

1. **Adams, John Quincy:** ARGUMENT OF JOHN QUINCY ADAMS, BEFORE THE SUPREME COURT OF THE UNITED STATES, IN THE CASE OF THE UNITED STATES, APPELLANTS, VS. CINQUE, AND OTHERS, AFRICANS, CAPTURED IN THE SCHOONER AMISTAD, BY LIEUT. GEDNEY, DELIVERED ON THE 24TH OF FEBRUARY AND 1ST OF MARCH, 1841. WITH A REVIEW OF THE CASE OF THE ANTELOPE, REPORTED IN THE 10TH, 11TH AND 12TH VOLUMES OF WHEATON'S REPORTS. New York: S.W. Benedict, 1841. 135, [1 blank] pp. Stitched with gathered signatures. Light scattered spotting, else Very Good. Housed in an attractive cloth box, with gilt-lettered spine title on black morocco. With the ownership signature of W.E. Greeley [1806-1858], a Salem, Massachusetts merchant and an incorporator of the Atlantic & St. Lawrence RR.

Blockson calls the Amistad Case "an astounding saga for the case that truth is far more powerful than anything the imagination could invent." Adams's successful representation of Cinque and the other captured Africans was the crowning achievement of an extraordinarily productive post-Presidential career. "Just beneath the surface of his legal points was his rage at slavery, the slave trade, and the U.S. government's complicity in this case in particular" [Finkelman 234]. Through diplomatic correspondence between Secretary of State Forsyth and the Spanish and British authorities, Adams's argument traces the history of the Amistad Affair, from the revolt of the slaves to their capture and the despicable efforts of President Van Buren and Forsyth to return them to Spanish custody.

In a dramatic presentation Adams demonstrates that the Africans were not legally slaves under Spanish law, that no treaties with Spain required the U.S. to return them, and that the American government had unconstitutionally sided with the Spanish claimants. Inquiring of the results had American efforts to return them succeeded, Adams asks rhetorically: "What would have been the tenure by which every human being in this Union, man, woman, or child, would have held the blessing of personal freedom? Would it not have been by the tenure of Executive discretion, caprice or tyranny? Had the precedent once been set and submitted to, of a nameless mass of judicial prisoners and witnesses, snatched by Executive grasp from the protective guardianship of the Supreme Judges of the land at the dictate of a foreign minister, would it not have disabled forever the effective power of the Habeas Corpus?"

The ownership signature of this book may have been William Eleazer Greeley [c.1806-1858], a native of Portland, Maine, who doing business in the city with his father as a commission merchant, and was one of the incorporators of the Atlantic and St. Lawrence Railroad in the late 1840s. At the time of his death, he was a resident of Salem, Massachusetts, working as a merchant in Boston.

FIRST EDITION. Finkelman 232. Cohen 11834. Work 344. Blockson Commented Bibliography 24. I Harv. Law Cat. 14. LCP 63.

(38011) \$7,500.00

2. **Beecher, Henry Ward:** AUTOGRAPH LETTER, SIGNED, TO CHARLES DANA, EDITOR OF THE NEW YORK SUN, "THANKSGIVING DAY 1873," EMPHASIZING "THE KINDNESS & COURTESY OF THE PRESS TOWARD ME, DURING A PERIOD OF NO INCONSIDERABLE TROUBLE." [New York?: 1873]. Two separate leaves, each written in neat ink manuscript on recto only. Thin paper, with closed tear to first leaf, not affecting text, else Very Good. Signed boldly, "Henry Ward Beecher."

That kindness and courtesy, says Beecher, "has been specially true of the Sun... I beg of you, dear Sir, to allow me to make a strong expression of my sense of your kindness to me; kindness without impairing that fidelity to truth, which should animate Journalism."

The Tilton scandal was in full swing at this time, of course.

(38092) \$500.00

3. **Breck, Robert:** THE ONLY METHOD TO PROMOTE THE HAPPINESS OF A PEOPLE AND THEIR POSTERITY. A SERMON PREACHED BEFORE THE HONOURABLE THE LIEUT. GOVERNOUR, THE COUNCIL, AND REPRESENTATIVES OF THE PROVINCE OF THE MASSACHUSETTS-BAY IN NEW-ENGLAND, MAY 29TH. 1728. BEING THE DAY FOR THE ELECTION OF HIS MAJESTY'S COUNCIL. BY... PASTOR OF THE CHURCH IN MARLBOROUGH. Boston: Printed by B. Green, 1728. [2], 42 pp, lacking the half title. Attractive type ornamentation on first text page, and numerical rubberstamp at bottom margin. Light spotting, Good+ in modern cloth [signs of bookplate removal on the binding's pastedowns and front cover.

An early Massachusetts election sermon, counseling rulers to follow the word of God. Breck was the second minister at the first church of Marlborough. "Happiness is what all Mankind are in an eager pursuit of." Breck counsels, "This happiness and Blessedness is to be found in GOD alone, agreeable to that of the Psalms, Happy is that people, whose God is the Lord." Rulers must set an example of Goodness.

Evans 2998. Sabin 7657. Vail 18. ESTC W28735 .

(38029) \$600.00

4. **Breckinridge, John [1760-1806]:** AUTOGRAPH LETTER, SIGNED "J. BRECKINRIDGE," TO ARTHUR FOX, ESQUIRE, OF WASHINGTON, MASON COUNTY, KENTUCKY, CONCERNING THE "MILLER'S HEIRS" LITIGATION, 15 NOVEMBER 1793. [4] pp bifolium, folded. Letter written on recto of first leaf, inner pages blank, last page addressed to Fox. Old mailing folds, light margin spotting, paper loss on the blank leaf from a seal tear has been replaced with period paper. Very Good.

Kentucky Revolutionary War veteran Breckinridge became Attorney General under Thomas Jefferson but died of tuberculosis shortly after his appointment. A prominent Virginia, and then Kentucky, lawyer and politician, he was the grandfather of future Vice President and Confederate general John C. Breckinridge. His Letter to Fox reads as follows:

"I am sorry you made an unsuccessful trip to the ---, but think you ought not to complain, since you have saved your Hair. I am pleased to hear so good an account from the 1000 acre survey you made for me; and expect it will not be long before you will visit this place, & detail your Journey & inform me what I had best do with with my unlocated Warrants.

"The suit with Millers Heirs was argued last Court but not determined. The Court gave but one decision on land causes at the last term.

"Millers council however, in the argument yields all the claim but a --- which would be under 50 acres. But I have little doubt of their gaining one acre of it. | I am | Sir, Your mo. ObtS | J. Breckinridge."

Arthur Fox [1761-1794] of Virginia served as a private with the Illinois militia during the Revolutionary War

(38111) \$1,000.00

5. **Butts, Isaac:** BRIEF REASONS FOR REPUDIATION; APPLICABLE TO THE WAR DEBTS OF ALL COUNTRIES. BY ISAAC BUTTS, LATE EDITOR OF THE ROCHESTER

DAILY UNION AND ADVERTISER. Rochester, N.Y.: Benton & Andrews, 1869. . Original printed yellow wrappers, stitched. x, 100 pp. Rubberstamped front wrapper and title page. Otherwise, a clean and Very Good copy.

Butts had supported the Free Soil Party and the "Barnburner" or antislavery wing of the Democratic Party. But during the War he consistently opposed the Lincoln administration. He believed the War was wrong, "and that nothing but evil could result from it, so far as the nation was concerned" [web site of Prabook]. Butts argues here that binding succeeding generations to the debts contracted by a prior generation is "monstrous; it is abhorrent to the laws of God, and utterly subversive of the inalienable Rights of Man." In the next 100 pages he tells us why this is so.

Sabin 9680. (38078) \$150.00

6. **[Cheever, George]: THE REPUBLIC OR THE OLIGARCHY? WHICH? AN APPEAL AGAINST THE PROPOSED TRANSFER OF THE RIGHT TO VOTE FROM THE PEOPLE TO THE STATE. BY ONE OF THE PEOPLE.** New York: American News Company, 1866. 36pp, stitched. Last blank loose, lightly foxed. Good+.

Cheever attacks the Republican Congress for failing, in the proposed Fourteenth Amendment, to guarantee to freedmen the right to vote. "The right to vote belongs to the people, and can neither be withheld nor bestowed by the government; otherwise the people are slaves. The essence of an oligarchy is the exclusion of particular classes from the vote." Congress's refusal is a lingering badge of slavery.

Sabin 70009. Not in Work, Blockson, Bartlett.

(22638) \$100.00

7. **Continental Congress: JOURNALS OF CONGRESS, FROM MONDAY, APRIL 19TH, TO SATURDAY, APRIL 24TH, 1779, INCLUSIVE.** Philadelphia: Printed by David C. Claypoole, Printer to the Hon. the Congress of the United States of America, [1779]. 24pp. Stitched, untrimmed, generously margined, original plain pale grey wrappers. Scattered foxing, Very Good.

1779 was the only year in which Congress's Journals were published on a weekly or monthly basis, rather than annually. Forty-one were published that year, each a rare separate imprint. A single volume was later reprinted from them in 1780.

This weekly Journal records votes on a variety of issues, and reports that North Carolina had nominated Chevalier Surean du Vivier as major "of a French regiment proposed to be raised in that state and commanded by colonel Chariol." A Resolution deploras "that suspicions and animosities have arisen among the late and present commissioners, namely, doctor Benjamin Franklin, Mr. Silas Deane, Mr. Arthur Lee, Mr. Ralph Izard, and Mr. William Lee." Votes are tallied on whether to recall Franklin as minister to France [the motion to recall failed]. Military matters in North Carolina, Rhode Island, and elsewhere are considered. The inhabitants of Bermuda, which is "guarded by British ships and garrisoned by British soldiers," are "in deep distress for want of provisions."

FIRST EDITION. Evans 16590. NAIP w013057 [9]. Hildeburn 3899 note.

(37988) \$850.00

8. **Continental Congress: JOURNALS OF CONGRESS, FROM MONDAY, MARCH 1ST, TO TUESDAY, MARCH 30TH, 1779, INCLUSIVE.** Philadelphia: Printed by David C.

Claypoole, Printer to the Honorable the Congress of the United States of America, [1779]. 56pp, stitched, untrimmed and generously margined. Scattered spotting, else Very Good.

During the first three months of 1779, and for each month of 1780, Congress's Journals were published monthly. Each is a rare separate imprint.

This issue treats various aspects of funding and provisioning for the War; authorizes General Washington to negotiate for an exchange of prisoners; insists on the supremacy of Congress over that of any State on questions of war and peace; reviews communications from Washington, Benedict Arnold, Thomas Paine, Baron Steuben, and others; and discusses foreign relations with European powers.

FIRST EDITION. Evans 16587. Hildeburn 3899 note. ESTC W27023 [7 locations].
(37987) \$1,750.00

9. **Crosby, Alpheus:** THE PRESENT POSITION OF THE SECEDED STATES, AND THE RIGHTS AND DUTIES OF THE GENERAL GOVERNMENT IN RESPECT TO THEM. AN ADDRESS TO THE PHI BETA KAPPA SOCIETY OF DARTMOUTH COLLEGE, JULY 19, 1865. Boston: 1865. 16pp, stitched. Old institutional rubberstamp in blank margin of title leaf. Good+.

Crosby deals with the knotty question of whether the seceded States are in the Union, or out of it. If they're in it, uh oh-- don't they get to vote on whether to adopt the 13th Amendment abolishing slavery? That seems crazy. So he opts for a practical solution-- in for some purposes, out for others. Out in particular when it comes to the restoration of the Union without slavery.

Sabin 17626.

(38053) \$100.00

10. **Dearborn, Henry:** "WAR DEPARTMENT, JUNE 11TH, 1802. | SIR, | IT HAS BEEN REPRESENTED THAT SUNDRY PERSONS, WHO HAVE BASELY DESERTED THE SERVICE OF THE UNITED STATES, ARE DESIROUS OF BEING PARDONED FOR THIS OFFENCE, AND READMITTED INTO THE ARMY. BUT IT IS THE DETERMINATION OF THE PRESIDENT OF THE UNITED STATES TO EXCLUDE SUCH DISHONORABLE CHARACTERS FROM THE RANKS FOR THE FUTURE. HE THEREFORE DIRECTS: THAT NO DESERTER, WHOSE NAME IS NOT BORNE ON THE ROLLS OF THE ARMY AS ORGANIZED IN PURSUANCE OF THE ACT OF THE 16TH OF MARCH, ENTITLED "AN ACT FIXING THE MILITARY PEACE ESTABLISHMENT OF THE UNITED STATES," BE HEREAFTER CONSIDERED AS BELONGING TO THE ARMY: THAT PROPER MEANS BE TAKEN FOR APPREHENDING SUCH PERSONS AS HAVE DESERTED ... AND THAT ALL OFFICERS BE STRICTLY ENJOINED NOT TO RECRUIT OR RECEIVE AS A RECRUIT, ANY MAN WHO HAS BEEN GUILTY OF DESERTION. H. DEARBORN" [Washington]: 1802. Broadside, 7-1/8" x 12-3/4." Signed in type, "H. Dearborn." At the end, Lieutenant Colonel Thomas H. Cushing submits, in full, "The foregoing exact copy of an original order of the Secretary of War, on file in this office, is communicated for your information and government." Followed by the initials in ink of Cushing. Light uniform toning. Old folds, a couple of shallow chips at blank edges. Very Good. Docketed in ink manuscript on the verso, probably by Cushing: "Copy of a letter from the Secretary of War Respecting Deserters."

Henry Dearborn [1751-1829] was Secretary of War in President Jefferson's cabinet for eight years. His career had included service as a Captain in the Revolution, U.S. Marshal for Maine, and Congressman from Maine [District of Massachusetts].
Not located in American Imprints, Sabin, or on OCLC or the online sites of AAS, Library of Congress, University of Virginia as of December 2021.

(37945) \$2,000.00

11. **Greene, William B.:** THE SOVEREIGNTY OF THE PEOPLE. Boston: A. Williams and Co., 1868. Original printed wrappers, stitched. 35, [1 blank] pp. Old rubberstamps on title page and front wrapper. A few spots. Good+.

The author, a Massachusetts man, dedicates his pamphlet "To the Illustrious Major-General George B. McClellan." Greene [1819-1878] calls himself "one of the most faithful although one of the least meritorious of his former subordinates." Wikipedia describes Greene as an abolitionist who nevertheless obviously had great affection for McClellan; a fan of Transcendentalism; and, by this time in his life, "a full-fledged anarchist" who favored interest-free banking.

His pamphlet emphasizes that "The legal peoples, and not Congress, are the true sovereign. It is the freedom of speech and of the press, the enjoyment of liberty and property, and the pursuit of happiness, which is to be ranked as of natural right, and which is guaranteed as such by the State constitutions." State tribunals have failed to give the people "the full benefit of the State Declarations of Rights."

Sabin 28620.

(38108) \$125.00

12. **King, Wm. W.:** IN THE SUPREME COURT. J.W. CANNON VERSUS CITY OF NEW ORLEANS. New Orleans: A. W. Hyatt, Stationer, 38 Camp St., [1873-1874]. 40pp. Stitched in original printed wrappers, with wrapper title as issued. Signed on front and rear wrap by King, with his notations in pencil here and there in the margins or text. Light dusting and spotting. Good+.

The case illustrates the enduring constitutional conflict between local and national powers. The U.S. Constitution states: "No State shall, without the consent of Congress, lay any duty of tonnage." Yet the City of New Orleans imposed a tax, which it called "levee duties," on Cannon's vessel, the Steamer Robert E. Lee, without the consent of Congress. The Robert E. Lee, which ran between Vicksburg and New Orleans. was famous for its victory in its race against the Steamer Natchez, from New Orleans to St. Louis.

This is King's submission to the U.S. Supreme Court in the case of Cannon vs. City of New Orleans. The Court's decision, upholding King's argument, is reported at 87 U.S. 577 [1874]. Challenging the tax as a "duty of tonnage," King rebutted the City's claim that its Ordinance merely was compensation for the vessel's use of City wharfage. Justice Miller, writing for a unanimous Court, eviscerated the City's claim, noting, as does King's argument, that the City levied the tax regardless of a vessel's wharfage use. Justice Miller made short shrift of the arguments of "ill-regulated and overtaxed towns and cities" which sought to evade the constitutional prohibition.

King [1813-1881] "moved with his family from Griffin, Georgia, to Tuscaloosa, Alabama, where he attended the University of Alabama and earned AB in 1833 and AM in 1836. He subsequently moved to New Orleans where he practiced law ... He married first, March 18, 1840, in Tuscaloosa, Catherine M Drish (1820-1880) ... Catherine suffered from mental health problems, contributing to a divorce in abt 1846 ... W.W. King married second, in

1849, in New Orleans, Sarah Anne Miller, daughter of Eliza Delaybaque Kirk and Branch Miller. He and Sarah had seven children: Frederic, Branch, Grace, May Flora, Annie, William and Nina. Their eldest daughter, Grace King (1851-1932) became an outstanding and successful author" [Find a Grave online].

Not located on OCLC as of December 2021.

(37952) \$350.00

13. **Ku Klux Klan: REVISED AND AMENDED PRESCRIPT OF THE ORDER OF THE * * * DAMNANT QUID INTELLIGUNT.** [Pulaski, Tennessee: Office of the Pulaski Citizen, 1868]. 24pp, stitched in original plain yellow wrappers [dusted]. The rear wrapper includes an ink inscription: "Preserve carefully-This is partly my work." In pencil, beneath the inscription, is added: "(H. H. Bates)". Light wear, Very Good. Housed in a decorated cloth portfolio

The Prescript was first printed in 1867 in Pulaski, in 16 pages [Allen 6418]. Our second edition, which adds a section on "Character and Objects of the Order," was "Printed secretly in the office of the Pulaski citizen" [OCLC]. One Laps McCord, a "printer boy" at the Citizen, described the printing "under the seal of secrecy and concealment, hiding the galleys of type as they were set up, and stitched them with our own hands in a back room over Shepard's store, and trimmed them with a shoe knife on the floor." His Certificate confirms the foregoing, all recorded in Volume V of The American Historical Magazine, January 1900, pages 4-5.

"The Organization shall be styled and denominated, the Order of the * * *." Its "CREED" "reverentially acknowledge[s] the majesty and supremacy of the Divine Being ... And we recognize our relation to the United States Government, the supremacy of the Constitution, the Constitutional Laws thereof, and the Union of States thereunder."

Explaining "THE CHARACTER AND OBJECTS OF THE ORDER," The Organization claims to be "an institution of Chivalry, Humanity, Mercy, and Patriotism ... First, To protect the weak, the innocent, and the defenceless, from the indignities, wrongs, and outrages of the lawless ... Second: To protect and defend the Constitution of the United States, and all laws passed in conformity thereto, and to protect the States and the people thereof from all invasion from any source whatever. Third: To aid and assist in the execution of all constitutional laws, and to protect the people from unlawful seizure, and from trial except by their peers in conformity to the laws of the land."

The Prescript lists the titles and duties of Officers; delineates the territory of "The Empire," comprising the former Confederate States and Border Slave States; and discloses qualifications for membership. The "Interrogatories to be asked" of applicants include, "Are you now, or have you ever been, a member of the Radical Republican party...?" "Did you belong to the Federal army during the late war?" "Are you opposed to negro equality, both social and political?" "Are you in favor of a white man's government in this country?"

The Ku Klux Klan, "founded in 1866 as a Tennessee social club, spread into nearly every Southern state, launching a 'reign of terror' against Republican leaders black and white." Klan assassinations were brutal and methodical. "In effect, the Klan was a military force serving the interests of the Democratic party, the planter class, and all those who desired the restoration of white supremacy ... It aimed to reverse the interlocking changes sweeping over the South during Reconstruction, to destroy the Republican party's infrastructure, undermine the Reconstruction state, reestablish control of the black labor force, and restore racial subordination in every aspect of Southern life." [Foner, RECONSTRUCTION 342, 425-426. Harper: Perennial Library Edition. 1989.

Not in Allen, Sabin, LCP, or the online site of AAS,. OCLC 13149959 [6- Columbia, DLC, Princeton, Filson, UNC, TN State Lib.] as of January 2022.

(38093) \$7,500.00

14. **Liberty Party:** THE LIBERTY ALMANAC FOR 1847. New York: William Harned, [1846]. 48pp, illustrated, stitched. Anti-slavery woodcut on title page, several other woodcuts in text. Scattered foxing, several corners turned, one corner torn with loss of several letters. Good+.

The Almanac contains material on the Liberty Party, the first anti-slavery political party, and the anti-slavery movement, including: runaway slaves, cruelties of slaveholding, slavery in the District of Columbia, organized religion's financial connections and ideological affinities with slavery [a minister "whipping his 'bitch' on Sabbath morning" before preaching, and admonishing her when she took the Lord's name in vain as she cried out in pain], slave suicides, slave hunts. Whittier's poem, 'The Martyr of Liberty', is printed. The last page is a list of books and tracts for sale at the Depository of the Anti-Slavery Society.

Woodcut illustrations include a slave being whipped, a fugitive slave on the run, the public slave prison at Washington, slaves protesting at the Capitol, and other such ugliness. Drake 8460. LCP 5866.

(38112) \$500.00

15. **McLean, John:** AUTOGRAPH LETTER, SIGNED, BY McLEAN AS POSTMASTER GENERAL OF THE UNITED STATES, 8 OCTOBER 1825, TO THE CASHIER OF THE BANK OF THE UNITED STATES, INQUIRING ABOUT INFORMATION CONCERNING McLEAN'S PROSECUTION OF "A CHARGE OF ROBBING THE MAIL." Washington DC: Post Office Department, 1825. Single page, entirely in ink manuscript, signed at the end, "John McLean." Very Good.

Future U.S. Supreme Court Justice McLean settled in Cincinnati, where he became its leading citizen, a Congressman, Judge of the Ohio Supreme Court. President Monroe appointed him Postmaster General; Andrew Jackson elevated him to the U.S. Supreme Court in 1829, on which he served until his death in 1861. He numbered among the dissenters in the Dred Scott case. During the mid-1840s he was mentioned as a Democratic candidate for the Presidency.

His Letter reads in full: "I will thank you to inform me, by the return of the mail, if convenient, whether the Bank of the U States has ever issued a note of \$100 numbered 6499, and one of \$50 numbered 2290. This information may be important in a criminal prosecution against a person, whom I have lately had arrested, on a charge of robbing the mail. I am under the impression that the above numbers were made from the numbers 1499 & 229, which it is supposed are the numbers that the notes originally contained.

"I am very respectfully | Your

obt sert | John McLean

"Cashier Bank U. States. (37956) \$750.00

16. **[Mississippi Slaves]:** INVENTORY OF THE ESTATE OF JEROME B. YATES, INFANT DEVISEE OF SLAVES AND REAL ESTATE FORMERLY OWNED BY IGNATIUS YATES, DECEASED. FILED BY THE MINOR'S GUARDIAN, THOS. O. DAVIS [Hinds County, Mississippi: 1849]. Single legal sheet, entirely in ink manuscript, docketed on verso in the neat hand of W.H. Hampton, Clerk of Court.

"An inventory of the real and Personal Estate of Jerome B. Yates, an infant devisee of Ignatius Yates, decd, now in the hands and possession of the undersigned, guardian of said infant.

" Real Estate

"A certain tract of Land, situate, lying and being in the County of Hinds, on five mile creek, Containing by actual survey about one hundred and 57.130 acres. Bounded on the north by the lands of C. K. Farr, on the South by the Lands of Joseph Morrison and Obedience Yates, on the East By the Land of N. B. Yates, and on the west by the Land of E. H. Davis: being said infants allotted share of a tract of Land devised jointly to him and others by said decedent.

Personal Estate

"A negro man slave named	Sam,	Black,	aged	33 years		
do do "		George,	"	do	20	"
do do "		Nelson,	"	do	21	"
do woman "		Ann,	"	do	35	"
do Girl "		Lucy,	"	do	12	
"						
do " "		Minerva,	"	do	5	
"						
do " "		Mary,	"	do	4	
"						
do " "		Rachael,	"	do	1	
"						
do Boy "		Tom,	"	do	14	
"						

"2 Plough Mewls, one Yoke Oxen 5 Head of Cattle, Seven Head of Sheep, 12 Head Hogs
Thos. O. Davis Guardian

"Sworn to and Subscribed before me May 14th 1849

W H Hampton Clk"

The Clerk of the Probate Court, William H. Hampton, was 2nd Lieutenant with the "Raymond Fencibles," Company G of the First Regiment, Mississippi Rifles, at the Battles of Monterey and Buena Vista during the Mexican American War.

The minor beneficiary, "Jerome B. Yates [1840-1877] was born in Mississippi to Ignatius [1795-1842] and Obedience [1807-1881] Yates. In April 1861, he enlisted as a private in Captain J. C. Davis's company of the 16th Mississippi Infantry and mustered in to Company C at Corinth. He re-enlisted in 1862 for two years or the War. In April 1863, he was promoted to sergeant. In August 1864, at the Battle of the Weldon Railroad, Yates was wounded in the arm, captured, and sent to a Union prison at Point Lookout, Maryland. He was paroled and exchanged a month later and returned to his regiment. He was among the four officers and 68 men from the regiment who surrendered at Appomattox Court House in April 1865.

In October 1877, while on business in Edwards, Mississippi, Jerome prevented his cousin, Horace Yates, from attacking a man by the name of House while in a drunken rage. Later, when Jerome stepped out of his carriage to tend to a wagon wheel, Horace attacked him and slit his throat from ear to ear. Horace was arrested, as was his father, Goldsboro Yates, who was considered an accessory and possibly a principal. Horace escaped.

(37953) \$1,850.00

17. [New Hampshire]: AN ACT FOR THE ENCOURAGEMENT OF LITERATURE AND GENIUS, AND FOR SECURING TO AUTHORS THE EXCLUSIVE RIGHT AND BENEFIT OF PUBLISHING THEIR LITERARY PRODUCTIONS FOR TWENTY

YEARS. [Portsmouth: Printed by Robert Gerrish, 1784]. Folio, pages 305-311, [1 blank], with caption title as issued. Page 305 with rubberstamps in upper margin, and a blotch which covers a still-legible word. Bound in later buckram, with rubbed gilt-lettered morocco spine label. Pages 321-322 missing. Hence Good only.

"Eight acts passed by the New Hampshire General Court, November 1783 through January 1784" [ESTC]. The first encompasses copyright protections for authors; others grant to the Continental Congress the power to levy taxes within the State; ease the rigors of imprisonment for debt; repeal a 1782 Act prohibiting British subjects and "all other persons inimical to the United States" from prosecuting suits in the State.

Evans 18622. ESTC W8195 [1- AAS].

(38002) \$100.00

18. **[New Hampshire]: AN ACT, TO PREVENT THE SPREADING OF THE SMALL POX IN THIS STATE...** [Portsmouth: 1789]. Folio. Pages 473-476, as issued. Caption title, as issued, generously margined. Bound in later buckram with rubbed gilt-lettered red morocco spine label. Two rubberstamps at head of page 473. Good plus.

This imprint consists of two Acts passed at the November 1788 Session. The first prohibits unlicensed persons from performing inoculations "with the Small Pox." The second, of greater significance, is "An Act, For carrying into effect an Ordinance of Congress of the thirteenth of September last, relative to the CONSTITUTION of the UNITED STATES." It fills three full pages, and establishes procedures for the election of candidates to Congress. Evans 21991. ESTC W8207 [1 location -- AAS].

[bound with] AN ACT, IN ADDITION TO AN ACT, INTITLED, "AN ACT TO LAY OUT AND CLEAR A HIGHWAY FROM BARNSTEAD TO NORTHWOOD IN THIS STATE..." [Portsmouth: 1789]. Folio. Pages 477-549 [incomplete: lacking pages 450-452]. First leaf worn with rubberstamps, final three leaves laid down. Middle leaves are decent. Good.

Twenty acts passed by the New Hampshire General Court, Dec. 1788 through Feb. 1789. Evans 21991. ESTC W8208. (38001) \$250.00

19. **Nolan, George M.:** AUTOGRAPH LETTER SIGNED, DATED AT HEADQUARTERS 34 MILITIA DISTRICT, MALDEN, GEORGIA, MAY 18, 1864, TO MAJOR JOHN Y. FLOWERS, DEKALB CO. BATT.:

"I HAVE RECEIVED ELECTION RETURNS FOR CAPTAIN, 1ST AND 4TH LIEUT. FROM 3RD CAMP G.M. DEKALB.

"THERE WAS A TIE FOR 4TH LIEUT. IN FIRST ELECTION AND MR. SMITH DECLINED A COMMISSION FOR 1ST LIEUT. WHICH DECLENSION I BELIEVE WAS ENDORSED ON BACK OF HIS COMMISSION AND FORWARDED TO MILLEDGEVILLE. BUT I DON'T RECOLLECT THAT CAPT. MAHAFFER HAS SENT HIS DECLENSION TO ME.

SEE MR. MAHAFFER AND LET HIM DECLINE HIS COMMISSION ON THE BACK OF IT AND DATE IT BEFORE THE LAST ELECTION 20 DAYS - AND THEN I CAN FORWARD. YOUR EARLIEST ATTENTIONS TO ... EARNESTLY SOLICITED. VERY RESPY, YR OBDT SVT GEO. M. NOLAN, COL. AND A.D.C." Georgia: June 15, 1864. Small sheet, 5" x 7-3/4". [2] pp, completely in ink manuscript. reflecting the democratic militia procedures among Confederate troops. Light toning, minor bleed through of ink. Signed "Geo. M. Nolan." Good plus or better.

Col. George M[arcellus] Nolan [1834-1906], a Georgia native, was an attorney in Henry County for many years. He was the Judge Advocate of the 85th Regiment Georgia Militia in March, 1862; but as of 2 May 1862 he enlisted as a private with the 53rd Georgia Infantry. By October he was, oddly, listed as AWOL but had reached the rank of Sergeant Major. Military records are sporadic, but he served through the end of the War and reached the rank of colonel. He filed an Application for Special Pardon and signed an Amnesty Oath in August, 1865. He continued to work as a lawyer in Henry County through the late 1880s, and then moved to Jacksonville, where he practiced law and was its mayor from 1903 until his death.

Major John Yancey Flowers [1815-1887] helped organize Company A, 38th Georgia Regiment, called the "Murphey Guards" after DeKalb lawyer Charles Murphey. Flowers and his men mustered in on September 26, 1861, at Camp Kirkpatrick, DeKalb County. Flowers was promoted to the rank of Major in February, 1862; his company was popular, and had to be split into Companies A and D [the 'McCullough Rifles']. Flowers led his men in Savannah against attacks by the enemy, but a hernia caused him to resign from duty on the field in July, 1862. He lost two sons and a son-in-law during the war. [History of the 38th Regiment of Georgia Volunteer Infantry website, 38thga.com, managed by Dale Gary Nichols, author of Hurrah For Georgia!: The History of The 38th Georgia Regiment; "The Rainey Family", <https://www.bauer.uh.edu/parks/genealogy/rainey.htm>, managed by Michael S. Parks.]

(38021) \$350.00

20. **[North Carolina]:** CONSTITUTION OF THE STATE OF NORTH-CAROLINA, TOGETHER WITH THE ORDINANCES AND RESOLUTIONS OF THE CONSTITUTIONAL CONVENTION, ASSEMBLED IN THE CITY OF RALEIGH, JAN. 14TH, 1868. Raleigh: Joseph W. Holden, Convention Printer, 1868. 129, [1 blank], IV [index], [2 blanks] pp. Clean and Very Good text. Bound with the following imprint in contemporary sheep, covers detached.

[bound with] JOURNAL OF THE CONSTITUTIONAL CONVENTION OF THE STATE OF NORTH-CAROLINA, AT THE SESSION 1868. Raleigh: Joseph W. Holden, Convention Printer. 1868. 488, [1], [1 blank] pp. Light scattered spotting. Except for the condition of the binding, Very Good.

The Constitution, despite passionate objections chronicled in the Convention, made no distinctions based on race. Such a decision, the Convention explains, "was inevitable. Without it there can be no return to the Union, no escape from the hopeless ruin which is inseparable from a continuance in our present unnatural condition." Otherwise, "to refuse this right would be to continue slavery in a modified form, a course too abhorrent [sic] to the spirit of the age to be permitted."

The Constitution thus extended the suffrage to "every male person, twenty-one years old or upward," born in the United States or naturalized, who met residency requirements, and who took an oath to support the Constitutions of the United States and North Carolina. Persons who denied "the being of Almighty God" were "disqualified for office." The Constitution also established "a general and uniform system of Public Schools, free of charge to all the children of the State between the ages of six and twenty-one years." The University of North Carolina was included in this provision. All able-bodied male citizens were liable to duty in the Militia.

The accompanying Ordinances established that persons who purchased property as slaves were entitled to the property, regardless of prior laws forbidding slaves to hold property. Acts intimidating voters were proscribed, and subject to fine and imprisonment.

The Convention prints the Minority Report of the Committee on Suffrage, objecting to "admission to all the highest rights and privileges of citizenship of a race, consisting almost

entirely of those recently emerged from slavery and unfitted by previous education and habits of thought and self-reliance, for the intelligent discharge of the duties and responsibilities, which would devolve upon them ... We deny the power of Congress to prescribe to North-Carolina who shall or shall not vote." The Minority decried that "the States of the South [are] being Africanized and Radicalized."

Thornton, Official Publications 41. II Harv. Law Cat. 236. 166 Eberstadt 109 [Constitution only].

(38064) \$500.00

21. **[North Carolina]: TO THE PEOPLE OF NORTH-CAROLINA.** [np: 1868]. Caption title, as issued. 46, 2 pp. Stitched. Very Good but for two old rubberstamps [one in upper margin of title page, the other in lower margin].

The pamphlet consists of an Address explaining the proposed 1868 Constitution, plus the printed Constitution, with Ordinance submitting it to the People for ratification. Its signers are listed in type at the end. The Constitution repudiates the doctrine of secession and asserts citizens' paramount loyalty to the United States. "All the male inhabitants of the State, without regard to race, color, or previous condition" have the right to vote and hold office.

The drafters forcefully rebut "the charge" that the Constitution "favors the social equality of the races. It is untrue. With the social intercourse of life, government has nothing to do; that, must be left to the taste and choice of each individual. . . Some persons have been so bold or so ignorant as to allege, that white and colored people, are required to be enrolled in the same militia company, and white and colored children to attend the same schools, and that intermarriage between the races are encouraged. All these assertions are false, as any reader of the Constitution will see." Similar efforts to excite a "false prejudice" against adoption of the Constitution are deplored.

Thornton, Official Publications 419 [1- NcU]. Sabin 55698. OCLC records a regrettable mish-mash of facsimiles and originals.

(38056) \$850.00

22. **[Sargent, Lucius M.]: THE LEGAL REMEDY; OR, THE BEAUTIES OF GOING TO LAW; AS ILLUSTRATED IN THE FAMOUS CASE OF PILKINGTON VS. POPSQUIRT.** BY THE AUTHOR OF "MY MOTHER'S GOLD RING," &C. &C. Boston: Redding and Company, 1849. Original printed wrappers, stitched, 24pp. With a humorous frontispiece, captioned, "What Befell Mrs. Pilkington." Several old rubberstamps; otherwise a clean text. Good+.

A tale illustrating the tendency of litigation to create tempests from teapots. Sargent concludes: "What money and labor are annually sacrificed in the litigious pursuit of that, which is not worth pursuing-- for the winning of that, which is not worthy of being won!" The plethora of litigation is caused by "the bad temper of clients, and the greediness of pettifoggers."

Sabin 77011. (38072) \$125.00

23. **Selden, Dudley: CONVEYANCES ON RECORD IN THE REGISTRAR'S OFFICE: FROM THE 1ST JANUARY, 1825 TO THE 1ST JANUARY, 1838.** New York: Alexander S. Gould, 1838. 175, [1 blank] pp, plus 4 folding street maps [printed on onion skin] of Harlem Commons [one map with repaired closed tear without loss]. Tipped in also is a one page copy of an 1832 manuscript deed from Dudley Selden and his wife to George Marshall. Bound in original dark cloth, with floral patterns stamped in blind; gilt-lettered black morocco spine title.

Minor wear, light scattered foxing, Very Good. Contemporary ownership and gift inscription on front pastedown: "John H. Southard from John Adriance | Not to be loaned under any circumstances."

"The book is very scarce" [Sabin]. A significant contribution to the history of New York City, it consists of a collection of legal documents on land ownership in Harlem. Included is a "Deduction of the Title to Harlaem Commons," which explains Governor Richard Nicolls' 1666 land grant of that area. Selden [1794-1855], New York lawyer, State Assemblyman and [briefly] a Jacksonian Congressman, purchased more than 300 acres of Harlem land in 1825 from heirs of the Governor's original grantee.

John Adriance and his family were Harlem land owners and residents. The names of several members of the Adriance family appear in these documents. AI 52833 [3]. Sabin78969. Cohen 9538. OCLC 191248758 and 35867667 locate six originals: AAS, NYHS, NYPL, U MN, U IL, as of December 2021; and many, many facsimiles.

(37992) \$1,000.00

24. **[Slave Hire]:** ON THE FIRST DAY OF JANUARY 1829 I PROMISE & OBLIGE MYSELF HEIRS OR ASSIGNS TO PAY OR CAUSE TO BE PAID UNTO ROBERT F. TUBMAN [---] HIS HEIRS OR ASSIGNS THE SUM OF FORTY FIVE DOLLARS IT BEING FOR THE HIRE OF NEGRO MAN ISAAC FOR THE YEAR OF 1828. I FURTHER AGREE TO FIND SAID NEGRO GOOD SUFFICIENT CLOTHES & ACCOMMODATIONS & IF NOT PAID BY THE ABOVE TIME, TO PAY INTEREST UNTIL PAID. AS WITNESS MY HAND & SEAL THIS 2ND DAY OF JANUARY 1828. NOAH RICHARDSON | WM D. BARROW | ALL SICK TIME WILL BE DEDUCTED. | INTEREST 23 CTS." [Dorchester County, MD]: 1828. Single leaf, oblong 6-5/8" x 8." Toning, light wear, Good+. Docketed on verso.

Robert Francis Tubman [1791-1864] was a farmer and physician from Cambridge, Maryland. In 1842, he bought an additional 356 acres which he split into two estates called Glasgow and Glenburn, one for each of his sons; the Glasgow property has been registered with the National Register of Historic Places. Tubman built a small chapel at the Glasgow Estate which held mass until the 1880s. He owned 7 slaves at the time of this document, but was listed as owning 30 slaves by the 1850 US Federal Slave Census. Noah Richardson [1774-1847] and William D. Barrow [1790-1870] were both farmers and slave owners.

(38008) \$375.00

25. **Sumner, Charles:** AUTOGRAPH LETTER, SIGNED AS UNITED STATES SENATOR, WRITTEN FROM "BOSTON 31ST OCT '71" ASKING AN UNKNOWN RECIPIENT TO PROVIDE HIM WITH SEVERAL LEGISLATIVE BILLS RELATING TO RECONSTRUCTION. Boston: 1871. Single page, folded to [4]pp, bifolium. Each page 5" x 8-1/8." The two leaves separating along the spine. Sumner's signature at the end has an ink smudge partially affecting the "C" in his first name. Because Sumner's handwriting was terrible, we have made a couple of leaps of faith in our translation. Very Good.

Sumner [1811-1874] would die in office as a leading Republican Senator devoted to equal rights for Blacks, and to preventing the former Rebels from reversing the results of the War. Thus Sumner sought to diminish their political influence by delaying the return of the Rebel States to full participation in the polity.

Writing from his Boston home, he seeks information related to his Reconstruction policies. His note reads, in full: "Please send me

" [1] Mr. Harlan's Bill of Dec. '61 on Provg civil Govts for the rebel States.

"[2] Mr. Sumner's bill or substitute for Confiscation Bill. April or May '62.

"[3] Mr. S--- s bill for arming negroes.

"Much oblige | Yours truly, | Charles Sumner." (38007) \$650.00

26. **Sumner, Charles:** AUTOGRAPH LETTER, SIGNED, FROM THE U.S. SENATE CHAMBER, 15 DECEMBER 1865, TO AN UNKNOWN RECIPIENT, EXPRESSING "HOPE THAT PAYMASTER BINNEY MAY HAVE AN OPPORTUNITY TO VINDICATE HIMSELF." [Washington]: Senate Chamber, 1865. Letter written and signed, "Charles Sumner," in ink script on the first page of a [4] page bifolium. Folded, inner pages blank, docketed in a different hand on the last page. Very Good.

"My dear Sir, | I hope that Paymaster Binney may in some way have an opportunity of purging himself from the suspicions under which he has fallen. I know not how this is to be done, & I only ask for justice. | Faithfully yours, | Charles Sumner."

Col. Amos Binney [1830-1880] was Chief Paymaster of the United States Army during the Civil War. According to the Alexandria Gazette, Binney was "a paymaster of long standing in the service, being entrusted with several millions of dollars. . . [He] converted three millions of it into seven-thirty bonds and deposited them in the Norfolk and other banks. Complaints being made to the Paymaster General that the bank of Richmond were charging soldiers who had been paid off in these bonds a heavy discount, which resulted in the instant transfer of Colonel Binney to the National Capital for examination." [Alexandria Gazette, Volume 71, Number 177, 26 August 1865, page 1.]

Newspapers around the nation reported that Binney was suspected of having made thirty or forty thousand dollars by buying up these heavily discounted bonds. Binney was given the option of restoring the funds unlawfully in his possession and being honorably discharged, or appearing before a court martial. Seventeen other implicated paymasters had already been cashiered. Binney, according to news reports, had decided to take his chances at trial. But Paymaster General Brice informed Secretary of War Stanton, on 26 December 1865, that Binney had made restitution; though the restitution was an admission of the criminal malfeasance alleged, Brice opined that prosecution was not appropriate. Binney was mustered out of service. [Cleveland Daily Leader, 20 Nov. 1865, Page 1; The Daily Phoenix, 15 Nov. 1865, Page 1.]

(37959) \$500.00

27. **United States, Third Congress:** JOURNAL OF THE SENATE OF THE UNITED STATES OF AMERICA, BEING THE FIRST SESSION OF THE THIRD CONGRESS, BEGUN AND HELD AT THE CITY OF PHILADELPHIA, DECEMBER 2, 1793.

[bound with] JOURNAL OF THE SENATE OF THE UNITED STATES OF AMERICA, BEING THE SECOND SESSION OF THE THIRD CONGRESS, BEGUN AND HELD AT THE CITY OF PHILADELPHIA, NOVEMBER 3, 1794. Philadelphia; Philadelphia: John Fenno, 1793 [i.e., 1794]; 1794 [i.e., 1795]. Folio. 205, [1 blank]; 114, [12] pp. Each Journal is a separate imprint with separate title page, each complete with Index, bound together in contemporary calf, with raised spine bands and gilt-lettered red morocco spine label. Light occasional toning, Very Good. Old Historical Society bookplate, and 'withdrawn' stamp on the plate. Laid in is the title page for pamphlet entitled, "Extracts from the Journals of Congress, Relative to the Capture and Condemnation of Prizes, and the Fitting of Privateers...", Philadelphia: Dunlap. 1776 [Evans 15154].

These documents print Messages of President Washington, including his December 1793 Address opening the Session, his first Message to Congress since his re-election. He warns, "The United States ought not to indulge a persuasion, that, contrary to the order of human events, they will, for ever, keep at a distance those painful appeals to arms, with which the history of every other nation abounds. There is a rank due to the United States among nations, which will be withheld, if not absolutely lost, by the reputation of weakness." Washington urges fairness in commerce with the Indians: "It ought to be conducted without fraud, without extortion, with constant and plentiful supplies."

Washington is profoundly annoyed with Citizen Genet, who has sought "to involve us in war abroad, and discord and anarchy at home." The First Session records Federalists' successful challenge to Albert Gallatin's election as Senator from Pennsylvania, on the ground that he had not satisfied the Constitution's nine-year citizenship requirement. Affidavits and other information are printed regarding Gallatin's early years in the country. Also discussed are fiscal matters; the Bank of the United States; the treaty with England and other foreign policy issues; protection of the frontier and military questions; the Eleventh Amendment to the Constitution, withdrawing federal courts' jurisdiction of suits against a State by citizens of another State; and a host of other matters. The Session closed in May 1794.

The President's Message opening the Second Session focuses on the Whisky Rebellion, the major domestic event of the day. Washington recounts the attacks upon federal officers, including the kidnapping of a federal marshal; and his careful, measured response, finally calling out the militia. The Second Session devotes much attention to matters affecting the militia, and issues involving Creek Indian lands within the State of Georgia.

Evans 27911, 29724.

(37986) \$2,000.00

28. **Warmoth, H[enry] C[lay]:** LETTER OF H.C. WARMOTH, CLAIMANT OF A SEAT IN THE HOUSE OF REPRESENTATIVES AS DELEGATE FROM THE TERRITORY OF LOUISIANA, ADDRESSED TO SENATOR WILLIAMS, CHAIRMAN OF THE SUBCOMMITTEE ON RECONSTRUCTION FOR LOUISIANA. Washington, D.C.: McGill & Witherow, Printers and Stereotypers, 1866. Original printed yellow title wrappers [minor wear]. 39, [1 blank] pp. Stitched. Rubberstamp on front wrapper, else a clean and Very Good copy.

Warmoth [1842-1931] was born in Illinois and was admitted to the Bar in 1860. During the War he fought for the Union as lieutenant colonel of the 32nd Missouri Volunteer Infantry. After the War he went to New Orleans to resume his career. To emphasize that Louisiana had not been reconstructed as a State, he ran as a "territorial delegate" to Congress in an unofficial election in which Blacks cast about 19,000 votes. At the time, Louisiana still restricted the suffrage to white males.

Warmoth's Letter argues, like many Republicans, that Louisiana is not a State in the Union. Its statehood in the Confederacy has been smashed, and nothing constitutional has taken its place. Enemies of the Union continue to dominate the power structure, and the federal government provides no security for "the lives, liberty and property" of loyal Union men. Warmoth chronicles the acts of violence and disloyalty against the Union, blacks, and Union sympathizers. The military government established by General Banks provides no protection or legitimacy.

Not in Sabin, LCP, or Thompson. OCLC locates about twenty institutional copies as of January 2022.

(38074) \$250.00

29. **[Wilson, John Lyde? Quintero, J.A.?]: THE CODE OF HONOR. ITS RATIONALE AND USES, BY THE TESTS OF COMMON SENSE AND GOOD MORALS, WITH THE EFFECTS OF ITS PREVENTIVE REMEDIES. SECOND EDITION, REVISED.** New Orleans: E.A. Brandao & Co., Print, 34 Magazine Street, 1883. 42pp, stitched in original printed wrappers. Wrappers dusted, else a lightly toned but clean text. Good+.

Some institutions listed on OCLC attribute authorship to one J.A. Quintero. My humble efforts have not confirmed or rebutted that claim. Neither his name [nor that of any other author] appears in this pamphlet, which sets forth in punctilious detail the proper way for gentlemen to schedule or avert a duel.

"The Code of Honor consists of rules for the government of gentlemen involved in such personal grievances. It is a digest of approved usages. It has the sanction of time and experience, and derives its authority from custom, among the refined, in the most enlightened nations, during several centuries, to this day. It is for civilized communities, and prevails among men of gentle manners. It therefore, recognizes no necessity for gentlemen to wear concealed weapons, and gives no countenance to that barbarous and homicidal practice. It urges, that an insult in public, by word or behavior, should not be resented there; and that a good quarrel will always keep for appropriate settlement."

OCLC 10683349 [11] as of December 2021.

(37966) \$175.00

30. **[Woodbridge, Wylly: AN APPEAL TO THE CONGRESS OF THE UNITED STATES BY AN AMERICAN CITIZEN FOR TRUTH AND JUSTICE.** Washington: Printed at the Office of The Great Republic, 1868. Original printed wrappers [two rubberstamps], stitched. 26 pp, each page printed in two columns. Except for the rubberstamps, Very Good.

The author of this appeal, Wylly Woodbridge [1814-1878] of Savannah, explains, "Having been an inhabitant of the state of Georgia during the rebellion; and since the war a public officer, by the nomination of the President... I do feel anxious to remove all doubts on the subject of my entire heartfelt loyalty at all times to the government of the United States." When Sherman's army entered Savannah, Union troops seized Woodbridge's cotton, stored in a warehouse. Woodbridge petitioned Congress for a return of his cotton, demonstrating in this pamphlet that he has always remained loyal to the Union.

In January 1865 General Sherman endorsed Woodbridge's appointment as Collector of the Port of Savannah. He has always been, says Sherman, "a steady, thorough Union man." But in April 1867 the Secretary of War received an anonymous, "mean, insinuating, and poisonous, dishonorable and cowardly" letter charging that Woodbridge was indeed a rebel, and thus not entitled to a return of the seized cotton.

Woodbridge's pamphlet prints documentation and correspondence dating from late November, 1860, demonstrating the harassment and invective he incurred for opposing secession, asserting that Lincoln had been legitimately elected, and proclaiming his loyalty to the Union. The Woodbridge family papers are housed at the Georgia Historical Society. II De Renne 207. OCLC 191287268 [2- U GA, AAS] as of January 2022.

(38070) \$500.00