

1. **[Almon, John]:** A NEW AND IMPARTIAL COLLECTION OF INTERESTING LETTERS, FROM THE PUBLIC PAPERS; MANY OF THEM WRITTEN BY PERSONS OF EMINENCE, ON A GREAT VARIETY OF IMPORTANT SUBJECTS, WHICH HAVE OCCASIONALLY ENGAGED THE PUBLIC ATTENTION: FROM THE ACCESSION OF HIS PRESENT MAJESTY, IN SEPTEMBER 1765 [sic], TO MAY 1767. IN TWO VOLUMES. VOL. I. London: Printed for J. Almon, 1767. viii, 358 pp. A couple of small circular rubberstamps, lightly foxed. Good+.

[with] VOL. II. London: Printed for J. Almon. 1767. [2], ii, [3]-320 pp. Couple of small circular rubberstamps, another rubberstamp at page [3] warning readers not to deface the book. Good+. The two volumes recently bound in attractive, matching two-toned paper over boards, with spine labels.

"Another edition [i.e., ours] has the date of accession misprinted as 1765" [ESTC]. 1760 is the correct date. "Contains numerous articles on America, and is a useful addition to Almon's 'Remembrancer'." [Sabin]

Volume I begins with an Advertisement, observing that a similar work was published "a few years ago in small volumes. That collection has for some time been entirely out of print; and being frequently asked for, has induced the editor to offer it again to the public; but with such Additions, as the subsequent occurrences, not only made necessary, but must render the work particularly useful and estimable. These are the letters on the several late changes of administration, on the taxation of the colonies, the dearness of provisions, and a variety of other interesting subjects. And in order to form something like a series of the whole, this collection begins with the accession of his present majesty; and throughout the first volume, several papers which had been omitted in the former work, are inserted in their proper places. In a word, justice to the argument, and impartiality to the cause, have been the guides by which this collection has been made."

ESTC T130771. Sabin 52446. Adams, American Controversy 67-10.

(38954) \$1,000.00

2. **[Bank of the United States]:** GAZETTE OF THE UNITED STATES. PUBLISHED WEDNESDAYS AND SATURDAYS BY JOHN FENNO . . . [NO. 87, OF VOL. II.] SATURDAY, FEBRUARY 26, 1791. [WHOLE NO. 191.]. Philadelphia: 1791. Folio sheet, folded to [4] pp, each page 10-1/8" x 16" and printed in three columns. Disbound, vertical blank margins discolored. Text bright and clean. Good+.

The first column and a half prints No. 24 of Discourses on Davila. Then slightly more than four columns print Fisher Ames's Speech supporting establishment of the Bank of the United States. Like his fellow Federalist [and author of the Bank Bill] Alexander Hamilton, Ames says the Bank is "almost essential to revenue, and little short of indispensable necessity in times of public emergency." Its "new capital will invigorate trade and manufactures with new energy. Ames endorses the notion that the Constitution has "implied powers" to enact the Bank Bill "tho not expressed in the frame of government." The Gazette reports the passage of the Bill through Congress.

Several short articles seek Proposals for printing Hazard's Collection of State Papers; Hugh Rowan's notice that "A Negro Man eloped" - - Caesar, "noted as a preacher among the blacks," has run away. A portion of Hamilton's Report on the Subject of a Mint is also printed.

(39026) \$650.00

3. **[Banks, Nathaniel]:** HEAD QUARTERS BANKS' DIVISION. GENERAL ORDER. WINCHESTER VA. NO. 26. MARCH 13TH, 1862. THE TROOPS OF THE COMMAND, NOW IN THE VICINITY OF WINCHESTER, WILL NOT BE ALLOWED TO LEAVE THEIR RESPECTIVE CAMPS WITHOUT PASSES, APPROVED BY COMMANDERS OF REGIMENTS, DETACHMENTS OR BATTERIES. THE PROVOST MARSHAL IS ORDERED TO ARREST ALL SOLDIERS ABSENT FROM THEIR COMMANDS WITHOUT SUCH WRITTEN PERMISSION. THE TROOPS ARE CAUTIONED AGAINST ANY INJURY TO PRIVATE OR PUBLIC PROPERTY, OR ANY INTERFERENCE WITH THE RIGHTS OF CITIZENS. EVERY ABUSE OF THIS CHARACTER, BY WHOMSOEVER COMMITTED, WILL BE RIGIDLY INVESTIGATED AND PUNISHED WITH SEVERITY. Winchester Va.: 1862. Printed folio broadside, 16-1/2" x 15." Bold type faces. Signed in type by Maj. Gen. Banks and his adjutant, Major R. Morris Copeland. Matted. Old folds, with a couple of pinholes at the folds [text unimpaired], early repairs on verso without impairing text. A rare Civil War artifact. Except as noted, Very Good.

Major General Nathaniel Banks, a Massachusetts Congressman and early Republican, was one of Lincoln's first "political generals." He had been Speaker of the House before the War. Though he had little success as a military leader, Banks had the political skills necessary to recognize Winchester's strategic importance. The key to the Shenandoah Valley, with roads and railroads connecting it to the North, Winchester was a prize for both the Union and the Confederacy. Union sentiment existed, and alienation of its population would be disastrous for the North.

In July 1861 Banks was placed in command of the Department of the Shenandoah. Ten days after issuing this General Order Banks met Stonewall Jackson. "When Major General George McClellan launched his Peninsula Campaign in March 1862, authorities charged Banks with the task of preventing Major General Stonewall Jackson's 17,000 Confederate soldiers from reinforcing the Southern defenses at Richmond, Virginia. Banks's first encounter with Jackson at the Battle of Kernstown, on March 23, 1862, was a tactical victory for his Union forces" [American History Central, article on Banks].

"Initially individuals were hassled and homesteads plundered. In the spring of 1862, Union general Nathaniel P. Banks attempted to placate Winchester's population." [Encyclopedia Virginia, Winchester during the Civil War]. This broadside states, "The Commanding General learns with sincere regret that officers in some cases, from mistaken views, either tolerate or encourage depredations upon property. This is deeply regretted. He calls upon them to reflect upon the destructive influences which attend such practices, and to remember the declaration of the great master of the art of war, that pillage is the most certain method of disorganizing and destroying an army."

Banks assures the citizenry, "All well disposed persons are invited to pursue without obstruction their ordinary vocations," and due process of law will be punctiliously observed with any arrests. There will be no liquor for the troops, and severe punishments for violating this order.

OCLC 907974489 [1- Harvard] as of December 2022. Not at online sites of Library of Congress, AAS, University of Virginia, Library of Virginia.

(38979) \$3,000.00

4. **Barnes, David M.:** THE DRAFT RIOTS IN NEW YORK. JULY, 1863. THE METROPOLITAN POLICE: THEIR HONORABLE RECORD. New York: Baker & Godwin, 1863. 117, [blank], [1], [1 blank] pp. In a presentation, gilt-decorated and gilt-

lettered cloth binding to Hon. Robert Waddle [upper portion of front cover sunned]. With elegant presentation slip in typescript laid in: "Presented, with their compliments, by the Metropolitan Police of the City of New York." Clean text. Very Good.

This book tells the story of the notorious Draft Riots of 1863, which occurred little more than a week after the Battle of Gettysburg. "One of the first studies to appear on the riots" [Nevins].

Barnes dedicates the book to the New York Police Department. His text praises numerous bureaus and individuals of the Department. Stimulated by the Lincoln Administration's new Conscription Law and New York's first draft lottery, the rioters-- mostly working class Irish Americans-- began to attack military facilities. But other targets soon caught their eye. In a city with a long history of riots and other civil disturbances, this one stands out for its brutal assault on New York's black residents.

Barnes says the riots were "ostensibly in opposition to" the Draft, "but early took the character of an outbreak for the purposes of pillage, and also of outrage upon the colored population." The Detective force was "occupied in giving information to the negroes in quarters threatened by the mob, and directing them where to find safety."

A precinct-by-precinct description of the riot is printed. The burning of the Colored Orphan Asylum, and the deaths of "colored victims," are described in detail.

FIRST EDITION. Sabin 3513. II Nevins 120. Blockson 2741. Not in Eberstadt, Decker, Work, Harv. Law Cat., LCP.

(38902) \$2,750.00

5. **Bates, Edward:** OPINION OF ATTORNEY GENERAL BATES ON CITIZENSHIP. Washington: 1862. 27, [1 blank] pp. Stitched, original printed wrappers present but detached and edge-chipped. Rear wrapper addressed in manuscript to Hon. William D. Lewis, Philadelphia, from "Attorney Genl's Office | Official Business | T.J. Coffey | Asst. Atty Genl." Text clean. Good+.

An important opinion by Bates, anticipating the Fourteenth Amendment by six years. For the first time, the chief legal officer of the United States affirmed the citizenship of native - born Black Americans. Bates discusses in detail the nature of citizenship. A careful lawyer, he refrains from outright disagreement with Dred Scott, instead confining that case to its facts and the peculiar jurisdictional and procedural circumstances in which it had reached the Supreme Court.

FIRST EDITION. LCP 962. Sabin 3925. Not in Finkelman, Harv. Law Cat., Marke, or Monaghan.

(39025) \$450.00

6. **Bryan, Edward B.:** THE RIGHTFUL REMEDY. ADDRESSED TO THE SLAVEHOLDERS OF THE SOUTH. Charleston: Published for the Southern Rights Association. Steam Power Press of Walker & James, 1850. Original printed front wrapper [blank upper corner chipped, spine wrapper shorn], stitched. [2], [2], [3]-152 pp. A clean text. Except as noted, Very Good.

Bryan's book is a passionate expression of Southern Rights, a proslavery movement that became popular in the South after the Compromise of 1850. The author prescribes Secession as "the rightful remedy."

"If the South, in order to defend the oldest and most time-honoured institution extant, in order to defend the rights transmitted to us by our fathers, or to defend the property we

receive from the great master of things; if to defend these the South is forced to cast off all connection with corrupt sovereignties, and to dissolve its union with the North, and set up its own government to suit itself and its peculiar institutions and pursuits; we will endeavour to connect such facts as may lead to the correct conclusion as to the probable advantages of such a measure."

FIRST EDITION. III Turnbull 87. Not in LCP, Blockson, Sabin, Work.

(38990) \$450.00

7. **Chase, Salmon P.:** AUTOGRAPH LETTER, SIGNED "S.P. CHASE" FROM WASHINGTON, 17 DECEMBER 1867, TO "MY DEAR COOKE," CONCERNING CHIEF JUSTICE CHASE'S PERPETUAL YEARNING FOR THE PRESIDENCY AND COOKE'S OPINION THAT THE REPUBLICAN NOMINATION OF GENERAL GRANT WAS "INEVITABLE." Washington: 1867. [3], [1 blank] pp. Two detached leaves, [4] pp. Final three lines of the Letter written in the left margin of the first page. Old folds, else Very Good.

The Letter is to Financier, Railroad Baron, and friend Jay Cooke, upon whom Chase relied, as Lincoln's Secretary of the Treasury, for financial assistance to the Union and, not coincidentally, for himself. Some of the Chief Justice's Letters are of great historical significance, like this one. Unfortunately Chase had terrible penmanship, a curse to succeeding generations challenged with translating them accurately. We have done our best to reproduce this important Letter, revealing his ever-present desire for the Presidency and his discomfort with Cooke's alleged opinion that General Grant had the Republican nomination sewn up. The Letter to "My Dear Cooke" reads as follows:

"The other day I replied to the friendly criticism of yours on words only half mine; now you will allow me to say something to you. . . It is said here that when you were last in Washington you sent for Painter, & had a long talk in the course of what you represented that 'the Chief Justice had no chance', that 'the nomination of Gen Grant was inevitable,' and advised to come out at once to that effect in his dispatches.

"I did not believe this, but could not contradict it for it seemed to come very direct.

"If the entirety of the country - of the Republican require the name of Gen. G - I shall be the last to object any claim of my own. I have never. But very many of the best & most reliable friends of our cause & of the country have insisted & yet insist on the nomination of a Republican & a civilian of experience & tried abilities; and many of them have brought forward my name. With them I support you cordially to concur, and willing to cooperate until the event not appearances should decide, and I need not say to you how sorry I shall be to find it otherwise.

"Yours affectionately & truly S P Chase

"No word of this to anybody.

"P.S. your letter of the 13 is just received - I agree almost wholly in your views - wholly I believe except on a . . . loan or making interest payable in Europe. This would I think be unwise & might endanger . . . H.D. has just left me. He says he is sure you had no such understanding with Painter . . . But I wish my friends were as bold as the friends of Gen. G. The success would be sure."

(38879) \$1,250.00

8. **[Chinese Immigration]:** ALLEGED ILLEGAL ENTRY INTO THE UNITED STATES OF CHINESE PERSONS. LETTER FROM THE SECRETARY OF THE TREASURY, TRANSMITTING ... COPIES OF CERTAIN PAPERS RELATIVE TO THE ALLEGED ILLEGAL ENTRY INTO THE UNITED STATES OF CHINESE PERSONS.

[Washington: 1897]. 55th Cong., 1st Sess. SD167. Caption title as issued. 194pp, disbound [last several leaves detached but present]. Else Very Good.

With evidence and detailed testimony. (38880) \$75.00

9. **[Civil Rights]: THE SHORTER CATECHISM OF NEGRO EQUALITY.** Philadelphia: Harris Printer, [1855-1864]. Broadside, 3-3/4" x 6". Toned, repaired tears [without loss] on blank verso. About Good+.

A scarce, ephemeral Republican Party broadside. Democrats, despite their claims that Republicans are the party "of negro equality," have themselves been the chief supporters of measures to enfranchise Negroes. "Who gave negroes the right of suffrage in New York? The Democratic Party. . . Who married a negro woman, and by her had mulatto children?- Richard M. Johnson, a good Democrat" and Martin Van Buren's Vice President.

"Who, with the above facts, and many others staring them in the face, are continually whining about 'negro suffrage' and negro equality? The Democratic Party. All these things were done by Democrats, and yet they deny being in favor of negro equality, and charge it upon the Republicans-- just like the thief who cries 'stop thief' the loudest."

The suggested date derives from the broadside's reference to Reuben Wood, a former Governor of Ohio and Chief Justice of the Ohio Supreme Court, who "is still a leader of the Democratic Party." Wood died in 1864. During Wood's judicial tenure, he "made mulattoes legal voters in Ohio."

OCLC records only a few copies, of various sizes and slight variations in wording, none as small as this one and none with this imprint, as of December 2022. LCP 9401-2 [other printings].

(38983) \$850.00

10. **[Civil Rights]: THE SHORTER CATECHISM OF NERO [sic] EQUALITY.** [np: 1855-1864?]. Broadside, 6" x 9." Very Good.

A scarce, ephemeral Republican Party broadside. Democrats, despite their claims that Republicans are the party "of negro equality," have themselves been the chief supporters of measures to enfranchise Negroes. "Who gave negroes the right of suffrage in New York? The Democratic Party. . . Who married a negro woman, and by her had mulatto children?- Richard M. Johnson, a good Democrat" and Martin Van Buren's Vice President.

"Who, with the above facts, and many others staring them in the face, are continually whining about 'negro suffrage' and negro equality? The Democratic Party. All these things were done by Democrats, and yet they deny being in favor of negro equality, and charge it upon the Republicans-- just like the thief who cries 'stop thief' the loudest."

The suggested date derives from the broadside's reference to Reuben Wood, a former Governor of Ohio and Chief Justice of the Ohio Supreme Court, who "is still a leader of the Democratic Party." Wood died in 1864. During Wood's judicial tenure, he "made mulattoes legal voters in Ohio." We are unaware of any other copies with the title error.

OCLC 17196965 [3- LCP, Hofstra, Princeton] as of December 2022. LCP 9401-2.

(38984) \$850.00

11. **Edwards, Jonathan:** THE INJUSTICE AND IMPOLICY OF THE SLAVE TRADE, AND OF THE SLAVERY OF THE AFRICANS: ILLUSTRATED IN A SERMON PREACHED BEFORE THE CONNECTICUT SOCIETY FOR THE PROMOTION OF FREEDOM, AND FOR THE RELIEF OF PERSONS UNLAWFULLY HOLDEN IN

BONDAGE, AT THEIR ANNUAL MEETING IN NEW-HAVEN, SEPTEMBER 15, 1791. [New Haven]: Printed by Thomas and Samuel Green, 1791. 37, [1 blank] pp, lacking the half title. Stitched, trimmed, light scattered spotting. The last printed leaf is likely a sophisticated fugazy. Except as noted, Very Good.

A scarce, significant, widely published tract, preached before the Connecticut Society for the Promotion of Freedom, and for the Release of Persons Unlawfully Holden in Bondage. Edwards relies upon the principle acknowledged "ever since the commencement of the late war, that all men are born equally free."

FIRST EDITION. Howes E58. Evans 23346. LCP 3427. Dumond 50.

(38985) \$1,000.00

12. **[Election of 1840]:** A SIGNED AND WITNESSED WAGER BETWEEN ROBERT H. WATKINS AND JACOB K. SWOOPE ON THE OUTCOME OF THE 1840 PRESIDENTIAL CONTEST BETWEEN INCUMBENT PRESIDENT MARTIN VAN BUREN AND WHIG CHALLENGER WILLIAM HENRY HARRISON. [Courtland, Lawrence Cty., Alabama: 1840]. Single page, 7-3/4" x 12-3/4." Entirely in ink manuscript. Dated June 20, 1840, and signed at the end by Watkins and Swoope, with Jno. J. McMahan as witness. Inner edge is irregular. Closed tear [no loss] repaired expertly at blank bottom margin. Very Good.

This documents records the terms of a wager on the outcome of the 1840 presidential election. "Watkins betts Swoope Ten Bales Cotton of Best quality weighing Five Hundred Pounds Each, on each State in the union (26 in number) that Van Buren will receive a majority of the Electoral votes in the contest now pending between Van Buren and Wm. H. Harrison for the Presidency."

In case that's not entirely clear, "The true intent and meaning of the parties is that Watkins risks Ten Bales Cotton in each State in the Union in favour of Van Buren and every state that Van Buren receives a majority of the Electoral votes." The bet is made on the electoral vote of each State. Watkins risking in favor of Van Buren & Swoope in favor of Harrison. . . The cotton to be delivered in Courtland to the winning party in five parcels annually for five years commencing on the 1st day of January 1841..."

A calculation of States and bales can be seen at the bottom left corner in pencil.

Robert H[erndon] Watkins [1782-1855] was a farmer in Courtland. Jacob K[uhn] Swoope [1800-1841] partnered with his two brothers in the successful Courtland mercantile firm of J & J Swoope in Courtland. John T. McMahan [c.1805-1857] was a Courtland commission merchant in the firm of Bierne & McMahan for many years. [Saunders, Col. James E.: EARLY SETTLERS OF ALABAMA WITH NOTES AND GENEALOGIES, New Orleans:1899, accessed online.]

(39023) \$750.00

13. **[Florida]:** SECOND SESSION. THE ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF FLORIDA, PASSED AT ITS SECOND SESSION, BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF TALLAHASSEE, ON MONDAY, NOVEMBER 23, 1846, AND ENDED JANUARY 6, 1847. PUBLISHED BY AUTHORITY OF LAW: UNDER THE DIRECTION OF THE ATTORNEY-GENERAL OF THE STATE. Tallahassee: Office of the Floridian: Printed by Samuel S. Sibley., 1846 [i.e., 1847] . 99, V pp. Perforation stamp on title leaf, a couple of other institutional marks, else Very Good. Bound in later buckram, with gilt-lettered red morocco spine title [Social Law Library stamped at base of spine].

Florida joined the Union in 1845. This was its second meeting as a State. Much work was required to establish the framework of State government. The legislature created procedures for selecting presidential electors; enacted fees and costs for civil and criminal cases; regulated slave patrols; enacted incorporations; prohibited vessels from bringing into the Island of Key West any Free Negro or Mulatto; established counties and their boundaries; created pilotage laws, and a variety of other Statutes and Resolutions, including one to remove the remaining Seminole Indians.

Servies 3243. (39054) \$300.00

14. **[Gentleman of the Bar, A]:** THE NEW AMERICAN CLERK'S MAGAZINE, AND COMPLETE PRACTICAL CONVEYANCER. CONTAINING THE MOST USEFUL AND NECESSARY PRECEDENTS IN CONVEYANCING, AS SETTLED AND APPROVED BY THE MOST EMINENT CONVEYANCERS . . . Hagers-town: Published by Jacob D. Dietrick, [John P. Thomson, Printer, Frederick-Town.], 1806. Original sheep [covers detached but present; lacking front free endpaper]. iv, 527, [1 blank], [28- index], [39-Subscribers' Names], [1 blank] pp. Clean text, Good+.

The Subscribers are mostly from small towns in Maryland, with others from Pennsylvania, Washington DC, Virginia, and a very few from elsewhere, including one from Tennessee.

FIRST EDITION. Cohen 8051.

(38887) \$75.00

15. **[Georgia]:** GEORGIA CONTROVERSY. MARCH 3, 1827. MR. EVERETT, FROM THE SELECT COMMITTEE APPOINTED ON THE SUBJECT, PRESENTED THE FOLLOWING REPORT: . . . Washington: 1827. 846pp. 19th Cong., 2d Sess. HR Rep. No. 98. Caption title, as issued. Disbound with some toning, else Very Good.

A detailed examination of Georgia's negotiations for land cessions from the Cherokee and Creek Indians. (39035) \$175.00

16. **[Illinois]:** BROADSIDE COMMISSION, SIGNED BY GOVERNOR AUGUSTUS C. FRENCH AND SECRETARY OF STATE DAVID L. GREGG, OF ABRAM PEEBLES AS JUSTICE OF THE PEACE IN THE TOWN OF DETROIT, PIKE COUNTY, ILLINOIS, APRIL 29, 1852. [Springfield: 1852]. Framed broadside, 8-3/4" x 11-1/4." Printed and completed in manuscript, with signatures of French and Gregg. Text surrounded by decorative border. Light wear, old folds, State Seal. Light foxing. About Very Good.

(39057) \$125.00

17. **[Illinois]:** ILLINOIS BOUNTY LAND REGISTER - EXTRA. VOLUME I. NUMBER 28. "A FAITHFUL REGISTER OF PASSING EVENTS. Quincy, Ill. : C.M. Woods, 1836 [Friday, January 1]. 8pp, caption title as issued. Each page 8" x 13." Disbound. Evenly numbered pages printed upside down. Very Good.

The Extra lists hundreds of names-- Patentees and Present Owners-- and descriptions of lands [including acreage, location, taxes due] "lying in the County of McDonough, and State of Illinois, on which the taxes remain due and unpaid" for the years 1833-1836.

(39047) \$125.00

18. **[Illinois]:** JOEL A. MATTESON, GOVERNOR OF THE STATE OF ILLINOIS, APPOINTS A JUSTICE OF THE PEACE FOR SWAN, ILLINOIS, IN ATTRACTIVELY PRINTED BROADSIDE SIGNED BY MATTESON. Springfield, IL: State Register Steam Press, April 14, 1854. Broadside, 8-1/2" x 14." Text enclosed in decorative border. Iconic Screaming Eagle at head of text. Several type fonts and sizes, completed in neat ink manuscript. Docketed on verso in manuscript, with attestation by Clerk of the Marion County Court. Very Good. Signed, "J.A. Matteson," and also by the Secretary of State, Alexander Starne. Certification on verso in hand of E.S. Swinney, Clerk, with his signature.

Governor Matteson appointed Larnard Kidder a Justice of the Peace on April 18, 1854. Matteson [1808-1873] was the 10th Governor of Illinois from 1853-1857, and president of the Chicago and Alton Railroad for many years. Ephraim S. Swinney [1817-1989] of Monmouth, Warren County, served as County Coroner in 1840, Circuit Clerk and Recorder from 1843-1848, County Clerk from 1853 to 1861, and Mayor of Monmouth from 1854-1855. Larnard Kidder [1806-1864] was a Connecticut Puritan who settled in Swan, Warren County, about 1837 where he purchased and worked his 320 acre farm.

(38885) \$175.00

19. **[Illinois Land Ownership Dispute]:** JOHN P. MITCHELL VS. PETER F. ELLICOTT BEFORE THE REGISTER AND RECEIVER OF THE LAND OFFICE AT SPRINGFIELD, JAN. 11, 1850. [Springfield IL?: 1850]. Folio broadside, 8" x 18." Uniformly toned, some bleedthrough from ink on blank verso, light spotting, expert repair to a short closed tear [no loss]. Signed in type at the end by Mitchell's lawyer, C.H. Moore, a friend and ally of Abraham Lincoln. Good+.

Mitchell claimed ownership of the land by virtue of his being the high bidder at an auction, pursuant to Act of Congress, of lands lying "within six miles of the Illinois Central Rail Road." Ellicott claimed he owned the land pursuant to his claim under the preemption laws. But Mitchell argues that Ellicott had neither satisfied the requirements of a preemption claim, nor had the preemption laws been applicable to his claim. "For these reasons we say that Ellicott is not entitled to the land."

"By the time the young Clifton Moore arrived in Clinton to become the town's first resident attorney in 1841, another lawyer by the name of Abraham Lincoln had already established himself as a circuit-riding prairie lawyer in the area, along with other attorneys of the Eighth Judicial Circuit. Lincoln would continue visiting Clinton for another 18 years after that, spending over 100 days and nights in the town, staying in local taverns, hotels, and homes of residents.

"During that time, Moore and Lincoln became associates in the law and close friends, occasionally facing each other in court at the Clinton courthouse, but often partnering in cases on the same side. In fact, it is believed that during his legal career Lincoln partnered more with C. H. Moore than any other DeWitt County attorney.

"When Lincoln the lawyer started moving to become Lincoln the politician, he knew with confidence that he could count on the support of his friend and colleague Clifton Moore and many of people of Clinton. In fact, the famous quote, 'You can fool all the people part of the time and part of the people all of the time, but you cannot fool all the people all of the time' is believed to have been first used by Lincoln when addressing the people on the town square.

"Moore, a loyal supporter and active promoter of Lincoln's political endeavors, was heavily involved in one of the future President's campaign events, a Republican barbecue,

with Lincoln as featured speaker. There is also documentation of Lincoln spending the night as a guest in Moore's large brick rural home (just east of Clinton; now a private residence)." See, online site of C.H. Moore Homestead and De Witt County Museum.

(38934) \$450.00

20. **[Indiana Thief]:** STOLEN, STOLEN! \$50 REWARD!

STOLEN FROM THE BARN OF THE CONTINENTAL HOUSE IN ROCHESTER, ON LAST TUESDAY NIGHT, A SINGLE BUGGY HARNESS OF THE FOLLOWING DESCRIPTION: PATENT LEATHER COLLAR, 1-INCH (RAISED) TRACES, FAIR LEATHER FROG ON HAME-TUG, GIG-PAD, PATENT LEATHER, VINE STITCHED WITH WHITE LINEN THREAD . . . ALSO A RIDING BRIDLE WAS TAKEN AT THE SAME TIME. I WILL GIVE \$40 FOR THE ARREST OF THE THIEF, OR \$10 FOR THE RECOVERY OF THE HARNESS.

I.T. VAN DUZER.

ROCHESTER, IND., JUNE 20, 1867. (CHRONICLE "PRINT." Rochester, Indiana: 1867. Printed broadside, oblong 11" x 8." A variety of large, bold type faces. Matted with tape on blank upper corner of blank verso. Very Good.

Van Duzer was the owner and proprietor of the Continental House, which opened for business in 1867 after he finished renovations [Fulton County Indiana Newspaper Excerpts 1867, on line.]

(39005) \$250.00

21. **[Jefferson, Thomas]:** MEMORIAL OF THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA. DECEMBER 10, 1821. Washington: Gales & Seaton, 1821. 4pp, disbound and lightly spotted. Good+.

Thomas Jefferson signs in type at the end as Rector of the University of Virginia. His Memorial, a plea for the free flow of information into the United States, urges elimination of tariffs on books imported into the United States. "To obstruct the acquisition of books from abroad, as an encouragement of the progress of literature at home, is burying the fountain to increase the flow of its waters."

AI 7375 [2- DLC, Princeton]. Not in Haynes.

(38966) \$750.00

22. **Jones, R[oger]:** THE NATURE OF BREVET COMMISSIONS, BRIEFLY CONSIDERED. [np: 1822]. Autograph Document Signed, [4] pp. A single leaf, folded to 8-1/2" x 14." Completely in ink manuscript, with several phrases underlined for emphasis. Old folds, light toning, a couple of short closed tears expertly repaired. Very Good.

The author's long essay denounces "This baneful system of Brevet Appointments." Jones [1789-1852] a veteran of the War of 1812 and career Army officer, was the longest-serving Adjutant General of the Army [1825-1852].

"When the Nation found herself in Arms with one of the most powerful belligerents in the world, it was then thought by the Government both wise & just to habilitate the hope of those who were martialled as her land defenders, with the pleasing allurements of honor and of promotion. . . It was, then, on the broad principle of common justice, as well as of sound policy declared 'That the President be authorized to confer brevet rank on such officers of the Army as shall distinguish themselves by gallant actions or meritorious conduct'. . . The reduction of the Army after the Peace with Great Britain however, invented a spurious kind

of brevet, which in my humble opinion, if not ignoble, is arguably illegal. This new fangled species of brevet commissions . . . is perhaps better known in common parlance by the beautiful term of 'Razeling'."

The process entailed reducing the rank of the officer by "one of more grades below the commission he had actually held, and then by some necromantic power strangely brought up by brevet to the grade from whence he had been precipitated." The strange process is described and ridiculed in detail.

(38909)\$500.00

23. **Lincoln, Abraham:** MESSAGE FROM THE PRESIDENT OF THE UNITED STATES TO THE TWO HOUSES OF CONGRESS, AT THE COMMENCEMENT OF THE SECOND SESSION OF THE THIRTY-EIGHTH CONGRESS. PART I. [AND PART II]. Washington: Government Printing Office, 1864, 1865. 38th Cong., 2d Sess. HED1. 14, IX, [1 blank], 896; XX, 814 pp. Disbound, scattered light spotting. Good+.

Lincoln's Message, dated December 6 1864, comprises the first fourteen pages of this voluminous record. Lincoln urges adoption of the Thirteenth Amendment, abolishing slavery, and says he will never retract the Emancipation Proclamation: "If the people should...make it an Executive duty to re-enslave such persons, another, and not I, must be their instrument to perform it."

Lincoln reiterates that no purpose is served by negotiating with the "insurgent leader," who will agree only to "severance of the union." Diplomatic Correspondence completes both parts of this massive compilation, with much information on the progress of the War. Monaghan 310. (39040) \$250.00

24. **[Lock Navigation Company]:** TO THE HONORABLE THE LEGISLATURE OF THE STATE OF NEW-YORK. THE MEMORIAL OF THE SUBSCRIBERS, INHABITANTS OF THE WESTERN DISTRICT OF SAID STATE, RESPECTFULLY SHOWETH: . . . [Albany?: 1812 [January]. Printed broadside, 8" x 12-3/4." Old horizontal folds, Very Good.

The New York Legislature had empowered the Lock Navigation Company to render navigable "Wood Creek, and extend the same to Lake Ontario, and to Lake Seneca." However, "The Seneca Outlet is not navigable for want of Locks through and over the Falls in the same." The Memorialists had "confidently expected that the western inland Lock Navigation Company would have rendered the said river navigable, as they were required to do by the said acts."

Seeking Legislative assistance, they warn, "The great expense of land transportation is extremely oppressive to the citizens living west of the Cayuga lake, and that, unless this expense be diminished by improvements in the water navigation, they will be compelled to send the produce of the country to a northern market by Lake Ontario and the River St. Lawrence - - or to a southern market by the Seneca lake and the Susquehannah river."

We have not located another record of this Memorial. Not in American Imprints, Sabin, Rink, or on OCLC or the online sites of AAS, Library of Congress, NYHS, NYPL, Cornell as of December 2022.

(39001) \$600.00

25. **[Madison, James]:** PROCEEDINGS OF THE VIRGINIA ASSEMBLY, ON THE ANSWERS OF SUNDRY STATES TO THEIR RESOLUTIONS, PASSED IN DECEMBER, 1798. Philadelphia: Printed by James Carey, 1800. 59, [1 adv.] pp. Stitched.

Early deep blue wrappers [detached but present, some chipping]. Text lightly toned. Two inconspicuous institutional marks, light upper margin spotting. Very Good.

This defense of the Virginia Resolutions, also printed in Albany in 1800, is especially powerful because James Madison, considered the Father of the Constitution, wrote it. "This document contains the report of the Virginia legislature, authored by Madison, defending the Virginia Resolutions of 1798. Madison discussed each resolution in detail, elaborating further the position that, in order to protect their citizens, the states, as creators of the federal compact, retained the right to declare when it had been violated. The report concluded by renewing the protest against the Alien and Sedition Acts as 'alarming infractions of the Constitution.'" [Sheidley]. That position, the most significant advocacy of State Rights in American constitutional history, became, in the hands of John C. Calhoun and other southerners, the theoretical basis for secession.

The Report reminds critics that the national government is one of explicitly delegated powers, "that the powers not given to the government were withheld from it." Because the Constitution was formed "by the sanction of the states, given by each in its sovereign capacity...there can be no tribunal above their authority, to decide in the last resort, whether the compact made by them be violated; and consequently that as the parties to it, they must themselves decide in the last resort, such questions as may be of sufficient magnitude to require their interposition." It is the duty of the States to interpose their authority for the purpose of "maintaining the authorities, rights and liberties, appertaining to the states as parties to the constitution."

Near the end of his life, James Madison wrote letters denouncing Nullification as an absurd argument that a single State could bring to a halt the entire national government. Evans 38960. Sheidley 33. 136 Eberstadt 633. ESTC W23307. Not in Haynes.

(38991) \$2,500.00

26. **McCulloch, Hugh:** PRINTED LETTER WITH PRINTED SIGNATURE, AS SECRETARY OF THE TREASURY, TO UNITED STATES COLLECTORS OF CUSTOMS, 6 MAY 1865, PROHIBITING THE MASTER OR COMMANDER OF AMERICAN VESSELS FROM DELIVERING TO FOREIGN PORTS ANY MAILS "WHICH HAVE NOT BEEN DELIVERED TO HIM FROM THE POST OFFICE AT THE PORT OF DEPARTURE." Washington: Treasury Department, 1865. Broadside, 8" x 10." Binding pinholes at blank inner margin, Very Good. Ink inscription at top margin: "Received May 12, 1865. C. Almy."

Secretary McCulloch informs his Customs Collectors of the Postal Law enacted 3 March 1865. It states in part: "No steamship or other vessel departing from the United States for a foreign port or ports, shall be permitted to receive on board, or convey any letters or letter packets originating in the United States, which have not been regularly posted at, and received from, the post office at the port of departure." Each master or commander is required to extract "an oath or affirmation" that the master or commander has not received any forbidden mail.

The recipient of this notice, Charles Almy, was Collector of Customs at Fall River, Massachusetts. Originally a Free Soil Democrat, he joined the Republican Party and was a Party functionary thereafter.

(38816) \$275.00

27. **[New York State Constitutional Convention]:** REGULAR DEMOCRATIC ONEIDA COUNTY NOMINEES FOR DELEGATES TO STATE CONVENTION.

GREENE C. BRONSON, SAMUEL BEARDSLEY, HENRY A. FOSTER, HIRAM DENO. ELECTION, TUESDAY, APRIL 28TH, 1846, IN THE SEVERAL ELECTION DISTRICTS, IN THE SAME MANNER AS THE ANNUAL ELECTIONS IN NOVEMBER. ADDRESS OF THE DEMOCRATIC COUNTY CONVENTION. [Utica?: 1846]. Elephant folio broadside, 18" x 25-1/2." Old folds with several short splits but no text loss. Matted. Very large and bold type faces. Illustration of Screaming Eagle, with banner "Oneida County." Very Good.

The New York Constitution of 1846 put a cap on State spending, in an effort to control the enthusiasms of its legislators. Voters approved the Constitution, but rejected a proposed amendment to repeal the ownership of property as a qualification for black men to vote.

The broadside, evidently unrecorded, extols the "ability and purity" of the proposed candidates, who are "admired by the wise and just." Bronson is Chief Justice of New York State; Beardsley is "one of the most prominent statesmen of his day." Foster has "talents of the highest order." Denio has an "enviable reputation as a judge and lawyer."

Not in Sabin or American Imprints. Not located on OCLC, or the online sites of AAS, NYPL as of December 2022. (39008) \$750.00

28. **[Parliament]: VOTES OF THE HOUSE OF COMMONS. MARTIS, 11 DIE MARTII, 1788.** [London: Printed and Sold by John Nichols..., 1788]. Folio. Disbound. Pages 387-397, [1 blank]. Caption title, as issued. Very Good.

Information is presented on the number of ships, with tonnage, from the ports of Scotland to the coast of Africa. A petition from officers and residents of Bideford opposes the slave trade. A long petition from Merchants of Quebec concerns their entitlement to all the rights of Englishmen. (38943) \$175.00

29. **[Parliament]: VOTES OF THE HOUSE OF COMMONS. MARTIS, 18 DIE MARTII, 1788.** [London: Printed and Sold by John Nichols..., 1788]. Folio. Disbound, a few mild fox spots. Pages 427-434, with caption title, as issued. Except as noted, Very Good.

The recorded matters include a petition from Merchants of the Province of Quebec, seeking the full panoply of rights of Englishmen. (38942)\$150.00

30. **[Parliament]: VOTES OF THE HOUSE OF COMMONS. MARTIS, 5 DIE FEBRUARII, 1788.** [London: Printed and Sold by John Nichols..., 1788]. Folio. Disbound. Pages 135-149, [1 blank], with caption title, as issued. Except as noted, Very Good.

The recorded matters discuss relations between British Traders and the Cherokee Indians in Georgia and South Carolina, with land cessions by the Cherokees in satisfaction of their outstanding debt. See pages 145-148.

(38941) \$175.00

31. **Pettit, Charles:** LANDS IN VIRGINIA, THE PROPERTY OF CHARLES PETTIT, ARE DESCRIBED IN THE PATENTS AS FOLLOWS. . . [np: c. 1800]. Folio sheet folded to 8" x 9-3/4." Three pages of neat ink manuscript, final page blank. Chained paper with watermark "Munn & Simmons 1798". Split along main fold [no text involvement]. Very Good.

Believed to be in Pettit's hand, this document traces land titles from the 1780s in Harrison County Virginia. Some of the properties had been owned by such luminaries as Patrick Henry and Edmund Randolph. Metes and bounds descriptions are listed.

Charles Pettit (1736-1806) was a Continental congressman and merchant of Pennsylvania and New Jersey. He served as Deputy Secretary of the Province of New Jersey, Clerk of the Governor's Council, Clerk of the Supreme Court and Court of Pleas, Aide to Governor William Franklin, Assistant Quarter Master General in the Continental Army under General Nathanael Greene during the Revolutionary War, member of the Continental Congress, founder and President of the Insurance Company of North America, Trustee of the University of the State of Pennsylvania, and later Trustee of the University of Pennsylvania when it merged with the College of Philadelphia. (39042) \$500.00

32. **Pickering, Timothy:** AUTOGRAPH LETTER, SIGNED AS SECRETARY OF STATE, TO CARLOS MARTINEZ DE YRUJO, SPANISH MINISTER PLENIPOTENTIARY TO THE UNITED STATES, 24 FEBRUARY 1797: "THE SECRETARY OF STATE TAKES THE LIBERTY TO INCLOSE THE FORMS OF SEA-LETTERS NOW GIVEN TO VESSELS OF THE UNITED STATES, ONE OF WHICH MAY BE ADOPTED AND TRANSLATED INTO SPANISH, IF THE CHEVALIER DE YRUJO HAS NO FORM ANNEXED TO THE COPY OF THE TREATY BETWEEN SPAIN AND THE UNITED STATES IN HIS POSSESSION. THE SECRETARY PRAYS THE CHEVALIER INFORM HIM ON THIS POINT THAT THE PASSPORTS MAY BE PREPARED WITHOUT DELAY, AS IT WILL TAKE SOME TIME TO TRANSPORT THEM TO THE DISTANT PORTS IN THE UNITED STATES. IF THE CHEVALIER WILL HAVE THE GOODNESS TO CAUSE A PROPER TRANSLATION OF THE FORM HE SHALL ADOPTED TO BE MADE, THE SECRETARY WILL BE OBLIGED. | DEPARTMENT OF STATE FEBY 24 1797 T. PICKERING." [Philadelphia: 1797]. Folio sheet, folded to [4] pp, each page 8" x 10." Ink manuscript on first page, written and signed by Pickering. Interior pages blank. Docketed on final page in Spanish and English. Usual folds, Very Good.

Historians have not been kind to the Federalist Pickering. He "proved to be malign" in the Administrations of Washington and John Adams [Flexner, 'Washington The Indispensable Man' 325]. "A stony-faced Puritan with hawk eyes" [id.], he was responsible for the removal of Washington's old friend Edmund Randolph as Secretary of State. He succeeded Randolph in that office as "a bitter and uncompromising Federalist. The French Revolution filled him with dread and loathing" [DAB]. Thanks to Garry Wills, however, Pickering's reputation has begun an uptick, particularly for his opposition to Thomas Jefferson's efforts to expand the power of the South and Slavery. See, Wills: "Negro President:" Jefferson and the Slave Power. [2005].

The document was apparently a necessity for passengers like the Minister on neutral American vessels during the ongoing War between Spain and England.

(38878) \$950.00

33. **[Society of Friends]:** AT A SPECIAL REPRESENTATIVE MEETING HELD IN NEW YORK, 6TH OF EIGHTH MONTH, 1863: INFORMATION WAS RECEIVED THAT SOME OF OUR MEMBERS HAVE BEEN DRAFTED FOR SERVICE IN THE ARMY OF THE UNITED STATES, AND ARE THEREBY SUBJECTED TO EMBARRASSMENT IN RESPECT TO THE PROPER COURSE TO BE PURSUED. . . [New York: 1863]. Printed broadside, 8-1/2" x 14-1/4." Old horizontal folds and a couple of short, blank margin splits expertly repaired. Very Good.

This rare, evidently unrecorded broadside advises draftees who cannot conscientiously serve by reason of their Quaker religion. A form for submission to the Board of Enrollment is provided: "The undersigned is informed that his name is included in the list of persons reported to be drafted in [blank space] for service in the army of the U.S. He respectfully represents that he is a member of the Religious Society of Friends, (commonly called Quakers,) and is conscientiously scrupulous against bearing arms, or being otherwise concerned in war; and he therefore cannot conform to the draft, procure a substitute, nor pay the sum provided by law, or any other sum as a commutation for Military service. In this matter, he is not actuated by any disloyalty to our Government, nor any indisposition to serve it when he can do so without violation of conscience; but by controlling obligations of Christian duty, in obedience to what he believes to be the plain commands of the Gospel. On this ground, he respectfully asks that his case may be favorably considered in order to such relief as may, by competent authority, be deemed just."

In case proceedings become difficult, "It is advised that some prudent and judicious Friend should accompany the person in his appearance before the Board of Enrollment. . . It is more than probable that many of our members will be subjected to trial and perhaps to suffering in maintaining our Christian testimony in this respect."

Not located on online sites of OCLC, Library of Congress, AAS, Haverford, NYPL, NYHS as of December 2022.

(38988) \$2,500.00

34. **[Tennessee Slave Case] : TESTIMONY OF DOCTOR S[AMUEL] L[EE] H[ARDY] CLARKE AND GEORGE CLARK, TAKEN BY ELIJAH WILBOURN, JUSTICE OF THE PEACE OF PANOLA COUNTY, MISSISSIPPI, IN THE MATTER OF SARAH W.J. BRIGHT VERSUS EDGAR MCDAVETT, IN THE COMMON LAW AND CHANCERY COURT AT MEMPHIS, TENNESSEE, JULY 3, 1852.** Panola County, MS: 1852. Folio, 7-12" x 12-1/2". [3], [1-docketed] pp. Completely in ink manuscript in Elijah Wilbourn's hand. Old folds, short fold splits [partly repaired with archival tape], light toning, light waterstaining at inner margin. Some bleeding through of ink. Certification and signature of Wilbourn at end. Good+.

Wilbourn asks the Clarkes what they know about the ownership of Negro woman Smithey and her children, and in whose name John R. Wooten carried on business in Panola County.

Dr. Clarke knows them, but does not know who owns them. J.R. Wooten, he says, did business in Panola County in the name of Mrs. Sarah W.S. Bright. George Clarke adds that Mrs. Bright owned Smithey and her children, that he heard J.R. Wooten say the right was with Mrs. Bright, and that Wooten hired them out in her name. Wilbourn certifies these responses on July 3, 1852, with a list of associated fees.

Mrs. Sarah ["Sally"] W.S. Bright [1796-1866] was the daughter of Col. William Holliday, elected to the North Carolina House of Commons in 1812 and 1813. Her husband, Richard G. Bright [d.1823], was a member of North Carolina's House of Commons in 1817. John R. Wooten [c.1818-1870] was Bright's son-in-law through marriage to her daughter Mary. Dr. Samuel Lee Hardy Clarke [1809-1885] was a physician in District 13, Panola County; his brother George [Irvine Kenerely] Clarke [1811-1870] was a farmer in the same district. Elijah Wilbourn [1810-1878] was a farmer and justice of the peace in Panola County.

(38962) \$750.00

35. **[Tennessee Slave Suit]:** AFFIDAVIT OF WILLIAM R. COZBY IN THE CASE OF JOHN D. TRAYNOR VS. WILLIAM COZBY ET AL, FEBRUARY TERM 1851, CLEVELAND [sic] TENNESSEE, REGARDING SICK AND DECEASED NEGRO SLAVES:

"WILLIAM B. COZBY ONE OF THE DEFENDANTS AND ONE OF THE ADMRS OF THE ESTATE OF JOHN COZBY DECD MAKES OATH THAT IN THE SETTLEMENT OF THIS ESTATE. . . ADMINISTERED IN 1842 OR NEARLY EVER SINCE THE NEGROES OF SAID ESTATE UP TO 1850, HAD BEEN HIRED OUT . . . AFFIANT WOULD SHOW YOU HOW THAT IN SAID LAST YEARS HIRING OF NEGROES. . . ADMINISTRATORS WERE TO PAY THE DR. BILLS IN CASE OF SICKNESS BURIAL. . . IN CASE OF DEATH - THIS MODE WAS ADOPTED THAT THE NEGROES SHOULD NOT BE NEGLECTED. . . AFFIANT WOULD FURTHER SHOW THAT DURING THE SAID LAST YEAR OF HIRING THERE WAS RATHER AN UNUSUAL QUANTITY OF SICKNESS AMONG SAID NEGROES THREE OF WHOM DIED. . . " Cleveland TN: 1851. Folio, 7-1/2" x 12". [6], [1 blank], [1-docketed] pp. Horizontal folds with several fold splits [partly repaired], some chips to final page, light tanning and spotting. A fragile but complete survival. Good+. Signed by William R. Cozby as affiant and James Berry, C&M, as oath taker 28 February 1851.

A girl named Rose and her child, who had been hired to A.C. Day, died; a girl named Charlotte and a boy named Jackson, who had been hired to James Goodman, became sick and died; Harriet and another hired by B.F. Bridgeman was sick; Big Else [?], hired to C.D. Suttrele, was sick, and more. William Cozby states that he or his counsel "came over some weeks before the court to see what to do - and was advised to get up these accounts and bring them in. And went home for that purpose, but was taken sick and was totally unable to attend."

James Woods Cozby [1788-1850], the decedent, was a farm in Hamilton County, Tennessee. His son and the administrator, William Brownlow Cozby [1809-1860], a farmer, was elected Rhea County Coroner in March 1838, was appointed Commissioner to take the Taxable Property Polls in District 8 of Rhea County in January of 1848. James Berry [1788-1856] was a clerk of the County Court from 1823-1836, was appointed one of commissioners of town of Cleveland 1837 when the General Assembly established the town, was town Register from 1821-1823, was responsible for erecting a pillory and stocks two years after the jail was built, served as postmaster at Old Washington and at Cleveland, and managed a hotel.

(38932) \$500.00

36. **United States:** ACTS PASSED AT THE FIRST SESSION OF THE FIFTH CONGRESS OF THE UNITED STATES OF AMERICA: BEGUN AND HELD AT THE CITY OF PHILADELPHIA, IN THE STATE OF PENNSYLVANIA, ON MONDAY THE FIFTEENTH OF MAY, ONE THOUSAND SEVEN HUNDRED AND NINETY-SEVEN, AND OF THE INDEPENDENCE OF THE UNITED STATES, THE TWENTY-FIRST. Philadelphia: Ross, 1797. 240, vii, [4], 244-561, [1 blank], 26 (Constitution and Amendments thereto), iv (Table of Contents), [48- Index] pp, The Acts of all three Sessions of this Congress are printed. Disbound, with light scattered foxing. Good+.

This is a complete offering of Ross's printing of the Acts of all three Sessions of the Fifth Congress, including the Alien & Sedition Acts and establishment of the Marine Corps, plus a treaty with the Cherokees.

Evans 32951, 34688, 36479. Sabin 15501-15503.

(39006) \$450.00