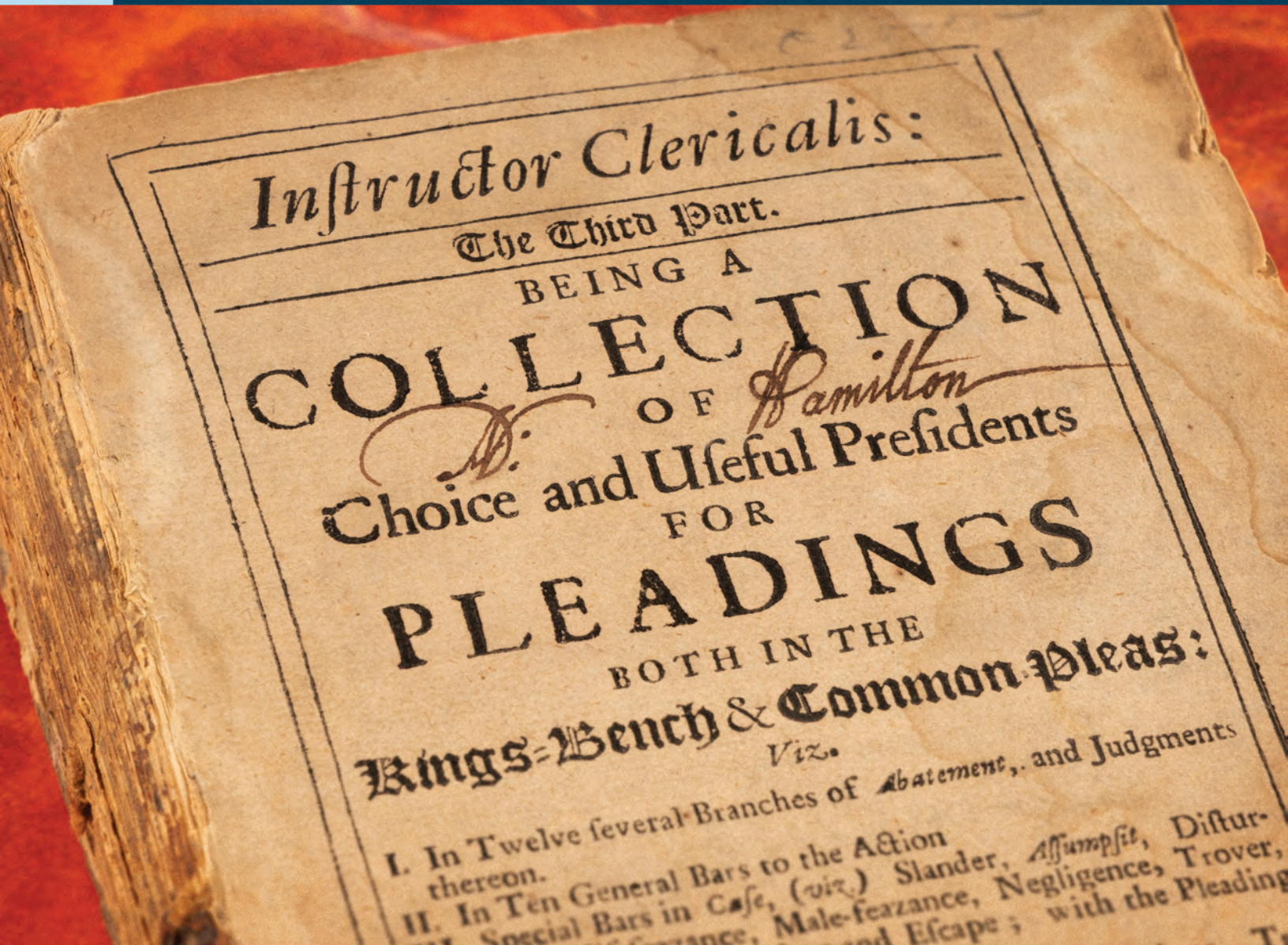


JANUARY 10, 2023

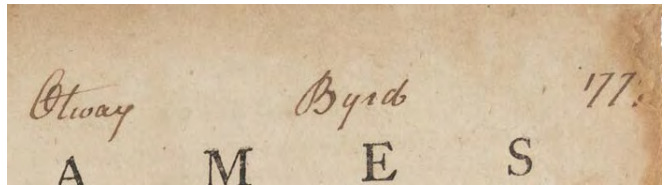
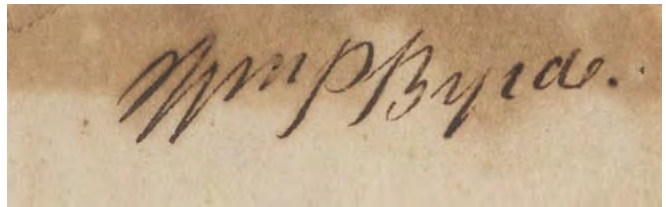
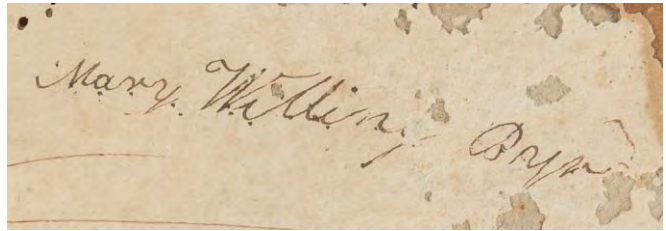
SIGNED & ASSOCIATION

Books, Pamphlets & Artwork

30 ITEMS



THE
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LTD.



**Annotated Copy Signed by Mary Willing Byrd,
William Powell Byrd and Francis Otway Byrd**

**1. Blackstone, Sir William [1723-1780].
[Byrd Family of Virginia].**

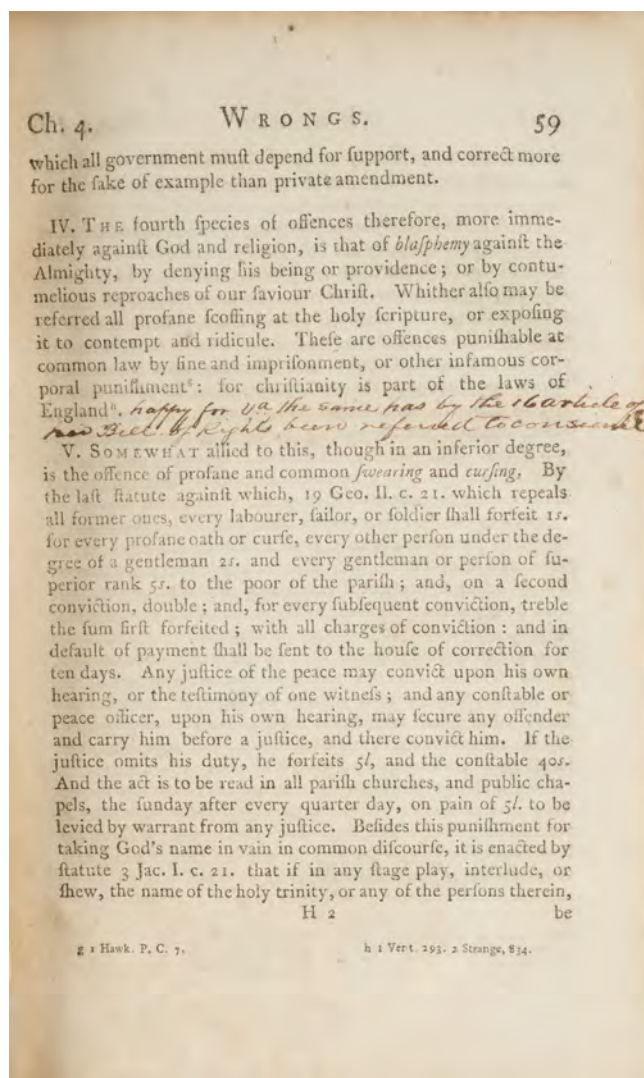
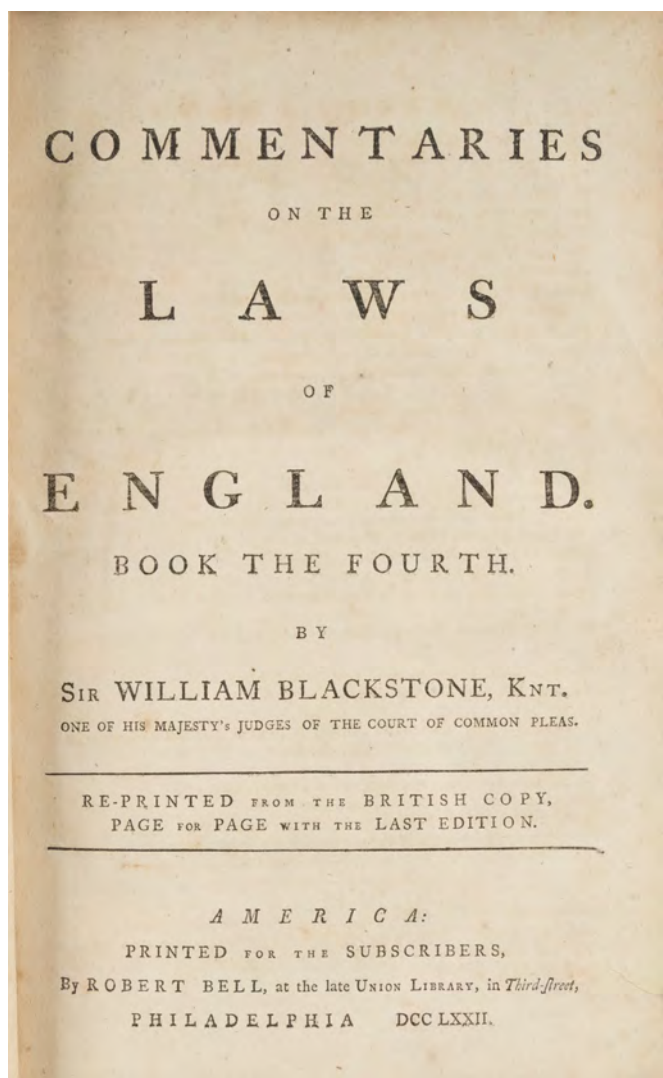
Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition. [Philadelphia]: Robert Bell, 1772. Volume IV [ONLY]. [xxii], [viii], 436, vii, [40] pp. Title page preceded by endleaf with tipped-in publisher advertisement (for Ferguson's *Essay on the History of Civil Society*). Octavo (8-3/4" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and raised bands to spine, blind-stamped volume number chipped away. A few shallow scuffs to boards, light gatoring to edges, moderate rubbing to extremities, boards beginning to separate but secure, chipping to spine ends, chip to blind-stamped volume number, worming to pastedowns and endleaves. Moderate toning to text, light browning and faint dampspotting in a few places, three brief annotations in contemporary hand to a few leaves, signature of Mary Willing Byrd to front pastedown and rear endleaf, signature of William Powell Byrd to front free endpaper, signature of Francis Otway Byrd, dated 1772, to head of first leaf of subscriber list. \$2,500.

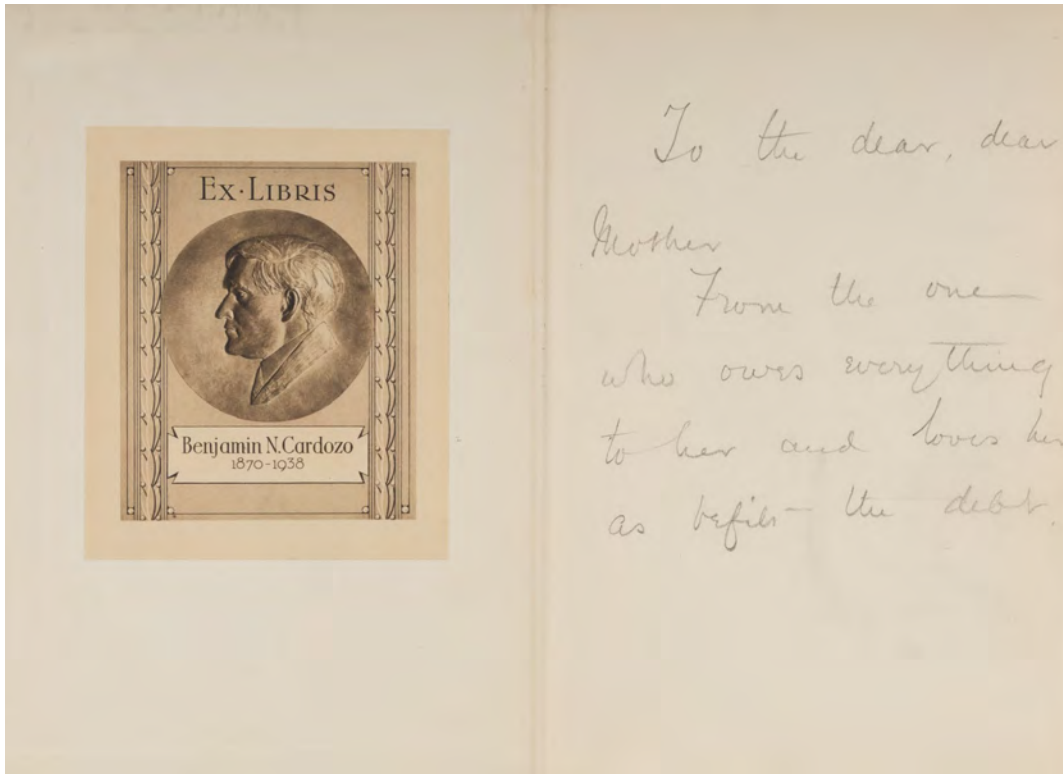
* First American edition, reprinted verbatim from the fourth Oxford edition (1770). This edition is a significant contribution to early American law and a landmark in the history of American publishing. Its subscribers included John Adams, John Jay, John Dickinson, several colonial governors and many other leaders of colonial America. Sixteen of these were signers of the Declaration of Independence who went on to serve as members of the Continental Congress. This copy probably belonged to the large library of William Byrd III housed at his Westover Plantation. It bears the signatures of three relatives. Mary Willing Byrd [1740-1814] was his second wife; Francis Otway Byrd [1756-1800] and William Powell Byrd [1777-1820] were two of his sons.

The annotations are in Chapter 4, "Of Offences Against God and Religion." Two of them refer to Section 16 of the Virginia Declaration of Rights (1776), which protected freedom of conscience. One, to Blackstone's passage "Doubtless the preservation of Christianity, as a national religion..." reads "Bill of Rights of Va. 16." The other, to the passage "[forms of blasphemy] are offences punishable at common law by fine and imprisonment, or other infamous corporal punishment..." reads "happy for Va the same has by the 16 article of the Bill of Rights been referred to conscience." This is likely a reference to the statement in the article that "religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence."

Eller, *The William Blackstone Collection in the Yale Law Library* 80. Laeuchli, *A Bibliographical Catalogue of William Blackstone* 131.



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Cardozo's Copy of One of His Most Important Books

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

The Paradoxes of Legal Science. New York: Columbia University Press, 1928. v, 142, [1] pp.

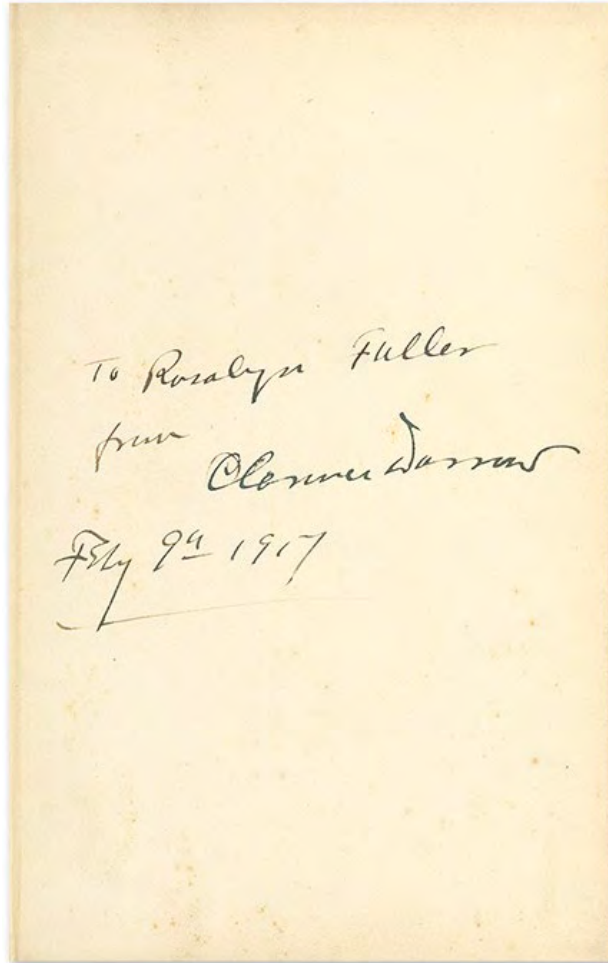
Original cloth, gilt title to spine, blind frames to boards, gilt Columbia University Press crest to center of front board. Light rubbing to extremities, Cardozo memorial bookplate to front pastedown, unsigned inscription in pencil, apparently in Cardozo's hand, to front free endpaper, light toning to text. \$1,750.

* First edition. One of Cardozo's most important books, *The Paradoxes of Legal Science* is a classic statement of juristic pragmatism. As Goodhart points out, it also reveals the non-legal sources, such as Greek philosophy, that informed his work. The bookplate was commissioned by Judge Irving Lehman, Cardozo's executor and close friend, to mark the books from Cardozo's library that were bequeathed to him. The inscription reads: "To the dear, dear Mother From the one who owes everything to her and loves her as befits the debt." The handwriting is Cardozo's, but we are not sure who the "dear, dear Mother" is. It cannot be Cardozo's mother; she died when he was a child. It may be his older sister, Ellen Ida, "Nell" Cardozo, who was mostly responsible for his upbringing and was a maternal figure in his life. She died in 1929. Posner notes that Benjamin and Nell's relationship "was a good deal closer than that of an average sister and brother [it was] perhaps more like that of a mother and a son." See Lehman, *Benjamin Nathan Cardozo: A Memorial* 18.

Benjamin Cardozo was nominated to the Supreme Court by 31st U.S. President and Republican Herbert Hoover in 1932. Cardozo, along with left-leaning justices Harlan Fiske Stone and Louis Brandeis, formed the "Three Musketeers" and voted in favor of many New Deal policies. From 1932 to 1937, they faced off against the "Four Horsemen", as conservative justices were referred to, George Sutherland, Willis Van Devanter, James Clark McReynolds, and Pierce Butler.

Goodhart, *The Jewish Lawyers of the Common Law* 59-60. Posner, *Cardozo: A Study in Reputation* 5.

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Inscribed by Darrow to British Actress Rosalinde Fuller

3. Darrow, Clarence [1857-1938].

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

Quarter cloth over patterned paper boards, gilt title to spine, top edge gilt, deckle fore and bottom edges. Light soiling, some wear to spine ends and corners, author inscription to front free endpaper. Light toning to text, internally clean. A nice copy with an interesting association. \$950.

* Second edition. The inscription reads "To Rosalyn [sic] Fuller/ from/ Clarence Darrow/ Feby 9th 1917." *A Persian Pearl* was Darrow's first book and the cornerstone of any Darrow collection. It consists of five essays. "A Persian Pearl" is an appreciation of Omar Khayyam's Rubaiyat. The other essays discuss Walt Whitman, Robert Burns, realism in literature and art and the importance of facing up to past mistakes without fear or shame.

Rosalinde Fuller [1892-1982], a distinguished British actress, was famous for her portrayal of Ophelia to John Barrymore's celebrated Hamlet on Broadway in 1922 and continued to perform into the 1970s. She also has a footnote in literary history for her brief affair with F. Scott Fitzgerald. Some scholars believe she was the model for Marcia, the bold chorus girl in "Head and Shoulders," a story later included in *Flappers and Philosophers* (1920).

Hunsberger, *Clarence Darrow: A Bibliography* 44.

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"A Peep Into the Court of Kings Bench"

4. Dighton, Robert (Senior) [1752-1814].

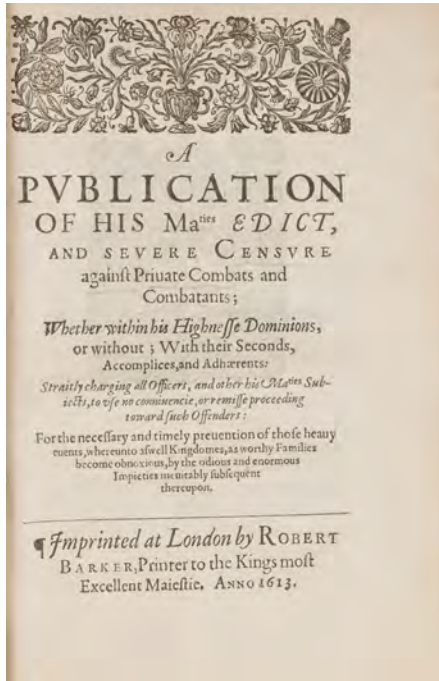
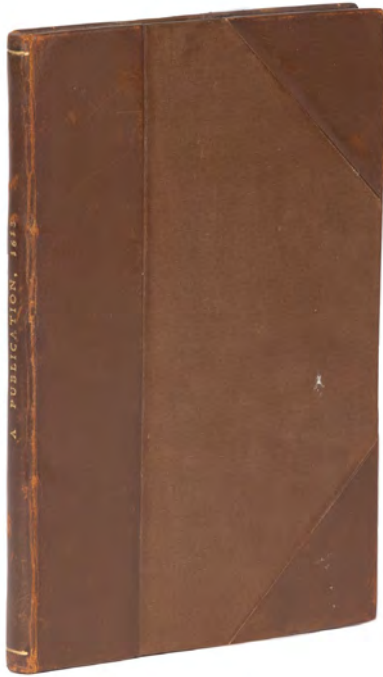
Term Time or The Lawyers All Alive in Westminster Hall. [London, 1795].

Glazed and attractively matted 13-3/8" x 9-7/8" watercolor and pen and black ink on laid paper, signed, numbered and captioned on bottom margin, in handsome 24" x 18-1/4" frame with a few minor nicks and scratches. \$15,000.

* A superb watercolor satirizing lawyers, judges and juries. "Three judges preside over lawyers who jabber among themselves. No interest is taken in clients and it is impossible to say if one is actually present, although the crestfallen man holding a hat, on the right of the picture, could be a plaintiff. Meanwhile the jury of five men sit in their box exhibiting at least one deficiency each: they appear to be individually deaf, blind, asleep, dumb and sick in the head" (Padbury). The piece is numbered 557 and captioned, after the title, with a strike-through: "A Peep into the Court of Kings Bench." Robert Dighton was a portrait painter, printmaker and caricaturist known for his satirical views of elite Londoners. Three of his children and two of his grandchildren followed in his footsteps. This watercolor was part of the collection of David Edward Padbury, an authority on the work of the Dightons.

Padbury, *A View of Dightons: The Dighton Family, Their Times, Caricatures and Portraits* 39, 82.

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James I Prohibits Dueling

5. [Dueling].

[Great Britain].

James I [1566-1625], King of England.

A Publication of His Majesty's Edict, And Severe Censure Against Private Combats and Combatants; Whether Within his Highness's Dominions, Or Without; With their Seconds, Accomplices, And Adherents: Straitly Charging All Officers, And Other his Majesty's Subjects, To Use no Connivence, Or Remisse Proceeding Toward Such Offenders: For the Necessary and Timely Prevention of Those Heavy Events, Whereunto Aswell Kingdomes, As Worthy Families Become Obnoxious, By the Odious and Enormous Impieties Inevitably Subsequent Thereupon. London: Imprinted by Robert Barker, 1613 [i.e. 1614]. [iv], 119, [1] pp. First leaf, signed "A", blank. Quarto (7-1/4" x 4-3/4").

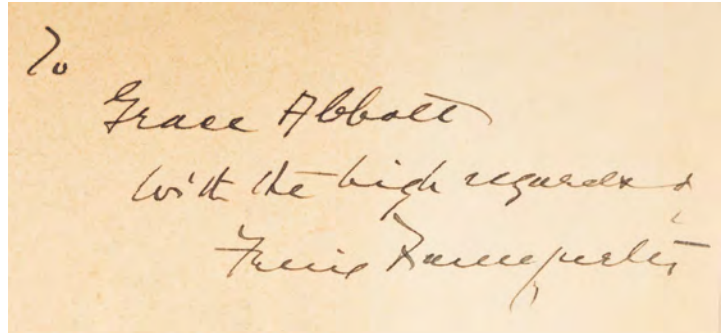
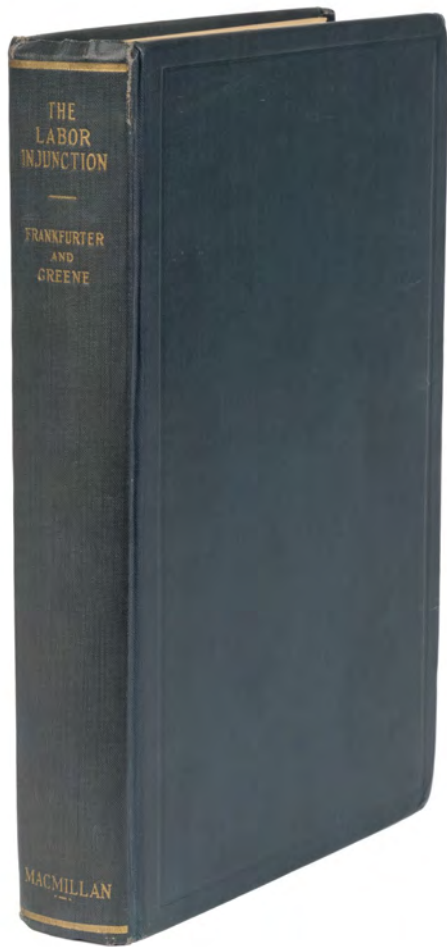
Recent three-quarter calf over cloth, gilt title to spine, endleaves renewed, red morocco bookplate (of W.A. Foyle, Beeleigh Abbey) to front pastedown. A few small spots to boards, moderate rubbing to extremities, faint offsetting to endpapers. Large woodcut royal arms to verso of title page, large woodcut headpiece. Light toning to interior, occasional very light foxing and soiling, slightly heavier to first and final leaves. \$1,000.

* Only edition, one of two issues from the same year. A series of high-profile duels between leading courtiers in 1613 prompted James I to launch a campaign to suppress the practice. He prohibited dueling in a 1613 proclamation, classifying it a serious offense punishable in Star Chamber. He also reorganized the Court of Chivalry to serve as a substitute to the field of honor. (In a sense, these actions laid the foundation of the modern laws of libel and slander.) Several related rules and decrees followed. The proclamations and later edicts are collected in this book.

William Foyle, the former owner of our copy, was an important British bookseller and co-founder with his brother of Foyles bookshop. Counting both issues, OCLC locates 1 copy of this title in North American law libraries (George Washington University). The *ESTC* adds an imperfect copy at the Library of Congress.

English Short-Title Catalogue (ESTC) S100678.

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Inscribed by Frankfurter to a Distinguished Female Social Worker

6. Frankfurter, Felix [1882-1965].

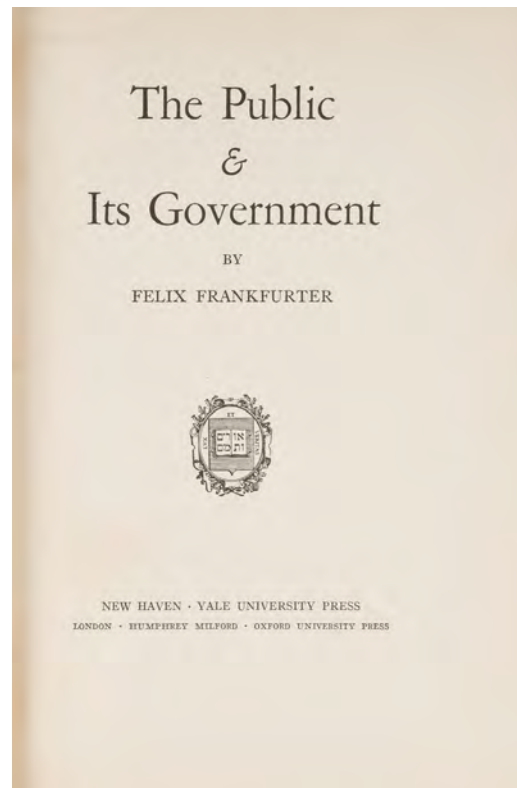
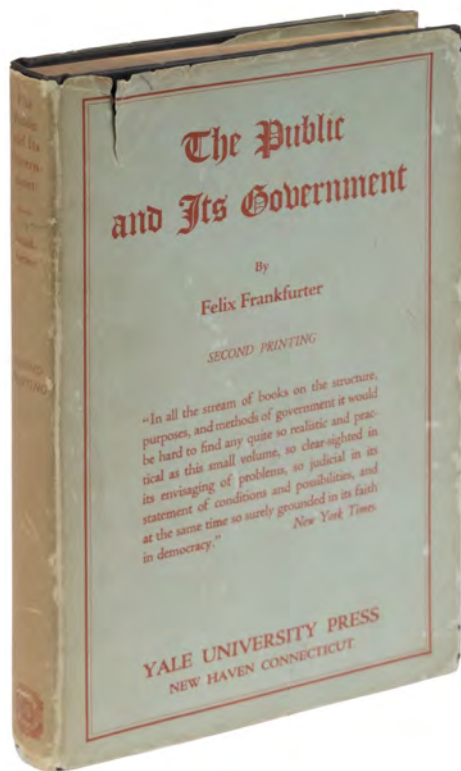
Greene, Nathan [c.1902-1964].

The Labor Injunction. New York: The Macmillan Company, 1930. [xii], 343 pp. 11 folding tables.

Original cloth, blind frames to boards, gilt title to spine. Light rubbing to extremities, corners and spine ends bumped, tiny tear near head of front joint. Light toning to interior, a few minor tears, creases and edgewear to tables, light browning to sections of endleaves, inscription from Frankfurter to Grace Abbott to front free endpaper. \$1,000.

* Only edition. The inscription reads: "To Grace Abbott/ With the high regards of/ Felix Frankfurter." A Nebraska native who spent most of her life in Chicago, Abbott [1878-1939] was a distinguished social worker known for her efforts to improve the lives of immigrants and children. She began her career at Hull House and went on to serve as the director of the child labor division of the U.S. Children's Bureau (1917-1919) and a professor of public welfare at the University of Chicago (1934-1939). During her time at the University of Chicago she helped to draft the Social Security Act and chaired several government committees on child welfare and social issues. The School of Social Work at the University of Nebraska at Omaha is named in her honor.

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Signed by Frankfurter

7. Frankfurter, Felix [1882-1965].

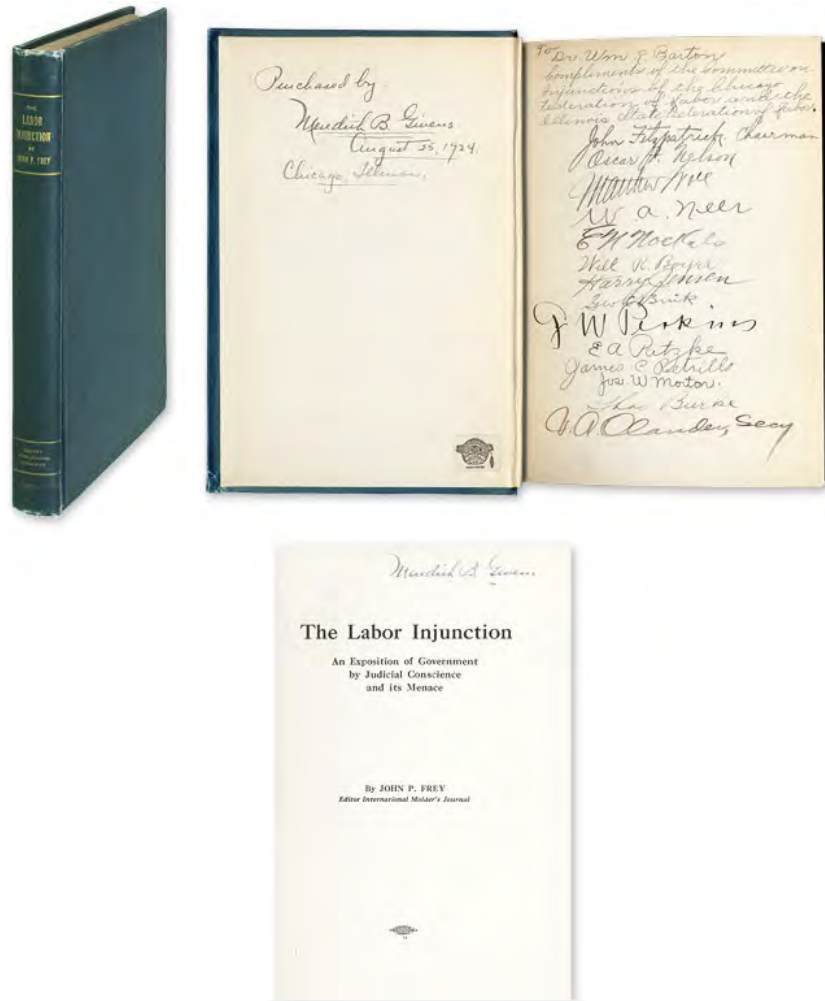
The Public and Its Government. New Haven: Yale University Press. 1931. [viii], 170 pp.

Cloth in lightly rubbed and moderately edgeworn dust jacket, bookplate of John Forrest Floberg to front pastedown. Moderate toning to interior, faint dampstaining to head of text block near gutter, large signature of Felix Frankfurter to front free endpaper. \$750.

* First edition, second printing. Based on his 1930 "Yale Lectures on the Responsibilities of Citizenship," this classic book offers an interpretation of democracy as a theory of political organization. "Charles Beard remarked not long ago to this reviewer that no first class political thinking had appeared in the United States in the twentieth century. The quality of this little book of Frankfurter's...should lighten Beard's discouragement" (C.P. Howland). Floberg [1915-1911] was the Assistant Secretary of the Navy from 1949 to 1953.

C.P. Howland, *Yale Law Journal* 40: 672-673 cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 938.

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**An Examination of the Labor Injunction from the Early 1920s--
A Presentation Copy from a Group of Notable Chicago Union Leaders**

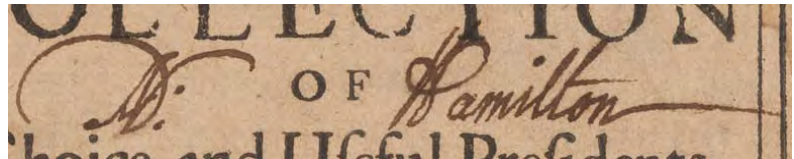
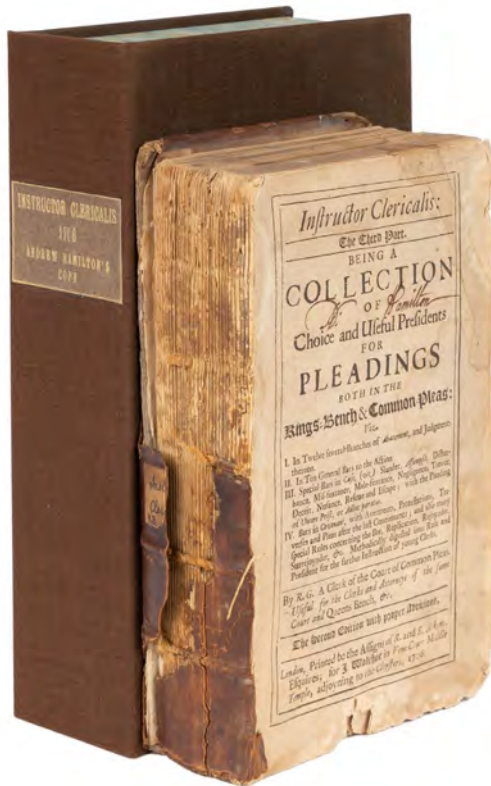
8. Frey, John P. [1871-1957].

The Labor Injunction: An Exposition of Government by Judicial Conscience and Its Menace. [Cincinnati, OH: Equity Publishing Company, 1923]. ix, [4], 197 pp.

Cloth, gilt title to spine. Light rubbing to extremities. Presentation inscription to Dr. William E. Barton from John Fitzpatrick, Victor A. Olander and other members of the Chicago Federation of Labor and Illinois State Federation of Labor on front free endpaper, owner inscription (of Meredith B. Givens, dated 1924) to front pastedown, her stamp to margin of p. 196, interior otherwise fresh. \$200.

* Only edition, first issued in 1922. With an introduction by Samuel Gompers. This book originated as a series of articles written for the International Labor News Service. The reception given these articles, and the requests that they be published in book form, prompted the preparation of this volume. The Rev. Dr. William Eleazar Barton [1861-1930] was a distinguished clergyman, teacher and authority on Abraham Lincoln. Fitzpatrick and Olander were prominent Chicago labor activists. Fitzpatrick was President of the Chicago Federation of Labor from 1904 to 1946, Olander was secretary-treasurer of the Illinois State Federation of Labor.

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From the Library of John Peter Zenger's Defense Lawyer

**9. [Hamilton, Andrew (c.1646-1741)].
G[ardiner], R[obert].**

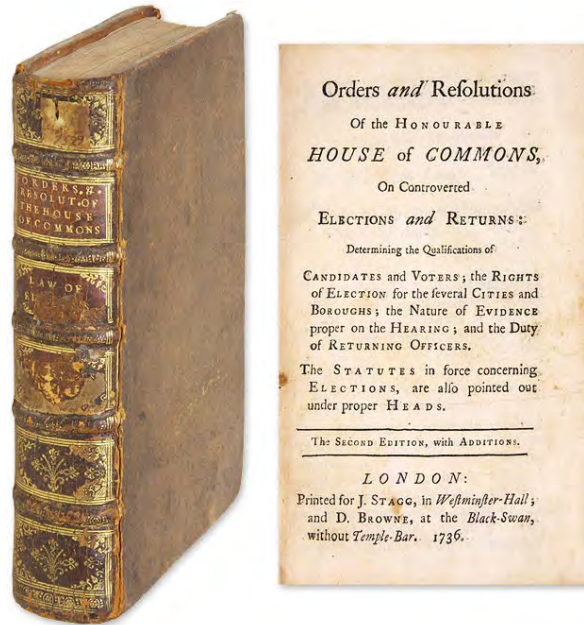
Instructor Clericalis, The Third Part, Being a Collection of Choice and Usual Presidents for Pleadings Both in the Kings-Bench & Common-Pleas. London: Printed by [sic] the Assigns of R. And E. Atkyns, Esquires, 1706. [viii], 500, [36] pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, lacking front board and most of spine, rear board detached and worn, several signatures loose, "Instructor Clericalis 3d Part" in early hand to fore-edge of text block. Moderate toning, occasional dampstaining to margins, soiling and some edgewear to preliminaries and final leaves, signature of Andrew Hamilton to title page, brief early annotations, probably by Hamilton, to rear endleaves. Book housed in attractive cloth clamshell box. \$6,000.

* Andrew Hamilton was regarded as perhaps the finest lawyer in the colonies before he volunteered his services in defense of John Peter Zenger, who had been charged with libel in New York in 1735 for criticizing decisions of the governor in his newspaper. Hamilton's appearance in this case generated extraordinary public attention. Hamilton's defense was ingenious. Admitting that Zenger had violated the law, he used this admission as a defense by saying the jury (and not simply the court) was capable of judging both the law and the facts. Hamilton asked to the jury to judge the accuracy of Zenger's article. If it was accurate, he reasoned, it was not libelous. Acclaimed by the public, Zenger's 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. The annotations note sums owed by two men, J. Porrin and P. Wyatt, in addition to a memo about reciprocal covenants.

English Short-Title Catalogue T200710.

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**Three Eighteenth-Century Works on English Election Law
With an Interesting Maryland Association**

10. [Great Britain].

[Election Law].

[Maryland, Colonial Period].

Orders and Resolutions of the Honourable House of Commons, On Controverted Elections and Returns: Determining the Qualifications of Candidates and Voters; The Rights of Election for the Several Cities and Boroughs; The Nature of Evidence Proper on the Hearing; And the Duty of Returning Officers. The Statutes in Force Concerning Elections, Are Also Pointed Out Under Proper Heads. With Additions. London: Printed for J. Stagg, 1736. ix, [i], [3]-48-48*, 49-209, [8] pp.

[Bound With]

The Statutes at Large Concerning Elections of Members to Serve in the House of Commons; Containing A Compleat Collection of All the Acts of Parliament Now in Force, Which Relate Thereto, Continued to the End of the Last Session of Parliament, 1734. London: Printed by John Baskett, Printer to the King's Most Excellent Majesty, And Sold by Him, Robert Gosling in Fleetstreet [sic], and John Stagg in Westminster-Hall, 1734. [vi], 73, 64-109, [17], 10 pp. The text is continuous despite pagination.

[And]

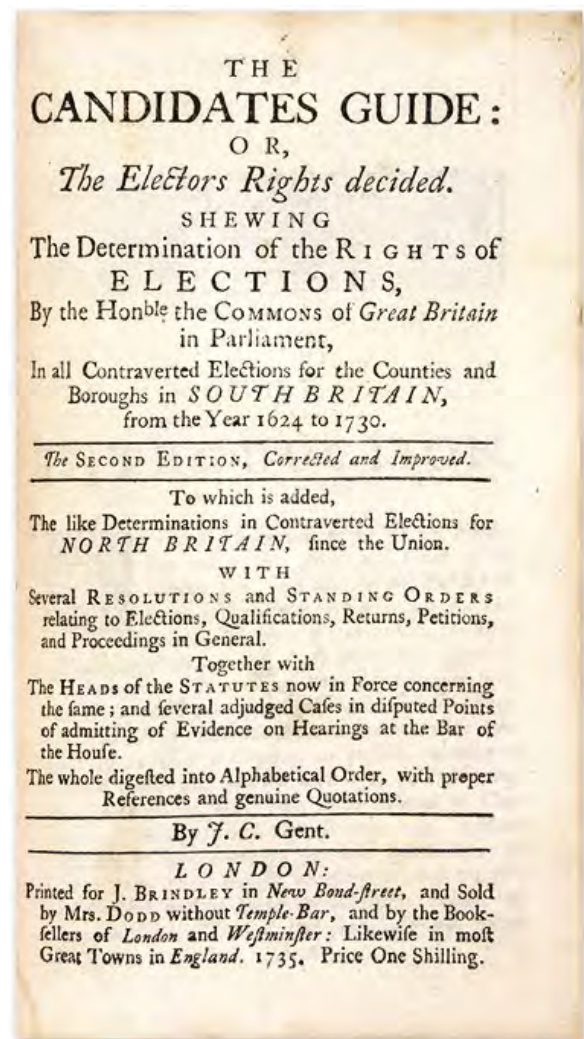
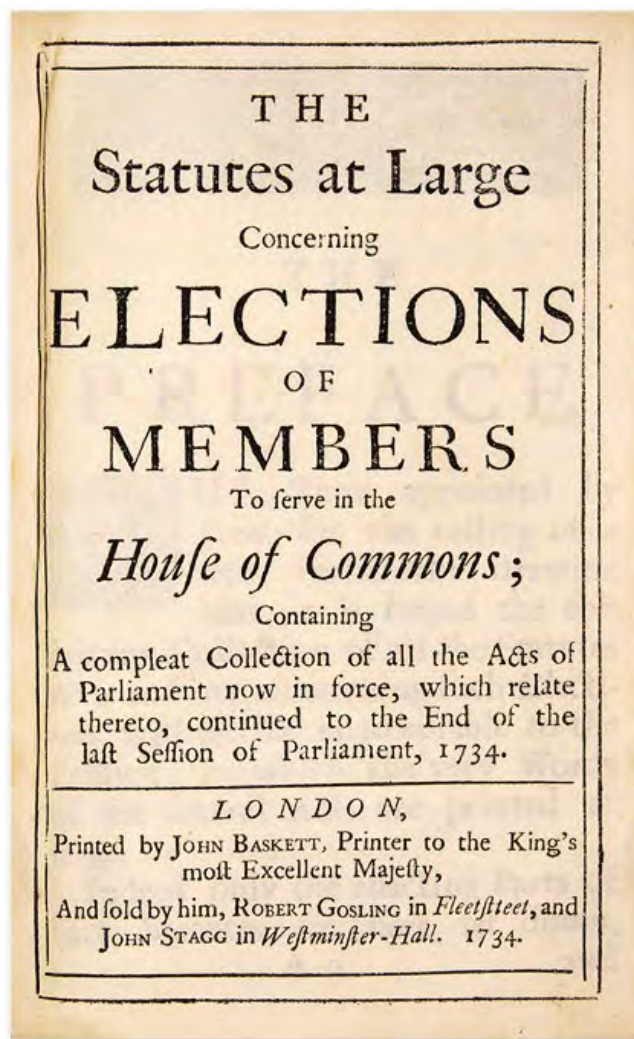
[Cowley, John, Attributed].

The Candidates Guide: Or, The Electors Rights Decided. Shewing the Determination of the Rights of Elections, By the Hon'ble the Commons of Great Britain in Parliament, In All Contraverted Elections for the Counties and Boroughs in South Britain, From the Year 1624 to 1730. Corrected and Improved. To Which is Added, The Like Determinations in Contraverted Elections for North Britain, Since the Union. With Several Resolutions and Standing Orders Relating to Elections, Qualifications, Returns, Petitions, and Proceedings in General. Together with the Head of the Statutes Now in Force Concerning the Same; And Several Adjusted Cases in Disputed Points of Admitting of Evidence on Hearings at the Bar of the House. The Whole Digested into Alphabetical Order, With Proper References and Genuine Quotations. London: Printed for J. Brindley in New Bond-Street, And Sold by Mrs. Dodd Without Temple-Bar, And by the Booksellers of London and Westminster: Likewise in Most Great Towns in England, 1735. 64 pp.

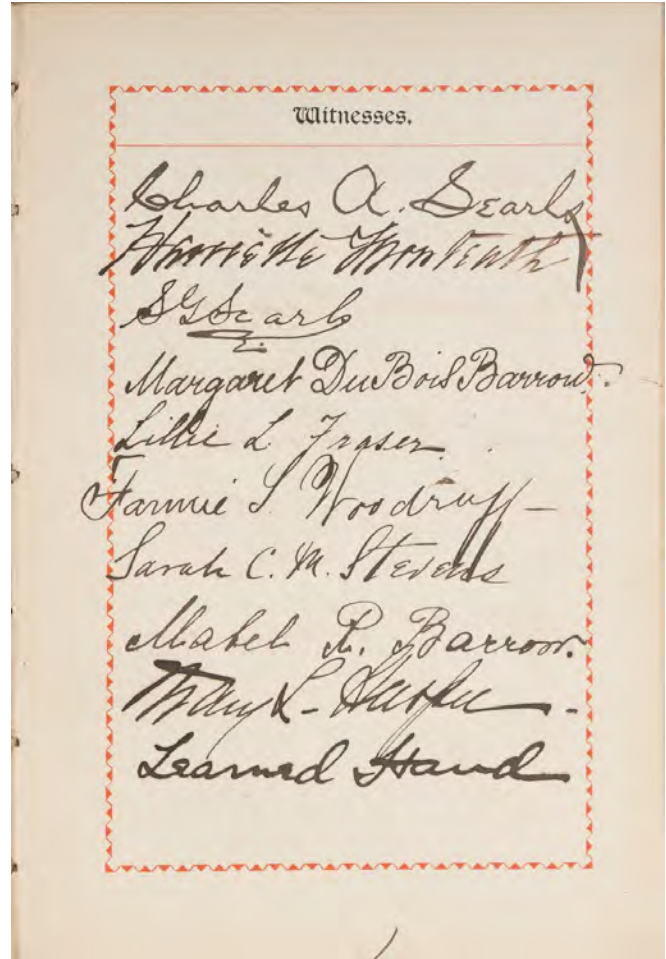
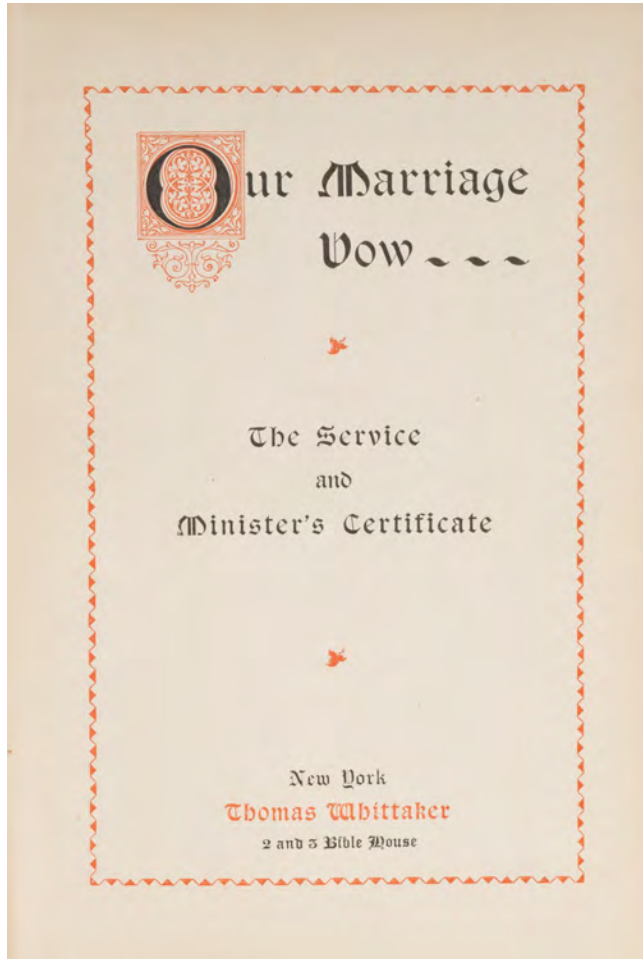
12mo. (6" x 4"). Contemporary calf, gilt spine with raised bands and lettering pieces. Moderate rubbing to extremities with some wear to spine ends, joints starting, some chipping to lettering pieces, one mostly defaced, corners bumped and somewhat worn, eighteenth-century copperplate armorial bookplate of Legh Master of Newhall. Light toning to text, a bit heavier in places. "No 2" and "John Hanson Thomas March 1815" in small early hand to front free endpaper, interior otherwise clean. An appealing volume with an interesting association. \$750.

* Second editions. An appealing volume with a choice dual Anglo-American provenance. John Hanson Thomas [1779-1815], eminent Maryland lawyer, acquired this volume two months before his death in 1815, the year in which he was appointed to the U.S. Senate "selected by his party for a seat in the United States Senate. The volume originally belonged to the British aristocrat, Legh Master of Newhall [1717-1796], who came to Maryland in 1773 (other sources say ca. 1765) and established a plantation and pig-iron blast furnace on his estate in Frederick County. The estate was confiscated in 1775 when he was suspected of being a Loyalist. It was later restored to him. He committed a gruesome double murder after the war. "[He] was said to have sexually harassed a Negro slave girl. He became angry when another slave called Sam attempted to help her. He threw Sam into the furnace alive, then killed the girl and disposed of the body by bricking it up in an oven. During renovations of Avandale house in the 1930s, the oven was opened and a human skeleton was found inside."

Codner & District Local History and Heritage Website, The Master Family (available online). *English Short-Title Catalogue* T73467, T78250, T73466.



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Signed by Learned Hand

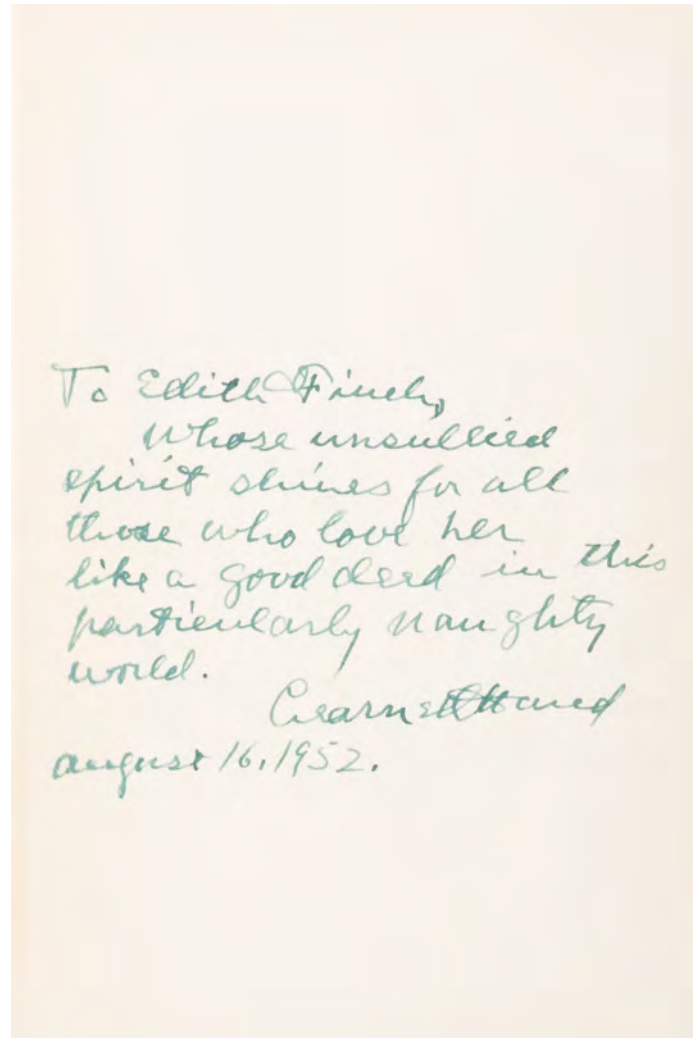
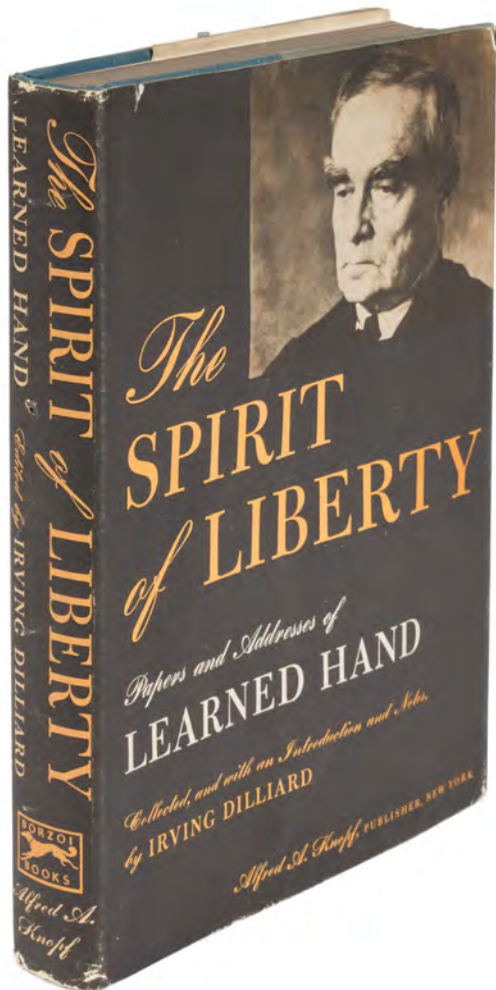
11. [Hand, Learned (1872-1961)].

[Annotated Copy of a Marriage Service with Witness Signature of Learned Hand]. October 21, 1896. In *The Marriage Service of the Book of Common Prayer. Our Marriage Vow--The Service and Minister's Certificate*. New York: Thomas Whittaker, 1877. [x], 16, [19] pp. Octavo (6-1/2" x 4-1/4").

Contemporary cloth, gilt title to front board, all edges gilt. Some soiling and a few minor stains to boards. Light toning to interior, crack in text block between pp. 12 and 13. Text in red and black, manuscript notes to pp. 5-7, 9, marriage certificate after p. 16 with 4 pp. of witness signatures following. \$650.

* This book records the marriage service of Richard Tracy Stevens [1865-1941] and Georgiana Schanck Hand [1872-1965]. Georgiana was a cousin by marriage of Learned Hand, whose signature appears on the third page of witnesses. Also present is the signature of his cousin, Augustus Noble Hand [1869-1954], a New York judge who served on the District and Circuit courts. An interesting piece of Americana with a notable association.

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Inscribed by Learned Hand to the Wife of Bertrand Russell

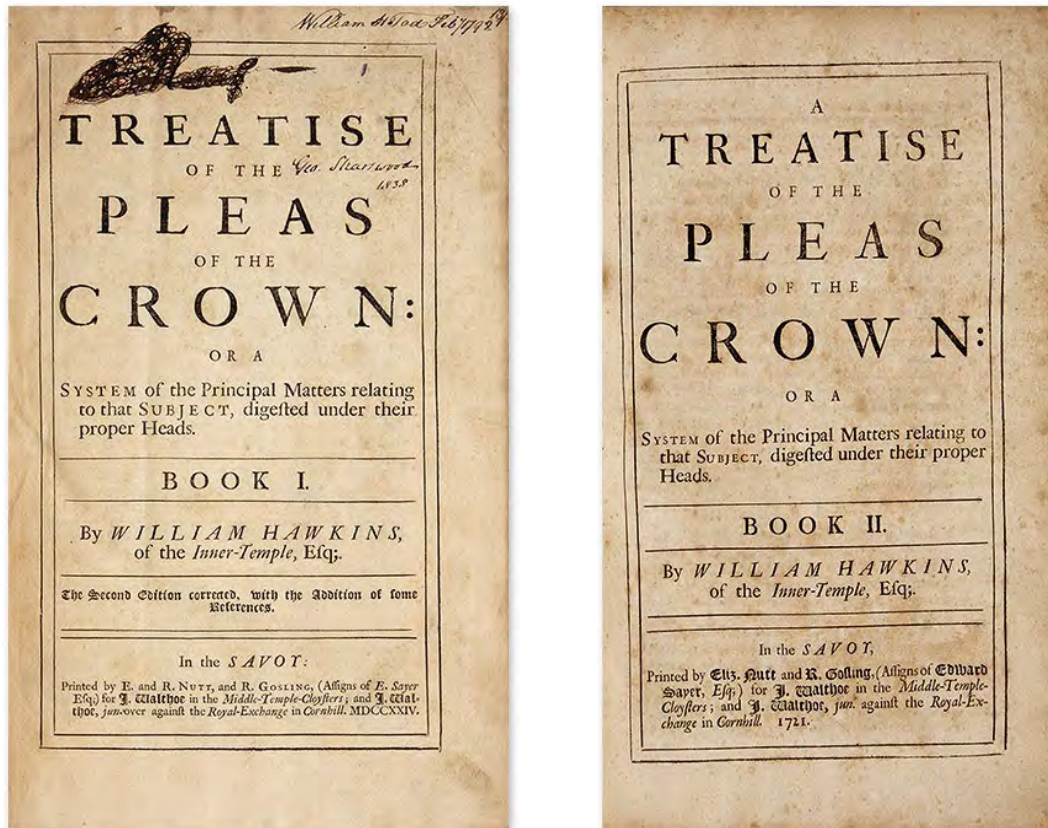
12. Hand, Learned [1872-1961].

The Spirit of Liberty: Papers and Addresses of Learned Hand Collected, And With an Introduction and Notes, by Irving Dilliard. New York: Alfred A. Knopf, 1952. xxx, 262, [2] pp.

Cloth in lightly edgeworn dust jacket, light soiling to rear panel. Author inscription to Edith Finch Russell on front free endpaper, light toning to interior. \$1,500.

* First edition. The inscription, dated August 16, 1952, reads: "To Edith Finch/ Whose unsullied/ spirit shines for all/ those who love her/ like a good deed in this/ particularly naughty/ world." One of the most significant American jurists of the twentieth century, Hand was a judge of the U.S. Southern District of New York from 1904-1924 and a judge of the Court of Appeals, Second Circuit, from 1924 to 1956. His judgments were renowned for their lucidity and elegance. Russell [1900-1978], an American writer and biographer, was the fourth and last wife of Bertrand Russell, the great British philosopher, mathematician and political activist.

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Copy of a Classic Treatise on Criminal Law with an Interesting Association

13. Hawkins, William [1673-1746].

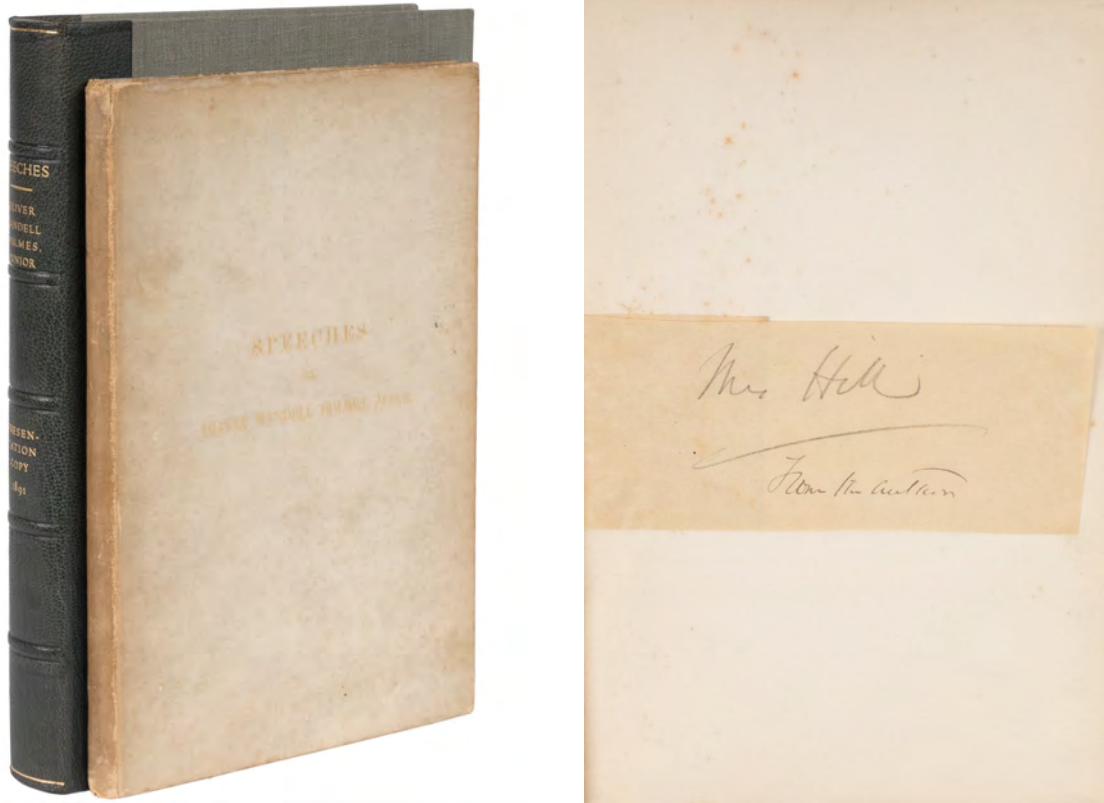
A Treatise of the Pleas of the Crown; Or a System of the Principal Matters Relating to that Subject, Digested Under Proper Their Proper Heads. Corrected, With the Addition of Some References. [London]: Printed by E. and R. Nutt, 1724. Two volumes in one book. [xiv], 266, [44]; [viii], 464, [72] pp. Folio (12-1/4" x 8").

Recent library buckram, red and black lettering pieces, paper shelf label, gilt volume number and gilt library name to spine, small security tag and blind-stamped library name to front board, library stamps to top and bottom edges, endleaves added. Light shelfwear. Light browning to text, somewhat lighter in places, occasional dampspotting and dampstaining to margins, library stamps to endleaves and versos of title pages, early owner inscription to front endleaf, by Randolph Greenway, Jr, owner signatures of William H. Tod dated February 1792 and George Sharswood dated 1838 to title page of Volume I. \$500.

* Second edition. Considered one of the four major law books of the eighteenth century by Holdsworth, *Pleas* is the first comprehensive English treatise on criminal law. A seminal work in criminal procedure and jurisdiction, it is "deservedly of high authority and still cited. It was the starting-point of modern laborious treatises on the criminal law which are valuable as digests of the subject, but which have no advance on Hawkins plan or style" (Winfield). Sharswood [1810-1883] was a Pennsylvania jurist and Chief Justice of the Supreme Court of Pennsylvania. He is remembered today for his important edition of Blackstone's *Commentaries* (first edition 1859).

Holdsworth, *History of English Law* XII:415. Winfield, *Chief Sources of English Legal History* 326. *English Short-Title Catalogue* T126275.

[Order This Item](#)



Presentation Copy Inscribed by Holmes

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

Speeches. Boston: Little, Brown, and Company, 1891. [v], 55 pp. Octavo (8-1/4" x 5-1/2").

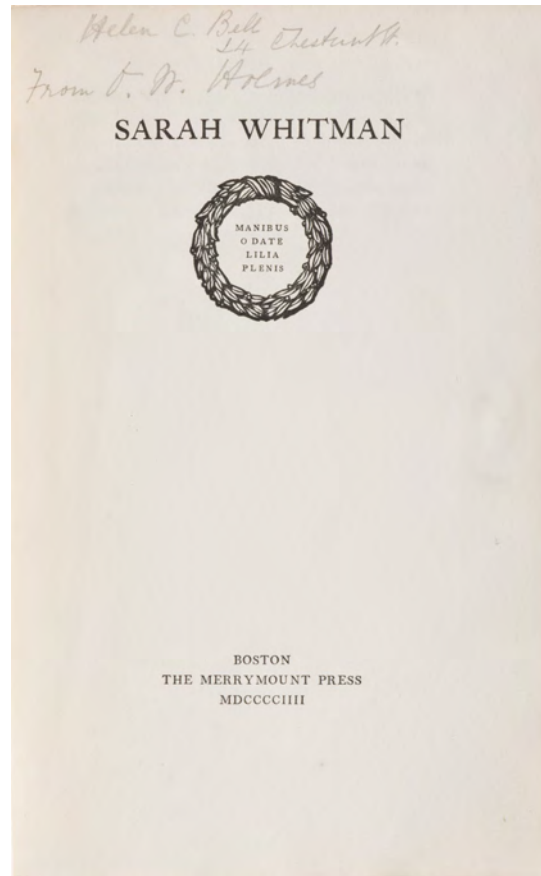
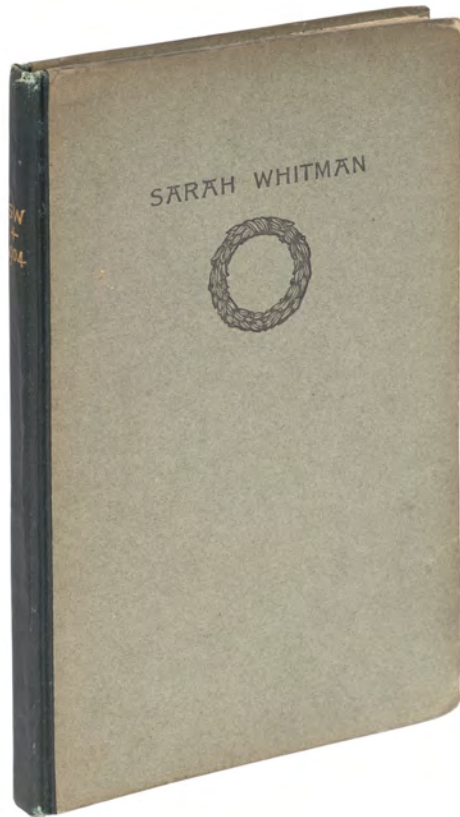
Original cloth, title in gilt to front board, top-edge gilt, deckle fore and bottom-edges. Light soiling and some discoloration to boards, spine darkened, rubbing to extremities with some wear to spine ends and corners, light toning to interior, faint dampstaining to upper corner of text block and rear board, light foxing to a few leaves. Presentation inscription from Holmes, clipped from shipping envelope, tipped-in to front free endpaper. Book housed in a custom clamshell box, quarter morocco over cloth, raised bands and gilt title to spine. \$2,500.

* First edition. The inscription reads: "Mrs. Hill/ From the Author." Holmes published two subsequent editions of this work, adding later speeches, but the 1891 version is the most elegantly printed of the three.

Holmes dedicated these "chance utterances of faith and doubt" to "a few friends who will care to keep them." One of those friends was Mrs. Caroline Hill, who acknowledged the gift in an October 21, 1891 letter to Holmes. She also expressed thanks "for intellectual suggestion in the old time & more for your interest in my boy in these days." That boy, Arthur Dehon Hill, became a lawyer, a professor of law at Harvard and a member of the State Street firm of Hill, Barlow Goodale & Wiswall. Copies of the first edition of *Speeches* were sealed in shipping envelopes. Holmes inscribed the envelopes of copies intended for presentation and, in many cases, added names of recipients at a later date. This seems to be the case with Mrs. Hill's copy: "Mrs. Hill" is written in pencil in a large hand over a flourish; "From the Author" is in a small hand in ink. A copy of Hill's letter and a brief biography of Arthur Hill are enclosed in a folder in the clamshell box.

This volume includes several of Holmes's memorable addresses, such as his 1886 lecture at Harvard on "The Profession of Law," his 1895 Memorial Day address at Harvard, "A Solider's Faith," as well as speeches on John Marshall and "The Puritan."

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Inscribed, Signed and Marked by Holmes

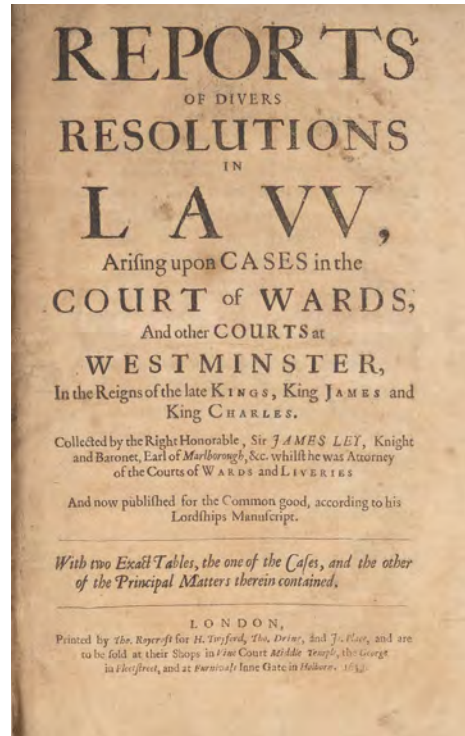
**15. [Holmes, Oliver Wendell, Jr. (1841-1935)].
[Whitman, Sarah Wyman (1842-1904)].**

Sarah Whitman. Boston: The Merrymount Press, 1904. [vi], 27, [2] pp.

Specked paper boards with contrasting spine, title and image of wreath to front board, gilt title to spine, deckle edges. Light wear to spine ends and corners, light toning to text, light foxing to a few leaves. "Helen C. Bell/ 14 Chestnut St./ From O.W. Holmes" in pencil to head of title page, check marks in pencil, most likely by Holmes, in margins next to two passages. \$2,500.

* A prominent artist and intellectual who ran an important literary salon with her husband, Whitman was one of Holmes's neighbors in Boston and Beverly Farms. *Sarah Whitman* is a record of a memorial service in her honor at the Baptist Church in Beverly Farms. It reprints poems, prayers and addresses delivered at this service, among them one by Holmes. The recipient of this copy, Helen Olcott Choate Bell [1830-1918] was a prominent literary intellectual and mainstay of Whitman's salon. She was also the daughter of Rufus Choate, the great Boston lawyer and orator. One of the check marks is next to a passage in Richard C. Cabot's address reading: "The true attitude towards any person or groups of persons is not that of a critic, nor a judge, nor even a spectator, but that of a friend." The other is next to a paragraph in Holmes's address reading (in part): "I might go on accumulating the varied experiences which united to make her companionship interesting as well as delightful to people who had nothing in common except their love for her. And it was done so easily—always with a smile, often with a laugh, which she so readily could command that it almost made an amusement out of the interchange of high thoughts."

[Order This Item](#)



The Only Published Volume of Reports of the Court of Wards and Liveries

16. Ley, Sir James [1550-1629].

Reports of Divers Resolutions in Law, Arising Upon Cases in the Court of Wards, And Other Courts at Westminster, In the Reign of the Late Kings, King James and King Charles. Collected by the Right Honorable, Sir James Ley, Knight and Baronet, Earl of Marlborough, &c. Whilst He was Attorney of the Courts of Wards and Liveries and Now Published for the Common Good, According to His Lordships Manuscript. With Two Exact Tables, the One of the Cases, And the Other of the Principal Matters Therein Contained. London: Printed by Tho. Roycroft for H. Twyford [et al.], 1659. [iv], 83, [9]; 27, [1] pp. Two parts in one volume. Folio (10-3/4" x 7").

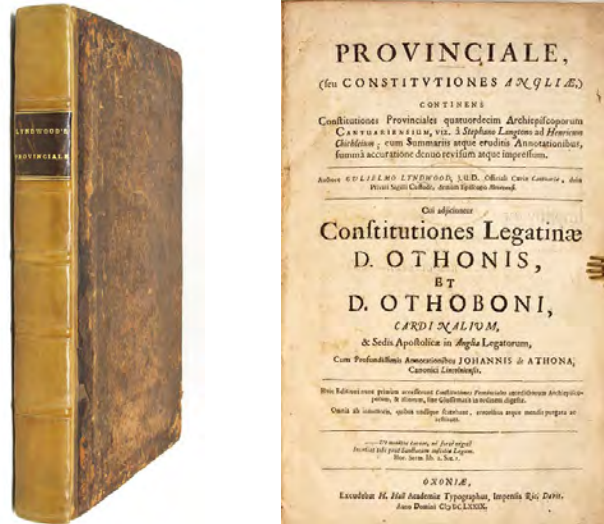
Contemporary sheep, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, gilt tooling to board edges. Light rubbing to boards, which are beginning to separate but secure, a few minor scuffs to front board, heavier scuffing to rear board, moderate rubbing to extremities, corners bumped and somewhat worn, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to preliminaries, owner signature of Thomas Clarke to front free endpaper. Moderate toning to text, somewhat heavier in places, soiling to title page. \$500.

* First edition of the only published volume of reports of the Court of Wards and Liveries, which dealt with difficult issues relating to the property of minors and the insane. The Court of Wards and Liveries, in which the majority of cases are here reported, was abolished before the book appeared. "The other courts at Westminster" mentioned in the title are The Court of Star Chamber and King's Bench. Ley's 27-page *Instructions for Our Master of Our Wards and Liveries, for the Better Authorizing and Directing of Him in the Execution of His Office, And Performance of Our Service* is appended to the main text.

Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirburn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Thomas Clarke [1703-1764] was a lawyer and judge who served as Master of the Rolls. He was a protegee and later close friend of the Thomas Parker, 1st Earl of Macclesfield [1666-1732], Lord Chief Justice from 1710 to 1718 and Lord High Chancellor from 1718-1725.

English Short-Title Catalogue R13805.

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**Copy of a Principal English Treatise on Canon Law
Owned by a Liturgical Scholar and the Bishop of Bombay**

17. [Lyndwood, William (c.1375-1446)].

[Badus, Josse (1462-1535), Editor].

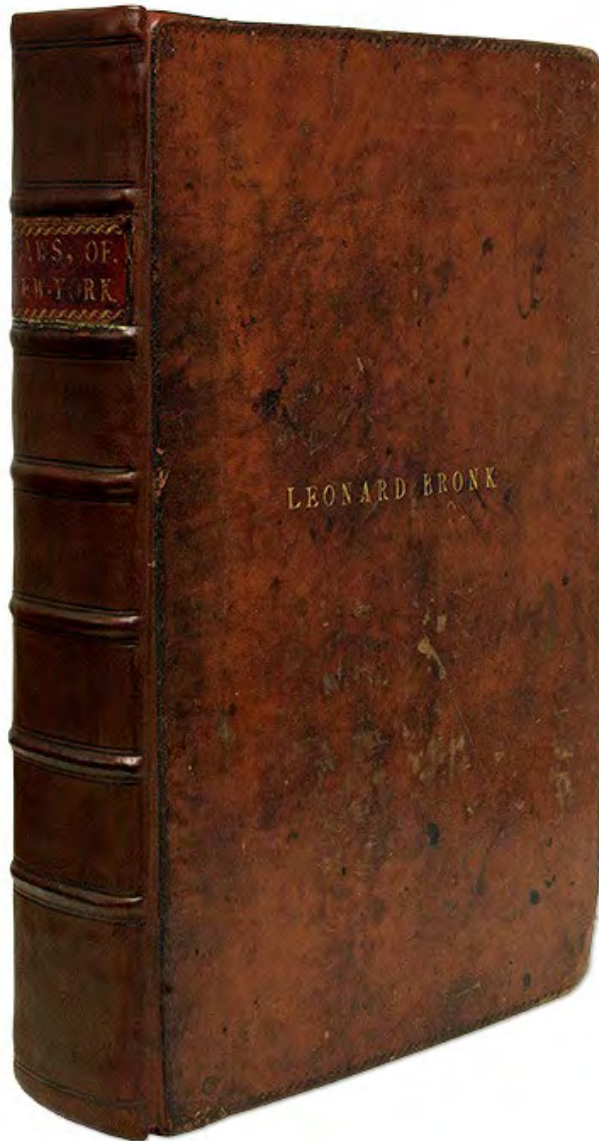
Provinciale, (Seu Constitutiones Angliæ,) Continens Constitutiones Provinciales Quatuordecim Archiepiscoporum Cantuariensium, Viz: A Stephano Langtono ad Henricum Chicheleum; cum Summariis Atque Eruditis Annotationibus, Summâ Accuratione Denuo Revisum Atque Impressum. Auctore Gulielmo Lyndwood, J.U.D. Officiali Curiae Cantuarie, dein Privati Sigilli Custode, Demùm Episcopo Menevensi. Cui Adjiciuntur Constitutiones Legatinarum d. Othonis, Et d. Othoboni, Cardinalium, & Sedis Apostolicæ in Angliâ Legatorum, Cum Profundissimis Annotationibus Johannis de Athona, Canonici Lincolnensis. Huic Editioni nunc Primum Accesserunt Constitutiones Provinciales Antedictorum Archiepiscoporum, & Aliorum, Sine Glossematis in Ordinem Digestæ. Omnia ab Innumeris, Quibus Undique Scatebant, Erroribus Atque Mendis Purgata ac Restituta. Oxford: Excudebat H. Hall Academiae Typographus, Impensis Ric. Davis, 1679. [64], 356, 155, [21], 77, [3] pp. Main text in parallel columns with linear glosses. Folio (13-1/4" x 8-3/4").

Contemporary calf with later rebacking, lettering piece and gilt-edged raised bands to spine, corners repaired, endpapers renewed, hinges reinforced, lower portion of p. 77 (blank portion below text) and following rear endleaf renewed. Moderate rubbing and light scuffing to boards, heavier rubbing to extremities. Moderate toning to text, occasional light foxing. Numerous annotations and bookseller descriptions of different editions of this work to front and rear endleaves by Christopher Wordsworth, annotations and underlining to a few leaves of text. A leaf of notes in Wordsworth's hand and a 1950 letter from a bookbinder laid in. Ex-library. Small inkstamp to verso of title page. An appealing copy with interesting associations. \$750.

* Later edition. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This book was owned and annotated by Christopher Wordsworth [1848-1938], the son of a notable bishop and a renowned liturgical scholar. One note indicates that he presented it in 1910 to Edwin James Palmer [1869-1954], Bishop of Bombay. The laid-in letter to Palmer, written in 1950 by the bookbinder A. Birdsall, concerns the rebinding of Palmer's copy of the *Book of Common Prayer*.

English Short-Title Catalogue R11715.

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State of New York } To Daniel Phoenix Esq. Treasurer.
 Pursuant to an order of the Common Council
 of this day pay out of the Revenue fund to
 Hugh Gainne the sum of seventy three pounds
 twelve shillings for printing an edition
 of notes for small change.
 By order of the } Dated this 6th Decr 1792
 Common Council } *Hugh Gainne*
Robt Benson, Clk

Rec^d New York April 29 1788 of Daniel Phoenix Treasr
 of the Corporation one hundred Pounds in full for Interest
 due on four Bonds to Robert Willson & myself to the 2
 May 1787
 £100
Hugh Gainne

**Handsome 1789 Folio Edition of New York Laws
With Two Interesting Laid-In Manuscript Notes**

18. [New York].

[Jones, Samuel (1734-1819), Compiler].

[Varick, Richard (1753-1819), Compiler].

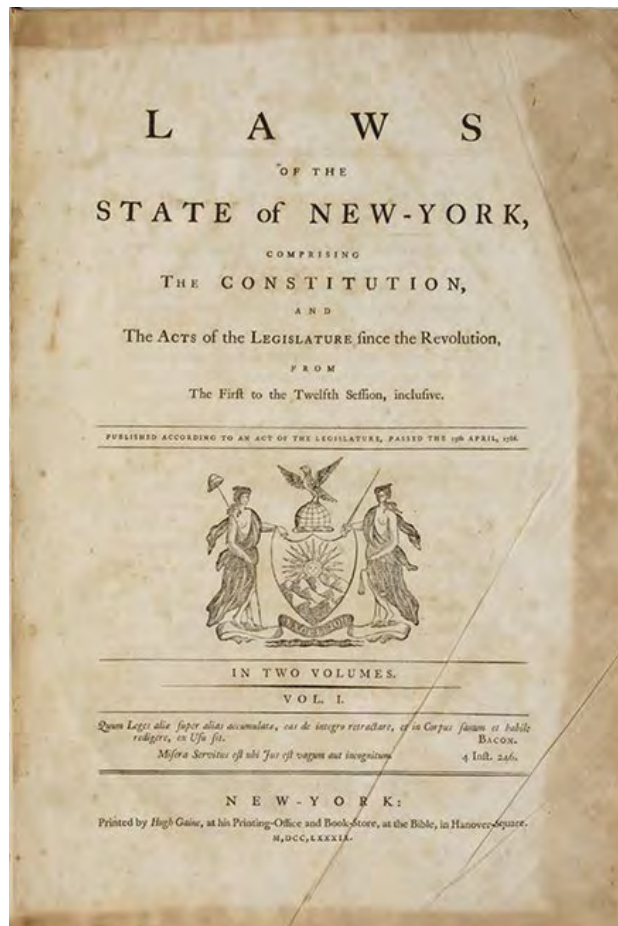
Laws of the State of New York, Comprising the Constitution, And the Acts of the Legislature Since the Revolution, From The First to the Twelfth Session, Inclusive. Published According to an Act of the Legislature, Passed the 15th April, 1786. New York: Printed by Hugh Gainne, 1789. Two volumes bound as one. [iv], 336, [12], xii, [2]; [ii], 471, [17] pp. Two laid-in manuscript notes, 5-3/4" x 8," 6" x 8." Folio (15" x 10").

Contemporary calf, blind fillets to boards, "Leonard Bronk" gilt-stamped to center of front board, rebacked retaining existing spine with raised bands and lettering piece, spine ends repaired, hinges mended. Light rubbing to boards and extremities, moderate rubbing to board edges, corners bumped. Moderate toning, light foxing in a few places, offsetting to margins of preliminaries and rear endleaves. \$3,000.

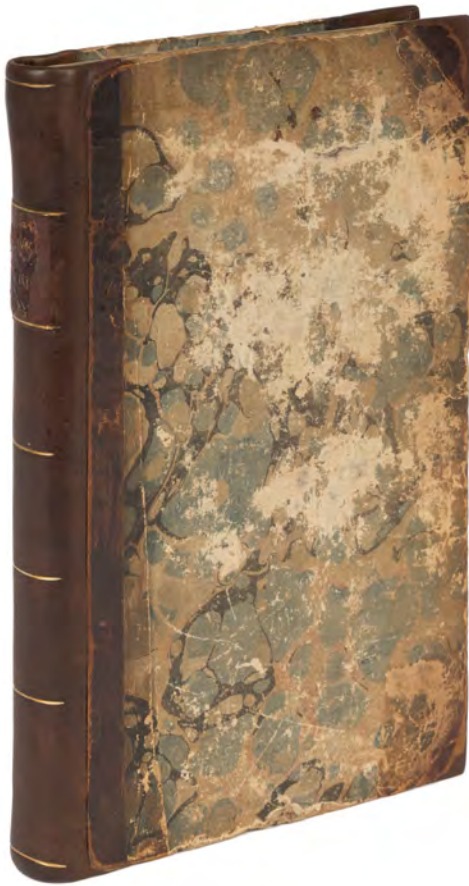
* The first volume of collected New York laws printed after the ratification of the U.S. Constitution and the second issued after the American Revolution, the 1789 compilation contains laws passed 1778 through 1789, regulating such topics as governance, mortgages, debtors, land, slaves, New York City, criminal and marital law, rape, liquor and exports. Also includes an interesting law in King's county (Brooklyn) and Queen's county (Queens) establishing a 40 shilling fine to those carriages traveling from the City of New York that fail to give right of way to carriages going toward the city. Also includes the Constitution of the State of New York, passed April 20, 1777.

The laid-in notes are quite interesting. The first is a contract between New York City Mayor Richard Varick and Hugh Gainé dated February 7, 1792. It directs the city treasurer to pay Gainé 73 pounds for "printing an emission of notes for small change." Issued two months before the establishment of the U.S. Mint, this note is essentially an authorization by the State of New York to issue fractional currency. The U.S. Constitution prohibited states from issuing paper money, but it appears that a few states and municipalities issued notes, or at least authorized them, in the early 1790s. Backed by the faith and credit of the issuer, these notes for small change were a response to the scarcity of coinage and the fluctuating value of copper. Such documents are rare, especially ones from New York, and offer important insights into early U.S. banking history and the interplay of federal and state rights. The other document is a note of acknowledgement for interest received on a bond from the N.Y. City treasurer signed by Hugh Gainé. The former owner of this book, Leonard Bronk [1751-1828], was a judge and member of the New York State Assembly. He was descended from Jonas Bronck, the Dutch settler whose estate formed the basis of the present-day New York City Borough of the Bronx.

Benedict, *Acts and Laws of the Thirteen Original Colonies and States* 408. Tower, *The Charlemagne Tower Collection of American Colonial Laws* 632.



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**Three Titles Concerning
Paine's Controversial Later Works**

19. [Trial].

Paine, Thomas [1737-1809], Defendant.

The Genuine Trial of Thomas Paine, For a Libel Contained in the Second Part of Rights of Man; At Guildhall, London, Dec. 18, 1792, Before Lord Kenyon and a Special Jury: Together With the Speeches at Large of the Attorney-General and Mr. Erskine, And Authentic Copies of Mr. Paine's Letters to the Attorney-General and Others, On the Subject of the Prosecution. Taken in Short-Hand by E. Hodgson. London: Printed for J.S. Jordan, 1792. [ii], 109, [3] pp. Final 3 pages are publisher advertisements.

[Bound With]

Paine, Thomas [1737-1809].

A Letter to the Honourable Thomas Erskine, On the Prosecution of Thomas Williams, For Publishing The Age of Reason. Paris: Printed for the Author, 1797. iv, 5-31, [1] pp.

[And]

The Age of Reason; Being an Investigation of True and Fabulous Theology. London: [S.n.], 1794. [ii], 48 pp.

Octavo (8" x 5"). Contemporary three-quarter sheep over marbled boards, rebaced in period style retaining existing fragment of lettering piece, corners and hinges mended. Moderate rubbing to boards, embossed library stamp of John Fowles to front free endpaper. Moderate toning to interior, occasional light foxing, light soiling in a few places, small tear to gutter of leaves a1 (pp. 1-2, mended on verso) and B2 (pp. 19-20) in *Genuine Trial*, lower outside corner of its leaf I3 (pp. 69-70) lacking with no loss to text, somewhat later annotations and underlining in several places, most in ink, a few in pencil. \$3,500.

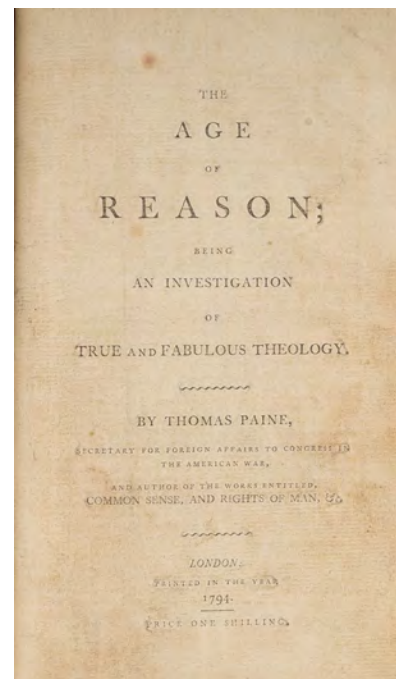
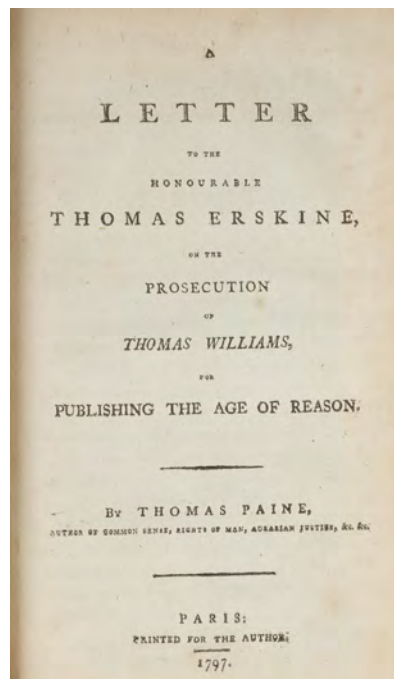
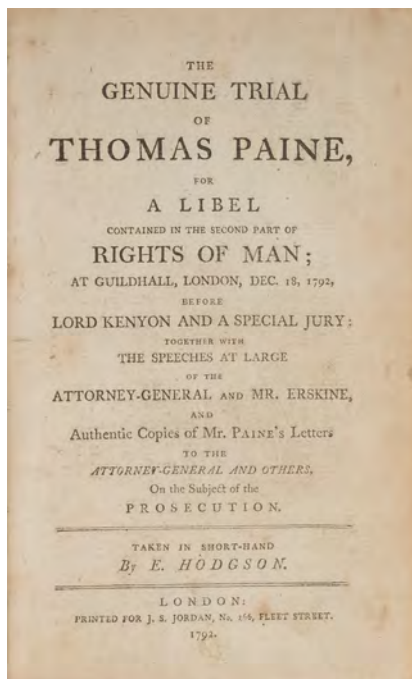
* *Genuine Trial*: early edition; *A Letter*: first edition; *Age of Reason*: early edition. After the Revolutionary War, Paine returned to England, but was drawn to France by the French Revolution and traveled there in 1790. The first part of *Rights of Man*, published in 1791, did not generate much controversy. As the French Revolution took its course, however, panic set in among the leaders of Pitt's conservative government, and by 1792, when the second part of *Rights of Man* appeared, the suppression of radical thought was the top priority of the British government. Paine was indicted for seditious libel and tried in absentia while in France. Our account of his trial is from the primary publisher of *Rights of Man*, who had previously pled guilty to his own charge of libel. Paine's lawyer, Thomas Erskine, offered a skillful and impassioned but ultimately unsuccessful defense.

This would not be Paine's last brush with the law. In 1794, he published Part I of *The Age of Reason*, a deist critique of institutionalized religion written in an irreverent and far more accessible style than Paine's previous works. Because of this, the work was highly popular, especially in the United States, but also highly controversial. The British government did not attempt another prosecution of Paine, who was still in France, opting instead to pursue the work's printers and distributors. One of these was Thomas Williams, indicted on charges of seditious and blasphemous libel and sentenced to a year's hard labor. Erskine, Paine's former defense attorney, led the prosecution. This irony was not missed by Paine, who lambasts his hypocrisy in the *Letter*.

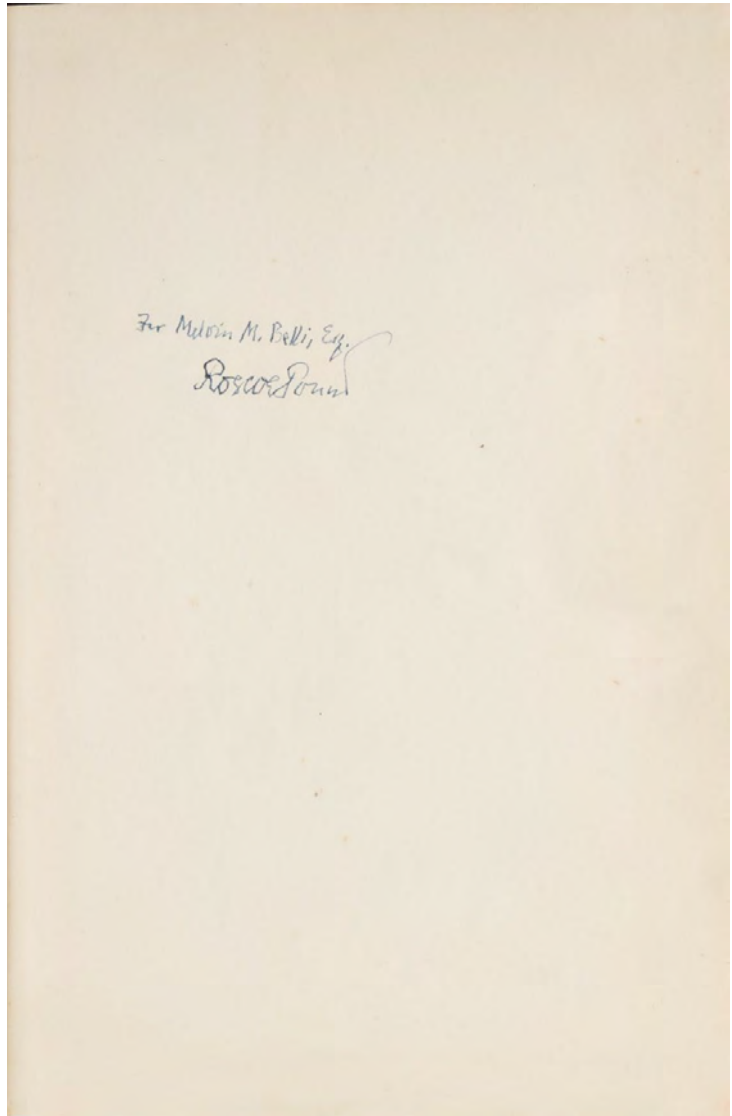
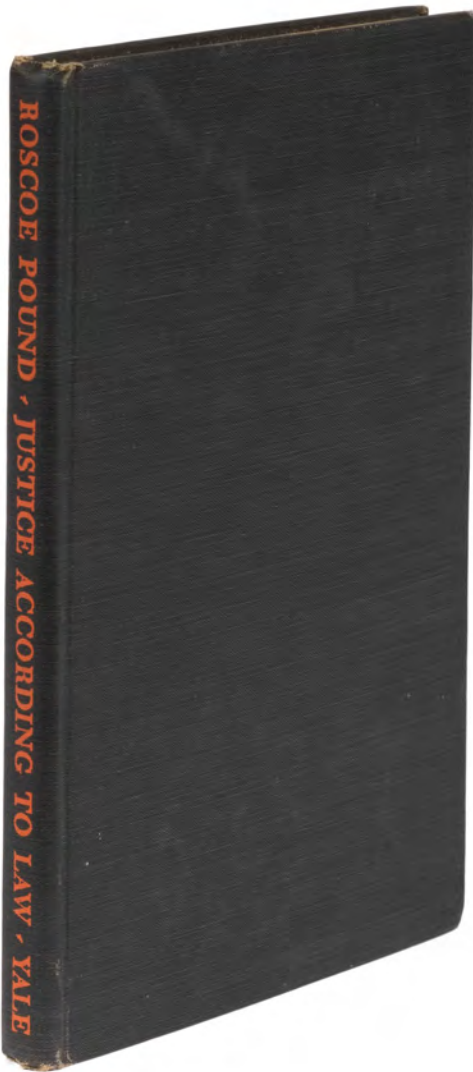
Fowles [1926-2005] was an important English novelist whose works include *The Collector* (1963), *The Magus* (1965) and *The French Lieutenant's Woman* (1969). He was drawn to historical source material, which often inspired his work. (The annotations in our volume are not in his hand.)

The *Genuine Trial* is one of the earliest among three (possibly five) accounts from 1792. *Age of Reason* has a complex publication history, unsurprising given its controversial content. Our issue, which does not list a publisher (perhaps in an attempt to avoid potential prosecution), likely pre-dates the first American edition and is quite rare. OCLC locates 2 copies, 1 in Japan (Waseda University), the other in New Zealand (University of Otago).

English Short-Title Catalogue T5894, T5856. For *Age of Reason*, see *ESTC* N63951, which is similar but lacks 2 leaves (G1-2) in the collation formula.



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Inscribed by Pound to Melvin Belli

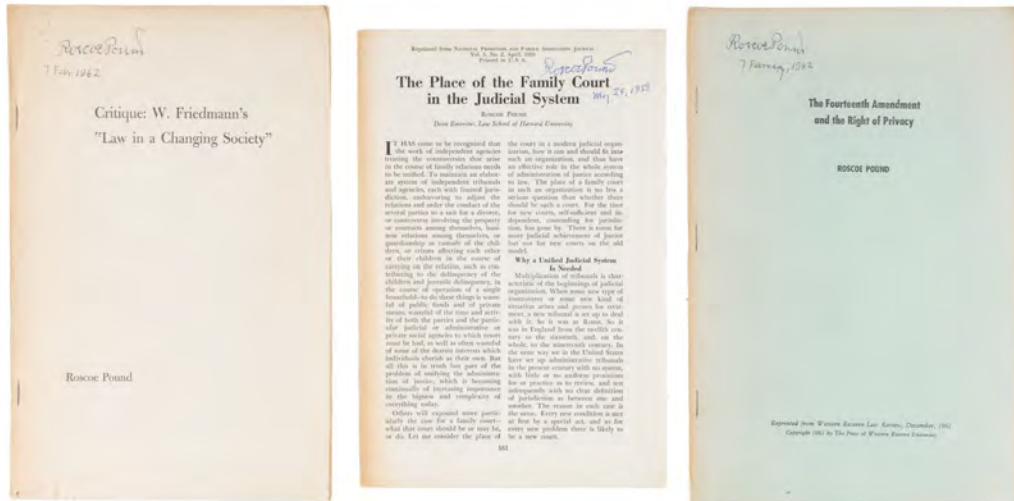
20. Pound, Roscoe [1870-1964].

Justice According to Law. New Haven: Published for Westminster College by Yale University Press, 1951. [viii], 98 pp.

Cloth, negligible light rubbing to boards, moderate rubbing to extremities with some wear to spine ends, corners lightly bumped. Light toning to interior. Signature of Melvin Belli to front pastedown, presentation inscription from Roscoe Pound to front free endpaper. \$450.

* First printing. The inscription reads: "For Melvin M. Belli Esq./ Roscoe Pound." Pound, a professor and dean of Harvard Law School, was a deeply influential jurist associated with the establishment of sociological jurisprudence. Belli, a San Francisco attorney, was famous for his colorful personality, innovative use of graphic evidence and expert witnesses, and important class-action cases on behalf of consumers and celebrity clients, such as the Rolling Stones, Muhammad Ali, Jim and Tammy Faye Bakker and Zsa Zsa Gabor.

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Archive of Offprints, Addresses and Pamphlets by Roscoe Pound

21. Pound, Roscoe [1870-1964].

[*Offprints, Addresses and Pamphlets, 3 of Them Signed by Pound*]. Various places and publishers, 1908-1961.

27 items, comprising 19 offprints, three of them signed and dated by Pound, 6 addresses, a duplicate of a one address, and 1 pamphlet, sizes range from 8" x 5-1/4" to 10" x 6-3/4." Light to moderate toning, fold lines, minor wear and soiling, a few items neatly split at spine ends. \$1,500.

* Roscoe Pound was a pre-eminent legal educator, scholar and prolific author. A professor at Harvard Law School for most of his career, and its dean from 1916-1936, he taught throughout the world in his later years. Contents:

Offprints

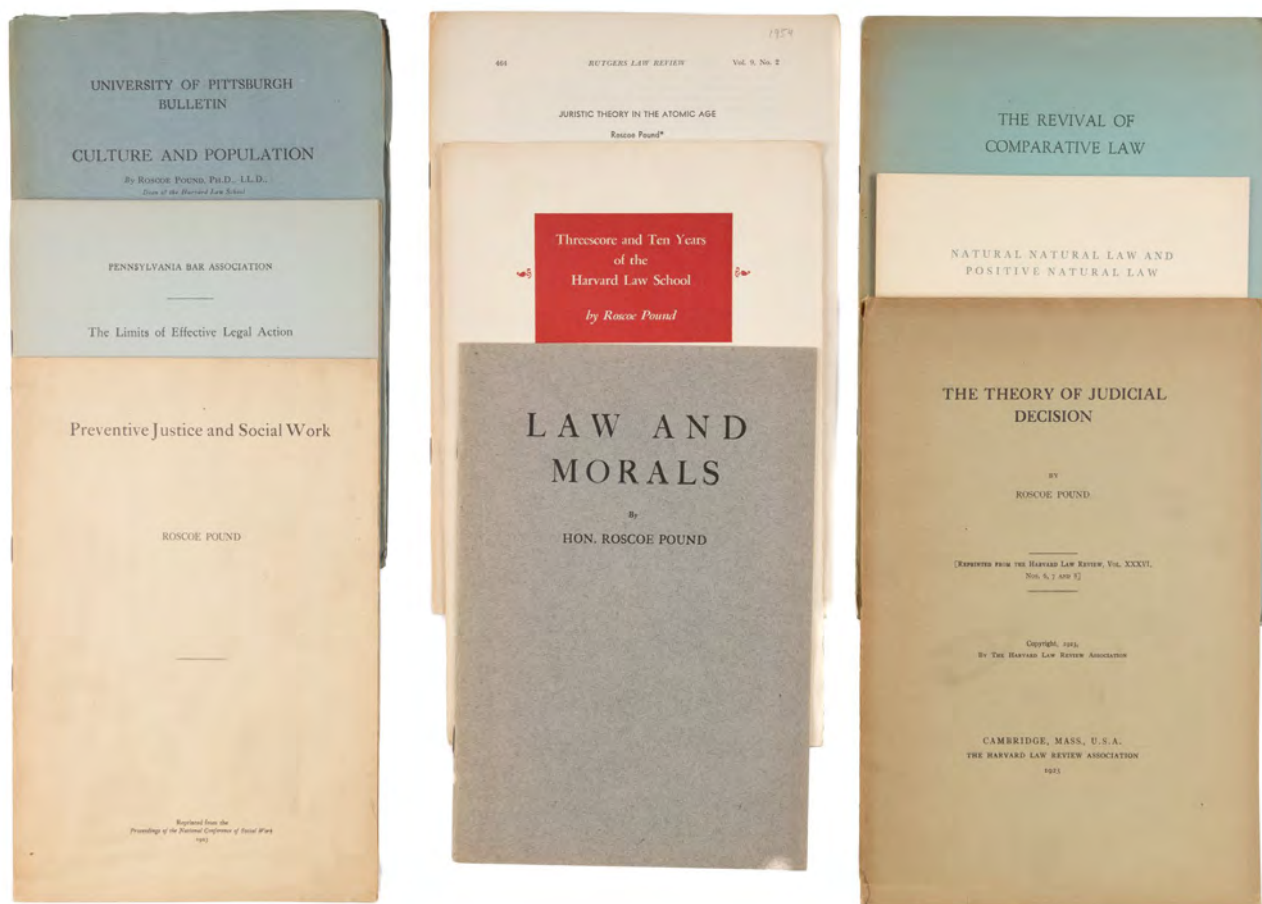
- "La Filosofia nel Diritto Costituzionale Americana" (1922).
- "Preventive Justice and Social Work" (1923).
- "The Theory of Judicial Decision" (1923).
- "Classification of Law" (1924).
- "Jurisprudence" (1925).
- "The Prospects of the American University" (1925).
- "Introduction to Sayre's Cases on Criminal Law" (1927).
- "What Can Law Schools Do for Criminal Justice?" (1927).
- "Comparative Law in the Formation of American Common Law" (1928).
- "The Revival of Comparative Law" (1930).
- "Law and Morals" (1945).
- "Introduction" (to *The American Journal of Comparative Law*, Volume I, Number 1, 1952).
- "Juristic Theory in the Atomic Age" (1954).
- "Comparative Law in Space and Time" (1955).
- "The Lawyer as a Social Engineer" (1955).
- "The Place of the Family Court in the Judicial System" (1959).
- "Natural Natural Law and Positive Natural Law" (1960).
- "The Fourteenth Amendment and the Right of Privacy" (1961).
- "Critique: W. Friedmann's 'Law in a Changing Society'" (1962).

Addresses

- "The Etiquette of Justice" (1908).
- "The Limits of Effective Legal Action" (1916). Two copies.
- "Canons of Procedural Reform" (1926).
- "Culture and Population" (1926).
- "Enforcement of Law" (1926).
- "Threescore and Ten Years of the Harvard Law School" (1961).

Pamphlets

- *The Harvard Law School* (c.1919).



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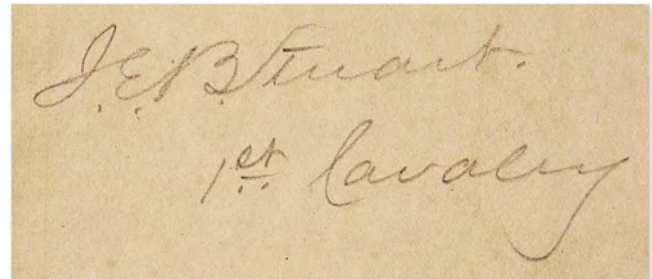
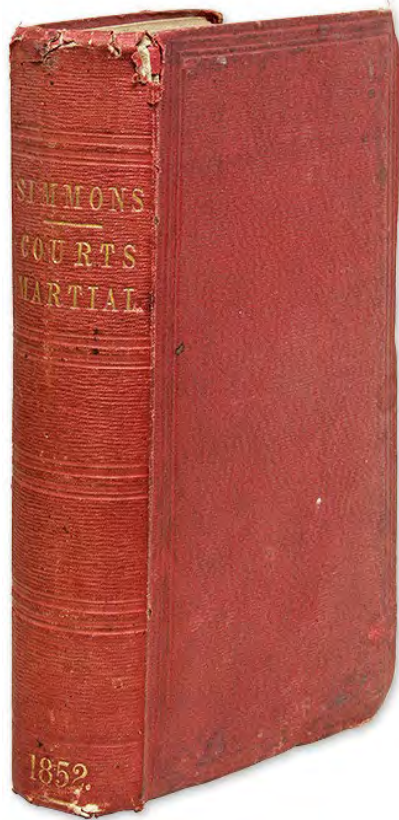
"His Famous Wig Composed Entirely of Split Hairs and Adorned with the Ceremonial Crimson Tape"

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

Mr. Justice Precedent. [New York, 1914]. 21" x 15-1/2" gouache image on 26" x 19-1/2" sheet, image signed twice and inscribed by Robinson, caption in pencil below image, most likely in another hand, laid down on illustration board. Image in 30-1/2" x 24" wooden frame, glazed. Light soiling, a few minor stains and four crop-marks to margins outside of image, which could be covered with a matte, image fine. Several minor scuffs and nicks to frame. A unique item relating to a notable trial. \$3,500.

* This piece was created to illustrate "Leaden Footed Justice in New York State," an article that appeared in the Special Feature Section of the *New York Tribune* on Sunday, March 1, 1914. The caption reads: "Mr. Justice Precedent wearing his famous wig composed entirely of split hairs and adorned with the ceremonial crimson tape." The caption refers to the protracted nature of the Becker-Rosenthal Murder case, which began on October 7, 1912, restarted on May 2, 1914 and finally concluded after a series of procedural events in 1915. The case involved a group of corrupt police officers led by Charles Becker who ran a protection racket on illegal casinos. Becker hired gangsters to kill a casino owner, and rival gangster, who was threatening to expose the racket. A breathtaking example of police corruption, the investigation and trial was front-page news in New York for months. In the end Becker was sent to the electric chair at Sing Sing. (This was the first time a police officer received the death penalty). The case lived on for several years in the popular imagination; it is mentioned, for example, in *The Great Gatsby* (1925). Robinson, the creator of this illustration, was a distinguished artist, illustrator and cartoonist. A native of Nova Scotia, he studied art in Boston and completed his training in Paris at the Académie Colarossi and the École des Beaux-Arts, both in Paris. "Mr. Justice Precedent" shows his affinity, acquired in Paris, for the work of Daumier, Forain and Steinlen. Robinson produced work for several newspapers and periodicals. He created "Mr. Justice Precedent" when he was an editorial cartoonist for the *Tribune*, a position he held from 1910 to 1914. The piece is signed twice, the second signature is part of a mostly illegible (and undated) inscription to an attorney.

[Order This Item](#)



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

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

Simmons, Thomas Frederick.

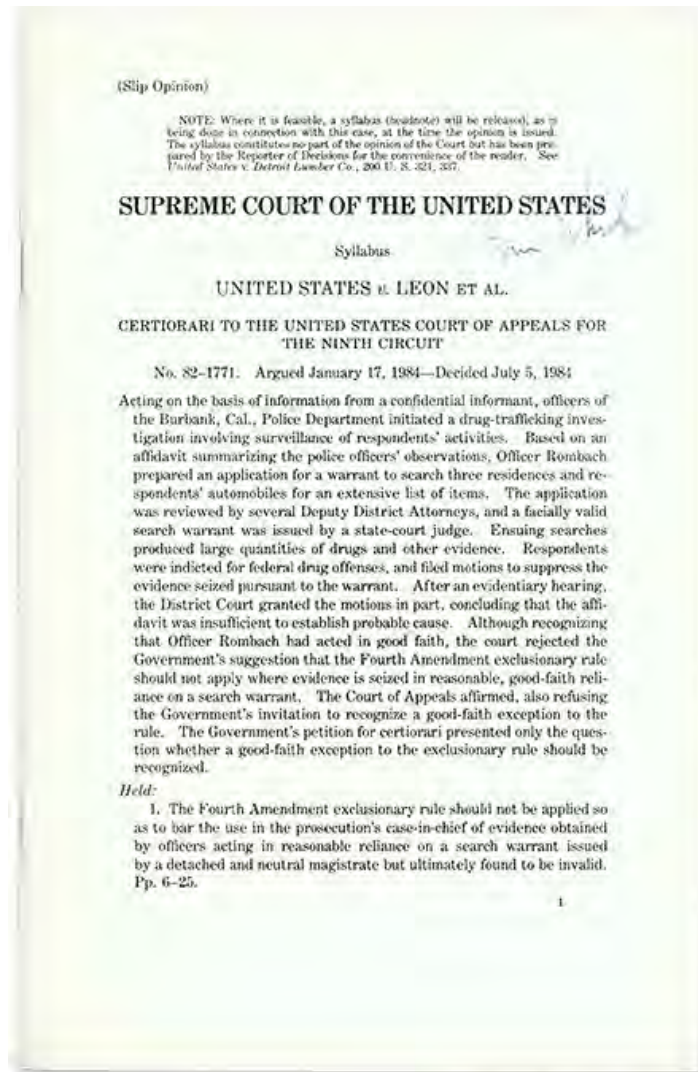
Remarks on the Constitution and Practice of Courts Martial; With a Summary of the Law of Evidence, As Connected with Such Courts; Also Some Notice of the Criminal Law of England, With Reference to the Trial of Civil Offences Where There is no Competent Civil Judicature. London: Parker, Furnivall, And 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. \$2,500.

* 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.

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**Pre-U.S. Reports Printing of a Notable Supreme Court Case
Concerning Evidence and Search Warrants Signed by Justice White**

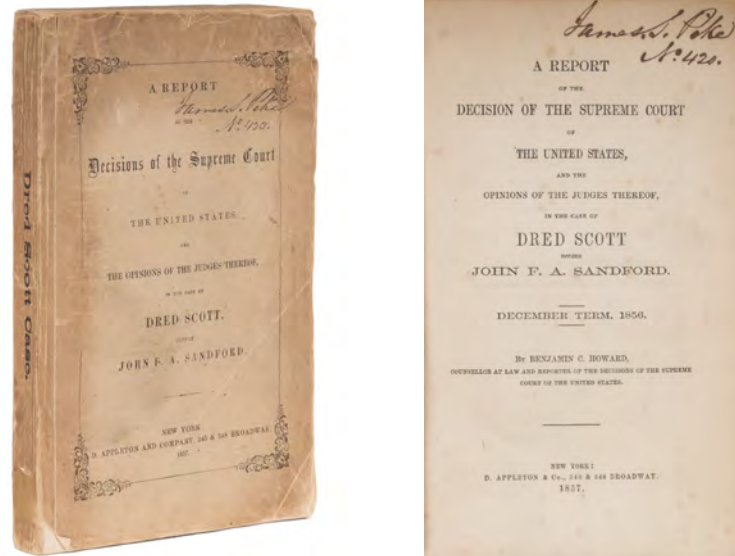
24. Supreme Court of the United States.

[White, Byron (1917-2002)].

(Slip Opinion) New York v. Leon et Al. Certiorari to the United States Court of Appeals for the Ninth Circuit. [Washington, DC: Government Printing Office, 1984]. iii, [i], 27, [1], 2, 32, 21 pp. Complete. Signature of Justice White to head of first page. Fine. \$500.

* This decision determined that evidence obtained by police with search warrant that is later found deficient may nevertheless be used in a criminal trial. Justice White wrote the opinion of the Court, which was joined by Chief Justice Burger and Justices Blackmun, Powell, Rehnquist and O'Connor. Bench opinions are issued by the U.S. Supreme Court immediately after the announcement of a decision. Slip opinions are issued afterwards. Often incorporating corrections, they are the first printings of a decision intended for wide dissemination and review. After that stage the revised slip opinions are added to the latest paperback volume of *U.S. Reports*. A year later, that volume is printed in its final, authoritative, hardcover form.

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First-Edition Copy of a Report of *Dred Scott v. Sandford* with a Notable Association

25. [Trial].

[*Dred Scott* (c.1799-1858)].

Howard, Benjamin C. [1791-1872], Reporter.

A Report of the Decision of the Supreme Court of the United States, And the Opinions of the Judges Thereof, In the Case of Dred Scott Versus John F.A. Sandford. December Term 1856. New York: D. Appleton & Co., 1857. [ii], [393]-633, [3] pp. Final leaf, verso of front wrapper and rear wrapper contain publisher advertisements. Octavo (9-1/4" x 5-3/4").

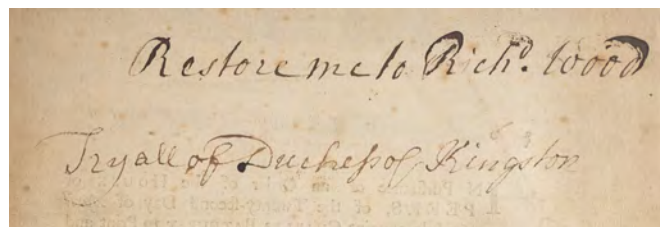
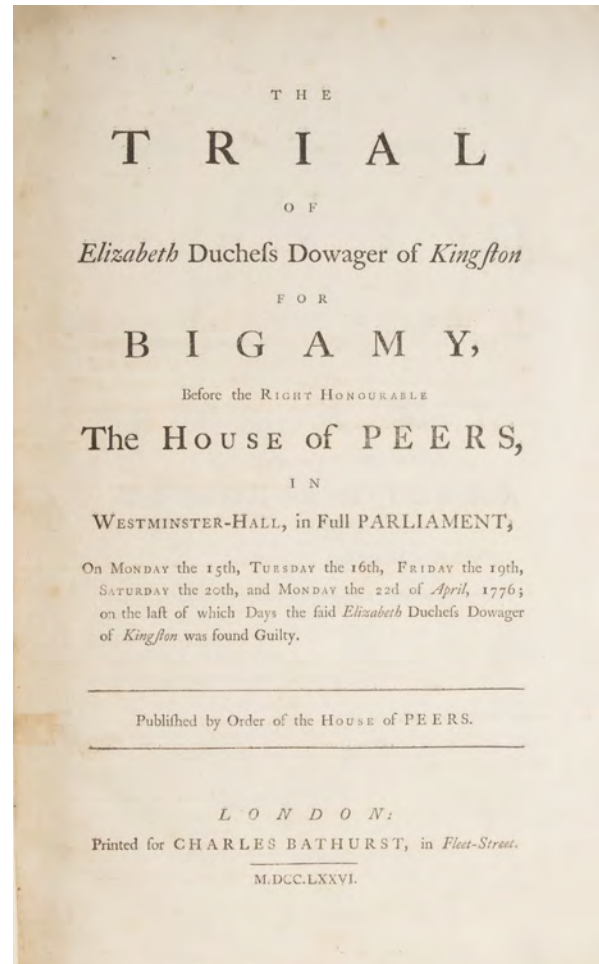
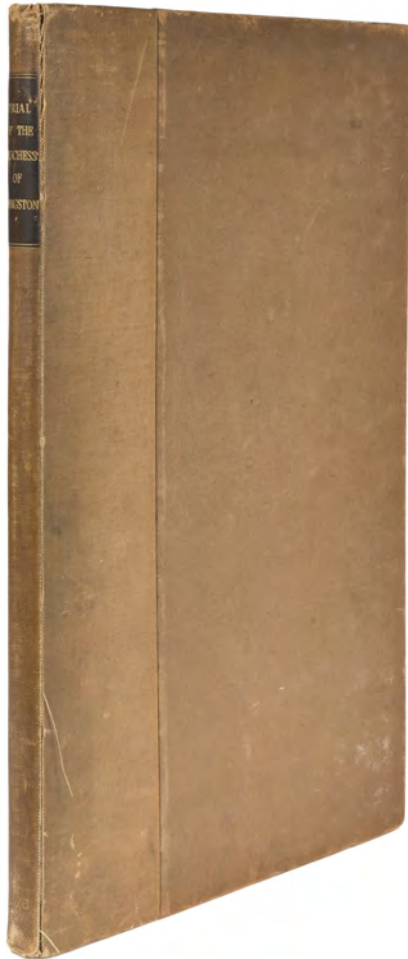
Stab-stitched pamphlet in printed wrappers, fragment of plain shelf label (?) to foot of spine. Moderate rubbing and soiling, a few creases and fold lines, some wear to wrappers and text block around spine ends and corners, "James S. Pike No. 423" to head of front wrapper, "James S. Pike No. 420." to head of title page. Moderate toning, somewhat heavier in places, and occasional light foxing, check marks, underlining and brackets, most likely by Pike, in pencil to passages on 13 pages. \$2,500.

* First edition as an independent work. This deeply controversial decision ruled that slaves were not, and were never intended to be, citizens of the United States. Aware of the public's interest in this case, Howard, the Supreme Court's reporter, issued his report, published officially the same year in Volume 19 of Howard's *Reports of Cases Argued and Adjudged in the Supreme Court*, as a pamphlet. (Both have the same pagination.) Most of the marked passages in are copy are from the Opinion of the Court, written by Chief Justice Taney, the others are in the concurring opinion of Associate Justice Nelson.

James S. Pike [1811-1882], the owner of our copy, was the Washington correspondent and (at times) associate editor of Horace Greeley's *New York Tribune*. One of the preeminent journalists of his day, he exerted a profound influence upon American public opinion. Also active in politics, he ran for a seat in the U.S. Congress and was Lincoln's minister to The Hague. Pike was an uncompromising anti-slavery Whig who became an ardent Radical Republican who supported suffrage for the former slaves and Reconstruction. However, he also doubted the capabilities of African-Americans and grew disenchanted with President Grant's policies concerning the South. His 1873 book *The Prostrate State: South Carolina Under Negro Government* played a notable role in the ending of Reconstruction.

Durden, "Pike, James Shepherd," *American National Biography* 17:512-513. Grolier Club, *One Hundred Influential American Books Printed Before 1900* 68. Cohen, *Bibliography of Early American Law* 11892.

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Annotated by the Defendant's Secretary

26. [Trial].

Kingston, Elizabeth Chudleigh Hervey, Duchess of [1720-1788], Defendant.

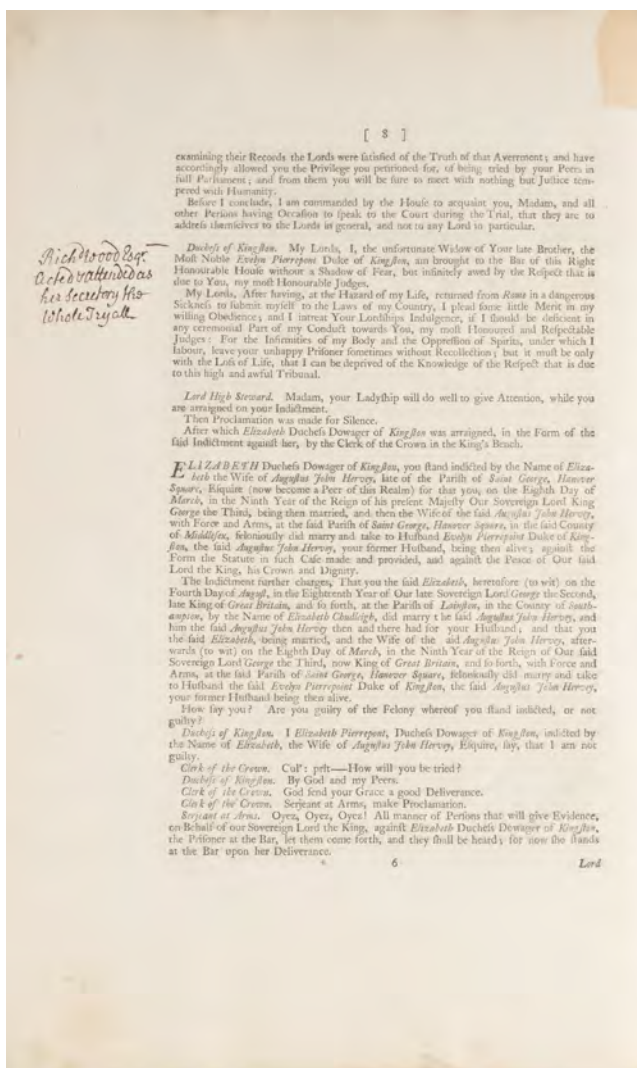
The Trial of Elizabeth Duchess Dowager of Kingston for Bigamy, Before the Right Honourable the House of Peers, In Westminster-Hall, In Full-Parliament, On Monday the 15th, Tuesday the 16th, Friday the 19th, Saturday the 20th, and Monday the 22d of April, 1776; On the Last of Which Days the Said Elizabeth Duchess Dowager of Kingston was Found Guilty. Published by Order of the House of Peers. London: Printed for Charles Bathurst, 1776. [iv], 176 pp. Title page preceded by imprimatur leaf. Folio (15" x 9-3/4").

Later quarter cloth over plain boards, lettering piece to spine, endleaves renewed, edges untrimmed. Light rubbing and scuffing to boards, which are faded, corners bumped and somewhat worn, front board starting but secure. Moderate toning to interior, occasional light foxing and soiling, mostly to margins, light edgewear and clean tears to edges of a few leaves, faint offsetting to upper gutter of pp. 8-9, upper corners of last two leaves lacking, text unaffected. Early ownership signature of Richard Wood to first leaf, early annotations from Wood in several places. \$1,250.

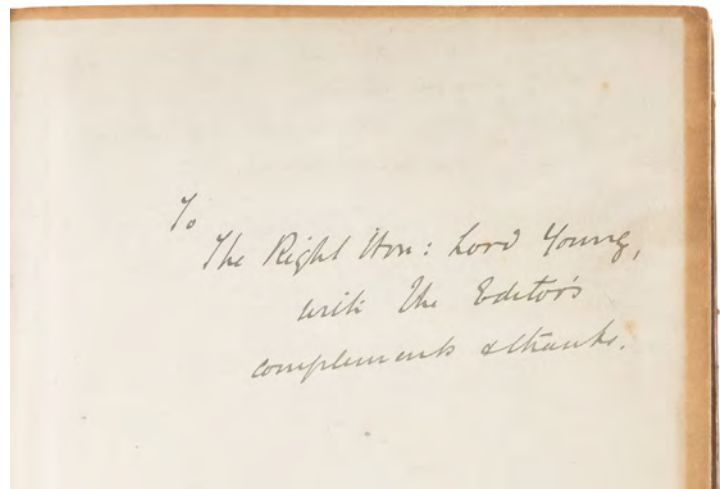
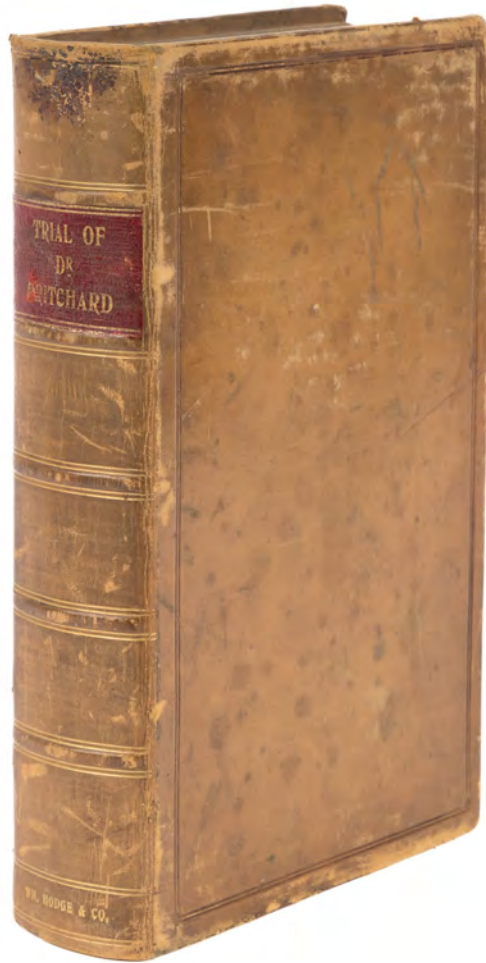
* Only edition. When she determined to marry the Duke of Kingston, Elizabeth feared the scandal of divorce from her first husband, Augustus Hervey, later Earl of Bristol, who wanted a divorce, so she instituted a suit of jactitation against him. His negative response ignored, she took an oath that she was unmarried, and the court so declared her. She married the Duke of Kingston in 1769, and he died in 1770 and left her a substantial estate on the condition that she remain a widow. The duke's nephew, Mr. Evelyn Meadow, brought suit against her for bigamy shortly after the duke's death, while she was traveling in Italy. She returned to England to stand trial. Found guilty, she would have been "burned on the hand" but she claimed the privilege of her peerage which served to exempt her from corporal punishment. She continued a life of travel and adventure until her sudden death in Paris in 1788.

Our copy of her trial was owned by Richard Wood, who served as the Duchess's secretary throughout the trial. His notes largely clarify points or name persons. An annotation to the Duchess's tearful testimony wearily notes "I exhorted her not to mention this."

Dictionary of National Biography IX:730. Sowerby, Catalogue of the Library of Thomas Jefferson 1957. English Short-Title Catalogue T92941.



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Rare Calf-Bound Presentation Copy

27. [Trial].

Pritchard, Edward William [1825-1865], Defendant.

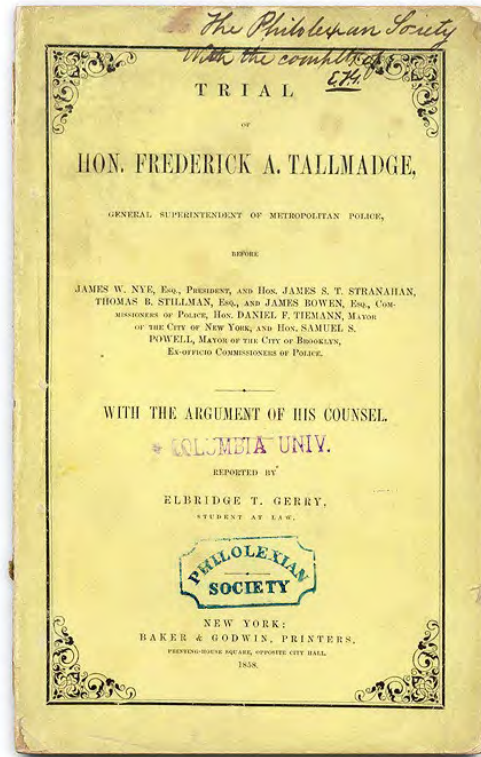
Roughead, William, [1870-1952], Editor.

Trial of Dr. Pritchard. Glasgow and Edinburgh: William Hodge & Company, [1906]. 343 pp. Portrait frontispiece. 14 plates.

Contemporary calf, blind rules to boards, gilt-edged raised bands and lettering piece to spine, gilt-stamped company name to foot of spine, top-edge gilt. Light rubbing to boards, moderate rubbing to extremities, corners bumped. Light toning to interior, light foxing in places, offsetting to margins of endleaves, presentation inscription from Roughead to front free endpaper. \$500.

* First edition. One of a few copies bound in calf for presentation, this one to Lord George Young [1819-1907], the solicitor-general who served as prosecutor. The inscription reads: "To The Right Hon: Lord Young,/ with the Editors/ compliments & thanks." Young is pictured in one of the plates (p. 220) and is thanked for revising his address to the jury in the Prefatory Note. Dr. Pritchard was tried in Glasgow, 1865, for the murder of his wife and mother-in-law. He was found guilty, and his execution, on July 28, 1865, was the last to be held in public in Scotland. Pritchard had a long afterlife in popular culture and his case inspired a number of dramatizations and fictional accounts.

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**1858 Trial of the Head of New York
City's Police Department for Neglect of Duty**

28. [Trial].

Tallmadge, Frederick A. [1792-1869], Defendant.

Gerry, Elbridge T. [1837-1927], Reporter.

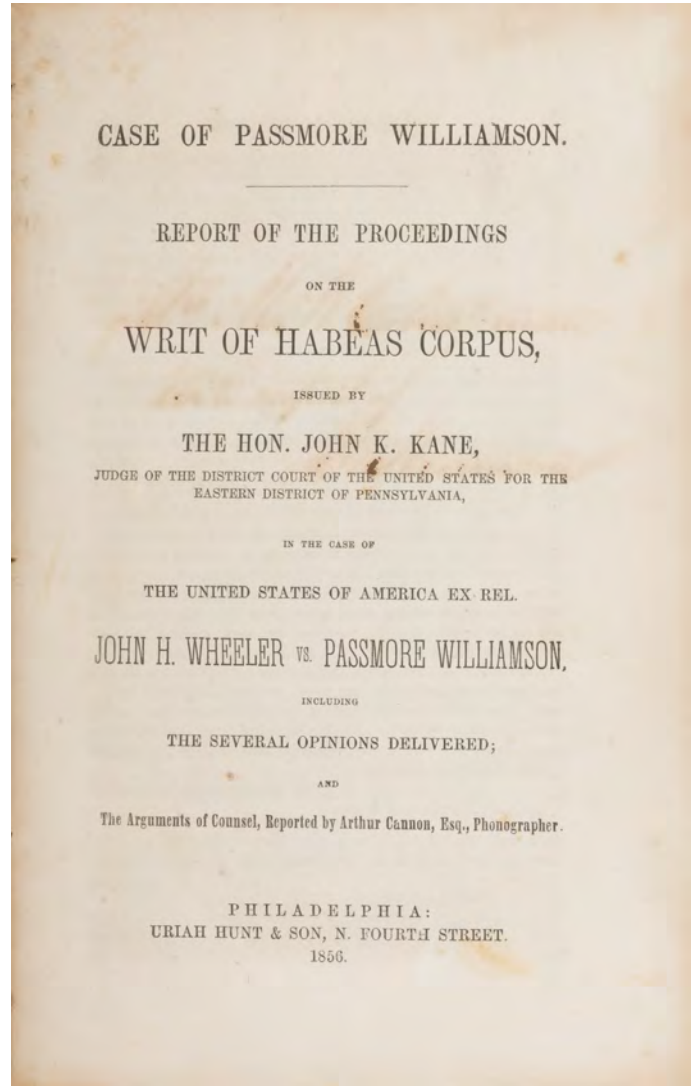
Trial of Hon. Frederick A. Tallmadge, General Superintendent of Metropolitan Police, Before James W. Nye, Esq., President and Hon. James S.T. Stranahan, Thomas B. Stillman, Esq., And James Bowen, Esq., Commissioners of Police, Hon. Daniel F. Tiemann, Mayor of the City of New York, And Hon. Samuel S. Powell, Mayor of the City of Brooklyn, Ex-Officio Commissioners of police: With the Argument of His Counsel. New York: Baker & Goldwin, Printers, 1858. 88 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Spine abraded, covers partially detached, lightly soiled, a few minor chips to edges. Light toning to text, faint dampstaining to upper margins of title page and a few leaves, small chips to fore-edges of a few leaves, presentation inscription from Gerry to upper corner of front wrapper. Ex-private library. Small inkstamps to front wrapper and title page. \$350.

* Only edition. "Frederick Tallmadge, general superintendent of the Metropolitan (New York City) Police, was charged with neglect of duty in a hearing before the Board of Police Commissioners. He allegedly did not respond to a call from the Quarantine Station on Staten Island where several hospitals had been set on fire by a mob. He was cleared of one charge, censured on another, and restored to duty" (Cohen). OCLC locates 8 copies in North American law libraries (Columbia, Library of Congress, New York University, Northwestern, Social Law, University of Minnesota, US Supreme Court, Yale).

Cohen, *Bibliography of Early American Law* 14665.

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**A Copy Presented to the Notable Female
Abolitionist, Maria Weston Chapman, by the Defendant**

29. [Trial].

Williamson, Passmore [1822-1895], Defendant.

Cannon, Arthur, Reporter.

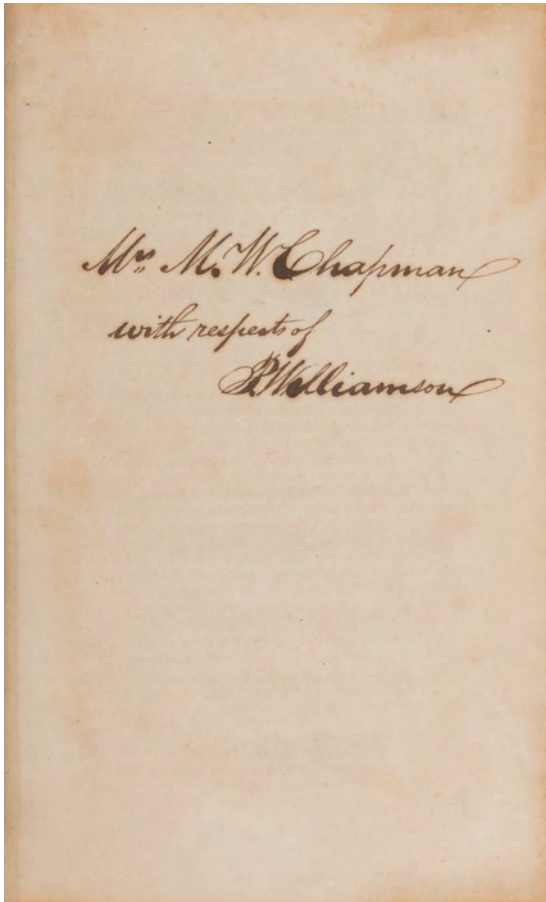
Case of Passmore Williamson: Report of the Proceedings on the Writ of Habeas Corpus, Issued by the Hon. John K. Kane, Judge of the District Court of the United States for the Eastern District of Pennsylvania, In the Case of the United States of America Ex Rel. John H. Wheeler vs. Passmore Williamson, Including the Several Opinions Delivered and the Arguments of Counsel. Philadelphia: Uriah Hunt & Son., 1856. 191 pp. Octavo (8-3/4" x 5-1/2").

Contemporary three-quarter sheep over paper, spine expertly rebacked in matching paper. Light rubbing and a few light stains to boards, moderate rubbing to extremities, slip of paper, possibly a label from paper that wrapped this book, reading "Mrs. M.W. Chapman/ With Respects of P. Williamson" affixed to front pastedown, identical inscription to front endleaf. Light toning to interior, light foxing to a few leaves, heavier toning, foxing and offsetting to endleaves, faint show-through from inscription to title page. A nice copy with interesting associations. \$1,850.

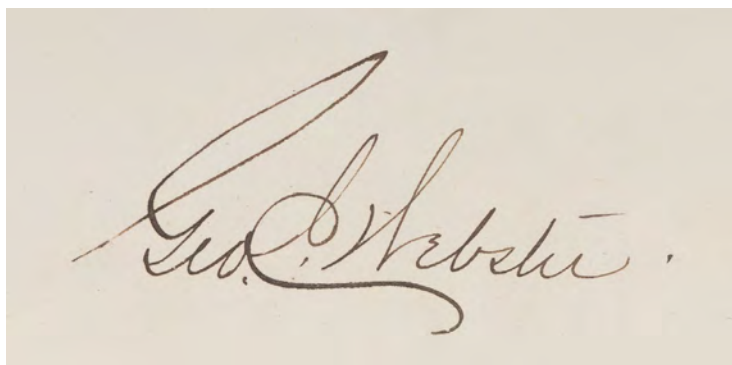
* First edition. This is the most complete account of the important Pennsylvania fugitive slave case that galvanized the antislavery movement, set the stage for the Dred Scott decision and brought fame to Williamson, a Pennsylvania businessman and antislavery activist. In 1855, he helped three people enslaved by Wheeler, Jane Johnson and her two sons, Isaiah and Daniel, escape while traveling through Philadelphia en route to Nicaragua, where Wheeler was the U.S. ambassador. Williamson was tried by U.S. District Judge John K. Kane, who was known for his proslavery sympathies. When Williamson failed to produce Johnson and her sons, Judge Kane cited the Williamson for contempt and sent him to jail. "The longer Williamson languished in jail, the more Kane appeared a tyrant and Williamson a martyr" (Finkelman). Williamson was eventually released after much legal wrangling over contempt and violations of the Fugitive Slave Law. Johnson and her sons settled in Boston and remained free for the rest of their lives.

The recipient of our copy, Maria Weston Chapman [1806-1885] was an important Boston abolitionist. Elected to the executive committee of the American Anti-Slavery Society in 1839, she was, from 1839 until 1842, the editor of its journal *The Non-Resistant*. She also served the cause as a prolific author and, from 1835 to 1865, director of the Boston Anti-Slavery Bazaar, an important annual fundraising event.

Finkelman, *Slavery in the Courtroom* 39-42. Cohen, *Bibliography of Early American Law* 13767.



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An Interesting Case of Fraud against Native American Soldiers

**30. [United States Congress].
[House Committee on Indian Affairs].**

Alleged Frauds against Certain Indian Soldiers. House of Representatives, 42d Congress, 2d Session, Report No. 96. [Washington, D.C.: s.n.], 1872. 590 pp. Octavo (9" x 5-1/4").

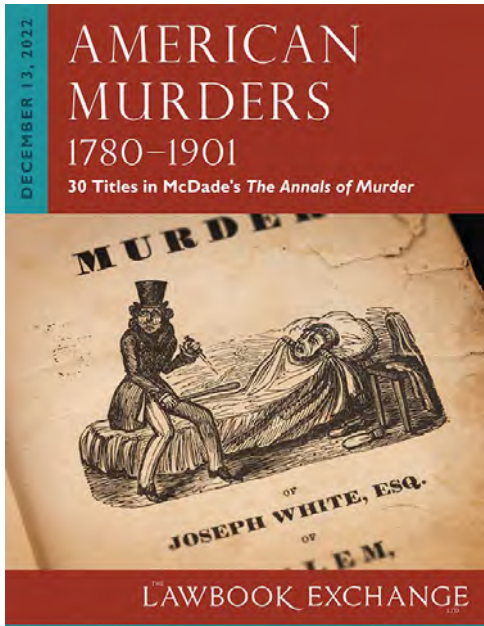
Contemporary three-quarter sheep over marbled boards, blind fillets and lettering piece ("Wright Indian Frauds") to spine. Moderate rubbing to boards and extremities, boards detached but secured by cords, corners lightly bumped and somewhat worn, minimal light offsetting to endleaves, ownership signature of George E. Webster to front free endpaper. Moderate toning to interior, negligible light foxing in a few places, light edgewear to a few leaves without loss to text, small early correction by Webster in ink to p. 1. \$450.

* Only edition. During the Civil War, many Native Americans served with the Union Army as part of the "Indian Home Guard." Since the regiments were volunteers, the soldiers went unpaid, but after the war Congress authorized a payment of \$100 as bounty to each enlisted man. John W. Wright, who had presented himself as the appointed attorney for the Home Guard, was authorized to collect the payments from the government and disburse them appropriately. After several complaints were made by unpaid claimants, the Department of Justice opened an investigation and brought a suit against him for fraud. The evidence submitted to the House of Representatives is printed here, including lists of payments made and testimony from Native witnesses claiming arrears of back pay and bounty for soldiers and their widows. The committee ultimately concluded that Wright had committed significant fraud.

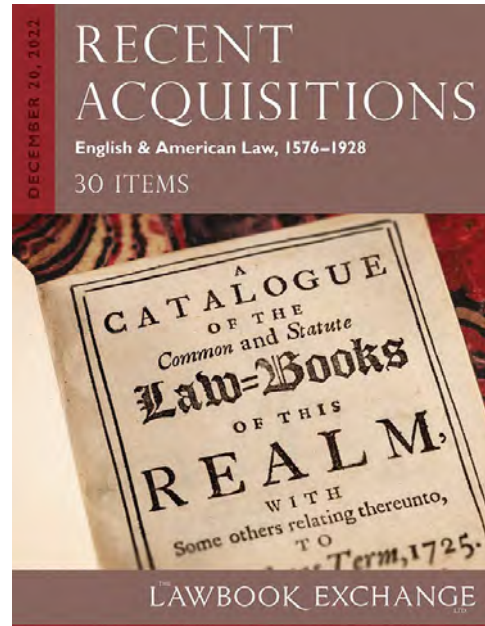
Webster, the former owner of our copy of the committee's report, was a special investigator of the Pension Office who gave expert testimony before the Committee and interviewed several witnesses in this case. OCLC locates 4 copies of this title, 3 in North America (Newberry Library, Pritzker Military Library, State Library of Massachusetts).

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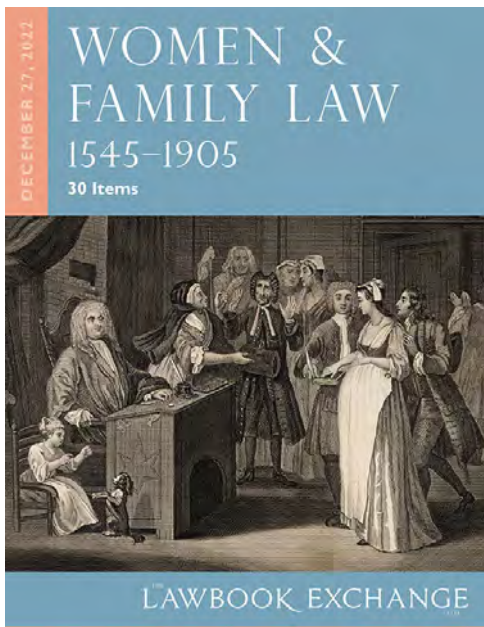
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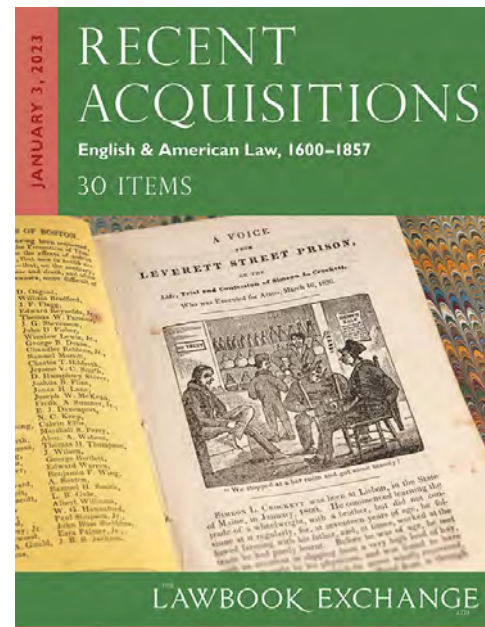
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