

### Published Under Adams's Supervision

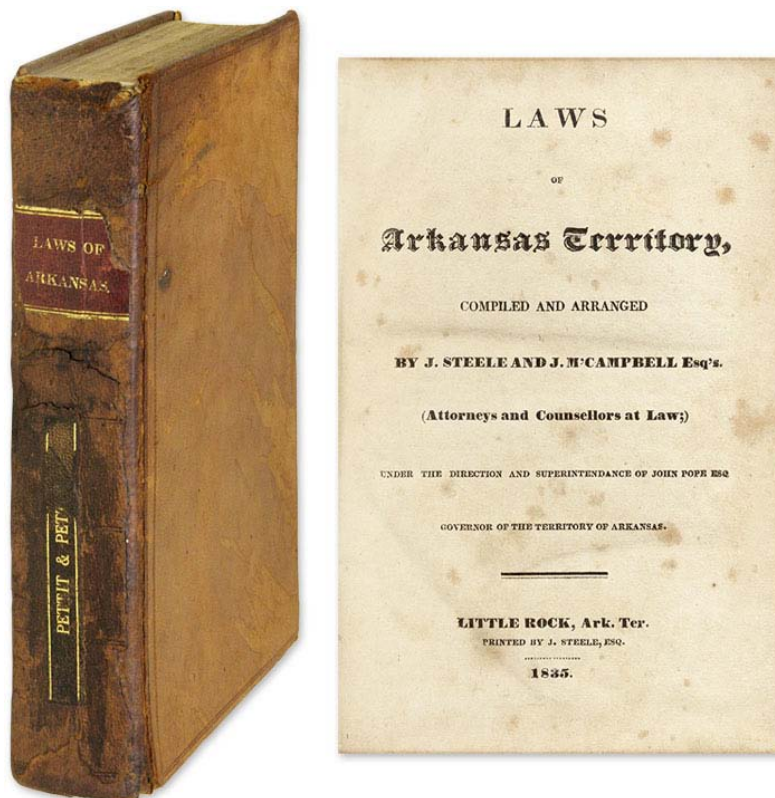
#### 1. Adams, John [1735-1826].

*A Defence of the Constitutions of Government of the United States of America, Against the Attack of M. Turgot in His Letter to Dr. Price, Dated the Twenty-Second Day of March, 1778.* Philadelphia: Printed by Budd and Bartram, For William Cobbett, 1797. Three volumes. 6, xxxiii, [1], [3]-392; [iv], 451; [ii] 528, [36] pp. Volume I has six-page subscriber list; copperplate portrait frontispiece, found in some copies, not present (see note at end of annotation below); text complete. Volume II has half-title, it lacks the blank front endleaf. Final two leaves of Volume III bound in reverse order. Octavo (8" x 5").

Contemporary tree sheep, carefully rebacked retaining spines with lettering pieces and gilt fillets, hinges mended. Light rubbing and a few shallow scuffs and nicks to boards, moderate rubbing to spines and extremities with some wear to corners and spine ends. Light toning to text, somewhat heavier in places, light foxing to some leaves. A notably handsome copy. \$4,000.

\* Third, final and best edition, the last one published under Adams's supervision. He wrote this fundamental contribution to American political theory when he was the American ambassador at the Court of St. James. First published in London, the *Defence* was a profound influence on the delegates to the Constitutional Convention of 1787 and the framers of several post-Revolutionary state constitutions. It also did much to familiarize Europeans with the novel political events taking place in America. Adams intended the *Defence* to be a one-volume work. He added two more volumes in 1787 and 1788 to offer more examples and address issues raised by critics. The first volume, reprinted from the London edition, was reprinted in New York and Philadelphia in 1787 and Boston in 1788. An abridged two-volume French translation was

published in Paris in 1792. The third edition, a corrected reprint of the second and final London edition, 1794, was the only complete three-volume text published in the United States. Many copies have a copperplate portrait frontispiece of Adams in Volume I, but not all. We have seen several copies without one. Also, Cohen's collation does not call for one, though he notes a frontispiece in the London edition of 1794. Close inspection of our copy gives no indication of a now-lost frontispiece, such as offsetting on the adjacent leaf. (There is a semi-circular mark above the title page of Volume I; it is an impression from a circular object visible in the following few pages.) These reasons lead us to conclude that our copy is complete as issued. Howes, *USIana* 60. Cohen, *Bibliography of Early American Law* 2736. Order this item: <http://www.lawbookexchange.com/details.php?record=65282>



The Final Territorial Compilation of the Laws of Arkansas

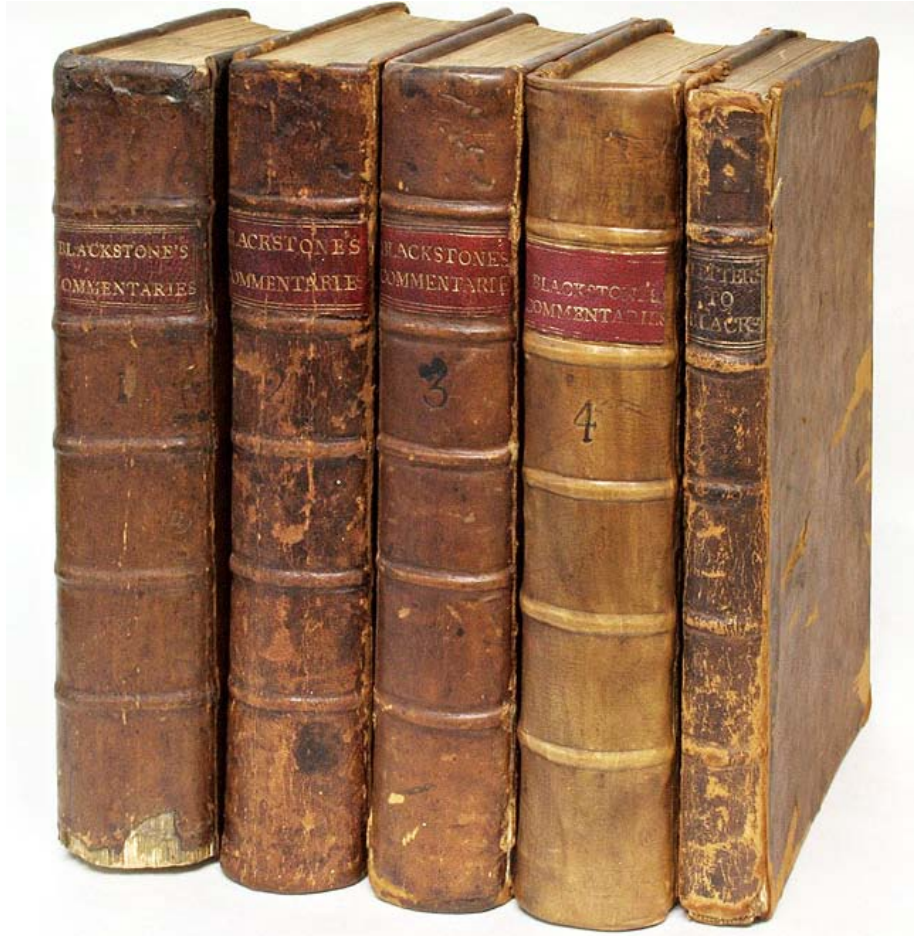
2. [Arkansas].  
Steele, J.  
M'Campbell, J.

*Laws of Arkansas Territory*. Little Rock, Ark. Ter.: Printed by J. Steele, 1835. [iv], 562, [12] pp. Octavo (7-1/2" x 5").

Contemporary calf, blind fillets to boards, lettering piece and early owner label (Pettit & Pettit) to spine. Light rubbing to extremities, light scuffing to boards, spine abraded with wear along joints and spine ends, hinges cracked. Toning and foxing text, light browning in places, internally clean. \$2,000.

\* Originally part of the Territory of Louisiana, then the Territory of Missouri, Arkansas Territory was established in 1819. It became a state in 1836. The first territorial compilation, a brief 149-page volume that included statutes of Missouri, was published in 1821. Steele and Campbell's alphabetically digested compilation was the second and last published during the territorial period. As indicated by such sections as Indians, Slaves and Vice and Immorality, it offers an interesting perspective on Arkansas when it was beginning its transition from a territory to a state. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 16. Order this item: <http://www.lawbookexchange.com/details.php?record=58910>





**Complete Subscriber's Copy of the First American  
Edition of Blackstone's *Commentaries* with the *Interesting Appendix***

**3. Blackstone, Sir William [1723-1780].**

*Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition.* [Philadelphia]: Robert Bell, 1771-1772. Four volumes. Copperplate Table Of Consanguinity and copperplate folding Table of Descents in Volume II. 22-page subscriber list in Volume IV. Publisher advertisements in Volume I, two leaves before title page, and Volume III, p. 456. Complete set.

**[With]**

**Priestley, Joseph [1733-1804].**

**Furneaux, Philip [1726-1783].**

**Foster, Sir Michael [1689-1763].**

**Murray, William, 1st Earl of Mansfield [1705-1793].**

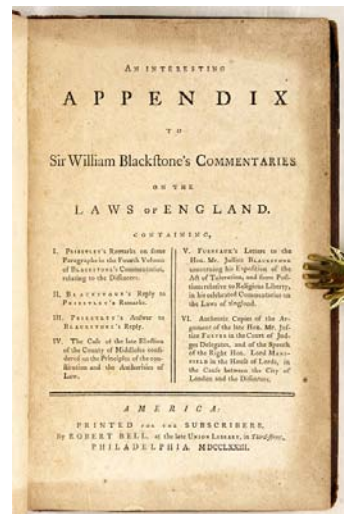
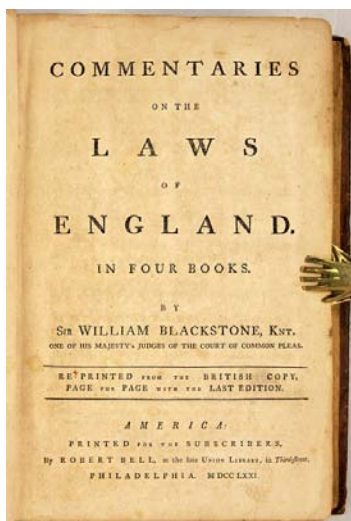
*An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries.... II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County or Middlesex Considered.... V. Furneaux's Letters to the Hon. Mr. Justice Blackstone Concerning his Exposition of the Act of Toleration.... VI. Authentic Copies of the Argument of the late Hon. Mr. Justice Foster in the Court of Judges Delegates, And of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters.* [Philadelphia]: Printed for the Subscribers, by Robert Bell, 1773. [iv], iv, [5]-119, [1], xii, 155, [1] pp. Includes one-page publisher advertisement. Each section preceded by divisional title page, first work also preceded by general title.

*Commentaries*: Volume I in contemporary calf, Volumes II-IV in contemporary sheep. Volume IV rebaked in period-style calf retaining endleaves, all with near-identical morocco spine label and blind-stamped volume numbers. Light rubbing and a some light scuffs and stains to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, several joints and hinges starting. Light browning and dampspotting to interiors, faint dampstaining in places, a few chips and tears to endleaves, lower sections lacking from rear endleaves of Volume II. Large signature of subscriber Daniel Campbell to head of Volume IV, p. 1, signature of Matthew Visscher to preliminaries of Volumes II-IV, that in Volume II dated 1782, a few later signatures and initials to endleaves in later pencil. *Interesting Appendix*: Contemporary sheep, nearly identical in style to that of the set of *Commentaries* above, raised bands, with original red lettering piece ("Letters to Blacks." in gilt capital lettering). Rubbed, with shallow scuffs to boards, wear with slight chipping to spine ends, corners somewhat worn, joints just starting at ends, contemporary owner bookplate of to front pastedown. Offsetting to margins of endleaves, toning, occasional light foxing, internally clean. Five books in all. Octavo (8-3/4" x 5-1/2"). \$18,000.

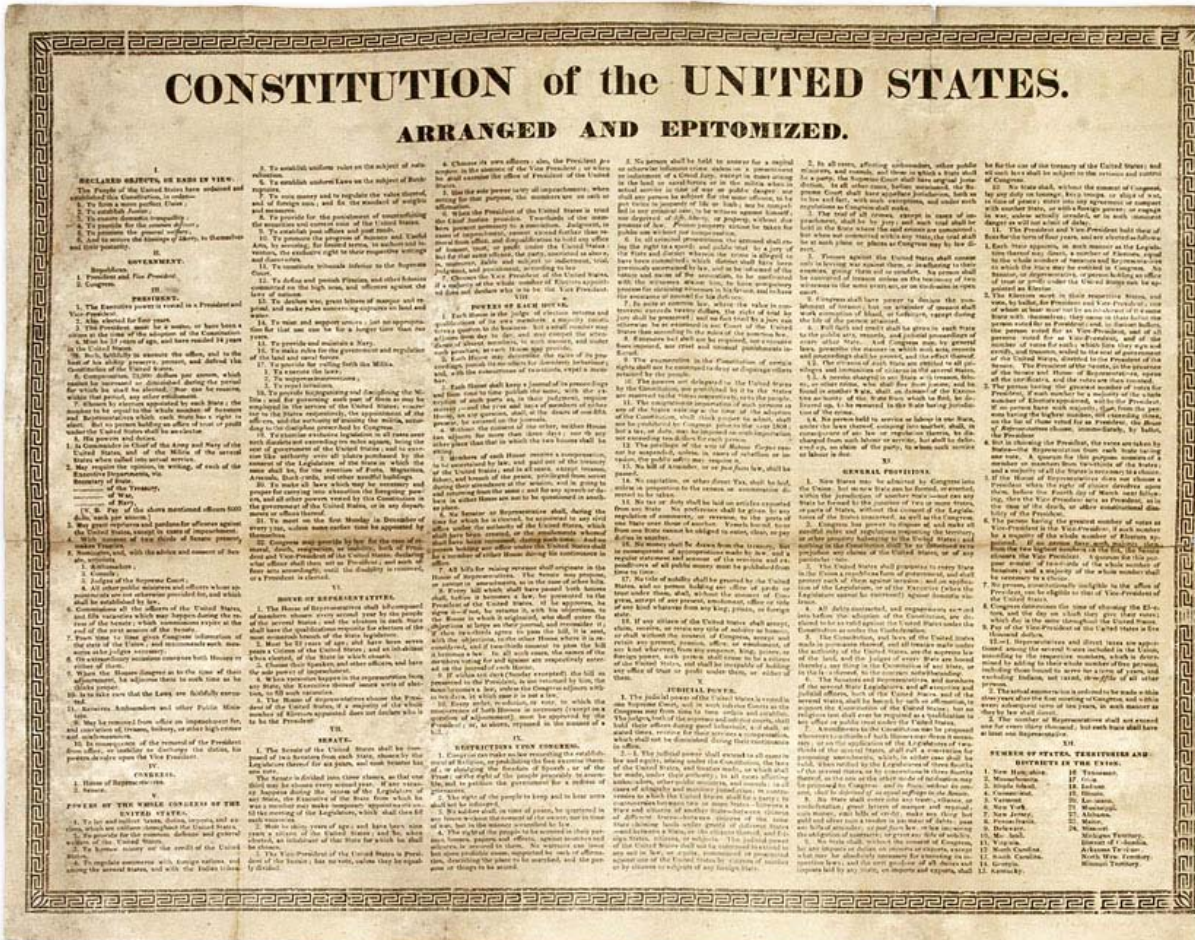
\* First American edition (*Commentaries*); first edition, second issue (*Interesting Appendix*). Blackstone's *Commentaries*, a synoptic review of the English legal system, is the most influential publication in the history of modern Anglo-American law. It was especially popular in America, where it was the standard introductory legal textbook into the late nineteenth century and was the primary, or only, book studied by hundreds of self-taught lawyers, such as Abraham Lincoln. The first multi-volume book printed in America, Bell's edition, a reprint of the fourth London edition, 1770, is a landmark in the history of American publishing. Volume IV also includes a 22-page subscriber list of 839 men, who ordered 1,557 sets. This impressive group included John Adams, John Jay, John Dickinson, Robert Morris, Cesar Rodney, several colonial governors and many other leaders of colonial America. Sixteen subscribers went on to become members of the Continental Congress that signed the Declaration of Independence. Daniel Campbell, the subscriber to our copy, emigrated to the colonies from Ireland in 1754 and became a prominent trader, merchant and judge in Schenectady, NY. Matthew Visscher [1751-1793] was an Albany lawyer and advocate of independence who served as a militia officer during the revolution. A prominent man in Albany after the war, he held several appointed positions in that city and served two terms in the state assembly.

Later re-issued under the title *The Palladium of Conscience, An Interesting Appendix* was compiled by Bell and originally issued as an appendix volume to his Blackstone edition. (The first issue has a "5" stamped on the spine.) It contains a group of essays on religious liberty inspired by a passage from Section III of Book IV, Chapter 4, "Of Offences Against God and Religion." The owner of this copy, John Wilkes Kittera [1752-1801], whose bookplate is dated 1799, was a notable lawyer and politician who lived in Lancaster, Pennsylvania. He was a Congressman in the U.S. House of Representatives from 1791 to 1801 and was a founding member, along with Stephen S. Du Ponceau and Bushrod Washington, of the Law Society of Philadelphia, which became the Law Academy of Philadelphia. Eller, *The William Blackstone Collection in the Yale Law Library* 80, 131. Laeuchli, *A Bibliographical Catalogue of William Blackstone* 131, 616.

Order this item: <http://www.lawbookexchange.com/details.php?record=65540>







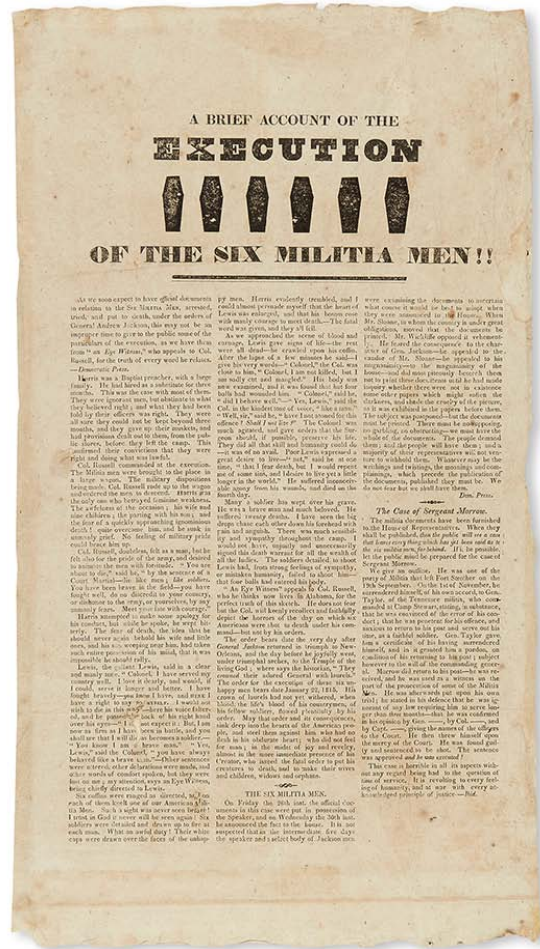
A Summary of the U.S. Constitution

4. [Broadside]. [Constitution, United States]. Constitution of the United States. Arranged and Epitomized. [N.p.: S.n., c. 1830].

18-1/2" x 14-1/2" broadside. Text in six columns within woodcut Greek-key border, headline above text. Light browning and some faint dampspotting and a few minor creases, horizontal and vertical fold lines, light edgewear, a few minor tears along fold lines. \$1,500.

\* Probably printed for schools, this broadside is one of several printings of this practical epitome of the U.S. Constitution. The list of states and territories at the end of the text includes Missouri, admitted in 1821, but not Arkansas, which was admitted next in 1836. OCLC locates 2 similar copies.

Order this item: <http://www.lawbookexchange.com/details.php?record=66579>



Anti-Jackson Broadside from the 1828 Presidential Race

5. [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. \$2,750.

\* 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>





A Missouri Judge Responds to His Critics

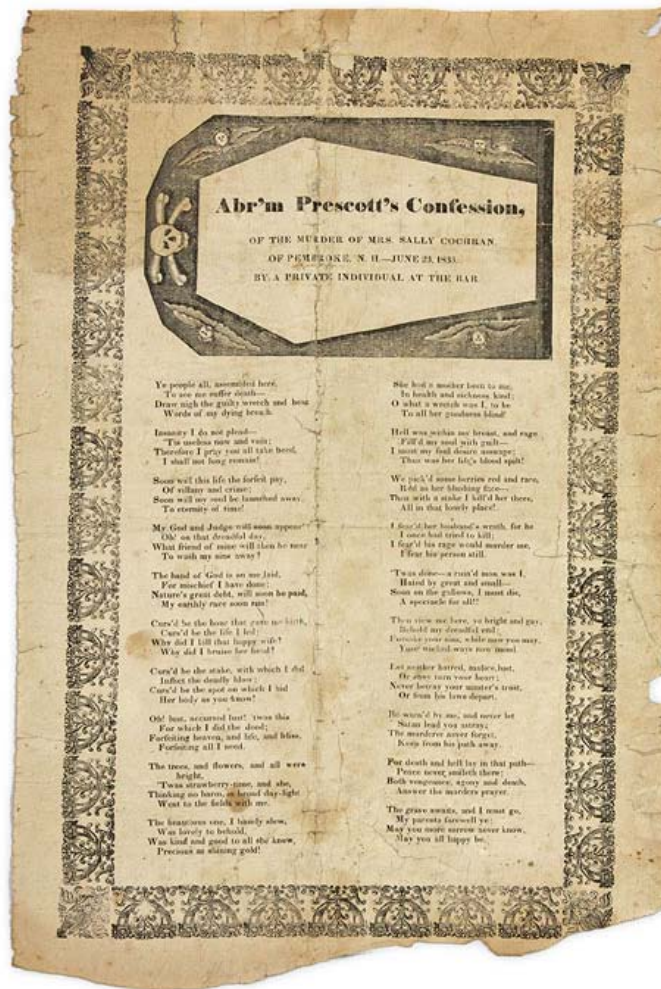
6. [Broadside]. Killen, Thomas J.

To The Public. In A Handbill Dated April 21, 1854, And Signed In Large Capital Letters "John Poynter McMillin," That Gentleman Makes "Three Specific Charges" Against The Rev. Matthias M. Barron [first line of text]. [Hannibal, MO? 1854].

18-1/2" x 8-1/2" broadside. Text in three columns. Moderate toning and light foxing, minor edgewear, fine vertical and horizontal fold lines, contemporary docketing to verso. \$2,500.

\* An apparently unrecorded broadside issued by Judge Thomas J. Killen in response to an attack published by a former litigant, John Poynter McMillin, who lost a lawsuit decided by Judge Killen. McMillin then published his version of the trial and his testimony in an attempt to refute the verdict against him. Killen's broadside is a rebuttal of McMillin's "superlatively ridiculous" charges. He also mocks his evident insolvency, suggests he is a deadbeat and assures McMillin: "you may banish fears of sinking to the degraded level of a mere slanderer. Both your tongue and your pen, sir, have lost all power of slander, or detraction; true like the native polecat, they may occasionally offend and disgust the community yet no one blames it because it is the nature of the beast." No copies located on OCLC or the online catalogs of AAS, Harvard or the Library of Congress. Order this item: http://www.lawbookexchange.com/details.php?record=66033





"Oh! Lust, Accursed Lust!  
'Twas This for Which I Did the Deed"

7. [Broadside].

[Murder].

Private Individual at the Bar.

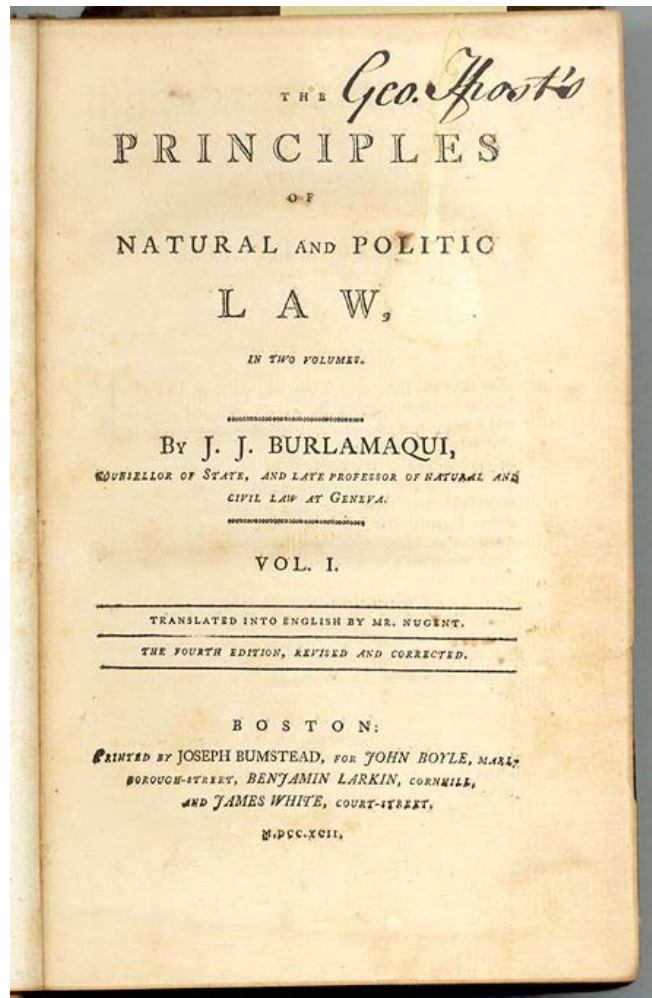
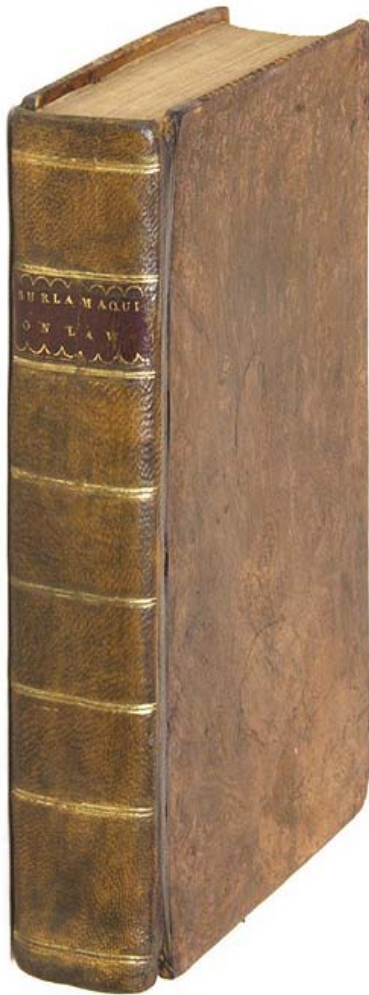
*Abr'm Prescott's Confession of the Murder of Mrs. Sally Cochran of Pembroke, N.H.--June 23, 1833.* [Concord, NH.?]: S.n., 1836.

17" x 11-1/2" broadside. Two-columns of verse in twenty stanzas within woodcut ornamental border, text headed by large woodcut vignette of a coffin. Light browning and a few minor stains, faint horizontal and vertical fold line, chipping to edges, section lacking from bottom margin, just touching bottom right corner of border, a few tears along fold lines with no loss to text, later repairs to verso. \$2,500.

\* Abraham Prescott was found guilty of the murder of Sally Cochran in two separate trials held in Concord in September 1834 and September 1835. Despite a well-crafted insanity defense, he was sentenced to be hanged on December 23, 1835, in Hopkinton, New Hampshire. The execution was postponed to January 6, 1836. The verse account in this broadside presents the murder as a crime of passion: "Oh! lust, accursed lust! 'twas this for which I did the deed; Forfeiting heaven, and life, and bliss, Forfeiting all I need." See McDade, *The Annals of Murder* 769. OCLC locates 7 copies (American Antiquarian Society, Brown, Dartmouth, Harvard, Peabody Essex Museum, University of Michigan, Yale).

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The First American Edition of Burlamaqui, Boston 1792

8. Burlamaqui, J[ean] J[acques] [1694-1748].

Nugent, [Thomas] [1700?-1772], Translator.

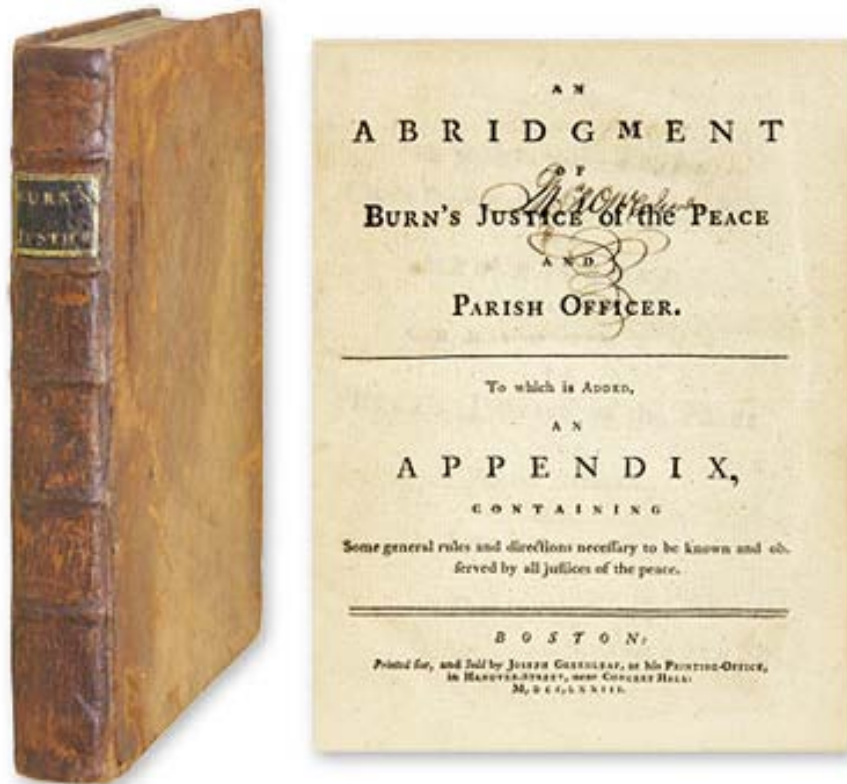
*The Principles of Natural and Politic Law, In Two Volumes.* Boston: Printed by Joseph Bumstead for John Boyle, 1792. viii, [20], 424 pp. Octavo (8-1/4" x 5-1/2").

Contemporary tree sheep, carefully rebacked in period style with gilt fillets and existing lettering piece, hinges mended. Light toning to text, negligible light foxing and faint dampstaining to some leaves. Early owner signature (Geo. Frost) to head of title page and a few other leaves, interior otherwise clean. A handsome copy. \$1,500.

\* First American edition (title page states "Fourth Edition, Revised and Enlarged" in reference to the preceding London editions). Burlamaqui outlined a constitutional system based on principles similar to those of the American founding fathers. "Burlamaqui formulated the principles of popular sovereignty, of delegated power, of a constitution as a fundamental law, of a personal and functional separation of powers into three independent departments...and finally, he provided for an institutional guardian of the fundamental law" (Harvey). Burlamaqui's other great achievement was to put Pufendorf's theories into systematic form. Blackstone was among the many jurists influenced by this work. Marvin stated a general opinion when he observed that "his works are deservedly held in high esteem.": *Legal Bibliography* (1847) 162. Harvey, *Jean Jacques Burlamaqui: A Liberal Tradition in American Constitutionalism* 178-179. Cohen, *Bibliography of Early American Law* 7809. Order this item: <http://www.lawbookexchange.com/details.php?record=65644>

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**The Only American  
Abridgment Published Before the Revolution**

**9. Burn, Richard [1709-1785].**

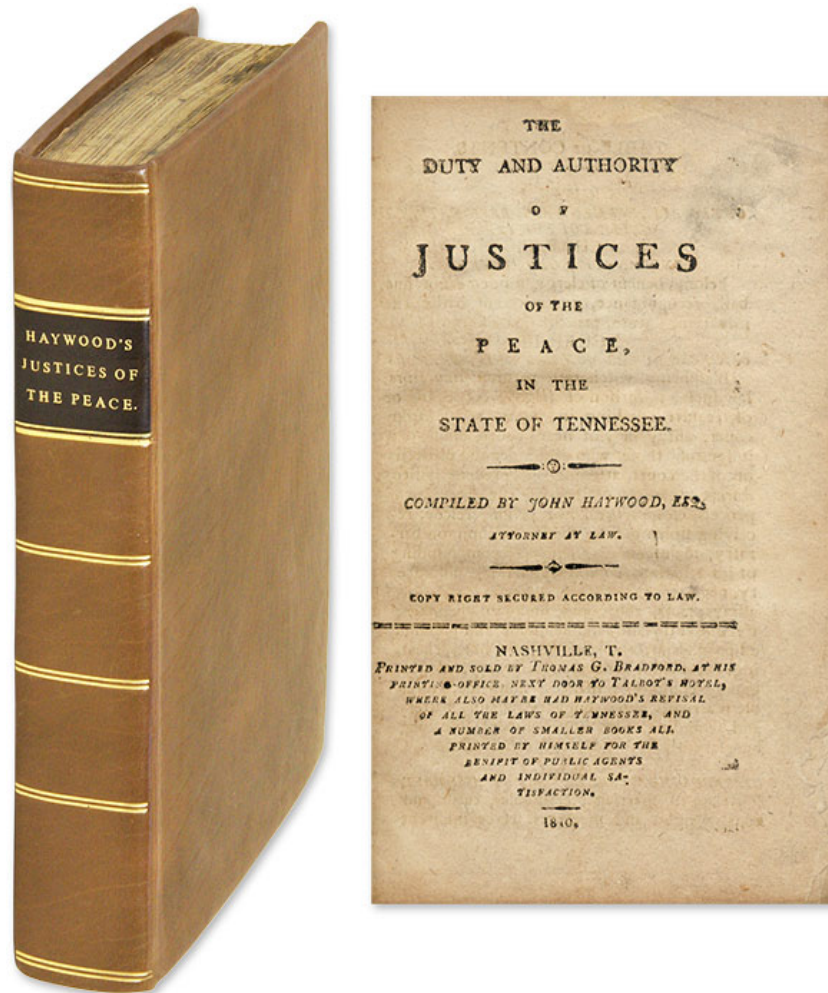
**Greenleaf, Joseph [1720-1810], Editor.**

*An Abridgment of Burn's Justice of the Peace and Parish Officer. To Which is Added, An Appendix, Containing Some General Rules and Directions Necessary to be Known and Observed by All Justices of the Peace.* Boston: Printed For, And Sold By, Joseph Greenleaf, 1773. [viii], 386, [2] pp. Includes two-page publisher advertisement. Quarto (8-1/2" x 7").

Contemporary sheep, rebaked retaining original spine with raised bands and lettering piece, hinges mended, spine ends restored. Moderate rubbing and minor scuffing to boards, some offsetting to margins of endleaves, very light browning to text. Early owner signature (J. Rowe/ Sept 16. 1776) to title page, interior otherwise clean. A handsome copy. \$2,000.

\* Only American edition and the only abridgement of a legal treatise printed in America before the Revolution. Richard Burn was an attorney and antiquarian who edited the ninth, tenth, and eleventh editions of Blackstone's *Commentaries*. His *Justice of the Peace, and Parish Officer* (1755) was perhaps his most important work. Holdsworth considered it to be one of the best treatments of the subject, an opinion shared by Burn's contemporaries, both in England and in the colonies. The "best proof that his book...was accepted as the leading text-book on that topic is the number of editions through which it passed.... It deserved its success. Burn carefully abridged the statutes, and stated the manner in which their clauses had been interpreted by the courts. His treatment of the criminal law was based upon a thorough study of the works of Coke, Hale, and Hawkins." Greenleaf explains the nature of his abridgement in the preface: "The London edition takes in the whole practice of England and Scotland, this renders it both bulky and dear. The circle of a justices business in those places is vastly extensive, and is founded chiefly on acts of the British parliament, which can never have any relation to this colony" [i]. Greenleaf also added an appendix of forms and general rules and directions for American courts. Holdsworth, *A History of English Law* XII:332-333. Cohen, *Bibliography of Early American Law* 8325.

Order this item: <http://www.lawbookexchange.com/details.php?record=60488>



**The First JP Manual Printed in Tennessee**

**10. Haywood, John [1762-1826], Compiler.**

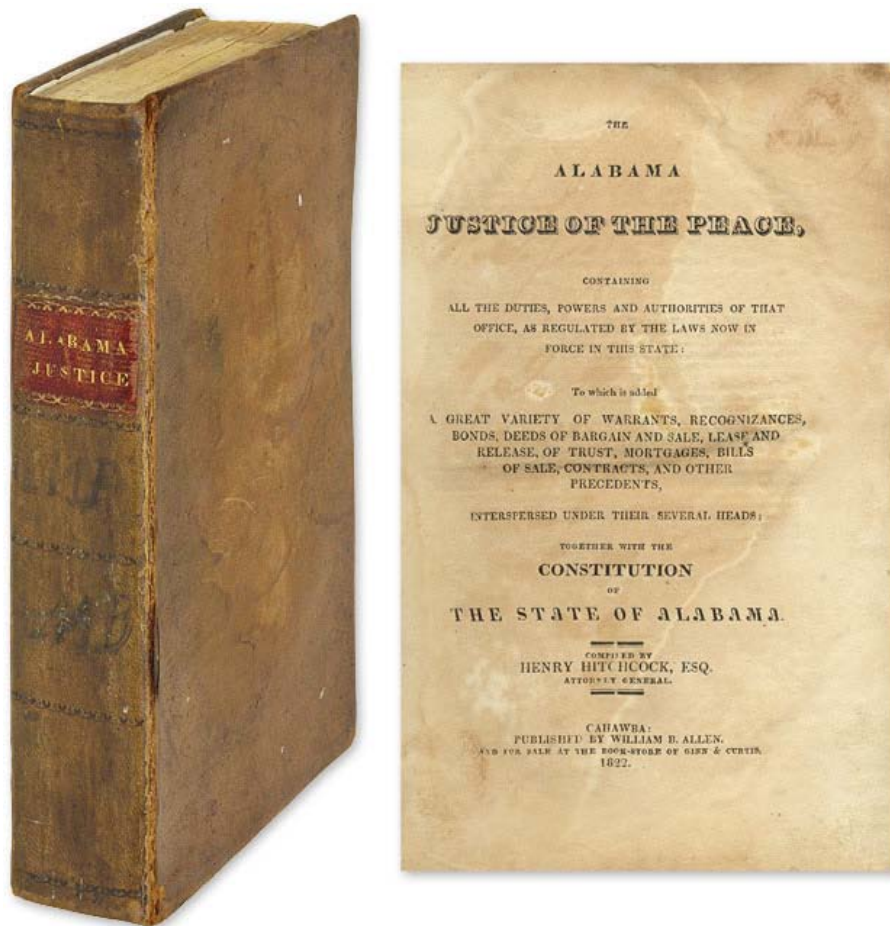
*The Duty and Authority of Justices of the Peace, In the State of Tennessee.* Nashville: Printed and Sold by Thomas G. Bradford, 1810. [iv], 372, [7] pp. An additional four leaves, all containing advertisements, not present in this copy. Octavo (7" x 4-1/2").

Recent period-style calf, gilt rules and lettering piece to spine, hinges mended. Some toning and faint dampspotting to text, several printing faults resulting in torn leaves near the gutter, typical with early frontier imprints. Two later owner signatures to front pastedown, interior otherwise clean. \$1,800.

\* First edition. The first JP manual printed in Tennessee. With its choice of topics and rather amateurish printing, this manual evokes the state of frontier life in the early nineteenth century. Haywood was a jurist and historian from North Carolina who moved to Tennessee in 1807. Soon after his arrival he enhanced his already solid reputation by publishing a series of legal compilations and the earliest important histories of his adopted state. He served on the Tennessee Supreme Court for the last 12 years of his life. Other editions of his manual were published in 1811 and 1816. Though all editions are somewhat common in institutional collections, there are few copies of any edition in law libraries. Regarding the first edition, OCLC locates 4 copies (at Harvard, the Universities of Michigan and Minnesota and Yale). Also, no copy has appeared at auction in more than 30 years. Allen, *Tennessee Imprints* 162. Cohen, *Bibliography of Early American Law* 8470. Order this item: <http://www.lawbookexchange.com/details.php?record=61650>

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Copy of the First Book Printed in Alabama with a Notable Association

**11. Hitchcock, Henry [1795-1839], Compiler.**

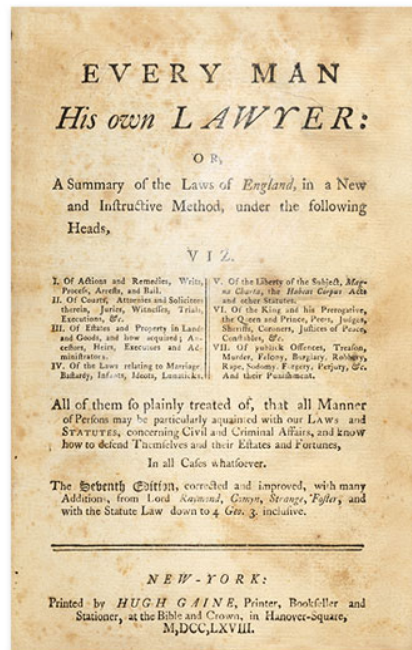
*The Alabama Justice of the Peace, Containing All the Duties, Powers and Authorities of That Office, As Regulated by the Laws Now in Force in This State: To Which is Added a Great Variety of Warrants, Recognizances, Bonds, Deeds of Bargain and Sale, Lease and Release, Of Trust, Mortgages, Bills of Sale, Contracts, And Other Precedents, Interspersed Under Their Several Heads; Together with the Constitution of the State of Alabama.* Cahawba, Ala.: Published by William B. Allen. And for sale at the book-store of Ginn & Curtis., 1822. [ii], 494, [2] pp. Octavo (8-1/4" x 5").

Contemporary sheep, lettering piece and blind fillets to spine. Light rubbing to boards and extremities with some wear to corners, a few minor stains to boards, hinges starting, crack near rear of text block repaired with archival tape. Toning to text, occasional light dampstaining and foxing. Faint early owner initials (MB) to spine, "M. Bohannon" to foot of text block, Bohannon's signature and annotations to front free endpaper, which has a few holes repaired with archival tape, autograph document laid in. A well-preserved copy. \$2,000.

\* Only edition. According to Owen, this was the first book printed in Alabama other than collected documents of the constitutional convention of 1819 and the journals and session laws of the general assembly. Hitchcock, who was Alabama's attorney general when he compiled this book, is an important figure in that state's history. He helped to write its constitution and went on to become chief justice of the Alabama Supreme Court. The autograph document, signed by Hitchcock, is dated July 9, 1822. It acknowledges receipt of his salary as attorney general. Owen, *A Bibliography of Alabama* 981. Cohen, *Bibliography of Early American Law* 8316.

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### The First Layman's Guide Published in America

#### 12. Jacob, Giles [1686-1744].

*Every Man His Own Lawyer: Or, A Summary of the Laws of England, In a New and Instructive Method, Under the Following Heads, Viz. I. Of Actions and Remedies, Writs, Process, Arrests, and Bail. II. Of Courts, Attornies and Solicitors Therein, Juries, Witnesses, Trials, Executions, &c. III. Of Estates and Property in Lands and Goods, And How Acquired, Ancestors, Heirs, Executors and Administrators. IV. Of the Laws Relating to Marriage, Bastardy, Infants, Ideots, Lunaticks. V. Of the Liberty of the Subject, Magna Charta, the Habeas Corpus Act, and other Statutes. VI. Of the King and his Prerogative, the Queen and Prince, Peers, Judges, Sheriffs, Coroners, Justices of Peace, Constables, &c. VII. Of Publick Offences, Treason, Murder, Felony, Burglary, Robbery, Rape, Sodomy, Forgery, Perjury, &c. and Their Punishment. All of Them so Plainly Treated of That All Manner of Persons May be Particularly Acquainted With Our Laws and Statutes, Concerning Civil and Criminal Affairs, And Know How to Defend Themselves and Their Estates and Fortunes, An All Cases Whatsoever. Corrected and Improved, With Many Additions, from Lord Raymond, Comyn, Strange, Foster, And with the Statute Law Down to 4 Geo. 3. Inclusive.* New-York: Printed by Hugh Gaine, 1768. iv, 289, [13] pp. Octavo (7-1/4" x 4-1/2").

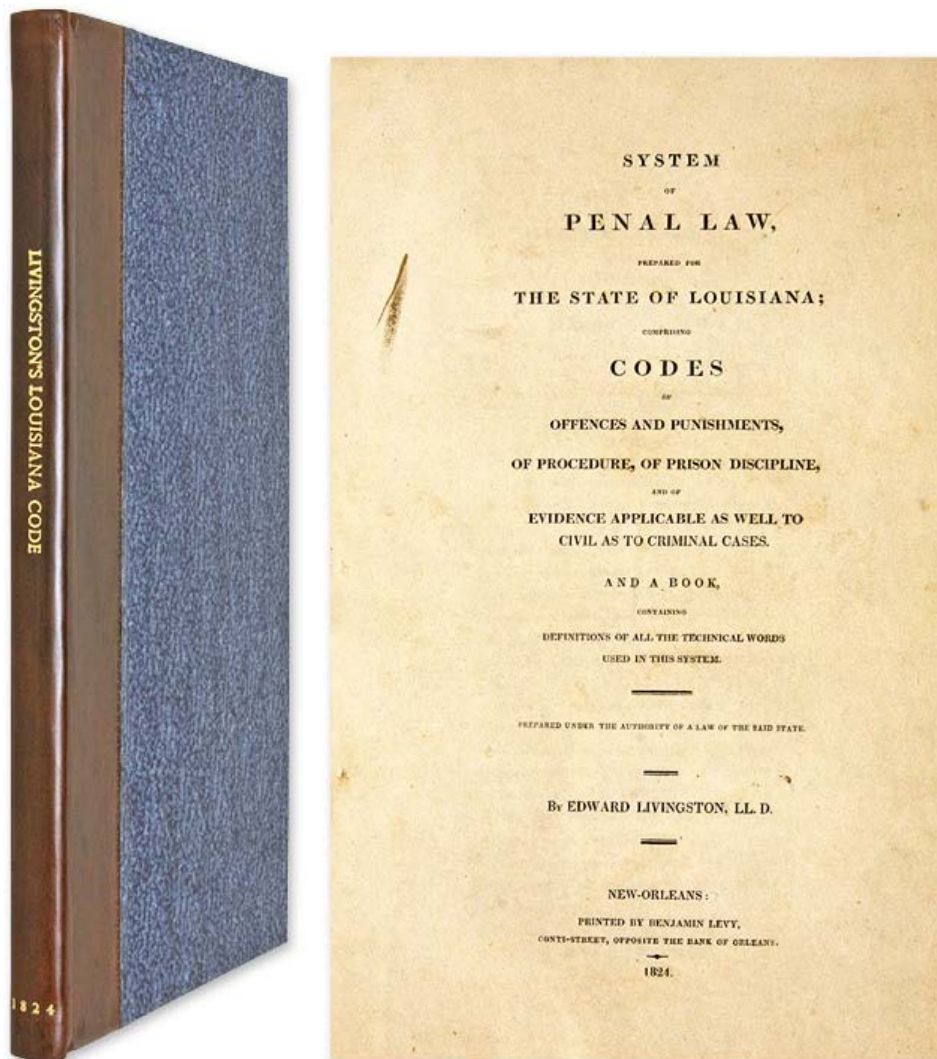
Contemporary sheep, blind fillets to boards, rebacked retaining original spine with raised bands and lettering piece, original endpapers retained. Moderate rubbing to extremities with some wear to corners, some scuffing to boards and evidence of wear to joints and edges of lettering piece, hinges cracked but secure, upper portion lacking from front free endpaper. Some toning to text, darker in places, negligible light foxing to most of text, internally clean. A desirable copy. \$2,200.

\* First American edition, designated the seventh on the title page in reference to the prior six editions published in London. This popular layman's guide by one of the most prolific legal writers of eighteenth-century England went through ten English editions between 1736 and 1788. The mention of "All Manner of Persons" in the subtitle is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as *The Common Law Common-Placed* (1726) and *Treatise of Laws* (1721). According to Cohen, this was the first laymen's guide published in America. Cohen, *Bibliography of Early American Law* 8202.

Order this item: <http://www.lawbookexchange.com/details.php?record=59716>

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First Issue of Livingston's Louisiana Penal Code

13. [Louisiana].

Livingston, Edward [1764-1836].

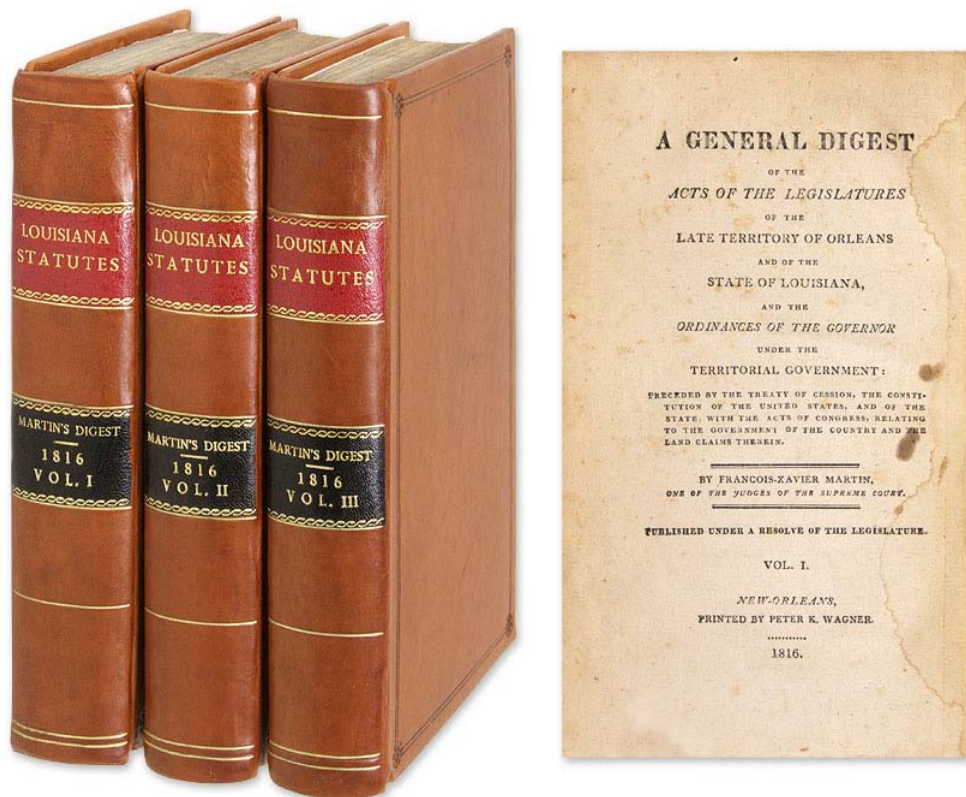
*System of Penal Law, Prepared for the State of Louisiana: Comprising Codes of Offenses and Punishments, Of Procedure, Of Prison Discipline, And of Evidence Applicable as Well to Civil as to Criminal Cases. And a Book, Containing Definitions of All the Technical Words Used in This System.* New Orleans: Benjamin Levy & Co., 1824. 164 pp. (12-1/4" x 7-1/2").

Recent period-style quarter calf over marbled boards, gilt title and date to spine. Light toning to text, negligible light foxing in a few places. \$3,000.

\* First edition. Livingston's *Penal Code* marked an epoch in the broad international movement for penal reform. Profoundly influenced by Bentham, it stressed prevention over vengeance. Never enacted, it nevertheless established itself as one of the great standards for other reformers. Hicks marvels at the scope and clear organization of this code and notes that Bentham, Hugo, Lafayette, Story, Marshall, Madison, Kent and Jefferson considered it "the most comprehensive and enlightened system of criminal law that has ever been presented to the world." Hicks, *Men and Books Famous in the Law* 180. Jumonville, *Bibliography of New Orleans Imprints* 430. Cohen, *Bibliography of Early American Law* 10329.

Order this item: <http://www.lawbookexchange.com/details.php?record=66595>

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### A Landmark in Louisiana's Legal History

#### 14. [Louisiana].

**Martin, Francois-Xavier [1762-1846].**

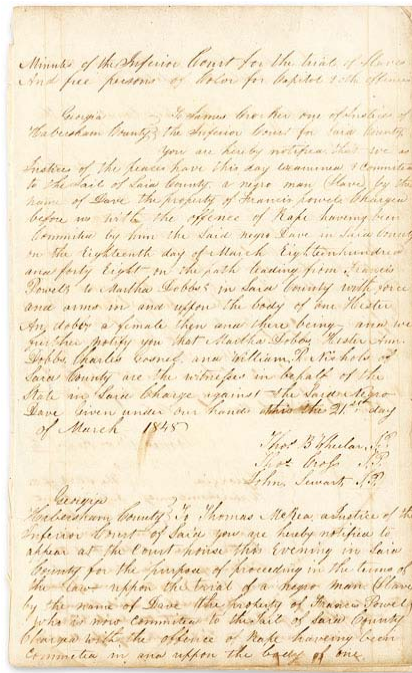
*A General Digest of the Acts of the Legislatures of the Late Territory of Orleans and of the State of Louisiana, And the Ordinances of the Governor Under the Territorial Government: Preceded by the Treaty of Cession, The Constitution of the United States, And of the State, With the Acts of Congress, Relating to the Government of the Country and the Land Claims Therein. Published Under a Resolve of the Legislature.* New Orleans: Printed by Peter K. Wagner, 1816. Three volumes. 742; 696; 290, 295-513, [3], 107 pp. Volume III lacking pp. 291-294, which are supplied in facsimile. English and French translation on facing pages. Added title page in French reading: *Digeste General des Actes des Legislatures du Territoire d'Orleans et de l'Etat de la Louisiane...* Folding table in Volume I. Four pages of contemporary manuscript notes bound to rear of Volume II. Octavo (8" x 5").

Recent period-style calf, blind rules to boards, lettering pieces and gilt fillets to spine. Moderate toning, somewhat heavier near margins, light browning in places, light foxing to text. Faint dampstaining in places, worming to middle leaves of the bottom edge of Volume II with minor loss to margin (text not affected), a bit of edgewear to folding leaf, internally clean. Ex-library. Faint stamps to title pages, hand-lettered inventory numbers to versos. A handsome set. \$3,000.

\* First edition. One of the great landmarks in Louisiana's history, this was the first post-territorial digest of the Louisiana legislature. It contains the treaty ceding the Territory of Louisiana to the United States and, on pp. 601-691 of Volume I, the infamous *Code Noir* of 1685, which ordered the expulsion of the Jews from French colonies, banned non-Catholic practices there and provided a system for the regulation of slavery. Martin was an important figure in the legal history of the south. A French-born lawyer, judge, author, translator, printer and historian, he began his career in North Carolina. He later moved to the Louisiana territory, where he played the leading role in the reorganization of its legal system. Appointed attorney-general when Louisiana became a state, he is considered the father of Louisiana jurisprudence. The manuscript pages at the end of Volume II are an index. Jumonville, *Bibliography of New Orleans Imprints* 281, 282, 283. Cohen, *Bibliography of Early American Law* 5663. Order this item: <http://www.lawbookexchange.com/details.php?record=64085>

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

15. [Manuscript]  
[Slavery].  
[Georgia].

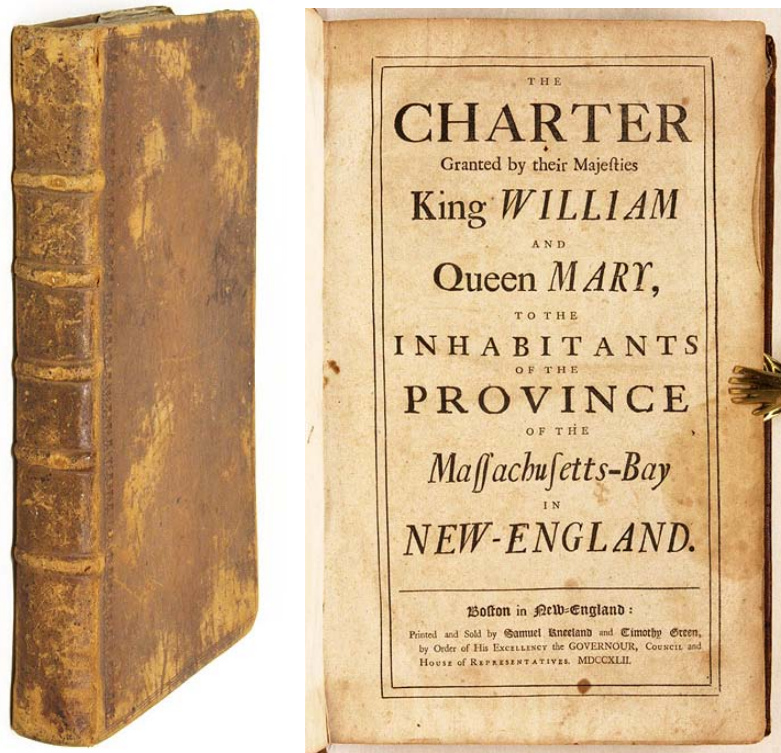
*Minutes of the Inferior Court for the Trial of Slaves and Free Persons of Color for Capital and Other Offences* [Headline Title].  
Habersham County, Georgia, March 21-30, 1848.

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.

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Appealing Copy of the 1742 Acts and Laws of Massachusetts

**16. [Massachusetts].**

*The Charter Granted by Their Majesties King William and Queen Mary, to the Inhabitants of the Province of the Massachusetts-Bay in New-England.* Boston: Printed and Sold by Samuel Kneeland and Timothy Green, 1742. 14 pp.

**[Bound with]**

*The Table* [to the Acts] [Boston: Printed and Sold by Samuel Kneeland and Timothy Green, 1742] 28 pp.

**[And]**

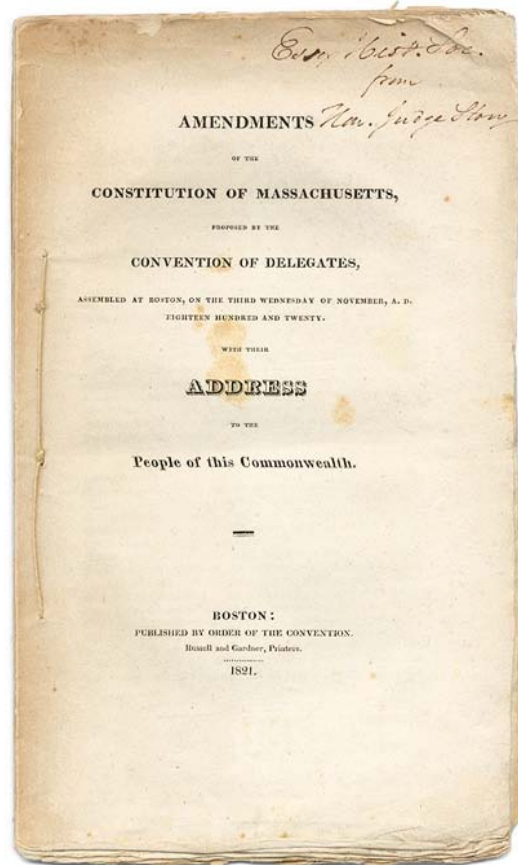
*Acts and Laws of His Majesty's Province of the Massachusetts-Bay in New England.* Boston: Printed and Sold by Samuel Kneeland and Timothy Green, 1742. [ii], 333; [334]-340 pp. Pages after p. 333 contains two acts from 1743: "An Act for Fixing the Times for Holding the Superior Courts of Judicature [and Other Courts]," "An Act in Addition to the Several Acts for Regulating Fences" and "An Act in Addition to an [Act]...to Ascertain the Value of Money and of Bills of Publick Credit of this Province." 38 blank leaves bound to rear of text. Folio (11-1/2" x 7-1/2").

Contemporary sheep, blind rules to boards, blind fillets to joints, raised bands, unlettered spine. Some rubbing to boards and extremities, a few shallow scuffs to rear board, rear joint just starting at foot, corners bumped and somewhat worn, hinges cracked, front free endpaper partially detached (but secure), rear free endpaper lacking. Moderate toning to text, somewhat heavier in places, light foxing, faint stains to fore-edges of *Charter*, some staining and edgewear to blank leaves at rear of text. In all a very good, fresh copy in the original state. \$1,850.

\* This legislative compilation from 1692 to 1743 provides unparalleled insights into the colony's attitude towards Indians, "Free Negroes," piracy, buggery, bestiality, incest, "Jesuits and Popish priests," the killing of bastard children by their mothers, "mispending money in taverns," "keeping the Lord's day," adultery, polygamy and many other social and political topics. Although they are separate works, the *Charter* and *Laws* are almost always bound together. And like other copies, this one has additional acts published after 1742. These were issued with continuous pagination with the expectation that they would be bound with the original work. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 193. Benedict, *Acts and Laws of the Thirteen Original Colonies and States* 151. Tower, *The Charlemagne Tower Collection of Colonial Laws* 262.



Order this item: <http://www.lawbookexchange.com/details.php?record=65968>



**Amendments to the Massachusetts  
Constitution: A Presentation Copy from Joseph Story**

17. [Massachusetts].

[Constitution].

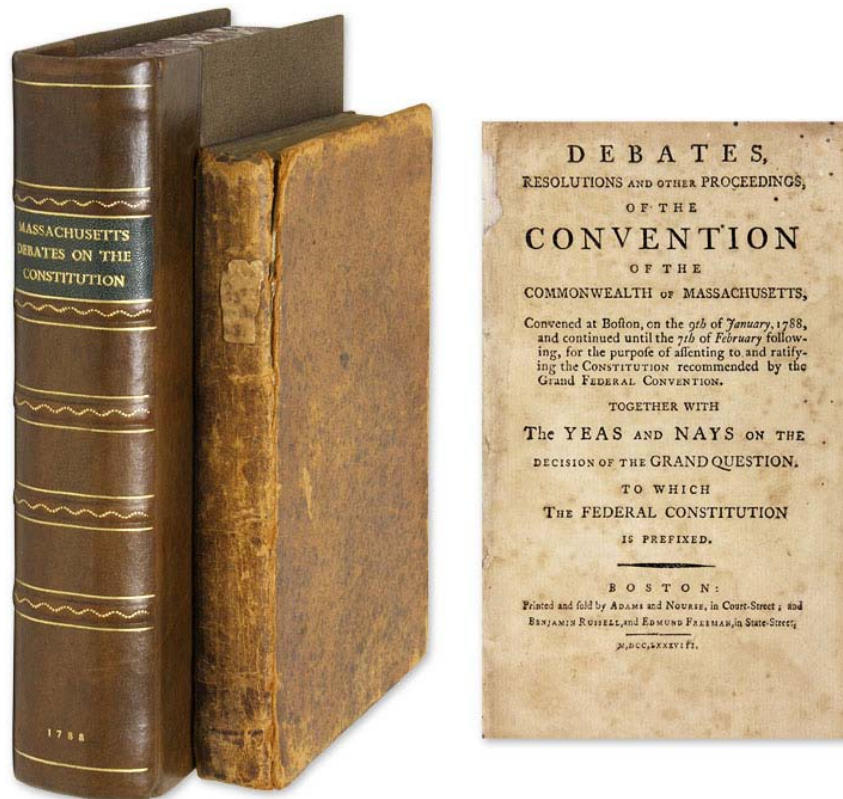
[Story, Joseph (1779-1845)].

*Amendments of the Constitution of Massachusetts, Proposed by the Convention of Delegates, Assembled at Boston, On the Third Wednesday of November, A.D. Eighteen Hundred and Twenty. With their Address to the People of this Commonwealth.* Boston: Published by Order of the Convention. Russell and Gardner, Printers. 1821. First Edition. [iii], 4-32 pp. Octavo (10-1/4" x 6").

Stab-stitched pamphlet in self-wrappers, untrimmed edges. Moderate toning, minor edgewear to a few leaves, light foxing and presentation inscription to title page, final leaf signed by Convention Secretary Benjamin Pollard. \$1,850.

\* First edition. Presented to the Essex Historical Society, this copy is inscribed in the third person "from Hon Judge Story." The great Supreme Court justice was member of the convention to amend to Massachusetts Constitution. Mel A. Topf in wrote about Story's importance at the Convention: "Story brought his prestige and leadership, together with his considerable political and legal skills, to what was for him and his allies at the convention the overriding mission: to save the Massachusetts frame of government from the democratizing forces (or from radicalism, the term Story used) that were threatening the Republic itself. It would be difficult to overemphasize the centrality of this mission to Story's theory of the judiciary. Story, along with Daniel Webster and others, led the conservative faction toward its goal of creating an alliance to protect the Massachusetts constitution from democratic extremes of the radicals, whose program was the convention's main agenda." An excellent association connecting Joseph Story to a critical event in his judicial career in Massachusetts. Topf, *A Doubtful and Perilous Experiment: Advisory Opinions, State Constitutions, and Judicial Supremacy* 32-33. Cohen, *Bibliography of Early American Law* 3144. Order this item: <http://www.lawbookexchange.com/details.php?record=66550>

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187 to 168 in Favor of Ratification

18. [Massachusetts].  
[Federal Constitution].

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

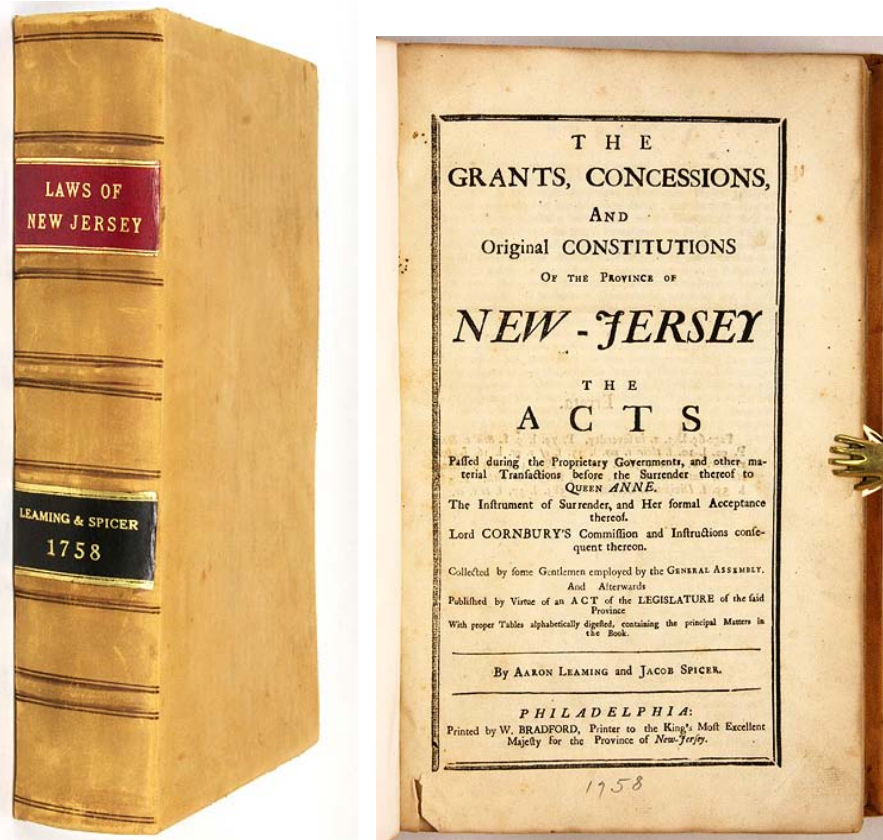
Contemporary speckled sheep, blind fillets and fragment of later hand-lettered paper title label to spine. Moderate rubbing to extremities with wear to head of spine, front joint starting, hinges cracked, later owner bookplate to front pastedown, front free endpaper lacking. Moderate toning to interior,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

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

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The First Retrospective Compilation of New Jersey Law

19. [New Jersey].

Leaming, Aaron, Compiler.

Spicer, Jacob Compiler.

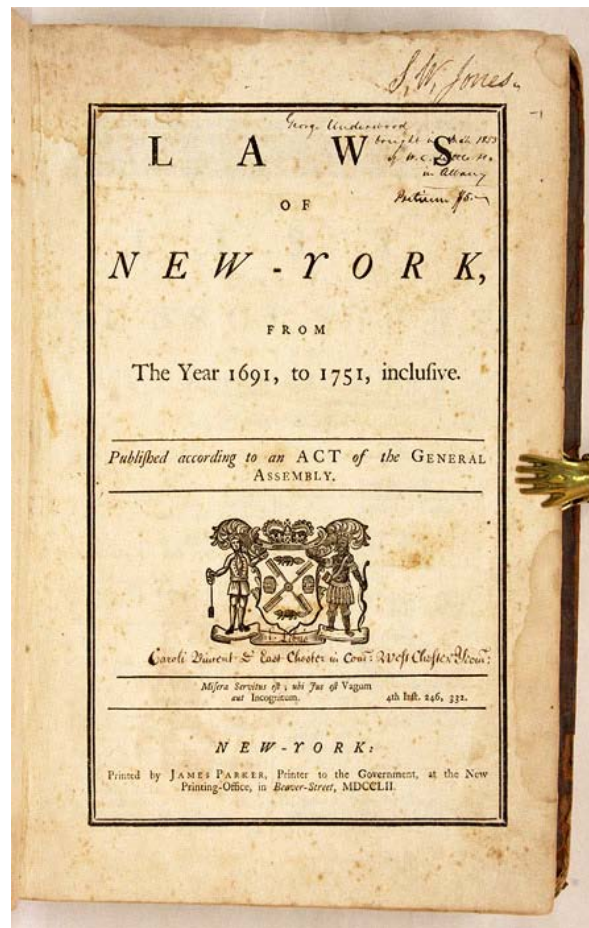
*The Grants, Concessions, And Original Constitutions of the Province of New-Jersey: The Acts Passed During the Proprietary Governments, And Other Material Transactions Before the Surrender Thereof to Queen Anne, The Instrument of Surrender, And Her Formal Acceptance Thereof, Lord Cornbury's Commission and Instructions Consequent Thereon. Collected by Some Gentlemen Employed By the General Assembly, And Afterwards Published by Virtue of an Act of the Legislature of the said Province With Proper Tables Alphabetically Digested, Containing the Principal Matters in the Book.* Philadelphia: Printed by W. Bradford, [1758]. [iv], 763 pp. Folio (11-1/4" x 7").

Later sheep, raised bands, black fillets and red and black lettering pieces to spine. Light rubbing to boards and spine and extremities, small recent bookseller ticket to front pastedown. Internally quite clean and fresh, with very light foxing in places, small tear to fore-edge of leaf Z6 (pp. 549-550). A very appealing copy. \$2,500.

\* First edition. With indexes for East Jersey and West Jersey. The third official compilation of New Jersey law, and the scarcest according to Felcone, it is the first to print fundamental laws, constitutions and documents from 1663 to 1702 and session laws from 1668 to 1702. "This handsome volume, generally known as Leaming and Spicer's Laws, was prepared under the authority of an act of Assembly passed in 1752, and is the largest work issued from the press of Wm. Bradford. Subscribers' names were first solicited in February, 1755, the compilers having spent nearly two years in its preparation. Three more years were consumed in printing, and it was not until May, 1758, that it was ready for delivery. Up to that time 170 copies had been subscribed for, and the editors say, in the Pennsylvania Journal, May 11. 1758, 'a number of copies yet remain not subscribed for,' and 'any person may be supplied' until 'the 17th of July next, after which we will not further extend the sale': *The Charlemagne Tower Collection of American Colonial Laws* 165. Felcone, *New Jersey Books* 156.

Order this item: <http://www.lawbookexchange.com/details.php?record=65263>

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**1752 Colonial Laws of New York with the Errata Leaf and a Rare 1752 Printing of the Fee Ordinance**

20. [New York].

[Livingston, William (1723-1790), Compiler].

[Smith, William, Jr. (1728-1793), Compiler].

*Laws of New-York, From the Year 1691 to 1751, Inclusive.* Published According to an Act of the General Assembly. New York: Printed by James Parker, 1752. [i], iv, [iii], [1], 488, [2] pp.

[Bound with]

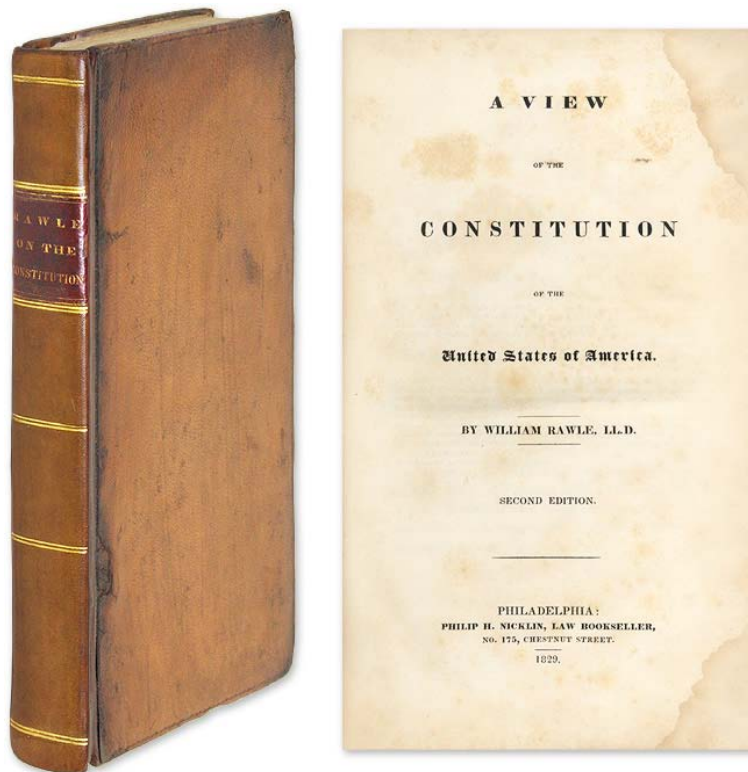
*An Ordinance for Regulating and Establishing Fees [October 19, 1710]...* [New York: James Parker, 1752]. [8] pp.

Folio (13-1/2" x 9"). Contemporary reversed calf, blind rules to boards, blind fillets along joints, raised bands to spine. A few scuffs and light rubbing to boards, corners bumped and worn, sections of backstrip lacking from spine ends, front board beginning to separate, rear free endpaper lacking. Moderate toning, somewhat heavier in places, light foxing to most of text, minor worming to top margins of pp. 285-296 and a few other pages, faint dampstaining to margins of a few leaves, clean tear near center of pp. 177-178. Early annotations to front free endpaper (described below), owner signatures to title page (two from the nineteenth century), interior otherwise clean. An appealing copy. \$2,000.

\* First edition. With a rare 8-page printing of the *Ordinance*. This volume was commissioned by the colonial assembly in order to codify the body of laws that had accrued since becoming a crown colony in 1690. The importance of this publication and New York is evident in its subscriber list, a virtual "who's who" of colonial statesmen, such as Benjamin Franklin, James De Lancey and Charles Pinckney. It appears that fewer than 200 copies of this volume were printed,



counting the 169 subscriber copies and three official copies produced for the colony. Our copy is enhanced by the inclusion of the 1710 *Ordinance*. Bibliographically distinct according to Evans and Benedict, it appears to be an integral part of our copy. An annotation on the front free endpaper states this copy was purchased at Parker's shop for "30 sch n.york Currency-February 5th:\* A.D. 1755. Florat Lex." Another annotation at the foot of the same leaf reads: "Stamford Nov. of 4th 1782. This certifies that this Book was taken a prize & condemned according to Law. Jabez Fitch Capt. Volunteers." (Fitch, 1752-1838, organized the Connecticut regiment that he commanded.) A note on the title page says this book was purchased in Albany in 1853 from W.C. Little, the notable law bookseller and publisher. The *Ordinance* printing in our copy not in Tower, Babbitt or the *ESTC*; OCLC locates 2 copies (New-York Historical Society, New York State Library). Evans, *American Bibliography* 6897, 6898. Benedict, *Acts and Laws of the Thirteen Original Colonies and States* 345, 325. Order this item: <http://www.lawbookexchange.com/details.php?record=65836>



### Used to Justify Secession

#### 21. Rawle, William [1759-1836].

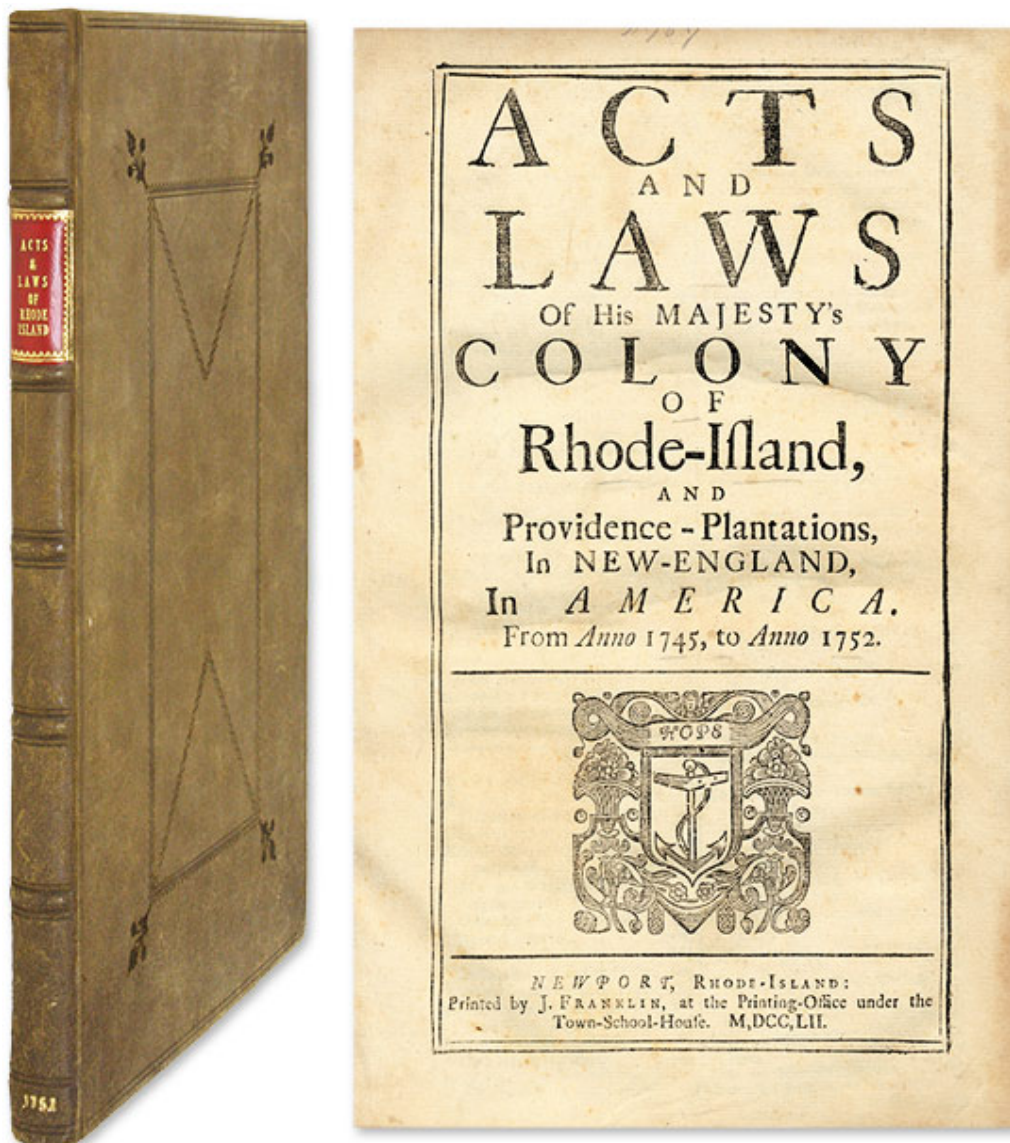
*A View of the Constitution of the United States of America*. Philadelphia: Philip H. Nicklin, Law Bookseller, 1829. viii, [9]-349 pp. Octavo (8-3/4" x 5-1/2").

Contemporary sheep, rebaked in period style retaining lettering piece. Moderate rubbing and a few light scuffs to boards, corners bumped and worn. Moderate toning, occasional foxing and faint dampstaining. Early owner signature to front free endpaper, interior otherwise clean. A handsome copy of an important work. \$1,750.

\* Second edition. Rawle's treatise is one of the earliest works on the United States Constitution, and one of the most important. This text is significant also because it suggests that states have a right to secede from the Union. As Cohen observes, the popularity of this text, which was used at West Point and other schools throughout the country, "is generally considered to have influenced the leaders and supporters of the Confederacy, although in fact Rawle opposed secession." Cohen, *Bibliography of Early American Law* 2894.

Order this item: <http://www.lawbookexchange.com/details.php?record=64204>

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1752 Compilation of Rhode Island Acts and Laws Printed by James Franklin

22. [Rhode Island].

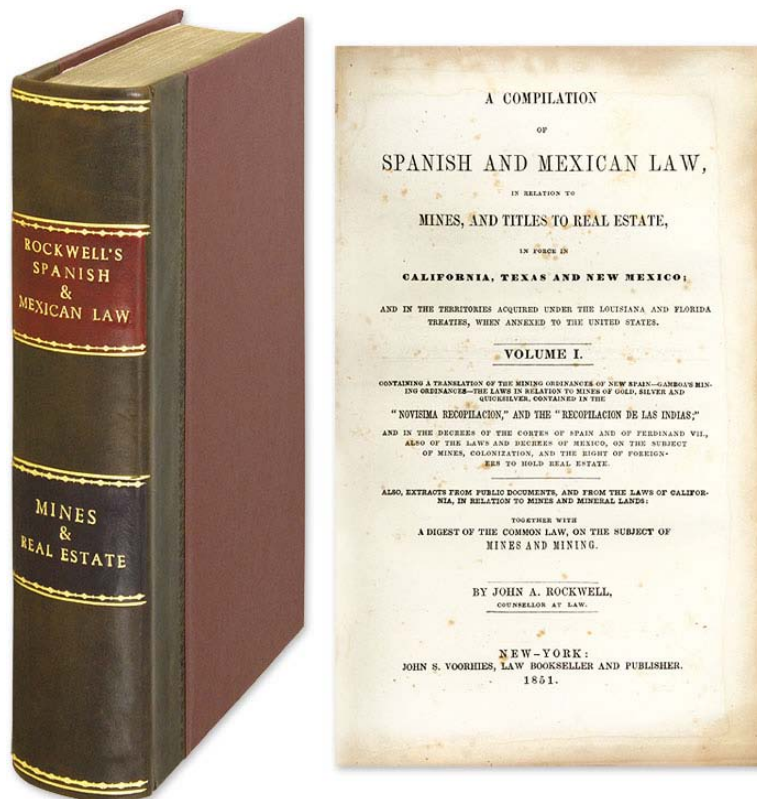
*Acts and Laws of His Majesty's Colony of Rhode-Island, And Providence-Plantations, In New-England, In America. From Anno 1745, To Anno 1752.* Newport: Printed by J. Franklin, 1752. [viii], 110 pp. Folio (11" x 7").

Later reversed calf, red lettering piece with gilt title and date at foot of spine. Internally clean. A very good copy. \$2,500.

\* "A continuation of the third revision of Rhode Island laws" (Benedict). The first revised laws of the colony were printed in Boston in 1719; the second and third revisions were printed in Newport in 1730 and 1745 respectively. The present compilation is considered a supplement to the 1745 laws. Unlike the revisions which are in topical digest form, this is arranged chronologically by session. Printed by James Franklin, the son of James Franklin (1697-1735), brother of Benjamin Franklin. The younger James Franklin and his mother Ann Franklin were official printers for the colony throughout much of this period. [Benedict], *Acts and Laws of the Thirteen Original Colonies and States* 449. *The Charlemagne Tower Collection of Colonial Laws* 812. Order this item: <http://www.lawbookexchange.com/details.php?record=61003>

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"Light Reading for the Gold Hunter on His Voyage Around the Horn"

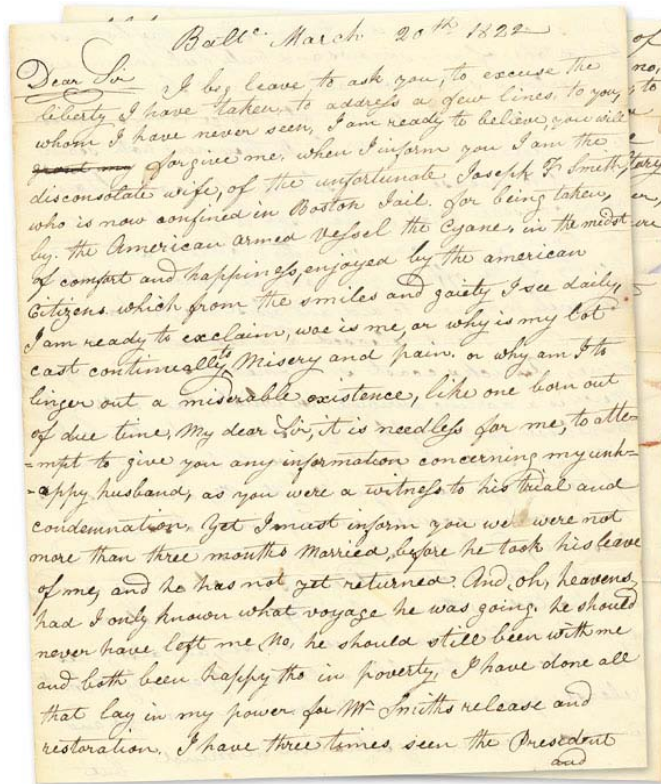
23. Rockwell, John A(arnold) [1803-1861].

*A Compilation of Spanish and Mexican Law, in Relation to Mines, and Titles to Real Estate, in Force in California, Texas and New Mexico; and in the Territories Acquired under the Louisiana and Florida Treaties, When Annexed to the United States. Containing a Translation of the Mining Ordinances of New Spain-Gamboa's Mining Ordinances-The Laws in Relation to Mines of Gold, Silver and Quicksilver, Contained in the "Novisima Recopilacion," and the "Recopilacion de las Indias," and in the Decrees of the Cortes of Spain and of Ferdinand VII, Also of the Laws and Decrees of Mexico, on the Subject of Mines, Colonization, and the Right of Foreigners to Hold Real Estate. Also, Extracts from Public Documents, and from the Laws of California, in Relation to Mines and Mineral Lands: Together With a Digest of the Common Law, on the Subject of Mines and Mining. Volume I (all published). New York: John S. Voorhies, 1851. [iii], iv-xix, [3], [7]-663, [1] pp. Octavo (9-1/2" x 6").*

Recent period-style quarter calf over cloth, red and black lettering pieces to spine, endpapers renewed. Toning, occasional light foxing, discoloration to a few leaves. Contemporary annotations to a few leaves, interior otherwise fresh. A handsomely bound copy of a scarce and important title. \$1,500.

\* Only edition. Sabin remarked humorously that this was "light reading for the Gold Hunter on his voyage around the Horn." Rockwell's *Compilation* addressed the needs of miners and other individuals who needed to reconcile Mexican land titles with the new U.S. laws that went into effect in the territory acquired by the United States in the recently concluded Mexican-American War (1846-48). An impressive achievement and a notable contribution to comparative law, it discusses Mexican mining and real estate laws, and their Spanish colonial antecedents, and offers comparisons to the common law of mines and mining. Also included are treaties and other general documents, such as the Treaty of Guadalupe Hidalgo and Mexican colonization laws from 1823 to 1846, and a vocabulary of Spanish words. Recognized as an authority at the time of its publication, it remained a standard work for decades and is even cited today. Arnold, a lawyer, judge and politician, was a U.S. Representative from Connecticut. Sabin, *A Dictionary of Books Relating to America* 72430. Cohen, *Bibliography of Early American Law* 5296. Order this item: <http://www.lawbookexchange.com/details.php?record=56471>

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Balt. March 20th 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 born 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

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

**24. [Slavery].**

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

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

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

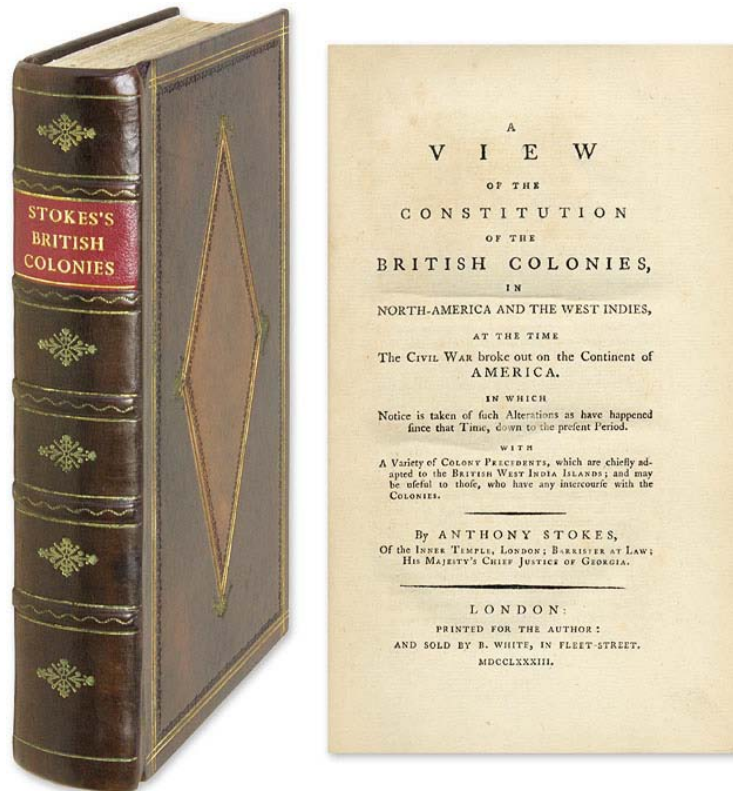
Two 9-3/4" x 7-3/4" leaves, content in fine hand to both, second leaf franked and docketed on verso. Light toning, vertical and horizontal fold lines, minor loss at wax seal with no loss to text, few minor chips and tears to second leaf. A rare document, unknown to the American historian who recently published a detailed account of the Smith case. \$4,500.

\* Plaintiff 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 Chambers, *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>



**Notable Study of the British Colonies by a Southern Loyalist Judge Published in 1783**

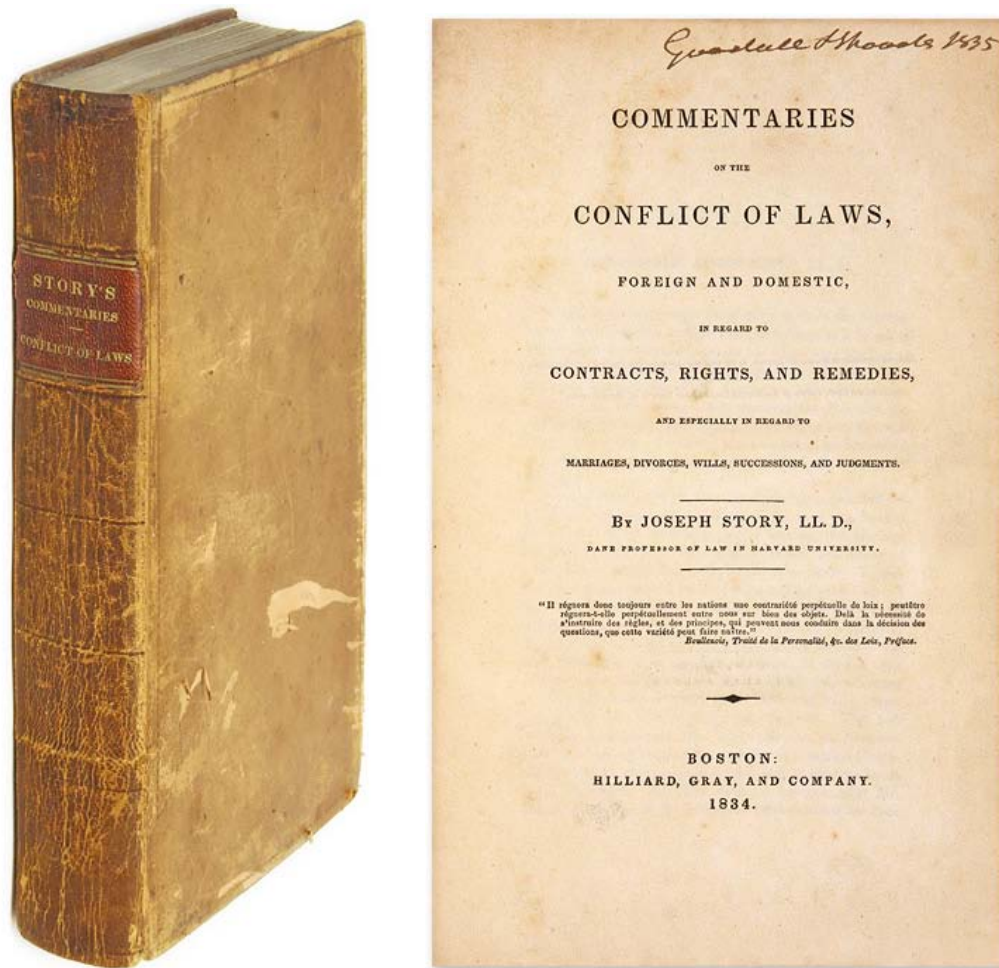
**25. Stokes, Anthony [1736-1799].**

*A View of the Constitution of the British Colonies, in North-America and the West-Indies, at the Time the Civil War Broke Out on the Continent of America. In Which Notice is Taken of such Alterations as Have Happened Since that Time, Down to the Present Period.* London: Printed for the author and sold by B. White, 1783. [iv], xvi, 555, (1) pp. Octavo (8-1/2" x 5-1/2").

Recent old-style paneled calf, gilt rules and blind fillets to boards, raised bands and lettering piece to spine, endpapers renewed. Light toning to text, somewhat darker in places, internally clean. A desirable copy of an uncommon work. \$1,950.

\* Stokes, a member of the Inner Temple and the Loyalist chief justice of the General Court of the Georgia colony from 1769-1776, and in restored Royal Georgia from 1779-1782, "gives a very interesting discussion of the state of legal administration in the southern colonies...Stokes also discusses what part of the English Common Law the colonists had brought along with them" (Reinsch). Contents include chapters on the Colonial civil and criminal courts, counsel and attorneys in the colonies, the court of Vice-Admiralty, Negroes in the colonies and the modes of conveyance and manumission. Reinsch, "Colonial Common Law" in *Select Essays in Anglo-American Legal History* 409-410. Sabin, *A Dictionary of Books Relating to America* 91994. Cohen, *Bibliography of Early American Law* (listed twice) 5423, 6768.

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

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

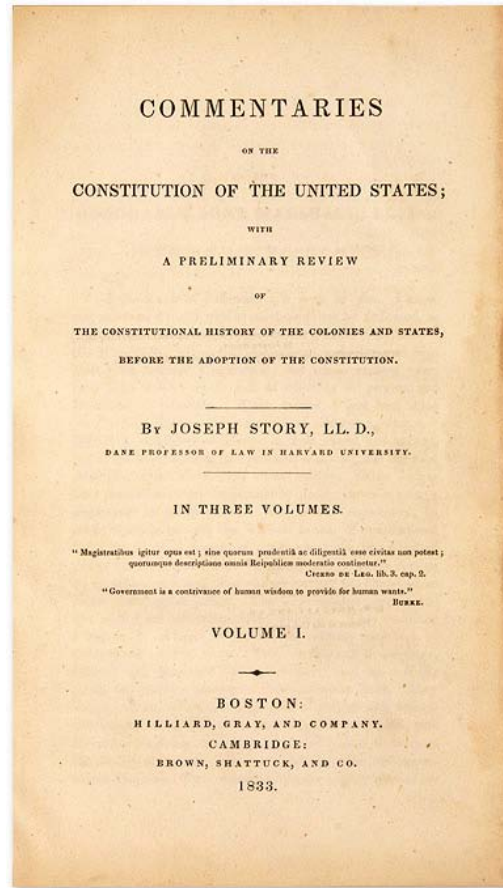
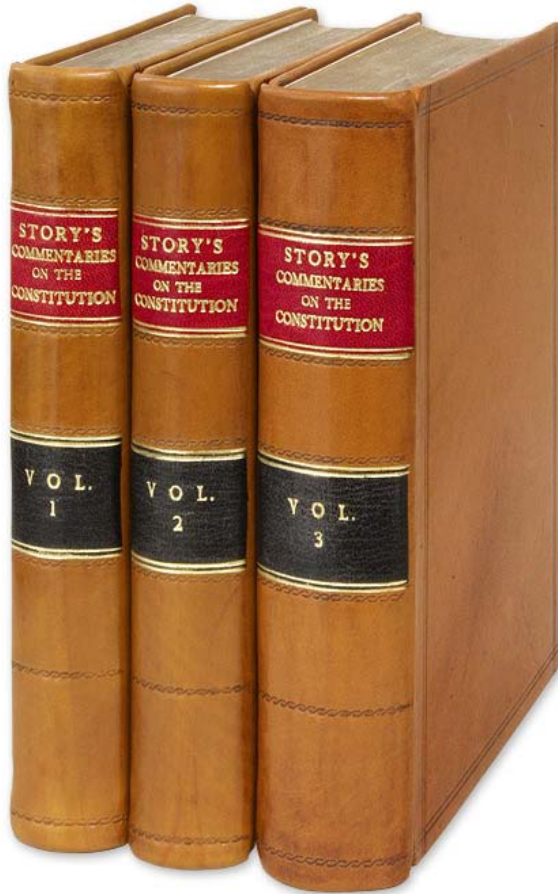
*Commentaries on the Conflict of Laws, Foreign and Domestic, in Regard to Contracts, Rights, and Remedies, and Especially in Regard to Marriages, Divorces, Wills, Successions, and Judgments.* Boston: Hilliard, Gray and Company, 1834. xxv, [1], 557 pp. Octavo (8-1/2" x 5-1/2").

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. \$1,750.

\* 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>





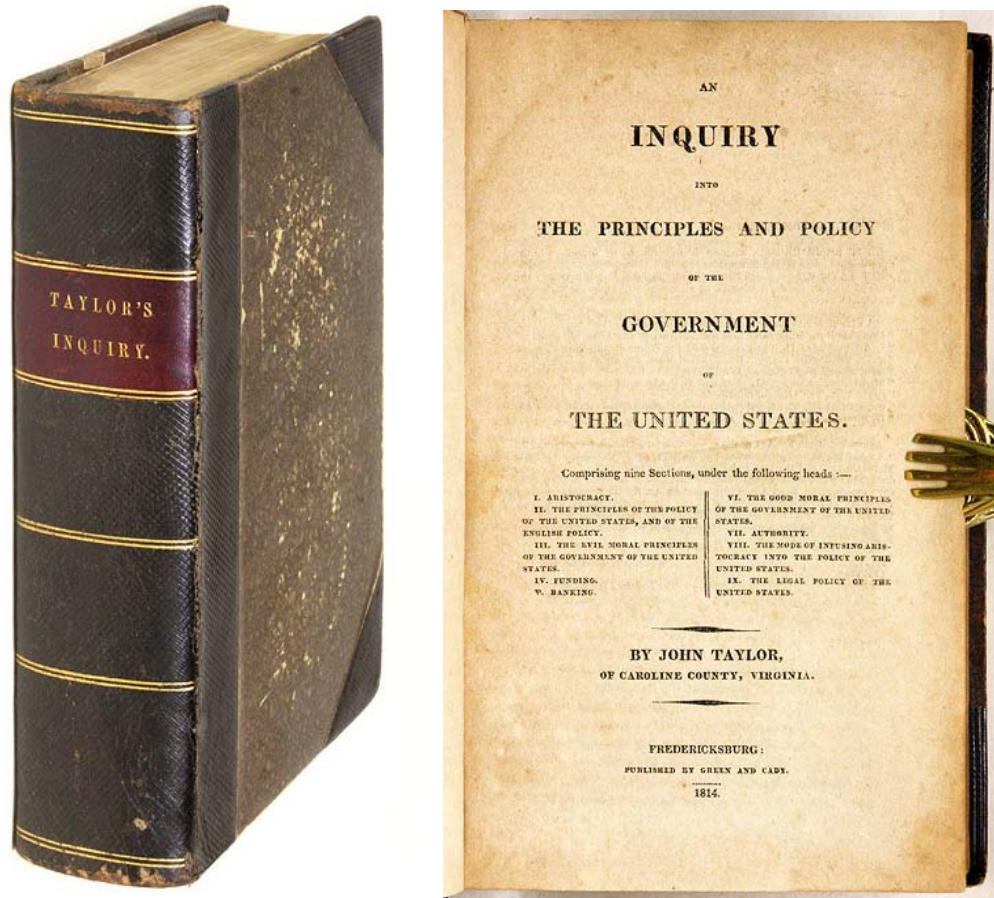
**Handsome First Edition of the First Important Work on the American Constitution**

**27. Story, Joseph.**

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

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

\* First edition. Story's *Commentaries* was the most substantial and influential work written on the American Constitution before the Civil War, and it remains an important work today. Written while Story was Dane Professor at Harvard Law School and an Associate Justice of the Supreme Court, it presented a strongly Nationalist interpretation. It is divided into three books. Book I contains a history of the colonies and discussion of their charters. Book II discusses the Continental Congress and analyzes the flaws that crippled the Articles of Confederation. Book III begins with a history of the Constitution and its ratification. This is followed by a brilliant line-by-line exposition of each of its articles and amendments. Comparing it to the *Federalist*, James Kent said that Story's work was "written in the same free and liberal spirit, with equal exactness and soundness of doctrine, and with great beauty and eloquence of composition. (...) Whoever seeks...a complete history and exposition of this branch of our jurisprudence, will have recourse to [this] work, which is written with great candor, and characterized by extended research, and a careful examination of the vital principles upon which our government reposes.": cited in Marvin, *Legal Bibliography* 669-670. Cohen, *Bibliography of Early American Law* 2914. Order this item: <http://www.lawbookexchange.com/details.php?record=66203>



**"Deserves to Rank Among the Two or Three Really Historic Contributions to Political Science Which have been Produced in the United States"**

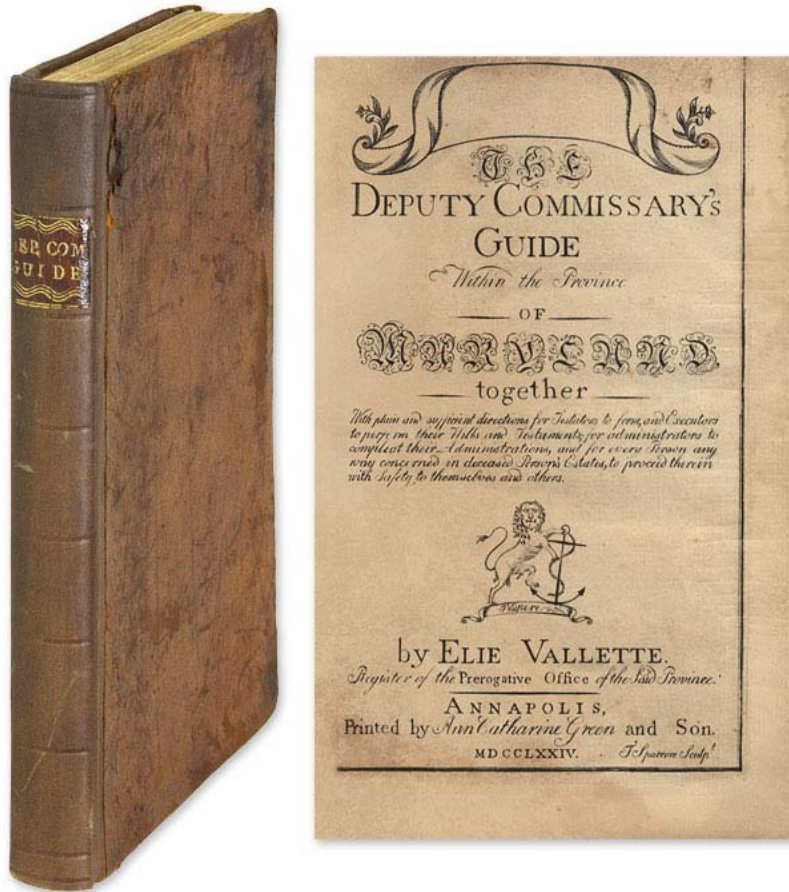
**28. Taylor, John, Of Caroline [1753-1824].**

*An Inquiry into the Principles and Policy of the Government of the United States. Comprising Nine Sections, Under the Following Heads: I. Aristocracy; II. The Principles of the Policy of the United States, And of the English policy; III. The Evil Moral Principles of the Government of the United States; IV. Funding; V. Banking; VI. The Good Moral Principles of the Government of the United States; VII. Authority; VIII. The Mode of Infusing Aristocracy into the Policy of the United States; IX. The Legal Policy of the United States.* Fredericksburg, [VA]: Green and Cady, 1814. [iii]-viii, 656, [1] pp. Octavo (8-1/4" x 5").

Contemporary three-quarter diced calf over marbled boards, lettering piece and gilt fillets to spine. Light rubbing to boards. moderate rubbing to extremities, corners bumped and lightly worn, hinges cracked, two early owner bookplates (J.W. Bailey, Hugh Cox) to front pastedown. Light browning to text, somewhat heavier in places, occasional light foxing. A handsome copy. \$1,750.

\* Only edition. Taylor wrote this important work in 1814 as a reply to John Adams's *Defence of the Constitutions of Government of the United States of America*. Unlike Adams, he rejects the concept of "a natural aristocracy" of "paper and patronage" and a federal government based on a system of debt and taxes. He considers the American government to be one of divided powers responsible to the sovereign people alone. Opposed to the extent of power awarded to the executive office, he calls for shorter terms for the president and all elected officers. Charles Beard said this work "deserves to rank among the two or three really historic contributions to political science which have been produced in the United States.": *Dictionary of American Biography* IX:331. Sabin, *A Dictionary of Books Relating to America* 94491. Cohen, *Bibliography of Early American Law* 5823. Order this item: <http://www.lawbookexchange.com/details.php?record=65808>





**Copy of the First American Treatise on Wills  
that Belonged to an Important Early Illinois Statesman**

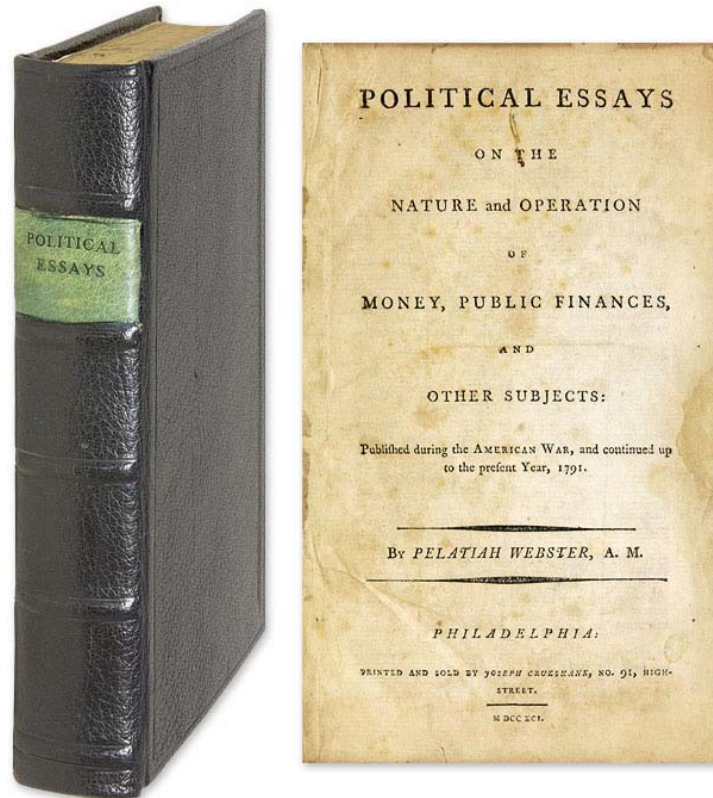
29. Vallette, Elie.

[Sparrow, Thomas (1746?-1780?), Engraver].

*The Deputy Commissary's Guide Within the Province of Maryland, Together with Plain and Sufficient Directions for Testators to Form, and Executors to Form Their Wills and Testaments, For Administrators to Compleat Their Administrations, And for Every Person Any Way Concerned in Deceased Person's Estates, To Proceed Therein with Safety to Themselves and Others.* Annapolis: Printed by Ann Catherine Green and Son, 1774. [ii], iv, 248, [12] pp. Copperplate title page and table of descents. Octavo (7-3/4" x 5").

Contemporary sheep, re-backed in calf, retaining original lettering piece, endpapers renewed. Light rubbing to boards, corners bumped and lightly worn. Moderate toning to text, somewhat darker in places, occasional dampstaining, mostly to margins. Early owner signature of Ninian Edwards to front endleaf and margin of p.50, interior otherwise clean. \$1,750.

\* Only edition. The first original American legal guide, it is also the first American book on the law of wills. Dedicated to Maryland Governor Robert Eden, it was printed by Ann Catherine Green, wife of Jonas Green, whom she succeeded as public printer of Maryland from 1767 to 1775. The engraved title page, the only one issued from a colonial Maryland press, and the plate were the work of Thomas Sparrow, the only engraver south of the Mason-Dixon Line prior to 1775. Vallette was registrar of the Prerogative Office of Maryland Province. Originally from Maryland, Edwards [1775-1833] was an important early Illinois statesman and political leader. He was the only governor of the Illinois Territory from 1809 to 1818, one of the first two United States Senators from Illinois from 1818 to 1824 and the third Governor of that state from 1826 to 1830. Wroth, *Maryland Imprints* 338. Wroth, *The Colonial Printer in America* 290. Cohen, *Bibliography of Early American Law* 4632. Order this item: <http://www.lawbookexchange.com/details.php?record=62326>



**Notable Essays by a Notable Early American Economist and Political Thinker**

**30. Webster, Pelatiah [1726-1795].**

*Political Essays on the Nature and Operation of Money, Public Finances, And Other Subjects: Published During the American War, And Continued up to the Present Year, 1791.* Philadelphia: Printed and Sold by Joseph Crukshank, 1791. viii, 504 pp. Octavo (7-3/4" x 4-3/4").

Recent morocco, blind rules to boards, raised bands and lettering piece to spine, marbled endpapers. Some toning to text, light foxing in places, faint dampstaining to outer margins of a few leaves, some edgewear and minor tears to title page, internally clean. \$1,500.

\* Only edition. Pelatiah Webster, a Yale-educated Philadelphia merchant, is often cited as America's first economist. He wrote several essays on the subject and was often consulted by the Continental Congress on economic matters. He was also a notable political thinker. Indeed, he is remembered today for his "Dissertation of the Political Union and Constitution of the Thirteen United States of North America" (1783), which argued for a new constitution to replace the Articles of Confederation. This essay was studied carefully by members of the Constitutional Convention. He played a large part in the struggle for ratification, and his arguments, based on historical and economic principles, were influential. *Political Essays* collects all of his principal writings. In addition to the "Dissertation," it includes, among other essays, "An Essay on the Danger of Too Much Circulating Cash in a State," "An Essay on Free Trade and Finance," "Strictures on Tender-Acts," "An Essay on the Economy, Policy, And Resources of the Thirteen States, And the Means of Their Preservation," "A Dissertation on the Nature, Authority, And Uses of the Office of a Financier-General," "Remarks on the Resolution of Council, Of the 2d May, 1781, for Raising the Exchange to 175 Continental Dollars for One Hard," "Remarks on the address of sixteen members of the Assembly of Pennsylvania to their Constituents, Dated Sept. 29, 1787," "An Essay on credit," "Strictures on the Net Produce of Great-Britain in the Year 1784" and "An Essay on the Extent and Value of Our Western Inlocated Lands." *Kress Library of Business and Economics* 2235. Evans, *American Bibliography* 23972. Order this item: <http://www.lawbookexchange.com/details.php?record=62464>