

1. **American Anti-Slavery Society: DECLARATION OF SENTIMENTS OF THE AMERICAN ANTI-SLAVERY SOCIETY. ADOPTED AT THE FORMATION OF SAID SOCIETY, IN PHILADELPHIA, ON THE 4TH DAY OF DECEMBER, 1833.** [New York: Published by the American Anti-Slavery Society. William S. Dorr, Printer, 1844?]. Caption title, as issued. 4pp, folded. Last page dusted. Good+. At head of title: "[PENNY TRACTS.] [NUMBER 1.]"

The Society's Constitution, originally adopted in 1833, is omitted in this printing, "to make room for a brief extract from the Address adopted by the Society in 1844. The Address asserts "that the existing national compact should be instantly dissolved; that secession from the government is a religious and political duty..."

LCP 285. Sabin 81825.

(38487) \$100.00

2. **American Freedmen's and Union Commission: THE AMERICAN FREEDMAN. A MONTHLY JOURNAL DEVOTED TO THE PROMOTION OF FREEDOM, INDUSTRY, EDUCATION, AND CHRISTIAN MORALITY IN THE SOUTH. MAY.** New York: 1866. Original printed salmon wrappers with wrapper title [as issued]. Stitched. [4], [17]-32 pp. First two leaves with darkened lower quadrants. Upper margin of an old bookplate is affixed to page [17], obscuring a bit of text.

[bound with] New York National Freedman's Relief Association: THE NATIONAL FREEDMAN, A MONTHLY JOURNAL. VOL. II. NO. 5. MAY, 1866. New York: 1866. 137-160 pp. Except as noted, Very Good.

This is an unusual printing: the May Journal of the American Freedman and the May National Freedman Journal are bound together, apparently as issued.

(38529) \$350.00

3. **[Andersonville Prison] Baume, Felix de la: LET US FORGIVE. BUT NOT FORGET. ANDERSONVILLE PRISON STOCKADE AND HOSPITAL. WE SPEAK THAT WE DO KNOW AND TESTIFY THAT WE HAVE SEEN LIFE AND DEATH IN REBEL PRISONS. THE ONLY TRUE AND CORRECT PICTURE OF THAT HORRIBLE SLAUGHTER PEN, COPIED FROM THE ORIGINAL PENCIL SKETCH, MADE BY FELIX DE LA BAUME, LATE SERGEANT OF CO., "E," 39TH REGT. N.Y. VOLS., WHO WAS A PRISONER OF WAR AT ANDERSONVILLE FROM JULY 9, 1864, TO APRIL 19, 1885. ADDRESS ALL ORDERS TO FELIX LA BAUME, ROOM 7, NO. 120 E. RANDOLPH ST., CHICAGO, ILL. [Chicago?]: John W. January, Agent, Minonk, Ill., [c. 1870]. Detailed folio print, by sight oblong 26-3/8" x 18-3/4."** With decorative wooden frame [a few light chips], measuring 29-1/2" x 22-1/2." Spotting along the lower margins [within the legend key, not affecting legibility], a few light spots within the image. Lithographed by John W. January, a member of the 14th Illinois Cavalry and depicted in the print. He "lost his feet from Scurvy and Gangrene while at Andersonville, as received at hospital, Wilmington, N.C., at which time he weighed 45 pounds." Good+.

When Wirz was tried for his Andersonville war crimes, de la Baume was a witness against him. "According to tradition, de la Baume was the star witness and his testimony was instrumental in convicting Wirz of the second of the two charges ñ murder" [Web site of the National Park Service, 'Myth: The Mystery of Felix de la Baume']. De la Baume's past

included an alleged desertion from the German Army before enlisting in the 39th New York, and allegations that he had changed his name and identity. Confederate revisionists made much of these uncertainties in an effort to discredit his testimony at the Wirz trial, where he was one of a number of witnesses for the prosecution.

The illustrations, depicting the horrors of Andersonville, are accompanied by a "Key to the Figures Within the Hospital [49 numbered scenes], and "Key to the Hospital and Stockade" [six numbered scenes]. Vignettes at the sides depict seven unfortunate prisoners. In addition to John W. January, they include S.H.Nelson [4th Vermont Artillery], shown stomped to death by "Rebel Captain Wirz." Wirz's bloodhounds are also shown "tearing to pieces" M. Hogan. Death dates and Grave Numbers are noted.

Located in Sumpter County, Georgia, Andersonville was designed to hold 10,000 men. the site quickly became overcrowded and contained over 33,000 prisoners at one point. The overcrowding resulted in prisoners suffering from hunger, disease, medical shortages, and exposure.

Not in Nevins, Sabin, Not located at online sites of OCLC, Huntington, Lib. Congress, U IL as of July 2022. However, the print is not unknown in institutional collections, and has been offered at auction on several occasions.

(38317) \$1,500.00

4. **[Broadfoot, William Gillies]:** MANUSCRIPT LETTER, UNDATED [LATE 1865], TO HIS SON CHARLES REGARDING HIS POSSIBLE LOSS OF VOTING PRIVILEGE AND THOUGHTS ON GENERAL WADE HAMPTON :

"I CANNOT ANSWER YOUR QUESTION AS TO WHETHER I AM DISFRANCHISED OR NOT AND I AM VERY INDIFFERENT ABOUT VOTING ANY WAY. I HAVE NOW HAD THAT RIGHT FOR 40 YEARS AND HAVE EXERCISED IT LESS THAN MOST MEN OF MY AGE. GOD WILETH AND IN HIS OWN GOOD TIME WILL MAKE WHAT'S TO BE, IS NOW INSCRUTABLE, PLAIN, CLEAR AS THE NOON DAY- WHEN ALL THE GOOD, MAY REJOICE WITH FULL & GRATEFUL HEARTS.

"I SEND YOU A 'NEWS' WITH GENERAL HAMPTON'S ADDRESS TO THE FREEDMEN AT COLUMBIA. WHILE THE GENERAL STANDS IN THAT SAME CATEGORY THAT RENDERED THE LEADERS OF THE CONF[EDERATE] CAUSE DISTASTEFUL TO ME - HE NOW SPEAKS & COUNSELS, AS HE SHOULD HAVE DONE ALL HIS LIFE BEFORE. SAVE & EXCEPT THAT OUR RELATIONS ARE ALTERED TO OUR FORMER DEPENDENTS. - MAY GOD BLESS & PROSPER HIM MY SON - YR AFT. F." [Fayetteville, NC?: c. 1865]. 7" x 7-3/4". Completely in ink manuscript written on recto only. Old folds [short fold split, no loss], minor tanning. Very Good.

[offered with] Four additional handwritten notes to his son Charles, all undated, measuring from 2-1/4" x 7-3/4" to 4" x 7-1/2". Dates estimated between 1860-1865. Minor wear. Very Good.

Although Broadfoot does not sign his name, he signs with an "F" for Father. Comparison with other letters written by William G. Broadfoot, using photographs online from institutional collections, establishes the match. His reference to Wade Hampton is his Speech at Columbia SC, addressing the Freedmen in late 1865, urging suffrage for the Freedmen and counseling interracial harmony. The four additional notes announce the birth of Charles's new brother, solicit suggestions for his name, and counsel Charles to allow God to be his guide. Broadfoot describes meeting his friend C.B. Wright, and predicts that the "days of humiliation are drawing to a close."

William Gillies Broadfoot [1806-1872] was a banker in Fayetteville for about 40 years, including Bank of the United States, Bank of Fayetteville, P.A. Wiley & Co., and Fayetteville National Bank. He also served as a U.S. Pension Agent until 1861, and was depository for the Confederate States during the War.

His son, Charles Willis Broadfoot [1842-1919], left his studies at the University of North Carolina to enroll in the Confederate Army. He was promoted to Lieutenant Colonel in 1862 and commanded a junior reserve regiment. After the War he became a lawyer, was elected to the North Carolina legislature in 1870, served as dean of the Cumberland County Bar, and served as a trustee if the University of North Carolina. The University of North Carolina awarded him a degree in 1911.

(38228) \$500.00

5. **Butler, Benjamin:** OPENING ARGUMENT OF MR. BUTLER, OF MASSACHUSETTS, ONE OF THE MANAGERS ON THE IMPEACHMENT OF THE PRESIDENT. Washington: GPO, 1868. 38pp, stitched in original printed wrappers. Lightly stained / toned / spotted. Good+.

Butler prosecuted President Johnson in his Senate trial for having violated the Tenure of Office Act. A statute of dubious constitutionality, it required the President to obtain Senate approval before discharging a Cabinet officer. When Johnson fired War Secretary Stanton without securing that approval, the House impeached him.

"Never again, if Andrew Johnson go quit and free this day, can the people of this or any other country by constitutional checks or guards stay the usurpations of executive power." Butler discusses the nature and history of impeachment, and the standards by which guilt or innocence should be determined.

LCP 1883. Sabin 9615n.

(38587) \$125.00

6. **[Clark, John?]:** CONSIDERATIONS ON THE FITNESS OF CHARLES TAIT, ESQ. TO FILL THE OFFICE OF JUDGE, OF THE DISTRICT COURT OF THE UNITED STATES. AND OF WILLIAM CRAWFORD, ESQ. TO FILL THE OFFICE OF ATTORNEY FOR THE UNITED STATES, AND RECEIVER OF PUBLIC MONIES OF THE LAND OFFICE. Alabama: 1821. 60pp. Stitched, toned, light spotting. Last leaf's blank lower margin cut away, no text affected. Very Good.

We have not located a record of this artifact from the blood feud between the Crawford - Tate faction and the Clark-North Carolina settlers. The feud is woven into the history of Georgia-Alabama politics in the first quarter of the 19th century, affecting the Yazoo scandal, the Indian War in Florida, Crawford's alleged involvement in the illegal slave trade via Amelia Island, and battles for political power.

"Charles Tait (1768-1835), Alabama's first federal district court judge, played a significant role in the state's history as a lawyer, educator, legislator, jurist, scientist, and plantation owner. Prior to his appointment to the federal bench in Alabama, he served as one of Georgia's U.S. senators from 1809 to 1819. A member of the powerful Broad River political faction in Georgia with close ties to the administration of Pres. James Monroe, Tait used his considerable influence in shepherding through Congress the bill that provided for Alabama's admission into the Union in December 1819 ... Tait came under attack from political opponents who were aligned with a faction in Georgia made up of settlers from North Carolina who had a long-standing feud with the Broad River Group. In 1807, Tait was cornered in the streets of Milledgeville, Georgia, and brutally whipped with a riding crop by

the leader of the opposing faction, who believed that Tait and Crawford had conspired to tarnish his reputation" [Encyclopedia of Alabama on line].

This pamphlet, from a member of the Clark faction, prints damning material about Tait, including his comment that General Jackson "was a damned overbearing foist puppy." The documentation, quoting from an earlier Clark publication, includes correspondence from as early as 1801, challenging Tait's fitness as a legislator and judge and observing, "The laws themselves will not be respected when those execute them are despised; and they will be despised when they are governed by personal favor or enmity."

Crawford [1772-1834] of Georgia was one of the most powerful American politicians of the early 19th century. He held numerous offices during his long, productive career: U.S. Senator, Secretary of War and U.S. Minister to France in the Madison Administrations, and Secretary of the Treasury during the entire Monroe Administrations. His 1824 candidacy for the presidency was derailed by a debilitating stroke. Crawford "was censured by many penmen for having recommended in 1816 that, as an alternative to the expulsion and extermination of the Indians, they be persuaded to adopt private landholding and agriculture, and that the whites intermarry with them if necessary to promote their civilizing" [DAB]. FIRST EDITION. Not in Sabin, American Imprints, Ellison, Owen, Cohen, De Renne, or on OCLC or online sites of U GA, Emory, AAS, Boston Athenaeum, U AL, U TX as of July 2022.

(38516) \$3,500.00

7. **[Confederate Court Martial] Moffett, William D.:** AUTOGRAPH DOCUMENT, SIGNED BY CONFEDERATE CAPT. WILLIAM D. MOFFETT, CO. G, 49TH VIRGINIA INFANTRY, DATED ABOUT JUNE, 1862, CHARGING PVT. JONES G. WHARTON, OF HIS REGIMENT, WITH DESERTION AND PERSUADING OTHERS TO FOLLOW HIM. ENDORSED ON VERSO BY MAJOR GENERAL WILLIAM SMITH, COLONEL OF THE 49TH VIRGINIA; BRIGADIER GENERAL WILLIAM MAHONE; AND BRIGADIER GENERAL ROBERT H. CHILTON [ROBERT E. LEE'S ASSISTANT ADJUTANT GENERAL].

WHARTON "DID ON OR ABOUT THE 30TH DAY OF MAY 1862 DESERT HIS COMPANY. . . AND MAKE HIS WAY TO THE ENEMY'S LINES TO HIS HOME IN RAPPAHANNOCK CO., VA. [HE] DID NOT RETURN UNTIL HE WAS ARRESTED. . . DID PERSUADE. . . RUSSELL SETTLE AND OTHERS TO DESERT THE SERVICE OF THE CONFEDERATE STATES. . . [signed] W.D. MOFFETT, CAPT. & COMDG. CO. I." Virginia: 1862. One leaf, the official charges on recto and docketed on verso. Completely in ink manuscript. Signed by Capt. W.D. Moffett. On verso: "Charges and Specifications vs. Prvt. Jones Wharton . . . Witnesses Capt. W.D. Moffett, 1st Lieut. Wm. A. McD--- . Endorsed on verso with signatures of Major General William Smith and Brigadier Generals William Mahone and Robert H. Chilton. Old folds, light edge toning, glue remnants on edge of verso from previous mounting. Very Good.

Captain William D. Moffett [1820-1869] mustered in as 2nd Lieutenant with Co. I, Rappahannock Rifles, 49th Regiment Virginia Infantry, in July 1861. He quickly rose to Captain. His regiment fought at Second Bull Run, Antietam, Fredericksburg, Gettysburg, Petersburg, Appomattox, and elsewhere.

Major General William "Extra Billy" Smith [1797-1887] was Virginia's 30th and 35th Governor. He was a lawyer, Virginia State Senator 1836-1840, U.S. Congressman 1841 - 1843 and 1853-1861, Confederate Congressman 1862, and member of the Virginia House of Delegates from 1876-1877. During the Civil War, he led the 49th Virginia Infantry at First Bull Run, Seven Pines, Seven Days', Antietam, Chancellorsville, and Gettysburg.

Brigadier General William Mahone [1826-1895] was a State Senator from 1863-1865, U.S. Senator 1881-1886 as a member of the biracial Readjuster Party. He fought at the Battle of the Crater, where surrendered black troops were massacred. He founded the Atlantic, Mississippi, and Ohio Railroad in 1870 which went into receivership a few years later.

Robert H. Chilton [1815-1879] was a career military man with the U.S. Army from 1837-1861; and in the Confederate Army as Assistant Adjutant General and later Chief of Staff to General Lee. He moved to Georgia after the war and became president of a manufacturing company.

Jones Green Wharton [also Whorten] [1839-1877], a farmer in Rappahannock, enlisted as a private on July 22, 1861, with Co. I, Rappahannock Rifles, 49th Reg., Virginia Infantry. His muster roll for Jan./Feb. 1862 shows evidence of the court martial; notations in June state he has been confined since February 6, 1862.

(38183) \$600.00

8. **[Dorr Rebellion]: A DORRITE FALSEHOOD NAILED TO THE COUNTER.** [Providence: 1843]. Broadside, 8-1/4" x 9-1/4." Two columns of text printed beneath boldly printed title. Mild uniform toning, Very Good plus. Signed in type at the end by Cyrus Butler of Brown & Ives. "Dated at Providence, March 29, 1843."

A contemptuous refutation of the claim of "the Dorrites, that the State is indebted on account of the late insurrection, \$500,000-- for expenses of the Quarter Master's and Commissary's Departments, and for money borrowed of Messrs. Brown & Ives and Cyrus Butler, of Providence."

In fact, however, "the true statement of the costs of the Dorr war" is only "the sum of \$5000." The difference between \$5,000 and \$500,000 is "what the Dorrites will claim and have of the State themselves, if you give them the power by supporting the falsely called Democratic Ticket." Supporting data from the Commissary General and Quarter-Master General demolish the false claims.

DeSimone & Schofield 1. OCLC records six locations under three accession numbers as of July 2022.

(38497) \$350.00

9. **Dorrance, John and Arthur Fenner: REPORT OF THE CASE JOHN DORRANCE AGAINST ARTHUR FENNER, TRIED AT THE DECEMBER TERM, OF THE COURT OF COMMON PLEAS, IN THE COUNTY OF PROVIDENCE, A.D. 1801. TO WHICH ARE ADDED, THE PROCEEDINGS IN THE CASE ARTHUR FENNER VS. JOHN DORRANCE. CAREFULLY COMPILED FROM NOTES CORRECTLY TAKEN BY SEVERAL GENTLEMEN WHO WERE PRESENT DURING THE WHOLE COURSE OF THE TRIAL.** Providence: Printed by Bennett Wheeler, 1802. iv, 116 pp. Disbound, title page with scattered foxing, else a clean text. Good+.

"Governor Arthur Fenner accused Judge John Dorrance [both of Rhode Island] of having sold in February 1799 the body of a stranger who committed suicide by hanging. The body was purportedly offered to a local physician, Dr. Pardon Bowen, who then allegedly paid Judge Dorrance one beaver hat for the privilege of possession. Governor Fenner used the charge to engineer the political defeat of the Judge's campaign for a seat in the General Assembly in 1801. In response, Judge Dorrance sued Governor Fenner for slander." [Shultz, BODY SNATCHING. THE ROBBING OF GRAVES FOR THE EDUCATION OF PHYSICIANS IN EARLY NINETEENTH CENTURY AMERICA 48. Jefferson, NC: 1992.]

(38521) \$350.00

10. **Dred Scott Case:** THE CASE OF DRED SCOTT IN THE UNITED STATES SUPREME COURT. THE FULL OPINIONS OF CHIEF JUSTICE TANEY AND JUSTICE CURTIS, AND ABSTRACTS OF THE OPINIONS OF THE OTHER JUDGES; WITH AN ANALYSIS OF THE POINTS RULED, AND SOME CONCLUDING OBSERVATIONS. New York: Greeley & McElrath, 1857. 104pp, in later half leather. Upper corners of first two leaves renewed, costing several letters on page 4. Else, a couple of fox spots and an otherwise clean and Very Good text.

The Dred Scott case "is the most famous legal case involving slavery," "the most controversial decision of the century, and perhaps in the history of the Supreme Court" [Finkelman]. "This pamphlet contains the two most important opinions in the case-- those of Chief Justice Taney and Associate Justice Benjamin Robbins Curtis of Massachusetts,"[id.], and summaries of the other opinions.

In addition, an 'Analysis of Points Ruled, and Opinions Delivered,' is printed. One of the earliest such efforts, it is of some importance because, each Justice having expressed his views, heavy brain work was necessary to figure out exactly what a majority of the Court had decided. Finally, 'The Voice of New York' is expressed, consisting of the report of a Joint Legislative Committee at Albany. It denounces the "serious and alarming doctrines" that may "bring slavery within our borders."

FIRST EDITION. Finkelman 50. Blockson 2556. Work 345 (1860 ed. only). Sabin 78257. Cohen 11889. (38524) \$750.00

11. **[Gallatin, Albert]:** LETTER FROM THE SECRETARY OF THE TREASURY, TRANSMITTING A STATEMENT OF FEES, PAID TO ASSISTANT COUNSEL: AND FOR LEGAL ADVICES IN THE BUSINESS OF THE UNITED STATES, BY THE COLLECTORS OF THE CUSTOMS, AND THE SUPERVISORS OF THE REVENUE, FROM THE ESTABLISHMENT OF THE PRESENT GOVERNMENT, TO THE 31ST DECEMBER, 1803, PURSUANT TO A RESOLUTION OF THE HOUSE, OF THE 3D OF MARCH LAST. 15TH JANUARY, 1805. Washington City : Printed by William Duane & Son, 1805. 3, [1 blank] pp, plus extremely large folding table entitled, A STATEMENT OF MONIES, WHICH, SINCE THE ESTABLISHMENT OF THE PRESENT GOVERNMENT, HAVE BEEN PAID BY THE COLLECTORS OF THE CUSTOMS, AND THE SUPERVISORS OF THE REVENUE, AS FEES... Disbound with light foxing, Very Good.

Among counsel receiving fees were Harrison G. Otis, John Marshall, Edmund Randolph, William Rawle, James Bayard, Pierpont Edwards, Richard Harrison, C.A. Rodney, Henry Purviance, and other legal luminaries.

AI 9554 [1- NN].

(38568) \$275.00

12. **Georgia:** MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, ACCOMPANYING CERTAIN ARTICLES OF AGREEMENT AND CESSION, WHICH HAVE BEEN ENTERED INTO AND SIGNED BY THE COMMISSIONERS OF THE UNITED STATES, AND THE COMMISSIONERS OF THE STATE OF GEORGIA, IN PURSUANCE OF AN ACT, INTITULED "AN ACT SUPPLEMENTAL TO THE ACT INTITULED "AN ACT FOR AMICABLE SETTLEMENT OF LIMITS WITH THE STATE OF GEORGIA; AND AUTHORISING THE ESTABLISHMENT OF A GOVERNMENT IN THE MISSISSIPPI TERRITORY." 26TH APRIL, 1802. [Washington: 1802]. 8pp. Scattered light dust and fox. Good+.

[bound with] REPORT OF THE COMMISSIONERS APPOINTED IN PURSUANCE OF AN ACT FOR THE AMICABLE SETTLEMENT OF LIMITS WITH THE STATE OF GEORGIA, AND AUTHORIZING THE ESTABLISHMENT OF A GOVERNMENT IN THE MISSISSIPPI TERRITORY. 29TH NOVEMBER, 1804. [Washington: 1804]. [9]-140 pp. Light fox and dust. Good+.

[bound with] REPORT, FROM THE COMMITTEE OF CLAIMS, TO WHOM WERE REFERRED THE REPRESENTATIONS AND MEMORIALS OF SUNDRY CITIZENS OF MASSACHUSETTS, PURCHASERS UNDER THE GEORGIA COMPANY, OF THE AGENTS FOR PERSONS COMPOSING THE NEW ENGLAND LAND COMPANY, PURCHASERS UNDER THE GEORGIA AND MISSISSIPPI COMPANY, AND THE AGENT FOR SUNDRY CITIZENS OF SOUTH CAROLINA, PURCHASERS UNDER THE UPPER MISSISSIPPI COMPANY. 18TH JANUARY, 1805. Washington City: Printed by William Duane & Son. 1805. 20pp. Disbound, with light fox and dust. Good+. Hand-numbered, pages 141-160.

President Jefferson transmits to Congress the Agreement between Georgia and the United States. James Madison, Albert Gallatin, and Levi Lincoln represented the United States in the negotiations; Georgia's commissioners were James Jackson, Abraham Baldwin, and John Milledge.

The Articles, printed at pages 4-8, recorded Georgia's cession to the United States of a vast tract of land that became the States of Mississippi and Alabama. The United States paid Georgia \$1,250,000 for the cession. Attached is the REPORT OF THE COMMISSIONERS APPOINTED IN PURSUANCE OF AN ACT FOR THE AMICABLE SETTLEMENT OF LIMITS WITH THE STATE OF GEORGIA, AND AUTHORIZING THE ESTABLISHMENT OF A GOVERNMENT IN THE MISSISSIPPI TERRITORY. 29TH NOVEMBER, 1804, at pages 9-28; and DOCUMENTS ACCOMPANYING THE REPORT OF THE COMMISSIONERS, ON THE GEORGIA MISSISSIPPI TERRITORY, CEDED TO THE UNITED STATES. FEB. 10, 1803, at pages 29-140.

Together, the material forms a complete picture, not only of the Georgia-Mississippi Cession, but also its close connection with the Yazoo Land Scandal, the Georgia Mississippi Company, and its impact on Louisiana

Sabin 27072.

AI 3344 [3]. I De Renne 309. OCLC [6- 3 accession nos.]. (38535) \$750.00

13. **[Georgia] Jenkins, Charles J.:** EXECUTIVE DEPARTMENT, MILLEDGEVILLE, 1ST SEPTEMBER, 1866. SIR:- ENCLOSED PLEASE FIND THE PRESIDENT'S WARRANT OF PARDON AND A BLANK LETTER OF ACCEPTANCE WHICH MUST BE FILLED UP, SIGNED AND RETURNED TO THE SECRETARY OF STATE IN WASHINGTON... Milledgeville: 1866. Printed broadside letter, 8" x 10," on blue paper. Signed in type by Governor Jenkins. Old horizontal folds, Very Good.

Jenkins was the Governor of Georgia during its early Reconstruction. He quickly perceived that President Andrew Johnson would have few constraints on issuing Pardons to former Rebels. Jenkins established a pipeline to Washington to facilitate the process. "George Taylor, Esq., 425 F. Street, Washington City, has materially aided me in procuring action on the Georgia pardons and in sending them forward, and I have arranged with him to attend to the delivery of all letters of acceptance sent to him and the return of certified copies to them. He will also see that your papers are complete in every particular ... Without his aid I could not have accomplished what has been done."

President Johnson advocated an immediate restoration of the rebellious States to the Union. Lincoln had placed him on the 1864 ticket because Johnson courageously supported the Union throughout Tennessee; and Lincoln needed the Border States in order to prevail. A War Democrat, Johnson never shed his State Rights ideology. Lacking moral objections to slavery, he opposed secession from a visceral hatred of the plantation aristocracy. Once that class had been humbled, he saw no obstacle to restoring the rebel States to power, pardoning former Confederates en masse and leaving the freed slaves vulnerable to the white majority. His Pardons, particularly to prominent Confederates, angered Northern voters. Johnson's "Swing Around the Circle" in the fall of 1866 for the midterm elections, in which he articulated a view of the Union increasingly odious to the North, resulted in a Republican landslide and paved the way to Congressional Reconstruction and impeachment. Not in De Renne, or on OCLC as of August 2022.

(38605) \$375.00

14. **Hamilton, Albert H.:** AFFIDAVIT OF ALBERT H. HAMILTON, IN THE CASE OF COMMONWEALTH OF MASSACHUSETTS VS. NICOLA SACCO AND BARTOLOMEO VANZETTI. Norfolk, MA: Superior Court, Criminal Session, 1923. Typed court carbon copy, signed and sworn at the end in ink by Hamilton, before a Justice of the Peace on October 15, 1923. 48pp, each page typed on recto only. Caption title, as issued. Light dusting and light folds, bound and docketed in blue legal backing with original paper clips. Very Good. With: a second affidavit, same text, unsigned.

In one of the most controversial cases of the 20th century, alleged anarchists Sacco and Vanzetti were convicted and sentenced to death in July 1921 for the murder of a guard and paymaster in Braintree, Massachusetts. Charges of political bias, anti-Italian and anti-immigrant sentiment rendered the trial a cause celebre. Felix Frankfurter, other prominent civil libertarians and citizens vigorously protested for years, until the defendants were finally executed in 1927. Albert Hamilton was one such citizen. We offer a carbon copy, executed in ink before a Justice of the Peace in 1923, of his court affidavit.

Hamilton was a renowned "Micro-chemical investigator and criminologist in connection with the investigation of crimes and persons suspected of crimes ... He has been called as such an expert in one hundred and sixty five homicide cases and a very large number of lesser crimes throughout the United States from Maine to Canada." Specializing in gunshot cases, he is an expert in "the peculiarities of manufacture that give individuality to a gun or cartridge."

In a letter to the presiding judge during the course of the Sacco-Vanzetti trial, Hamilton volunteered his services to determine whether "the fatal bullet [had] passed through the disputed gun of the defendant Sacco." Though Hamilton received no response, others -- including defense counsel-- sought his opinion after the trial. Having been engaged by the defense, Hamilton conducted a thorough examination, described in minute detail in this affidavit, in the presence of counsel for the State and defense.

From pages 10 to the end, Hamilton describes the extraordinarily elaborate procedures and tests undertaken to form his "unqualified opinion that the mortal bullet was manufactured at a time different from the manufacture of the six Winchester cartridges found in Sacco's pocket, and that, in due and regular course of manufacture the mortal bullet would not, having been manufactured at a different time, be placed in the same carton as that which contained the six Sacco Winchester cartridges."

(38469) \$1,250.00

15. **Hargrave, Mr. [Francis]: AN ARGUMENT IN THE CASE OF JAMES SOMMERSETT A NEGRO, LATELY DETERMINED BY THE COURT OF KING'S BENCH: WHEREIN IT IS ATTEMPTED TO BE DEMONSTRATED THE PRESENT UNLAWFULNESS OF DOMESTIC SLAVERY IN ENGLAND. BY MR. HARGRAVE, ONE OF THE COUNSEL FOR THE NEGRO. [IN: THE GENTLEMAN'S MAGAZINE FOR JANUARY 1773].** London: 1773. 48pp. Disbound with light scattered foxing. Else Very Good. Pages 33-34 discuss the Sommersett case.

"The Sommersett decision ranks among one of the most important decisions in the annals of British law. This celebrated case ended slavery in England" [Blockson].

Though Blockson does overstate the case's holding-- Lord Mansfield himself took pains to say that the decision did not finally destroy slavery-- its influence was without parallel and profound. "Not only was the slaveholder denied extraterritorial protection for his slave property, he was denied it on the ground that appeal to natural law and right reason revealed the odious character of the master-slave relation. The reasoning...was a reproach, a constant reminder of the disparity between slave law and the moral principles underlying a decent legal order. It is not at all surprising, therefore, that the Constitution of the Confederate States of America specifically overruled the doctrine of Somerset's Case" [Cover, Justice Accused 87-88].

"Sommersett had been brought to England by his master, who, some time after the Negro left him, returned to Virginia. When he came back to England, his man was seized and bound for sale in Jamaica. Hargrave had him released on a writ of habeas corpus. In the ensuing court trial, he argued that Sommersett's bondage was an example of villenage, an ancient state of servitude long outlawed in England. Lord Mansfield returned a verdict in favor of the Negro, handing down his momentous decision that 'as soon as any slave sets his foot on English territory, he becomes free'" [LCP Negro History Exhibition].

(38522) \$750.00

16. **[Henderson, John G., Attorney and War Claim Agent]: RALLY ROUND THE FLAG, BOYS! CHARGE ON THE PAYMASTER. AND GET YOUR ONE HUNDRED DOLLARS. CONGRESS AT LAST FOUND TIME TO DO SOMETHING FOR THE SOLDIERS! THE BILL FOR THE EQUALIZATION OF BOUNTIES IS THE LAW, AND THOSE WHO FIRST PUT IN THEIR CLAIMS ARE THOSE WHO FIRST GET THEIR MONEY.** Winchester, Illinois: Democratic Print., [1866]. Attractive folio broadside, measuring 11-1/2" x 17-1/2" by sight. Housed in a wood frame 20-3/4" x 26-3/4." Light scattered foxing and old folds, a couple of short fold separations in margin. A variety of bold type sizes and styles, within a decorative border. Very Good.

This eye-catching, evidently unrecorded broadside features the iconic Screaming Eagle, wings spread, and holding a banner which reads, "Charge on the Paymaster." Henderson's name and address are printed at the bottom: "John G. Henderson, Atty at law, and WAR CLAIM AGENT, Naples Ill."

The Equalization Act, whose terms the broadside recites, became law in July 1866. It provided additional bounties to men, or their families and heirs, who had been honorably discharged after three years' service; and smaller bounties to those honorably discharged after two years' service.

Born in Greene County, Illinois in 1837, Henderson became a teacher and then a "prominent" lawyer. He practiced law in Naples, Scott County, Illinois, until 1866; and then in Winchester until 1877, when he became a judge. He then resumed the practice of law. [History of Greene and Jersey Counties, Illinois. Springfield: 1885. Page 714.] Henderson

also became something of an authority on Naples' archeological Mounds, dating to the year 100 A.D. His work on the Mound Group was noted in the case of Juliet Wade v. Drew Lewis, 561 F. Supp. 913 [N.D. Ill. 1983].

Not located in Graff, Sabin, or on OCLC or the online sites of AAS, Boston Athenaeum, LCP, University of Illinois, Newberry as of July 2022.

(38501) \$1,850.00

17. **[Iowa]: CONSTITUTION OF THE STATE OF IOWA, ADOPTED IN CONVENTION, AT IOWA CITY. MARCH 5TH, A.D. 1857. SUBMITTED TO THE PEOPLE FOR ADOPTION OR REJECTION AT THE ELECTION TO BE HELD IN AUGUST, 1857.** Muscatine, Iowa: Printed by Order of the Constitutional Convention, 1857. 26pp, stitched. Upper blank forecorner clipped on all pages, not affecting any text. Persistent light dampstain at upper quadrant, light scattered foxing. Good+.

Section 23 of Article I, the Bill of Rights, prohibited slavery or involuntary servitude, "unless for the punishment of a crime." Foreigners "shall enjoy the same rights" as native-born citizens to possess and sell property [Article 22]. No analogue to the Federal Constitution's Second Amendment, guaranteeing the right to bear and carry arms, was included. The suffrage was limited to adult white male citizens who satisfied a brief residency requirement.

The referendum approved the Constitution which, with numerous amendments, is today's Constitution of Iowa. "The main drawback of the first Iowa constitution was that it did not allow banks that could print and issue money (these were called 'banks of issue') ... They had no official currency. At one time, over 300 kinds of money circulated in Iowa. When the new Constitution of 1857 was adopted, a new bank with many branches was begun. This was called the State Bank because the state made the rules." [online, from Iowa's department of cultural affairs.]

Not in Cohen. OCLC records nine locations under several accession numbers as of July 2022.

(38478) \$600.00

18. **[Jackson, Andrew]: A BRIEF ACCOUNT OF THE EXECUTION OF THE SIX MILITIA MEN!!** [Philadelphia: John Binns, 1828]. Folio Broadside, 11" x 19." Printed in three columns, each separated by a rule. Macabre relief cuts of six black coffins within the title. Repaired horizontal and vertical closed tears on blank verso; several small holes have slight effect on several letters. Light toning. Good+ copy of a rare, dramatic broadside.

"As we soon expect to have official documents in relation to the SIX MILITIA MEN, arrested, tried, and put to death, under the orders of General Andrew Jackson, this may not be an improper time to give to the public some of the particulars of the execution..." The source of those "particulars" is the account in John Binns's 'Democratic Press.'

The primary weapon of the anti-Jackson forces was his alleged impetuous, unrestrained, martial personality, utterly unsuitable for the presidency of a democratic republic whose success required respect for constitutional checks and balances. Jackson's indefensible shooting of the six militia men after the Battle of New Orleans is described in elaborate detail. The events described occurred during the Seminole Campaign of 1815. Jackson ordered the execution of six soldiers for mutiny. The alleged mutiny consisted of a dispute over whether the soldiers were volunteers for three or six months.

American Imprints 32473 records a later issue of this broadside, the text expanded to four columns with the addition of text dated 30 January 1828. The only other three-column institutional copy that we have located is at the Boston Athenaeum.

OCLC 145506365 [1- Boston Athenaeum] as of July 2022. Four-column printing for AI 32473, OCLC 191251345 [3 locations for the four-column variant: AAS, Boston College, Middlebury]. Three-column printing not at AAS's online site.

(38443) \$5,000.00

19. **Jefferson, Thomas:** REPORT BY THE SECRETARY OF STATE, ON THE 16TH DECEM. 1793, RELATIVE TO THE PRIVILEGES AND RESTRICTIONS OF THE COMMERCE OF THE UNITED STATES. PRINTED BY ORDER OF THE SENATE OF THE UNITED STATES, JANUARY 26TH, 1803. [Washington: 1803]. 24pp. Disbound, else Very Good.

The first American reprint of Jefferson's rare 1793 Report, explaining trading relationships with "the countries with which the United States have their chief commercial intercourse."

With respect to each such country, Jefferson sets forth tariff and import policies. He is an eloquent voice for free trade. "Instead of embarrassing commerce under piles of regulating laws, duties and prohibitions, could it be relieved from all shackles in all parts of the world, could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surplusses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness; the numbers of mankind would be increased, and their condition bettered."

But as a practical man, he recommends that the United States enact "counter prohibitions, duties and regulations" on countries refusing to trade freely.

AI 5476 [2]. Not in Rink, Eberstadt, Decker, Kress.

(38536) \$500.00

20. **[Kentucky Slave Allotment]:** "IN COMPLIANCE WITH TWO ORDERS MADE BY THE COUNTY COURT OF BOURBON AT THERE [sic] JANUARY TERM DIRECTING US THE UNDERSIGNED TO ALLOTT TO NANCY H. GARRARD WIDOW OF STEPHEN L. GARRARD DECD HER DOWER IN THE LAND AND SLAVES OF HER DECEASED HUSBAND, AND TO DIVIDE THE LAND AND SLAVES OF THE SAID S.L. GARRARD DECD AMONG HIS HEIRS AND LEGAL REPRESENTATIVES, AND TO REPORT TO SAID COURT WE THE UNDERSIGNED COMMISSIONERS BEING FIRST SWORN REPORT AS FOLLOWS (TO WIT) .

"WE FIRST VALUED ALL THE SLAVES BELONGING TO THE ESTATE OF S.L. GARRARD DECD. (BEING 12 IN NUMBER) AT \$4950.00 ... Bourbon County KY: 1841. Manuscript, 7-5/8" x 12-1/2," written in several different hands, all in ink, on recto and verso of a single leaf. Signed by Commissioners Henry Clay, Will P. Hume, and James M. Cogswell on 6 January 1841. Approved, witnessed, and recorded by the Clerk, Thomas P. Smith. Light wear and toning, Very Good.

To the Widow Nancy "as her dower" the Commissioners allotted a total of \$1650: "Lewis, 1 old man \$300; Jackson 1 Boy \$550; Hannah 1 old Woman \$250; Judy 1 Girl \$400; also allotted sd Widow in cash \$150."

The other slaves were divided among the deceased's heirs. The slaves included a "young Negrow man named Anthony," valued at \$850; "young man Henry," valued at \$700; unnamed old man and "George a small boy," the two valued at \$650; "one girl Mary Ellen," \$550; "one small boy," unnamed, \$350; "one old woman named Plasant & her child Milly," \$350.

We have been unable to conclude that Commissioner "Henry Clay" is the prominent Kentucky politician, or a member of his family. There were several Kentucky families with that name. William Patton Hume [1792-1875] was a Bourbon County farmer with many slaves. He may also have been an overseer.

James M. Cogswell was a regular guy from Bourbon County. Stephen Lewis Garrard [1798-1840] was the grandson of Governor James Garrard [1749-1822] and son of Brigadier General James Garrard, Jr. [1773-1838], member of the Kentucky Senate and officer in the War of 1812. Stephen was a Bourbon County farmer. He was married three times; his wife Nancy Frazier Garrard surviving him. Heirs Elizabeth Offutt, James Garrard, Nancy Armstead, William Garrard, Thomas Garrard, and Stephen Garrard were his children from all three marriages. [Des Cognets, Anna Russell: GOVERNOR GARRARD, OF KENTUCKY, HIS DESCENDENTS AND RELATIVES. Lexington, KY: 1898.]

(38510) \$850.00

21. **[Kentucky Slave Division and Appraisal]:** "AGREEABLE TO AN ORDER OF THE COUNTY COURT OF BOURBON MADE AT THEIR OCTOBER TERM APPOINTING US THE UNDERSIGNED TO DIVIDE THE SLAVES BELONGING TO THE HEIRS OF WILLOUGHBY SANDFORD DECD. BEING FIRST DULY SWORN REPORT AS FOLLOWS (TO WIT).

"WE FIRST APPRAISED SAID SLAVES (7 IN NUMBER) AT \$2000.00 AND ALLOTTED TO WYATT SANFORD JENNY A NEGROW WOMAN ABOUT 45 YEARS OLD AND THE CHILD JESSE AN IDIOTT APPRAISED AT \$225 ALSO EDMON. ABOUT THREE YEARS OLD \$175..." Bourbon County KY: 1842. Single folio leaf, entirely in ink manuscript, 7-1/2" x 12-1/4." Old folds, docketed on verso: "Commissioners Report Dividing the Slaves of W. Sanford Heirs." Very Good.

"Judy a Negrow Girl 11 years old appraised to \$375" was assigned to Augustus Sanford.

John, Reuben and Granville Sanford, "the three infant heirs," received "the residue of 5 slaves... Harriott a Negrow Girl about 16 years old appraised to \$525; Jim a boy 9 years old appraised to \$375; Isaac a boy 7 years old appraised to \$325.

Each of the appraisers signs his name at the bottom [--- Linck, Thos. Woodford, L.M. Cogswell]. Thomas Smith, Clerk, by the deputy clerk R.J. Brown, approves their report.

(38518) \$850.00

22. **[Mollie Maguires]:** THE LIFE AND EXECUTION OF JACK KEHOE, KING OF THE "MOLLIE MAGUIRES," TOGETHER WITH A FULL ACCOUNT OF THE CRIMES AND EXECUTION OF THE OTHER PRINCIPALS IN THAT TERRIBLE ORGANIZATION. FOURTEEN MOLLIES HANGED! Philadelphia: Barclay & Co., [1879]. Original green wrappers [worn, chipped, some discoloration]. [2], 19 - 69 pp, as issued. Title page with some closed tears [no loss] and spotting. Text and illustrations otherwise clean. Good.

"'Fraternalism gone bad' might best describe the situation in the mining regions of Pennsylvania where the local chapter of the Ancient Order of Hibernians held sway. An inner group known as the Mollie Maguires, from an Irish society which fought the landlords, constituted a kind of Irish Mafia, committing numerous murders. Its control of the area was finally broken up by a Pinkerton detective named James McParlan who had secretly spent months undercover in the group. June 21, 1877, saw the end of ten Mollies; six were hanged that day at Pottsville, Pennsylvania, for the murder of Frank Yost, a policeman of Tamaqua,

and four others were hanged at Mauch Chunk, three for the murder of John Jones, a mining boss" [McDade 689].

McDade cites an 1881 Barclay printing of this title, but not our edition. OCLC records an 1878 printing, our 1879, and an 1881, all by Barclay.
(38595) \$375.00

23. **National Union Executive Committee:** THE PROCEEDINGS OF THE NATIONAL UNION CONVENTION HELD AT PHILADELPHIA, AUGUST 14, 1866. [Washington?: 1866]. 32pp, caption title [as issued]. Disbound, small hole affecting several letters of text. A few lines lightened. Good+.

The dwindling supporters of President Andrew Johnson meet in advance of the 1866 mid-term elections, the first test of strength in the struggle between the President and the Republican Congress for control of Reconstruction. They argue that the seceded States, having ratified the Thirteenth Amendment abolishing slavery, and having repudiated the Confederate war debt, are now entitled to representation in Congress, which has unconstitutionally excluded them.

A 16-page version was also printed, probably in Philadelphia.
(31641) \$275.00

24. **[New York]:** BLEEDING NEW YORK! WHO OPENED HER GAPING WOUNDS? A MORTGAGE ON EVERY MAN'S FARM! TABLES SHOWING WHAT PORTION OF IT EACH COUNTY WILL HAVE TO PAY. READ AND CIRCULATE. [np: 1858 or 1859]. 8pp. Caption title, as issued. Untrimmed and uncut folio sheet. Some foxing, each page printed in two columns. Good+.

"TAXATION! grinding, annually returning, steadily increasing taxation, is eating out the substance of the people of New York. It has become an oppression..." This "misgovernment" is the result of Whig misrule, "produced by the improvident, reckless and dishonest policy pursued in regard to our canals." The Whig "run-in-debt policy" is contrasted with the Democrats' "prudent pay-as-you-go policy."

This rare pamphlet's lesson for voters: "VOTE THE DEMOCRATIC TICKET." OCLC 191282998 [1- AAS] as of June 2022. Not at the New York Public Library or NY Historical Society. Not in Sabin. (38455) \$450.00

25. **Parker, Theodore:** THE TRIAL OF THEODORE PARKER, FOR THE "MISDEMEANOR" OF A SPEECH IN FANEUIL HALL AGAINST KIDNAPPING, BEFORE THE CIRCUIT COURT OF THE UNITED STATES, AT BOSTON, APRIL 3, 1855. WITH THE DEFENCE. Boston: Published for the Author, 1855. xx, 221, [2] pp, with errata and list of Parker's other works. Original brown cloth stamped in blind. Fine.

Parker was unmatched "in the grandiosity of his vituperation" against slavery and slave-owners. In addition, he was "a Unitarian clergyman of astonishing erudition and scholarly eminence" [Potter Impending Crisis 132, 364].

Two days after the arrest of Anthony Burns-- an alleged fugitive slave captured in Boston, the bosom of abolition sentiment-- Parker gave a speech at Faneuil Hall urging his listeners to rescue Burns by attacking the court house. The attempt failed, but Parker and six others were indicted. The indictment was dismissed, but Parker seized the opportunity to write out his 'Defence' in full, along with much information on the events leading to his

arrest, all the court papers, the capture of Burns, the history of other fugitive slave incidents, and other material on the struggle between slave and free states.

FIRST EDITION. Cohen 13746. Dumond 89. Blockson 10160. Finkelman 115. (38598)
\$250.00

26. **[Peabody, Ephraim]:** SLAVERY IN THE UNITED STATES: ITS EVILS, ALLEVIATIONS, AND REMEDIES. REPRINTED FROM THE NORTH AMERICAN REVIEW, OCT. 1851. Boston: Charles C. Little and James Brown, 1851. 36pp, loose gatherings. Blank edge chipping to some leaves, Good+.

The Unitarian minister pronounces a mixed verdict on American Slavery. Though morally wrong, Slavery is entrenched in the South. "Formidable obstacles are in the way of all attempts to remove slavery." All Southern institutions reflect the influence of Slavery.

Moreover, "The slaves of the South are, comparatively, not only a civilized people, but we doubt if, in the whole history of mankind, a single example can be adduced of a race of men starting from such a depth of moral degradation and barbarism, and in a century and a half making so vast an advance in civilization. This progress has been owing in no small part to the fact of their being slaves. Through this relation they have been brought into close contact with a superior race ..."

LCP 7513. Sabin 59364.

(38481) \$150.00

27. **Phillips, Wendell:** NO SLAVE-HUNTING IN THE OLD BAY STATE. SPEECH OF WENDELL PHILLIPS, ESQ., BEFORE THE COMMITTEE ON FEDERAL RELATIONS, IN SUPPORT OF PETITIONS ASKING FOR A LAW TO PREVENT THE RECAPTURE OF FUGITIVE SLAVES, IN THE HALL OF THE HOUSE OF REPRESENTATIVES, THURSDAY, FEBRUARY 17, 1859. PHONOGRAPHIC REPORT BY J.M.W. YERRINTON. Boston: Published by R.F. Wallcut, 1859. 31, [1 blank] pp. Stitched. Title leaf dusted; persistent margin spot in early leaves. Good+.

Abolitionists developed a profound appreciation for the Virginia State Rights Doctrine after passage of the Fugitive Slave Act of 1850. Men like Phillips, arguing for the supremacy of State law, urged the Massachusetts legislature to enact a law nullifying the Fugitive Slave Act. "Within the last few years, we have sent nearly four hundred fugitives from Massachusetts... We assert that you sit here as the legislators of a sovereign State. If anybody has agreed to limit that sovereignty by an unholy compact, it is not binding, and you have no right to regard it."

Dumond 93. LCP 8171 [recording the 1860 Anti-Slavery Society printing]. (38482)
\$150.00

28. **Phillips, Wendell:** REVIEW OF WEBSTER'S SPEECH ON SLAVERY. Boston: Published by American A.S. Society, 1850. 44pp, disbound, pinholes in left edge. Very Good.

Phillips excoriates Webster, his support of the 1850 Compromise, for caving in to the Slave Power, and sacrificing the natural rights of slaves and Free Negroes on the altar of a corrupt Union.

Dumond 93. Sabin 62525.

(32001) \$100.00

29. **[Reconstructed Virginia] Krise, P.A.: ROOMS SIXTH CONGRESSIONAL DISTRICT COMMITTEE, LYNCHBURG, VA., OCTOBER 31, 1888. AN ADDRESS TO THE PEOPLE OF THE SIXTH CONGRESSIONAL DISTRICT.** Lynchburg: 1888. Broadside, 8" x 10." Printed in several type styles and sizes. Illustration of the State Seal of Virginia, "Sic Semper Tyrannis," within the title. Old folds, light toning, Very Good.

Chairman of the Sixth District Democratic Committee, Krise makes the case for his candidate's election. The choice is important: do NOT vote for "the man who stands for Republicanism and all the evil and humiliation the term implies. Mr. Edmunds is the nominee of a Convention of white citizens representing the worth, intelligence and material interests of the District-- Mr. Pat. McCaull is the nominee of a convention, so-called, comprising the worse element of race renegades, in alliance with ignorant but aspiring negro politicians."

Krise warns that McCaull "is the radical representative of that Republican party, the very name of which is a synonym of vindictiveness and oppression toward the South, and profligacy and disgrace in the high places of the nation."

Not located on OCLC as of August 2022. (38604)\$275.00

30. **[Republic of Texas]: ENGRAVED INVITATION ADDRESSED TO JOHN BIRDSALL, ATTORNEY GENERAL OF THE REPUBLIC OF TEXAS, TO ATTEND A BALL IN THE REPRESENTATIVE HALL "ON THE 25TH INST."** [Houston: 1837 or 1838]. 7" x 9" satiny coated paper sheet folded vertically, printed on first page only [completed in neat ink manuscript]. Handwritten address, "To The Attorney General," neatly penned on the last page. Old folds, light wear. Near Fine.

This rarity dates to the second year of the Republic of Texas. In August 1837 Governor Houston appointed Birdsall Attorney General. He served as such during 1837 and 1838. "From this time until the close of Houston's first administration these two officials worked harmoniously together" [Looscan, Life and Service of John Birdsall. 26 SW Hist. Quarterly 44,45 (1922)]. Birdsall died of yellow fever in 1839.

The Managers of the Ball, whose names are neatly written in ink, are among the leaders of the early Republic: Francis Lubbock [Comptroller, later Governor of Confederate Texas]; James W. Scott, Paymaster in the Texas Army; William Gordon Cooke, who served on Houston's staff in the Battle of San Jacinto and owned a drug store in Houston; William M. Shepherd, surgeon in the Texas army and appointed Secretary of the Navy in December 1837; Berhard E. Bee, Sr., a South Carolinian who settled in Texas in 1836 and became Secretary of State and of the Treasury in the Burnet administration, Secretary of War under Sam Houston, and Secretary of State in the first Lamar Administration; and J.T. Doswell, an incorporator of the Galveston Chamber of Commerce in 1845.

(38564) \$875.00

31. **[South Carolina]: INAUGURAL ADDRESS AND MESSAGE NO. 1 OF ROBERT K. SCOTT, GOVERNOR OF SOUTH CAROLINA, TO STHE GENERAL ASSEMBLY, FIRST SESSION, HELD AT THE CITY OF COLUMBIA, JULY 9, 1868 BY AUTHORITY.** Columbia, S.C.: 1868. Stitched, 24pp. Light fox and light wear. Two small holes in the title page affecting three or four letters; small hole in last leaf affecting a few letters. Good+.

Scott has "no doubt as to the validity of all the proceedings which have been had under the Reconstruction Acts of Congress," but recognizes "that an influential minority" view Reconstruction as an unconstitutional abomination. He urges a policy of "moderation," with

the newly empowered Freedmen to avoid "a spirit of vengeance." Scott hails the dawn of a new era in South Carolina: "The monopoly of class, by which the few governed the many, has gone down before the sovereignty of the people."

Governor Scott had been a Union officer and, after the War, assistant commissioner of South Carolina's Freedmen's Bureau.

OCLC 54474037 [2- Duke, NYHS] as of July 2022. (38560) \$175.00

32. **Starke, Richard:** THE OFFICE AND AUTHORITY OF A JUSTICE OF PEACE EXPLAINED AND DIGESTED, UNDER PROPER TITLES. TO WHICH ARE ADDED, FULL AND CORRECT PRECEDENTS OF ALL KINDS OF PROCESS NECESSARY TO BE USED BY MAGISTRATES; IN WHICH ALSO THE DUTIES OF SHERIFFS, AND OTHER PUBLICK OFFICERS, IS PROPERLY DISCUSSED. Williamsburg: Alexander Purdie and John Dixon, 1774. [4], 353, [3] pages. Scattered light to moderate foxing. Original calf [lightly rubbed, expertly rehinged internally, rebaked with original gilt-lettered red morocco spine label]. Contemporary owner signature and inscriptions. Endpapers spotted. Good+.

The Preface asserts the necessity "in this Colony" for this Treatise. "There is no Book on this Subject in Being, properly adapted to our Laws and Constitution, except Mr. George Webb's Justice, which was published in 1736, and must necessarily be deficient in many Instances, on Account of the Repeal of a great Number of our Acts of Assembly, and the Addition of others since that Time." The book was printed by the publishers of the Virginia Gazette. "The author was probably Richard Starke whose death was announced in the Virginia Gazette for July 30, 1772, and who was attorney at law and clerk to two committees of the House of Burgesses. According to the preface of the book, the author died before the work was completed, and it was continued by 'some benevolent Gentlemen of the Law ... for the Benefit of a numerous and distressed family'." [Sabin]

The subjects are discussed in alphabetical order, from Accessory to Wrecks. Pages 325-330 are a Slave code. "The Authority of Masters over Slaves, though not absolute, is yet extensive." The Law treats them generally as "personal Estate, in almost every Case." Pages 129-132 treat the subject of religious Dissenters.

Sabin 90521. Evans 13637. Cohen 8484. (37144) \$2,500.00

33. **Trumbull, Lyman:** ARGUMENT OF HON. LYMAN TRUMBULL IN THE SUPREME COURT OF THE UNITED STATES, MARCH 4, 1868, IN THE MATTER OF EX PARTE WILLIAM H. McCARDLE, APPELLANT. REPORTED BY D.F. MURPHY. Washington: Government Printing Office, 1868. 29pp, original printed wrappers [margins lightly browned]. Stitched, Very Good.

McCardle, a Mississippi newspaper editor, was arrested for treason in 1867 by order of General Ord, commanding the Reconstruction military government of Mississippi.

Trumbull, on behalf of the government, argued that an 1867 statute rendered courts powerless to issue writs of habeas corpus under such circumstances. McCardle argued that the military trial of a civilian, like McCardle, was unconstitutional, as is suspension of the writ.

(38538) \$350.00

34. **United States:** ACTS PASSED AT THE THIRD CONGRESS OF THE UNITED STATES OF AMERICA: BEGUN AND HELD AT THE CITY OF PHILADELPHIA, IN THE STATE OF PENNSYLVANIA, ON MONDAY, THE SECOND OF DECEMBER,

ONE THOUSAND SEVEN HUNDRED AND NINETY-THREE, AND OF THE INDEPENDENCE OF THE UNITED STATES THE EIGHTEENTH. Philadelphia: Francis Childs and John Swaine, 1794. [1]-144, [i]-iii pp. Disbound, rubberstamp on title page [stamped over some text]. Otherwise, a clean text. Good+.

The Acts of the First Session of the landmark Third Congress, prohibiting any subjects of the United States from engaging in the international slave trade; establishing a naval force, the Post Office, and Post Roads [with a listing of the roads]; the neutrality law; resolutions beginning the process of enacting the Eleventh Amendment, prohibiting suits against a State in the federal courts, and authorizing the Embargo; material on the excise tax on liquors, which gave rise to the ensuing Whisky Rebellion. All Acts are signed in type by President Washington.

FIRST EDITION. Evans 27827. ESTC W14495. (38533)\$450.00

35. **Vallandigham, Clement S.:** AUTOGRAPH ENDORSEMENT TO A LETTER FROM SERGEANT J.C. CLARK, REQUESTING VALLANDIGHAM'S ASSISTANCE IN OBTAINING A PROMOTION FOR CLARK TO LIEUTENANT IN THE 59TH REGIMENT, NEW YORK VOLUNTEERS. Falmouth VA and Dayton OH: 1863. Single leaf of stationery, from Clark to Vallandigham, 17 March 1863, in neat ink handwriting. Signed in the middle of page [2], "Sergt. J.C. Clark, Co. H. 59th Regiment, NYS Vols." Vallandigham writes in ink on blank portion of page [2]: "Dayton, O. March 24/63- Sir: I beg leave to endorse the recommendations within referred to. Very truly C.L. Vallandigham." Some spotting to Clark's letter; Vallandigham's endorsement is clean. Good+.

Why would the New York Sergeant Clark seek assistance from the Ohio Democrat-Copperhead Vallandigham? First, Clark informs Vallandigham that he is a "a resident of Richland County Ohio." More importantly, Vallandigham was a friend and ally of New York's Copperhead Governor Horatio Seymour. Clark writes, "Knowing your influence with Gov. S. I as one of the DEMOCRACY of the Buckeye State ask as a favor, that you will recommend the same to Gov. Seymour, thinking by this may cause more favorable consideration of my claim for promotion. Wishing you success in your noble efforts for the restoration of our UNION AS IT WAS, I have the honor to be..." [words in capital letters underlined in original]. Clark thus assures Vallandigham, not only that he is a fellow Democrat, but also that he like Vallandigham opposes prosecution of the War for the purpose of ending American Slavery.

From the campaign of 1860 until the end of the War, the Ohio Copperhead Vallandigham was a painful thorn in Lincoln's side. He was arrested on Lincoln's orders for his anti-War speeches and banished to the Confederacy. But he went to Canada, campaigning unsuccessfully in absentia under the Peace Democrats' banner for Ohio's governorship in 1863. He became a symbol of Northern wartime treason.

(38571) \$500.00

36. **Vallandigham, Clement S.:** PRINTED LETTER, SIGNED IN INK BY VALLANDIGHAM, DATED 7 MAY 1861 FROM DAYTON, OHIO, DENOUNCING THE WAR AND LINCOLN ADMINISTRATION'S "IMPENDING MILITARY DESPOTISM. Dayton: 1861. Printed Letter, from Dayton, Ohio, May 7, 1861. In ink, marked "Private" and addressed to "A. McGregor, Esq. Canton, Ohio." Sixteen lines of printed text. Signed in ink at the end, "CL Vallandigham." Old folds, Good+.

[offered with] STUDIO PORTRAIT OF "C.L. VALLANDIGHAM," 2-1/2" x 4." Cincinnati: Rickey & Carroll. [nd]. Very Good.

From the campaign of 1860 until the end of the War, the Ohio Copperhead Vallandigham was a painful thorn in Lincoln's side. He was arrested on Lincoln's orders for his anti-War speeches and banished to the Confederacy. But he went to Canada, campaigning unsuccessfully in absentia under the Peace Democrats' banner for Ohio's governorship in 1863. He became a symbol of Northern wartime treason.

This printed Letter, signed by Vallandigham in ink, expresses his heartfelt opposition to the War and Lincoln very early in the War, The Lincoln Administration's "fatal error" is to believe that the Union "can be preserved by civil war." Lincoln has inaugurated a "bold conspiracy to usurp all power into the hands of the Executive ... No king of England, since James II, would have dared attempt such a usurpation. And all this within twenty days! If there be any spirit of liberty left, is it not time to arouse and strike a blow to rescue the Republic from an impending military despotism?"

(38565) \$875.00

37. **Wright, John S.:** REPLY TO HON. CHARLES G. LORING, UPON "RECONSTRUCTION." Boston and Chicago [Cambridge]: A. Williams and Company, and J.R. Walsh [Houghton and Company], 1867. 31, [1 blank], xxiv, 189, [3] pp. Original printed wrappers with wrapper title; title page follows page 31 and is at page [iii] [as issued]. Wraps lightly worn, occasional mild text spotting, Very Good. INSCRIBED ON FRONT WRAPPER, "Hon. R.H. Dana with compliments of J. Wright."

Wright was an indefatigable Chicago editor, promoter, entrepreneur, booster of that City and his State, and a War Democrat.

DAB, whose sketch of Wright's life is otherwise respectful, says the author's works published during this period "gave evidence of the weakening of his mind. His reason finally gave way, and he was committed to an asylum in Philadelphia." This pamphlet lends some support to DAB's diagnosis. Wright calls himself "an enthusiast," indeed a "monomane upon this question of State Sovereignty." His "perfect solution" to the problems of the day is outlined in a detailed text on the origins of the State-- with erudite references to Aristotle, Puffendorf, Vattel, and others-- and the sovereignty of the individual States.

Sabin 105613. (38537) \$275.00