

Sotheby's

EST. 1744

The unanimous Declaration of the thirteen united States of America,

When in the Course of human Events, it becomes necessary for one People to dissolve the political Bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the Causes which impel them to the Separation. We hold these truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness. That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, — That whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. — Such has been the Patient Sufferance of these Colonies; and such is now the Necessity which constrains them to alter their former Systems of Government. The History of the present King of Great Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid View. — He has refused his Assent to Laws, the most wholesome and necessary for the public Good. — He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them. — He has refused to assent to Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation in the Legislature, a Right inestimable to them and formidable to Tyrants only. — He has called together legislative Bodies at places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures. — He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People. — He has refused for some time after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their Exercise; the State remains in the mean time exposed to all the Dangers of Invasion from without, and Convulsions within. — He has endeavoured to prevent the Population of these States; for that Purpose obstructed the Laws for Naturalization of Strangers; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands. — He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers. — He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries. — He has erected a multitude of New Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance. — He has kept among us, Standing Armies without the Consent of our Legislature. — He has attempted to render the Military independent of and superior to the Civil Power. — He has endeavored to constrain us to Accept a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his Assent to Acts of pretended Legislation: — For quartering large Bodies of Troops among us; — For keeping them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States; — For compelling us to Accept of Arms, Ammunition, and Horses from us; — For imposing Taxes on us without our Consent; — For depriving us in many Cases, of the Benefits of Trial by Jury; — For transporting us beyond Seas, for being tried for pretended Offences; — For abolishing the beneficial System of English Laws in a Neighbouring Province, establishing therein an arbitrary Government, and enlarging its Boundaries so as to render it at once an Example and Fit Instrument for introducing the same absolute Intolerable into these Colonies: — For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments; — For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever. — He has abdicated Government here, by declaring us out of his Protection and waging War against us. — He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People. — He has thrown into the most barbarous Seas, and deluged the Head of a civilized Nation, the blood of our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the Mercenaries of their Hated King, or to fall themselves by their Swords. — He has excited domestic Injuries amongst us, and has endeavored to bring on the Heads of our Colonies the mercurial Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction of all Ages, Sexes and Conditions. In every Stage of these Oppressions We Petitioned for Redress in the most humble Terms: Our repeated Petitions have been answered only by repeated Injury. A Prince, whose Character is thus marked by every Act which may define a Tyrant, it is time to bid the Adieu to, and to provide ourselves with new Guards and new Defences. Nor have We been wanting in Attentions to our British Brethren. We have warned them from Time to Time of Attempts by their Legislature to extend an unwarrantable Jurisdiction over us. We have reminded them of the Circumstances of our Emigration and Settlement here. We have appealed to their native Justice and Magnanimity, and we have conjured them by the Ties of our common Kindred to disavow these Usurpations, which would in every Way interrupt our Connections and Correspondence. They too have been deaf to the Voice of Justice and of Reason. We must, therefore, acquiesce in the Necessity, which denounces our Separation, and hold them, as we hold the rest of Mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the Rectitude of our Intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political Connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to lay War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of Right do. — And for the Support of this Declaration, with a firm Reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

John Hancock
John Hooper
Joseph Brewster

John Hancock

Robert Morris
Benjamin Rush
Benjamin Franklin

George Washington
John Jay
James Madison

Joshua Bartlett
M^{rs} Whipple
Sam^l Adams

John Adams
Thomas Jefferson
Richard Henry Lee

George Wythe
Richard Henry Lee
Th^o Jefferson

James Wilson
Gt. Wm^{ts}

John Adams
Robt Treat Paine

George Wythe
Richard Henry Lee
Th^o Jefferson

James Wilson
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John Jay
James Madison
Gt. Wm^{ts}

John Adams
Robt Treat Paine

George Wythe
Richard Henry Lee
Th^o Jefferson

James Wilson
Gt. Wm^{ts}

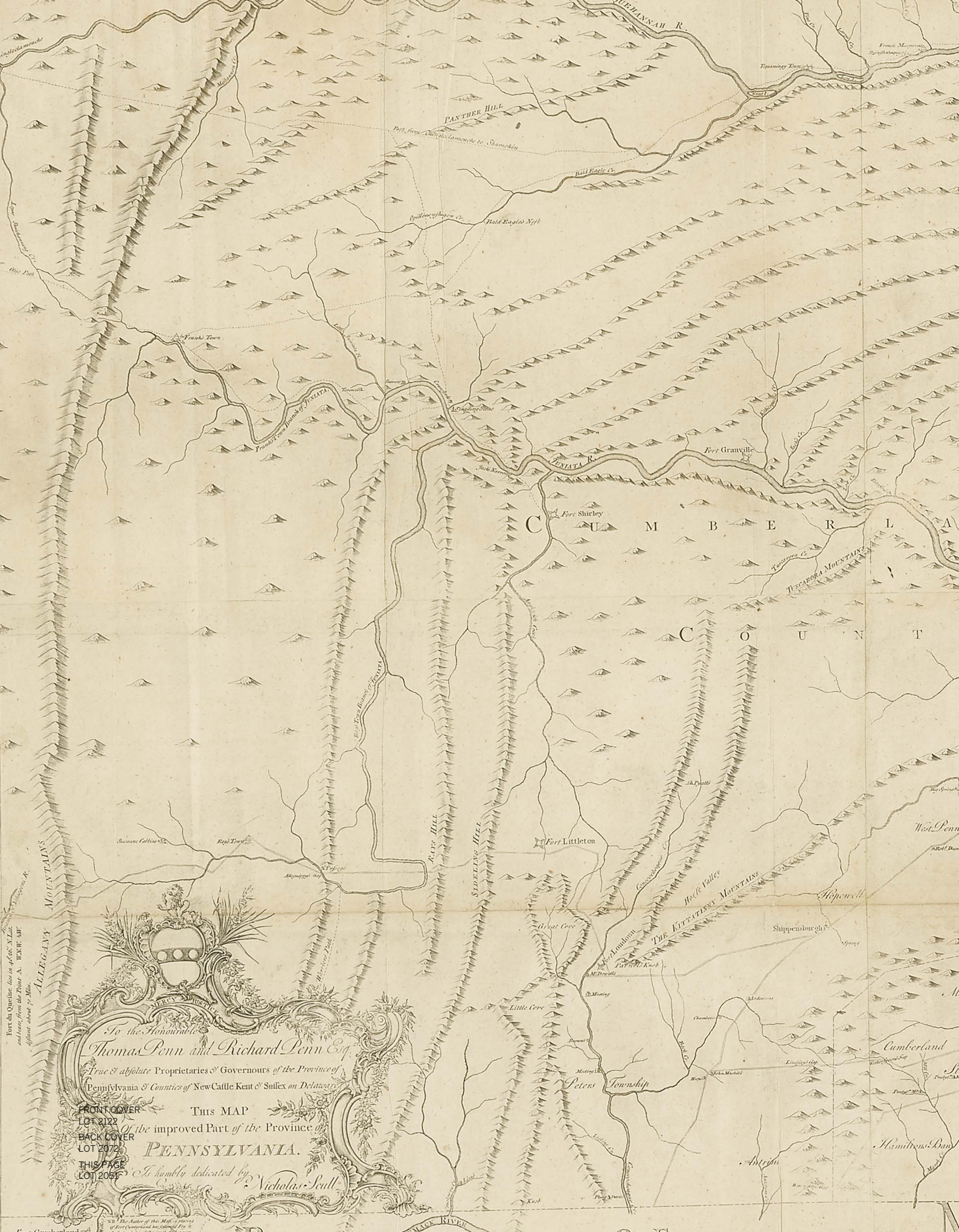
John Jay
James Madison
Gt. Wm^{ts}

John Adams
Robt Treat Paine


FINE MANUSCRIPT AND PRINTED AMERICANA

NEW YORK | 24 JANUARY 2019

Presented by
HONGKONG & COMPANY
Secretary of State of the U.S.A.
THOMAS MORBY



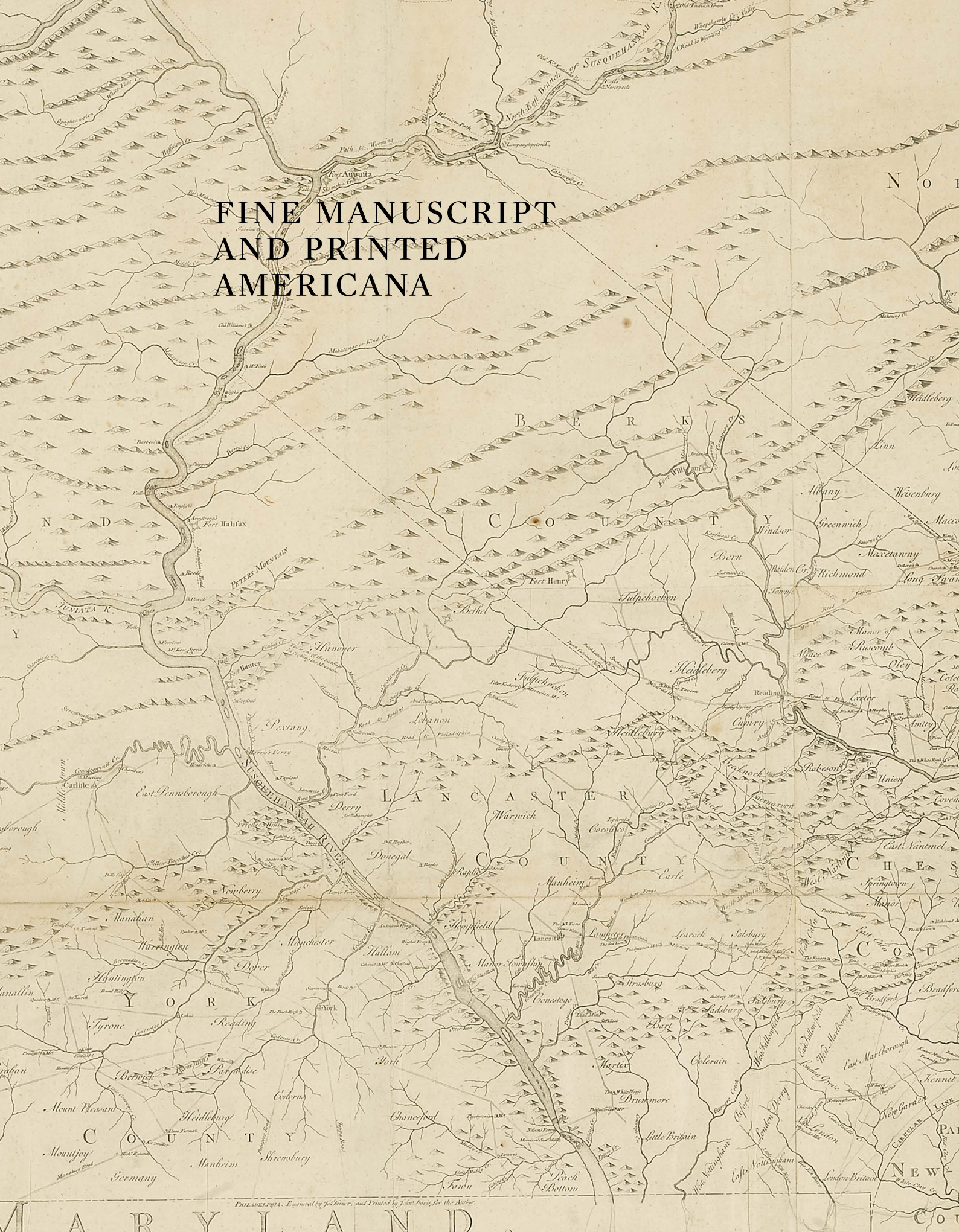
Front in Original Size on Copper Plate
 and Engraved from the Original by
 William Blodgett, Jr. New York 1811


 To the Honourable
Thomas Penn and Richard Penn Esq.
 True & absolute Proprietaries & Governours of the Province
 of Pennsylvania & Counties of New-Castle Kent & Sussex on Delaware
 This MAP
 of the improved Part of the Province of
PENNSYLVANIA.
 Is humbly dedicated by
Nicholas Sully

FRONT COVER
 LOT 2122
 BACK COVER
 LOT 2072
 THIS PAGE
 LOT 2085

The Author of this Map is desirous
 that it should be published for the
 use of the Public.

FINE MANUSCRIPT
AND PRINTED
AMERICANA



By the UNITED STATES in CONGRESS Assembled,
A P R O C L A M A T I O N .

WHEREAS definitive articles of peace and friendship, between the United States of America and his Britannic Majesty, were concluded and signed at Paris, on the 3d day of September, 1783, by the plenipotentiaries of the said United States, and of his said Britannic Majesty, duly and respectively authorized for that purpose; which definitive articles are in the words following.

*In the Name of the Most Holy and Undivided
T R I N I T Y .*

Thomas Mifflin
Chatham
IT having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George the Third, by the Grace of God, King of Great-Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. and of the United States of America, to forget all past misunderstandings and differences, that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore; and to establish such a beneficial and satisfactory intercourse between the two countries, upon the grounds of reciprocal advantage and mutual convenience, as may promote and secure to both perpetual peace and harmony: And having for this desirable end, already laid the foundation of peace and reconciliation, by the provisional articles, signed at Paris, on the 30th of November, 1783, by the commissioners empowered on each part, which articles were agreed to be inferred in, and to constitute the treaty of peace proposed to be concluded between the crown of Great-Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great-Britain and France, and his Britannic Majesty should be ready to conclude such treaty accordingly; and the treaty between Great-Britain and France, having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the provisional articles abovesaid, according to the tenor thereof, have constituted and appointed, that is to say, His Britannic Majesty on his part, David Hartley, Esquire, member of the parliament of Great-Britain, and the said United States on their part, John Adams, Esquire, late a comm. officer of the United States of America at the court of Versailles, late delegate in congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said United States, to their highnesses, the States General of the United Netherlands; Benjamin Franklin, Esquire, late delegate in congress from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary from the United States of America at the court of Versailles; John Jay, Esquire, late president of congress, and chief justice of the state of New-York, and minister plenipotentiary from the said United States at the Court of Madrid, to be the plenipotentiaries for the concluding and signing the present definitive treaty, who after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles.

ARTICLE 1st. His Britannic Majesty acknowledges the said United States, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, to be free, sovereign and independent States: that he treats with them as such, and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same, and every part thereof:

ARTICLE 2d. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz.

From the north-west angle of Nova-Scotia, viz. that angle which is formed by a line drawn due north from the source of Saint-Croix river to the Highlands along the said Highlands which divide those rivers that empty themselves into the river Saint Lawrence from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut river, thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude, until it strikes the river Iroquois or Cataraqui; thence along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie, through the middle of said lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication into the lake Huron; thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through lake Superior northward of the files, Royal and Philippeaux to the long lake; thence through the middle of said

long lake and the water communication between it and the lake of the Woods, to the said lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the northernmost part of the thirty-third degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the said junction with the Flint river; thence straight to the head of Saint Mary's river; and thence down along the middle of Saint Mary's river to the Atlantic Ocean. East by a line to be drawn along the middle of the river Saint-Croix, from its mouth in the bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river Saint Lawrence, comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic Ocean; excepting such islands as now are or heretofore have been within the limits of the said province of Nova-Scotia.

ARTICLE 3d. It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Banks, and on all the other banks of Newfoundland; also in the gulph of Saint Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take care fish in any of the unfettered bays, harbours and creeks of British fishermen shall use, (but not to dry or cure the same on that Island) and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to take care fish in any of the unfettered bays, harbours and creeks of Nova-Scotia, Magdalen Islands, and Labrador, so long as the same shall remain unfettered, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at said settlements, without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

ARTICLE 4th. It is agreed that creditors on either side, shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted.

ARTICLE 5th. It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective States, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his Majesty's arms, and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the Thirteen United States, and therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties, as may have been confiscated; and that Congress shall also earnestly recommend to the several States a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several States, that the estates, rights and properties of such last mentioned persons shall be restored to them; they refunding to any persons who may be now in possession the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation. And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

ARTICLE 6th. That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for or by reason of the part which he or they may have taken in the present war; and that no person shall on that account, suffer any future loss or damages, either in his person liberty or property, and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

ARTICLE 7th. There shall be a firm and perpetual peace between his Britannic Majesty and the said States,

and between the subjects of the one, and the citizens of the other, wherefore all hostilities both by sea and land shall from henceforth cease; all prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every post place and harbour within the same; leaving in all fortifications the American artillery that may be therein, and their arms and accoutrements, as well as archives, records deeds and papers, belonging to any of the said States, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper States and persons to whom they belong.

ARTICLE 8th. The navigation of the river Mississippi, from its source to the Ocean, shall forever remain free and open to the subjects of Great-Britain and the citizens of the United States.

ARTICLE 9th. In case it should happen that any place or territory belonging to Great-Britain or to the United States, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

ARTICLE 10th. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties, in the space of six months, or sooner if possible, to be computed from the day of the signature of the present treaty. In witness whereof, we the undersigned, their ministers plenipotentiary, have in their name and in virtue of their full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

D O N E at Paris, this third day of September, in the year of our Lord one thousand seven hundred and eighty-three.

(L. S.) D. HARTLEY, (L. S.) JOHN ADAMS,
(L. S.) B. FRANKLIN,
(L. S.) JOHN JAY.

A N D we the United States in Congress assembled, having seen and duly considered the definitive articles aforesaid, did by a certain act under the seal of the United States, bearing date this 14th day of January 1784, approve, ratify and confirm the same and every part and clause thereof, engaging and promising that we would sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one, or transgressed in any manner as far as should be in our power: and being sincerely disposed to carry the said articles into execution truly, honestly and with good faith, according to the intent and meaning thereof, we have thought proper by these presents, to notify the premises to all the good citizens of these United States, hereby requiring and enjoining all bodies of magistracy, legislative, executive and judiciary, all persons bearing office, civil or military, of whatever rank, degree or powers, and all others the good citizens of these States of every vocation and condition, that reverencing those stipulations entered into on their behalf, under the authority of that federal bond by which their existence as an independent people is bound up together, and is known and acknowledged by the nations of the world, and with that good faith which is every man's surest guide within their several offices jurisdictions and vocations, they carry into effect the said definitive articles, and every clause and sentence thereof, sincerely, strictly and completely.

G I V E N under the Seal of the United States, Witness his Excellency THOMAS MIFFLIN, our President, at Annapolis, this fourteenth day of January, in the year of our Lord one thousand seven hundred and eighty-four, and of the sovereignty and independence of the United States of America the eighth.

FINE MANUSCRIPT AND PRINTED AMERICANA

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Monticello. Feb. 26. 21.

I thank you, dear Sir, for the Report of the Agricultural Committee on the subject of the Tariff, inclosed in your favor of the 16th. I have read it with pleasure. between that and the Report of the Committee of Manufactures, the justice and the expediency of the system of protecting duties, is ably discussed. of all the questions which fall within the scope of the human mind, none are more perplexing than those which arise in the branch of Political economy. the facts are so numerous, so various, so entangled & difficult of access, and the combinations of these facts so complicated, that differences of opinion are to be expected. if there be heads in this world capable of seeing all these facts, all their bearings on one another, of making all the combinations into which they enter, and drawing sound conclusions from the whole, no doubt that a wisdom of that grade may form a system of regulations for directing to the greatest advantage the public industry and interests: the difficulty of doing this however has produced the modern & general conviction that it is safest 'to let things alone.' and the nation which has pursued the regulating system with the most apparent success is now proposing its gradual abandonment. but I leave these puzzling decisions to those who are to live under them, confident that they will do what is best for themselves, & tender you ~~the~~ with great sincerity the assurance of my esteem & respect.

Robert S. Garnett esq.

W. Jefferson

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THE DAVY CROCKETT COLLECTION OF DAVID ZUCKER

LOTS 2001–2022

Like a lot of kids who grew up in the 1950s, David Zucker fell under the spell of Davy Crockett as embodied by Fess Parker in the Walt Disney television series—and its subsequent international craze. Unlike most of the other kids, Zucker never really gave up his coonskin cap, but took a break to pursue, with his brother, Jerry, and Jim Abrahams, a movie career that has resulted in some of Hollywood's funniest and most wildly successful films, including *Kentucky Fried Movie*, *Airplane!*, *The Naked Gun* (and sequels), and the *Scary Movie* franchise, among many others.

Success as a director, producer, and screenwriter allowed Zucker to indulge his affinity for Davy Crockett, not only by featuring the legendary frontiersman in absurdist cameos (he plays Crockett in one memorable *Naked Gun 2½* scene) or as wall portraits in other movies, but

by putting together a truly significant collection of letters, books, images, and artifacts about the real hero of the Alamo—including the last letter written by Crockett known to survive, in which he announces his intention to leave Tennessee “*on tomorrow morning*” and head to Texas (see lot 2004). Zucker lived the life as well, hosting for many years an annual “Davy Crockett Rifle Frolic” at his ranch in Ojai, attracting Crockett buffs, gun craftsmen, and historians from all over the country.

Now, some six decades after his contemporaries put away their buckskins, Zucker—having not outgrown Davy Crockett, but rather grown into other interests— is ready to part with his Davy Crockett Collection, in the hopes that other collectors, private or institutional, will also enjoy these relics.

Below Left
David Zucker (right) with his brother Jerry and a friend during the Davy Crockett craze in 1955

Below Right
David Zucker on the set of *Naked Gun 2½*, 1991



Steam Boat Currier near Maysville
5 May 1830-

Dear Sir

I am getting on well and expects to reach my residence if no axident in ten or eleven days from the City - I am under the necessity to ask you to do me a favour that is to call at the house where the Stage Stops and in frostburgh for a portretate or my own likeness it was taken by Mr Hincley and presented to me - I had it rooled up and some news papers round it and I had called it a map of florida I had tied it up in side of the male Stage and I was in the accomodation Stage and we got parted when I came to frostburgh where they had changed Stages I enquerid for it and was told by the driver that he had put it in to the other Stage tho I came on a few miles and over took the mail Stage and found that the fellow had not told me the truth

I am confidant that it was left their and it will be of no use to any other person than my self - I will take it as a particular favour of you if you will enquire and find I and enclose it to the Care of Foresyth and Dobbings at Wheeling their they will send it on to me - I spoke to Mr Hart to enquire for it and he may get it but knowing you live near that place induces me to request the favour of you to ascertain what went with it I have thought it possible that some negro might have taken it after the Stage - stopped it might have been left in the Stage and taken before I come up will you be so good as to enquire for it and write me to my post office in Tennessee I remain with high esteem your old servt

David Crockett

Michael C Sprigg

2001

2001

CROCKETT, DAVID

Autograph letter signed ("David Crockett") to Michael C. Sprigg, asking for help in tracking down a missing portrait

2 pages (10 x 7 7/8 in.; 254 x 202 mm) on a single leaf (watermarked HUDSON), "Steam Boat Currier near Maysville," 5 May 1830; some minor shipping and repair at intersecting folds. Framed with double-sided Plexiglas.

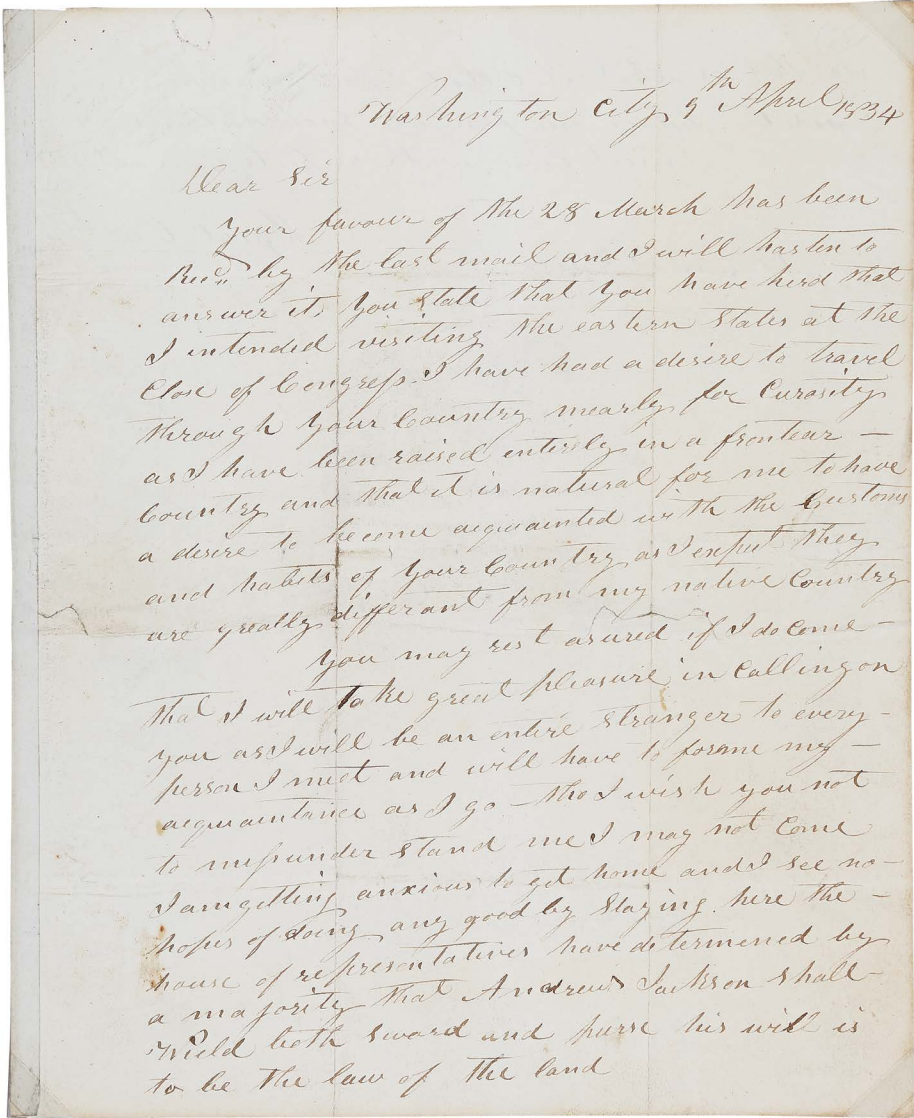
A FINE, IF SOMEWHAT FRANTIC LETTER, FULL OF THE AUTHOR'S TYPICAL MISSPELLINGS AND LARGELY DEVOID OF PUNCTUATION. Heading home from Washington, Crockett had reached Maysville, Kentucky, when he realized he

had lost a portrait of himself after leaving Frostburg, Maryland. Crockett here enlists the assistance of a fellow legislator, Michael Sprigg of Maryland, who served with Crockett in the Twentieth and Twenty-First Congresses.

"I am getting on well and expects to reach my residence if no axident in ten or eleven days from the City—I am under the necessity to ask you to do me a favour that is to call at the hose where the Stage Stops and in frostburgh enquire for a portetrate or my own likeness it was taken by Mr. Hincley and presented to me—I had it Rooled up and some news papers roud it and I had called it a map of florida[.] I had tied it up in side of the male Stage and I

was in the accomodation Stage and we got parted when I came to frostburgh where they had changed Stages I enquerid for it and was told by the drive that he had put it into the other Stage tho I came on a few miles and over took the mail Stage and found that the fellow had not told be the truth[.] I am confidant that it was left their and it will be of no use to any other person than myself—I will take it as a particular favour of you if you will enquire and find it and enclose it to the Care of Foresyth and Dobbings at Wheeling their they will send it one to me ... will you be so good as to enquire for it and write me to my post office in Tennessee[.]"

\$ 20,000-30,000



2002

2002

CROCKETT, DAVID

Autograph letter signed ("David Crockett") to Hiram S. Favor, complaining about President Andrew Jackson

2 pages (9¾ x 8 in.; 243 x 202 mm) on a single leaf, "Washington City," 9 April 1834; mounting remnant at left margin, a couple of fold separations with early repairs. Framed with double-sided Plexiglas.

AN EXCEPTIONAL POLITICAL LETTER BY CONGRESSMAN DAVY CROCKETT, DEPRECATING THE AUTOCRATIC RULE OF ANDREW JACKSON, of whom he was an adherent during the early part of his political career.

After acknowledging Favor's recent letter, Crockett discusses his plans to tour parts of

the nation that are unfamiliar to him: "You state that you have heard that I intended visiting the eastern States at the Close of Congress, I have had a desire to travel through your country merely for Curiosity and have been raised entirely in a frontier country and that it is natural for me to have a desire to become acquainted with the Customs and habits of your Country as I expect they are greatly different from my native Country You may rest assured if I do come that I will take great pleasure in calling on you as I will be an entire Stranger to every person I meet and will have to form my acquaintance as I go—tho I wish you not to misunderstand me I may not come[.]" What Crockett thought of as Favor's country was probably Boston. Favor was a publisher and native of Eastport, Maine; in 1849 he

established Favor's Express, and a popular postal express company with headquarters in Boston and branches in Eastport, Portland, and St. John.

The tenor of the letter changes sharply when Crockett turns his pen to a discussion of the incumbent Jackson administration. "I am getting anxious to get home and see no hopes of doing any good by Staying here the house of representatives have determined by a majority that Andrew Jackson shall Wield both sword and purse his will is to be the law of the land If this what is called republicanism good God deliver us from all such doctrine[.]"

PROVENANCE

William F. Gable, of Altoona, Pennsylvania (American Art Association, 3 December 1923, lot 241)

\$ 30,000-40,000

CROCKETT, DAVID

Autograph letter signed ("David Crockett") to Messrs. E. L. Carey and A. Hart,

2 pages (9³/₄ x 7³/₄in.; 252 x 198 mm) on a single leaf, "Washington City," 1 January 1835; light browning, a few short marginal tears or chips not affecting text. Framed with double-sided Plexiglas.

SEEKING AN ADVANCE ON HIS NEXT BOOK. Writing in one of the many roles he adopted during his fifty years, that of enthusiastic if unschooled author, Crockett updates his Philadelphia publishers about his latest project:

"Gentle men I here enclose you the Title page of the new Book and It is my wish if it does not pleas you as you have the other Book and perhaps may think of some thing that may pleas you better you are at liberty to make any thing to Suit your Selves Mr Clark think this one will do though you know Best." Congressman William Clark of Pennsylvania was assisting Crockett with his writing in at least an editorial capacity.

"I have given Mr Clark my whole towar to the east and Back and I have no doubt but that it will make much more than Mr Clark thinks it will do of this you can be the Judge when you see it[.]

"You wrote me that you would expect a draft at sixty days after date for 150 dollars If you could make it two hundred it would be a great accommodation to me that this time and I would feel under lasting obligations to you I do not wish to deceive any buddy, on next tuesday I am compeld to pay the money and if you can sen me your acceptance for what you can do It will save me the trouble of getting and indorser on it ... I hope you will have time to send it on to me by tuesday so that I can get my self out of this tite place[.]

"I enclosed you Mr. Asquads [that is, the artist Samuel S. Osgood, see lot 2005] letter a few days ago—and you shall have the whole of the work before the time a greed upon Mr Clark has been engaged in the Business of investigating the post office department so that he could not keep pace with me[.]

"I am preparing a Circular address to my Constituents which I am of opinion would compose an interesting part of my Book of this I will leave you to Judge when you see it[.]"

Carey (Crockett has it "Cary") and Hart had previously published the bestselling *Narrative of the Life of David Crockett . . . written by Himself* and were eager for a sequel. The book here described, *An Account of Col. Crockett's Tour to the North and Down East* was published in 1835 and, as Crockett predicted, also enjoyed a wide success, with further editions in 1837, 1839, 1845, and 1848. The extent of Crockett's authorship of the books bearing his name has always been in question, but this letter includes an important hint that the work of William Clark could as correctly be thought of as that of an editor rather than a ghostwriter.

PROVENANCE

William F. Gable, of Altoona, Pennsylvania (American Art Association, 13 February 1924, lot 280)

\$ 25,000-35,000

Washington City 1st January 1835

Messrs Carey & Hart

Gentle men I here enclose you the Title page of the new Book and it is my wish if it does not please you as you have the other Book and perhaps may think of some thing that may please you better you are at liberty to make any thing to suit your selves Mr Clark thinks this one will do though you know Best

I have given Mr Clark my whole towar to the east and Back and I have no doubt but that it will make much more than Mr Clark thinks it will do of this you can be the Judge when you see it

You wrote me that you would expect a draft at sixty days after date for 150 dollars If you could make it two hundred it would be a great accommodation to me at this time and I would feel under lasting obligations to you I do not wish to deceive any buddy, on next tuesday I am compeld to pay the money and if you can send me your acceptance for what you can do It will save me the trouble of getting an indorser on it

of this you are better acquainted with the nature of than I am I do not wish to put you to any inconvenience I hope you will have time to send it on to me by tuesday so that I may get my self out of this tite place

I enclosed you Mr Asquads letter a few days ago—and you shall have the whole of the work before the time a greed upon Mr Clark has been engaged in the Business of investigating the post office department so that he could not keep pace with me

I am preparing a Circular address to my Constituents which I am of opinion would compose an interesting part of my Book of this I will leave you to Judge when you see it

I must close and remain with great respects your friend & obt servt

David Crockett

Winkley County, Tennessee
Oct 31 1835

Dear Brothers
I have concluded to drop you
a line this whole connection is well
and I am on the eve of starting to the
Texas on to morrow morning my
self Abner Burgin and Lindsay Winkley
to our ex. pher William Patton from
the lower country this will make
our company we will go through
Askinsaw and I want to explore
the Texas well before I return
I was greatly in hopes that
you would have come out to Court
this week so that you could have
answered the Bill and seen your
friends from the lower country both
William Patton and his brother in law
Mr George W Harper came to my house
on Monday of Court and both went up
and answered the Bill

Winkley
Capt George Patton
Sumner J.
Burgin & Co

and if you had come or sent on
your answer the Answers would all
have been complete They will take
yours as confessed
I am not the least uneasy
about their gaining it Mr Burgin
tet William have a horse at one
hundred dollars and I have paid Mr
Harper one hundred & 25 dollars -
and I paid William a gun & saddle
and some other things to the amount
of two hundred dollars - that I have
paid them in all we have paid
them three hundred They brought
sufficient proof to identify them
selves -- Mr George W Harper is a first
rate Bls to run the and a clever fellow
you will be well pleased with him
if you ever see him William will
go with me and never return to that
old woman again he is a fine fellow
I am well pleased with them both

I will leave a receipt from the date
your note come due for the amount
of 600 dollars or Credit your note
with that amount you know if
the well is not broke that there
will be no difficulty They have never
replied to our answer as yet
George & Campbell has got a
power of attorney for that money
ready to send to you by Thos Foster
if is in debt and wants to be
bade you will do him a good turn
to send it to him as soon as possible
I must close in haste your old friend
David Gerritt
George Patton

“I am on the eve of starting to the Texas.”

Davy Crockett

2004

CROCKETT, DAVID

Autograph letter signed (“David Crockett”) to George Patton, announcing his intention to travel to Texas

3 pages (9¾ x 7⅞ in.; 249 x 202 mm) on a bifolium (watermarked HUDSON), Weakley County, Tennessee, 31 October 1835; seal tear and repair costing portions of two words, tiny losses at intersecting folds, a few small scattered stains. Framed with double-sided Plexiglas.

THE LAST LETTER WRITTEN BY DAVY CROCKETT KNOWN TO SURVIVE: “I AM ON THE EVE OF STARTING TO THE TEXES.”

Crockett, who had been spoken of as a possible anti-Jackson presidential candidate, found himself at loose ends when he lost his congressional seat in 1835 to a rival backed by Jackson. On 1 November 1835, Crockett set out to determine if Texas was a suitable spot to settle with his family, as he explains in this letter to his brother-in-law, George Patton.

“I have concluded to drop you a line the whole connection is well and I am on the eve of starting to the Texas—on to morrow morning my Self Abner Burgin and Lindsey K. Tinkle & our nephew William Patton from the lowar country this will make our company we will go through Arkinsaw and I want to explore the Texas well before I return[.]”

Crockett then turns to a somewhat sticky family situation. He and George Patton had been named the executors of the estate of Robert Patton, George’s father. But some family members contested the will, and a lawsuit was filed. Crockett reports on the court activities and expresses his exasperation that George seems to be neglecting his duties. “I was Greatly in hopes that you would have come out to Court this week so that you could have— Answered the Bill and seen your friends from the lowar Country Both William Patton and his brother in law Mr George W Harper Came to my house on Monday of Court and both went up and answered the Bill—and if you had come or sent on your answer the Answers would all have been completed They will take yours as Confessed[.]”

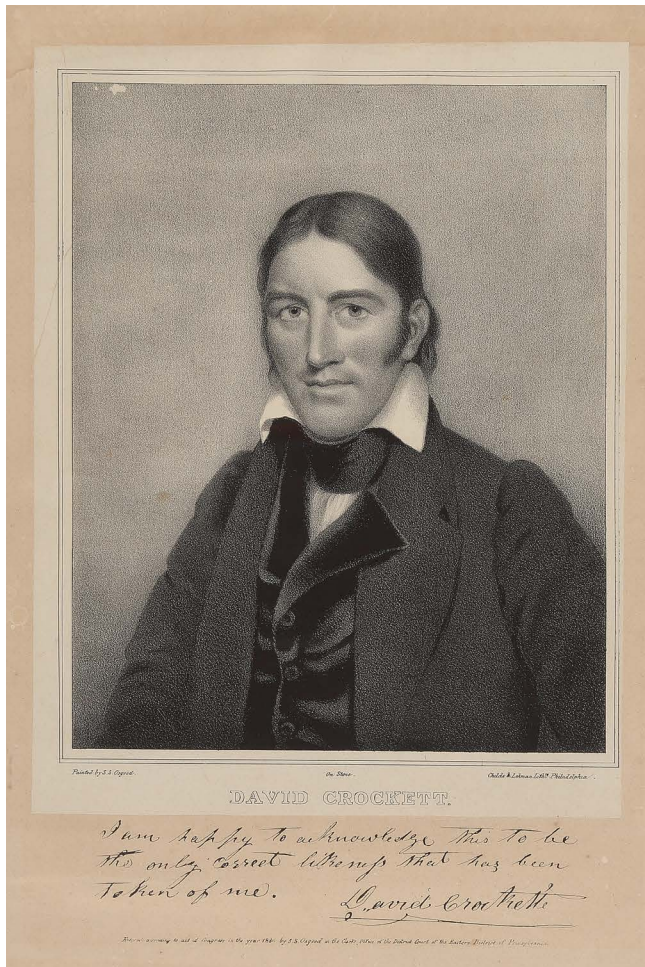
Before returning to legal matters, Crockett describes the outfitting of the expedition: “I am not the least uneasy about their gaining it Mr Burgin let William have a horse at one hundred dollars and I have paid Mr Harper one hundred & 25 dollars—and I paid William a gun & saddle and some other things to the amount of Two hundred dollars—that I have paid them in all we have paid them three hundred They brought Sufficient proof to ldentify them Selves —Mr George W Harper is a first rate Black smith and a Cleverer fellow you will be well pleased with him if you ever see him William will go with me and never return to that old woman again he is a fine fellow I am well pleased with them both ... George and Campbell has got a powar of attorney for that money ready to Send to you by Thos Foster George is in debt and wants his badly you will do him a good turn to sent it to him as soon as possible[.]”

The little company travelled down the Mississippi River to the Arkansas and then up that river to Little Rock. They crossed the Red River into Texas, stopping, in turn, at Clarksville, Nacogdoches, San Augustine, and San Antonio, where they went their separate ways, with Burgin and Tinkle returning to Tennessee. Crockett had no expectation of fighting for Texas independence, but he found himself politically aligned with William B. Travis and then found himself at the Alamo, where he was killed on 6 March 1836.

The familiar legend is that when the travelling party reached Memphis after their first day on the road, they had a farewell drink with friends at the Union Hotel, where Crockett (alluding to the fact that his congressional opponent had a wooden leg) made the celebrated declaration, “Since you have chosen to elect a man with a timber toe to succeed me, you may all go to hell and I will go to Texas.” Crockett did go to Texas, but at the Alamo he found hell.

PLEASE NOTE: While Crockett wrote at least one other letter subsequent to the present example, no originals survive. The copy of his 9 January 1836 letter to his son and daughter that turned up to great fanfare in 2007 has been determined to be a near-contemporary clerical copy.

\$ 70,000-100,000



2005

2005

(CROCKETT, DAVID)

David Crockett. *Philadelphia: Childs & Lehman, 1834*

Lithographed portrait after Samuel S. Osgood, possibly drawn on stone by Albert Newsam, on india paper (10¼ x 7⅞ in.; 262 x 198 mm) mounted on a larger sheet (19½ x 11¾ in.; 485 x 298 mm) lithographed with a facsimile of Crockett's endorsement of the accuracy of the likeness; larger sheet browned, with marginal chips, tears, and dampstaining, portrait bright and clean with two marginal tears, on small fox spot and one small abrasion, none affecting the image of Crockett. Matted, framed, and glazed with Plexiglas.

A VERY RARE NINETEENTH-CENTURY AMERICAN LITHOGRAPHED PORTRAIT AND THE BEST LIKENESS OF THE "KING OF THE WILD FRONTIER." The facsimile of Crockett's endorsement of Osgood's portrait reads "I am happy to acknowledge this to be the only correct likeness that has been taken of me. David Crockett."

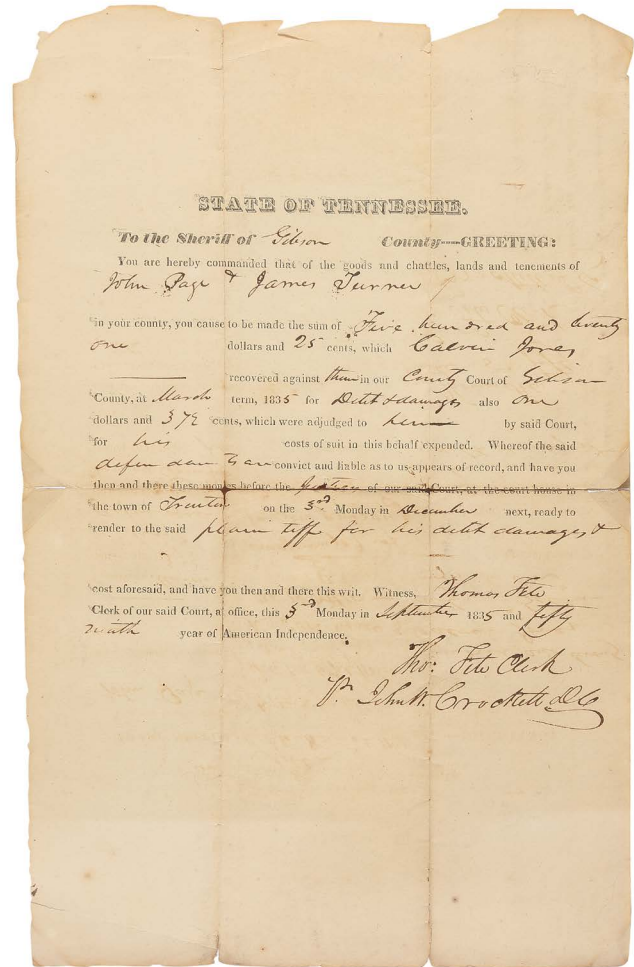
Childs & Lehman issued the print just as Crockett's folk-autobiographies were making him a national figure; it may have been intended to form part of a series of popular lithographs of famous Americans.

Rare Book Hub cites just two copies at auction: in 1904 at Anderson and 2009 at Dorothy Sloan, with a third copy attributed to Rosenbach catalogue 14 (1948). Copies are also recorded in five institutions: the National Portrait Gallery; the New-York Historical Society; the University of Texas, Center for American History; the San Jacinto Museum of History Association; and the Library of Congress.

REFERENCES

Catalogue of American Portraits in The New-York Historical Society 1:176-177; *Dictionary of American Portraits*, p. 140; Peters, *America on Stone*, pl. 33, p. 42

\$ 2,000-3,000



2006

2006

CROCKETT, JOHN WESLEY

Document signed ("John W. Crockett"), being a legal writ for recovery of damages One page (13 x 8⅞ in.; 328 x 207 mm), partially printed and accomplished in a clerical hand, with dockets and endorsements on verso; several fold separations with tiny losses at intersecting folds, lightly browned. Framed with double-sided Plexiglas, hinged to a larger frame with a portrait of J. W. Crockett.

The writ orders the Sheriff of Gibson County, Tennessee, to execute a judgment of \$521.25 against the "goods and chattles, lands and tenements of John Page & James Turner." John Wesley Crockett was Davy Crockett's oldest son, a lawyer and politician who later held the same congressional seat his father did.

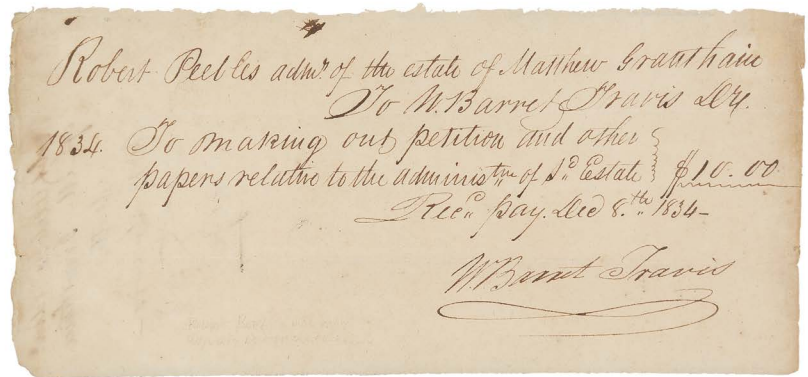
\$ 500-700

2007

TRAVIS, WILLIAM BARRET

Manuscript document signed ("W. Barret Travis"), being a receipt for an estate settlement

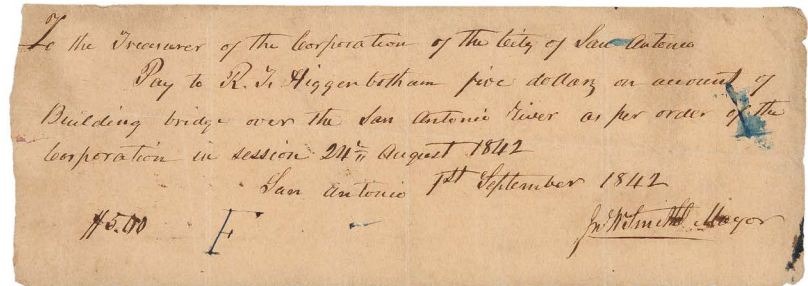
One page (3 7/8 x 8 1/4 in.; 97 x 210 mm) on a slip of paper, written in a clerical hand, [Anahuac?], 8 December 1834; lightly browned. Matted with an illustration of Travis fighting at the Alamo and glazed with Plexiglas. — Accompanied by 2 original pen and ink drawings by Nicholas Eggenhofer for Margaret Cousins's *We Were There at the Battle of the Alamo* (New York: Grosset & Dunlap, 1958). Matted and framed together.



2007

Travis acknowledges receipt of \$10.00 from Robert Peebles, administrator of the estate of Matthew Granthaim, as his fee for "making out petition and other papers relative to the administration of sd. Estate."

\$ 6,000-8,000



2008

2008

SMITH, JOHN WILLIAM

Manuscript document signed ("Jn. W. Smith Mayor"), being a pay order

REFERENCES

One page on a slip of paper (2 3/4 x 7 7/8 in.; 72 x 202 mm), San Antonio, 1 September 1842; lightly browned, a few stains. Matted and framed with Plexiglas.

PROVENANCE

Smith directs the Treasurer of the Corporation of the City of San Antonio to "Pay to R. T. Higgenbotham five dollars on account of Building bridge over the San Antonio River as per order of the Corporation in session 24th August 1842."

Less than six years before executing this mundane civic document, Smith was serving as a scout and messenger during the siege of the Alamo. Because William Travis dispatched him from the Alamo with a message for or Washington-on-the-Brazos, Smith escaped death. He was first elected mayor of San Antonio in 1837.



2009

\$ 2,000-3,000

2009

SANTA ANNA, ANTONIO LOPEZ DE, & JUAN VALENTÍN AMADOR

Documents signed by two of the Mexican Generals from the Battle of the Alamo

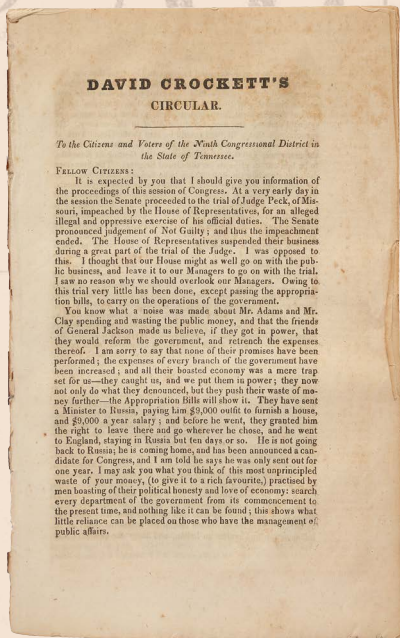
Engraved mortgage bond signed ("A. L. de Ste. Anna") on banknote paper (12 5/8 x 17 1/8 in.; 322 x 435 mm), issued in New York City, 1866, no. 748 of the series issued in the amount of \$500, elaborately engraved by Nathan Lane, Wall Street, with a medallion portrait of Santa Anna

and vignette views of three of his properties used to secure the bond, countersigned by two witnesses, with orange embossed seal for Santa Anna's signature and green embossed notary public seal; slight separations at head and foot of central fold. Matted, framed, and glazed with Plexiglas. — Amador, Juan Valentín. Manuscript letter signed ("Juan V. Amador" with paraph), one page (12 1/4 x 8 1/4 in.; 312 x 210 mm) San Luis Potosí, 8 January 1840, to an unnamed government official, forwarding a certified copy

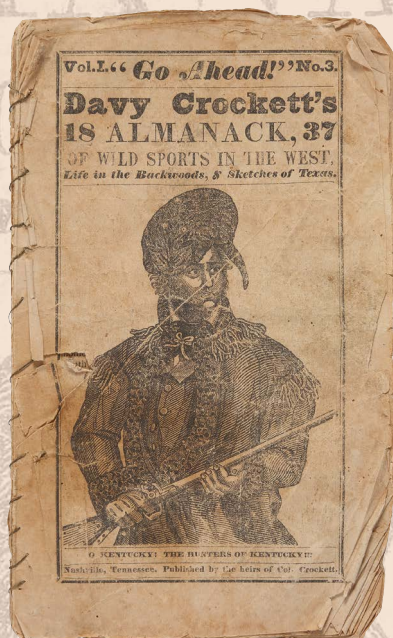
of a military report from General Mariano Arista (not present); upper right corner soiled, some later pencil erasures in lower margin. Matted, framed, and glazed with Plexiglas.

The mortgage document was issued and signed during Santa Anna's long exile from Mexico, as an attempt to raise money to support an invading army that might return him to the presidency.

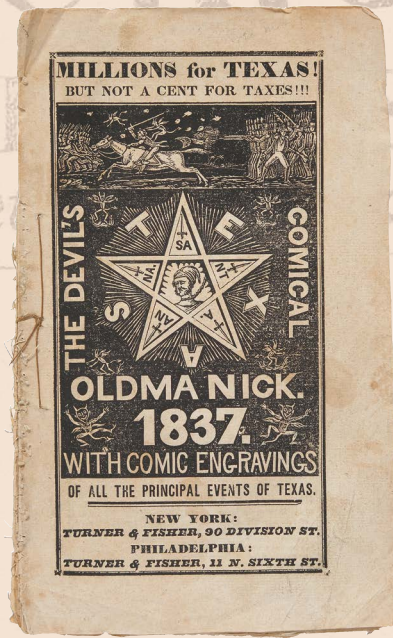
\$ 1,500-2,500



2011



2012



2013

2011

CROCKETT, DAVID

David Crockett's Circular. Washington: 1831

8vo (230 x 140 mm). 16 pp. extracted from a volume; mild spotting. Morocco folding case.

Crockett sends out news from an 1831 session of Congress, including "extravagant public expenditures" and the waste of sending an ambassador to Russia. His staunch opposition to Jackson's Indian Removal policy came at great expense; Crockett lost his re-election campaign this same year.

\$ 1,000-1,500

2012

CROCKETT, DAVID

Davy Crockett's Almanack. Vol. 1 No. 3. Nashville: By the heirs of Crockett, 1837

8vo (200 x 120 mm). Original illustrated wrappers with numerous wood engraved text illustrations; browned, rubbed, two pages with long closed tear.

\$ 1,000-1,500

2013

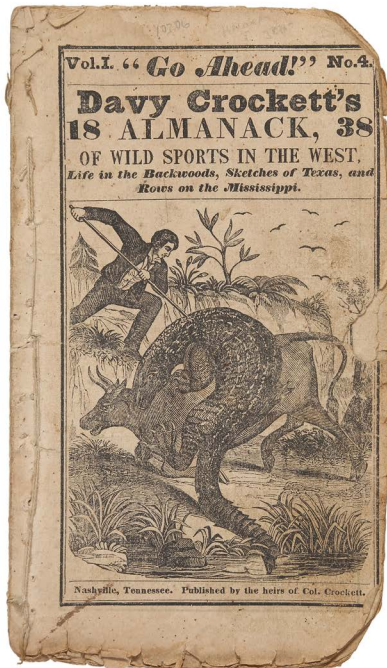
THE DEVIL'S COMICAL OLDMANICK. 1937

The Devil's Comical Oldmanick 1837. New York: Turner & Fisher, 1837

8vo (200 x 120 mm). Original illustrated wrappers and numerous comic wood engravings in text of the principal events of Texas; uncut, faint spotting.

MILLIONS FOR TEXAS, BUT NOT A CENT FOR TAXES!!!

\$ 2,000-3,000



2014

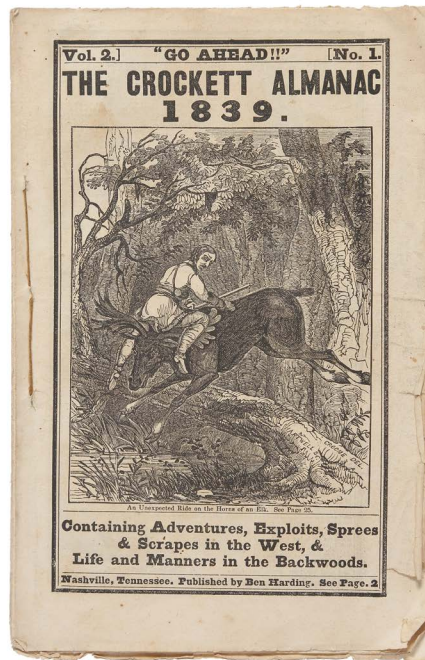
2014

CROCKETT, DAVID

Davy Crockett's Almanack. Vol.1. No.4.
Nashville: by the heirs of Col. Crockett,
1838

8vo (200 x 115 mm). Original printed wrappers,
numerous wood engravings of sketches in
Texas and rows on the Mississippi; uncut,
browned, rubbed.

\$ 1,000-1,500



2015

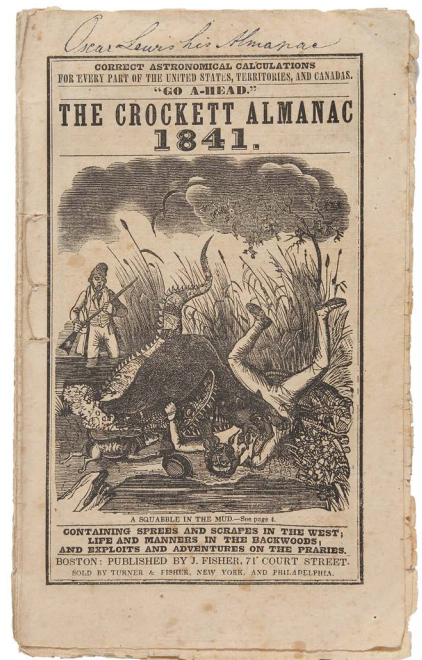
2015

CROCKETT, DAVID

Davy Crockett's Almanac. Vol. 2 No. 1.
Nashville: Ben Harding, 1839

8vo (210 x 155 mm). Original illustrated
wrapper with numerous wood engraved text
illustrations depicting "adventures, life and
manners in backwoods;" uncut, some minor
closed edge tears, but unstained and an
unusually fresh copy.

\$ 800-1,200



2016

2016

CROCKETT, DAVID

Davy Crockett's Almanac. Boston: J.
Fisher, 1841

8vo (200 x 150 mm). Original illustrated
wrappers, numerous wood engraved text
illustrations depicting "sprees and scrapes in
the west"; uncut so edges slightly worn, minor
foxing to margins.

\$ 800-1,200

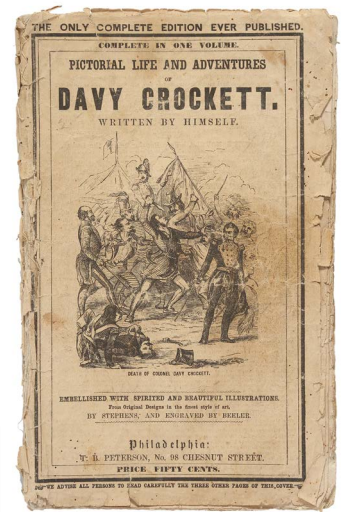
2017

CROCKETT, DAVID

Pictorial Life and Adventures of Davy Crockett. Philadelphia: T.B. Peterson, ca. 1852

8vo (245 x 150 mm). Pictorial wrappers with wood engraved text illustrations, uncut; sewing loose, wrappers chipped along edges, some light mostly marginal staining.

\$ 1,000-1,500



2017

2018

A GROUP OF CROCKETT ALMANACS AND ILLUSTRATIONS

The Crockett Almanac 1840. Vol. 2 No. 2. Nashville: Harding. - *Crockett. 1842 Improved edition.* Boston: S.N. Dickinson. - *Fisher's Crockett Almanac 1843.* New York: Turner & Fisher. - *Davy Crockett's Almanac 1844.* New York: Tuner & Fisher. - *Davy Crockett's Almanac 1845.* Boston: James Fisher. All 8vo in illustrated wrappers, each with numerous harrowing or humorous illustrations; some wear and staining, usual minor chipping. [With:] *Davy Crockett's Motto.* San Francisco: Sherman and Hyde, ca. 1860. Framed 4to sheet music, words by Samuel Booth, music by Charles Schultz, dedicated to Frank Mayo. — Alken, Henry. *Davy Crockett's Elk Hunt.* Hand colored engraved plate from "The Sporting Review" (335 x 415 mm). Matted and framed.

\$ 2,500-3,500



2018

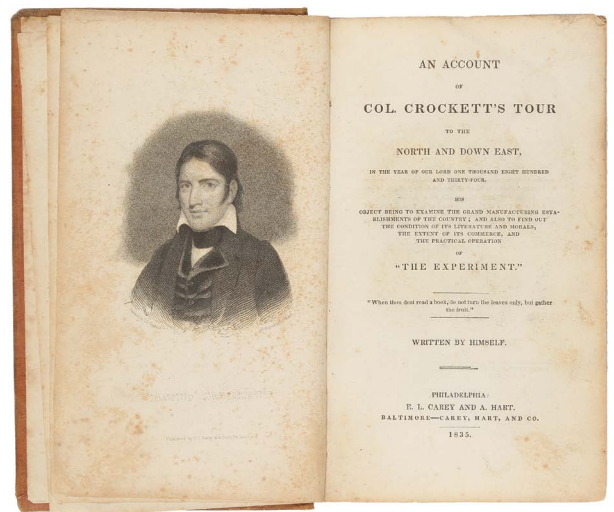
2019

DAVID CROCKETT

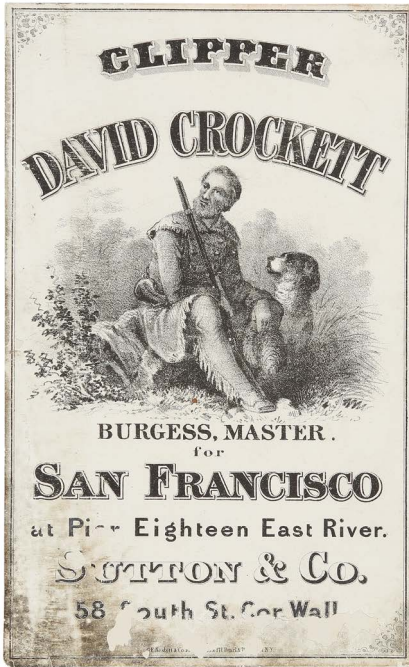
Four books by or about Crockett

Sketches and Eccentricities of Col. David Crockett, of West Tennessee. New York: J and J Harper, 1833. 8vo. Original cloth with minor wear to spine ends and faint marginal stain. - *An Account of Col. Crockett's Tour...* Philadelphia: Carey and Hart, 1835. 8vo. Original cloth with some wear to joins and rubbing, intermittent spotting. With early owner's inscription noting it's purchase in NY in the year of publication. - *The Life of Martin van Buren,.... by David Crockett.* Philadelphia: Robert Wright, 1835. 8vo. Original cloth, worn and a little soiled. - *Col. Crockett's Exploits and Adventures in Texas:...* London: R. Kennett, 1837. 8vo. Later half sheep.

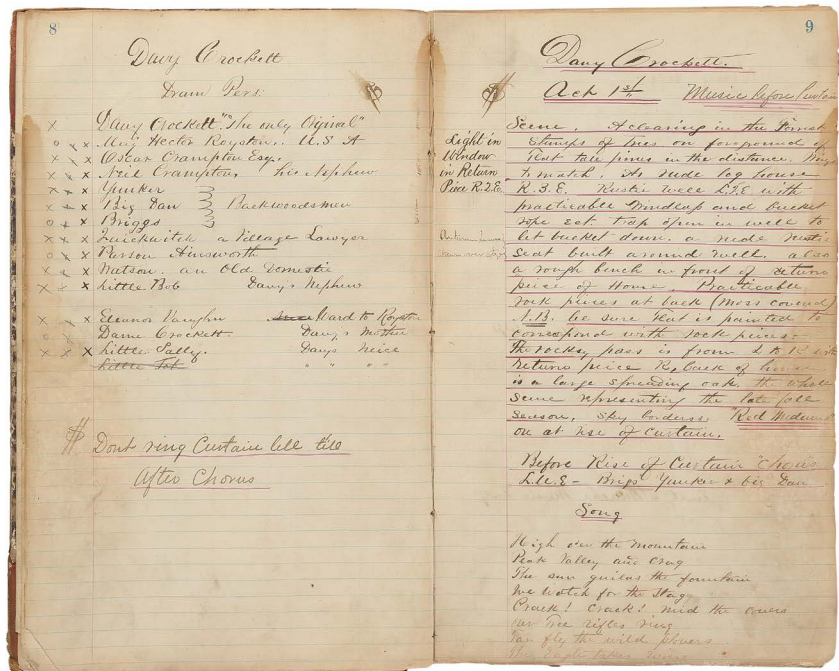
\$ 1,000-1,500



2019



2020



2021



2022

2020

DAVY CROCKETT ICONOGRAPHY

Advertising and other portraits of Crockett
Lithographed pictorial advertising card for the Clipper ship *David Crockett* (6 $\frac{3}{8}$ x 4 in.; 163 x 101 mm), 1863; lightly stained and abraded at bottom margin — Lithographed portrait of Crockett after a photograph by Thuss, Koellin & Giers, Nashville (6 $\frac{5}{8}$ x 5 $\frac{1}{4}$ in.; 169 x 134 mm); lightly foxed — Decorative reproductions of a pictorial advertisement for Davy Crockett Cigars and poster for the 1926 silent film *With Davy Crockett at the Fall of the Alamo*. All but the first item matted, framed, and glazed.

\$ 500-800

2021

MURDOCH, FRANK, & FRANK MAYO

Davy Crockett on Stage

Manuscript prompt book for Murdoch's *Davy Crockett. An Original Domestic Drama, in Five Acts*, 1872, approximately 170 pages (12 $\frac{1}{8}$ x 7 $\frac{1}{2}$ in.; 312 x 190 mm) written mostly rectos only in a ruled ledger book, with dialogue, stage directions, lists of props, and simple sketches of the stage set; dampstained, sewing secure but largely shaken free of the very worn and stained contemporary half calf binding. Half brown morocco folding-case. — 2 chromolithographed

advertising posters for this production by the Strobridge Lithograph Company, Cincinnati: "Not a Word, Not a Look" and "Howl Away, You'll Have to Scatter Before Dawn" (each 18 x 2734/ in.; 462 x 708 mm, sight); some marginal stains and tape repair. Matted, framed, and glazed with Plexiglas. — 2 carte-de-visite size and 2 cabinet-card size publicity portraits and photos of Frank Mayo, the most famous stage Davy Crockett, one cabinet card inscribed on the verso: "That light is in the window for you still"—Davy Crockett. Frank Mayo Nov 26/95."

Murdoch recast Crockett's life as a frontier melodrama, and the play— also known as *Davy Crockett, or, Be Sure You're Right, Then Go Ahead*—successfully toured the country for decades, most often with the comic actor Frank Mayo playing the title character. Mayo, like James O'Neill as Edmond Dantès in *The Count of Monte Cristo*, found his career defined by a lucrative but limiting role; he claimed that a theatergoer once asked him, "I don't suppose you'll ever play anything else but Mayo, Mr. Crockett?"

\$ 1,500-2,000

DISNEY'S DAVY CROCKETT

Movie posters and Disneyland flag

Color-printed one-sheet movie poster for Walt Disney's *Davy Crockett, King of the Wild Frontier* (21¼ x 27¼ in.; 542 x 692 mm), 1955; marginal tear at top, creased with minor loss where folded — Color-printed one-sheet movie poster for Walt Disney's *Davy Crockett and the River Pirates* (30½ x 12¾ in.; 775 x 324 mm),

1956; some very light staining — Fabric flag silk-screened by Hortie-Van Flag and Decorations Company, printed with the name of Davy Crockett and image of the coonskin-capped frontiersman checking a track. Each of the three items matted, framed, and glazed.

The two Davy Crockett movies were both edited compilations of episodes of Disney's *Davy Crockett* television show, starring Fess

Parker and Buddy Ebsen. The Crockett flag was one of several flown in the Frontierland area of Disneyland in the summer of 1955 to commemorate the opening of the Davy Crockett Frontier Museum; these flags are just faintly visible in the background of Disneyland postcard no. P12295.

\$ 1,500-2,500

PROPERTY FROM DESCENDANTS OF MARIE-JOSEPH PAUL YVES ROCH GILBERT DU MOTIER, MARQUIS DE LAFAYETTE

LOTS 2023-2031

The following nine lots have descended in the family of Lafayette's granddaughter, Jenny de la Tour-Maubourg to the present owners. Most of the items came directly from Lafayette through his daughter Anastasie Louise Pauline du Motier (married, 1798, Jules César Charles de Fay, Comte de la Tour-Maubourg) and many of them were gifts to Lafayette during his triumphant farewell tour of America, 1824-1825, when "the Nation's Guest" spent thirteen months being fêted through all 24 states of the Union.

2023**(THE MARQUIS DE LAFAYETTE)**

A pair of lady's white kid gloves produced as a commemorative of Lafayette's visit to the United States

Printed with a portrait medallion of Lafayette captioned "The Friend of Washington." Length in. (mm).

Gloves commemorating Lafayette's grand tour of the United States were produced in several styles, but this is a scarce variant; more commonly his portrait was captioned "Welcome Lafayette."

\$ 1,000-2,000



2023

2024**(THE MARQUIS DE LAFAYETTE)**

A commemorative lacquer snuff box

Circular form (diameter: 3½ in.; 88 mm; height:¾ in.; 18 mm). The lid and bottom fitted applied with colored and lacquered paper discs, the top printed with the principal cities of Europe, the bottom with France's principal military victories with Lafayette's name at the center between the dates of the storming of the Bastille (17 July 1789) and the July Revolution (29 July 1830). Manufactured in Paris (Chez Warin, Rue du Faub.), ca. 1830-1831.

\$ 2,000-3,000



2024



2025

2025

(THE MARQUIS DE LAFAYETTE)

A silver snuff box by Henry H. Redman and John Potter, Norfolk, Virginia

Marked inside base *R & Potter*, 3 x 2 x 5/8 in.; 77 x 50 x 17 mm, curved outline to fit a coat pocket. Engraved on the lid: "Presented By the | young ladies of | Mrs. Brown's Seminary | Norfolk 8-23th-1824 | this gift demonstrates | our Joy the inscription | is on our hearts | to General la Fayette."

\$ 20,000-30,000

2026

(THE MARQUIS DE LAFAYETTE)

Watercolor drawing of John Hancock's home

Watercolor on paper (7 3/8 x 9 1/2 in.; 187 x 243 mm), signed lower right "Eliza S. Quincey del 1825," captioned "View of the House of the late Governor Hancock, the residence during his visits to Boston in 1779 and 1784." Lightly browned. In a contemporary gilt wood frame, manuscript label on back "Mad de Maubours" and printed label of the presumptive framer, "Delarue fils ainé, Seur de Mr. Rey, Paris."

\$ 15,000-25,000



2026

2027

(THE MARQUIS DE LAFAYETTE)

A gentleman's cedar dressing box

Circular form (diameter: 3 7/8 in.; 99 mm; height: 1 1/8 in.; 28 mm). The lid and bottom fitted with silver bands engraved, respectively, "This Box of Red Cedar, made from the Same as that which encloses the remains of Col. Marinus Willett, an officer of the American Revolution," and "is respectfully transmitted to Genl. Lafayette, by Obadiah Newcomb Sen. a Soldier of the Revolution New York May 1st 1833"; the lid surmounted by a silver roundel engraved with Lafayette's name above the federal eagle.

Marinus Willett was a Revolutionary officer and politician from New York; he died in 1830. Obadiah Newcomb Sr. also served in the Continental Army from New York.

\$ 30,000-50,000



2027

2028

(THE MARQUIS DE LAFAYETTE)

Mourning ring for George Washington

Pink gold and black-and-white enamel ring with engraved profile portrait by Saint-Mémin under glass

A SACRED RELIC, WORN BY LAFAYETTE IN MEMORY OF HIS "ADOPTED FATHER," GEORGE WASHINGTON. The bond between Washington and Lafayette and the nations they helped to make was perhaps best expressed by President John Quincy Adams in a farewell address for Lafayette delivered at Washington, 7 September 1825: "We shall look upon you as always belonging to us, during the whole of your life, and as belonging to our children after us. You are ours by that more than patriotic self-devotion with which you flew to the aid of our fathers at the crisis of our Fate; ours in that unshaken gratitude for your services which is a precious portion of our inheritance; ours by THAT TIE OF LOVE, STRONGER THAN DEATH, WHICH HAS LINKED YOUR NAME FOR THE ENDLESS AGES OF TIME WITH THE NAME OF WASHINGTON."

This unusually small engraved oval portrait (ca. 16 x 13 mm) was accomplished by Saint-Mémin in 1800, and while loose copies are known, it must have been intended to be set in mourning rings. Ellen G. Miles records seven other mourning rings in *Saint-Mémin and the Neoclassical Profile Portrait in America* (1994). At the time of publication their location their locations were Yale University Art Gallery; a private collection (sold by Sloan & Co., 20 November 1977, lot 1444); Frank S. Schwarz and Son, Philadelphia; The Metropolitan Museum of Art; The Smithsonian Institution, Museum of American History; Dr. Joseph E. Fields; and unlocated.

REFERENCES

Miles, *Saint-Mémin* 920; see fig. 5:21 for an illustration of the ring in the Smithsonian

\$ 25,000-35,000



2028 (ENLARGED)



2029



2029 (DETAIL)

2029

(THE MARQUIS DE LAFAYETTE)

Rustic wooden box made from the Wood of Penn's Treaty Tree

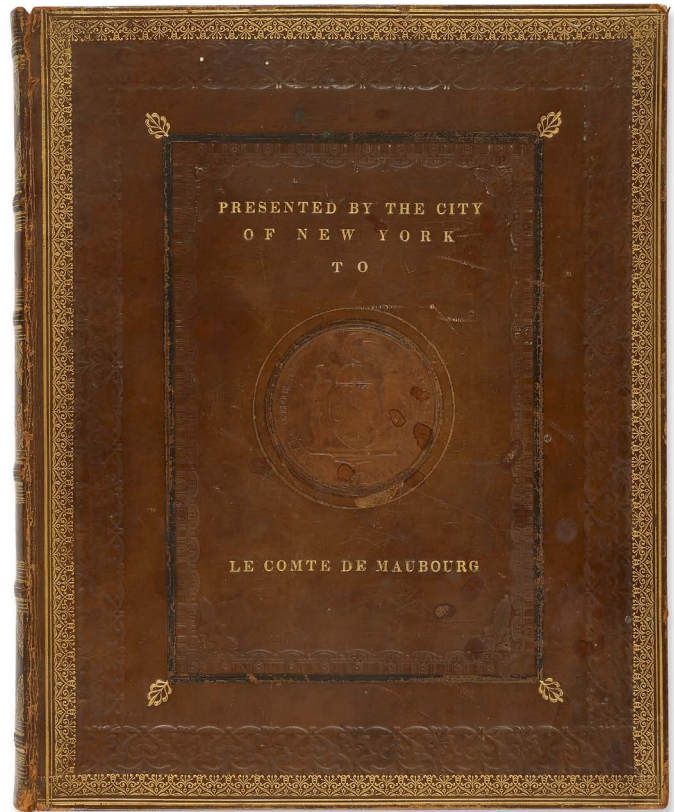
Box (6⁷/₈ x 3⁵/₈ x 2 in.; 175 x 94 x 52 mm), the lid hinged at rear and with two clasps and catches on front. The lid inscribed "For the Friend of | RELIGIOUS & CIVIL | FREEDOM— | LA FAYETTE." The front panel inscribed "FROM A | DISCIPLE OF PENN". The inside lid inscribed "Penn's Treaty with the | Indians of Pennsylvania | 1682. | UNBROKEN FAITH". The inside of the box inscribed "PART OF THE TREE | under which the | TREATY WAS SIGNED".

The Penn Treaty elm, immortalized by Edward Hicks, fell during a storm on 5 March 1810. Revered as the place where William Penn met with Lenape Chief Tamanend in 1682 and pledged a treaty of friendship, the wood from the tree was prized and often fashioned into gifts for dignitaries. In addition to Lafayette, both President Lincoln and Chief Justice John Marshall were among those who received such keepsakes.

\$ 35,000-50,000



2030



2031

2030

FRENCH SCHOOL, CIRCA 1773

Portrait of Marie-Joseph Paul Yves Roch Gilbert du Motier, Marquis de Lafayette at the Age of Fifteen

Inscribed on the reverse "gilbert Du Mottier Mis. De Lafayette a l'age De 15 ans portrait fait en 1773"; also inscribed indistinctly on the top stretcher bar "a Jenny"

Oil on canvas (12 $\frac{5}{8}$ x 9 $\frac{1}{2}$ in.; 322 x 24 mm)

\$ 25,000-35,000

2031

CADWALLADER D. COLDEN

Memoir, Prepared at the Request of a Committee of the Common Council of the City of New York and Presented to the Mayor of the City, at the Celebration of the Completion of the New York Canals... New York: Printed by Order of the Corporation of New York, by W. A. Davis, 1825 [-1826]

4to (9 $\frac{5}{8}$ x 7 $\frac{5}{8}$ in.; 245 x 193 mm). Numerous engraved and lithographed plates including portraits, 2 large folding hand-colored maps, 8 facsimiles of testimonial letters by John Adams, Thomas Jefferson, and the Marquis de Lafayette; some browning and foxing throughout, minor tears at margins of maps not affecting image, offsetting from plates. Contemporary brown calf gilt and decoratively blindstamped presentation binding from the City of New York to Juste-Charles de Fay de La Tour-Maubourg, son-in-law of the Marquis de Lafayette; extremities rubbed with some minor loss to calf.

A HANDSOME COPY OF COLDEN'S *MEMOIR*, PRESENTED TO JUSTE-CHARLES DE FAY DE LA TOUR-MAUBOURG, SON-IN-LAW OF THE MARQUIS DE LAFAYETTE, WHILST ON HIS GRAND TOUR

Celebrating the opening of the Erie Canal, the present volume is an elaborate record of the ceremonies on the official completion of the canal, and one of the first books published in the U.S. to be extensively illustrated with lithography. The plates include views of the harbor with ships forming a procession, maps of the waterways in the United States and in New York State, views of the canal and locks, facsimiles of official documents given upon admission to trade guilds, etc.

\$ 4,000-6,000

BOOKS AND MAPS

LOTS 2032-2062



2032

2032

PROPERTY OF A PRIVATE COLLECTOR

ANDREAS, LAMBERT

Typus orbis terrarum. [Cologne, 1596

Copperplate engraving (265 x 345 mm). Fine

"Examples of Andreas' world map are rarely offered for sale" (Shirley).

The text of the map includes a quote from Cicero – "Who can consider human affairs to be great, when he comprehends the eternity and vastness of the entire world?"

REFERENCES

Shirley 190

\$ 2,000-3,000

2033

BERGOMENSIS, JACOBUS PHILIPPUS

Novissime hystoria omnium repercussionis. Venice: Albertino de Lissona, 1503

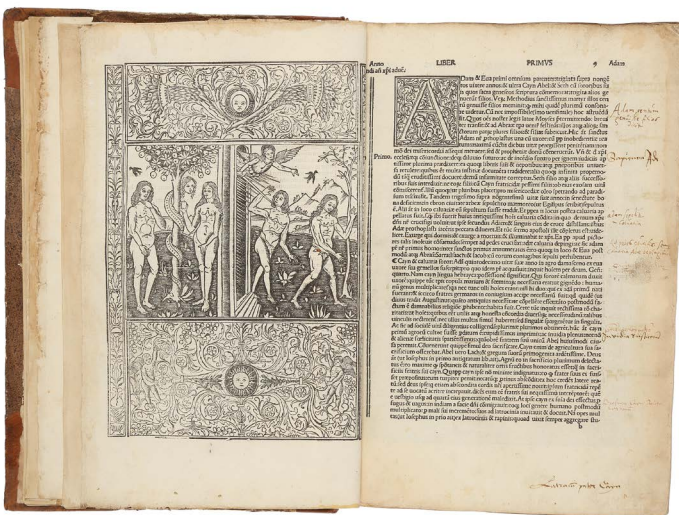
Folio (315 x 215 mm). (462) ff. including final blank, woodcut Pallavicini arms in red and black on title, floriated initials, red capital strokes throughout, printed marginalia and timeline in gutter, 4 full-page woodcuts in ornamental borders, and 89 woodcut city views in text including Milan, Genoa, Rome, Venice and Verona, contemporary marginal annotations; title re-margined, with some thumbing and soiling, next seven leaves have outer margins restored and some waterstaining and repairs at lower gutter, one index leaf with significant text loss, some light spotting or staining to margins of last few signatures. Modern half calf and old boards; scuffed.

A CLASSIC OF RENAISSANCE BOOK ILLUSTRATION AND THE FIRST HISTORY OF THE WORLD TO INCLUDE THE DISCOVERIES OF COLUMBUS.

REFERENCES

Adams F-748; Mortimer Italian 195; Brunet I.787; Sander I.920; HARRISSE p. 87.

\$ 3,000-5,000



2033

2034

BORDONE, BENEDETTO DI

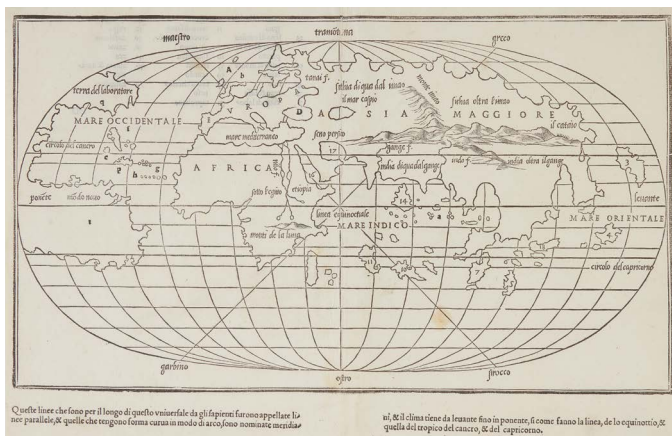
Untitled World Map. [Venice, 1528/ 1547]

Double-page woodcut world map on an oval projection from Bordone's *Isolario* (245 x 385 mm). One light stain, else fine.

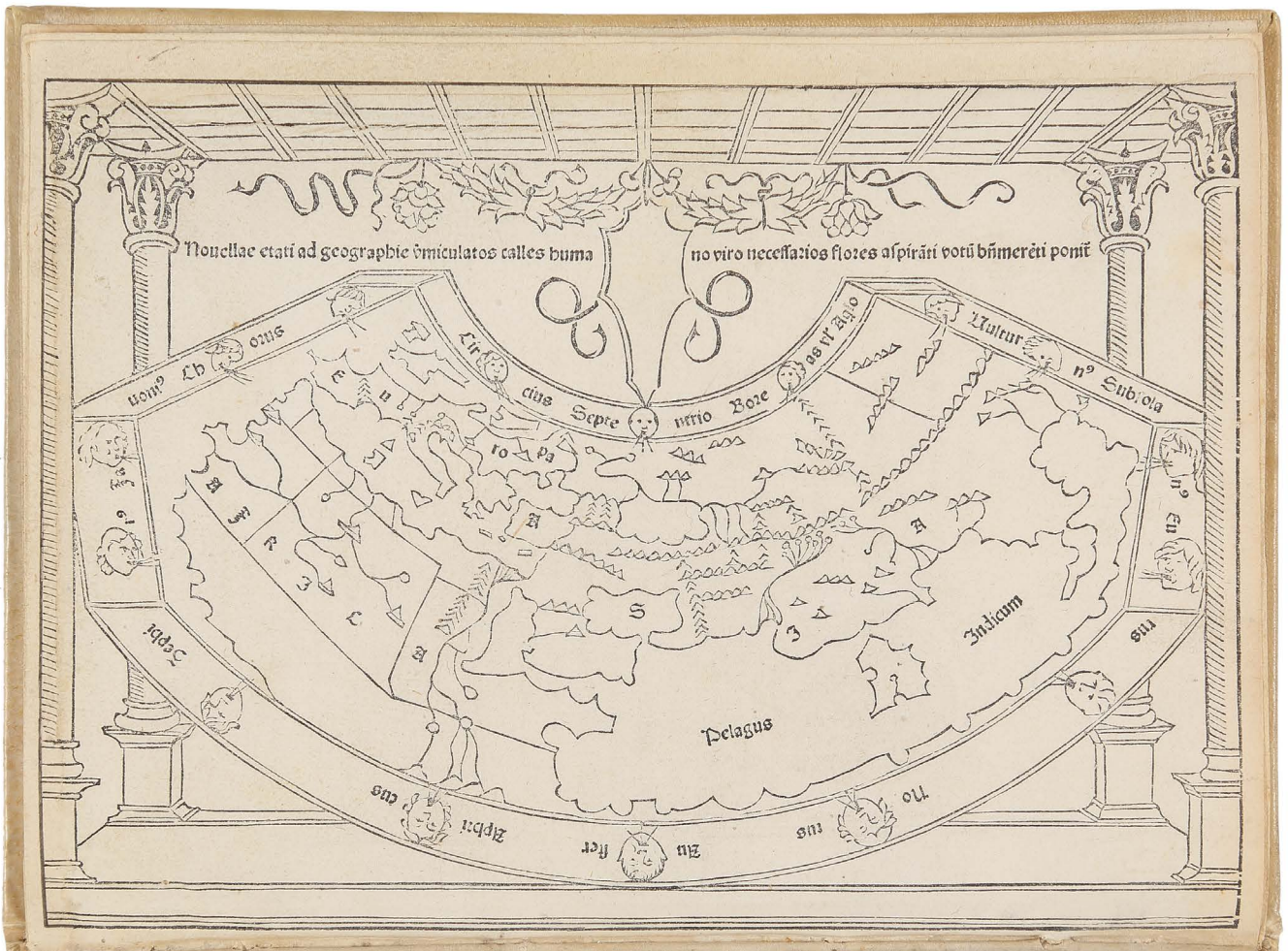
REFERENCES

Shirley 59

\$ 2,500-3,500



2034



2035

2035

POMPONII MELA

Pomponii Mellae Cosmographi
Geographia:.... [Venice, Erwin Ratdolt,
1482]

4to (190 x 142 mm). 48 ff. including one full-page woodcut map of the world on verso of a1, first leaf printed in red and black, and 5 - to 11 - line woodcut initials in text; top and left map margins extended with manuscript reinstatement to outer engraved border, title leaf slightly spotted, final leaf re-margined and mounted with some discoloration, light toning to edges of text leaves, which are numbered in an early hand and faint waterstaining in lower corners of final signature, not affecting text. Later stiff vellum with gilt spine title.

WITH THE SECOND WOODCUT MAP PRINTED IN ITALY, entitled "Novellae etati ad geographiae...". "Ptolemaic maps reached a wider and more varied audience by their inclusion in books other than Ptolemy's Geographia. The first such cases were Pomponius Mela, and Berlinghieri. The simpler conical projection used in the 1478 Rome Ptolemy has here been combined with a 'modern' Scandinavia similar to that found in the Ulm world of 1482" (Suarez).

Pomponius Mela wrote his cosmographical treatise in c. 43AD, which was first printed in 1471 without illustrations. The map included in this edition is the first printed map to include new information about the Portuguese voyages into the Gulf of Guinea and to accurately suggest a means around the Cape of Good Hope.

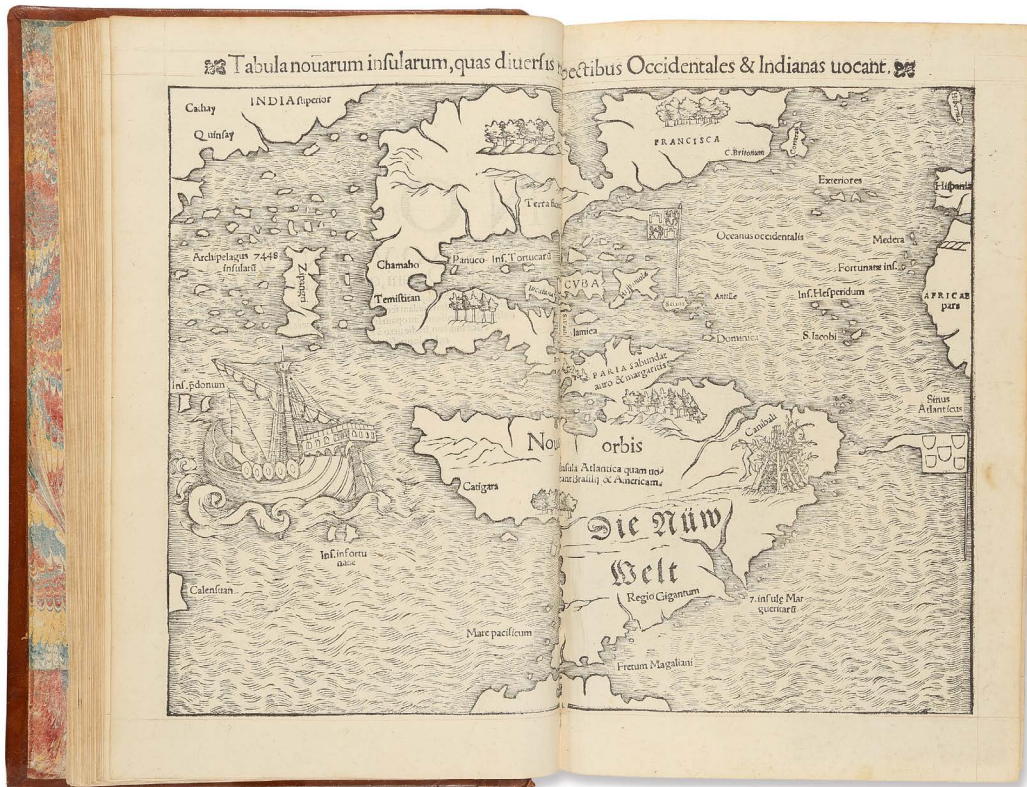
"No earlier printed map recognized this important step towards the rounding of the Cape of Good Hope in 1488, and no map in the incunabula editions of Ptolemy reflected this knowledge" (Campbell).

A CORNERSTONE TEXT OF THE DISCOVERY PERIOD, and a work listed as the first item in two of the most important and historic collections of Americana, Church and Streeter

REFERENCES

Church 1; Streeter 1; Goff M-452; Shirley #8; Nordenskiöld p. 26, plate 31; GW M34876; BMC V.286; Campbell, Earliest Printed Maps, 91.

\$ 10,000-15,000



2036



2036

2036

MUNSTER, SEBASTIAN

Cosmographiae universalis Lib. VI in quibus, iuxta certioris fidei scriptorum traditionem describuntur, . . . *Basel, Heinrich Petri, 1552*

Small folio (31`0 x 205 mm). , (12) ff. 14 double-page atlas maps including two world maps, 3 folding three-page woodcut maps and city-plans, and c. 970 smaller text woodcuts; title slightly cropped and bottom remargined; repair to top margin of pp.220-221 affecting headline and partially obscuring first line of text on p. 222. 17th-century calf, spine in seven decorative compartments, covers and spine richly gilt-tooled with a diamond pattern of fleur de lis, covers stamped with the ecclesiastical arms of a cardinal, minor restoration to spine ends and a little rubbing overall.

A handsome copy of one of the great illustrated books of the 16th century: the work "taught nearly three generations of laymen most of what they knew about the world beyond their native places" (Strauss). Containing over 1000 woodcuts Cosmographie's depictions of cities were unusually accurate "They were based on first-hand information gathered from the local officials of each town or place described, and were some of the earliest large-scale plans of cities to be published... It has been said that the Cosmography of Sebastian Munster 'will remain an important source for the history of civilization of the period'" (The World Encompassed 272).

REFERENCES

W. Karrow, Jr. Mapmakers of the Sixteenth Century, pp. 410-34; Burmeister 88; G. Strauss, A Sixteenth-century Encyclopedia: Sebastian Munster's Cosmography and its Editions, p. 159.

\$ 20,000-30,000



2037

2037

PTOLEMY, CLAUDIUS

La Geografia, con alcuni commenti & aggiunte fattevi da Sebastiano Munstero, con le tavole non solamente antiche & moderne solite di sta(m)parsi, ma altre nuovo aggiuntevi di Jacopo Gastaldo, ridotta in volgare Italiano da Pietro Andrea Mattiolo. Venice: G. B. Pedrezano, 1548 [1547]

8vo(170 x 108 mm). Woodcut border to title, woodcuts in text including a woodcut of an astronomer, with 60 double-page engraved maps; map folds reinforced, but mostly good impressions, "Isla Cuba" with corrected map pasted over original, some intermittent minor spotting. Old stiff vellum with gilt morocco label.

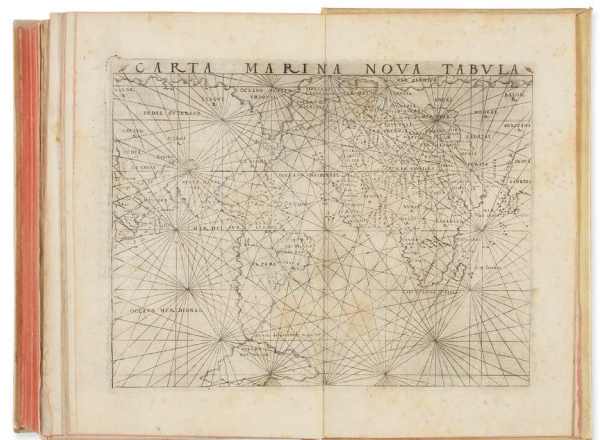
"THE FIRST ATLAS OF THE NEW WORLD" (NORDENSKIÖLD). The maps in this edition were designed by Giacomo Gastaldi. Most of the thirty-four maps of the modern world are entirely new, including seven relating to the Americas. Amongst these is *Nueva Hispania tabula nova*, showing the Mississippi and Florida area, which is the first separate printed map of the region. This small-format edition of Ptolemy was the most comprehensive world atlas before the publication of Ortelius's *Theatrum* in 1570. It is the first complete edition in Italian, following Berlinghieri's verse paraphrase of 1482.

INCLUDES THE LANDMARK "TIERRA NUEVA" MAP OF THE NORTH AMERICAN COAST FROM FLORIDA TO LABRADOR

REFERENCES

Adams P-2234; Mortimer, Italian 404; HARRISSE BAV 285; Streeter I.17; Phillips 369; Nordenskiöld 28; Karrow, *Mapmakers of the 16th century*, pp. 220ff; Burden 16 & 17; Shirley 87, 88, cf. 85; Borri 31, 32; Gole, S. *India Within the Ganges*, p. 47.

\$ 18,000-25,000



2037



2037

Secunda civitas vetustissima et generosissima argentina beta apud beluonem...

De obitu Albi regis bimerum. De obitu Albi regis bimerum. De obitu Albi regis bimerum...



2038



2038



2038

2038

SCHEDEL, HARTMANN

Liber cronicarum cum figuris et ymaginibus. Nuremberg. Anton Koberger for Sebald Schreyer and Sebastian Kammermeister, 12 July 1493.

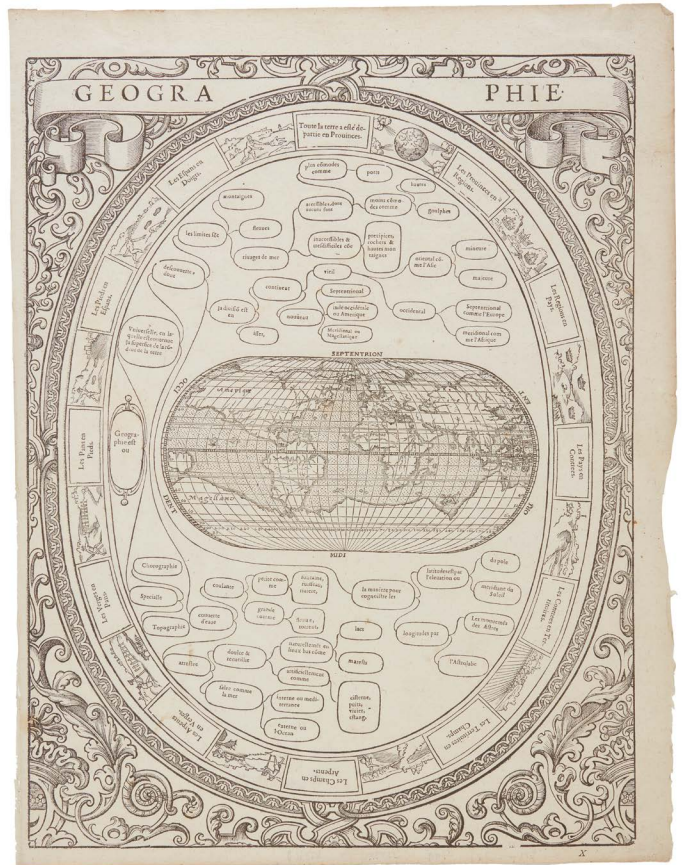
Imperial folio (435 x 305 mm). (20) ff. including title and T.O.C., 266 ff., (5) unnumbered ff. and (1) f. blank [the Samartian supplement, quire 55], 267-299 ff., (1) f. with colophon on verso, (1) f. blank. With the Text in 2 columns, 64 lines, 1,809 woodcut illustrations from 645 blocks, of which 31 are double-page, including the Europe map in old hand color; scattered soiling mostly to margins, minor marginal tears to foot of a handful of leaves, small hole to XI, faint waterstain to head of last few quires, world map lightly thumbbed and slightly soiled with small marginal tear. Contemporary blindstamped pigskin over beveled wooden boards with 8 diamond-shaped brass corner-guards and two brass centerpieces, two brass clasps intact.

FIRST EDITION OF THE MOST EXTENSIVELY ILLUSTRATED BOOK OF THE FIFTEENTH CENTURY - THE WORLD BEFORE COLUMBUS. A history of the world from the Creation to the author's own time, the Chronicle is remarkable for its illustrations, its graphic designs, its printing and for its description of cities. There are one hundred and two early views of towns and cities, thirty-two of which are among the first authentic panoramas ever made. It also includes the famous early map of Europe (by Hieronymus Muenzer after Nicolas Cusa) and a Ptolemaic world map (Shirley 19). The many woodcut illustrations includes portraits of kings, queens, saints and martyrs, with allegorical pictures of miracles.

REFERENCES

Goff S307; HC 14508; BMC ii 437; BSB-Ink S-195; Bod-inc S-108; GW M40784

\$ 70,000-100,000



2039

2039

CHRISTOFLE DE SAVIGNY

Geographie. [Paris, 1587]

Woodcut map of the world after Ortelius' 1570 *Typus Orbis Terrarum*, from Savigny's *Tableaux Accomplis De Tous Les Arts* (435 x 335 mm).

REFERENCES

Shirley 159.

\$ 1,500-2,500



2040

2040

WYTLFIET, CORNELIUS

Descriptionis Ptolemaicae augmentum, sive occidentalis notitia brevi commentario illustrata. Leuven: Johannes Bogaerts 1597

Small folio (300 x 192 mm). Misnumbered as issued, but complete including final blank with 19 double page copper-engraved maps interleaved in text during binding. (with the world map unnumbered). Brown morocco binding by Alix.

FIRST EDITION, FIRST ISSUE. RARE. A FINE COPY OF THE FIRST ATLAS SPECIFICALLY DEVOTED TO THE AMERICAS

"As the first general geography of America, the text of Wytfliet's work may, at least in some degree, have contributed to dispel many of the errors regarding the New World . . . In

the history of early cartography, the maps in Wytfliet's *Augmentum* play the same part for the New World as Ptolemy's do for the old hemisphere, and they give us . . . a valuable summary of the early cartography of America" - Nordenskiöld, *Facsimile Atlas*.

AMONG THE EARLIEST REGIONAL MAPS OF NORTH AMERICA. The map of California is the earliest separately printed map of that area; "Anian Regnum" of the northwest coast and Alaska is Wytfliet's "Norumbega" is "the most accurate antecedent to Joannes de Laet's 1630 "Nova Anglia, Novvum Belgium et Virginia" -Schwartz, *The Mapping of America*, p. 83.

Only seven complete copies the first edition, first issue have been located: Alden cites two (NYPL and Huntington); three additional institutional copies are noted on OCLC* (U. of

Minn., Lehigh, U. of Chicago); and Gallup cites two in private collections. One of these latter is the copy reproduced in the TOT facsimile atlas; this same copy is also described by Koeman. Two incomplete copies have come to the market over the last decade.

The present conforms to the A edition described by Skelton, including in the numerous errors in page numeration recorded by Skelton and Gallup.

REFERENCES

Skelton, R. A. Introduction to TOT Facsimile edition; this edition not in Sabin, Phillips; Alden 597/70; Koeman Wyt 1 A (copying Skelton collation); *The World Encompassed*, 204; Gallup, D. "The First Separately Published Atlas..." in PBSA Vol. 76, no. 1; (Maps:) Burden 100-107.

\$ 35,000-50,000



2042

2041

PROPERTY OF A PRIVATE COLLECTION,
PHILADELPHIA, PENNSYLVANIA

ABBOTT, L.

Lieutenant General Thomas Musgrave,
Governor of Gravesend & Tilbury Fort,
Colonel of the 76th Regiment of Foot./
Engraved from a Picture painted in 1786:
with a view of Mr. Chew's House near
German-town in Pennsylvania 1777.
London, c. 1797

Stippled line engraving (sheet size: 11½ x 15¾
in.; 292 x 390 mm); some browning in margins.
Matted, glazed, and framed.

A VERY WELL-EXECUTED PORTRAIT WITH A "VIEW
OF MR. CHEW'S HOUSE NEAR GERMAN-TOWN" IN
THE BACKGROUND. Musgrave had successful
defended the Chew House, a well-known
Philadelphia landmark, against Washington's
army in 1777, forcing the Americans to
withdraw to Valley Forge for the winter. See lots
2046 and 2047.

\$ 2,000-3,000



2041



2042

2042

BIRCH, WILLIAM

The City of Philadelphia, in the State of Pennsylvania, North America; as it appeared in the Year 1800, consisting of Twenty Eight Plates Drawn and Engraved by W. Birch and Son. *Philadelphia: W. Birch, 1800*

Oblong folio in sheets of laid paper (14¼ x 18 in.; 363 x 457 mm). Engraved title-page with the arms of Philadelphia, letterpress preface with a list of plates, engraved plan of Philadelphia by W. Baker, 27 fine handcolored engraved plates, list of subscribers with issue prices bound in at end; title with marginal thumb-soiling and spotting, preface foxed and browned and with small tears and paper loss repaired, plates with scattered light to moderate foxing, subscribers list foxed. Modern quarter brown morocco gilt, buckram covers. Quarter morocco gilt clamshell case, buckram covers, morocco gilt label on upper cover; some rubbing.

THE EARLIEST PUBLISHED SERIES OF VIEWS OF AN AMERICAN CITY AND A CELEBRATION OF PHILADELPHIA AS THE YOUNG NATION'S CAPITAL. A native of England with a strong academic training in art, William Russell Birch adopted Philadelphia virtually upon his arrival in America in 1794. In his preface he writes a reverent tribute to the burgeoning city: "The ground upon which [Philadelphia] stands, was less than a century ago, in a state of wild nature; covered with wood, and inhabited by Indians. It has in this short time, been raised, as it were, by magic power, to the eminence of an opulent city....This work will stand as a memorial of its progress for the first century...." Aside from being an artistic paean of the city itself, the images would serve, according to Birch's unpublished autobiography, as an advertisement to attract trade and commerce, along with industrious, entrepreneurial settlers from Europe. Birch set out to record the city



2043

2043

CHILDS, CEPHAS GIOVANNI

Views in Philadelphia, and Its Vicinity; Engraved from Original Drawings. *Philadelphia: C. G. Childs, 1827*

4to (11 x 7½ in.; 279 x 190 mm). Additional engraved title-page, 25 engraved plates on india paper and mounted on heavier stock by C. G. Childs, J. Cone, M. Hay, J. W. Steel, and W. E. Tucker after T. Birch, T. Doughty, H. Reinagle, G. Strickland and others, original printed wrappers for all six original parts bound in; occasional foxing and browning. Contemporary black morocco gilt, top edges gilt; spine faded, extremities worn, upper cover detached.

FIRST EDITION IN THE ORIGINAL SIX PARTS. Childs was a prominent Philadelphia engraver and a successful pioneer of American lithography. The engravings include views of prominent churches, the State House, Bank of Pennsylvania, University of Pennsylvania, United States Mint, and the Academy of Natural Sciences.

REFERENCES

Howes C383; Sabin 12731 & 99588; cf. Deak 333

\$ 2,000-3,000

by portraying not only "the background for living, but also ... the full quality of the living itself" (Snyder). The artist and his son patiently recorded incidents and impressions that imparted the work with the vibrancy and true color of everyday life: the ships and cargo that came into port; the elegant civil and private edifices; the markets and the produce sold there. The streets bustle with coaches, wagons, and wheelbarrows; there is a military drill, and a procession commemorating the death of George Washington. Fashionable Philadelphians attend to business or recreation, while native American Indians in colorful costumes leisurely stroll through gardens.

The roster at the end of the portfolio lists 157 initial subscribers, including such noteworthies as Philadelphia publisher and bookseller Matthew Carey; the mayors of New York and Philadelphia; the Marquis d'Yrujo, Spanish Ambassador to the United States; the former Governor of Pennsylvania T. Mifflin; and Vice-President of the United States (and ardent bibliophile) Thomas Jefferson. In his autobiography, Birch wrote of Jefferson's copy: "During the whole of his presidency, [it] laid on his sofa ... till it became ragged and dirty, but was not suffered to be taken away."

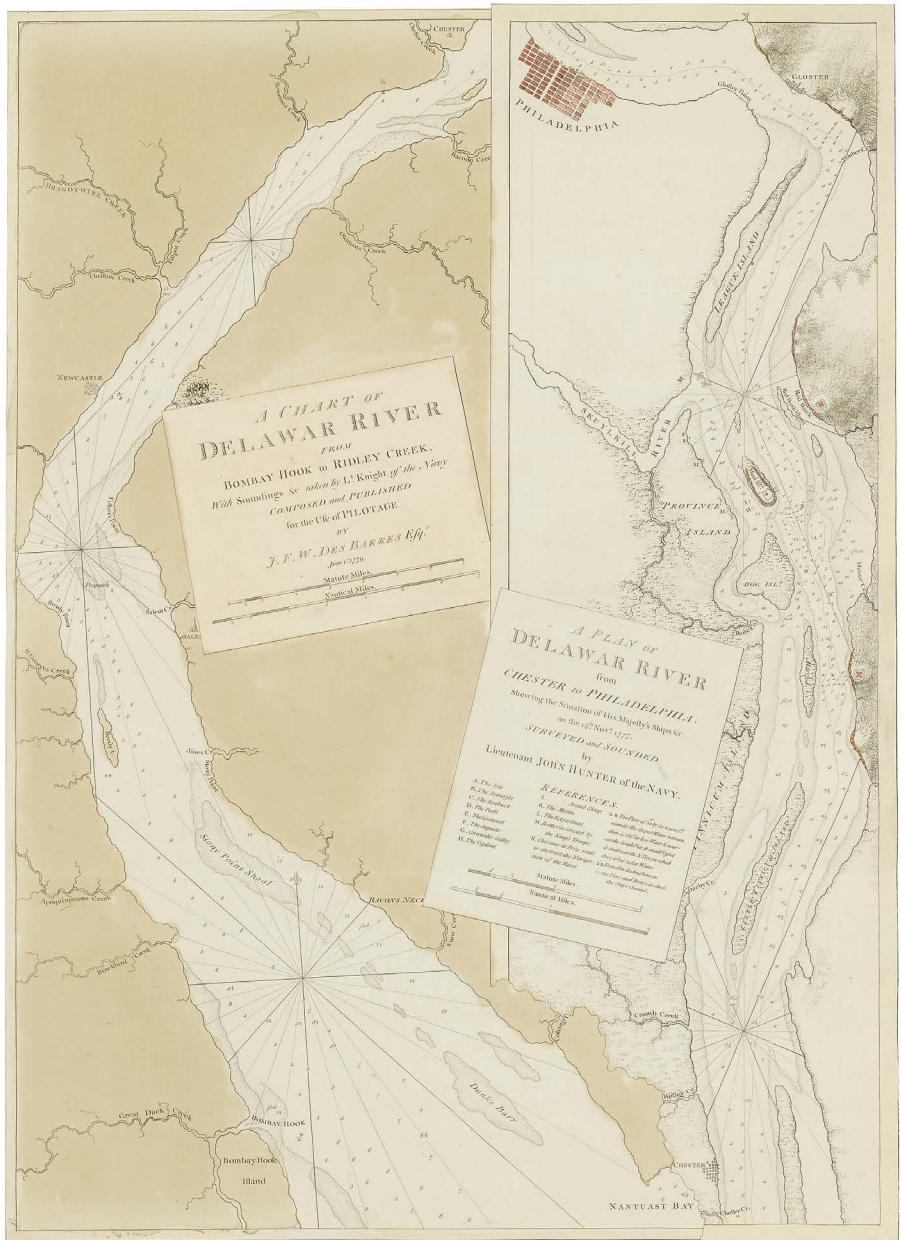
Birch published three later editions of the portfolio, with some variations, in 1804, 1809, and 1828. For nearly thirty years, Birch's monumental work remained the sole record of Philadelphia as it appeared upon the eve of a new century. "His was essentially an act of faith," writes Snyder, "a record of the present made with a conscious eye to what the future would think when looking back upon it.:"

SCARCE.

REFERENCES

Deak 228; Sowerby, Jefferson 4:4169

\$ 30,000-60,000



2044

2044

DES BARRES, JOSEPH FREDERICK WALLET

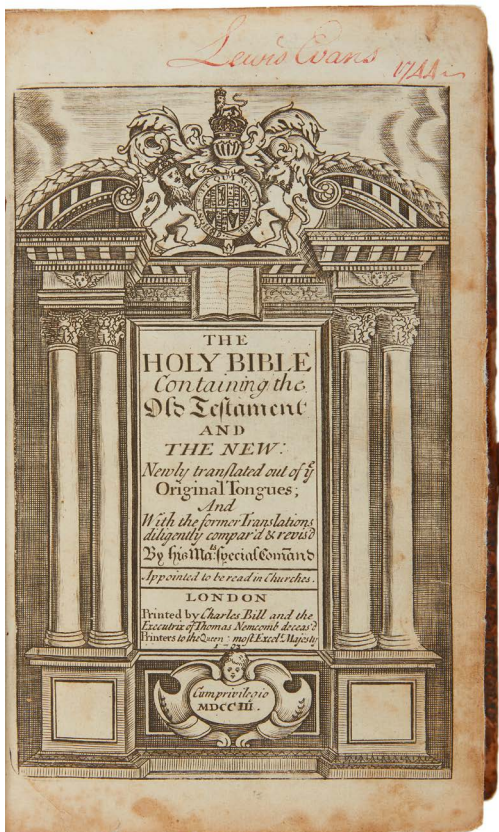
A Chart of Delaware River from Bombay Hook to Ridley Creek, with soundings &c. taken by Lt. Knight of the Navy . . . [with a second panel entitled] A Plan of Delaware River from Chester to Philadelphia. Shewing the Situation of His Majesty's Ships &c on the 15th. Novr. 1777. London: Lords Commissioners of the Admiralty, 1 June 1779.

Copperplate engraved chart with handcoloring (820 x 6590 mm). from *The Atlantic Neptune*. Matted and framed.

AN IMPORTANT REVOLUTIONARY ERA NAVIGATIONAL CHART FOR BRITISH WARSHIPS

"When war with the American colonies broke out, the need for good charts of American waters became imperative, and in the years prior to the war, Des Barres project was given high priority. Between 1776 and 1779, Des Barres and his more than twenty assistants had taken over two London townhouses to complete the Neptune" (Cohen and RAugustyn, Manhattan in Maps 1527-1995)

\$ 6,000-8,000



2045

2045

(EVANS, LEWIS)

The Holy Bible Containing the Old Testament and the New: Newly translated out of the Original Tongues. London: Printed by Charles Bill and the Executrix of Thomas Nemcomb, 1703

8vo (7¾ x 4¾ in.; 197 x 121 mm). Two engraved title-pages; scattered browning and foxing. Contemporary blindstamped calf; scuffed, worn, spine renewed.

COLONIAL SURVEYOR AND CARTOGRAPHER LEWIS EVANS'S BIBLE, SIGNED BY HIM TWICE AND WITH EVANS FAMILY HISTORY RECORDED ON A BLANK. On the general title Evans has signed "Lewis Evans 1744"; and on the New Testament title he has signed "L. Evans".

Welch-born Evans (c. 1700–1756) settled in Philadelphia and was a friend of Benjamin Franklin. His most important work is *A General Map of the Middle British Colonies in America* (1755).

PROVENANCE

Lewis Evans (signatures) — William and Henrietta Pauli, Reading, Penn. (signatures) — Rev. C. H. Baker (inscribed "bought 1872" and "This book is old.")

\$ 1,000-2,000



2046

2046

BATTLE OF GERMANTOWN

Bronze medal, 1777

GERMAN / TOWN / OCTr. 4. 1777, in three lines, within wreath; engraved above inscription, 40 Rgt., rev., aerial view of the battle, a battery of cannon firing on Cliveden; engraved above, REWARD OF MERIT, in exergue, I.MILTON.F, 44.4 mm; pierced for suspension, the edge somewhat battered, otherwise fine

This is an English medal commemorating the occupation and defense of Benjamin Chew's house Cliveden in Germantown, Pennsylvania, by troops of the 40th British Regiment under the command of Lieutenant Colonel Thomas Musgrave. Under withering fire, the regiment resisted Washington's troops which ultimately withdrew; the interior of the house was later described by a Hessian officer "as looking like an abbatoir." Chew (1722–1810) was a close friend of Washington whose 6th daughter, Harriet, married Charles Carroll of Homewood (the son of the last surviving signer of the Declaration, Charles Carroll of Carrollton). The dies for the medal were cut by John Milton, who became the third engraver of the Royal Mint. Examples of the medal exist in both silver and bronze; the latter intended for enlisted men, some are engraved, as here, but more often not. The medals were struck into the nineteenth century as a regimental award medal, and this medal may date from that period.

REFERENCES

Betts 556; Tancred 332; Eimer 772

PROVENANCE

Glendining, 17 April 1964, lot 383 — John J. Ford Collection (Stack's, 23 May 2006, lot 164)

\$ 7,000-10,000



2047



2048

2047

BATTLE OF GERMANTOWN

Bronze medal, 1777

GERMAN / TOWN / OCTr. 4. 1777, in three lines, within wreath; rev., aerial view of the battle, a battery of cannon firing on Cliveden, in exergue, I.MILTON.F, 44.5 mm; some light spotting, rich brown patina, about uncirculated.

REFERENCES

Betts 556; Tancred 332; Eimer 772

PROVENANCE

Douglas Denham, 5 July 1969 — John J. Ford Collection (Stack's, 23 May 2006, lot 166)

\$ 4,000-6,000

2048

FADEN, WILLIAM (JOHN HILLS, SURVEYOR)

A Plan of part of the Provinces Pennsylvania, and East and West New Jersey. London: Faden, 1784

Copperplate engraved map (540 x 730 mm) from Faden's *Atlas of Battles of the American Revolution*. Some outline color. Central fold reinforced on verso, some very minor toning to edges. Matted and framed.

REFERENCES

Phillips, *Maps of America*, p.486

PROVENANCE

W. Graham Arader

\$ 4,000-6,000

2049

HOLM, THOMAS COMPANIUS

Nova Sveciae tabula. Stockholm: 1702

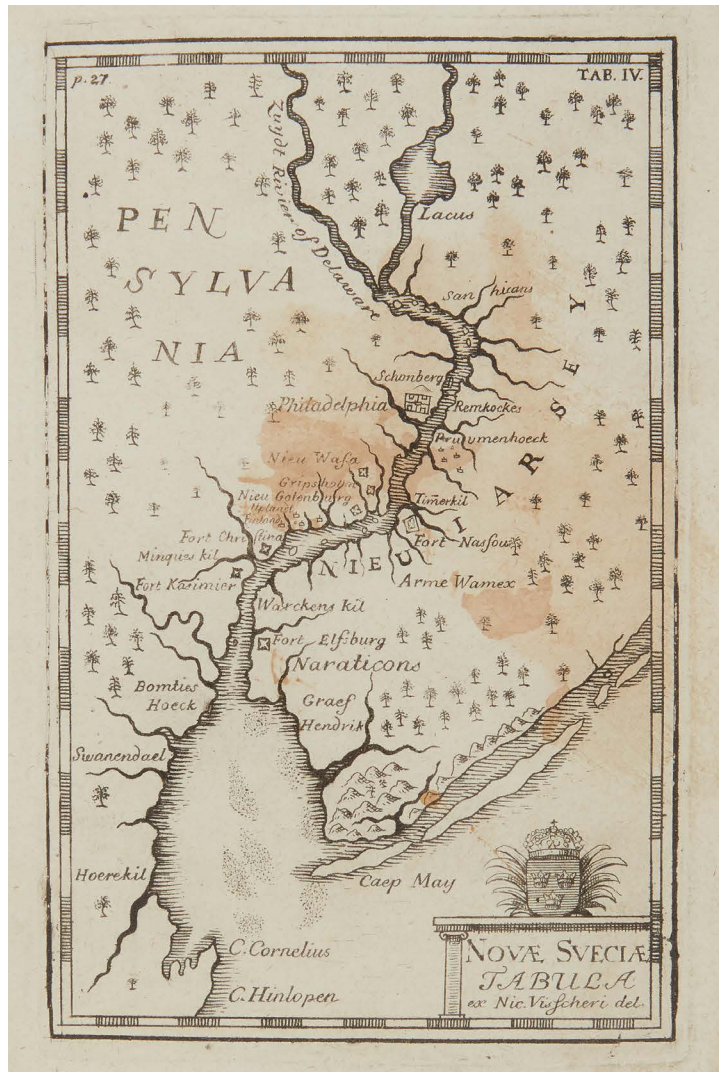
Copperplate engraving (185 x 140 mm). from *Kort Beskrifning Om Provincien Nya Sverige...* Kallas *Pennsylvania*. Small light stain. Matted and framed.

Extracted from a larger Visscher map, it depicts Swedish settlements on the Delaware.

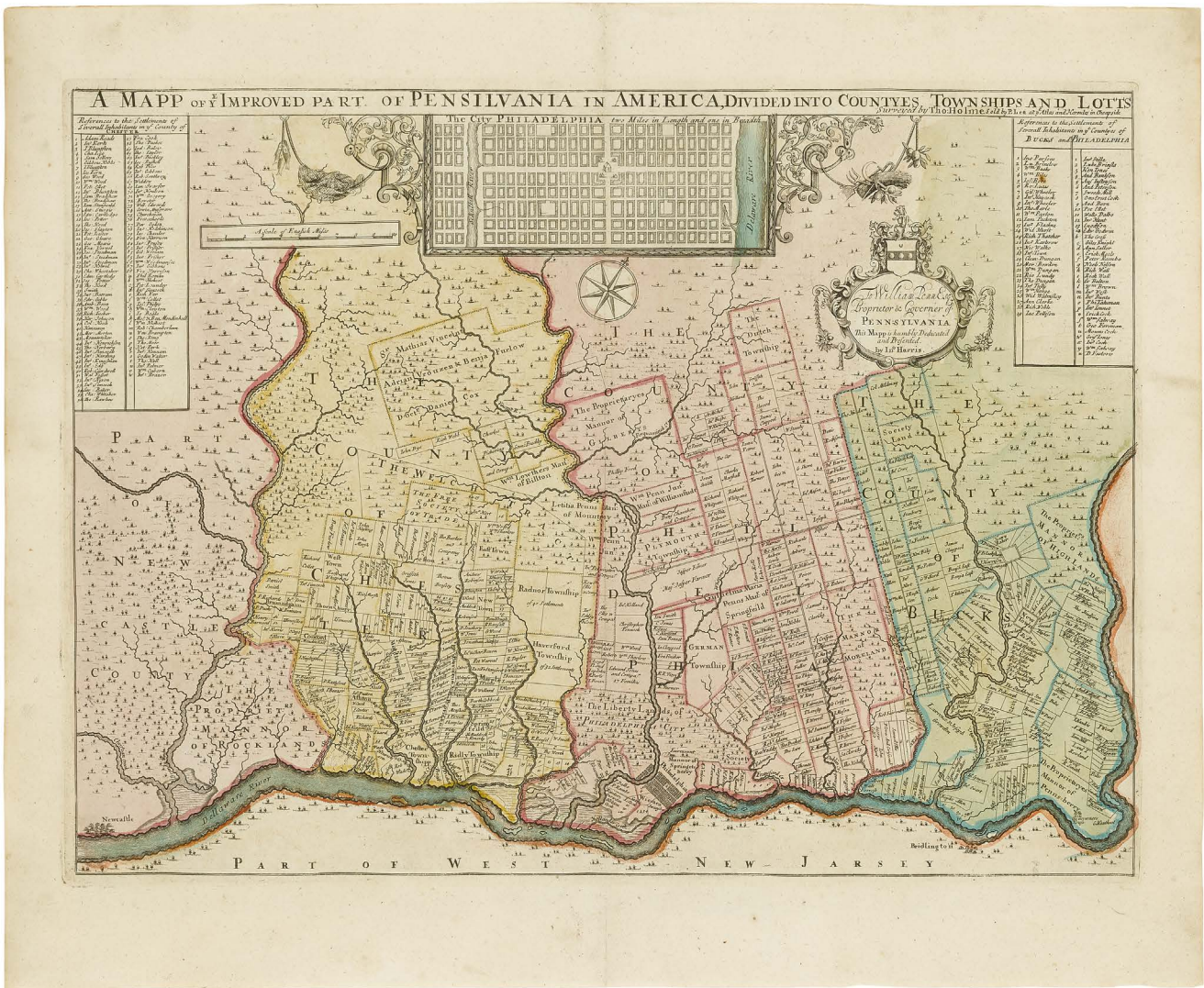
PROVENANCE

W. Graham Arader, 2013.

\$ 1,500-2,000



2049



2050

2050

HOLME, THOMAS

A Mapp of ye Improved part of Pensilvania in America, Divide into Countyes Townships and Lottes. *London: 1687*

Copperplate engraving by John Harris with handcoloring (50 x 65 cm). Matted and framed.

WITH INSET EARLY MAP OF PHILADELPHIA. Holme completed his plan of the city in 1686 and then turned his attention to the surrounding provinces. The present is the scaled down version of his momentous and detailed 7 sheet map that gave the most exact delineation of the colony's 800 tracts of land. A very fine example.

REFERENCES

Snyder, *City Of Independence* pp.22-25

\$ 20,000-30,000



2051

2051

SCULL, NICHOLAS

Map of the improved Part of the Province of Pennsylvania. *Philadelphia: Engraved by Jas. Turner and Printed by John Davis for the Author; Published & Sold by the Author, Nicholas Scull, 1 January 1759.*

Large copperplate engraved map on joined sheets (153 x 78 cm). with elaborate cartouche dedication to the Penn brothers. One faint spot, a superior example. Matted and framed.

THIS IS THE FIRST LARGE SCALE MAP OF PENNSYLVANIA AND ONE OF THE MOST IMPORTANT EIGHTEENTH-CENTURY MAPS ENGRAVED IN WHAT IS NOW THE UNITED STATES (Streeter).

The mapmaker, Nicholas Scull (1700-1762), was Surveyor General from 1748-1761, successor to General Benjamin Eastburn, and was the first member of a North American family to engage in mapmaking as a business. A very attractive copy, in the first state, before the additions of text at Nelson's Ferry and a road from Carlisle east to Pine Fort. Scarce.

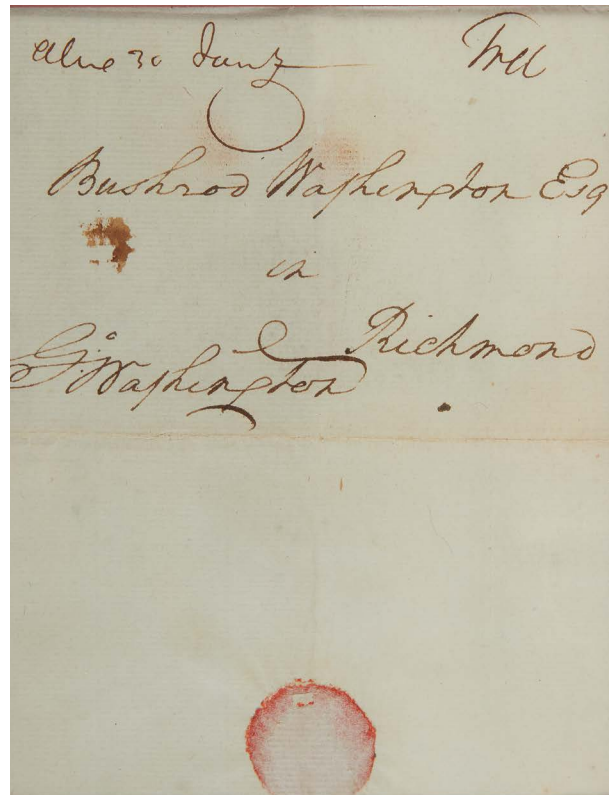
REFERENCES

Evans 8489; Streeter sale 2:965; Wheat & Brun 422

\$ 70,000-100,000



2052



2053

2052

**TERRESTRIAL AND CELESTIAL
POCKET GLOBE, LONDON, 1808**

Terrestrial globe (diameter approx. 9 in.). Wood covered in handcolored engraved map, metal arm and pole, mounted on wooden base. Celestial globe consisting of two papier-mâché spheres joined with brass hinge and secured with two brass clasps, interior lined with handcolored engraved celestial maps, exterior covered with pebble-grain paper; edges of exterior with some chipping.

A fine pocket globe, with the location of the "Antipodes to London" marked, and the monsoons in the Indian Sea recorded. The "Chinese Wall" is depicted, and California is drawn as a peninsula. Australia and New Zealand are drawn according to the Dutch discoveries. The track of the Anson is recorded and labelled "Ansons going out and Ansons return." A total of five oceans are named. Of the astronomical details on the inside of the case, stars are represented by different symbols, but a magnitude table is absent. The Milky Way is labelled. A total of six stars and two star groups are named, and the 48 Ptolemaic constellations and four of the non-Ptolemaic constellations are drawn. Four of the southern constellations are drawn as well as those of Plancius and all those of Hevelius.

\$ 3,000-5,000

2053

WASHINGTON, GEORGE

Address leaf with autograph free frank signed ("Go: Washington") as first president, to his nephew, Judge Bushrod Washington

One page (sight: 4¼ x 5⅝ in.; 110 x 140 mm), Richmond, 30 January 1790, with address panel reading "30. Jany 90 | Geo. Washington | to | His Nephew & Heir | Judge Washington | The present owner of Mt. Vernon.", remnants of wax seal; minor soiling. Matted, glazed, and framed together with an engraving of Washington after and etching by H.B. Hall. Not examined out of frame.

Bushrod Washington was an politician and attorney, who, after being nominated by John Adams, served as Associate Justice of the Supreme Court of the United States from 1798 to 1829. Whilst on the Supreme Court, Bushrod Washington was a staunch ally of Chief Justice John Marshall, and also a co-founder and the president of the American Colonization Society (ACS). Bushrod inherited Mount Vernon along with his uncle's papers, and formally took possession of the property in 1802, following the death of Martha Washington.

\$ 4,000-6,000

PROPERTY OF VARIOUS OWNERS
FADEN, WILLIAM.

A Plan of New York Island with Part of Long Island, Staten Island & East New Jersey, with a particular Description of the Engagement on the Woody Heights of Long Island, between Flatbush and Brooklyn, on the 27th of August 1776. London: William Faden, ca. 1776 - 1777

Copper engraved battle plan on two joined sheets (22½ x 29⅞ ins; 765 x 505 mm), with hand coloring. Some minor matt burn from previous framing. Matted and framed.

THE BRITISH ACCOUNT OF THE BATTLE OF LONG ISLAND

This large-paper issue of a detailed, partially hand-colored map of the British invasion of New York City was first published "according to Act of Parliament, Oct 19th 1776" within weeks of the Battle of Long Island. Below the map in four columns is a detailed account of the Battle of Long Island taken from General Howe's letter to Lord Germain from his camp at New Town, Long Island (present-day Elmhurst, Queens) on September 3, 1776. This printing is the fifth and final state, showing the American retreat north up Manhattan Island and British occupation of New York on September 15.

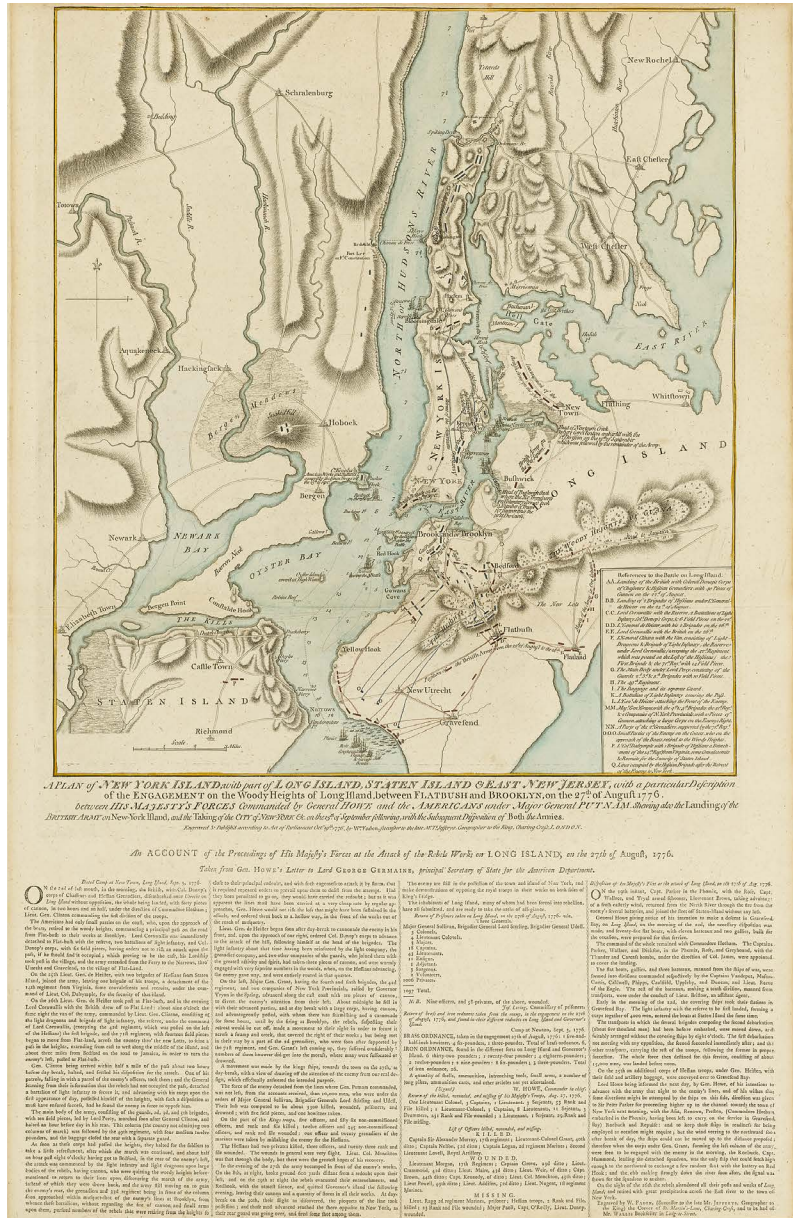
"The inhabitants of Long Island, many of whom had been forced into rebellion, have all submitted, and are ready to take the oaths of allegiance... the rebels abandoned all their posts and works of Long Island, and retired with great precipitation across the East river to the town of New York."

The above quote from the text is an interesting spin on General Howe's controversial decision to halt the British attack, despite the protests of many of his officers. Instead of a direct assault, Howe favored a siege, believing that the Americans were trapped by his army and the British navy's control of the East River. On August 29, Washington's officers counseled retreat, and during the night, all 9,000 American troops were evacuated to Manhattan Island without loss. Howe had very much let the rebels slip through his grasp.

REFERENCES

Nebenzahl Atlas, pl. 12; Nebenzahl Battle Plans, 107; Tooley American 41e.

\$ 8,000-12,000





2055

2055

THE HAMPTONS

“Draft of the Sound.” Parts of Long Island, Connecticut, and Rhode Island. Circa 1798-1802

Manuscript map with hand coloring (13½ x 13 in.; 320 x 330 mm). Details include uncharted shipwrecks off Fisher’s Island, three unmarked reefs, and two small islands on the course from Newport, Rhode Island, to New London, Connecticut with sailing directions provided for the most treacherous area. Matted and framed.

AN EARLY MANUSCRIPT NAUTICAL CHART FROM MONTAUK TO NEWPORT

Based largely on Osgood Carleton’s 1798 Chart from New York to Timber Island including Nantucket shoals, the present map adds local nautical knowledge that would have been critical to the safety of lives and cargoes at the time. The passage between Block and Long Island Sounds was one of the most highly trafficked, yet dangerous parts of the southern New England coast.

Perhaps the greatest risk are for ships entering Long Island Sound from the Atlantic Ocean and Block Island Sound – a crucial route for coastwise traders to bring goods to New London, New Haven, other Connecticut shoreline cities, and eventually New York City via the East River. The waters of Long Island Sound meet the Atlantic in an area today known as “The Race” at the western end of Fisher’s Island. At certain times, the confluence of tides creates waves so intense and close together that they are said to look like a pack of galloping horses, providing its historic name, the “Horse Race.” Compounding navigational difficulties, it passes over the submerged, eponymous Race Rock. Even today, mariners under sail avoid this entrance to Long Island Sound.

In Watch Hill Passage, between the eastern end of Fisher’s Island and Watch Hill Point, the currents, though still perilous, are less violent. Though narrower, even today this is the preferred route for small sailing craft travelling from Cape Cod, Nantucket, Martha’s Vineyard, Block Island, Newport, and Narragansett

Bay. Then and now, vessels use this passage to head for the Connecticut coast—today to marinas and yacht clubs, but historically, to the “Whaling City” of New London, the fishing villages of Stonington, Noank, and Niantic, the shipbuilders of Mystic and Old Saybrook, or the economic centers of New Haven and New York.

There is no latitude scale, but longitude centering on 72° west is noted along the bottom edge. Additionally, soundings in fathoms (6 foot measures) are marked for coastal areas, arrows indicate prevailing currents, and “x” marks the location of shipwrecks in particularly treacherous spots.

While based on Carleton’s chart, the present map shows considerable knowledge of the local waters, depicting shipwrecks, reefs and island not present in the earlier work. The cartographer in essence maintained the shoreline of the most up-to-date sea chart he could find – Carleton – and added more details.

\$ 30,000-50,000

[WISCONSIN]

Plats La Fayette Co., being a collection of survey maps, most signed by Lucius Lyon & Micajah T. Williams, circa 1832-1834 [bound circa 1885]

20 maps bound together (15 x in.; 380 x mm). Linen-backed onion skin interleaved with ruled sheets, each map hand-colored with manuscript markings in ink and watercolor over printed grid, manuscript annotations in ink, some ruled leaves with manuscript tables, manuscript declaration dated 14 May 1885, signed by C.F. Fricke, clerk to the Commission of Public lands, with foil seal of the State of Wisconsin; some toning and occasions spotting, minor chips to margins of maps, small rust hole catching one letter. Half brown polished calf over light brown calf covered boards, gilt-lettered label to upper board; overall rubbed with some loss to calf, joints weak.

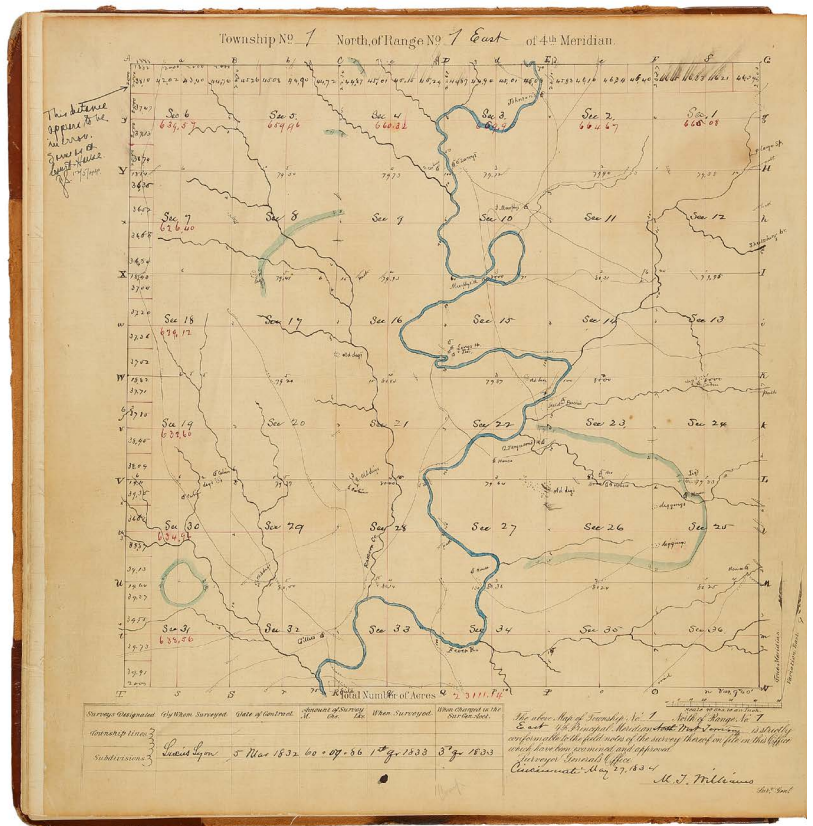
EARLY SURVEY MAPS OF LAFAYETTE COUNTY, WISCONSIN, EXECUTED BY TWO IMPORTANT FIGURES IN THAT STATE'S HISTORY.

In late 1831, Wisconsin still formed a part of the Michigan Territory. At that time, Lucius Lyon, a U.S. Commissioner who was surveying the northern boundary of the State of Illinois, set a post and marked the intersection of that boundary and the Fourth Principle Meridian. This became known as the "Point of Beginning" for the State of Wisconsin. It later became the southwestern most point of Lafayette County, as illustrated in the present lot. Then, in 1832, what was then part of Iowa County, and later became the present Lafayette County, began to be surveyed and divided according to the Public Land Survey System. This was divided into square mile tracts, and section corner monuments were erected every half mile. These segments were further divided into quarter sections or "forties". This, in effect, opened the region up for settlement. To this day, all land descriptions for Lafayette County—and, indeed for the state of Wisconsin—are mapped from the Public Land Survey System and the Point of Beginning.

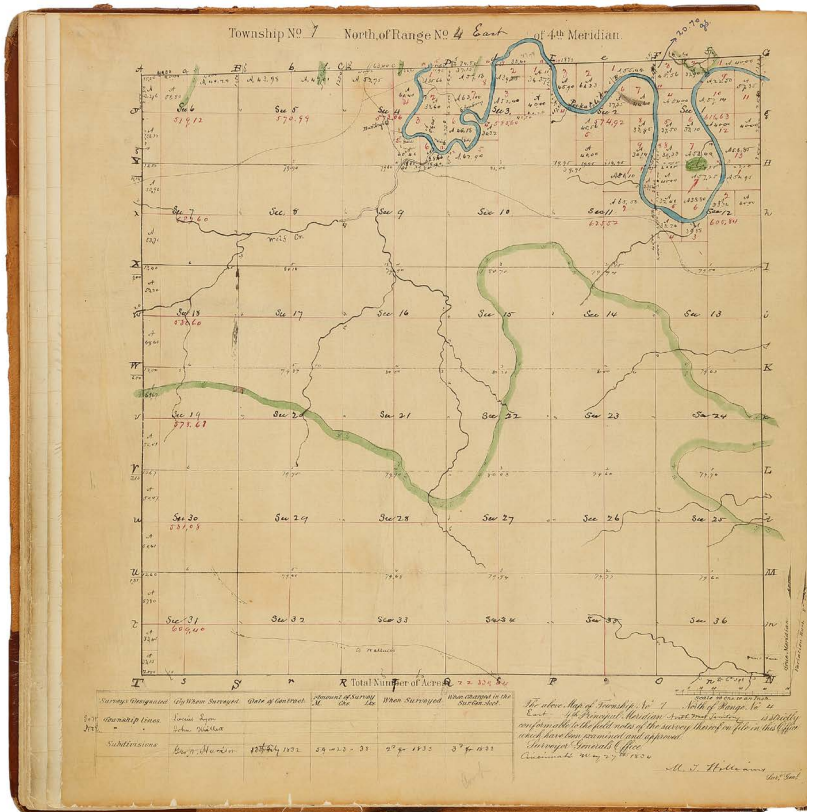
Lucius Lyon was born in Shelburne, Vermont, where he studied engineering and surveying. In 1821, Lyon moved to Bronson, Michigan, where he became a land surveyor. He eventually served as Deputy Surveyor General of the Michigan Territory.

Micajah T. Williams was a politician and Surveyor General of Ohio, Indiana, Illinois, Michigan & Wisconsin and Iowa, in 1833. He remained in that office for 13 years, and was an important business figure in the development of the West.

\$ 10,000-15,000



2056



2056



2057



2058

2057

PROPERTY OF A PROMINENT PRIVATE
CONNECTICUT COLLECTOR

JOHN JAMES AUDUBON

The Birds Of America, From Drawings Made
In The United States And Their Territories.
New York: J. J. Audubon, Philadelphia: J. B.
Chevalier, 1840-1844

7 vols., 8vo (10 6/8 x 6 3/4 in.; 278 x 175 mm), 500
handcolored lithographed plates after Audubon by
W. E. Hitchcock, R. Trembly, and others, printed and
colored by J. T. Bowen, numerous wood-engraved
text illustrations, half-titles, and list of subscribers
in each volume; joints rubbed, Vol I spine detached,
front cover Vol VII partly peeled. Scattered foxing
and offsetting, Doris Duke copy with Philip Hamond
Bookplate.

FIRST OCTAVO EDITION. After completing the double-
elephant folio edition at great expense in England,
Audubon returned to the United States and used
the Philadelphia firm of Bowen to produce a more
profitable octavo version under the supervision
of his sons. It enjoyed a tremendous success and
established his reputation. The octavo edition adds
65 new images to the original plate count of the
double-elephant folio.

REFERENCES

Ayer/Zimmer, p. 22; Nissen 51; Reese, American
Color Plate Books 34; Sabin 2364; cf. Tyler,
Audubon's Great National Work

PROVENANCE

Sold Christie's New York 3 June 2004, lot 284

\$ 25,000-35,000

2058

**AUDUBON, JOHN JAMES; AND JOHN
BACHMAN**

The Quadrupeds of North America. New York:
V. G. Audubon, 1849-51-54

3 volumes, large 8vo (10 1/4 x 6 3/4 in.; 260 x 172
mm), 155 fine handcolored lithographed plates by
W. E. Hitchcock and R. Trembly after J. J. and J.
W. Audubon; no half-title in vol. 2, light toning to
text throughout. Contemporary half black morocco
gilt; some wear and scuffing, front cover of vol. 3
detached.

FIRST OCTAVO EDITION, containing one hundred and
fifty plates from the 1845-48 folio edition of *The
Viviparous Quadrupeds of America* and five of the
plates from the rare 1854 supplement of that work.

REFERENCES

Bennett 5; Nissen, ZBI 163; cf. Reese, American
Color Plate Book 38

PROVENANCE

L. F. Cutter (signature in pencil on initial blank in
each volume).

\$ 4,000-6,000

2059

ELLIOT, DANIEL GIRAUD

A Monograph of the Pittidæ, or Family of Ant Thrushes. *New York: D. Appleton, [1861-] 1863*

Folio (22 x 13³/₈ in.; 558 x 340 mm; mounted on guards). 31 fine handcolored lithographed plates after Elliot, P. Oudart, Maubert, and Mensel, by Bowen & Co. and C. F. Tholey, dedication leaf, list of subscribers, list of plates; some light offsetting. Half red morocco gilt; some wear at extremities.

FIRST EDITION of Elliot's first ornithological work with his own illustrations, and the scarcest of his major monographs. "Elliot was not his own painter, except among the Pittas. Early in his career, in 1862, he had brought out his book on the Pittidæ, or Ant-Thrushes with plates of a delightful, rather primitive character, after his own drawings" (*Fine Bird Books*). Elliot's chosen illustrator, Oudart, died after completing but three plates, and rather than risk a hurried instruction of another artist, Elliot felt "compelled to turn draughtsman myself" (Preface) and executed all of the drawings, save one each by Maubert and Mensel.

REFERENCES

Fine Bird Books 74; Nissen *IVB* 292. This edition not in Ayer/Zimmer, Copenhagen/Anker, or McGill/Wood

\$ 8,000-12,000

2060

ELLIOT, DANIEL GIRAUD

A Monograph of the Tetroninæ; or, Family of the Grouse. *New York: Published by the Author, 1864-1865*

Folio (23¹/₂ x 18¹/₂ in.; 597 x 470 mm). Dedication leaf, list of subscribers, list of plates, 27 handcolored lithographed plates by Bowen & Co., Philadelphia, and C. F. Tholey, including 23 plates after Elliot and 2 after J. Wolf (unnumbered), 2 plates of eggs after W. S. Morgan numbered I and II, original green wrapper for Part First with wood-engraved vignette of grouse mounted and bound in, along with contents portion of wrappers for Part Second, Part Third, and double Part Fourth and Fifth. Half brown morocco, spine gilt in 6 compartments, covers faded and blistered, top edges gilt; some wear.

FIRST EDITION. Elliot's "delightful, rather primitive character of drawing" (*Fine Bird Books*) is particularly suited to the grouse, a species "not brilliant in plumage of various colors" (Preface). The *Grouse* and *Ant-Thrushes* (1861-1863) were the only major ornithological folios by Elliot to employ his own illustrations.

REFERENCES

Ayer/Zimmer 205; Copenhagen/Anker 128; *Fine Bird Books* 95; McGill/Wood 331; Nissen *SVB* 155

PROVENANCE

Frederick DuCane Godman (bookplate)

\$ 10,000-15,000



2059



2060



2061



2061

2061

ELLIOT, DANIEL GIRAUD

The New and heretofore Unfigured Species of the Birds of North America. New York: for the Author, [1866-] 1869

2 volumes, folio (23½ x 19; 597 x 483 mm). Dedication leaf, list of subscribers, list of plates, 72 handcolored lithographed plates, 21 mounted wood-engraved text illustrations; some browning to text leaves. Half green morocco, spines gilt in seven compartments, marbled boards and endpapers, top edges gilt; some wear, rubbing and scuffing.

FIRST EDITION, SUBSCRIBER'S COPY of this continuation to Wilson's *American Ornithology* (1808-1824) and Audubon's *Birds of America* (1827-1838). The work includes those species of American birds not previously represented to Elliot's knowledge.

Subscriber S. Whitney Phoenix's set. Bound into each volume is a signed receipt from Elliot for payment of \$10.00, one dated January 1867 for Part III, the other September 1868 for Part II.

REFERENCES

Copenhagen/Anker 129; *Fine Bird Books*, p. 72; Nissen IVB 294; McGill/Wood 331

PROVENANCE

S. Whitney Phoenix (subscriber) — John E. Thayer (bookplate) — William Van Winkle (bookplate)

\$ 15,000-20,000



2062 (DETAIL)

KINGSBOROUGH, EDWARD KING

Antiquities of Mexico: comprising facsimiles of ancient Mexican paintings and hieroglyphics... together with the monuments of New Spain, by M. Dupaix... the drawings on stone by A. Aglio. London: Robert Havell, Colnaghi Son & Co., 1831-1848

9 volumes, folio (14½ x 21¼ in.; 368 x 540 mm). 741 plates (volumes I-IV), comprising 587 hand-colored lithographs by Augustine Aglio, 144 uncolored (of which 127 are chalk lithographs on mounted India tissue paper, and one of which is folding), and 10 engraved or aquatint plates, with 2 folding tables in text (volumes V and VI); minor foxing to a few text leaves, generally not affecting plates. Contemporary green half morocco over marbled boards, spines with raised bands in seven compartments, various gilt lettered, marbled endpapers; some rubbing to extremities.

FIRST EDITION. "Kingsborough's nine-volume set, *The Antiquities of Mexico*, is, quite simply, stupendous..." (BAS Library)

The story of Kingsborough's fateful attraction to Mexican manuscripts is well known. During his studies at Oxford he became fascinated by one of the Bodleian's manuscripts—in fact, the very one described by Samuel Purchas in 1626 (in *Purchas his Pilgrimes*, vol. III)—and decided to devote himself to the study of Central American manuscripts and artifacts. With the support of Sir Thomas Phillipps, many of whose manuscripts are described in the *Antiquities*, he employed the Italian painter Augustine Aglio to scour Europe's greatest libraries and private collections for Mexican manuscripts, which Aglio sketched and later lithographed for publication. Besides Aglio's reproductions of manuscripts in the Bodleian, the Vatican Library, the Borgian Museum, the Imperial Library of Vienna, the Library of the Institute at Bologna, and the royal libraries of Berlin, Dresden, and Budapest, the work includes Dupaix's *Monuments of New Spain*, taken from Castaneda's original drawings, and descriptions of sculptures and artifacts from several private collections. The text, with sections in Spanish, English, French and Italian, includes Sahagun's *Historia General de la Nueva Espana* and the chronicles of Tezozomoc and Ixtlilxochitl.

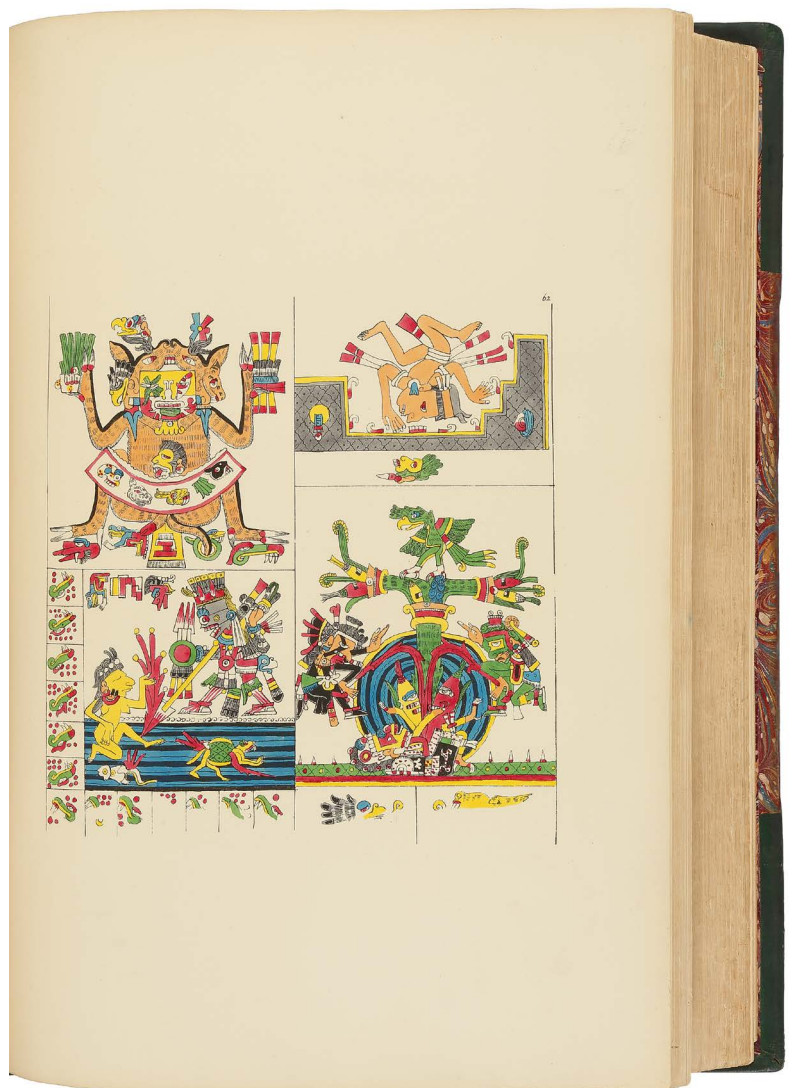
The immense project cost Kingsborough £32,000 and, arguably, his life. In 1837 he died of typhus contracted in prison in Dublin, a few days after being arrested for a debt to a paper manufacturer. His father the Earl of Kingston died only months later. Upon his death, Kingsborough would have stood to inherit an annual estate of £40,000.

The set took 18 years to produce, and the cost of £40,000 was a truly enormous sum in terms of the currency of the time, when a family could live quite well on £500 a year (BAS Library).

REFERENCES

Brunet III, 663; Lipperheide Md11; Palau 128006; Sabin 37800

\$ 80,000-120,000



2062



2062 (DETAIL)

PROPERTY OF, AND SOLD FOR THE BENEFIT OF, THE RUSTY STAUB FOUNDATION

NEW YORK METS

Baseball from the first victory of the New York Mets

Regulation National League baseball, inscribed in blue ink: "Jay Hook | 1962 April 23 N.Y. Mets 9 Pittsburgh 1 | 1962 April 23 N. Y. Mets 1st Win | 5 Hits." The ball screw-mounted onto a wooden base mounted with an inscribed plaque: "The Baseball of the First Game Won by the New York Mets Presented to Mrs. Joan Payson by Jay Hook July 1, 1967," also giving the date, score, and place of the game and crediting Hook as the winning pitcher.

THE START OF SOMETHING AMAZIN'. The hapless New York Mets—on the way to a 40-120 record—had lost the first 9 games of their inaugural 1962 season when they faced the 10-0 Pittsburgh Pirates at Forbes Field on 23 April. On that historic day, Jay Hook, a right-hander acquired from Cincinnati in the expansion draft, turned in a complete game five-hitter and beat the Bucs 9-1 to notch the first victory in Mets franchise history. It was a start, and just seven seasons later, after never having a winning record or finishing higher than ninth in the National League, the Miracle Mets were World Series champions.

By then, Jay Hook was out of baseball, having compiled a career record of 29-62 over eight seasons with the Reds and Mets. Hook was well prepared for life after the majors, though; he had attended Northwestern on an academic scholarship and graduated with a degree in engineering and went on to a very successful

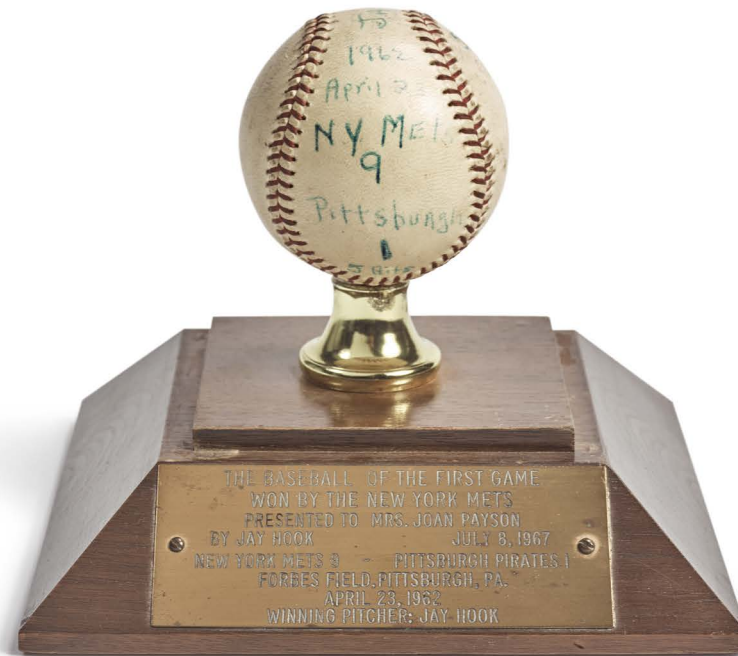
walked by his locker after the game lamenting, "If only Hook could do what he knows."

One thing Hook could do was achieve that elusive first win for the New York Mets, and he hung on to the ball from the final inning until five years later he presented it to Joan Whitney Payson, the principal owner of the Mets, through M. Donald Grant, chairman and a minority owner of the club. The ball was subsequently given by grandchildren of Mrs. Payson to the Rusty Staub Foundation, to be sold for the benefit of the Foundation.

Rusty Staub spent two stints with the New York Mets over the course of a splendid major league career that spanned from 1963 to 1985 and included six selections to the All Star team. He became one of the most popular and beloved Mets of all time and served as a Mets television announcer for a decade after his retirement. In 1985, Staub established the Rusty Staub Foundation with the motto "Benefitting Youth, Fighting Hunger." The Foundation has raised over \$17,000,000 and in collaboration with Catholic Charities, supports emergency pantries that

serve more than 800,000 meals per year. Rusty Staub died in March 2018.

\$ 25,000-35,000



2063

business career. It is easy to see why Casey Stengel nicknamed him the Professor. That same 1962 season, Hook was knocked out of game a couple of weeks after giving a detailed explanation of why a curve ball curves. Stengel

MANUSCRIPTS AND BROADSIDES

LOTS 2064-2169

2064

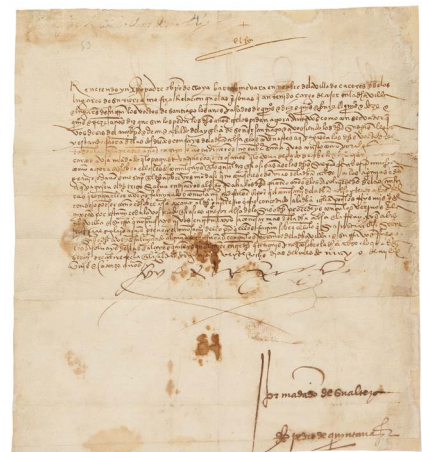
FERDINAND V, KING OF SPAIN

Document signed ("Yo el Rey") bestowing the Order of Santiago

1 page (9½ x 8¾ in.; 232 x 216 mm) written in a fine humanistic hand, countersigned by the royal secretary Pedro de Quintana, Segovia, 28 May 1514, docketed on verso; stained, some short repaired tears and fold separations.

Ferdinand, at the petition of Bartolomé Vara, on behalf of the village of Caceres, authorizes the Bishop of Noya (?), caretaker of the church of Santiago, a recipient of the Vow of Santiago.

\$ 3,000-5,000



2064

CECIL CALVERT, SECOND LORD BALTIMORE

"The Lord Baltimore's Case. Concerning his Plantation in Mary=Land"

Manuscript document in a contemporary secretarial hand, 2 pp. on bifolium (11½ x 7½ in.), titled "The Lord Baltimore's Case, Concerning his Plantation in Mary=Land," [London, February 1649], docketed; horizontal and vertical folds.

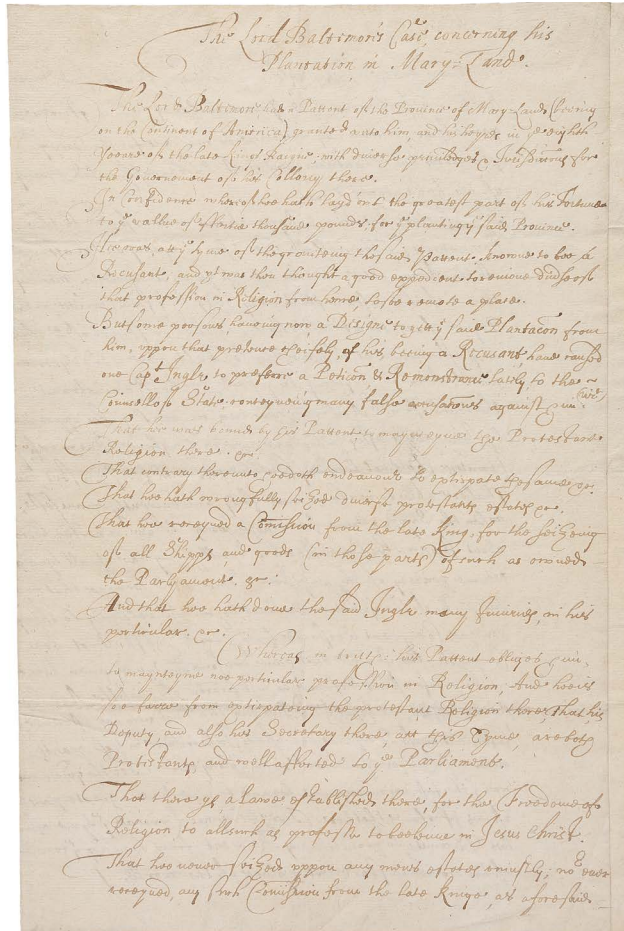
LORD BALTIMORE DEFENDS HIS RECORD ON RELIGIOUS FREEDOM.

This document constitutes the response of Cecil Calvert (1605–1675), second Lord Baltimore, to charges that he was not maintaining and defending the Protestant religion in his colony.

Cecil Calvert's father, George, first Lord Baltimore, was granted a patent to the Chesapeake Bay region in 1632. The Calverts were Catholics, and Maryland was established partly as a refuge for Catholics persecuted in England. After the death of George, his son Cecil assumed proprietorship of the colony in England, while George Calvert's other son, Leonard, ruled as governor in America. The conflicts raging in England between King and Parliament had their manifestations in the American colonies, including struggles between Protestant Virginia and predominately Catholic Maryland over contested lands, such as Kent Island in the Chesapeake. In 1648–49, in order to ease tensions, Cecil Calvert encouraged Protestant settlements in Providence, Maryland. The present document grows out of the continuing tensions between Protestants and Catholics in the Chesapeake region.

The accusations against the Calverts were brought before the Committee of the Council of State by Captain Richard Ingle, a Protestant Parliamentarian, pirate, and rebel. Since his arrival in Maryland in 1642, Ingle had been a thorn in the side of the Calverts and the Maryland colonial authorities, and he contributed greatly to the instability in that colony in the 1640s. Ingle was several times accused of treason or piracy, was instrumental in the capture of Kent Island from Maryland in 1645, ransacked the homes of many of the wealthiest Marylanders, and captured St. Thomas' Fort. In 1646 he seized the government at St. Mary's, and forced Leonard Calvert into exile. In all, "there is no doubt that his presence in the early days of Maryland ultimately resulted in a period of turmoil in the colony that lasted nearly two

years (ANB). That turmoil reached England when Ingle brought an action against the Calverts in 1646, seeking to disallow their legal title to Maryland. He argued that the Calverts were bound by their royal patent to maintain the Protestant religion in Maryland, that they had not done so, that Protestant estates in Maryland had been seized, and that Ingle personally had been persecuted. Given the



2065

religious zeal of the English Commonwealth and the turmoil caused by the Civil Wars (including Charles II's beheading just one month before this was written), this put Lord Baltimore's assets in a perilous situation.

Ingle's complaint was heard by the Council of State on 25 February 1649, and the present document constitutes Cecil Calvert's pre-hearing response to Ingle's charges. Calvert states that at the time King Charles I granted the proprietorship of Maryland to his family, it was well known that they were "Rescuants," or Catholics. He claims that the royal charter "obliged him to mayntayne no particular profession in religion" and points out that his Deputy and Secretary in Maryland are known to be Protestants. He also states that

in Maryland "there is a law published there for the freedom of religion to allsuch as profess to believe in Jesus Christ," referring no doubt to the "Act Concerning Religion" that soon would be passed by the Maryland colonial assembly in April 1649 and would constitute the first law guaranteeing religious freedom to those professing any Christian faith in the British colonies. Lord Baltimore goes on to

assert that Ingle had behaved "in a felonious and prytraticall way, about four years tyme (without any authority or warrant for soo doing) plundered his plantation and most barbarously used many of the inhabitants there." Lord Baltimore maintains that he is prepared to call witnesses currently in England, and to bring over witnesses from the colonies, who could attest to Ingle's actions and to the religious freedom practiced in Maryland. He concludes by appealing to the Council for a continued toleration of his rights as a Catholic Rescitant: "Hee humbly desires, and hopes, that his Religion shall not now bee esteemed, a sufficient cause to deprive him of his Inheritance in those parts: either in ye Law, or Government of his Colony there. For the government, was ye chiefest encouragement hee had to adventure a greate parte of his fortune thither: There being not Laws att ye tyme of his Grant, to prohibite any Recusant, from having ye command of his owne in so desert a place of the world."

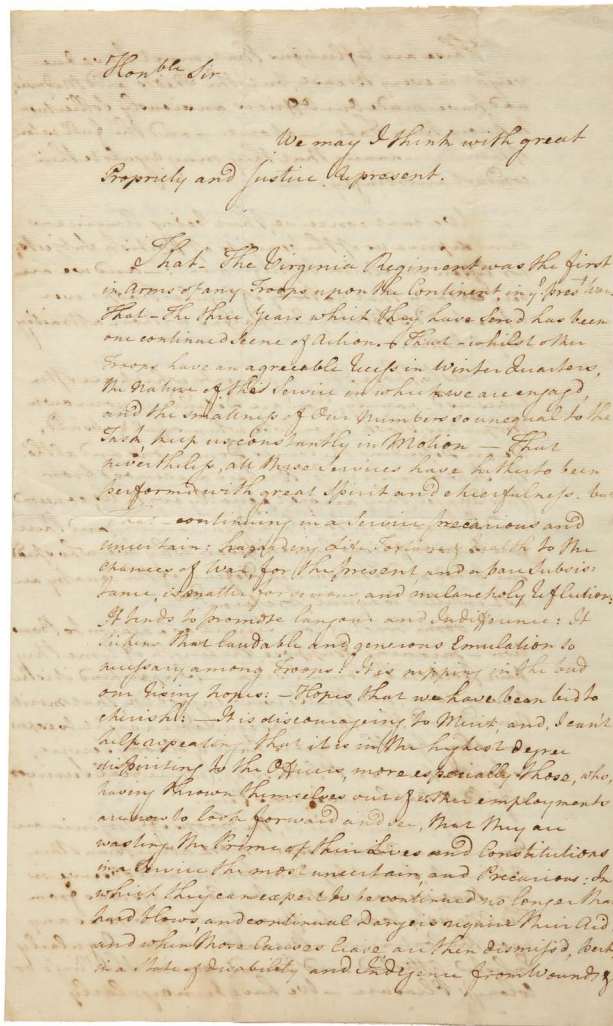
In 1651, two years after the hearing, Ingle's claims and petitions were found to be "unprovided to prove his charges" (ANB) and the case was dismissed. Calvert though, still fearing a possible loss of his territory, published in 1653, "The Lord Baltimore's Case, concerning the Province of Maryland, adjoining Virginia in America."

The present document was acquired by Thomas Brian McKelvin Fairfax, 13th Lord Fairfax of Cameron, in 1937. The Fairfaxes had vast interests in colonial Virginia, which were often at odds with the Calvert family. The manuscript is accompanied by an album assembled for Lord Fairfax, which includes engraved portraits of the Calvert family, a transcription of the document, and other related material.

PROVENANCE

Lord Fairfax (acquired 1937 from J. Alex Symington, Librarian and Keeper of the Brotherton Collection at the University of Leeds) — William Reese Co. (acquired by the present owner, May 2006)

\$ 30,000-40,000



2066

2066

PROPERTY OF A NEW YORK COLLECTOR
GEORGE WASHINGTON

Autograph letter signed ("Go: Washington") to Virginia Governor Robert Dinwiddie, defending the rights of British Americans

4 pages (14½ x 8½ in.; 367 x 221 mm) on a bifolium (watermarked POSTHORN | L V CEPPVINK), Philadelphia, 10 March 1757 to Virginia Governor Robert Dinwiddie; a few pinholes at intersecting folds.

"WE CANT CONCEIVE, THAT BEING AMERICANS SHOUD DEPRIVE US OF THE BENEFITS OF BRITISH SUBJECTS; NOR LESSEN OUR CLAIM TO PREFERMENT. ..."

WASHINGTON MAKES AN IMPASSIONED STATEMENT ABOUT THE SERVICE AND LOYALTY OF THE VIRGINIA REGIMENT DURING THE FRENCH AND INDIAN WAR—AND EXPOSES FISSURES IN THE COMMITMENT OF THE BRITISH MONARCHY TO ITS AMERICAN SUBJECTS.

Following his ignominious defeat by the French at Great Meadows in late spring 1754, George Washington resigned his appointment in the

Virginia militia, but he seized the opportunity of returning to Fort Duquesne as an aide to General Braddock the following year; this position was terminated with the death of Braddock. Virginia Governor Robert Dinwiddie, despite some previous disagreements with Washington, still believed that the young man could have a successful military career. In the fall of 1755 he commissioned the twenty-three-year-old Washington as commander-in-chief of all Virginia forces, with the rank of colonel. Washington's principal responsibility was protecting the vast Virginia frontier against the raids of the French and their Indian allies. And one of the chief obstacles he faced was the arrogant non-cooperation from regular British troops who refused to accept the colonists as equals.

Washington made a young man's mistake in taking his grievances to John Campbell, Earl of Loudoun, who had been appointed commander-in-chief of British forces in North America, as well as governor of Virginia (forcing Dinwiddie to take the position of lieutenant governor). Washington wrote a lengthy memorial to Loudoun in January 1757,

seeking a regular establishment for his Virginia Regiment. Loudoun ignored Washington's missive, and the Virginia colonel was given leave by Dinwiddie to seek a meeting with the commander in Philadelphia. Washington fared less well than even his letter. As Thomas Flexner writes: "Washington ... received from Loudoun the roughest treatment he had known in his public career. ... As for the Virginian's grievances and all the problems he faced in his Colony, Loudoun could not be made to pay the least attention to them, nor would he listen to Washington's arguments that the Virginia Regiment be taken into the regular establishment. Having communicated irrevocable orders, the fourth Earl dismissed George Washington with the cold, bland, impersonal courtesy of an aristocrat dealing with an inferior" (*The Forge of Experience*, pp. 176, 175). In near desperation, Washington turned to Dinwiddie with this emotional plea for his case:

"We may I think with great Propriety and Justice Represent. That—The Virginia Regiment was the first in arms of any Troops upon the Continent, in ye prest. War. That—The three Years which they have Servd has been one continued Scene of Action. That—whilst other Troops have an agreeable recess in Winter Quarters, the Nature of the Service in which we are engagd, and the smallness of Our Numbers so unequal to the Task, keep us constantly in Motion—That nevertheless, all these Services have hitherto been performd with great Spirit and cheerfulness but That continuing in a Service precarious and uncertain: hazarding Life Fortune & health to the chances of War, for the present, and a bare Subsistence, is matter for serious, and melancholy Reflection: It tends to promote langour and Indifference: It sickens that laudable and generous Emulation so necessary among Troops: It is nipping in the bud our rising hopes:—Hopes that we have been led to cherish: It is discouraging to Merit, and, I can't help repeating, that it is in the highest degree dispiriting to the Officers, more especially those, who, having thrown themselves out of other employments are now to look forward and see, that they are wasting the Prime of their Lives and Constitutions in a Service the most uncertain, and Precarious: In which they can expect to be continued no longer than hard blows, and continual Dangers require their Aid, and when those Causes Cease, are then dismissed, perhaps in a State of disability and Indigence from wounds &c&c.

"These are reflections that must have due weight in every Breast, but the Idiots and Madman's, and have made Our Officers anxiously Sollicituous to know their Fate—at once—and the full extent of their Dependances, that they may regulate their conduct accordingly.

"We cant conceive, that being Americans shoud deprive us of the benefits of British Subjects; nor lessen our claim to preferment: and we are very certain, that no Body of regular Troops ever before Servd 3 Bloody Campaigns without attracting Royal Notice."

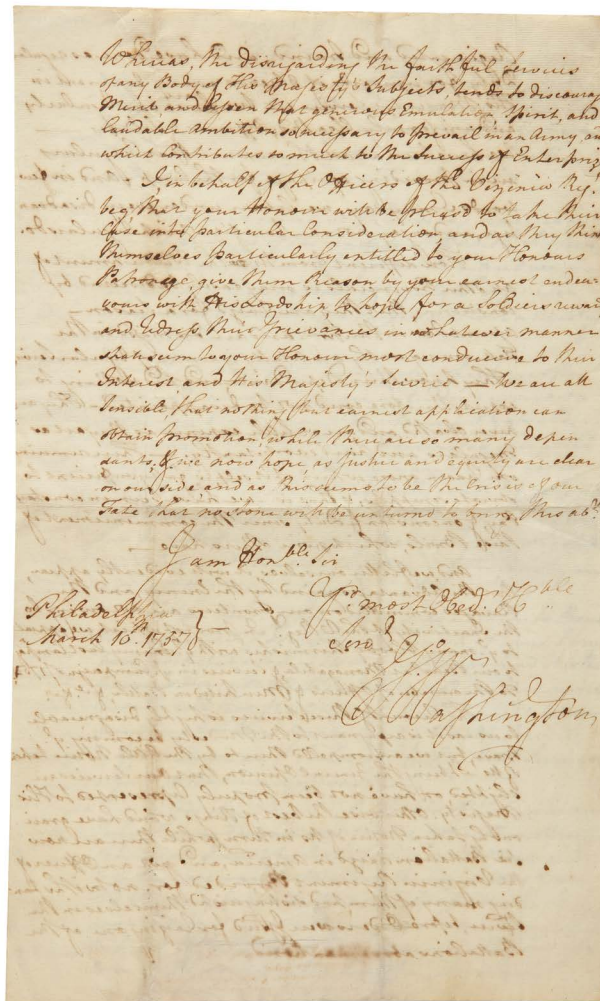
Having stated his complaint, Washington proceeds to knock down arguments against the Virginia Regiment being given official status in the British Army. His rhetoric and the subsequent turn of events seem to support his implication that the affection and loyalty held by Americans for Great Britain was far greater than that felt by the mother country for the colonists. "As to those Idle Arguments which are often times us'd—namely, You are Defending your own properties; I look upon to be whimsical & absurd; We are Defending the Kings Dominions, and altho the Inhabitants of Gt. Britain are removd from (this) Danger, they are yet, equally with Us, concernd and Interested in the Fate of the Country, and there can be no Sufficient reason given why we, who spend our blood and Treasure in Defence of the Country are not entitled to equal prefermt.

"Some boast of long Service as a claim to Promotion -- meaning I suppose, the length of time they have pocketed a Commission -- I apprehend it is the service done, not the Service engag'd in, that merits reward; and that their is, as equitable a right to expect something for three years hard & bloody Service, as for 10 spent at St. James's &ca. where real Service, or a field of Battle never was seen."

Washington also differentiates the Virginia Regiment from other colonial troops, making clear that he was not suggesting that all militiamen be granted the rights of British regulars. "If it should be said, the Troops of Virginia are Irregulars, and cannot expect more notice than other Provincials, I must beg leave to differ, and observe in turn, that we want nothing but Commissions from His Majesty to make us as regular a Corps as any upon the Continent—Because, we were regularly Enlisted attested and bound, during the King's or Colony's Pleasure—We have been regularly Regimented and traind; and have done as regular Duty for upwards of 3 Years as any regiment in His Majesty's Service—We are regularly and uniformly Cloathd; Officers & Soldiers—We have been at all the expence that regulars are in providing equipage for the Camp—and in few words I may say, we labour under every disadvantage, and enjoy not one benefit which regulars do.

"How different from Us, the Establishment of all other Provincials is, may easily be discern'd by considering, that they are raizd for a Season—assembl'd in the spring and are dismissed in the Fall. Consequently are totally ignorant of regular Service—They know their Dependance, and had nothing to expect; therefore could not be dissappointed. They are never cloathd, and are at little expence. There remains one reason more, which of itself, is fully sufficient to obviate scruples: & that is—we have been in constant Pay, & on constant Duty since the commencement of these Broils, which none other have."

After rehearsing many of the regiment's engagements, Washington allows that "The Recounting of these Services is highly disagreeable to us—as it is repugnant to Modesty becoming ye Brave, but we are



2066

compelled thereto by the little Notice taken of Us—It being the General Opinion, that our Services are slighted, or have not been properly represented to His Majesty: Otherwise the best of Kings would have graciously taken Notice of Us in turn, while there are now six Battalions raizd in America, and not an Officer of the Virginia Regiment Provided for. Notwithstanding many of them, had distinguishd themselves in the Service, before Orders were Issued for Raizing one of the Battalions abovementioned."

Having nowhere else to turn, Washington closes by urging Dinwiddie to make his case to Lord Loudoun, but in fact he must have had little hope that Dinwiddie would undertake the charge, let alone achieve success. Washington remained in service throughout the French and Indian War, and he returned to civilian life in 1759 still feeling slighted by the Crown.

Fifteen years later, Washington was a delegate to the First Continental Congress. The Congress petitioned Great Britain for a redress of grievances, not unlike Washington's earlier appeals to Loudoun and Dinwiddie—and with the same degree of success. Subsequently,

the Second Continental Congress elected Washington commander-in-chief of American forces, and the pretense of an American reconciliation with George III—son of "the best of Kings"—was finally ended.

Ironically, Washington's tenure as American commander was plagued by many of the same problems that he experienced in the Virginia Regiment: insufficient troops, poor supply, erratic pay, challenges to his authority, and a sometimes interfering civilian government.

AN EXTRAORDINARY LETTER, AND AN IMPOSING PHYSICAL ARTIFACT.

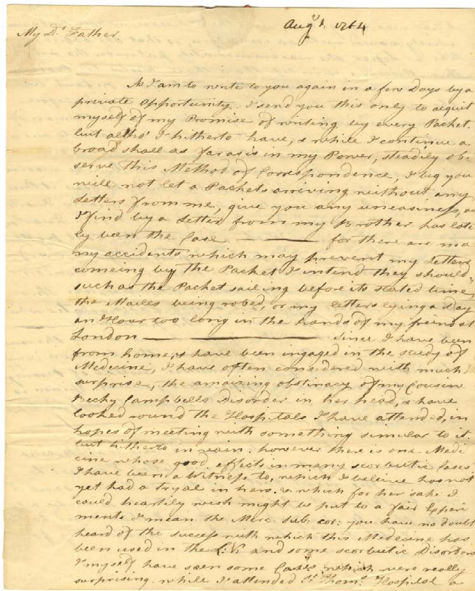
REFERENCES

The Papers of George Washington, Colonial Series, ed. Abbot, 4:112–15 (text taken from a facsimile at the New-York Historical Society; the location of the original letter not recorded)

PROVENANCE

Sulgrave Manor, Northamptonshire, England, the ancestral home of George Washington, collected ca. 1925 (Sotheby's New York, 21 June 2007, lot 91)

\$ 300,000-400,000



2067



2068

2067

PROPERTY OF VARIOUS OWNERS
SAMUEL BARD

Autograph letter signed ("Saml Bard"), to his father, John Bard, regarding an ill cousin, and Pontiac's War

Three pages (7¼ x 9 in.; 184 x 229 mm) on a bifolium, Edinburgh, 1 August 1764, docketed on the integral blank "Dr. John Bard | at | New York"; tear where wax seal previously affixed, not affecting text, two old hinges located at top and bottom of center fold.

A letter with compelling medical content penned by Samuel Bard, physician to George Washington and Alexander Hamilton, and later founder of Columbia University's Medical School:

"Since I have been from home, I have often considered with much surprise, the amazing obstinacy of my cousin Becky Campbells Disorder in her head. I have looked round the Hospitals I have attended, in hopes of meeting with something similar to it, but hitherto in vain. however there is one Medicine whose good effects in many scorbutic cases I have been a Witness to, which I believe has not yet had a tryal in hers. & which for her sake I could heartily wish might be put to a fair experiment. I mean the Merc: sub: cor:," Bard suggests, referring to mercurius sublimatus corrosivus, or mercuric chloride, a highly corrosive poison once used to treat ulcers and other inflammations.

In the present letter, Bard in effect details the various symptoms of scurvy, an affliction that was not yet fully understood in 1764. In addition to communicating various ailments and subsequent treatments, Bard also refers to Pontiac's War, writing to his father: "I am very sorry to hear by the publick Papers that the Indian War is not at an End. I cannot conceive what it is these People are aiming at, but I am afraid, we ourselves are not intirely blameless."

\$ 2,500-3,500

2068

[STAMP ACT]

Benjamin Wilson, "The Repeal, Or the Funeral Procession of Miss Americ-Stamp". [London: Mark Baskett] 18 March 1766

Engraving (16 x 11¾ in.; 448 x 350 mm). Hinged and matted, untrimmed; marginal tears and repair, two discolorations, one abraded, on left hand side of print

This political cartoon was published on the day Parliament voted to repeal the Stamp Act but also passed the Declaratory Act that again raised tensions with the colonies. Recently appointed Prime Minister Charles Watson-

Wentworth, 2nd Marquess of Rockingham, commissioned Benjamin Wilson (1721-1788) to create political cartoons in favor of repeal.

This cartoon, "The Repeal", is filled with visual allusions to the Stamp Act crisis. The sad scene among the supporters of the Stamp Act, only four months old and represented by a child's coffin, stands in contrast to the prosperous wharves and warehouses in the background and ships being loaded with goods from key manufacturing centers, bound for the colonies.

"The Repeal" quickly became "the most popular satirical print ever issued" (Halsey). Within three days, the publisher issued an advertisement requesting patience, as he

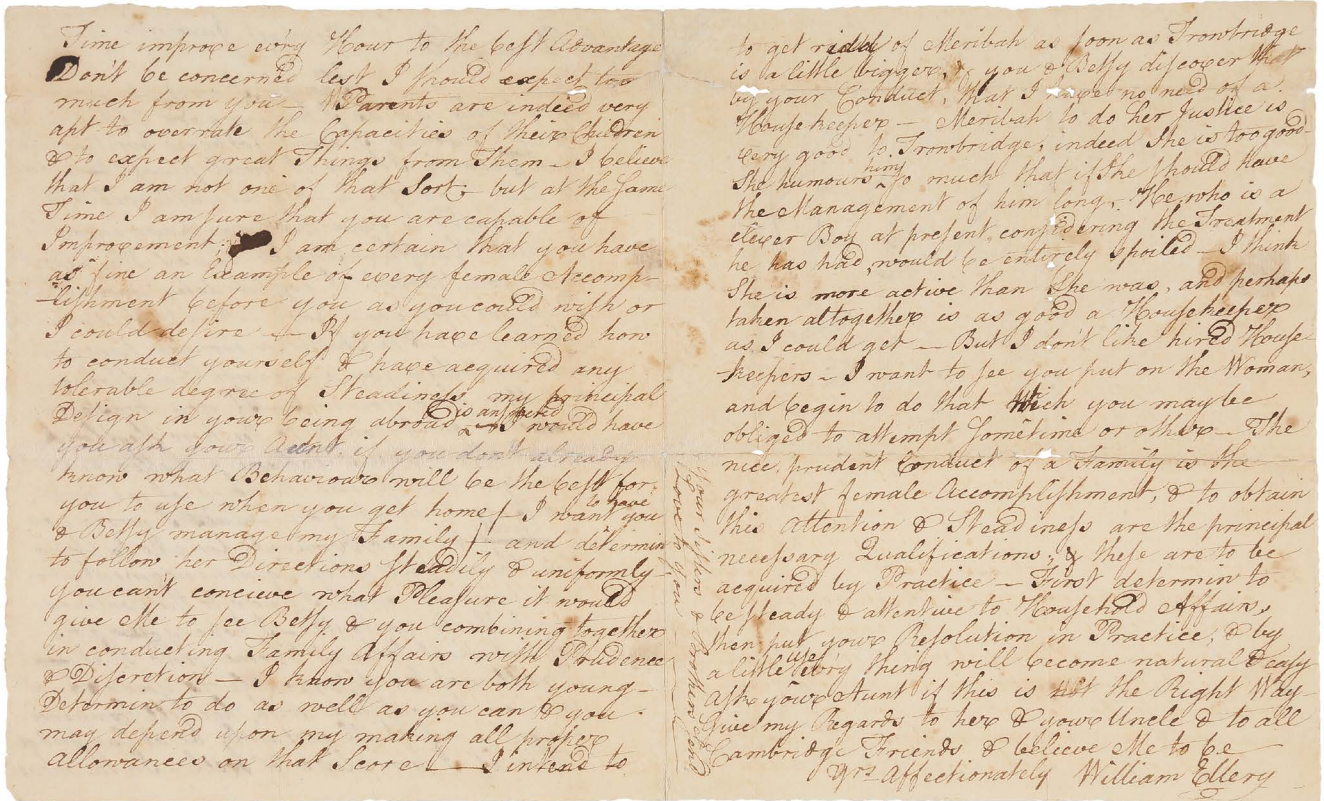
could not keep up with the demand. Benjamin Franklin commented on it in a letter to his wife, "I think it wrong to put in Lord Bute, who had nothing to do with the Stamp Act. But it is the Fashion here to abuse that Nobleman as the Author of all Mischief."

Despite its popularity at the time, it is now quite scarce.

REFERENCES

Franklin, Benjamin. Letter to Deborah Franklin, April 6, 1766
 Halsey, R.T. Haines. "Impolitical Prints," Bulletin of the New York Public Library 43, no.11 (Nov. 1939)

\$ 5,000-7,000



2069

2069

PROPERTY OF A NEW YORK COLLECTOR

WILLIAM ELLERY

Autograph letter signed ("William Ellery") to his daughter Lucy, instructing her on her future role in the Ellery household

3 pages (7½ x 6¼ in.; 190 x 159 mm) on a bifolium, Newport, 9 June 1766, integral autograph address panel directed to Lucy at Cambridge; fold separations neatly repaired, some tiny chips and losses at folds, a few light stains.

A LOVING—BUT NONETHELESS DAUNTING—LETTER FROM ELLERY TO HIS DAUGHTER: "I WANT TO SEE YOU PUT ON THE WOMAN...THE NICE, PRUDENT CONDUCT OF A FAMILY IS THE GREATEST FEMALE ACCOMPLISHMENT."

The Rhode Island Signer here expresses interest in the progress of fourteen-year-old Lucy' education—and his desire for her to help manage his household in the wake of her mother's death: "Though I wrote to you very lately, yet as I have a good Opportunity by Mr. Turner I can't forbear writing to you more because I know it will please you to hear from Us. We are all pleased to find that you have enjoyed so much Health. Indeed Lucy we want to see you though I could deny myself

that Pleasure for your Good. ... The Children wonder how you look; whether you are grown handsomer or taller. ... As I wrote you, it will be inconvenient for Me to bring you home till after Commencement. ... In the meantime improve every Hour to the best Advantage. Don't be concerned lest I should expect too much from you. Parents are indeed apt to overrate the Capacities of their Children & to expect great Things from Them. I believe I am not of that sort. ... I am sure that you have as fine an Example of every female Accomplishment. ... If you have learned how to conduct yourself & have acquired any tolerable degree of Steadiness my principal Design in your being abroad is answered."

One of Ellery's principal concerns was the upbringing of Lucy's three-year-old brother, which he hoped to soon entrust to Lucy and her older sister, Elizabeth. "I intend to get rid of Meribah as soon as Tronbridge is a little bigger, & if you and [your sister] Bessie discover that by your Conduct, that I have no need of a Housekeeper. Meribah to do her Justice is very good to Tronbridge, indeed she is too good. She humours him so much that if she should have Management of him long, He who is a clever Boy at present ... would be entirely

spoiled. I think she is more active than she was, and perhaps taken altogether is as good a Housekeeper as I could get, But I don't like hired Housekeepers. I want to see you put on the Woman, and begin to do that which you may be obliged to attempt some time or other. The nice, prudent Conduct of a Family is the greatest female Accomplishment, & to obtain this attention and Steadiness are the principal necessary Qualifications; & they are to be acquired by Practice. ..."

Ellery lost his first wife, Ann Remington of Cambridge, Massachusetts, in 1764; his daughters—including Lucy who was living with her mother's family in Cambridge—were too young to take over the running of the household, an accomplishment that Ellery was clearly much looking forward to. Ellery was remarried in 1767, to his second cousin, Abigail Cary. Lucy herself married William Channing in 1773 and lived until 1834.

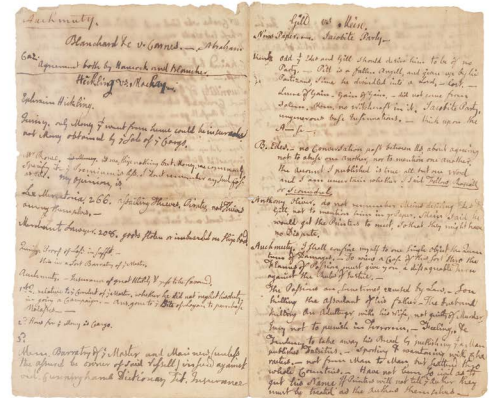
PROVENANCE

Sotheby's New York, 21 June 2007, lot 26 (undesigned consignor)

\$ 4,000-6,000



2070



2071

2070

PROPERTY OF A DIFFERENT OWNER
SONS OF LIBERTY

William Russell

Autograph document, 1 p. (3 x 7¼ in.; 76 x 184 mm) with additional writing on verso, Boston, 14 August 1769; light browning. Matted, glazed, and framed.

"MAY THE SONS OF LIBERTY SHINE WITH LUSTRE." PATRIOTIC TOASTS TO "LIBERTY WITHOUT END. AMEN" AND TO "WILKS & LIBERTY."

These patriotic toasts—written on the fourth anniversary of Boston’s Stamp Act Riot—defiantly salute American liberty. The writer may have been among the 350 Sons of Liberty who celebrated the event at a dinner in Dorchester, Massachusetts. Attendees included John Hancock, Paul Revere, Samuel Adams, and John Adams.

This document was found in the papers of William Russell (1748–1784), a schoolteacher, early member of the Sons of Liberty, and Boston Tea Party participant. The writing on the verso, comprising the word "Answer" followed by several monetary figures suggests that

the toasts were drafted on a page from an old exercise book. Russell may have written all or part of the document. Though he is not among those listed as having attended the anniversary dinner, he may well have been a participant.

The much-hated Stamp Act of 1765, Britain’s first attempt to impose a direct tax on the colonies, spawned the seeds of revolution in America. Cries of "Taxation without representation" echoed through the streets, stamp distributors were burned in effigy, and British goods were boycotted. That spirit of rebellion gave rise to the Sons of Liberty, a secretive group of patriots dedicated to opposing British tyranny.

On 14 August 1765 an effigy of stamp distributor Andrew Oliver was found hanging from a tree in the middle of Boston. It was one of the first acts of the Sons of Liberty. A large crowd gathered at the scene, parading through town with the effigy and burning it, before proceeding to attack Oliver’s home. British authorities had been put on notice: the citizens of Boston would stand up for their rights. Thanks in part to the riot, Parliament repealed the Stamp Act the next year.

14 August became the unofficial birthday of the sons of Liberty. In 1769, 350 members of the group attended a great dinner under a tent at the Liberty Tree Tavern in Dorchester. The revelers flew flags, played music, fired cannon, and offered up 45 toasts to everything from "All true Patriots throughout the World" to "The Speedy Removal of all Task Masters."

The toasts offered in this document were likely written for that dinner. Two of them—"May the Sons of Liberty Shine with Lustre" and "Liberty without End. Amen"—need no explanation. But the notations regarding "Wilks" are more obscure. They refer to John Wilkes, a British parliamentarian, ardent supporter of colonial rights, and hero of the Sons of Liberty. In 1763, after Wilkes was jailed for publishing an incendiary criticism of the King in volume 45 of his journal, *The North Briton*, the number became a colonial rallying cry against the monarchy. Five years later, "Wil[k]e’s 45" was joined by the counterpart "American 92." The latter is a reference to the 92 Massachusetts legislators who rejected the governor’s demand that they repeal a letter opposing the Stamp Act’s despised successor, the Townshend Acts.

\$ 10,000-15,000

2071

PROPERTY OF A NEW YORK COLLECTOR
JOHN ADAMS

Autograph manuscript document (unsigned), trial notes on a 1769 assault, libel, and liberty of the press case

Four pages (3¾ x 6⅜ in.; 95 x 86 mm) on a bifolium, [Suffolk Superior Court and Admiralty Court (?), Boston], [circa March 1769]; some browning.

Adams’s trial notes, taken at the height of his legal career, referencing John Hancock, James Otis, Benjamin Edes and John Gill, Robert Auchmuty, and others:

"To view a case of this sort thro the Flames of Passion, must give you a disagreeable Turn against the Rules of Justice. – The Passions are sometimes, excused by Law."

John Mein, Tory printer of the Boston Chronicle, published an article attacking British statesman William Pitt. Benjamin Edes and John Gill countered in the 18 January 1768 issue of their Boston Gazette. (Edes’ home was later a gathering place for Sons of Liberty to disguise themselves as Indians before the Boston Tea Party.) The editorial by "Americus" argued that Mein abandoned his journalistic responsibility by espousing "Jacobite" party politics rather than being an independent observer. Mein stormed into the Gazette’s office, demanding to know the author’s identity. Gill refused, and Mein caned his rival. Gill hired Adams to sue, and won. In March of 1769, Mein appealed, with Auchmuty and Kent representing him and Adams and James Otis representing Gill, who won again, though with reduced damages. Adams credited a speech of James Otis as "a

flame of fire" that sparked the move towards American independence. Soon after the trial recorded here, during an argument with a Crown customs official, Otis was severely beaten on the head. He was rarely lucid for the rest of his life, and died after being hit by a bolt of lightning.

The four pages present contain John Adams’s minutes for three separate cases tried in 1769. Of the three, Gill vs. Mein was perhaps the most intriguing. It embroiled Adams in a newspaper feud involving assault, libel, and freedom of the press, and revealed the growing chasm between American Patriots defenders of the imperial prerogative.

\$ 10,000-15,000

PAUL REVERE

The Bloody Massacre perpetrated in King-Street Boston on March 5th 1770 by a party of the 29th Reg. *Boston, 1770*

Handcolored engraving on paper (sheet: 10¾ x 91/2 in.; 273 by 240 mm), the hands on the clock at upper left reading 10:20 (Brigham cites a variant with the time at 8:00), on laid paper with the fleur-de-lis watermark. The print is in good condition overall except the sheet is backed with Japan, stabilizing several unobtrusive breaks and tears, and one repaired hole in the sky at upper right; faint discoloration and surface soiling; an occasional spot of rubbing to the ink, mostly in the red. Matted, framed, and glazed with Plexiglas.

PAUL REVERE'S FAMOUS BOSTON MASSACRE PRINT, FIRST EDITION, SECOND STATE, ORIGINAL HAND COLORING.

Issued soon after the fateful brawl opposite the Old State House, Revere's print has become an icon of the American Revolution, and indeed one of the most successful examples of political propaganda of all time. The depiction of the event, and a poem printed below, vilify the British Army and list the first casualties of the American Revolution: "Unhappy Boston! see thy Sons deplore, Thy hallow'd Walks besmear'd with guiltless Gore ... The unhappy Sufferers were Mess[ieur]s Saml Gray, Saml Maverick, Jams Caldwell, Crispus Attucks & Pat[ric]K Carr Killed. Six wounded; two of them (Christr Monk & John Clark) Mortally."

Revere executed his engraving of the Massacre within a few weeks after the event, advertising it for sale on March 26, 1770. The Boston firm of Edes & Gill printed the engraving for Revere; on March 28, their ledgers show a charge for 200 copies. The clock on the church steeple originally read 8 o'clock; only two first impression copies are known. The event actually occurred around 10 pm, and all of the other copies, including this one, shows the event at 10:20.

The exact details of the Boston Massacre are murky. Contemporary witnesses, chroniclers and the soldiers and subjects at the heart of the matter told very different stories. In any case, by the spring of 1770, New England's metropolis had been smoldering with discontent. Five years earlier, Parliament had imposed the Stamp Act, taxing the colonies without representation. Though repealed, it was soon replaced by Townshend's "Intolerable Acts," which included new taxes. Then, Crown commissioners of customs, fearing (with reason) for their safety, had requested military support, and it was granted. In 1768, the Crown had ordered several regiments of infantry, accompanied by a small artillery train, to keep order in the city. Nearly 2,000 soldiers lived amongst Boston's population of just 15,000. The quartering of the troops in private homes was seen as an additional affront to America's

already injured liberty. The soldiers soon became a despised caste in the city.

On March 2, 1770, a scuffle broke out between workers at a rope walk and a number of soldiers who supplemented their wages with occasional work. The incident was repeated the following day. All was in readiness for the 5th of March. That night, the riot known as the Boston Massacre began when a group of young apprentices, teenagers for the most part, took it on themselves to heckle and harass a lone sentry standing guard at the customs house. A the crowd continued to gather, a small relief arrived at the scene, determined to extricate the soldier from a menacing situation. Epithets, and snowballs and ice were hurled at the soldier. A club was thrown, a soldier struck. When he rose to his feet, he fired his musket. Enraged, the crowd advanced en masse. A volley of bullets met them. Three men were killed outright, two more died of their wounds, and several more were severely injured.

Boston was transfixed and horrified by the shootings. Church bells rang throughout the city, speeches were made, town meetings

were ordered. Three weeks later, on March 26, an advertisement in the Boston Evening Post announced that "A Print, containing a Representation of the late horrid Massacre in King-Street," was available for purchase. This was Paul Revere's "Boston Massacre" print, one of three such images produced directly after the event. The future nationalist icon was primarily a silversmith, but he had also established a fine reputation as an engraver. Revere somehow acquired a copy of an engraving of the massacre by Henry Pelham, local painter and engraver. Revere rushed out his own version, trumping his competitor by one crucial week, ensuring that Revere's production would dominate the market.

REFERENCES

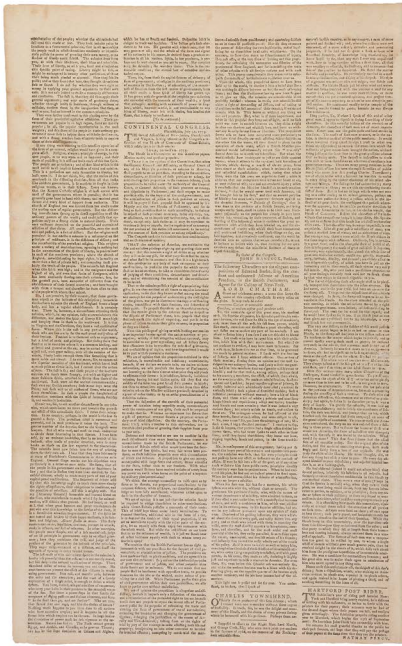
Brigham plate 14

PROVENANCE

William Reese Co., New Haven — Gilder Lehrman Collection (acquired 1992, from Reese) — the present owner (acquired as duplicate released by Gilder Lehrman)

\$ 150,000-200,000

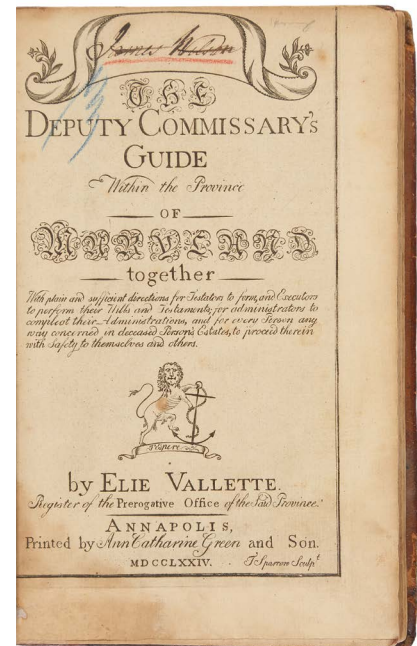




2073



2074



2075

2073

PROPERTY OF VARIOUS OWNERS
SECOND CONTINENTAL CONGRESS
 — [THOMAS JEFFERSON]

The Congressional Resolution of 31 July 1775 printed in *Livington's New York Gazetteer*. New York, 10 August 1775

Bifolium (18 $\frac{3}{8}$ x 11 $\frac{1}{2}$ in.; 467 x 291 mm). 4 pp. extracted from a bound run of the paper; marginal repairs, some foxing and spotting.

The Continental Congress's rejection of Lord North's Conciliatory Proposal that attempted to divide the colonies and weaken the move towards independence. Signed in type by John Hancock.

This resolution was one of a series of political manifestos Thomas Jefferson wrote over a two-year period that ultimately led John Adams, Benjamin Franklin, and others to choose him to draft the Declaration of Independence in June 1776.

\$ 5,000-7,000

2074

[CONTINENTAL CONGRESS]

The Association in *Postscript to The Pennsylvania Gazette No. 2993*. Philadelphia: David Hall and William Sellers, [2 November 1774]

Broadsheet (16 $\frac{3}{8}$ x 10 $\frac{1}{4}$ in.; 416 x 258 mm). 2pp., extracted from a bound run of the paper; remnants of former binding at gutter edge, old fold, stain at bottom left of front page not affecting text.

When the British Parliament passed the Intolerable Acts in 1774, many American colonists viewed them as a violation of the British Constitution and a threat to the liberties of all of British North America. In response, colonists proposed economic sanctions against Great Britain in the form of non-importation, non-consumption, and non-exportation of goods.

On 30 September 1774, the Continental Congress meeting in Philadelphia appointed a committee, consisting of Thomas Cushing of Massachusetts, Isaac Low of New York, Thomas Mifflin of Pennsylvania, Richard Henry Lee of Virginia, and Thomas Johnson of Maryland, to develop a plan for implementing the non-importation, non-consumption, and non-exportation resolves. On 12 October the committee submitted a report, and Congress debated it over the next week. On 18 October, Congress approved the plan, and on 20

October, misdated in this issue as 24 October, the delegates signed "The Association," a system for implementing a trade boycott with Great Britain. According to its provisions, on 1 December 1774, the American colonies would no longer import any goods from Britain, Ireland, and the British West Indies. It also threatened an export ban if the offensive acts of Parliament were not repealed by September 1775.

On 21 October, Congress also approved an Address "To the People of Great-Britain," appealing to a shared history and culture, and warning of the danger that a corrupt Parliament posed to all British citizens.

The *Pennsylvania Gazette* (1728-1800) was first published in 1728 in Philadelphia. Benjamin Franklin and Hugh Meredith purchased it in October 1729. Franklin became sole owner by 1732, printing the newspaper and often contributing articles under pseudonyms. His paper became the most successful in Pennsylvania. In 1748, he entered into partnership with David Hall. The *Gazette* printed the first political cartoon in America, "Join or Die," designed by Franklin, in 1754. After Franklin sold his printing business to Hall in 1766, William Sellers became a partner. During the 1770s and through the Revolutionary War, the *Pennsylvania Gazette* was one of the most prominent and influential newspapers in the new nation.

\$ 18,000-25,000

JAMES WILSON

Valette, Elie. *The Deputy Commissary's Guide within the Province of Maryland. Annapolis: Ann Catherine Green and Son, 1774*

8vo (7¾ x 4¾ in.; 197 x 121 mm). Engraved title and table by Thomas Sparrow; scattered browning and dampstaining, a little blue and red crayon underlining and scrawl at head of title, front free endpaper chipped at edges. Contemporary calf, spine gilt in six compartments and with red morocco lettering-piece; worn and scuffed.

DECLARATION SIGNER JAMES WILSON'S COPY, SIGNED TWICE BY HIM. THE FIRST ORIGINAL AMERICAN LEGAL WORK AND THE EARLIEST ON THE LAW OF WILLS.

This work is signed twice by Wilson, both on the front free endpaper and on the title-page; both signatures have been scored through by subsequent owners.

James Wilson (1742–1798) was born in Scotland and educated in Edinburgh and Glasgow. He emigrated to America and became a tutor at the College of Philadelphia and assistant to Pennsylvania lawyer John Dickinson. He practiced law in Reading and Carlisle, and became a force in Pennsylvania politics. In 1774, he published *Considerations on the Nature and Extent of the Legislative Authority of the British Parliament*, an influential revolutionary pamphlet. Wilson was twice elected to the Continental Congress and served concurrently as a brigadier general in the state militia. Like other Pennsylvanians in Congress, including his mentor, Dickinson, Wilson was pressured by his constituents to forestall declaring independence. Wilson himself eventually changed his mind, voting for and signing the Declaration. As a delegate to the Constitutional Convention, he sat on the Committee of Detail, which produced the first draft. He proposed the Three-Fifths Compromise and was, next to James Madison, the most active participant in the Convention. Wilson was a major proponent for ratification in Pennsylvania, which became the second state to approve the new constitution in 1787. President Washington named him as one of the six original justices of the Supreme Court.

PROVENANCE

James Wilson (two signatures) — Archer H. Jarrett (signature, 1854) — Louise L. Henry (signature)

\$ 4,000-6,000

[REVOLUTIONARY WAR — RHODE ISLAND CONTINENTAL SOLDIER]

Isaac Watts. *The Psalms of David, Imitated in the Language of the New Testament: and Applied to the Christian State and Worship.*

Norwich: Alexander Robertson, James Robertson, and Trumbull, 1774

12mo (5 x 3 ins.; 120 x 75 mm). Title defective, first ten pages lacking, some tears and occasional staining. Contemporary sheep, rubbed. With period cloth fragments originally used as bookmarks, including linen and a scrap of deep blue cloth, plausibly a portion of a Continental uniform.

WITH THE PROVENANCE OF TWO REVOLUTIONARY WAR SOLDIERS AND LIKELY CARRIED IN THE FIELD

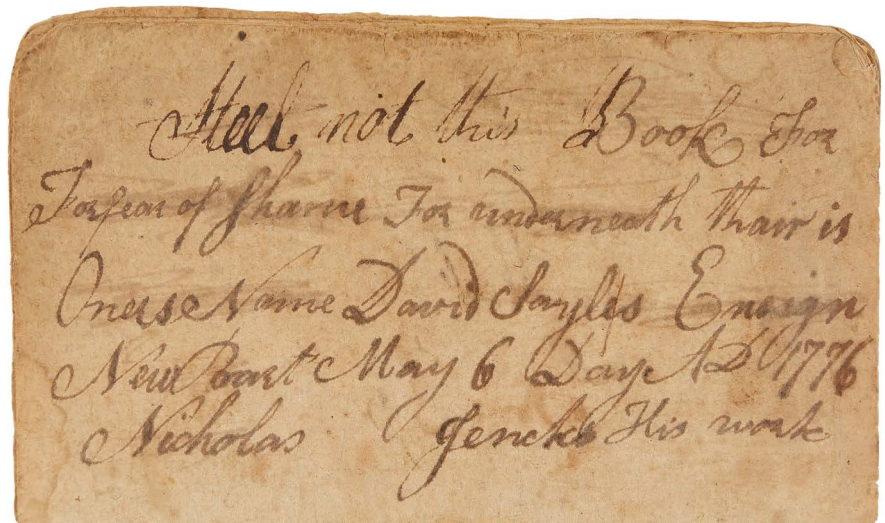
Inscribed on the flyleaf "Steel not this Book For / For fear of Shame For underneath thair is / Oners Name David Sayles Ensign / NewPoart May 6 Day AD 1776 / Nicholas Jencks His work." Two days prior to this inscription, Rhode Island became the first of the thirteen colonies to renounce its allegiance to George III.

David Sayles (1755-1820) was a great-great-grandson of Rhode Island founder Roger Williams. Sayles was commissioned an ensign in Col. Babcock's regiment on January 15, 1776, and promoted to lieutenant in Col. Christopher Lippitt's regiment later that year. He was commissioned a second lieutenant in Col. Angell's regiment on January 1, 1777, in Captain David Dexter's company and promoted to first lieutenant on June 12, 1777. Sayles received a promotion to captain of the Rhode Island regiment on May 1, 1782. He resigned on March 17, 1783, and returned to Rhode Island. He was an early member of the Society of the Cincinnati.

Nicholas Jencks (1750-1819) was born in Smithfield, Rhode Island and served as a sergeant in David Dexter's company in Colonel Christopher Lippitt's regiment in 1776, then in Colonel John Topham's regiment in 1779. He moved to New York state in 1796.

Any printed works carried during the Revolution are rare on the market. This edition appears to be scarce: the last offering we find was by Goodspeed's in 1934.

\$ 3,000-5,000



NEW-YORK GAZETTEER; OR, THE WEEKLY ADVERTISER.

PRINTED at his OPEN and UNINFLUENCED PRESS, fronting HANOVER-SQUARE.

Table with columns for 'Price Current in New-York' and 'What we Buy and Sell'. Includes prices for various commodities like sugar, coffee, and oil.

NEW CURE published by MARGARET DORRIS. Advertisement for a medical cure, mentioning 'MORTON'S' and 'PHILIP DORMER STANHOPE'.

NOTICE is hereby given to all the creditors of John Anderson, an indentured servant, late deceased, by the will of the White Plains in the county of Westchester, and province of New-York, by virtue of the General Assembly of the said province, that they bring in their respective debts, on or before the twentieth day of January next, to the said John Anderson, or to his executor, Henry Dunsberry, Esq. Agent for JOSHUA HUNT.

LETTERS TO THE INHABITANTS OF GREAT BRITAIN, BY THOMAS EDWARDS, IN CONGRESS, TO THE INHABITANTS OF GREAT BRITAIN. A very short and very plain application, that may be presented to the British Parliament, in relation to the present state of the Colonies.

Advertisement for 'The Twelve United Colonies by their Delegates in Congress'. Mentions 'The Twelve United Colonies by their Delegates in Congress, to the Inhabitants of Great Britain'.

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SECOND CONTINENTAL CONGRESS - [ROBERT R. LIVINGSTON]

The Twelve United Colonies by their Delegates in Congress, to the Inhabitants of Great Britain in Rivington's New York Gazetteer; or, The Connecticut, Hudson's River, New-Jersey, and Quebec Weekly Advertiser. James Rivington: New York, 21 July 1775

Bifolium (1 1/2 x 1 1/2 in.; 468 x 293 mm). 4 pp. extracted from a bound run of the paper; pages detached, sheet creased and as so printed, occasional spotting.

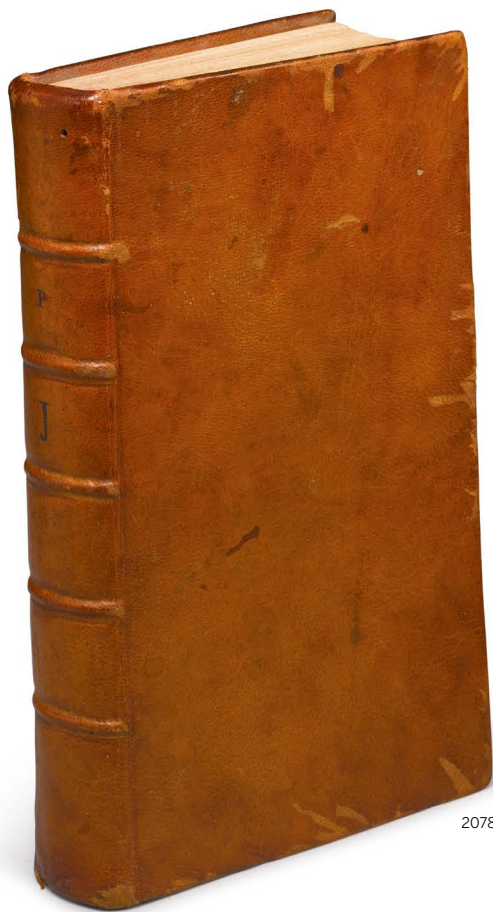
On 8 July, the Continental Congress approved and sent the Olive Branch Petition to King George III. At the same time, they sent the appeal stating the case directly to the British people in the last serious attempts at reconciliation with England.

Politically, these addresses were promoted by the more conservative elements in the Congress who wished to exhaust every possibility in finding a peaceful settlement; it was also done in the knowledge that a strong minority of the English public were sympathetic to the plight of the colonies. The entreaty was approved by Congress on July 8, 1775, following the battles of Lexington and Concord in April and Bunker Hill in June. It condemns "the wanton and unnecessary destruction of Charlestown," and notes that Boston "is now garrisoned by an Army sent not to protect, but to enslave its Inhabitants."

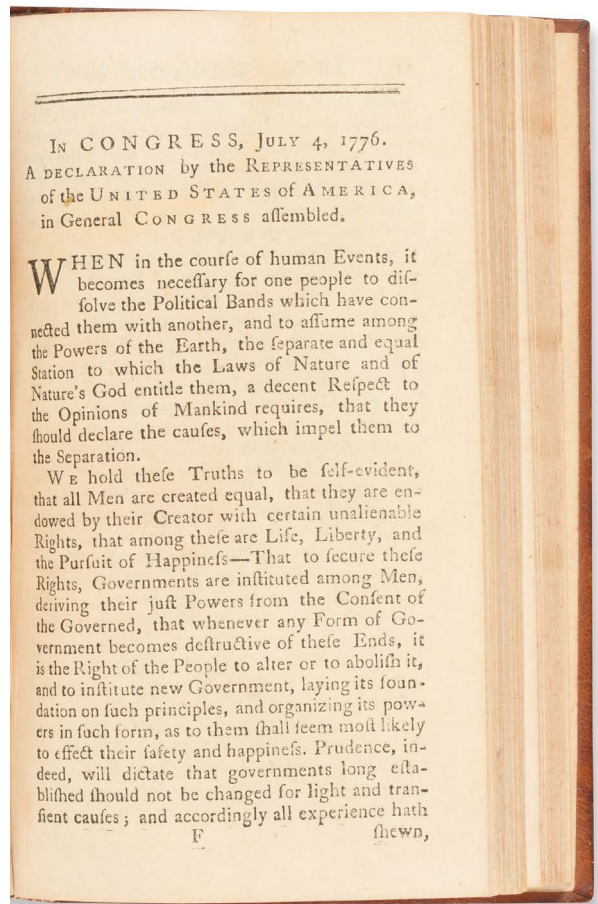
"An exhaustive litany of wrongs, including a review of the Intolerable Acts. However, like the Olive Branch Petition issued by Congress on the same day, this declaration was issued "solemnly to assure you, that we have not yet lost sight of the Object we have ever had in View, a Reconciliation with you on constitutional Principles, and a Restoration of that friendly intercourse, which, to the Advantage of both, we till lately maintained." It closes: "...let us entreat Heaven to avert our Ruin, and the Destruction that threatens our Friends, Brethren and Countrymen, on the other side of the Atlantic..."

The last serious attempt at reconciliation failed, arriving with news of the far-away battles, it is likely the address was not even published in England.

\$ 8,000-12,000



2078



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2078

THE DECLARATION OF INDEPENDENCE

The first book-form printing of the Declaration of Independence

"In Congress, July 4, 1776. A Declaration by the Representatives of the United States of America, in General Congress assembled," pp. 41–46 in *The Genuine Principles of the Ancient Saxon, or English Constitution. Carefully collected from the best Authorities; with some Observations, on their peculiar fitness, for the United Colonies in general, and Pennsylvania in particular.* By Demophilus. Philadelphia: Printed, and Sold, by Robert Bell, (July 8,) 1776

8vo in half-sheets (7¾ x 4⅝ in.; 197 x 116 mm). With the scarce and important terminal ad leaf.

Bound fourth in a contemporary Sammelband of six American Revolutionary pamphlets.

Together 6 works in one volume. Contemporary American calf, spine in six compartments, plain endpapers, red-sprinkled edges, spine black-lettered with press-mark p J in second and third compartments, further press-mark written in rear pastedown "—B— | Etage ... —E—"; some minor scuffing at edges, tiny chip to foot of spine, WITHAL IN SUPERB, AS-ISSUED CONDITION.

PROBABLY THE FINEST COPY EXTANT OF THE FIRST BOOK-FORM PRINTING OF THE DECLARATION OF INDEPENDENCE, PRESERVED WITH OTHER SIGNIFICANT PAMPHLETS OF THE AMERICAN REVOLUTION, INCLUDING THE THIRD EDITION OF THOMAS PAINE'S COMMON SENSE, THE ANONYMOUS PAMPHLET THAT IN LARGE MEASURE INSPIRED THE DECLARATION. WITH DISTINGUISHED PROVENANCE, BEING FROM THE LIBRARY OF A FRENCH OFFICER SERVING IN THE AMERICAN REVOLUTION.

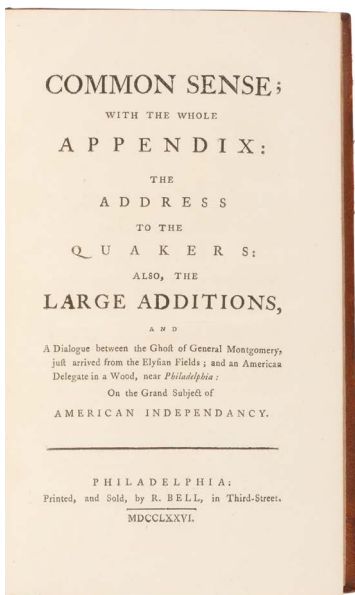
The Declaration was first printed by John Dunlap, the official printer to the Continental Congress, as a broadside on the evening of July 4 into the morning of July 5, 1776. The text next appeared in the July 6 issue of the Philadelphia newspaper *The Pennsylvania Evening Post*, and two days later it was printed in Dunlap's own newspaper, *The Pennsylvania Packet*, or *General Advertiser*. An undated German-language broadside of the Declaration printed by Melchoir Steiner and Charles Cist was likely issued about this time as well.

July 8 is evidently the day that the patriot printer Robert Bell published his edition of the Declaration, appended to the pseudonymous *Genuine Principles of the Ancient Saxon, or*

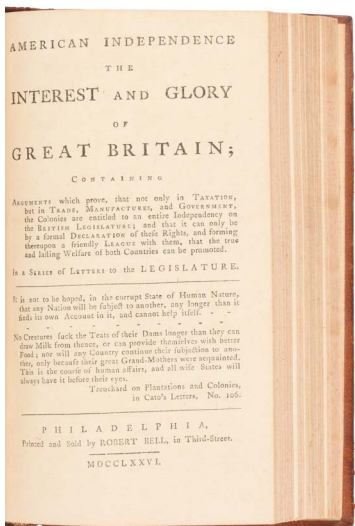
English Constitution, as evidenced by the terminal advertising leaf in the publication, which is datelined "Philadelphia. July 8, 1776." On this final leaf, Bell announces his publication, "In a few days," of John Cartwright's anonymous *American Independence the Interest and Glory of Great Britain*, which had first appeared early in the year in a London edition. (A copy of Bell's edition of Cartwright's work is bound in the present volume, and the title-page is a slight variant setting of the type for Bell's advertisement.) Advertisements for *Genuine Principles* in the 9 July issue of the *Pennsylvania Evening Post* and the 10 July issue of the *Pennsylvania Gazette* state that the work was "just printed, published and now selling by Robert Bell." SO BELL'S PRINTING IS NOT SIMPLY THE FIRST BOOK PRINTING OF THE DECLARATION, IT IS ONE OF THE EARLIEST PRINTINGS OVERALL—AND ONE OF THE RAREST.

Demophilus was probably the pen name of George Bryan, a radical Whig who helped to draft the 1776 Pennsylvania Constitution, although Howes tentatively attributes the work to Samuel Bryant. *The Genuine Principles* was intended to influence the delegates to Pennsylvania's constitutional convention;

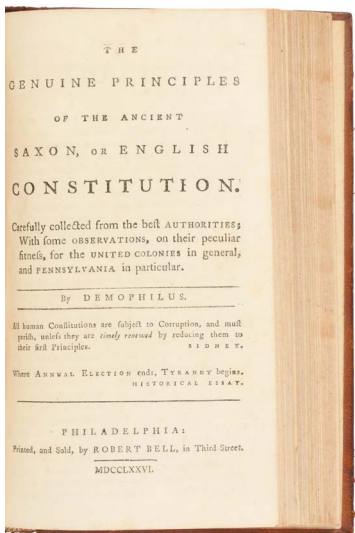
continued



2078



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Demophilus noted, "A Convention being soon to sit in Philadelphia; I have thought it my duty to collect some sentiments from a certain very scarce book, entitled An Historical Essay on the English Constitution, and publish them ... for the perusal of the gentlemen concerned in the arduous task of framing a constitution."

Bell must have had *Genuine Principles* on the press when Dunlap's broadside appeared. He added a gathering at the end to accommodate the Declaration and provided a brief but stirring introduction at the conclusion of Demophilus's text: "The events which have given birth to this mighty revolution; and will vindicate the provisions that shall be wisely made against our ever again relapsing into a state of bondage and misery, cannot be better set forth than in the following Declaration of American Independence." The Declaration did inspire Pennsylvania's constitutional convention, which convened on July 15 with Benjamin Franklin presiding.

It is appropriate that Robert Bell first printed the Declaration in book form; he was the first printer of *Common Sense* and an ardent patriot. Bell's "Additions" to Paine's works included "The Propriety of Independancy," which was signed by Demophilus.

This volume of American Revolutionary pamphlets is from the library of Charles Louis de Secondat, baron de Montesquieu, grandson of the philosopher and an aide-de-camp to the Comte de Rochambeau and the Marquis de Chastellux during the American Revolution. The younger Montesquieu served at Yorktown, was among the delegation sent to France to inform the King of the Franco-American victory, and was subsequently a member of the Society of the Cincinnati.

VERY RARE: the only two other copies have appeared at auction since the Streeter sale, the last of those being sold by us nearly thirty-five years ago, May 23, 1984, lot 36. Copies have been located in sixteen institutional collections: The Boston Athenaeum; The British Library; The John Carter Brown Library; University of Chicago. John Crerar Library; Harvard University; Historical Society of Pennsylvania; Huntington Library; Indiana University; Library Company of Philadelphia; Library of Congress; Massachusetts Historical Society; University of Michigan, William L. Clements Library; Missouri Historical Society; New York Public Library; New York State Library; and Yale University.

THE OTHER FIVE PAMPHLETS IN THE VOLUME ARE:

[Thomas Paine and others.] *Common Sense*; with the Whole Appendix: The Address to the Quakers: Also, the Large Additions, and a Dialogue between the Ghost of General Montgomery, just arrived from the Elysian fields; and an American Delegate in a Wood, near Philadelphia: On the Grand Subject of American Independancy. (SECOND TITLE, A3:) *Common Sense*; Addressed to the Inhabitants of America ... Third edition. (THIRD TITLE, M1:) Large Additions to *Common Sense*. ... II. The Propriety of Independancy, by Demophilus. ... An Appendix to *Common Sense*. (FOURTH TITLE, U1:) A Dialogue between the Ghost of General Montgomery, Just arrived from the Elysian Fields;

and an American Delegate in a Wood near Philadelphia. *Philadelphia: Printed, and Sold, by R. Bell, 1776*. 8vo in half-sheets, general half-title, U3 with ads and Bell's statement "Self-defence against unjust attacks"; natural paper flaw in lower blank margin of final leaf. ROBERT BELL'S "COMPLETE" EDITION OF COMMON SENSE, MADE UP FROM PAMPHLETS FORMERLY SOLD INDEPENDENTLY. (Gimbel CS-9; Evans 14966; Adams, *American Independence* 222e)

[Rokeby, Matthew Robinson-Morris, 2nd baron.] *Considerations on the Measures Carrying on with respect to the British Colonies in North America. Philadelphia: Reprinted and Sold by Benjamin Towne, 1774*. 8vo in half-sheets, with blank H3, issue with catchword "principles" on G1 (no priority); title a little spotted, some light browning, tiny wormtrail at inner margin B1-E2 just touching one letter. (Evans 13587; Adams, *American Independence* 134i; Sabin 72151 note)

[John Cartwright.] *American Independence the Interest and Glory of Great Britain; containing Arguments which prove, that not only in Taxation, but in Trade, Manufactures, and Government, the Colonies are entitled to an entire Independency on the British Legislature ... Philadelphia: Printed and Sold by Robert Bell, 1776*. 8vo in half-sheets, half-title, with terminal leaf Q4, "Character of the Work from the English Monthly Reviewer." (Evans 14673; Adams, *American Independence* 105c; Sabin 11153)

Richard Price. *Observations on the Nature of Civil Liberty, the Principles of Government, and the Justice and Policy of the War with America. To which is added, An Appendix, containing, A State of the National Debt ... London: Printed: New-York, Re-printed by S. Loudon, 1776*. 12mo, many deckle edges preserved at lower margin; some light browning. (Evans 15033; Adams, *American Independence* 224v; Sabin 65452)

Joseph Tucker. *The True Interest of Britain, set forth in Regard to the Colonies; and the only Means of Living in Peace and Harmony with them. ... To which is Added by the Printer, A few more Words, on the Freedom of the Press in America. PHILADELPHIA: PRINTER, AND SOLD, BY ROBERT BELL, 1776*. 8vo in half-sheets, terminal ad leaf, issue with biographical detail following Tucker's name. (Evans 15119; Adams, *American Independence* 144b; Sabin 97366)

REFERENCES

Evans 14734; Matyas, *Checklist of Books, Pamphlets, and Periodicals, Printing the U.S. Declaration of Independence 76-01*; Howes B900; Sabin 26964; Streeter 778. Not in Adams, *American Independence*

PROVENANCE

Charles Louis de Secondat, baron de Montesquieu, 1755–1824 (press-mark of the library of the château de La Brède, the seat of Secondat de Montesquieu's family) — by descent in the family (Sotheby's, 19 June 2015, lot 99)

\$ 300,000-500,000

German-Flatts August 8th 1776

Dear Colonel,

Your Favor of the 5th Inst. I had the pleasure to receive on the next day—

I am happy to learn that your Scouts have discovered no signs of an Enemy in your march & I trust there may be none—

I thank you for the Honor you have done me in calling the Fort by my name, tho I cannot consistent with delicacy announce this to Congress, would it not be right for you to do it, and to General Washington too—

It does not appear to me from the Resolution of Congress that I am empowered to appoint the Paymasters to the Regiments. I shall however be informed of their Determination, and if the Appointment is on me, I shall do it with pleasure, and with all the Office on your side—

Capt. Patterson and Rops have presented a Petition, Major Barber will advise you of its Contents, and of my answer, I hope the latter will meet your Approbation—

In my Letter of the 18th Ult. I directed you upon the receipt of certain Intelligence of the approach of an Enemy thro Lake Ontario, that you should

2079

they should be, at any time, under the necessity of marching with Field Artillery, when no Artillery men may be at hand, but be of service to the camp in general by having so many more men capable of that duty, and therefore I will wish that one or more of your Officers should also be instructed in the management of Cannon—

In case of a vacancy in the Regiment I shall with pleasure promote Mr Younglove, as he bears so good a character—

Yesterday our Speech was delivered to the Six Nations, they are now in Council preparing an Answer, from which we hope to gather their Intentions—

Adieu my Dear Colonel,

I am with every friendly wish
Your Obedt^h Humble Servant
Ph. Schuyler

Colonel Dayton

2079

2079

PROPERTY OF A NEW YORK COLLECTOR
PHILIP SCHUYLER

Autograph letter signed ("Ph. Schuyler") to Colonel Elias Dayton, directing the defense of the Mohawk Valley frontier

3 pages folio (11⁵/₈ x 7 5/16 in.; 295 x 186 mm) on a bifolium (watermarked with a liberty bell between the initials P T; not in Gravel American), German Flatts, Mohawk Valley, New York, 8 August 1776, Dayton's reception docket on verso of second leaf; washed, central and a few other folds subtly reinforced, three small tears at top margin of second leaf expertly repaired.

FORT STANWIX RENAMED IN SCHUYLER'S HONOR. In June 1776 a detachment of Continental troops under Colonel Elias Dayton began reconstructing the fort built by British General John Stanwix in 1758. In the present letter, Schuyler begins by thanking Dayton for renaming the fort after him: "I thank you for the Honor you have done me in calling the Fort by my name. As I cannot consistent with delicacy announce this to Congress, would it not be right for you to do it, and to General Washington too." However, the older name persisted and the place continued to be known

as Fort Stanwix. A one-mile portage between the headwaters of the Mohawk River and Wood Creek, the fort was a strategically important site on the natural route between the Hudson Valley and the Great Lakes.

Schuyler's letter continues, directing Dayton to prevent the approach of the British via Lake Ontario: "You will please to observe that before you fall the Timber into the [Wood] Creek, I mean that your Intelligence should be such as to give you the strongest reason to believe that any enemy crossing Lake Ontario intend to come your way, this will be best determined by their coming to Oswego, or landing in some other part of the Lake in the vicinity of that place. In such case any roads by which Cannon could be conveyed should also be rendered as impassable as possible."

Schuyler also instructs Dayton to maintain the preparedness of the American's cannons. "It will be proper for you to furnish the Officer of Artillery with such a number of men as will be fully sufficient to work the Cannon in case of an Attack, and they should be constantly exercised in that Business, this will not only be an advantage to the Regiment in case they should be, at any time, under the necessity of marching with Field Artillery, when no Artillery

men may be at hand, but be of service to the cause in general by having so many more men capable of that duty, and therefore I also wish that one or more of your officers should also be instructed in the management of Cannon."

Dayton is also informed of Schuyler's efforts to maintain the neutrality of the Iroquois Confederacy, as four of those peoples (Mohawk, Seneca, Cayuga, Onondaga) were being encouraged to ally with the British by exiled Tyrone County Tories and the son (John) and nephew (Guy) of the late Sir William Johnson, the dynamic British Superintendent of Indian Affairs from 1755–1774. "Yesterday our Speech was delivered to the Six Nations, they are now in council preparing an answer, from which we hope to gather their Intentions."

As this letter demonstrates, Schuyler marshalled the campaign in northern New York with considerable skill. His rehabilitation of Fort Stanwix was vital in blocking Col. St. Leger's approach from the west during Burgoyne's 1777 campaign.

PROVENANCE

Sotheby's New York, 21 June 2007, lot 75 (undesigned consignor)

\$ 5,000-7,000

93.

The honourable The Convention of the State of New York
Gentlemen

It is necessary I should inform you that there is at present a vacancy in my company arising from the promotion of lieutenant Johnson to a captaincy in one of the Row-Gallies (which command however he has since resigned for a very particular reason.) As Artillery officers are scarce in proportion to the call for them, and as myself and my remaining officers sustain an extraordinary weight of duty on account of the present vacancy, I should esteem it a favour, if you will be pleased as soon as possible to make up my deficiency by a new appointment. It would be productive of much inconvenience should the inferior officers succeed in course; and from this consideration I doubt not you will think it proper to advance Mr. Gilleland & Mr. Bean, and fill up the third lieutenantcy with some other person. I would beg the liberty warmly to recommend to your attention Thomas Thompson now first sergeant in my company a man highly deserving of notice & preferment. He has discharged his duty in his present station with uncommon fidelity and exactness — He is a very good disciplinarian

2080

94

possess the advantage of having seen a good deal of service in Germany, has a tolerable share of common sense and is well calculated not to disgrace the rank of an officer and gentleman. In a word, I verily believe he will make an excellent lieutenant, and his advancement will be a great encouragement & benefit to my company in particular, and will be an animating example to all men of merit to whose knowledge it comes.

Myself and my officers will be much obliged to the honourable Convention to favour us with our commissions with all convenient speed; as they may be highly requisite under some circumstances, that may possibly hereafter arise.

I am with the utmost respect
Gentlemen

Aug^r. 12th. 1776

Your most obedient
& most humble servant,
A. Hamilton Capt^y
of NY: Artillery

2080

2080

ALEXANDER HAMILTON

Autograph letter signed ("A. Hamilton Capt. | of NY: Artillery") to the Convention [of the Representatives] of the State of New York, requesting the promotion of James Gilleland, John Bean, and Thomas Thompson of his artillery company

2 pages (7¾ x 6⅝ in.; 192 x 170 mm) on a leaf of laid paper, [New York], 12 August 1776, pages numbered 93 & 94 (possibly a letterbook copy); a few neatly mended short fold separations.

FILLING VACANCIES FOR OFFICERS IN HAMILTON'S ARTILLERY COMPANY, JUST A WEEK BEFORE THE BLOODY ONSET OF THE BATTLE OF LONG ISLAND. Hamilton writes the provincial congress: "It is necessary I should inform you that there is at present a vacancy in my company, arising from the promotion of Lieutenant Johnson to a Captaincy in one of the Row-Gallies. ... As Artillery officers are scarce in proportion to the call for them, and as myself and my remaining officers sustain an extraordinary weight of duty on account of the present vacancy, I shall esteem it a favour if you will ... make up my deficiency by a new appointment. It would be productive of much inconvenience, should not the inferior officers succeed in course, and from this consideration, I doubt not that you will think it proper to advance Mr. Gilleland and Mr. Bean, and fill up the third lieutenantcy with some

other person. I would beg the liberty warmly to recommend to your attention Thomas Thompson, now first sergeant in my company, a man highly deserving of notice & preferment."

Of illegitimate birth and virtually an orphan at the age of eleven, Hamilton, through industry and ambition, seized upon every opportunity for distinction and advancement. In March 1776, at the age of 21, he succeeded in being awarded his commission as the captain of the first New York artillery company. Himself a recipient of the rewards of meritocracy, Hamilton advocated promotion from within his company as shown in this letter. Advancement from within his own ranks had a two-fold motive. In recommending Sergeant Thompson for a lieutenantcy, Hamilton writes: "I verily believe he will make an excellent lieutenant, and his advancement will be an animating example to all men of merit, to whose knowledge it comes."

After Hamilton conferred with Colonel Peter R. Livingston on 15 August, it was resolved that Thomas Thompson be promoted to the rank of lieutenant. During the summer and fall campaigns, Hamilton's company fought with Washington on Long Island, helped fortify Harlem Heights, and participated in the retreat across New Jersey. "It was fortunate for [Hamilton] that Washington, doubtless impressed by the reputation of his pamphlets, made him a secretary and (Mar. 1, 1777) aide-de-camp with the rank of lieutenant-colonel. His

true weapon was the pen" (DAB 8:171–172).

Hamilton's letter scarcely conveys the gravity of the situation facing the Continental Army in mid-August, 1776, less than six weeks after the publication of the Declaration of Independence. On 17 August, General Washington urged the remaining citizens of New York to evacuate. Five days later, the British began to land forces on Long Island, leading to the Battle of Brooklyn, a decisive British victory on 27 August. Over the course of the next two months, the Continental Army would be driven from Long Island and Manhattan, culminating in the humiliating capture of Fort Mifflin and its garrison of over 2,800 Continental troops in November. The British would occupy New York City for the remainder of the war.

REFERENCES

Papers of Alexander Hamilton, ed. Syrett, 6:187–188 (text from *Journals of the Provincial Congress, Provincial Convention, Committee of Safety and Council of Safety of the State of New-York* [Albany, 1842], with several differences in incidentals; location of original not recorded)

PROVENANCE

Sotheby's New York, 11 December 2007, lot 16 (undesignated consignor)

\$ 10,000-15,000

D. H.

I Received in due time your letter of the 14th July

The bills sent by you which have been paid and will be paid are —

on James & Alexander Stewart	600.
ditto	300.
on Delafaire	129.4
James Buchanan & Co	400.
on Cash by Order	25.9.2
William Bowne	31.
	1502.13.2

The drafts on Lane and Woodward I return by Mr. McCarty's Office who will have explained to you

The ballance due on the lot will be £1297.6.10. which bears interest at Seven Per Cent. if you are in Cash on Mr Church's account, I shall be oblig'd to you as soon as possible to forward that ballance the rather as from particular circumstances there is some little hazard in the title till the transaction is completed

I enclose you Mr. Nathaniel and John Macarty's obligation to Mr Church for Twenty five Shares of Bank Stock

agreeable to your request —

M^{rs} Hamilton tells me that M^{rs} Church informs me she has sent to your care a box of sheeting for her and there is some other thing which she does not recollect for M^{rs} Schuyler, she requests you will be so good as to forward these articles —

M^{rs} Hamilton joins in compliments to M^r Chaloner.

Believe me to be with great regard
Yours Obed^t Serv^t
Alexander Hamilton

New York
August the 14th 1784

M^r J. Chaloner

2081

2081

2081

PROPERTY OF A DIFFERENT OWNER
ALEXANDER HAMILTON

Manuscript letter signed ("Alexander Hamilton") to John Chaloner, regarding financial transactions of Hamilton's extended family

2 pages (13 x 7 3/4 in.; 331 x 198 mm) on a bifolium, New York, 14 August 1784, with autograph address leaf directed to "Mr. John Chaloner | Merchant | Philadelphia," reception docket and stick-figure drawing on address leaf; leaves neatly separated at central fold, seal tear and a few short fold separations, some very light marginal soiling.

ALEXANDER HAMILTON HELPS MANAGE HIS BROTHER-IN-LAW'S AMERICAN FINANCES—and coordinates delivery of a package that his sister-in-law Angelica Church sent from Paris to his wife and his mother-in-law.

Just months after founding the Bank of New York, Hamilton writes to Philadelphia merchant John Chaloner regarding financial transactions including the purchase by John Church of 25 shares of Bank of North America stock. He first acknowledges Chaloner's recent letter and lists six bills sent by Chaloner, "which have

been paid and will be paid." He continues, "The ballance due on the lot will be £1297:6-10, which bears interest at Seven Pr Cent. if you are in Cash on Mr Church's account, I shall be obliged to you as soon as possible to forward that ballance the rather as from particular circumstances there is some little hazard in the title till the transaction is completed.

"Mrs Hamilton tells me that Mrs Church informs her she has sent to your care a box of sheeting for her and there is some other thing which she does not recollect for Mrs Schuyler. She requests you will be so good as to forward these articles." In closing, Hamilton remarks that "Mrs Hamilton joins in compliments to Mrs Chaloner."

Elizabeth Schuyler Hamilton's older sister Angelica married John Barker Church, an English businessman, in 1777. Church supported the American Revolution and made a fortune supplying the American and French armies with provisions. After the war, he served as a U.S. envoy to the French government from 1783 to 1785. Angelica Church apparently was shopping in Paris, and bought a box of sheeting for her sister and another item for their mother, Catherine Van Rensselaer Schuyler. After a

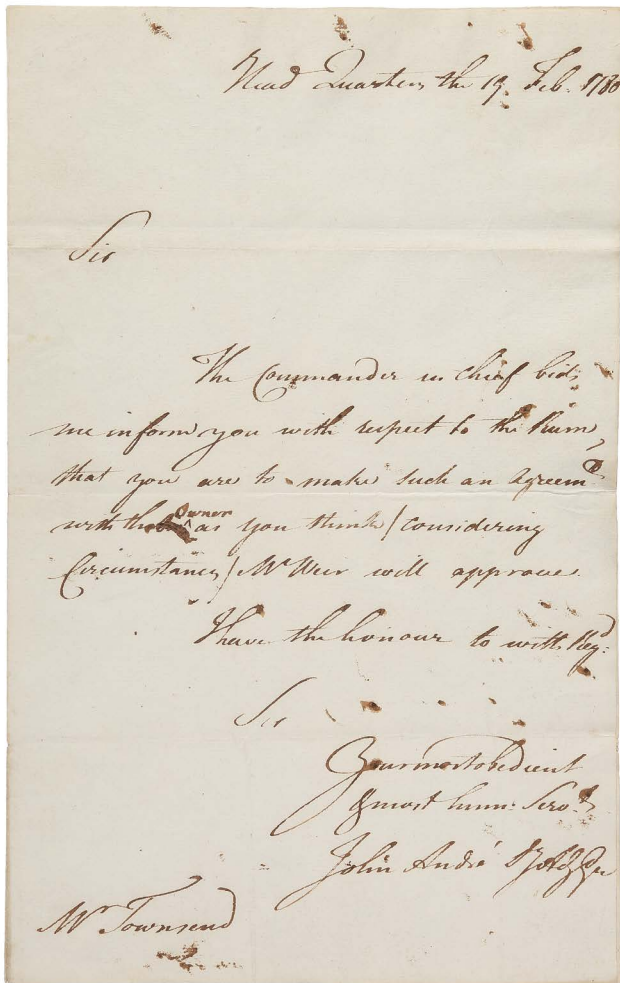
brief return to America, the Church family left for England, where John B. Church served in Parliament from 1790 to 1796. During Church's absence from 1783 to 1797, Hamilton managed his financial affairs, with Chaloner conducting his business in Philadelphia.

In the present letter, Hamilton discusses Church's accounts with Philadelphia merchants James and Alexander Stewart, New York broker John Delafaire, New York merchant and Bank of New York stockholder James Buchanan, Philadelphia Captain George Geddis, and New York stationer and printer William Bowne. Hamilton also returns drafts on New York merchants Nicholas Low and John Woodward at the request of Pennsylvania merchant William Macarty, who had gone bankrupt and received a general discharge from his creditors.

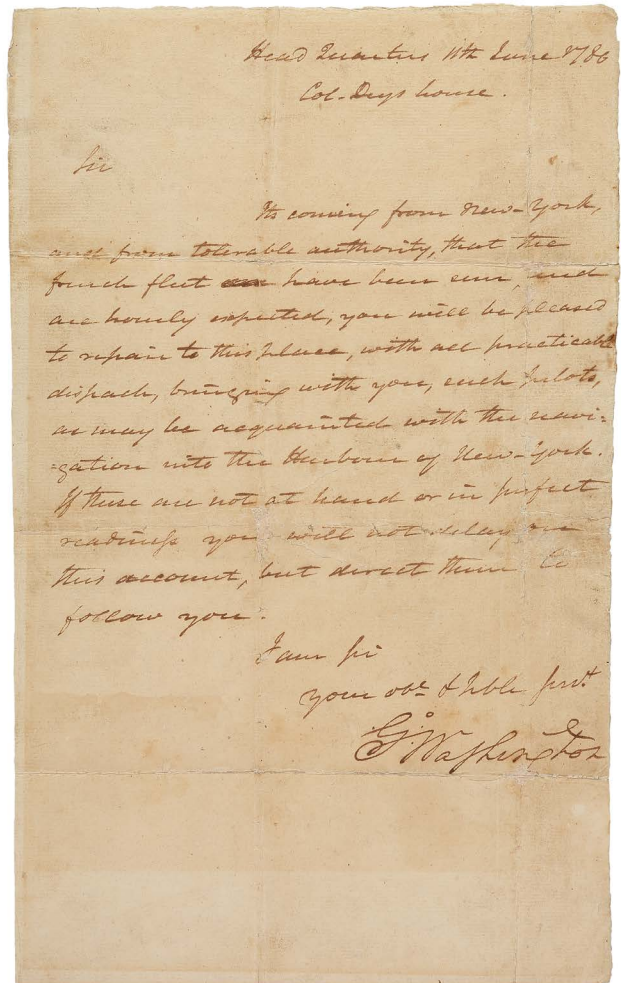
REFERENCES

The Papers of Alexander Hamilton, ed. Syrett, 3:576–577 (text from Hamilton's retained draft, Hamilton Papers, Library of Congress)

\$ 6,000-9,000



2082



2083

2082

PROPERTY OF A NEW YORK COLLECTOR
JOHN ANDRÉ

Autograph letter signed ("John André D. Adj. Gen.") to Gregory Townsend, Esq., Assistant Commissary General of the British army, relaying Sir Henry Clinton's authorization to purchase rum

One page (12⁵/₈ x 7¹/₈ in.; 320 x 200 mm) on a bifolium (watermarked J TAYLOR | SEATED LIBERTY), integral address leaf in André's hand, with recipient's docket, Head Quarters [New York City], 19 Feb[ruary] 1780; closed repair to seal not affecting text.

A RARE WAR-TIME LETTER FROM BRITISH OFFICER AND SPY JOHN ANDRÉ, SEVEN MONTHS BEFORE HIS CAPTURE AND EXECUTION FOR HIS PLOTTING WITH BENEDICT ARNOLD

Following his arrival in America in 1774, John André quickly proved himself to be an officer of exceptional ability. After serving as an aide to Major General Charles Grey, André was

appointed to the post of Deputy Adjutant General to British commander-in-chief Sir Henry Clinton in October 1779, at the young age of 28.

Benedict Arnold had first bruited his treasonable overtures to Clinton in May or June 1779, when he found himself seriously in debt and resentful of an accusation that he used his military office for private gain. Over that summer, Arnold gave military information of the highest importance to Clinton such as troop movements, number of troops, dispositions of supplies. Acting as the British Army's contact with Arnold, André proved adept at navigating the surreptitious communications and negotiations, infamously using the code names "Lothario" and "John Anderson" in his communications.

In this attractive letter, written just seven months before the discovery of his clandestine activities, André writes to the Assistant Commissary General of the British army relaying Sir Henry Clinton's authorization: "The

commander in chief [Clinton] bids me inform you with respect to the Rum, that you are to make such an agreement with the owner as you think, considering circumstances. Mr. Weir will approve."

André was captured with incriminating papers from Arnold in his boots on 23 September 1780 by three militiamen as he tried to make his way through American lines to Tarrytown. Arnold learned of André's capture on the morning of the 25th and fled down river to the safety of the H.M.S. Vulture, just before General Washington arrived at Arnold's headquarters. André was taken by barge to Stony Point on the 28th. His trial took place on the 29th, and he was condemned as a spy. Despite his entreaties to Washington to be executed by firing squad, he was executed by hanging on 2 October in Tappan.

PROVENANCE

Christie's New York, 3 December 2007, lot 100
 \$ 20,000-30,000

GEORGE WASHINGTON

Letter signed ("Go: Washington") as Continental Commander to William Dobbs, informing him of the arrival of the French fleet and instructing him to dispatch pilots familiar with the navigation of New York harbor

One page (13¼ x 8⅞ in.; 337 x 207 mm) on a leaf of laid paper (watermarked SØLAY), "Head Quarters C. Deys house" [New Jersey], 11 June [but July] 1780; lightly browned and soiled, several repaired fold separations and internal tears costing one word and touching four others.

ANTICIPATING THE ARRIVAL OF THE MUCH-NEEDED EXPEDITIONARY FORCE OF COUNT ROCHAMBEAU. Washington writes to William Dobbs, a pilot from Fishkill, New York: "Its coming from New-York and from tolerable authority, that the french fleet have been seen and are hourly expected, you will be pleased to repair to this place, with all practicable dispatch, bringing with you, such pilots, as may be acquainted with the navigation of the Harbour of New-York. If these are not at hand or in perfect readiness you will not delay on their account, but direct them to follow you."

In 1779, Washington engaged Dobbs to act as a pilot for French Admiral Hector D'Estaing. This agreement was renewed, though the French Navy did not actually collaborate with the Continental Army until the celebrated Yorktown campaign of 1781. On 2 May 1780 Admiral de Ternay (d'Estaing having returned to France) sailed from Brest with seven ships, carrying a total of 6,000 men under the command of Lieutenant General de Rochambeau. Ternay's orders specified Newport, Rhode Island, as his destination unless he found the island to be occupied by the British. He arrived on 12 July. For much of 1780 and early 1781, the French

Navy and Rochambeau's Expeditionary Army were bottled up in Newport, Rhode Island, by British blockade.

Washington, as is argued by historian Joseph Ellis in *His Excellency, George Washington* (2004), envisioned collaboration between his army, Rochambeau, and the French Navy, but his real object was New York City, the site of Washington's most humiliating defeat to date. He could expunge his demons by delivering the decisive blow for American independence. As Washington wrote to Nathanael Greene three days after this letter, he had "determined upon a plan of operations for the reduction of the City and Garrison of New York" with French assistance (*Writings*, ed. Fitzpatrick, 19:169). He knew the French Navy would need skilled pilots, knowledgeable of the idiosyncrasies of the Hudson River and New York harbor. Dobbs was ideal, and as this letter shows, Washington wanted him to bring additional pilots. On 15 July, Washington dispatched the Marquis de Lafayette with a "Memorandum for Concerting a Plan of Operations" to Rochambeau, which detailed his plan to invest New York. Washington stated that it was "essential for us to be Masters of the Navigation of the No[rth, or Hudson], River and of the [Long Island] Sound" (*Writings*, ed. Fitzpatrick, 19:174–176).

Most of the battles at this time were being fought in the south as neither the British or the American armies in the New York area were strong enough for any major action. However, Sir Henry Clinton had returned north from Charleston on 17 June when he received an erroneous message from the traitorous Benedict Arnold, then still commander of West Point, that Rochambeau's troops were on their way to join the Patriot cause. Clinton therefore ordered a renewal of the advance on Springfield, New Jersey, to delay Washington from meeting Rochambeau at Newport.

This British advance forced Washington to remain in New Jersey for most of July, making his headquarters at the home of Colonel Theunis Dey's (located in present-day Wayne, New Jersey). Dey commanded the New Jersey militia in Bergen County during the War for Independence and was charged with supervising the west side of the Hudson River.

General Clinton also wanted to gain time for his troops to return from Charleston, after which he planned to launch an offensive in the Hudson Highlands and Westchester. Rochambeau was kept inactive at Newport until July 1781, when he marched across Connecticut to join Washington at the Hudson River and thence south to Yorktown for the final and victorious campaign against the British forces under the command of Lord Cornwallis.

REFERENCES

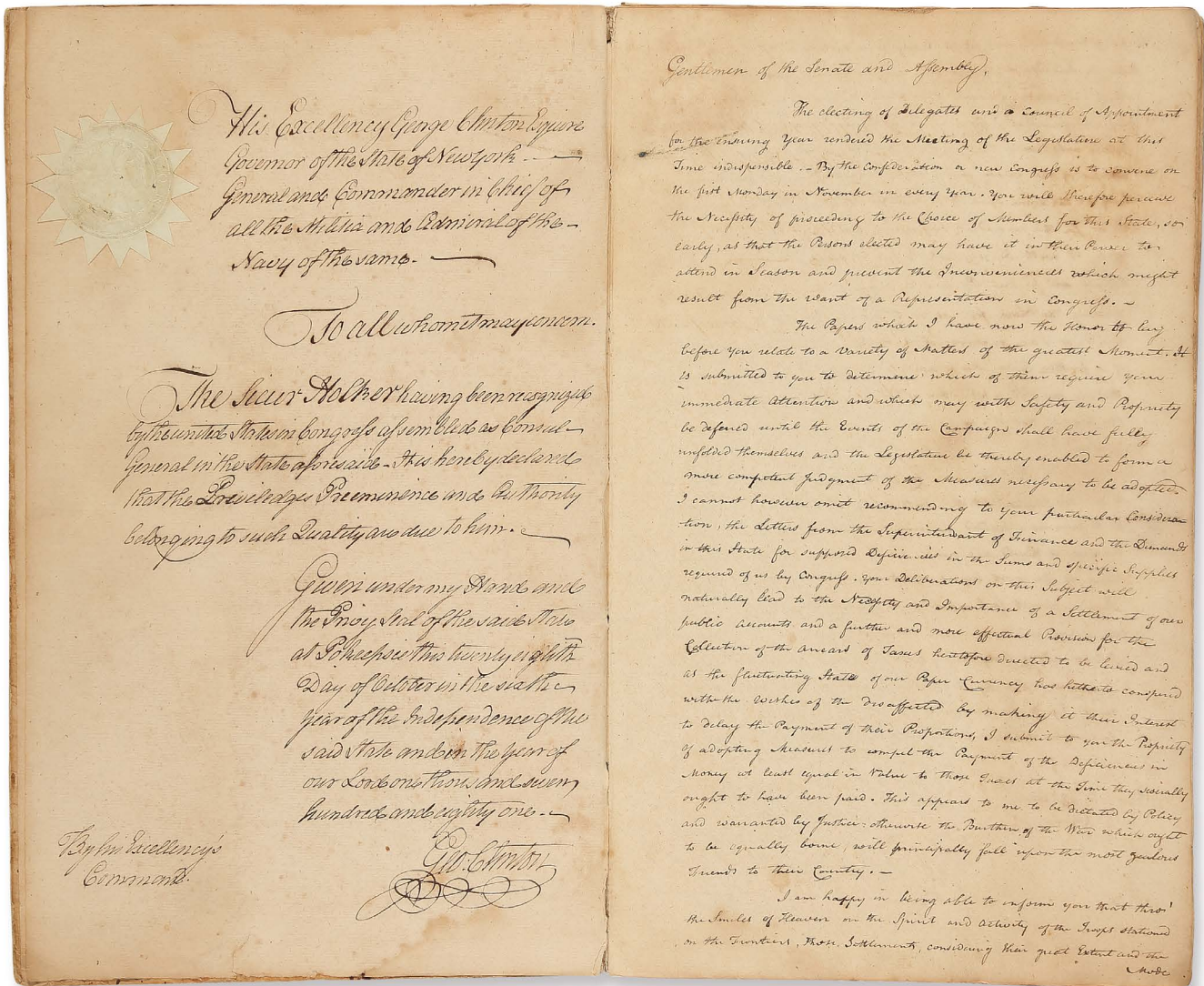
This letter does not appear in Fitzpatrick's edition of the *Writings of Washington*. It appears online as an early access document of *The Papers of George Washington*, dated 11 June 1780 and citing the recipient as Theunis Dey. However, the letterbook copy of this letter in Washington's papers in the Library of Congress is dated 11 July and addressed to Captain William Dobbs. Contextual evidence (such as the location of Washington's headquarters for other letters written in June and July 1780) makes it certain that the correct date of this letter is 11 July 1780, and that Washington's aide-de-camp, who drafted this letter that was actually sent to Dobbs, misdated it.

PROVENANCE

Sulgrave Manor, Northamptonshire, England, the ancestral home of George Washington (Sotheby's New York, 21 June 2007, lot 92), collected ca. 1925

\$ 30,000-40,000

2083 (DETAIL)



2084

2084

GEORGE CLINTON

George Clinton's Letterbook as Governor of New York, Recording His Acts and Correspondence with the Legislature, dated from October 1781 to December 1787

Folio (8 x 13¼ in.; 203 x 337 mm). 152pp in ink (in a blank book of 184pp), to include several transcript proclamations bearing papered seals (an eagle rampant with motto "Excelsior"); occasional and minor dampstaining, staining, minor repairs at upper inner corner of a few leaves, one or two leaves loose. Calf-backed decorated paper boards; overall rubbed. In folding clamshell case, interior with roundel portrait of Clinton, cut signature, and wax seal, each mounted and matted.

A REMARKABLE RECORD OF CLINTON'S OFFICIAL ACTS AS NEW YORK'S WARTIME GOVERNOR, COMMANDER-IN-CHIEF OF THE NEW YORK MILITIA, AND ADMIRAL OF THE STATE NAVY, INCLUDING 134 DOCUMENT, APPROXIMATELY 40 OF WHICH SIGNED

George Clinton was the son of Irish immigrants, born in Little Britain, New York. At the age of 18, he enlisted in the British Army to fight in the French and Indian War. He later served in the colonial assembly and was a delegate to the Continental Congress, and a leader in organizing the state militia. He became a close friend of George Washington and was briefly a Brigadier General in the Continental Army. He served as governor of New York from 1777 to 1795, which distinguishes him as the first and longest-serving governor in state history.

He became vice president under Thomas Jefferson, and continued under James Madison, until he died in office of a heart attack in 1812.

Clinton's public papers were published as a 10-volume series in Albany, between 1899 and 1914. In 1911, most (or all) of the originals were destroyed in a fire at the New York State Library. The New York State Archives now possesses only the following resources: portions of the official gubernatorial records and personal papers of Clinton (originally bound into 48 volumes, the records suffered extensive damage and some loss in the 1911 Capitol fire and were subsequently disbound); a letterbook of official correspondence and proclamations, 1787-1795 and 1802-1804, together in one volume of 132 pages. The letterbook offered

Gentlemen

The very important and indispensable Business arising from the Papers which I have the Honor to lay before you, with this Message, will I flatter myself winced the necessity of conveying you on an earlier Day than that to which you were adjourned.

The different Vets containing Acquisitions of Lands in Money and Money, the Address of Congress and the Letters from the Commanders in Chief and the Superintendent of Finance which accompany them, as they merit so I am persuaded, they will engage your early serious Consideration.

I cannot forbear recommending to your particular Attention the Affidavits and other Papers, which prove a treasonable and dangerous Intercourse & Connections between the Rebels and the common Enemy. In order that you may form a competent Judgment of this Matter, such of the original Papers, respecting it, as are in my possession, will be delivered you. — Your own Prudence will, however suggest that these Communications, as far as they relate to the Names of Persons from whom the Intelligence is derived, ought not to be divulged. I have only to observe that these Proofs are corroborated by a variety of Circumstances which equally tend to show that these criminal Transactions are not confined to individuals but have been conducted under the Countenance and Sanction of that usurped Government.

Geo: Clinton

Caught up in 7
for 22.1.1782

2084

By His Excellency George Clinton Esq^r
Governor of the State of New York General
and Commander in Chief of all the Militia
and Admiral of the Navy of the same

Proclamation.

The United States in Congress assembled having on the eighteenth Day of October last issued a Proclamation in the Words following to wit

Whereas it hath pleased the Divine Ruler of all human Events
to dispose the Hearts of the late belligerent Powers to a
period to the effusion of human Blood by proclaiming a
suspension of Hostilities by Sea and Land, and the United States
are not only happily relieved from the Dangers and Calamities
to which they have been so long exposed, but their Freedom
soverignty and Independence ultimately acknowledged and
expressed in the progress of a Contest in which the most essential Rights
of human Nature depended, the interposition of Divine Providence
in our favor hath been abundantly and most graciously manifested
and the Citizens of these United States have every Reason for Praise
and Gratitude to the God of their Salvation. Impressed therefore with
an exalted Sense of the Blessings by which we are surrounded and of
our entire Dependence on that Almighty Being from whose Goodness
and Bounty they are derived. The United States in Congress assembled
do recommend it to the several States to set apart the second
Thursday in December next as a Day of public Thanksgiving
that all the People may then assemble to celebrate with grateful
Hearts and united Voices the Praises of their Supreme and all
bountiful Benefactor for his numerous Mercies and Favours, that
he hath been pleased to conduct us in safety through all the Perils
and Vicissitudes of the War, that he hath given us Unity and
Resolution to adhere to our just Rights, that he hath raised up a
powerful ally to assist us in supporting them and hath so far
crowned our united Efforts with success, that in the course of the
present Year Hostilities have ceased and we are left in the
undisturbed Possession of our Liberties and Independence and of the
Fruits of our own hands and in the free participation of the Treasures

2084

here, dated from October 1781 to December 1787, spans the Yorktown Campaign to the end of the Revolution, the peace treaty in 1783, the years of the Confederation, the admission of the state of Vermont, and Shays' Rebellion. The earliest entry in the book is a speech delivered to the New York legislature, dated "Pokeysie 23rd October 1781." Shortly thereafter, in an entry dated "Pokeysie 25th October 1781," Clinton writes:

"It gives me the most sensible Pleasure to be able from undoubted Authority to inform you of the Surrender of the British Army under Lord Cornwallis at York Town in Virginia on the 19th Instant to the Allied Army commanded by his Excellency General Washington. — This signal manifestation of the Smiles of divine

Providence on the Justice of our Cause calls for our most devout acknowledgments and while it reflects the highest Lustre on the combined arms affords us the well founded Prospects of Consequences the most interesting and agreeable—"

Further highlights from this letterbook include: a speech discussing letters from Superintendent of Finance, settling public accounts, taxes, currency rates, need to ensure that "Burthen of War" does "not principally fall upon the most zealous friends to their country" (dated 23 October 1781) — citing a Congressional proclamation of Day of Thanksgiving for December 13th (dated 9 November 1781) — a speech passing along documents and discussing treasonable

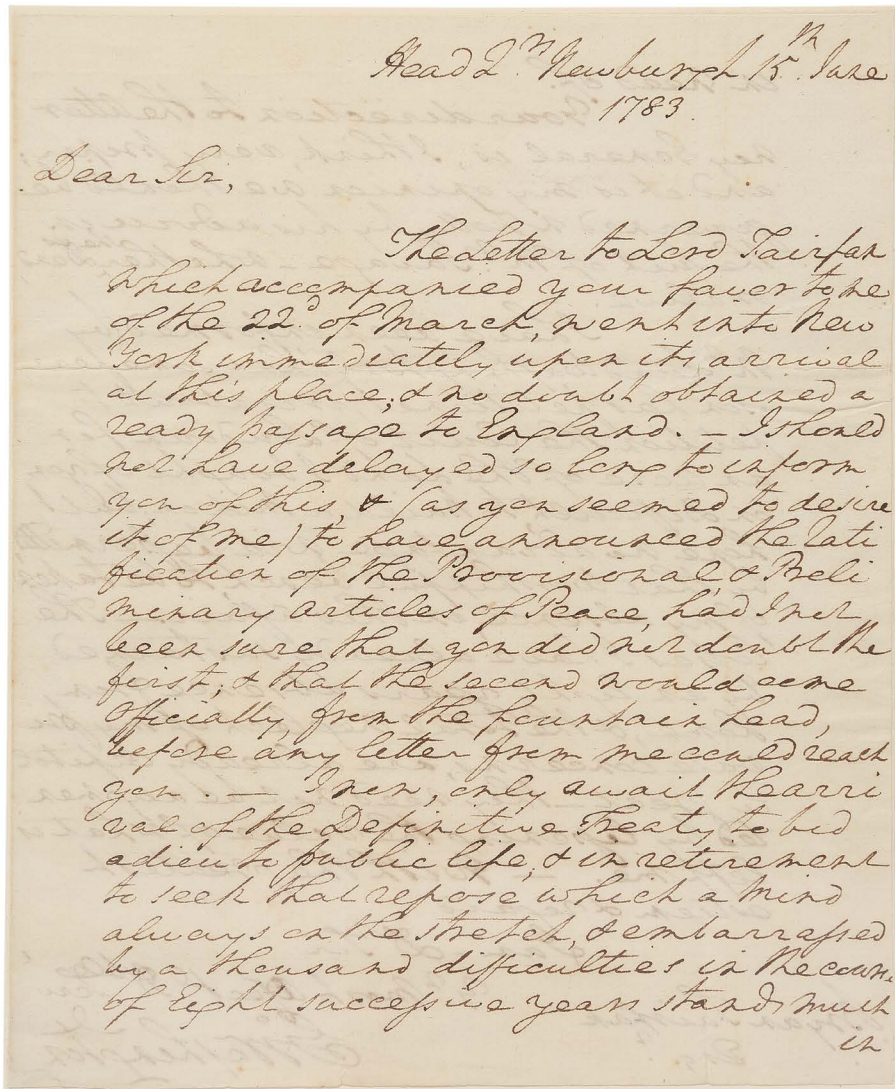
intercourse between leaders of revolt in northeastern territory (presumably the New Hampshire Grants) and the common enemy (dated 21 February 1782) — a speech regarding the need for the revision of tax laws, and the continuing problems with New Hampshire Grants (dated 27 January 1783) — a proclamation regarding British withdrawal from New York City (dated 15 November 1783).

For further excerpts from the Letterbook, please see the lot description on sothebys.com.

PROVENANCE

George Clinton — Ebenezer Hazard by descent — Christie's New York, 3 December 2007, lot 113

\$ 200,000-300,000



2085

2085

GEORGE WASHINGTON

Autograph letter signed ("Go: Washington") as Continental Commander to Bryan Fairfax "at Towlston in Virginia," expressing his eagerness to resign his commission and retire to Mount Vernon
 2 pages (9¼ x 7⅞ in.; 235 x 193 mm) on a bifolium (watermarked WM), Head Quarters Newburgh, 15 June 1783, accompanied by a separate autograph address leaf; minute fold separation at foot of first leaf, second leaf neatly inlaid, address leaf inlaid and restored.

"I NOW, ONLY AWAIT THE ARRIVAL OF THE DEFINITIVE TREATY TO BID ADIEU TO PUBLIC LIFE & IN RETIREMENT TO SEEK THAT REPOSE WHICH A MIND ALWAYS ON THE STRETCH, & EMBARRASSED BY A THOUSAND DIFFICULTIES IN THE COURSE OF EIGHT SUCCESSIVE YEARS STANDS MUCH IN NEED

OF.": George Washington reveals to one of his oldest friends his overwhelming desire to reap the reward due to a Cincinnatus and retire to private life. This deeply personal letter reveals Washington's frustration with the slow progress of the diplomats charged with ratifying the Treaty of Paris; his concern with concluding such lingering difficulties as the orderly departure of British troops and the need to win appropriate back-pay for his own soldiers; and his anxiety about the state of his neglected home and lands. In the midst of all of this, Washington even references a legal matter that engaged both him and his correspondent.

Washington first confirms that he has passed on a letter to Lord Fairfax in England, which Bryan Fairfax had sent to his care. He then confirms more significant news: "I should not have delayed so long to inform you of this, & (as you seemed to desire it of me) to have

announced the Ratification of the Provisional & Preliminary Articles of Peace, had I not been sure that you did not doubt the first; & that the second would come Officially from the fountain head, before any letter from me could reach you. I now, only await the arrival of the Definitive Treaty to bid adieu to public life, & in retirement to seek that repose which a Mind always on the stretch, & embarrassed by a thousand difficulties in the course of Eight successive years stands much in need of."

Responding to an update from Fairfax about the "Savage bond" affair, Washington assures him that "Your direction to the Attorney General is, I think, very proper; and it is my opinion we should be governed wholly by his advice in the suit of Mrs Savage—whether she is Dead, or alive." The General closes with a pledge to maintain the integrity of his lands, and a very rare mention of the personal cost of his service:

in need of.

Your direction to the latter
 my General is, I think, very proper;
 and it is my opinion we should be
 governed wholly by his advice in
 the suit of M^r. Savage - whether ^{he has} ~~he has~~
 or alive.

I have been informed (by
 M^r. Lund Washington) that some per-
 -son has petitioned, or is about to
 petition the Court of London for
 an acre of the land I bought of you
 on Difficult, to build a mill on, but I
 hope no advantage will be permitted
 by that worshipful bench to be taken
 of my absence, in this affair. The
 losses I have already sustained
 by an eight years absence from
 home, & the total neglect of my pri-
 vate concerns, are already capitally
 great - they need not be augmen-
 ted by lessening the value of what is
 left me. - With the greatest
 esteem & regard

I am - D^r Sir
 Y^r. most Obed^t. Serv^t
 B. Fairfax
 21^g.
 G. Washington

2085

"I have been informed (by Mr Lund Washington) that some person has petitioned, or is about to petition the Court of London for an Acre of the Land I bought of you on Difficult [Difficult Run, Virginia], to Build a Mill on; but I hope no advantage will be permitted, by that Worshipful bench, to be taken of my absence, in this Affair—The losses I have already sustained by an Eight years absence from home, & the Total neglect of my private concerns, are already capitally great—they need not be augmented by lessening the value of what is left me." The repose Washington sought was still a half-year off; he did not set eyes on Mount Vernon until Christmas.

Bryan Fairfax (1736–1802) was a son of William Fairfax of Belvoir, a plantation below Mount Vernon. He served briefly under Washington's command in 1756, but proved a poor soldier. Remarkably, their friendship

remained unbroken though Fairfax opposed independence. When it became clear that America would not reconcile with the Crown, Fairfax declined to take an oath of loyalty to the King and retired to his Virginia estate. Regardless of their striking differences on political matters, he and Washington, and their families, remained close for the rest of their lives.

In one matter, Washington and Fairfax were handcuffed together for over a generation. In 1765, the two young men were named trustees for the widow of the Rev. Charles Green. By 1767, Mrs. Green had remarried a Dr. William Savage, who immediately came to dominate her affairs, instigating many suits to recover debts owed to her late husband. It eventually became clear to the two trustees that Dr. Savage was a dishonest man; in one letter, Washington explicitly called him a "v-----n." Savage refused

to pay his wife the £100 per year due from a trust fund. Eventually Washington and Fairfax forced him to post a bond of compliance. Long after the Savages separated, long even after her death, legal skirmishes with Dr. Savage continued.

REFERENCES

This letter does not appear in Fitzpatrick's edition of *Writings of Washington*. It appears online as an early access document of *The Papers of George Washington*. The letter was first published in "George Washington and the Fairfax Family," in *Virginia Magazine of History and Biography* 77 (1969):441–463

PROVENANCE

The Fairfax Family (Sotheby's New York, 1 November 1993, lot 224) — The Forbes Collection (Christie's New York, 22 May 2007, lot 16)

\$ 120,000-180,000

TREATY OF PARIS, RATIFICATION

By the United States in Congress Assembled, a Proclamation ... *Annapolis: printed by John Dunlap, Printer for the United States in Congress assembled, [Ca. 16-17 January 1784]*

Printed broadside (21 ½ x 17 in.; 545 x 432 mm, *preserving deckle on all edges*). Text in three columns below a two-line heading, with embossed paper seal of the United States in the left margin, docketed on verso ("No. 6 | Proclamation of Congress of | the ratification of the Definitive | Articles between America and | Great Britain | 14 Jan 1784 | 28 Oct 1784 | Ordered a second reading"); silked, tiny losses at central horizontal fold costing bits of about five letters, small hole and two dampstains in lower blank margin. Matted, framed, and glazed.

THE OFFICIAL PROCLAMATION OF THE AMERICAN RATIFICATION OF THE DEFINITIVE TREATY OF PEACE, BRINGING THE REVOLUTIONARY WAR TO AN END, SIGNED BY PRESIDENT OF CONGRESS THOMAS MIFFLIN AND SECRETARY OF CONGRESS CHARLES THOMSON.

THIS IS THE PENDANT DOCUMENT TO DUNLAP'S BROADSIDE PRINTING OF THE DECLARATION OF INDEPENDENCE, BUT MUCH RARER.

Despite Thomas Mifflin's pleas that absent delegates attend Congress to ratify the definitive articles of peace signed at Paris, 3 September 1783, it was not until 13 January that nine states were represented in Congress. The next day they approved ratification at Annapolis, where timid delegates had adjourned in fear after riots by disgruntled soldiers in Philadelphia threatened their peace of mind in early November. The broadside carries the complete, official text of the articles agreed to in Paris, signed in type by David Hartley for Great Britain and by John Adams, Benjamin Franklin, and John Jay for the United States. That is followed by the full text of Congress' s ratification of the treaty:

"...WE THE United States in Congress assembled, having seen and duly considered the definitive articles aforesaid, did by a certain act under the seal of the United States, bearing date this 14th day of January 1784, approve, ratify and confirm the same and every part and clause thereof ... and being sincerely disposed to carry the said articles into execution truly, honestly and with good faith ... we have thought proper by these presents, to notify the premises to all the good citizens of these United States...

"... GIVEN under the Seal of the United States, Witness his Excellency THOMAS MIFFLIN, our president, at Annapolis..."

This broadside, printed by John Dunlap by order of Congress, was available for distribution by 16–17 January 1784. The number printed and signed is not known, but this may be one of only two completed with the official seal in upper left corner and signed by Mifflin and Thomson. The only other recorded copy completed in this manner is in the National Archives. A few other copies have been located (in the Library of Congress, Clements Library, the Maryland State Archives, and some other repositories), but without the seal and signed only by Thomson.

Copies of the broadside were sent to the American ministers in Paris, to each of the states, and to Robert Morris (Finance/Treasury) and Joseph Carleton (War). Based on complaints Franklin received from British treaty signer Hartley concerning the lack of Mifflin's signature and a seal on the ratification (which was sent along with copies of this proclamation), it seems unlikely that double-signed and sealed copies of the proclamation had been sent to these designated recipients.

For a wealth of information on the treaty distribution of this proclamation, speculation as to the original recipients, and correspondence between British statesman David Hartley and Benjamin Franklin regarding the signatures and seals on the Ratification of the Definitive Treaty, please see the lot description on sothebys.com.

REFERENCES

Evans 18819

PROVENANCE

Elsie O. and Philip D. Sang (Sotheby's New York, 20 June 1979, lot 661) — Sotheby's New York, 11 December 2007, lot 49 (undesignated consignor)

\$ 800,000-1,200,000

By the UNITED STATES in CONGRESS Affembled,
A P R O C L A M A T I O N .

WHEREAS definitive articles of peace and friendship, between the United States of America and his Britannic Majesty, were concluded and signed at Paris, on the 3d day of September, 1783, by the plenipotentiaries of the said United States, and of his said Britannic Majesty, duly and respectively authorized for that purpose; which definitive articles are in the words following.

*In the Name of the Most Holy and Undivided
T R I N I T Y .*

Thomas Mifflin
IT having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George the Third, by the Grace of God, King of Great-Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. and of the United States of America, to forget all past misunderstandings and differences, that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore; and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantage and mutual convenience, as may promote and secure to both perpetual peace and harmony: And having for this desirable end, already laid the foundation of peace and reconciliation, by the provisional articles, signed at Paris, on the 30th of November, 1782, by the commissioners empowered on each part, which articles were agreed to be inferred in, and to constitute the treaty of peace proposed to be concluded between the crown of Great-Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great-Britain and France, and his Britannic Majesty should be ready to conclude such treaty accordingly; and the treaty between Great-Britain and France, having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the provisional articles aforesaid, according to the tenor thereof, have constituted and appointed, that is to say, His Britannic Majesty on his part, David Hartley, Esquire, member of the parliament of Great-Britain, and the said United States on their part, John Adams, Esquire, late a counsellor of the United States of America at the court of Versailles, late delegate in congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said United States, to their high excellencies the States General of the United Netherlands; Benjamin Franklin, Esquire, late delegate in congress from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary from the United States of America at the court of Versailles; John Jay, Esquire, late president of congress, and chief justice of the state of New-York, and minister plenipotentiary from the said United States at the court of Madrid, to be the plenipotentiaries for the concluding and signing the present definitive treaty, who after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles.

John Thomson
ARTICLE 1st. His Britannic Majesty acknowledges the said United States, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, to be free, sovereign and independent states: that he treats with them as such, and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same, and every part thereof.

ARTICLE 2d. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz. From the north-west angle of Nova-Scotia, viz. that angle which is formed by a line drawn due north from the source of Saint-Croix river to the Highlands; along the said Highlands which divide those rivers that empty themselves into the river Saint-Lawrence from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut river, thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude, until it strikes the river Iroquois or Cataraqui; thence along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie; thence along the middle of said lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication into the lake Huron; thence through the middle of said lake to the water communication between that lake and lake Superior; thence through lake Superior northward of the isles Royal and Philippeaux to the long lake; thence through the middle of said

long lake and the water communication between it and the lake of the Woods, to the said lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the northernmost part of the thirty-third degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint river; thence straight to the head of Saint Mary's river; and thence down along the middle of Saint Mary's river to the Atlantic Ocean. East by a line to be drawn along the middle of the river Saint-Croix, from its mouth in the bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river Saint-Lawrence, comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic Ocean; excepting such islands as now are or heretofore have been within the limits of the said province of Nova-Scotia.

ARTICLE 3d. It is agreed that the people of the United States shall continue to enjoy unimolested the right to take fish of every kind on the Grand Bank, and on all the other banks of Newfoundland, also in the gulph of Saint-Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind on each part of the coast of Newfoundland as British fishermen shall use, (but not to dry or cure the same on that Island) and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova-Scotia, Magdalen islands, and Labrador, so long as the same shall remain unsettled, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

ARTICLE 4th. It is agreed that commissioners on either side, shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted.

ARTICLE 5th. It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his Majesty's arms, and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the Thirteen united States, and therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties, as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states, that the estates, rights and properties of such last mentioned persons shall be restored to them: they refusing to any persons who may be now in possession the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation. And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

ARTICLE 6th. That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for or by reason of the part which he or they may have taken in the present war; and that no person shall on that account, suffer any future loss or damage, either in his person liberty or property, and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

ARTICLE 7th. There shall be a firm and perpetual peace between his Britannic Majesty and the said States,

and between the subjects of the one, and the citizens of the other, wherefore all hostilities both by sea and land shall from henceforth cease: all prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every post, place and harbour within the same; leaving in all fortifications the American artillery that may be therein, and shall also order and cause all archives, records deeds and papers, belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

ARTICLE 8th. The navigation of the river Mississippi, from its source to the Ocean, shall forever remain free and open to the subjects of Great-Britain and the citizens of the United States.

ARTICLE 9th. In case it should happen that any place or territory belonging to Great-Britain or to the United States, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

ARTICLE 10th. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties, in the space of six months, or sooner if possible, to be computed from the day of the signature of the present treaty. In witness whereof, we the undersigned, their ministers plenipotentiary, have in their name and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

D O N E at Paris, this third day of September, in the year of our Lord one thousand seven hundred and eighty-three.

(L. S.) D. HARTLEY, (L. S.) JOHN ADAMS,
(L. S.) B. FRANKLIN,
(L. S.) JOHN JAY.

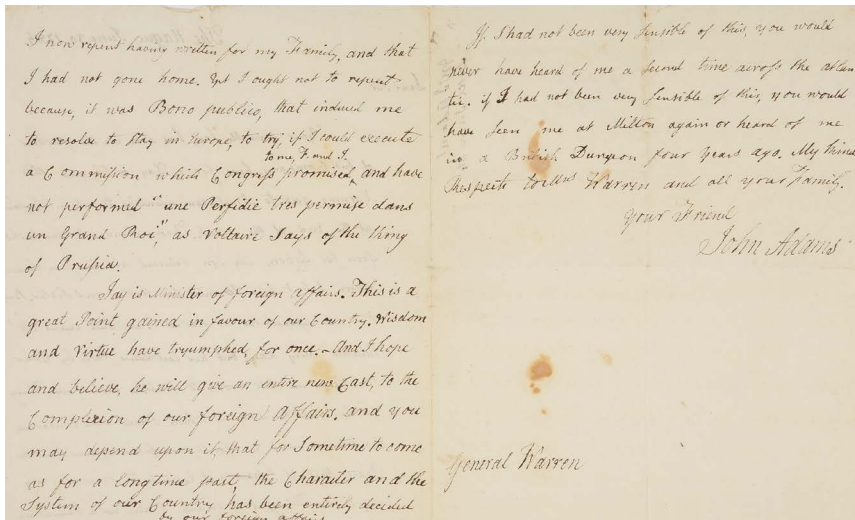
A N D we the United States in Congress assembled, having seen and duly considered the definitive articles aforesaid, did by a certain act under the seal of the United States, bearing date this 14th day of January 1784, approve, ratify and confirm the same and every part and clause thereof, engaging and promising that we would sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one, or transgressed in any manner as far as should be in our power: and being sincerely disposed to carry the said articles into execution truly, honestly and with good faith, according to the intent and meaning thereof, we have thought proper by these presents, to notify the premises to all the good citizens of these United States, hereby requiring and enjoining all bodies of magistracy, legislative, executive and judiciary, all persons bearing office, civil or military, of whatever rank, degree or powers, and all others the good citizens of these States of every vocation and condition, that reverencing those stipulations entered into on their behalf, under the authority of that federal bond by which their existence as an independent people is bound up together, and is known and acknowledged by the nations of the world, and with that good faith which is every man's surest guide within their several offices, jurisdictions and vocations, they carry into effect the said definitive articles, and every clause and sentence thereof, sincerely, strictly and completely.

G I V E N under the Seal of the United States, Witness his Excellency THOMAS MIFFLIN, our President, at Annapolis, this fourteenth day of January, in the year of our Lord one thousand seven hundred and eighty-four, and of the sovereignty and independence of the United States of America the eighth.

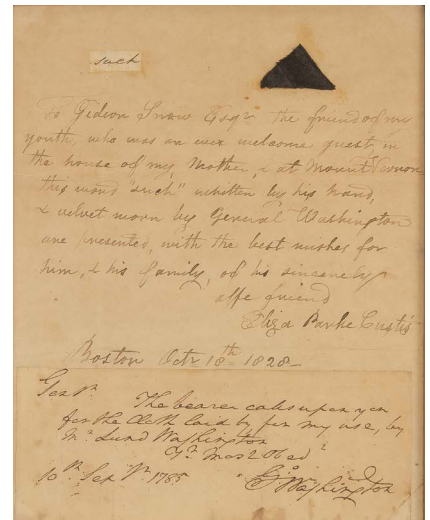
The Hague June 30. 1784.

Dear Sir

Your amiable Son, has done me the favour of his Company, here, for a Day or two, and this Morning goes to Amsterdam, intending to return to England at the End of the week. From London he embarked soon for Lisbon. My Son returned with him from London where I sent him to meet his Mother and Sister. But he was disappointed as well as I. - I still expect Mrs Adams every day: but her last Letters, (those by your Son) leave me still room to doubt. - in short, every thing public and private, in which I have been concerned has been so much in doubt, and suspense, ever since the Peace, that if I have not learned to reconcile my self to any thing, it is because I am not a Philosopher.



2087



2088

2087

JOHN ADAMS

Autograph letter signed ("John Adams") to General James Warren, on the importance of diplomacy for the infant republic
3 pages (8¾ x 7¾ in.; 222 x 187 mm) on a bifolium, (countermarked IV), The Hague, 30 June 1784, to General James Warren, reception docket on verso of second leaf; a couple of small, light stains, pinholes at intersecting fold.

In a private letter to a political friend, Adams laments his decision to remain in the diplomatic service in Europe, but reconciles himself to the importance of his efforts for the future security and character of the newly independent United States: "THE CHARACTER OF OUR COUNTRY HAS BEEN ENTIRELY DECIDED BY OUR FOREIGN AFFAIRS. ..."

June 1784 found Adams in the Netherlands attempting to secure crucial loans for the United States from Dutch bankers and awaiting the arrival of his wife and daughter in Europe. "I now repent having written for my Family, and that I had not gone home. Yet I ought not to repent because it was Bono publico, and induced me to resolve to stay in Europe, to try, if I could execute a Commission which Congress promised to me, F[ranklin] and J[ay] and have not performed 'une Perfidie tres permise dans un Grand Roi,' as Voltaire says of the King of Prussia.

"Jay is Minister of foreign affairs. This is a great Point gained in favour of our Country. Wisdom and Virtue have triumphed for once. And I hope and believe, he will give an entire new cast to the complexion of our foreign Affairs and you may depend upon it that for sometime to come as for a long time past, the Character of our Country has been entirely decided by our foreign affairs. ... If I had not been very sensible of this, you would have seen me at Milton again or hear of me in a British Dungeon four years ago."

Nationalists such as George Washington, Alexander Hamilton, and John Jay viewed American diplomatic failures as one symptom of the general weakness of the system of government established under the Articles of Confederation. Adams's agreement with this sentiment explains his strong approbation of John Jay's appointment to the position of Minister of Foreign Affairs (forerunner of the office of Secretary of State). While the Treaty of Paris had been signed at this point, its provisions had yet to be implemented, and it remained to be seen how Great Britain and the other major powers of Europe would view the United States. The early diplomatic history of the United States was marked by threats to American sovereignty on the high seas and in the interior of North America. Adams himself would experience such treatment during his tenure as first American Minister to Britain, being largely ignored by George III's government, which did not send a regular minister to America and did not, as promised at Paris, abandon forts on American territory.

James Warren was President of the Provincial Congress of Massachusetts, paymaster general of the Continental Army and a member of the U.S. House of Representatives.

REFERENCES

The Adams Papers, Papers of John Adams, ed. Lint, Taylor, et al., 16:261–262

PROVENANCE

Sotheby's New York, 21 June 2007, lot 4 (undesignated consignor)

\$ 20,000-25,000

2088

PROPERTY OF A DIFFERENT OWNER

GEORGE WASHINGTON

Autograph letter signed ("Go: Washington"), with separate autograph letter signed in the hand of Eliza Parke Custis, presenting Gideon Snow with a swatch of velvet worn by Washington

One page (7¾ x 3 in.; 190 x 75 mm), 10 September 1785; some toning, minor staining along lower margin. [With]: One page (7¾ x 9¾ in.; 195 x 248 mm) autograph letter signed ("Eliza Parke Custis"), Boston, 10 October 1828, to Gideon Snow, with a fragment of velvet worn by Washington; some toning and staining. Framed together. Not examined out of frame.

"...The bearer calls upon you for the cloth laid by, for my use, by Mr. Lund Washington..."

In the present note executed by Washington, he calls for his distant cousin and Mount Vernon steward, Lund Washington, to collect a measure of cloth that the former has had set by. In the accompanying letter, Elizabeth (Eliza) Parke Custis Law—eldest granddaughter of Martha Washington, and step-grandchild of George Washington—writes to her friend and former Mount Vernon tutor, Gideon Snow, presenting him with a trimming of velvet "worn by General Washington."

Eliza Parke Custis married Thomas Law, the youngest son of the late bishop of Carlisle, and an experienced administrator with the East India Company. During her lifetime, Eliza became a social leader in the District of Columbia, and worked to preserve the Washington family heritage.

PROVENANCE

Eliza Parke Custis (accompanying letter) — Goodspeed's Book Shop (label to verso)

\$ 6,000-8,000

Grosvenor Square May 24. 1786

Dear Sir

I have just now received your Favour of the 12th of April. The Orders I inclosed to bring, to be delivered to you, if at New York, and to be sent to you if gone to N. England, unless he should have occasion to use them in Congress. I now inclose you some Papers relating to the British Whale Fisheries by which you will see what forced Plants they are, and how easily we may rival them. When you have made your Speculations on them will you be so good as to Send them to Thing.

The Issue of all my Negotiations respecting the Interest of British Debts, during the War, and respecting every Thing else, is just nothing at all. ~ I have done all in my Power to do to no purpose, and I tell you freely, that the British Ministry will do nothing about this or any Thing else

2089

2089

PROPERTY OF A NEW YORK COLLECTOR

JOHN ADAMS

Autograph letter signed ("John Adams") to Elbridge Gerry, expressing his frustrations in representing America's interests

4 pages (12¾ x 7⅞ in.; 324 x 201 mm) on a bifolium (watermarked C TAYLOR | seated Liberty), Grosvenor Square, London, 24 May 1786, reception docket in margin of final page; separated at central fold, light discoloration at a few fold creases.

"A MORE DISAGREABLE SITUATION THAN MINE NO MAN EVER HELD IN LIFE AND WHOEVER SUCCEEDS ME, WILL NOT FIND IT MORE PLEASANT." Adams vents to one of his closest political allies, Elbridge Gerry, a fellow signer

of the Declaration of Independence from Massachusetts, about his inability to succeed with the British ministry because the states are not strong enough to support their own credit and regulate their own trade. In a foreshadowing of his celebrated 1787 attack on the Articles of Confederation, *Defence of the Constitutions of Government of the United States of America*, which was prompted by Shay's Rebellion the preceding year, Adams here analyses the weaknesses of the American financial system under the Articles.

"The issue of all my 'Negotiations[']' respecting the Interest of British Debts, during the War, and respecting every Thing else, is just nothing at all.—I have done all in my Power to do to no purpose, and I tell you freely, that the British

Ministry will do nothing about this or any Thing else until the States Shall Support their Credit, and regulate their own trade, in a manner that shall shew them that it is not left to British Merchants and Politicians to manage as they please. Nor then in my opinion will they ever intermeddle, or agree to relinquish the Interest. It will finally be left to every Debtor to make the best agreement he can with his Creditor, or to dispute it at Law, and avoid the Payment of the Interest by the Verdict of a Jury. If the juries give it against our Merchants, they will never find any other Remedy. As to any Clamour that may be raised by my concealed competitors, it will do them no good nor me any harm, if they want my Place, and Congress give it them it will be with my hearty consent, without any Clamour at all. A more disagreeable Situation

Way to make federal Ideas, grow, and may they
prosper untill Congress shall have the Power and
the Will, to form a System, which shall bring this
Country to think. You may depend upon it
every Man who expect any Thing from my
Negotiations will be disappointed. I am not
an Idler. my whole Time is employed to the Ut
most of my Strength and Capacity, and to no
more purpose, than if I were at Horse Races
or Stage Plays, and this will assuredly continue
to be the Case, untill the Trade and Revenue
of this Country shall be made to feel the Effect
of the Conduct of Congress and the States in
regulating their Trade. - if it is not thought worth
while to continue me here, untill that Event takes
Place, I am my self fully of that mind, and am
quite prepared to be recalled.

London 24th May 1774

With great Esteem and Affection, your
Friend
John Adams

Mr Gerry

2089

than mine no Man ever held in Life and whoever succeeds me, will not find it more pleasant.

Adams next turns to his critics in Congress, confidently offering to step aside if anyone cares to replace him: "If any one thinks he can do better in mercy, let him put up, and if anybody thinks of any other who can do more let him vote for him in the name of freedom. Old as I am, I had rather draw Writs and Pleas in abatement than do suffer what is now my Lot. Making brick without Straw, which has been my Employment ever since I have been in Europe, and is more so now than ever, was never reckoned an easy, or pleasant Task, from the Days of the Israelites in Egypt to this moment. Untill I came to England I was as little apprised as you of the Extent of this evil of Interest.

It was too carefully concealed, by American Debtors, until it was past a Remedy. The time is long since perfectly past, for doing any Thing in the Country, and another opportunity will never arrive, until after a long and arduous Struggle."

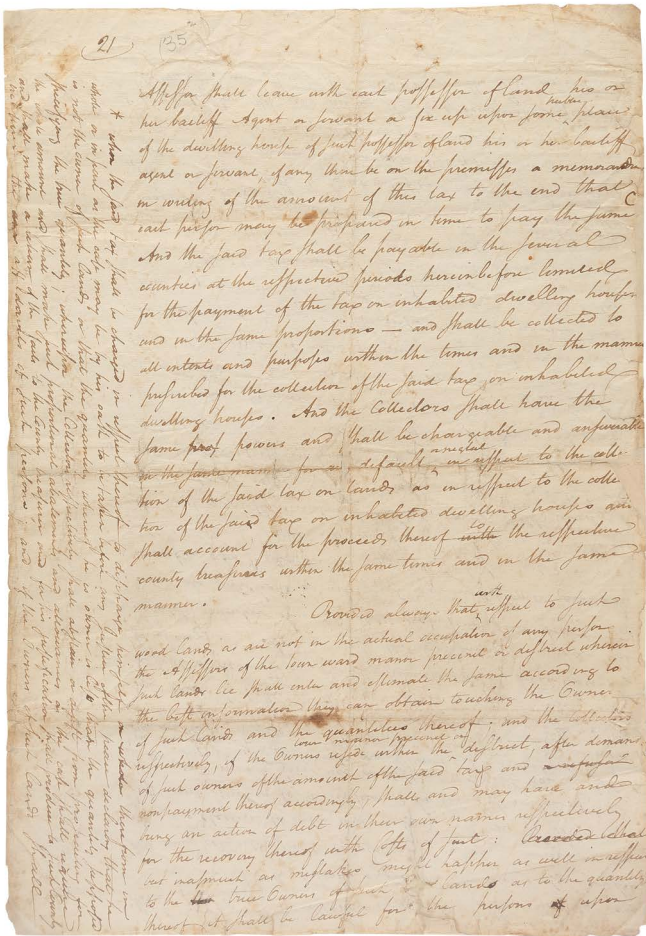
The letter takes a lighter turn, with Adams teasing Gerry and their mutual friend Rufus King for "marrying the two finest Girls in New York"—wealthy women who have put their husbands "in a way to make federal Ideas, grow, and may they prosper untill Congress shall have the Power and the Will, to form a System, which shall bring this Country to think." But Adams's darker humor returns, and he ends the letter by railing against the futility of his efforts and stating again with his closing phrase that he is "quite prepared to be

recalled": "You may depend upon it every Man who expects any Thing from my Negotiations will be disappointed. I am not an Idler. MY WHOLE TIME IS EMPLOYED TO THE UTMOST OF MY STRENGTH AND CAPACITY, AND TO NO MORE PURPOSE, THAN IF I WERE AT HORSE RACES OR STATE PLAYS, AND THIS WILL ASSUREDLY CONTINUE TO BE THE CASE, UNTIL THE TRADE AND REVENUE OF THE COUNTRY SHALL BE MADE TO FEEL THE EFFECT OF THE CONDUCT OF CONGRESS AND THE STATES IN REGULATING THEIR TRADE.

PROVENANCE

Christie's New York, 3 December 2007, lot 95 (Property of a Private Collector)

\$ 80,000-120,000



2090

2090

PROPERTY OF A DIFFERENT OWNER

ALEXANDER HAMILTON

Autograph manuscript of pages 21–22 of Hamilton's third draft of a New York State bill for "An Act for Raising Certain Yearly Taxes within This State"

2 pages (12 x 8³/₈ in.; 305 x 312 mm) on a single leaf, with numerous autograph corrections and emendations, [New York, ca. March 1787]; a little bit of soiling, some short fold separations and repairs. Matted, framed, and glazed with Plexiglas.

Hamilton served a single term in the New York State Assembly, from 12 January to 21 April 1787. The seventy-member Assembly met in the Old Royal Exchange in New York City. On 9 February, a committee introduced a proposal for a more fair system of taxation. "It was agreed on all hands," the new *York Daily Advertiser* (21 February 1787) summarized Hamilton's remarks, "that the system heretofore in use was full of defects; both in the view of equality among individuals and of revenue to the state. From the legislature to the assessors, all was conjecture and uncertainty." He explained that the present system left too

much discretion to assessors and supervisors with their individual biases and inclinations.

"Equality and certainty are the two great objects to be aimed at in taxation," Hamilton concluded, and although his system "does not pretend to reach absolute equality," it would "approach much nearer to equality than the former system." He invited the committee, the Assembly, and the Legislature to improve it, but warned, "we could not fall upon a worse system than the present. Any change would be for the better."

Hamilton's manuscript begins, "Assessor shall leave with each possessor of land his or her bailiff Agent or servant or fix up upon some public place of the dwelling house of such possessor of land his or her bailiff agent or servant, if any there be on the premisses a memorandum in writing of the amount of this tax to the end that each person may be prepared in time to pay the same And the said tax shall be payable in the several counties at the respective periods hereinbefore limited for the payment of the tax on inhabited dwelling houses, and in the same proportions, and shall be collected to all intents and purposes within the times and in the manner prescribed for the

collection of the said tax on inhabited dwelling houses. And the collectors shall have the same powers and shall be chargeable and answerable in the same manner for any default or neglect in respect to the collection of the said tax on lands as in respect to the collection of the said tax on inhabited dwelling houses and shall account for the proceeds thereof to the respective county treasuries within the same times and in the same manner." The rest of Hamilton's draft is in the Hamilton Papers in the Library of Congress; this page was attached to an unrelated document decades ago, and descended in the Hamilton family until 2017.

Members of both the Assembly and the Senate offered amendments to Hamilton's bill, and the "Act for raising monies by tax," that passed on 11 April 1787, was substantially shorter and did not include this text. Rather than imposing duties on specific possessions and implementing detailed reforms, the final act levied a quota on each county in the state to raise a total of £50,000, and made the assessors in each county responsible for determining taxable property and the rates of taxation.

\$ 10,000-15,000

PROPERTY OF A NEW YORK COLLECTOR
THOMAS PAINE

Autograph letter signed ("Thomas Paine"), to Thomas Willing, seeking a financial favour for a "very intimate friend"

One page (8½ x 13 in.; 212 x 330 mm) on a bifolium, Philadelphia, 20 March 1787, docketed on the integral blank.

A courteous letter to a Philadelphia merchant on behalf of Colonel Joseph Kirkbride:

"A very intimate friend of mine Col. Kirkbride, has a Bond of Mr. Richd. Penn for about £1000... My desire to serve him on any occasion induces me to mention this circumstance to you—I believe it is not regularly within the line of business done in the Bank—but as he can deposit real security to a great deal more amount, it would give me much pleasure to be the means of promoting his convenience—I intended waiting on you this Evening on this occasion, but as I cannot I must defer it until the morning."

During Sir William Howe's invasion of 1777, Paine was forced to flee Philadelphia, and he sought refuge at the Bucks County home of his close friend, Joseph Kirkbride. In the following decade, when Paine found himself in dire financial circumstances, he once again took up residence with Kirkbride, who had moved to Bordentown after the British had burned his Bucks County farm. Paine later bought a plot of land nearby, and Kirkbride remained a close friend and confidant until the latter's death in 1803.

Paine was an important supporter of the Bank of North America, created by Robert Morris during the last years of the Revolution. Thomas Willing, the letter's recipient, was a mayor of Philadelphia, a member of Pennsylvania's provincial assembly, a justice of the state's Supreme Court, and a member of the Second Continental Congress. He was elected first president of the Bank of North America, which was the first national bank, though under the limited powers of the Articles of Confederation. During the bitter political struggle over the bank's recharter, Paine stood by Willing against the opposition of many old artisan allies.

After ratification of the Constitution, in 1791 Secretary of the Treasury Alexander Hamilton formed the First Bank of the United States, which Willing then presided over. Kirkbride seems to be handicapped, in Paine's telling, by possession of a bond from Richard Penn, the Loyalist lieutenant governor who was then living in London. Financial obligations with American Loyalists were in an ambiguous state after the Treaty of Paris because of disputes over two key provisions therein: the clause requiring the British to compensate for slaves who ran away to British lines, and the clause requiring states to compensate for lands and properties confiscated from Loyalists.

\$ 15,000-20,000

March 20th 1787

Dear Sir

A very intimate friend of mine Col. Kirkbride, has a Bond of Mr. Richd. Penn for about £1000 — He has a present occasion for 400, for 6 or 7 months — His Bonded Estate is in Pennsylvania — He called on me this Morning and mentioned these with other Circumstances to me, accompanied with a wish, that if it was convenient to me whether I could accommodate him with that sum for that time, I acquainted him with the manner in which what money I had would be disposed of, which puts it out of my power to oblige him.

My desire to serve him on any occasion induces me to mention this Circumstance to you — I believe it is not regularly within the line of business done in the Bank — but as he can deposit real security for to a great deal more amount, it would give me much pleasure to be the means of promoting his convenience — I intended waiting on you this Evening on this occasion, but as I cannot I must defer it until the morning

I am Dear Sir
 your Obedt. Humble Servant
 Thomas Paine

The People have Rights in Freedom of Thought, Writing, and Publishing their Opinions; therefore the Freedom of the Press ought to be secured.—Parliament has Rights, in the same manner, in the Liberty of the Press, in a more extensive and liberal manner, than the Liberty of the Press in America.

For LONDON, The Ship HARMONY, JOHN WILLET, Master. For freight or passage apply to the Commodore on Board, or to the Agents, Messrs. W. & A. Murray, in London.

Wanted to Charter a VESSEL with Indispensable Medical Lewis & Co. September 19, 1787.

For LONDON, The Ship PIGOU, WILLIAM SUTTON, Master. NOW lying at Walnut Street wharf, will receive passengers and cargo, on the 20th inst. For freight or passage apply to the Agent, THOMAS FERRELL, in London.

For Charleston, South-Carolina, The Brig PHOEBE, DAVID SULLIVAN, Master. Will sail on the 20th inst. For freight or passage apply to the Agent, THOMAS FERRELL, in London.

For Philadelphia, September 19, 1787. The Brig PHOEBE, DAVID SULLIVAN, Master. Will sail on the 20th inst. For freight or passage apply to the Agent, THOMAS FERRELL, in London.

PAPER HANGINGS, JOSEPH DICKINSON, MANUFACTURER, in Vine Street Philadelphia. I succeeded in having more than 100000 papers, being calculated to fill the houses of the north and south of the city, and will receive per cent. charge, than can be had in any other place.

WILLIAM OGDEN, RSCIFFLER, informs the public and general, that he has received from the printer, a new and improved method of printing, which he has the honor to announce to the public, and is now printing in London and Paris, and is now printing in London and Paris, and is now printing in London and Paris.

N. B. Horse taken in a Livery, June 19, 1787.

Philadelphia, September 19. NEW FEDERAL GOVERNMENT. WE, the people of the United States, in order to form a more perfect Union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Article I. Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 3. The Senate shall be composed of two Senators from each State, chosen by the Electors in each State, for six years; and each Senator shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 4. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

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Section 28. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

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Section 28. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

2092

2092

2092

U.S. CONSTITUTION

The Independent Gazetteer, or, the Chronicle of Freedom. Philadelphia: Eleazer Oswald, 19 September 1787, Volume I, Number 553

4 pages (9 1/2 x 11 5/8 in.; 239 x 292 mm), letterpress text printed in three columns, woodcut boat devices; some browning, minor foxing, inner margin expertly repaired.

RARE FIRST-DAY PUBLICATION OF THE U.S. CONSTITUTION IN A NEWSPAPER

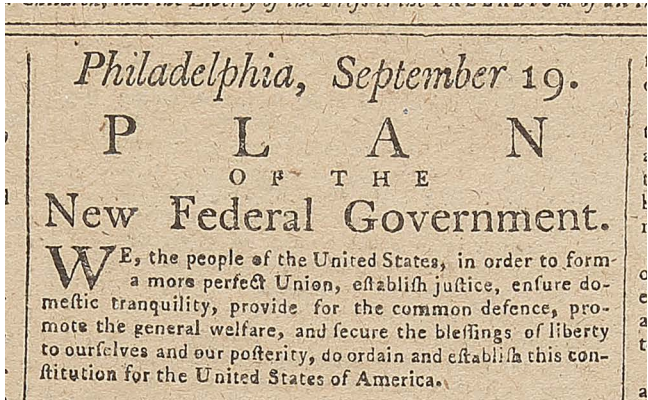
The Constitution was approved by the Convention on Monday, 17 September 1787.

The text of the official version was set that evening, and a very limited number were printed for the use of the delegates. After being drafted in complete secrecy, the Constitution was first made public on the morning of Tuesday, 18 September, as read before the Pennsylvania General Assembly.

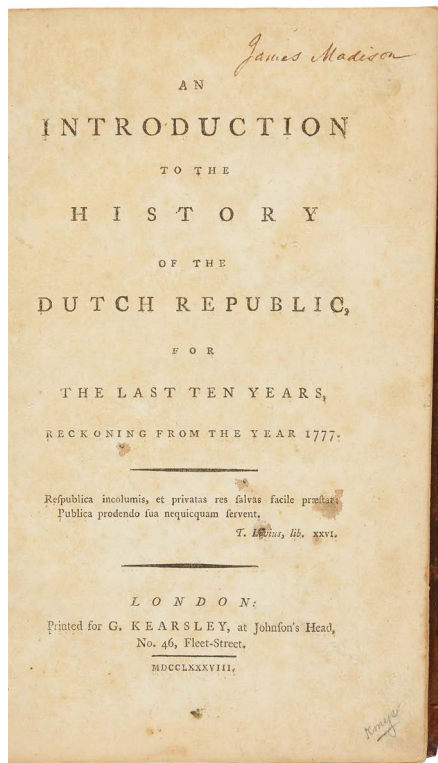
The next morning, Wednesday, 19 September, the five Philadelphia newspapers published the Constitution. All five are considered first editions, with surviving copies of the Packet the most common.

The Independent Gazetteer was an Anti-Federalist paper, which published some of the most famous arguments against ratification. In addition to opinion and updates related to the Constitution, these issues include local and domestic news, foreign affairs, national and state legislation, public notices and advertisements.

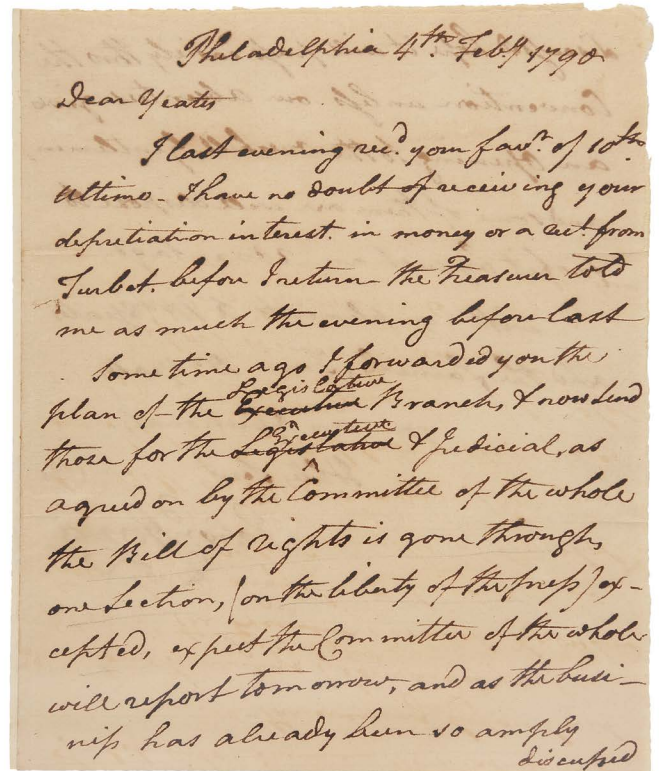
\$ 200,000-250,000



2092 (DETAIL)



2093



2094

2093

PROPERTY OF A DIFFERENT OWNER
(JAMES MADISON)

[Attributed to James Harris, first Earl of Malmesbury]. An Introduction to the History of the Dutch Republic, for the Last Ten Years, Reckoning from the Year 1777. London: G. Kearsley, 1788

8vo (8½ x 5 in.; 206 x 127 mm). Half-title; light scattered foxing, expert restoration of inner margins of half-title and title. Modern period-style full brown tree calf, spine gilt in 6 compartments, red morocco lettering-piece.. Half morocco slipcase and chemise; scuffed.

JAMES MADISON'S COPY OF THE INTRODUCTORY VOLUME TO A HISTORY OF THE DUTCH REPUBLIC, SIGNED BY HIM ON THE TITLE-PAGE. As Madison's biographer Robert Rutland noted, "[N]o other occupant of the White House, not even his distinguished friend [Jefferson], relied so heavily on books to sustain him in his quest for knowledge His books contributed to his fundamental knowledge of the world: how it

came into being, what its resources were, and how they might be used to aid mankind."

Madison's personal library was quite large, and he bequeathed most of it to the University of Virginia. He reserved for his wife Dolley "the right to select such books and pamphlets as she would choose, not exceeding three hundred volumes." After Madison's death, however, many of the books were sold by Dolley and her son John Payne Todd, who were desperate to raise funds to pay debts. After years of delay, the University actually threatened suit. In the end, about 2000 volumes went to the university library. Most of these books were destroyed in a library fire in 1895.

RARE. Only six signed books from Madison's library appear in major auction records in the last four decades, and his books on history and government are particularly desirable.

REFERENCES

Rutland, *James Madison: The Founding Father*, p. 176

PROVENANCE

Emil Edward Hurja

\$ 10,000-15,000

2094

PROPERTY OF A NEW YORK COLLECTOR
EDWARD HAND

Autograph letter signed, ("Edw Hand") to Jasper Yeats, on Framing a new Constitution for Pennsylvania

2 pages, (8½ x 6¾ in.; 207 x 172 mm) on a bifolium, Philadelphia, 4 February 1790, docketed on the integral address leaf: "Philad Feb 4 1790 | Edward Hand Esq"; Lightly browned, loss to corner of second leaf not affecting text, remnant of adhesive strip where previously mounted along verso of second leaf, slightly obscuring docket text.

Edward Hand here apprises Pennsylvania political ally Jasper Yeats of recent developments at the state convention for framing a new constitution: "Some time ago I forwarded you the plan of the Legislative Branch, & now send those for the Executive & Judicial, as agreed on by the Committee of the whole".

The new Pennsylvania Constitution was passed just two days following this letter, on 6 February 1790. Whereas the 1776 state constitution was characterized by a dominant, unicameral legislature, Pennsylvania Republicans (most of whom were Federalists in national politics) sought a bicameral legislature and a stronger executive on the model of both the Massachusetts constitution of 1780 and the U.S. Constitution.

\$ 2,000-3,000

History of this Country for the last thirty years affords as many proofs of this Truth as that of any other Nation. how many times, both at home and abroad have our affairs been in situations, that none but Madmen would have thought proper to be published in detail to the People.

You are not the only one who has seen and felt the Sealous Envy and Ingratitude of Friends.

"I love my friend as well as you

"But why should he obstruct my view?"

contains a Truth which has laid the foundation for every Despotism and every absolute Monarchy on Earth. It is this Sentiment, which mixes every Democracy and every Aristocracy, and every possible Alliance of both, and renders a mediating Power, an inevitable Equilibrium between them indisputable. never yet was a Band of Horrors or Parties able to bear the sight of any one of them constantly at their head, if they saw any opening to avoid it. Emulation almost the only Principle of Activity (except Hunger and Lust) is the Cause of all the Wars Seditions and Parties in the World. What is most astonishing is that we should be so ignorant of it or inattentive to it, and that we should not see that an Executive Power, able at all times to overrule the Chicaneries is absolutely necessary.

The charming Picture you give me of your Domestic Felicity, delight my inmost soul: but revives in me a lively regret for the ten years of my life that I lost:— when I left my Children to grow up without a Father.

There are two Parties my friend who have united in some degree, to obscure the fame of the old Whigs. The Tories are one, and the Young Tory is the other. By the latter I mean a set of young Gentlemen who have come out of College since the Revolution, and are too dilligent for fame. — There is a set of them in this Country, who have hazarded too much, laboured too much, suffered too much, and succeeded too well, never to be forgiven. Some of these unfortunately are not men of large Views and comprehensive Information, and have adopted destructive Systems of Policy. Were it not for this last Year's Revolution, you would hear their Cause pleaded in accents that would make Impressions on every honest human heart.

You, my dear Sir, enjoy the Esteem of the honest and enlighten'd and are perhaps more usefully and happily employ'd than almost in places of more Splendour. — There is no Man however that I should see with more Pleasure in public Life, especially in Congress.

With a knowledge of the modern Languages it is easy to acquire the ancient, and the ancient are so great a Step towards the Acquisition of the Modern that I cannot hope putting in a Word more in favour of Greek and Latin. To Benjamin Rush I am, my dear Sir your Friend
I forbid you, on pain of what shall fall thereon from giving me a Title in your Letters. I scorn, disdain, despise (take what word you will) all Titles.
John Adams

2095

2095

JOHN ADAMS

Autograph letter signed ("John Adams") as Vice President, to Benjamin Rush, arguing for a strong executive power with one of the greatest and most succinct comments on human nature and government

Three pages (9 x 7½ in.; 229 x 190 mm), Richmond Hill, Mass., February 1790, docketed on verso of last leaf; ½ inch split at central fold. Matted, glazed, and framed. Not examined out of frame.

"I LOVE MY FRIEND AS WELL AS YOU | 'BUT WHY SHOULD HE OBSTRUCT MY VIEW?' CONTAINS A TRUTH, WHICH HAS LAID THE FOUNDATION FOR EVERY DESPOTISM AND EVERY ABSOLUTE MONARCHY ON EARTH... EMULATION ALMOST THE ONLY PRINCIPLE OF ACTIVITY, (EXCEPT HUNGER AND LUST) IS THE CAUSE OF ALL THE WARS SEDITIONS AND PARTIES IN THE WORLD ..."

An important and revealing Adams letter to his personal physician and fellow signer of the Declaration of Independence, Benjamin Rush. The Vice President begins his letter by discussing the proposed constitution of Pennsylvania, suggesting that an "Independent

Executive"—with exclusive access to State secrets—should be elevated above public opinion:

"I have no Pretensions to the Merit of your manly and successful opposition to the Constitution of Pensilvania; but I am very willing to be responsible for any Consequences of its Rejection." He goes on to say that he has "never despised public opinion deliberately," but does not believe it should affect government policies, which "should be guided and aided, as well as informed by those who are in possession of all the secrets of the State. in no nation that ever existed, were all the Facts known to the whole Body or even a Majority of the People, which were essential to the formation of a right Judgement of public affairs ... how many times, both at home and abroad have our affairs been in situations, that none but madmen would have thought proper to be published in detail to the People."

Adams, who became Washington's Vice President in the election of 1789, here discusses Rush's "manly and successful opposition to the Constitution of Pensilvania." At this time, Rush was a part of the Republican Party in Pennsylvania, which sought a

new state constitution. The 1776 state constitution was characterized by a dominant, unicameral legislature, but Rush and his fellow Pennsylvania Republicans were intent on forming a bicameral legislature, with a stronger executive, and an independent judicial branch. This was to be modelled on the Massachusetts constitution, drafted by John Adams. In 1790, Pennsylvania did, in fact, adopt a new constitution following a Republican electoral victory.

In the present letter Adams also goes on to comment on his family life: "The charming Picture you give me of your Domestic Felicity, delights my inmost soul; but revives in me a lively regret for the ten years of my life that I lost: when I left my Children to grow up without a Father." In the postscript, Adams writes, "I forbid you, on pain of what shall fall thereon from giving me a Title in your letters. I scorn, disdain, despise, (take word you will) all Titles."

PROVENANCE

Sotheby's New York, 21 June 2007, lot 5 (undesignated consignor)

\$ 70,000-100,000

THOMAS JEFFERSON

Autograph letter signed ("Th: Jefferson") as Secretary of State, to "His Excellency the President of Philadelphia" [David Redick, Acting President], forwarding three critical acts of the first Congress under the new Constitution

One page (7¾ x 10 in.; 197 x 254 mm) in clear clerical hand, Office of Secretary of State [New York], 31 March 1790, integral blank with recipient's docket; integral blank neatly separated, trace of old album mount.

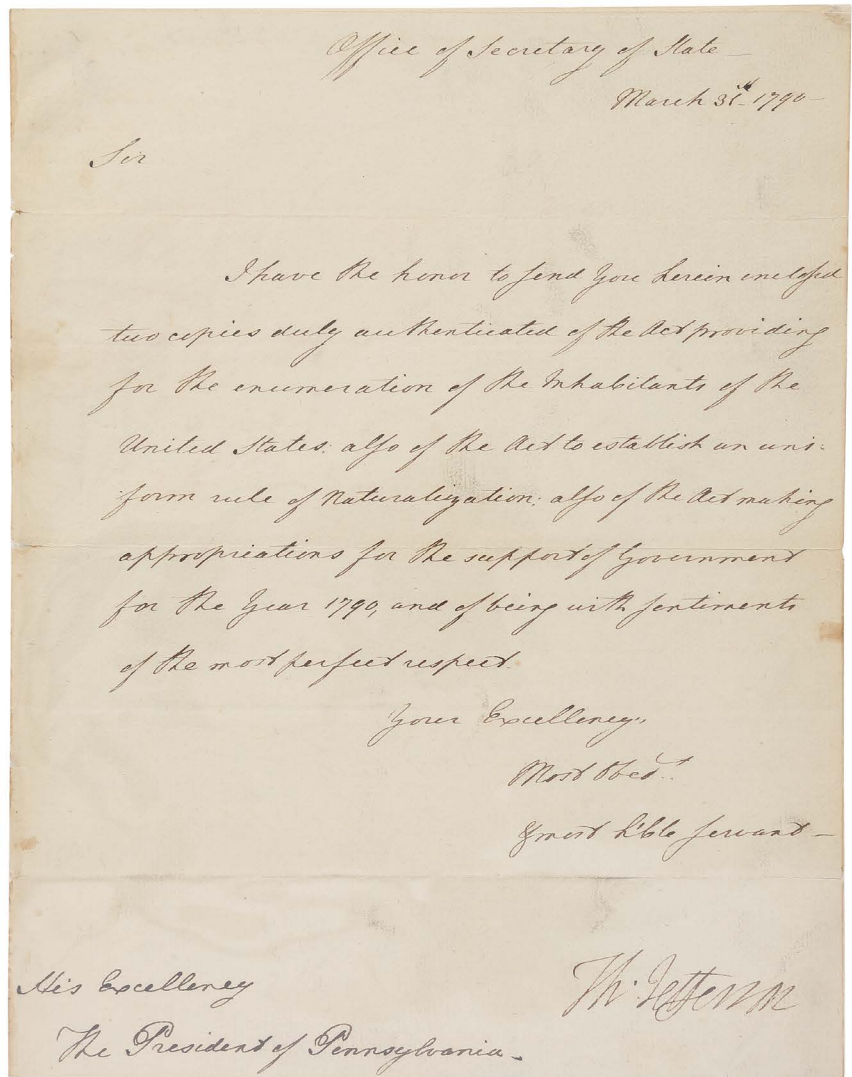
A CIRCULAR LETTER, SENDING ACTS ESTABLISHING THE FIRST CENSUS, THE FIRST NATURALIZATION LAW, AND THE GOVERNMENT'S FIRST FULL-YEAR BUDGET:

"I have the honor to send you herein inclosed [not present] two copies duly authenticated of the Act providing for the enumeration of the inhabitants of the United States: also of the Act to establish an uniform rule of naturalization; also of the Act making appropriations for the support of Government for the year 1790..."

The Constitution gave Congress the right to determine the process by which those who were foreign-born could obtain citizenship. Thus, the 1790 Act of the First Congress spelled out the actual law for naturalization. By restricting naturalization to "free white" persons, this legislation effectively prevented aliens who were people of color, as well as indentured servants and women (technically dependents, and thus considered incapable of casting their own vote) from gaining citizenship.

Article I of the Constitution provided that "representatives and direct taxes shall be apportioned among the several states... according to their respective numbers, which shall be determined by adding to the whole numbers of free persons...three-fifths of all other Persons (meaning "slaves")." It further stipulated that "The actual enumeration shall be made within three years after the first meeting of Congress..., and within every subsequent term of ten years..." As a result of this requirement, to ensure equal democratic representation, the United States became the first nation to provide by law for a periodic census. When completed, largely under the careful direction of Jefferson, the census results were published as Return of the Whole Number of Persons within the Several Districts of the United States.

This 1790 appropriations bill was tied to Hamilton's controversial assumption of state revolutionary war debts. By virtue of the appropriations clause, the power of the purse extended to the disbursement as well as the raising of funds, and both were subject to congressional control. The First Congress of 1789 had not been meticulous in defining how the money appropriated should be spent. Responding to this oversight, the Congressional



2096

"I have the honor to send you herein inclosed [not present] two copies duly authenticated of the Act providing for the enumeration of the inhabitants of the United States..."

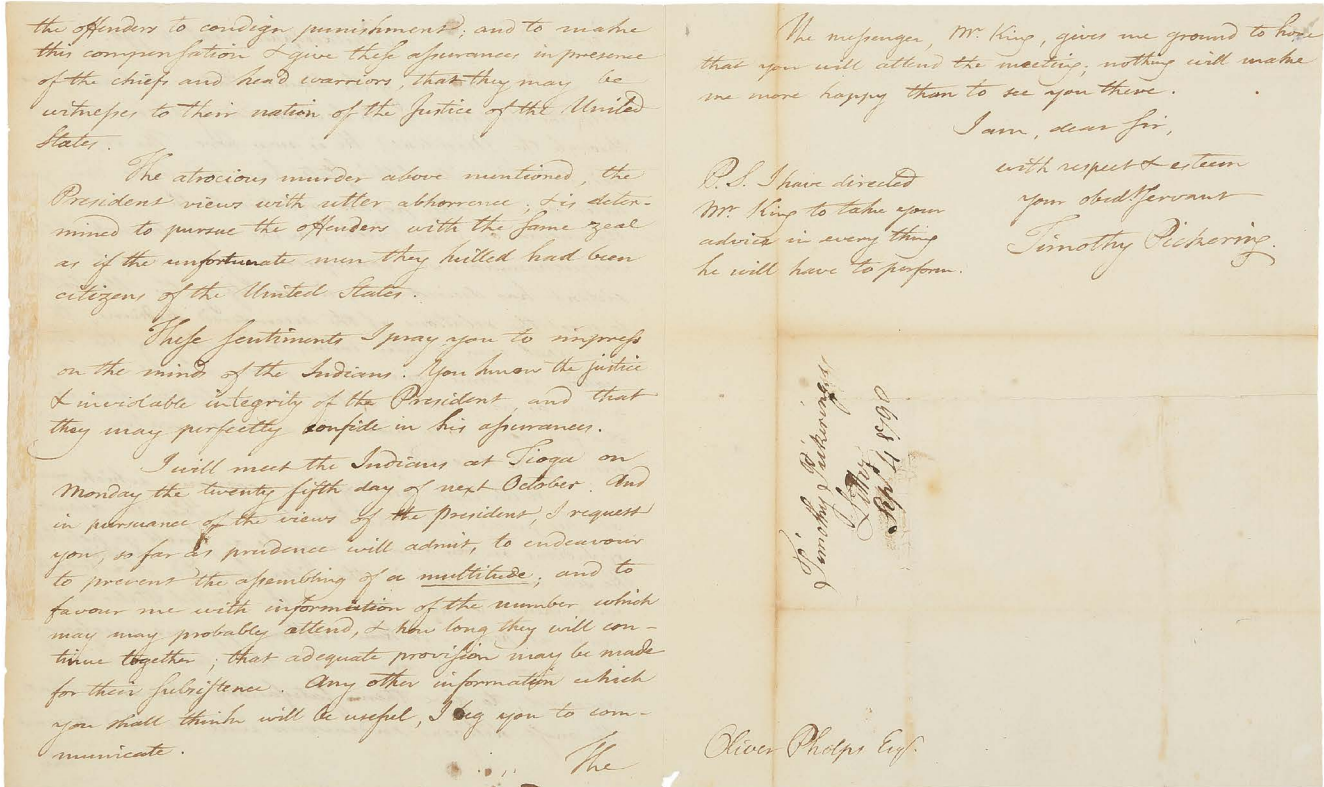
Thomas Jefferson, as Secretary of State

statute of 1791 would appropriate lump sums for the expenses of the civil list "as estimated by the Secretary of the Treasury," a formulation that was intended to bind the Secretary—Hamilton—to the proposed allocation.

PROVENANCE

The Malcolm Forbes Collection (Christie's New York, 19 May 2016, lot 40)

\$ 20,000-25,000



2097

2097

TIMOTHY PICKERING

Autograph letter signed ("Timothy Pickering") to Oliver Phelps, conveying President Washington's anger over the frontier murder of two Seneca

2½ pages (8¾ x 7¾ in.; 222 x 187 mm) on a bifolium (watermarked C TAYLOR), Philadelphia, 4 September 1790, reception docket below Pickering's signature; light browning at fold creases, mounting remnant at right margin of verso of first leaf, short marginal tear and two tiny holes at head of second leaf.

"THE MURDER OF THE INDIANS ON PINE CREEK... THE PRESIDENT VIEWS WITH UTTER ABHORRENCE."

The Pine Creek killings, also known as the Walker Affair, occurred in June 1790. Two Seneca Indians, after an afternoon of drinking in a public house, boasted about the murder and scalping some years earlier of one John Walker. The inflammatory boasts were made in the presence of Walker's three sons, and later that night the Walkers, along with a fourth man, tracked down the two Seneca, torturing and killing them. The four vigilantes went into hiding, and the Pine Creek residents feared a retaliatory attack. They petitioned Pennsylvania Governor Thomas Mifflin to either send troops or treat with the tribe. At this point, President Washington sent Timothy Pickering, who he had appointed commissioner to the Iroquois Indians, on a special mission to calm the situation. In the present letter, Pickering enlists

the assistance of Oliver Phelps, a leading merchant and land speculator whose many contacts with Seneca leaders made him a valuable ambassador to the Iroquois people.

"By a late law of the United States, all transactions with the Indians are to be conducted by their authority through the President. He is now here. The Supreme Executive Council of this State have laid before him your letter and the other papers relative to the murder of the Indians on Pine Creek, on the west branch of the Susquehanna. In consequence of which the President has desired me, in behalf of the United States, to meet the relations of the murdered Indians, the principal men of their tribes, & the chiefs of the Seneca nation, at some convenient place and at as early a day as will admit of the transportation from hence of a few goods to be given as a compensation to the friends of the deceased.

"With that spirit of just economy which marks all his public acts, the president wishes the assembly of Indians on this occasion may be as small as possible. He sees no propriety in the idea suggested of holding a treaty with them: because they and the United States are already at peace. To him nothing appears necessary but reasonably to compensate the relations of the deceased, to give them satisfactory assurances that the most diligent endeavours will be used to bring the offenders to condign punishment; and to make this compensation & give these assurances in presence of the chiefs and head warriors, that they may be witnesses to their

nation of the Justice of the United States.

"The atrocious murder above mentioned, the President views with utter abhorrence; & is determined to pursue the offenders with same zeal as if the unfortunate men they killed had been citizens of the United States.

"These sentiments I pray you to impress on the minds of the Indians. You know the justice & inviolable integrity of the President, and that they may perfectly confide in his assurances."

Pickering did attend a conference at Tioga Point in November, at which Red Jacket and Cornplanter were also present. The Seneca were mollified by the official expressions of regret and condemnation, and this conference may further have served to dissuade the Six Nations from joining western Indian peoples in the Northwestern Indian War.

REFERENCES

See Alan Taylor, "The Divided Ground," in *Journal of the Early Republic* 22, 1 (Spring 2002): 55-75

PROVENANCE

Gabriel Wells (Parke-Bernet, 12 November 1951, lot 387) — The Frank T. Siebert Library of the North American Indian and the American Frontier (Sotheby's, 21 May 1999, lot 204) — Christie's New York, 19 June 2007, lot 290 (Property from a Private Collection)

\$ 3,000-5,000

PROPERTY OF A DIFFERENT OWNER

THOMAS JEFFERSON

Document signed ("Th: Jefferson") as Secretary of State, "An Act Declaring the Consent of Congress to a Certain Act of the State of Maryland"

One page (10 x 14¾ in.; 254 x 375 mm), letterpress text, [Philadelphia: Francis Childs and John Swaine], 1791 February 9, 1791, signed in print by George Washington as President, Frederick Augustus Muhlenberg as Speaker of the House of Representatives, and John Adams as Vice President and President of the Senate. Matted, glazed, and framed. Not examined out of frame.

An Act of Congress allowing Maryland to collect customs duties:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be, and is hereby granted and declared to the operation of an act of the General Assembly of Maryland, made and passed at a session begun and held at the city of Annapolis...intituled, "An act to empower the wardens of the port of Baltimore to levy and collect the duty therein mentioned," until the tenth day of January next, and from thence until the end of the then next session of Congress, and no longer."

The Constitution forbade the states from collecting duties on imports, exports, or vessel tonnage unless specifically authorized by Congress. This was consistent with Hamilton's plan to fund the federal government. However, Congress regularly granted such permission to states when the proposed imposts or duties were to be used for the improvement of harbors and waterways. Here, Secretary of State Jefferson certifies a copy of the Congressional act that was constitutionally required for Maryland to levy tonnage duties to fund improvements to the port of Baltimore.

Few copies of any of the Acts Jefferson signed survive. This is the only Jefferson-signed copy known in private hands, with three in institutions (the Library Company of Philadelphia, the Library of Congress, and the New York Public Library).

REFERENCES

Variant of Evans 23851

\$ 12,000-18,000

Congress of the United States:

AT THE THIRD SESSION,

Begun and held at the city of Philadelphia, on
Monday the sixth of December, one thousand seven hundred and ninety.

An ACT declaring the CONSENT of CONGRESS to a certain ACT of the STATE of MARYLAND.

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That the consent of Congress be, and is hereby granted and declared to the operation of an act of the General Assembly of Maryland, made and passed at a session begun and held at the city of Annapolis, on the first Monday in November last, intituled, "An act to empower the wardens of the port of Baltimore to levy and collect the duty therein mentioned," until the tenth day of January next, and from thence until the end of the then next session of Congress, and no longer.

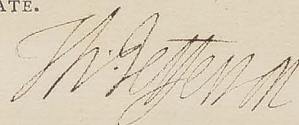
FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

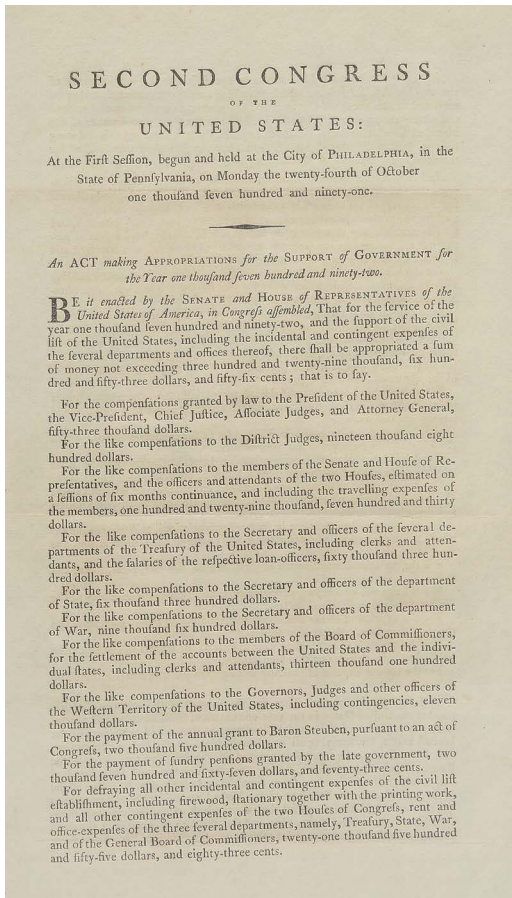
JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, February the ninth, 1791.

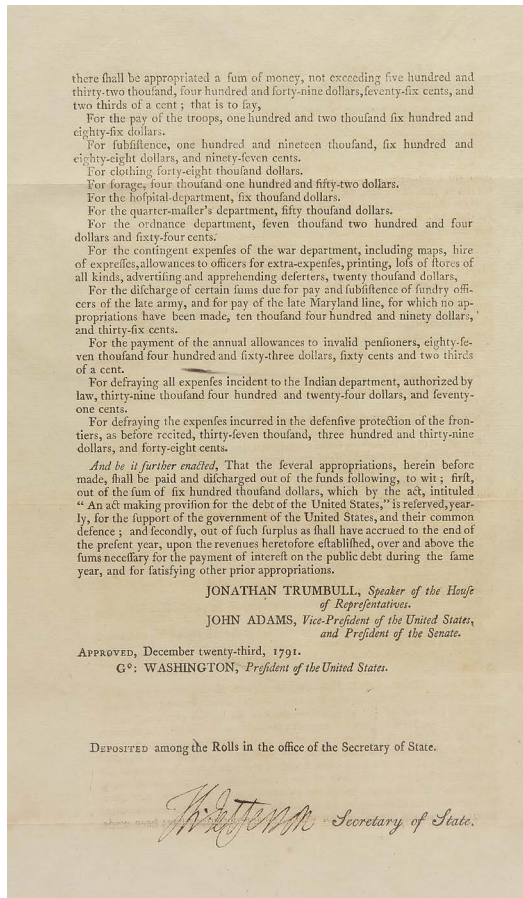
GEORGE WASHINGTON, *President of the United States.*

DEPOSITED among the ROLLS in the OFFICE of the SECRETARY of STATE.

 Secretary of State.



2099



2099

2099

PROPERTY OF A NEW YORK COLLECTOR
THOMAS JEFFERSON

Document signed ("Th: Jefferson") as Secretary of State, an "ACT making APPROPRIATIONS for the SUPPORT of GOVERNMENT"

Three pages (9½ x 13 in.; 240 x 330 mm) folio, 23 December 1791, Philadelphia; two minor closed marginal tears, minor marginal foxing.

The "Second Congress of the United States: At the First Session, begun and Held at the City of Philadelphia, in the State of Pennsylvania...An Act making Appropriations for the Support of Government..."

In its entirety, the federal budget for 1792 occupied just three pages of text. Its brevity, however, did not stop Congress from hotly debating its particulars. As the total appropriation was almost double the amount granted in previous years, a Virginia congressman observed, it was the duty of "the Representatives of the people to inquire in what manner the money of their constituents was expended." Much of the increase was

attributable to debts still lingering from the Revolution, and a jump in defense spending occasioned by persistent Indian attacks on the frontiers.

The act opens by appropriating money to pay the salaries of the president, vice president chief justice, associate judges and attorney general of the United States—a sum of fifty-three thousand dollars. It then goes on to authorize funds to compensate the remaining members of the government. Half a million dollars is appropriated for defense spending and veterans' pensions. Included in that figure is the sum of thirty-nine thousand dollars for "expenses incurred in the defensive protection of the frontiers against the Indians" in 1790 and 1791. With the passage of the Northwest Ordinance of 1787, settlers had begun streaming into the territory, angering tribal leaders. The British, who continued to occupy forts on the frontier in violation of the Treaty of Paris, armed and supplied the hostile Indians. The settlers turned to their government for protection.

The budgetary appropriation for "expenses to the commissioners of loans in the several

states" highlights one of the few issues on which the secretaries of treasury and state had actually cooperated. When Jefferson assumed the office of secretary of state in 1790, he and Alexander Hamilton worked out a compromise to gain Southern support for federal assumption of state debts. Soon, however, it was clear that the two men were diametrically opposed on most other policies. Disagreement over money and weight standards, the development of manufactures and the constitutionality of a national bank devolved into a fierce political rivalry, factionalizing Washington's administration. The disillusioned Jefferson resigned from office in 31 December 1793.

Acts of Congress signed by Secretary of State Thomas Jefferson are rare. At most, twenty-eight copies of each act passed during the First and Second Congress were signed by the Secretary of State for distribution to the thirteen original states.

PROVENANCE

Stair Galleries, 30 November 2007, lot 195

\$ 30,000-40,000

GEORGE WASHINGTON

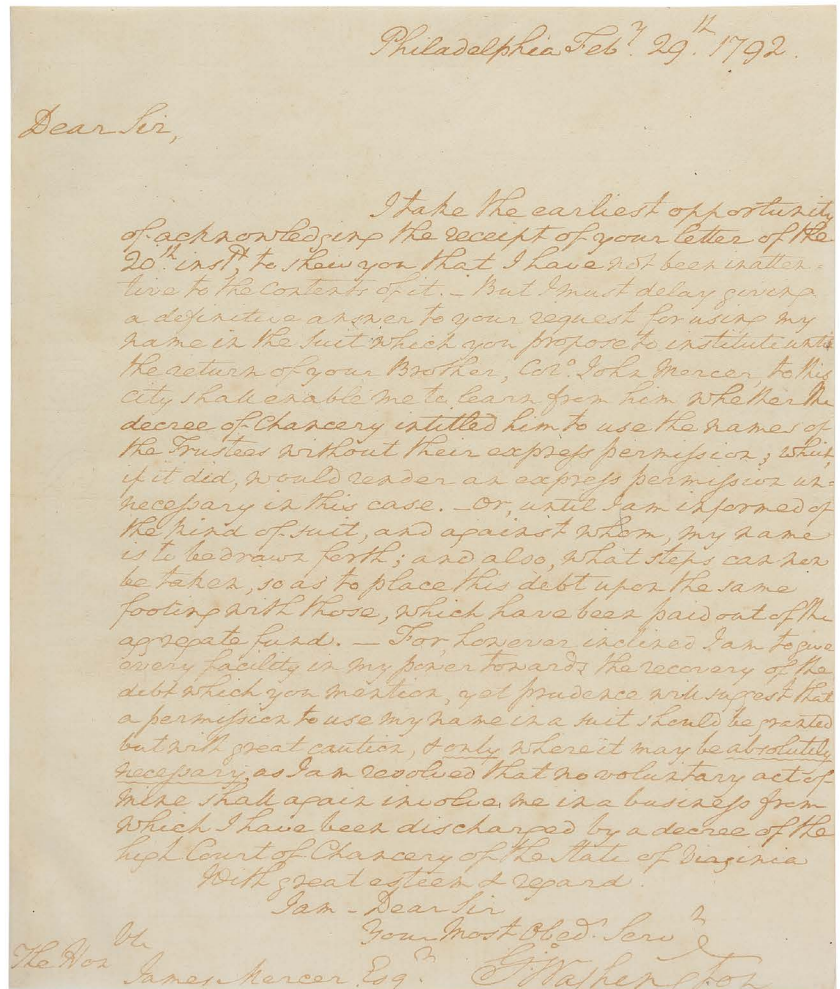
Autograph letter signed ("George Washington") as first President, to James Mercer, refusing to have his name used in a suit for the recovery of a debt

One page (9¼ x 7¾ in.; 235 x 197 mm) on a bifolium (watermarked (HS | SANDY RUN), Philadelphia, 29 February 1792, docketed on the integral blank "General G. Washington | Feb. 29. 1792"; washed and pressed, center fold strengthened).

Washington, alluding to the delicacy and demands of his position as President, expresses great reluctance at continuing involvement in a legal case involving a debt owed to the estate of his French and Indian War aide, George Mercer:

"I take the earliest opportunity of acknowledging the receipt of your letter of the 20th instant, to shew you that I have not been inattentive to the contents of it. But I must delay giving a definitive answer to your request for using my name in the Suit which you propose to institute, until the return of your Brother, Colo. John Mercer, to this City, shall enable me to learn from him whether the decree of chancery entitled him to use the names of the trustees without their express permission; which if it did, would render an express permission unnecessary in this case. Or, until I am informed of the kind of Suit, and against whom my name is to be drawn forth; and also, what steps can now be taken, so as to place this debt upon the same footing with those, which have been paid out of the aggregate fund. For however inclined I am to give every facility in my power toward the recovery of the debt which you mention; yet prudence will suggest that a permission to use my name in a suit should be granted but with great caution, and *only* where it may be *absolutely necessary*: as I am resolved that no voluntary act of mine shall again involve me in a business from which I have been discharged by a decree of the High Court of Chancery of the State of Virginia."

Washington had long been involved with James and John Francis Mercer in the settlement of the estate of their brother George, who died in 1784. Even earlier, in November 1774, Washington and John Tayloe had overseen the sale of most of Mercer's property in Virginia as Trustees for the Creditors of George Mercer. The present letter was prompted by a 20 February 1792 letter that James Mercer wrote to Washington concerning a debt incurred by Lord Dunmore at the 1774 auctions for the purchase of "certain Slaves to the value of 436£ Va. Currency" (*Papers, Presidential Series* 9:577-78). Washington also had attempted for decades to recover debts owed to him personally from the estate of their father, John Mercer of Marlborough (see *Papers, Presidential Series* 1:405-06n).



2100

"I am resolved that no voluntary act of mine shall again involve me in a business from which I have been discharged by a decree of the High Court of Chancery of the State of Virginia."

George Washington, as President, to James Mercer

REFERENCES

The Papers of George Washington, Presidential Series, ed. Mastromarino, 9:608 (text taken from the letterbook copy; the location of the original letter not recorded).

NB: For a complete explanation of the complications entailed in settling the estate of George Mercer, please see the notes to the James Mercer letter cited above.

PROVENANCE

Sulgrave Manor, Northamptonshire, England, the ancestral home of George Washington (Sotheby's New York, 21 June 2007, lot 97)

\$ 15,000-20,000



2101

2101

PROPERTY OF A DIFFERENT OWNER
BILL OF RIGHTS

Columbian Centinel, March 14, 1792.
Boston, Mass.: Benjamin Russell
Bifolium (16¾ x 10½ in.: 428 x 267 mm). 4pp.;
separated at the spine and re-hinged, some loss
to center margin, and some staining.

This issue contains the twelve proposed Constitutional amendments that Congress sent to the states for ratification. Following Virginia's vote in December 1791, the required number of states had passed ten of the twelve amendments. On March 1, 1792, Secretary of State Thomas Jefferson sent a circular to the governors of the states including the articles that had been ratified, which became the Bill of Rights, as well as the two proposed amendments that had not been ratified, which were still in question, as the action of the Massachusetts legislature in 1790 had not been transmitted to Jefferson.

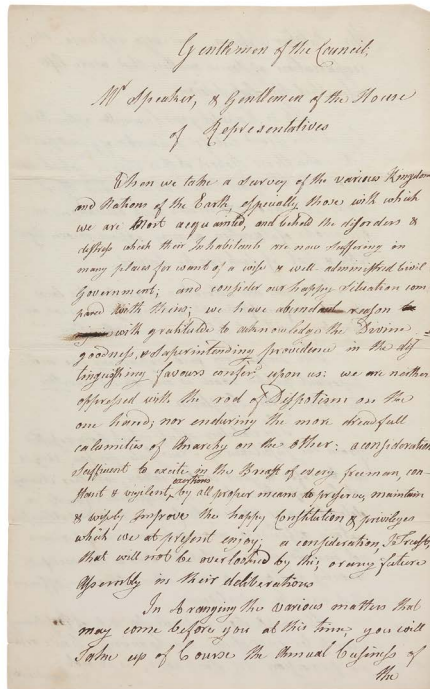
Both houses of the Massachusetts legislature had approved proposed amendments three through eleven in February 1790, but that was not reported to the Secretary of the Commonwealth, nor to Thomas Jefferson.

The *Columbian Centinel* was "the most influential and enterprising paper in Massachusetts after the Revolution" (Hudson 147), and until around 1800 its circulation was the largest in Boston.

REFERENCES

Frederic Hudson. *Journalism in the United States from 1690 to 1872*. 1873; p.147

\$ 6,000-8,000



2102

2102

PROPERTY OF A NEW YORK COLLECTOR
SAMUEL HUNTINGTON

Autograph manuscript speech signed ("S. Huntington") as governor of Connecticut, relating to education, liberty, and "Acts of Insolvency ... Repugnant to the Constitution"
Four pages (8 x 12¾ in.; 203 x 325 mm),
written recto and verso on two folio sheets,
[Conn.], 11 October 1792; old folds.

After mentioning his desire to make state taxes more "equitable & just if such can be devised, to reform the militia, and the need to fix roads," Governor Huntington emphasizing the importance of education as an essential element in the continued strength and vitality of republican institutions:

"...let me observe that it arises from the impression of a firm belief that it is Impossible for a free people to preserve their liberties & privileges with a regular & energetic Government, unless useful knowledge is generally diffused among them, & the principles of Virtue & religion included so as to obtain a governing influence upon the visible conduct & deportment of the inhabitants; and were these favors properly bestowed upon every

rising generation...all Arbitrary & Despotic Government would vanish away."

After serving as President of the Continental Congress for two years, and his brief service as first President of the United States in Congress assembled, Samuel Huntington retired from public life with the intention of reestablishing his law practice. But the unstable political situation compelled him to return to public life. Whilst serving as governor of Connecticut, Huntington delivered this speech to the legislature. "New Gate" Prison was the first state prison in the United States. A humanitarian movement resulted in significant reforms, including limitations on corporal and capital punishments in favor of attempts to improve criminals' character and behavior, which had already been instituted in Connecticut. Here, Huntington seeks additions to the list of serious crimes deemed punishable by prison time. He also underscores the importance of state governmental commitment to the education of youths for the long-term viability of republican government.

PROVENANCE

Carnegie Book Shop, 19 October 1953,
catalogue 99, no. 182

\$ 4,000-6,000

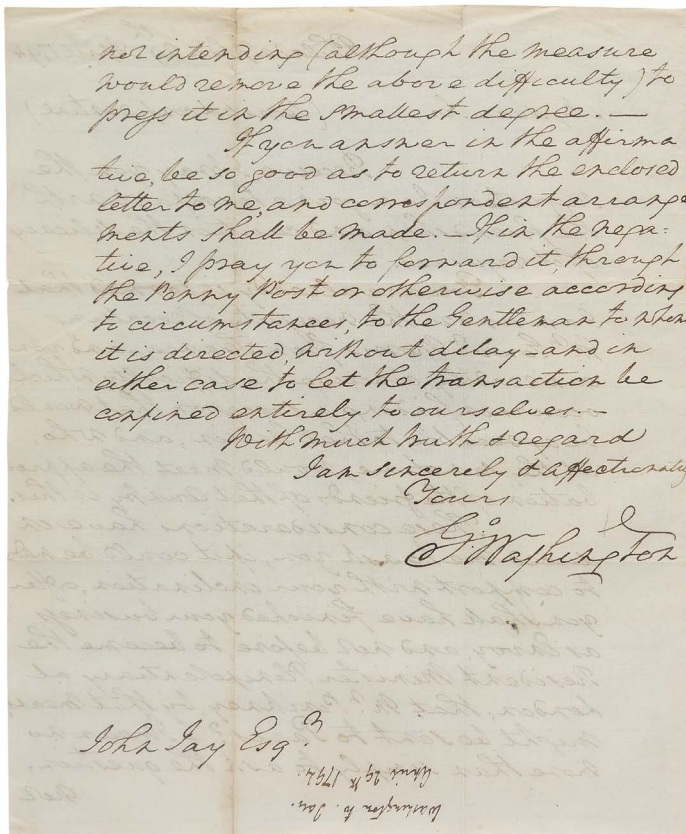
Philadelphia 29th April 1794

My dear Sir, (Secret & confidential)

Receive, I pray you, the suggestion I am going to impart with the friendship and caution the delicacy of it requires. —

You are already informed that I am under the necessity of recalling Mr. Gour[?] Morris from France — and you can readily conceive the difficulty which occurs in finding a successor that would be agreeable to that Nation, and who, at the same time, would meet the approbation of the friends of that Country in this.

These considerations have induced me to ask you, if it could be made to comport with your inclination, after you shall have finished your business as Envoy, and not before, to become the Resident Minister Plenipotentiary at London; that Mr. Pinckney, by that means, might be sent to Paris? — I mean no more than simply to ask the question,
Yours



2103

2103

GEORGE WASHINGTON

Autograph letter signed ("Go: Washington") as first President, marked "Secret and confidential," to John Jay, inviting him to become U.S. Minister in London

2 pages (9 x 7¼ in.; 229 x 185 mm), Philadelphia, 29 April 1794; in unusually fresh condition, docketed at foot of second page. Tipped to Japanese tissue guards, bound in a linen portfolio with engraved portraits of Washington and Jay and housed in a half-blue morocco folding-case.

IN A LETTER MARKED "SECRET AND CONFIDENTIAL," PRESIDENT WASHINGTON ENTREATS CHIEF JUSTICE JOHN JAY TO CONSIDER BECOMING THE U. S. MINISTER IN LONDON, further explaining the necessity of recalling Gouverneur Morris from France and the difficulty this entailed in finding a suitable successor. Morris's reputation as a "monarchy man" was manifest in his distaste for the French Revolution, making him a serious liability and threat to Franco-American relations, so that his recall and replacement by a suitable figure was a matter of some urgency:

"Receive, I pray you, the suggestion I am going to impart with the friendship and caution the delicacy of it requires.

"You are already informed that I am under the necessity of recalling Mr Gouver. Morris from France—and you can readily conceive the difficulty which occurs in finding a successor that would be agreeable to that Nation, and who, at the same time, would meet the approbation of the friends of that Country in this." Washington's first choice for a replacement was Thomas Pinckney, then U.S. Resident Minister to Britain, but then Pinckney himself would need to be replaced. Hence Washington's appeal to Jay in the present letter. Jay had already accepted the temporary post of U.S. Envoy Extraordinary to Britain. Here Washington asks him to accept the permanent position of U.S. Resident Minister to Britain in Pinckney's place.

"These considerations have induced me to ask you, if it could be made to comport with your inclination, after you shall have finished your business as Envoy, and not before, to become the Resident Minister Plenipotentiary at London; that Mr Pinckney, by that means, might be sent to Paris? I mean no more than simply to ask the question, not intending (although the measure would remove the above difficulty) to press it in the smallest degree."

Washington was prepared to be rebuffed by Jay, actually enclosing with this letter another directed to Robert R. Livingston, asking if that gentleman would find it "convenient and

agreeable" to replace Morris as minister to France: "If you answer in the affirmative, be so good as to return the enclosed letter to me, and correspondent arrangements shall be made. If in the negative, I pray you to forward it, through the Penny Post or otherwise according to circumstances, to the Gentleman to whom it is directed, without delay—and in either case to let the transaction be confined entirely to ourselves."

The Chief Justice replied to Washington on 30 April, declining the proffered position while stating that "there is no public Station that I should prefer to the one in which you have placed me—it accords with my Turn of Mind, my Education & my Habits." Jay observed Washington's request to keep the matter "entirely to ourselves" by returning Washington's letter to its author. "Pinckney remained in London but also took on additional diplomatic responsibilities in Spain, where in 1795 he negotiated the Treaty of San Lorenzo (also known as Pinckney's Treaty), which defined the boundaries between the United States and Spanish colonies and guaranteed the United States free navigation rights on the Mississippi River" (*Papers* 15:683–684). Livingston, too, declined the appointment offered to him, and Gouverneur Morris was eventually replaced—at the suggestion of the Attorney General, Edmund Randolph—by James Monroe. Pinckney, meanwhile, remained at the London posting until he was succeeded by Rufus King two years later.

With these arrangements in place, Jay went to London in 1794 as U. S. Commissioner to negotiate "Jay's Treaty" with the British. Concluded in October 1795, this Treaty attempted to settle various differences still outstanding after the War of Independence and involving persistent violation by the British of the terms of the Treaty of Paris. With his new Treaty, Jay secured British promises to establish commissions to examine the problems, a situation which hardly settled matters, as the years of further difficult negotiations, leading in 1812 to the outright war, subsequently proved. Jay's Treaty was unpopular at the time with the Jeffersonian Republicans, and Jay's image was burned in effigy.

While remaining in London, Pinckney also took on additional diplomatic responsibilities in Spain, where in 1795 he negotiated the Treaty of San Lorenzo (also known as Pinckney's Treaty), which defined the boundaries between the United States and Spanish colonies and guaranteed the United States free navigation rights on the Mississippi River.

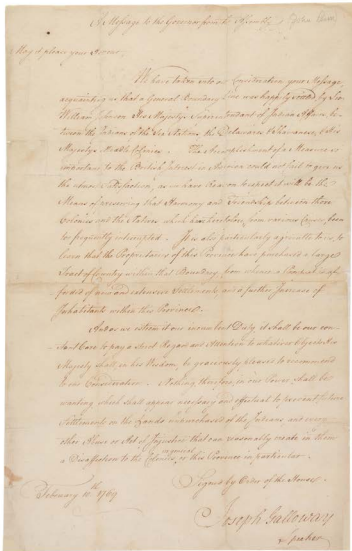
REFERENCES

The Papers of George Washington, Presidential Series, ed. Patrick, 15:674–675

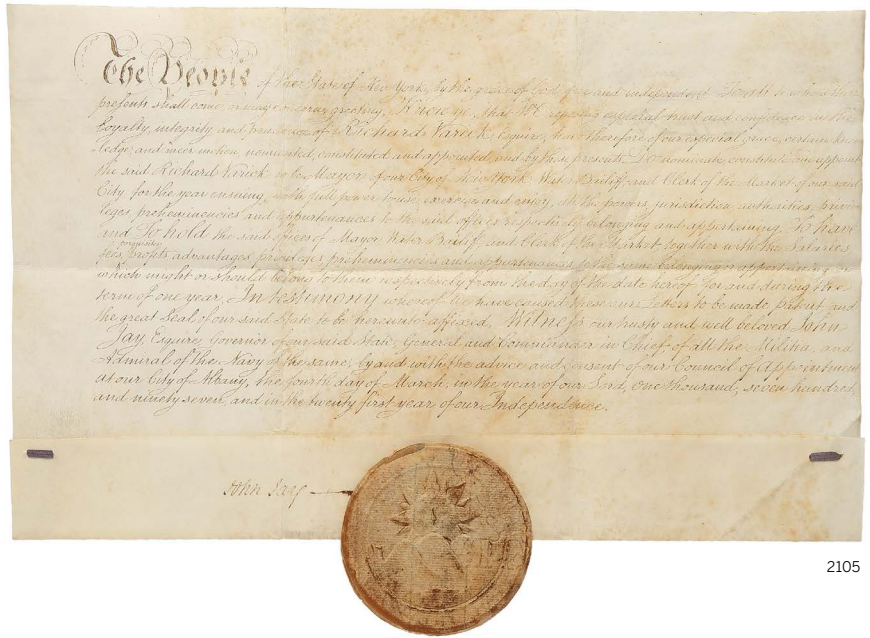
PROVENANCE

Sotheby's London, 21 July 1988, lot 441 (undesignated consignor) — Sotheby's New York, 11 December 2007, lot 57 (undesignated consignor)

\$ 90,000-120,000



2104



2105

2104

JOSEPH GALLOWAY

Autograph document signed ("Joseph Galloway") as Speaker of the Pennsylvania Assembly, to Pennsylvania Governor John Penn, pledging to fulfil the terms of the Treaty of Fort Stanwix

One page (9 x 14¼ in. 229 x 362 mm) on a bifolium, [Philadelphia, Pa.], 10 February 1769, integral blank with endorsements; a few minor marginal repairs, backed with tissue.

THE PENNSYLVANIA ASSEMBLY VOWS TO ENFORCE LAND-BASED PROVISIONS OF THE TREATY OF FORT STANWIX, NEGOTIATED IN 1768 BY SIR WILLIAM JOHNSON WITH THE SIX NATIONS IROQUOIS:

"We have taken into our Consideration your Message, acquainting us, that a General Boundary line was happily settled, by Sir William Johnson His Majesty's Superintendent of Indian Affairs, between the Indians of the

Six Nations, the Delawares and Shawanese, & his Majestys Middle Colonies. The Accomplishments of a measure so important to the British Interest in America could not fail to give us the utmost Satisfaction, as we reason to expect it will be Means of preserving that Harmony and Friendship between these Colonies and the Natives, which have heretofore, from various crises, been too frequently interrupted..."

The Pennsylvania Assembly pledged to deal justly with the Indian tribes and to prevent new settlements on "unpurchased" Indian lands. In September 1768, Sir William Johnson had convened a conference at Fort Stanwix, where he met with 2,200 Indians from the Six Nations, the Delawares and the Shawnees. The resulting Treaty established a definitive western boundary line between lands belonging to the Proprietors of Pennsylvania (the Penn heirs) and lands occupied by the Indians of the Six

Nations (this line extended north into New York and south into Virginia).

Joseph Galloway was a major politician of the Quaker Party, who turned Loyalist early in the American Revolution. He was Speaker of the Pennsylvania Assembly from 1766-1774, and then represented his colony at the First Continental Congress, where he proposed a compromise plan of imperial reform which called for a separate Parliament for the colonies. The Pennsylvania Assembly eventually convicted him of treason in absentia and confiscated his estates.

PROVENANCE

Christie's New York, 19 January 2007, lot 248 (undesignated consignor)

\$ 4,000-6,000

2105

JOHN JAY

Document signed ("John Jay") as Governor of New York, appointing Richard Varick's Mayor of New York City

One page (9⅜ x 15½ in.; 238 x 329 mm) on vellum, New York [Albany], 4 March 1797, counter-signed on the verso by Jasper Hopper as New York Deputy Secretary of State, with autograph attestation signed by Robert Benson as Clerk of the City of New York on the verso; library rubber stamp to verso. Accompanied by large paper and wax seal with "The Great Seal of the State of New York".

RICHARD VARICK'S APPOINTMENT AS MAYOR OF NEW YORK CITY:

"The People of the State of New York, by the grace of God free and independent. To all to whom these presents shall come, or may concern, greetings. Know ye, that We, reposing especial trust and confidence in the loyalty, integrity and prudence of Richard Varick, Esquire, have therefore of our especial grace, certain knowledge and meer motion, nominated, constituted and appointed, and by these presents Do nominate, constitute and appoint the said Richard Varick to be Mayor of our City of New York..."

Governor Richard Nicolls appointed Thomas Willett as the first English "mayor of New York" in 1665. Starting in 1777, the mayor was appointed by the Council of Appointments, in which the state's governor had the loudest

voice. In 1821, the Common Council, which included elected members, gained the authority to choose the mayor. An amendment to the New York State constitution in 1834 provided for the direct popular election of the mayor.

Richard Varick served as Mayor of New York City from 1791 to 1801. During this period, the population of the city doubled, making basic civic necessities like water and disease control the focus of his attentions. Due to his support of the unpopular Jay's Treaty (between the US and Great Britain) in 1794, he was almost driven out of City Hall by a riot, while Hamilton was challenged to a duel by Edward Livingston. In a sweep of political fortunes that made Thomas Jefferson president, Varick was replaced in 1801 by Livingston.

\$ 15,000-20,000

JOHN ADAMS

Autograph letter signed ("John Adams") as second President, to his son Thomas Boylston Adams, seeking news from France

2½ pages (9⅞ x 8 in.; 251 x 205 mm) on a bifolium (watermarked CURTEIS & SONS), Philadelphia, 1 March 1798, reception docket on verso of second leaf ("My Father | 1 March 1798 | 17 May Rec'd | 15 June Acknd"); a few very light stains.

"WE ARE ALL IN SUSPENSE ... WITHOUT NEWS FROM EUROPE. WE LEARN THAT GENERAL BUONAPARTE HAS BEEN AT PARIS AND IS GONE TO THE CONGRESS. BUT WE KNOW NO MORE. ..."

At the height of the war scare with France, John Adams writes to his son, Thomas, then accompanying Adams's oldest son, John Quincy, who had just been commissioned Minister to Prussia, a neutral power in the ongoing war between France and Britain. He encourages discretion Thomas's correspondence, given the tense nature of European diplomacy and the seeming imminence of war between France and the United States.

"I am almost afraid to ask you any questions about the Religion, the Government the Policy or the Morals or Manners of that or any other Country at present, least in your answers you should indulge in Speculations which might, if your Letters should be intercepted, give offence. But the Architecture, Painting Statuary in short the fine arts and the belles letters surely may be discarded on with Safety. The agriculture too will be pleasing, the roads, the internal commerce &c. ... We are all in Suspence. We are without news from Europe. We learn that General Buonaparte has been at Paris and is gone to the Congress. But we know no more.

"If nothing happens, of a very serious nature to prevent it, I shall go to Quincy as soon as Congress rises, which will be, in June I suppose, and stay till the Fall.—You may write however to any part of America and your Letters will come to me by the post."

Like any father, the President urges his son to take advantage of his position in Berlin: "You will now make yourself master of the German language and literature, which I hope will one day be useful to you. Mr Regal represented your situation as very desirable. Alass! That worthy Man is no more. He has left in the minds of all his acquaintance, as pleasing Impressions as any gentleman from any part of Europe ever did in America." Adams is eager to have Thomas return home, but implies he must remain on duty until a suitable secretary can be found to assist John Quincy.

PROVENANCE

Christie's New York, 3 December 2007, lot 96 (The Property of a Gentleman)

\$ 30,000-40,000

JOHN ADAMS

Autograph letter signed ("John Adams") as second President, to Tristram Dalton, reflecting on the vicissitudes of high office

2 pages (9¾ x 8 in.; 250 x 205 mm) on a leaf of laid paper, Philadelphia, 30 March 1798, reception docket beneath date, later docket on lower margin of second page; lightly browned, a few stains, neat repairs to a few short fold separations and small holes.

A melancholy letter to a boyhood friend in which Adams mentions some guileful political colleagues and laments the "popular Passions of the times" and the general neglect of his political writings. "THE DIFFICULTY OF LEADING OR GUIDING MILLIONS, BY ANY MEANS BUT POWER AND ESTABLISHMENTS CAN BE KNOWN ONLY TO THOSE WHO HAVE TRIED EXPERIMENTS OF IT."

Adams begins by thanking Dalton for the faithfulness of his correspondence, when Adams's own has been sparse: "I am as much in Debts in the literary and epistolary way, as our Princes of modern Speculation are in their pursuits: and I suppose for Similar Reasons viz want of Method, in accuracy of amounts, no Œconomy and undertaking more than I am capable of managing. To you, I am indebted for three late letters, at least."

The letter changes character as Adams comments on, without identifying, a duplicitous person—perhaps Jefferson, Hamilton, or Pickering—earlier mentioned by Dalton: "The Character drawn in the first and alluded to in the Second, has always been civil to me, personally; and especially in his last visit to this Place. But I have heard frequently of his Conversation and Behavior. I am out of all danger from his designs. The Plan, in your last Letter, that I mean of the 26th of this month, shall have all the attention it deserves from me. There are few Men if any to whom my Inclinations and feelings are better disposed, than to the C. in question."

Adams then remarks on his 1787 *Defense of the Constitutions of Government of the United States of America*. "In one of your Letters you recall the memory of forgotten Lucubrations. Alass! Experience, History and Prophecy founded on both are lost to Mankind. They oppose in vain, their feeble Resistance to the popular Passions of the times. It may in some future time be remarked that those Papers were written in 1786 & 1787, and the Events of the Subsequent ten or eleven years may be compared with them: but this will be done by a very few in their Closets and will influence Nations very little. The Difficulty of leading or guiding Millions, by any means but Power and Establishments can be known only to those who have tried Experiments of it."

Dalton was one of the few close friends to who Adams gave a presentation copy of the *Defense*. They had been classmates at Harvard, and they remained fast political allies, with Dalton serving as Speaker of the Massachusetts House of Representatives and as the state's first senator. The letter concludes with Adams renewing his "Protestations of Esteem" for his friend of "almost half a hundred years."

\$ 20,000-30,000

JOHN QUINCY ADAMS

Autograph letter as minister to Prussia, to his brother, Thomas Boylston Adams, American Consulate at Hamburg, chiefly discussing the war between the British and the French

One page (9⅞ x 7⅞ in.; 232 x 194 mm) on a bifolium, [Berlin], 5 November 1798, integral address leaf; seal tear affecting a portion of the address leaf.

WAR WATCHING. When his father became President, John Quincy was appointed minister to Prussia and posted to Berlin. His brother Thomas served as his secretary. In the first paragraph of this letter John Quincy still doubts the report that Admiral Lord Warren had, during the Battle of Tory Island on 12 October 1798, intercepted and dispersed an entire French fleet bringing reinforcements to the expedition that had been sent to aid the rebellion in County Mayo. "Without an extraordinary portion of incredulity I might still dispute the full confirmation of your news, as the whole of the Brest Squadron was not taken by Sir J. B. Warren, and we are yet quite uncertain here what part of it really fell into his hands" (the French flagship Hoche was captured in this battle and named Donegal).

John Quincy then discusses the outcome of Napoleon's disastrous Egyptian campaign and alludes to the Battle of the Nile, which took place on 1--2 August and cost the French an estimated 1,700 men (including Vice-Admiral Brueys) and 3,000 captured. "[T]heir naval power has suffered in their late defeats a loss which it will not easily repair. The loss of its most valuable officers — The campaign has been the most glorious, and unquestionably the most advantageous to England, of any during the War. Ireland may be now considered as out of danger. Whether the conquest of Egypt will indemnify France for all this Time must discover."

REFERENCES

Sotheby's New York, 21 June 2007, lot 9 (undesigned consignor)

\$ 6,000-8,000

Alas! that worthy man is no more. He has left in the
hands of all his acquaintance, as pleasing impressions as
any Gentleman from any Part of Europe ever did
in America.

We are all in suspense. We are without news
from Europe. We learn that General Buonaparte has
been at Paris and is gone to the Congress. But we
know no more.

If nothing happens of a very serious
nature to prevent it, I shall go to Quincy as soon
as I can get up, which will be, in June I suppose,
and stay till the Fall. - You may write however
to any Part of America and your Letters will come
to me by the Post.

We have had a long cold Winter
it began the middle of November and a fresh snow
had fallen to day.

I long for your Company, but have
not yet been able to find a Secretary for your Brother.

our Friends are all well and not so gloomy or less
spirited as you may imagine.

I am, my dear Son your affectionate
John Adams

Thomas B. Adams

2106

Philadelphia March 30. 1798

Received April 5th

My worthy Friend

I am as much in Debt in the Literary
and epistolary way, as our Princes of modern Speculation
are in their pursuits: and I suppose for similar Reasons
will want of Method, in accuracy of accounts, in Economy
and understanding more than I am capable of managing.

To you, I am indebted for three late Letters, at least.

The Character drawn in the first and alluded to
in the second, has always been civil to me, personally: and especially
in his last visit to this Place. But I have heard frequently of his
Conversation and Behaviour. I am out of all danger from his

Letters. The Plan, in your last Letter, that I mean of the
26th of this month, will draw all the attention it deserves
from me. There are few ideas of any, to whom my
inclinations and feelings are better directed, than to the C:
in question.

In one of your Letters you recall the Memory of
my forgotten Constitutions, Alas! Experience, History and

5 November 1798.

My dear Brother

Without an extraordinary portion of incredulity, I might
still dispute, the full confirmation of your news, as the whole of the British Squadron was not
taken by Sir J. B. Warren, and we are yet quite uncertain how what part of it really fell into
his hands. But I had rather believe in the official confirmation of the reports announcing
the destruction of the transports at Alexandria, though it would be better to have even this
account more directly than from S^r D'Arbigny.

The newspapers are full of the resistance against the confinement in Arabant, and I
have heard directly from Lyons that in that part of France, they are obliged to chain the young men
whom they catch and send to the armies under the new law. - These circumstances only prove
that the system is seriously executing and that it will raise a most formidable force. - Partial
opposition to the execution of the law will be immediately quelled, and signifies nothing.

But in Switzerland and in Italy, the situation of the French is at this moment critical:
and their naval power has suffered in their late defeats a loss which it will not easily repair.
The loss of its most valuable officers - The campaign has been the most glorious and unquestionably
the most advantageous to England, of any during the War. Ireland may be now considered as
out of danger. - Whether the conquest of Egypt will indemnify France for all this, time must
discover. At least we see how all these have calculated, who imagined Buonaparte and his Staff
would be swallowed up in the Red Sea. - He himself and his Brethren declare that all Egypt is
subdued.

Accept my best thanks to Mr. Pittman for his very kind present of fish, which I received
three days ago, and to the excellence of which I can bear testimony.

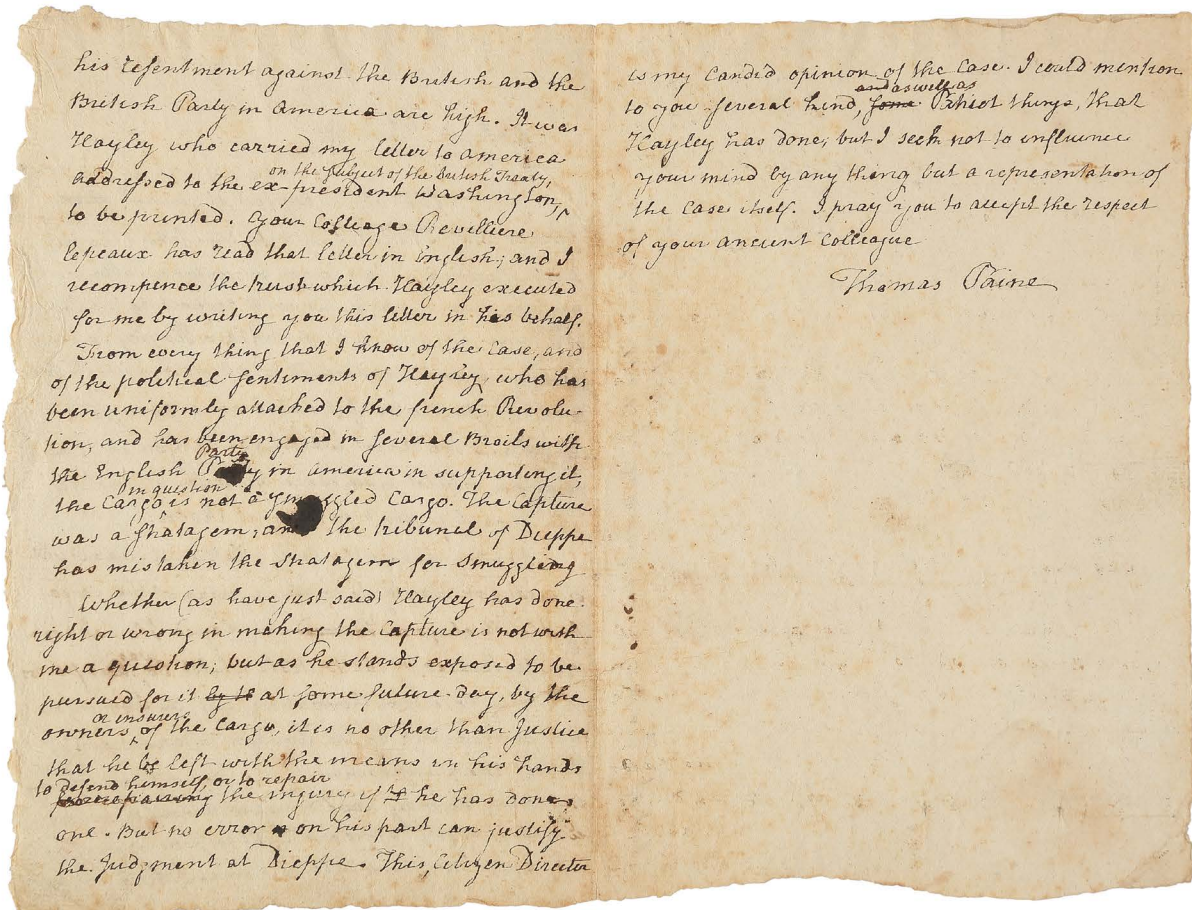
Once more, God bless you, and give you a prosperous, and speedy passage

W. B. Adams

W. B. sends her love to you, as she always does when I write,
though I often forget to tell you.

2107

2108



2109

2109

THOMAS PAINE

Autograph letter signed ("Thomas Paine") to the "Citizen Director" (Philippe-Antoine, Comte Merlin, of Douai), attempting to pull strings in France for an American friend

Three pages (6 x 8 7/8 in.; 150 x 224 mm) on a bifolium, [Dieppe, France, ca. 1798-1799]; some foxing.

Paine writes on behalf of a Connecticut-born merchant-adventurer, Nathan Haley, who had captured an American vessel, the *Hare*, because it carried British contraband:

"...It is at the request of several friends that I trouble you with this letter, the purport of which is, to remove an unfavourable impression from your mind with respect to the case of a prize cargo, in which Captain Hayley is concerned. It was condemned at Dieppe as a Prize to the Republic as if it had been a smuggled cargo, and the report was made to you in that manner whilst you were Minister of Justice. The appeal is now depending at Roen..."

While living in Dieppe under the regime of the Directorate (1795-1799), Paine borrowed seven

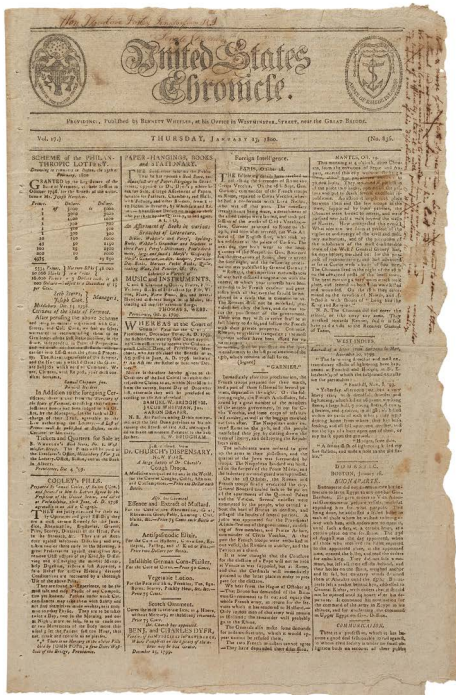
thousand livres from an American adventurer, Nathan Haley. In 1796, Haley had delivered Paine's famous 36-page public letter to George Washington, mentioned herein, to Benjamin Franklin Bache, editor of the Democratic-Republican *Aurora* of Philadelphia. It appears from this letter that Paine was willing to use his public letter as evidence of the pro-French, anti-British sentiments of himself and his friend Haley. The key to Paine's persuasion was Jay's Treaty, which Comte Merlin of Douai and the French Directory castigated. Haley and other French privateers were, by Paine's read, doing what Jay's Treaty allowed the British to do. Operating out of Dieppe in 1797, Nathan Haley attacked and seized an American vessel, *Hare*, taking prisoners and £50,000 sterling in confiscated goods. The vessel was on its way from London to New York, according to diplomat Charles C. Pinckney. Pinckney, writing to Secretary of State Pickering, felt that such actions threatened "avowed hostilities" between France and the United States—indeed, President Adams, later that year, sent Elbridge Gerry and John Marshall to join Pinckney in Paris to try to forestall war. When the Directory demanded a bribe in the so-called "XYZ Affair,"

Adams and Congress mobilized for war and empowered American privateers and naval vessels to retaliate against French shipping.

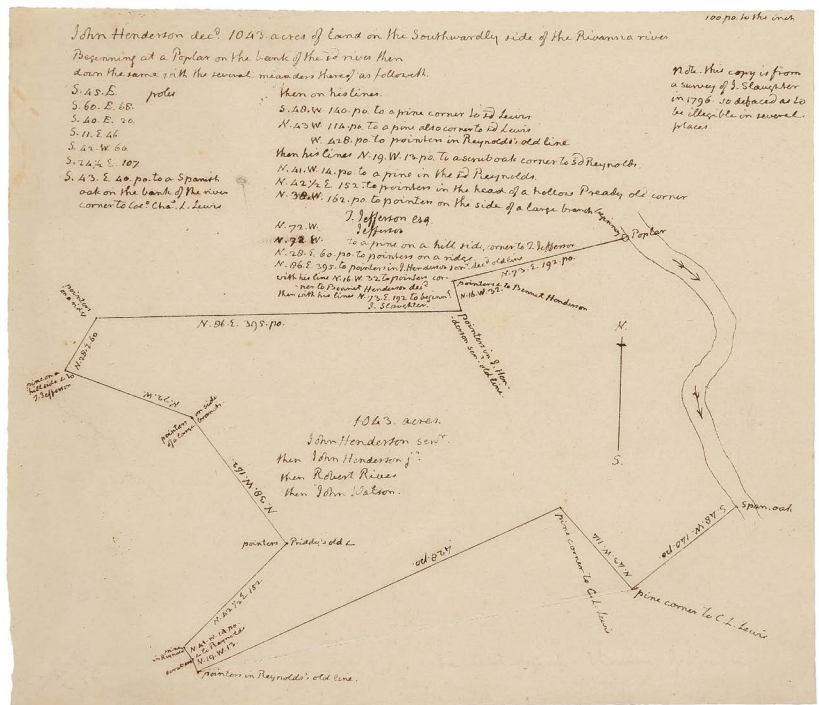
Interestingly, in 1797, the French courts disavowed Haley's actions and "condemned" his prize. A faction within the French government, possibly including Comte Merlin of Douai (who as Minister of Justice had viewed Haley's protest), was opposed to highhanded provocations of the Americans. It is not known how Comte Merlin of Douai received Paine's letter, or whether the "appeal at Rouen" went in Haley's favor. Both Paine and Haley returned to America after the election of Thomas Jefferson and the defeat of the Federalist Party.

In August 1803, Paine went to see Haley at Stonington, presumably to pay off some of his debt accrued in Dieppe. As Paine biographer John Keane notes, Paine ended up staying with Haley for several months, becoming an "itinerant lecturer on political affairs," prognosticating the imminent conquest of Britain by Napoleon.

\$ 35,000-50,000



2110



2111

2110

PROPERTY OF A DIFFERENT OWNER
[GEORGE WASHINGTON] THEODORE FOSTER

United States Chronicle. Providence, Rhode Island, January 23, 1800

Bifolium (18¾ x 11⅞ in.; 456 x 297 mm). 4 pp., extracted from a bound run of the paper; previous fold, some staining.

MANUSCRIPT EULOGY TO GEORGE WASHINGTON BY U.S. SENATOR THEODORE FOSTER OF RHODE ISLAND. Issued five weeks after Washington's death, this newspaper served as the tablet for the handwritten reflections of a sitting Senator

on the loss of the nation's first President. It is clear from his words that the people of the nation he helped create—and individual Senators—are still struggling with Washington's death.

In Foster's hand in the upper right margin is his own original and unpublished verse:

"Mother & nurse of all ye arts Agriculture. Let us now attend to some of those paternal admonitions contained in his last address.

We have so long been accustomed to consider him as our Bulwark (partly washed out) and counsellor

in times of difficulty, that it is with painful emotions we realize the awful event of his dissolution O Washington Wash"

Senator Foster's line "paternal Admonitions" references Washington's Farewell Address, given several years prior on September 19, 1796. On page 2, this issue includes an excerpt from a letter of condolence Washington himself wrote to one of the sons of Governor Jonathan Trumbull (1710-1785), on the death of his father.

\$ 8,000-12,000

2111

PROPERTY OF A NEW YORK COLLECTOR
THOMAS JEFFERSON

Autograph manuscript survey signed (in text twice, "T. Jefferson esq." and "Jefferson"), regarding 1,043 acres bordering Monticello

One page (8½ x 7¾ in.; 216 x 187 mm), [Monticello, ca. 1800–1815].

A SURVEY OUTLINING AND LABELLING THE SOUTHERN BOUNDARY OF MONTICELLO, ENCOMPASSING JEFFERSON'S HOME-FARM, MONTALTO, TUFTON, PORTOBELLO, LEGO AND SHADWELL

"John Henderson dec.[ease]d 1043. acres of land on the Southwardly side of the Rivanna river | Beginning at a Poplar on the bank of the

sd rivers then | down the same with the several meanders thereof as followeth." Jefferson adds: "Note. this copy is from a survey of J. Slaughter in 1796. so defaced as to be illegible in several places." Jefferson has also noted the scale as "100. po[lls]. to the inch".

In Jefferson's Land Roll of 1810, he listed among his property "one contiguous body" of 5,212 acres radiating out around his 1,000 acre Monticello farm. The two parcels furthest south in this body—being in Milton, Virginia—had recently been purchased from the heirs of Bennett Henderson, with great expense and trouble (see lot 2109). The present remarkable survey was made for his own records to corroborate the bounds of his own land, and it is perhaps also indicative of his intention to purchase the Watson parcel as well. In fact, it

is still not known if Jefferson bought this land. John Henderson, Sr., named in this survey, was likely the father of Bennett Henderson. As noted, Jefferson's dealings with Bennett's heirs were complex, and often contentious, but by 1812, Jefferson had gained control over a large portion of former Henderson property, and he continued to buy more throughout the decade. This map may have aided in that effort.

Examples of Jefferson's draftsmanship are primarily found in institutions, with very few remaining in private hands.

For more information, please see our online cataloguing at sothebys.com.

\$ 40,000-60,000

Spic.

Your favor of the 1st Inst. I had the honor of receiving by Fridays Mail. I should have had the survey completed, had I not relied upon Mr Brodheads executing it, he being much engaged I have at length employed a substitute who is now engaged in the Job. The whole expense will be about \$500. I have been obliged to advance one hundred & upwards, in Provisions. I have taken the liberty of drawing upon you in favor of Suydam & Wykoff Merchs N. York for \$200.

The survey will be completed well & expeditiously by two good surveyors being employed.

I am with much respect
 Y^r most obed^t serv^t
 Arthur Breese

Whitestown Sep. 13th 1801

As I expect momentarily to be called upon for the amount of the abovementioned Bill, I request the following Gentlemen to pay their respective proportions to the bearer

John Laurance	Dollar 50
Robert Troupe	do
Nicholas Fish	do

2112

2112

PROPERTY OF A DIFFERENT OWNER

ALEXANDER HAMILTON

Autograph endorsement signed ("A Hamilton") at the foot of a letter sent to him

Endorsement on a one-page (12⁵/₈ x 7³/₄ in.; 321 x 197 mm) autograph letter signed by Arthur Breese, Whitestown, 13 September 1801; lightly browned, some staining, Matted, framed, and glazed with Plexiglas with a portrait of Hamilton.

HAMILTON ASKS HIS COLLEGE ROOMMATE AND TWO OTHER GOOD FRIENDS TO PAY THEIR SHARE OF SURVEYING EXPENSES FOR A SPECULATIVE JOINT NEW YORK STATE LAND INVESTMENT.

Arthur Breese graduated from Princeton and received an honorary degree from Yale College in 1789. Breese was admitted to the bar of the New York Supreme Court in 1792, and settled in Whitestown, New York, in 1793. He speculated in land in northern New York and assisted others, including James Madison, in doing so. In the present letter he reports on the progress of a survey that was to have been done by Charles C. Brodhead, of Oneida County:

"Your favor of the 1st Inst. I had the honor of receiving by Fridays Mail. I should have had the survey completed, had I not relied upon Mr Brodheads executing it, he being much engaged I have at length employed a substitute who is now engaged in the Job. The whole expense will be about \$500. I have been obliged to advance one hundred & upwards, in Provisions & have taken the liberty of drawing upon you in favor of Suydam & Wykoff Merchs N. York, for \$200. The survey will be completed well & expeditiously. Two good surveyors being employed."

Hamilton's endorsement is written directly beneath Breese's text and is directed at his three co-signers, John Laurance, Robert Troupe, and Nicholas Fish, assessing a \$50 share of the expenses to each: "As I expect momentarily to be called upon for the amount of the abovementioned Bill, I request the following Gentlemen to pay their respective proportions to the bearer." Laurance, Troup, and Fish were all involved in New York politics and legal circles; Troup had earlier been Hamilton's roommate at King's College (now Columbia University).

\$ 7,000-10,000

2113

PROPERTY OF A NEW YORK COLLECTOR

THOMAS JEFFERSON

Autograph letter signed ("Th: Jefferson") as president, to his son-in-law John W. Eppes, anticipating his famous reconciliation with John Adams

Two pages (7³/₄ x 10 in.; 197 x 254 mm) written recto and verso, Washington D.C., 4 June 1804; slight stains and wear at creases, just affecting one letter of text.

AN IMPORTANT AND AFFECTING LETTER, WRITTEN BY JEFFERSON SHORTLY AFTER THE DEATH OF HIS DAUGHTER MARIA, ADDRESSING HIS BROKEN FRIENDSHIP WITH JOHN ADAMS:

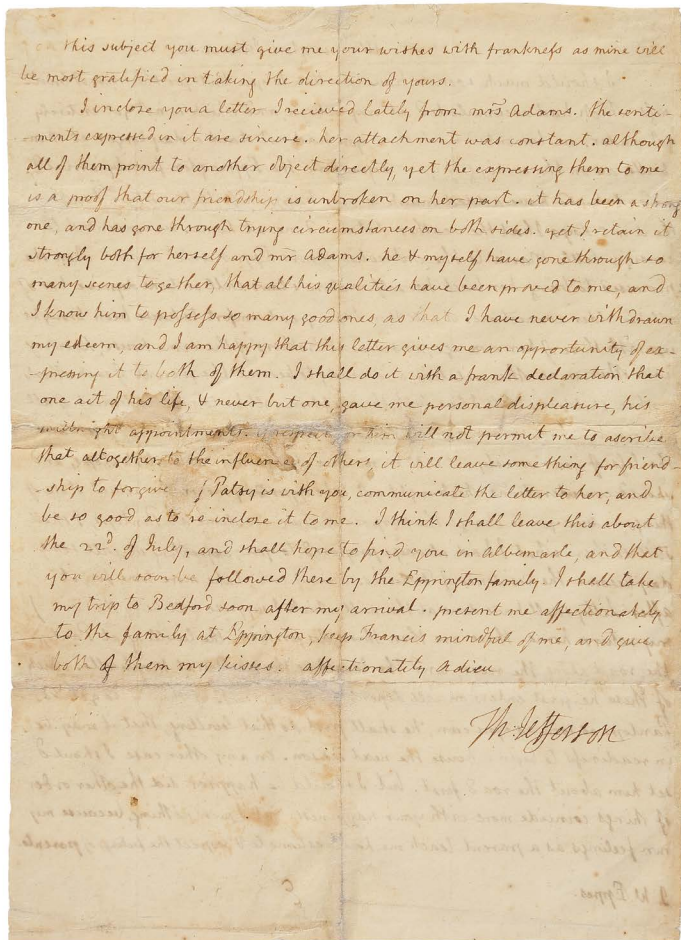
continued

Washington June 4. 04.

I should much sooner have written to you but for the press of business which had accumulated at my return, and which is not yet entirely got under. we lamented much that you had not staid a day longer at Monticello, as on the evening of your departure the Eppington family arrived, and it would have added much to our happiness to have been ^{all} together the 4 or 5 days that the weather detained me at home. we consented to consign little Maria to the entreaties of Mrs Eppes until August when she promised to bring her back herself. nature's laws will in time deprive her of all her older connections. it will then be a great comfort to have been brought up with those of her own age, as sisters & brothers of the same house, knowing each other in no other relation, and ready to become the parent of each other's orphan children. while I live both the children will be to me the dearest of all pledges; and I shall consider it as increasing our misfortune should we have the loss of your society. it will in no wise change my views at Pantops, and should considerations, which ought not to be opposed by me in the actual state of things, induce you to change the purpose of your residence at Pantops, I shall still do there what I had always proposed to you; expecting it will some day become the residence of Francis. I may only take more time for it. after Lilly shall have done at the mill, which I suppose will be by the time of my return home, there are then three jobs for him. the levelling at Pantops, the road along the river, and the levelling the garden at Monticello. which of these he first enters on will depend on your views. if they be to get to Pantops as soon as you can; he shall first do that levelling, that it may be in readiness to begin a house the next season. in any other case I should set him about the road first. but I should be happier did the other order of things coincide more with your happiness. but I press nothing, because my own feelings as a parent teach me how to estimate & respect the feelings of parents.

J. W. Eppes.

53



"I am happy that this letter gives me an opportunity of expressing it to both of them. I shall do it with a frank declaration that one act of his life, & never but one, gave me personal displeasure, his midnight appointments. A respect for him will not permit me to ascribe that altogether to the influence of others, it will leave something for friendship to forgive..."

Thomas Jefferson, as third president

2113

"I inclose you a letter I received lately from Mrs Adams. The sentiments expressed in it are sincere. Her attachment was constant. Although all of them point to another object directly, yet the expressing them to me is a proof that our friendship is unbroken on her part. It has been a strong one, and has gone through trying circumstances on both sides. Yet I retain it strongly both for herself and Mr Adams. He & myself have gone through so many scenes together, that all his qualities have been proved to me, and I know him to possess so many good ones, as that I have never withdrawn my esteem, and I am happy that this letter gives me an opportunity of expressing it to both of them. I shall do it with a frank declaration that one act of his life, & never but one, gave me personal displeasure, his midnight appointments. A respect for him will not permit me to ascribe that altogether to the influence of others, it will leave something for friendship to forgive..."

Thomas Jefferson's wife, Martha Wayles, had died nineteen years before he became president. His two daughters, Maria Eppes and Martha Randolph, each married to talented Virginia politicians, shared hostess duties at the White House. Maria, however, died on 17

April 1804, leaving behind a grieving husband and a devastated father. In the present letter Jefferson counsels his son-in-law on the upbringing his now motherless granddaughter Maria, and assures Eppes that he will remain part of his family. Jefferson demonstrates this by discussing the continuing renovations of Monticello and neighboring Pantops, to which John and Maria were destined to move before her death. Pantops had been Jefferson's dowry to the couple on their wedding day in 1797.

The "midnight appointments," to which Jefferson refers, were John Adams's appointments of several dozen judgeships in his last hours of his presidency. Jefferson and Secretary of State Madison chose not to deliver the commission of one such appointment, William Marbury, which had been accidentally misplaced. This commenced the famous case of *Marbury v. Madison*, where Chief Justice John Marshall, also an Adams appointee and an inveterate enemy of Jefferson, pronounced the doctrine of judicial review. Jefferson felt that Adams had spitefully named Federalists to these positions, where they could only be removed by impeachment, when he should have allowed them to remain vacant until he assumed the office.

Abigail Adams had been a surrogate mother to Maria ("Polly") Jefferson, and her death affected Adams deeply. Despite the rift between Thomas Jefferson and her husband, she wrote: "the powerful feelings of my heart have burst through the restraint, and called me to shed the tear of sorrow over the departed remains of your beloved and deserved daughter, an event which I most sincerely mourn." But Jefferson was wrong to think that Abigail had changed her feelings towards him, and wrong in thinking that his frank admission about the midnight appointments would clear the air. Indeed, these only provoked a scathing letter from Abigail, in which she decided to be frank about the resentment she harbored for Jefferson.

REFERENCES

The Papers of Thomas Jefferson, ed. McClure, 43:534-535; *The Adams-Jefferson Letters*, ed. Lester, 2:266

PROVENANCE

Christie's New York, 19 June 2007, lot 263 (undesigned consignator)

\$ 120,000-180,000

GILBERT DU MOTIER, MARQUIS DE LAFAYETTE

Manuscript document signed ("Lafayette") and co-signed ("Fulwar Skipwith"), appointing Secretary of State James Madison as attorney, to settle any legal issues involving lands granted to Lafayette in the Louisiana Purchase

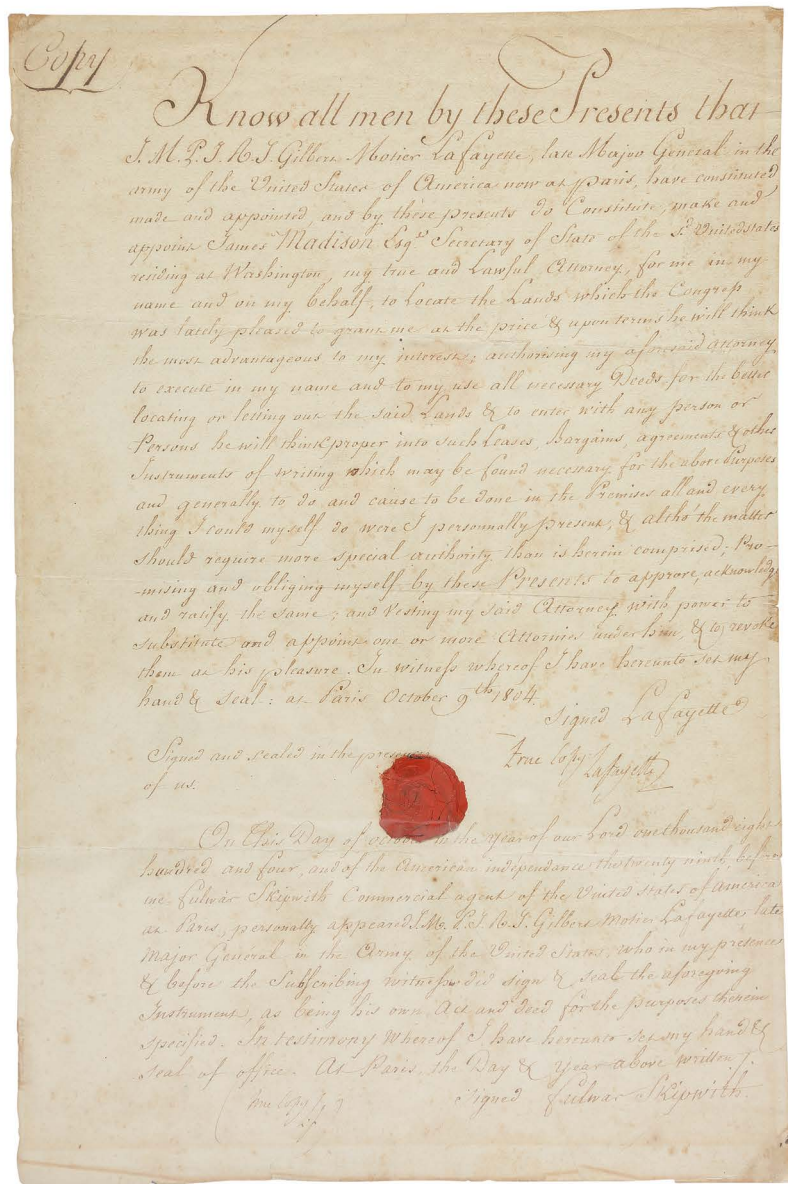
One page (12¾ x 8⅜ in.; 325 x 215 mm), in clear clerical hand, on a sheet of laid paper (watermarked D ◊ W), Paris, 9 October 1804. Scattered soiling, a few small marginal repairs, neat repair stretching along bottom fold to lower margin.

LAFAYETTE'S LOUISIANA LANDS: AMERICA'S DEBT OF HONOR

After falling into disfavor with the French Revolutionary government in 1792, Lafayette spent seven years in prison and exile. On returning to France in 1799, Lafayette took his family to his country estate at La Grange, but their fortune had been shattered. America proved a good friend to the French nobleman who had made the new republic's cause his own in 1777. During his imprisonment, Congress had voted him a grant of more than \$20,000, representing his pay and expenses as an officer during the American Revolution (payment he had refused at the time). And in 1803, Congress voted him a grant of 11,520 acres in the Northwest Territory. However, the Louisiana Purchase provided the nation with an even larger pool of acreage with which to reward Lafayette. President Jefferson discovered that there was an attractive tract just outside New Orleans that would better serve the marquis's purposes, and in March 1804, Congress authorized Lafayette's grant to be made in the new "Orleans" Territory.

Secretary of State James Madison played a central role in the various measures taken to ease Lafayette's financial plight. With Albert Gallatin and President Jefferson, Madison worked to obtain the Congressional land grant. And, after Congress authorized it, Madison arranged a loan of 150,000 livres for the marquis, with the land as collateral. But in the fall of 1804, Madison assumed another, and more formal role in putting his old friend's financial affairs in order. The loan, no matter how generous its terms, would have to be repaid, and that meant locating and selling the Orleans lands.

The marquis and Madison had been friends for more than twenty years, even sharing a jaunt to the New York frontier in 1784. Like any proper Virginian, Madison was an incurable land speculator, and the marquis saw him as an ideal agent for his Louisiana lands. Thus, in this document, Lafayette authorizes Madison "... to execute in my name & to my use all necessary Deeds for the better locating or letting out the said lands & to enter with any person or persons he will think proper into such Leases, Bargains, Agreements & other Instruments



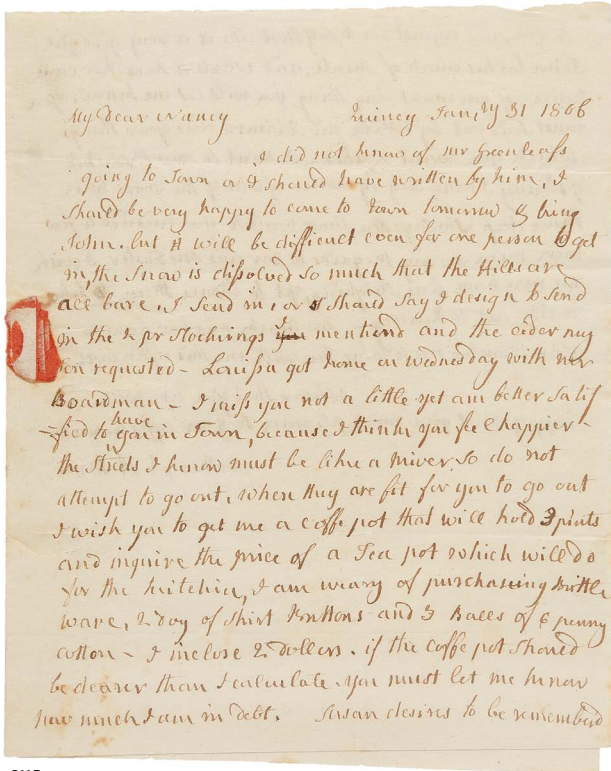
of writing which may be found necessary for the above purposes & generally to do & cause to be done in the Premises all & every thing I could myself do were I personally present & altho' the matter should require more special authority than is herein comprised; Promising & obliging myself by these Presents to approve acknowledge & ratify the same; & visiting my said Attorney with power to substitute & appoint one or more attorneys under him & to revoke them at his Pleasure."

The next day, Lafayette sent at least two copies of this power of attorney to Madison. (one at the N.Y. Public Library, another in the Hist. Society of Pa.) The practical necessities of transatlantic communication during the Napoleonic Wars dictated multiple copies. In his covering letter, Lafayette explained to Madison that he had deliberately phrased the power of attorney broadly, "... I even forbore

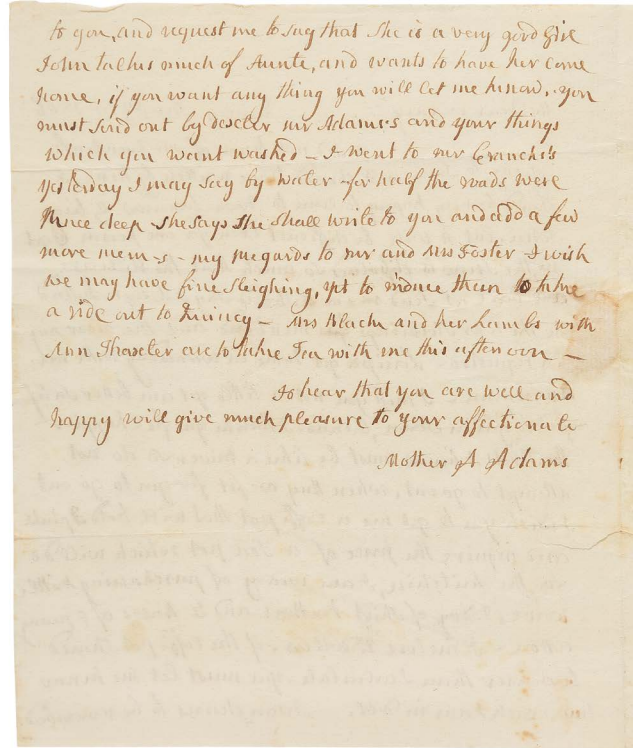
commissioning an Agent to act under your control thinking I had better leave that point as well as every other to your investigation & choice..."

Even if Madison performed no onerous duties as a result of this power of attorney, the document remains a splendid reminder of the friendships forged in a Revolution in America that survived time and distance to aid a patriot who found himself impoverished by a second revolution on the other side of the Atlantic.

\$ 8,000-12,000



2115



2115

2115

ABIGAIL ADAMS

Autograph letter signed ("Mother A. Adams"), to her daughter-in-law Ann "Nancy" Harrod Adams expressing joy that the young couple are living in nearby Boston

2 pages (7¼ 5⅞ in.; 184 x 150 mm) on a bifolium, Quincy, 31 January 1806; small closed tear to fold, scattered minor spotting and discoloration.

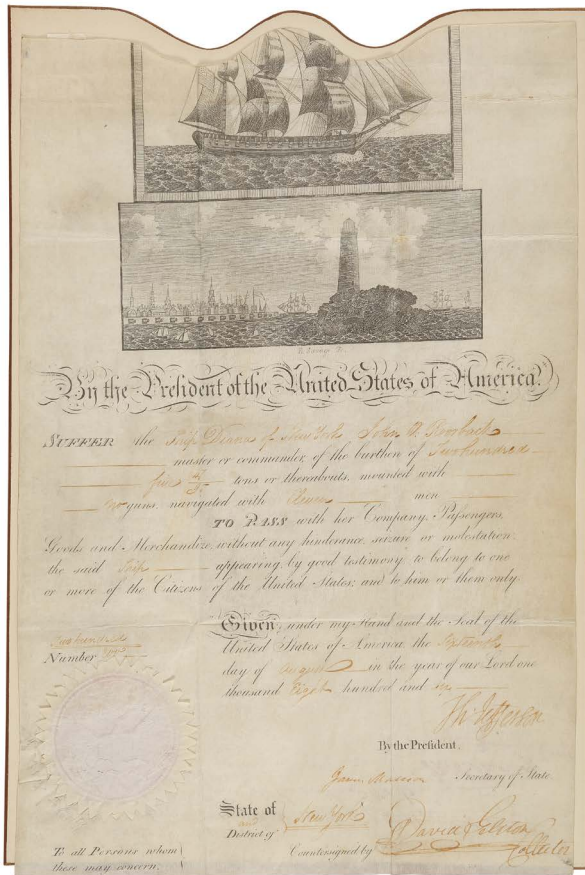
A FINE PIECE OF ADAMS FAMILY CORRESPONDENCE

Writing to her new daughter-in-law shortly after her marriage to their youngest son, Thomas Boylston Adams, Abigail here touches on a number of household matters, and expresses joy that the couple are living in nearby Boston:

"I miss you not a little yet am better satisfied to have you in Town, because I think you feel happier ... To hear that you are well and happy will give much pleasure to your affectionate Mother..."

She also mentions her desire to accompany John on a visit to their new household, her enthusiasm only being dampened by a recent snowstorm: "I should be very happy to come to town tomorrow & bring John, but it will be difficult even for one person to get in, the snow is dissolved so much that the hills are all bare ... The streets I know must be like a river, so do not attempt to go out." The coming year would bring further occasion for the in-laws to visit, as Nancy gave birth to a daughter they named "Abigail Smith Adams" in August 1806.

\$ 4,000-6,000



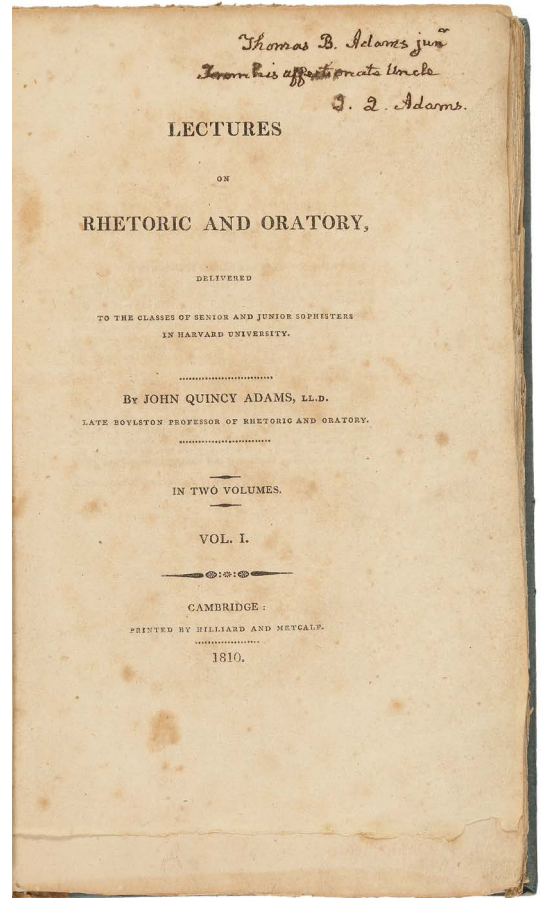
2116

2116

THOMAS JEFFERSON

Ship's pass for the *Diana*, signed ("Th. Jefferson") as third president
 1 page (15½ x 10¼ in.; 394 x 260 mm),
 countersigned by James Madison, Secretary of State, and by David Gelston, Collector of Customs of the Port of New York, engraved images of a ship and a harbor by E. Savage, scalloped cancellation cut on top edge, embossed paper seal; some soiling. Framed and glazed.

\$ 2,000-3,000



2117

2117

JOHN QUINCY ADAMS

Lectures on Rhetoric and Oratory, Delivered to the Classes of Senior and Junior Sophisters in Harvard University.
 Cambridge: Hilliard and Metcalf, 1810

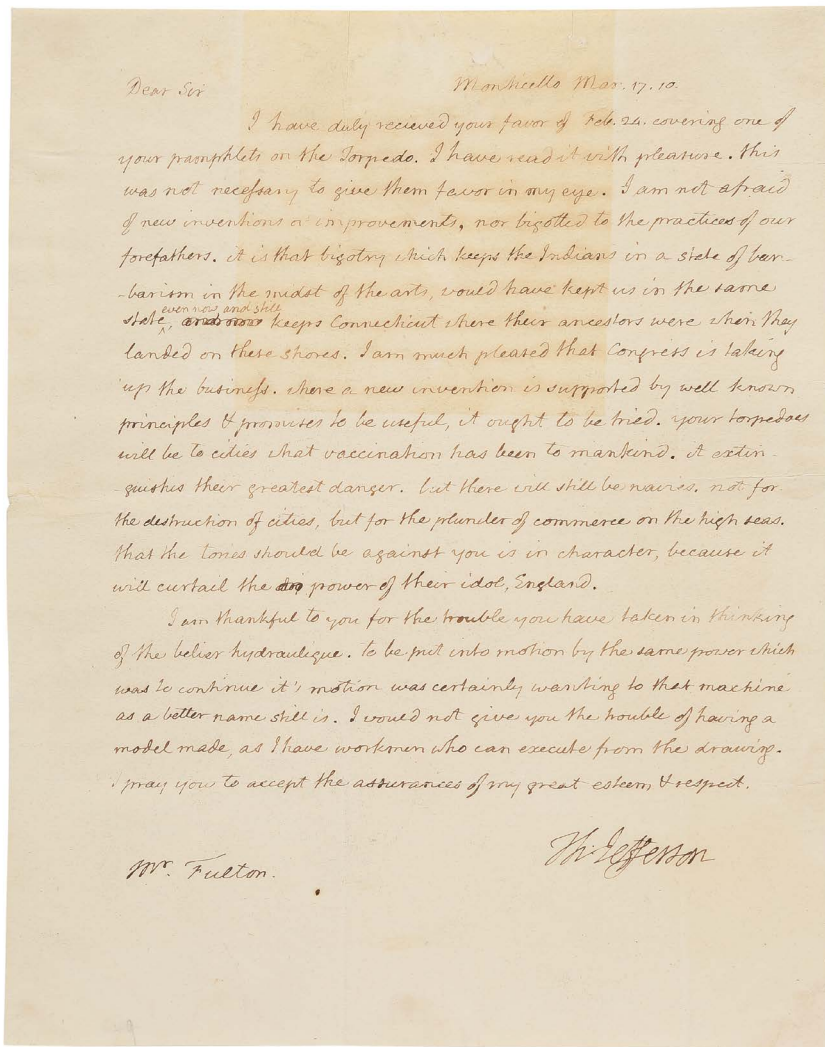
Vol. 1 only, 8vo (9½ x 5½ in.; 242 x 140 mm, untrimmed). Text browning and staining throughout. Contemporary blue boards, tan paper spine; several tears to joints. In a cloth clamshell case. Inscribed, "Thomas B. Adams Junor | From his affectionate Uncle | J. Q. Adams."

CARRYING ON THE FAMILY TRADITION OF CLASSIC ORATORY. INSCRIBED ON THE TITLE-PAGE BY JOHN QUINCY ADAMS TO HIS NEPHEW THOMAS BOYLSTON ADAMS, JR. (1809–1837). John Quincy was the Boylston Professor of Rhetoric and Oratory at Harvard between 1806 and 1809 while still serving out his term in the United States Senate.

PROVENANCE

Sotheby's New York, 21 June 2007, lot 14

\$ 3,000-5,000



2118

THOMAS JEFFERSON

Autograph letter signed ("Th: Jefferson"), to Robert Fulton, stating his interest in Fulton's invention of the torpedo

One page (7¾ x 9¾ in.; 197 x 248 mm) 4to, watermarked (dove and olive branch), Monticello 17 March 1810; remnants of mounting on verso, and a rectangular offset in upper portion.

JEFFERSON ALIGNING WITH THE ENLIGHTENMENT SENTIMENTS OF CONFIDENCE IN THE FUTURE, CURIOSITY, AND INNOVATION IN HIS LETTER TO THE INVENTOR AND ENTREPRENEUR ROBERT FULTON

2118

"I am not afraid of new inventions or improvements, nor bigoted to the practices of our forefathers. It is that bigotry which keeps the Indians in a state of barbarism in the midst of the arts, would have kept us in the same state even now, and still keeps Connecticut where their ancestors were when they landed on these shores. I am much pleased that Congress is taking up the business. Where a new invention is supported by well known principles & promises to be useful, it ought to be tried. YOUR TORPEDOES WILL BE TO CITIES WHAT VACCINATION HAS BEEN TO MANKIND. It extinguishes their greatest danger. But there will still be navies, not for the destruction of cities, but for the plunder of commerce on the high seas. That the tories should be against you is in character, because it will curtail the power of their idol, England."

Jefferson's personality was fed by a natural curiosity and a keen intellect. An "amateur" architect, he famously designed Monticello,

and furnished it with such innovative devices as mechanical dumb waiters, a spherical sundial, and a revolving book stand. He also met and corresponded with many of the great scientists and inventors of his day. Jefferson was instrumental in developing America's patent system, and always open to "improvements." It is also interesting that Jefferson, even when thinking of a potentially terrible weapon, focused on defensive measures, a point of view very different from that of John Adams.

Fulton is best known for inventing the steamboat, and his *Clermont* debuted in August 1807, traveling from New York City to Albany, during Jefferson's second term as president. Fulton's partner and patron in this enterprise was Robert R. Livingston, a Jeffersonian politician and Minister to France. Joined in Paris by James Monroe, and charged with inquiring with Napoleon and his Foreign Secretary, Talleyrand, about possible terms for purchasing New Orleans, Livingston successfully

negotiated the Louisiana Purchase in 1803. Approved by the Senate in 1804, the treaty doubled the territory of the United States. Though Livingston and Fulton cooperated on a vessel to ply the Hudson, and would enjoy a monopoly of this service for years, many believed that the real money could be made using steamboats on the Mississippi and Missouri Rivers, in the new Louisiana Purchase.

Fulton was the first to use the term "torpedo" to describe a means of attacking using a floating explosive charge. He hoped to find patronage from the Jefferson and Madison administrations.

REFERENCES

The Papers of Thomas Jefferson, Retirement Series, ed. Looney, 2:301

PROVENANCE

Christie's New York, 3 December 2007, lot 143 (undesigned consignor)

\$ 40,000-60,000

THOMAS JEFFERSON

Autograph document signed four times in the text (three times "Thomas Jefferson", and once "Thomas Jefferson of Monticello"), endeavoring to regain land that he believes was unlawfully seized from him

Two pages (7¾ x 9¾ in.; 197 x 248 mm) 4to, watermarked (dove and olive branch | Amies), Albemarle County [Virginia], 30 July 1812; each leaf separated at central fold and neatly repaired, neat minor repairs at fold edges.

The former President endeavors to restore all of his rights to land that he believes was unlawfully impacted by damage from his neighbor's new mill and dam:

"...on behalf of the Commonwealth, we charge & command you, that, taking with you the power of the county, if needful, you go to the sd lands, & the same with the appurtenances, you cause to be resiesed, & that you cause the sd Thomas Jefferson to be restored & put into his full possession thereof, according as he [p2] before the entry aforesd was seised, according to the form of the sd statute: and this you shall in no wise omit."

This document marks a late chapter in Jefferson's troubled twenty-years of dealings and conflicts with the Henderson family. Now widowed Elizabeth (a first cousin) and her ten children, held land adjacent to Monticello. Prior to Bennett Henderson's death in 1793, they had erected a mill at Mountain Falls on the Rivanna River. With the old mill inoperative, the family began erecting a new mill downstream from one on Jefferson's property that had been built by his father, Peter. By piling stones to create the dam, the Henderson's had created a reflux over Jefferson's property line that threatened to impair his mill (Malone 505).

Shortly before his inauguration as president in 1801, Jefferson accepted the offer of his Shadwell tenant, Craven Peyton, to buy property from the Henderson heirs without acknowledging Jefferson's interest. Legal conveyance to Jefferson was completed in 1811, and he could now press his claims openly. Though Jefferson won this legal battle, the Henderson's continued to be a long-term thorn in his side.

REFERENCES

The Papers of Thomas Jefferson, Retirement Series, ed. Looney, 5:280–281
Malone, *The Sage of Monticello*, p. 505

PROVENANCE

Christie's New York, 22 May 2001, lot 96 (undesignated consignor)

\$ 12,000-15,000

Albemarle County to wit
 John Watson and David S Lewis Justices of the Peace for
 the sd County, to the Sheriff thereof greeting.
 Whereas by an inquisition taken before us on the lands between the
 town of Milton and the Rivanna river heretofore held by Elizabeth Henderson widow
 and John, James L. & Charles Henderson sons of the late Bennett Henderson, situate
 in the parish of S. Anne, and county aforesd on the 30 day of July 1812 upon the
 oaths of Charles Duckles, William Crenshaw, James Clark, John Pugh,
 Mr. Ballou, Benjamin Thurmond, Aristocle Gilliam, & J. B.
 Key, Peter Mehan, John Pugh, James Leitch, & James
 Bristle, late Abraham Johnson, Nicholas A. Lewis,
 John Watson & L. W. (see Shiple), William Suttle, William
 Wood and Reuben Grady good & lawful men of
 the said County, and by virtue of the statute made and provided in cases of forcible entry and
 detainer, it is found that David Michie of the parish of Fredericksville & county
 aforesd with others unknown to the jurors aforesd into the sd lands with the ap-
 purtenances, being in the view & actual possession and occupation of Thomas
 Jefferson of Monticello in the said parish of S. Anne, and county aforesd, situate
 lying & being in the sd parish of S. Anne, & county aforesd, ~~with force & arms~~ dis-
 enter, & him the sd Thomas Jefferson, ~~with force & arms~~ did dispossess & put out,
 and him the sd Thomas Jefferson thus dispossessed & put out from the aforesd lands
 from the 25 day of this present month of July, to the day of the taking of the said
 inquisition with strong hands, ~~with force & arms~~ keep out, & do not keep out,
 as by the inquisition aforesd more fully appears of record: therefore on be-
 half of the Commonwealth, we charge & command you that, taking with
 you the power of the county, if needful, you go to the sd lands, & the same with
 the appurtenances, you cause to be resiesed, & that you cause the sd Thomas
 Jefferson to be restored & put into his full possession thereof, according as he

2119

before the entry aforesd was seised, according to the form of the sd statute:
 and this you shall in no wise omit. Given under our hands and seals
 at the county aforesd the 30th day of July in the year of our lord
 one thousand eight hundred & twelve. —

John Watson Seal
 David S. Lewis Seal

2119

Monticello Dec. 13. 18.

I thank your Excellency for the notice, with which your letter favors me, of the liberation of France from the occupation of the allied powers. to no one, not a native, will it give more pleasure. in the desolation of Europe to gratify the atrocious caprices of Bonaparte. France sinned much; but she has suffered more than retaliation. once relieved from the Incubus of her late oppression, she will rise like a giant from her slumbers. her soil and climate, her arts and eminent science, her central position and free constitution, will soon make her greater than she ever was. and I am a false prophet if she does not, at some future day, remind of her sufferings those who have inflicted them the most eagerly. I hope however she will be quiet ~~for~~ for the present, and risk no new troubles. her constitution, as now amended, gives as much of self-government as perhaps she can yet bear, and will give more when the habits of order shall have prepared her to receive more. besides the gratitude which every American owes her, as our sole ally during the war of independance, I am additionally affection-
ed by the friendships I contracted there, by the good dispositions I witnessed, and by the courtesies I received.

† I rejoice, as a Moralist, at the prospect of a reduction of the duties on wine, by our national legislature. it is an error to view a tax on that liquor as merely a tax on the rich. it is a prohibition of its use to the middling class of our citizens, and a condemnation of them to the poison of Whiskey, which is desolating their houses. no nation is drunken where wine is cheap; and none sober, where the dearness of wine substitutes ardent spirits as the common beverage. it is in truth the only antidote to the bane of Whiskey, fix but the duty

2120

2120

THOMAS JEFFERSON

Autograph letter signed ("Th: Jefferson"), prophesying the bright future of France after Napoleon and celebrating reduced duties on wine

Two pages (7 $\frac{7}{8}$ x 9 $\frac{5}{8}$ in.; 200 x 244 mm) on a bifolium of wove paper, watermarked (dove and olive branch | D Ames), Monticello, 13 December 1818, to Baron de Neuville, French Minister to the United States

AN EXTRAORDINARY AND REVEALING LETTER, BEGINNING WITH A WARM ENCOMIUM TO FRANCE, "OUR SOLE ALLY DURING THE WAR OF INDEPENDENCE," AT THE CONCLUSION OF THE NAPOLEONIC WARS.

"I thank your Excellency for the notice, with which your letter favors me, of the liberation of France from the occupation of the Allied powers. to no one, not a native, will it give

more pleasure. IN THE DESOLATION OF EUROPE TO GRATIFY THE ATROCIOUS CAPRICES OF BONAPARTE, FRANCE SINNED MUCH: BUT SHE HAS SUFFERED MORE THAN RETALIATION. once relieved from the Incubus of her late oppression, she will rise like a giant from her slumbers. her soil and climate, her arts and eminent science, her central position and free constitution, will soon make her greater than she ever was. and I am a false prophet if she does not, at some future day, remind of her sufferings those who have inflicted them the most eagerly. I hope however she will be quiet for the present, and risk no new troubles. her constitution, as now amended, gives as much of self-government as perhaps she can yet bear, and will give more when the habits of order shall have prepared her to receive more. besides the gratitude which every American owes her, as our sole ally during the war of independence, I am additionally affected by the friendships

I contracted there, by the good dispositions I witnessed, and by the courtesies I received."

"NO NATION IS DRUNKEN WHERE WINE IS CHEAP; AND NONE SOBER, WHERE THE DEARNESS OF WINE SUBSTITUTES ARDENT SPIRITS AS THE COMMON BEVERAGE." Although the subject of Jefferson's letter may seem to change abruptly, he had in fact already mentioned France's "soil and climate" as two of her great gifts, and the topic of wine duties was a more than appropriate one to discuss with the French minister. This reasoned tribute to the health and economic benefits of wine is one of longest passages on oenology by America's first great connoisseur.

"I REJOICE, AS A MORALIST, AT THE PROSPECT OF A REDUCTION OF THE DUTIES ON WINE, BY OUR NATIONAL LEGISLATURE. IT IS AN ERROR TO VIEW A TAX ON THAT LIQUOR AS MERELY A TAX ON THE RICH. IT IS A PROHIBITION OF IT'S USE TO THE MIDLING CLASS OF OUR CITIZENS, AND A CONDEMNATION OF THEM TO THE POISON OF

at the rate of other merchandise, and we can drink wine here as cheaply as we do grog: and who will not prefer it? it's extended use will carry health and comfort to a much enlarged circle. every one in easy circumstances (as the bulk of our citizens are) will prefer it to the poison to which they are now driven by their government. and the treasury itself will find that a penny apiece from a dozen is more than a groat from a single one. this reformation however will require time. our merchants know nothing of the infinite variety of cheap and good wines to be had in Europe; and particularly in France, in Italy, and the Graecian islands: as they know little also of the variety of excellent manufactures and comforts to be had any where out of England. nor will these things be known, nor of course called for here, until the native merchants of those countries, to whom they are known, shall bring them forward, exhibit & vend them at the moderate profits they can afford. this alone will procure them familiarity with us, and the preference they merit in competition with ~~corres-~~ponding articles now in use. Our family renews with pleasure their recollections of your kind visit to Monticello, and joins me in tendering sincere assurances of the gratification it afforded us, and of our great esteem & respectful consideration

Th: Jefferson

2120

WHISKY, WHICH IS DESOLATING THEIR HOUSES. NO NATION IS DRUNKEN WHERE WINE IS CHEAP; AND NONE SOBER, WHERE THE DEARNESS OF WINE SUBSTITUTES ARDENT SPIRITS AS THE COMMON BEVERAGE. it is in truth the only antidote to the bane of whisky. fix but the duty at the rate of other merchandise, and we can drink wine here as cheaply as we do grog: and who will not prefer it? it's extended use will carry health and comfort to a much enlarged circle. every one in easy circumstances (as the bulk of our citizens are) will prefer it to the poison to which they are now driven by their government. and the treasury itself will find that a penny apiece from a dozen is more than a groat from a single one. this reformation however will require time. our merchants know nothing of the infinite variety of cheap and good wines to be had in Europe; and particularly in France, in Italy, and the Graecian islands: as they know little also of the variety of excellent manufactures and

comforts to be had any where out of England. nor will these things be known, nor of course called for here, until the native merchants of those countries, to whom they are known, shall bring them forward, exhibit & send them at the moderate profits they can afford. this alone will procure them familiarity with us, and the preference they merit in competition with corresponding articles now in use."

Jefferson brought to America from Europe both wines and grape vines for cultivation. His cellar had vintages from France, Italy, Spain, Greece, Portugal, Hungary, and Germany, and advised other chief executives on the best wines to serve at federal functions. He concludes his letter to Baron de Neuville by recalling the pleasure of their last visit together: an event at which fine wine was undoubtedly served: "Our family renews with pleasure their recollections of your kind visit to Monticello, and joins me in tendering sincere assurances of

the gratification it afforded us, and of our great esteem & respectful consideration."

John Hailman's *Thomas Jefferson on Wine* (University Press of Mississippi, 2006) notes that "One of Jefferson's favorite topics in later life was how wine promoted sobriety," to which end he lobbied President Monroe and Treasury Secretary Alexander Dallas to lower import duties on French wine. Hailman cites a brief extract from this letter, lauding it because "it has so many quotable passages" (pp. 353-54).

REFERENCES

The Writings of Thomas Jefferson, ed. Bergh, 3:177-179

PROVENANCE

Helen Fahnestock Hubbard (Parke-Bernet, 27 March 1956, lot 63) — Sotheby's New York, 21 June 2007, lot 40 (undesigned consignor)

\$ 90,000-120,000

Monticello. Feb. 26. 21.

I thank you, dear Sir, for the Report of the Agricultural Committee on the subject of the Tariff, inclosed in your favor of the 14th. I have read it with pleasure. between that and the Report of the Committee of Manufactures, the justice and the expediency of the system of protecting duties, is ably discussed. of all the questions which fall within the scope of the human mind, none are more perplexing than those which arise in the branch of Political economy. the facts are so numerous, so various, so entangled & difficult of access, and the combinations of these facts so complicated, that differences of opinion are to be expected. if there be heads in this world capable of seeing all these facts, all their bearings on one another, of making all the combinations into which they enter, and drawing sound conclusions from the whole, no doubt that a wisdom of that grade may form a system of regulations for directing to the greatest advantage the public industry and interests. the difficulty of doing this however has produced the modern & general conviction that it is safest 'to let things alone.' and (the nation which has pursued the regulating system with the most apparent success is now proposing its gradual abandonment. but I leave these puzzling decisions to those who are to live under them, confident that they will do what is best for themselves) & tender you ~~the~~ with great sincerity the assurance of my esteem & respect.

Robert S. Garnett esq.

Wm Jefferson

THOMAS JEFFERSON

Autograph letter signed ("Th: Jefferson"), to Robert S. Garnett, member of the United States House of Representatives (1817-1827), on limiting government's hand in the economy

One page (8 x 9³/₈ in.; 203 x 238 mm), 4to, Monticello, 26 February 1821; clean splits to folds neatly backed. Matted, framed, and glazed.

JEFFERSON GIVING CLEAR EXPRESSION TO HIS BELIEF IN A LAISSEZ-FAIRE APPROACH TO THE ECONOMY, ARGUING THAT THE SCIENCE OF POLITICAL ECONOMY IS INHERENTLY SO COMPLEX AS TO BE PRACTICALLY UNKNOWABLE:

"Of all the questions which fall within the scope of the human mind, none are more perplexing than those which arise in the branch of Political economy. The facts are so numerous, so various, so entangled & difficult of access, and the combinations of these facts are so complicated, that differences of opinion are to be expected. If there be heads in this world capable of seeing all these facts, all the bearings on one another, of making all the combinations into which they enter, and drawing sound conclusions from the whole, no doubt that a wisdom of that grade may form a system of regulations for directing to the greatest advantage the public industry and interests. The difficulty of doing this however has produced the modern & general conviction that it is safest 'to let things alone'."

During the first Congress in 1790, soon after Jefferson became Secretary of State, he disagreed with Secretary of the Treasury Alexander Hamilton over two major economic issues—the handling of Revolutionary War debt and the development of a federal banking system—that were fundamental to the shape of the new nation. Nearly \$11 million was owed to foreign powers and another \$43 million was owed to Americans who had sold food, horses, and supplies to the Army, while state governments had accumulated another \$25 million in debt during the war. Hamilton's plan was for the federal government to assume the states' debts, with \$80 million in debt to be paid for by raising funds through a variety of federal taxes and land sales. Jefferson opposed the measure for giving the federal government too great a role in the economy. Ultimately, a compromise was reached: in exchange for moving the future national capital to a site on the banks of the Potomac River in Virginia, and for reducing Virginia's net payments to the government to zero, Jefferson influenced Southern legislators to vote in favor of the "Assumption Act."

The two men came into conflict again in December of 1790 when Hamilton proposed chartering and funding a national bank (the reference in this letter to "the nation which has pursued the regulating system with the most apparent success" is possibly a reference to Great Britain and the Bank of England). Hamilton advocated a Bank of the United States as a means of forging common interests

between business and the federal government. Jefferson opposed it, concerned that a central bank would place too much power in the hands of the financial elite, and encourage people to abandon agriculture for speculation. Despite his reservations, however, in 1791 Congress adopted Hamilton's plan with minor modifications. Years later, Jefferson came to envision "an equilibrium between occupations of agriculture, manufactures and commerce" (Malone, p.147), but he still exhibited a preference for a more independent, agrarian society. In his first inaugural address, Jefferson emphasized the importance of agriculture, calling commerce its lesser "handmaid." Similarly, in this letter, it is the "Report of the Agricultural Committee" that he notes first and mentions reading "with pleasure."

In sum, this letter is a perfect abstract of Jefferson's philosophical basis for opposing Hamilton's grand plans.

REFERENCES

Malone, *Sage of Monticello*, p.147. EXHIBITED: "Hamilton," National Constitution Center, Philadelphia, 2017

PROVENANCE

Calvin Bullock (Christie's New York, 14 May 1985, lot 69) — The Forbes Collection of American Historical Documents (Christie's New York, 22 May 2007, lot 24)

\$ 80,000-100,000

After New York changed its vote to yes, the title of the Declaration was changed from "A Declaration of the Representatives...." to "The Unanimous Declaration of the Thirteen United States of America." On July 19, 1776, Congress ordered an official copy to be engrossed on vellum and signed by the members. Timothy Matlack, the clerk of Secretary of Congress Charles Thomson, was chosen to copy the text of the Declaration onto a large vellum sheet. On August 2, 1776, the Journal of Congress recorded that "the declaration of independence being engrossed and compared at the table was signed" by the members of Congress then assembled. The order of signatures proceeded geographically, the delegates from New England signing first. Several delegates not present signed later. A couple of the signers had not been members of Congress to vote for the Declaration on July 4, and others who did vote were no longer in Congress.

None of the 1776 Declaration imprints captured the signatures, or even listed the names of the signers. After the decisive battles of Trenton and Princeton, Congress on January 18, 1777, ordered an authenticated copy of the Declaration printed for distribution to the states, complete with signer's names. Baltimore printer Mary Katherine Goddard produced these copies, and, after being signed by John Hancock and Charles Thomson, at least one was sent to every state.

The engrossed Declaration is presumed to have travelled with the Continental Congress as it met in various Eastern cities. If so, it would have gone from Philadelphia, to Baltimore, back to Philadelphia, then to Lancaster and York, Pennsylvania, and then back to Philadelphia for the remainder of the Revolution. The Continental Congress then met in Princeton, New Jersey (1783), Annapolis, Maryland (1783-1784), Trenton, New Jersey (1784), and New York City (1785-1790). It continued to be held by Congress until March 1790, when Thomas Jefferson assumed his position as the first Secretary of State and the department took charge of "the Acts, Records, and Seal of the United States."

The precious document was frequently unrolled for display to visitors, and the signatures, especially, began to fade after nearly fifty years of handling. More damage followed, caused by the effects of aging and exposure to sunlight and humidity as the Declaration hung unprotected on a wall in the Patent Office for thirty-five years. At the time of the Centennial, efforts at preservation and conservation belatedly began. By 1876, however, the manuscript was thus described in the Philadelphia Public Ledger: "The text is fully legible, but the major part of the signatures are so pale as to be only dimly discernible in the strongest light, a few remain wholly readable, and some are wholly invisible, the spaces which contained them presenting only a blank."

Fortunately, in 1820, Secretary of State John Quincy Adams grew concerned over the fragile

condition of the Declaration. With the approval of Congress, Adams commissioned William J. Stone to engrave a facsimile—an exact copy—on a copper plate. Stone's engraving is the best representation of the Declaration as the manuscript looked prior to its nearly complete deterioration.

William J. Stone's Declaration was engraved on copperplate and printed on vellum, a parchment made from calfskin. The print is as close to an exact copy of the original manuscript as was humanly possible at that time. Stone worked on the engraving for close to three years, keeping the original in his shop. Many assume he used some sort of wet or chemical process to transfer ink from the manuscript to the plate to create such a perfect reproduction, blaming that for the nearly total destruction of the original manuscript. In fact, though, Adams' prior comments, Stone's assignment to preserve the original, and the record of the parchment's mistreatment over the years make that less likely. Also, Stone left minute clues to distinguish the original from the copies, while providing evidence of his painstaking engraving process.

Stone's work is the best representation of the Declaration manuscript as it looked at the time of signing. On April 11, 1823, Adams noted a visit from "Stone the Engraver, who has finished his fac-simile of the original Declaration of Independence." By May 10, the original engrossed manuscript was back in John Quincy Adams's hands, being shown to visitors. All subsequent exact facsimiles of the Declaration descend from Stone's work. One of the ways to distinguish the first edition is Stone's original imprint, top left: "ENGRAVED by W.I. STONE, for the Dept. of State, by order," and continued across the top right: "of J. Q. ADAMS, Sect. of State, July 4th, 1823." Sometime after Stone completed his original printing, his imprint at top was removed, and replaced with a shorter imprint at bottom left, "W. J. STONE SC WASHn," just below George Walton's printed signature.

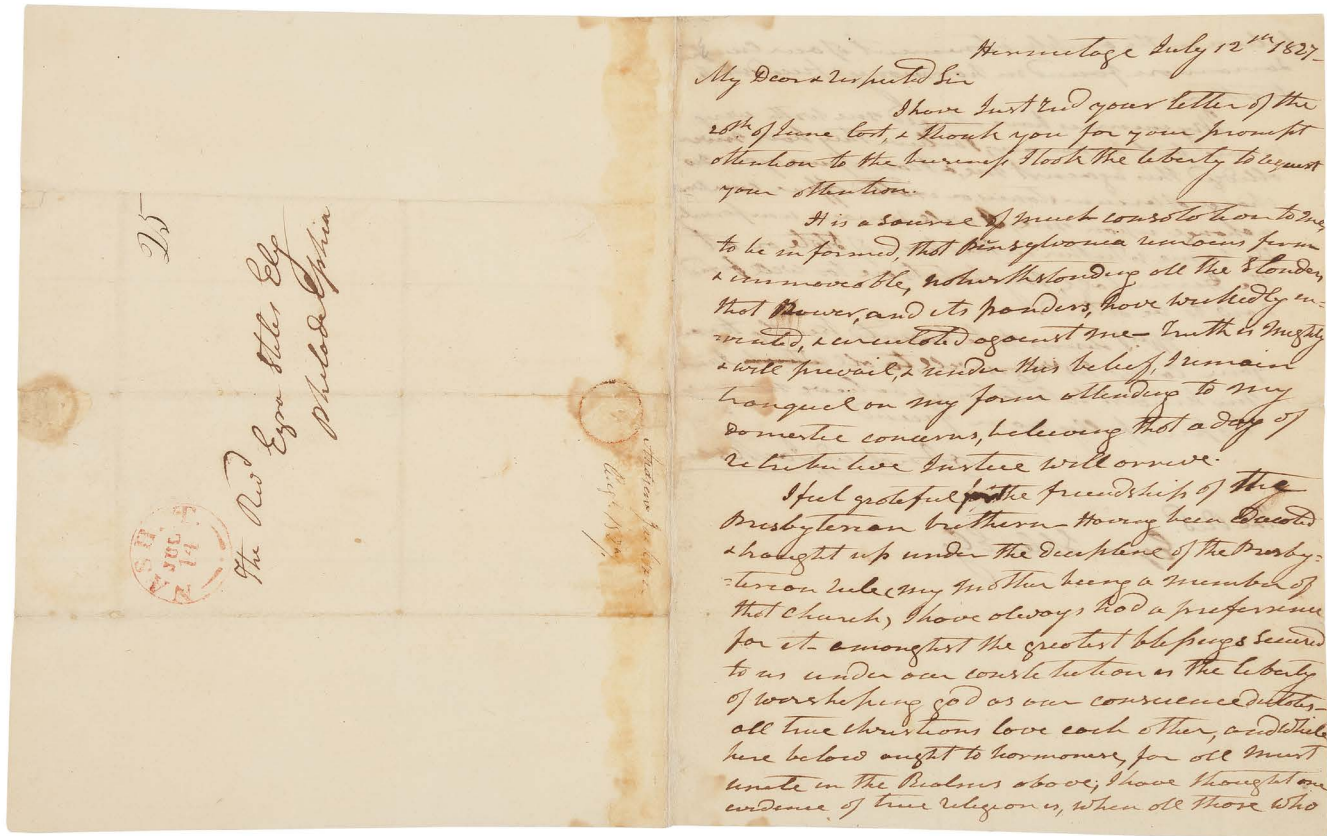
Daniel Brent of the Department of State wrote to Stone on May 28, 1823, requesting 200 copies of the facsimile "from the engraved plate...now, in your possession, and then to deliver the plate itself to this office to be afterwards occasionally used by you, when the Department may require further supplies of copies from it." Stone proceeded to print 201 copies on vellum, one of which he kept for himself, as was customary though perhaps not authorized in this case; his family later donated their copy to the Smithsonian Institution. On May 26, 1824, Congress provided orders to John Quincy Adams for distribution of the Stone facsimile for distribution. The surviving three signers of the Declaration, Thomas Jefferson, John Adams, and Charles Carroll of Carrollton, each received two copies. Two copies each were also sent to President James Monroe, Vice President Daniel D. Tompkins, former President James Madison, and the Marquis de Lafayette. The Senate and the

House of Representatives split twenty copies. The various departments of government received twelve copies apiece. Two copies were sent to the President's house and to the Supreme Court chamber. The remaining copies were sent to the governors and legislatures of the states and territories, and to various universities and colleges in the United States. The families of at least two or three deceased signers apparently received a copy.

The present example was given to Thomas Emory (1782–1842), a member of a prominent Maryland family (and an uncle of John Emory, Bishop of the M.E. Church and namesake of Emory University). Thomas Emory inherited a large estate, "Poplar Grove," from his father and was active in a variety of agricultural organizations. He served in the Maryland House of Delegates (1810-1814), the Governor's Council (1822-1824) and Maryland State Senate (1825 and 1831-1836). He was an officer in the War of 1812, serving as a major in the 9th Cavalry District, and took active part in the defense of the only town in Queen Anne's County to be attacked by the British. He was also first president of the Eastern Shore Railroad in 1836, and in June, 1841, he represented his county at the Maryland State Colonization Society convention. In 1824, when Emory received his copy, he was President of the Maryland Governor's Council.

This Stone Declaration may have helped Secretary of State John Quincy Adams win the hotly-disputed 1824 presidential election. At least three of the surviving Stone Declarations bear manuscript inscriptions indicating they were special presentations by Adams. The name on one was penned by Adams himself but can no longer be deciphered. The two that can be read are both inscribed to influential Maryland politicians: Thomas Emory and Joshua Prideaux. Researcher Catherine Nicholson suggests that these inscriptions show Adams "politicking for the presidency by presenting or being ready to present Stone engravings to politicians beyond those authorized explicitly by the May 26, 1824, joint resolution of Congress." Adams was a popular favorite in New England, but held far less sway in Maryland. In the 1824 presidential election, that state's electors picked Andrew Jackson over Adams seven to three. But when Jackson failed to garner a majority of votes in the Electoral College, the election was thrown to the House of Representatives. The Maryland Congressional delegation, despite their state's electors and the popular vote, chose Adams over Jackson five to three, thereby helping Adams win the presidency.

Accounting for a copy discovered in France, and recently sold, and another found by a descendant of James Madison (currently on loan to the Smithsonian's National Museum of American History), approximately 52 of the Stone printings are known. A current census can be seen at <https://www.sethkaller.com/stone-census>.



2122A

2122A

ANDREW JACKSON

Autograph letter signed (“Andrew Jackson”), to the Reverend Ezra Stiles Ely, extolling the Constitution’s guarantee of religious freedom

Two pages (8³/₈ x 9³/₄ in.; 200 x 248 mm) on a bifolium, Hermitage [Davidson County, Tennessee], docketed on the integral blank “Andrew Jackson | Augt. 1827”; primarily marginal damp staining.

A LETTER FROM JACKSON TO ONE OF HIS SUPPORTERS, THE REV. EZRA STILES ELY, PENNED IN THE MIDST OF HIS PRESIDENTIAL RUN:

“...It is a source of much consolation to me, to be informed, that Pennsylvania remains firm & immovable, not withstanding all the slanders that Power, and its panders, have wickedly invented, & circulated against me—Truth is mighty and will prevail, & under this belief, I remain tranquil on my farm attending to my domestic concerns, believing that a day of retributive Justice will arrive...”

Jackson does not go on to detail the slanders against him, though they undoubtedly involved his relationship with his wife, Rachel. His opponents sought to brand the couple as adulterers. In reality, however, Jackson and Rachel had not been aware that her divorce had not yet been finalized when they married in 1791. Upon realizing the error, they remarried in 1794.

Ezra Stiles Ely was a frequent correspondent of Jackson’s, and a controversial Presbyterian minister. In the present letter Jackson exhibits a remarkable degree of restraint as he acknowledges the solidarity of the different Christian denominations, while at the same time communicating sentiments relating to a broader policy of religious freedom:

“...AMONG THE GREATEST BLESSINGS SECURED TO US UNDER OUR CONSTITUTION IS THE LIBERTY OF WORSHIPING GOD AS OUR CONSCIENCE DICTATES...”

\$ 20,000-30,000

believe in the ample atonement of our crucified
Saviour or found in harmony & friendships
together.

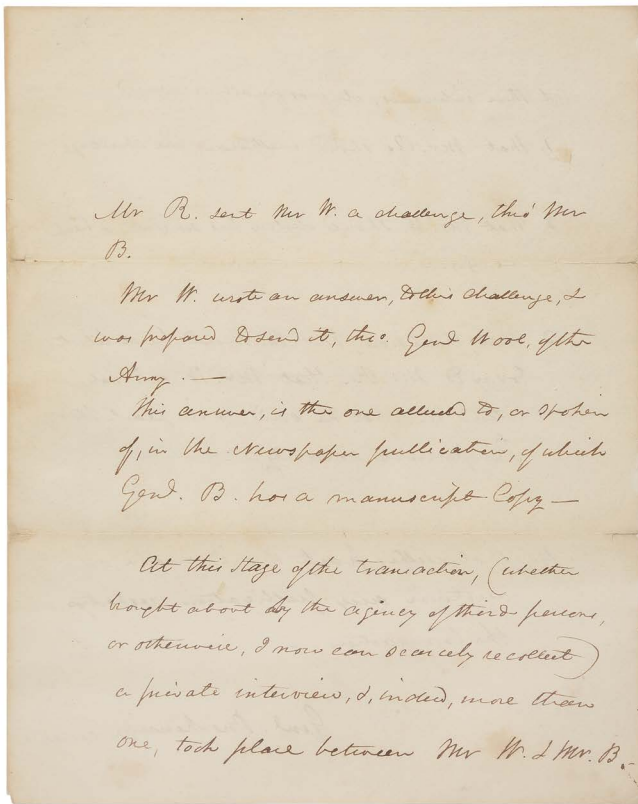
My enemies have charged me with every
crime but hypocrisy; I believe they have never
admitted this against me, & I can assure you no
change of circumstances, or exalted office could
change upon me; I will remain uniformly
the same whether in the chair of State, or at
the Hermitage, my habits are too well fixed
now to be altered.

W^m J. desires to be presented kindly to you,
your Lady, & W^m G. Orswell, to all which I unite
my kindest salutations, & believe me very
respectfully your friend

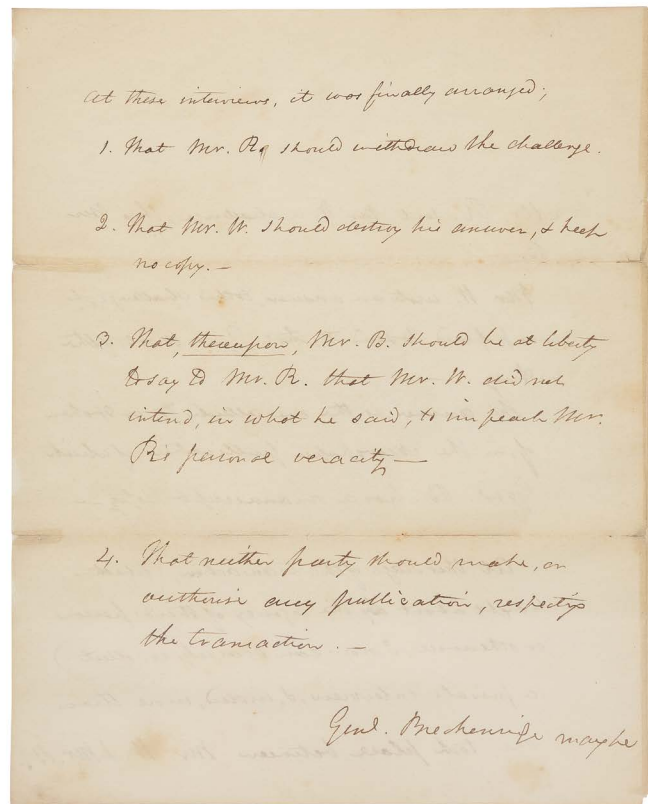
Andrew Jackson

The Rev^d

Ezra, Giles, Ely



2123



2123

2123

DANIEL WEBSTER

Autograph manuscript recording John Randolph's challenge to a duel

Two pages (8 x 10 in.; 200 x 250 mm), watermarked (Hudson), circa 1826-1831; short clean splits to folds repaired, center fold cleanly split and neatly repaired.

Congressmen Daniel Webster detailing Senator John Randolph challenging him to a duel:

"Mr. R sent Mr. W. a challenge, thro' Mr. B. | Mr. W. wrote an answer, to this challenge, and was prepared to send it, thro. Genl Wool, of the Army. | This answer, is the one alluded to, or spoken of, in the newspaper publication, of which Genl. B. has a manuscript copy..."

John Randolph was infamous for his temper, which often flared, resulting in several challenges to duels. In fact, Randolph twice challenged Congressmen Daniel Webster. The first was in 1816, when Randolph felt scorned by Webster's speech in a House debate over sugar duty. The second—to which this document

relates—was in 1825, after Randolph had brooded for eight months over Webster denying William H. Crawford "the fullest opportunity to answer the charges against him" during the election of 1824. (Register of Debates, 18th Congress, 2nd Session, pp. 56-58). In the second challenge, Senator Thomas Hart Benton delivered Randolph's dare to Webster while the House was in session. Mutual friends intervened, preventing both challenges, and attempted to resolve the matters as quietly as possible. It is believed that Benton played an important role in resolving the second conflict. Randolph withdrew both challenges. In 1826, after insulting Secretary of State Henry Clay on the Senate Floor, Randolph accepted his challenge, which subsequently took place but concluded with a handshake.

The date of the present manuscript is likely 1826 or later, as it refers to "then Senator Lloyd," and doesn't mention Lloyd's death in 1831.

\$ 7,000-10,000

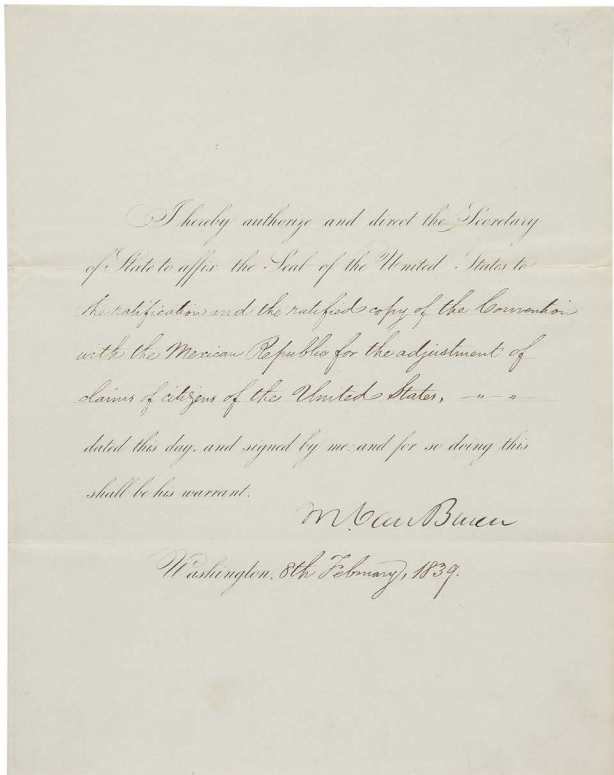
2124

(ALEXANDER HAMILTON)

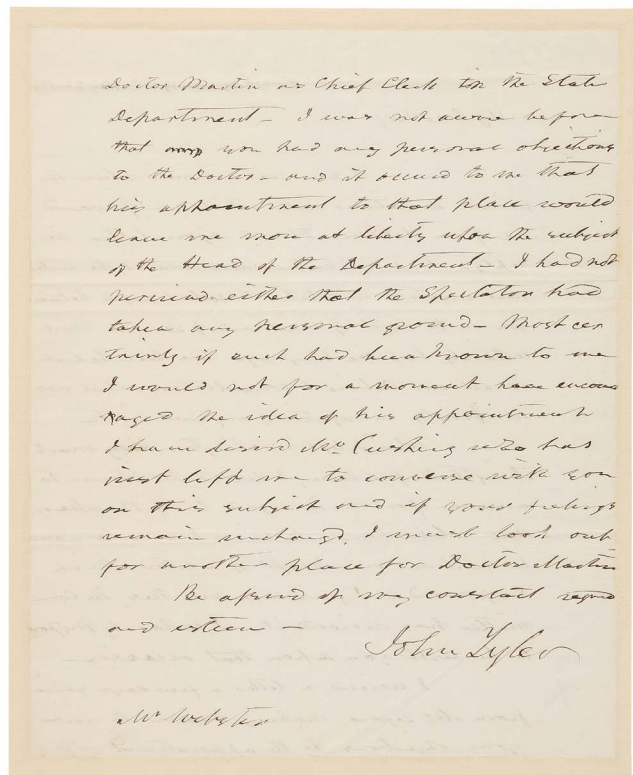
A group of autograph letters related to Hamilton's biography, various authors and recipients

9 letters, various sheet sizes, totalling 15 pages, by William Baylies (2), Elizabeth Hamilton (2), James A. Hamilton (1), John Church Hamilton (2), Gulian C. Verplanck (1); some splits to holds, one or two tears where wax seal affixed, generally not affecting text.

Autograph letter signed ("Elizth Hamilton"), New York, 8 December 1829, to Francis Baylies, regarding progress on an Alexander Hamilton biography, and Elizabeth's efforts to search out addition papers. — Autograph letter signed ("James A Hamilton"), New York, 24 February 1830, to Frances Bayliss, requesting a copy of an extract from a letter from Alexander Hamilton to Judge Sedgwick. — Autograph letter signed ("G. C. Verplanck"), to Francis Baylies, 3 November 1830, regarding a letter from Rudolph Bunner (with a copy of the Bunner letter in question in Verplanck's hand. — Autograph letter signed ("Wm. Baylies"),



2125



2126

2125

MARTIN VAN BUREN

Document signed ("M. Van Buren") as eighth President, ordering the Secretary of State to affix the seal of the United States to both the Senate ratification and the ratified copy of the Convention with Mexico

1 page (10 x 8 in.; 255 x 200 mm) on a bifolium of blue paper, Washington, [D.C.], 8 February 1839, partially printed, with 4 manuscript lines in a neat clerical hand, docketed on the integral blank "8th February 1839 | Ratifying the Convention with Mexico"; very light browning at folds and edges.

MARTIN VAN BUREN'S BORDER TROUBLES BETWEEN TEXAS INDEPENDENCE AND THE MEXICAN WAR

In September 1838, Secretary of State John Forsyth and Mexican minister Francisco Pizarro Martinez negotiated a Convention to evaluate the claims of citizens on both sides of the shifting Texas border. President Van Buren forwarded it to the Senate, where it was approved on January 31.

PROVENANCE

Charles E. Sigety (his sale, Christie's New York, 7 December 2015, lot 299)

\$ 1,000-1,500

2126

JOHN TYLER

Autograph letter signed ("John Tyler"), as tenth President, to Daniel Webster, disputing Lord Ashburton's claim that the Webster-Ashburton Treaty established a right to search American ships on the high seas

Two pages (9¾ x 7⅞ in.; 247 x 202 mm) on a single leaf, Charles City County, Virginia, 22 May 1843; Neatly inlaid to a larger sheet, scattered creasing, one pinhole.

President John Tyler here writes to his former Secretary of State Daniel Webster, who had resigned from Tyler's cabinet under pressure from fellow Whigs two weeks earlier:

"I have read and now return the private dispatches with which you favored me from Mr. [Edward] Everett and your letter in reply. Lord Ashburton must certainly be under great mistake in relation to what passed between you on the right of visit and of search. Most certainly but one language has been held in all our Cabinet consultations, which was uniformly in negative of any such right."

The Webster-Ashburton Treaty of 1842 resolved a number of issues between the United States and Britain's Canadian colonies. It settled the nonviolent "Aroostook War" over the Maine-New Brunswick border, agreed to borders and shared use of the Great Lakes, reaffirmed the 49th parallel border in the western frontier up to the Rocky Mountains. It also defined crimes subject to extradition, and called for a final end to the slave trade on the high seas. The British negotiators had wanted to make a "right of search and visit" part of the treaty but its final language failed to establish such a new right in international maritime law.

\$ 2,000-3,000

Sir:

I have to request that you will cause the accompanying letters — and authenticated copies of the Joint Resolutions of Congress — "giving the thanks of Congress — to Major General Taylor — and the officers and men under his command — in the late Military operations at Monterey" — be enveloped and addressed respectively to those officers, — When enveloped return them to me, that I may place my frank upon them, before they are placed in the mail. —

Yours &c. —
 James K. Polk

Washington May 14th 1847.

To the Secretary of War. 3

2127

Sir:

If you can or not otherwise engaged, I desire that you will call between 7 & 8 o'clock this evening. I desire to finish my message in answer to the Resolution of the Ho. Reps. and also in relation to the law of Military contributions in Mexico, and cannot do so, until I receive the information which you are to furnish.

Yours &c. —
 James K. Polk

Dec 27th 1848.

Hon. Wm. S. Marcy. —

2127

2127

PROPERTY OF A NEW YORK COLLECTOR

JAMES K. POLK

Two autograph letters signed ("James K. Polk") as eleventh President, to Secretary of War William S. Marcy, regarding the Mexican War

One page bifolium (10 x 8 in.; 255 x 203 mm), [Washington], 14 May 1847, giving Marcy instructions regarding a joint resolution of Congress to be sent to General Zachary Taylor and his officers and troops; a few very small marginal tears and fold separations. — One page on blue ruled paper (9⁵/₈ x 7³/₄ in.; 245 x 198 mm), [Washington], 27 December 1848, requesting information from Marcy in order to finish a response to a resolution put forth by the House of Representatives.

POLK IN THE MIDST OF THE MEXICAN WAR. In the first letter Polk writes to Secretary of War William Marcy: "I have to request that you will cause the accompanying letters — and authenticated copies of the joint resolution of Congress 'giving the thanks of Congress — to

Major General Taylor; and the officers and men under his command in the the late military operations at Monterey"; be enveloped and addressed respectively to those officers. — When enveloped return them to me, that I may place my frank upon them, before they are placed in the mail." Taylor won a significant victory at the Battle of Monterey on 24 September 1846.

Polk was a successful one-term president, negotiating with Britain to divide the disputed Northwest, (adding Idaho, Washington and Oregon to the Union), and, through victory in the Mexican War and subsequent purchases, adding 1.2 million square miles of the American Southwest. However, these significant territorial gains resurrected the question of whether slavery would be allowed in federal territories. The contentious debates in Congress, and throughout the nation, would lead eventually to Civil War.

PROVENANCE

Sotheby's New York, 21 June 2007, lot 71

\$ 6,000-8,000

We the subscribers to the Capital Stock of the Atter and Sangamon Rail Road Company, each one for his self, in consideration of receiving certificates for the shares of the stock of said Company from Simon Ryan, the President of the Board of Commissioners authorized to open the books for the subscription to said stock, upon which we have paid five dollars on each share, which number of shares have been hereon after subscribed by each of us, do hereby agree in consideration of having received such certificates for shares of said stock, and in consideration of being one of said stockholders, by subscribing therefor, to pay the balance of the instalments due on said stock by us subscribers, when the same may be called for by the Board of Directors of said Company, when and so far as may be in conformity with the Charter approved February 27th 1847-

Names	Number of Shares	Amount	Balance
Thomas Lewis	50	5,000	"
John Williams	35	3,500	"
John Cook	30	3,000	00
James A. Barst	30	3,000	00
Washington Allen	15	1,500	00
Vigil Tucker	30	2,000	00
J. Darn	35	2,500	00
J. Sineola	6	600	00
John W. Gray	5	500	00
Chas. B. Thompson	3	300	
J. Hoag	2	200	
Simon W. Edwards	30	3,000	

Name	Shares	Amount
Edgar Lee	20	2,000
J. M. Winslow	10	1,000
J. D. Foster	20	2,000
M. Weaver	20	2,000
George Myers	20	2,000
Chas. Clinton	20	2,000
George Woods	20	2,000
Philis Beers	1	100
A. W. Mullett	1	100
Charles Arnold	1	100
J. W. Keys	1	100
J. W. Priest	4	400
J. S. Rogers	5	500
Benjamin Jones	5	500
J. R. Henshall	3	300
Charles R. Harist	3	300
J. B. Opatyck	5	500
Samuel Walker	5	500
John H. Moore	5	500
Joseph Thompson	5	500
Wm. L. Spear	5	500
Henry Hart	10	1,000
James Brown	5	500
Geo. Gregory	10	1,000
The W. Co. Phila.	5	500
Dr. Drayman	1	100
Reuben R. Bonstetter	3	300
A. W. Starr	2	200
A. R. Broadwell	2	200
A. S. Ludlam	3	300
Thomas Galt	5	500
Stephen Collier	2	200
John Lyman	1	100

2131

H. P. Lyman	2	200	
Logan McHenry	1	100	
C. Foster	5	500	
Wm. M. Cullin	2	200	
J. A. Beckwith	3	300	
Joel Johnson	3	300	
Wm. Gault	5	500	
Arch. Siller	5	500	
Geo. W. Chatterton	5	500	
Henry Kinney	2	200	
James McGovern	3	300	
A. S. Miller	5	500	
John Vredenburg	2	200	
Charles Lewis	2	200	
Caro. J. Eno	20	2,000	
Thos. Dayre	2	200	
Emel Mcqudy	2	200	
Joseph Sedler	3	300	
John C. Corcoran	2	200	
Byron W. Vandoren	2	200	
P. Moran	1	100	
Johnson & Holm	1	100	
M. Henschfeld	2	200	
Victor Rex, Keenan & Co	5	500	
Thos. Kirkpatrick	5	500	
W. A. Lockridge	2	200	
W. W. Mykoff	1	100	
James Leary	2	200	
Wm. D. Brien	2	200	
Moses Benson	2	200	
Reuben Bell	1	100	
M. R. Anderson	1	100	
R. W. Gibson	1	100	
J. S. Fletcher	2	200	
James E. Power	2	200	
Josiah Meadell	2	200	
John S. Smith	2	200	
O. H. Nash	1	100	
Josiah Francis	1	100	
J. W. Arnold	3	300	
Robert C. Arnold	1	100	
W. S. Bingham	1	100	
Charles H. Young	1	100	
L. C. Ayres	1	100	
J. D. Lloyd	1	100	
Joseph Klein	5	500	
J. V. Blackox			

2131

ABRAHAM LINCOLN

Autograph manuscript signed ("A. Lincoln"), being Lincoln's official transcript of the "Subscription Book of the Capital Stock of the Alton and Sangamon Rail Road Company," incorporated 27 February 1843, transcribed in early 1851

5 pages (8 x 6¼ in.; 203 x 158 mm) on 4 leaves of blue paper (watermarked MOINIER'S | 1849), comprising a title-page, cover sheet (titled in Lincoln's hand, as above), 4 pages with the names of 91 shareholders and the number and value of their shares listed beneath the shareholders' joint stock subscription statement, 2 blank pages, and Lincoln's filing docket: "Alton and Sangamon Railroad Company vs. James A. Barret. Copy of contents of subscription book mentioned in first count & referred to in second count"; very light vertical crease to leaves. Bound in blue morocco gilt by the Lakeside Press.

AFTER INVESTING IN ITS STOCK, LINCOLN REPRESENTS A RAILROAD IN A PRECEDENT-SETTING LAWSUIT.

This list of stockholders, entirely in Lincoln's hand, was filed as evidence in his first significant railroad case. Lincoln's own appearance in the shareholder list represents only the second known instance of a stock purchase by the future president. The Illinois Supreme Court's ultimate ruling in favor of Lincoln and the railroad set an important legal precedent, upholding the binding nature of a stockholder's contractual and financial obligations. "The decision, subsequently cited in twenty-five other cases throughout the United States, helped establish the principle that corporation charters could be altered in the public interest, and it established Lincoln as one of the most prominent and successful Illinois practitioners of railroad law" (Donald, p.155).

The Alton and Sangamon Rail Road Company was chartered in 1847 to construct a line from Alton, via New Berlin, to Springfield. In 1850, however, the Illinois General Assembly approved a more direct route, bypassing the landholdings of some investors. Claiming breach of contract, James A. Barret refused to make further installment payments for his 30 shares of stock, as did several others who no longer stood to benefit from the new line. In 1851, Lincoln was hired to compel the defaulting shareholders to pay the balance of their promised investment.

The tactical details are spelled out in a February 19, 1851 letter from Lincoln to William Martin, a commissioner for the sale of the company's stock. Four suits were to be brought against stockholders who had subscribed to the initial offering, but had then failed to make the additional installment payments. In preparation, Lincoln listed the essential documents he would need in order to win a judgment. "We must prove," he advised Martin, "that the defendant

is a Stockholder," "that the calls have been made," and "that due notice of the calls has been given." To show that the defendants were in fact stockholders, Lincoln explained, he needed to produce "the subscription book with the defendant's name, and proof of the genuineness of the signature, together with any competent parole or evidence, that he made the advance payment" (Basler 2:99).

Lincoln's meticulous transcript of the subscription book was a key piece of the evidence filed in Sangamon Circuit Court on February 22, 1851. The book includes Barret's name, and the subscription statement (transcribed by Lincoln on page two) is explicit about the shareholders' obligations: "We the subscribers to the Capital Stock of the Alton and Sangamon Rail Road Company...do hereby agree...to pay the balance of the installments due on said stock by us subscribed, when the same may be called for by the board of Directors of said Company when duly organized in conformity with the Charter approved February 27th 1847."

"A. Lincoln," with six shares for \$600, is prominent among the 91 subscriber names. (The only other known record of a Lincoln stock purchase dates from 1836, when he bought one share in the Beardstown and Sangamon Canal.) In June of 1847, as head of a committee to promote subscriptions for the projected railroad, Lincoln wrote an open letter to the "People of Sangamon County" appealing for their support. Railroad construction was booming, and Lincoln anticipated that a line between Springfield and Alton would prove a lucrative investment for himself and his state. "The whole is a matter of pecuniary interest," he argued. "The proper question for us is, whether, with reference to the present and the future, and to direct and indirect results, it is our interest to subscribe. If it can be shown that it is, we hope few will refuse" (Basler, 1:396-398). The list of subscribers is itself of considerable interest. It includes J. Heay (possibly the grandfather of Lincoln's later secretary, John Hay, 2 shares), Ninian W. Edwards (1809-1889, husband of Mary Todd Lincoln's sister, 20 shares), John T. Stuart

(1807-1885, Lincoln's law partner, 5 shares), Henry Yates (father of Illinois governor Richard Yates, 10 shares), N.W. Matheny (clerk of Sangamon County Court), and others. (In the subscription book, Henry Yates, hedging his bets, has added a condition beneath his name: "if the Road intersects the M. & S R R at New Berlin.")

Lincoln was mindful of the critical issues raised by the Alton and Sangamon lawsuits and "took extraordinary pains to construct an airtight case for his client" (Donald, p.155). To Martin, he pointed out the legal issues, adding "I have labored hard to find the law," in preparation for the trials. In the end, two of the defaulting stockholders paid their delinquent calls. The suits against James A. Barret and Joseph Klein came to trial in the Sangamon Circuit Court in August of 1851, with Lincoln handling both the trials and the appeals for the railroad.

Lincoln's preparation proved its worth – the rulings were in favor of the railroad. "Illinois Supreme Court Justice Samuel H. Treat ruled that public utility superseded private profit. If Barret had won the case, other stockholders would balk at fulfilling their obligations. The rule of caveat emptor protected corporate management from stockholder's personal interests and encouraged subsequent investment" (Lincoln Legal Briefs, Oct-Dec, 1990, no. 16, online). For further background on this case and on Lincoln's legal career, please see the lot description on sothebys.com.

A HIGHLY SIGNIFICANT LINCOLN LEGAL DOCUMENT, WITH DISTINGUISHED PROVENANCE.

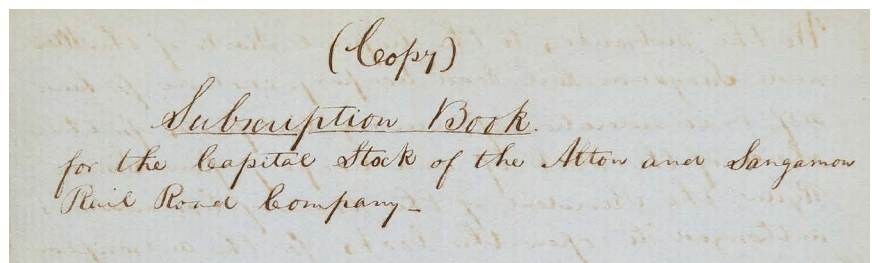
EXHIBITED

"Abraham Lincoln in New York," Federal Hall, 26 Wall St, 6 February 2009 to 30 April 2009; "A. Lincoln: Railsplitter to Rushmore", Ronald Reagan Presidential Library, Simi Valley, CA., 2 May 2013 to 31 October 2013

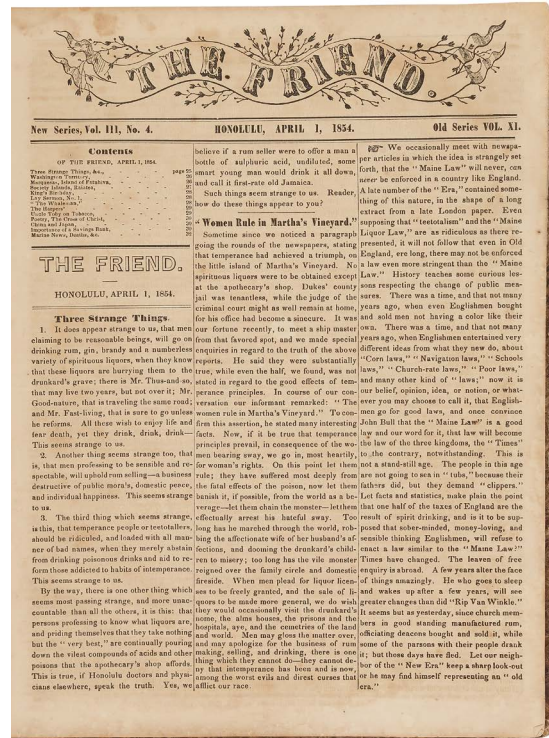
PROVENANCE

Philip D. Sang (Hindman, 15 April 1984, lot 135) — Ralph G. Newman — The Forbes Collection (Christie's New York, 22 May 2007, lot 56)

\$ 300,000-400,000



2131 (DETAIL)



2133



2132

2132

PROPERTY OF VARIOUS OWNERS
[NEW YORK] 1852 NATIONAL GUARD 7TH REGT
 National Guard, 7th. Regt. N.Y.S.M. From the Original picture by Major Böttcher in the possession of the 8th. Co. N.G. [The principal heads from Daguerreotypes – by Meade Brothers 233 Broadway N.Y. New York, Published by Otto Böttcher, 289 Broadway [1852]
 Hand-colored lithograph (36 x 28 ins.; 915 x 710 mm). Margins trimmed with some loss to text, conserved.

NEW YORK'S MOST FAMOUS REGIMENT
 The 7th Regiment comprised New York City's social elite and was known for its elaborate uniforms and equipment, and later its imposing sandstone army on Park Avenue. Here they are shown training outdoors on Washington Square, with New York University and the Reformed Dutch Church in the background.
 During the Civil War, the 7th was one of the first units to respond to President Lincoln's call for volunteers on April 19, 1861, occupying Arlington Heights, Virginia to help protect the

capital from possible attack by the Confederate Army during the first months of the war. In July of 1863, the 7th was ordered back to New York to respond to the Draft Riots.
 Their landmark army, designed by Sanford White, was constructed for the unit in 1877. It stands on Park Avenue between 66th and 67th streets in the heart of Manhattan's Upper East Side.
 \$ 1,000-1,500

2133

[HAWAII]
 Damon, Samuel C., editor. The Friend, a Monthly Journal devoted to Temperance, Seamen, Marine and General Intelligence. New Series, Vol. III, no. 2—Vol. IV, no. 10 (Old Series Vol XI—XII). Honolulu: Printed at the Polynesian Office, 1854–1855
 22 issues bound consecutively (11 7/8 x 9 in.; 295 x 228 mm). Title-page for Vol. XI, index, some engraved text vignettes: bowling, with some foxing and dampstaining. Morocco spine, marbled boards; worn, covers detached.

The Friend was a local newspaper published by and for missionaries from 1843 to 1954. It is invaluable as a source of information concerning the activities, experiences, and accomplishments of the 19th-century Congregational missionaries to Hawaii, as well as 20th-century figures involved in the development of the United Church of Christ in Hawaii.
 This volume has the first report of the death of Hawaiian King Kamehameha III, including the order of procession (Jan. 1885 issue) and the first report of the signing of the U.S.–Japan Treaty negotiated by Commander Matthew Perry (6 May 1854), and an Independence Day celebration (6 July 1854).

This volume belonged to Thomas Spencer (1815–1884), a whaling captain out of Warwick, Rhode Island. He was stranded in the Sandwich Islands (Hawaii) and decided to remain there. He married a native woman, Makaleka (Margaret) Robinson and they had eight children. He opened a very successful ship's chandlery in Honolulu and later purchased property on the "big" island in the village of Hilo. He was a popular local celebrity, well-known for his support of the Hawaiian royal family.
PROVENANCE
 Thomas Spencer (presentation inscription from Hooker[?], Sag Harbor, N.Y.)
 \$ 2,000-3,000

NINE MONTHS OF A HAWAIIAN MISSIONARY NEWSPAPER, WITH THE FIRST REPORT OF KING KAMEHAMEHA III'S DEATH AND PERRY'S MISSION TO JAPAN.

Private

Springfield, Feb. 20. 1857

John E. Rozette, Esq,

Dear Sir

Your note about the little paragraph in the Republican, was received yesterday; since when, till now, I have been too unwell to answer it. I had not supposed you would, or approve it. The whole originated in mistake - You know, by the conversation with me, that I thought the establishment of the paper, unfortunate but I always expected to throw no obstacle in its way, and to patronize it to the extent of taking and paying for one copy. When the paper was first brought to my house, my wife said to me "now are you going to take another worthless little paper?" I said to her evasively, I had not directed the paper to be left. - Hence this, in my absence she sent the message to the carrier. This is the whole story.

Yours truly

A. Lincoln

PROPERTY OF A NEW YORK COLLECTOR

ABRAHAM LINCOLN

Autograph letter signed ("A. Lincoln") to John E. Rosette, admitting that he shaded the truth in making an explanation to his wife

One page (9 $\frac{5}{8}$ x 7 $\frac{1}{2}$ in.; 189 x 245 mm) on a sheet of blue wove paper, Springfield, 20 February 1857, to John E. Rosette, headed "Private" in Lincoln's hand, reception docket on verso; inlaid to a larger sheet and backed with Japanese tissue, a few pinholes at intersecting holes.

AN AWKWARD INTERSECTION OF DOMESTIC AND NATIONAL POLITICS—AND AN INSTRUCTIVE INSIGHT INTO THE MARRIAGE OF ABRAHAM AND MARY TODD LINCOLN.

William Herndon was not a champion of Mary Todd Lincoln, to say the least. Nor was her husband's longtime law partner a favorite of the First Lady. One of the most sensational aspects of Herndon's controversial biography of Abraham Lincoln was the insight he purported to have on the state of the Lincolns' marriage, from which, he claimed, both parties "reaped the bitter harvest of conjugal infelicity." The dynamic of the Lincoln household, according to Herndon was the husband's acquiescence to the wife's vicious temper: "However cold and abstracted her husband may have appeared to others, however impressive, when aroused, may have seemed his indignation in public, he never gave vent to his feelings at home. He always meekly accepted as final the authority of his wife in all matters of domestic concern."

As "a specimen of the perplexities which frequently beset Mr. Lincoln when his wife came in contact with others," Herndon printed the present letter (with several variations in wording and punctuation):

"Your note about the little paragraph in the Republican, was received yesterday; since when, till now, I have been too unwell to answer it. I had not supposed you wrote, or approved it. The whole originated in mistake. You know, by the conversation with me, that I thought the establishment of the paper unfortunate but I

always expected to throw no obstacle in its way, and to patronize it to the extent of taking and paying for one copy. When the paper was first brought to my house, my wife said to me 'now are you going to take another worthless little paper' I said to her evasively, I had not directed the paper to be left. From this, in my absence, she sent the message to the carrier. This is the whole story."

Herndon claimed that he did not know "what in this instance [Mrs. Lincoln] said to the paper carrier," but whatever her remark, it must have been reprinted in the 16 February 1857 issue of the Springfield Republican. The Republican was short-lived; edited by John Rosette, it began publication on 9 February and lasted only through that April. Evidently most potential subscribers felt similarly to Mrs. Lincoln: not only was the life of the newspaper very brief, but the survival rate of issues is extremely low. Basler was not able to locate a copy of the issue in question, nor is a copy in the Abraham Lincoln Presidential Library, Springfield, which is the designated repository for Illinois newspapers. So while the specific content of "the little paragraph in the Republican" remains a mystery, the present revealing letter certainly does fulfill Herndon's purpose of serving as an example "of the complexities which frequently beset Mr. Lincoln when his wife came into contact with others."

REFERENCES

Collected Works of Abraham Lincoln, ed. Basler, 2:389 (text taken from Herndon; the location of the original not recorded); cf. Herndon and Weik, *Herndon's Lincoln: The True Story of a Great Life*, 3:423–30

EXHIBITED

"Abraham Lincoln in New York," Federal Hall, 26 Wall St, 6 February 2009 to 30 April 2009

PROVENANCE

Alfred L. Baker (Bonhams New York, 4 December 2006, lot 6272) — Sotheby's New York, 21 June 2007, lot 50 (undesignated consignor)

See previous page for an illustration of this lot.

\$ 40,000-60,000

PROPERTY OF VARIOUS OWNERS

JAMES BUCHANAN

"Protest Against the British."

[Philadelphia]; Michael Lawrence, 1849

Printed broadside (20 $\frac{1}{2}$ x 30 $\frac{3}{8}$ in.; 520 x 778 mm). Text within elaborate wood engraved border by Joseph H. Brightly, INSCRIBED by Buchanan to Jameson Glossbrenner in lower margin, and dated 18 July 1861; a few scattered stains, not affecting legibility, and some closed tears to margins, not affecting text or images, expert paper repairs to verso.

JAMES BUCHANAN DISPLAYS HIS SOLIDARITY WITH THE IRISH

"...Irishmen! shrink not! Fear not! the time is near at hand when a consolidated UNION like that of the AMERICAN REVOLUTION will be organized, throughout the Land, and the insulted majesty of a people will rise and defend the glorious standard of EQUAL JUSTICE, EQUAL LAWS, AND EQUAL REPRESENTATION..."

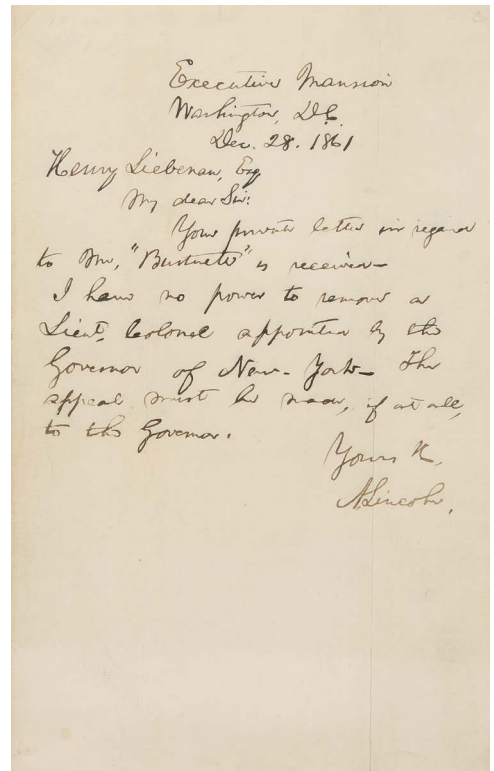
James Buchanan signed this 1849 Irish political protest broadside to Jameson Glossbrenner, the son of his former secretary, Adam Glossbrenner. The broadside features an Irish harp crowned with two angels framing the text. The angels hold scrolls with the names of protesting Irishmen, including John Mitchel, T. R. Meagher, Wm. S. O'Brien, and C. G. Duffy. A portrait of Irish martyr Robert Emmet appears above the text with the legend: "Let no man write my epitaph till Ireland is free!" Joseph H. Brightly, a Philadelphia and New York wood engraver, prepared the elaborate engraving for the broadside.

The present broadside at length condemns the British government, charging it with the suppression of the Irish press, Catholicism, and the Irish people. Many Irish-Americans were enthusiastic supporters of Irish independence. Buchanan was himself of Scotch-Irish (or Ulster Scots) ancestry, and the former president once proclaimed, "My Ulster blood is my most priceless heritage."

\$ 2,000-3,000



2135



2136

2136

ABRAHAM LINCOLN

Autograph letter signed ("A Lincoln") as sixteenth President, to Joseph Henry Liebenau, acknowledging the limits of his power to interfere in a New York State matter

One page (7⁷/₈ x 4⁷/₈ in.; 200 x 126 mm), headed in Lincoln's hand *Executive Mansion*, Washington, 28 December 1861; vertical crease, very short tear at top margin, light marginal soiling. Matted, framed, and glazed with Plexiglas.

DESPITE AN ACCUSATION OF TREASON, PRESIDENT LINCOLN CANNOT DISMISS A NEW YORK OFFICER.

Addressing Mr. Liebenau, Lincoln explains, "Your private letter in regard to Mr. 'Burtnete' is received—

"I have no power to remove a Lieut. Colonel appointed by the Governor of New-York. The appeal must be made, if at all, to the Governor."

John W. Latson was a New York attorney who began raising a regiment in New York in April 1861. He received permission from the War Department in July 1861, to recruit a regiment of artillery, but his authority was revoked a month later and his recruits were consolidated with another artillery regiment to form the 2d New York Heavy Artillery regiment. As reported by contemporary New York City newspapers, Latson's troubles may have stemmed from his practice of securing uniforms for his men from

local merchants, claiming the authority of the federal government for doing so. The merchant reported Latson's actions to a local justice, who had Latson arrested, and he posted \$500 in bail. He was soon arrested again, when Henry Farrington, one of his recruits, charged him with false imprisonment. After being in jail for a week, Latson made a motion to discharge the case because Farrington was a recruit and subject to military discipline. The court granted the discharge and released Latson.

After his release, Latson tried to determine the cause of his problems. He learned that Daniel H. Burtnett, who claimed to be "Major Commanding the Coast Brigade at Fortress Monroe," had "ingratiated himself with the officers of Col. Latson's Staff, and stirred up the difficulties with a view of superseding Col. L. in command" of the regiment (*New York Times*, 6 September 1861). Latson also learned that Burtnett had had secret correspondence with Confederate General Beauregard through Beauregard's sister, who lived in New York, and that he had communicated with Confederates from Fortress Monroe by a "secret telegraphic wire" that he had helped to lay (*New York Times*, 7 September 1861).

On September 6, 1861, Colonel Latson had gone to the office of attorney William T. Birdsall at No. 1 Park Place to make out an affidavit charging Burtnett with treason for offering aid and comfort to the rebels. Daniel H. Burtnett and several other officers of Latson's regiment,

entered Birdsall's office, where they confronted Latson. According to Latson, Burtnett seized the affidavit, held a loaded pistol to Latson's head, and threatened to kill him. Burtnett and his accomplices left with the affidavit. Latson and Birdsall reported the incident to a justice of the peace, who had Burtnett and the others arrested. The court discharged them on their promising to return for a hearing.

On September 20, the Supreme Court held each defendant to a bail of \$500, and on November 2, their attorney denied the charges and filed a motion to discharge them on the ground that they were exempt from arrest, under an 1858 New York law that "no person belonging to the military forces shall be arrested on any civil process while going to, remaining at or returning from any place at which he may be required to attend, for the election of officers or other military duty." The Court held that the defendants were exempt from arrest and discharged them.

Liebenau's letter to Lincoln may have been an effort to have Burtnett discharged so he could not claim immunity based on military duty.

REFERENCES

The Collected Works of Abraham Lincoln, ed. Basler, 5:81 (text based on a faulty transcription from Gilbert Tracy's 1917 *Uncollected Letters of Abraham Lincoln*; original not located)

\$ 14,000-18,000



2137

EMANUEL LEUTZE

Silk flag presented to General John A. Dix at a public ceremony on the evening of 23 April, 1864, at the close of the New York Metropolitan Fair in Aid of the U.S. Sanitary Commission, in commemoration of his famous order, "If anyone attempts to haul down the American flag, shoot him on the spot."

Designed by Emanuel Leutze, sewn by Tiffany & Co., depicting an advancing Liberty, grasping the American flag in her left hand and the thunderbolts of war in her right, surmounting a quotation of Dix's celebrated order. Framed to 68 ¼ x 78 ¼. (About

the central design element was removed from its original navy blue silk backing, and placed on an aqua fabric. In 2008, it was treated at the Conservation Center at the Cathedral of St. John the Divine, New York. Along with other conservation and archival framing, the inappropriate backing was removed and replaced by a new silk backing matching its' original color.)

THIS UNIQUE PRESENTATION FLAG CELEBRATES ONE OF THE MOST FAMOUS ORDERS OF THE CIVIL WAR, ISSUED BY DIX ON JANUARY 29, 1861: "IF CAPTAIN BRESHWOOD, AFTER ARREST, UNDERTAKES TO INTERFERE WITH THE COMMAND OF THE CUTTER, TELL LIEUTENANT CALDWELL TO CONSIDER HIM AS A MUTINEER. ... IF ANYONE ATTEMPTS TO HAUL DOWN THE AMERICAN FLAG, SHOOT HIM ON THE SPOT."

John Adams Dix (1798-1879) joined the Artillery as a cadet at the age of 14, just in time to serve in the War of 1812. He was a Democratic senator from New York in the 1840s; and was appointed by Buchanan in early 1861 as Secretary of the Treasury, as the secession crisis was unfolding. Dix secured \$5 million in federal borrowing from Eastern bankers, and standing nearly alone amongst Buchanan's Cabinet, forcefully supported the Union.

Included in this lot is an original and lengthy manuscript history of the 1861 order, that Dix penned on April 3, 1865, with the stipulation that it not be published during his or Buchanan's lifetime. This account adds details not in Dix's published reports, including his conferring with Scott and Stanton, and President Buchanan's reaction to the news that Dix had sent the order:

"Forts, arsenals, and revenue-cutters in the Southern States had been seized by the local authorities... On the 19th of January, four days after I entered on my duties, I sent Mr.

Wm. Hemphill Jones... to New Orleans, for the purpose of saving the revenue-cutters in that station. He was then to proceed to Mobile.... I decided when I wrote the order to say nothing to the President [Buchanan] about it. I was satisfied that, if he was consulted, he would not permit it to be sent. Though indignant at the course of the Southern States and the men about him who had betrayed his confidence, — Cobb, Floyd, and others — one leading idea had taken possession of his [President Buchanan's] mind --- that, in the civil contest, which seemed to be impending, the North must not shed the first drop of blood. This idea furnishes a key to his submission to much which should have been met with a prompt and vigorous resistance... I was strongly impressed with his conscientiousness, but he was timid and credulous."

Three days later at a Cabinet meeting, "I said to him, 'Mr. President, I fear we have lost some more of our revenue-cutters.' 'Ah!' said he, 'how is that?' I then told him what had occurred including the dispatch... informing me that Capt. Breshwood refused to obey my order. 'Well,' said he, 'what did you do?' I then repeated to him, slowly and distinctly, the order I had sent. When I came to the words, 'Shoot him on the spot,' he started suddenly, and said, with a good deal of emotion, 'Did you write that?' 'No, sir,' I said, 'I did not write it, but I telegraphed it.' He made no answer, nor do I remember that he ever referred to it afterwards. It was manifest, as I had presupposed, that the order would never have been given if I had consulted him."

"A conviction of the right course to be taken was as instantaneous as a flash of light; and I did not think...that I was doing anything particularly worthy of remembrance. It touched the public mind and heart strongly, no doubt, because the blood of all patriotic men... was boiling with indignation and shame at the humiliation we were enduring; and I claim no other merit than that of having thought rightly, and acted promptly as the majority of my countrymen would have done."

Though his 1861 order related to protecting federal revenue cutters in Florida, this presentation flag was inspired by action more directly affecting New York. In 1863, little more than a week after the Battle of Gettysburg, and right before the first draft in American history was to begin, riots erupted in New York City. Between 13–16 July, some 1,000 people—mostly African American—were killed, while hundreds more were injured, and more than a million dollars of damage done to property.

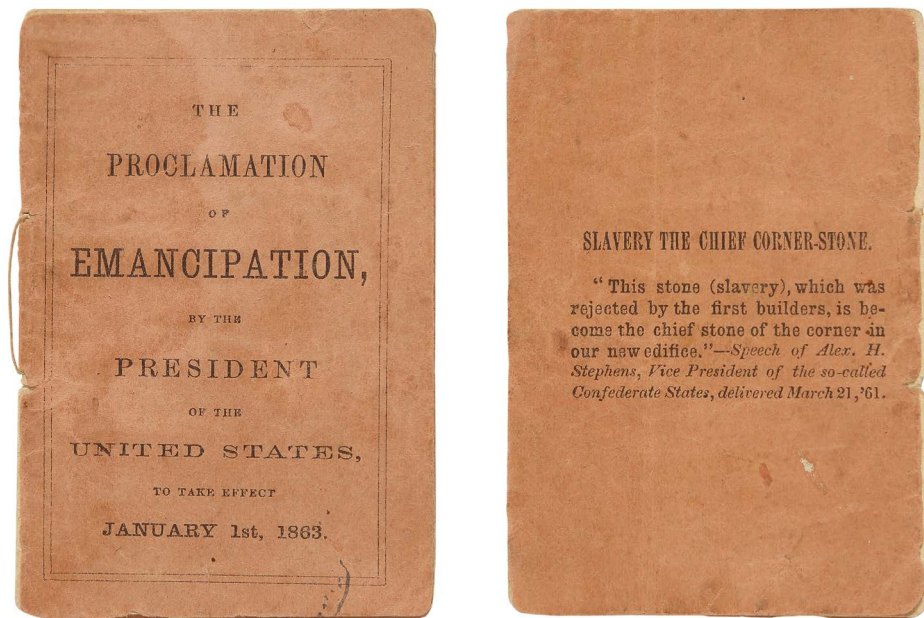
To quell the riot, on 17 July, Lincoln sent Dix to replace General Wool as commander of the Department of the East. By the 18th, when Dix arrived, the riots had already subsided on their own. But his successful management of a still explosive situation, by negotiating with (largely anti-administration) city and state political authorities, as well speaking to the public, is credited with preventing the riots from resuming when the draft was reinstated in August. New York's Governor Horatio Seymour balked at using militia troops to enforce order and argued against reinstating the draft. Dix appealed for federal troops to be ready for trouble, and on 17 August, issued a proclamation giving a well-reasoned argument in support of the morality, necessity, and legality of the draft.

Unveiling the Leutze-Tiffany flag at New York Metropolitan Fair in Aid of the U.S. Sanitary Commission, Charles Tracy pronounced: "You perceive the design. It is the figure of Liberty, rising from her seat, grasping the American flag with one hand and holding the thunder-bolts with the other, and the motto is in the immortal words of General Dix himself. ... The flag ... is of the richest materials, elaborately wrought, and is in all respects in the highest style of the decorative art."

Dix was by all accounts greatly moved, stating that the items "will be preserved by me and my family as a possession of inestimable value; as significant memorials of the greatest crisis in our history, and as a grateful memento of those with whom I have had the happiness of being associated in this noble enterprise for the relief of the gallant soldiers who have become disabled in their country's cause." He later wrote Mrs. Abbie B. Blodgett, who underwrote the manufacture of the flag, "[I am] so much your debtor. I can never forget that I owe to your kindness the most valuable testimonial of my public services that I have ever received." Dix's family retained the flag for more than 100 years. The flag was exhibited in "Lincoln and New York," The New-York Historical Society, 15 September 2009–25 March 2010.

For further background on Dix and the presentation flag, as well as details on a cache of 1864-66 papers from philanthropists Abbie B. Blodgett (1828–1904) and William Tilden Blodgett (1823–1875), related to the Metropolitan Fair, including the a 7-page manuscript by Gen. Dix recounting the detailed history of his 1861 orderplease see the lot description on sothebys.com

\$ 150,000-200,000



2138 (ACTUAL SIZE)

2138

ABRAHAM LINCOLN

The Proclamation of Emancipation, by the President of the United States, to take Effect January 1st, 1863. [*Boston*] John Murray Forbes, December 1862]

8 pages (3 1/8 x 2 1/8 in.; 80 x 55 mm). Original light pink printed wrappers (title front wrapper; rear wrapper with a quotation of an 1861 speech by Alexander H. Stephens); wrappers and text soiled, wrappers detached.

REFERENCES

Eberstadt, *Lincoln's Emancipation Proclamation* 7; Monaghan, *Lincoln Bibliography* 147

PROVENANCE

THE ONLY CONTEMPORARY PAMPHLET PRINTING OF THE PRELIMINARY EMANCIPATION PROCLAMATION, EVIDENTLY PRINTED FOR DISTRIBUTION TO UNION SOLDIERS AND SOUTHERN BLACKS, BOTH SLAVE AND FREE.

In 1899, the publisher's daughter recalled the genesis of this pocket-sized edition: "With the view of placing the Proclamation of Emancipation in the hands of the negroes themselves, my father had printed 1,000,000 copies on small slips, one and half inches square, put into packages of fifty each, and distributed among the Northern soldiers at the front, who scattered them about among the blacks, while on the march. [Massachusetts Senator Charles] Sumner approved the idea ..." (Sara Forbes Hughes, *Letters and Recollections of John Murray Forbes*, pp. 348-49). Indeed, in a letter to Forbes of Christmas Day, 1862, Sumner asked, "Why not send to all the hospitals, camps, posts? The more the better?" John Murray Forbes was a Boston industrialist and an ardent abolitionist, who contributed to raising the celebrated 54th Massachusetts Volunteers, an African American regiment led by Colonel Robert Gould Shaw. In order to

underline the key role of slavery in necessitating Civil War, Forbes had printed on the rear wrapper a quotation he attributed to "Alex. Stephens, Vice President of the so-called Confederate States": "This stone (slavery), which was rejected by the first builders, is become the chief stone of the corner in our new edifice." Given the rarity of this edition, it is likely that Forbes's daughter exaggerated the print run, as well as the diminutiveness, of her father's imprint—but the significance of his distribution scheme can scarcely be exaggerated.

\$ 10,000-15,000

ABRAHAM LINCOLN

Autograph letter signed ("A. Lincoln") as sixteenth President, to Major General Robert C. Schenck, attesting to the loyalty of Francis Thomas of Maryland

One page (8 x 5 in.; 203 x 127 mm) on a bifolium of *Executive Mansion* letterhead, Washington, 31 May 1863; very lightly soiled, short fold separations, mounting remnants on verso of second leaf.

PRESIDENT LINCOLN VOUCHES FOR A MARYLAND UNIONIST CONGRESSMAN. Lincoln had served in Congress together with fellow Whig Robert C. Schenck in the 1840s and made Schenck a Major General at the beginning of the war. Severely wounded at the Second Battle of Bull Run in August 1862, Schenck was given command of the Middle Department. He firmly supported the Unconditional Unionists from his headquarters in Baltimore—where this letter was dispatched—and despite the necessity of tact in the politically sensitive border state of Maryland, had little tolerance for middle ground.

In July 1861, Secretary of War Simon Cameron, with the president's encouragement, had authorized Congressman (and former Maryland Governor) Francis Thomas to raise four regiments of loyal citizens from western Maryland for the protection of the Chesapeake and Ohio Canal. A month later, Thomas recommended and Lincoln endorsed three officers for the 1st Maryland Regiment, Potomac Home Guard.

In early September 1862, Thomas sent Lincoln a lengthy private letter (now in the Lincoln Papers, Library of Congress: "Our acquaintance is very limited ... [and] it may be presumptuous, in me, to write this letter." Nevertheless, he continued, "In my humble judgment, all the evils now threatening seriously the utter ruin of the country, are to be traced, to the error consummated in the organization of your Cabinet. There is not, so far as my knowledge extends, at the head of any one of the Departments, a single individual who has come into your Administration, under the right influences. ..." "Now I have watched, with the deepest anxiety," Thomas informed Lincoln, "all, or nearly all of your difficulties have their origin in the fact that you have Presidential aspirants in your cabinet, and Presidential aspirants, in your own party, outside of your cabinet, all of whom have their partisans in the Senate and House of Representatives."

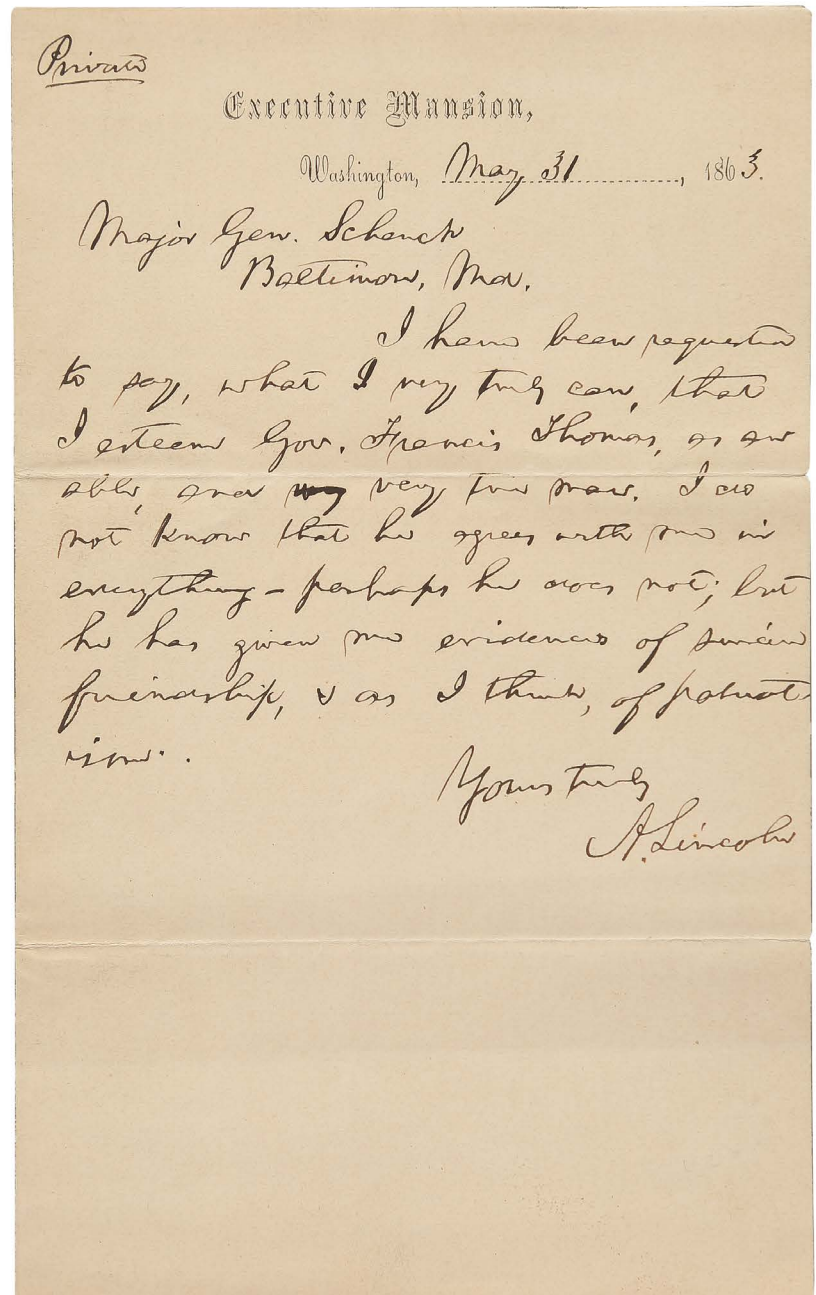
Lincoln's masterful management of his "team of rivals" averted a cabinet crisis, and he also solidified Thomas support. The Cumberland, Maryland, *Civilian and Telegraph* of 30 April 1863, reported on an address Thomas gave at a mass meeting of Unconditional Union men of Allegany County, Maryland. Thomas "accorded to President Lincoln the purest motives, and a patriotic determination to crush the rebellion and restore peace and prosperity to the

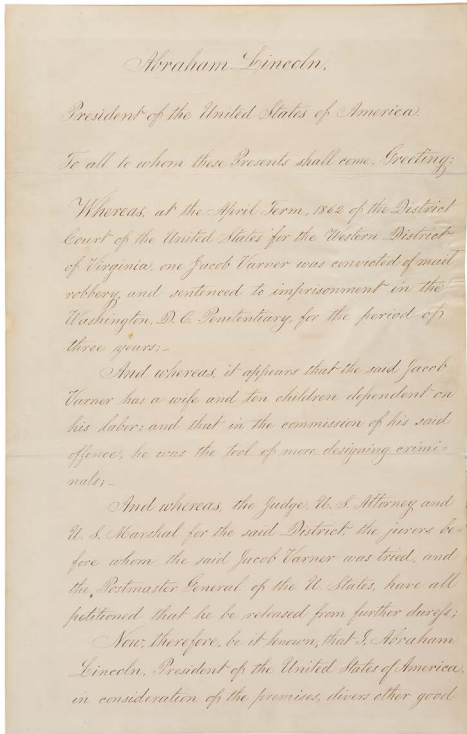
country.... He said that power and responsibility must rest somewhere, and that he was willing to confide in the President, and sustain him to the fullest extent, in carrying out the measures adopted by Congress for prosecuting the war. He spoke of the emancipation proclamation of the President as a retaliatory measure for the confiscation acts of the southern conspirators, and said it was a war measure calculated to subdue the rebels who had raised the standard of rebellion, without any justifiable cause...." A month later, Lincoln sent the present endorsement of Thomas to General Schenck: "I have been requested to say, what I very truly can, that I esteem Gov. Francis Thomas, as an

able, and very true man. I do not know that he agrees with me in everything—perhaps he does not; but he has given me evidence of sincere friendship, & as I think, of patriotism."

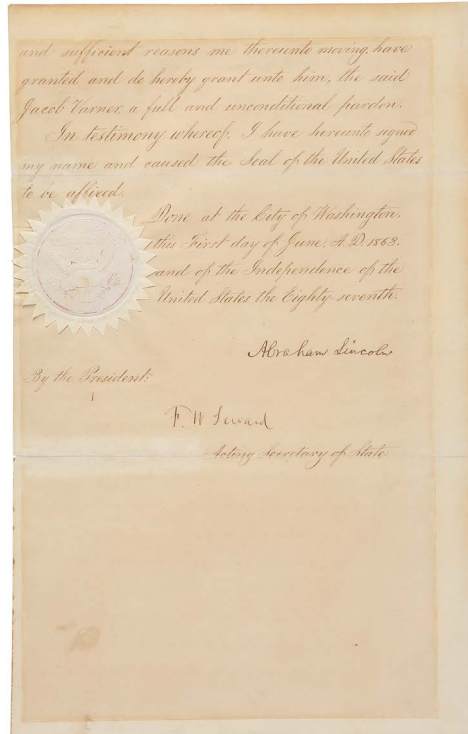
Whether this letter was solicited by Thomas is not known; it is known, however, that he and Schenck frequently disagreed about application of loyalty tests and the treatment of supposed Southern sympathizers. In December 1863, Schenck resigned from the army and became a colleague of Thomas after winning a Congressional seat from Ohio.

\$ 40,000-60,000





2140



2140

2140

PROPERTY OF A NEW YORK COLLECTOR

ABRAHAM LINCOLN

Manuscript document signed ("Abraham Lincoln") as sixteenth President, being an official wartime pardon of Jacob Varner a month before Union victories at Gettysburg and Vicksburg

2 pages on a single sheet of wove paper (16 5/8 x 10 5/8 in.; 423 x 270 mm), written in a clerical hand, Washington, 1 June 1863, countersigned by Acting Secretary of State Frederick W. Seward, large embossed paper seal of the United States fully intact; neatly repaired at two horizontal fold separations, lightly mat toned.

A Lincoln pardon for a West Virginia "Moccasin Ranger" that helped extend legal military protection to partisan guerrilla fighters.

Virginia seceded from the Union on 17 April 1861, but about a month later a number of northwestern counties voted to defy the ordinance of secession and established a restored loyal government at Wheeling. Union supporters in West Virginia quickly became a target of marauding Confederate partisans. One of the most active bands of Virginia rangers was a company of Moccasin Rangers led by Daniel Duskey. In December 1861, Duskey led a raid against Ripley, West Virginia, where Federal troops were being raised. Duskey's

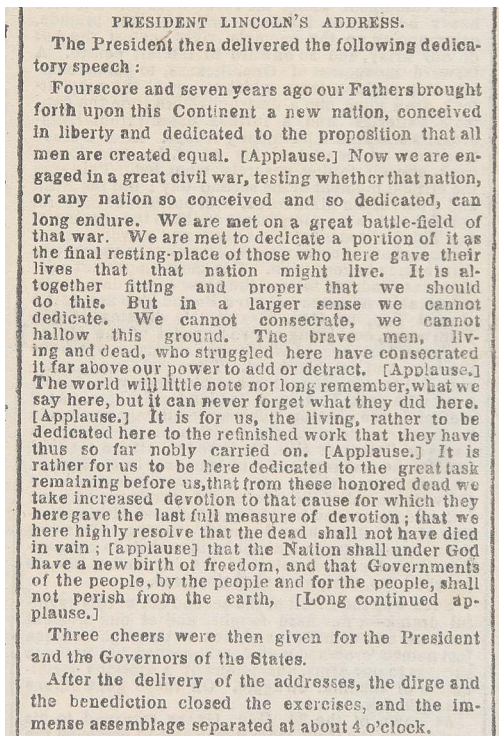
men captured and looted the town, including the local post office. Early in 1862, Duskey and several of his men were captured by Union troops, and Duskey, his son George, and Jacob Varner—the subject of the present pardon—were indicted in the United States District Court for mail robbery.

Defense lawyers for Duskey and Varner (George Duskey had in the meantime escaped) claimed that the men were war agents of the Virginia Confederate Government and that their raid on the Ripley post office, which was not denied, was a political rather than criminal action. Nonetheless, both defendants were convicted and sentenced to prison, first in Washington, D.C., then in Albany, New York.

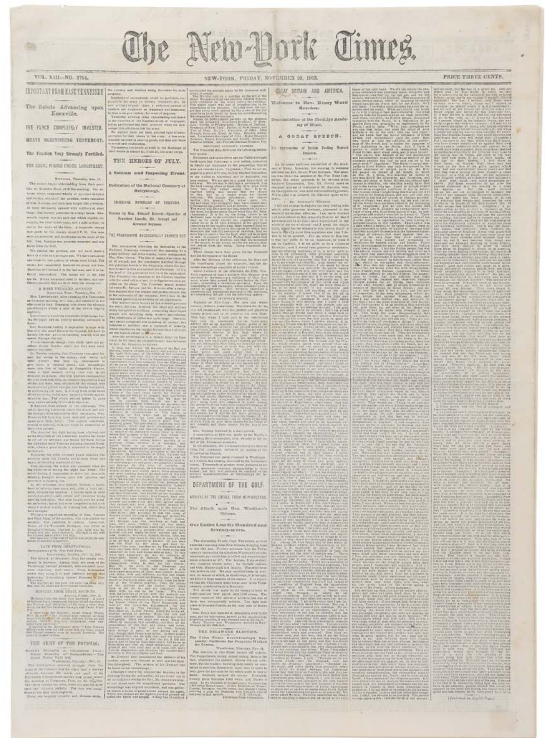
In January 1863, Virginia Governor John Letcher demanded that President Lincoln recognize and treat partisan rangers, including Duskey and Varner, as prisoners of war. To underline his point, Letcher put two captured officers from the Federal Eighth (West) Virginia Infantry, Captain William Gramm and Lieutenant Isaac Wade, at hard labor as common felons in the state penitentiary. Letcher's actions led West Virginia Governor Francis Perpont to threaten "to place double the number of rebel Virginia officers of superior and equal rank in a chain gang in Ohio County and set them to breaking stone on the National road until those Virginia

officers are released or exchanged." The difficulty was that since Varner and Duskey were being held on criminal charges and not as prisoners of war, they could not be released or exchanged without a presidential pardon. R. J. Knotts Jr., who has written at length about the legal travails of the Moccasin Rangers, noted that "The case in Washington batted around from Secretary of War Stanton, to Attorney General Bates, to Secretary of State Seward, to military authorities, than thence to the White House, without much result."

The tipping point seems to have been reached when Lincoln received a petition for a pardon of Jacob Varner signed by all of the members of the jury that convicted him. The jurors explained that Varner was "an ignorant man ... the victim of designing politicians who deluded such as himself into the belief of the priority of State allegiance to that of the Government of the Country." Lincoln sent the jurors' petition to Edward Bates on 1 June 1863 with this endorsement: "As the Judge, Jury, Marshal, District Attorney & Post-Master General, join in asking a pardon in this case, I have concluded to grant it. The Attorney General will please make it out & sent it to me." Bates returned the pardon document (countersigned by Frederick W. Stanton, who frequently acted as Secretary of State in his father's absence) that same day:



2141 (DETAIL)



2141

2141

"Whereas, at the April Term, 1862 of the District Court of the United States for the Western District of Virginia, one Jacob Varner was convicted of mail robbery, and sentenced to imprisonment in the Washington, D. C. Penitentiary, for the period of three years;—

"And whereas, it appears that the said Jacob Varner has a wife and ten children dependent on his labor; and that in the commission of his said offence, he was the tool of more designing criminals;—

"And whereas, the Judge, U.S. Attorney and U. S. Marshal for the said District, the jurors before whom the said Jacob Varner was tried, and the Postmaster General of the U. States, have all petitioned that he be released from further duress;

"Now, therefore, be it known, that I, Abraham Lincoln, President of the United States of America, in consideration of the premises, divers other good and sufficient reasons me thereunto moving, have granted and do hereby grant unto him, the said Jacob Varner, a full and unconditional pardon."

By citing a roster of all of those who had petitioned him to issue the pardon, Lincoln was able to avoid the appearance that he been coerced by Governor Letcher's threat.

Varner was released from prison on 4 June, and on 13 June Daniel Duskey was pardoned as well. On 1 July 1863, Captain Gramm and Lieutenant Wade were paroled and the affair of the Moccasin Ranger Raid on Ripley was finally concluded. Perhaps not coincidentally, West Virginia was officially admitted to the Union just as this issue was being settled, 20 June 1863.

REFERENCES

R. J. Knotts Jr., "The Moccasin Ranger Raid on Ripley," in *West Virginia in the Civil War*, ed. Boyd Stutter (Charleston, 1963); cf. *Collected Works of Abraham Lincoln*, ed. Basler, 6:240

PROVENANCE

Sotheby's New York, 21 June 2007, lot 54 (undesignated consignor)

\$ 12,000-18,000

PROPERTY OF VARIOUS OWNERS

[ABRAHAM LINCOLN]

Gettysburg Address in *The New York Times*. November 20, 1863

Bifolium (21 x 15¼ in.; 536 x 385 mm). 8pp., extracted from a bound run of the paper; occasional spotting, marginal repairs at bottom right page 1, bottom page 7/8, and gutter.

A RARE FIRST DAY OF PUBLICATION NEWSPAPER, WITH LINCOLN'S CELEBRATED ADDRESS PROMINENTLY PLACED. This printing from 20 November, the day after the Address, contains Lincoln's speech on the front page. This issue also includes Edward Everett's speech and a report on the ceremonies.

The text is the Associated Press version, delivered by telegraph from the battlefield ceremonies. There are some slight variations between different newspapers and typesetters in terms of punctuation and capitalization, but the original AP version is easily identifiable by the use of the phrase "to the unfinished work" instead of the more appropriate "to the unfinished work." The associated press was officially organized in 1856 with Henry Jarvis Raymond, owner of the New York Times, as a director.

Additionally, page 7 contains an illustrated advertisement for "Barnum's American Museum, the Great Moral Exhibition", promising such wonders as the 22 inch high Lilliputian King and the largest bear ever captured alive.

\$ 6,000-8,000

[NEW YORK DRAFT RIOTS]

"A Great Fraud." *New York: Workingmen's Democratic Republican Association, [November, 1863]*

Printed broadside (19 x 11½ in.; 483 x 293 mm). Foxing and browning, horizontal fold, a few creases, mounted on mat board.

RARE BROADSIDE PRINTED FOUR MONTHS AFTER THE NEW YORK DRAFT RIOTS, REFLECTING WORKING CLASS REACTION AGAINST THE POLITICIANS WHO MISLED THE PEOPLE INTO TAKING PART IN THE RIOTS. SIGNED IN PRINT BY "A DEMOCRATIC WORKINGMAN."

The Enrollment Act of 1863 was intended to fill the Union Army's depleted muster rolls, but created an immediate backlash in Northern cities. Resistance was particularly virulent in New York City, where a strong Copperhead contingent attacked the conscription system by disseminating leaflets and "pro-labor" rhetoric in the press, helping to incite violence. When the drawing of draft lots began on 13 July 1863, a mob sacked the District building and attacked firemen and police, setting fires and lynching free blacks. The conflict raged for a full four days, causing roughly 1000 casualties, before Union regiments called from the frontlines restored order at the point of the bayonet.

This is one of several broadsides issued by the Democratic-Republican Workingman's Association of New York in the aftermath of the destructive Draft Riots, arguing that Copperhead politicians had duped the common laborer. The broadside is known in two states, but without the date. OCLC locates copies at New-York Historical Society, Library Company of Philadelphia, and the Abraham Lincoln Presidential Library.

\$ 1,000-1,500

PROPERTY OF A NEW YORK COLLECTOR

ABRAHAM LINCOLN

Autograph endorsement signed ("A. Lincoln") as sixteenth President, on a manuscript petition to Lincoln from "Many Citizens of Loyalty," Hickman, Kentucky 4 lines, [Washington], early December 1864, on the verso of the second leaf of the manuscript petition, Hickman, Kentucky, 6 December 1864, 2 pages (9½ x 7 in.; 232 x 173 mm) on a bifolium of blue-ruled machine-laid paper; stained at upper margin of first leaf, a few very short fold separations.

BORDER-STATE LOYALISTS IMPLORE PRESIDENT LINCOLN TO ESTABLISH A PERMANENT MILITARY POST AT HICKMAN. This citizens' petition was carried to Lincoln by Parson N. N. Cowgill. Because of daily raids by rebel forces, which the Unionists had no power to repel, they ask the president "to instruct our commander Brig. Genl. Meredith to make a permanent military post at this place." The petition goes on to enthusiastically elaborate the benefits of such a plan: "We dont ask it for our own protection exclusively, but for the great benefit it will be to the Federal Army; we have a district of

country comprising some 6 or 8 counties, (in area) about two hundred miles! it being varied in its products, offers every inducement to the Federal government to have it protected, and let all of its resources be brought forward to sustain our army, our worthy and truly Union friends. Parson N. N. Cowgill can give you a correct topography of our place and country. We would ask of you to extend our most appreciable Commander's district to the Hatchie River as this point is the natural outlet for all the cotton and tobacco raised in that section of the country!" The petition concludes with the optimistic observation that Unionists "trust in Divine Providence [that] you may be awakened to our great necessity, and grant us the humble request we have made of you!"

The citizens of Hickman were joined in their request by General Solomon Meredith, who had led the "Iron Brigade" at Chancellorsville and was at the time commander of the post at Paducah, Kentucky. On 9 December, Meredith added this note to the integral blank of the petition: "I am personally acquainted with Parson N. N. Cowgill and know him to be an honest, patriotic and loyal man. The petition of which he is the bearer asking that Hickman be made a permanent military post I would

most earnestly recommend to be granted. The Government will be benefited equally with the citizens by adopting the course proposed, and the benefit both receive will be so much taken from the enemy who now occupy in little squads of guerrillas the whole country in that vicinity, and run off every thing of value to their army which they can lay hands on."

Lincoln forwarded the petition to Edwin Stanton: "Submitted to the Sec. of War who is requested to see the bearer." Perhaps in response to Lincoln's endorsement, General Meredith added a postscript: "I strongly recomend that a military post may be established at Hickman Ky. by the Secy of War." While Hickman did not receive a permanent military post, in August, Lincoln had declared martial law in this area of Kentucky, suspending the writ of habeas corpus to empower Union commanders such as Meredith to unilaterally arrest Confederate spies, sympathizers and bandits.

PROVENANCE

Sotheby's, 21 June 2007, lot 59 (undesigned consignor)

\$ 8,000-12,000

PROPERTY OF VARIOUS OWNERS

ABRAHAM LINCOLN

Autograph note signed ("A. Lincoln"), ordering that a young soldier be sent home On a card (2⅞ x 1⅝ in.; 73 x 40 mm), [Washington,] 19 January 1865; lightly soiled or stained, possibly the effect of a preservation treatment, but entirely and distinctly legible. Elaborately framed with a portrait of Lincoln and ancillary material.

"SEND HIM TO HIS MOTHER": A FIVE-WORD MESSAGE EXEMPLIFYING PRESIDENT LINCOLN'S HUMANITY AND CLEMENCY.

The genesis of this moving message is obscure. The note was illustrated on the front page of *The Minneapolis Journal* for 16 August 1906 under the headline "Prized Mementoes of Lincoln." The story told there is that the President encountered a young soldier named John Quincy Adams while visiting a Union hospital and wrote the note to allow Adams to return home immediately upon his dismissal from the hospital. However, although Lincoln had a very full day on 19 January 1865, his movements did not include a tour of a hospital. He did, however, attend ceremonies of the U.S. Christian Commission in the House of Representatives, and he may have met Adams,

or a petitioner on his behalf, at that event. Adding to the mystery, the note is accompanied not only by the newspaper clipping but a clipped entry from what appears to be a mid-twentieth-century auction, dealer, or exhibition catalogue, numbered 117, that describes the card similarly, although without naming the recipient. But the note cannot be traced in either sale records or among Lincoln's writing. Despite its unknown origin and its extreme brevity—indeed, perhaps because of its brevity—this note illuminates the very epitome of Lincoln's character.

\$ 30,000-50,000

A Great Fraud

The true object of Democratic institutions is to promote the security, happiness, freedom, and prosperity of the people, under a government of their own framing, and under laws enacted by the representatives of their own choice.---The government of the United States is of this kind.

Politicians, ambitious of place and power, and who have for more than thirty years plotted the overthrow of Democracy, have during all that time been guilty of a great fraud on the Workingmen of the country.

In the name of Democracy they have secretly pledged themselves to overthrow the rights of the Democratic masses.

In the name of Democracy they have ruled the country for nearly thirty years, for the purpose of building up an aristocracy who should maintain their power by virtue of their peculiar property.

In the name of Democracy they have attempted to make property in Workingmen---which is the most anti-democratic kind of property---the great object of legislation, to the neglect of the other interests of the country.

In the name of Democracy they have endeavored to shut out free workingmen from the south, and from the territories, by making slave labor profitable and free labor unprofitable and disgraceful.

In the name of Democracy they have held high positions in the gift of the people, which they used only to betray and sacrifice those who trusted them.

In the name of Democracy they broke up the Democratic Party, in order to prepare the way for carrying out their plans.

And now, when traitors have filled the land with bloody graves and desolate homes, there are politicians who call themselves "Democrats" who are the enemies of Workingmen under the pretense of being their friends.

In the name of Democracy they are advocating a dissolution of the Union.

In the name of Democracy they declare that the American Union is not a Union but a Confederacy.

In the name of Democracy they advocate the interests of traitors who hate freedom, and who believe that Slavery is the true condition of all Labor.

In the name of Democracy they declare the government has no right to defend itself against traitors.

In the name of Democracy they have stirred up the laboring men and have filled the streets of New York with bloodshed, arson, and riots, and have disgraced us in the eyes of the world.

In the name of Democracy they denounce the heroic soldiers of the Union as "BULL DOGS and BELL HOUNDS" who are engaged in murder and arson, and not in a noble effort to save our democratic institutions from destruction.

Workingmen of the Union! The man who advocates such doctrines is not a Democrat, but an enemy of Democracy, and the foe of every laborer. Comrades! Think for yourselves! Stand firmly by your own interests---the interests of Free Labor everywhere! Stand firmly by the government, and vote only for men who will be true to you and to your children.

A Democratic Workingman.

Published by the N. Y. Workingmen's Democratic Republican Association.

Printed also for the Loyal Publication Society 863 Broadway, N. Y.

PLEASE POST THIS UP.

2142

Hickman N.Y. Dec 6th 1864.
 To the Hon. Abraham Lincoln
 President of the United States
 Sir!

We after an interview with our mutual friend Brig Gen. Meredith, Commanding the Western District of Kentucky, have concluded to Commission and employ our friends and fellow Citizens Parsons & S. Coville to represent our interest before your august presence!

We are suffering from the incursions of the enemy upon us every day, and have no favor to request thereof, we ask of you to instruct our Commander Brig Gen. Meredith, to make a permanent military post at this place, we don't ask it for our protection exclusively, but for the great benefit it will be to the Federal army; we have a district of Country Comprising some 6 or 8 Counties, (in area) about two hundred miles; it being cleared in its products, offers every inducement to the Federal government to have it protected, and let all of its resources be brought forward to

2143

Send him to his mother
 Ad Lincoln
 Jan. 19, 1865

2144

Head and neck of Great War
 Indiana N.Y. Dec 9th 1864

I am personally acquainted with Parsons & S. Coville and know him to be an honest patriotic and loyal man, the position of which is the best, asking that National be made a permanent military post, it would most earnestly recommend to be granted.

Knowing as I do that it will be of great benefit to the Union cause in this State. The Citizens of Hickman and Milton Co. gave a decided majority for the Union ticket at the late election (1864)

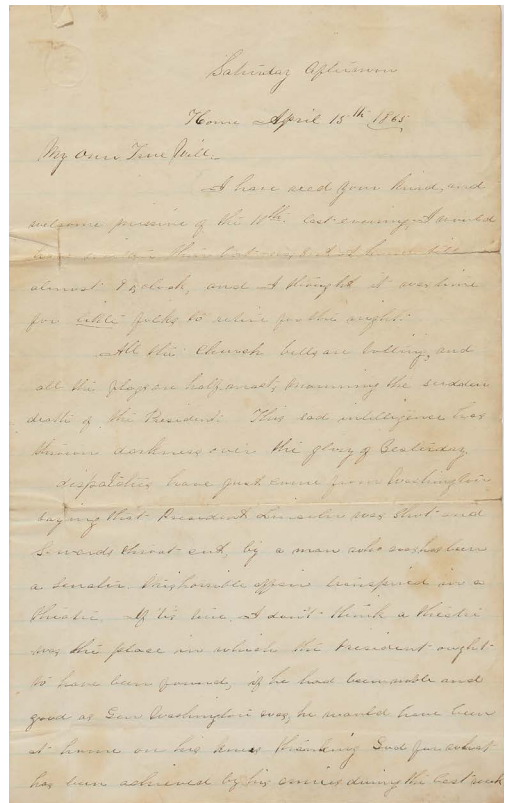
which gives them a very powerful argument, it is not a claim for the protection of the Government they desire. The Government will be benefited equally with the citizens by adopting the course proposed, and the benefit both success will be so much taken from the enemy who now occupy in little squads of guerrillas the whole County in that vicinity and run off every thing of value to their Army which the can lay hands on.

Sincerely
 T. S. Coville

2143



2145



2146

2145

(CIVIL WAR)

Autograph letters signed ("C.M.A."), from Mrs. Charles M. Afron to an unnamed aunt, with one of the letters pertaining to the burning of Columbia, South Carolina 6 pages (7⁷/₈ x 9⁷/₈ in.; 192 x 248 mm), signed ("C.M.A."), Columbia, South Carolina, 18 January 1863; one or two short splits to old folds. — 12 pages (8 x 12¹/₂ in.; 200 x 316 mm), signed ("C.M.A."), Columbia, [South Carolina], 16 [June] 1865; one or two splits or holes previously folded, without loss of text, one instance of browning. — [With]: Hand-colored cabinet card (2¹/₂ x 4¹/₈ in.; 62 x 105 mm), presumably of the sender verso printed "Cook | Charleston, S.C."; some minor spotting.

The writer of these letters, Mrs. Charles M. Afron, was evidently a lady of some standing in Columbia, South Carolina. With a lack of punctuation and her phonetic spelling (e.g. the Southern "adea" for "idea"), she describes the atrocities of the Civil War in horrifyingly graphic terms, in particular the surrender of Columbia:

"The shouts & yells of the negroes now assembled in thousands soon told us the Yankees were in the city, the mayor went out to meet them, & surrendered one of the most beautiful cities in the U.S.... our enemys entered, the hated flags waving, the loud & long cheers ringing through the air, the negroes shouts of welcom all pierced us to the heart...the whole city was now set on fire, 84 squares, 2/3 of the city was burned to the ground- the soldiers went from house to house setting them on fire, in every room, scarcely giving one time to get out, if you attempted to save anything they would snatch it from you & throw [it] into the flames..."

"I never far a moment doubted that victory would not be ours," Afron notes in the conclusion of her letter, "our poor soldiers endured every privation that man could live through but god is my judge I would rather be a Southern Pauper than a Yankee millionaire..."

\$ 4,000-6,000

2146

(ABRAHAM LINCOLN ASSASSINATION)

Autograph letter signed ("Laura J. Morgan"), from Laura J. Morgan to William H. Thurston, judging Lincoln for having been shot in a theater

Four pages (5 x 8 in.; 126 x 203 mm), 15 April 1865; old folds, some toning and spotting or soiling.

A moving letter from a young woman to her fiancé touching upon the assassination of President Lincoln:

"All the church bells are tolling and all the flags are half-mast, mourning the sudden death of the President. This sad intelligence has thrown darkness over the glory of yesterday...This horrible affair transpired in a theatre. If 'tis true I don't think a theatre was the place in which the President ought to have been found, if he had been noble and good as Gen Washington was, he would have been at home on his knees thanking God for what has been achieved by his armies during the last week. 'Tis perfectly awful that such an act should be perpetrated after the closing of the war, and that too in the north..."

On 18 April, Thurston responded that he considered Booth a "cowardly ruffian" and his assassination of the President made him feel like "exterminating every Rebel in the South."

\$ 500-700

(ABRAHAM LINCOLN ASSASSINATION)

An archive of New York City newspapers from the six weeks after the assassination. *New York, 1865*

54 issues of six newspapers (size varies, but most 15½ by 23 in.; 393 x 584 mm); condition varies.

THE LINCOLN ASSASSINATION AND ITS AFTERMATH AS COVERED BY THE NEW YORK PRESS.

A fine archive of 54 issues of six different daily and weekly New York newspapers from the six weeks after Abraham Lincoln's assassination, with coverage of the assassination, the assassin, the funerals in New York and Springfield, and the hunt for the conspirators. Also included is one issue from July 1865 regarding the execution of the conspirators and one issue from February 1866 with coverage of a memorial service in Lincoln's honor. Approximately 450 pages.

The archive include:

New-York Times, April 17 (2, one uncut at top), April 20, April 22, April 26, April 27 (uncut at top), May 4, May 8; February 13, 1866.

Evening Post, April 15 (3rd ed.), April 22 (3rd ed.), April 25, April 26 (4th ed.), April 27 (3rd ed.), April 28th (4th ed.), May 3 (3rd ed.), May 4 (3rd ed.), May 6 (3rd ed.), May 8 (3rd ed.), May 9 (3rd ed.), May 10 (3rd ed.), May 11 (3rd ed.), May 13.

New-York Tribune, April 25 (uncut at top).

New York Herald, April 15, April 16, April 17, April 18, April 19, April 21, April 23, April 24, April 29, April 30, May 1, May 2, May 5, May 6, May 7, May 9, May 10, May 11, May 12, May 13, May 14, May 15, May 16, May 17, July 8 ("Execution").

Harper's Weekly, April 29, May 6, May 13, May 20.

Frank Leslie's Illustrated Newspaper, May 6, May 20, May 27.

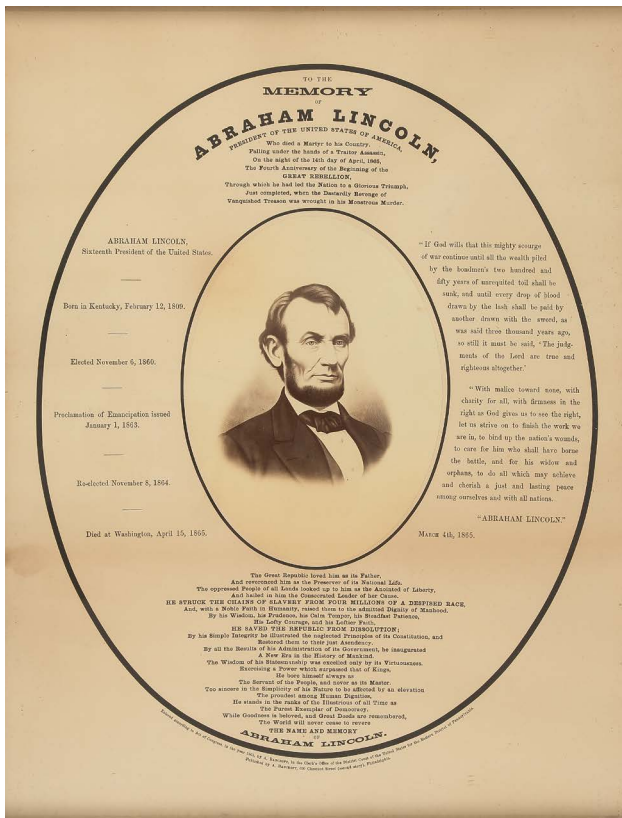
\$ 8,000-12,000



2147



2147 (DETAIL)



2148

2148

(LINCOLN, ABRAHAM)

To the Memory of Abraham Lincoln.
Philadelphia: Addison Bancroft, 1865

Printed broadside (17 7/8 x 13 3/4 in.; 454 x 349 mm) with mounted oval albumen photograph on a oval mount, surrounded by text. Glazed and framed; not examined out of frame.

A RARE MOURNING PRINT OF ABRAHAM LINCOLN. The image of Lincoln is based on one of the photographs taken at Matthew Brady's studio in Washington on 9 February 1864. To the left of the image are significant dates from Lincoln's life, and to the right are the last portions of his second inaugural address, delivered 4 March 1865.

Scarce. There are only a few extant copies of this rare print, at Indiana University, the Indiana Historical Society, Cornell University, and the Library of Congress. Cornell has an additional rectangular version of the print, also published by Bancroft.

PROVENANCE

Dr. Michael Krane

\$ 800-1,200



2149

2149

ALEXANDER GARDNER

Abraham Lincoln

Imperial photo from original Alexander Gardner negative taken on August 9, 1863 and printed by M. P. Rice, from the original plate, ca. 1901, with Rice's copyright notice near bottom right (13 3/4 x 16 5/8 ins.; 350 x 422 mm). Some ink retouching.

TAKEN WHEN THE TIDE WAS BEGINNING TO TURN

On 9 August 1863, President Abraham Lincoln and his personal secretary John Hay visited the new studio of Alexander Gardner, on the corner of 7th and D Streets, over Shephard and Riley's Bookstore. Lincoln had promised to be Gardner's first sitter and chose Sunday to avoid curiosity seekers while on his way there. The

President posed for at least six photographs, including this one, which was one of four taken simultaneously with a multi-lens camera and a single glass plate. The images captured that day included both seated and standing poses.

Hay noted in his diary that the President "was in very good spirits. He thinks that the rebel power is at last beginning to disintegrate; that they will break to pieces if we only stand firm now."

Even printed in 1901, Lincoln photographs of this size from original negatives are very scarce in the market.

REFERENCES

Ostendorf O-71C

\$ 4,000-6,000

I have always thought John Wilkes Booth selected a certain part of the Play of our American Cousin, in which I took part, to assassinate Abraham Lincoln it was near 10, at night. his Body Gave had left the Private Box and was sitting in the Parquette. The Scene I speak of was entirely between Asa Grenched and myself who played Mary Meredith. When I came on the stage. I saw standing in the Lobby John Wilkes Booth he looked so strange I hardly knew him. we went on with the Scene I took again, and he was gone. Asa Grenched blown a still leaving his fortune to Mary the audience are intent listening to this part of the Play. I went up the stage and the Scene was closed in. one of the Scene Shifter was help Spangler who was supposed to have been in the Private Box that day, with Booth tying a Box of Wood, to place across the door to prevent any one from getting in after he was there. the Leader of the orchestra and I were standing behind the Scener talking, when I heard a shot, not knowing what it was, and a loud murmur not knowing what it was and saw coming from the Private Entrance Booth, with a bloody knife in his hand, he slashed me with the knife, pushed me out of his way, and went out the back door into the Alley and rode away.

Jeanie Gourlay
Struthers

2150

CIRCULAR

Department of State,
Washington, May 29, 1865.

Sir:

A copy of the President's Amnesty Proclamation of this date is herewith appended. By a clause in the instrument, the Secretary of State is directed to establish rules and regulations for administering and recording the amnesty oath, so as to insure its benefits to the people and guard the Government against fraud. Pursuant to this injunction, you are informed that the oath prescribed in the proclamation may be taken and subscribed before any commissioned officer, civil, military, or naval, in the service of the United States, or any civil or military officer of a loyal State or Territory, who, by the laws thereof, may be qualified for administering oaths. All officers who receive such oaths are hereby authorized to give certified copies thereof to the persons respectively by whom they were made. And such officers are hereby required to transmit the originals of such oaths, at as early a day as may be convenient, to this Department, where they will be deposited, and remain in the archives of the Government. A register thereof will be kept in the Department, and on application, in proper cases, certificates will be issued of such records in the customary form of official certificates.

I am, Sir,
Your obedient servant,
William H. Seward

2151

2150

(ABRAHAM LINCOLN ASSASSINATION)

Autograph manuscript signed ("Jeannie Gourlay Struthers"), by Jeannie Struthers, an actress who performed on stage at Ford's Theatre the night of Lincoln's assassination

One page (6¼ x 9⅞ in.; 159 x 251 mm), [n.p., n.d., but 1880s]; minor toning primarily to edges, remnants of old paper along one edge of the verso, presumably from were previously mounted or bound.

A stirring first-hand account of the assassination of Abraham Lincoln:

"I have always thought John Wilkes Booth selected a certain part of the Play of our American Cousin, in which I took part, to assassinate Abraham Lincoln...When I came on the stage, I saw standing in the Lobby John Wilkes Booth[,] he looked so strange I hardly

knew him. we went on with the scene[.] I looked again, and he was gone..."

On the night of 14 April 1865, Struthers appeared on stage at Ford's Theatre in the role of Mary Meredith in *Our American Cousin*. After finishing her scene with Harry Hawk, she and the orchestra leader were talking backstage when John Wilkes Booth's fatal pistol shot rang out through the theatre. Withers dodged Booth's knife thrust, but his ornate band leader's coat was cut on the collar. Spangler, whom Gourlay here accuses of helping Booth arrange to wedge the door of the Presidential box, was sentenced to a term at hard labor as an accomplice.

PROVENANCE

The Forbes Collection of American Historical Documents (Christie's New York, 22 May 2007, lot 74)

\$ 600-800

2151

ANDREW JOHNSON

Printed document extending Lincoln's Amnesty Proclamation, 29 May 1865

Six pages (8 x 12½ in.; 203 x 318 mm), Washington, [D.C.], 29 May 1865; some foxing, old folds, some splits to folds.

The ten percent plan (formally the Proclamation of Amnesty and Reconstruction, 13 Stat. 737), was issued on 8 December 1863, by President Abraham Lincoln. Three years into the Civil War, the Union Army had pushed the Confederate Army out of several regions of the South, and some rebellious states were eager for their governments to be rebuilt. Lincoln's established a plan that would set in motion a process by which this postwar reconstruction could be achieved. Following Lincoln's assassination, however, disagreements over the postwar reconstruction policy led to a heated battle between Andrew Johnson and Congress. Johnson's proclamation of 29 May 1865, for example, suggested a certain amount of punishment or prosecution for the rebellion. In the end, several factors led Johnson to exercise greater clemency; namely, he was influenced by the attitude of Lincoln for reconciliation, and by Seward's similar leniency towards the former rebels.

\$ 1,000-1,500

133

ANDREW JOHNSON

Partially lithographed document signed ("Andrew Johnson") as 17th President, being an order to Secretary of State William H. Seward to affix the Seal of the United States

One page (8½ x 10¾ in.; 213 x 266 mm) on a bifolium, accomplished in clerical hand, Washington, 11 July 1868; one or two stray spots, mounting remnant on verso of second leaf.

A REMARKABLE DOCUMENT, MARKING THE RATIFICATION IN TWO KEY STATES—FLORIDA AND NORTH CAROLINA—OF WHAT REMAINS ONE OF THE MOST CONSEQUENTIAL OF CONSTITUTIONAL AMENDMENTS. The present document authorizes Seward to "affix the Seal of the United States to a *Proclamation announcing the ratification of the 14th Amendment to the Constitution by the Legislature of North Carolina, and proceedings in Florida in same regard...*"

The Fourteenth Amendment expanded the definition of citizenship by making freed slaves full and equal citizens. Replacing the Constitution's infamous counting of "three fifths of all other persons," the amendment made "the whole number of persons in each State" the basis for representation. It federalized the Bill of Rights by holding the state governments to the same standards of protection of individual citizenship rights as the national government, particularly applying the Fifth Amendment's guarantees of "due process" to the states.

In June 1866, Congress had passed the Fourteenth Amendment. A half dozen states ratified it that year, and fourteen more by the next February. However, its initial rejection by the legislatures of every former Confederate state except Tennessee led the Republican Congress to pass Reconstruction Acts, placing former Confederate states under military governments until the states could establish new civil governments, and requiring each to ratify the Fourteenth Amendment before

"said State shall be declared entitled to representation in Congress." By the spring of 1868, twenty-four states had ratified. Though Ohio rescinded its ratification that January, and New Jersey followed suit in February, the amendment continued to progress. On 11 July 1868, Johnson issued his required proclamation (made official by this document) noting ratification by Florida and North Carolina. With the addition of Louisiana, and South Carolina, arguably the necessary three-quarters of the states had ratified the proposed amendment. Secretary of State William H. Seward certified that the amendment had become part of the Constitution. Congress adopted a concurrent resolution declaring the Fourteenth Amendment to be a part of the Constitution, including both New Jersey and Ohio as having ratified the amendment despite their change of heart. The ratification by Alabama and Georgia, on 13 and 21 July soon removed any doubt that the necessary amount of states had ratified.

Virginia, Mississippi, and Texas ratified in 1869-1870, but Delaware, Maryland, California, and Kentucky did not ratify the Amendment until the twentieth century. Oregon, which had rescinded its ratification late in 1868, re-ratified the Amendment in 1973. When Ohio and New Jersey re-ratified the Fourteenth Amendment in 2003, all states that existed during Reconstruction had ratified the Amendment.

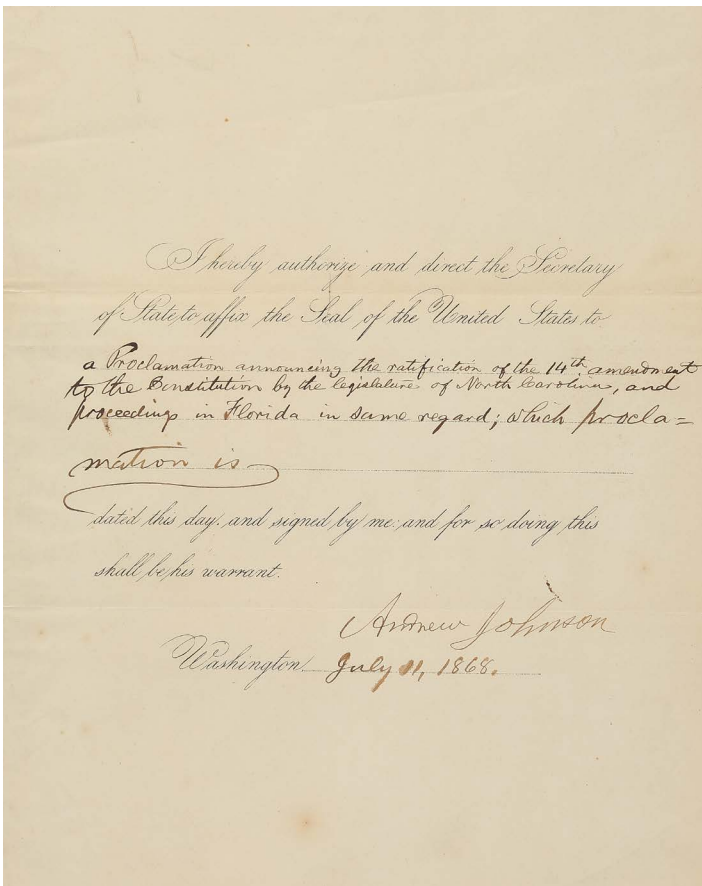
From its earliest moments, the amendment was bitterly contested. President Johnson made his opposition clear throughout the ratification process, as did the defeated Confederate states. But Congressional elections in late 1866 gave Republicans veto-proof majorities in both the House and Senate.

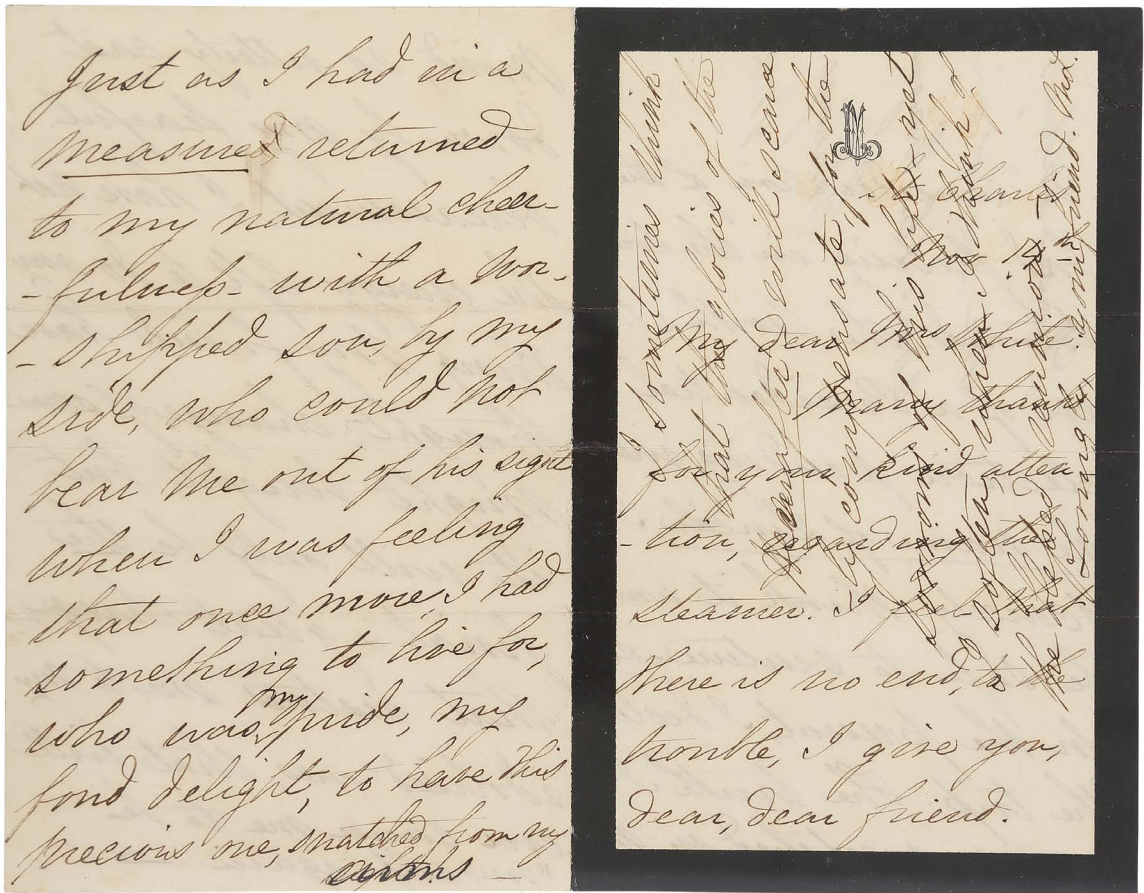
It is the final "equal protection clause" ("nor deny to any person within its jurisdiction the equal protection of the laws") of the first section of the amendment that has formed the basis for many landmark civil rights cases, to include the following: *Brown v. Board of Education* (1954) regarding racial segregation; *Miranda v. Arizona* (1966) regarding that one can be tried only when they know their rights; *Bush v. Gore* (2000) regarding the 2000 presidential election; and *Obergefell v. Hodges* (2015) regarding same-sex marriage. The amendment limits the actions of all state and local officials, including those acting on behalf of such an official.

PROVENANCE

The Elsie O. and Philip D. Sang Foundation (Sotheby's New York, 20 June 1979, lot 728)

\$ 40,000-60,000





2153

2153

PROPERTY OF A NEW YORK COLLECTOR

MARY TODD LINCOLN

Autograph letter signed ("your friend ML") to Mrs. James W. (Rhoda) White, hoping—but not quite believing—that "the glories of the Hereafter" will compensate "for the sorrows of this life"

5 pages (7 x 4½ in.; 177 x 113 mm) on a bifolium of monogrammed black-bordered mourning stationery (last page neatly cross-written over the first), St. Charles, 14 November [1871], to Mrs. James W. (Rhoda) White, with an autograph postscript signed ("Please address me care of my son, 16 Congress St., Chicago, ML.") neatly cross-written over second page; one fold separation and one very short marginal tear neatly mended.

A POIGNANT LETTER TO ONE OF MRS. LINCOLN'S PRINCIPAL CONFIDANTS DURING HER DESPERATELY DESPONDENT WIDOWHOOD: "THE TRUTH [IS] I AM SO WRETCHED IN MY MIND, SO UTTERLY CAST DOWN BY MY FEARFUL BEREAVEMENT, I HAVE NOT THE ENERGY LEFT TO DO ANY THING." Turner and Turner's *Mary Todd Lincoln: Her Life and Letters*, notes that "Letters written by Mary

Lincoln between 1871 and 1876 are today the rarest of items. Many of them have been lost, others were perhaps deliberately destroyed, but relatively few existed to begin with. In the years following Tad's death, Mrs. Lincoln all but disappeared from sight. Her son's illness and the shock of his death had taxed her physically almost beyond endurance; mentally, she was in a state of deep despondency. She was interested in very little and scarcely stayed in one place long enough to maintain a correspondence with anyone. Yet the few surviving documents from these years are of considerable interest, for most of them touch on matters that concerned her deeply" (p. 595).

Certainly that is the case with the present letter. Mrs. Lincoln's grief here is not focused, as so often, on her martyred husband, but on her youngest son, Tad, who had died less than three months earlier, shortly after his eighteenth birthday. "Many thanks for your kind attention, regarding the Steamer. I feel that there is no end, to the trouble I give you, dear, dear friend. In consideration of the bad feeling in the South towards the North & the eve of a presidential election pending, with the name of Lincoln, I scarcely think it would be

safe to venture. So for the present, I decline the trip. The truth I am so wretched in my mind, so utterly cast down by my fearful bereavement, I have not the energy left to do any thing. My friends have thought, change of scene might benefit, but it will only be the final & great change, that restores me to my idolised ones, that will ever cause me to be my self again.

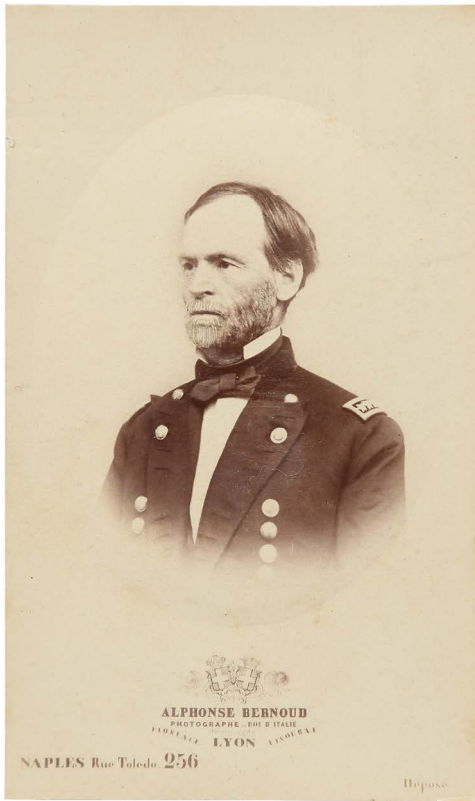
"Just as I had in a *measure* returned to my natural cheerfulness with a worshipped son by my side, who could not bear me out of his sight when I was feeling that once more, I had something to live for, who was my pride, my fond delight, to have this precious one, snatched from my hands. I sometimes think that the glories of the *Hereafter* will scarcely compensate, for the sorrows of this life—yet I often when I think of the blessed reunion."

Mrs. White was herself a widow who had lost several children. She offered Mary Lincoln critical support, both financial and spiritual.

REFERENCES

Not in Turner and Turner, *Mary Todd Lincoln: Her Life and Letters*, and apparently unpublished.

\$ 15,000-20,000



2154 (ACTUAL SIZE)

2154

PROPERTY OF VARIOUS OWNERS

GENERAL WILLIAM TECUMSEH SHERMAN

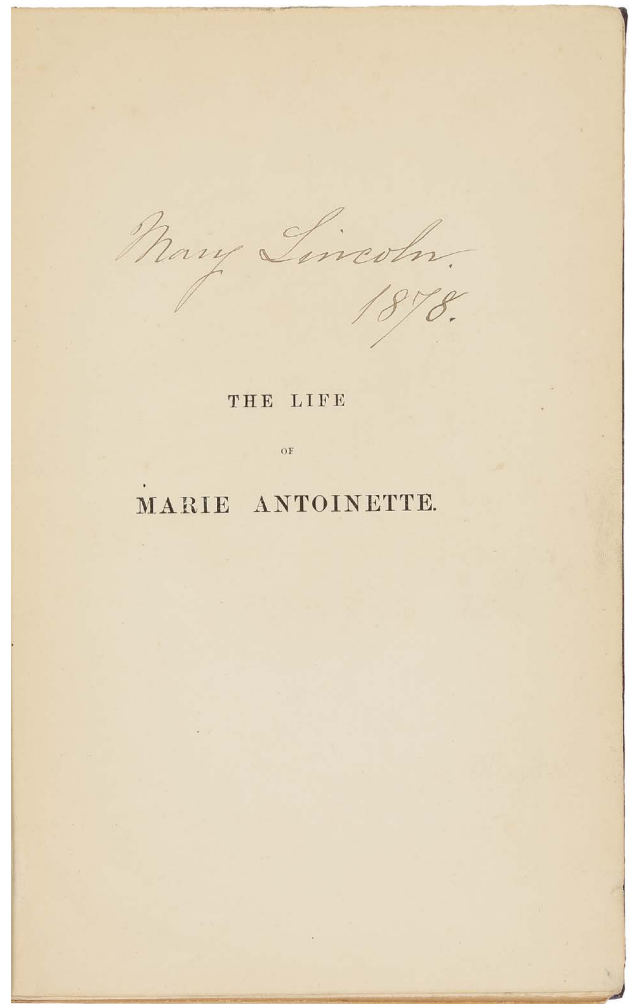
A fine carte-de-visite size albumen photograph portrait by Alphonse Bernoud, inscribed to Princess Triggiano

Carte-de-visite photograph (2½ x 4¼ in.; 62 x 105 mm) mounted on card, printed "Alphonse Bernoud ... Naples Rue Toledo 256" on recto, inscribed on verso; minor spotting, primarily to mount. [With]: Calling card (3¼ x 1⅞ in.; 80 x 47 mm), printed "Il Principe Brancaccio" and inscribed "with best wishes"; very slight stain were paper clipped.

Inscribed by the Union Army General: "To the Princess | Triggiano, | Hotel Lomor (?) | Naples, | W.T. Sherman | General, |U.S. Army"

The present carte de visite was likely inscribed to Eleonora Brancaccio, daughter of Salvatore Brancaccio, Prince di Triggiano.

\$ 2,500-3,500



2155

2155

(MARY TODD LINCOLN)

Yonge, Charles Duke. *Marie Antoinette, Queen of France*. London: Hurst and Blackett, 1877

8vo (8⅛ x 5⅞ in.; 206 x 530 mm). Mounted oval portrait frontispiece; a few leaves with repairs to fore-edges. Publisher's purple blindstamped cloth; rubbed, spine darkened and crudely repaired at edges.

MARY TODD LINCOLN'S COPY OF *THE LIFE OF MARIE ANTOINETTE*, SIGNED "Mary Lincoln / 1878" on the half-title. Comparisons between Mrs. Lincoln and Marie Antoinette have been drawn before. Both were attacked as spendthrifts and both were judged harshly on a variety of charges by the popular press. Both women also endured great losses and privations in their lives.

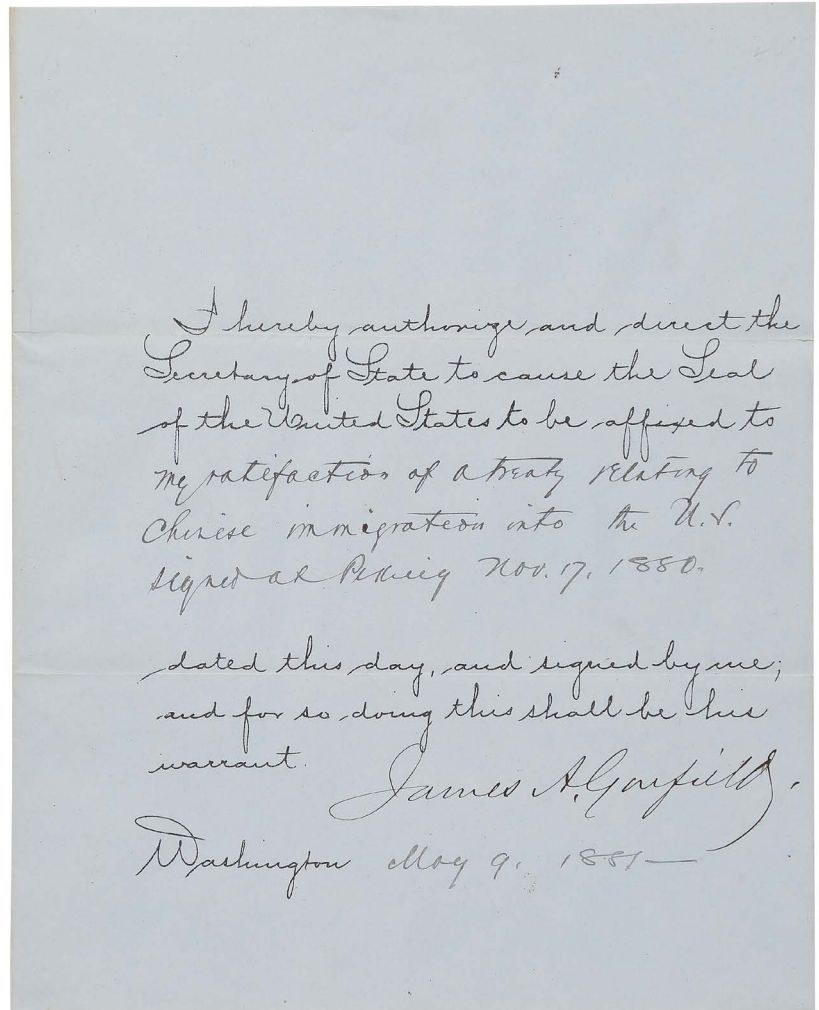
Mrs. Lincoln was well-educated and spoke French fluently. She travelled in Europe and lived in Pau, France, from 1877 to 1880. The present volume was purchased by Mrs. Lincoln in 1878 at the Librairie Galignani on the rue de Rivoli in Paris, the oldest English-language bookstore on the Continent and still in operation today.

With a carte-de-visite portrait of Mrs. Lincoln attached to the front free endpaper.

PROVENANCE

Librairie Galignani (ticket on front pastedown) — Mary Todd Lincoln (signature) — Emil Edward Hurja

\$ 3,000-5,000



2156

2156

JAMES A. GARFIELD

Partially lithographed document signed ("James A. Garfield") as twentieth President, being an order to Secretary of State James G. Blaine to affix the Seal of the United States

One page (10 x 8 in.; 253 x 204 mm) on a bifolium of blue wove paper, accomplished in a clerical hand, Washington, 9 May 1881, pencilled docket on verso; mounting remnant on verso of second leaf.

A fine example of Garfield's full signature as President, which, like Lincoln, he employed only on official documents. The present document authorizes Blaine "to cause the Seal of the United States to be affixed to my ratification of a treaty relating to Chinese immigration into the U.S. signed at Peking Nov. 17, 1880."

During the California Gold Rush and the construction of the transcontinental railroad, large numbers of Chinese emigrated to America. After being driven from the mines, most settled in Chinatowns in places like San Francisco, finding jobs mostly as low-pay laborers. In 1868, the Burlingame Treaty established formal friendly relations between the two nations, giving China most favored nation status and encouraging immigration from China. But after the Civil War, anti-Chinese animosity grew as the American economy declined. In 1879, Congress prohibited ships from bringing more than fifteen Chinese passengers in a single voyage. President Rutherford B. Hayes vetoed it as a violation of the Burlingame Treaty, but sent a delegation to China, led by James B. Angell, to negotiate a new treaty that included immigration restrictions.

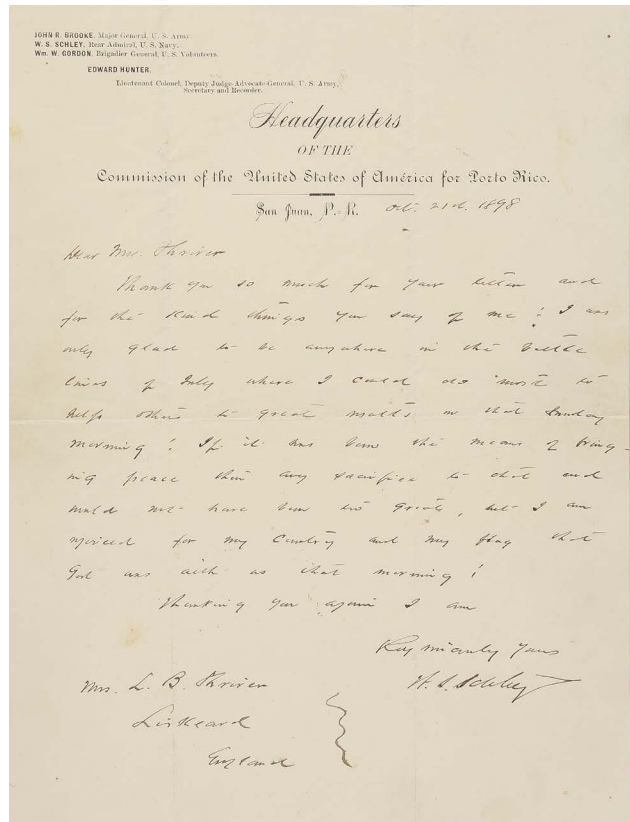
The two nations signed the Angell Treaty on November 17, 1880, in Peking (now Beijing). The treaty temporarily suspended immigration of Chinese laborers, while allowing white-collar professionals. A concurrent treaty also negotiated by the Angell commission and China limited trade in opium. The U.S. Senate advised ratification of the Angell Treaty on May 5, 1881, and new President James A. Garfield signed it on May 9. This order authorized and directed Secretary of State James G. Blaine to affix the seal of the United States to the treaty, making it official. Presidential documents issued by Garfield are quite rare, given his brief time in office. In fact, the Treaty wasn't publicly proclaimed until after his assassination.

In 1882, the Chinese Exclusion Act extended the ban on the immigration of Chinese laborers for another ten years. In 1892, the Geary Act extended Chinese exclusion for another ten years, and in 1902, it became "permanent."

\$ 8,000-12,000



2159



2160

2159

THEODORE ROOSEVELT

A small collection of material from Roosevelt's Rough Rider days, circa 1898

LOT INCLUDES: Two pages (8½ x 11 in.; 215 x 279 mm) endorsement signed ("T. Roosevelt | Col. 1st U. S. V."), as colonel of the Rough Riders, on verso of an Army Discharge Certificate for Albert S. Johnson, Camp Wikoff, Long Island, 15 September 1898, partially printed form, engraving of American eagle at top. "Did not serve under me personally;" Roosevelt notes on the verso, but Johnson "is reported to me as a good and loyal officer." — One page (4¼ x 3½ in.; 90 x 112 mm) autograph endorsement signed ("T. Roosevelt"), as Colonel of the Rough Riders, Camp Wikoff, Long Island, 7 September 1898, pinned to verso of Albert S. Johnson's 5 September 1898 application for 60-days leave. It would seem that Roosevelt passes along Johnson's request, noting: "Respectfully forwarded. This officer did not serve in Cuba but remained in Florida with the Squadron left behind." Incidentally, Johnson's application was ultimately denied, as his regiment was about to be disbanded and taken

out of service. — Black and white photograph (4 x 3 in.; 102 x 76 mm), mounted on cabinet card, depicting Roosevelt in full uniform, [ca. 1898]. The present image shows Roosevelt standing outside a tent, documents in hand, with his campaign hat. [With]: Two cabinet card photos of Albert S. Johnson.

The Rough Riders was a nickname given to the 1st United States Volunteer Cavalry, which served in the Spanish-American War, and was the only regiment to see action. The regiment was also called "Wood's Weary Walkers" in honor of its commander, Colonel Leonard Wood. Colonel Wood's second in command was Theodore Roosevelt.

Material from Roosevelt's Rough Rider days is relatively rare.

PROVENANCE

Christie's New York, 19 June 2007, lot 304 (undesignated consignor)

\$ 3,500-5,000

2160

**PROPERTY OF A DIFFERENT OWNER
WINFIELD SCOTT SCHLEY**

Autograph letter signed ("W. S. Schley") to Mrs. L. B. Shriver, regarding his recent victory over the Spanish fleet in the Battle of Santiago Bay

One page (10½ x 8 in.; 268 x 204 mm) on "Headquarters Army of the Commission of the United States of America for Porto Rico" letterhead, San Juan, Puerto Rico, 21 Oct 1898; previously folded, a few light stains.

Winfield Scott Schley emerged as a hero from the Spanish-American war, in large part due to his decisive role in the Battle of Santiago Bay, the naval battle that sealed an American victory. In this letter, written a few months following the skirmish, Schley writes to an English admirer:

"Thank you so much for your letter and for the kind things you say of me. I was only glad to be anywhere in the battle lines of July where I could do most to help others to great results in that Sunday morning! If it has been the means of bringing peace then my sacrifice to that end would not have been too great, but I am rejoiced for my country and my flag that God was with us that morning! ..."

\$ 800-1,200

PROPERTY OF A NEW YORK COLLECTOR
**(SUSAN B. ANTHONY) — IDA HUSTED
 HARPER**

The Life and Work of Susan B. Anthony.
 Indianapolis and Kansas City: The Bowen
 Merrill Company, 1899

2 volumes in 8s (9¾ x 6½ in.; 248 x 165 mm).
 48 half-tone plates, numerous autograph
 facsimiles in text; light dampstaining to fore-
 edges in vol. 1, inscribed flyleaf in volume 2
 detached. Publisher's vertical ribbed green
 cloth, gilt emblem of Anthony in profile on
 upper covers, spines lettered gilt, top edges gilt;
 hinges cracked, spines lightly faded. In a linen
 clamshell box.

FIRST EDITION, BOTH VOLUMES INSCRIBED BY
 SUSAN B. ANTHONY TO AMERICAN LECTURE
 MANAGER, JAMES B. POND. Volume 1 is inscribed
 on the front free endpaper: "Yes indeed you
 shall have | the pen-tracks of memory of the
 | olden days, with the best wishes for | the
 present and future vouchsafe to you and | your
 good wife of | your sincere friend & coworker |
 Susan B. Anthony | Rochester, N. Y. | July 30,
 1900."

The inscription in the second volume is
 couched in stronger feminist language: "With
 one entire half of the | citizens of this Republic
 still | disenfranchised — there is plenty | of
 room for heroic souls and | their most earnest
 & combined | efforts to bring our government
 into | harmony with its grand theory of Equal
 | Rights for all —at least so thinks | Your old
 friend | Susan B. Anthony | Rochester, N. Y. |
 July 30, 1900."

James Pond also counted among his clients
 Samuel Clemens, Arthur Conan Doyle, Henry M.
 Stanley, and Henry Ward Beecher. In his 1900
 reminiscences, *Eccentricities of Genius*, Pond
 described Anthony as "one of the ablest women
 orators." His close relationship with Anthony
 suggests that Pond was a strong supporter of
 the women's suffrage movement, as he had
 been of the abolitionist movement. His abilities
 as a lecture manager enabled the suffragists to
 carry their message throughout the country.

PROVENANCE

James B. Pond (gift inscriptions on front free
 endpapers, bookplate on front pastedowns)
 — Yvonne Shartren (bookplates on front
 pastedowns) — Elly and Jock Elliott (Sotheby's
 New York, 21 June 2007, lot 17)

\$ 5,000-7,000

James B. Pond
 330 - Bergen Avenue
 Jersey City - N. Jersey

With one entire half of the
 citizens of this Republic still
 disenfranchised - there is yet plenty
 of room for heroic souls and
 their most earnest & combined
 efforts to bring our government into
 harmony with its grand theory of Equal
 Rights for all - At least so thinks
 Your old friend
 Susan B. Anthony
 July 30, 1900
 Rochester - N. Y.

2161

11693 6291

James B. Pond
 330 - Bergen Avenue
 Jersey City - N. Jersey

Yes indeed, you shall have
 the pen-tracks in memory of the
 olden days, with the best wishes for
 the present & future vouchsafe to you and
 your good wife - of
 your sincere friend & coworker
 Susan B. Anthony
 Rochester - N. Y.
 July 30, 1900 -

2161

THEODORE ROOSEVELT

Typed letter signed ("Theodore Roosevelt") as twenty-sixth President to the Rev. Franklin C. Smith, avowing that "no man who is both intelligent and decent can differ with" him on the subject of birth control

3½ pages (10½ x 8 in.; 266 x 202 mm) on *The White House* letterhead, Washington, 24 January 1906, with several autograph emendations; light marginal browning and soiling.

"IT IS AS ARRANT NONSENSE TO SPEAK OF ITS BEING POSSIBLE TO RENDER SERVICE TO THE STATE BY A COURSE OF CONDUCT WHICH MEANS THAT THERE WON'T BE ANY STATE TO RENDER SERVICE TO, AS IT WOULD BE TO SPEAK OF A MAN RENDERING SERVICE TO HIMSELF BY TAKING POISON."

In this remarkable letter, the President writes with a candor and indignation unusual even for him. Here he upbraids a pastor of Christ Church in Central City, Nebraska, who had the temerity to suggest the virtues of family planning: "I entirely agree with you that I should be very sure of my ground before giving public utterance to my opinion. As to the subject to

which you refer, I am absolutely sure; and as you are a minister of the Gospel I think I ought to say to you that I am so sure of it that I feel that no man who is both intelligent and decent can differ with me. I mean this literally. It is not a debatable subject. ... Men may differ about the tariff, or about currency, or about expansion; but the man who questions the attitude I take in this matter is, I firmly believe, either lacking in intelligence or else lacking in character."

He goes on to characterize Smith's advocacy of birth control as "one of astounding folly as well as of astounding immorality. To advocate artificially keeping families small, with its inevitable attendants of pre-natal infanticide, of abortion, with its pandering to self-indulgence, its shirking of duties, and its enervation of character, is quite as immoral as to advocate theft or prostitution, and is even more hurtful in its folly, from the standpoint of the ultimate welfare of the race and the nation."

Roosevelt dismisses as "pure nonsense" Smith's suggestion that a smaller number of children, well cared for and well educated, will better serve the nation than a large number of possibly neglected offspring: "The average child from a fair-sized family is ... much better equipped to do good service than the average

child from a family of only one or two children where the cold self-indulgence, the selfishness, the folly or wickedness of the parents are responsible for the fact that there are but one or two children." He points to France, where family planning has experienced a vogue and "the growth of population has stopped instead of increasing, and indeed, apart from emigration, is now diminishing, and that frightful moral and physical evils have followed in its train. ... It is as arrant nonsense to speak of its being possible to render service to the state by a course of conduct which means that there won't be any state to render service to, as it would be to speak of a man rendering service to himself by taking poison."

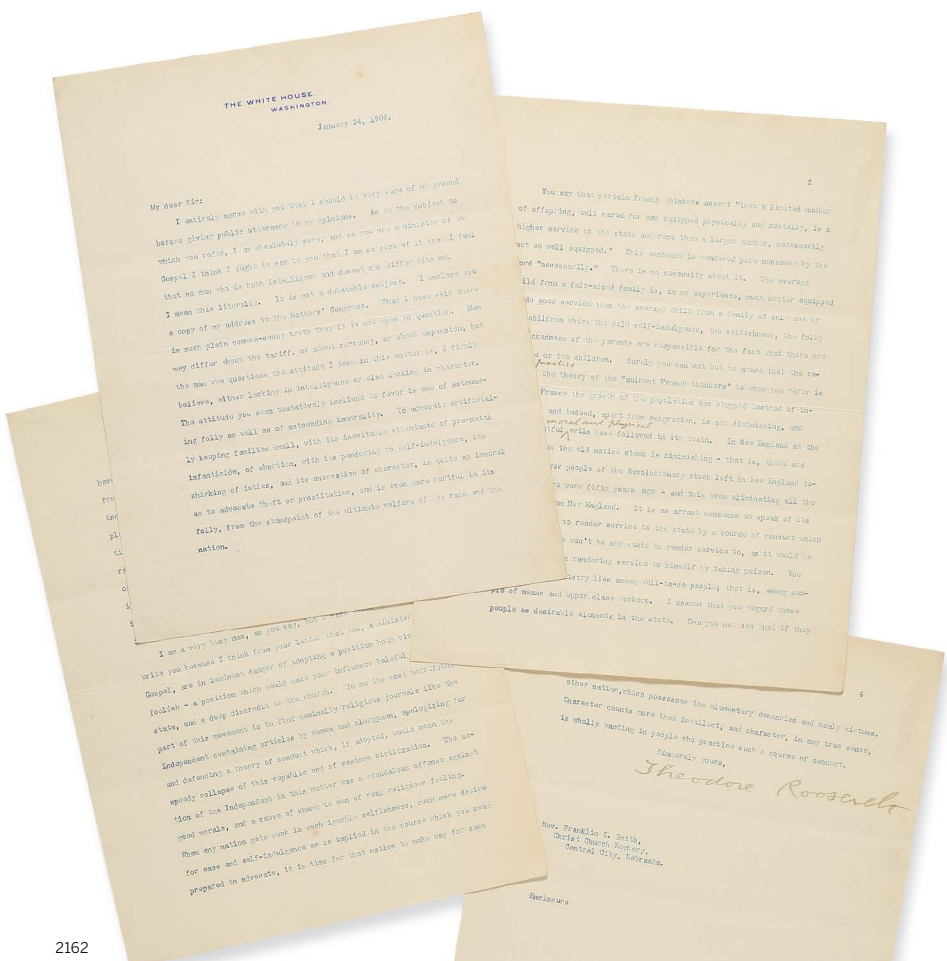
Finally, Roosevelt reveals one important source for his attitude—the Social Darwinist elitism so typical of many turn-of-the-century Progressives. He reminds Smith that the clergyman described his own congregation as being "well-to-do people; that is, ... people of means and upper class workers. I assume that you regard these people as desirable elements in the state. Can you not see that if they have an insufficient quantity of children, then the increase must come from the less desirable classes[?]" The President closes his letter with a pointed attack on Smith and his responsibilities as a clergyman: "To me the most horrifying part of this movement is to find nominally religious journals like the *Independent* containing articles by women and clergymen, apologizing for and defending a theory of conduct which, if adopted, would mean the speedy collapse of this republic and of western civilization. ... When any nation gets sunk in such ignoble selfishness, such mere desire for ease and self-indulgence as is implied in the course which you seem prepared to advocate, it is time for that nation to make way for some other nation, which possesses the elementary decencies and manly virtues. Character counts more than intellect; and character, in any true sense, is wholly wanting in people who practice such a course of conduct."

In an article published five years later, Roosevelt publicly denounced birth control as "worse, more debasing, more destructive, than ordinary vice" and recommended a family of four children for the "average man and woman" (*The Outlook*, 8 April 1911. Here, at least, Roosevelt practiced what he preached, for he was the father of six children by two marriages. Of course, he was also the heir to a comfortable fortune which allowed him to feed, clothe, and educate those children with ease and to hire nurses and governesses to share the burdens of caring for a half-dozen lively young Roosevelts.

PROVENANCE

Sotheby's New York, 13 May 1987, lot 127 (undesignated consignor) — The Forbes Collection (Christie's New York, 22 May 2007, lot 108)

\$ 18,000-25,000



111-112-113

Mr. President, and my friends, I feel that I have a chance to say a few words to you this evening. I feel that I have a chance to say a few words to you this evening. I feel that I have a chance to say a few words to you this evening.

There is no use in discussing what amounts of internal affairs we shall have in the future. There is no use in discussing what amounts of internal affairs we shall have in the future. There is no use in discussing what amounts of internal affairs we shall have in the future.

I wish you to understand, however, that I am speaking of you as an individual, not as a representative of a large group. I wish you to understand, however, that I am speaking of you as an individual, not as a representative of a large group. I wish you to understand, however, that I am speaking of you as an individual, not as a representative of a large group.

And, O gentlemen, think of the better necessary even to say that you are not a representative of a large group. And, O gentlemen, think of the better necessary even to say that you are not a representative of a large group. And, O gentlemen, think of the better necessary even to say that you are not a representative of a large group.

is a broadened upon our country. (Applause.) If we have only the loyalty to a few. Preference must be given to the broadened upon our country. (Applause.) If we have only the loyalty to a few. Preference must be given to the broadened upon our country.

It is in good faith and without any ill will, in order to do so. It is in good faith and without any ill will, in order to do so. It is in good faith and without any ill will, in order to do so.

I wish you to understand, however, that I am speaking of you as an individual, not as a representative of a large group. I wish you to understand, however, that I am speaking of you as an individual, not as a representative of a large group. I wish you to understand, however, that I am speaking of you as an individual, not as a representative of a large group.

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My (Applause.) I think I can hear, not only the voice of the people, but the voice of the government. My (Applause.) I think I can hear, not only the voice of the people, but the voice of the government. My (Applause.) I think I can hear, not only the voice of the people, but the voice of the government.

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I abhor unjust and wanton war. All that I honorably could do would be done to try to keep this country out of war. But I would rather see this country go to war than sink into the dreadful condition where the people do not know that there are things even worse than war. (Applause.)

I once used a phrase, to sum up our proper foreign policy:—"Speak softly and carry a big stick." There was a good deal of laughter over that phrase. But it expresses a pretty sound policy all the same. (Applause.) Remember, that I was President seven years and a half and that I never spoke with wanton harshness of any nation. I always spoke softly, I was always just as nice and polite as any man could be (laughter and applause). But I carried a big stick! (Applause). And there was not, in all

2163

2163

PROPERTY OF A DIFFERENT OWNER

THEODORE ROOSEVELT

Printed proof sheets of his "Address Delivered to the Illinois State Bar Association," 29 April 1916, with more than 40 pencilled corrections in Roosevelt's hand

Eight pages (7 x 24 in.; 178 x 610 mm, final page trimmed to 7 x 8 in.; 178 x 205 mm), signed ("Theodore Roosevelt") in pencil in upper margin of first page, with approximately 43 pencil annotations or corrections in Roosevelt's hand; minor toning, a few splits to folds, a number of which neatly reinforced on the verso,

old marginal rust stains where previously paper clipped, a few stray spots.

THEODORE ROOSEVELT ADVOCATING AMERICA'S ENTRY INTO WORLD WAR I, AND REVISITING HIS FOREIGN POLICY MAXIM "SPEAK SOFTLY AND CARRY A BIG STICK":

"I once used the phrase, to sum up our proper foreign policy:— 'Speak softly and carry a big stick.' There was a good deal of laughter over that phrase. But it expresses a pretty sound policy all the same. Remember, that I was President seven years and a half and that I never spoke with wanton harshness of any nation. I always spoke softly, I was always just

as nice and polite as any man could be. But I carried a big stick!"

In relation to the crisis unfolding in Europe, Roosevelt called for national preparedness. In the present address, drafted nearly a year prior to the United States' entry into World War I, Roosevelt makes his opinion about the cost of isolationism undeniably clear: "The result of our inaction, of our sloth and timidity, has been that every nation in the world now realizes our weakness and that no nation in the world really believes either in our disinterestedness or our manliness."

\$ 30,000-50,000

Oyster Bay,

Long Island, N. Y.,

May 13, 1916.

My dear Judge:-

That's an awfully nice letter of yours! I will see Judge Moreland as soon as possible. Now, I wish I could see you and go over this situation.

I do not believe that the Republicans have any intention of nominating me. I only hope they will give us some man who will be the antithesis of Wilson. What a trump General Barry is!

Sincerely yours,

Theodore Roosevelt

Hon. Richard Campbell,
Court of First Instance,
Manila, P. I.

2164

2164

PROPERTY OF A NEW YORK COLLECTOR

THEODORE ROOSEVELT

Typed letter signed ("Theodore Roosevelt") to the Hon. Richard Campbell ("My dear Judge"), downplaying his prospects for the 1916 Republican presidential nomination

One page (10 x 6⁷/₈ in.; 253 x 172 mm), Oyster Bay, Long Island, New York, 13 May 1916; light fold creases.

Teddy Roosevelt succeeded to the presidency in the midst of the Philippine-American War, during which time he perhaps made the acquaintance of Richard Campbell, judge of the Court of First Instance of the city of Manila. He here thanks Campbell for some recent

correspondence, but tempers the judge's expectation that the GOP might again choose Roosevelt as its presidential standard-bearer.

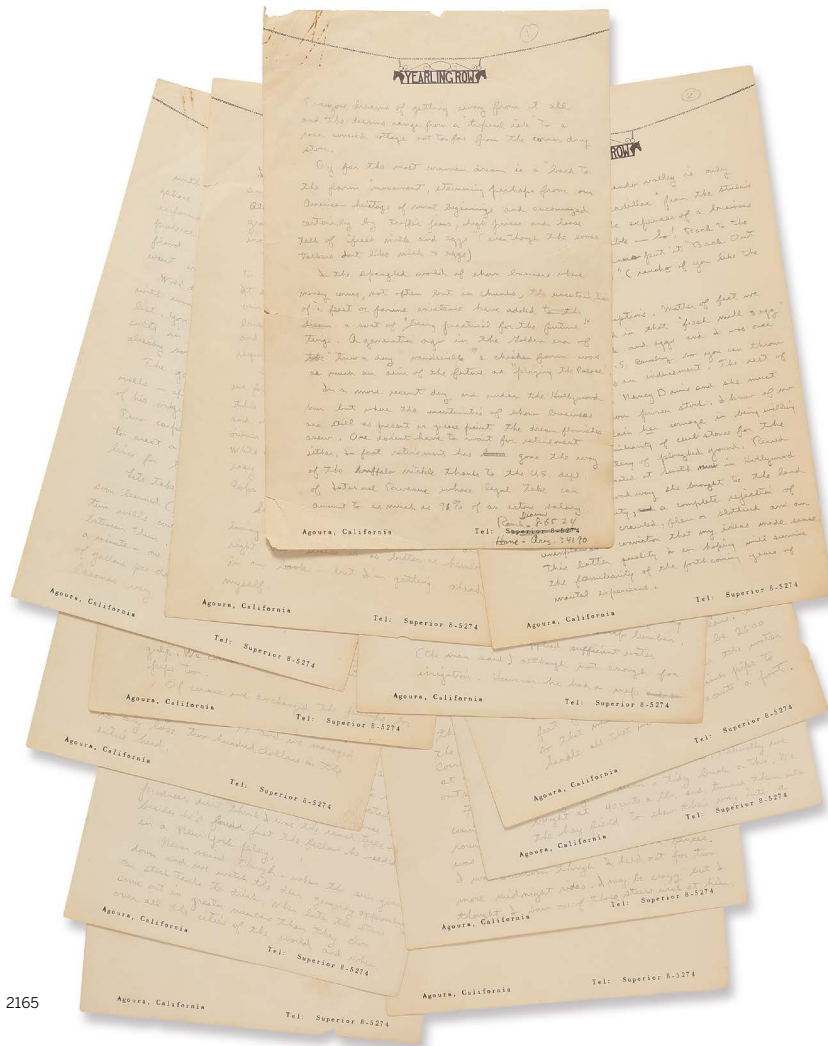
"That's an awfully nice letter of yours! I will see Judge Moreland as soon as possible. Now, I wish I could see you and go over this situation.

"I do not believe that the Republicans have any intention of nominating me. I only hope they will give us some man who will be the antithesis of Wilson. What a trump General Barry is!" (Thomas Henry Barry—who had earlier been appointed by President Roosevelt as commander of the Army of Cuban Occupation and Pacification and had also served as Superintendent of West Point—was at the time the commander American troops in the Philippines and China.)

Roosevelt's 1912 third-party challenge to his former friend and vice president, William Howard Taft, put Woodrow Wilson in the White House. With the looming prospect of American involvement in the war in Europe as the central issue of the 1916 campaign, the Democrats nominated incumbent Wilson while the Republicans nominated Charles Evans Hughes of New York, then a sitting associate justice on the Supreme Court. Although the Progressive Party—popularly known as the Bull Moose party—nominated him again, Roosevelt, his disdain for Wilson even greater than before, and all too aware of the consequences of another split Republican vote, withdrew his candidacy and threw his support behind Hughes.

\$ 2,000-3,000

145



2165

2165

PROPERTY OF VARIOUS OWNERS

RONALD REAGAN

Autograph manuscript in pencil, 13 pp. (10 $\frac{7}{8}$ x 7 $\frac{1}{8}$ in.; 276 x 181 mm) on his Yearling Row letterhead, Agoura, California, c. 1953; first and last leaves with minor wear, small nicks, and rust staining from paper clip.

RONALD REAGAN PITCHES A RADIO REALITY SERIES BASED ON HIS EXPERIENCES AT HIS YEARLING ROW RANCH.

Reagan and his new wife Nancy Davis pitch the idea of a radio series "based on the personal incidents as well as the ranch happenings of a Hollywood couple, an Actor and Actress who go into ranching. Not only is the usual Husband and Wife situation enhanced by a motion picture background but it is played in a setting boasting its own glamour and adventure, a thoroughbred horse farm. Remember too that we ride then as well as raise them Yearling Row is the home of fine hunters and jumpers, one has even been featured in several pictures of mine." Reagan's wit is evident throughout the narrative, as he details his misfortunes as a

ranch owner.

The ranch reflected Reagan's passion for the outdoor life, but he and Nancy looked upon the horse-breeding business as supplemental income against the vagaries of acting jobs. "Retirement," Reagan complains, "has gone the way of the buffalo nickle thanks to the U. S. dept of Internal Revenue whose legal take can amount to as much as 91% of an actors salary." His response: "So! Back to the farm or as us Westerners put it, 'Back Out Yonder to the ranch' (rancho if you like the latin flavor)." He also praises his wife Nancy, as "she must certainly stem from pioneer stock. I know of no other way to explain *her* courage in being willing to trade the familiarity of curb stones for the unexplored mystery of ploughed ground." Although her "unexplainable conviction that my ideas made sense" had something to do with it, Reagan still hopes that "this latter quality ... will survive the familiarity of the forthcoming years of marital experience."

Reagan details at length the hazards and pitfalls of ranching: "Do you know what it is like to be awakened at 2 AM of a dark foggy night by a

telephone call from the Sheriff's office? 'Your cattle have gone through the fence and are blissfully headed for Ventura Blvd.'" He ends by waxing poetic about his ranch. "When later the stars come out in greater numbers than they do over all the cities of the world and when we turn on the radio and hear that one of our foals (a leggy little creature we helped into the world on a cold winter night) is now a winner at Santa Anita we feel kind of snug. But not for long, because out in the stable on a bed of straw another foal will be born tonight and tomorrow there are yearlings to be trained because this is Yearling Row."

Reagan's Yearling Row Ranch (named for the two films he made with his first wife Jane Wyman—*The Yearling* and *King's Row*) was located in Agoura, California, near Malibu Lake, "an easy 45 min. to Beverly Hills—50 if the Cops are out." Reagan purchased the original 236 -acre ranch in 1951 for \$85,000, added smaller parcels to it, and sold it in 1966 for \$1,900,000, to pay debts from his successful run for governor of California. The ranch is now part of Malibu Creek State Park.

\$ 4,000-6,000

THE WHITE HOUSE
WASHINGTON

March 17, 1965

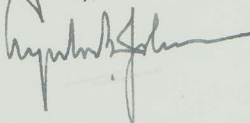
Dear Mike:

Your telegram was a bright and happy event in my day.

Of course I am glad that you heartily approved of what I had to say. There really can be no argument about the position that I have taken for there are few issues before the people of this country that are so rooted in rightness - constitutionally, morally, and humanly.

Thank you, my dear friend, for your very kind words.

Sincerely,



Honorable Michael J. Kirwan
House of Representatives
Washington, D. C.

2166

HARRY S. TRUMAN
INDEPENDENCE, MISSOURI

March 25, 1970

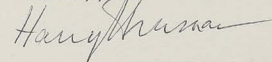
Dear Mr. Cohen:

I was pleased to have your letter of February 20, and to comply with your request for a signed photograph.

As for your interest in the proclamation of May 14, 1948, any document or statement issued by the President goes through a series of statements to make certain of its accuracy and clarity of meaning.

I continue to hope that a reign of peace will soon come to pass.

Sincerely yours,



Mr. Benjamin Cohen
24, Hamaavak Street
Ramat, Hasharon
Israel

2167

2166

LYNDON B. JOHNSON

Typed letter signed ("Lyndon B. Johnson") as 36th President, to Congressman Michael J. Kirwan, regarding the civil rights movement

One page (6½ x 8½ in.; 165 x 216) on White House letterhead, Washington, 17 March 1965, with original envelope (7 x 4½ in.; 178 x 114 mm), and two vintage black and white photographs of Lyndon B. Johnson delivering a special Congressional message. Matted, glazed, and framed together. Not examined out of frame.

PENNED JUST TEN DAYS AFTER THE "BLOODY SUNDAY" CONFRONTATION, A RARE LETTER BY JOHNSON PERTAINING TO THE CIVIL RIGHTS MOVEMENT:

"...There really can be no argument about the position that I have taken for there are few issues before the people of this country that are so rooted in rightness—constitutionally, morally, and humanly..."

On 7 March 1965, more than 600 individuals assembled in Selma, Alabama, to march to

Montgomery (which was more than forty miles away), to protest discrimination in voting rights. Once at the Edmund Pettus Bridge in Selma, the marchers were met by Alabama State troopers and local law enforcement, who ordered them to turn around. When they did not, police shot teargas into the crowd and began beating the protesters, over fifty of whom were hospitalized. This encounter, labeled "Bloody Sunday," was televised around the world, drawing outrage from many.

A week later, on 15 March 1965, President Lyndon B. Johnson addressed Congress with a special message, which was broadcast live to the nation on radio and television. Entitled "The American Promise," Johnson's speech passionately argued for Congress to pass a strong voting-rights bill to prohibit racial discrimination. The present letter is a reply to Ohio Congressman Michael J. Kirwan, who had evidently expressed his support to Johnson and the sentiments delivered in his address.

\$ 3,000-4,000

2167

HARRY S. TRUMAN

Typed letter signed ("Harry S. Truman"), 1 p. (10¾ x 7½ in.; 273 x 190 mm), Independence, Missouri, 25 March 1970, to Benjamin Cohen, Ramat, Israel.

HARRY TRUMAN ON HIS 1948 PROCLAMATION RECOGNIZING ISRAEL.

"As for your interest in the proclamation of May 14, 1948, any document or statement issued by the President goes through a series of statements of its accuracy and clarity of meaning. I continue to hope that a reign of peace will soon come to pass."

In reality, Truman's recognition of Israel was sent only eleven minutes after receiving the news that Israel had proclaimed independence at midnight on May 14/15, 1948 (in the U. S., May 14, 6 p.m. E. S. T.). The hastily typed original, with handwritten edits, is preserved in Truman's Presidential Library. Secretary of State George C. Marshall and many other opposed the creation of a Jewish state. Any mention by Truman of his recognition of Israel is extremely rare.

\$ 10,000-15,000

147

RONALD REAGAN
PACIFIC PALISADES

Dear Brad

Sept. 16 1975

Just a line to answer your good letter & wish you well with your project.

As to your question about how a Pres. should act in today's world; well first we should all be aware of the limit on a President's power when he is confronted by a hostile Cong. He can do little but veto their more extreme proposals.

I do believe however there is a moral force to the Presidency. In my opinion a Pres. today should use the media (radio & TV etc) as F.D.R. used radio in the '30's. He should take his case to the people, - explain his problems and his proposed solutions. In this way he can unite & mobilize citizen support so that they make Cong. feel their wants. They may not see the light but they'll feel the heat.

After all it was Harry Truman who described his job as a lobbyist for all the people.

Good Luck

Sincerely
Ronald Reagan

2168

RONALD REAGAN

Autograph letter signed ("Ronald Reagan") to Brad Wilde, describing his vision of the moral force of the Presidency

One page (10³/₈ x 7¹/₄ in.; 266 x 183 mm) on personal letterhead, Pacific Palisades, 16 September 1975, to Brad Wilde in Balboa, Panama Canal Zone, with original envelope autograph envelope.

RONALD REAGAN'S VISION OF A MORAL PRESIDENCY. Here the Republican leader and presidential candidate apparent responds to a student's question about "how a Pres. should act in today's world." "[F]irst," Reagan begins, "we should all be aware of the limit on a President's power when he is confronted by a hostile Cong. He can do little but veto their more extreme proposals." But Reagan then outlines a strategy he would use himself in the White House: "I do believe however, there is a moral force to the Presidency. In my opinion a Pres. today should use the media (radio & TV etc) as F.D.R. used radio in the '30's. He should take his case to the people, - explain his problems and his proposed situations. In this way he can unite & mobilize citizen support so that they make Cong. feel their wants. They may not see the light," he jokes, "but they'll feel the heat." Having invoked memories of one Democrat to make his point, this future Republican President closes by quoting still another Chief Executive from the opposition: "After all it was Harry Truman who described his job as a lobbyist for all the people."

PROVENANCE

Sotheby's, 2 April 1989, lot 142 (undesignated consignor)

\$ 10,000-15,000

2168



2169

RONALD REAGAN AND MARGARET THATCHER

Silver-gilt presentation coffee set with presidential seal

Mark of Tiffany & Co., New York, ca. 1930, comprising: a sugar bowl applied with a medallion of the Seal of the President of the United States, a plain pair of sugar tongs, and thirteen coffee spoons decorated with swallows and flowers, all within a fitted black leatherette case embossed with the Presidential Seal, each spoon marked on the stem, the sugar bowl marked underneath *Tiffany & Co Sterling 565*, the sugar tongs marked inside one arm. 11 oz. 12 dwt. (361 gr.); the case: 14½ in. (268 mm) wide

A GIFT BETWEEN POLITICAL FRIENDS. Margaret Thatcher was Prime Minister of the United Kingdom for the entire tenure of Ronald Reagan's presidency and stood as his closest ally and "political soulmate" on the geopolitical stage. The present coffee set is accompanied with a leaf of Thatcher's personal notepaper (headed *From the desk of Margaret Thatcher*, inscribed in pencil "Silver Gilt Coffee Spoons — Reagan." The occasion for the gift is not recorded.

PROVENANCE

Mrs Thatcher: The Online Sale (Christie's London, 3–16 December 2015, lot 203)

\$ 6,000-8,000



2169



2169

PRESIDENTIAL PATENT DOCUMENTS

LOTS 2170-2178

The United States of America.

To all to whom these Letters Patent shall come :

WHEREAS *Samuel Brouwer*, a citizen of the State of *New York*, in the United States, hath alleged that he has invented a new and useful improvement in the manufacturing of *Brick and Pantile* & &

which improvement has not been known or used before his application; has made oath, that he does verily believe that he is the true inventor or discoverer of the said improvement; has paid into the Treasury of the United States, the sum of thirty dollars, delivered a receipt for the same, and presented a petition to the Secretary of State, signifying a desire of obtaining an exclusive property in the said improvement, and praying that a patent may be granted for that purpose: THESE ARE THEREFORE to grant, according to law, to the said *Samuel Brouwer* his heirs, administrators or assigns, for the term of fourteen years, the full and exclusive right and liberty of making, constructing, using, and vending to others to be used the said improvement, a description whereof is given in the words of the said *Samuel Brouwer* himself, in the schedule hereto annexed, and is made a part of these presents.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed.

GIVEN under my hand, at the City of Philadelphia this *seventeenth* day of *August* in the Year of our Lord, *one thousand seven hundred and ninety three*, and of the Independence of the United States of America the *Eighteenth*.

J. Madison
By the President
J. W. Johnson

City of Philadelphia, TO WIT :

I DO HEREBY CERTIFY, That the foregoing Letters Patent, were delivered to me on the *seventeenth* day of *August* in the year of our Lord one thousand seven hundred and ninety *three* to be examined; that I have examined the same, and find them conformable to law. And I do hereby return the same to the Secretary of State, within fifteen days from the date aforesaid, to wit: On this *seventeenth* day of *August* in the year aforesaid.

Edm. Beardslee
Att. Cl. of the U. S.

2170

GEORGE WASHINGTON AND THOMAS JEFFERSON

Patent signed ("G. Washington") as first President, and co-signed ("Th: Jefferson") as Secretary of State, and ("Edm. Randolph") as Attorney General, for the invention of a brick-making machine, to Samuel Brouwer 17 August 1793

1 page (15 x 12 1/2 in.; 382 x 318 mm) on partially printed vellum, accomplished in a secretarial hand, embossed paper seal of the United States with green ribbon. [WITH] 2 page manuscript inventor's description on 1 sheet of vellum [AND] original watercolor prototype drawing of Brouwer's brick-making machine by J. Mackay; previously folded, with some discoloration and soiling, predominately to folds and edges. Framed to 23 x 44 inches in double-sided Plexiglas.

A SCARCE PATENT SIGNED BY GEORGE WASHINGTON AS PRESIDENT, AND THOMAS JEFFERSON AS SECRETARY OF STATE, ISSUED JUST THREE YEARS FOLLOWING THE PATENT ACT OF 1790

The recipient, Samuel Brouwer, was born in New York in 1762. Although few details of his life are known, various sources list the entrepreneurial fellow as a carpenter, a barrel-maker, and a composition and fanlight maker. The illustrator who executed the original illustration of Brouwer's brick-making machine, "J. Mackay," is very likely the John MacKay who is included in New York City directories from 1790 to 1812, sometimes listed as a glazier as well as a painter. The National Gallery of Art holds a 1791 portrait by Mackay of a possible relation of the inventor, Catherine Brouwer.

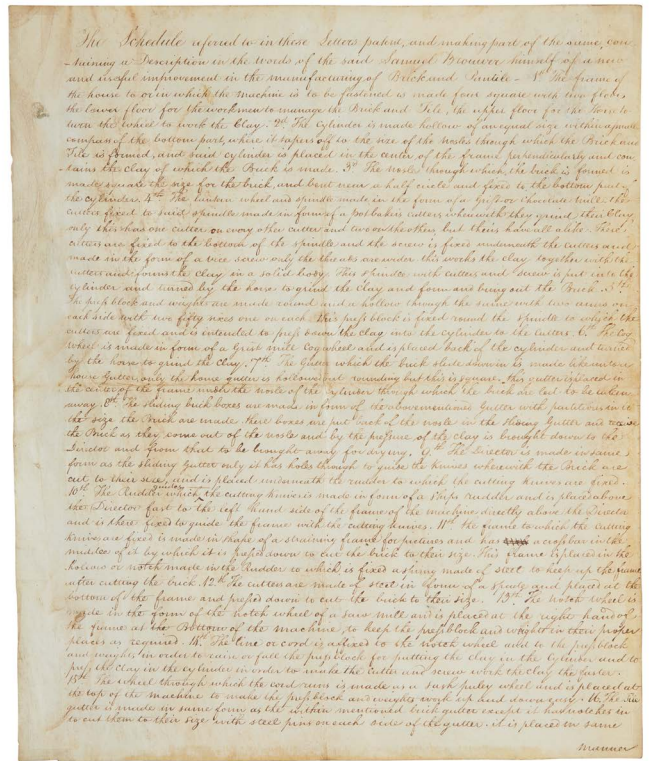
Brickmaking became one of the first industries in colonial America. It required only a few rudimentary tools, enough hand-made bricks to build a kiln, wood to fuel the kiln, and a good supply of clay. Fortunately, the shores of the Hudson River had immense clay beds. Due to growing demand, inventors such as Brouwer, Christopher Colles (1739-1816), Apollon Kinsley (ca. 1766-1803), and David Ridgway (1741-1794) received patents for improvements in manufacturing brick and tempering clay during Washington's administration.

Proving that Construction has long been a cutthroat business, Apollon Kinsley wrote to Secretary of State Jefferson on 22 November 1793 to complain of Brouwer's machine, "I have never Seen the Machine constructed by Mr. Brower but have been Informed that some parts of it were much like mine— especially some of the improvements, which were all made before he constructed his machine.... I hope the Law will not permit him to reap the advantage of experiments which I have made at the expence of all my Property and much time." No description of Kinsley's invention is known to survive, nor is Jefferson's response recorded. Over the next third of a century, the federal government issued sixty-five more patents related to brickmaking.

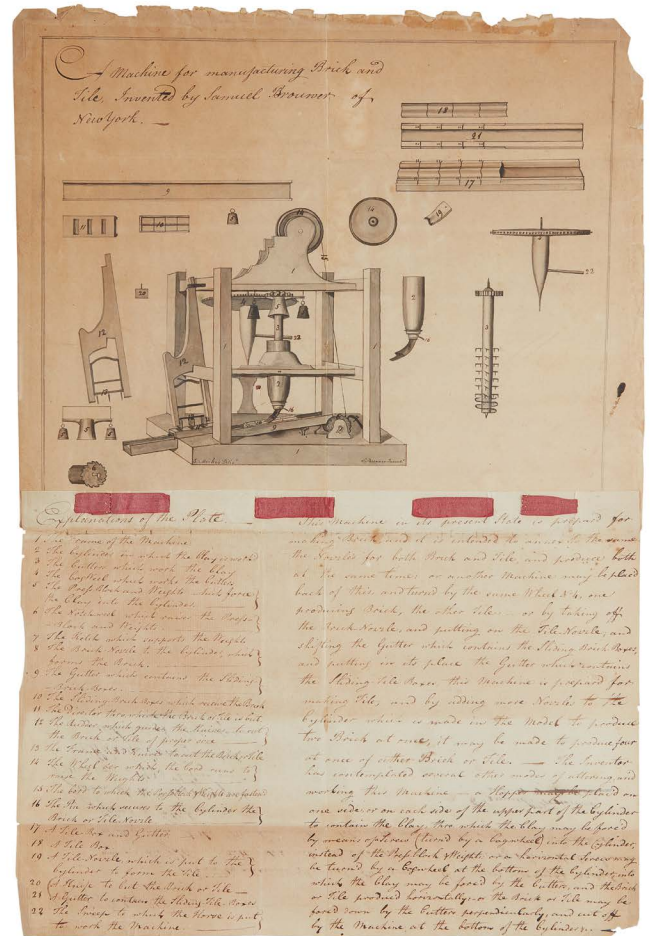
ONLY NINETEEN PATENTS SIGNED BY GEORGE WASHINGTON ARE CURRENTLY KNOWN TO SURVIVE, OF WHICH ONLY SEVEN ARE ALSO SIGNED BY THOMAS JEFFERSON AS SECRETARY OF STATE. Of the seven signed by both parties, this document is the only known patent with its original drawing, one of only two patents known in private hands, and the only known surviving patent for a New York inventor.

PLEASE NOTE: There are fewer than five known complete sets of presidential patents signed by the first seven presidents of the United States (after Jackson, the presidential signature was no longer required on these documents). With the present and subsequent lots, Sotheby's offers the opportunity for another set to be acquired.

\$ 150,000-200,000



2170



2170

The United States of America.

To all to whom these Letters Patent shall come :

WHEREAS *William Young*, _____ a citizen of the State of *Connecticut* in the United States, hath alledged that he has invented a new and useful improvement *Being a method of raising and hanging windows without weights or springs by means of Cork,* _____

which improvement has not been known or used before his application; has *made oath* that he does verily believe that he is the true inventor or discoverer of the said improvement; has paid into the Treasury of the United States, the sum of thirty dollars, delivered a receipt for the same, and presented a petition to the Secretary of State, signifying a desire of obtaining an exclusive property in the said improvement, and praying that a patent may be granted for that purpose: THESE ARE THEREFORE to grant, according to law, to the said *William Young*, his heirs, administrators, or assigns, for the term of fourteen years, from the _____ day of the present month of *November* the full and exclusive right and liberty of making, constructing, using, and vending to others to be used, the said improvement, a description whereof is given in the words of the said *William Young* himself, in the schedule hereto annexed, and is made a part of these presents.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the Seal of the _____ to be hereunto affixed.

_____ under my hand, at the City of *Washington* this *twentieth* day of *November* of the Year of our Lord, one thousand *eight* hundred _____ and of the _____ Independence of the United States of America, the *Secretary of State*.

John Adams

By the PRESIDENT,

J. Marshall Secretary of State.

City of *Washington* —To wit :

I DO HEREBY CERTIFY, That the foregoing Letters Patent, were delivered to me on the _____ day of _____ in the year of our Lord one thousand seven hundred _____ to be examined; that I have examined the same, and find them conformable to law. And I do hereby return the same to the Secretary of State, within fifteen days from the date aforesaid, to wit: On this _____ day of _____ in the year aforesaid.

2171

2171

JOHN ADAMS AND JOHN MARSHALL
Patent signed ("John Adams") as second President, co-signed ("J Marshall") as Secretary of State, and ("Charles Lee") as Attorney General, for "method of raising and hanging windows without weights or springs by means of Cork," to William Young, 20 November 1800; with a collection of related printed and manuscript material, 1801-1802

1 page (14 $\frac{1}{8}$ x 11 $\frac{3}{4}$ in; 360 x 301 mm) on partially printed vellum, accomplished in a secretarial hand, embossed paper seal of the United States with pink ribbon; previously folded, with some discoloration and fading. [WITH]: 1 page manuscript inventor's description, [AND] a collection of related printed and manuscript material including: 1) Assignment of Isaac Ashton to Stephen Sayre, 25 March 1801; 2) Certification, signed ("James Madison") as Secretary for the Department of State, 14 May 1801; 3) Assignment of Isaac Ashton to Frederick Lewis Goch, 5 June 1801; 4)

Subpoena to Joseph Jeffers, 11 October 1802: scattered browning and soiling, separation at folds, and repairs.

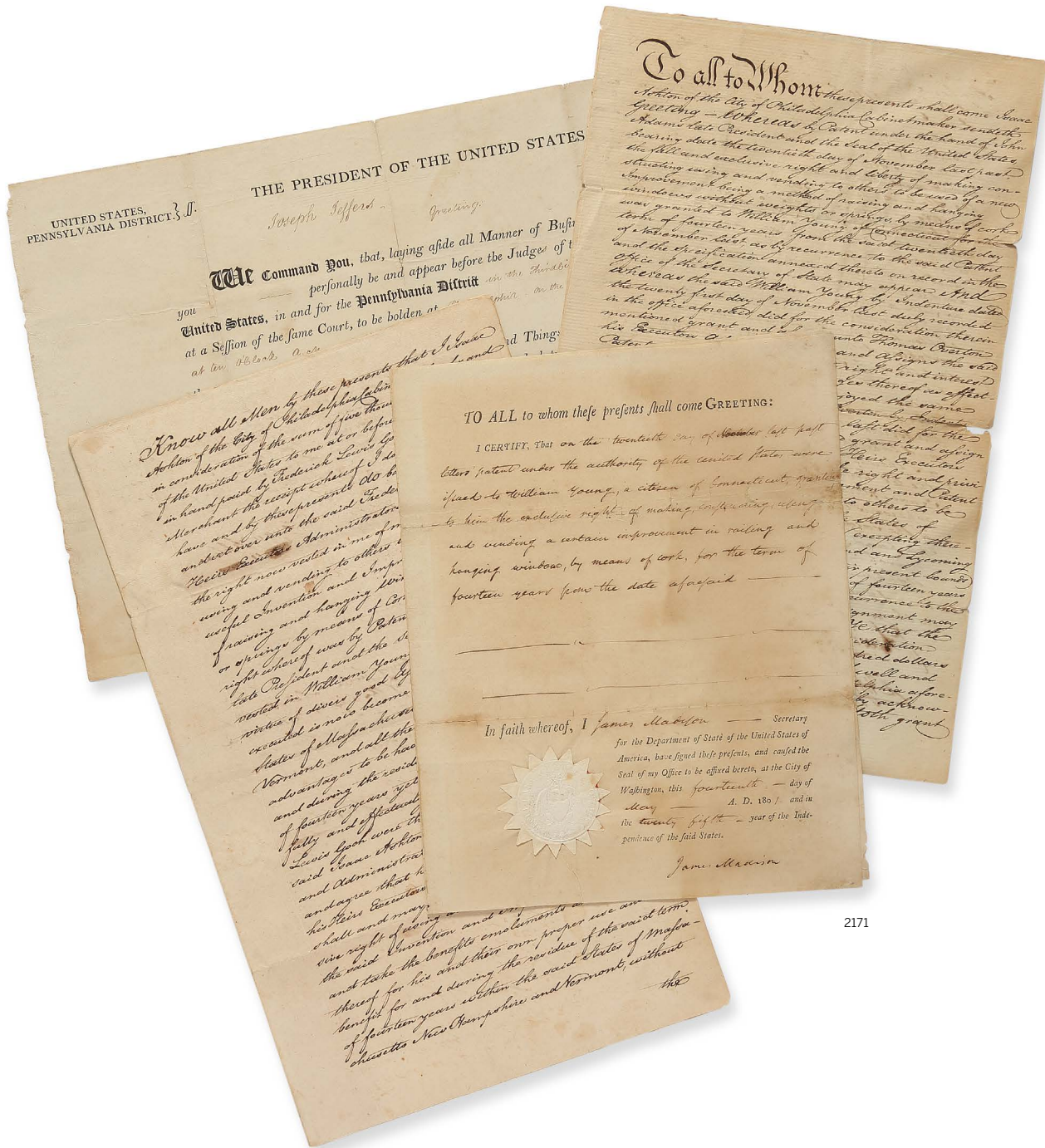
ONE OF TWO KNOWN PRESIDENTIAL PATENTS SIGNED BY BOTH JOHN ADAMS AND JOHN MARSHALL

President John Adams signed only 163 patents, of which only 25 were co-signed by Marshall. However, only nine co-signed by other secretaries of state, and only one other co-signed by Marshall (at Dartmouth College) are presently known to survive.

152

SOTHEBY'S

FINE MANUSCRIPT AND PRINTED AMERICANA



2171

The day after receiving his patent, inventor William Young sold all his rights in it to Thomas Overton. Within a few weeks, Overton sold the rights to the patent in Pennsylvania's Lycoming and Northumberland counties to Robert Gray. On January 3, 1801, Overton sold rights to the patent in New Jersey and the rest of Pennsylvania to Philadelphia cabinetmaker Isaac Ashton for \$7,000. On April 29, Overton also sold Ashton the rights in Massachusetts, New Hampshire, and Vermont, for \$8,000. On March 25, 1801, Ashton conveyed the patent rights for New Jersey to Stephen Sayre of

Philadelphia. In March and June 1801, Ashton re-sold the rights to manufacture and sell the invention in Pennsylvania (except Lycoming and Northumberland counties), Massachusetts, New Hampshire, and Vermont to Frederick Lewis Goch of New York City for \$10,500. Questions arose about Ashton's authority to convey the patent rights. On April 14, 1804, Goch released Ashton from all liability, likely after the money was refunded. Assigning patents for specific geographic regions (usually states or counties) was a common practice, though the documents

doing so almost never are found with the original patents. By the end of the nineteenth century, when advances in manufacturing, transportation and communication allowed a more centralized approach, the practice became less common. **REFERENCES** Naomi R. Lamoreaux, Kenneth L. Sokoloff, and Dhanoos Sutthiphisal, "Patent Alchemy: The Market for Technology in US History," *Business History Review*, (Spring 2013): pp. 3-38. \$ 10,000-15,000

The United States of America.

To all to whom these Letters Patent shall come :

WHEREAS *Israel Hatch* a citizen of the State of *Massachusetts*, in the United States, hath alledged that he has invented a new and useful improvement *In the mode of making and discharging chain and cleaver shot,*

which improvement has not been known or used before his application; has *made oath* that he does verily believe that he is the true inventor or discoverer of the said improvement,

has paid into the Treasury of the United States, the sum of thirty dollars, delivered a receipt for the same, and presented a petition to the Secretary of State, signifying a desire of obtaining an exclusive property in the said improvement, and praying that a patent may be granted for that purpose: THESE ARE THEREFORE to grant, according to law, to the said *Israel Hatch*, his heirs, administrators, or assigns, for the term of fourteen years, from the *Twenty fourth* day of the present month of *March*, the full and exclusive right and liberty of making, constructing, using, and vending to others to be used, the said improvement, a description whereof is given in the schedule hereto annexed, and is made a part of these presents.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed.

GIVEN under my hand, at the City of *Washington* this *twenty fourth* day of *March* in the year of our Lord, one thousand eight hundred and one and of the Independence of the United States of America, the *Twenty fifth*.

James Madison

By the PRESIDENT,

Levi Lincoln
Acting as Secretary of State.

City of *Washington* — To wit:

I DO HEREBY CERTIFY, That the foregoing Letters Patent, were delivered to me on the *twenty fourth* day of *March* in the year of our Lord, one thousand eight hundred and one to be examined; that I have examined the same, and find them conformable to law. And I do hereby return the same to the Secretary of State, within fifteen days from the date aforesaid, to wit:—On this *Twenty fourth* day of *March* in the year aforesaid.

Levi Lincoln Atty Genl
of the United States

2172

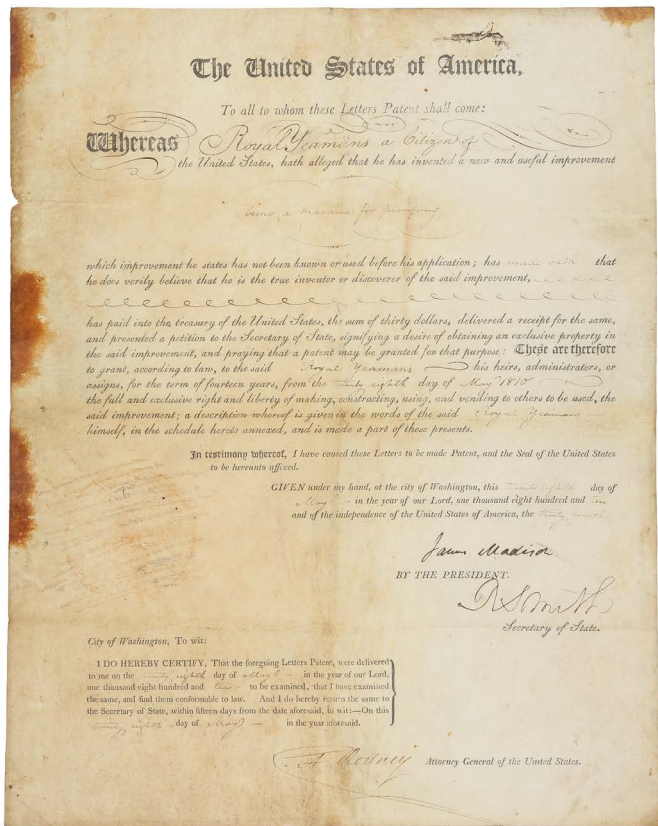
2172

THOMAS JEFFERSON

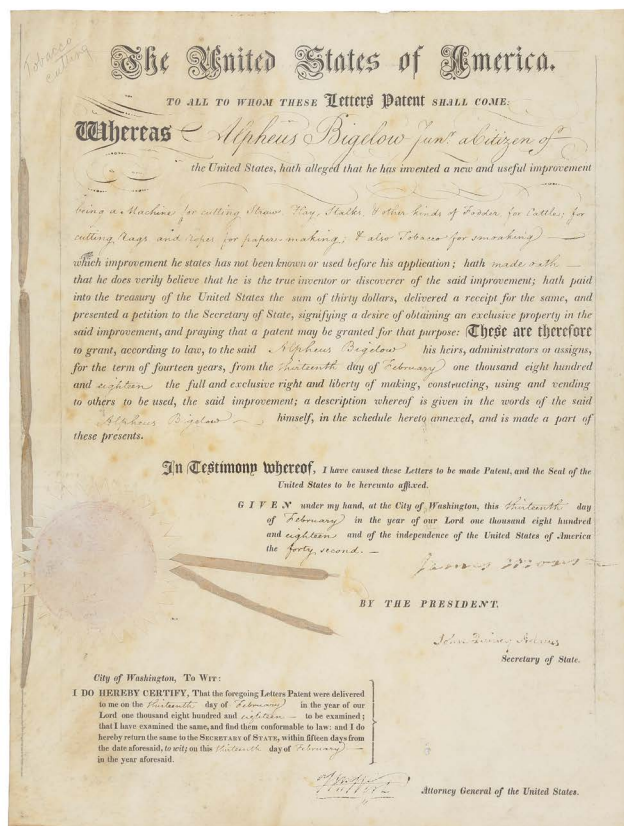
Patent signed ("Th: Jefferson") as third President, and twice-signed ("Levi Lincoln") as Acting Secretary of State, and as Attorney General, for improvement in constructing chain and cleaver shot, to Israel Hatch, 24 March 1801

1 page (14⁵/₈ x 11³/₄ in; 372 x 301 mm) on partially printed vellum, accomplished in a secretarial hand, embossed paper seal of the United States with pink ribbon. [WITH] 1 page manuscript inventor's description on vellum; previously folded, with some discoloration and soiling, scattered minor losses to inventor's description, some seemingly inherent.

\$ 4,000-6,000



2173



2174

2173

JAMES MADISON

Patent signed ("James Madison") as fourth President, co-signed ("R Smith") as Secretary of State, and ("C. A. Rodney") as Attorney General, for a pump to raise water from a spring, well, or reservoir, to Royal Yeamans, 28 March 1810

1 page (14⁷/₈ x 11³/₄ in.; 376 x 301 mm) on partially printed vellum, accomplished in a secretarial hand. [WITH] 2 page manuscript inventor's description on 1 sheet of vellum; previously folded, with some discoloration and soiling, residue where the embossed paper seal has been removed.

ACCOMPANIED BY THE INVENTOR'S DESCRIPTION:
 "This machine...is intended to raise water from a spring well or Reservoir to any convenient height...to run...eight hours by once winding up so as with very little Labor to supply families, distilleries, tin yards; or other manufactories with a small but continued stream of water without interfering much with the Labor required for other business."

\$ 1,000-1,500

2174

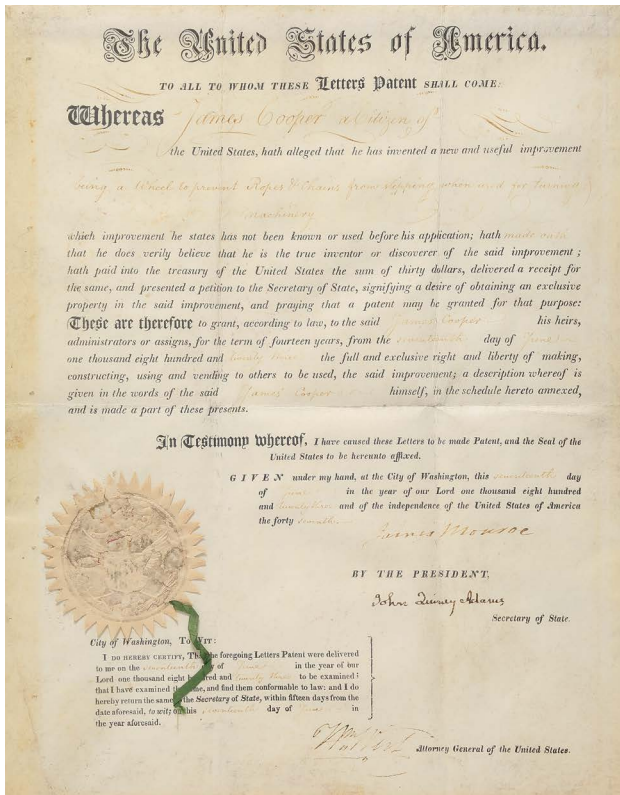
JAMES MONROE AND JOHN QUINCY ADAMS

Patent signed ("James Monroe") as fifth President, and co-signed ("John Quincy Adams") as Secretary of State, and ("Wm Wirt") as Attorney General, for a machine for cutting straw and also tobacco for smoking, to Alpheus Bigelow, 13 February 1818

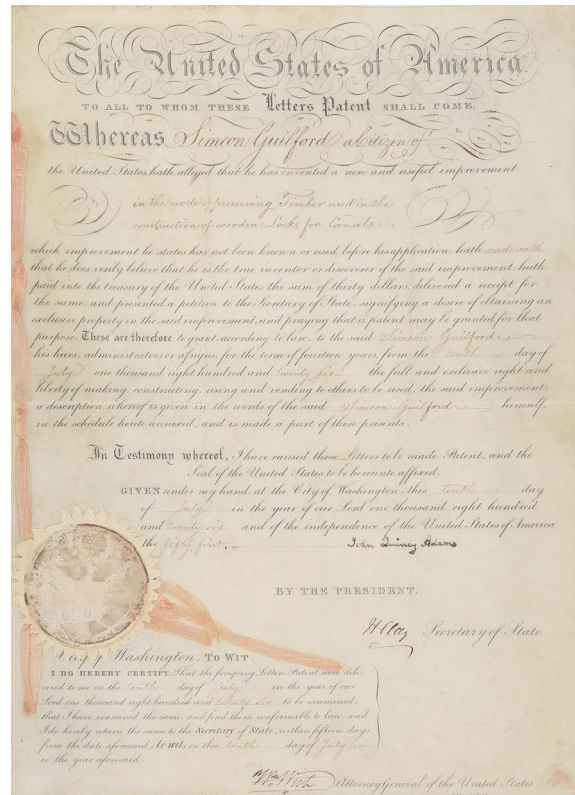
1 page (14³/₄ x 11 in.; 375 x 285 mm) on partially printed vellum, accomplished in a secretarial hand, embossed paper seal of the United States with tan ribbon. [WITH] 2 page manuscript inventor's description on 1 sheet of vellum; previously folded, with some discoloration and fading, small hole to lower margin inventor's description, possibly inherent.

A patent signed by President James Monroe and Secretary of State John Quincy Adams, for "a machine for cutting straw, hay, stalks & other kinds of fodder, for cattle; for cutting rags and ropes for paper-making; & also tobacco for smoking."

\$ 1,000-1,500



2175



2176

2175

JAMES MONROE AND JOHN QUINCY ADAMS

Patent signed (“James Monroe”) as fifth President, co-signed (“John Quincy Adams”) as Secretary of State, and (“Wm. Wirt”) as Attorney General, for a “Wheel to prevent Ropes & Chains from slipping when used for turning machinery,” to James Cooper, 17 June 1823

1 page (14¼ x 11½ in.; 369 x 290 mm) on partially printed vellum, accomplished in a secretarial hand, embossed paper seal of the United States with green ribbon; engrossment light, James Monroe’s signature is good and John Quincy Adams’ signature is dark, tape remnants on verso at edges from former framing.

Virginia born James Cooper was a serial inventor, who also obtained patents for improving Archimedian screws in 1819, and for machinery to supersede the use of cog wheels in 1826.

\$ 1,800-2,500

2176

JOHN QUINCY ADAMS AND HENRY CLAY

Patent signed (“John Quincy Adams”) as sixth President, and co-signed (“H Clay”) as Secretary of State, and (“Wm Wirt”) as Attorney General, for preserving timber used in the construction of wooden canal locks, to Simeon Guilford, 10 July 1826

1 page (14¾ x 10¾ in.; 375 x 272 mm) on partially printed vellum, accomplished in a secretarial hand, embossed paper seal of the United States with pink ribbon. [WITH] 1 page manuscript inventor’s description on vellum; previously folded, with some discoloration, a few scattered pinholes.

In 1793, the first canal in the United States was built in Massachusetts, on the Connecticut River. It is likely that the Erie Canal in New York, completed in 1825, was the inspiration for Guilford’s making a patent on his method of preserving canal timber. The success of the Erie Canal—which connected Buffalo with Albany, and to open up the West for commerce and expansion—led to a great burst of canal building in the country. The first major canal built after Guilford’s patent was the Chesapeake and Ohio Canal, began in 1828 (with construction interrupted in 1837 by the business depression), with about 100 miles of westward waterway completed.

\$ 1,500-2,000

2177

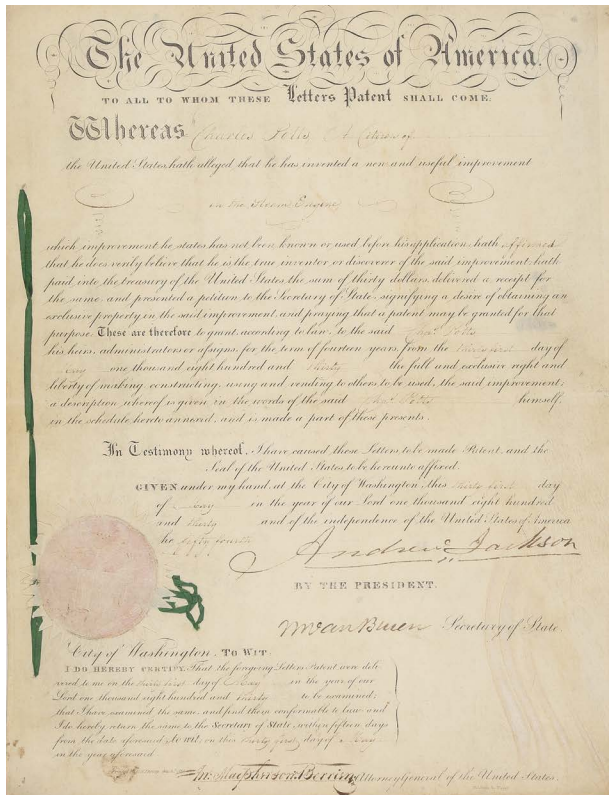
ANDREW JACKSON AND MARTIN VAN BUREN

Patent signed (“Andrew Jackson”) as seventh President, and co-signed (“M. Van Buren”) as Secretary of State, and (“J[ohn] Macpherson Berrien”) as Attorney General, for a new and useful improvement in the steam engine, to Charles Potts, 31 May 1830

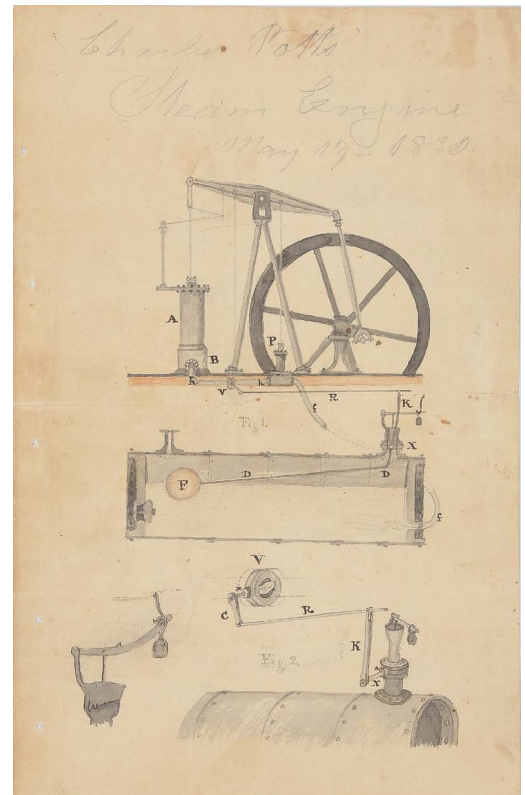
1 page (14¾ x 11½ in.; 375 x 295 mm) on partially printed vellum, accomplished in a secretarial hand, embossed paper seal of the United States with green ribbon. [WITH] 4 page manuscript inventor’s description on 2 sheets of vellum, and original watercolor and ink prototype drawing; some soiling, scattered pinholes.

Charles Potts, a civil engineer, worked extensively on developments related to the steam engine over the course of his career. He developed a system by which water could be delivered to a boiler by means of gravity, thus unaided by a pump.

\$ 1,200-1,800



2177



2177

2178

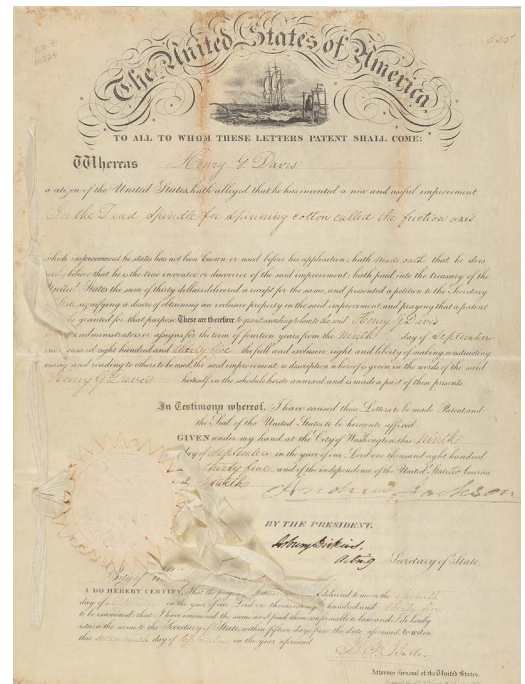
ANDREW JACKSON

Patent signed ("Andrew Jackson") as seventh President, and co-signed ("Asbury Dickens") as Acting Secretary of State, and ("B. F. Butler") as Attorney General, for a spindle for spinning cotton, to Henry Davis, 9 September 1835

1 page (15 x 11¼ in.; 380 x 285 mm) on partially printed vellum, accomplished in a secretarial hand, embossed paper seal of the United States with white ribbon. [WITH] 2 page manuscript inventor's description on 1 sheet of vellum; previously folded, with some discoloration, soiling, and fading, adhesive residue to corners of inventor's description verso.

A Jackson signed patent for a spindle for spinning cotton.

\$ 1,000-1,500



2178

AMERICAN JUDAICA

LOTS 2179-2184

*List of the Numbers of Jews naturalized in
His Majesty's Plantations from 1740 to 1752 -*

<i>In Jamaica</i>	
<i>In</i>	<i>1740</i> ————— <i>35</i>
	<i>1741</i> ————— <i>16</i>
	<i>1742</i> ————— <i>14</i>
	<i>1743</i> ————— <i>29</i>
	<i>1744</i> ————— <i>7</i>
	<i>1745</i> ————— <i>11</i>
	<i>1746</i> ————— <i>16</i>
	<i>1747</i> ————— <i>3</i>
	<i>1748</i> ————— <i>5</i>
	<i>1749</i> ————— <i>9</i>
	<i>1750</i> ————— <i>6</i>
	<i>151 - In Jamaica - 151</i>
<i>In South Carolina</i>	
<i>1741</i>	<i>1 In South Carolina - 1</i>
<i>In New York</i>	
<i>1740 & 1741</i>	<i>26</i>
	<i>1743</i> ————— <i>1</i>
	<i>1745</i> ————— <i>1</i>
	<i>1746</i> ————— <i>1</i>
	<i>1748</i> ————— <i>2</i>
	<i>26 In New York - 26</i>
<i>In Pennsylvania</i>	
	<i>1747</i> ————— <i>1</i>
	<i>1749</i> ————— <i>1</i>
	<i>1751</i> ————— <i>2</i>
	<i>1752</i> ————— <i>2</i>
	<i>6 In Pennsylvania - 6</i>
	<i>Total 184</i>

2179

(JEWISH NATURALIZATION)

List of the number of Jews Naturalized in His Majesty's Plantations from 1740 to 1752 [ca. November 1753]

1 page (12¾ x 7⅞ in.; 323 x 205 mm). Watermarked paper with horizontal and vertical folds; repair at bottom left not affecting text, minor staining.

The 1740 Naturalization Act allowed an easy path to citizenship for Protestant immigrants to the colonies. While Catholics were excluded altogether, the Act exempted Quakers and Jews from part of the required oath and profession of faith. It offered Jewish colonists the first real opportunity for British citizenship. Then, in 1753, a law that opened citizenship to Jews living in England was passed but immediately repealed due to a public anti-Semitic backlash. Opponents then asked for a list of Jews who had attained citizenship since the 1740 Act. This list provides such a summary of Jewish naturalizations in Jamaica and the British American colonies from 1740 to 1752. Despite a push to overturn the 1740 Act, the move to repeal it was decisively defeated in Parliament.

This gives the number of Jewish naturalizations in four colonies: 151 in Jamaica from 1740 to 1750, one in South Carolina in 1741, 26 in New York from 1741 to 1748, and 6 in Pennsylvania from 1747 to 1752. Although names are not listed here, the naturalization in South Carolina was of Joseph Tobias, who in 1750 became the president of the first synagogue established at Charleston.

\$ 6,000-8,000

2179

**ISAAC & REYNA MOSES FAMILY;
ISAAC MOSES & SONS**

Isaac Moses Indenture signed by his heirs.
New York, 2 November 1818

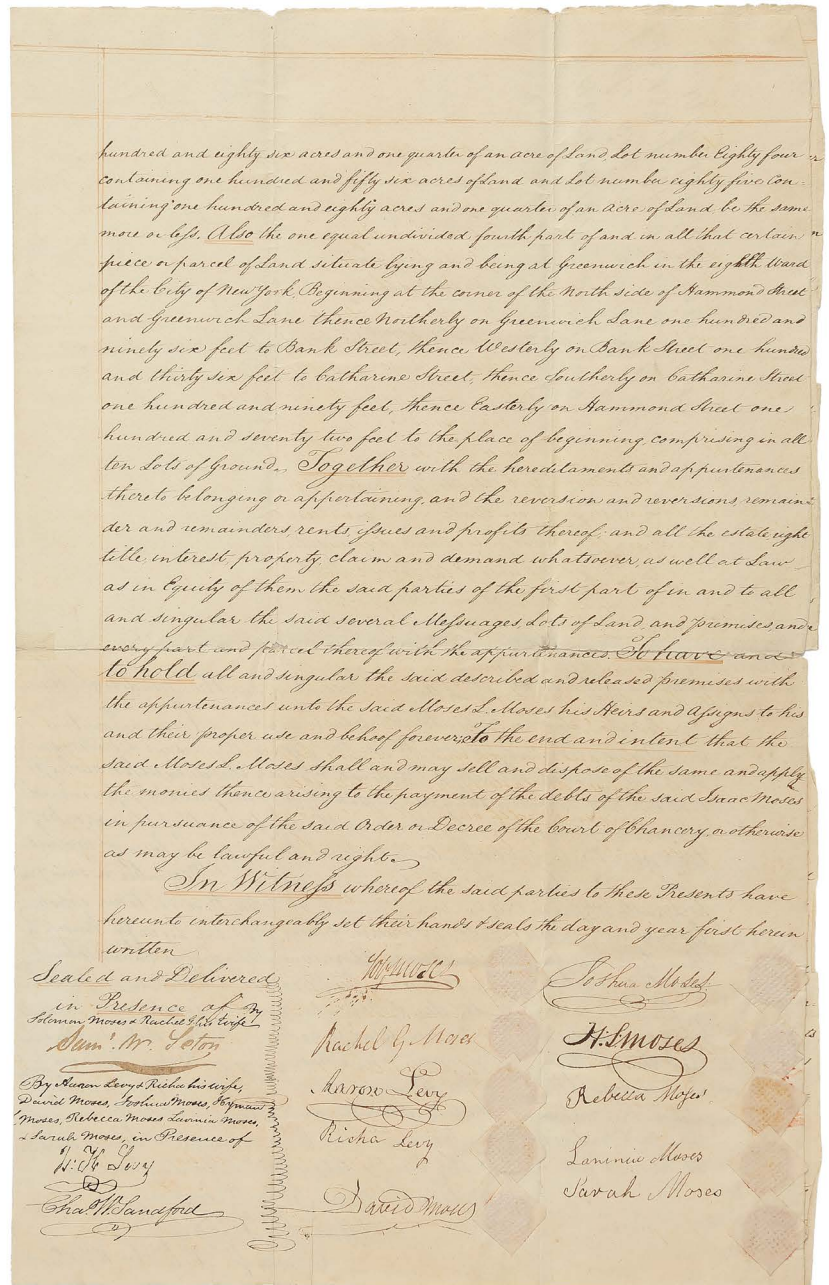
Bifolium (16½ x 10¾ in.; 418 x 264 mm). 4 pp., horizontal and vertical folds with repairs at creases, occasional foxing and soiling. Signed and sealed by Solomon Moses, Rachel Gratz, Aaron Levy, Richea Moses, David Moses, Joshua Moses, Sarah Rodriguez Brandon, Hayman Levy Moses, Rebecca Moses, Lavinia Moses, Isaac Lopez Brandon, Sarah Moses; witnessed by Charles W. Sandford and Isaac H. Levy.

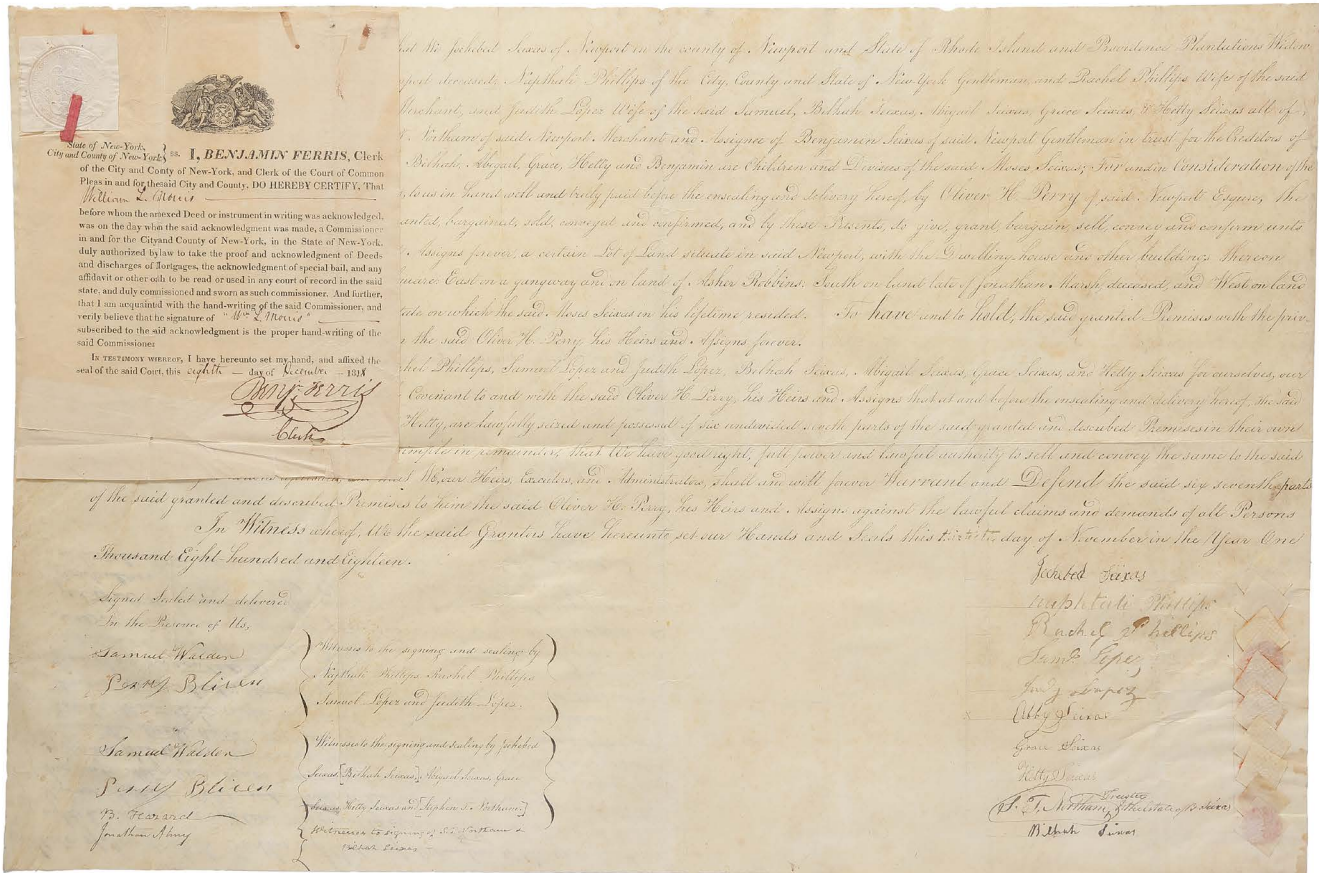
AN ENSEMBLE OF SIGNATURES FROM ONE OF THE MOST PROMINENT OF EARLY AMERICAN JEWISH FAMILIES.

Isaac Moses (1742-1818), a prominent and wealthy merchant shipper and privateer who not only served in the Revolutionary army, but also provided the Revolutionary forces with money and materials. On October 22, 1766, he became a freeman in New York City. He was among those who established the Bank of New York. In 1775 Moses was president (parnas) of Congregation Shearith Israel in New York City, and was one of the chief organizers and the first president of Mikveh Israel in Philadelphia. He was also an active Mason and an important member of the New York City Chamber of Commerce. In 1770, he married Reyna Levy (1753-1824). He was interested in several privateers, two of which he owned with Robert Morris. Despite a bankruptcy in 1786, he was generally financially successful, establishing Isaac Moses & Sons, an international commercial house. (Rosenbloom; ANB; Stern)

The Indenture is between eldest son Moses Levy Moses (1773-1843) and his eight siblings (and two of their spouses) and discusses various properties in NY State (including Oswego Co.); in Manhattan: plots on Greenwich, Liberty, & Wall Streets, mentioning the Tontine Coffee House as a landmark, and a parcel between Greenwich Lane, Bank Street, Hammond Street, and Catharine Street. The Moses, Levy, Gratz, and allied families are all well represented in Isaac Moses & Reyna (Levy) Moses's children and their spouses who sign on page 3, with direct connections to New York City, Philadelphia, London, and Barbados.

\$ 4,000-6,000





2181

2181

BENJAMIN SEIXAS

Receipt for Newport, Rhode Island sale of land belonging to the Estate of Benjamin Seixas to Oliver Hazard Perry. Signed, New York 30 November 1818

Document signed (14 7/8 x 21 7/8 in.; 377 x 555 mm) on vellum with signed State of New York certificate. 1 pp., horizontal and vertical folds, scattered discoloration mostly to verso, small minor stains to bottom right corner not affecting text. Signed and sealed by Jachebed Seixas, Naphtali Phillips, Rachel Phillips, Samuel Lopez, Judy (Judith) Lopez, Abby Seixas, Grace Seixas, Hetty Seixas, S.T. Northem, Bilhah Seixas; Certified with seal and signature by William L. Morris and Benjamin Ferris.

A HISTORIC NEWPORT DOCUMENT LINKING ONE OF AMERICA'S GREATEST NAVAL HEROES AND A MAJOR JEWISH AMERICAN FAMILY.

The Seixas family established themselves as an important part of early American society. Abraham Mendes Seixas was an officer in the continental army. Benjamin Mendes Seixas was one of the founders of the New York Stock Exchange and prominent businessman. Gershom Seixas was known as "the patriotic Jewish minister of the American Revolution"; he also assisted in the founding of what would later become Columbia University.

His older brother, Moses Mendes was an important merchant who helped establish the Bank of Rhode Island. Additionally he was an important figure in the Rhode Island Jewish community, becoming president of the historic Touro Synagogue in Newport, Rhode Island and led the congregation's welcome for President George Washington.

On July 5, 1797, Rachel Hannah, daughter of Moses Seixas, married Naphtali Phillips. Phillips is known to have took the first copy of George Washington's farewell address that came off the press of the American Advertiser, a leading Philadelphia newspaper. In 1848 this document was placed in the cornerstone of the Washington Monument. Phillips was elected the first American born president of Mikveh Israel at the age of 25; he also helped to draft the new constitution of the synagogue. He soon returned to New York where he became president of Shearith Israel, the Spanish and Portuguese Synagogue by 1816, and served for 14 terms. He was also prominent in the affairs of the Democratic Party in New York City.

This deed is a unique link between the Seixas family and naval hero Oliver Hazard Perry, who is most remembered for his heroic role in the War of 1812, and more specifically in the 1813 Battle of Lake Erie. Supervising the building of a fleet at Erie, Pennsylvania against the British he earned the title, "Hero of Lake Erie" for leading

the American forces in a decisive victory at the Battle of Lake Erie for which he received a gold medal from Congress.

Perry bought the property at 29 Touro Street, delineated in this document, with the idea of eventually retiring there. Unfortunately, in 1819 while commanding the frigate John Adams sailing for the Orinoco River in Venezuela in an attempt to once again discourage piracy in the Americas, he contracted yellow fever and died on August 24th, 1819, on his 34th birthday.

REFERENCES

The Rise of the Jewish Community in New York: Hyman Grinstein, Philadelphia, The Jewish Publication Society of America, 1945
The Story of the Jews Of Newport... By Morris A. Gutstein; New York, Bloch Publishing Company, 1936.
The History of the Jews of Philadelphia... Edwin Wolf 2nd and Maxwell Whiteman, Philadelphia, The Jewish Publication Society of America, 1956 and 1975

PROVENANCE

Justin Turner — Dr. William Coleman, by descent to heirs of Dr. Coleman — Bruce Gimelson

\$ 14,000-18,000



The WALDORF-ASTORIA

PARK AND LEXINGTON AVENUES / 49TH AND 50TH STREETS / NEW YORK 22

May 17, 1948

Judge Samuel I. Rosenman
Essex House
Central Park South
New York, N. Y.

My dear Judge Rosenman:

This is the first letter which I am writing since the news of last night has reached me. It is only proper that it should be addressed to you who have contributed so much of your effort and wisdom towards bringing about some of the happy results during the past few days.

Even in this moment I feel that I must ask you again to be so good and impress upon the President the necessity of two additional steps: first, the lifting of the embargo on arms in such a way as to permit supplies being sent to those defending the new State; secondly, a warning to the Arab States that they should stop their destructive and murderous attacks and withdraw their irregular troops and regular forces. I fear that the debate in the Security Council which started off so unhappily on Saturday is not likely to have any deterrent effect on the Arabs and may, indeed, encourage them to increase their violence. The only way, it seems to me, is for the President to take personal action in the same way as he did in regard to the recognition of the Jewish State. Otherwise I fear that the trouble may assume very serious proportions.

I am still not out of bed but I hope to be so in a day or two. I shall then try to contact you, and if you are out of town I shall speak to your wife. In the meantime, I should like once more to express to you my sincere gratitude and to send you affectionate greetings, in which Mrs. Weizmann joins me.

Yours ever,

Chaim Weizmann

2182

2182

CHAIM WEIZMANN

Typed letter signed ("Chaim Weizmann"), 1 p. (11 x 8½ in.; 279 x 210 mm) on Waldorf-Astoria letterhead, New York, 17 May 1948, to Judge Samuel I. Rosenman, New York; horizontal folds.

CHAIM WEIZMANN'S FIRST LETTER AS PRESIDENT-ELECT OF ISRAEL, WRITTEN THREE DAYS AFTER INDEPENDENCE, SEEKING HELP IN PERSUADING TRUMAN TO LIFT THE ARMS EMBARGO.

Samuel I. Rosenman (1896–1973) was a lawyer, judge, senior advisor to Franklin D. Roosevelt and Harry Truman, and was the first official White House Counsel. In this important letter,

Weizmann urges Rosenman to plead his case before Truman.

"This is the first letter which I am writing since the news of last night has reached me. It is only proper that it should be addressed to you who have contributed so much of your effort and wisdom towards bringing about some of the happy results during the past few days.

"Even in this moment I feel that I must ask you again to be so good and impress upon the President the necessity of two additional steps: first, the lifting of the embargo on arms in such a way as to permit supplies being sent to those defending the new State; secondly, a warning to the Arab States that they should

stop their destructive and murderous attacks and withdraw their irregular troops and regular forces. I fear that the debate in the Security Council which started off so unhappily on Saturday is not likely to have any deterrent effect on the Arabs and may, indeed, encourage them to increase their violence. The only way, it seems to me, is for the President to take a personal action in the same way as he did in regard to the recognition of the Jewish State. Otherwise I fear that the trouble may assume very serious proportions."

\$ 20,000-30,000

161

The PENNSYLVANIA GAZETTE.

Containing the Freshest Ad-

VICES, Foreign and Domestick.



A LIST OF LETTERS of the Post Office in this Town.

Table listing names and addresses of subscribers to the Pennsylvania Gazette, including locations like Philadelphia, Lancaster, and York.

From the GENTLEMEN'S MESSAGES for the Year, 1753.

The following Paper which is written by a Gentleman who signs himself by the name of a Quaker, is inserted in the Margin of this Paper, on the 14th of April last with a white Men, and two Street went on their way to get their Wood; he ordered the Mate at his going off to put a Lanthorn at the Mast Head, if he did not come a Board within five Minutes, he would have shot him; he was cordially, but they did not come aboard: They lay off and on of that and some other Hands near the Island Magdalen where Capt. Kierke had a Shore till the 19, and being to Sign of the Men or Boat, they took their Departure for New-York.

New-York, May 30.

On Saturday last arrived here from Jamaica, the Sloop Catherine; the Mate informs us that Capt. Kierke, on the 14 of April last with a white Men, and two Street went on their way to get their Wood; he ordered the Mate at his going off to put a Lanthorn at the Mast Head, if he did not come a Board within five Minutes, he would have shot him; he was cordially, but they did not come aboard: They lay off and on of that and some other Hands near the Island Magdalen where Capt. Kierke had a Shore till the 19, and being to Sign of the Men or Boat, they took their Departure for New-York.

ADVERTISEMENTS.

James Withers, who fills the Bestman Drops, is Peter DeLore, of the City of New York Merchant, intending to depart this Province in short Time gives this timely Notice to all Persons that have any Demands on him to bring in their Accounts in order to be satisfied; and those that are indebted to him are desired to balance their Accounts and prevent further Trouble.

TO BE SOLD.

A dwelling House in Duke Street fronting the Alley that leads to Cornhill Market, now in the Tenure of Lawrence Welfel, it has a large Oven and other Conveniences for Baking and Boiling. There is also belonging to it laid Home a good Store House fronting the back Street near the Synagogue. Inquire of Hieronymus Rutgers or John Brecken in New York, or the Widow of James Poulton on Staten Land.

NEW-YORK.

Printed and Sold by John Peter Zenger; By whom Subscriptions for this Paper are taken at three Shillings per Quarter, and Advertisements at three Shillings the first Week, and one Shilling every Week after.

Independent Gazetteer; or, The Chronicle of Freedom, 20 September, 1788: In a front page Advertisement. Isaac Frank (b. New York City, 1759; d. Philadelphia, 1822), the broker, announces that he is moving his office from the south side of Market Street to the north side. — The Independent Gazetteer; or, The Chronicle of Freedom, 25 August 1789: Report of the death of Hayman Levy (b. Germany, 1721; d. New York, 1789), "merchant of New York and one of the Hebrew religion; a gentlemen much respected by all denominations who had the pleasure of his acquaintance . . . his character as a merchant was without a blemish; he was a true patriot and friend of the United States." — Massachusetts Spy; or, The Worcester Gazette, 6 May 1790: Benjamin Franklin's funeral ceremonies reported here (page 3, columns 3-4) include the notice, "All the clergy of the city, including the Ministers of the Hebrew congregation, before the corpse." Massachusetts Spy; or, The Worcester Gazette, 1 July 1790: George Washington correspondence with the Hebrew Congregation of Savannah, Georgia—the first Jewish

community to address the first President—is printed on page 4, column 1, of this issue. — Gazette of the United States, 15 September 1790: This exchange of messages published here between President George Washington and Moses Seixas (1744-1809), Warden of the Newport Hebrew Congregation, is considered the most valuable newspaper item of Americana Judaica, as well as a bedrock expression of national religious liberty. — Gazette of the United States, 18 December 1790: The first Jewish community to address the newly elected George Washington was the Hebrew Congregation of Savannah, Georgia on May 6, 1789. After seven months of planning, Manuel Josephson, president of Philadelphia's Mikveh Israel, on December 13, 1790, wrote (page 1, column 3) Washington on behalf of the Hebrew Congregations of Philadelphia, New York, Charleston and Richmond. New York Evening Post, 18 January 1813: The first Hebrew Bible published in the United States was the edition by Evarado van der Hooft (1815). In this Advertisement (page 3, column 1), J. Horwitz, the distributor of

this yet to be published edition, notifies the public that a rival edition is to be published by Messrs. Whiting and Watson with no connection with his edition. — The National Advocate, 25 March 1824: The importance of this issue is that it was most likely the first time in the history of American journalism that a general circulation newspaper carried Hebrew type in its pages. The New York Herald, 5 January 1863: Publishes General Ulysses S. Grant's notorious Order No. 11, which expelled all Jews from the administrative area of Tennessee which included the states of Tennessee, Kentucky and Mississippi. — The New York Herald, 20 April 1865: Most of this black bordered issues deals with the outpouring of grief in response to the assassination of President Abraham Lincoln; a separate section on page two (columns 4-6) describes the services which took place at seven New York City synagogues. The synagogues are listed individually, with the names of rabbis below. A complete inventory of the collection is available on request. \$ 150.000-250.000

H^a J^o; Valley Mt.;
29 Aug 1861

Rabbi M. J. Michelbacher,
Preacher Hebrew Congregation
"Home of Love" Richmond Va;

Rev^a Sir

I have just rec^d your letter of the 23rd
Inst; requesting that a furlough from the 2nd to the
15th Sept; be granted to the soldiers of the Jewish persua-
sion in the U. S. Army, that they may participate in
the approaching holy Simus of the Synagogue.

It would give me great pleasure to comply with
a request so earnestly urged by you, which I know
would be so highly appreciated by that Class of our
Soldiers. But the necessities of War admit of no re-
laxation of the efforts requisite for its success, nor can it
be known on what day the presence of every man may
not be required. I feel assured that neither you or
any member of the Jewish Congregation would wish
to jeopardize a Cause you have so much at heart by
the withdrawal now for a Season of a portion of its de-
fenders. I cannot therefore grant the general furlough
you desire, but must leave to individuals to make their
own application to their several Commanders, in the
hope that many will be able to enjoy the privilege you
seek for them, & should any be deprived of the oppor-
tunity of offering up their prayers according to the
rites of the Church, that their penitence may ^{nevertheless} be

2184

2184

PROPERTY OF A DESCENDANT OF
ISAAC COHEN

ROBERT E. LEE

Autograph letter signed ("R E Lee") as
Confederate Commander, to Rabbi Max
Michelbacher, declining to furlough Jewish
Confederate troops for the High Holy Days

1½ pages (9⅞ x 7¾ in.; 252 x 198 mm) on
a leaf of blue-ruled paper, Headquarters,
Valley Mountain, 29 August 1861; some very

light soiling, very short marginal separations
at folds. Accompanied by the original yellow
envelope (4 x 7⅞ in.; 102 x 200 mm) printed
*Confederate States of America, | Adjutant and
Inspector General' Office. | Official Business,*
and addressed in a clerical hand to Rabbi
Michelbacher as "Minster of the Hebrew
Congregation, Home of Love, Richmond,
Virginia; somewhat worn and soiled. Also
accompanied by a Confederate States of
America, War Department furlough pass (4¼

x 7⅞ in.; 107 x 200mm) issued to Isaac Cohen,
11 September 1861, authorizing Cohen to travel
to Nashville, evidently to celebrate the High
Holidays, "upon his honor as a man, that he
will not communicate in writing or verbally, for
publication, any fact ascertained by him"; lightly
soiled, fold separations.

"I FEEL ASSURED THAT NEITHER YOU OR ANY
MEMBER OF THE JEWISH CONGREGATION WOULD
WISH TO JEOPARDIZE A CAUSE YOU HAVE SO MUCH
AT HEART. ..."

accepted by the Most High, & their petitions answered,
 That your prayers for the Success & welfare of our Cause
 may be granted by the great Ruler of the Universe is
 my ardent wish.

I have the honor to be with high esteem
 your obedient
 N. E. Lee
 Genl Commr.

2184

Confederate States of America
 ADJUTANT AND INSPECTOR GENERAL'S OFFICE
 OFFICIAL BUSINESS

U. J. Michelbacher
 Minister of the Hebrew
 Congregation
 House of Love Richmond

2184

Confederate States of America,
 WAR DEPARTMENT,

Richmond, Sep 11 1864.

Isaac Cohen
 Anchnille

had permission to visit
 upon his honor as a
 man, that he will not communicate in writing or verbally, for publication any
 fact ascertained by him. President's Proclamation

L. P. Walker
 Secretary of War.
 By J. B. Jones

2184

The Jewish presence in the Confederacy was small but significant. At the outbreak of the Civil War, 1861, some of the largest Jewish communities in the United States were located in Charleston, South Carolina; New Orleans, Louisiana; Memphis, Tennessee; and Richmond, Virginia. Judah P. Benjamin—who served in Jefferson Davis’s cabinet as, successively, Attorney General, Secretary of War, and Secretary of State—was just the best known of Southern Jews who remained loyal to the Confederate States of America. The Confederate Jews were able to rationalize the apparent irony of defending the slave-holding South while still celebrating their own liberation from Egyptian slavery at Passover.

Robert N. Rosen’s *The Jewish Confederates* (2000) estimates that about three thousand “Jewish Johnny Rebs” served in the Confederate armed forces. One of the clergyman most solicitous of the welfare of Jewish Confederate soldiers was Rabbi Max Michelbacher, who, in fact, wrote and published “The Prayer of the C.S. Soldiers.” On 23 August 1861, Michelbacher wrote to General Robert E. Lee, asking for furloughs for the approaching High Holidays: “Excuse me that I intrude on you

but the case is important to a class of citizens, being Israelites, who take the greatest interest in the welfare of this confederacy. ... These ten days from the 5th to the 14th of September ... are the 10 days of Penitence & Prayer, the most sublime of the holiest days of the year” (quoted in Rosen, p. 232).

Lee’s eloquent response stresses the shared points of his and Michelbacher’s religious beliefs, as well as their united interest in the preservation of the Confederacy:

“I have just recd. your letter of the 23d Inst: requesting that a furlough from the 2nd to the 15th Sept: be granted to the Soldiers of the Jewish persuasion in the C.S. Army, that they may participate in the approaching holy Services of the Synagogue.

“It would give me great pleasure to Comply with a request so earnestly urged by you, & which I know would be so highly appreciated by that Class of our Soldiers. But the necessities of War admit of no relaxation of the efforts requisite for its Success, nor can it be known on what day the presence of every man may be required. I feel assured that neither you or any member of the Jewish Congregation would wish to jeopardize a Cause you have so much

at heart by the withdrawal even for a Season of a portion of its defenders. I cannot therefore grant the general furlough you desire, but must leave to individuals to make their own applications to their Several Commanders, in the hope that many will be able to enjoy the privilege you seek for them. Should any be deprived of the opportunity of offering up their prayers according to the rites of the Church, that their penitence may nevertheless be accepted by the Most High, & their petitions answered.

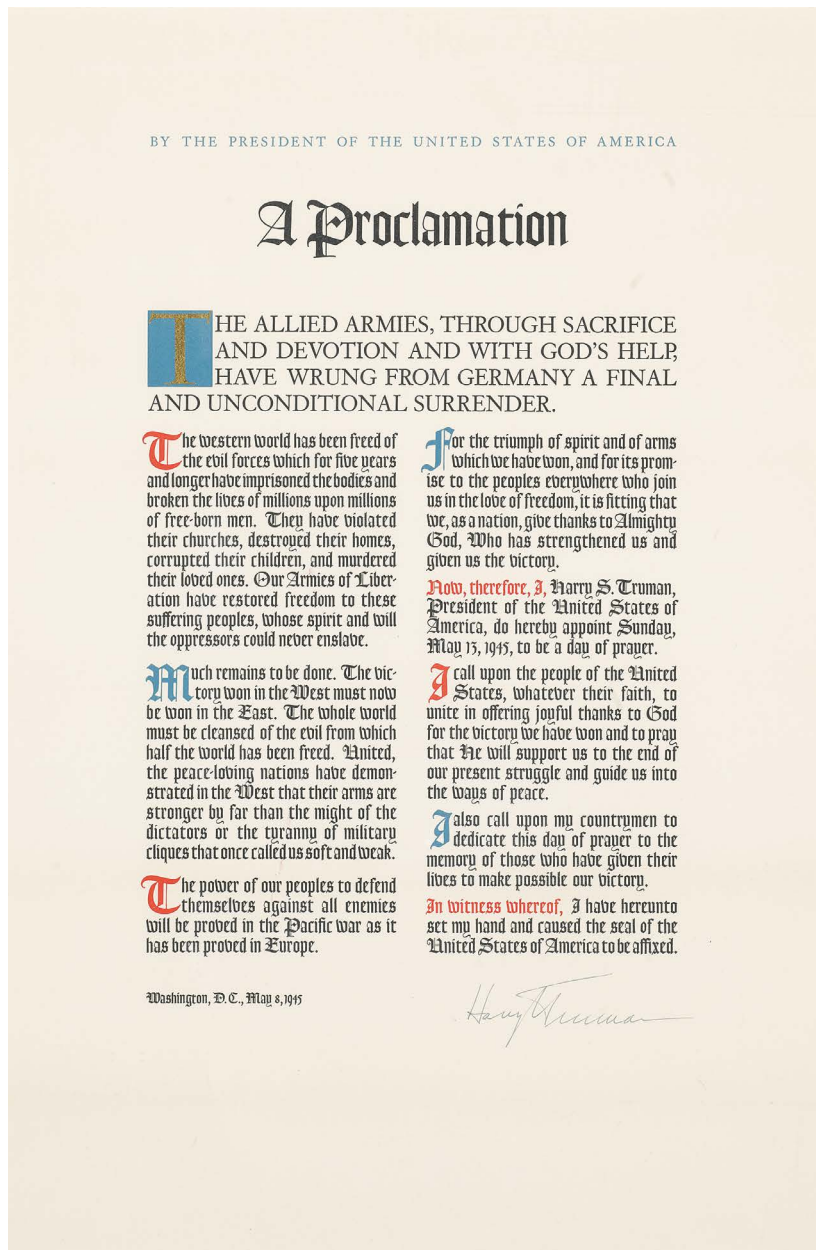
“That your prayers for the Success & welfare of our Cause may be granted by the Great Ruler of the universe is my ardent wish.”

Lee’s original letter was evidently given by Rabbi Michelbacher to Isaac Cohen, a young member of his Richmond synagogue. Cohen was one of the Jewish soldiers whose own commander did grant him leave in order that he could have opportunity of offering up [his] prayers according to the rites of the Church.” It is likely that Michelbacher gave Cohen the letter so that he could show his own commanding officer that his request was supported by the Confederate Commander in Chief.

\$ 150,000-250,000

WORLD WAR II

LOTS 2185-2188



BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A Proclamation

THE ALLIED ARMIES, THROUGH SACRIFICE AND DEVOTION AND WITH GOD'S HELP, HAVE WRUNG FROM GERMANY A FINAL AND UNCONDITIONAL SURRENDER.

The western world has been freed of the evil forces which for five years and longer have imprisoned the bodies and broken the lives of millions upon millions of free-born men. They have violated their churches, destroyed their homes, corrupted their children, and murdered their loved ones. Our Armies of Liberation have restored freedom to these suffering peoples, whose spirit and will the oppressors could never enslave.

Much remains to be done. The victory won in the West must now be won in the East. The whole world must be cleansed of the evil from which half the world has been freed. United, the peace-loving nations have demonstrated in the West that their arms are stronger by far than the might of the dictators or the tyranny of military cliques that once called us soft and weak.

The power of our peoples to defend themselves against all enemies will be proved in the Pacific war as it has been proved in Europe.

Washington, D.C., May 8, 1945

For the triumph of spirit and of arms which we have won, and for its promise to the peoples everywhere who join us in the love of freedom, it is fitting that we, as a nation, give thanks to Almighty God, Who has strengthened us and given us the victory.

Now, therefore, I, Harry S. Truman, President of the United States of America, do hereby appoint Sunday, May 13, 1945, to be a day of prayer.

I call upon the people of the United States, whatever their faith, to unite in offering joyful thanks to God for the victory we have won and to pray that He will support us to the end of our present struggle and guide us into the ways of peace.

I also call upon my countrymen to dedicate this day of prayer to the memory of those who have given their lives to make possible our victory.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Harry Truman

2185

HARRY S. TRUMAN

World War II Victory Proclamation signed ("Harry Truman") as 33rd President

Broadside on wove paper (21³/₈ x 14³/₈ in.; 543 x 365 mm). Gothic types with roman, heading, title, and incipit as above all printed full measure, text in two columns, printed in black with gold, red, and blue. Matted, framed, and glazed.

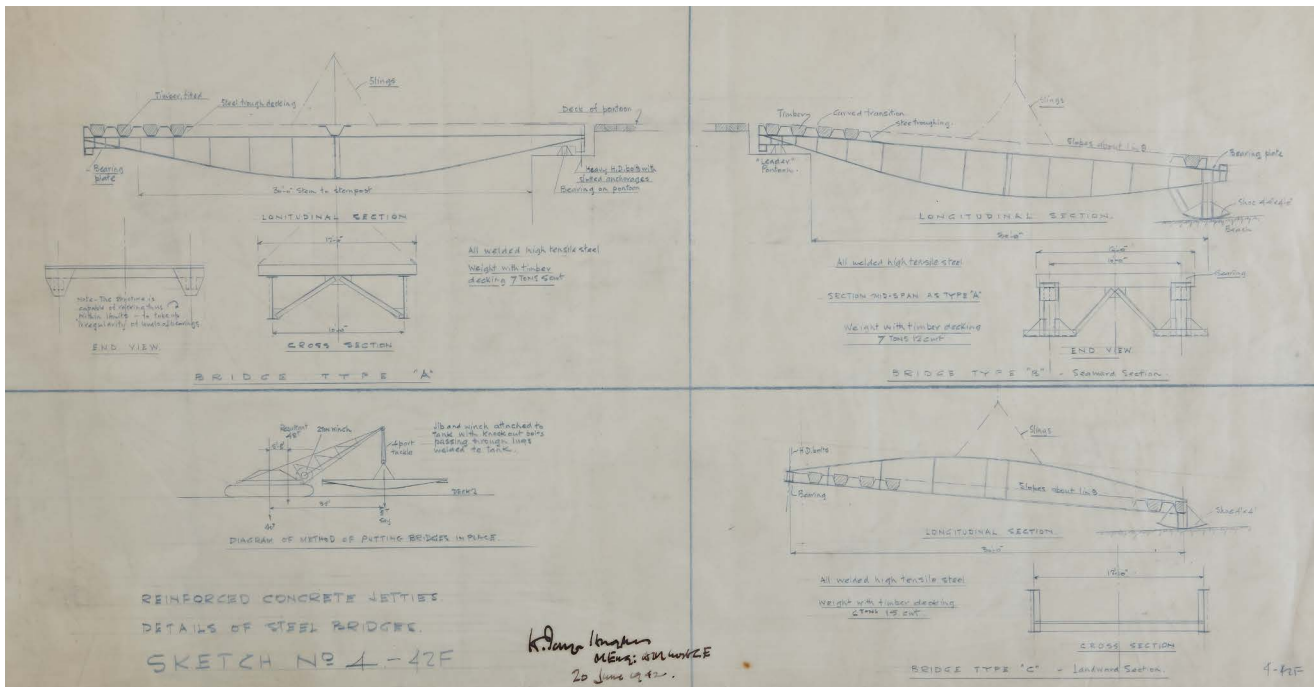
VICTORY IN EUROPE. An attractive broadside printing of President Truman's stirring announcement of the end of the War in Europe and his proclamation of a day of prayer and thanksgiving:

"The western world has been freed of the evil forces which for five years and longer have imprisoned the bodies and broken the lives of millions upon millions of free-born men... Our Armies of Liberation have restored freedom to these suffering peoples, whose spirit and will the oppressors could never enslave. ... I call upon the people of the United States, whatever their faith, to unite in offering joyful thanks to God for the victory we have won and to pray that He will support us to the end of our present struggle and guide us into the ways of peace. I also call upon my countrymen to dedicate this day of prayer to the memory of those who have given their lives to make possible our victory. ..."

After nearly six years of conflict across the European continent, President Truman was pleased to announce that Germany had surrendered to the Allies. Though Japan would fight on for another three months, Truman read this proclamation at a news conference held in his office at the White House at 8:35 A.M. on Tuesday, May 8, 1945. Before reading the proclamation, President Truman said, "This is a solemn but glorious hour. General Eisenhower informs me that the forces of Germany have surrendered to the United Nations. The flags of freedom fly all over Europe. It's celebrating my birthday, too—today, too." May 8, 1945 was President Truman's 61st birthday, his first as President following the death of President Franklin D. Roosevelt.

\$ 8,000-12,000

2185



2186

2186

PROPERTY OF VARIOUS OWNERS
(WORLD WAR II - D-DAY)

A collection of nine engineering drawings and plans, prepared by H. Iorlys Hughes for the Mulberry Harbors used in the D-Day Normandy landings by the United States and Great Britain

Together 9 large sheets of draughtsman's tracing paper (from approximately 24 1/4 x 10 1/4 in.; 616 x 260 mm, to 38 x 23 1/4 in.; 965 x 591 mm), SIGNED ("I. Iorlys Hughes"), and dated variously between 17 June and 6 August 1942: No. 1: "General Layout Sketch of Reinforced concrete Jetties to be Sunk in Place." — No. 2: "Reinforced Concrete Jetties — Typical Pontoon to be Sunk in Place." — No. 3: "Leader Pontoon — to be Sunk in Place." — No. 4: "Reinforced Concrete Jetties, Details of Steel Bridges." — No. 5: "Reinforced Concrete Jetties, Lay-Out of Yard." — No. 6: "Proposed

Landing Jetty, General Details, Slung Span and Cantilever Type." — No. 7: "Proposed Landing Jetty, Lay-Out Plan, Slung Span and Cantilever Type." — No. 8: "Proposed Landing Jetty, Notes on Erection, Slung Span Type." — No. 9: "Top Plan, Longitudinal Section, and Side Elevation." For full details, please see the lot description on sothebys.com.

THE SECRET WARTIME PLANS FOR THE PROTOTYPES OF THE CELEBRATED MULBERRY HARBORS, WHICH PLAYED AN ENORMOUS PART IN THE SUCCESS OF THE LANDINGS AT NORMANDY After the evacuation at Dunkirk in 1940, the Nazis believed that a counter-invasion of France was impossible without the capture of a port to handle the supplies necessary to support ground troops. Prime minister Winston S. Churchill and his War Office decided to overcome this problem by building a mobile port which the troops could take with them.

I. Iorlys Hughes, who had worked on such peacetime projects as Wembley Stadium and the Hyde Park underpass, was thought to be the perfect candidate for this complex task.

The present set of plans, dating between 17 June and 6 August 1942, are those which were prepared and retained by Hughes himself. One or more further sets would have gone to the War Office, where they and additional plans were developed by their team. Following this, in an operation codenamed "Mulberry," officially described as "one of the best kept secrets of World War II," the massive harbors themselves were built in early 1943 and May 1944. They were successfully launched with the use of tugboats, and the operation was fully justified by the events of 6 June 1944, when the harbors were used at Arromanches and Omaha Beach.

\$ 10,000-12,000

SUPREME HEADQUARTERS
ALLIED EXPEDITIONARY FORCE



Soldiers, Sailors and Airmen of the Allied Expeditionary Force!

You are about to embark upon the Great Crusade, toward which we have striven these many months. The eyes of the world are upon you. The hopes and prayers of liberty-loving people everywhere march with you. In company with our brave Allies and brothers-in-arms on other Fronts, you will bring about the destruction of the German war machine, the elimination of Nazi tyranny over the oppressed peoples of Europe, and security for ourselves in a free world.

Your task will not be an easy one. Your enemy is well trained, well equipped and battle-hardened. He will fight savagely.

But this is the year 1944 ! Much has happened since the Nazi triumphs of 1940-41. The United Nations have inflicted upon the Germans great defeats, in open battle, man-to-man. Our air offensive has seriously reduced their strength in the air and their capacity to wage war on the ground. Our Home Fronts have given us an overwhelming superiority in weapons and munitions of war, and placed at our disposal great reserves of trained fighting men. The tide has turned ! The free men of the world are marching together to Victory !

I have full confidence in your courage, devotion to duty and skill in battle. We will accept nothing less than full Victory !

Good Luck ! And let us all beseech the blessing of Almighty God upon this great and noble undertaking.

2187

2187

DWIGHT D. EISENHOWER

D-Day Address to the Allied Expeditionary Force, 6 June 1944. (*New York, 1948*)

Broadside (9½ x 5¾ in.; 241 x 146 mm), signed in blue ink, extracted from Eisenhower's *Crusade in Europe* (New York, 1948). Matted, glazed, and framed.

ONE OF 1426 COPIES, SIGNED BY EISENHOWER. In his D-Day message to members of the Allied Expeditionary Forces, the Supreme Allied Commander writes, "You are about to embark upon the Great Crusade, toward which we have striven these many months ... In company with our brave Allies and brothers-in-arms on other Fronts, you will bring about the destruction of the German war machine, the elimination of Nazi tyranny over the oppressed peoples of Europe, and security for ourselves in a free world"

Crusade in Europe was published in 1948, when Eisenhower was no doubt giving serious thought to a career in politics. He was elected 34th President of the United States in November 1952.

\$ 4,000-6,000

169



2188

2188

PROPERTY FROM THE FAMILY OF
LIEUTENANT PAUL GARAY

[D-DAY]

The battle-worn flag from the USS *Corry* (DD-463), lead destroyer at Utah Beach on D-Day, rescued by bronze-star recipient Lt. Paul Garay as she was sinking, 6 June 1944

48 star American flag (approximately 29 by 30 ½ in; 736 x 775 mm), canton with 48 white stars sewn on a blue ground, horizontal red and white stripes, two brass grommets to hoist; soiled, discolored, and tattered in the course of action. Handsomely mounted to black cloth and framed to 36 ½ x 37 ½ inches.

AN EXCEPTIONALLY IMPORTANT D-DAY ARTIFACT, AND POTENT SYMBOL OF THE ALLIES' TRIUMPH IN WORLD WAR II — THE BATTLE-SCARRED AMERICAN FLAG THAT FLEW OVER THE LANDING AT UTAH BEACH

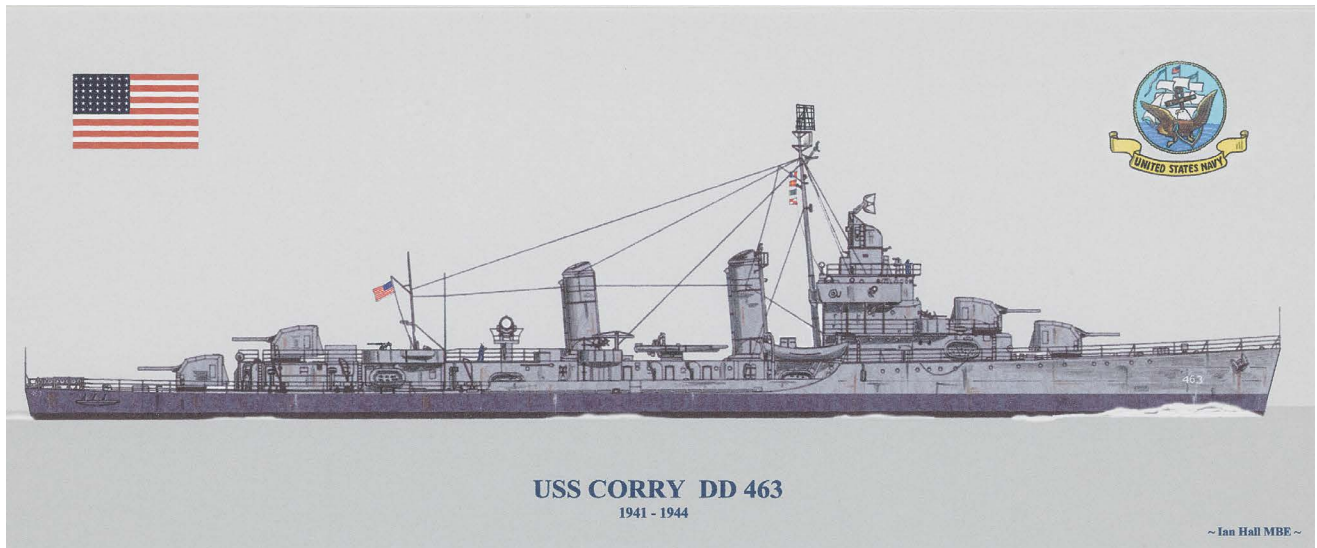
In his D-Day message to members of the Allied Expeditionary Forces, the Supreme Allied Commander General Dwight D. Eisenhower

articulated just how high the stakes were on the eve of 6 June 1944, writing: "You are about to embark upon the Great Crusade, toward which we have striven these many months. The eyes of the world are upon you. The hopes and prayers of liberty-loving people everywhere march with you. In company with our brave Allies and brothers-in-arms on other Fronts, you will bring about the destruction of the German war machine, the elimination of Nazi tyranny over the oppressed peoples of Europe, and security for ourselves in a free world" (see preceding lot). Lieutenant Paul Nicholas Garay, assistant engineer and damage control officer aboard the USS *Corry*, was one of over 175,000-member expeditionary force who received Eisenhower's charge on the eve of the invasion.

The USS *Corry* (DD-463) was a Gleaves-class destroyer, that was commissioned a week after Pearl Harbor, and was launched 28 July 1941 from Charleston Navy Yard. Prior to her involvement at the Normandy landings, *Corry* was one of the most seasoned ships in the

Atlantic fleet, participating in the 1942 invasion of North Africa, and serving with the British home fleet supporting convoys to Russia. Lt. Garay was transferred to the USS *Corry* in March of 1943, having served previously aboard the USS *Charrette* (DD-581).

When night fell on 5 June 1944, the *Corry* began her initial assignment, slowly and laboriously escorting heavy ships and transports crossing the English Channel. As H-Hour approached, the ship was deployed to shell German defenses along Utah Beach in support of troop landings. Dawn had barely broken when the *Corry* began exchanging salvos with the heavily fortified German batteries. THE DESTROYER MOVED CLOSER TO THE BEACH IN AN ATTEMPT TO ELIMINATE THE HEAVIEST ARTILLERY BATTERY ON THE SHORE. The Allied planes laying a smoke screen between the Germans and the bombardment should have provided cover for the destroyers, but the plane assigned to the *Corry* was shot down before it could accomplish its job. For a brief period of time, the *Corry* became the only Allied ship visible to the



German gunners, and she sustained a heavy barrage of large projectiles in quick succession. In the course of evasive maneuvering, the ship also struck a mine. Her keel broken, and with a foot-wide crack across her main deck, *Corry* began to sink, prompting the Commanding Officer George Dewey Hoffman to issue the order to abandon ship.

In Lt. Garay's firsthand account of that day, he describes the actions he took as the ship was sinking, saving the lives of at least four men, in addition to the USS *Corry*'s flag: "I was on damage control.. Down underneath the wardroom were the magazines. I went down to the magazine deck and stomped on the floor a couple times. There were four or five people down there. I told them to come on out, that they weren't needed down there anymore. They undogged the hatch, lifted up the lid and got out just in time. Water was pouring in. Most of the people were already in the water by then. As the ship was going down, with water coming up over the main deck, there was a lot to take care of. Several of us were standing by. The captain

was right next to me. He was getting ready to go over the side. I looked at him and said, 'Captain, you'd better take your shoes off, you'll be able to swim better.' So he did. (Many years later he gave me a written piece of paper—it was a joke—saying I still owed him for a pair of shoes.) I HAPPENED TO COME THROUGH THE WARDROOM AND FOUND THE OLD STEAMING FLAG, THE WORK FLAG. I GRABBED IT BEFORE I WENT OVERBOARD ... A new flag had been put up; later on we could never figure out who had put up the new flag, but he was a brave man." Garay's flag, which had seen the battle through, left the ship with her crew; the new flag was run up to stand watch over the *Corry*'s demise.

Survivors from the explosions that sank the *Corry* had to endure 54-degree water for more than two hours under constant fire before being rescued. Continuing from Garay's account: "Shells were landing all around us. I managed to pull a couple of people out of the water. We were on a spar, some kind of an old raft or something. We all had life preservers on, but one guy had swallowed a lot of water. I tied

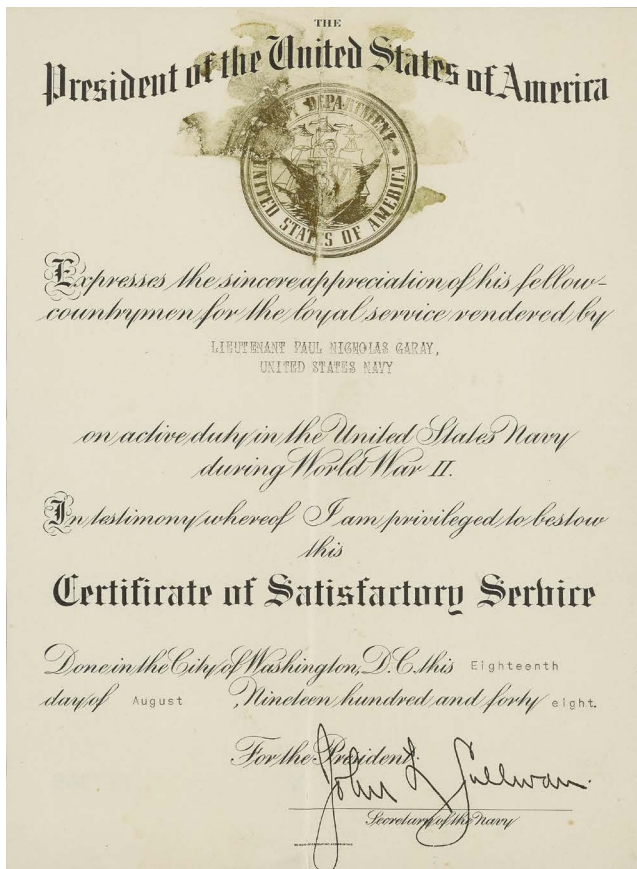
him to the raft and we floated around there for about two and a half hours. We weren't sure we'd get picked up. Finally, one of the other destroyers came around and got us." This two hour period of sustained exposure was perhaps the most harrowing for the crew. Taking additional casualties suffered in the water from shelling, drowning, and exposure into account, twenty-four men from the *Corry*'s crew lost their lives that day. Paul Garay was among the 260 survivors rescued by the USS *Fitch*. The *Corry* had been felled in such shallow water, that her mast remained visible even after she sank – a stark reminder of the losses sustained on June 6, with Allied casualties estimated in excess of 10,000 killed, wounded, or missing in action.

In recognition of his heroism in combat, Lieutenant Garay was awarded the Bronze Star on 27 October 1946. His citation from Admiral Harold R. Stark details his courage, tenacity and loyalty to his men. The award citation reads: "After abandon ship had been ordered as a result of shellfire from shore batteries,

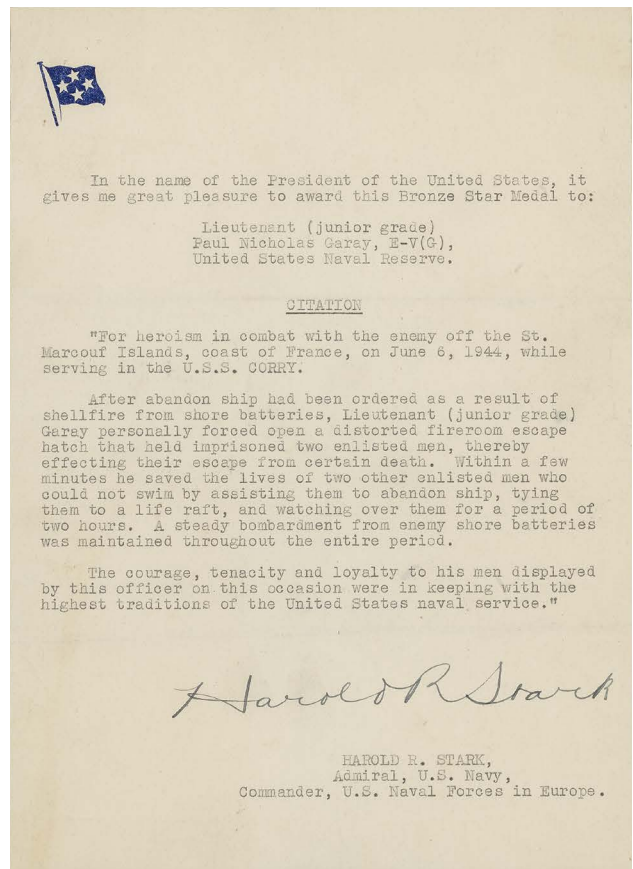
continued



Lieutenant Paul Garay



Lieutenant Paul Garay's Bronze Star citation and certificate of satisfactory service



Lieutenant (junior grade) Garay personally forced open a distorted fireroom escape hatch that held imprisoned two enlisted men, thereby effecting their escape from certain death. Within a few minutes he saved the lives of two other enlisted men who could not swim by assisting them to abandon ship, tying them to a life raft, and watching over them for a period of two hours. A steady bombardment from enemy shore batteries was maintained throughout the entire period."

Operation Overlord marked the pivotal moment when the tides of World War II turned in favor of the Allied forces. It also represents an important innovation in modern military history: never before had an invasion of this size taken place without the immediate capture of a pre-established port capable of maintaining an army from a distance. British General Frederick E. Morgan decided to break the mold, planning an invasion designed to catch the Nazis off guard; and his plan did so beautifully. Germany expected an invasion in the Pas de Calais. In turn, they increased their defenses in the region rendering an invasion there "militarily unsound." Overextended and undermanned

due to their war on two fronts, Germany was forced to leave their defenses in some of the areas surrounding the Pas de Calais relatively weakly held. Therefore, Morgan chose to invade Normandy, focusing his entire army on the area around Caen, which had a good chance of success due to weaker German defenses and the invention of the improvised port facility, or Mulberry port, which due to its novelty could not have been foreseen by the Germans. The Mulberry port, which was constructed as early as D+2, allowed the Allies to supply their army without having captured a pre-established port, thereby setting the stage for the successful expansion and resupply of the 21st army group throughout the key initial stages of Operation Overlord (see lot 2186).

The D-Day landings are heralded not only as one of the most pivotal moments of the second World War, but as but as one of the boldest and most successful large-scale invasions in military history. In June 2002, to mark the 64th anniversary of D-Day, National Geographic published an issue highlighting the "Untold Stories of D-Day" which featured the battle-worn flag of the USS *Corry* on its cover. As

the 75th Anniversary approaches, on 6 June 2019, an international coalition will convene in Normandy to commemorate the memory of D-Day, and the Battle of Normandy.

In further recognition of the bravery of Lieutenant Garay, and of the twenty-four USS *Corry* crew members who lost their lives on 6 June 1944, a portion of the proceeds from the sale of this lot will benefit the Children of Fallen Patriots Foundation, whose mission is to provide college scholarships and educational counseling to military children who have lost a parent in the line of duty.

REFERENCES

Stephen E. Ambrose, *D-Day: The Climactic Battle of WW II*, 1994; *Fleetwings News*, September 1944; ILLUSTRATED: *National Geographic*, "Untold Stories of D-Day," June 2002

\$ 300,000-500,000

END OF SALE

AMERICANA WEEK

AUCTIONS NEW YORK 17–24 JANUARY

Exhibitions open

11 January

**Symposium on 7th floor
followed by Americana
opening reception**

15 January

Important Americana

Session 1

Auction 17 January

**A Collecting Legacy:
Property from the
Collection of Nelson
& Happy Rockefeller**

Auction 18 January

**The Collection of Anne H.
and Frederick Vogel III**

Auction 19 January

The History Of Now:

**The Important American Folk
Art Collection of David Teiger**

Sold to Benefit Teiger

**Foundation for the Support
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Auction 20 January

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Session 2

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Tuesday 15 January

10am–6pm

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Jay Stiefel, Robert Trent, John Ward, and Melinda Watt

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The History of Now:
The Important American Folk Art
Collection of David Teiger
Sold to Benefit Teiger
Foundation for the Support
of Contemporary Art
Miss Liberty, circa 1875
Estimate \$25,000 -50,000



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CONDITIONS OF SALE

The following Conditions of Sale and Terms of Guarantee are Sotheby's, Inc. and the Consignor's entire agreement with the purchaser and any bidders relative to the property listed in this catalogue.

The Conditions of Sale, Terms of Guarantee, the glossary, if any, and all other contents of this catalogue are subject to amendment by us by the posting of notices or by oral announcements made during the sale. The property will be offered by us as agent for the Consignor, unless the catalogue indicates otherwise.

By participating in any sale, you acknowledge that you are bound by these terms and conditions.

1. As Is Goods auctioned are often of some age. The authenticity of the Authorship (as defined below) of property listed in the catalogue is guaranteed as stated in the Terms of Guarantee and except for the Limited Warranty contained therein, all property is sold "AS IS" without any representations or warranties by us or the Consignor as to merchantability, fitness for a particular purpose, or historical relevance of the catalogue or other description of the physical condition, size, quality, rarity, importance, medium, frame, provenance, exhibitions, literature or historical relevance of any property and no statement anywhere, whether oral or written, whether made in the catalogue, an advertisement, a bill of sale, a salesroom posting or announcement, or elsewhere, shall be deemed such a warranty, representation or assumption of liability. We and the Consignor make no representations and warranties, express or implied, as to whether the purchaser acquires any copyrights, including but not limited to, any reproduction rights in any property. We and the Consignor are not responsible for errors and omissions in the catalogue, glossary, or any supplemental material. Sotheby's will not be responsible or liable for damage to frames and glass coverings, regardless of the cause.

2. Inspection Prospective bidders should inspect the property before bidding to determine its condition, size, and whether or not it has been repaired or restored.

3. Buyer's Premium A buyer's premium will be added to the hammer price and is payable by the purchaser as part of the total purchase price. The buyer's premium is 25% of the hammer price up to and including \$300,000, 20% of any amount in excess of \$300,000 up to and including \$4,000,000, and 12.9% of any amount in excess of \$4,000,000.

4. Withdrawal We reserve the right to withdraw any property before the sale and shall have no liability whatsoever for such withdrawal.

5. Per Lot Unless otherwise announced by the auctioneer, all bids are per lot as numbered in the catalogue.

6. Bidding We reserve the right to reject any bid. The highest bidder acknowledged by the auctioneer will be the purchaser. The auctioneer has absolute and sole discretion in the case of error or dispute with respect to bidding, and whether during or after the sale, to determine the successful bidder, to re-open the bidding, to cancel the sale or to re-offer and re-sell the item in dispute. If any dispute arises after the sale, our sale record is conclusive. In our discretion we will execute order or absentee bids and accept telephone bids and online bids via BIDnow, eBay, Invaluable or other online platforms as a convenience to clients who are not present at auctions; Sotheby's is not responsible for any errors or omissions in connection therewith. Prospective bidders should also consult sothebys.com for the most up to date cataloguing of the property in this catalogue.

By participating in the sale, you represent and warrant that any bids placed by you, or on your behalf, are not the product of any collusive or other anti-competitive agreement and are otherwise consistent with federal and state antitrust law.

In order to bid on "Premium Lots" you must complete the required Premium Lot pre-registration application. Sotheby's decision whether to accept any pre-registration application shall be final. You must arrange for Sotheby's to receive your pre-registration application at least three working days before the sale. Please bear in mind that we are unable to obtain financial references over weekends or public holidays.

Sotheby's may require such necessary financial references, guarantees, deposits and/or such other security, in its absolute discretion, as security for your bid(s).

7. Online Bids via BIDnow or other Online Platforms: Sotheby's may offer clients the opportunity to bid online via BIDnow, eBay, Invaluable or other Online Platforms for selected sales. By participating in a sale via any of these Online Platforms, you acknowledge that you are bound by these Conditions of Sale as well as the Additional Terms and Conditions for Live Online Bidding ("Online Terms"). By participating in a sale via any Online Platform, Bidders accept the Online Terms, as well as the relevant Conditions of Sale. Online bidding may not be available for Premium Lots.

8. Bids Below Reserve If the auctioneer determines that any opening bid is below the reserve of the article offered, he may reject the same and withdraw the article from sale, and if, having acknowledged an opening bid, he determines that any advance thereafter is insufficient, he may reject the advance.

9. Purchaser's Responsibility Subject to fulfillment of all of the conditions set forth herein, on the fall of the auctioneer's hammer, the contract between the consignor and the purchaser is concluded, and the winning bidder thereupon will immediately pay the full purchase price or such part as we may require. Title in a purchased lot will not pass until Sotheby's has received the full purchase price in

cleared funds. The purchaser's obligation to immediately pay the full purchase price or such part as we may require is absolute and unconditional and is not subject to any defenses, setoffs or counterclaims of any kind whatsoever. Sotheby's is not obligated to release a lot to the purchaser until title to the lot has passed and any earlier release does not affect the passing of title or the purchaser's unconditional obligation to pay the full purchase price. In addition to other remedies available to us by law, we reserve the right to impose from the date of sale a late charge of the annual percentage rate of Prime + 6% of the total purchase price if payment is not made in accordance with the conditions set forth herein. Please note Sotheby's reserves the right to refuse to accept payment from a source other than the buyer of record.

Unless otherwise agreed by Sotheby's, all property must be removed from our premises by the purchaser at his expense not later than 30 calendar days following its sale. Purchasers are reminded that Sotheby's liability for loss of or damage to sold property shall cease upon the earlier of (a) 30 calendar days after the date of the auction and (b) our release of the property to the purchaser or the purchaser's designated agent. Upon the expiration of such 30 calendar day period or upon such earlier release, as applicable: (i) the purchaser bears full liability for any and all loss of or damage to the property; (ii) the purchaser releases Sotheby's, its affiliates, agents and warehouses from any and all liability and claims for loss of or damage to the property; and (iii) the purchaser agrees to indemnify and hold Sotheby's, its affiliates, agents and warehouses harmless from and against any and all liability for loss of or damage to property and any all claims related to loss of or damage to the property as of and from and after the time Sotheby's liability for loss or damage to the property ceases in accordance with this paragraph. If any applicable conditions herein are not complied with by the purchaser, the purchaser will be in default and in addition to any and all other remedies available to us and the Consignor by law, including, without limitation, the right to hold the purchaser liable for the total purchase price, including all fees, charges and expenses more fully set forth herein, we, at our option, may (x) cancel the sale of that, or any other lot or lots sold to the defaulting purchaser at the same or any other auction, retaining as liquidated damages all payments made by the purchaser, or (y) resell the purchased property, whether at public auction or by private sale, or (z) effect any combination thereof. In any case, the purchaser will be liable for any deficiency, any and all costs, handling charges, late charges, expenses of both sales, our commissions on both sales at our regular rates, legal fees and expenses, collection fees and incidental damages. We may, in our sole discretion, apply any proceeds of sale then due or thereafter becoming due to the purchaser from us or any affiliated company, or any payment made by the purchaser to us or any affiliated company, whether or not intended to reduce the purchaser's obligations with respect to

the unpaid lot or lots, to the deficiency and any other amounts due to us or any affiliated companies. In addition, a defaulting purchaser will be deemed to have granted and assigned to us and our affiliated companies, a continuing security interest of first priority in any property or money of or owing to such purchaser in our possession, custody or control or in the possession, custody or control of any of our affiliated companies, in each case whether at the time of the auction, the default or if acquired at any time thereafter, and we may retain and apply such property or money as collateral security for the obligations due to us or to any affiliated company of ours. We shall have all of the rights accorded a secured party under the New York Uniform Commercial Code. You hereby agree that Sotheby's may file financing statements under the New York Uniform Commercial Code without your signature. Payment will not be deemed to have been made in full until we have collected good funds. Any claims relating to any purchase, including any claims under the Conditions of Sale or Terms of Guarantee, must be presented directly to Sotheby's. In the event the purchaser fails to pay any or all of the total purchase price for any lot and Sotheby's nonetheless elects to pay the Consignor any portion of the sale proceeds, the purchaser acknowledges that Sotheby's shall have all of the rights of the Consignor to pursue the purchaser for any amounts paid to the Consignor, whether at law, in equity, or under these Conditions of Sale.

10. Reserve All lots in this catalogue are offered subject to a reserve, which is the confidential minimum hammer price at which a lot will be sold. No reserve will exceed the low presale estimate stated in the catalogue, or as amended by oral or posted notices. We may implement such reserve by opening the bidding on behalf of the Consignor and may bid up to the amount of the reserve, by placing successive or consecutive bids for a lot, or bids in response to other bidders. In instances where we have an interest in the lot other than our commission, we may bid up to the reserve to protect such interest. In certain instances, the Consignor may pay us less than the standard commission rate where a lot is "bought-in" to protect its reserve.

11. Tax Unless exempted by law, the purchaser will be required to pay the combined New York State and local sales tax, any applicable compensating use tax of another state, and if applicable, any federal luxury or other tax, on the total purchase price. The rate of such combined tax is 8.875% in New York City and ranges from 7% to 8.625% elsewhere in New York.

12. Export and Permits It is the purchaser's sole responsibility to identify and obtain any necessary export, import, firearm, endangered species or other permit for the lot. Any symbols or notices in the sale catalogue reflect Sotheby's reasonable opinion at the time of cataloguing and are for bidders'

general guidance only; Sotheby's and the Consignor make no representations or warranties as to whether any lot is or is not subject to export or import restrictions or any embargoes.

13. Governing Law and Jurisdiction These Conditions of Sale and Terms of Guarantee, as well as bidders', the purchaser's and our respective rights and obligations hereunder, shall be governed by and construed and enforced in accordance with the laws of the State of New York. By bidding at an auction, whether present in person or by agent, order bid, telephone, online or other means, all bidders including the purchaser, shall be deemed to have consented to the exclusive jurisdiction of the state courts of, and the federal courts sitting in, the State of New York. All parties agree, however, that Sotheby's shall retain the right to bring proceedings in a court other than the state and federal courts sitting in the State of New York.

14. Packing and Shipping We are not responsible for the acts or omissions in our packing or shipping of purchased lots or of other carriers or packers of purchased lots, whether or not recommended by us. Packing and handling of purchased lots is at the entire risk of the purchaser.

15. Limitation of Liability In no event will the aggregate liability of Sotheby's and the consignor to a purchaser exceed the purchase price actually paid.

16. Data Protection Sotheby's will use information provided by its clients (or which Sotheby's otherwise obtains from eBay, Invaluable or other sources relating to its clients) for the provision of auction and other art-related services, loan services, client administration, marketing and otherwise to manage and operate its business, or as required by law, in accordance with Sotheby's Privacy Policy. This will include information such as the client's name and contact details, proof of identity, financial information, records of the client's transactions, and preferences. Some gathering of information about Sotheby's clients will take place using technical means to identify their preferences in order to provide a higher quality of service to them. Sotheby's may also disclose the client information to other Sotheby's Companies and/or third parties acting on their behalf to provide services for these purposes.

Sometimes, Sotheby's may also disclose this information to carefully selected third parties for their own marketing purposes. If you do not wish your details to be used for this purpose, please email enquiries@sothebys.com.

If the client provides Sotheby's with information that is defined by European data protection laws as "sensitive", the client agrees that it may be used for the purposes set out above.

In the course of these disclosures, personal data collected in the European Economic Area may be disclosed to countries outside the European Economic Area. Although such countries may not

have legislation that protects a client's personal information, Sotheby's shall take great care to keep such information secure and in accordance with European data protection principles. By agreeing to these Conditions of Sale, the client is agreeing to such disclosure.

Please be aware that Sotheby's may film auctions or other activities on Sotheby's premises and that such recordings may be transmitted over the Internet via Sotheby's website, the eBay website, the Invaluable website and other Online Platforms. Telephone bids may be recorded.

Under European data protection laws, a client may object, by request and free of charge, to the processing of their information for certain purposes, including direct marketing, and may access and rectify personal data relating to them and may obtain more information about Sotheby's data protection policies by writing to Sotheby's, 34-35 New Bond Street, London W1A 2AA, or 1334 York Avenue, New York, NY 10021, Attn: Compliance, or emailing enquiries@sothebys.com. Sotheby's use of information collected about eBay users may differ and is governed by the terms of the eBay Privacy Policy and Sotheby's on eBay Live Auction Platform Privacy Policy, which can be found on the Sotheby's on eBay Live Auction Website. Sotheby's use of information collected about Invaluable users may differ and is governed by the terms of the Invaluable Privacy Policy and Sotheby's on Invaluable Online Platform Privacy Policy, which can be found on the Sotheby's on Invaluable Live Auction Website.

TERMS OF GUARANTEE

As set forth below and in the Conditions of Sale, for all lots Sotheby's guarantees that the authorship, period, culture or origin (collectively, "Authorship") of each lot in this catalogue is as set out in the **BOLD** or **CAPITALIZED** type heading in the catalogue description of the lot, as amended by oral or written salesroom notes or announcements. Purchasers should refer to the Glossary of Terms, if any, for an explanation of the terminology used in the **Bold** or **Capitalized** type heading and the extent of the Guarantee. Sotheby's makes no warranties whatsoever, whether express or implied, with respect to any material in the catalogue other than that appearing in the **Bold** or **Capitalized** heading and subject to the exclusions below.

In the event Sotheby's in its reasonable opinion deems that the conditions of the Guarantee have been satisfied, it shall refund to the original purchaser of record the hammer price and applicable Buyer's Premium paid for the lot by the original purchaser of record.

This Guarantee is provided for a period of five (5) years from the date of the relevant auction, is solely for the benefit of the original purchaser of record at the auction and may not be transferred to any third party. To be able to claim under

this Guarantee of Authorship, the original purchaser of record must: (i) notify Sotheby's in writing within three (3) months of receiving any information that causes the original purchaser of record to question the accuracy of the **Bold** or **Capitalized** type heading, specifying the lot number, date of the auction at which it was purchased and the reasons for such question; and (ii) return the Lot to Sotheby's at the original selling location in the same condition as at the date of sale to the original purchaser of record and be able to transfer good title to the Lot, free from any third party claims arising after the date of such sale.

Sotheby's has discretion to waive any of the above requirements. Sotheby's may require the original purchaser of record to obtain at the original purchaser of record's cost the reports of two independent and recognized experts in the field, mutually acceptable to Sotheby's and the original purchaser of record. Sotheby's shall not be bound by any reports produced by the original purchaser of record, and reserves the right to seek additional expert advice at its own expense. It is specifically understood and agreed that the rescission of a sale and the refund of the original purchase price paid (the successful hammer price, plus the buyer's premium) is exclusive and in lieu of any other remedy which might otherwise be available as a matter of law, or in equity. Sotheby's and the Consignor shall not be liable for any incidental or consequential damages incurred or claimed, including without limitation, loss of profits or interest.

ADDITIONAL TERMS AND CONDITIONS FOR LIVE ONLINE BIDDING

The following terms and conditions (the "Online Terms") provide important information related to live online bidding via **BIDnow**, **eBay**, **Invaluable**, and any other Online Platform through which bidding is made available ("Online Platforms").

These Conditions are in addition to and subject to the same law and our standard terms and conditions of sale, including the authenticity guarantee and any other terms and are not intended in any way to replace them. By participating in this sale via any Online Platform, you acknowledge that you are bound by the Conditions of Sale applicable in the relevant sale and by these additional Conditions.

1. The procedure for placing bids via Online Platforms is a one-step process; as soon as the "Bid Now" button is clicked, a bid is submitted. By placing a bid via any Online Platform, you accept and agree that bids submitted in this way are final and that you will not under any circumstances be permitted to amend or retract your bid. If a successful bid is sent to Sotheby's from your computer, phone, tablet, or any other device, you irrevocably agree to pay the full purchase price, including buyer's premium and all applicable taxes and other applicable charges.

2. If you have the leading bid, it will be indicated on the screen with the statement "Bid with you" (on **BIDNow**) or "You're the highest bidder" (on **eBay**) or "Bid with you" (on **Invaluable**). If a bid is placed online simultaneously with a bid placed by a bidder in the room or on the telephone (a "floor" bid), the "floor" bid generally will take precedence; the auctioneer will have the final discretion to determine the successful bidder or to reopen bidding. The auctioneer's decision is final.

3. The next bidding increment is shown on the screen for your convenience. The auctioneer has discretion to vary bidding increments for bidders in the auction room and on the telephones, but bidders using Online Platforms may not be able to place a bid in an amount other than a whole bidding increment. All bidding for this sale will be in the domestic currency of the sale location, and online bidders will not be able to see the currency conversion board that may be displayed in the auction room.

4. The record of sale kept by Sotheby's will be taken as absolute and final in all disputes. In the event of a discrepancy between any online records or messages provided to you and the record of sale kept by Sotheby's, the record of sale will govern.

5. Online bidders are responsible for making themselves aware of all salesroom notices and announcements. All salesroom notices will be read by the auctioneer at the beginning, where appropriate, or during the sale prior to a relevant lot being offered for sale. Sotheby's recommends that online bidders log on at least ten minutes before the scheduled start of the auction to ensure that you have heard all announcements made by the auctioneer at the beginning of the sale.

6. Sotheby's reserves the right to refuse or revoke permission to bid via Online Platforms and to remove bidding privileges during a sale.

7. Purchase information shown in the "Account Activity" section of **BIDnow**, the "Purchase History" section of the "My eBay" page on **eBay** and the "Account Activity" section of the "My Invaluable" page on **Invaluable** is provided for your convenience only. Successful bidders will be notified and invoiced by Sotheby's after the sale. In the event of any discrepancy between any online purchase information and the invoice sent to you by Sotheby's following the respective sale, the invoice prevails. Terms and conditions for payment and collection of property remain the same regardless of how the winning bid was submitted.

8. Sotheby's offers online bidding as a convenience to our clients. Sotheby's will not be responsible for any errors or failures to execute bids placed via Online Platforms, including, without limitation, errors or failures caused by (i) a loss of connection to the internet or to the **BIDnow**, **eBay**, **Invaluable** or other Online Platform software by either Sotheby's or the client;

(ii) a breakdown or problem with the BIDnow, eBay, Invaluable or other Online Platform software; or (iii) a breakdown or problem with a client's internet connection, mobile network or computer. Sotheby's is not responsible for any failure to execute an online bid or for any errors or omissions in connection therewith.

9. Live online bidding via all Online Platforms will be recorded.

10. In the event of any conflict between these Online Terms and Sotheby's Conditions of Sale and Terms of Guarantee, Sotheby's Conditions of Sale and Terms of Guarantee will control.

11. In the event of any conflict between these Online Terms and any term in any agreement between the User and eBay, these Online Terms will control for purposes of all Sotheby's auctions.

12. In the event of any conflict between these Online Terms and any term in any agreement between the User and Invaluable, these Online Terms will control for purposes of all Sotheby's auctions.

BUYING AT AUCTION

The following will help in understanding the auction buying process as well as some of the terms and symbols commonly used in an auction catalogue. All bidders should read the Conditions of Sale and Terms of Guarantee in this catalogue, as well as the Glossary or any other notices. By bidding at auction, bidders are bound by the Conditions of Sale and Terms of Guarantee, as amended by any oral announcement or posted notices, which together form the sale contract among Sotheby's, the seller (consignor) of the lot and any bidders, including the successful bidder (purchaser).

1. SYMBOL KEY

□ Reserves

Unless indicated by a box (□), all lots in this catalogue are offered subject to a reserve. A reserve is the confidential minimum hammer price at which a lot will be sold. The reserve is generally set at a percentage of the low estimate and will not exceed the low estimate of the lot. If any lots in the catalogue are offered without reserve, such lots will be designated by a box (□). If every lot in a catalogue is offered without a reserve, the Conditions of Sale will so state and this symbol will not be used for each lot.

○ Guaranteed Property

The seller of lots with this symbol has been guaranteed a minimum price from one auction or a series of auctions. This guarantee may be provided by Sotheby's or jointly by Sotheby's and a third party. Sotheby's and any third parties providing a guarantee jointly with Sotheby's benefit financially if a guaranteed lot is sold successfully and may incur a loss if the sale is not successful. If the Guaranteed Property symbol for a lot is not included

in the printing of the auction catalogue, a pre-sale or pre-lot announcement will be made indicating that there is a guarantee on the lot.

△ Property in which Sotheby's has an Ownership Interest

Lots with this symbol indicate that Sotheby's owns the lot in whole or in part or has an economic interest in the lot equivalent to an ownership interest.

⇒ Irrevocable Bids

Lots with this symbol indicate that a party has provided Sotheby's with an irrevocable bid on the lot that will be executed during the sale at a value that ensures that the lot will sell. The irrevocable bidder, who may bid in excess of the irrevocable bid, may be compensated for providing the irrevocable bid by receiving a contingent fee, a fixed fee or both. If the irrevocable bidder is the successful bidder, any contingent fee, fixed fee or both (as applicable) for providing the irrevocable bid may be netted against the irrevocable bidder's obligation to pay the full purchase price for the lot and the purchase price reported for the lot shall be net of any such fees. From time to time, Sotheby's may enter into irrevocable bid agreements that cover multiple lots. In such instances, the compensation Sotheby's will pay the irrevocable bidder is allocated to the lots for which the irrevocable bidder is not the successful purchaser. Under such circumstances, the total compensation to the irrevocable bidder will not exceed the total buyer's premium and other amounts paid to Sotheby's in respect of any lots for which the irrevocable bidder is not the successful bidder. If the irrevocable bid is not secured until after the printing of the auction catalogue, Sotheby's will notify bidders that there is an irrevocable bid on the lot by one or more of the following means: a pre-sale or pre-lot announcement, by written notice at the auction or by including an irrevocable bid symbol in the e-catalogue for the sale prior to the auction. From time to time, Sotheby's or any affiliated company may provide the irrevocable bidder with financing related to the irrevocable bid. If the irrevocable bidder is advising anyone with respect to the lot, Sotheby's requires the irrevocable bidder to disclose his or her financial interest in the lot. If an agent is advising you or bidding on your behalf with respect to a lot identified as being subject to an irrevocable bid, you should request that the agent disclose whether or not he or she has a financial interest in the lot.

√ Interested Parties

Lots with this symbol indicate that parties with a direct or indirect interest in the lot may be bidding on the lot, including (i) the beneficiary of an estate selling the lot, or (ii) the joint owner of a lot. If the interested party is the successful bidder, they will be required to pay the full Buyer's Premium. In certain instances, interested parties may have knowledge of the reserve. In the event the interested party's possible participation in the sale is not known until after the printing of the auction catalogue, a pre-sale or pre-lot announcement will be made indicating that interested parties may be bidding on the lot.

⊙ Restricted Materials

Lots with this symbol have been identified at the time of cataloguing as containing organic material which may be subject to restrictions regarding import or export. The information is made available for the convenience of bidders and the absence of the symbol is not a warranty that there are no restrictions regarding import or export of the Lot; bidders should refer to Condition 12 of the Conditions of Sale. Please also refer to the section on Endangered Species in the information on Buying at Auction.

Π Monumental

Lots with this symbol may, in our opinion, require special handling or shipping services due to size or other physical considerations. Bidders are advised to inspect the lot and to contact Sotheby's prior to the sale to discuss any specific shipping requirements.

⊕ Premium Lot

In order to bid on "Premium Lots" (⊕ in print catalogue or ⊕ in eCatalogue) you must complete the required Premium Lot pre-registration application. You must arrange for Sotheby's to receive your pre-registration application at least three working days before the sale. Please bear in mind that we are unable to obtain financial references over weekends or public holidays. Sotheby's decision whether to accept any pre-registration application shall be final. If your application is accepted, you will be provided with a special paddle number. If all lots in the catalogue are "Premium Lots", a Special Notice will be included to this effect and this symbol will not be used.

2. BEFORE THE AUCTION

The Catalogue A catalogue prepared by Sotheby's is published for every scheduled live auction and is available prior to the sale date. The catalogue will help familiarize you with property being offered at the designated auction. Catalogues may be purchased at Sotheby's or by subscription in any categories. For information, please call +1 212 606 7000 or visit sothebys.com. Prospective bidders should also consult sothebys.com for the most up to date cataloguing of the property in this catalogue.

Estimates Each lot in the catalogue is given a low and high estimate, indicating to a prospective buyer a range in which the lot might sell at auction. When possible, the estimate is based on previous auction records of comparable pieces. The estimates are determined several months before a sale and are therefore subject to change upon further research of the property, or to reflect market conditions or currency fluctuations. Estimates should not be relied upon as a representation or prediction of actual selling prices.

Provenance In certain circumstances, Sotheby's may print in the catalogue the history of ownership of a work of art if such information contributes to scholarship or is otherwise well known and assists in distinguishing the work of art. However,

the identity of the seller or previous owners may not be disclosed for a variety of reasons. For example, such information may be excluded to accommodate a seller's request for confidentiality or because the identity of prior owners is unknown given the age of the work of art.

Specialist Advice Prospective bidders may be interested in specific information not included in the catalogue description of a lot. For additional information, please contact either a Sotheby's specialist in charge of the sale (all of whom are listed in the front of the catalogue), or Sotheby's Client Services Department. You may also request a condition report from the specialist in charge.

The Exhibition An exhibition of the auction property will be held the week prior to the auction on the days listed in the front of the catalogue. There you will have the opportunity to view, inspect and evaluate the property yourself, or with the help of a Sotheby's specialist.

Salesroom Notices Salesroom notices amend the catalogue description of a lot after our catalogue has gone to press. They are posted in the viewing galleries and salesroom or are announced by the auctioneer. Please take note of them.

Registration Sotheby's may require such necessary financial references, guarantees, deposits and/or such other security, in its absolute discretion, as security for your bid. If you are not successful on any lot, Sotheby's will arrange for a refund (subject to any right of set off) of the deposit amount paid by you without interest within 14 working days of the date of the sale. Any exchange losses or fees associated with the refund shall be borne by you. Registration to bid on Premium Lots must be done at least 3 business days prior to the sale.

3. DURING THE AUCTION

The Auction Auctions are open to the public without any admission fee or obligation to bid. The auctioneer introduces the objects for sale — known as "lots" — in numerical order as listed in the catalogue. Unless otherwise noted in the catalogue or by an announcement at the auction, Sotheby's acts as agent on behalf of the seller and does not permit the seller to bid on his or her own property. It is important for all bidders to know that the auctioneer may open the bidding on any lot by placing a bid on behalf of the seller. The auctioneer may further bid on behalf of the seller, up to the amount of the reserve, by placing responsive or consecutive bids for a lot. The auctioneer will not place consecutive bids on behalf of the seller above the reserve.

Bidding in Person If you would like to bid, you must register for a paddle upon entering the salesroom. The paddle is numbered so as to identify you to the auctioneer. To register, you will need a form of identification such as a driver's license, a passport or some other type of government issued identification. If you

are a first-time bidder, you will also be asked for your address, phone number and signature in order to create your account. If you are bidding for someone else, you will need to provide a letter from that person authorizing you to bid on that person's behalf. Issuance of a bid paddle is in Sotheby's sole discretion.

Once the first bid has been placed, the auctioneer asks for higher bids, in increments determined by the auctioneer. To place your bid, simply raise your paddle until the auctioneer acknowledges you. You will know when your bid has been acknowledged; the auctioneer will not mistake a random gesture for a bid.

If you wish to register to bid on a Premium Lot, please see the paragraph above.

All lots sold will be invoiced to the name and address in which the paddle has been registered and cannot be transferred to other names and addresses. Sotheby's reserves the right to refuse to accept payment from a source other than the buyer of record.

Absentee Bidding If it is not possible for you to attend the auction in person, you may place your bid ahead of time. In the back of every catalogue there is an absentee bid form, which you can use to indicate the item you wish to bid on and the maximum bid you are willing to make. Return the completed absentee bid form to Sotheby's either by mail or fax. When the lot that you are interested in comes up for sale, a Sotheby's representative will execute the bid on your behalf, making every effort to purchase the item for as little as possible and never exceeding your limit. This service is free and confidential. For detailed instructions and information, please see the Absentee Bid Form and Guide for Absentee Bidders instructions at the back of this catalogue.

Telephone Bidding In some circumstances, we offer the ability to place bids by telephone live to a Sotheby's representative on the auction floor. Please contact the Bid Department prior to the sale to make arrangements or to answer any questions you may have. Telephone bids are accepted only at Sotheby's discretion and at the caller's risk. Calls may also be recorded at Sotheby's discretion. By bidding on the telephone, prospective buyers consent thereto.

Online Bidding If you cannot attend the auction, it may be possible to bid online via BIDnow, eBay, Invaluable or other Online Platforms for selected sales. This service is free and confidential. For information about registering to bid via BIDnow, please see www.sothebys.com. For information about registering to bid on eBay, please see www.ebay.com/sothebys. For information about registering to bid on Invaluable, please see www.invaluable.com/invaluable/help.cfm. Bidders utilizing any online platform are subject to the Online Terms as well as the relevant Conditions of Sale. Online bidding may not be available for Premium Lots.

Employee Bidding Sotheby's employees may bid in a Sotheby's auction only if the employee does not know the reserve and if

the employee fully complies with Sotheby's internal rules governing employee bidding.

US Economic Sanctions The United States maintains economic and trade sanctions against targeted foreign countries, groups and organizations. There may be restrictions on the import into the United States of certain items originating in sanctioned countries, including Burma, Cuba, Iran, North Korea and Sudan. The purchaser's inability to import any item into the US or any other country as a result of these or other restrictions shall not justify cancellation or rescission of the sale or any delay in payment. Please check with the specialist department if you are uncertain as to whether a lot is subject to these import restrictions, or any other restrictions on importation or exportation.

Hammer Price and the Buyer's Premium For lots which are sold, the last price for a lot as announced by the auctioneer is the hammer price. A buyer's premium will be added to the hammer price and is payable by the purchaser as part of the total purchase price. The buyer's premium will be the amount stated in the Conditions of Sale.

Currency Board As a courtesy to bidders, a currency board is operated in many salesrooms. It displays the lot number and current bid in both U.S. dollars and foreign currencies. Exchange rates are approximations based on recent exchange rate information and should not be relied upon as a precise invoice amount. Sotheby's assumes no responsibility for any error or omission in foreign or United States currency amounts shown.

Results Successful absentee bidders will be notified after the sale. Absentee bidders will receive a list of sale results if they enclose a stamped self-addressed envelope with their absentee bid form. Printed lists of auction prices are available at our galleries approximately three weeks following each auction and are sent on request to catalogue purchasers and subscribers. Results may also be obtained online at sothebys.com.

International Auctions If you need assistance placing bids, obtaining condition reports or receiving auction results for a Sotheby's sale outside the United States, please contact our International Client Services Department.

4. AFTER THE AUCTION

Payment If your bid is successful, you can go directly to Post Sale Services to make payment arrangements. Otherwise, your invoice will be mailed to you. The final price is determined by adding the buyer's premium to the hammer price on a per-lot basis. Sales tax, where applicable, will be charged on the entire amount. Payment is due in full immediately after the sale. However, under certain circumstances, Sotheby's may, in its sole discretion, offer bidders an extended payment plan. Such a payment plan may provide an economic benefit to the bidder. Credit

terms should be requested at least one business day before the sale. However, there is no assurance that an extended payment plan will be offered. Please contact Post Sale Services or the specialist in charge of the sale for information on credit arrangements for a particular lot. Please note that Sotheby's will not accept payments for purchased lots from any party other than the purchaser, unless otherwise agreed between the purchaser and Sotheby's prior to the sale.

Payment by Cash It is against Sotheby's general policy to accept single or multiple related payments in the form of cash or cash equivalents in excess of the local currency equivalent of US \$10,000. It is Sotheby's policy to request any new clients or purchasers preferring to make a cash payment to provide: verification of identity (by providing some form of government issued identification containing a photograph, such as a passport, identity card or driver's license), confirmation of permanent address and identification of the source of the funds.

Payment by Credit Cards Sotheby's accepts payment by credit card for Visa, MasterCard, and American Express only. Credit card payments may not exceed \$50,000 per sale. Payment by credit card may be made (a) online at <https://www.sothebys.com/en/invoice-payment.html>, (b) by calling in to Post Sale Services at +1 212 606 7444, or (c) in person at Sotheby's premises at the address noted in the catalogue.

Payment by Check Sotheby's accepts personal, certified, banker's draft and cashier's checks drawn in US Dollars (made payable to Sotheby's). While personal and company checks are accepted, property will not be released until such checks have cleared, unless you have a pre-arranged check acceptance agreement. Application for check clearance can be made through the Post Sale Services.

Certified checks, banker's drafts and cashier's checks are accepted at Sotheby's discretion and provided they are issued by a reputable financial institution governed by anti-money laundering laws. Instruments not meeting these requirements will be treated as "cash equivalents" and subject to the constraints noted in the prior paragraph titled "Payment By Cash".

Payment by Wire Transfer To pay for a purchase by wire transfer, please refer to the payment instructions on the invoice provided by Sotheby's or contact Post Sale Services to request instructions.

Sales and Use Tax New York sales tax is charged on the hammer price, buyer's premium and any other applicable charges on any property picked up or delivered in New York State, regardless of the state or country in which the purchaser resides or does business. Purchasers who wish to use their own shipper who is not a considered a "common carrier" by the New York Department of Taxation and Finance will be charged New York sales tax on the entire charge regardless of the

destination of the property. Please refer to "Information on Sales and Use Tax Related to Purchases at Auction" in the back of the catalogue.

Collection and Delivery

Post Sale Services
+ 1 212 606 7444
FAX: + 1 212 606 7043
uspostsaleservices@sothebys.com

Once your payment has been received and cleared, property may be released. Unless otherwise agreed by Sotheby's, all purchases must be removed by the 30th calendar day following a sale.

Shipping Services Sotheby's offers a comprehensive shipping service to meet all of your requirements. If you received a shipping quotation or have any questions about the services we offer please contact us.

Collecting your Property As a courtesy to purchasers who come to Sotheby's to collect property, Sotheby's will assist in the packing of lots, although Sotheby's may, in the case of fragile articles, choose not to pack or otherwise handle a purchase.

If you are using your own shipper to collect property from Sotheby's, please provide a letter of authorization and kindly instruct your shipper that they must provide a Bill of Lading prior to collection. Both documents must be sent to Post Sale Services prior to collection.

The Bill of Lading must include: the purchaser's full name, the full delivery address including the street name and number, city and state or city and country, the sale and lot number.

Sotheby's will contact your shipper within 24 hours of receipt of the Bill of Lading to confirm the date and time that your property can be collected. Property will not be released without this confirmation and your shipper must bring the same Bill of Lading that was faxed to Sotheby's when collecting. All property releases are subject to the receipt of cleared funds.

Please see the Conditions of Sale for further details.

Endangered Species Certain property sold at auction, for example, items made of or incorporating plant or animal materials such as coral, crocodile, ivory, whalebone, tortoiseshell, rhinoceros horn, rosewood, etc., irrespective of age or value, may require a license or certificate prior to exportation and additional licenses or certificates upon importation to another country. Sotheby's suggests that buyers check on their government wildlife import requirements prior to placing a bid. Please note that the ability to obtain an export license or certificate does not ensure the ability to obtain an import license or certificate in another country, and vice versa. It is the purchaser's responsibility to obtain any export or import licenses and/or certificates as well as any other required documentation. In the case of denial of any export or import license or of delay in the obtaining of such licenses, the purchaser is still responsible for making on-time payment of the total purchase price for the lot.

Although licenses can be obtained to export some types of endangered species, other types may not be exported at all, and other types may not be resold in the United States. Upon request, Sotheby's is willing to assist the purchaser in attempting to obtain the appropriate licenses and/or certificates. However, there is no assurance that an export license or certificate can be obtained. Please check with the specialist department or the Shipping Department if you are uncertain as to whether a lot is subject to these export/import license and certificate requirements, or any other restrictions on exportation.

The Art Loss Register As part of Sotheby's efforts to support only the legitimate art market and to combat the illegitimate market in stolen property, Sotheby's has retained the Art Loss Register to check all uniquely identifiable items offered for sale in this catalogue that are estimated at more than the equivalent of US\$1,500 against the Art Loss Register's computerized database of objects reported as stolen or lost. The Art Loss Register is pleased to provide purchasers with a certificate confirming that a search has been made. All inquiries regarding search certificates should be directed to The Art Loss Register, First Floor, 63-66 Hatten Garden, London EC1N 8LE or by email at artloss@artloss.com. The Art Loss Register does not guarantee the provenance or title of any catalogued item against which they search, and will not be liable for any direct or consequential losses of any nature howsoever arising. This statement and the ALR's service do not affect your rights and obligations under the Conditions of Sale applicable to the sale.

SELLING AT AUCTION

If you have property you wish to sell, Sotheby's team of specialists and client services representatives will assist you through the entire process. Simply contact the appropriate specialist (specialist departments are listed in the back of this catalogue), General Inquiries Department or a Sotheby's regional office representative for suggestions on how best to arrange for evaluation of your property.

Property Evaluation There are three general ways evaluation of property can be conducted:

(1) In our galleries

You may bring your property directly to our galleries where our specialists will give you auction estimates and advice. There is no charge for this service, but we request that you telephone ahead for an appointment. Inspection hours are 9:30 am to 5 pm, Monday through Friday.

(2) By photograph

If your property is not portable, or if you are not able to visit our galleries, you may bring in or send a clear photograph of each item. If you have a large collection, a representative selection of photographs will do. Please be sure to include the dimensions, artist's signature or maker's mark, medium, physical condition and any other relevant information. Our specialists will provide a free preliminary auction estimate subject to a final estimate upon first-hand inspection.

(3) In your home

Evaluations of property can also be made in your home. The fees for such visits are based on the scope and diversity of property, with travel expenses additional. These fees may be rebated if you consign your property for sale at Sotheby's. If there is considerable property in question, we can arrange for an informal "walkthrough."

Once your property has been evaluated, Sotheby's representatives can then help you determine how to proceed should you wish to continue with the auction process. They will provide information regarding sellers' commission rates and other charges, auction venue, shipping and any further services you may require.

SOTHEBY'S SERVICES

Sotheby's also offers a range of other services to our clients beyond buying and selling at auction. These services are summarized below. Further information on any of the services described below can be found at sothebys.com.

Valuations and Appraisals Sotheby's Valuations and Appraisals Services offers advice regarding personal property assets to trusts, estates, and private clients in order to help fiduciaries, executors, advisors, and collectors meet their goals. We provide efficient and confidential advice and assistance for all appraisal and auction services. Sotheby's can prepare appraisals to suit a variety of needs, including estate tax and planning, insurance, charitable contribution and collateral loan. Our appraisals are widely accepted by the Internal Revenue Service, tax and estate planning professionals, and insurance firms. In the event that a sale is considered, we are pleased to provide auction estimates, sales proposals and marketing plans. When sales are underway, the group works closely with the appropriate specialist departments to ensure that clients' needs are met promptly and efficiently.

Financial Services Sotheby's offers a wide range of financial services including advances on consignments, as well as loans secured by art collections not intended for sale.

Museum Services Tailored to meet the unique needs of museums and nonprofits in the marketplace, Museum Services offers personal, professional assistance and advice in areas including appraisals, deaccessions, acquisitions and special events.

Corporate Art Services Devoted to servicing corporations, Sotheby's Corporate Art Services Department can prepare appraisal reports, advise on acquisitions and deaccessions, manage all aspects of consignment, assist in developing arts-management strategies and create events catering to a corporation's needs.

INFORMATION ON SALES AND USE TAX RELATED TO PURCHASES AT AUCTION

To better assist our clients, we have prepared the following information on Sales and Use Tax related to property purchased at auction.

Why Sotheby's Collects Sales Tax

Virtually all State Sales Tax Laws require a corporation to register with the State's Tax Authorities and collect and remit sales tax if the corporation either establishes or maintains physical or economic presence within the state. In the states that impose sales tax, Tax Laws require an auction house, with such presence in the state, to register as a sales tax collector, and remit sales tax collected to the state. New York sales tax is charged on the hammer price, buyer's premium and any other applicable charges on any property picked up or delivered in New York, regardless of the state or country in which the purchaser resides or does business.

Where Sotheby's Collects Sales Tax

Sotheby's is currently registered to collect sales tax in the following states: Alabama, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Washington and Wisconsin. For any property collected or received by the purchaser in New York City, such property is subject to sales tax at the existing New York State and City rate of 8.875%.

Sotheby's Arranged Shipping If the property is delivered into any state in which Sotheby's is registered, Sotheby's is required by law to collect and remit the appropriate sales tax in effect in the state where the property is delivered.

Client Arranged Shipping Property collected from Sotheby's New York premises by a common carrier hired by the purchaser for delivery at an address outside of New York is not subject to New York Sales Tax, but if the property is delivered into any state in which Sotheby's is registered, Sotheby's is required by law to collect and remit the appropriate sales tax in effect in the state where the property is delivered. New York State recognizes shippers such as the United States Postal Service, United Parcel Service, FedEx, or the like as "common carriers". If a purchaser hires a shipper other than a common carrier to pick up property, Sotheby's will collect New York sales tax at a rate of 8.875% regardless of the ultimate destination of the goods. If a purchaser utilizes a freight-forwarder who is registered with the Transportation Security Administration ("TSA") to deliver property outside of the United States, no sales tax would be due on this transaction.

Where Sotheby's is Not Required

to Collect Sales Tax Sotheby's is not required to collect sales tax on property delivered to states other than those listed above. If the property is delivered to a state where Sotheby's is not required to collect sales tax, it is the responsibility of the purchaser to self-assess any sales or use tax and remit it to taxing authorities in that state.

Sotheby's is not required to collect sales tax for property delivered to the purchaser outside of the United States.

Restoration and Other Services

Regardless of where the property is subsequently transported, if any framing or restoration services are performed on the property in New York, it is considered to be a delivery of the property to the purchaser in New York, and Sotheby's will be required to collect the 8.875% New York sales tax.

Certain Exemptions Most states that impose sales taxes allow for specified exemptions to the tax. For example, a registered re-seller such as a registered art dealer may purchase without incurring a tax liability, and Sotheby's is not required to collect sales tax from such re-seller. The art dealer, when re-selling the property, may be required to charge sales tax to its client, or the client may be required to self-assess sales or use tax upon acquiring the property.

Local Tax Advisors As sales tax laws vary from state to state, Sotheby's recommends that clients with questions regarding the application of sales or use taxes to property purchased at auction seek tax advice from their local tax advisors.

IMPORTANT NOTICES

Property Collection As of March 19, 2018, property that is sold, has bought in, or is to be returned to the consignor will be moved to our temporary offsite location at Crozier Fine Arts at One Star Ledger Plaza, 69 Court Street, Newark, NJ (SLP Warehouse). Certain items of property, including jewelry, watches, silver, works on panel and items valued \$10 million or more will remain at 1334 York Avenue. All other property will be moved to our temporary offsite location on the day the applicable sale concludes and is available for pickup after two business days. Invoices and statements will indicate your property's location.

Property Payment All property must be paid in full before collection or release from any Sotheby's location. Payment must be made through Sotheby's New York Post Sale Services by way of our acceptable forms of payment methods mentioned on your invoice. To arrange for payment, please contact Post Sale Services at +1 212 606 7444 or USPostSaleServices@sothebys.com. Payment will not be accepted at the offsite facility. Dealers and resale clients should fill out the appropriate forms where applicable or contact Post Sale Services with any questions.

Loss and Liability Unless otherwise agreed by Sotheby's, all sold property must be removed from any of our premises (including the SLP Warehouse) by the buyer at their expense no later than 30 calendar days following its sale. Buyers are reminded that Sotheby's liability for loss or damage to sold property shall cease no later than 30 calendar days after the date of the auction.

Collection & Shipping The SLP Warehouse requires 24 hours advanced notice for collection of property. Please arrange this through our Post Sale Services team at +1 212 606 7444 or USPostSaleServices@sothebys.com.

For in-person collections at our offsite location, please alert Post Sale Services of your proposed collection date, ensure that all outstanding invoices have been paid for, and that you or your agent have the appropriate photo identification upon arrival.

If you are using your own shipper to collect property, please provide a letter of authorization and instruct your shipper to email their bill of lading to bills@sothebys.com and ensure the correct collection location is specified.

Sotheby's can arrange for delivery of your property through one of our contracted vendors or can coordinate pick up at our offsite location with you or your shipper directly. Please contact Post Sale Services at +1 212 606 7444 or USPostSaleServices@sothebys.com to start your collection process.

Important Notice Regarding Packing

As a courtesy to purchasers who come to Sotheby's to pick up property, Sotheby's will assist in packing framed paintings. Sotheby's is unable to remove canvases off stretchers or to roll works on paper. Purchasers are advised to contact an independent painting restorer to pack works in this manner.

Photography:

Scott Elam
Bonnie Morrison
Ber Murphy
Ellen Warfield

International Departments

For a full listing of our offices and salerooms worldwide with detailed information on all of Sotheby's services, visit sothebys.com

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Guide for Absentee and Telephone Bidders

If you are unable to attend an auction in person, you may give Sotheby's Bid Department instructions to bid on your behalf by completing the form overleaf. This service is confidential and available at no additional charge.

General

This service is free and confidential.

Please record accurately the lot numbers, descriptions and the top hammer price you are willing to pay for each lot.

We will try to purchase the lot(s) of your choice for the lowest price possible and never for more than the maximum bid amount you indicate.

"Buy" or unlimited bids will not be accepted.

Alternative bids can be placed by using the word "OR" between lot numbers. Then if your bid on an early lot is successful, we will not continue to bid on other lots for you. Or, if your early bids are unsuccessful, we will continue to execute bids for alternative lots until a bid is successful.

Bids must be placed in the same order as in the catalogue.

The form should be used for one sale only – please indicate the sale number, title and date on the form.

Please place your bids as early as possible, as in the event of identical bids the earliest received will take precedence. Wherever possible bids should be submitted at least twenty-four hours before the auction.

Where appropriate, your bids will be rounded down to the nearest amount consistent with the auctioneer's bidding increments.

Absentee bids, when placed by telephone, are accepted only at the caller's risk and must be confirmed by letter or fax to the Bid Department on +1 212 606 7016.

Please note that the execution of written bids is offered as an additional service for no extra charge at the bidder's risk and is undertaken subject to Sotheby's other commitments at the time of the auction; Sotheby's therefore cannot accept liability for error or failure to place such bids, whether through negligence or otherwise.

Successful bidders will receive an invoice detailing their purchases and giving instructions for payment and clearance of goods. Unsuccessful bidders will be advised.

Please note Sotheby's reserves the right to refuse to accept payment from a source other than the buyer of record.

All bids are subject to the conditions of sale and terms of guarantee applicable to the sale printed in the sale catalogue. Buyer's premium in the amount stated in paragraph 3 of the Conditions of Sale in the back of the sale catalogue will be added to the hammer price as part of the total purchase price, plus any applicable sales tax.

In the event that you are successful, payment is due immediately after the sale unless otherwise agreed in advance. Payment may be made by bank transfer, credit card (which may be subject to a convenience fee), check or cash (up to US\$10,000). You will be sent full details on how to pay with your invoice. It is against Sotheby's general policy to accept single or multiple related payments in the form of cash or cash equivalents in excess of US\$10,000.

It is Sotheby's policy to request any new clients or purchasers preferring to make a cash payment to provide: proof of identity (by providing some form of government issued identification containing a photograph, such as a passport, identity card or driver's license) and confirmation of permanent address.

We reserve the right to seek identification of the source of funds received.

Data Protection

Sotheby's will use information provided by its clients (or which Sotheby's otherwise obtains from eBay or other sources relating to its clients) for the provision of auction and other art-related services, loan services, client administration, marketing and otherwise to manage and operate its business, or as required by law, in accordance with Sotheby's Privacy Policy. This will include information such as the client's name and contact details, proof of identity, financial information, records of the client's transactions, and preferences. Some gathering of information about Sotheby's clients will take place using technical means to identify their preferences in order to provide a higher quality of service to them. Sotheby's may also disclose the client information to other Sotheby's Companies and/or third parties acting on their behalf to provide services for these purposes.

Sometimes, Sotheby's may also disclose this information to carefully selected third parties for their own marketing purposes. If you do not wish your details to be used for this purpose, please email enquiries@sothebys.com.

If the client provides Sotheby's with information that is defined by European data protection laws as "sensitive", the client agrees that it may be used for the purposes set out above.

In the course of these disclosures, personal data collected in the European Economic Area may be disclosed to countries outside the European Economic Area. Although such countries may not have legislation that protects a client's personal information, Sotheby's shall take great care to keep such information secure and in accordance with European data protection principles. By agreeing to these Conditions of Business, the client is agreeing to such disclosure.

Please be aware that Sotheby's may film auctions or other activities on Sotheby's premises and that such recordings may be transmitted over the Internet via Sotheby's website, the eBay website and other Online Platforms. Telephone bids may be recorded.

Under European data protection laws, a client may object, by request and free of charge, to the processing of their information for certain purposes, including direct marketing, and may access and rectify personal data relating to them and may obtain more information about Sotheby's data protection policies by writing to Sotheby's, 34-35 New Bond Street, London W1A 2AA, or 1334 York Avenue, New York, NY 10021, Attn: Compliance, or emailing enquiries@sothebys.com. Sotheby's use of information collected about eBay users may differ and is governed by the terms of the eBay Privacy Policy and Sotheby's on eBay Live Auction Platform Privacy Policy, which can be found on the Sotheby's on eBay Live Auction Website.

Important

Please note that the execution of written and telephone bids is offered as an additional service for no extra charge, and at the bidder's risk. It is undertaken subject to Sotheby's other commitments at the time of the auction. Sotheby's therefore cannot accept liability for failure to place such bids, whether through negligence or otherwise. All bids will be executed and are accepted subject to the "Conditions of Sale" and "Terms of Guarantee" printed in the catalogue for the sale. Please note that a buyer's premium in the amount stated in paragraph 3 of the "Conditions of Sale" in the back of the sale catalogue will be added to the hammer price as part of the total purchase price, plus any applicable sales tax.

New Clients

Please note that we may contact you to request a bank reference. In addition Sotheby's requires a copy of government issued photo ID in order to generate a new account. If you have opened a new account with Sotheby's since 1 December, 2002, and have not already done so, you will be asked to present appropriate documentation confirming your identity before your lots or sale proceeds can be released to you.

For Written/Fixed Bids

- Bids will be executed for the lowest price as is permitted by other bids or reserves.
- "Buy" or unlimited bids will not be accepted and we do not accept "plus one" bids. Please place bids in the same order as in the catalogue.
- Always indicate a "top limit" — the amount up to which you would bid if you were attending the auction yourself.
- Alternative bids can be placed by using the word "or" between lot numbers.
- Where appropriate your written bids will be rounded down to the nearest amount consistent with the auctioneer's bidding increments.

For Telephone Bids

Please clearly specify the telephone number on which you may be reached at the time of the sale, including the country code. We will call you from the saleroom shortly before your lot is offered.

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