1. **Alabama**: ALABAMA IN CIVIL WAR AND RECONSTRUCTION. A list, set forth below, of Alabama laws from 1859, through the Civil War and early Reconstruction, in various bindings and conditions. Overall Good+ to Very Good.


This early Confederate imprint details Alabama's march out of the Union and into the Confederacy. The imprint records Montgomery, Tuscaloosa, and Atlanta printing sites; but the title page's verso makes clear-- as Parrish & Willingham note-- that the book was printed in Atlanta.

The book records the landmark political events and decisions of the Convention, with records of speeches, the Call of the Convention, the list of delegates, resolutions of secession and debates thereon, the decision to offer "resistance to the attempt to place the United States under the Government of the Black Republican party," reports on and discussions of the formation of a provisional government, debates on the new Constitution and on a variety of other subjects [including the African slave trade].


These are the first two Sessions of Alabama's Confederate legislature. Numerous Acts place the State on a war footing, regulate the activities of "free colored mariners" and other Free Negroes, accompanied by bellicose Joint Resolutions.

Parrish & Willingham 2620, 2621.


Many war-related laws and resolutions, with detailed Index for each volume. Parrish & Willingham 2625, 2627.


The first post-War Session of this rebellious State praises the "wise and just" Reconstruction policy of President Johnson; urges the withdrawal of federal troops from Alabama because its citizens have "renewed their allegiance to the federal government with unexampled unanimity and sincerity of purpose;" pleads for the release from prison of Alabama politician C.C. Clay; urges ratification of the Thirteenth Amendment abolishing slavery; and enacts a variety of post-War public and private laws. Ellison 1431. Babbitt 6.


(38792) $5,000.00

Toulmin had been a Territorial Judge in Alabama and Mississippi; earlier, he had been Kentucky's Secretary of State. "By any standard, his 1823 Digest of the Laws of the State of Alabama is an impressive compilation. Nearly a thousand pages, it encompasses statutes of the Mississippi and Alabama territories as well as the acts of the Alabama state legislature. It is unmatched as a historical document of the Old Southwest and illustrates well how Toulmin shaped the public institutions of the wild frontier" [Encyclopedia of Alabama].


With detailed regulations concerning slavery and Free Negroes, this Digest includes a complete index of all the subjects encompassed. Clay was an early settler of the Mississippi Territory, in the Huntsville area, before Alabama was excised from the Territory. He served in the Territorial Legislature and at the Alabama 1819 Constitutional Convention, and became that State's first Chief Justice at the age of 29. He later served as Governor and U.S. Senator. He was the father of Clement Claiborne Clay, who would be Alabama's Senator in the 1850's and a leading advocate of Southern Rights in the Territories.


THE CODE OF ALABAMA. PREPARED BY JOHN J. ORMOND, ARTHUR P. BAGBY, GEORGE GOLDSWAIITE. WITH HEAD NOTES AND INDEX BY HENRY C. SEMPLE. PUBLISHED IN PURSUANCE OF AN ACT OF THE GENERAL ASSEMBLY,


Lafayette C. Baker was "Chief of the U.S. Federal Detective Police during the American Civil War and director of Union intelligence and counterintelligence operations." He succeeded "Allan Pinkerton as head of the federal secret service in November 1862. Baker soon penetrated every area of the military and the civil government of the Union as well as the Confederacy, using hundreds of agents and detectives deployed in two forces whose members were unknown to each other . . . In 1863 he raised a battalion of cavalry, officially known as the 1st District of Columbia Cavalry but more widely called Baker's Rangers. The unit was used primarily as a counter-guerrilla force against J.S. Mosby and his raiders and was expanded to a full regiment before the war was over." [Encyclopedia Britannica biography of Baker.]

This is a rare recruiting broadside for "Baker's Rangers," a semi-secret unit which hunted down deserters and Confederate subversives in the Capital region. Some historians have discounted Baker's descriptions of his exploits as "a huckster's ability to spin a good yarn." [E.g., Holcomb, SCOUNDREL: THE RISE AND FALL OF UNION SPY CHIEF LAFAYETTE CURRY BAKER, in 40 Military Images 59. Summer 2022.] But the broadside, recruiting an elite, clandestine corps of brilliant horsemen on mysterious missions certainly had appeal for adventurous young men.

We have not located another copy of this attractive broadside.

(38850) $3,500.00
4. **Banks, Nathaniel**: TO PERSONS HAVING CLAIMS AGAINST THE UNITED STATES FOR DAMAGES DONE TO THEIR PROPERTY BY SOLDIERS OF THE UNITED STATES ARMY... Baltimore: Bull & Tuttle, Steam Job Printers, Clipper Office, [1861]. Letterpress broadside, 14" x 9-3/4" to sight, signed in type by General Banks and his adjutants Robert Williams and George W. Hazzard. Matted and framed. Some toning and flattened folds, 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. A Border Slave State, a stone's throw from the Capitol and seat of Government, Maryland was awash with Southern sentiment. Its loyalty was essential to the Nation's survival. Though he would have little success in his military engagements, Banks had the political skills necessary to save Maryland for the Union. "Nathaniel Banks's first military assignment was commanding the Department of Annapolis where he played a prominent role in suppressing Confederate sympathizers and keeping Maryland in the Union" [online American History Central, article on Banks].

To soothe ruffled Maryland feathers, Banks established a compensation board "to examine into and report upon all damages done to the property of citizens of this Department by soldiers of the United States Army." The broadside recites the procedures and rules for "all persons having claims to submit to the Board."

We have not located another copy of this rare document. Not in Sabin, Bartlett, LCP, Nevins. Not located on OCLC as of October 2022, or at the online sites of Library of Congress, AAS, Huntington, Boston Athenaeum, NYPL, Johns Hopkins, University of Maryland.

(38846) $3,500.00


On the Yazoo Land Fraud. The introduction states, "This Pamphlet is an...answer to the 'State of Facts,' published by the Georgia Companies. It contains the outlines of the present state of the Georgia business, and a brief sketch of the arguments on both sides, with such Commentaries as the compass of the work would allow." Georgia's Companies had issued their defense in 1795. See Howes G126.

Georgia had granted four land companies the right to buy what later became Mississippi and Alabama, for a half million dollars. Virtually the entire Georgia legislature was bribed. Enraged, Georgia's Crawford-Jackson political faction spearheaded the election of a new legislature the next year which rescinded the grant. A State constitutional amendment ratified the rescission. Bishop says Georgia's land grant is void: in addition to the rampant fraud, Georgia had never acquired title to the lands, which belonged to the resident Creeks, Chickasaws, and Choctaws. But the Companies had nevertheless made many sales of the lands to settlers and speculators. These purchasers, known as the 'Yazoo Claimants', disputed Georgia's rescission. In 1810, after years of litigation, the U.S. Supreme Court decided Fletcher v. Peck, the landmark case construing the Constitution's prohibition on a State's impairment of the obligations of a contract. The Court held unanimously that Georgia's rescission was unconstitutional.


(38811) $500.00
6. **Bonaparte, Napoleon**: SIGNED SPECIAL LICENSE FOR TRADE VESSEL TO TRAVEL TO THE UNITED STATES, DATED AUGUST 20, 1830. WITH SIGNATURE AT THE END PURPORTING TO BE THAT OF EMPEROR NAPOLEON. Broadsheet, 13.5" x 19". Split along folds into four equal sections, repaired with tape on recto, two short splits along other vertical folds. Words under tape illegible unless held to a light. Scattered foxing and spotting. Left edge clipped with loss of words that had been printed vertically. Good.

This is a special license for a single ship to make a single voyage from the Port of Bordeaux to America for purposes of trade. It is number 268 in the general order of the series, number 428 in the general order of deliverance, and number 698 in [illegible]. There are blanks to be filled in upon arrival in the ports of Charlestown, New York, Boston or Baltimore. These blanks are not filled in, and it would appear that this right of passage was never used. The documents list things that might be exported including foodstuffs.

Reads in part: NAPOLEON, EMPEREUR DES FRANCAIS, ROI D'ITALIE, PROTECTEUR DE LA CONFEDERATION DU RHIN, MEDIATEUR DE LA CONFEDERATION SUISSE, &C. &C.... [Translated: Napoleon, Emperor of France, King of Italy, Protector of the Confederation of Rin, Mediator of the Swiss Confederation.]

(24545) $350.00


A practicing Catholic, Becker "had occasion after reading the report of the Committee on Chinese Immigration ... to say that in his opinion Catholics if as represented they joined as a body in hounding down the Chinese were doing not only a wrong but an impolitic thing."

Becker accuses the Committee with an all-too-common exploitation of the tendency "to pander to the last extent to the prejudices of the ignorant, who are in all countries a vast majority ... Both Democrats and Republicans inserted an anti-Chinese plank in the platform of the last Presidential campaign."

Cowan 41. (38825) $350.00


An early legal digest with numerous forms; an index to the topics covered-- including Free Negroes, Slaves; Indentures; Runaways; the prescribed Declaration of Belief in the Christian Religion; Manumission; Naturalization; printed forms.

On the restoration of Louisiana to full membership status in the Union.  
(38787) $75.00


"The victims were two revenue agents who tried to intercept smugglers taking potash into Canada. They were shot with a gun nine feet, four inches long. Dean was sentenced to hang" [McDade]. "Dean was the leader of the crew of the Black Snake, a vessel engaged in smuggling of goods into Canada" [McCorison]. "McCorison's 'Additions...' attributes the text to Royall Tyler, who was the Chief Judge" [Cohen].

The pamphlet summarizes the witnesses' testimony, other aspects of the trial proceedings, and unsuccessful efforts of Dean's attorneys to set aside the guilty verdict.

(38837) $850.00


After Hardin's Preface, explaining the Legislature's "backwardness" in assisting with the book's publication, an alphabetical table of cases is printed, followed by an Errata page and a list of "Judges of the Court of Appeals, from its Establishment; with the Dates of Their Commissions." The Judges included Felix Grundy, Ninian Edwards, George Bibb, Harry Innes.

The cases print the complete Opinions of the Judges, who must judiciously sort the tangle of land titles in this western State, formerly a part of Virginia. Several sketches of plats are printed in the Opinions, and the gamut of legal issues in this frontier State, including issues regarding Slaves and Slavery.

FIRST EDITION. McMurtrie 356. Coleman 3265.  
(38833) $500.00

An American re-engraving, and the first American printing, of Francis Edward Adams's 1774 satirical print. Boston customs officer John Malcolm is tarred and feathered, threatened with hanging, and forced to drink tea. Various dictionaries of slang describe a "Macaroni" or "Macarony" pejoratively as a mid-18th-century Englishman whose principal ambition in life is to be fashionable.

Christie's 2021 auction of the 1774 print has a thorough description, depicting "two Bostonians forcing a tarred and feathered customs official, with a noose around his neck, to drink from a teapot. The subject is John Malcom (d. 1788), the notorious loyalist Boston customs official. In January 1774, soon after the Boston Tea Party, shoemaker George Twelves Hughes confronted Malcom as the customs official was threatening to strike a young boy with his cane. After insisting that Hughes had no business interfering in the affairs of a gentleman, Malcom struck the shoemaker rendering him unconscious. Street justice was swift for Malcom, and by that evening he found himself at the mercy of mob who, despite the pleadings from Whig leaders, and even George Hewes who had since recovered from his assault, stripped the customs officer to the waist and covered him with tar and feathers. The crowd paraded the disgraced Malcom around Boston for hours until they demanded he offer a public apology in exchange for his release. When Malcom refused, the crowd placed a noose around his neck and threatened to hang him, but to no avail. Only the threat of having his ears cut persuaded Malcom to relent. Malcom returned soon to London, and while awaiting word on a petition to George III for relief, stood for Parliament opposing John Wilkes. In an effort to gain further sympathy for his ultimately unsuccessful campaign against Wilkes, it appears that Malcom himself may have charged Francis Edward Adams to engrave the present image as it was issued only a week before the election ... [O]ne of Malcolm's tormentors wears a hat bearing the number 45,1 an allusion to John Wilkes's incendiary 1763 essay in the 45th issue of his periodical, The North Briton."


(38845) $3,500.00


"The body of Fannie Lillian Madison was found in Richmond's Old Reservoir on 14 March 1885. It was first believed Madison committed suicide, but evidence of a struggle suggested that she had been murdered. Madison's cousin Thomas J. Cluverius, a graduate of Richmond College and a lawyer in King and Queen and King William Counties, was indicted for her murder. Cluverius was convicted mostly on circumstantial evidence - the key piece of
evidence being a watch key, supposedly belonging to Cluverius, which was found at the scene of the murder. The trial lasted from the 5 May to 4 June 1885, and Cluverius was hanged on 14 January 1887 despite several appeals." [A Guide to the Commonwealth of Virginia versus Thomas J. Cluverius, 1885. A Collection in the Library of Virginia].

"Cluverius came from one of the 'better' Virginia families. He had married Lillian Madison, a country girl, but had kept the marriage a secret from his family and friends. He finally had her come to Richmond, where he murdered her and threw her body into the reservoir. He was quickly traced, tried, and executed" [McDade 193].

McDade 194. (38785) $375.00


This is a strong candidate for the earliest printing of Lincoln's famous Speech, his first to bring him national attention and to establish his importance in the emerging Republican Party. "The Illinois State Journal not only published the entire address, but offered copies for sale" [Oates, WITH MALICE TOWARD NONE 135. HarperPerennial edition]. The Popular Sovereignty doctrine of Illinois Democrat Stephen A. Douglas is "a mere deceitful pretense for the benefit of slavery," evidenced by Kansas's widespread voting fraud and intimidation, which Douglas did not protest.

Unlike Douglas, whose recent speech endorsed the just-announced Dred Scott decision, Lincoln says Republicans "think the Dred Scott decision is erroneous...We shall do what we can" to over-rule it but, he says carefully, "We offer no resistance to it." He denounces the decision's assertion "that negroes were no part of the people who made, or for whom was made, the Declaration of Independence, or the Constitution of the United States." Indeed, in five of the 13 States ratifying the Constitution, Negroes voted. Their fortunes have declined markedly since then: their "ultimate destiny has never appeared so hopeless as in the last three or four years ...In those days, our Declaration of Independence was held sacred by all, and thought to include all; but now, to aid in making the bondage of the negro universal and eternal, it is assailed, sneered at, construed, and hawked at, and torn, till, if its framers could rise from their graves, they could not at all recognize it. All the powers of earth seem rapidly combining against him. One after another they have closed the heavy iron doors upon him, and now they have him, as it were, bolted in with a lock of a hundred keys, which can never be unlocked without the concurrence of every key."

Lincoln scorns Douglas's crude racism, which charged that, because Republicans contend the Declaration included Negroes, they "want to vote, and eat, and sleep, and marry with negroes!" The Declaration means that "all are equal in 'certain inalienable rights, among which are life, liberty, and the pursuit of happiness.'" He says, "Now I protest against that counterfeit logic, which concludes that, because I do not want a black woman for a slave I must necessarily want her for a wife."

The separately printed edition of Lincoln's Speech is recorded at Monaghan 9, Byrd 2715, and Graff 2494.

(38799) $3,500.00


b. ACTS PASSED AT THE FIRST SESSION OF THE FIFTH LEGISLATURE OF THE STATE OF LOUISIANA; BEGUN AND HELD IN THE CITY OF NEW-ORLEANS, ON MONDAY THE TWENTIETH [sic] DAY OF NOVEMBER, [1821]... New-Orleans: J.C. De St. Romes, State Printer, 1821. 159pp. "English and French on facing pages." [Jumonville]. With a List of Acts, an Index, and Resolutions. One of the Resolutions is a several-page report on the necessity for hospitals: "Navigators and traders from more northern latitudes," who arrive in New Orleans healthy, are frequently felled by the radically different climate. These are "principally boatmen from Kentucky, Ohio, and other states on the Ohio." It is hoped that their Governors will chip in to help provide the necessary medical attention to these men. Jumonville 358.


Jumonville 374.


f. ACTS PASSED AT THE SECOND SESSION OF THE SEVENTH LEGISLATURE OF THE STATE OF LOUISIANA; BEGUN AND HELD IN THE CITY OF NEW-

With a List of Acts, an Index, and Resolutions. One of the Resolutions urges settlement of the boundary with Arkansas; one of the laws regulates river pilots; others regulate the emancipation of slaves, runaway slaves, and other aspects of slavery.
Jumonville 488.


The First Session passed acts prescribing the mode of private emancipation, an act relative to runaway slaves, the organization of the City of New Orleans into wards; establishment of a consolidated planters association of Louisiana; and various laws on internal improvements, civil and criminal law. The Second Session repealed an Act which had prohibited entry of slaves into the State for purposes of sale, and passed several statutes improving river and canal transportation, incorporating "a society of Israelites" and the New Orleans Jockey Club. Each Session includes an Index and Titles of Acts.
Jumonville 600, 625.


With a List of Acts, Index, and the 1812 Constitution of Louisiana. Among the Acts passed are a detailed, 18-section slave registration statute; a state printing contract for Benjamin Levy; various laws on the militia, internal improvements, land titles, civil and criminal law.
Jumonville 665.


An early Donaldson imprint, with much contemporary marginalia on the different statutes.

Jumonville 735.


(31830) $5,000.00

George II was "an excellent king, whom every good British subject was habituated to consider rather under the amiable and endearing character of a father, than the more awful one of a sovereign." Sometimes nations choose a bad king—like, for example, James II, "an open, professed, and bigotted roman-catholic" who sought "to despoil the British nations of their ancient liberties, and to entail upon them the two-fold curse of popery and slavery."

Mayhew rejoices in the Declaration of Rights, which secured "the public liberty" and ended notions of an "indefeasable hereditary right."

Evans 8925. ESTC W20183.

(38738) $375.00


Ray County formed the northwest corner of Missouri at the time of its Statehood in 1820. The indictment is signed in ink [a bit smudged] by the Circuit Attorney, William Wood.

(38823) $250.00


During John Jay's term as Governor, the Legislature passed 133 Acts, listed here. ESTC lists holdings only at AAS; OCLC adds a few more.

Evans 38093. ESTC W10245. (38803) $1,250.00

19. **[Parker, James]**: CONDUCTOR GENERALIS: OR, THE OFFICE, DUTY AND AUTHORITY OF JUSTICES OF THE PEACE, HIGH-SHERIFFS, UNDER-SHERIFFS,
CORONERS, CONSTABLES, GAOLERS, JURY-MEN, AND OVERSEERS OF THE POOR. AS ALSO, THE OFFICE OF CLERKS OF ASSIZE AND OF THE PEACE, &C. TO WHICH ARE ADDED, SEVERAL CHOICE MAXIMS IN LAW, &C. COMPILED CHIEFLY FROM BURN'S JUSTICE, AND THE SEVERAL OTHER BOOKS ON THOSE SUBJECTS. BY JAMES PARKER, ESQUIRE, LATE JUSTICE OF THE PEACE IN MIDDLESEX COUNTY, IN NEW JERSEY. ADAPTED TO THE UNITED STATES.


For a biography of Parker, see Felcone, NEW JERSEY BOOKS 211. The book lists alphabetically the legal issues encountered by these officers [from 'Accessary' and 'Buggery' to 'Witchcraft' and 'Women']. Part II explains the office and duties of Sheriffs, the role of Jurors, and Maxims and General Rules. Cohen lists the numerous American editions of this popular work.

Evans 21359. Cohen 7959. ESTC W37507. (38847) $450.00

20. [Spencer, Thomas]: THE NEW VADE MECUM; OR, YOUNG CLERK'S MAGAZINE; DIGESTED AND IMPROVED TO CORRESPOND WITH THE LAWS OF THE STATE OF NEW-YORK IN PARTICULAR, AND THE UNITED STATES IN GENERAL: CONTAINING A VARIETY OF THE MOST USEFUL PRECEDENTS, ADAPTED TO ALMOST EVERY TRANSACTION IN LIFE...TO WHICH IS ADDED A COLLECTION OF FORMS OF WRITS, &C. MOST COMMON IN USE IN THE SUPREME COURT OF THE STATE OF NEW-YORK. THE FIRST EDITION.


This early American law book provides forms for all legal occasions. The preface is signed, Thomas Spencer. Page 50 is correctly numbered. Page 339 is misnumbered 33. Page 289 is misnumbered 299.

Evans 27728. Cohen 8002. II Harv. Law Cat. 638. Sabin 89384, (38852) $275.00