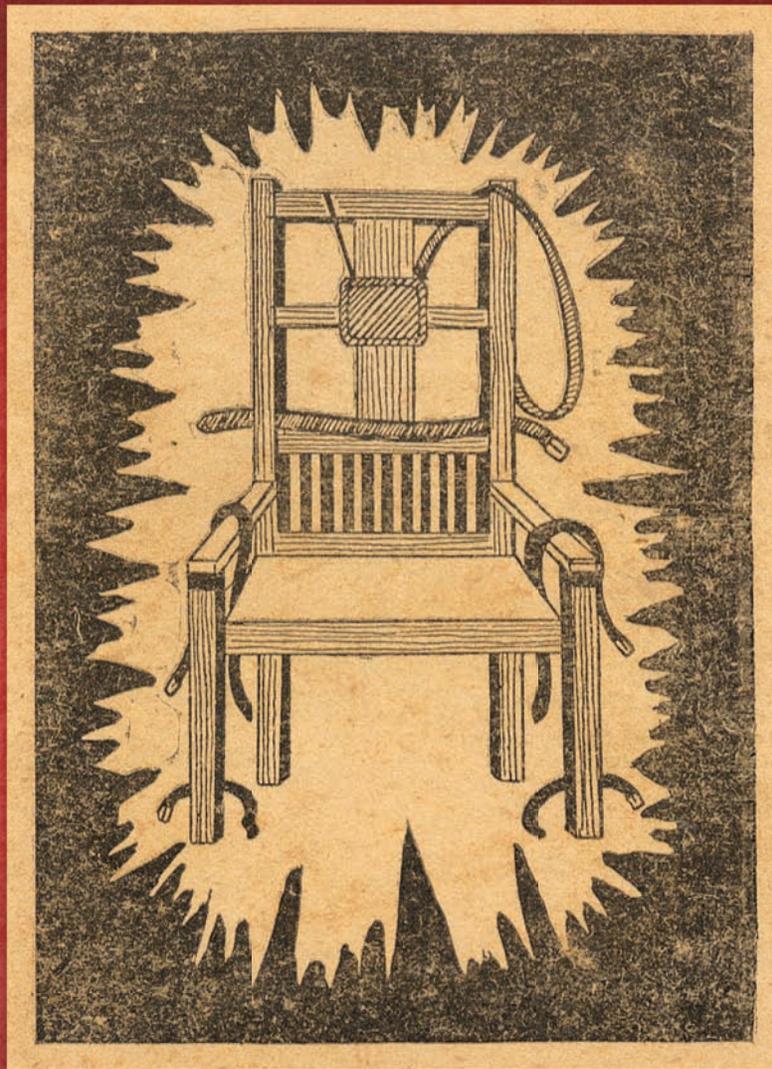


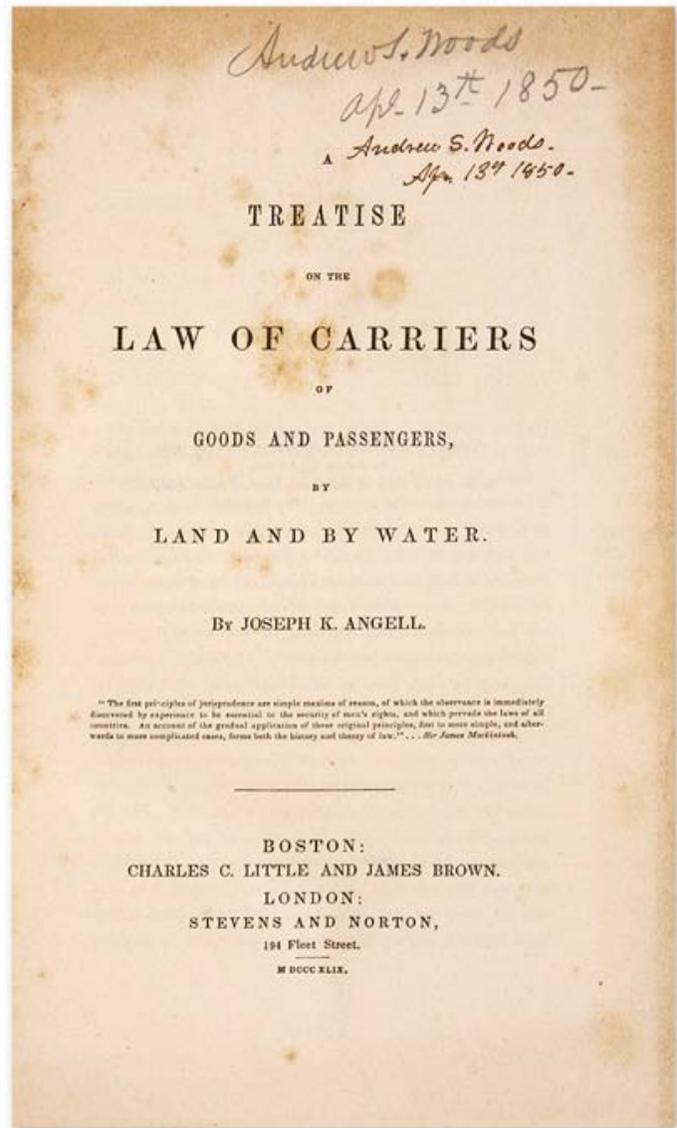
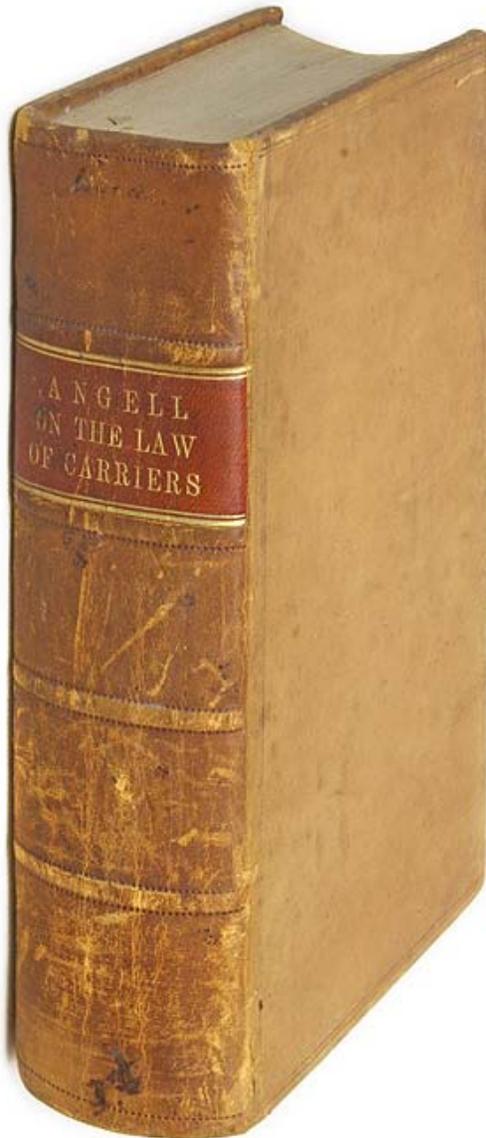
# 30 NEW ARRIVALS

BOOKS, BROADSIDES,  
MANUSCRIPTS & PAMPHLETS

*May 23, 2017*



THE  
LAWBOOK EXCHANGE  
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### The First American Treatise to Discuss Railroads

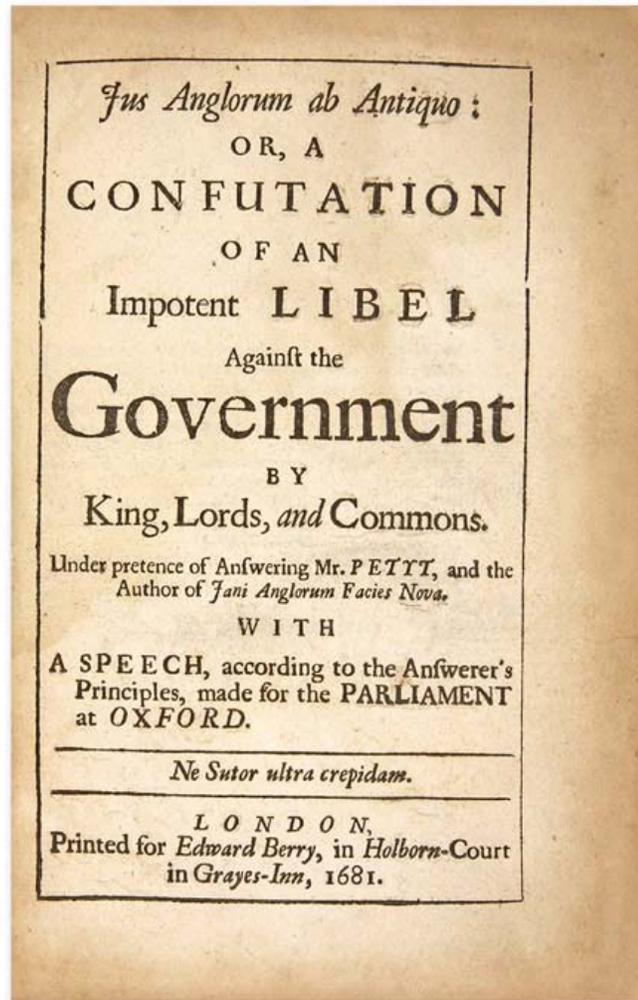
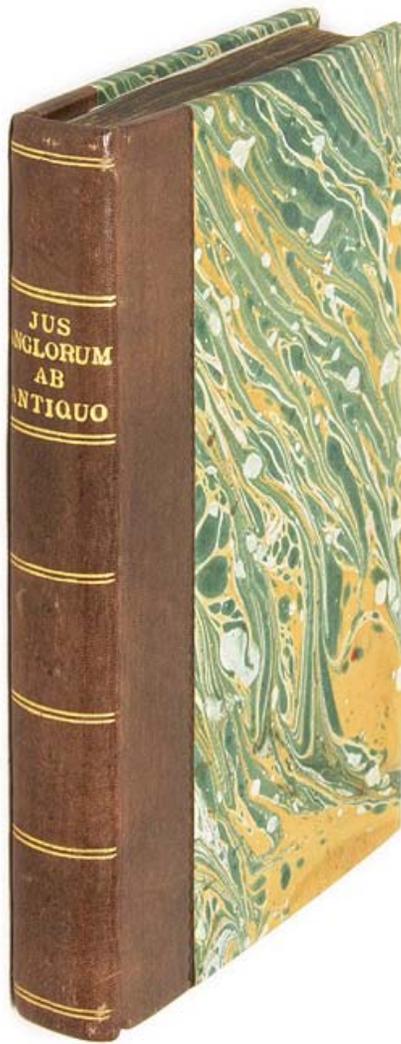
#### 1. Angell, Joseph K. [1794-1857].

*A Treatise on the Law of Carriers of Goods and Passengers, by Land and Water.* Boston: Little, Brown and Company, 1849. xxiv, 647, lxxxix, [763]-791 pp. Octavo (9" x 6").

Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine. Light rubbing to boards and extremities, somewhat heavier rubbing to spine. Light toning to text, light foxing in some places, two early owner signatures to head of title page, another faint signature to head of spine. A well-preserved copy. \$750.

\* First edition. *Angell on Carriers* was highly esteemed in its day. It went through three editions, the last one in 1857. It is notable as the first American treatise to discuss railroads. It was also one of the first treatises to discuss steamboats. Cohen, *Bibliography of Early American Law* 10942.

Order this item: <http://www.lawbookexchange.com/details.php?record=66831>



## Defending the Rights of the Crown Against Parliament

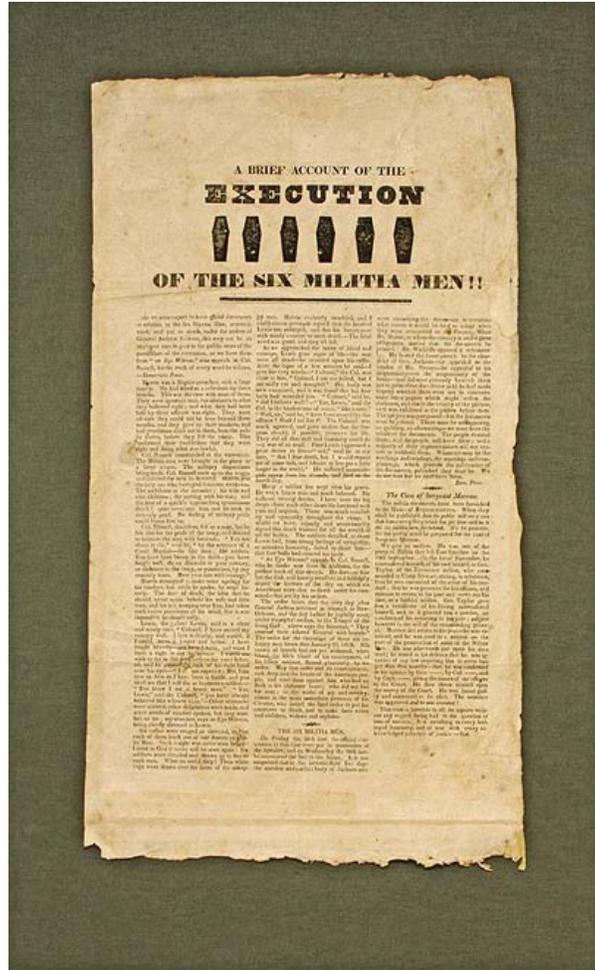
### 2. [Atwood, William (d.1705?)].

*Jus Anglorum ab Antiquo: Or, A Confutation of an Impotent Libel Against the Government by King, Lords, And Commons. Under Pretence of Answering Mr. Petyt, And the Author of Jani Anglorum Facies Nova: With A Speech, According to the Answerer's Principles, Made for the Parliament at Oxford.* London: Printed for Edward Berry, In Holborn-Court in Grayes-Inn, 1681. [34], 156, 145-224, [2], 27 pp. Incomplete. First and second parts of a three-part work (Third Part: 46, [2] pp., lacking). Octavo (7" x 4-1/2").

Recent period-style quarter calf over marbled boards, blind ornaments and gilt title and fillets to spine, endpapers renewed. Moderate toning, faint dampstaining in places, some leaves have early annotations and passages that are struck through. \$150.

\* Only edition. A reply to *A Full and Clear Answer to a Book, Written by William Petit Esq; Printed in the Year 1680* by Robert Brady, in defence of *The Antient Right of the Commons of England Asserted by William Petyt and Jani Anglorum Facies Nova* by Atwood. *English Short-Title Catalogue* R9859.

Order this item: <http://www.lawbookexchange.com/details.php?record=66796>



Anti-Jackson Broadside from the 1828 Presidential Race

3. [Broadside].

[Jackson, Andrew (1767-1845)]  
[1828 Presidential Campaign].

*A Brief Account of the Execution of the Six Militia Men!!* [Philadelphia: Democratic Press, 1828].

18-1/2" x 10 1/4" broadside with untrimmed edges, text in three columns below headline and woodcut image of six coffins. Moderate toning, light foxing and a few faint dampstains, three tiny scuffs with minor loss to text, mended on verso with archival tape. Item hinged to archival-quality cloth-covered illustration board. \$3,750.

\* This is one of a series of broadsides attacking candidate Andrew Jackson for an incident that occurred during the War of 1812. In 1815 Jackson ordered the execution of six soldiers who tried to leave the service shortly before the conclusion of their three-month enlistment term. They were condemned as deserters and executed by firing squad in Nashville, Tennessee. Many thought execution was unfair, a classic case of a punishment that did not fit the crime. Jackson was running mainly on the strength of his war-hero resume, so broadsides such as this one were intended to undermine this reputation and to show him as a cruel individual. As we know, the strategy failed. Jackson defeated John Quincy Adams. This appears to be an unrecorded broadside. Shaw & Shoemaker records a later issue of this broadside, with the same title, entry 32473, but it is in four columns and has additional text dated 20 January 1828.

Order this item: <http://www.lawbookexchange.com/details.php?record=66718>

✓

# Reward

✓



**MISSING**  
**Mrs. Maggie Corbett and  
four children**

Mrs. Corbett—Age 38, 5 ft. 2 in., 106 lbs., hair black, eyes brown, dark complexion.

Mabel—Age 14 years, 5 ft., 120 lbs., well built for her age; scar on upper lip caused from hair lip.

Boy, age 4 yrs. Girl, age 3 yrs. Baby girl, age, 1 yr.

Mr. J. L. Corbett is greatly distressed by the sudden disappearance of his wife and fears that her mind may be affected. She disappeared from Texas City, Texas, July 29th, 1905.

Any information regarding her present whereabouts will be greatly appreciated by her husband.

J. L. CORBETT, Texas City, Tex.

She is a first-class dressmaker and may be working at that trade.

**John T. Rowan,**  
Chief of Police, Galveston, Texas.

**"Her Mind May be Affected"**

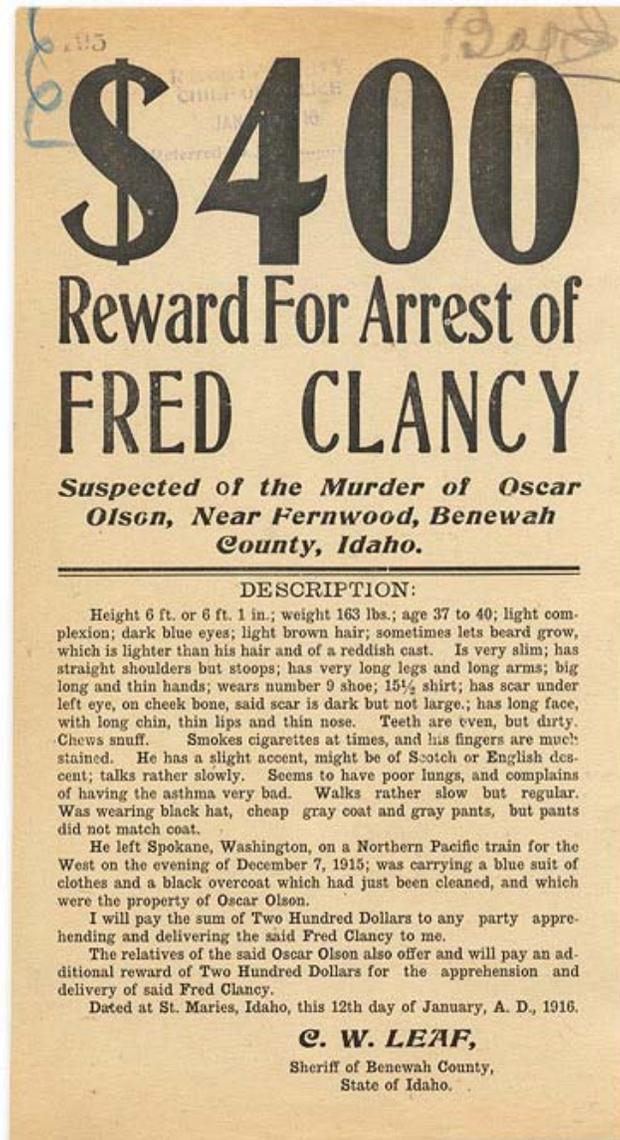
4. [Broadside].  
[Missing Persons].  
[Texas].

*Reward. Missing. Mrs. Maggie Corbett and Her Four Children. Galveston, TX, 1905.*

8-1/4" x 5-3/4" broadside, large photographic image of Corbett below headline. Moderate toning, discoloration in a few places, horizontal fold lines, top margins trimmed just above headline, two check marks in ink near upper left-hand corner. \$250.

\* Signed in type by John T. Rowan, Galveston's chief of police. "Mr. J.L. Corbett is greatly distressed by the sudden disappearance of his wife and fears that her mind may be affected. She disappeared from Texas City, Texas, July 29th, 1905. Any information regarding her present whereabouts will be greatly appreciated by her husband."

Order this item: <http://www.lawbookexchange.com/details.php?record=66777>



**\$400 Reward**

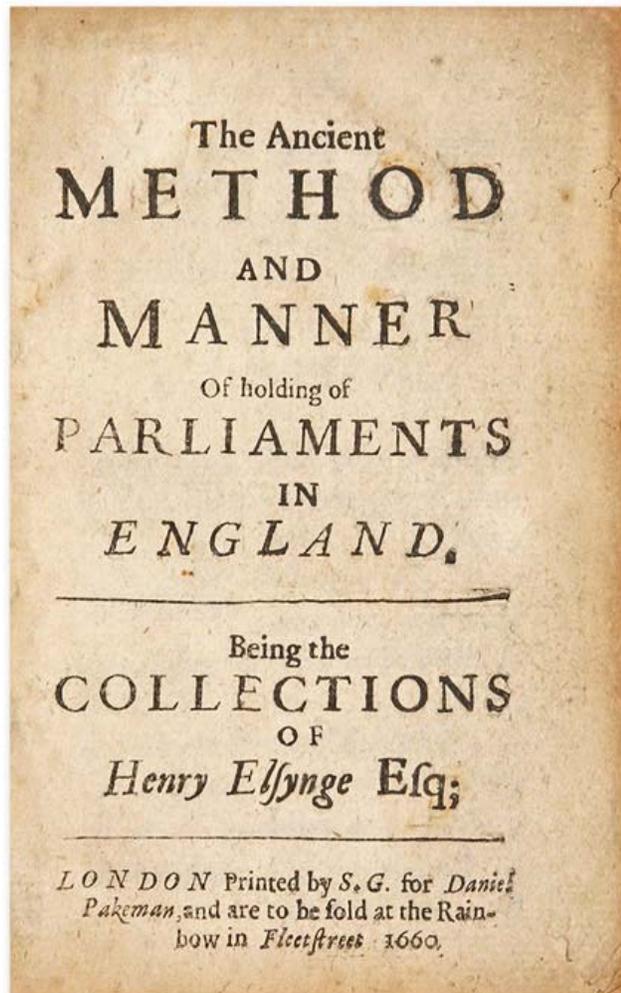
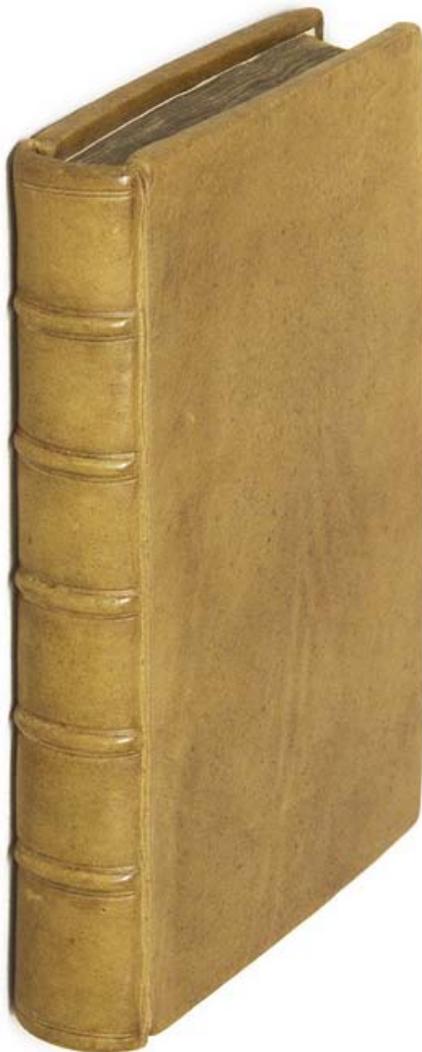
5. [Broadside].  
[Murder].  
[Idaho].

*\$400 Reward for the Arrest of Fred Clancy, Suspected of the Murder of Oscar Olson, Near Fernwood, Benewah County, Idaho. Saint Maries, ID, 1916.*

11-3/4" x 5-3/4" broadside. Light browning, annotation and faint inkstamp at head of text. \$150.

\* Signed in type by C.W. Leaf, Sheriff of Benewah County. "I will pay the sum of Two Hundred Dollars to any party apprehending and delivering the said Fred Clancy to me. The relatives of the said Oscar Olson also offer and will pay an additional reward of Two Hundred Dollars for the apprehension and delivery of the said Fred Clancy."

Order this item: <http://www.lawbookexchange.com/details.php?record=66776>



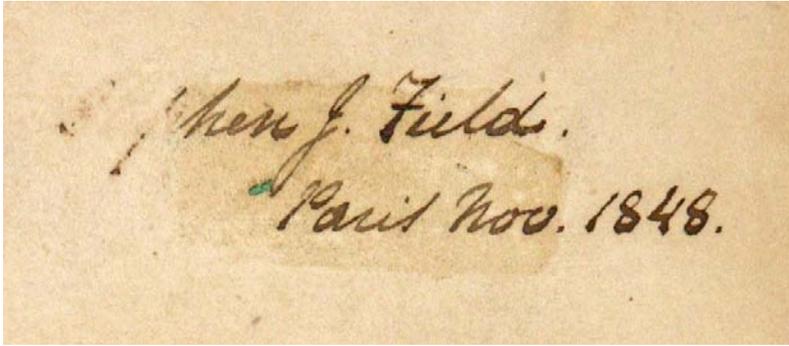
**"The Best Book on Parliamentary Procedure"**

**6. Elsynge, Henry [1598-1654].**

*The Ancient Method and Manner of Holding of Parliaments in England. Being the Collections of Henry Elsynge, Esq.* London: Printed by S[arah] G[riffin] for Daniel Pakeman, 1660. [xvi], 237, [3] pp. (Leaves A8 and Q8 are blank, text complete.) Octavo (5-3/4" x 3-3/4").

Recent period-style calf, raised bands to spine, endpapers renewed. Some toning to text, faint dampstaining in a few places, minor chips to edges of a few leaves (with no loss to text), negligible worming to title page and following two leaves. Early annotations to rear endleaf, interior otherwise clean. A handsome copy. \$950.

\* First edition. "[This is] the best book on Parliamentary procedure.... The MS. was written by the father of the Henry Elsynge, who was clerk to the House of Commons in Charles II's reign. It is a very clearly written book; and it has always been regarded as authoritative" (Holdsworth). It went through several subsequent editions into the eighteenth centuries. OCLC locates 17 copies of the first edition in North America, 4 in law libraries (Columbia, Harvard, LA County, University of Virginia). Holdsworth, *A History of English Law* VI:608. *English Short-Title Catalogue* R7764. Order this item: <http://www.lawbookexchange.com/details.php?record=66771>



From the Library of U.S.  
Supreme Court Justice Stephen J. Field

**7. [Field, Stephen J. (1816-1899)].**

**Montesquieu, Charles-Louis De Secondat [1689-1755].**

*De L'Esprit des Lois par Montesquieu.* Paris: Daguin Frères, Libraires, 1842. Three volumes. [iv], vi, 508; [iv], 559; [iv], 476 pp. Volume I has portrait frontispiece with tissue overlay. Quarter calf over marbled boards, gilt titles, gilt-edged blind fillets and gilt ornaments to spine, marbled endpapers.

**[And]**

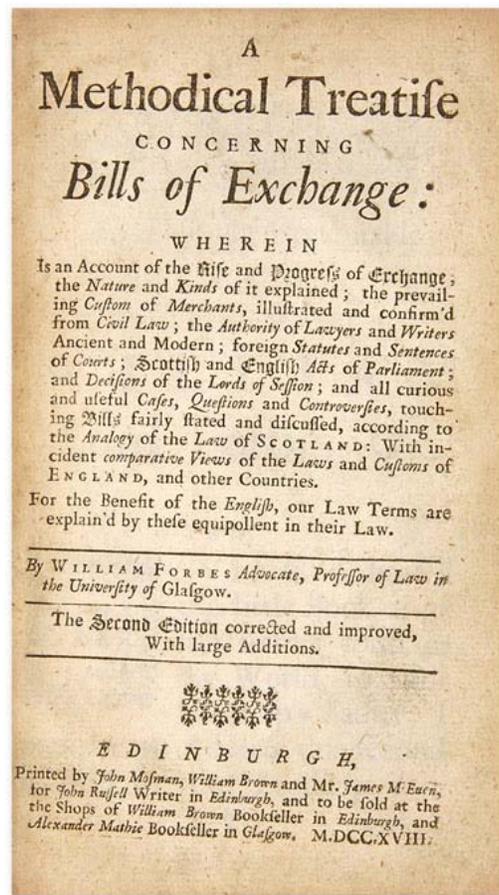
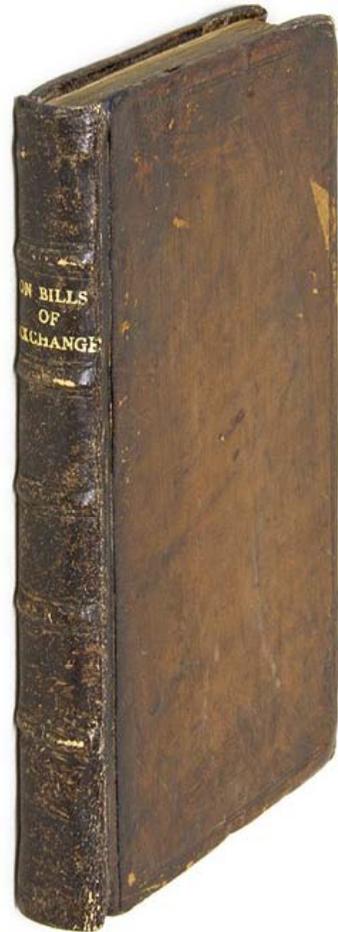
**[Destutt de Tracy, Antoine Louis Claude (1754-1836)].**

*Commentaire sur L'Esprit des Lois de Montesquieu; Suivi d'Observations Inédites de Condorcet, Sur le Vingt-Neuvième Livre du Même Ouvrage. Édition Entièrement Conforme à Celle Publiée à Liege en 1817.* Paris: Delaunay, Libraire, Palais-Royal, 1819. xvi, 476 pp. Quarter morocco over textured cloth, raised bands, gilt title and gilt ornament to spine, marbled endpapers.

Octavo (8" x 5"). Light rubbing to boards, moderate rubbing to extremities, some wear to spine ends and corners, a few hinges starting. Light toning to text, somewhat heavier in places, occasional light foxing, faint dampstaining to a few leaves, lower corners of rear free endpaper of each book removed, fragments of later owner label to foot of spines, fragments of later bookplates to front pastedowns, another later bookplate to each front free endpaper. Book ticket of Stephen J. Field to front pastedowns of Volume I and II of *De L'Esprit des Lois* and *Commentaire*, his signature and "Paris/ Nov 1848" to front endleaf of each volume of *De L'Esprit des Lois*. \$1,500.

\* *L'Esprit*: later edition; *Commentaire*: third edition. Montesquieu's classic study of the English Constitution and the most important commentary on that work were acquired during a trip to Paris by Stephen Johnson Field, then a lawyer about to move to California. Following the Gold Rush to California in 1848, Field served in local government, the California's state legislature and the Supreme Court of California, He was the principal draftsman of the 1851 California Practice Act. Appointed to the United States Supreme Court in 1863, he remained on the bench until 1897. One of the great justices of the nineteenth century, he had a lasting influence on Constitutional law through his contributions to Fourteenth Amendment jurisprudence and its Due Process Clause. Someone tried to remove Field's book tickets and erase his signatures, but almost all of the tickets and signatures remain. A letter offering these books to a client from San Francisco bookseller Warren R. Howell laid in to Volume I of *De L'Esprit des Lois*.

Order this item: <http://www.lawbookexchange.com/details.php?record=66791>



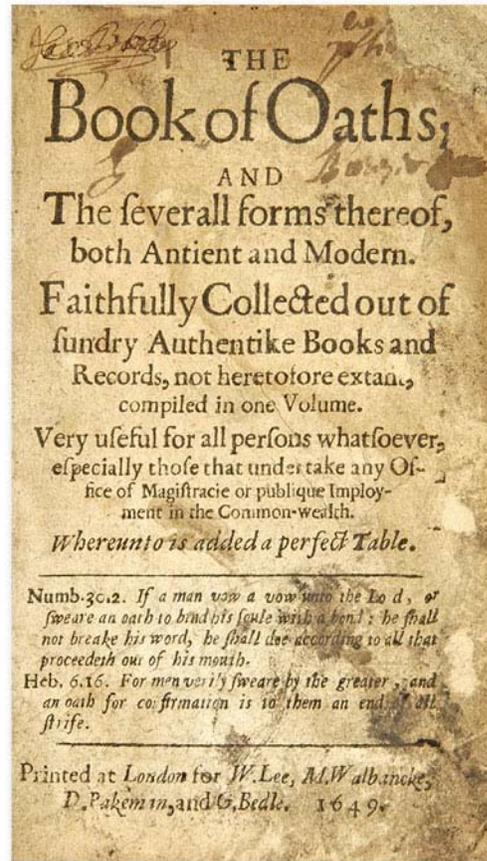
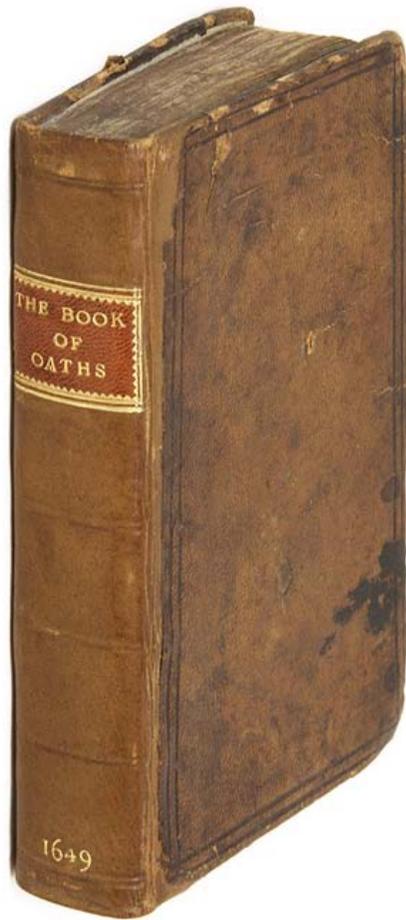
### The First Scottish Treatise on Bills of Exchange

#### 8. Forbes, William.

*A Methodical Treatise Concerning Bills of Exchange: Wherein is an Account of the Rise and Progress of Exchange; The Nature and Kinds of It Explained; The Prevailing Custom of Merchants, Illustrated and Confirm'd from Civil Law; The Authority of Lawyers and Writers Ancient and Modern; Foreign Statutes and Sentences of Courts; Scottish and English Acts of Parliament; And Decisions of the Lords of Session; And All Curious and Useful Cases, Questions and Controversies, Touching Bills Fairly Stated and Discussed, According to the Analogy of the Law of Scotland: With Incident Comparative Views of the Laws and Customs of England, And Other Countries. For the Benefit of the English, Our Law Terms are Explain'd by These Equipollent in Their Law. Corrected and Improved, With Large Additions.* Edinburgh: Printed by John Mosman, William Brown and Mr. James McEuen, For John Russell Writer, 1718. [iv], xi, [1], 227, [17] pp. Includes three-page publisher catalogue. Octavo (6-1/4" x 3-3/4").

Contemporary calf with later rebacking, raised bands and gilt title to spine, endpapers renewed. A few scuffs to boards, light gatoring to spine and sections of board edges, moderate rubbing to extremities, corners bumped. Moderate toning to text, light foxing to a few leaves, light soiling to title page. \$450.

\* Second, final and best edition. First published in 1703, the *Methodical Treatise Concerning Bills of Exchange* was the first work on the subject published in Scotland. The second edition is preferred because it is a corrected and expanded work that reflects changes brought about by the Act of Union (1707), the act that united England and Scotland under the name of Great Britain. Forbes was the first Professor of Civil Law at Glasgow University. *English Short-Title Catalogue* T147016. Order this item: <http://www.lawbookexchange.com/details.php?record=66768>



### A Fascinating Anthology of Oaths

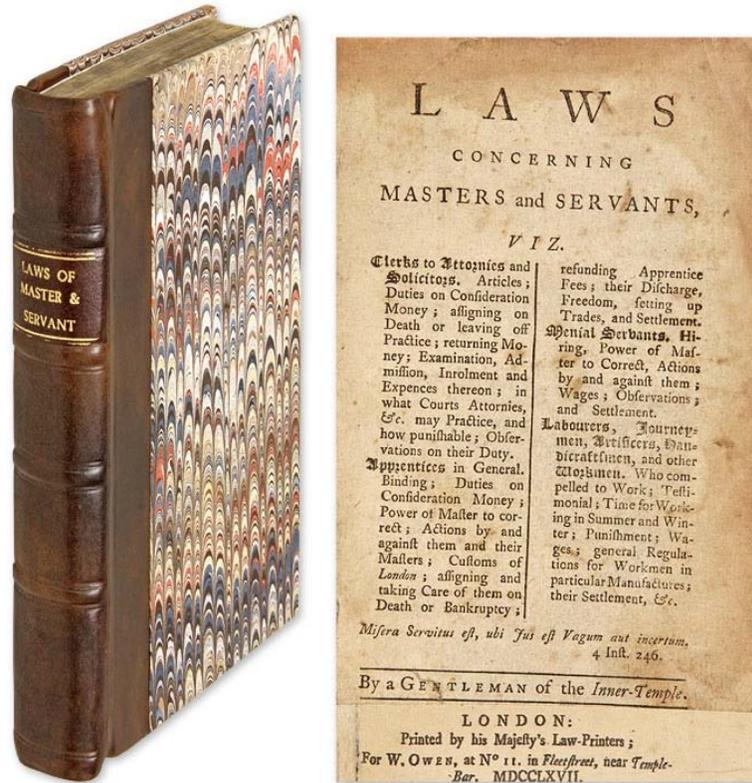
#### 9. [Garnet, Richard, Attributed].

*The Book of Oaths, And the Severall Forms Thereof, Both Antient and Modern. Faithfully Collected Out of Sundry Authentike Books and Records, Not Heretofore Extant, Compiled in One Volume. Very Useful for All Persons Whatsoever, Especially Those that Undertake any Office of Magistracie or Publique Employment in the Common-Wealth. Whereunto is Added a Perfect Table.* London: Printed for W. Lee, M. Walbancke, D. Pakeman, and G. Bedle, 1649. [xii], 96, 107-394, 405-416 pp. Pagination irregular, text complete. 12mo. (5-1/4" x 3-1/4").

Contemporary sheep, rebaked, blind rules to boards, lettering piece, blind fillets to spine, gilt-stamped date to foot, endpapers renewed, careful repairs to top-edge of front free endpaper and upper corner of title page. Light rubbing and a few minor nicks and stains to boards, moderate rubbing to extremities. Moderate toning to text, somewhat heavier in places, faint dampstaining in a few places, light soiling and two tiny early signatures to title page, faint later owner inkstamp to front free endpaper. \$600.

\* First edition. A fascinating collection of oaths for a remarkably wide range of offices, such as attorney, archbishop, verderer of a forest, treasurer of England, receiver of the augmentations, "sheriff of a countie newly altdred," surveyor of the liveries, ingrosser of the great roll, knight of the bath and lieutenant of the tower. Later editions were published in 1689 and 1715. All are scarce. It also includes historical oaths, such as the Oath of King Charles. OCLC locates 14 copies in North American law libraries. *English Short-Title Catalogue* R202149.

Order this item: <http://www.lawbookexchange.com/details.php?record=66781>



**Includes an Interesting Discussion of Slavery**

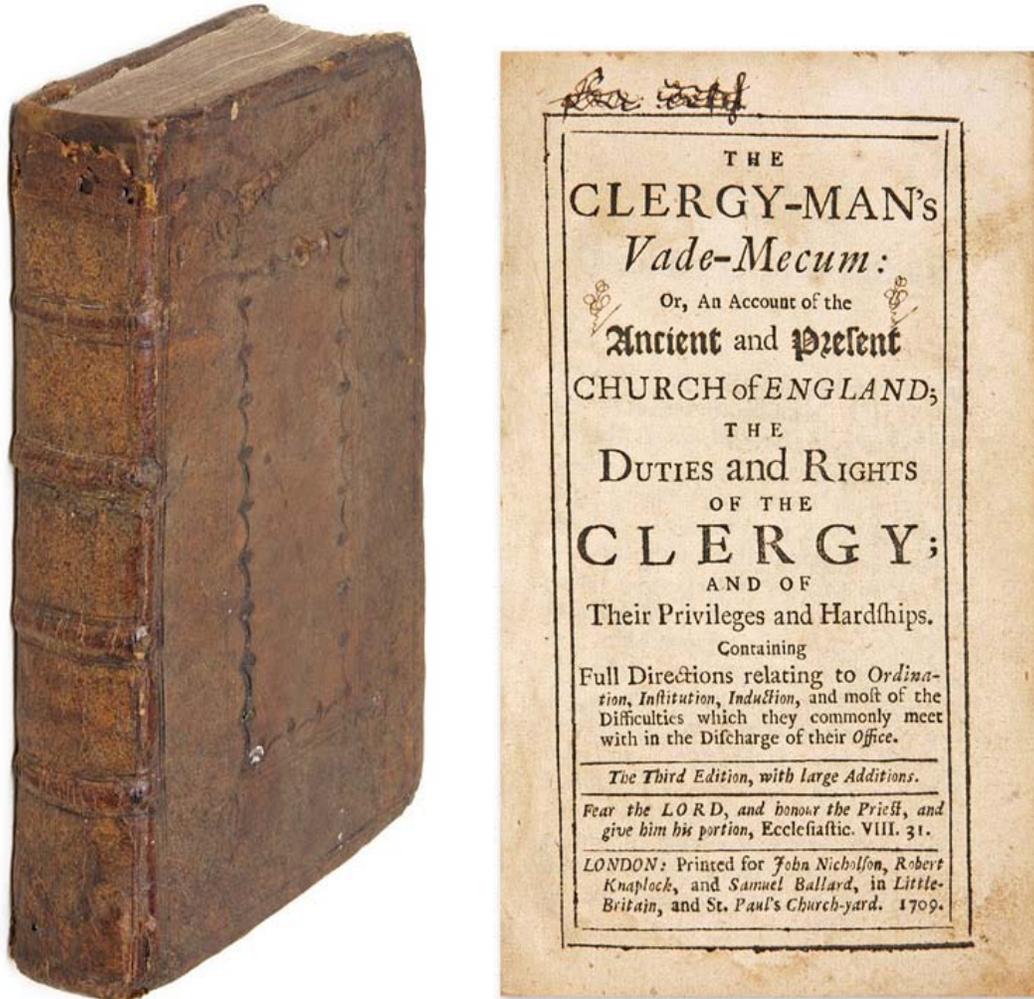
**10. Gentleman of the Inner-Temple.**

*Laws Concerning Masters and Servants, Viz: Clerks to Attornies and Solicitors. Articles; Duties on Consideration Money; Assigning on Death or Leaving off Practice; Returning Money; Examination, Admission. Inrolment and Expences Thereon; In What Courts Attornies &c. May Practice, And How Punishable; Observations on Their Duty. Apprentices in General. Binding; Duties on Consideration Money; Power of Master to Correct; Actions by and Against them and Their Masters; Customs of London; Assigning and Taking Care of Them on Death or Bankruptcy; Refunding Apprentice Fees; Their Discharge, Freedom, Setting up Trades, And Settlement. Menial Servants. Hiring, Power of Master to Correct, Actions by and Against Them; Wages; Observations; And Settlement. Labourers, Journeymen, Artificers, Handicraftsmen, And Other Workmen. Who Compelled to Work; Testimonial; Time for Working in Summer and Winter; Punishment; Wages; General Regulations for Workmen in Particular Manufactures; Their Settlement, &c.* London: Printed by His Majesty's Law-Printers; For W. Owen, 1767. xxv, [1], 282 pp. 12mo. (6-1/2" x 4").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, light foxing in a few places, light soiling, edgewear and small chips to a few leaves, foot of leaf A8 (pp. xv-xvi) lacking with loss to footnotes, foot of title page repaired with facsimile text (of imprint information). A scarce title in a handsome binding. \$350.

\* First edition. The preface, pp. iii-viii, is a passionate discussion of slavery and the Englishman's freedom from slavery under the law. It begins: "Pure and proper Slavery does not, nay cannot, subsist in England; such I mean whereby an absolute and unlimited Power is given to the Master over the Life and Fortune of the Slave. And indeed it is repugnant to Reason, and the Principles of Natural Law, that such a State should subsist any where" (iii). A second edition of this interesting treatise was published in 1768. Both are scarce. OCLC locates 6 copies of the first edition, 1 in a law library (Southern Methodist University). *English Short-Title Catalogue* T116198.

Order this item: <http://www.lawbookexchange.com/details.php?record=66756>



**A Legal Handbook for Eighteenth-Century English Clergymen**

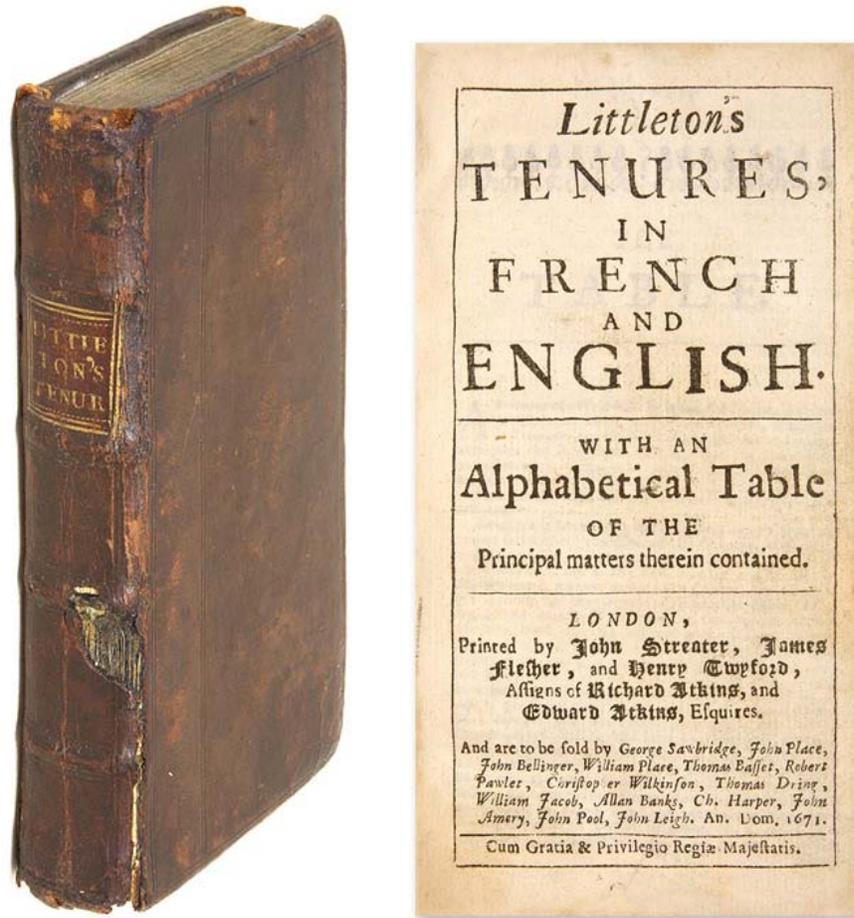
**11. [Johnson, John (1662-1725)].**

*The Clergy-Man's Vade-Mecum: Or, An Account of the Ancient and Present Church of England; The Duties and Rights of the Clergy; And of Their Privileges and Hardships. Containing Full Directions Relating to Ordination, Institution, Induction, And Most of the Difficulties Which They Commonly Meet With in the Discharge of Their Office. With Large Additions.* London: Printed for John Nicholson, Robert Knaplock, and Samuel Ballard, 1709. [xxiv], 386 [i.e.350], [34] pp. 12mo. (6" x 3-3/4").

Contemporary sheep, blind panels to boards, raised bands to spine, early repair to head of spine. A few minor nicks to boards, moderate rubbing and a few nicks to extremities, corners bumped and somewhat worn, front pastedown loose, a few partial cracks to text block, binding secure and tight. Light toning to text, light dampstaining in a few places, faint spotting to a few leaves, light soiling and tiny doodles and struck-through signature to title page, early annotation to pastedown. \$250.

\* Third edition. A useful overview of legal matters encountered by officials and clergymen of the Church of England. Bibliographically distinct, this book has a companion title, *The Clergy-Man's Vade-Mecum. Part II. Containing the Canonical Codes of the Primitive, Universal, Eastern, And Western Church*. First published in 1706, the companion volume in 1707, this work's final edition appeared in 1731. *English Short-Title Catalogue* T33108.

Order this item: <http://www.lawbookexchange.com/details.php?record=66787>



**The First Edition of Littleton with  
Parallel Texts in English and Law-French**

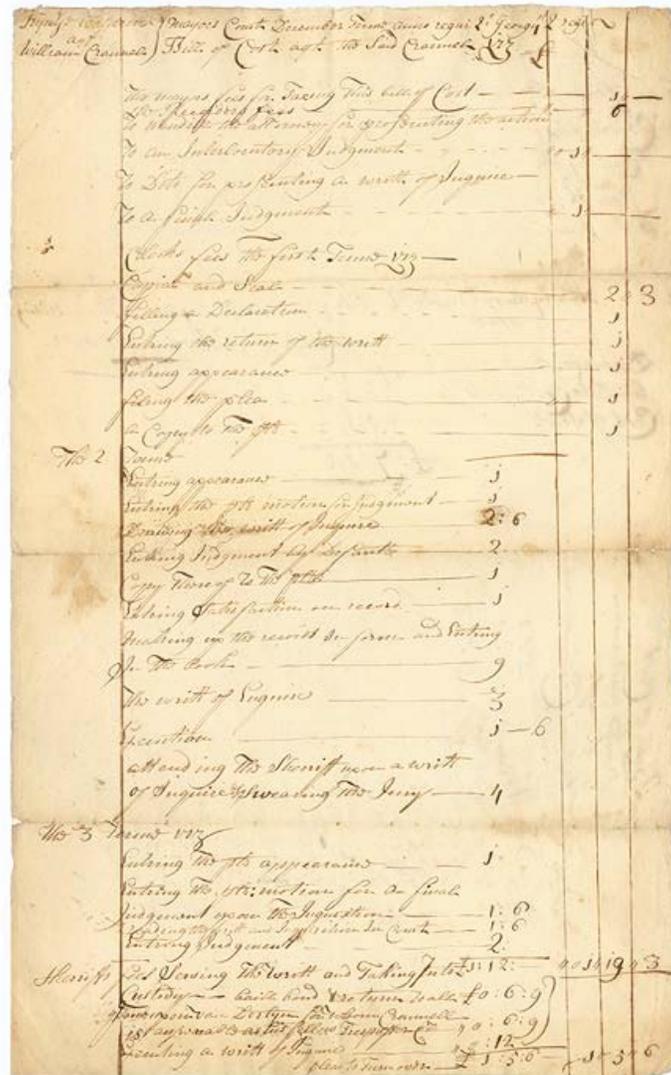
**12. Littleton, Sir Thomas [d. 1481].**

*Littleton's Tenures, In French and English. With an Alphabetical Table of the Principal Matters Therein Contained.* London: Printed by John Streater, James Flesher and Henry Twyford, Assigns of Richard Atkins, and Edward Atkins, 1671. [xxii], 360, 371-436 (i.e. 426), [2] pp. Pagination irregular, text complete. Main text in parallel columns. 12mo. (5-1/4" x 3").

Contemporary calf, blind rules to boards, raised bands and lettering piece to spine. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities, corners bumped, some chipping to spine ends, small chip near center of spine, joints partially cracked, rear hinge cracked, crack between front free endpaper and following leaf. Light toning to text, light soiling to title page. An attractive copy. \$850.

\* First edition with parallel texts in English and Law French. Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary, hypothetical cases. Holdsworth, *A History of English Law* II:573. *English Short-Title Catalogue* R216066.

Order this item: <http://www.lawbookexchange.com/details.php?record=66798>



1728 Receipt for Fees in the Albany Mayor's Court

13. [Manuscript].

Blecker, Rutger [1675-1756].

[Crawells, William].

[Receipt for Court Fees, Signed]. Albany, NY, January 9, 1728. Single 13" x 8" leaf.

Moderate toning and a few light spots, horizontal fold lines, minor edgewear, careful later repairs to tears along fold lines, text in neat hand to recto and verso, docketed on verso. \$350.

\* As part of his penalty in a suit lost in the Albany Mayor's Court, William Crawells was compelled to pay the court costs. These included fees for the preparation and filing of documents, fees for the clerk and other court officers and a tax fee owed the mayor of Albany. Rutger Blecker was Albany's mayor from 1726 to 1728. The Bleckers were a prominent family in the region. Three members served as Mayors of Albany. Along with Rutger, they were his father, Jan Jansen Blecker [1641-1732], and his brother Johannes Blecker, Jr. [1668-1738].

Order this item: <http://www.lawbookexchange.com/details.php?record=66855>

Minutes of the Superior Court for the trial of Slaves  
and free persons of Color for Capital and Other Offences  
Georgia Habersham County  
you are hereby notified that we as  
Justices of the peace have this day examined & committed  
to the Jail of said County a negro man (Slave) by the  
name of Dave the property of Francis Powel charged  
before us with the offence of Rape having been  
committed by him the said negro Slave in said County  
on the eighteenth day of March Eighteen hundred  
and forty eight on the path leading from Francis  
Powels to Nathas Dobbs in said County with force  
and arms in and upon the body of one Hester  
Ann Dobbs a female then and there being and we  
further certify you that Nathas Dobbs Hester Ann  
Dobbs Charles Cozard and William P. Nichols of  
said County are the witnesses in behalf of the  
State in said Charge against the said negro  
Slave given under our hands this the 21<sup>st</sup> day  
of March 1848  
Thos B. Shuler, J.P.  
Jas. Craft, J.P.  
John Stewart, J.P.

Georgia Habersham County  
Thomas McPhee, Justice of the  
Superior Court of said County you are hereby notified to  
appear at the Court house this Evening in said  
County for the purpose of proceeding in the terms of  
the law upon the trial of a negro man (Slave)  
by the name of Dave the property of Francis Powel  
who is now committed to the Jail of said County  
charged with the offence of Rape having been  
committed in and upon the body of one

**A Georgia Slave is Executed for the Rape of White Woman**

14. [Manuscript].  
[Slavery].  
[Georgia].

*Minutes of the Inferior Court for the Trial of Slaves and Free Persons of Color for Capital and Other Offences* [Headline Title].  
Habersham County, Georgia, March 21-30, 1848.

Five 12-1/2" x 8" ruled leaves, probably removed from a ledger, content to rectos and versos. Light toning, otherwise fine. Manuscript accompanied by a typed transcription. An excellent example of a slave trial. \$3,000.

\* This legal record details the arrest, indictment, trial, witness statements and sentencing of the Negro Slave Dave, "property" of Francis Powel, for the Rape of Hester Ann Dobbs. The rape of a white woman by a Black slave was the most horrifying crime in the mind of the white population of the antebellum South. According to Census records, Hester Dodds was the 14 or 15 year-old daughter of a farmer. The rape was alleged to have occurred on March 18, "in the woods nearby a private pathway." Dave, the accused slave was arrested three days later. At first, he maintained his innocence, but

after being jailed he allegedly "confessed" to his guilt. The trial took place on March 30. Despite his jail-house confession, Dave pleaded not guilty. Dobbs, the victim, testified that she saw Dave at his master's home. When she left, he followed her into the woods, where, seeing he was naked, ran from him. He followed, carrying a stick in one hand. Though only striking her with his hand, he threw her to the ground. She "resisted his attempts for some time," but he finally "ravished her by force." Though she was "much frightened," she "thinks she remembers all": that Dave "entered her" and that "an Eruption of Matter took place." He then "quit of his own accord and warned her that "he would kill her" if she told anyone about his crime. The victim's mother testified that her daughter returned to her their home "much injured and hurt. Bruised all over" and "much frightened", but relating what had happened, she said "If I don't live, I want you to make" the slave "suffer for this act". Two men who had not personally witnessed the rape merely testified they had seen evidence of a "considerable scuffle" (this despite a "heavy rain") at the scene of the crime, a "dried pine limb" nearby which "looked as though it had been used" and "barefoot tracks" on the path which "looked like a negro track." The jury of 12 men (three of whom had the same surname), found Dave guilty. He was sentenced to be executed a week later, "publicly hanged by the neck" on "a gallows to be erected for that purpose" near the village of Clarksville.

Order this item: <http://www.lawbookexchange.com/details.php?record=66699>

Ball. March 20<sup>th</sup> 1822

Dear Sir I beg leave to ask you, to excuse the liberty I have taken, to address a few lines, to you, whom I have never seen, I am ready to believe, you will ~~not~~ forgive me, when I inform you I am the disconsolate wife, of the unfortunate Joseph F. Smith, who is now confined in Boston Jail. for being taken by the American armed vessel the Cyane, in the midst of comfort and happiness, enjoyed by the American Citizens. which from the smiles and gaiety I see daily, I am ready to exclaim, woe is me, or why is my lot cast continually Misery and pain. or why am I to linger out a miserable existence, like one ban out of due time, My dear Sir, it is needless for me, to attempt to give you any information concerning my unhappy husband, as you were a witness to his trial and condemnation, yet I must inform you we were not more than three months married, before he took his leave of me, and he has not yet returned. And oh, heavens, had I only known what voyage he was going, he should never have left me No, he should still been with me and both been happy tho in poverty, I have done all that lay in my power for Mr Smiths release and restoration, I have three times seen the President

See Page 16

**The First Convicted American  
Slave Trader, A Wife's Plea for Mercy**

15. [Manuscript].

[Slavery].

**Smith, Darcas (Mrs. Joseph F.)**

**[Davis, John (1761-1847)].**

[*Autograph Letter, Signed, to Judge John Davis, Baltimore, March 20, 1822*].

Two 9-3/4" x 7-3/4" leaves, content in fine hand to both, second leaf franked and docketed on verso. Light toning, vertical and horizontal fold lines, minor loss at wax seal with no loss to text, few minor chips and tears to second leaf. A rare document, unknown to the American historian who recently published a detailed account of the Smith case. \$4,500. \* Plaintive plea for mercy addressed to Davis, judge of the United States district court for the district of Massachusetts, by the "disconsolate" wife of 29 year-old Baltimore sea captain Joseph Findley Smith, the first American convicted under the U.S. laws of 1808 and 1818 outlawing the transatlantic slave trade. In April 1820 Smith's schooner, the Plattsburgh, was captured off the West African coast by the U.S. Naval warship Cyane. While the Plattsburgh had no African natives aboard, it had been secretly outfitted as a slaver in Cuba with 50 sets of slave shackles, a set of deck cannons and a portfolio of fictitious papers of "Spanish" ownership. Smith was arrested and taken to Boston, where, in a trial presided over by U.S. Supreme Court Justice Joseph Story in January 1821, he was found guilty. With Monroe's hope that he would be "made an example of," sentenced to a five-year jail term. The trial was a small media sensation.

More than a year later, while Smith begged Monroe for a pardon, the "decent but poor girl" he had married just before sailing for Africa met with the President and Story Both men were sympathetic to this "suffering daughter of America"; Story advised her to have her husband confess to and apologize for his crime and implicate the secret owners of his ship and their Cuban confederates. The impoverished Smith, who had not profited at all from the illegal voyage, complied, and was released from jail on August 30, 1822. Mrs. Smith wrote (in part) to the federal judge who had presided at a related slave-trade trial: "We were not more than three months married, before he took his leave of me, and he has not yet returned. And, oh, heavens had I only known what voyage he was going he should never have left me, no, he should still been with me and both been happy in poverty. I have done all that lay in my power for Mr. Smith's release and restoration. (...) I sincerely pray you, to aid an assist me, in having my dear husband released and restored to me once more. Affricks [Africa's] coast shall never see him again. Mercy is a darling attribute in which I am willing to believe you highly prize. (...) I hope you will excuse a suffering daughter of America. Stretch forth your hand to raise a suffering fellow creature." See Smith, *No God but Gain: The Untold Story of Cuban Slavery, The Monroe Doctrine, and the Making of the United States* (2015), which describes this case. Order this item: <http://www.lawbookexchange.com/details.php?record=66698>

Peter Van Bergen and Hermanus Cuyler  
Administrators of Martin G. Van Bergen deceased  
to Jeremiah Lansing

April 14<sup>th</sup> 1703 To drawing two Judgment Bonds. . . £-0-0  
2<sup>o</sup> To drawing Draft of a Penal Bill for the  
Printers to strike after . . . . . } 4-0  
June 4<sup>th</sup> To drawing a Surrender of the Ground. . . } 6-0  
Mortgage by Benjamin Canaday . . . }  
To drawing Draft of an Advertisement  
to all the Lands. . . . . } 2-0  
July- Cash lent when you went to New City on  
deceaseds Business. . . . . } 0-0  
Aug. To an Acknowledgment of a Deed wherein  
archibald the Deed was a Witness. . . } 6-0  
15<sup>th</sup> To drawing Deed to Reuben Lyons  
and his Acknowledgment thereon for the same  
& let at Honorability. . . . . } 8-10-0  
To drawing Mortgage from him to the heirs } 4-13  
with an Acknowledgment thereon. . . }  
To Expenses paid while at Honorability. . . } 1-16  
£ 6 - 13

Received the above in full this 5<sup>th</sup> September  
1703-  
Jer. Lansing

A Receipt for Legal Services, Schenectady County, 1783

16. [Manuscript].

Van Bergen, Peter [1763-1804].

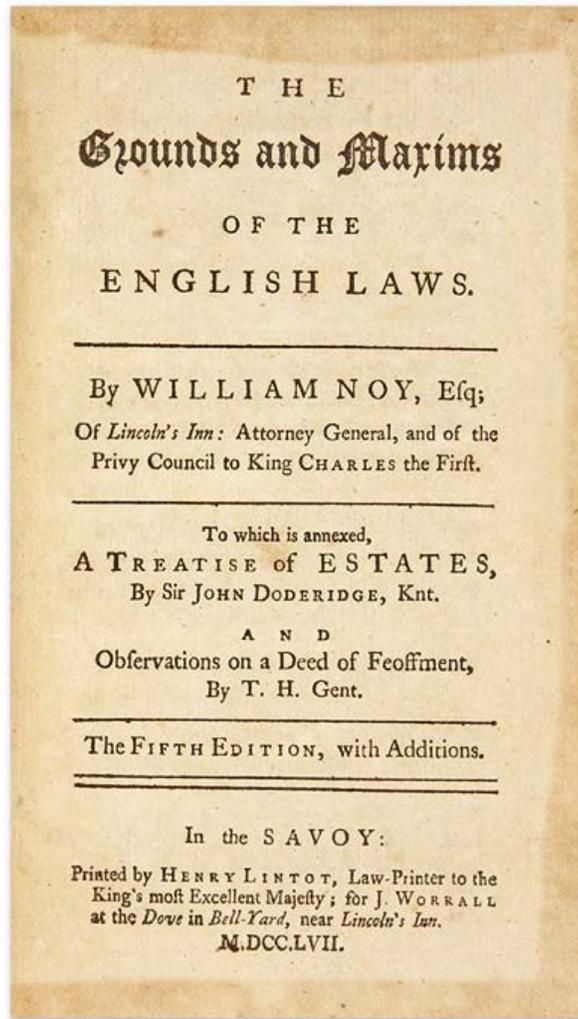
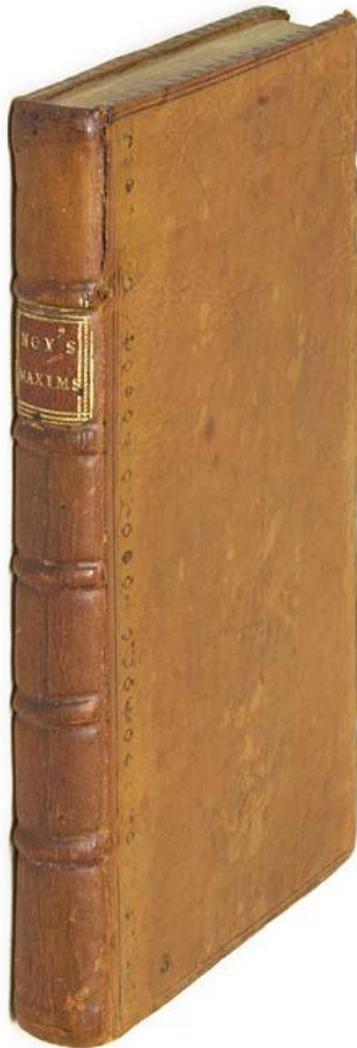
Cuyler, Hermanus

[Lansing, Jeremiah (1754-1817)].

[Receipt for Legal Services, Signed]. Schenectady County, NY, September 5, 1783. Single 12-3/2" x 7-3/4" leaf.

Moderate toning and a few light spots, horizontal fold lines, minor edgewear, short clean tear along one fold line, text in neat hand, docketed on verso. A well-preserved item. \$250.

\* An accounting of legal fees owed to Jeremiah Lansing by Peter Van Bergen and Hermanus Cuyler, administrators of the estate of Martin G. Van Bergen, for such services as "drawing the draft of a penal bill for the printers to strike after" and "drawing two judgement bonds." Van Bergen, Cuyler and Lansing were prominent citizens of Schenectady County, New York. Order this item: <http://www.lawbookexchange.com/details.php?record=66854>



**Noy's *Maxims* in a Handsome Contemporary Binding**

**17. Noy, William [1577-1634].**

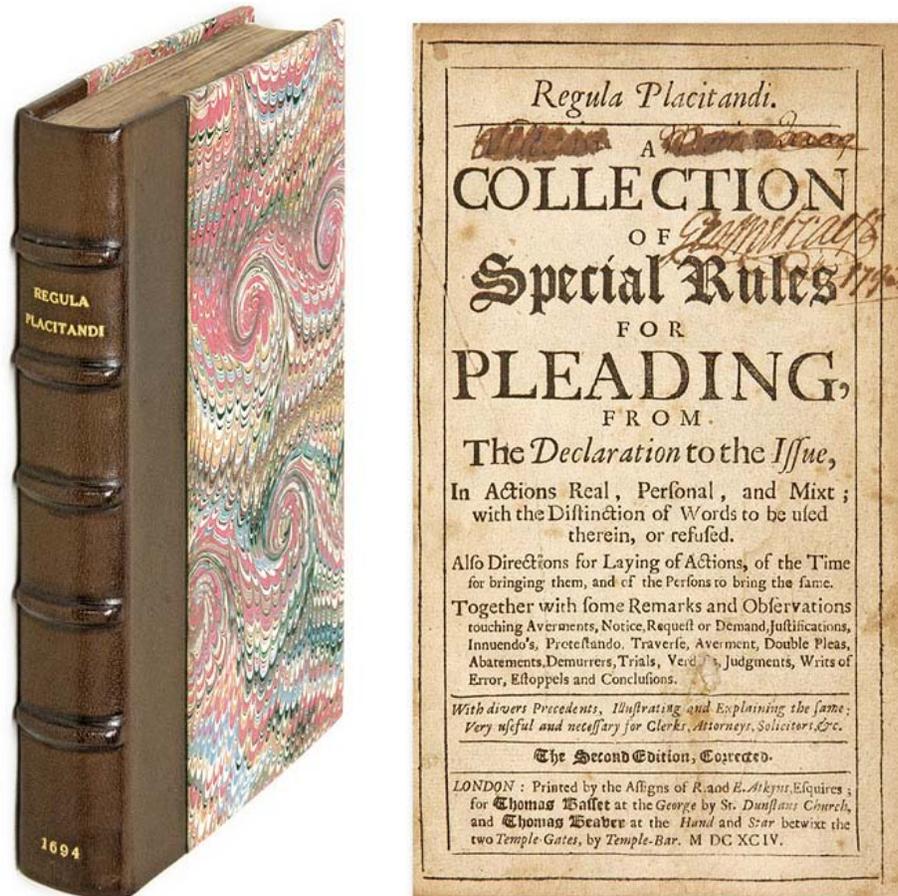
**Doddridge, Sir John [1555-1628].**

*The Grounds and Maxims of the English Laws. To Which is Annexed, A Treatise of Estates. And Observations On a Deed Of Feoffment. By T.H. Gent. With Additions.* [London]: Printed by Henry Lintot, Law-Printer to the King's Most Excellent Majesty; For J. Worrall, 1757. [188] pp. Includes four-page publisher catalogue. 12mo. (6-1/2" x 3-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, blind tooling to board edges. Light rubbing to boards and extremities, corners bumped, front hinge cracked, rear hinge starting, light toning to text. A notably well-preserved copy. \$650.

\* Fifth edition. Main text preceded by a table of maxims and a diagrammatic outline of the book's contents. As noted by Marvin, this work has "always been regarded as a collection of reputation and authority." It was certainly a durable work. First published in 1641, it went through numerous editions, issues and adaptations into the late-nineteenth century. Marvin, *Legal Bibliography* 543. *English Short-Title Catalogue* T101484.

Order this item: <http://www.lawbookexchange.com/details.php?record=66857>



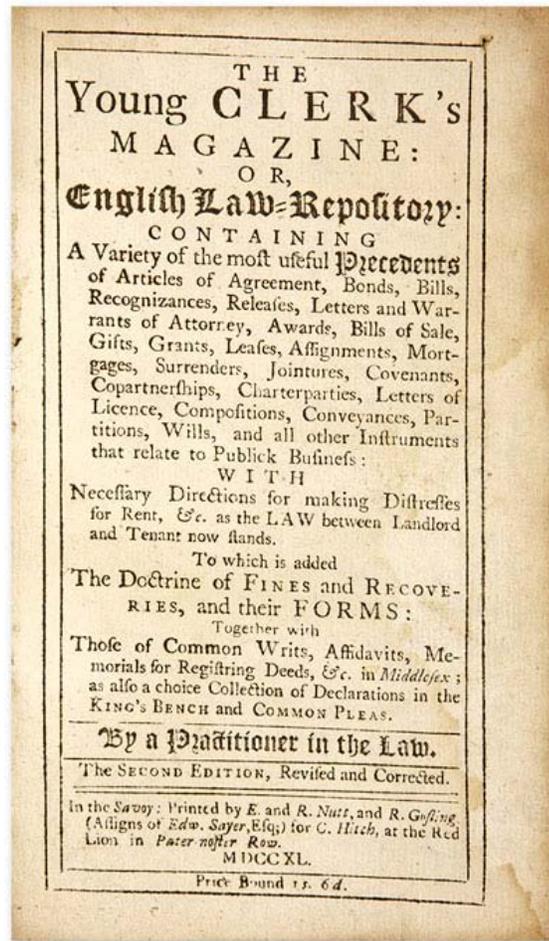
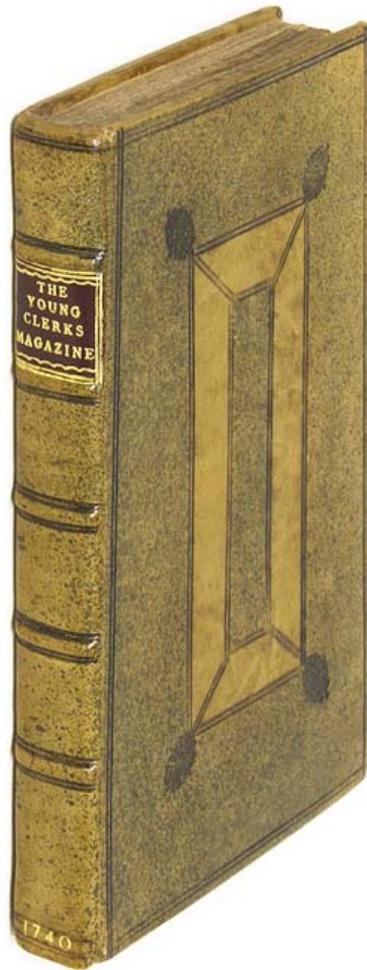
**"Very Useful and Necessary  
for Clerks, Attorneys, Solicitors, &c."**

**18. [Pleading].**

*Regula Placitandi. A Collection of Special Rules for Pleading, From the Declaration to the Issue, In Actions Real, Personal, And Mixt; with the Distinction of Words to be Used Therein, Or Refused. Also Directions for Laying of Actions, Of the Time for Bringing Them, And of the Persons to Bring the Same. Together With Some Remarks and Observations Touching Averments, Notice, Request or Demand, Justifications, Innuendo's, Protestando, Traverse, Averment, Double Pleas, Abatements, Demurrers, Trials, Verdicts, Judgments, Writs of Error, Estoppels and Conclusions. With Divers Precedents, Illustrating and Explaining the Same: Very Useful and Necessary for Clerks, Attorneys, Solicitors, &c. Corrected.* London: Printed by the Assigns of R. And E. Atkyns, Esquires; For Thomas Basset at the George by St. Dunstons Church, And Thomas Beaver at the Hand and Star Betwixt the Two Temple-Gates, By Temple-Bar, 1694. [viii], 310, [26] pp. Octavo (6-1/2" x 4").

Recent period-style calf, raised bands and gilt title to spine, endpapers renewed. Light browning and light foxing to text, early owner signatures to title page, a few passages have brief annotations in early and later hands. A nice copy in handsome binding. \$450.

\* Second edition, one of two issues from 1694. As noted by Holdsworth, pleading was a topic "of the great and growing importance" during the seventeenth century. This importance is evident in the large number of pleading manuals issued at this time. First published in 1691, the anonymous *Regula Placitandi* was one of the best works of its kind. It formed the basis of several subsequent manuals. Holdsworth, *A History of English Law* VI:600. *English Short-Title Catalogue* R232089. Order this item: <http://www.lawbookexchange.com/details.php?record=66797>



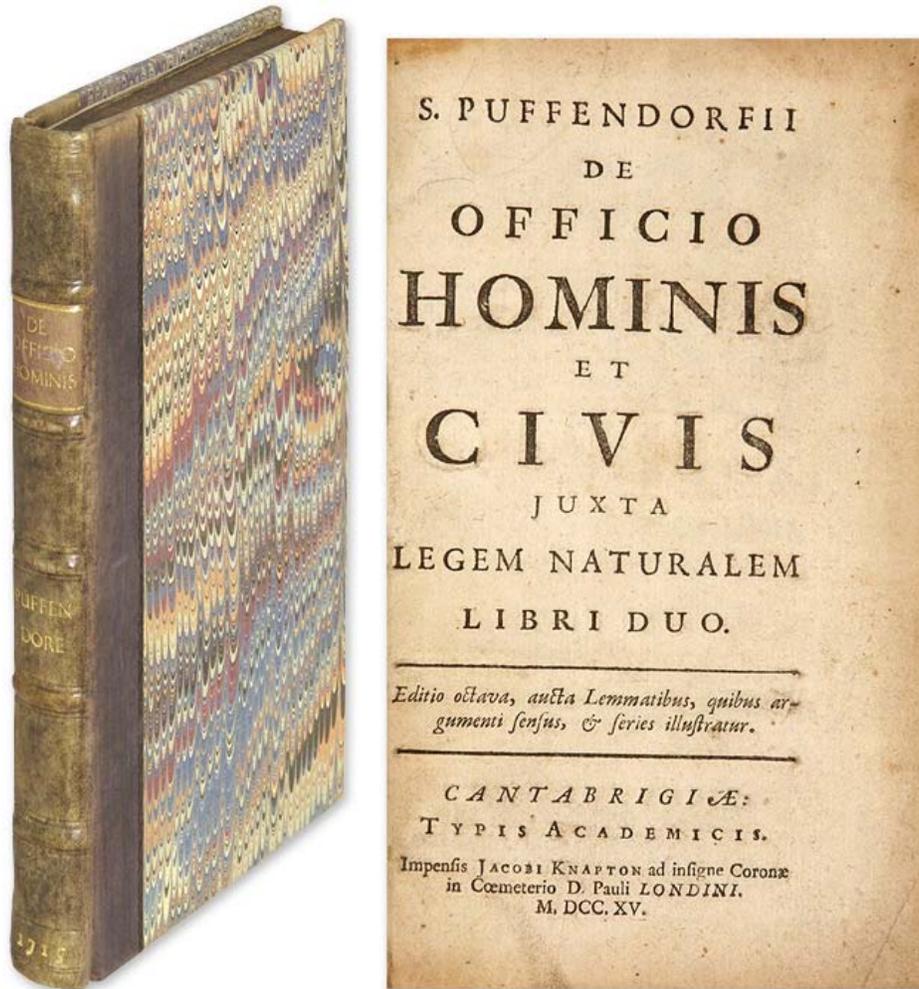
### Guidance for Young Clerks

#### 19. [Practitioner in the Law].

*The Young Clerk's Magazine: Or, English Law-Repository: Containing a Variety of the Most Useful Precedents of Articles of Agreement, Bonds, Bills, Recognizances, Releases, Letters and Warrants of Attorney, Awards, Bills of Sale, Gifts, Grants, Leases, Assignments, Mortgages, Surrenders, Jointures, Covenants, Copartnerships, Charterparties, Letters of Licence, Compositions, Conveyances, Partitions, Wills, And All Other Instruments that Relate to Publick Business: With Necessary Directions for Making Distresses for Rent, &c. As the Law Between Landlord and Tenant Now Stands. To Which is Added The Doctrine of Fines and Recoveries, And Their Forms: Together with Those of Common Writs, Affidavits, Memorials for Registering Deeds, &c. In Middlesex; as Also a Choice Collection of Declarations in the King's Bench and Common Pleas. By the Author of The Student's Law-Dictionary, in 8vo, Revised and Corrected.* [London]: Printed by E. and R. Nutt, and R. Gosling, 1740. [iv], 192, [8] pp. Lacking plates (2 leaves). 12mo. (6-1/4" x 3-3/4").

Recent period-style paneled calf, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, faint dampstaining to preliminaries and a few other leaves, rear hinge starting, faint early owner signature to front endleaf. A handsomely bound copy of a scarce title. \$350.

\* Second edition. First published in 1739, with "Practitioner in the Law" listed as the author, this is a formbook with a section containing instructions for conveyancing. It was intended for law clerks, lawyers and laymen. It went through six editions in London, the last one in 1772 and four editions in Philadelphia published in 1774, 1788, 1792 and 1795. *English Short-Title Catalogue* N14348. Order this item: <http://www.lawbookexchange.com/details.php?record=66859>



An Important Synopsis of Pufendorf's *De Jure Naturae et Gentium*

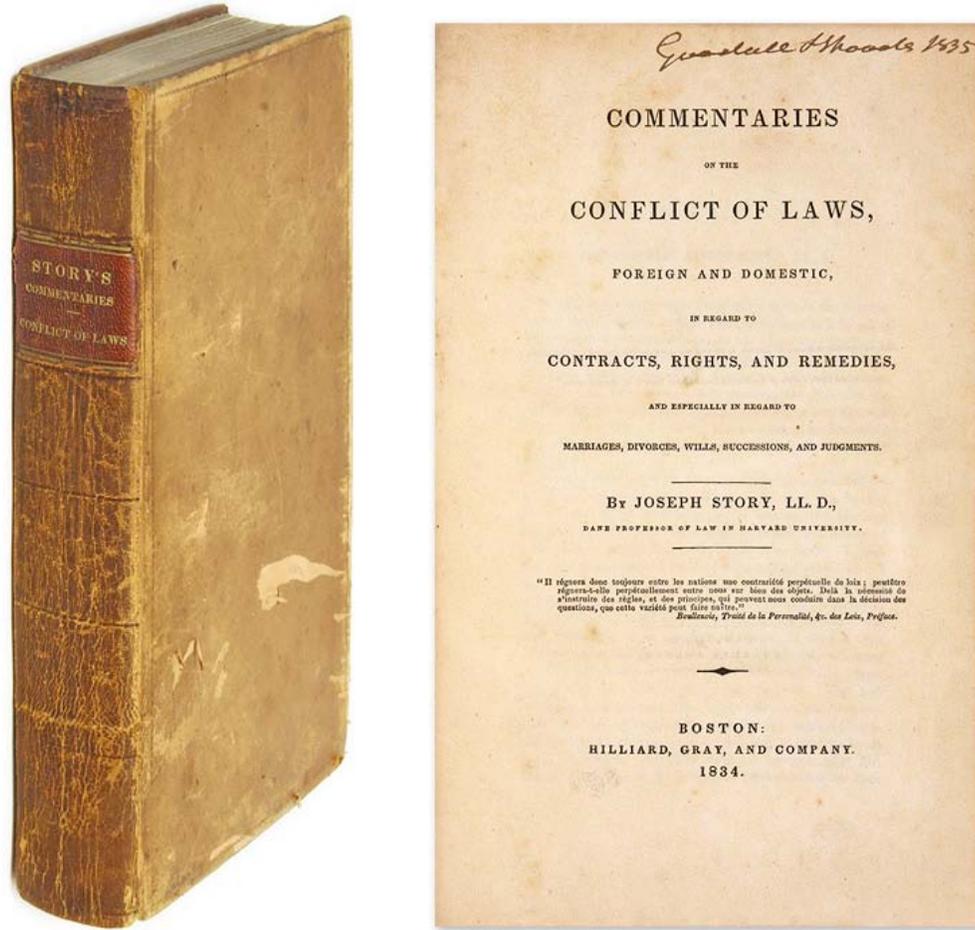
**20. Pufendorf, Samuel, Freiherr von [1632-1694].**

*De Officio Hominis et Civis Juxta Legem Naturalem Libri Duo.* Cambridge: Typis Academicis. Impensis Jacobi Knapton ad Insigne Coronae in Coemeterio D. Pauli Londini, 1715. [xxiv], 164, [4] pp. Includes four-page publisher catalogue. 12mo. (6-1/2" x 3-3/4").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece, and gilt-stamped author name and date to spine, endpapers renewed. Moderate toning to text, slightly heavier in places, minor stains to a few leaves. An attractive copy. \$400.

\* Later edition. *De Officio* is a synopsis of Pufendorf's *De Jure Naturae et Gentium*, a landmark work that proposed a thorough system of private, public, and international law based on natural law. Beginning with a consideration of fundamental legal ideas and their various divisions, Pufendorf proceeds to a discussion of the validity of customs, the doctrines of necessity and innate human reason. It is significant in part because it develops principles introduced by Grotius and Hobbes. Unlike Hobbes, Pufendorf argued that peace, not war, was the state of nature, and he proposed that international law was not restricted to Christendom. Buddeus was a renowned German jurist, theologian, historian and professor at the University of Jena. The first English edition was published in 1682. *English Short-Title Catalogue* T141121.

Order this item: <http://www.lawbookexchange.com/details.php?record=66795>



**First Edition of "An Epoch in the Law"**

**21. Story, Joseph [1779-1845].**

*Commentaries on the Conflict of Laws, Foreign and Domestic, in Regard to Contracts, Rights, and Remedies, and Especially in Regard to Marriages, Divorces, Wills, Successions, and Judgments.* Boston: Hilliard, Gray and Company, 1834. xxv, [1], 557 pp. Octavo (8-1/2" x 5-1/2").

Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine. Light rubbing and a few shallow scuffs to boards, somewhat heavier rubbing to spine, corners lightly bumped. Moderate toning to text, somewhat heavier in places, some sections have light foxing, a few leaves partially detached but secure. Early owner signatures to front pastedown and head of title page, a few passages have early markings in pencil. An appealing copy of a landmark work. \$2,000.

\* First edition. Story's *Conflict of Laws*, the first systematic treatise on the subject, is one of his greatest and most influential works. Warren says: "It is not too much to say that its publication constituted an epoch in the law; for it became at once the standard and almost the sole authority...[it] received the honor of being practically the first American law book to be cited as authority in English courts." Expanding on this latter point Marvin quotes "a late English writer" who says that "No work on international jurisprudence merited, nor received, greater praise from the jurists of Europe. It impressed English lawyers with the highest respect for [Story's] extensive learning.": *Legal Bibliography* 471. Warren, *A History of the American Bar* 545. Cohen, *Bibliography of Early American Law* 2723.

Order this item: <http://www.lawbookexchange.com/details.php?record=66833>



**"A Major Step in the Transformation of Equity"**

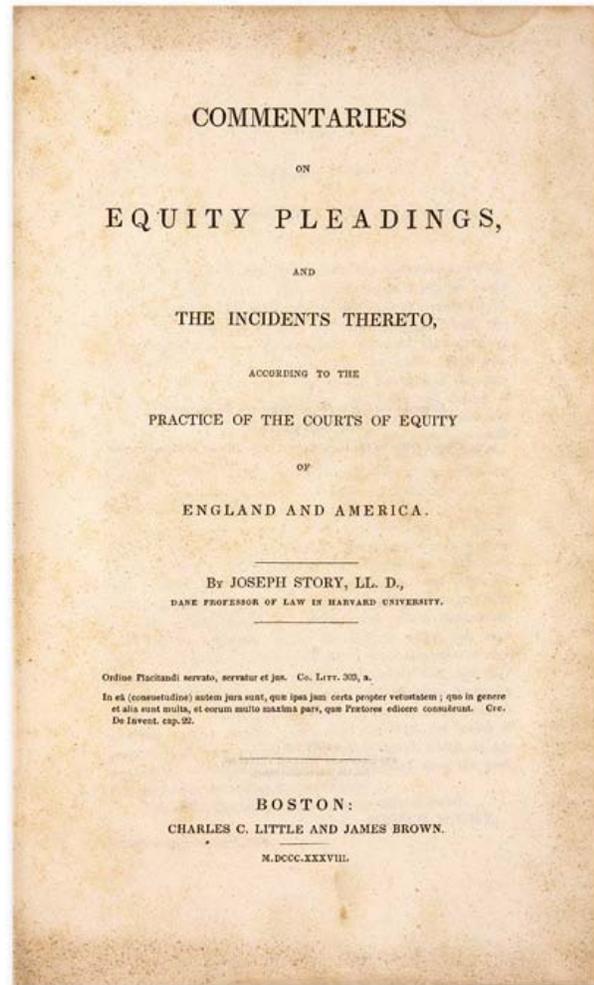
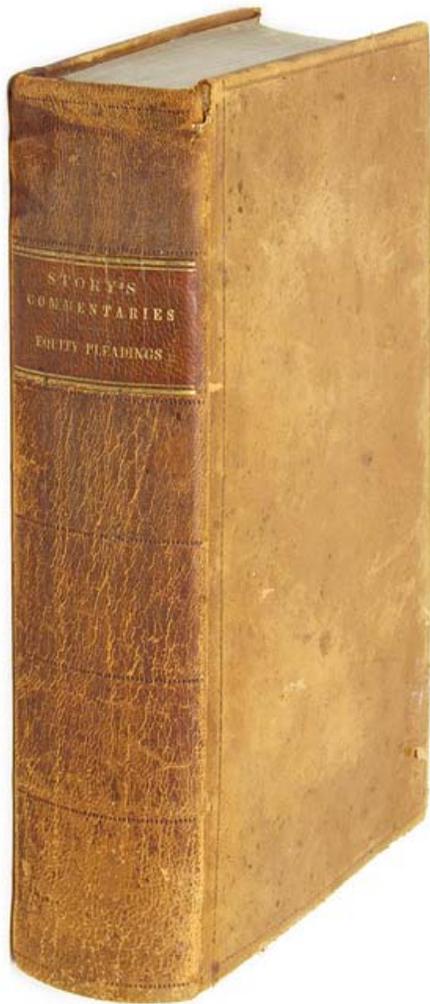
**22. Story, Joseph.**

*Commentaries on Equity Jurisprudence, As Administered in England and America.* Boston: Hilliard, Gray & Company, 1836. Two volumes. xliii, [1], 690; li, [1], 769, [1] pp. Octavo (8-1/2" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering pieces and blind fillets to spine. Light rubbing and some scuffing to boards, moderate rubbing to spines and extremities, corners lightly bumped, faint dampstaining to head of Volume I. Light toning, light foxing in places, fold lines to upper corners of some leaves, early annotation in pencil to front free endpaper of Volume II, some passages have early underlining or other marks in pencil. An appealing of an uncommon title. \$1,750.

\* First edition. This treatise "marks a major step in the transformation of Equity from an eighteenth century system of substantive rules derived from 'natural justice' to a nineteenth century positivist conception of Equity as simply providing a more complete and inclusive set of procedural remedies": Horwitz, *The Transformation of American Law, 1780-1860* 265. Cohen, *Bibliography of Early American Law* 5011.

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**Recommended by Abraham Lincoln**

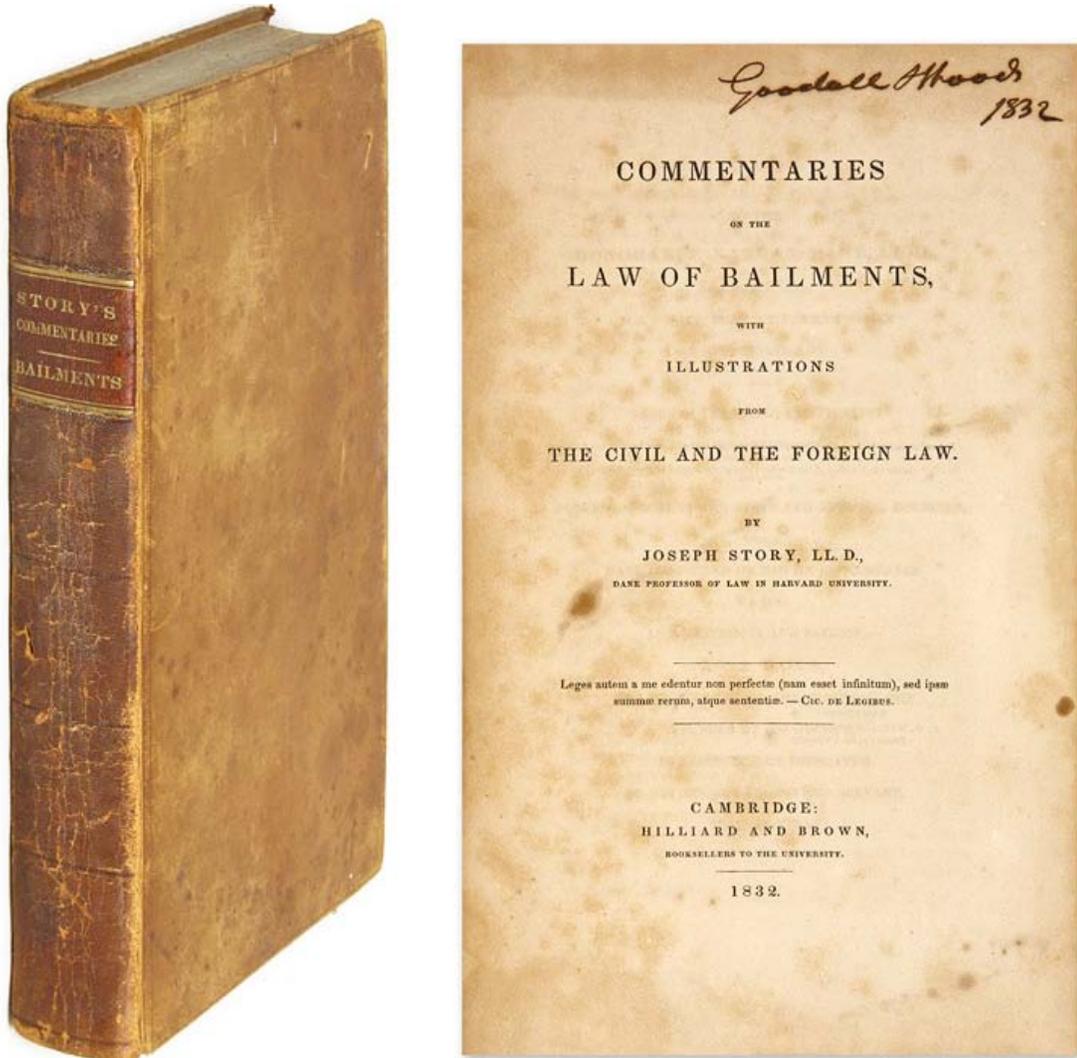
**23. Story, Joseph.**

*Commentaries On Equity Pleadings, And the Incidents Thereto, According to the Practice of the Courts of Equity of England and America.* Boston: Charles C. Little and James Brown, 1838. xxiv, 743, [1] pp. Octavo (9" x 5-1/4").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and a few minor scuffs to boards, moderate rubbing to spine and extremities, small tear to head of front joint, corners lightly bumped. Light toning to text, light foxing in places, fold lines to upper corners of some leaves, a few leaves have minor dampstaining to margins. An appealing copy of an important title \$950.

\* First edition. According to Simon Greenleaf, "there are no works in our language, in which the true doctrines and practice of the Law of Equity...are so convincingly taught; and probably no one of his works has been received by the profession with greater thankfulness, or is more frequently consulted, than [this work]" (cited in Marvin). It was one of the five treatises Abraham Lincoln assigned to his law apprentices or recommended to aspiring lawyers. A standard work for many years, in both the United States and Great Britain, its final edition (the thirteenth) was issued in 1886. Marvin, *Legal Bibliography* 672. Cohen, *Bibliography of Early American Law* 5020.

Order this item: <http://www.lawbookexchange.com/details.php?record=66837>



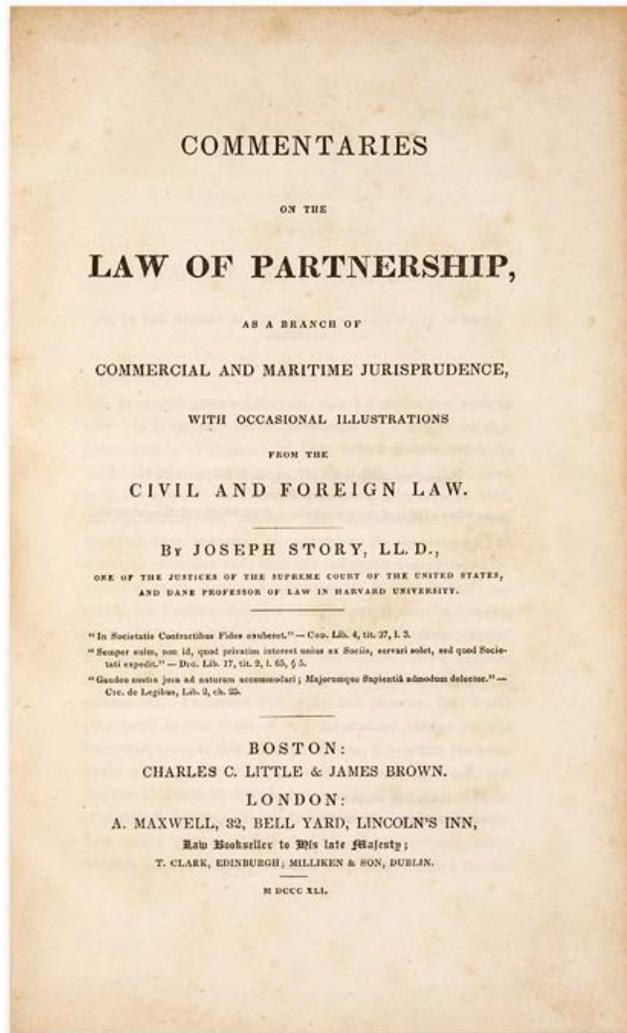
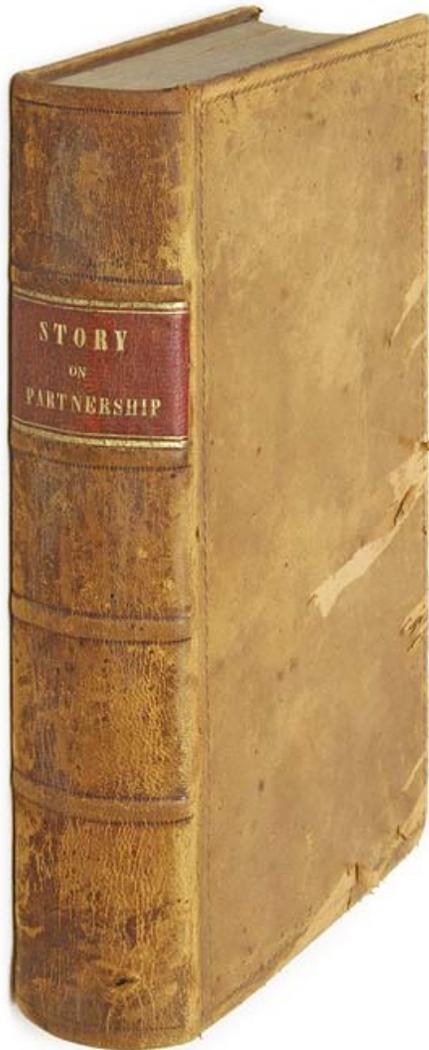
*Story on Bailments, First Edition*

**24. Story, Joseph.**

*Commentaries on the Law of Bailments, With Illustrations from the Civil and Foreign Law.* Cambridge: Hilliard and Brown, 1832. xxxiv, 411 pp. Two tipped in leaves at rear with notes on both sides in an early hand. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, somewhat heavier rubbing to spine, corners bumped, hinges starting, minor worming to rear hinge. Moderate toning to text, somewhat heavier in places, a few sections of text have light foxing, upper corners of some leaves have fold lines, a few leaves have minor inkspatters. Early owner signature to head of title page, early marks in pencil to a few passages. A nice copy. \$950.

\* First edition. "Whatever was to be found in the English and American decisions, whatever Roman and Continental jurisprudence afforded on illustration of the law of bailments, Joseph Story collected and combined with surprising industry, and wonderful learning...Story's *Bailments* affords one of the best examples, in modern times, of the illustration which our laws are susceptible of, by the aid of foreign jurisprudence.": Marvin, *Legal Bibliography* 668-669. Cohen, *Bibliography of Early American Law* 2451. Order this item: <http://www.lawbookexchange.com/details.php?record=66835>



**"A Truly Luminous Exposition"**

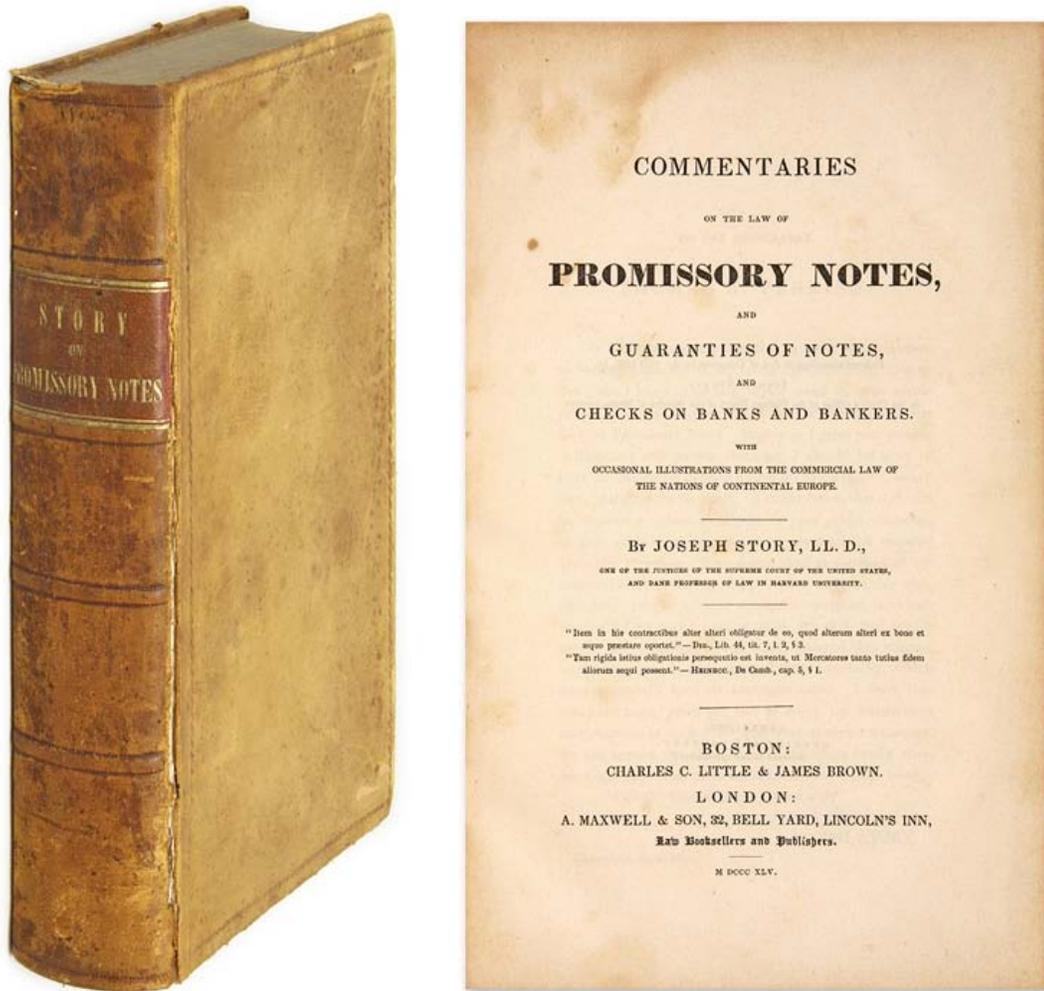
**25. Story, Joseph.**

*Commentaries on the Law of Partnership as a Branch of Commercial and Maritime Jurisprudence. With Occasional Illustrations from the Civil and Foreign Law.* Boston: Charles C. Little & James Brown/London: A. Maxwell, 1841. xxi, 690 pp. Octavo (9" x 6").

Contemporary sheep, blind fillets to boards, raised bands and small lettering piece to spine. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities, somewhat heavier rubbing to spine, corners bumped. Moderate toning to text, light foxing in places, upper corners of some leaves have fold lines, a few have early underlining and other marks in pencil. An appealing copy. \$950.

\* First edition. This was the last of Story's great treatises. Like the others, it was a standard work in the United States and, to some extent, Great Britain. In his *Law Studies* Samuel Warren said the *Commentaries on the Law of Partnership* is "a truly luminous exposition of a subject noted for its intricacy, and the subtlety of the rules upon which the system depends" (451). It was a deeply influential work as well. Indeed, Pound mentions it in his list of texts that were "a significant force in our legal development.": *The Formative Era of American Law* 140. Cohen, *Bibliography of Early American Law* 9321.

Order this item: <http://www.lawbookexchange.com/details.php?record=66836>



First Edition of Story's Final Treatise

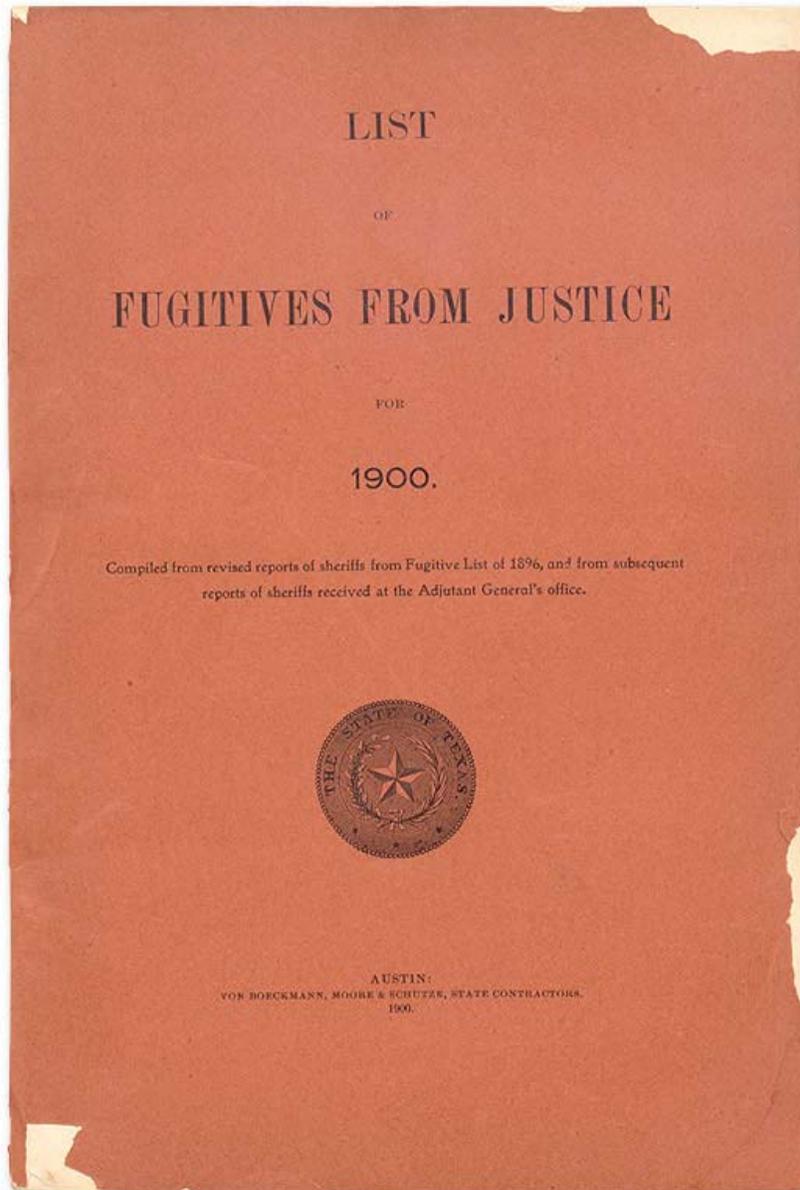
**26. Story, Joseph.**

*Commentaries on the Law of Promissory Notes, And Guaranties of Notes, And Checks on Banks and Bankers. With Occasional Illustrations from the Commercial Law of the Nations of Continental Europe.* Boston: Charles C. Little & James Brown, 1845. xxviii, 675 pp. Two tipped-in leaves of notes in an early hand. Octavo (9-1/2" x 6").

Contemporary sheep, blind fillets to boards, raised bands, blind fillets and lettering piece to spine. Light rubbing and a few minor nicks to boards, moderate rubbing to spine and extremities, small chip to head of spine, front joint and hinge partially cracked. Light toning to text, somewhat heavier in places, light foxing and faint dampstaining to a few leaves. \$950.

\* First edition of the last treatise published by Story. "Joseph Story's work on promissory notes was the last of his great treatises. (...) Unlike many of his predecessors, Story treated each aspect of commercial law separately in a series of works which included his treatises on agency (1839), partnership (1841), bills of exchange (1843) and finally the one on promissory notes. The inclusion of comparative sources from the commercial law of other countries reflects Story's view, expressed in his opinion for the Supreme Court in *Swift v. Tyson* (1842) that commercial law was international, not the 'law of a single country only, but of the commercial world.": Cohen, *Bibliography of Early American Law* 2561.

Order this item: <http://www.lawbookexchange.com/details.php?record=66838>



### Wanted in Texas

27. [Texas].

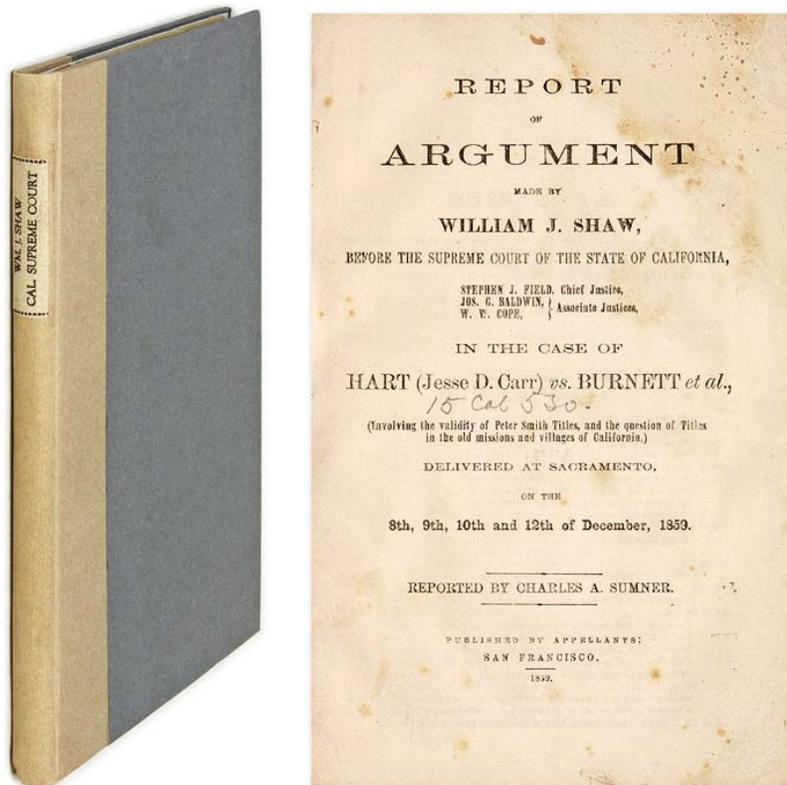
[Adjutant General's Department].

*List of Fugitives from Justice for 1900.* Austin: Von Boeckmann, Moore & Schutze, State Contractors, 1900. 203 pp.

Softbound, light soiling and some chipping to wrappers, which are partially detached, light toning to interior, occasional faint check marks next to entries, bit of paper loss verso of front wrapper and p. 1 with (very) minor loss to text. \$450.

\* With an index of names. Issued to law officers and bounty hunters, this book lists the many fugitives at large in Texas in 1900. The fugitives are organized by county in which the crime was committed. Each entry includes age, physical description, unique traits, alleged crime and the last place the suspect "was heard of." OCLC locates 17 copies, 1 outside of Texas (Columbia University). Order this item: <http://www.lawbookexchange.com/details.php?record=66778>

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**"Able and Standard Authority on Spanish and Mexican Law Relating to Titles of Grants of Land"**

28. [Trial].  
[California].

Shaw, William J.

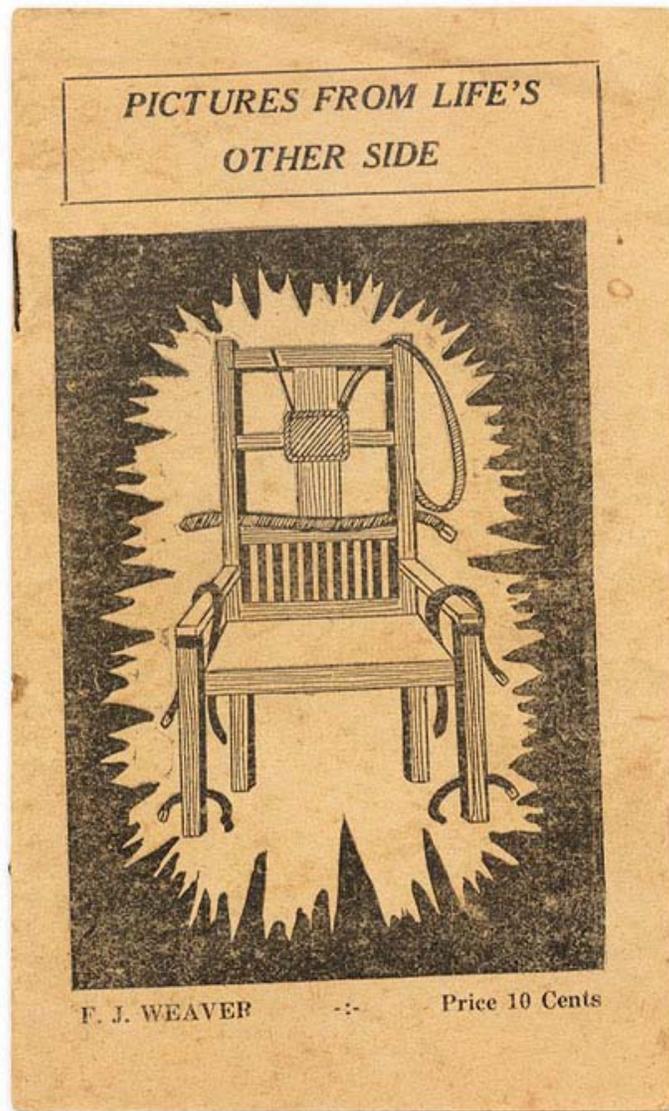
Sumner, Charles A., Reporter

*Report of Argument Made by William J. Shaw, Before the Supreme Court of the State of California, Stephen J. Field, Chief Justice, Jos. G. Baldwin, W. W. Cope, Associate Justices, In the case of Hart (Jesse D. Carr) vs. Burnett et Al., (Involving the Validity of Peter Smith Titles, And the Question of Titles in the Old Missions and Villages of California.) Delivered at Sacramento, On the 8th, 9th, 10th and 12th of December, 1859. Reported by Charles A. Sumner.* San Francisco: Published by Appellants, 1859. [ii], [ii], 3-167 pp. Main text preceded by errata leaf. Octavo (8" x 5").

Stab-stitched pamphlet in printed wrappers bound into recent paper-covered boards with contrasting spine and printed paper spine label. Moderate toning, some leaves have faint dampstaining, a few have minor edgewear. Faint early annotations in pencil to front wrapper and title page. An appealing copy of a scarce title. \$500.

\* First edition. Rosenbach's *Catalogue 98* (1937) calls this an "Able and standard authority on Spanish and Mexican law relating to titles of grants of land." Howell describes it as an "extensive examination of the whole title question relating to Sheriff's deeds (Peter Smith Titles) and in particular to the validity of extending these titles against property in the bona fide possession of others. This important test case, presided over by Justice Stephen J. Field, includes much important historical material on the Mexican laws regulating and defining Pueblos"(Howell). A second edition was published in 1860. Both editions are scarce. OCLC locates 13 copies of the first edition, 4 outside of California, 1 in a law library (Library of Congress). Howell, *Catalogue 50: California*, Part II, 584. Cohen, *Bibliography of Early American Law* 11704.

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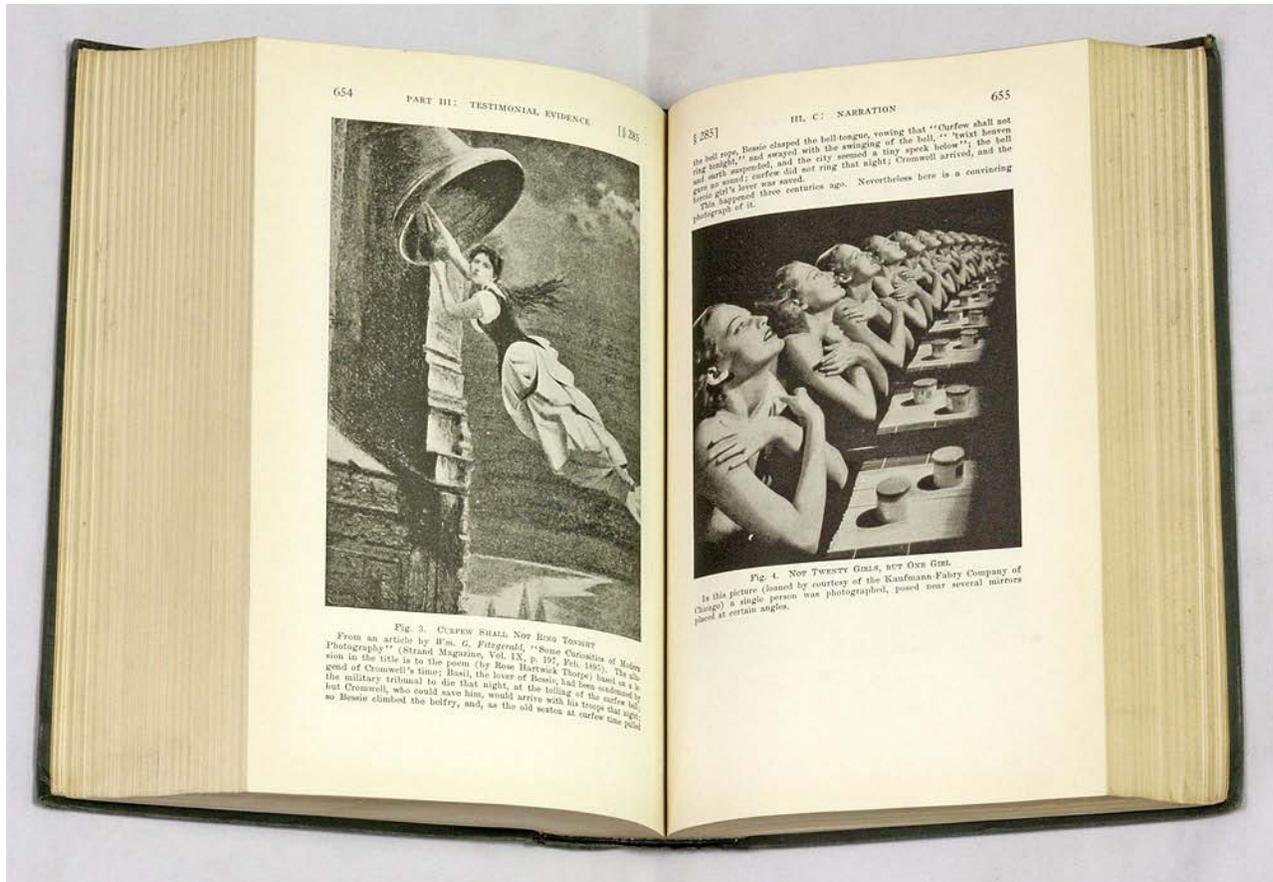
**"Help Your Fallen Brothers Rise"**

**29. Weaver, F.J.**

*Pictures from Life's Other Side.* N.p.: F.J. Weaver, c.1909. 15 pp.

Stapled pamphlet in pictorial wrappers. Light browning, negligible light shelfwear and soiling, a bit of oxidation around staples, internally clean. \$350.

\* A collection of inspirational and morally instructive poems intended for hobos, criminals, prisoners and the down and out. The tone is set by the cover illustration: an image of an electric chair. The titles are: The Convict and the Bird, Pictures from Life's Other Side, Black Sheep, Only a Tramp, They Can't Keep the Workingman Down, We'll Paint the Town Red, A Boy's Best Friend is His Mother, The Cowboy's Prayer, Wanted-A Boy, There the Sun Never Sets, The Rock Candy Mountains, Sometimes, Going to Church, Not Yet, But Soon, The World's Way, Rely on Yourself and Don't--!. The pamphlet also includes the lyrics to "There's No Place Like the Old Folks After All," a song by H.P. Hirsekorn and Gabriel Selig that was first published in 1909. Order this item: <http://www.lawbookexchange.com/details.php?record=66779>



**"Absolutely the Last Word  
on the Matter of Judicial Proof"**

**30. Wigmore, John Henry [1863-1943].**

*The Science of Judicial Proof As Given by Logic, Psychology, and General Experience and Illustrated in Judicial Trials.* Boston: Little, Brown and Company, 1937. xxiii, 1065 pp. Two folding plates, illustrations.

Original cloth, light shelfwear, negligible light fading to spine. Owner inscription to front free endpaper, interior otherwise fresh. \$250.

\* Third edition, revised and enlarged. An extensively revised and expanded edition of *The Principles of Judicial Proof* (1913), "[i]t is absolutely the last word on the matter of judicial proof and can be used to great value, not only by all practicing lawyers, but as an additional help to those more advanced in the profession.": Lawyer and Banker 24:242. Contents includes: I. Science of proof, and trial rules of admissibility, compared. II. Key to problems. III. List of trials useful for study. IV. Principles of proof applied to general history, with a list of historical controversies. V. The detective's viewpoint of evidence. VI. An index of police science materials. Includes bibliographical references and indexes.

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