome 16" x 14-1/2" wooden frame. A few minor nicks and scratches to frame, a few tiny spots to mat, light uniform toning to image. \$1,850.

* An illustration for "De Valley an' de Shadder," A Story by the Macon, Georgia author Harry Stilwell Edwards [1855-1938] published first in *The Century Magazine* (January 1888, p. 476) and reprinted in *Two Runaways and Other Stories* (New York: Century Co., 1889, opposite p. 192 with the caption "See, If I Speak Not the Truth!"). The depiction of African-Americans in Edwards's stories of the Old South are what one would expect. In some of his work Kemble also employed the same deplorable stereotypes. But Kemble is also known for his sympathetic depiction of African-Americans in his work for Mark Twain and other authors. In many cases his work stood in contrast with the stock-racist stories he illustrated. *"Look!" He Cried* is a case in point. It captures the dramatic moment in the story where a lawyer (General Robert Thomas) proves the good character of a former slave (Ben Thomas) accused of murdering a drunken, "low-browed, vicious-looking negro" by revealing how Ben sustained wounds after Pickett's Charge at Gettysburg when he carried to safety the slain body of his master, who was General Thomas's brother. The passage reads: "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."

[Order This Item](#)



Judge Harlan Reflects on His Role in Arbitrating the Alabama Claims and on the Drafting of the Treaty of Washington

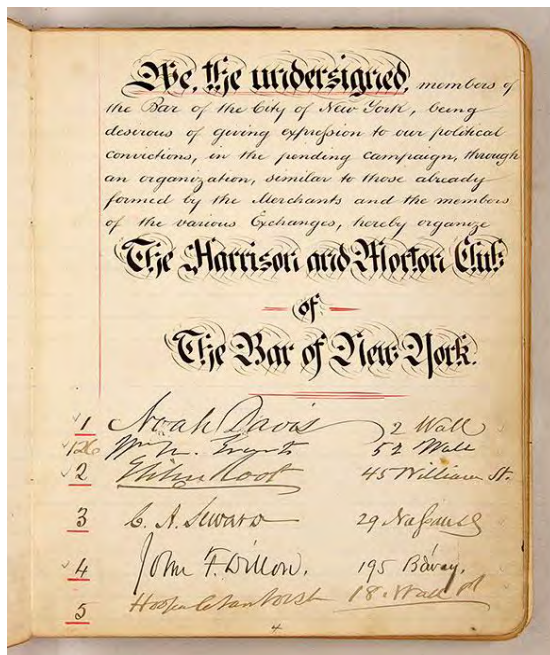
13. [Manuscript].

Harlan, James [1820-1899].

[Autograph Letter, Signed, Mt. Pleasant, Iowa, September 28, 1891].

Single leaf folded to form 9-3/4" x 7-3/4" bifolium, no transmittal envelope. Two fold lines, one vertical and one horizontal, light browning. Content in neat hand to rectos and versos of three pages. \$650.

* Harlan was the presiding judge for the Court of Commissioners, which heard cases related to the Alabama Claims. After the Civil War, the United States made claims against Great Britain for damages inflicted upon U.S. vessels by the Confederate "commerce raiders" *Alabama*, *Florida*, *Schenandoah* and other cruisers fitted out by British shipbuilders. This matter was settled by an international body of commissioners that met in Geneva in 1871-1872. The work of this group, which concluded with the Treaty of Washington, marked a watershed in international law by establishing a template for the peaceful settlement of conflicts through arbitration. The letter is addressed to an unknown recipient who seems to have been researching the history of the commission. Harlan writes, "The American members of what was known as The High Joint Commission who formulated The Treaty of Washington - the first eleven articles of which made provision for the settlement by arbitration of the so called 'Alabama Claims'- were Hamilton Fish, Robert C. Schenk, Samuel Nelson, Ebenezer Rockwell Hoar, and George H. Williams. The board of arbitration provided for by this treaty was composed of five members, appointed respectively, one each, by the President of the United States, the Queen of Great Britain, the King of Italy, the President of the Swiss Confederation, and the Emperor of Brazil..". He lists the names of the participants, who were known as The Geneva Commission. "They awarded the United States the gross sum of \$15,500,000, in full satisfaction of all claims for damages done to the commerce of the people of the United States by the cruiser Alabama and other inculpated Confederate Cruisers on the high seas, during the war of the rebellion. This money.. was invested.. in interest bearing U.S. bonds, and so remained until 1874, when its distribution to the personal claimants who had suffered these losses was authorized by Congress by the instrumentality of The Court of Commissioners of Alabama Claims, composed of five judges..". He lists them. When the Court expired "by statutory limitation, it was revived in 1882, being then composed of three judges' viz. Hezekiah G. Wells, James Harlan and Asa French..". By Dec. 31, 1885 these judges completed the distribution and the Court was finally adjourned. A fine summary of an important Civil War reparations matter by one of the participants. [Order This Item](#)



Elite Members of the New York City Bar Establishes a Club to Promote Benjamin Harrison's Presidential Campaign

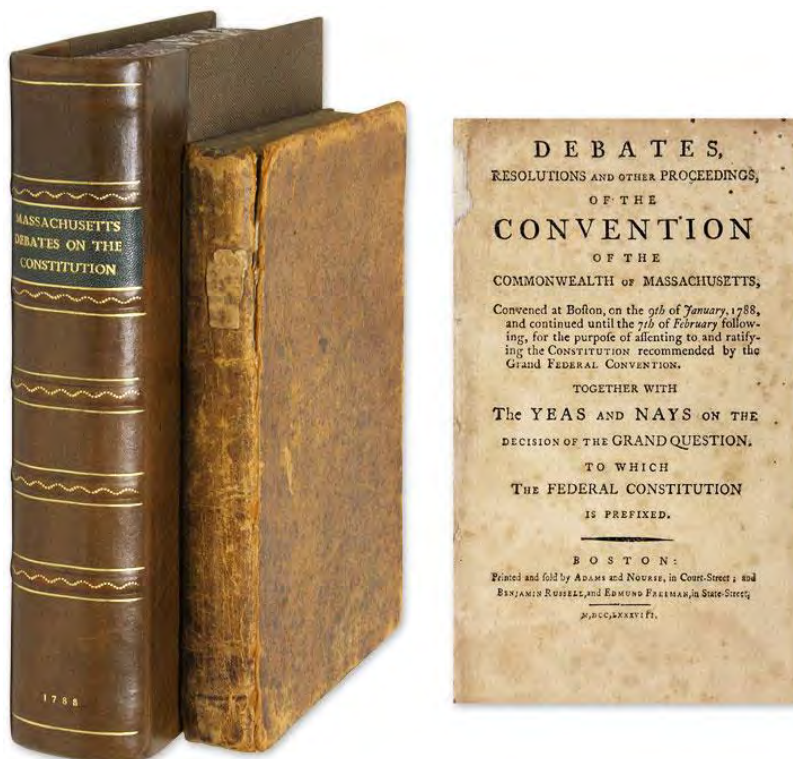
14. [Manuscript].

Harrison & Morton Club of New York.

[*Harrison & Morton Club of New York* (Cover Title)]. [New York, 1888]. 61, [4] pp. Quarto (9-1/2" x 7").

Limp calf, club name gilt-stamped to front cover, all edges gilt. A few light scratches to boards, moderate rubbing to extremities with wear to spine ends, bookseller ticket to front pastedown, front hinge cracked, a few cracks to text block, a few leaves loose or detached. Light toning to interior, occasional light soiling and finger smudges. Text in neat hand on ruled leaves. 6-1/2" x 4-1/4" cabinet-card photograph of Harrison, with light edgewear and faint spotting to image, laid-in. Items housed in archival enclosure. \$2,500.

* This club was founded after the 1888 Republican National Convention to support the presidential campaign of Benjamin Harrison and his running mate, Levi P. Morton of New York. The first pages of its membership book contains the club's constitution, in handsome calligraphy, which states: "We the undersigned, members of the Bar of the City of New York, being desirous of giving expression to our political convictions, in the pending campaign, through an organization, similar to those already formed by the Merchants and the members of the various Exchanges, hereby organize The Harrison and Morton Club of The Bar of New York." The constitution is followed by the signatures of 694 elite New York City attorneys and judges. Among these signers are Charles Evans Hughes [1862-1948], later chief justice of the U.S. Supreme Court, Benjamin H. Bristow [1832-1896], U. S. secretary of the treasury under President Grant, Chauncey Mitchell Depew [1834-1928], attorney for Cornelius Vanderbilt's railroad interests, president of the New York Central Railroad System, and U.S. Senator from New York, 1899-1911, Henry Day [1820-1893], partner of the prominent New York City law firm Lord, Day & Lord, and Elihu Root [1845-1937], U.S. secretary of state under President Theodore Roosevelt, secretary of war under Roosevelt and President William McKinley and recipient of the Nobel Prize in 1912. With the exception of 13 tipped in autograph signatures (likely clipped from letters supportive of the club and the Harrison/Morton ticket), all of the membership signatures were made directly into the membership book in numerical sequence. The numbering is irregular in some places; seven signatures are un-numbered and there are some labeled duplicates. Some "autographs" may be secretarial, a few bearing initials beneath. [Order This Item](#)



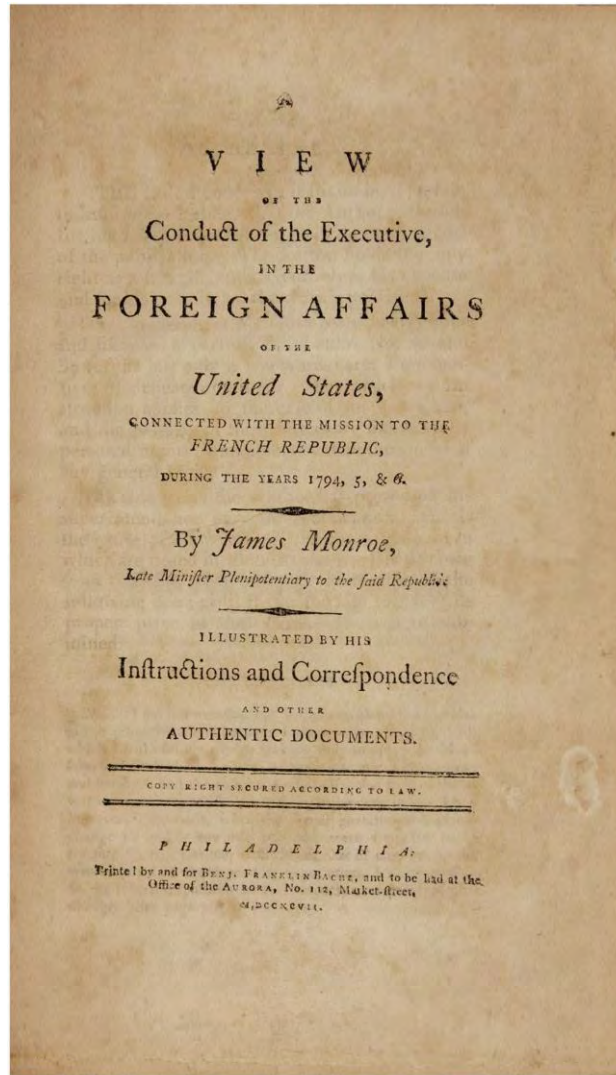
187 to 168 in Favor of Ratification

15. [Massachusetts].
[Federal Constitution].

Debates, Resolutions and Other Proceedings, Of the Convention of the Commonwealth of Massachusetts, Convened at Boston, On the 9th of January, 1788, And Continued Until the 7th of February Following, For the Purpose of Assenting to and Ratifying the Constitution Recommended by the Grand Federal Convention. Together with The Yeas and Nays on the Decision of the Grand Question. To Which The Federal Constitution is Prefixed. Boston: Printed and Sold by Adams and Nourse, and Benjamin Russell, and Edmund Freeman, 1788. 219 pp. Octavo (7" x 4-1/2").

Contemporary speckled sheep, blind fillets and fragment of later hand-lettered paper title label to spine. Moderate rubbing to extremities with wear to head of spine, front joint starting, hinges cracked, later owner bookplate to front pastedown, front free endpaper lacking. Moderate toning to interior, occasional light foxing, internally clean. Item housed in a period-style clamshell box, lettering piece and blind fillets to spine. A desirable copy. \$3,250.

* First edition. "The ratification process in Massachusetts was viewed with anxiety by supporters of the Constitution throughout the nation. Massachusetts was a key state, and it was thought that actions there might determine the ultimate fate of the Constitution. The struggle was hard, bitter, and characterized by wild rumor and allegations of corrupt behavior. The Federalist strategy was to ratify the Constitution first and then consider amendments to it. On February 6 the Constitution was endorsed by the narrow vote of 187 to 168. Massachusetts became the sixth state to ratify. Massachusetts was the first state to propose amendments along with ratification, setting a pattern for the states that followed. All except Maryland and Rhode Island were to ratify and simultaneously propose amendments" (Peckham). A second edition was published in 1808; another, edited by Bradford K. Peirce and Charles Hale, in 1856. Peckham, *Liberty's Legacy: Our Celebration of the Northwest Ordinance and the United States Constitution* USC-25. Cohen, *Bibliography of Early American Law* 2859. Sabin, *A Dictionary of Books Relating to America* 45702. [Order This Item](#)



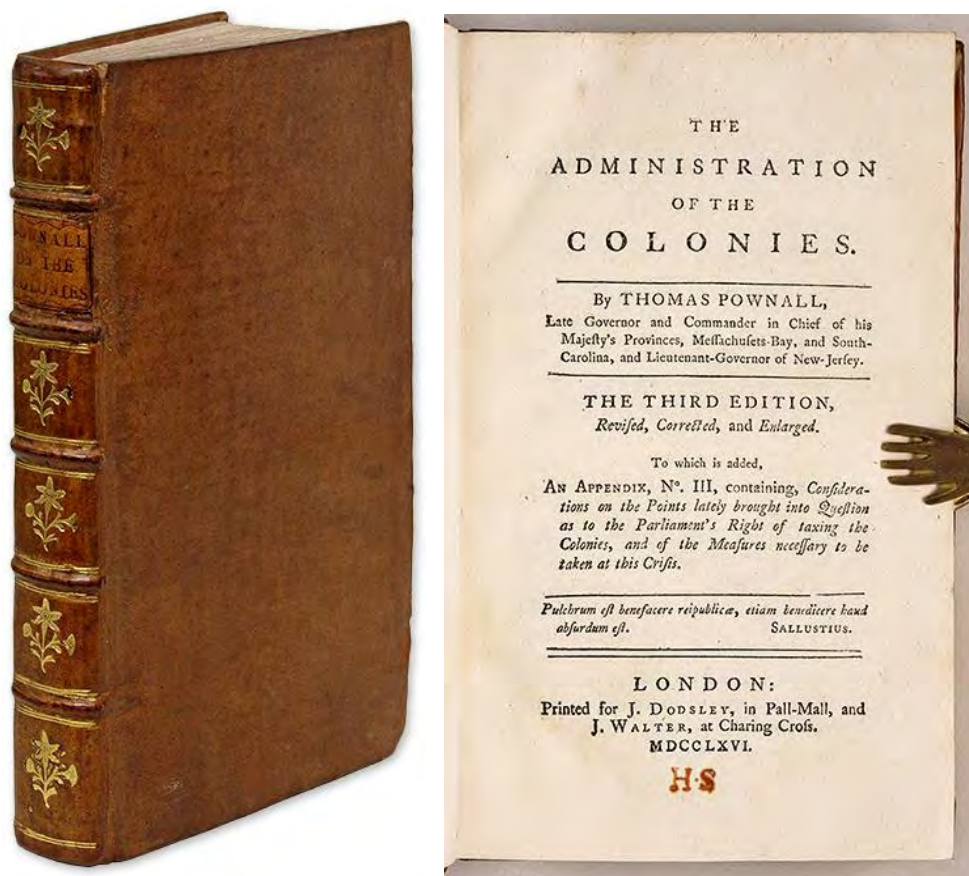
Monroe's Critical Assessment of Washington's Foreign Policy

16. Monroe, James [1758-1831].

A View Of The Conduct Of The Executive, In The Foreign Affairs Of The United States, Connected With The Mission To The French Republic, During The Years 1794, 5, & 6. Illustrated by His Instructions and Correspondence, And Other Authentic Documents. Philadelphia: Printed by and for Benj. Franklin Bache, 1797. Octavo (9" x 5-3/4").

Original publisher boards with later rebacking, printed paper title label to spine, untrimmed edges, hinges mended. Light soiling and a few minor stains to boards, bookplate residue to front pastedown. Moderate toning, light foxing in places, minor chips and tears to fore-edges of a few leaves, paper flaw to Leaf F (pp. 33-34), with minor loss to text. \$500.

* First edition. Monroe was President Washington's minister to France from August 15, 1794 to December 9, 1796. Despite several successes as minister, such as securing U.S. navigational rights on the French-controlled Mississippi River, Monroe was recalled by Washington because he believed Monroe was too sympathetic to French interests. Monroe's *View of the Conduct of the Executive* is a defense of his actions as minister and a sharply critical account of Washington's management of foreign affairs. Sabin, *A Dictionary of Books Relating to America* 50020. [Order This Item](#)



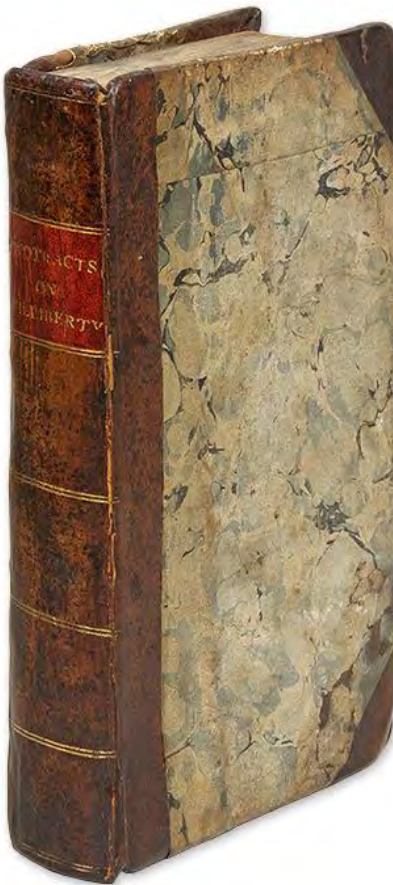
A Supporter of American Liberty

17. Pownall, Thomas [1722-1805].

The Administration of the Colonies. The Third Edition, Revised, Corrected, and Enlarged. To Which is Added, An Appendix, No. III, Containing, Considerations on the Points Lately Brought into Question as to the Parliament's Right of Taxing the Colonies, And of the Measures Necessary to be Taken at this Crisis. London: Printed for J. Dodsley and J. Walter, 1766. [xxviii], 202, 60, 52 pp. With a half-title. Seven woodcuts text at pp. 172-1744 reproducing the marks of Native American sachems (chiefs). Octavo (8" x 5").

Contemporary sprinkled calf, gilt-edged raised bands and gilt ornaments to spine, gilding rubbed away from title, gilt tooling to board edges. Negligible light rubbing and a few minor nicks and scuffs to boards, corners bumped. Light toning to text, light soiling to a few leaves, small hole to head of front endleaves and half-title, early owner initials to foot of title page. \$2,750.

* Third edition. Pownall was governor of Massachusetts from 1757 to 1759, after which "he remained an acknowledged expert on Britain's colonial affairs in general, especially the American colonies that declared independence in 1776. Pownall's most influential statement in this respect was his *Administration of the Colonies*, first published in 1764.... Pownall consciously sought in this work to identify himself as a supporter of American liberty. Although he feared that Britain was losing control of its colonies, he wrote that the Americans were entitled to the same rights of representative government as their fellow subjects in England, Scotland, and Wales" (ODNB). The first edition was published in 1764, its final edition in 1777. Appendix No. III. is an assessment of Parliament's right to tax its colonies drawn from the then-recent history of the Stamp Act (1765-1766). Oxford Dictionary of National Biography (online edition). Sabin, *A Dictionary of Books Relating to America* 64816. *English Short-Title Catalogue* T90025. [Order This Item](#)



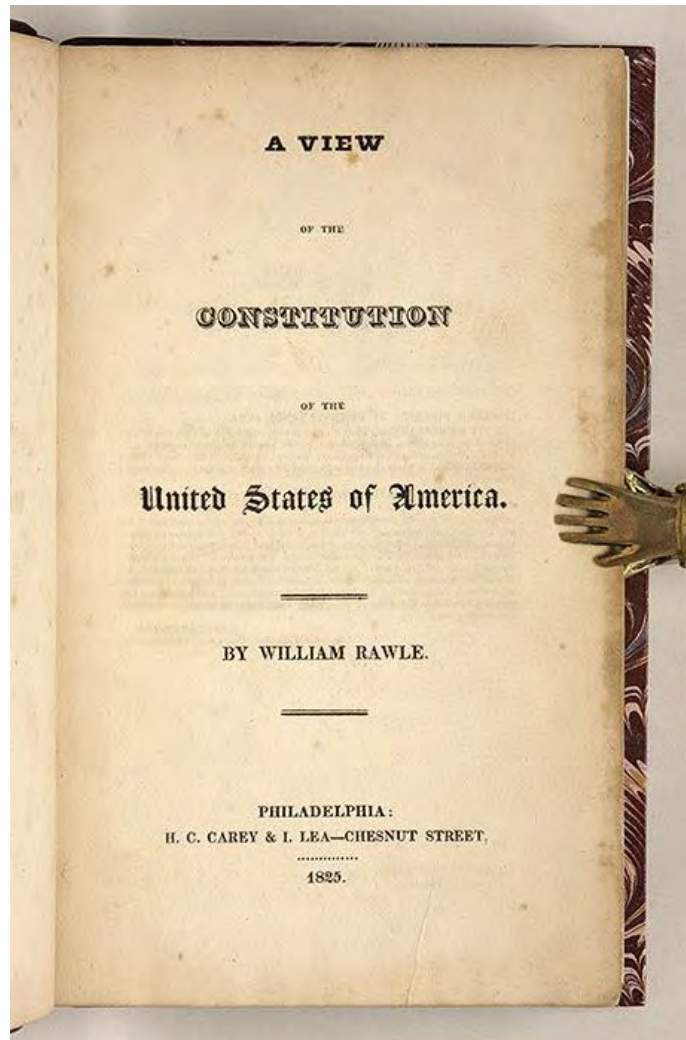
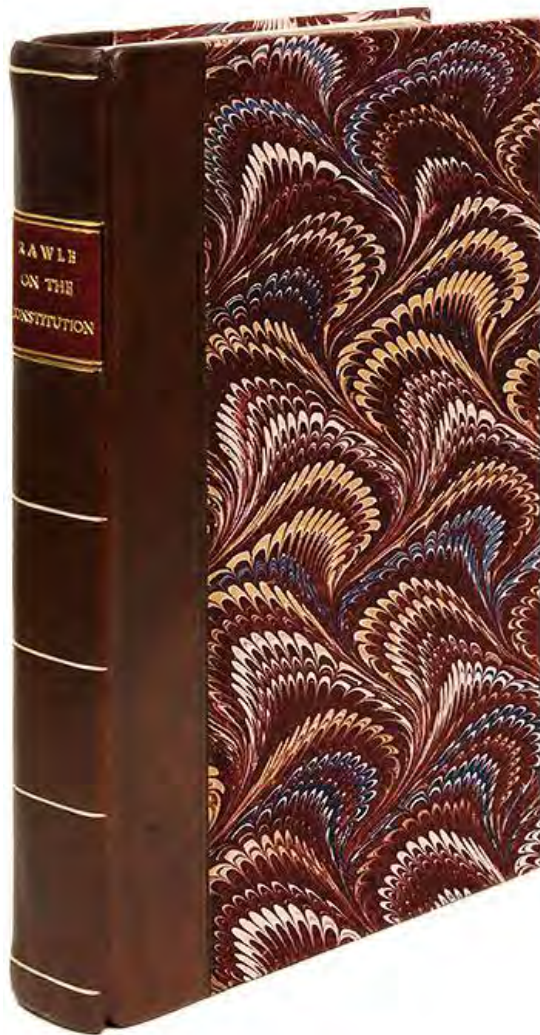
An Influential Economic Argument in Support of the American Revolution

18. Price, Richard [1723-1791].

Two Tracts on Civil Liberty, The War with America, And the Debts and Finances of the Kingdom: With a General Introduction and Supplement. London: Printed for T. Cadell, in the Strand, 1778. [ii], xxx, [6], 112; xiv, 216, [2] pp. Two parts, each with title page and individual pagination: Contains *Observations on the Nature of Civil Liberty. The Eighth Edition, With Corrections and Additions* and *Additional Observations on the nature and Value of Civil Liberty*. Folding table. Initial advertisement leaf mis-bound at rear of text. Octavo (8" x 4-3/4").

Nineteenth-century three-quarter calf over marbled boards, gilt fillets and lettering piece to spine. Moderate rubbing to extremities with light wear in a few places, corners bumped and lightly worn, nineteenth-century owner bookplate and later library stamp to front pastedown, a few cracks to text block. Moderate toning to text, faint dampspotting to margins in a few places, early owner signature, later paper repairs and two later library stamps to title page, another library stamp to its verso. A handsome copy overall. \$1,250.

* Only edition, one of two issues from 1778. This book collects two essays supporting the American Revolution. First issued in 1776 and 1777 they defended the rights of the American colonists and attacked Great Britain's attempt to suppress the Revolution on economic, political and moral grounds. Little known today but quite influential during his lifetime, Price was a Welsh moral and political philosopher, mathematician, expert on insurance and finance and an advocate of political and religious liberty. An important financial advisor to the British government and one of the founders of the Unitarian Church, his friends included Joseph Priestley and Benjamin Franklin; his enemies included Edmund Burke. *English Short-Title Catalogue* T12976. [Order This Item](#)



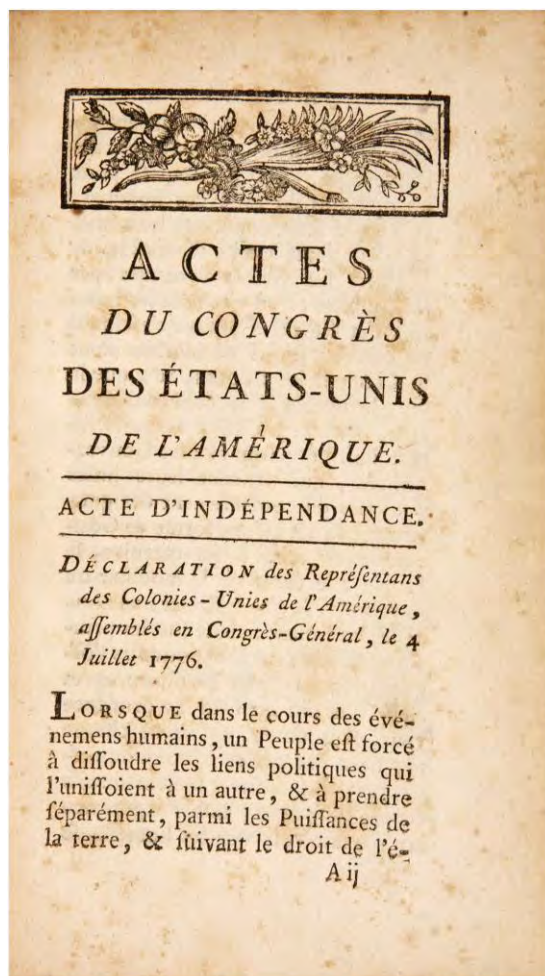
First Edition of a Treatise on the United States Constitution Used to Justify Secession

19. Rawle, William [1759-1836].

A View of the Constitution of the United States of America. Philadelphia: Philip H. Nicklin, 1825. vii, [5]-347 pp. Octavo (8-3/4" x 5-1/2").

Recent period-style quarter calf over marbled boards, lettering piece and gilt fillets to spine, endpapers renewed. Moderate toning, four small library markings to verso of title page. An appealing copy in a handsome binding. \$950.

* First edition. Rawle's treatise is one of the earliest works on the United States Constitution, and one of the most important. This text is significant also because it suggests that states have a right to secede from the Union. As Cohen observes, the popularity of this text, which was used at West Point and other schools throughout the country, "is generally considered to have influenced the leaders and supporters of the Confederacy, although in fact Rawle opposed secession: (Cohen). The annotation to our copy, "Vide Story on the Constitution p. 327" refers to the sentence in Story reading: "The secession of a state from the Union depends of the will of the people of such state." Cohen, *Bibliography of Early American Law* 2893. [Order This Item](#)



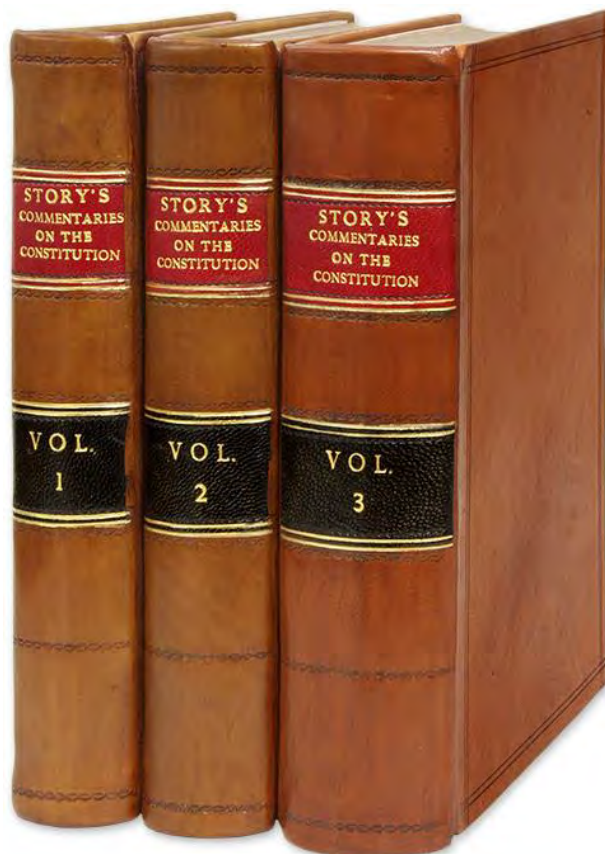
The First Collection of American Constitutions, Includes the First Printing of the Declaration of Independence in French

20. [Régnier, Claude-Ambroise, Compiler].

Recueil des Loix Constitutives des Colonies Angloises: Confédérées sous la Dénomination d'États-Unis de l'Amérique-Septentrionale: Auquel on a Joint les Actes d'Indépendance, de Confédération & Autres Actes du Congrès Général. Dédié à M. le Docteur Franklin. [Paris]: A Philadelphie, Et se Vend à Paris, Rue Dauphine, Chez Cellot & Jombert, 1778. [xii], 370 pp. Lacking final blank leaf. Octavo (6-1/4" x 4-3/4").

Later cloth over marbled boards, gilt fillets and title to spine, endpapers renewed. Light rubbing to boards, moderate rubbing to extremities, boards just beginning to separate but secure. Moderate toning, occasional light foxing, later owner signature to front free endpaper, tiny ink marking in early hand to head of front free endpaper. \$950.

* Intended to increase French support for the American Revolution, this book was the first collection of state constitutions enacted since the Declaration of Independence. There were six in 1778, those of Pennsylvania, New Jersey, Delaware, Maryland, Virginia and South Carolina. (A collection with the all thirteen post-1776 constitutions was published in 1781.) This volume also includes the Declaration of Independence, its first printing in French, along with the Articles of Confederation and significant laws enacted by the Continental Congress. The work is dedicated to Benjamin Franklin, who enabled its publication. Sabin, *A Dictionary of Books Relating to America* 68448. Cohen, *Bibliography of Early American Law* 3031. [Order This Item](#)



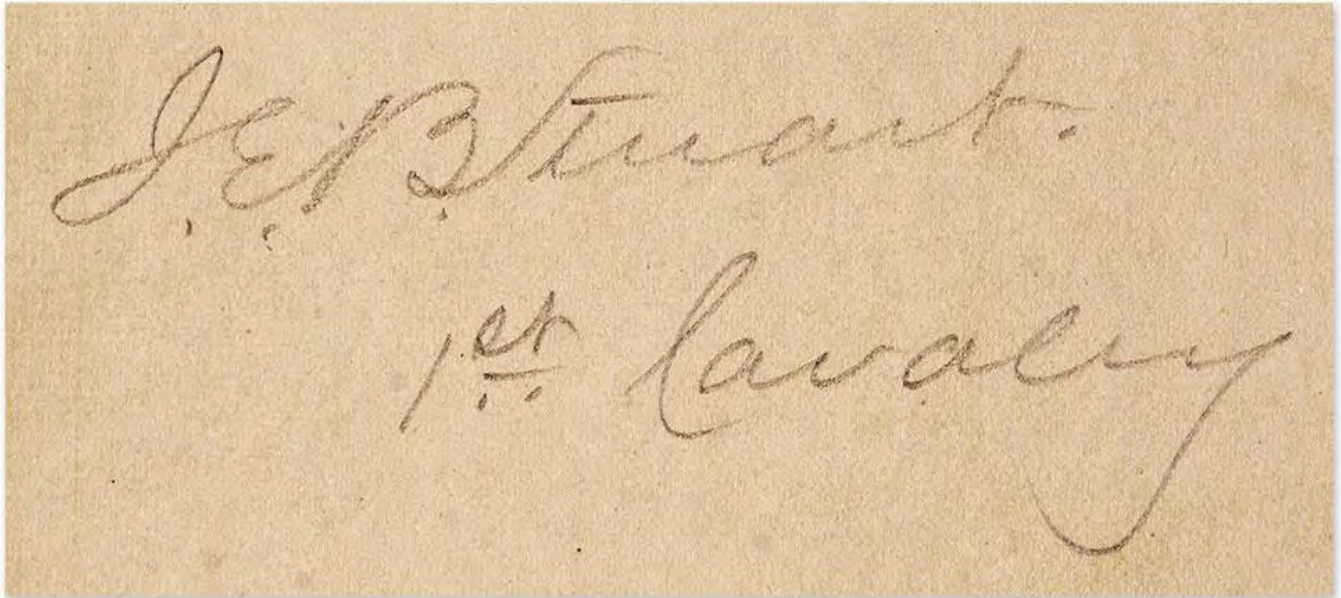
**Handsome First Edition of the First Substantial
Treatise and Landmark Work on the American Constitution**

21. Story, Joseph [1779-1845].

Commentaries on the Constitution of the United States; With a Preliminary Review of the Constitutional History of the Colonies and States, Before the Adoption of the Constitution. Boston: Hilliard, Gray and Company, 1833. 3 volumes. xxxiv, [ii], 494; [ii], 555; [ii], 776 pp. Octavo (8-1/2" x 5-1/2").

Expertly bound in period-style full calf, blind rules to boards, red and black lettering pieces and blind fillets to spine, endpapers renewed. Internally clean and bright. A handsome set. \$7,500.

* First edition. Story's *Commentaries* was the most substantial and influential work written on the American Constitution between the publication of the *Federalist* and the Civil War, and it remains an important work today. Written while Story was Dane Professor at Harvard Law School and an Associate Justice of the Supreme Court, it presented a strongly Nationalist interpretation. It is divided into three books. Book I contains a history of the colonies and discussion of their charters. Book II discusses the Continental Congress and analyzes the flaws that crippled the Articles of Confederation. Book III begins with a history of the Constitution and its ratification. This is followed by a brilliant line-by-line exposition of each of its articles and amendments. Comparing it to the *Federalist*, James Kent said that Story's work was "written in the same free and liberal spirit, with equal exactness and soundness of doctrine, and with great beauty and eloquence of composition. (...) Whoever seeks...a complete history and exposition of this branch of our jurisprudence, will have recourse to [this] work, which is written with great candor, and characterized by extended research, and a careful examination of the vital principles upon which our government reposes.": cited in Marvin, *Legal Bibliography* 669-670. Cohen, *Bibliography of Early American Law* 2914. [Order This Item](#)



**Treatise on Courts Martial Owned
by Confederate General J.E.B. Stuart**

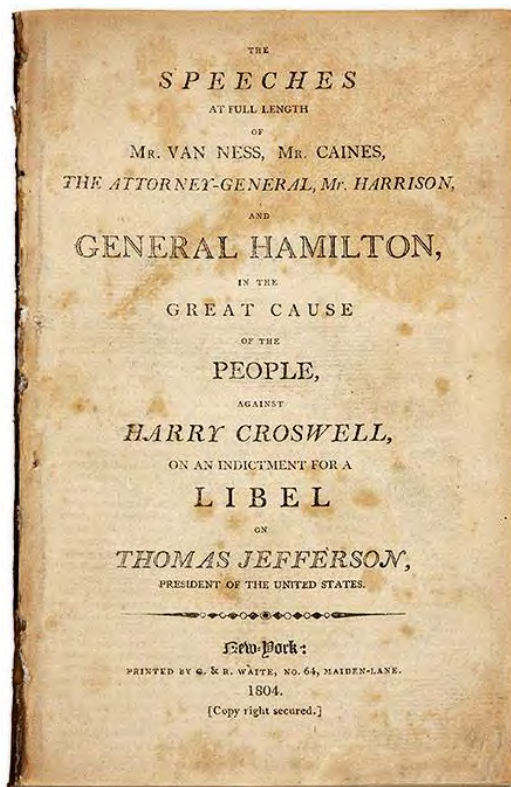
22. [Stuart, J.E.B. (1833-1864)].

Simmons, Thomas Frederick.

Remarks on the Constitution and Practice of Courts Martial; With a Summary of the Law of Evidence, As Connected with Such Courts; Also Some Notice of the Criminal Law of England, With Reference to the Trial of Civil Offences Where There is no Competent Civil Judicature. London: Parker, Furnivall, And Parker, 1852. xvi, 668, [4] pp. Includes 4-page publisher catalogue. Octavo (8-3/4" x 5-1/2").

Original cloth, blind frames to boards, blind fillets and gilt title to spine. Light rubbing, soiling and a few minor dampstains, chipping to spine ends, corners bumped, hinges cracked. "J.E.B. Stuart./ 1st Cavalry" in large penciled hand to front free endpaper. Moderate toning to text, light foxing in a few places, upper corners of a few leaves dog-eared. A copy with an interesting Civil War association. \$3,500.

* Fourth edition. This copy of the standard nineteenth-century British treatise on courts martial belonged to James Ewell Brown "JEB" Stuart, the great Confederate general. The designation "1st Cavalry" dates his ownership of this book to 1855-1861, the period when he was a lieutenant, later Captain, in the U.S. Army. (He went on to lead the 1st Virginia Cavalry for the Confederacy in 1861-1862.) Stuart signatures and signed items are uncommon. The last three to appear at auction (in 2019), an undated clipped signature, a signed 1859 pay receipt and an 1863 letter with military content, received hammer prices of \$2,250.00, \$2,280.00 and \$5,700.00. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:326. [Order This Item](#)



A Landmark Case in the History of the First Amendment

23. [Trial].

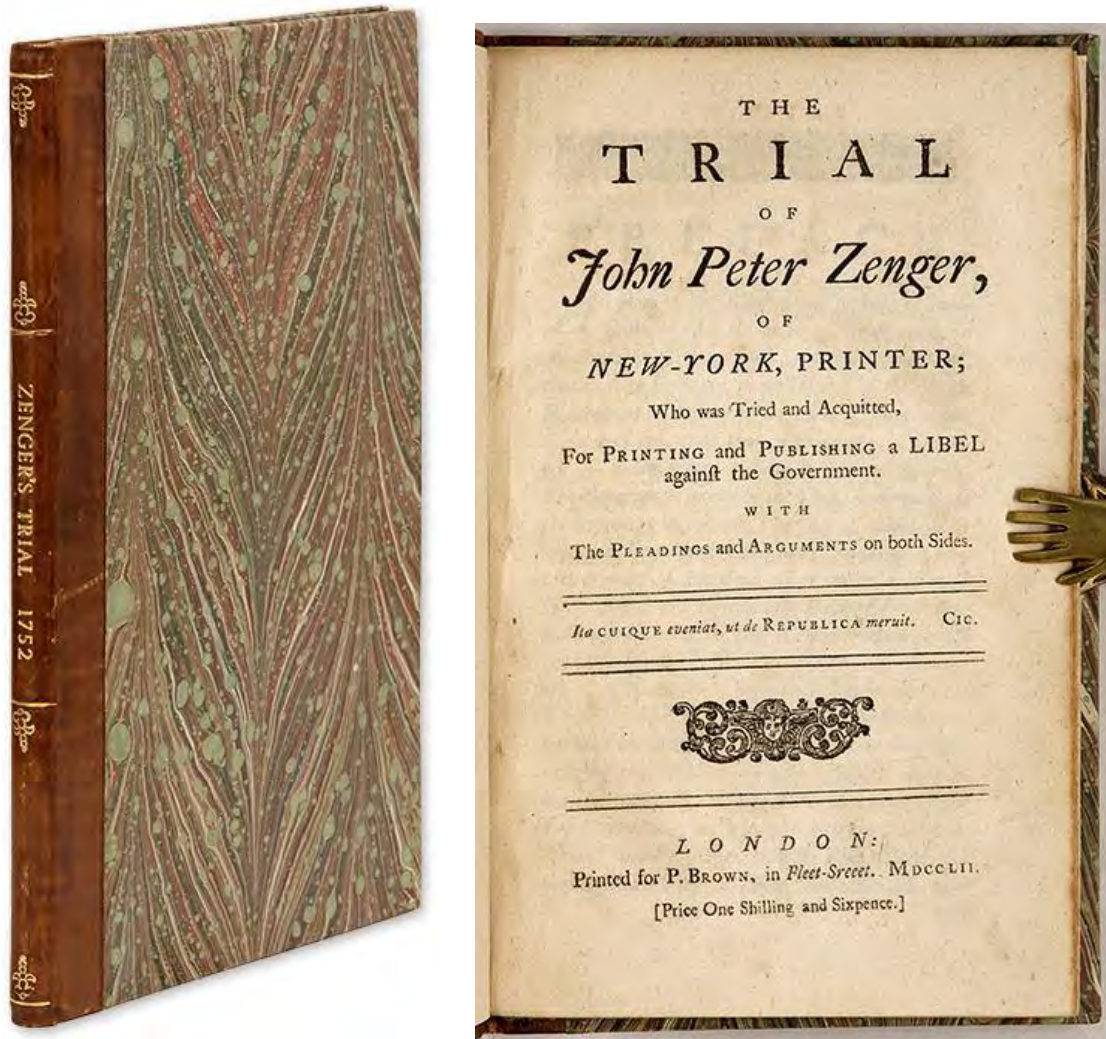
Hamilton, Alexander [1757-1804] (et Al).

Crosswell, Harry (1778-1858), Defendant.

The Speeches at Full Length of Mr Van Ness, Mr. Caines, the Attorney-General, Mr. Harrison, And General Hamilton, In the Great Cause of the People, Against Harry Crosswell, On an Indictment for a Libel on Thomas Jefferson, President of the United States. New York: Printed by G. & R. Waite, 1804. 78 pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet. Moderate toning, occasional light foxing, negligible light soiling to title page and verso of final leaf. \$1,250.

* Only edition. *People of the State of New York v. Harry Crosswell*, also known as *People v. Crosswell*, is a landmark case in the history of the First Amendment. It was a prosecution for criminal libel under the Sedition Act in the Court of General Sessions of the Peace of Columbia County, New York. Crosswell was indicted for an article, published in *The Wasp*, a Federalist newspaper he edited, that accused Jefferson of hiring James Callender to write articles attributing various crimes to Washington and Adams. Crosswell was defended by a distinguished team of lawyers, among them Alexander Hamilton. In one of his greatest and most influential speeches, and one of the last he gave in his lifetime, Hamilton argued that freedom of the press consists in publishing the truth, from good motives and for justifiable ends, however it may reflect on its subjects. More important, he argued for a rejection of libel based on English rules, which remained a part of New York law, especially the rule that truthfulness is not a reason for acquittal. Crosswell was convicted, but he was not sentenced or retried. And the cause of his case was mooted the following year when the New York State Legislature abandoned English libel law in favor of one based on Hamilton's argument. It became the law of the land when the other states and the Federal government followed New York's example. Ford, *Bibliotheca Hamiltoniana* 90. Cohen, *Bibliography of Early American Law* 13322. [Order This Item](#)



The First Major Victory for Freedom of the Press in America

24. [Trial].

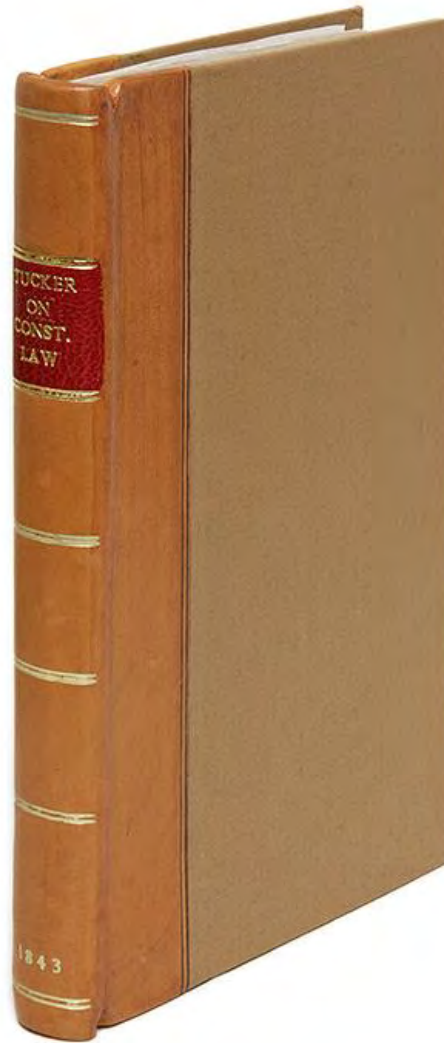
Zenger, John Peter [1697-1746], Defendant.

The Trial of John Peter Zenger, Of New-York, Printer; Who was Tried and Acquitted, For Printing and Publishing a Libel Against the Government, With the Pleadings and Arguments of Both Sides. London: Printed for P. Brown, 1752. [iv], 74, [2] pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound into recent quarter calf over marbled boards, gilt title to spine, endleaves added. Light rubbing to extremities, light toning to text, light foxing in a few places. A handsome copy. \$1,750.

* London reissue of an account first published in New York in 1736 as *A Brief Narrative of the Case and Trial of John Peter Zenger*, which was probably written by James Alexander, the co-founder and main editorial voice of Zenger's newspaper, the *New-York Weekly Journal*. Zenger was tried for seditious libel for publishing satirical comments about the governor of New York in his newspaper. Defended by the brilliant Philadelphia lawyer Andrew Hamilton, his 1735 acquittal is generally regarded as the first major victory for freedom of the press in the American colonies and a precedent for the First Amendment of the U.S. Constitution. McCoy, *Freedom of the Press* Z8. *English Short-Title Catalogue* T877.

[Order This Item](#)



Tucker's Important Lectures on the Constitution

25. Tucker, Henry St. George [1780-1848].

Lectures on the Constitutional Law, for the Use of the Law Class at the University of Virginia. Richmond: Printed for Shepherd and Colin, 1843. 242 pp. 12mo. (7-1/2" x 4-1/2").

Recent period-style quarter calf over cloth, lettering piece and gilt fillets to spine, endpapers renewed. Some toning, light foxing in places, faint, mostly very faint, dampstaining to upper corner of text block, faint embossed library stamp to title page and following leaf, brief annotations (shelf number?) to verso of title page. A nice copy in a handsome binding. \$750.

* Only edition. Tucker proposes a vigorous defense of states-rights principles in the manner of John Taylor of Caroline. A notably sophisticated argument, it balances detailed analysis of the U.S. Constitution with criticism of Joseph Story, Daniel Webster and other proponents of a powerful Federal government. Tucker was a judge of the superior courts of chancery for the Winchester and Clarksburg districts, President of Virginia's Supreme Court of Appeals, the director of a private law school in Winchester and, later in life, Professor of Law at the University of Virginia. Works that grew out of the classroom include *Commentaries on the Laws of Virginia* (1836-1837). Cohen, *Bibliography of Early American Law* 2928.

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**The Indispensable Record of the Continental Congress,
This Set Includes the Very Rare 1777 Aitken Printing of Volume II**

**26. [United States].
[Continental Congress].**

[*Journals of the Continental Congress, 1774-1783*]. Philadelphia: Robert Aitken [and others] 1777-1784. Nine volumes. Octavo (7-3/4" x 4-3/4").

Later signed bindings by Sangorski & Sutcliffe, three-quarter calf over cloth, raised bands and lettering pieces to spines, top-edges gilt, endpapers renewed. Occasional light rubbing and minor nicks and scuffs to boards and spines, moderate rubbing to extremities. Some toning to interiors, slightly heavier in places, occasional light foxing and dampspotting, faint offsetting to corners of preliminaries and final leaves of each volume. A handsome set. \$18,000.

* Covering the years 1774 to 1783, the entire period of the American Revolution, this set comprises the first nine volumes of the official journals issued by the Continental Congress. (Thirteen volumes in all were printed through 1789, when the U.S. Constitution was enacted.) Our set includes the rarest imprint of the series: the Robert Aitken printing of Volume II, which records the opening events of the American Revolution. (The complete text of the Declaration of Independence is printed on pp. 241-246.) According to Aitken's account, 532 copies were completed. In the fall of 1777 the British forced Congress to evacuate Philadelphia. Unable to transport many copies of the Journal, many were left behind and later destroyed by the British, which accounts for the scarcity of this volume today. Indeed, the last copy to appear at auction, in 2017, sold for \$11,000.00. Taken together, these volumes provide a vivid real-time account of the American Revolution as it was experienced by the Founding Fathers. See the final image for details about each volume in this set.

-*Journals of Congress. Containing the Proceedings from Sept. 5, 1774. To Jan. 1, 1776. Published by Order of Congress.* Volume I. Philadelphia: Printed and Sold by R. Aitken, 1777. [ii], 310, [12] pp. Evans 15683. Hildeburn 3576.

-*Journals of Congress. Containing the Proceedings in the Year 1776. Published by Order of Congress.* Volume II. Philadelphia: Printed and Sold by R. Aitken, 1777. [ii], 513, [23] Evans 15685. Hildeburn 3577. Early struck-through initials near head of title page.

-*Journals of Congress, Containing the Proceedings from January 1st, 1777, To January 1st, 1778. Published by Order of Congress.* Volume III. Philadelphia: Printed by John Dunlap, [1778]. 603, [1], xxiii pp. Evans 16138. Hildeburn 3728. This copy does not have the "General Index to Volume I" (12 pp.).

-*Journals of Congress, Containing the Proceedings from January 1st, 1778, To January 1st, 1779. Published by Order of Congress.* Volume IV. Philadelphia: Printed by David C. Claypoole, [1779]. [2], 748, [2], lxxxix, [5] pp. Lacking final blank leaf. Evans 16584. Hildeburn 3900.

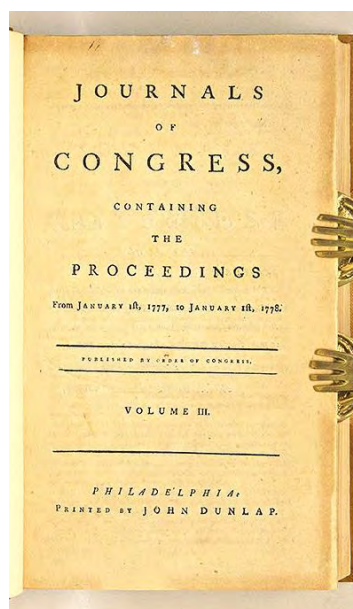
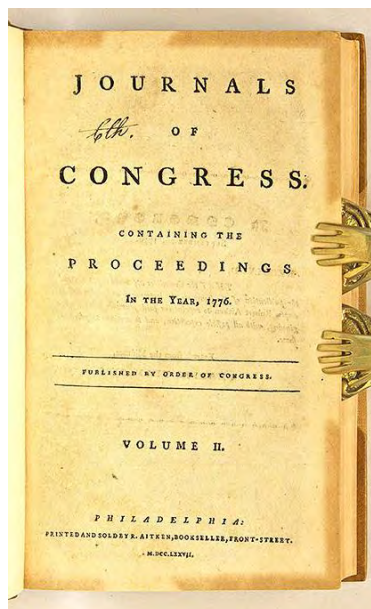
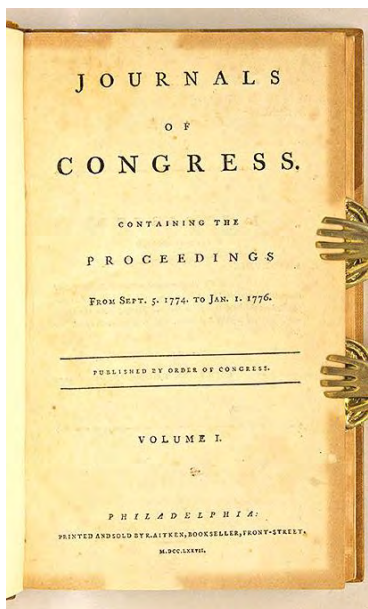
-*Journals of Congress. Containing the Proceedings [fro]m January 1st, 1779, To January 1st, 1780. Published by Order of Congress.* Volume V. Philadelphia: Printed by David C. Claypoole, 1782. 464, [16], lxxiv pp. Lacking final blank. Evans 17766. Hildeburn 4206. This is the printing with the corrected errors. Early signature to head of title page, small carefully repaired chip along gutter with minor loss to text ("fro").

-*Journals of Congress, From January 1st, 1780, To January 1st, 1781. Published by Order of Congress.* [Volume VI]. Philadelphia: David C. Claypoole, [1781]. 403, [3], xxxviii, [3] pp. Lacking final blank. Evans 17767. Hildeburn 4116. "6 Volume" in small early hand near foot of title page.

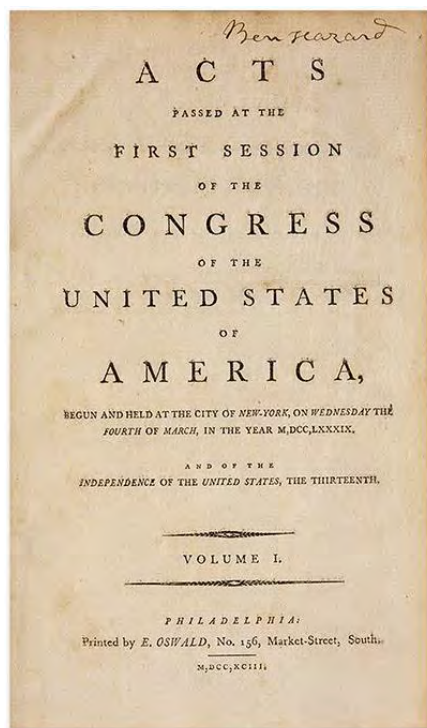
-*Journals of Congress, And of the United States in Congress Assembled. For the Year 1781. Published by Order of Congress.* Volume VII. Philadelphia: Printed by David C. Claypoole, 1781. 522, [vi], lxxxix pp. Lacking final blank. Evans 17767. Hildeburn 4117. Early signature to head of title page.

-*Journal of the United States in Congress Assembled: Containing the Proceedings from the First Monday in November 1782, To the First Monday in November, 1783. Published by Order of Congress.* Philadelphia: Printed by David C. Claypoole, 1783. Volume VIII. 483 pp. Though our collation matches several copies, such as one held by the Massachusetts Historical Society, Evans calls for 489 pp. and an index of 36 pp. It appears some copies were issued without the index. Evans 18266. Hildeburn 4311.

-*Journal of the United States in Congress Assembled: Containing the Proceedings from the Third Day of November, 1783, To the Third Day of June, 1784. Published by Order of Congress.* Volume IX. Philadelphia: Printed by John Dunlap, [1784]. 317 pp. As is the case with Volume VIII, this copy does not have the index present in most copies. Evans 18840. Hildeburn 4500.



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Unofficial Predecessor to Folwell's Laws

27. [United States].

[Congress].

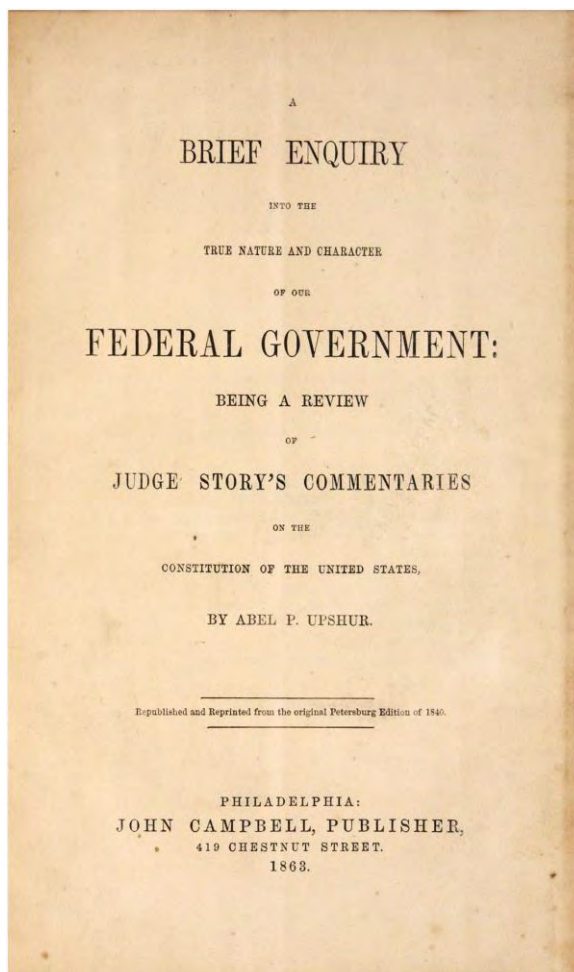
Acts Passed at the First Session of the Congress of the United States of America, Begun and Held at the City of New-York, On Wednesday the Fourth of March, in the Year M,DCC, LXXXIX. And of the Independence of the United States, the Thirteenth. Volume I. Philadelphia: Printed by E. Oswald, 1793. 375, [1], 45 pp. Includes acts of the second and third sessions, each preceded by divisional title pages.

[And]

Acts Passed at the First Session of the Second Congress of the United States of America: Begun and Held in the City of Philadelphia, On Monday the Twenty-Fourth of October, In the Year M, DCC, XCI. And of the Independence of the United States, The Sixteenth. Volume II. Philadelphia: Printed by E. Oswald, 1793. 380, [28] pp. Includes acts of second session, preceded by divisional title page, and a section of treaties, the first with a drop-head title.

Octavo (7-3/4" x 4-3/4"). Contemporary sheep, blind fillets to boards, lettering pieces, blind fillets and black-stamped volume numbers to spines. Moderate rubbing and scuffing to boards, lighter rubbing to spines and extremities, corners bumped and somewhat worn, small chip to spine head of Volume II, front hinge of Volume I starting. Moderate toning to text, somewhat heavier in places, light foxing to some leaves in Volume II, early owner signature of "Ben Hazard" to head of title pages. A very attractive and well preserved set. \$2,000.

* Only edition. Complete set. With indexes and the text of the U.S. Constitution and Bill of Rights. This is one of the unofficial compilations that preceded by government-authorized Folwell edition of 1796-1796. Among other achievements, the first two congresses passed the acts that established the war, postal and treasury departments, the judicial circuits, authorized the census, passed the copyright law and created the states of Kentucky, Tennessee and Vermont. Other interesting legislation concerns the Whiskey Rebellion, Indian affairs and federal and local legal jurisdictions. "Ben Hazard" may be Benjamin Hazard [1774-1841], a Rhode Island attorney, legislator and member of the Hartford Convention. Not in Babbitt. Evans, *American Bibliography* 27825-6. [Order This Item](#)



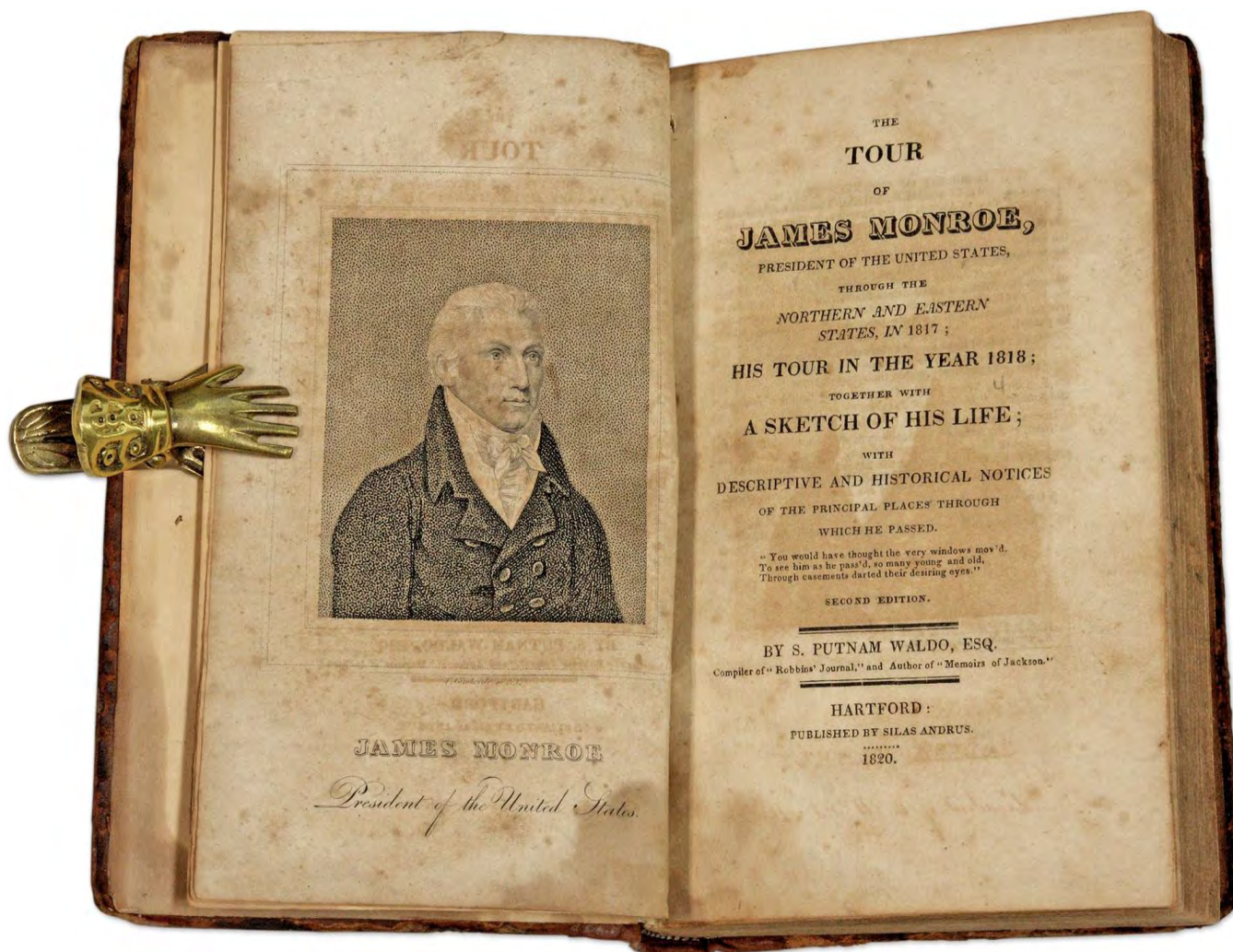
A Refutation of Story's Commentaries on the Constitution

28. Upshur, Abel Parker [1791-1844].

A Brief Enquiry into the True Nature and Character of the Federal Government: Being a Review of Judge Story's Commentaries on the Constitution of the United States. Philadelphia: John Campbell, Publisher, 1863. [ii], iv, 132 pp. Star-paged. Octavo (8-3/4" x 5-1/2").

Nineteenth-century sheep, blind fillets to boards, raised bands, lettering piece and owner label (F.A. Sondley) to spine. Light rubbing and a few minor stains and nicks to boards, moderate rubbing to extremities, library bookplate (Sondley Reference Library) to front pastedown. Moderate toning to text, very faint embossed library stamp to title page and a few other leaves. A handsome copy. \$650.

* Second edition, star-paged to the first edition. Originally published as a pamphlet in 1840, Upshur's essay is a refutation of the nationalistic theory of the Constitution advanced by Joseph Story's *Commentaries on the Constitution* (first edition, 1833). Our 1863 edition was issued by a group of radical Northern Democrats (Copperheads) to promote the political philosophy of the Confederacy. Upshur, a Virginia judge and politician, was a prominent spokesman for the states-rights, pro-slavery ideology. He was Secretary of the Navy and Secretary of State under President Tyler. Foster A. Sondley [1857-1931] was a prominent North Carolina attorney, scholar and bibliophile. *Catalogue of the Library of the Harvard Law School* (1909) II:827. [Order This Item](#)



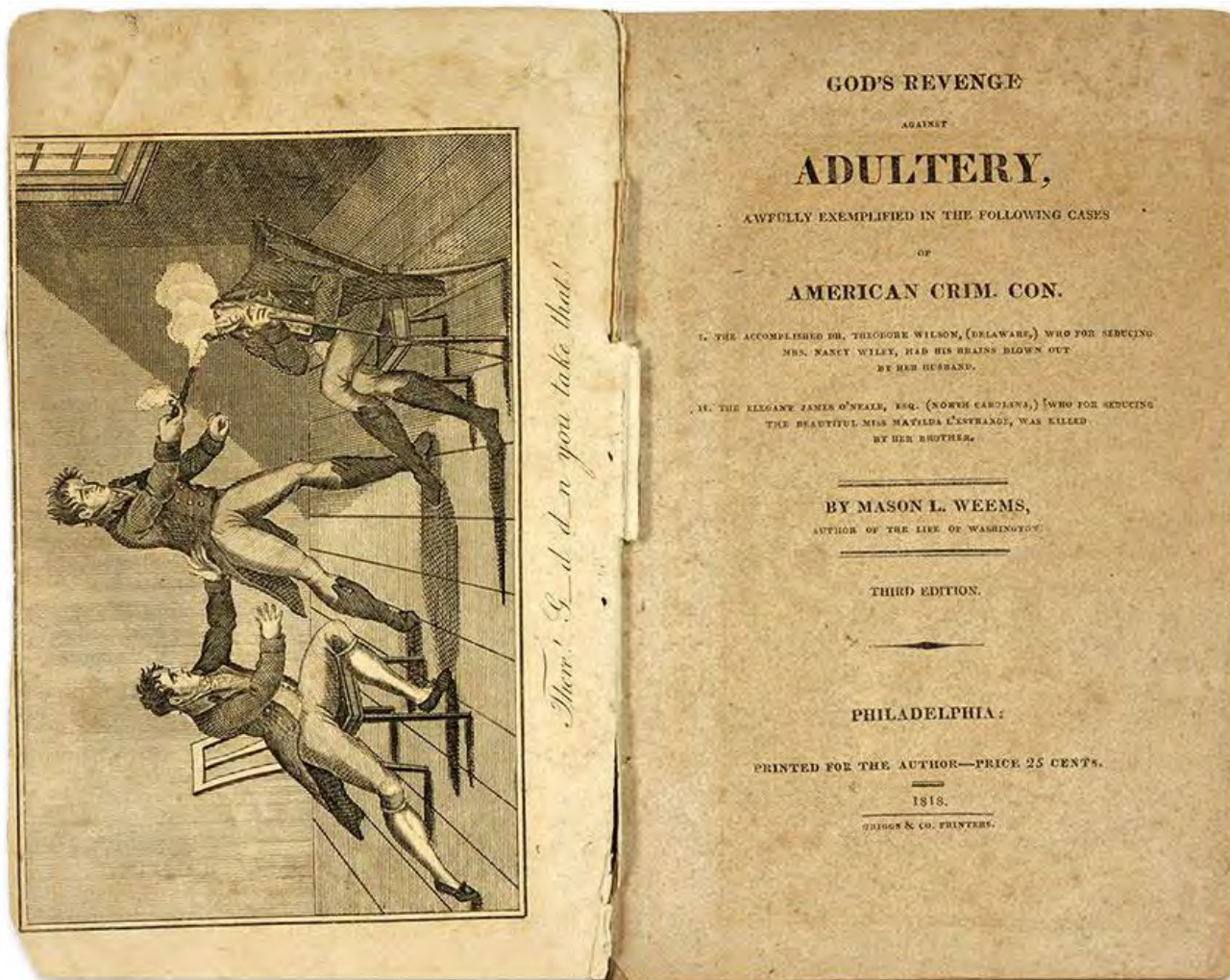
**President Monroe Tours
the Northern and Eastern United States**

29. Waldo, Samuel Putnam [1780-1826].

The Tour Of James Monroe, President Of The United States, Through The Northern And Eastern States, In 1817; His Tour in the Year 1818; Together with a Sketch of His Life; With Descriptive and Historical Notices of the Principal Places Through Which He Passed. Hartford: Published by Silas Andrus, 1820. xii, 348 pp. Stipple-engraved portrait frontispiece. 12mo. (7-1/4" x 4-1/4").

Contemporary sheep, rebacked in period style, gilt title and fillets to spine, hinges mended. Light gatoring and rubbing to boards with some loss to edges and corners. Moderate toning, light foxing in places, faint dampstains to a few leaves. Item housed in lightly rubbed cloth slipcase. \$150.

* Second and final edition. President Monroe's tours in 1817 and 1818 included stops in Maryland, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, New Hampshire, Maine, Vermont and Ohio. Waldo's biographical sketch includes a detailed account of Monroe's election and inauguration. This book was first published in 1819. Sabin, *A Dictionary of Books Relating to America* 101012. [Order This Item](#)



**Parson Weems's Account of
Two Cases of Adultery and Murder**

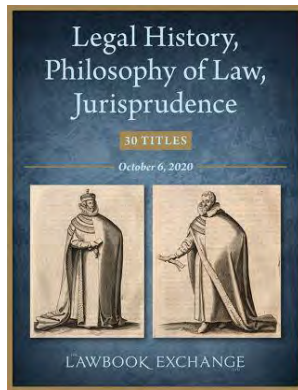
30. Weems, Mason L[ocke] [1759-1825].

God's Revenge Against Adultery, Awfully Exemplified in the Following Cases of American Crim. Con. I. The Accomplished Dr. Theodore Wilson, (Delaware,) Who for Seducing Mrs. Nancy Wiley, Had His Brains Blown Out by Her Husband. II. The Elegant James O'Neale, Esq. (North Carolina,) Who for Seducing the Beautiful Miss Matilda L'Estrange, Was Killed by Her Brother. Philadelphia: Printed for the Author, 1818. 48 pp. Copperplate engraved frontispiece. Octavo (8-1/4" x 5").

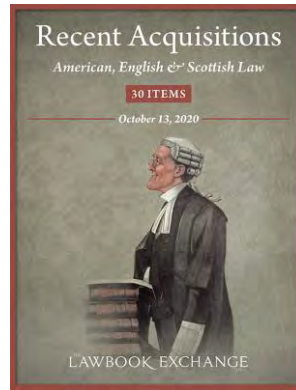
Disbound stab-stitched pamphlet, remnants of binding along spine. Minor wear to extremities, light browning to text, light soling to exterior, frontispiece partially detached but secure, top-edge trimmed close to image, wear to corners with no loss to text. \$650.

* Third edition. Better known as "Parson" Weems, Mason Locke Weems introduced the legend of George Washington and the cherry tree in the fifth edition of his *Life of Washington* (1809). Here Weems presents two moral tales on the sin of adultery driven by extremes in religious attitude. Both are based on actual events. Not in McDade. Cohen, *Bibliography of Early American Law* 13706. [Order This Item](#)

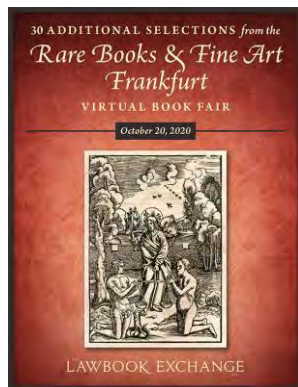
Recent Weekly E-Lists



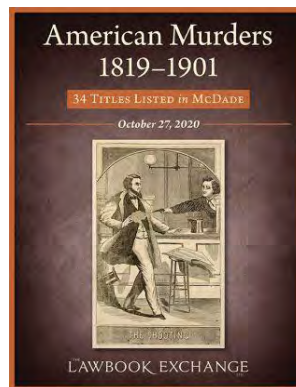
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