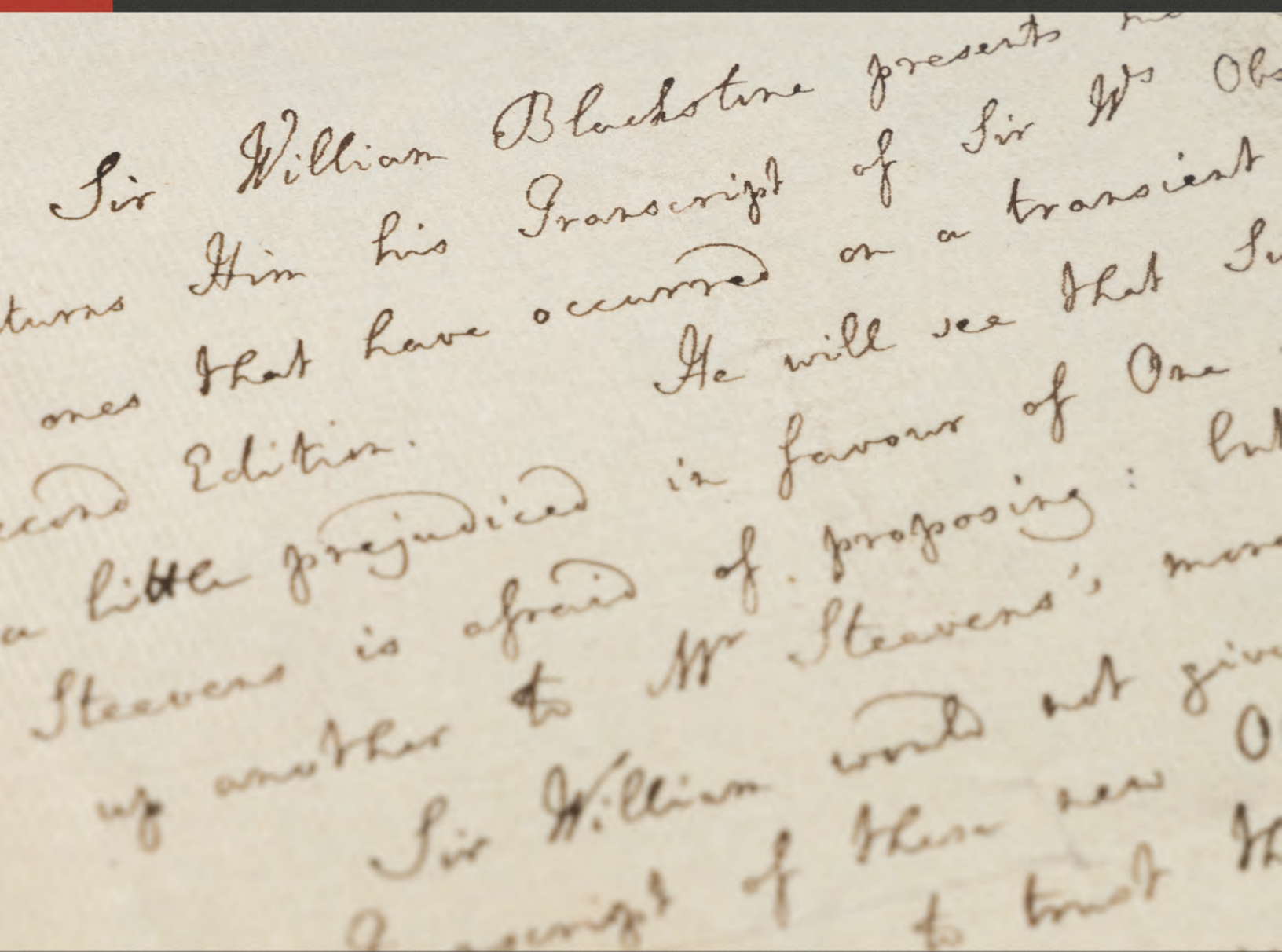


OCTOBER 4, 2022

# MANUSCRIPTS

c.1350–1910

30 Items







### Archive Relating to an 1883-1884 Railway Case in Argentina

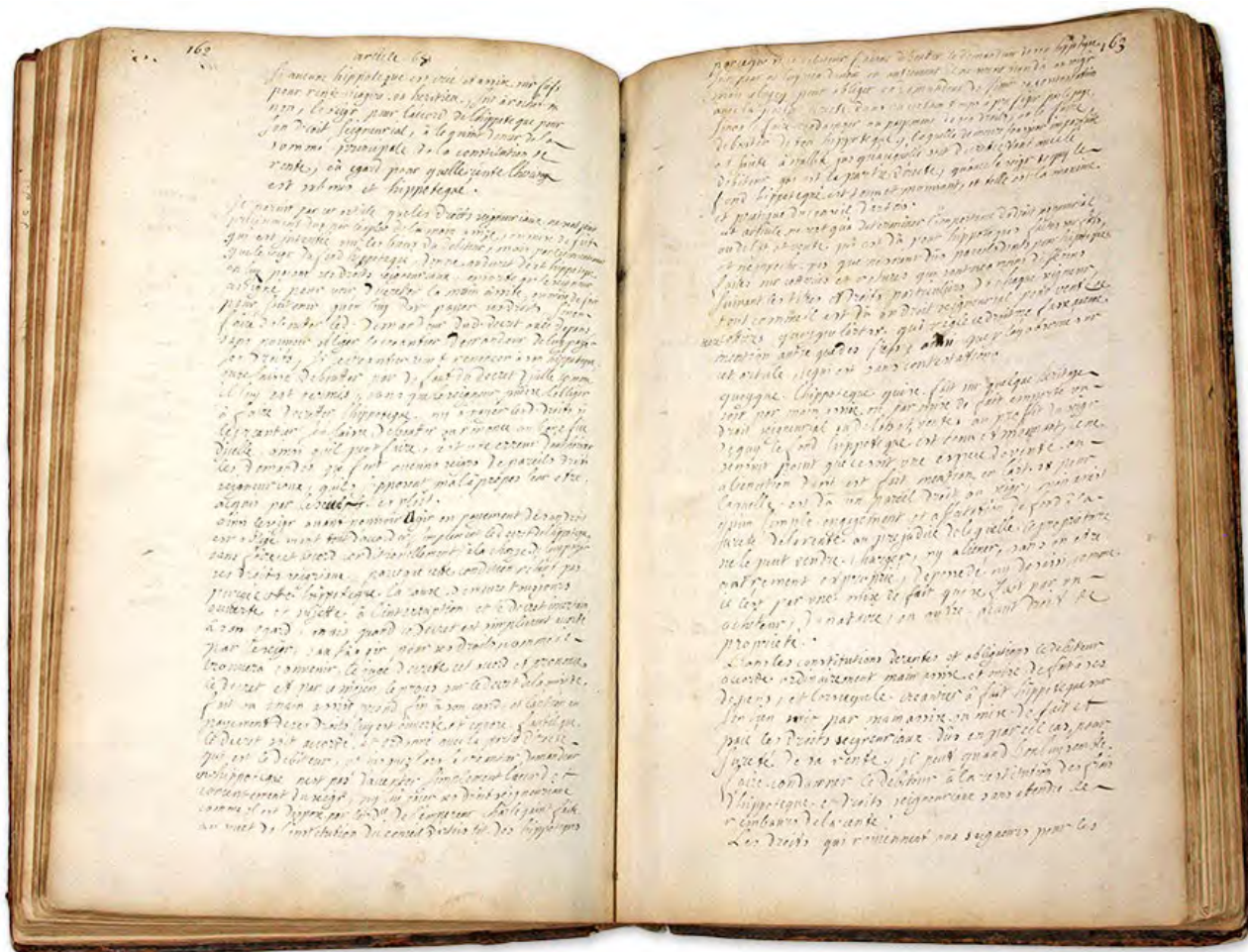
#### 1. [Argentina].

#### [Trial].

[*Legal Documents Relating to a Railway Right-of-Way Case*]. Buenos Aires, 1883-1884. 6 items: 4 notebooks in stiff wrappers, 13" x 9," approx. 100 pp. in all, 2 folding maps bound into a folder, 15-3/4" x 28," 12-1/2" x 21-1/2."

Moderate edgewear and soiling, light toning to text, a few minor tears along fold lines of maps, library stamps. \$450.

\* Written in English, these documents relate to a right-of-way case brought against the British-owned Buenos Aires & Ensenada Port Railway by a group of affected property owners. The notebooks are marked A, B, C, D. The front cover of Notebook A has a title reading: "MS Documents relative to the Case of Messrs Torres, Martinez, Triarte, Doyhenard & Others against The Ensenada Railway Comp. 1883. (Buenos Aires)." The maps are bound into a folder with a title reading: "Planos de la Ensenada." [Order This Item](#)



Manuscript Commentary on the Customary Law of Artois

2. [Artois].

Hébert, Guillaume-François.

Remarques Faites par Guillaume François Hebert Ecuier Conseiller du Roy au Conseil Provincial d'Artois sur Plusieurs Articles de la Coutume d'Artois et sur Quelques Questions de Droit et de Pratique. Commencé en 1695. Artois?, c.1700s. 447 pp. Folio (14-1/2" x 9-1/2").

Contemporary calf, gilt spine with raised bands and title reading Hebert sur Artois. Light rubbing and a few minor nicks and scratches to boards, heavier rubbing to extremities with wear to spine ends and corners, binding cocked, front joint cracked, rear joint starting at ends. Moderate toning to interior, light soiling and stains to a few leaves. Text in neat hand, occasional notes to margins in a different, equally neat, hand. \$2,500.

\* Hébert's *Remarques* is a commentary on Articles 1 to 201 of the customary laws of Artois (in its final 1669 codification). The statement "Begun in 1695" suggests the work was never completed; it does not discuss the other articles of the coutume. However, jurists saw its value and transmitted it through manuscript copies. OCLC locates six of them (none completely identical) at the Bibliothèque Nationale de France, Harvard Law School, Library of Congress, UC-Berkeley Law School, University of Pennsylvania Law School and the University of Queensland. The margins of our copy through p. 183 have annotations in an eighteenth-century hand, most of them summaries of the articles or statements of their main points. The absence of notes marking revisions or repeals suggest these notes were written soon after the completion of the manuscript. [Order This Item](#)





### Early Nineteenth-Century Manuscript Account Book of Pennsylvania Lawyers

3. [Barnard, James (1755-1806)].

[Barnard, Isaac D. (1791-1834)].

[Barnard, Thomas D. (1793-1873)].

[*Acct. of Money Recd. for the Estate of James Barnard, Esq. Decd. in the Office, Etc.*]

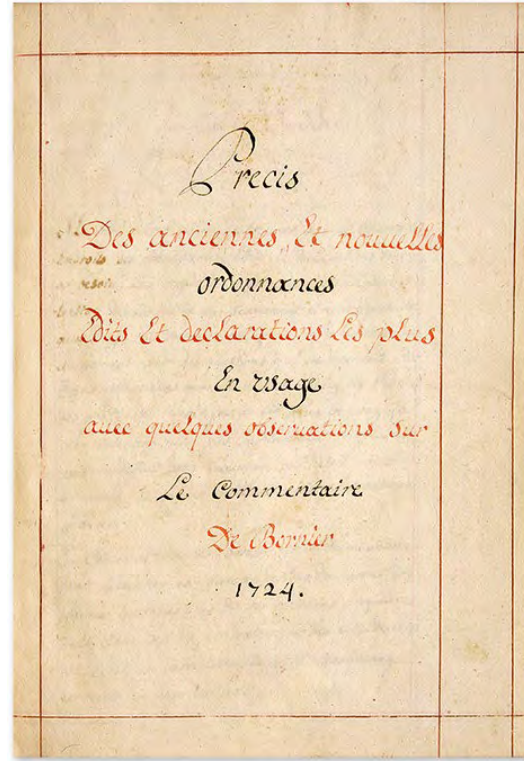
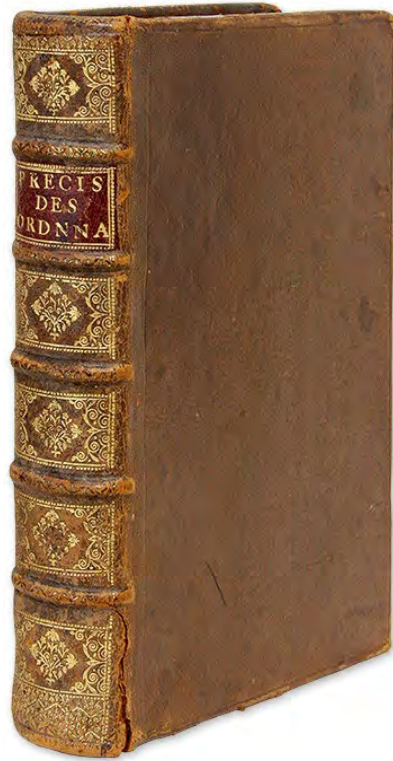
[And]

[*Acct. of Money Recd. by Isaac D. Barnard Belonging to His Late Father's Estate*]. Chester, PA, February, 26 1806-August 22, 1845. Content in fine hand filling 23 pp. followed by several blank leaves, final six excised. Oblong octavo (8" x 5-1/2").

Stiff marbled sewn wrappers. Moderate rubbing to exterior, some wear to spine and corners, light toning to interior. \$500.

\* James Barnard of Chester, Pennsylvania, was married to Susannah Dutton. James served as sheriff, registrar, recorder, prothonotary and clerk of the courts in Delaware County, Pennsylvania. The Barnards had eight children. The eldest son, James Day Barnard, a lawyer, died at 25, a few months after his father's death. Upon his father and brother's death, the eldest surviving male Barnard, Isaac, received, or perhaps he personally recorded, his brother's outstanding legal fees and his father's estate assets and accounts in this manuscript notebook. Like his deceased elder brother, Isaac studied law and was admitted to the Pennsylvania bar in 1816 after service as a major in the War of 1812. He served terms in both the Pennsylvania State Senate and U.S. Senate.

The accounts are notable for their fine detail. The first segment records all the monies collected for various legal work performed by Isaac's older brother, James: recording judgments, estate administration, vendue matters, certificates for naturalization of citizenship, or fees earned for specific cases (*Gibbons v. Riley*, *Miles v. Adams*, *McElroy v. Hibbard*, etc.). These accounts span 1806-1807, suggesting that the fees within were collected posthumously by Isaac for services performed before his brother's death. The notebook's second segment records monies earned by the father in office, primarily for recording deeds. Again, the chronology suggests a similar scenario to the notebook's first segment. There are also several leaves of entries with much later dates recording monies received by Thomas Barnard. All accounts are clearly legible and amounts of fees charged for all legal services are provided. In all, this record provides a highly detailed picture of legal costs in Pennsylvania during the early nineteenth century. [Order This Item](#)



#### Handsome 1724 Manuscript Digest of Royal Decrees Relating to Provence

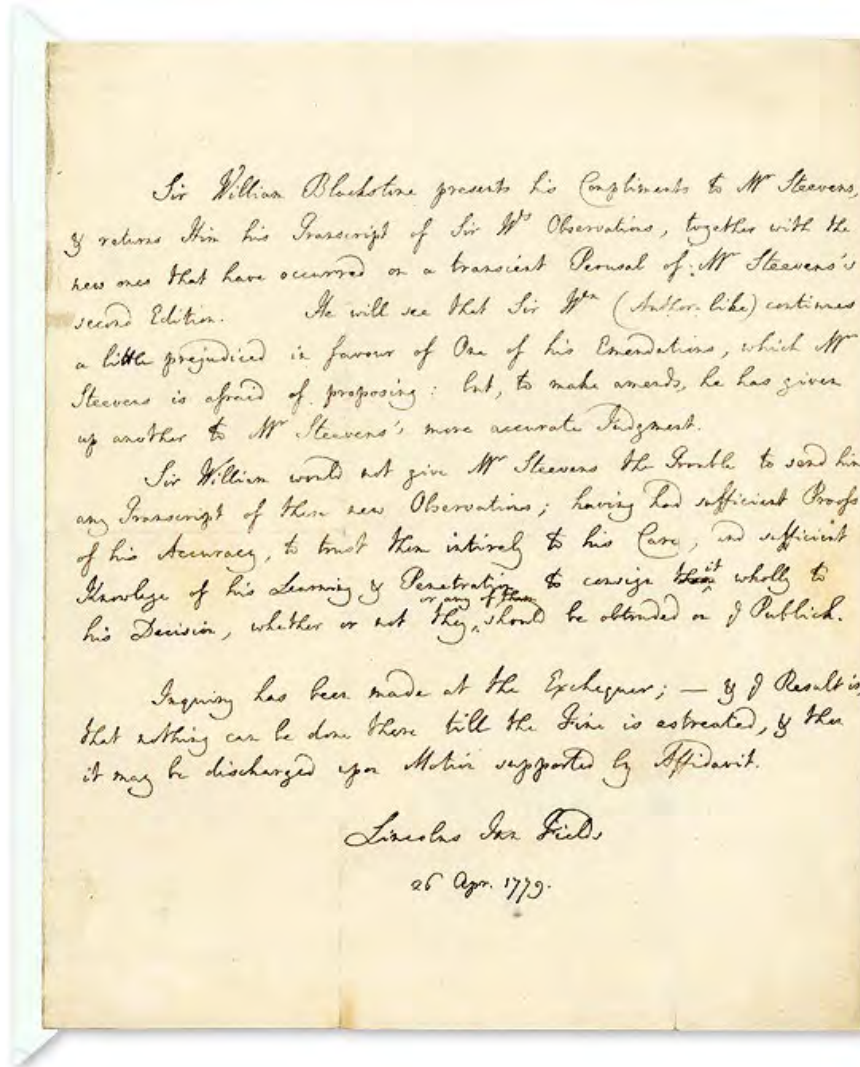
4. [Barrigüe de Montvalon, André (1678-1779)].

[Bornier, Philippe (1634-1711)].

*Précis des Anciennes et Nouvelles Ordonnances, Edits et Declarations les Plus en Usage avec Quelques Observations sur le Commentaire de Bornier.* Aix-en-Provence, 1724. [287] ff. Quarto (9" x 6-1/2").

Contemporary calf, gilt spine with raised bands and lettering piece reading *Précis des Ordonna*, gilt tooling to board edges, edges of text block rouged, marbled endpapers, ribbon marker. Minor nicks, scuffs, worming and stains to boards, moderate rubbing to extremities with some wear to corners, front joint starting at foot. Light toning to interior, light soiling to preliminary leaves, minor worming along gutter in a few places, neatly written text in red and black ink within red ruled borders. A notably handsome manuscript. \$1,500.

\* Barrigüe de Montvalon was a legal advisor to the Parlement of Provence. His carefully compiled, handsomely produced manuscript book is a digest of *ordonnances* (royal decrees) from 1667 to 1681 relating to Provence that were in force in 1724. The topics are arranged alphabetically from "Abolition (Letters of)" to "Usury." It circulated for a number of years in manuscript and was first printed in 1752 (with a second edition in 1766). The compiler of our manuscript combined Montvalon's work with content copied from Bornier's *Conferences des Nouvelles Ordonnances de Louis XIV. Roy de France et de Navarre, Avec Celles des Rois Predecesseurs de Sa Majesté, Le Droit Ecrit, & Les Arrêts; Enrichies d'Annotations et Decisions Importantes* (first ed. 1681). As stated in the preface, content in red ink refers to Bornier's work. Some of these references are interpretive or critical. The main text is enriched with side-notes and two indexes, each titled Table. The side-notes indicate the dates of the *ordonnances*; the first Table is an index of topics, the second is a list of *ordonnances* in chronological order. We located a manuscript similar to ours dated 1728 at the Bibliothèque de Droit Schuman in Aix-en-Provence (MS87) and others with later dates at the Bibliothèque Municipale a Vocation Regionale, Nice. A note on the bibliographic record for the Schuman manuscript says it is the first manuscript edition. Ours is four years older and may thus be the true first edition. (We have not located any earlier copies.) See *Dictionnaire Historique des Juristes Français. XIIe-XXe Siècle* 40. [Order This Item](#)



### Blackstone Discusses Shakespeare

5. Blackstone, Sir William [1723-1780].

[Steevens, George (1736-1800)].

[Autograph Letter (in Third Person) to George Steevens, London, Lincoln's Inn Fields, 26 April 1779].

9-1/2" x 7-1/2" bifolium, one page of text, archival guard at inner edge. Light toning, vertical and horizontal fold lines. \$6,500.

\* Addressed to the eminent Shakespearean George Steevens, the letter discusses Blackstone's critical notes on Shakespeare, which were ultimately published the following year (after his death) in Edmund Malone's supplement to the 1778 edition of Shakespeare's plays by Samuel Johnson and George Steevens. Blackstone returns a transcription of the notes "together with the new ones that have occurred on a transient Perusal of Mr Steevens's second edition. He will see that Sir W[illiam] (Author-like) continues a little prejudiced in favour of One of his Emendations, which Mr Steevens is afraid of proposing; but, to make amends, he has given up another to Mr Steevens's more accurate Judgement." He adds that there is no need to send a transcript of the new "observations," and concludes with a note on a legal case: "Inquiry has been made at the Exchequer; - & [the] Result is, that nothing can be done there till the Fine is estreated, & then it may be discharged upon Motion supported by Affidavit." [Order This Item](#)





**"Diabolical and Against the Order of Nature"**

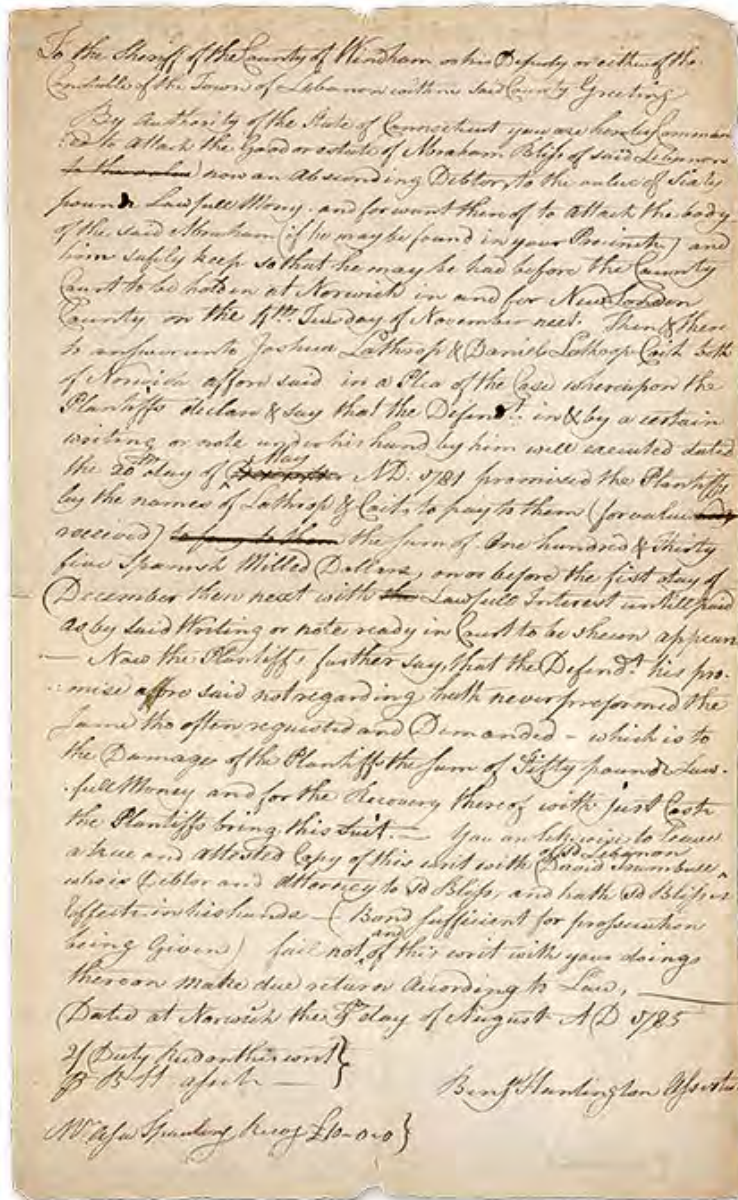
**6. [Buggery].  
[Virginia].**

[Documents Relating to an Act of Buggery Between a Man and a Horse]. [Culpepper County, VA, 1846, 1848, 1849]. Bifolium bench warrant, 12-1/2" x 7-1/2", dated October, 28, 1846, docketed on verso of second leaf, two writs of capias, 8" x 6" dated September 14, 1848 and March 13, 1849, both docketed on versos. Three items in all.

Light browning, minor dampstaining and some edgewear, horizontal fold lines, a few with minor tears. Content in neat hand. \$1,250.

\* These documents relate to the indictment and attempted arrest of Joseph Hackley for the "feloniously, wickedly diabolical and against the order of nature, detestable and abominable crime of Buggery" with a "black mare." The bench warrant is signed by Judge Richard H. Field and countersigned "Wm M. Huffman." The verso is docketed 4 times by 3 different people. The docket notations show a committed judge and a clever felon. The first orders his arrest. The second notation reads: "I cannot execute this Warrant the party Joseph having left this County." The third and fourth notations show the warrant was reissued on June 5th and October 23rd, 1848. Annotations to the writs of capias, issued to the sheriff of Culpepper County on September 14, 1848 and March 13, 1849, show that Hackley was never located.

[Order This Item](#)



1785 Connecticut Court Document  
 Ordering the Arrest of an Absconding Debtor

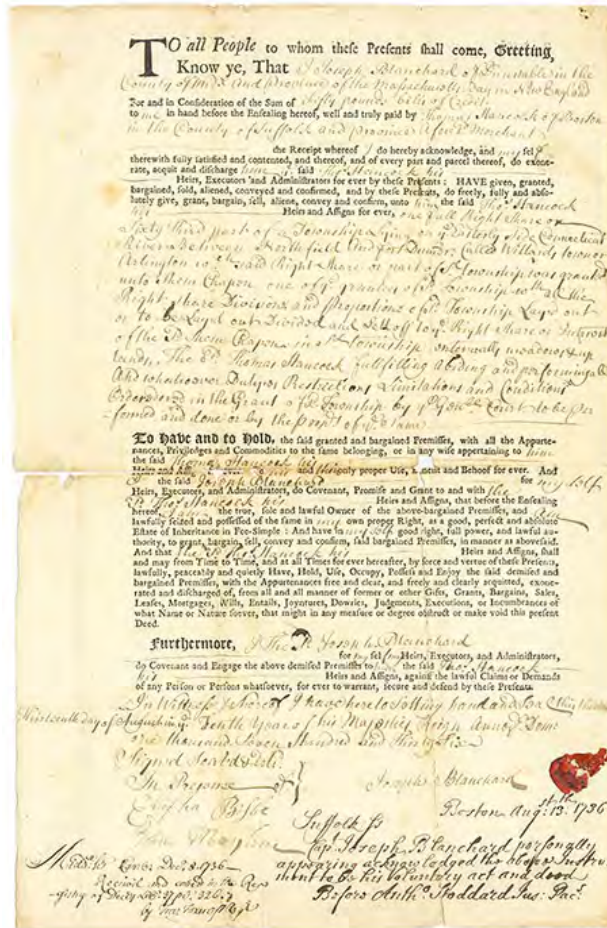
7. [Connecticut].

[Writ from the State of Connecticut Ordering the Seizure of Goods of an Absconding Debtor]. [Hartford or New Haven]: August 9, 1785. 2 pp.

13-1/2" x 8" bifolium, docketed on verso. Horizontal fold lines, a few with minor tears, light edgewear, light browning and minor edgewear, horizontal and vertical fold lines, content in neat, legible hand. \$450.

\* Addressed to the sheriff and deputy sheriff of Windham County, "or either of the Constables of the Town of Lebanon," this writ orders the arrest of Abraham Bliss and his deliverance to court in New London. This writ was issued because Bliss had defaulted on the repayment of 135 "Spanish Milled dollars" to Daniel and Joshua Lathrop. It also fines Bliss 50 pounds and directs the writ to be served to his attorney, David Turnbull of Lebanon. [Order This Item](#)





One of Boston's Wealthiest Men Acquires Land

8. [Deed of Sale].

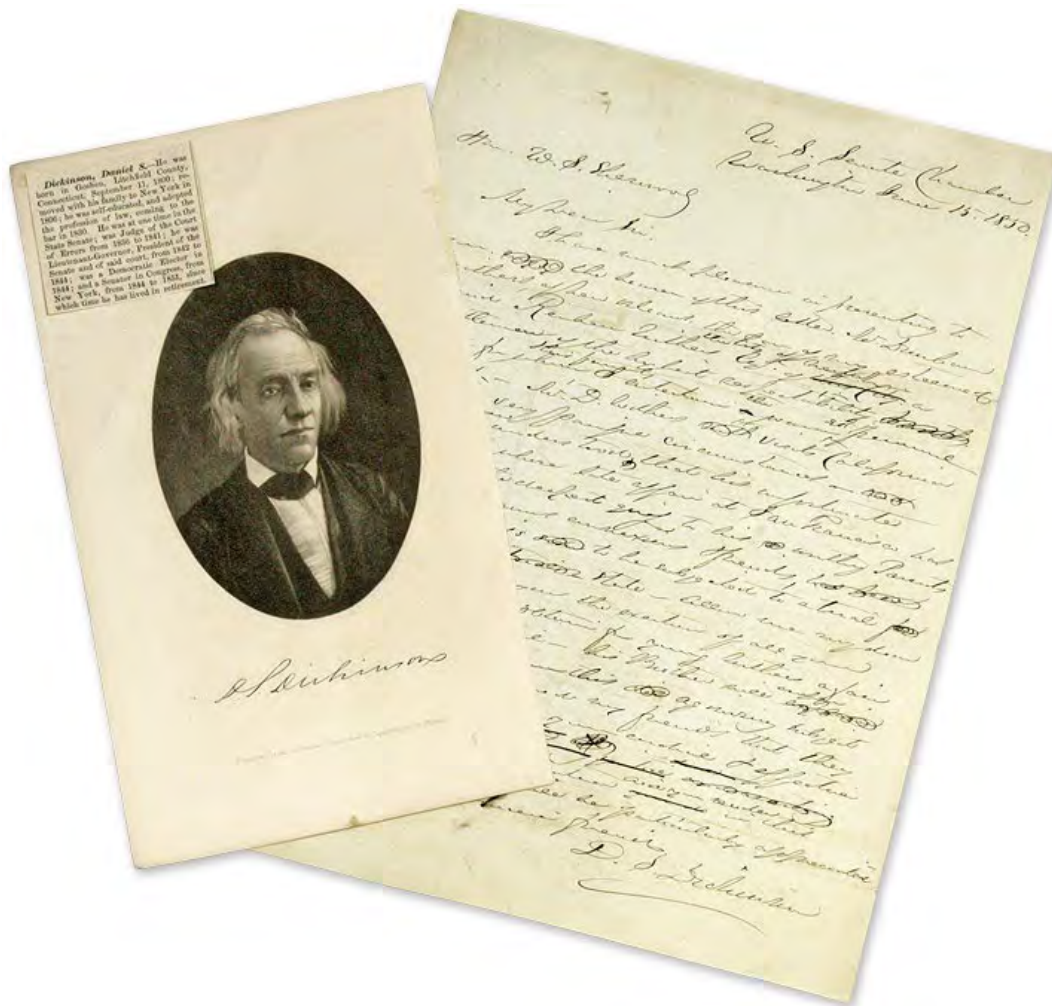
[Hancock, Thomas (1703-1764)].

[Blanchard, Joseph (1704-1758)].

To All the People to Whom These Presents Shall Come, Greeting, Know Ye.... August 13, 1736.

15" x 9-3/4" part-printed document, inscribed in neat hand, docketed at foot of recto (on December 8, 1736) and on verso (on July 1 and 4, 1737). Moderate browning and some edgewear, vertical and horizontal fold lines, partial split with a few tiny chips along central horizontal fold. An interesting item. \$650.

\* An early deed for the purchase of a sixty-third part of a new township, in middle Massachusetts, on the "Easterly side of the Connecticut River between Northfield and Fort Dummer called Willard town or Arlington." The buyer was a savvy 33-year-old rising star among Boston merchants, Thomas Hancock, who started in the book trade, expanded into importing and exporting and later became one of Boston's wealthiest men. When his health failed, he passed his business and fortune to his nephew and ward, future Founding Father John Hancock. The document is dated only one year after the announcement of the cessation of hostilities in the Wabanaki-New England War by Massachusetts Lieutenant Governor Dummer, after whom the Fort was named (the area included the Western area of fighting). The land was sold to Hancock by Joseph Blanchard of Dunstable [now New Hampshire], who served as a lieutenant in the New Hampshire Militia in the war. The deed is also signed and recorded by the great-grandson of Springfield's founder William Pynchon (also named William Pynchon); additional signers include Anthony Stoddard, a recently appointed judge and Harvard graduate. An interesting bill of sale related to many important founding families in Massachusetts. [Order This Item](#)



**Letter Regarding a California Trial  
for the 1849 Murder of an African American Man**

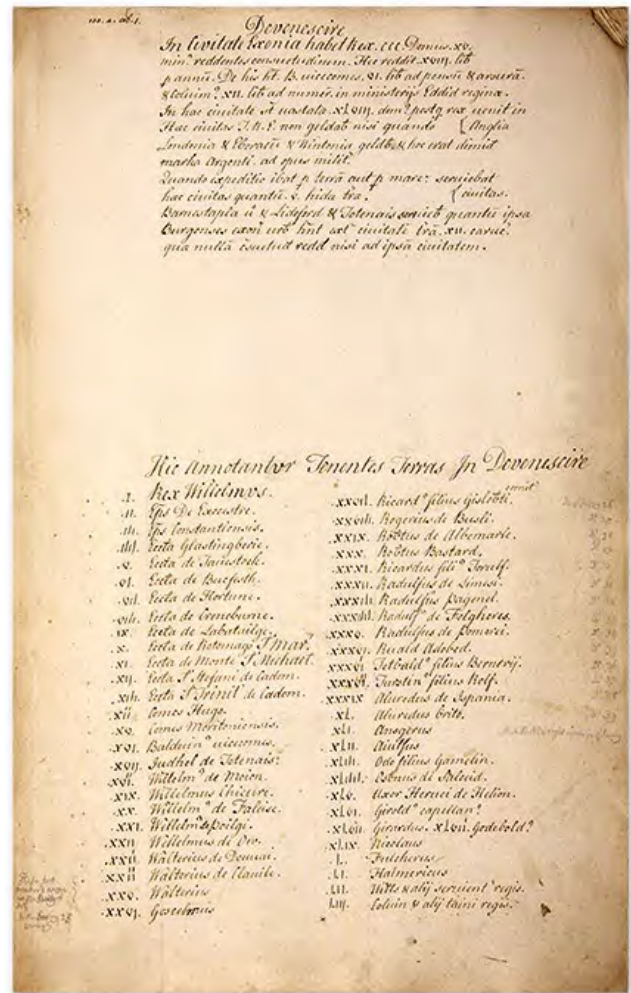
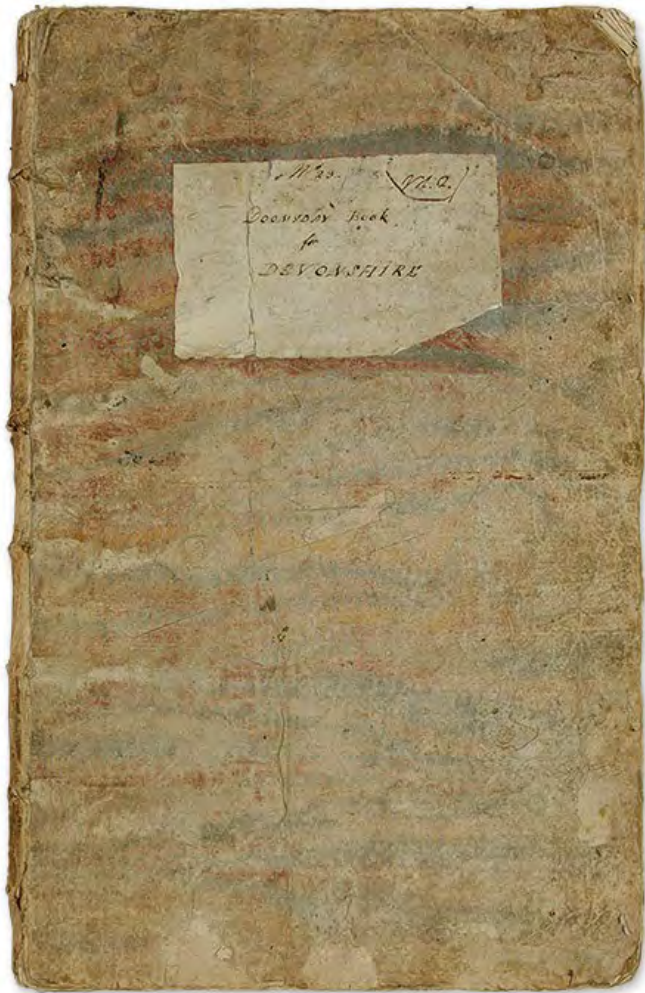
**9. Dickinson, [D]aniel S. [1800-1866].  
[Sherwood, Winfield S. (1817-1865)].**

*[Draft of Autograph Letter, Signed, to Winfield Scott Sherwood, Washington, DC, U.S. Senate Chamber, 1850].*

Single 10-3/4" x 8" leaf, docketed on verso. Some toning, vertical and horizontal fold lines, a few later annotations in tiny hand. Letter accompanied by biographical sketch clipped from a contemporary source and a lithograph portrait plate removed from an unidentified book. \$400.

\* A retained draft of a letter by Daniel S. Dickinson, a U.S. Senator from New York, concerning the trial of Reuben Withers Jr. for the murder in California of an African American man named Bones. Addressed to former New York politician Winfield S. Sherwood, a signer of the California Constitution of 1849, candidate for governor, and later district judge, the letter introduces Reuben Withers's brother, New Orleans banker Dunham Withers, and asks Sherwood to make sure Reuben receives a fair trial. Reuben Withers Sr. was president of the Bank of New York; his son Dunham was a representative to the southern states for the New York banking firm of Howland & Aspinwall. David Dunham Withers of New Orleans was a noted thoroughbred horseman and president of the racing organization that became the Jockey Club. Senator Daniel S. Dickinson previously served as lieutenant governor of New York and later as its 27th attorney general. Dickinson was a potential candidate in 1864 for vice president to Abraham Lincoln. [Order This Item](#)





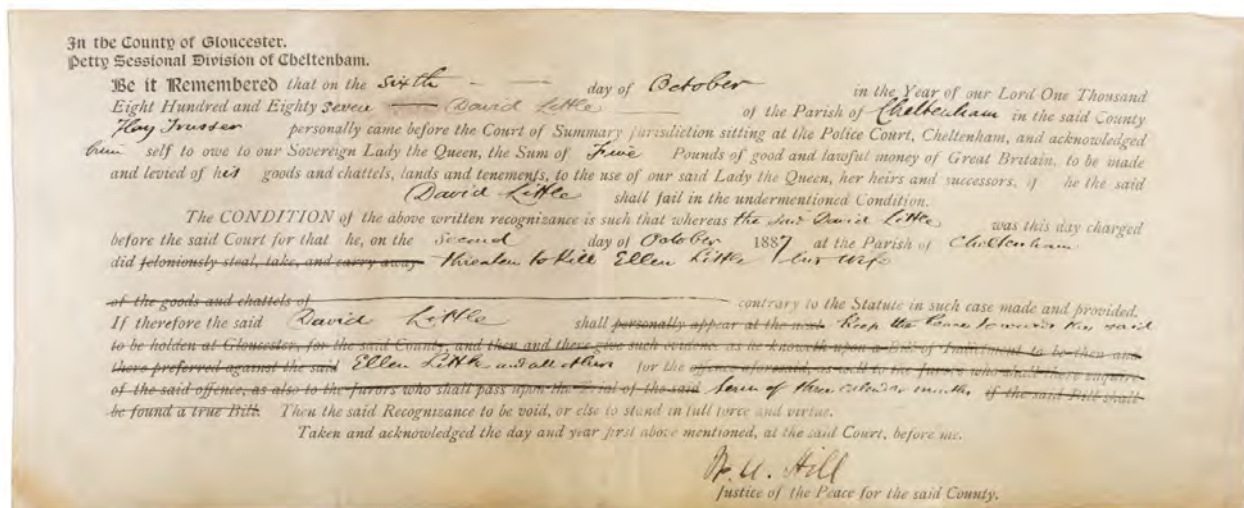
**Pre-Publication Manuscript Copy of  
the Devonshire Chapter of the Domesday Book**

**10. [Domesday Book].**

No. 23. V 1.2. *Domesday Book for Devonshire*. London?, c.1714-1783. 73 ff. Folio (15-1/2" x 10-1/2").

Marbled paper-covered limp boards, raised bands to spine, hand-lettered title panel to front cover. Rubbing and soiling to boards, spine and extremities with wear to spine ends and corners, sections of marbled paper rubbed away, chip to lower corner of title panel, minor worming to rear cover, pastedown and endleaves, two tiny stab-holes though rear half of text block. Light toning to leaves, text in neat hand to rectos of leaves, neat contemporary annotations in pencil to margins. \$1,250.

\* The Domesday Book is a comprehensive census and survey of English landowners and their property commissioned by William the Conqueror in 1085. It is probably the most remarkable statistical document in the history of Europe. The British government initiated a project to publish the book in 1773. It was eventually published as a two-volume set in 1783. (Two more volumes of indexes and related material were added to this set in 1811 and 1816.) Carefully arranged and free of corrections, this faithful transcription of the Devonshire chapter appears to be a pre-publication fair copy. Most of the annotations in pencil are family names, places and landmarks. The watermark on several leaves bears the cipher "G.R.," dating the manuscript to the Hanoverian Era, which began with the coronation of King George I in 1714. It is likely this manuscript was produced between that date and the publication of the first printed edition. [Order This Item](#)



"Threatening to Kill Ellen Little, His Wife"

11. [Domestic Violence].

Petty Sessions Division of Cheltenham.

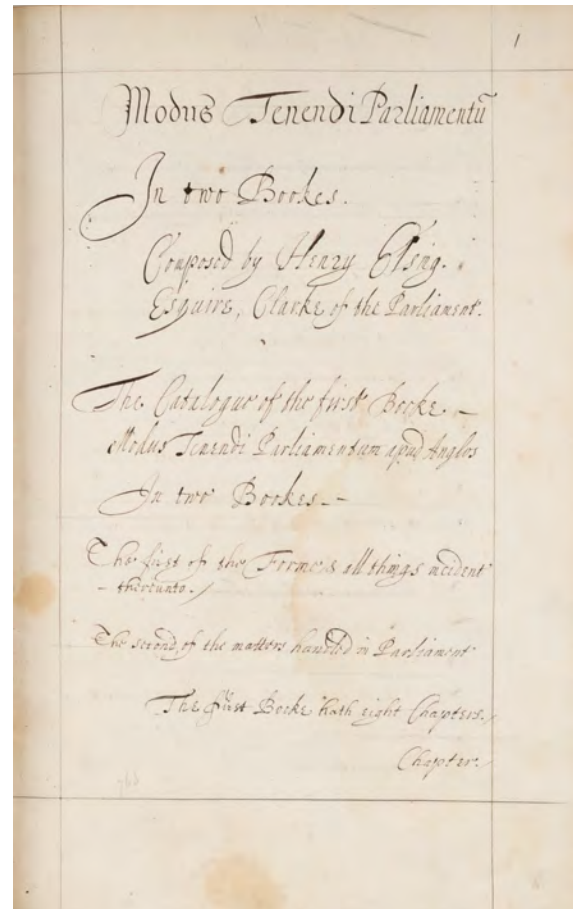
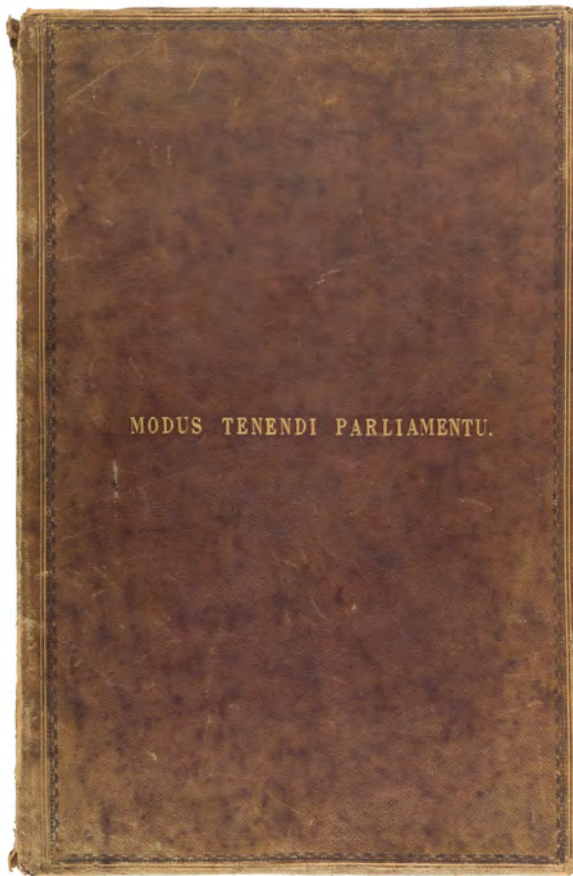
[Court Judgement and Binding Order to Keep the Peace]. Cheltenham: [October 6, 1887].

4-3/4" x 11-3/4" part-printed vellum document completed in manuscript. Light soiling, three vertical fold lines. \$250.

\* This judgement relates to the case of David and Ellen Little. Found guilty of "threatening to kill Ellen Little, his wife," Mr. Little is ordered to keep the peace for three months with a penalty of five pounds if he fails to do so. The document is signed by the Justice of the Peace for the County of Gloucester, Petty Sessions Division of Cheltenham.

[Order This Item](#)





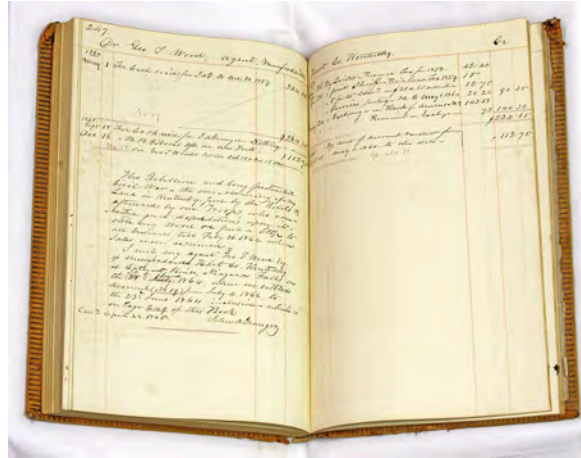
**Pre-Publication Manuscript Copy of  
a Classic Manual on Parliamentary Procedure**

**12. Elsynge, Henry (The Elder).**

*Modus Tenendi Parliamentu[m]. In Two Bookes. Composed by Henry Elsing, Esquire, Clerke of the Parliament. The Catalogue of the First Booke-Modus Tenendi Parliamentum Apud Anglos in Two Bookes-The First of the Forme, & All Things Incident-Thirtunto. The Second of the Matters Handled in Parliament. The First Booke Hath Eight Chapters.* [London?, c.1626-c.1660]. 82 pp. Folio (13-1/4" x 8-1/2").

Nineteenth-century flexible pebbled calf, gilt rules and fillets to boards, gilt title "Modus Tenendi Parliamentu" to center of front board, gilt fillets to spine, all edges gilt. Light rubbing and minor scratches and nicks to boards, moderate rubbing and light fading to extremities with wear to corners, chipping to spine ends, joints starting at ends, front hinge starting at foot, twentieth-century sheet of typewritten notes tipped-in to front endleaf. Moderate toning, faint dampstaining to first third of text block, light soiling in a few places. Text in a single secretarial hand within ruled borders on wide-margined leaves, main text preceded by table of contents, doodles and penmanship exercises in later hand to front endleaf and foot of p. 82. \$5,000.

\* A pre-publication manuscript copy of the first three chapters of this important manual of Parliamentary procedure: "Of Summons," "Of Appearances" and "Locus et Modus Sedendi." Written in 1626, it originally circulated as manuscript copies. Edited and enlarged by his son, also named Henry Elsyng [1606?-1656], who was clerk to the House of Commons, it was published in 1660 as *The Ancient Method and Manner of Holding of Parliaments in England. Being the Collections of Henry Elsynge, Esq.* A work of great authority, it went through several editions into the eighteenth century. Manuscript copies are held by several libraries, but they are rare in commerce. No copies have appeared at auction since 2012. [Order This Item](#)



**Ledger Detailing the Sale of Lands  
from "Granger's Great Tract" in Kentucky**

**13. [Granger (Grainger), John A. (1795-1870)].**

*List of Kentucky Land and Sales, January 22, 1845.* [New York?, 1845-1868]. 280 pp. 3 manuscript slips laid in. Folio (12-1/4" x 7-3/4").

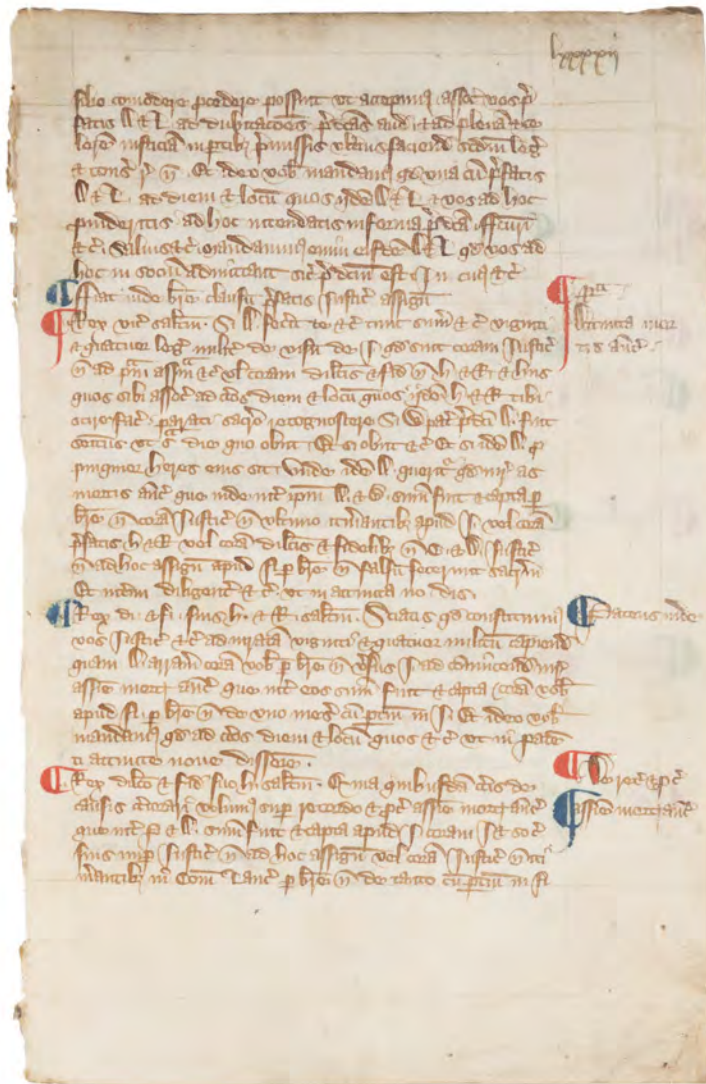
Reversed calf, black-stamped fillets and frames to boards, hand-lettered title to front board, raised bands and lettering piece (reading "Journal") to spine. Some staining to boards and spine, moderate rubbing to extremities with wear to corners, some chipping to spine ends, rear hinge starting at ends. Light toning, content in neat hand to roughly 90 pp., mostly dating from 1845-1850, interspersed with additional blank pages and a few later unrelated entries with later dates through 1868. \$950.

\* One of Kentucky's largest landowners, Gideon Grainger (or Granger), a New Yorker, held 64,000 acres in the region around Bardstown and Glasgow, an area nicknamed "Granger's Great Tract." Divided into three sections, this ledger records the sale of his lands by Gideon's heirs. It has a detailed accounting of the "List of Lands belonging to the Heirs of Gideon Granger, remaining unsold in Hardin, Hart & Larue Co's. Kentucky" totaling some 35,078 acres. An accompanying notation reads: "All the above Land in Kentucky belongs to John A. Granger and was Deeded to him on the 22nd January 1845 by Mindwell P. Granger & Francis Granger Executors & Trustees of the Estate of Gideon Granger, deceased, which Deed is duly recorded in Hardin, Hart & Larue Counties, Ky. and is in the hands of Geo. T. Wood Esq. my agent at Munfordville, Hart Co., Ky." John A. Granger. The second section of the ledger is titled: "List of Squatters in John A. Granger's land all but two seen and visited by him in May 1844 & April 1845." Each squatter is listed by name and respective parcel with various notations such as "Old Road on the east Line - boundary disputed," "On the Nashville Turnpike," "Superior Land," "On the Litchfield Road," etc. A number of squatters purchased land, transactions likely prompted by Granger's site visits.

The third section contains a "List of Land sold by George T. Wood, agent for Gen. John A. Granger," comprising numerous names and various notations. Fourth and final section is titled: "George T. Wood, agent at Munfordville Ky. in a/c with John A. Granger." This section contains extensive lists and some elaborate notations pertaining to the sale of land with names and prices, taxes, surveyor expenses, leases and deeds, etc. John A. Granger, the compiler of this ledger, was a New York militia leader and major general of the 22nd division of infantry. In the back of the book, he writes: "The Rebellion and long protracted Civil War - the over-running of my land in Kentucky - just by the Rebels & afterwards by our troops who committed great depredations upon it - stole my wood and put a stop to all business til Feby 26, 1864 when sales were resumed. I met my agent Geo. T. Wood Esq. of Munfordville at Cataract House, Niagara Falls on the 30th June 1864, when we settled account (No. 19) from July 4, 1862 to 23rd June 1864..." A fascinating document, it offers insights into patterns of land ownership and conveyance and the history of Kentucky's Bluegrass Region.

[Order This Item](#)





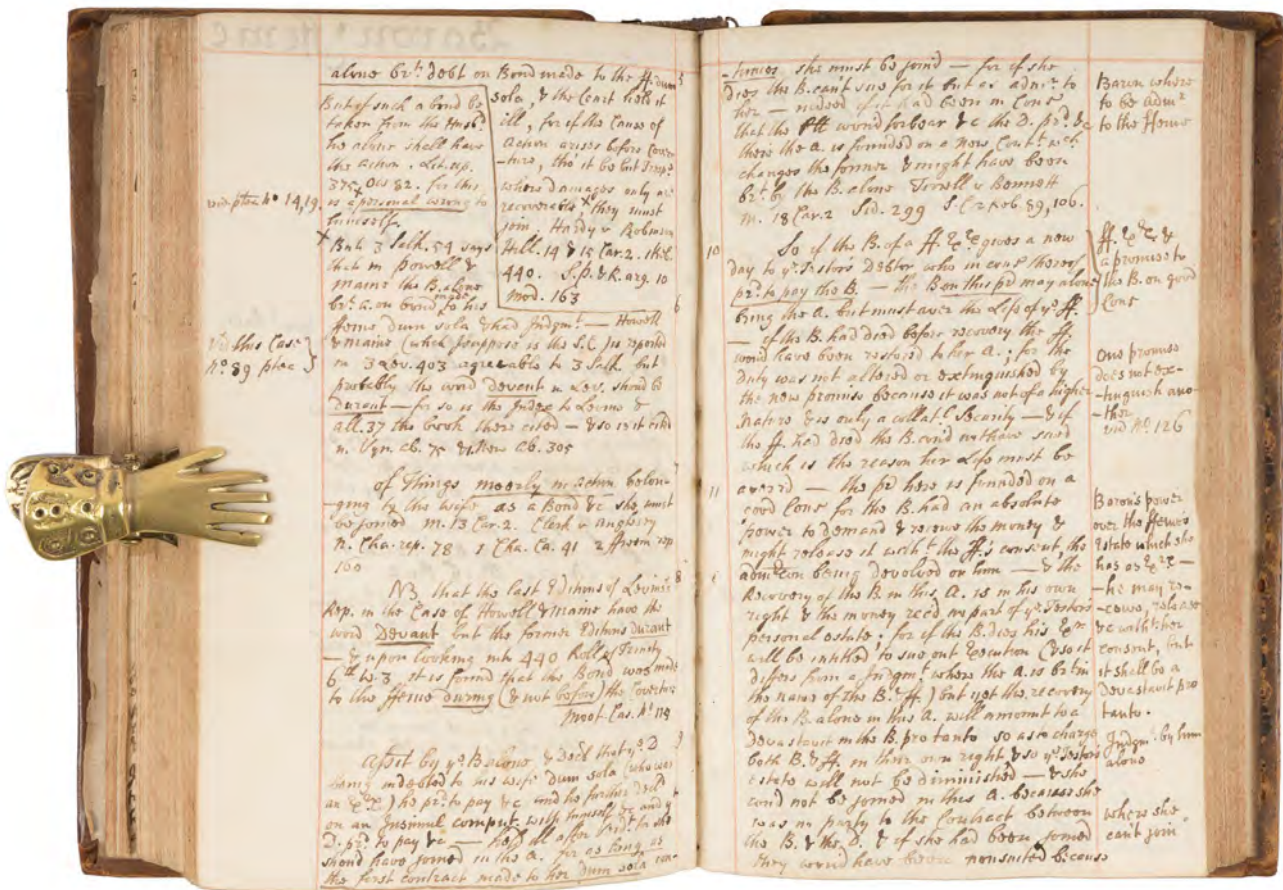
Handsome c.1350 Leaf from a *Registrum Brevium*

14. [Great Britain].

[Leaf from a *Registrum Brevium*]. [Probably London or Westminster, c. 1350]. [2] pp. Octavo (7-1/2" x 5").

Parchment leaf, light soiling, mostly to margins, a few tiny spots, minor edgewear, faint fold crease to lower outer corner. 33-line single-column text in a small and compact anglicana chancery hand, paragraph marks and reference words in outer margin in red or dark blue, some capitals of these reference words touched in red, original folio no. 'lxxxii' in upper outer corner of recto. \$5,000.

\* This handsome leaf is from a manuscript collections of sample writs, the documents necessary to initiate legal actions. A cornerstone of the common law, these collections were an essential tool for lawyers in medieval England. Some were compiled from several sources or copied from other examples. The source of our leaf appears to be a copy of a widely circulated collection dating from the reign of Edward III [1327-1377]. Known as the *Registrum Brevium*, it was the source of the first printed collection of writs, which was published in 1494 by Richard Pynson. [Order This Item](#)



Manuscript Reference Dealing with Assumpsit and Family Law

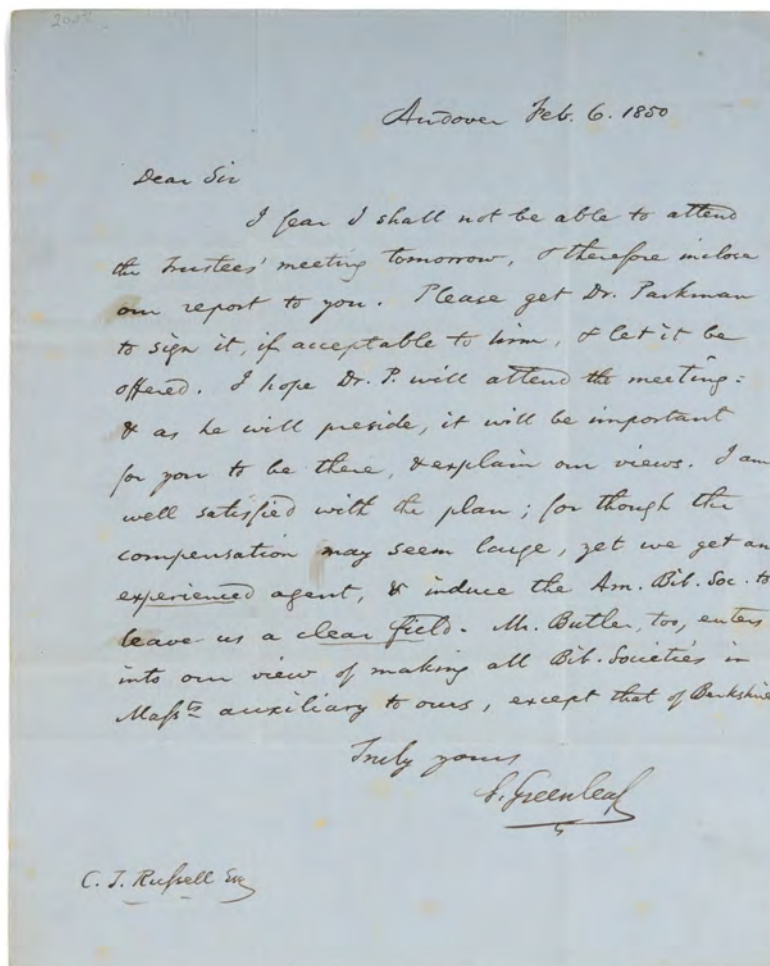
15. [Great Britain].

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

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

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





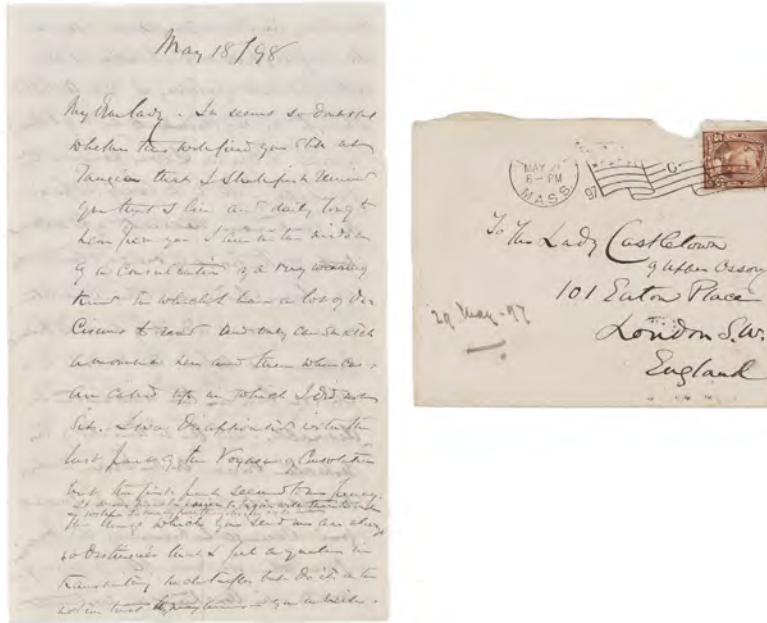
### Political Maneuvering at the Massachusetts Bible Society

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

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

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

\* In addition to his many accomplishments as Dane Professor at Harvard Law School, Greenleaf was a Christian of profound faith. His 1846 work *The Testimony of the Evangelists* was a landmark in the development of juridical apologetics, the defense of faith through legal reasoning. He was also the president of the Massachusetts Bible Society for a number of years. In this letter, he writes to Charles T. Russell [1815-1896], a Harvard Law School alumnus and fellow lawyer, in advance of a meeting of the Society which he could not attend and asks Russell to help him gain support for a recommendation. The letter reads, in part: "I fear I shall not be able to attend the Trustees' meeting tomorrow, & therefore inclose our report to you. Please get Dr. Parkman to sign it, if acceptable to him, & let it be offered. I hope Dr. P. will attend the meeting, & as he will preside, it will be important for you to be there, & explain our views." Dr. Parkman was likely the Rev. Francis Parkman, Sr. [1788-1853]. [Order This Item](#)



**Holmes Describes His Approach to  
the Law in a Letter Written in May 1898**

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

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

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

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

**[With]**

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

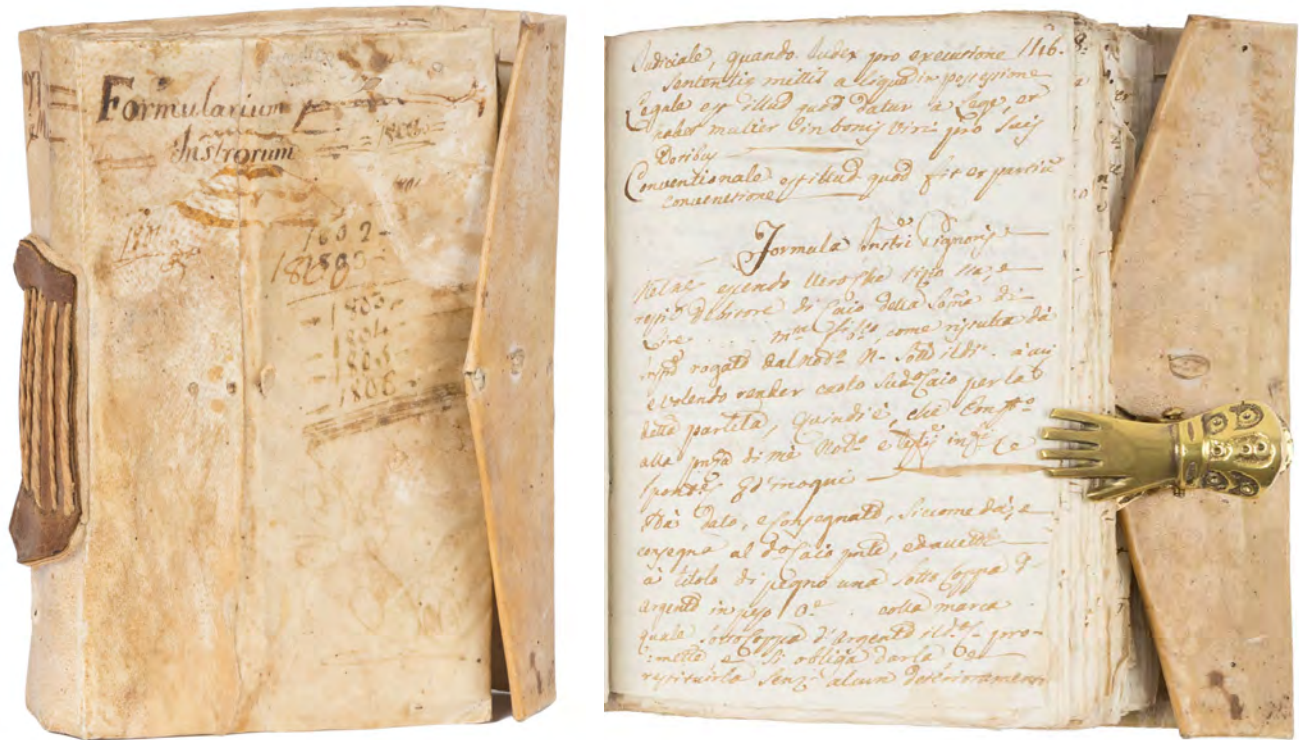
Light soiling, tears along opening, most of rear flap lacking.

Together two items. \$4,500.

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

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





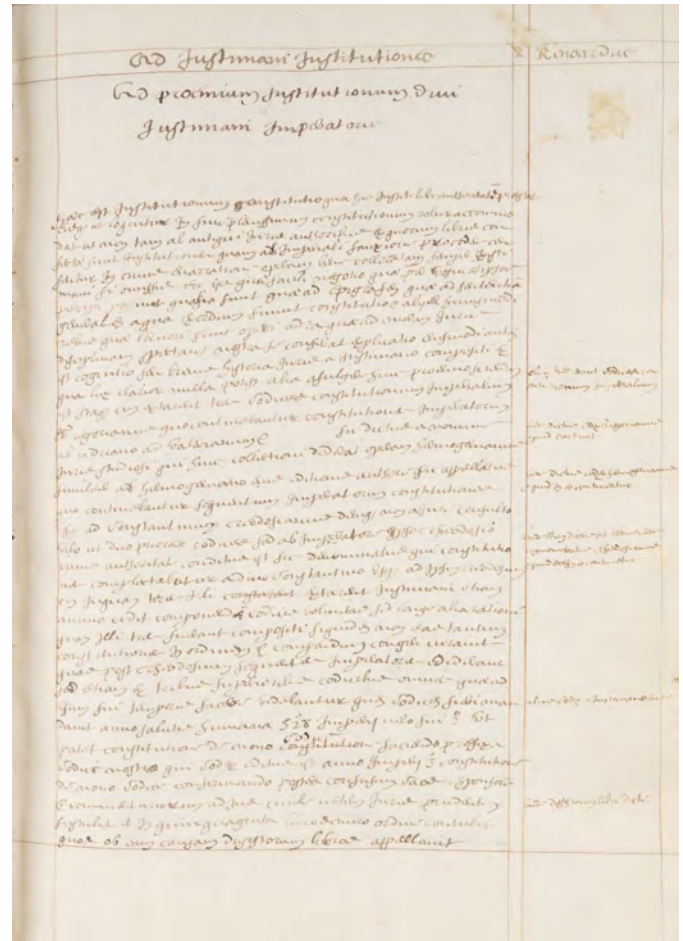
**Seventeenth-Century Italian  
Manuscript Formbook in a Wallet Binding**

**18. [Italy].**

[Formulary]. Italy, c. 1650. 250 ff., 18 ff. thumb-tapped index, 25 blank leaves. Octavo (6" x 4-1/4").

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

\* The front pastedown is signed "Advocado Jo: [Giovanni] Baptista Bonta," who was probably the compiler of this manuscript. It is a fine example of a mid-seventeenth century Italian formulary, a collection of sample legal forms. Its small format, wallet binding and index suggests it was a portable reference work. [Order This Item](#)



Annotated Manuscript Copy of the *Institutes* of Justinian

19. [Justinian I (483-565 CE), Emperor of the East].

*Justinian Institutiones*. [France, c.1700]. 144, [142], 63, [322] ff. Folio (11-1/2" x 8").

Contemporary reversed calf, blind rules to boards, raised bands and blind fillets to spine, fragments of thong ties. A few minor worm holes, light rubbing and some scuffs and stains to boards, corners bumped, wear to head of spine, minor worming to rear pastedown. Light toning to interior, minor stains to a few leaves, text in neat hand within ruled borders to rectos and versos of most leaves. \$4,000.

\* This is a careful transcription of the *Institutes* of Justinian with detailed notes in ruled columns in the outer margins. Added to about 50% of the text, they are under the headings "Renoardus" or "Bengeus." These are likely the names of law professors, which suggests these are notes taken during lectures. In contrast to Justinian's text, the notes are not as neat and have occasional cross-outs and corrections. Written around 161 CE, the *Institutes* is an elementary treatise on Roman private law that served as a standard text for 300 years. [Order This Item](#)





**Unpublished Autobiography of a  
Prominent Philadelphia Lawyer and Judge**

**20. Lewis, Edwin O. [1879-1974].**

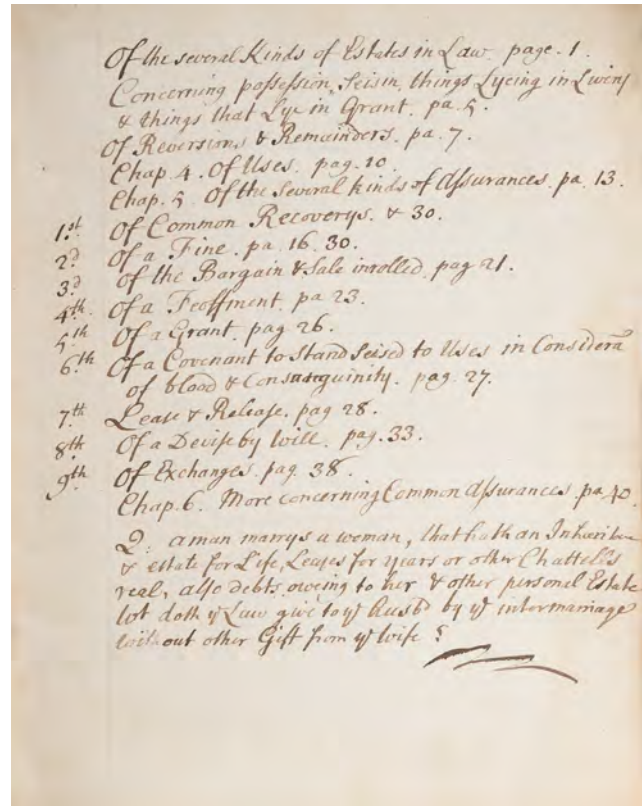
[*Here Lies an Honest Lawyer*]. [Philadelphia, c.1969] 125 pp.

**[And]**

*The Papers of Judge Edwin O. Lewis: Table of Contents*. [Philadelphia, n.d.] 21 pp.

Photocopied typescripts in bound in calf-stamped cloth dissertation binder, light shelfwear. "Here Lies an Honest Lawyer/ Edwin O Lewis retired/ former President, Judge/ Common Pleas Court # 2/ Philadelphia County/ An Autobiography/ (Typographical Corrections/ by CLW) in pencil to sheet preceding typescript. "For Geoffrey/ LB Walton" to head of *Papers*, photocopied (but signed) 4 pp. letter from Edwin O. Lewis clipped to *Papers*. \$750.

\* Born in Richmond, Edwin O. Lewis attended law school at the University of Pennsylvania and settled in Philadelphia, where he became a prominent lawyer, judge and civic leader. He led the effort to establish Independence National Historic Park. This photocopy of his interesting and rather charming autobiography, never published, bears corrections by his daughter, Caroline Lewis Walton, who seems to have been assigned the role of editor. According to the letter by Lewis, *Papers* is an inventory of papers Lewis donated to the archives of the Independence National Historic Park. Geoffrey Walton was Lewis's grandson. [Order This Item](#)



"Never Printed But Lent Me to Copy"

**21. Lowndes, William [1652-1724].**

*A Treatise of Estates & Conveyances by Wm. Lowndes Esqr. Late Secretary of the Treasury. Never Printed but Lent to Me to Copy. AD 1712.....Ends pag[e] 49.* Cornwall?, 1699-1718. [4], 49, [1], 50-62, [5] pp. 11 blank leaves. Quarto (7-3/4" x 6-1/4").

Contemporary calf, gilt frames to boards, raised bands and recent shelf label to spine, marbled endpapers. Minor nicks and scuffs to boards, a few paint spatters to rear board, moderate rubbing to extremities with some wear to spine ends and corners, moderate toning to interior. Leaves ruled in red ink, text in several small neat hands. \$3,500.

\* Lowndes, a Whig politician, was Secretary to the Treasury under King William III and Queen Anne. An effective administrator, he dominated Treasury affairs for thirty years. His unpublished *Treatise on Estates & Conveyances* is divided into six chapters: "Of Several Kinds of Estates in Law," "Concerning Possession, Seisin, Things Lyeing in Livery, & Things Lying in Grant," "Of Reversions and Remainders," "Of Uses," "Of the Severall Kinds of Common Assurances" and "More Concerning Common Assurances." This section is dated 1699. At the end is a final, related question, dated 1704, that asks what a husband gains by marriage to a wife who possesses various forms of estate.

The text of this section is in a neat scribal hand, with a title page and table of contents in a different hand. Following the Lowndes text are several related documents in different hands, including a copy of the marriage settlement of William Dennis and Dorothy Cotton in 1696 (by which he gained estates of £5000), a copy of a document of 1718 attesting to the settlement of a debt from the estate and "An Underlease of part of a B[isho]ps Lease for three Lives."

Francis Luttrell [1683-1740], barrister and son of the book collector Narcissus Luttrell, may have written part of this manuscript. In 1712 Narcissus attempted to secure a place in the Treasury for his son, which would likely have brought them into contact with Lowndes. (Lowndes, incidentally, was not "late Secretary of the Treasury" in 1712, though a joint secretary had been appointed in 1711.) The 1718 document mentions Narcissus Luttrell's sister, Dorothy Wynne, and cousin, Henry Manaton. The manuscript was part of the Pendarves Archive of the Luttrell and Wynne families of Cornwall, which was dispersed at auction in 2013. [Order This Item](#)





### Documents of a Contentious 1880 Divorce in Indiana

#### 22. [Ober, Anthony].

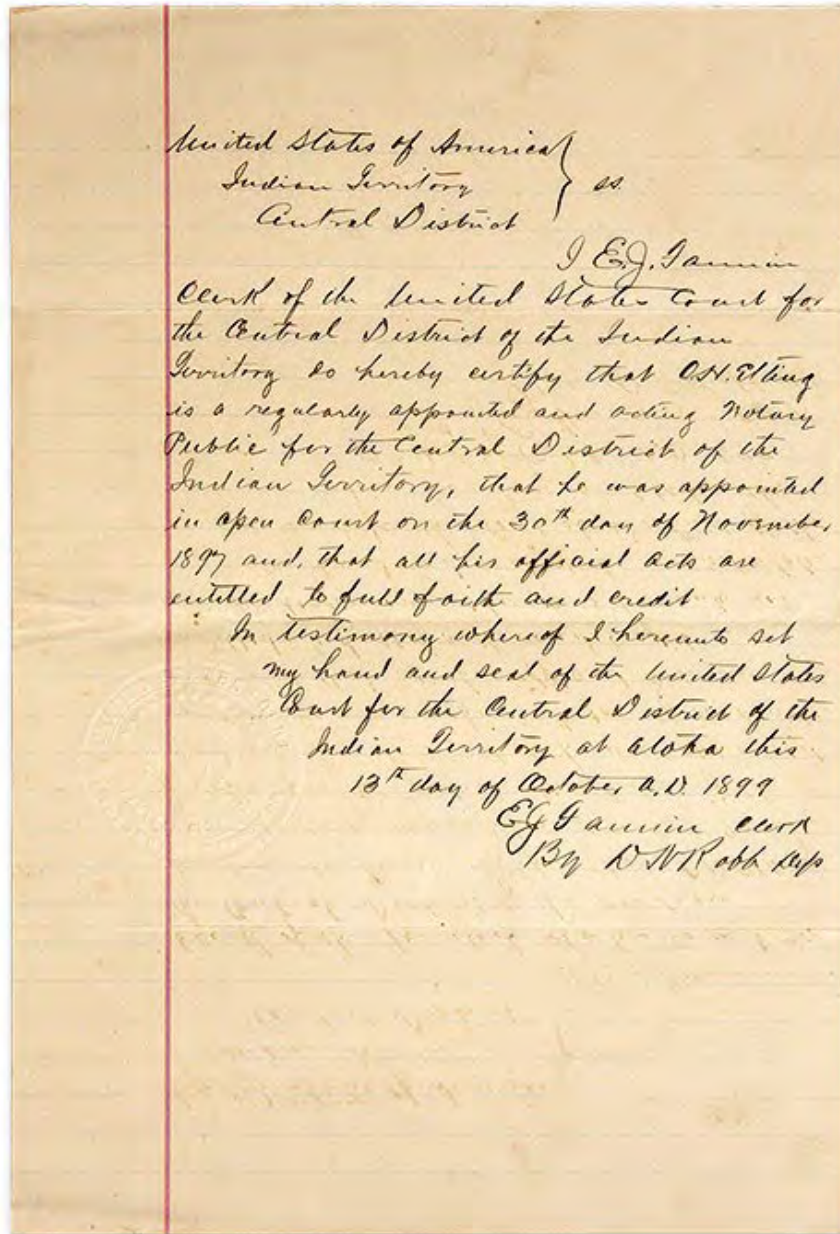
[*Legal Rant Over a Contentious Divorce and a Personal Summons to Appear in Court*]. Yorkville, IN, 1880.

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

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

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

[Order This Item](#)



Document Appointing a Notary Public in Oklahoma Indian Territory

23. [Oklahoma].  
[Indian Territory].

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

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

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

[Order This Item](#)





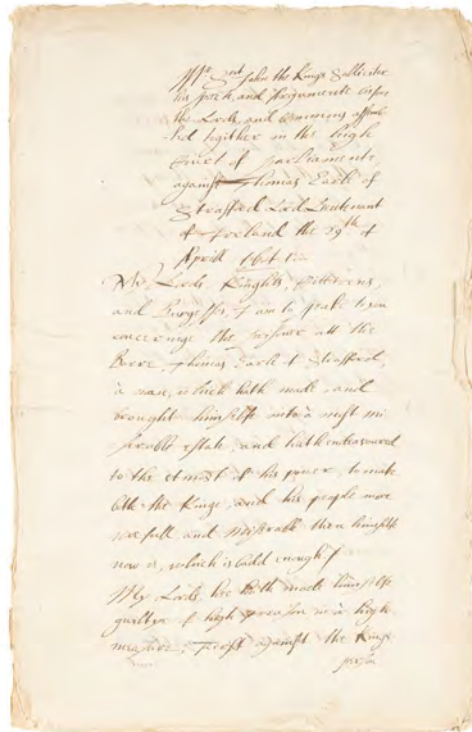
**Eighteenth-Century Account Books of  
a Law Firm in Rochester, Kent, England**

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

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

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

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



### A Unique Copy of St. John's Speech in Favor of Strafford's Attainder

25. St. John, Oliver [c.1598-1673].

[Wentworth, Thomas (1593-1641), 1st Earl of Strafford].

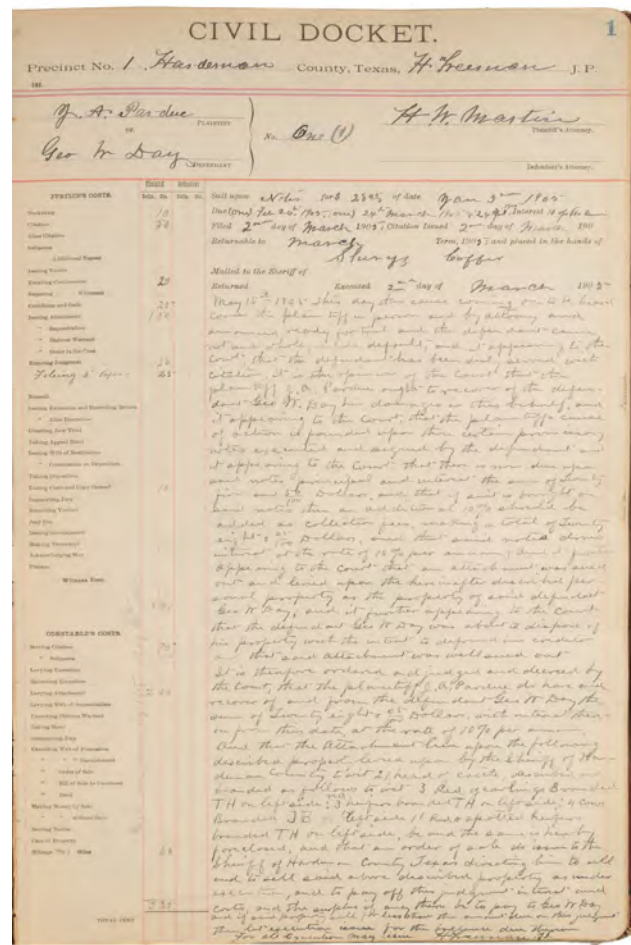
*Mr. Snt. John the Kings Solliciter His Speech, And Argumente Before the Lords, And Commons Assembled Together in the High Court of Parliamente, Against Thomas Earle of Strafford Lord Lieutenant of Ireland the 29th. Of April. 1641.* [London, 1641]. [12] pp. [ONLY].

12-1/4" x 7-3/4" unsewn bifolia, text in single neat scribal hand with catchwords. Moderate toning, light edgewear not affecting text, faint horizontal and vertical fold lines, light creasing at upper left corner, recent page numbers added in pencil. \$950.

\* This manuscript records portions of St. John's passionate address in favor of the Parliamentary attainder of Thomas Wentworth, 1st Earl of Strafford. Wentworth was a leading supporter of King Charles I and a major figure in the period preceding the English Civil Wars. Scapegoated by Parliament for his "treasonous" role in the Second Bishops' War, one of the preliminary stages of the Civil War, he was condemned to death on shaky legal grounds via a bill of attainder in 1641. Feeling it necessary to yield to Parliament, whose case was led by his own solicitor general, Charles signed the death warrant.

A judge and skilled politician, St. John served in both the Short and Long Parliaments. His moderate leanings did not prevent him from delivering a thorough and vicious statement of the case against Wentworth. Our manuscript copy of his speech appears to be incomplete, concluding approximately one-third through the speech and in the middle of a sentence. Nevertheless, it is of great interest for its numerous and significant differences from printed versions, which themselves differ from each other. Though it is similar to print copies in organization and themes, much of the phrasing is unique to this manuscript. A fair copy with a few minor corrections, it likely predates the printed editions which appeared the same year. Parliamentary proceedings were secret during this period, and our manuscript may have been made as a clerical copy or disseminated more widely in manuscript form to avoid licensing issues in print. We located a similar (36 pp.) manuscript at the British Library (Add MS 25275). [Order This Item](#)





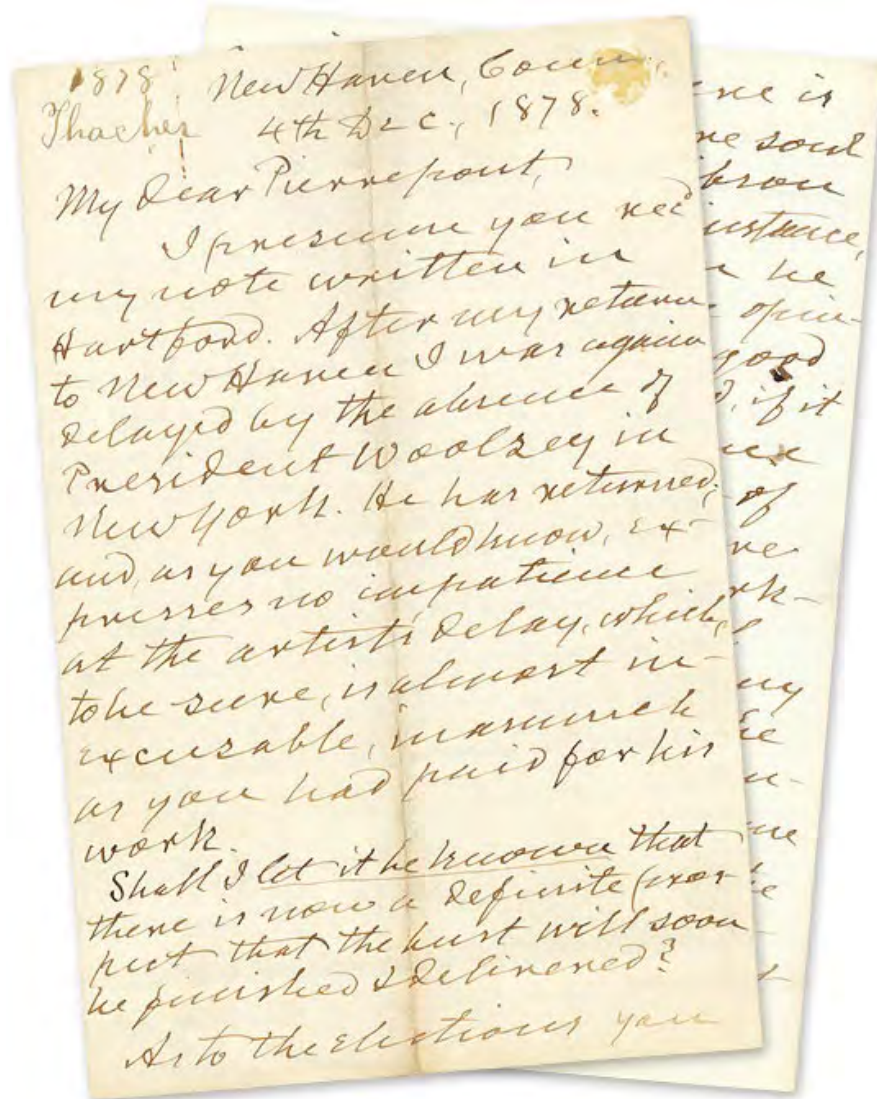
Twentieth-Century Docket Book from Hardeman County, Texas

26. [Texas].

[Justice's Civil Docket (spine title)]. Hardeman County, Texas, 1905-1910. [xxviii], 290 pp. Final leaf possibly removed. Folio (15-3/4" x 10-1/2").

Three-quarter dark red cloth over light red pebbled cloth, gilt fillets and title to spine, marbled edges, hinges and endleaves reinforced with cloth, stationer's bookplate to front pastedown, a few ms notes to rear endpaper. Moderate rubbing and several small scuffs and inkstains to boards, somewhat heavier rubbing and light wear to extremities, joints starting in a few places, corners worn. 28 pp. thumb-tabbed address book (blank) followed by 290 pp. part-printed docket book completed in manuscript, several additional typed pieces of paper tipped or laid in. Moderate toning to interior, a few cracks in text block, all leaves secure. \$650.

\* This docket of civil cases from Precinct 1 of Hardeman County, Texas appears to have been compiled by at least two justices of the peace, H. Freeman and J.R. Mattock. Freeman was a justice of the peace from approximately 1897-1908; Mattock, who had previously served as the county sheriff in 1903, seemingly takes over the docket in late 1908. Most of the entries are remarkably comprehensive, recording the names of the parties and their attorneys, the outcome of the case and a full accounting of court costs. The cases cover a wide range of disputes: property rights, escaped livestock, mortgages, refusal to pay fines and personal and corporate debts all feature. An interesting look at the judicial process in early twentieth-century Texas. [Order This Item](#)



**1878 Letter to a Notable New York Attorney  
Concerning the End of Reconstruction and a Bust of Yale's President**

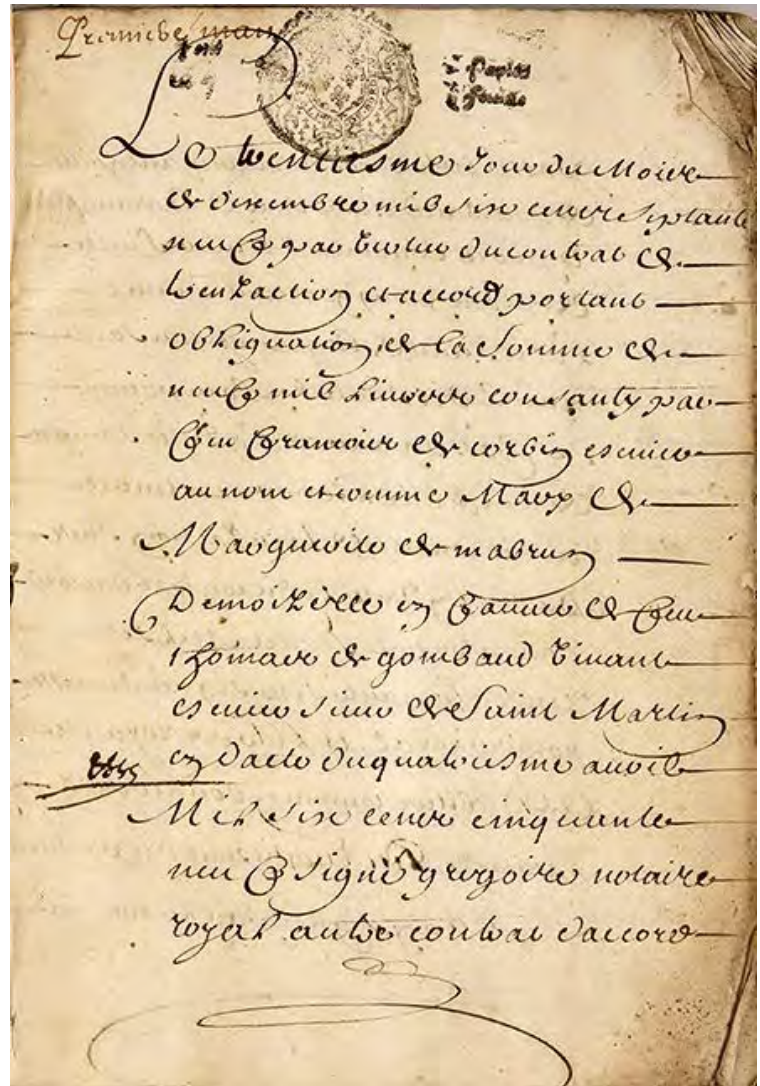
**27. Thacher, Thomas A. [1815-1886].  
[Edwards Pierrepont (1817-1892)].**

[Autograph Letter, Signed, To Edwards Pierrepont, New Haven, CT, December 4, 1878].

Two 8" x 5" sheets, text to rectos and versos, no transmittal envelope. Moderate toning and a few minor stains, vertical fold lines. \$250.

\* A candid 1878 letter by Yale classics professor Thomas A. Thacher discussing the upcoming Congressional mid-term elections, Louisiana politics, and the "villainy" of the "white people of the slave states." It is addressed to "My Dear Pierrepont," a Yale College and Yale Law graduate who was one of the most important lawyers and political figures of the later nineteenth century. Thacher gives his negative opinion of the post-Reconstruction South and discusses the former Confederate General Randall L. Gibson, who was then a Democratic Congressman from Louisiana. Thacher's letter also discusses the delay in delivering a bust of Yale College President Theodore Dwight Woolsey by sculptor Augustus Saint-Gaudens that was commissioned by Pierrepont. [Order This Item](#)





### Determining Compensation for Madame de Corbin's Property

#### 28. [Trial]. [de Corbin, Madame].

[*Case Concerning the Seizure of Property from Madame de Corbin, A Widow*]. Saint-Aignon, France, 1679-1680. 160 ff. Quarto (9-3/4" x 7").

Contemporary limp vellum, ties lacking, faint hand-lettered annotation to front cover. Moderate soiling and a few stains, worming in a few places, some loss to lower rear corner and corners of 52 preceding leaves with no loss to text. Text in large neat hand to rectos and versos of all but the final leaf, each section endorsed by a stamp of the Généralité de Bordeaux, the administrative division that included Sait-Aignon. \$1,500.

\* Carefully organized and clearly written, this is a fair copy of notes taken for a case concerning the seizure of real estate from a Madame de Corbin, a widow, by a Pierre de Gombauld, a local minor noble. It records the sale records of various parcels of land near Saint-Aignon, each endorsed with an official stamp. Presumably, these records were collected to help the court to determine an appropriate amount of financial compensation for Madame de Corbin's land. [Order This Item](#)

Walworth County, Wisconsin Territory 1845  
 William Smith &  
 Lorna Smith }  
 vs } Astor Saunders.  
 James Acker  
 Walworth County, Wisconsin Territory ss  
 Dyer Read being sworn says that  
 he is the agent of the above named William  
 Smith and Lorna Smith plaintiffs in  
 the above entitled suit and that they  
 the said plaintiffs have a good cause of  
 action therein against James Acker  
 the above named defendant for this  
 to wit: that on the 16<sup>th</sup> day of  
 October instant at Spring Grove in  
 said County the said James Acker  
 falsely and maliciously charged the  
 said Lorna Smith, then being the wife of  
 the said William Smith, with being  
 a public whore, and falsely and  
 maliciously stated in the presence of  
 a number of persons that the said  
 Lorna Smith was a public whore,  
 thereby imputing to her the crime of  
 adultery &c by reason of which the  
 said plaintiffs have been greatly  
 damaged, and they claim damages  
 to the amount of one thousand dollars  
 sworn and subscribed before  
 me this 25<sup>th</sup> day of October 1845  
 George Gale  
 Supreme Court Commissioner

M<sup>rs</sup> Smith & wife  
 vs  
 James Acker  
 Aff to hold to  
 Bail  
 Filed Oct 25 1845  
 Leonard P. Russell  
 Clerk

"Public Whore?"

29. [Wisconsin].

[Acker, James, Defendant].

[Accusation of Adultery]. Walworth County, Wisconsin Territory, 1845.

12-1/2" x 7-3/4" sheet. Moderate toning, two horizontal fold lines, light edgewear. Content in neat hand, docketed on verso. \$450.

\* The document pertains to suit filed against James Acker by Dyes Read for William and Lorna Smith. "The said James Acker falsely and maliciously charged the said Lorna Smith, then being the wife of the said William Smith, with being a public whore, and falsely and maliciously stated in the presence of a number of persons that the said Lona Smith was a public whore, thereby imputing to her the crime of adultery to by reason of which the said plaintiffs have been greatly damaged and they claim damages to the amount of one thousand dollars." The case was brought before Supreme Court Commissioner George Gale [1816-1868]. Gale served in the Wisconsin state senate and was the founder of both Gale College and the town of Galesville. The defendant in this action may have been early Wisconsin pioneer James C. "J.C." Acker [1819-1892], who moved to Wisconsin from New York in 1842 and purchased 160 acres in La Fayette Township, where he operated a farm and established a stone quarry. We do not know how this case was decided. [Order This Item](#)



Washington City Dec. 16. 1825.

Your esteemed favor of the 11<sup>th</sup> has just reached me having as I presume been retarded on its passage in consequence of the stoppage of the steam boat by the ice between Frankfort and Baltimore on Tuesday last - the weather here on Tuesday and Wednesday was exceedingly cold, but has since moderated and is now quite pleasant. I am happy to find that you are pleased with the President's Message, it is commended by all, except the Richmond engine, as a valuable state paper, its style, as well as its matter are such as are calculated to do honor to the American President, and will excite an interest wherever the Message is read - The various subjects, recommended by it, have been referred and will no doubt receive the strict attention of the several committees - I have the honor to be one of the select committee on the subject of the monument to Genl Washington, we have had one meeting, and I have no doubt will report favorably, but I have no idea that any bill we may report will pass: we have too many blue stocking ~~members~~ members who are willing to endorse the General any where rather than in March - I agree with you in thinking the Mission to Panama will be attended with important consequences, not only to the different republics which will be there represented, but to the world, it will give a countenance to the South American Republics, and show an attitude so friendly to them, and so ~~not~~ formidable to the holy alliance as to cause them to reflect seriously, at least, before they take any hostile measures, in favor of the beloved Ferdinand against them - in short there is no calculating at this time the influence it may have on the civilized world - Mr. John Sergeant and Mr. Anderson are spoken of as the persons likely to compose the Mission on the part of the United States - if so, we shall be well represented -

That the United States are increasing in wealth,

**Interesting Letter by a Distinguished  
Nineteenth-Century Pennsylvania Lawyer-Politician**

**30. Wolf, George [1777-1840].**

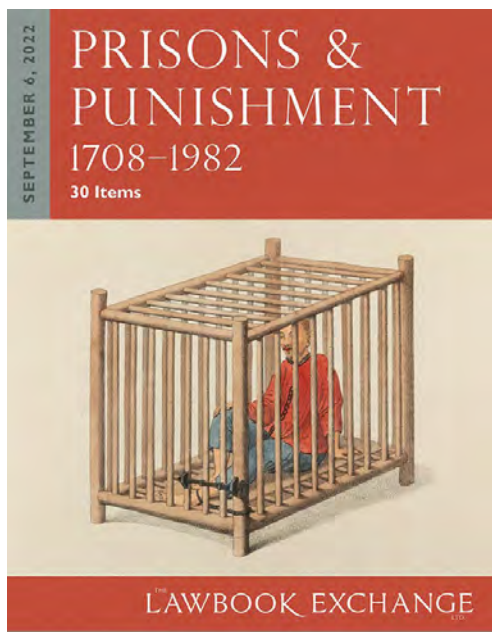
[Autograph Letter, Signed, Washington, DC, December 16, 1825].

Single 9-3/4" x 8" leaf. Four fold lines, two vertical and two horizontal, light browning. Content in small neat hand to recto and verso, fragments of paper (from an album) along left-hand margin. \$750.

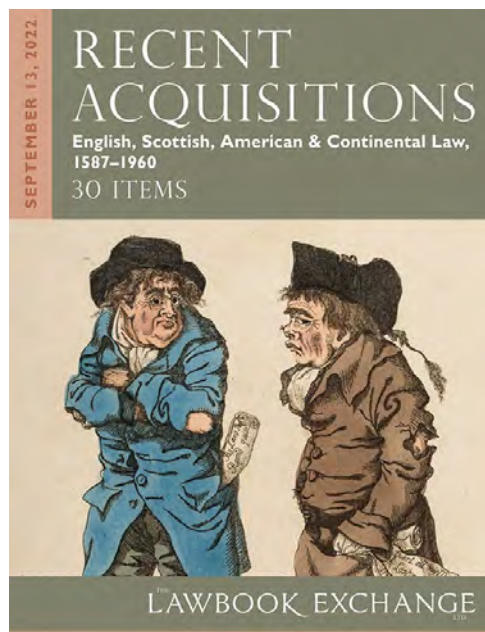
\* A lawyer and Jeffersonian, later Jacksonian politician, Wolf was a member of the Pennsylvania House of Representatives in 1814, a member of the U.S. House of Representatives from 1824 to 1829 and the governor of Pennsylvania from 1829 to 1835. Appointed by President Jackson, served as the first comptroller of the Treasury, a post he held until 1838. He is best known as the governor who oversaw the establishment of Pennsylvania's public school system. Addressed to a John Cooper, an associate judge in Pennsylvania, this letter was written when Wolf was a U.S. Representative. Rich with "inside" information, it touches on several interesting topics: his work as a member of the "select committee on the subject of the monument to Geo. Washington," the annual message of President Adams, a mission to Panama, the prosperity of the United States and the impeachment of Robert Porter, a judge in Northampton, Pennsylvania. Letters by Wolf in the market are rare. We could locate only two auction records, the last at Henkels in 1907 (Lot 354, 3 Letters).

[Order This Item](#)

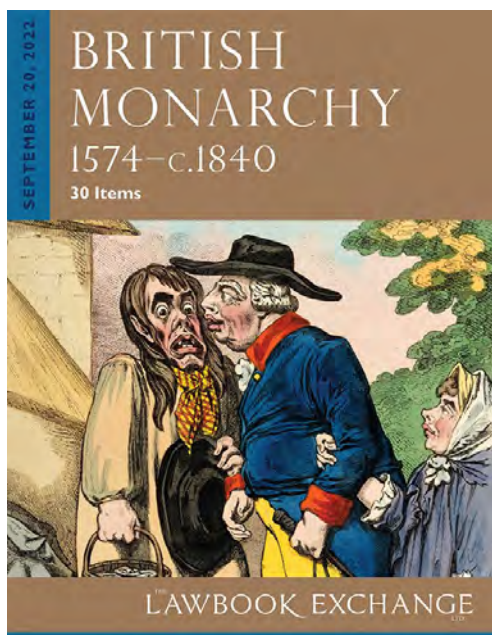
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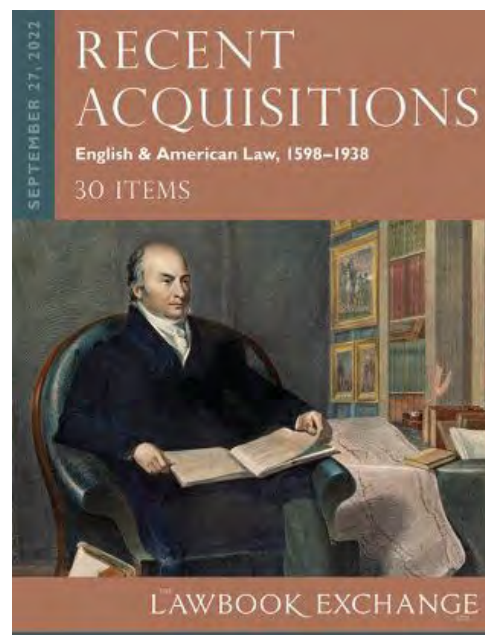
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