

Cover: detail from item 37, CURTIS Intimate Life Story of a Vanishing Race ... Above: item 35, [SAN FRANCISCO EARTHQUAKE.] 15 panoramic photographs

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Leves y ordenanças nueuamēte bechas por în Abageltad/pa la gonernacion de las Indías y buen trata intento y conservacion de los Indías; que se ban de guardar en el consejo y audiécias reales q en ellas residen; y por todos los otros gonernadores/juezes y personas partículares dellas.

A Lonprivilegio imperial.

The First Book of American Law

1 [LAWS FOR THE INDIES] CHARLES V. Leyes y ordenancas nueuamente hechas por su Magestad pa la gouernacion de las Indias y buen trata miento y conseruacion delos Indios:

que se han de guardar en el consejo y audiecias reales q en ellas residen ...

First edition. Small folio (271 by 198mm). Removed from a volume, expert restoration to marginal worming and old folds, cleaned, with pulp repairs to infilled losses. Housed in a custom navy morocco slipcase & chemise. 14ff (the final blank is later). Alcala de Henares, Joan de Brocar, 1543. £130,000

Exceedingly rare and important: the first book of American law. Published just fifty years after Columbus first landed on American soil, the *Leyes*, or New Laws as they're also known, set out new regulations to provide better treatment for Indigenous Americans. Extraordinarily, it includes an abolition clause.

Hernán Cortes led the conquest of Mexico in 1519 and served as governor of New Spain from 1521–4. The impact of Spanish colonisation on the Indigenous population is well-documented, and while Cortes remains the poster-child for these excesses, the devastation commenced at first contact. "It took a full half century, from 1493 to 1543, to achieve, in legal and papal form, the complete cycle of devastation and degradation of the Aboriginal races ..." (Stevens & Lucas, ix). Of course, there was opposition and this legislation was partly due to the efforts of Bartolomé de las Casas (1484–1566) the Dominican Friar and "protector of the Indians" who wrote a series of works arguing for the better treatment of Indigenous Americans. In fact, Church notes that Las Casas "was actively interested in them and aided much in their promulgation." These New Laws were for the territory including New Spain, Peru, Guatemala, Nicaragua and Hispanola.

This document seeks to establish a number of things. First and foremost it sets out to codify better treatment for the Indigenous people [all translations are from Stevens]: "because our chief intention and will has always been and is the preservation and increase of the Indians, and that they be instructed and taught in the matters of our holy Catholic faith, and be well treated as free persons."

The Crown takes a further step in this direction with the following: "We ordain and command that from henceforward for no cause of war nor any other whatsoever, though it be under title of rebellion, nor by ransom nor in other manner can an Indian be made a slave, and we will that they be treated as our vassals of the Crown of Castile since such they are."

This anti-slavery law includes "those who until now have been enslaved against all reason and right and contrary to the provisions and instructions there-

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El Rey. Orquato nos auemos man

dado darvna nuestra prouision de capitulos en que se da la orden que en el nuestro consejo y en las audiencias de las In dias y gouernacion dellas/y en la coseruacion y buen tratamiento de los Indíos se ha de tener de aqui adelante: y por vn capitulo della se manda que sea imprimida en molde y se embie a todas las nuestras Indías: por ende por la presente

damos licencia/ y facultad avos Ioan de Brocar impressor vezino dela villa de Alcala de Henares & mandamos que por tiempo y espacio de diez años que se cuenten desde el día de la hecha desta mi cedula en adelante vos y las personas q touieren vuestro poder/y no otras algunas podays y puedan imprimir y vender impriman y vendan la dicha prouisson de ordenanças so pena que qualquiera persona/o personas que sin tener poder para ello vuestro durate el dicho tiempo la imprimiere/o hiziere imprimir & vender en estos nuestros reynos pierdanla impression que hizieren y los moldes y aparesos con que lo hizieren/y los volu menes que imprimieren siendo impressos y hechos durante el dicho tiepo/&in curra cada uno dellos en pena de diez mil marauedis cada vez que lo contrario hizieren: la qual dicha pena mado que fea repartida en esta manera. La tercia par te para el juez que lo fentenciare. & la otra tercia parte para la nuestra camara & fisco: & la otra tercia parte pa la persona que lo acusare: la qual dicha merced vos hazemos con tanto que ayays devender y vendays cada pliego de molde del dis cho volumen a quatro marauedis que es el precio que fue taffado por los del nue firo confejo de las Indias & no en mas ni allende & mando a los del nueftro con sejo/Presidentes & oydores de las nuestras audiencias/alcaldes/alguaziles de la nfa cafa & corte & chacillerias/& a todos los corregidores/affiftentes/gouernas dores/alcaldes/alguaziles merinos/pboftes y otras iufticias/& juezes qualefger de todas las ciudades/villas/y lugares deftos nueftros reynos & feñorios: & acas da vno y qualquier dellos en fus lugares & iurifdiciones que vos guarden y cum plan & hagan guardar & cumplir esta nuestra carta y lo en ella contenido durâte el dicho tiepo/y contra alla vos no vayan ni paffen ni cofientan yr ni paffar fo pe na de la nuestra merced y de diez mil marauedis para la nuestra camara a cada vnoque lo contrario hiziere. Fecha en la ciudad de Barcelona primero dia del mes de Mayo de mil & quinientos & quarenta y tres años.

Poel Rey.

11002 mandado de su 410 agestad

Joan vasques.

Leyes y ordenágas para las Indías. Fo.ij.
On Carlos por



la divina clemècia Empera/
dorsemp augusto/Rey d'Ale
mania. Doña Joanna su ma/
dre/y el mesmo don Larlosi
por la gracia de dios reyes
de Lastilla/de Leon/de Ara/
gon/de ias dos Sectias/de
Idierusalem/d Idauarra/de
Stanada/de Toledo/de Talêcia/de Balizia/de Aldallor/
cas/de Seculla/de Lerdeña/
de Lordona/de Lorcega/de

Alburcia de Jaê de los Algarues de Algestra de libraltar de las

Pstas de De las Yndias/Yslasy tierra fir=

me del mar Decano. Londes de Barcelona feñores ques de Athenas/y de Meopatria/condes de Ruysellon/y de Ler dania/marqueses de Driftan/ y de Bociano/Archiduques de Aux stria duques de Borgoña/y de Branate/condes de Glandes/yde Tirolice. Al Illustrissimo principe DON. FELIPPE muestro muy caro y muy amadonieto t bijo, y a los infantes nueltros nie tos Thios. y al Melidere y los del nuestro conscio de las Indias. valos nueftros viforreyes presidentes toydores de las nueftras audiencias/t chacillerias reales de las dichas nuestras Indias/ islas y tierra firme del mar O ceano: y nuestros gouernadores/ale caldes mayores / y otras nuestras justicias vellas / y a todos los concejos/justicias/regidores/canalleros/escuderos/officiales p omes buenos de todas las ciudades/villas/ tlugares de las di chas nueltras Indias/iflas y tierra firme di mar @ ceano dicubier tas y por descubrir: y a otras qualesquier psonas/capitanes/descu bridores/y pobladores/y vesinos habitates y estantes y naturas les dellastde qualquier estado/calidad/condicion y prebeminencia queseamansia los q agora soys como a los q fuerdes de aquiade lanter a cada vno ta qualquier de vos en vuestros lugares tius risdiciones a quien esta nuestra carta suere mostrada, o su trastado signado de escrivano publico/o dla parte supierdes y lo enella cos

A ij

upon." Furthermore, "no risk of life, health and preservation of the said Indians may ensue from immoderate burthen; and that against their own will and without being paid, in no case be it permitted that they be laden, punishing very severely him who shall act contrary to this." This included working in the pearl fisheries. Critically, it states that any Indigenous Americans who are found being treated or held in such a manner will be removed and "placed under our Royal Crown."

This leads us to labour practices in the Spanish Empire and the relationship between the Crown and colonists. "When the Spaniards conquered the New World, they resorted to a system of forced labor called the *encomienda*. An *encomienda* was an organization in which a Spaniard received a restricted set of property rights over Indian labor from the Crown whereby the Spaniard (an *encomendero*) could extract tribute (payment of a portion of output) from the Indians in the form of goods, metals, money, or direct labor services" (Yeager). In exchange, the *encomendero*, was obliged to provide for their protection, education, and religious welfare.

There are differences which distinguish this system from the slavery practised later in the Caribbean and United States. The Indigenous Americans were not owned, and thus could not be bought or sold; there was no inheritance built into the system (rights reverted to the Crown); nor could they be moved or relocated from their homes. But in practical terms — specifically the experience of the Indigenous American — there was little difference, and indeed many were enslaved outside of the *encomienda* system, which these New Laws addressed. To give an example of the scale of the system, Córtes himself was granted an *encomienda* that included 115,000 people and "it was generally recognized that some of these personal service activities contributed greatly to the destruction of the Indians" (Batchelder and Sanchez, 49).

Here the New Laws set out the following: "These regulations limited personal services to *encomenderos*, made Crown officials responsible for determining the amount and composition of the tribute from *encomiendas*, prohibited the creation of new *encomiendas* and the reassignment of old ones and freed Indian slaves" (*ibid*, 57). If it seems too good to be true, it was. The Crown applied these restrictions largely to curtail the power (and wealth) of their own colonists. **Importantly, with rights reverting to the Crown, which could also be confiscated, Spain retained complete control over its American colonies. And in what became a truism for colonies in the Americas the next four hundred years, the implementation of these laws were hindered by lobbying by colonists.**

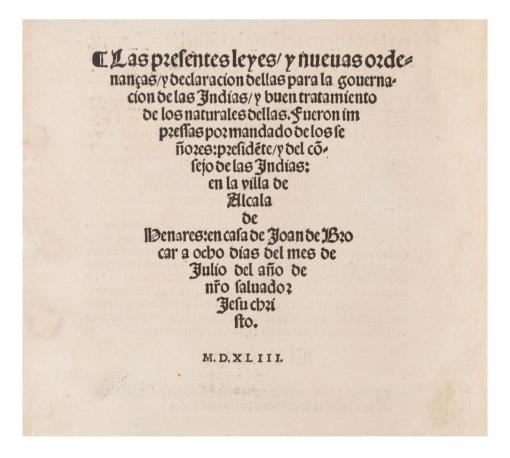
Harisse confirms this: "They were issued especially for the better treatment of the Indians, and, we believe, for limiting the partitions of lands among the conquerors. Leon Pinelo states, on the authority of Juan de Grivalja, that these laws 'tan odiosas,' were prompted by the publication of the manuscript tract 'Dies i seis remedios contra la peste que destruye las Indias.' They were issued at Barcelona, November 20th, 1542, completed at Valladolid, July 4th, 1543, and ordered to be printed, and enforced immediately throughout the Indies."

The New Laws concerns would reverberate through the next four hundred years of colonization, both its riches and horrors.

There are a handful of copies in institutions: JCB, Huntington, Newberry, Indiana, NYPL, Michigan Law, NLS, BL, and BNE. We find just two recorded copies for sale — Quaritch in 1889 (£40) and Lathrop Harper in 1941 (USD\$2,950). Another listed at Sotheby's in 1962 was withdrawn.

The copy at the BL is on vellum. We've compared ours to the one held at the Newberry Library and it's the same.

Brunet "Manuel du Libraire," III., col. 1042; Church, 80; Harrisse, "Bib. Am. Vet.," No. 247; Sabin, 40902; Batchelder, R.W. & Sanchez, N., "The encomienda and the optimizing imperialist: an interpretation of Spanish imperialism in the Americas" in Public Choice, Vol. 156, No. 1/2 (July, 2013) pp.45–60; Stevens H., & Lucas, F., Leyes y ordenanças nuevamente hechas: the new laws of the Indies for the good treatment and preservation of the Indians ... (London, 1893); Yeager, T., "Encomienda or Slavery? The Spanish Crown's Choice of Labor Organization in Sixteenth-Century Spanish America" in The Journal of Economic History, Vol. 55, No. 4 (Dec., 1995), p.843.





TLibro. pr. Dela segunda parte vela general bistoria velas Indias. Escripta por el Capitan Bonçalo Fernandez de Duiedo, y Taldes. Alcaydevela fortaleza y puerto de Sácto Domín go, dla isla Española. Cronista d su Adagestad. Due trata del estrecho de Adagallans.

TEn Talladolid. Por Francisco Fernandez de Cordona, Junpressor de su Bagestad. Asso de. 28. D. Lvij.

The First and Second Circumnavigators: Magellan & Loaisa

2 OVIEDO Y VALDEZ (Gonzalo Fernandes de). Libro XX.

First edition. Woodcut arms to title-page, 3 woodcut illustrations. Small folio. Full Spanish cat's paw calf. 64ll. Valladolid, Fernandez de Cordova, 1557.

£62,500

Rare and important: containing accounts of Magellan's and Garcia Jofre de Loaisa's expeditions, which were the first and second circumnavigations. The work documents the first navigation of the Strait of Magellan and the European discovery of the Philippines.

The foremost chronicler of the Indies, Oviedo left behind a vast collection of ill-arranged data on his death, a small portion of which had already been published in his two works on the Indies. The twentieth book was the only part that was to be published in the years immediately after Oviedo's death and is a stand-alone, separate publication. It is very uncommon (Borba suggests only ten copies are known) but when found is more often than not, as one would expect, bound with either the first or second edition of the *Historia*.

Libro XX follows only Pigafetta and Maximilianus Transilvanus' accounts of Magellan. Oviedo, who had access to one of Pigafetta's surviving mss, drew on both sources providing a richer, more complete treatment of the voyage.

Magellan's voyage was intended to establish a western route to the Moluccas (Spice Islands) and he was equipped with five ships and a crew of 237. They departed Seville on 10 August 1519, stopping at Tenerife and then Rio de Janeiro on 13 December. Near Port St Julian in Argentina, a mutiny was quelled and Magellan's crew had their first encounter with the Indigenous population whom they would call Patagonians. It wasn't until 23 October 1520, having already lost one ship, that they entered the Straits of Magellan. They soon lost another as the San Antonio defected and returned to Spain, though entered the Pacific on 28 November. Sailing across the ocean, many of the crew contracted scurvy and dysentery and it was only landfall at San Paolo Island that granted the expedition a temporary reprieve. They reached the Marianas (Guam) before becoming the first Europeans to visit the Philippines. Caught up in a regional conflict, Magellan was killed trying to capture a neighbouring island. The expedition's sole seaworthy ship, the Vittoria, carrying 47 crew, crossed the Indian Ocean and arrived at Sanlúcan on 6 September 1522. The cargo included 533 hundredweight of cloves.

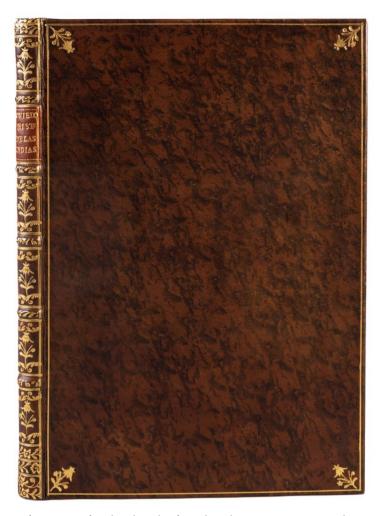
The rest of the work (92pp) is concerned with the second trans-Pacific expedition to the Spice islands, commanded by Garcia Jofre de Loaisa. Here the sources appear to be two members of the expedition Martin de Islares and a cleric, Juan de Arecaga, both of whose accounts were previously unpublished. Hitherto Gomara

has been considered the principal printed source on this expedition (pub. 1554), and it was used extensively by Burney and others. However the Gomara account is extremely brief, covering some eight pages, and Herrera, Oviedo's successor as official historian of the Indies, writing at the beginning of the next century, devoted only 38 pages of his famous chronicle to the events of the expedition, thus Oviedo's twentieth book has a strong claim to be considered the primary printed source.

This "unhappy" (per Oviedo) expedition was originally commanded by Garcia Jofre de Loaisa. It consisted of six vessels and a pinnace, manned by a total complement of 450. Sailing from Spain in July 1525, they made the coast of Brazil in December after difficulties and adventures during which two of the ships were lost, finally making their way through the Straits of Magellan at the end of May 1526. Separated by a gale, one of the ships the *Pataca* being low in provisions sailed North and successfully made for the West coast of New Spain. The friar Arecaga was on board and he was able to give news of the expedition to Cortez. Another ship the *Santa Maria de la Vitoria* commanded by Loaisa steered North West, but the commander fell ill, died, and was succeeded by his second in command Juan Sebastian del Cano (one of the Magellan voyage survivors), who lasted only four days before expiring, when one Alonzo de Salazar took command.

By 4th September, 1526, they had sighted the Marshall Islands and made the Marianas Islands where they watered and rested — unlike Magellan, they found the Indigenous population co-operative. Soon after setting a course to the South Salazar was overcome and a new commander Martin Yniguez was elected before they had reached the Celebes. Having reached the Moluccas by November, an intense rivalry grew up between the Portuguese, who were already established, and the depleted Spanish crew. Naval skirmishes between the two continued throughout 1527. In July of that year Yniguez died, poisoned by the agent of the Portuguese, and Hernando de la Torre took over command. In the meantime Cortez fitted out a fleet in Mexico, Alvaro de Saavedra was chosen as commander and he reached Tidore (Borneo), where de la Torre was based, in January 1528. In order to explain the plight of this remote but important outpost Saavedra made a first attempt to re-cross the Pacific, and in so doing discovered Papua, but was beaten back by contrary winds and returned to Tidore. A second attempt was made which again was unsuccessful and cost Saavedra his life, the remaining crew making their way back again to Tidore where de la Torre was gallantly maintaining a Spanish claim. It was not until 1534 that the Spanish left the Spice islands via Cochin and de la Torre reached Spain three years later in 1537.

Oviedo y Valdes (1478–1557) is one of the earliest and most reliable chroniclers of the Indies. Having spent over 30 years in America, he witnessed the conquering of the New World by the Spanish, and was present for the return of Columbus in 1493. Church says of his work, mostly referring to the *Historia*: "He was Governor of the Province of Carthagena and filled other high positions. The knowledge thus acquired of men and events gave him unusual opportunities for



gathering information for this, his chief work. Like most active men, his views were tinctured with partisan feelings so that whatever he wrote must be received with caution, as he was far from being an impartial chronicler. Authority was given him by the Emperor to demand from the different governors of Spanish America such documents as he might need for this work. He gives a vivid picture of conditions as they then existed, and his work, which possesses considerable literary merit, is a vast storehouse of facts relating to the times. This is the source from which most literary writers have drawn their accounts of the early occurrences in the New World." (Church, 71). *Libro XX* was written in San Domingo in 1539 when Oviedo was planning an expedition to China.

The publication of the *Historia* which comprised nineteen books, stopped due the death of Oviedo, as stated on ff.64. A work of immense importance for the Pacific, while titled Libro XX, this is a complete work unto itself.

Alden, 557/31; Borba, 64 4; Church, 106; De Tavera, 1073; Sabin, 57991 (all treating this as a separate work); Howgego I, L136 & M16.

L'AMIRAL DE FRANCE.

ET PAR OCCASION, DE CELVY des autres nations, tant vieiles que nouuelles.

Par le S' de la Popelliniere.



APARIS,

Chez Thomas Perier, Libraire Iuré, rue sains Iaques, à l'image sainte Barbe.

1 5 8 4.

AVEC PRIVILEGE DV ROY.

Promoting the French Colonization of the New World

3 LA POPELLINIERE (Lancelot-Voisin, Seigneur de). L'Amiral de France, et par occasion, de celuy d'autres nations, tant vieiles que nouvelles.

First edition, first issue. Woodcut vignette to title-page. Small 4to. A fine copy with wide margins in original vellum. [14], 92, [6]ll. (A–C4, a2, A–Z4, a4, b2.) Paris, Thomas Perier, 1584. £19,500

A lovely copy of a rare early work remarking on Columbus and Vespucci, by a vocal advocate of French expansion into the New World.

L'Amiral de France was published just two years after La Popellinière's seminal *Les Trois Mondes*, a collected history of the first French and other European expeditions to the Americas. In that work, he discussed the voyages of Columbus, Pizarro, Ribaut, Villegagnon, Vespucci and Magellan, and proposed that France should despatch expeditions to colonise the lands in the New World and the Pacific. This was fifteen years before Pedro Fernández de Quirós asked the same of Spain.

"The three worlds of La Popellinière are that of the past, the world known by antiquity; that of his own days, the New World discovered and explored in the last 150 years; and that of the future, to be discovered, explored, and colonized by France. And in this imbricated geographical and historical sequence, it is no accident that in the third book of the *Trois Mondes*, after analyzing the French failure in Florida (1562–1568), La Popellinière discusses the Brazilian colonizers' experience (1555–1560). In spite of the strong ideological currents underlining the *Trois Mondes*, the work, as Beaulieu puts it, remains a remarkable synthesis of the history of the world and of 150 years of discoveries" (Yardeni).

Ostensibly a history of the French navy from the very earliest times, *L'Amiral de France* gives exact details of naval regulations and an accurate account of the position of an Admiral, both in France and abroad. However, it was "evidently written as a companion piece for *Les Trois Mondes*, [and] shares with the earlier work the call to Frenchmen to take to the seas and participate in the parcelling out of the overseas world, and emphasizes the importance of geographical knowledge in accomplishing these goals" (Gordon).

In the dedication to Anne de Joyeuse, Admiral of France, La Popellinière refers to the kindness with which the Duc de Joyeuse had received the project of his *Les Trois Mondes*. On ff 91v, he appeals to him directly, emphasizing the opportunity to enrich France with the singular things to be found in these strange lands.

Furthermore, on ff. 83-4, La Popellinière remarks on America. He cites the early discoveries of Amerigo Vespucci and Christopher Columbus; he condemns the Spanish and Portuguese as foul-mouthed cowards; and while deriding their

Qu'ils ont mieux aimé enuoyer à to' les Diables, par

les abominables suplices qu'ils leur ont fait soufrir,

que de les conuertir à Dieu par presches & bonne

vie. Qu'ils se glorifient donc seulement, du profit

qu'ils en tirent. En ce mesmement, que l'or d'icelles

a tousiours eu plus de force à gangner les hommes:

que la valeur de cete nation, à la garentir des mise-

res qui luy estoient assez prochains: ores quelle soit assez cognue par le mode, pour le lustre de sesbeaux

exploits. Mais pource que l'ay assez parlé de ces des-

couvertes, & merite de ces trois nations, au liure des

trois Modes: ie m'en tairay pour l'heure. Afin de re-

prendre le second point de ce traité, qui est le pro-

le profit sera de toutes les richesses & commoditez

que vous trouverez propres à l'embellissement & auantage de vostre Royaume. Suiuat en ce l'exem-

ple de tous Princes anciens, qui ont tousiours des-

fit qu'on peut tirer des Nauigations.

chargez de maledictions, par ceux qui les craignoiet plus qu'ils ne les vouloiet aimer. Qu'ont depuis fait les successeurs de si genereuses ames, qu'esseuer à tel point qu'on voit auiourd'huy, le plus florissant Estat de la Chrestienté?

Depuis, quelle est la nation entre les Chrestiens qui merite tant d'honneur, pour les reiterez voiages de mer, faits à la conqueste & maintenue de la terre-Saincte? Qu'on me nomme seulement deux Rois d'vn pays: comme nous en auons quatre qui ont fait ce voyage auec le tiers de leur Royaume. Ie ne parleray des entreprinses de Charles Martel, de Pepin, Charlemaigne, Loys le Debonnaire ny autres tant de la premiere, que seconde race de noz Roys: qui ont trauaillé pour le nom de Christ contre les Sarrazins: pour le Pape & autres Princes Italiens qu'ils ont deliuré de la subiection, tant des Empereurs d'Orient, que des Lombars. Pour ce que tout cela ne sont que voyages par terre. Encor que Charlemaigne & ses enfans, entretinssent tousiours grofses armées de mer, tant sur la Mediterranée que sur le Golfe de Venise.

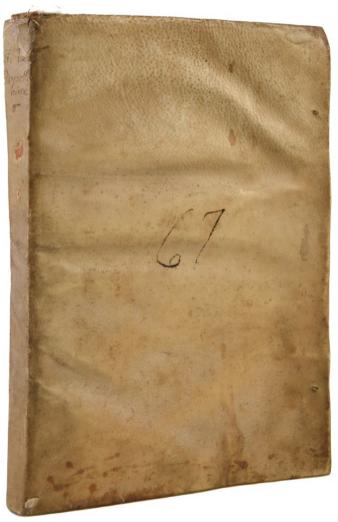
Ie diray seulement, que si l'Espagnol, Portugais ou autre, se veust preualoir sur nous de la descouuerte des Indes Occidétales: qu'ils y deuoiet estre les Le Terre dont le guides, & leur doner nom Espaignol. Mais puis que per fait partie le Florentin, Americ Vespuce & Colomb Genois rique des trakës. les y ont conduit: com'enfans, qui n'auoient l'esprit de les croire, no plus que le cœur pour entreprédre: ils n'en peuvent tirer tant d'honneur que de profit.

Tesmoins leurs sales propos & feminines mutinations cotre le Coducteur. Moins encor de bo natu- Nauigations des rel & Royale conscience à traiter ces ames sauuages. Indes Occident.

Le profit, comme l'honneur, est considerable en public & particulier tant de ceux qui entreprenent tirer des Maniles Nauigations, que de leurs suiets, qui comme mé- gations. bres de l'estat se doiuent ressentir des commoditez de leur Prince. Lequel resséble a la Teste, le cerueau de laquelle s'employat pour le bien de tout le corps, fait que les membres veillent par maniere de recognoissance, pour la conservation d'iceluy. Donques,

treatment of the Indigenous populations, notes the huge profits to be gained from gold and the "lustre de ses beaux exploits."

Born in Gascony in 1541, La Popellinière is regarded foremost as a Protestant historian and, per Beaulieu, a *geographe de cabinet*. Having said that, he is believed to have set out on an expedition from La Rochelle in May 1589 with three small ships for his third world in the Pacific. Alas, "they got no further than Cap Blanc in West Africa, where dissensions and despondency made him abandon the expedition and return to France. The captains of the two other ships, Richardiere and Trepagne, decided to continue to South America, but only succeeded in reaching the coast of Brazil" (Dunmore). His ongoing interest in geography is also perhaps under-reported. He was, in fact, responsible for the first translation from Latin into French of the Mercator-Hondius *Atlas* (1609) and the smaller format *Atlas Minor* the year prior.



OCLC locates copies at Deutsches Schiffahrtsmuseum, Oldenburg and BL (2 copies). Not in Brunet, not in Sabin, not in Palau. This is the same copy that appeared in our 1928 catalogue.

Beaulieu, Anne-Marie, Les Trois Mondes de la Popelinière (1997); Dumore, John, French Explorers in the Pacific, Vol 1, (1969) p.196; Gordon, Amy Glassner, "Mapping La Popelinière's Thought: Some Geographical Dimensions" in Terrae Inconita, Vol. 9, 1977; Nowell, Charles E., "The French in Sixteenth-Century Brazil" in The Americas, Vol. 5, No. 4 (April, 1949) pp. 381-393; Yardeni, M, "Les Trois Mondes de La Popeliniere ..." in The Sixteenth Century Journal, Vol. 29, No. 3 (Autumn 1998), pp.850-852.

Spanish Ambitions in the Pacific: The Manila Galleon & Exploring the Gulf of California

4 SANCHEZ VERREGO (Captain Alonso). [Autograph memorial to the King with reference to the difficulty of navigating the seas between the Philippine Islands and New Spain, mentioning the first shipbuilding yard on the Bay of California.]

Spanish manuscript in ink. 4pp on wove paper. Folio. Old folds, pale spotting but very good. [Manila?, 1675]. £32,500*

This unique memorial is a valuable contribution to our knowledge of Spain in the seventeenth-century Pacific. Captain Alonso Sanchez Verrego writes regarding the Valle de Banderas and in particular, Puerto Vallarta with references to the Manila galleon, shipbuilding on the west coast, and an offer to explore the Gulf of California. A century after Cortés' early forays along the coast, this represents a major re-awakening of Spanish ambition.

Written in the style of both Pedro Fernández de Quiros (1565–1614) and Diego Luis de San Vitores (1627–72), Verrego's report includes important first-hand commentary of his exploration of the Californian coast and his interactions with Indigenous Americans. At a time when England and Spain were frequently at war, and no less a figure than William Dampier was in Campeche, this would have been an invaluable resource for Spain. Indeed, the first Jesuit mission at Baja was established just twenty years later. This memorial does not appear to have been published.

Mexico's Pacific coast was largely unexplored by Europeans until 1523. The first *encomienda* in that area dates to 1526 and Hernán Cortés established the port at Acapulco for Spain in 1531. The following year, he sent two ill-fated expeditions north with a view to expanding Spain's presence along Mexico's Pacific coast where added protection might be afforded for the planned Manila galleon, the first of which sailed in 1565. Similarly, Sebastián Vizcaíno (1548–1624) sailed up the same coast as far as San Diego in 1607, but again nothing came of this. By 1675, the galleons were essentially an extension of Spain's Atlantic fleets with strict instructions as to how they were to be constructed, manned and provisioned. Preceding the triangle trade by more than fifty years, the Manila, galleon was the one of the very first examples of inter-continental trade.

Acapulco wasn't necessarily an ideal port for the galleon. As William Schurz notes in his important article on the subject, "[f]requent proposals were made during the history of the galleon trade to change the terminal from Acapulco, for which there were claimed greater accessibility to Mexico, a superior climate and other advantages. The most serious schemes of this sort were for the transfer to San Blas

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or to Val de Banderas on the Guadelajara coast." Very little is known of Captain Alonso Sanchez Verrego beyond what he has included in this memorial, but his report is consistent with this. After honouring Charles II, and noting that he'd spent the past twenty-two years, and five consecutive voyages, crossing the Pacific, Sanchez Verrego reports the following information:

"On the Pacific coast of New Spain there is the port of Acapulco at 17 degrees latitude where the vessels and fleets from the Philippines arrive every year to fetch the Royal allowance for the maintenance and development of the Holy Faith there. These voyages are accomplished with the utmost difficulty by those who navigate that course for the way is long and tortuous, and as a rule the voyage lasts some eight months with a few days more or less, and some have even taken nine months. During these long voyages, many are the people who have died from sudden and grave maladies, to the common danger of the Islands, the ruin of the serfs, and to your Majesty's cost. And although this loss cannot altogether be averted, it might yet be possible to mitigate it, for at 22 degrees latitude, at the Cape of Corrientes, and at the mouth of the Bay of California, there is a port which is called El Valle de Banderas, where the first warships were built, which figured in the conquest of the said Islands [i.e. the Philippines] under General Legazpi whom your Majesty favoured." Indeed, the galleon route was established by Andres de Urdaneta and Alonso de Arellano on the San Pedro as part of the return of Legazpi's expedition.

Sanchez Verrego continues to describe the port and lists some of its dangers: "This port is some hundred and twenty-five leagues north of Acapulco, and is where the vessels which sail that course reconnoitre, whence they coast as far as the port of Acapulco, and it is there that they lose by death the greater part of their crew, on account of the intense heat they encounter at that time along that coast, coming from a latitude of forty-two and forty-four degrees, which they usually pass on that journey." For reference, the BnF holds a contemporary Spanish ms. map of the bay: https://catalogue.bnf.fr/ark:/12148/cb44321804s

He then suggests a possible remedy, listing its benefits in some detail: "Consequently they experience many changes of climate, in recognition of which the inhabitants of Mexico, endeavouring to alleviate the lot of these poor creatures and to serve both Majesties, in the year 'seventy-three, placed the matter before your Majesty, so that a port and harbour should be made at the Valle de Banderas, since it possesses all the necessary requirements for a good port, which are -- a sandy depth of fifteen fathoms, sounded by my own hand; sheltered from the winds; the shore favoured by alternate land and sea breezes, which facilitate the entry into harbour, and there is a promontory on which to build a castle which is eminently desirable for the security of the said port. There is, too, a lovely river for the provision of water; the temperature is mild; supplies are abundant ... it is level land; and the reverse of all that is to be found here is at Acapulco, although the route to Mexico is forty leagues less, but the conditions are so bitter, what with the

unbearable heat, mosquitos and poisonous animals, that it is a real penalty for those who pass that way ..."

Importantly, the document concludes with a recommendation of Valle de Banderas and an offer to explore the Bay of California and notes the presence of Indigenous Americans. "The port of Valle de Banderas also has the advantage of mud-banks and rivers, plenty of timber in the event of any ship requiring repairs, which Acapulco lacks. ... Also the warden of the castle at VALLE DE BANDERAS, being zealous in the service of both Majesties, could, in the course of the year, go in a small vessel and explore THE BAY OF CALIFORNIA, where there are seventy leagues of Indian encampments, the natives living on peaceful terms, and this place has yielded samples of much wealth which I have seen." The memorial is countersigned by two Jesuits, Fr. Francisco Noel and Fr. de la Croix.

As a result of its 250 year operation (1565–1815), the Manila galleon still occupies a mythic place in the history of piracy and exploration. Of more than one hundred galleons sailed, about twenty were wrecked and four were captured: the *Santa Anna* by Thomas Cavendish in 1587, the *Encarnacion* in 1709; the *Nuestra Senora* by George Anson in 1743; and the *Nuestra Senora de la Santisima Trinidad* in 1762.

The manuscript which last appeared in our 1923 Bibliotheca Americana catalogue, represents an important digest of late seventeenth-century concerns for the galleon trade, new information on Mexico's Indigenous population, and offers insight into the Spanish hopes and imagination.

Giraldez, A., The Age of Trade: The Manila Galleon and the Dawn of the Global Economy (London, 2015); Guzmán-Rivas, P., "Geographic Influences of the Galleon Trade on New Spain" in Revista Geográfica, Vol. 27, No, 53 (1960), pp.5–81; Schurz, W.L., "Acapulco and the Manila Galleon" in The Southwestern Historical Quarterly, Vol. 22, No.1 (Jul, 1918), p.18.

Establishing the French Slave Trade

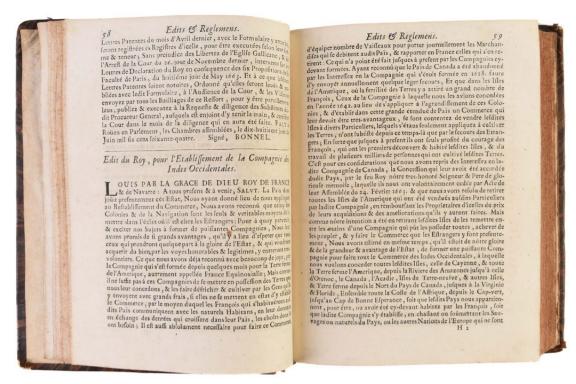
5 LOUIS XIV, [COLBERT (Jean-Baptiste).] Recueil des lettres patentes, edits et declarations du Roy, lesquels ont été registrez en la Cour de Parlement de Roüen, & ce depuis l'année 1660 jusqu'à present.

First edition. Woodcut Royal French coat-of-arms on the title and various woodcut initial, head and tailpieces thoughout. Small 4to. Contemporary speckled calf, spine elaborately gilt, extremities a little worn but very good. 643, [1], [7 index], [1]pp. Rouen, De l'Imprimerie d'Eustache Viret, 1683.

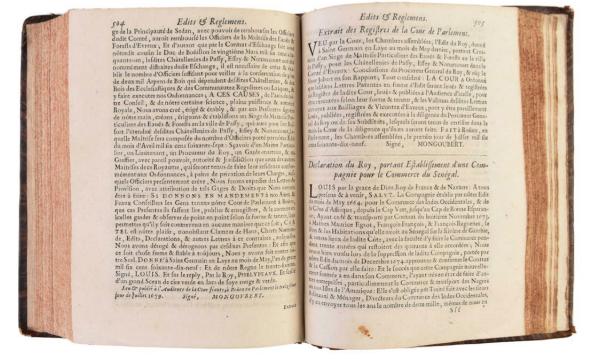
£7,500

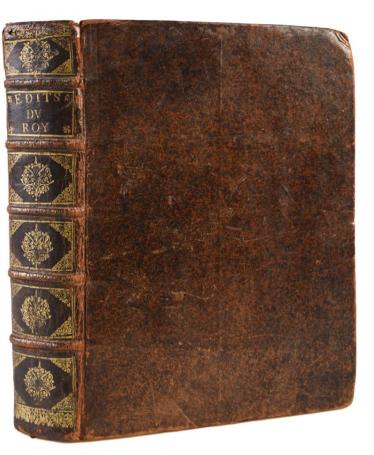
Rare and important: this collections of patents, edicts and royal decrees, includes the foundations of the French Atlantic triangle with decrees establishing both the

CALIFORNIA HIGHLIGHTS



French West India Company (Compagnie des Indes occidentales) and the Company of Senegal (Compagnie du Sénégal). The work of these two companies facilitated the establishment of plantations, staffed by enslaved labour, on both Saint-Domingue, which the French colonised in 1665, and Louisiana, settled in 1682.





The brainchild of both companies was Jean-Baptiste Colbert (1619–1683), First Minister of State, under Louis XIV from 1680 until his death. He ran a campaign to centralize the French economy, as can be determined from several decrees in the present collection which run up to his death in 1683.

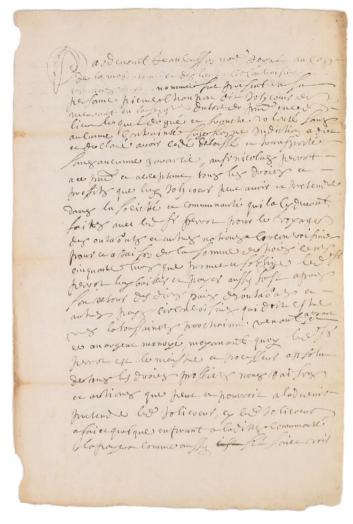
The French West India Company (1664–1674) was a privileged association endowed with the monopoly, granted by Colbert, for the exploitation of the African and American domains of the kingdom of France. However, it was replaced in 1673 by the Compagnie du Sénégal because it was considered too focused on the development of tobacco and perceived by the planters as a brake on the development of sugar in the West Indies, which relied more heavily on enslaved labourers. The Compagnie du Sénégal was intended to deliver more enslaved workers to the American plantations.

With the establishment of these two companies the French slave trade gathered pace quickly, and just two years later, the first *Code Noir* was issued.

In addition this work includes the founding decree for the East India Company (*Compagnie des Indes orientales*), the Edict of Nantes, as well as Colbert's 1669 edict for the Eaux et Forêts.

Rare: OCLC locates copies at BnF, Lille, Poitiers, Sachsische Landesbibliothek, and Columbia.

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A 17th-Century Contract Priced in Beaver Fur

6 TONTY (Henri de), DAUPHIN LA FOREST (François) & JUCHEREAU DE SAINT-DENYS (Charles). [Loan of 314 Livres 2 Sols 8 Deniers to be Repaid in Good Beaver at the Price and Weight of the Bureau.]

French manuscript in ink. Folio (310 by 195mm). Single sheet. Near fine with just a few old folds. Housed in a custom portfolio. 2pp. Villemarie [Montreal], 13 September, 1693. £7,500*

A wonderful relic of the seventeenth-century fur trade. This contract is signed by a clutch of notable men of the era: Henri de Tonty (fur trader and "Commander for the King in the country of Louisiana"), François Dauphin de La Forest (fur trader), Charles Juchereau de Saint-Denys (receiver of beaver for the Compagnie

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de la Colonie and financier), G. Pruneau (witness), J. Quesneville (witness), and Antoine Adhémar de Saint-Martin (royal notary).

Henri de Tonty (1650–1704) and François Dauphin de La Forest (c1649–1714) came to Canada in the 1678 in the company of René-Robert Cavelier de La Salle. Tonty served as La Salle's lieutenant and La Forest one of his clerks (and soon to become captain and commander at Cataracoui, or Fort Frontenac). Tonty, a former French marine, had his right hand blown off by a grenade, and wore a prosthetic hook covered by a glove, earning him the nickname *bras de fer*, or Iron Hand.

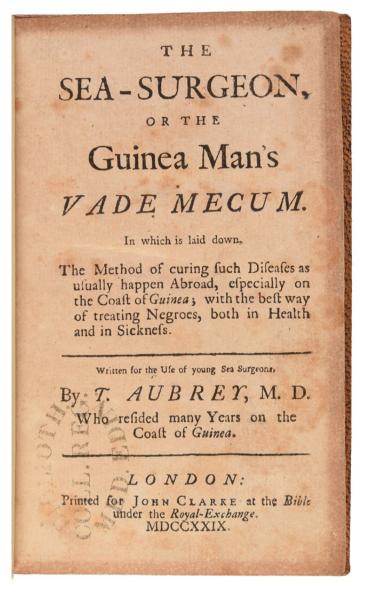
When La Salle died in 1687, Tonty and La Forest combined their efforts and began to work together in the fur trade. In 1689, they secured the concession of Fort Saint Louis in the Illinois country, but the enterprise proved to be very expensive: in exchange for the exclusive privileges of trading in the territory, the authorities demanded a significant participation of manpower in the war against the Iroquois, which was a heavy financial burden for partners to absorb. Accordingly, they looked for additional opportunities.

The summer of 1693 was a very busy time for Tonty and La Forest. The two traders had just returned from the Ottawa country with fur-laden canoes, and were settling accounts and preparing for their next expedition. It seemed that they were unable to cover all of their debts, and turned to their silent partner (and brother-in-law of La Forest) Charles Juchereau de Saint-Denys (1655–1703) for help. Saint-Denys was the Receiver of Beaver at the Bureau du Castor for the Compagnie de la Colonie, and was part of the committee that set the price of beaver pelts in Quebec and regulated the export of furs to France. Together with his wife and sister, Saint-Denys had made frequent loans to fur traders, and in 1693 they lent almost 7,000 livres to the Tonty-La Forest partnership. The partnership flourished and they "had practically a monopoly of the fur trade in the Chicago area around 1700" (Fortier & Chaput).

The agreement, dated 13 September 1693, was composed and written by Antoine Adhémar de Saint-Martin (1639–1714), a prolific Montreal notary used by most of the outfitters and fur traders. In it, Saint-Denys agreed to pay Étienne de Villedonné (1666–1726) the amount of 314 livres 2 sols 8 deniers which was owed to him by Tonty. In return, Tonty agreed to repay Saint-Denys for the amount borrowed "in Good Beaver at the Price and Weight of the Bureau" during the month of August 1694, or earlier, "under penalty of all expenses, damages, and interests" and "rigours of justice." By specifying payment in "castor au prix et poids du Bureau" Saint-Denys was guaranteed that the repayment of his loan would be calculated according to the current price set by the Bureau du Castor for good beaver.

An English translation is provided.

Provenance: Lawrence M. Lande manuscript collection (FMS 117). *Howgego I, T50*; Fortier, J. & Chaput, D., "A Historical Reexamination of Juchereau's Illinois Tannery" in *Journal of the Illinois State Historical Society*, Vol. 62, No. 4 (Winter, 1969) p.386.



Tell the Commander he Must Treat the Slaves Kindly

7 AUBREY (Thomas). The Sea-Surgeon, or the Guinea Man's vade mecum. In which is laid down. The Method of curing such Diseases as usually happen Abroad, especially on the Coast of Guinea; with the best way of treating Negroes, both in Health and in Sickness.

First edition. 12mo. Twentieth-century roan, spine gilt, discreet library and de-accession stamps, text a little toned and spotted. 135, [5index]pp. London, John Clarke, 1729. £7,500

"What a Devil makes these plaguy toads die so fast? To which I answer: Tis inhumanity, barbarity and the greatest cruelty of the commander and his crew ..." (p.132). A very good copy of this manual for naval surgeons in the Atlantic triangle trade. The author, Thomas Aubrey, balances his own appalled attitude toward the trade with the business of equipping naval surgeons, or "Guinea men" with the best means to treat the crew and their enslaved cargo.

In the early eighteenth century, Guinea referred to the area between Sierra Leone and Benin. Naval surgeons were tasked with treating the enslaved men, women and children crowded below decks. While cramped conditions, a lack of hygiene, and fresh provisions, had long caused havoc on seventeenth- and eighteenth-century ships, the Atlantic triangle trade posed further problems for those at sea. It combined elements "of congestion, dietary imbalance, and multiple disease environments in a potentially lethal mixture. The trade was unique in linking together the three disease environments of north Europe, Africa south of the Sahara, and tropical and subtropical parts of the Americas" (Sheridan, 602). Illnesses were often further complicated by fights, accidents, and punishments such as whipping.

Noting the huge casualty rates on the Middle Passage, Aubrey stresses the importance of medical knowledge. He writes that an "Abundance of these poor Creatures are lost on Board Ships to the great prejudice of the Owners and Scandal of the Surgeon, merely thro' the Surgeon's ignorance, because he knows not what they are afflicted with ..." Furthermore, Aubrey "advised slave merchants to be as careful of slaves as if they had been white men" (Thomas).

The Sea-Surgeon ... commences with a general account of diseases before discussing fevers, pleurisy, diarrhoea, colic, and giving a specific treatment for the yaws. Of real interest are chapters nine, "Of the Negroes" (pp.102–109) and fourteen, "Of the Negroes Dyet" (pp.126–133). The former begins by advising surgeons to "endeavour to be acquainted with the Nature and Constitution of these People, together with their accustomed manner of Living, which will better qualify you for preserving their Health, and also restoring them when afflicted ..." Aubrey notes that while there is sufficient material on this subject for "a large Volume" his "Design is only to speak of things so far as Necessity requires, in order to fit you for your intended enterprise." He classifies four different types of African by skin type, notes the diseases that they most frequently contract and some characteristics: vainglorious, quarrelsome, lusty, merry, faithful, sluggish, peevish, and so on.

The final chapter concerns African diet and notes that "they are accustomed (many of them) to eat a great deal of Palm Oil with Flesh or Fish, for they make Sauces of it, and the juices of wither Citrons or Oranges ... many times they choose to suck an Orange, than drink water." For a work regarding health at sea, one can't help but notice the frequent references to the Africans eating oranges (i.e. vitamin c) at every opportunity. Aubrey adds that the food onboard is very different (which some refuse to eat), and is restricted to two meals a day. He recommends modifying

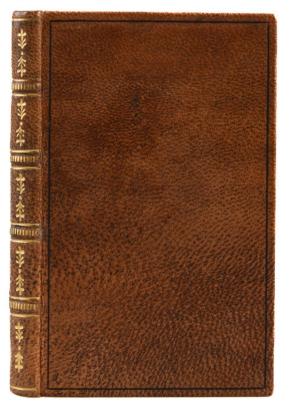
the *Dab a Dab* ("Horse-beans boiled all to Paste, and then stuffed with rotten Herrings"), substituting the herring for a little beef or pork.

He also notes that "they are accustomed to divert themselves at Home with Dancing and Singing, and Drinking ... and therefore you must observe to order them now and then a Glass of Brandy" and a little tobacco "and tell the Commander that such things are absolutely necessary; and that he must treat the Slaves kindly, and not suffer them to be abused, or pinched of Provision, unless he has a mind to destroy them: And be sure to represent all these things to the Owners before you engage in their Ships."

It would be a stretch to call this work an abolitionist text, but Aubrey all but states that enslavement is absolutely contrary to Africans' health and that the best measure to prevent illness is to treat them as humans rather than cargo.

Rare: OCLC locates copies at Yale, NLM, National Library of Wales, BL, & NMM. We find another at JCB. Auction records show a single copy in 1973 at Sotheby's which made £90.

Thomas, H., *The Slave Trade* ... (London, 2006), p.453; Sheridan, R.B., "The Guinea Surgeons on the Middle Passage: The Provision of Medical Services in the British Slave Trade" in *The International Journal of African Historical Studies* Vol. 14, No. 4 (1981), pp.601–625.



Decline of the Portuguese Power in India, and Rise of the Mahratta Confederacy

8 GUARDA (Cosme da). Vida, e Acçoens do Famoso, e Felicissimo Sevagy, da India Oriental.

First edition. 12mo. Early 20th century half morocco over cloth covered boards, raised bands to spine, tooled and titled in gilt, a.e.g. Marginal wormhole to half-title repaired. One minor worm track to lower margin, neither touching any characters. A few spots and faint dampstaining, else very good. Offsetting from an ownership inscription to half-title, faintly reads D. Caetano de Sousa [???] in reverse. [12], 168pp. Lisbon, Na Officina da Musica, 1730.

£5,000

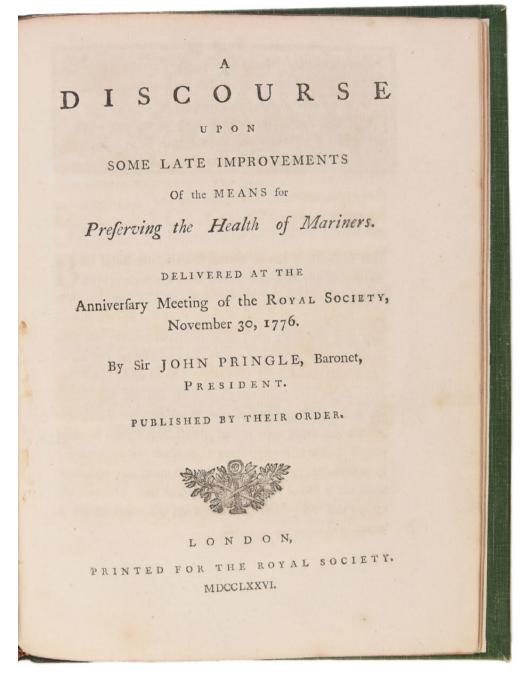
A rare and important work marking the definite decline of the Portuguese Indian Empire, and the rise of the Mahratta Confederacy.

Around 1634, Shaji Bhonsla, a Rajput soldier of fortune, joined with two of the Mohammedan States against the Mughals, and in 1646, his younger son Shivaji or Sevagy obtained possession of the hill fortress of Torna, twenty miles south-west of Poona. Being left unmolested he slowly strengthened his position and in time



formed a National party out of the Hindu tribes of south-western India, which ultimately became the Mahratta confederacy. His ambition was to drive the Portuguese out of India, and in the course of time they were deprived of some of the few possessions left them by the Dutch. He also successfully destabilised the Mughal Empire. Sevagy died in 1680. He would in later years go on to be recognises as an early hero of the Indian independence movements, holding particular importance to the Hindu population.

Rare: we have traced sales records (via RBH) of only two copies: Maggs Bibliotheca Asiatica Part I. Catalogue No 452, 1924 & Maggs Bibliotheca Asiatica et Africana Part V. Catalogue No 521, 1929 (this copy). OCLC finds copies at NYPL, UC Berkeley, BN España and BNF only.



Solving Scurvy

9 PRINGLE (Sir John). A Discourse upon some late Improvements Of the Means for Preserving the Health of Mariners. Delivered at the Anniversary Meeting of the Royal Society, November 30, 1776.

First edition. Small 4to. A clean copy in twentieth-century green quarter morocco. [iv], 44pp. London, the Royal Society, 1776. £22,500

A vital contribution to the understanding of scurvy which caused havoc aboard ships until the late eighteenth century. Finding a cure for scurvy, along with the calculation of longitude, ushered in the era of *grands voyages*. The voyages of Cook, Vancouver, Flinders, La Perouse, Baudin, Freycinet and Dumont d'Urville were all made possible by these discoveries.

"The bibliographical importance of this pamphlet, which contains the discourse given to the Royal Society by its President prior to the presentation to Mrs. Cook (in Cook's absence on his third voyage) of the Copley medal is two-fold. In the first place it contains the first appearance in print of Cook's paper on the method taken for preserving the health of the crew of the Resolution during his second voyage — the paper which earned him the medal. Secondly, Pringle's discourse was considered sufficiently important for the Commissioners of Longitude to ask his permission to include it in the official account of the second voyage, this was forthcoming and the discourse was printed in extenso. Cook's paper was subsequently reproduced in the *Philosophical Transactions* of the Royal Society" (Holmes).

Pringle, in addition to being President of the Royal Society, was Surgeon-in-Chief of the Army, and as such was an ardent supporter of the naval surgeon, David MacBride (1726–78), who "recommended to the Admiralty in 1767 the use of fresh wort, or infusion of malt, in the treatment of scurvy" (ODNB). Indeed, Pringle chose the occasion of the presentation of Cook's Copley Gold Medal to publicize MacBride's "ingenious theory," using Cook as his authority.

On his first voyage on the *Endeavour*, Cook not only replenished provisions of fruit and vegetables at every opportunity, but included sauerkraut in the crew's diet — two pounds per man, per week. On his return, he reported no serious outbreaks of scurvy and largely attributed this to sauerkraut. He trialled the diet again on his second voyage. In his three years away just a single man perished from the disease.

He had in fact written to Pringle from Plymouth Sound on July 7: "I entirely agree with you that the dearness of the rob of lemon and oranges will hinder them from being furnished in large quantities. But I do not think this so necessary; for though they may assist other things, I have not great opinion of them alone. Nor have I a higher opinion of vinegar." Lloyd and Coulter (Medicine and the Navy) III. Beddie 1289 & 1290; Garrison-Morton 2156 & 3714; Holmes 20; Norman 508.



Imagining Botany Bay on the Cusp of Settlement

10 [BOTANY BAY] HUGHES (Charles), proprietor. Royal Circus, St. George's-Fields ... And, a new OPERA, called, BOTANY BAY ...

Letterpress broadside measuring 350 by 140mm. Single old fold, lightly toned with a couple of spots, very good, ms. ink date of 1787 to bottom right-hand corner. Geoghegan, Printer, No. 3, in Kent-Street, Borough, Southwark, n.d. but April or May, 1787.

Exceedingly rare: a theatre playbill advertising a night's entertainment at Mr. Hughes's Royal Circus at St. George's Field, including "a new OPERA, called, BOTANY BAY." It was the first theatrical production to envisage the colony. We have been able to locate no other surviving broadsides for the production. Printed by Geoghean, No. 3. Kent-Street, Borough, Southwark, the date on the broadside is in contemporary manuscript.

First posited by Joseph Banks before the Select Committee of the House on I April, 1779, news that a penal colony would be established on Australia's east coast at Botany Bay was made public in September 1786. The colony "was presented as a scheme which would unburden the metropolis, without the visible violence of mass executions, by removing its criminals to a land of astonishing remoteness. At this safe distance, convicts would have the opportunity to redeem and improve themselves through labour and pastoral seclusion" (Scobie, 133). In London, rumours swirled about the purpose, prospects, and even truthfulness, of the colony and satirical cartoons soon appeared — see for example "The First Parliament in Botany Bay" in the *Hibernian Magazine* (December, 1786) and John Boyne's print *Non Commissioned Officers Embarking for Botany Bay* (London, H. Humphreys, 1786). On 6 January, 1787, an article in the *Northampton Mercury* mused "perhaps there never was a Subject which has afforded more Business for the Retailers of Fiction than the Design of sending the Convicts to Botany Bay."

Of course, topical theatrical performances of major events of the day were common in eighteenth-century London. John O'Keeffe's *Omai*, or A Trip Around the World, performed at the Covent Garden Theatre in December 1785, told the story of Mai, the Ra'iatean man who sailed with Cook and spent two and half years in England. Indeed, Arnould's "grand serious-pantomimic ballet" The death of Captain Cook was one of the most popular shows in 1788. The following year, the Royal Circus enjoyed its greatest success with, Bastille, a play based on events of the French Revolution.

The proposed colony was no different. A "topical, novel source of imagery and narrative that in many cases fitted neatly and predictably into the spaces left

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St. GEORGE's - FIELDS.

Mr. F.

MOST respectfully begs Leave to acquaint the Nobility, Gentry, and Public, that the above Place having been thoroughly repaired, every Exertion has been made to render it the most compleat and elegant of any Summer Theatre in this Kingdom, and will open

THIS and EVERY EVENING, during the Summer Seafon.

PRINCIPAL DANCERS,
Monfieur FERRERE, and Signior PEIRARA and Signora ELEANOR FUOZI Sig. FUOZI, Mad. SIMONET
Mr. WHITMILL, Mrs. BESWICK
Mr. JEFFERYS, Mis TOOMBES Mr. JEFFERYS, Mifs TOOM Mr. DAVIS, Mifs BIRON

Madamoifelle GURNIE Mr. COOPER, Mad. CASIMERE
Mr. MEDDLICOT, Mrs. OLIVE
Monf. BALMAT, Mad. CALOGNE
Mr. ROBINSON, Mifs CROFTS.

A NEW BURLETTA, called,

RDING SCHOOL The BOA

(Written and composed by Sig. GIORDANI)

Mestrs. DOYLE, THORNE, NUSSEY, Mrs. BRADY, DAVIS, Mrs. GRAINGER, Mis TWIDDY, And, And, a new OPERA, called, Mrs. OLIVE, Miss COOPER, Miss CROFTS, And, Mrs. GERRARD.

N Y B Aftonishing Performances on

IG

By the celebrated Signior CHARINI BOLOGNA, Signiora CHARINI, and Signiora BOLOGNA.

A M P L

By the following capital GROUP,

SUTTON, the LITTLE DEVIL, And, DUPUIS. Meffrs. MAGRINI, BALMAT, CASIMERE, fen. and jun. JENKINS,

E

By Sig. PLACIDO, and HUGHES'S LITTLE DEVIL, (Who is the FIRST HORSEMAN in the World)

L. A S, the Strong Man, Will exhibit his wonderful FEATS of STRENGTH, By balancing Forty People on a Table.

A NEW PANTOMIME, called, HARLEQUINCONTURER;

Or, PINETTI turn'd PIEROT.

(The MUSIC by Mr. DIBDIN)

Harlequin, Laundry Mr. THORNE. Maid and Time, S Mr. THO Pantaloon, Mr. DAVIS

Pierot, Sexton, and } Mr. DOYLE. Tinker,

Enchanter, Mr. NUSSEY Keeper of a Madhouse, Mr. BRADY
Waiter and old Woman, Mr. POE
Postillion, Mr. WHITMILL
Hostler, Mr. HAMILTON Doctor, Mr. SCHUCART

People of the Mr. SCOWERBY, & Co. Auction, Clown, Mr. N. DAVIS

Columbine and Madam SIMONET Statue Columbine's } Miss MEDDLICOT

Mother Enchantress, Miss CROFTS Miss COOPER

Mrs. OLIVE Mrs. BESWICK Mifs BIRON Ladies at Mifs TOOMBES the Auction, Madm. CALOGNE Madm. BALMAT Madm, CASIMERE

ORSEMANSHIP By HUGHES's UNPARALLEL'D PUPILS,

With Twenty of the FIRST Performing Horses in the World.

BOXES 35 PIT 25 GALLERY 15 Doors open at HALF PAST FIVE, and begin precifely at HALF PAST SIX. Vivant Rex et Regina.

GEOGHEGAN, Printer, No. 3, in Kent-Street, Borough, Southwark

vacant by the fading of earlier Oceanic fashions. Replacing Obereas or Omais, for example, characters inspired by the project (such as 'A Botany Bay Bishop') overran masquerades at the Pantheon and King's Theatre in 1787" (*ibid*, 140) and, as the reported in the *General Advertiser* on 21 February, 1787, "Puns and observations on Botany Bay were the leading traits of their jests."

This opera, composed and performed in the months before the departure of the First Fleet, was a fictional dramatisation of the voyage to Australia, and the establishment of the convict settlement. The first notice of this production appeared on 6 April, 1787, in the *Public Advertiser* and it has only otherwise been recorded through reviews and mentions in contemporary newspapers.

This broadside confirms the cast of actors, but gives little away of the plot. However, we do know something about the staging of it. To begin with, ODNB tells us that in "1782 Hughes, in association with Charles Dibdin the elder, opened the Royal Circus and Equestrian Philharmonic Academy at Blackfriars Road, St George's Fields, on land owned by a Colonel West. This large building, 'inside very handsome, commodious and neat' ..., included a stage as well as the arena. Part of the building was run as the Equestrian Coffee House by Charles Tomlinson, Hughes's brother-in-law." Dibdin ceased to be involved in the venue in 1785 and Hughes assumed full control. It's possible that the show included horses. This is borne out somewhere by a review of the show in the World and Fashionable Advertiser which states that "The little opera, Botany Bay, may be alright for the [Easter] holiday people, its passable for the Circus but not plot enough for the Royal Theatre."

Additional information on the venue is that Hughes acquired a liquor licence in 1787. His manager, Thomas Reade, said that this transformed the venue into a "scene of nocturnal orgies, riot, disipation [sic], and confusion." Though the proprietors continued to lose money on the venture, Hughes developed a reputation as a premier equestrian performer and promoter" (Highfill). Furthermore, in "April 1787 Hughes advertised the arrival from the Continent of 'The Royal Troop,' some 80 in number, who would perform 'alternately every evening during the summer season.' That troop, joined to his own, boasted Hughes, made his establishment the most brilliant and preeminent place of public entertainment" (*ibid*).

We learn from World and Fashionable Advertiser on 10 April that "The Botany Bay petite piece was interesting, and the characters well supported..." and from the Gazetteer and New Daily Advertiser four days later that "The opera of Botany Bay is partly moral and party comic, on the whole a good thing ..." The other documented aspect of the piece is the song Botany Bay which appears in Thomas Skillern's Twenty Four Country Dances for the Year 1788 (London, 1788).

The play was staged approximately twenty-two times in April and May that year, its final performance was the night before the First Fleet departed.

The settlement at Botany Bay would figure in two other shows at the Royal Circus, one capitalising on the first news brought back to England in 1789 — *The*

New Hollanders — the other, drawing on information in the recently published first volume of David Collins' Account of the English Colony in New South Wales (London, 1798), was called New South Wales: or Love in Botany Bay.

This is the only known example, and an important record, of Botany Bay in the British imagination before settlement.

Not on OCLC, not in Trove; not in Ferguson; Highfill, P.H. et al., A biographical dictionary of actors, actresses, musicians, dancers, managers ... (Carbondale, 1982), Vol. 8., pp. 20–21; Scobie, R., Celebrity Culture and the Myth of Oceania in Britain, 1770–1823 ... (Boydell, 2019), see the chapter "Botany Bay and the Limits of the Public Sphere" pp.131–149; Thomas, James, "Portsmouth and the First Fleet, 1786–1787" in *The Portsmouth Papers* No. 50 (1987) p.7. https://www.historicaldance.au/botany-bay-2/

A Rare Portrait of Bligh

11 [BLIGH (William)] CHAPMAN (John). Admiral Bligh.

Stipple-engraving measuring 160 by 110mm. A crisp copy. London, published as the Act Directs, October 1st, 1801. £2,500*

A rare portrait of Admiral William Bligh (1754–1817) in full uniform. If his gaze seems wary but optimistic, it was executed between the two mutinies for which he is remembered: the 1789 mutiny of HMS *Bounty* and the 1808 Rum Rebellion when he was Governor of New South Wales.

Bligh had a knack for walking into important moments in history. He had previously served as master on HMS *Resolution* on Cook's fatal third voyage. He made the maps for the official account (for which he went uncredited), and was made navigator by Charles Clerke who assumed command of the expedition after Cook's death on Hawaii.

This portrait is uncommon and this is the first example we have handled. OCLC locates a single copy at the NLA. *Kivell & Spence*, *p*. 32.



подъ высочай шимъ Его императорскаго величества покровительствомъ

РОССІЙСКО - АМЕРИКАНСКОЙ КОМПАНІИ
ГЛАВНАГО ПРАВЛЕНІЯ

АКТЪ

и

ВЫСОЧАЙШЕ дарованныя оной компаніи правила съ пріобщеніемъ приличныхъ къ оному узаконеній.

въ САНКТПЕТЕРБУРГЪ. При Императорской Академии Наукъ. 1802 года.

The Foundation Document of the Russian-American Company

12 [RUSSIAN-AMERICAN COMPANY.] [The Act of the Main Board of the Russian-American Company, under the patronage of His Imperial Majesty, the Rules granted to this Company by the Emperor, and the enclosed statutes relevant to the Company.] Pod Vysochaishim Ego Imperatorskogo Velichestva pokrovitelstvom Rossiisko-Amerikanskoi Kompanii Glavnogo Pravleniya Akt i Vysochaishe darovannya onoi Kompanii Pravila s priobshcheniyem prilichnykh k onomu Uzakonenii.

First edition. Folio. Contemporary marbled wrappers reinforced in gutter, minor wear & soiling, spine slightly cracked, chipped at head, but very good. 58pp. Saint Petersburg, Imp. Akad. Nauk, 1802. £25,000

Rare and important: preceded only by the Royal decrees establishing the Russian-American Company, this is its first full charter.

Russia had been active in Alaska since about 1750 and fur traders established settlements at Sitka and Kodiak. The Russian-American Company in Alaska was chartered by Paul I in 1799. It was based on the existing Shelikhov-Golikov Company, a Russian fur trading venture, founded by Irkutsk entrepreneurs Grigory Shelikhov and Ivan Golikov in 1783. When Alexander I succeeded to the throne in 1801, he took an interest in the rapidly developing and profitable business. He appointed Count Nikolai Petrovich Rumiantsev first as Director of the Department of Water Transport, and then Minister of Commerce as early as 1802. Rumiantsev was a staunch supporter of the expansion of the Russian influence in the Pacific and North America, and a major shareholder of the Russian-American Company. The company had three main objectives: to carry on the fur trade, to pacify the Indigenous population, and enhance the prestige of Russia. With these renewed ambitions, the Company needed an updated and enlarged legal frame.

In addition to reprinting the three preceding decrees, this document features a wealth of new material, such as the Company's shareholding matters, rights, responsibilities and in some extent its ambitions.

The major additions are as follows:

- 1. The Act of "the American United Company" (dated 3 August 1798), signed by the founders of the Company Natalia Shelikhova (wife of Grigory Shelikhov), Ivan Golikov and other shareholders, in the city of Irkutsk. Read in Peterhof on 4 July (!) 1799, at a meeting of the Council at the Supreme Court;
- 2. Decree of Tsar Paul I, from the Governing Senate (dated 19 October 1800), in which the Emperor ordered the Governing Board of the Company to be moved from

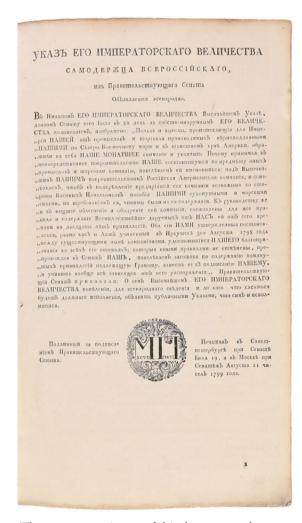
MAGGS BROS LTD

Irkutsk to St Petersburg, and the stocks of the Company to be split, to boost the influx of new shareholders;

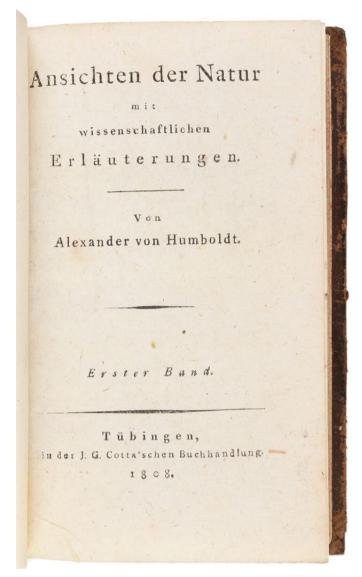
- 3. Decree of Tsar Alexander I, from the Governing Senate (dated 10 September 1801), outlining the particulars according to which the Company's stocks were to be split;
- 4. Report from the Governing Senate to Tsar Alexander I, informing His Majesty about the need to audit the Company's shareholders and on the basis of that verify the price of each share, as well as to advertise the Company's shares in Russian newspapers, informing citizens of this profitable opportunity. The report was approved by the Emperor on 17 August 1801;
- 5. Letter from Tsar Alexander I to the directors of the Company (dated 25 March 1802), expressing the Emperor's satisfaction at the growth of the Company and announcing His Majesty's decision to contribute 10,000 roubles to the Company's capital, for the benefit of the poor. The Emperor wrote, "I will be pleased if my example will increase the public trust in the Company and will attract private individuals to this new Russian industry, which links so tightly the benefits of the State to the private profits." This is the first publication of the first direct financial involvement of the Tsar in the RAC;
- 6. Letter from Tsar Alexander I (also dated 25 March 1802), in which he orders the Lord High Steward (Hofmeister) and the Head of the Cabinet of His Imperial Majesty Dmitry Guriev to supervise the use of profits obtained from the stocks purchased by His Majesty.

The arrival of Cook's third voyage in the Bering Strait in 1779 generated concerns about the British influence in the North Pacific. Britain had, of course, already colonised Canada. These concerns were likely intensified when La Perouse's ships were spotted off Alaska in 1786. So the Russian-American Company must be seen as a part of an attempt to establish a "Russian commercial network across the Northern Pacific to provide its settlements in the Far East and in Alaska with provisions, and to link them with Spanish California and Manila, as well as with the Chinese port of Canton (Guangzhou). For this purpose, [under the command of Krusenstern and Lisiansky] Russia used ships such as the *Nadezhda* ('Hope') and the *Rurik* to send Baltic German naval officers from the Baltic to the Pacific" (North).

In 1802 the Company's governors, headed by Rumiantsev, presented Alexander with a plan of an expedition to establish trading links with Japan. This was achieved in 1805 under the command of Admiral Adam von Krusenstern, and its results paved the way for the first treaty between Russia and Japan half-a-century later (Treaty of Shimoda in February 1855). Similarly, the RAC fur trade flourished: between 1797 and 1821 the Company collected an enormous inventory of furs, worth in total 16 million roubles (including 1.3 million foxes of several species and 72,894 sea otters). With the decline in animal population, the Company's profits began to suffer, but the financial ruin was prevented by the start of salt mining.



Exceedingly rare. There were two issues of this document, almost certainly published simultaneously. The other issue was printed in Moscow of which we find a single copy of that at Moscow's Senate Printing House. We locate two copies of this St. Petersburg issue at the St. Petersburg Academy of Sciences, and at the University of Alaska. None at auction. A second edition was published in 1808 which is held only at LOC. The decrees themselves are known only at Harvard, Yale and Alaska. Easley, R., "Demographic Borderlands: People of Mixed Heritage in the Russian American company and the Hudson's Bay Company, 1670–1870" in *The Pacific Northwest Quarterly*, Vol. 99, No. 2 (Spring, 2008) pp.73–91; North, M., "From the Baltic to the Pacific: Trade, Shipping and Exploration on the Shores of the Russian Empire" in Hauswedell, H, et al., eds, *Re-Mapping Centre and Periphery* (UCL Press), p.63; Tikhmenev, P.A., *A History of the Russian-American Company*. (Seattle, University of Washington Press, 1978), pp. 146–151; Not in Lada-Mocarski, but see 161 for the decrees.



A Lovely Copy of the Rare First Edition

13 HUMBOLDT (Alexander von). Ansichten der Natur ...

First edition. First volume [all published]. 12mo. Contemporary mottled calf, red & green morocco labels to spine, gilt, extremities a little rubbed, but a very good copy. viii, 334pp. Tübingen, J.G. Cotta, 1808. £8,500

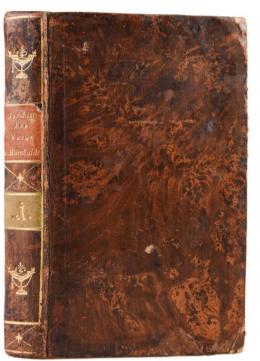
Ansichten der Natur was Humboldt's most popular work, and remains a landmark moment in nature writing. It takes the form of a series of essays based on observations made on flora, fauna and climate in the "forests of the Orinoco, the Steppes of Venezuela, and the mountain wildernesses of Peru and Mexico" (Preface).

His distinctive blend of scientific observation with literary prose is cited by Henry David Thoreau as a key influence on his own work. "It was not a travel book nor a scientific text-book but an 'aesthetic treatment of natural history' — in other words it was intended to appeal to the emotions and inform the mind at one and the same time " (Botting). Humboldt "described nature as a web of

life, with plants and animals dependent on each other — a world teeming with life ... [Ansichten der Natur] would inspire several generations of scientists and poets" (Wulf). While on the Beagle, Charles Darwin asked his brother to send a copy to Uruguay where he planned to collect it and would join the four other works by Humboldt in the ship's library. A copy of Ansichten der Natur could hardly be more apt as Humboldt writes of the "gradual transformation of the species" therein. Johann von Goethe and Ralph Waldo Emerson also read and admired it.

A lovely copy of the first edition of Humboldt's early and important work. Auction records list just four copies, the last in 2013.

Botting, D., Humboldt and the Cosmos (Sphere, 1973) p.189; Lowenberg 181; Sabin, 33702; Wulf, A., The Invention of Nature. The Adventures of Alexander von Humboldt ... (London, 2016), p.133.



A Moving Memorial of Moreau De Saint Mery by Europe's First Black Physician

14 FOURNIER-PESCAY (François). Discours prononcé aux Obsèques de M. Moreau de Saint-Méry, le 30 Janvier 1819.

First edition. 8vo. Contemporary buff wrappers, inscription, partly trimmed, on upper margin of first page: "Mr. Pronce [?] au nom de l'Auth [?] / Mr. Silvestre / Mr. M. Berr" and 3 neat manuscript corrections to the text in the same hand on p. 12. 15, [1]pp. Paris, Madame Huzard, 1819.

£4,500

A very good copy of this remarkable footnote to the career, and bibliography, of Europe's first Black physician, François Fournier-Pescay (formerly de Pescay, 1771–1833). Fournier was the son of the free creole, Adélaïde Rappau, and the planter François de Pescay of Saint-Domingue.

This memorial was given in honour of Médéric Louis Élie Moreau de Saint-Méry (1750–1819), a white Martinican who rose to become the Revolutionary Deputy for Martinique, and advocate for the preservation of slavery in the French colonies. "[Moreau] became the spokesperson for those in favor of maintaining slavery and a defender of 'color prejudice.' A man of the Enlightenment through his scientific work and his political actions to overthrow the absolute monarchy, as well as a publicist in the service of the planteurs of the West Indies, Moreau de Saint-Méry concentrates in his person all the paradoxes of the end of the 18th century" (Elicona).

While author and subject make a curious pairing, Fournier was raised and educated in Bordeaux and perhaps identified more readily with the aristocratic Moreau than the enslaved population with whom he is more obviously associated now. He speaks fondly of him throughout: "Qu'elle est grande la perte que fait la societé! Combien peu d'hommes sont comparables à Moreau de Saint-Méry."

Fournier's memorial is, in fact, an important source of information on Moreau's life. Moreau de Saint-Méry was born at Port Royal, Martinique, in 1750. At the age of 19 he went to Paris, where he later became a Counsellor of State. He became a great advocate of reforms in the French colonies and lobbied for better treatment of the enslaved. That being said, he was aware of the distress of the white population at the ambitions of the free persons of colour, and in the 1780s "took a leading role in the pre-revolutionary assemblies in Paris as a spokesperson for the colonial elite, arguing polemically against mulatto rights and the proposals of the Société des Amis des noir" (Garraway).

His fortunes took a turn for the worse and, hearing that Robespierre intended to have him arrested he fled from France and in 1793 went to the United States. Having lost all his property he turned his attention to business and established himself at Philadelphia as a bookseller and printer. "His house was located at the corner of Front and Walnut streets ... His store became in fact the rendezvous of many notable exiles from France. Talleyrand, de Noailles, Talon, de Beaumetz, Demeunier, La Colombe, La Rochefoucauld, duc de Liancourt, and the Duc d'Orléans (the future Louis Philippe) were all visitors at the shop of Moreau" (Mims). In 1797, he published his history of the French side of the island which included a comprehensive racial taxonomy of the island with six different classes of miscegenation. In 1798 he was able to return to France, where he died in 1819.

In this Fournier describes the genesis of Moreau's Description of St Domingue, including his 'discovery' of the tomb of Christopher Columbus in a local church, "dont les habitans du pays ignoraient l'existence. Ce monument fut restauré par les soins de Moreau de Saint-Méry" (p. 7). A few pages are also devoted to Moreau's time in the United States.

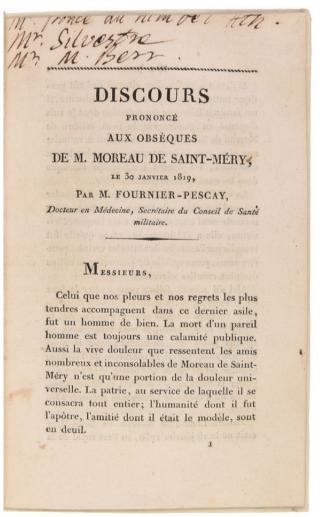
Alongside his medical writings, Fournier's touching eulogy reminds us that he continued to circulate within the sphere of West Indian colonists during his life in Europe. Following a successful career as a military surgeon in the armies of Napoleon, during which time he published a work on the diseases of the eye (1821), Fournier finally returned with his family to what was now Haïti, in 1823. Fournier was later appointed Inspector General of the Health Department and Director of Haiti's first university (L'Académie d'Haïti).

The manuscript inscriptions — possibly in Fournier's hand — refer to an untraced recipient ('Mr. Pronce?) as well as Augustin-François de Silvestre, who also authored a short biography of Moreau; and finally Michel Berr (1781–1843), the first Jewish lawyer to practice in France, whom Moreau had publicly defended against anti-Semitic colleagues shortly before his death.

Rare: OCLC locates copies at Hamilton College, BnF, and BIU Santé (Paris). There is another at Rouen.

Garraway, Doris, "Race, Reproduction and Family Romance in Moreau de Saint-Mery's Description ... de la Partie Française de l'isle St Domingue" in *Eighteenth*-

Century Studies, Vol. 38, No.2 (Winter 2005), p.228; Fikes, Jr., R., "François Fournier de Pescay: The Unheralded Precursor of the Modern Black Physician" in Journal of the National Medical Association, Vol. 77 (1985), pp. 683–686; Elicona, A.L., Un Colonial sous la Révolution: Moreau de Saint-Méry (1934); Mims, S.L., "The Diary of a Voyage to the United States, by Moreau de Saint-Mery" in Proceedings of the American Philosophical Society, Vol. 51 (1912), pp. 242–251.



Estracks from John Hobbs's formal. Distance lown the River hunt out of the hust-wood in her usual worlike style, hrought friendly; & and him, neked and armed, come shrough the with to be size of the River where we were. They had a dance and were Miles. The Attendor was short in political conversation and Lectures. Numerai spoke for one, saying "Do not act inskilhelle! Let houghts he story! Be conagrous; but not Porisipitate. Let the Judgment he good. Do not give the hight the any. Step until it is given to us; and then ack connecessary. Ach well to the white people; that they may ruman to brins us property, to give makelability to the place. I Such was the spout of Municipai was is thought more of thou any other men about the place he i promised him a few days ago that we would convey his nignest to the Norm Committee in viting In I in hopes he shall get one or more stapporanies To settle wird him. So Cate one's tribe is so small and the distriction not the heat I hinke it is described And Insurance would be settled it Surveyor's block De his more them over intimated that if he is not humbeled by one property we shall not be bombeled by his protection. After Municai Te Hauhan arose and said " Do not give the fight to any one; But if my party come from Donge of Manyarva or elsewhere It all compine in opposing them. Let all aprimble in one place. If they come here, let all aprintle here it there let all assemble there; and to not show him quarters, I The Carlo he kiked, by any party coming south persue home buck whereaver this may go and hill hum all. Be corregions! Be contogious! This vay her government of New Juland! How productive of any things but prace. Monday 24. - Jestissay while I was at The Las- mis place " was spoker to about anying the prece of land upon which are the stands. The present who spike to desire to buy the place, now which we expect so whortly To remove . I the him as yesterday was the schatt to con and talk with us to day. Many nations came this morning and sound speaked were made. One old mon onose and said a Before this came, every blue was common property. Orfor shops came the Free stand as common to any one. Our ships came of flax stood, and every proson took what he would and how in more Than and abundance for every body. Wat now, the

Early News from New Zealand

15 HOBBS (John). [Extracts from the diary of the missionary.]

Numbered: 23, 25, 26, 27, 28. Holograph manuscript in ink, on paper water-marked "Joseph Coles 1825." Folio. Some toning, old folds, a few tears from opening, interspersed with ms. editorial marks, but very good. 12pp (roughly 6000 words). 20 October–December, 1827, & 12 January, 1828. £9,500*

"Anxious to give you information of our state. I have made the following extracts from my journal ... I am happy to inform you that all is well amongst us or at least as well as can be expected ..."

An exceedingly rare and substantial group of manuscripts written by the missionary John Hobbs (1800–1883) to the Wesleyan Missionary Society, having established a station at Hokianga in 1827. Hobbs interacted with Maori rangatira (chief) Eruera Maihi Patuone, who was one of the last surviving people to have met James Cook, along with Tamati Waka Nene and Makoare Te Taonui, both signers of the 1835 Declaration of Independence and the 1840 Treaty of Waitangi, as well as numerous other missionaries and Maori residents during the early days of British settlement of New Zealand. Unusually for a missionary of such significance, he did not publish an account of his time in the Pacific. These extracts from his diary, hand-copied by Hobbs and seemingly otherwise unpublished, connect us to the earliest days of contact between Europeans and the Maori.

The extracts numbered are 23, 25, 26, 27, 28. Short prefatory note dated January 12, 1828. Journal ranges from October 20, 1827, through December of that year, with journal extract 24 lacking (removed and sold separately by an auctioneer), which would cover November 9th to 14th. Editorial marks interspersed throughout text, likely demarcating passages that were not suitable for sharing or publication.

The first extract, dated 20 October, narrates his departure for New Zealand. Having spent some months recuperating in Sydney after his initial post "Wesleydale" was destroyed, Hobbs now enjoyed the protection of Ngati Hao leader, Patuone, and bought land for the mission at Mangungu, Hokianga Harbour. Hobbs notes that "the Sydney Preachers having made arrangements with Captain Kent of the *Governor Macquarie* Brig of 140 Tons to take us and our goods ..." On reaching New Zealand, he records that he was "soon recognized ... as one of the persons who was plundered at our former station." Having expressed their intention to see Patuone, they were met by Kahi, a chief, who warned them that "we should not proceed further up without some trouble." Indeed, the danger was emphasised at dinner that evening when a man was murdered for allowing some pigs to escape.

They also learned that "Muriwai [chief of the Popoto tribe of Hokianga, d.1828], who is looked up to by almost every person in the River as a father, had as yet got no white people to settle with him while Patuone had several (referring to some Europeans employed by Browne & Raine of Sydney, and to five Scotchmen

N.º 25 from John Abbis Journal. Bobbs Jennal. rady from Ithen Andry James state office beame has a des' a my sen Tosher strongle don and derwork She world him a due with has her the che fur of the shipionants . Natives che the Establishment

who came out in the New Zealand Company's ship *Roseanna*.)" Ties with Sydney were emphasised as there were several Europeans hoping to make a living by "buying flax, pork and timber, and selling it to ships or merchants in New South Wales."

In fact, the close ties between missionaries and settlers on New Zealand and Sydney is evident throughout, with references to Browne and Raine of Sydney who had already established a timber station at Hokianga Harbour. Hobbs visited their base "about 25 or 27 miles from the Heads. They have a few rush houses built and have employed men in building a vessel. The River is sufficiently deep so as to admit a vessel of 2 or 3 hundred Tons and runs from one to three miles wide."

The next morning they visited Patuone. "We were conducted to him by one of the Wangarao natives, who is now a refugee with him and were receive with every mark of respect. I was much pleased with the distance which all the natives manifested and the respect they paid to him." There was some discussion between the two whether traders should be as welcome as missionaries, who preferred to pay in household goods — "Blankets, Iron-pots, Axes, Adzes, Hatchets, spades, Hoes" — as opposed to "warlike articles." More importantly, "After some consideration about the object of our coming, and the sort of situation we should require he named a place called Tarauaua, a spot of ground where the trees have been cut down to form a potatoe ground on the southern bank of the Waihou." Hobbs did consider the area, but found it prone to flooding and opted against it. In fact, many of the extracts are concerned with the site of the station. Hobbs repeatedly expresses a longing to settle further down country, but it was understood that as they were under Patuone's protection, they should settle on land belonging to him.

Things moved quite quickly thereafter. Five days later, Hobbs was again at Patuone's, this time with the Rev. Henry Williams, Richard Davis, Charles Davis, and the Anglican missionary, William Puckney (1805–78). Two days' after that, Jane Hobbs and Kezie Bedford, were brought to a rush house designed for the missionaries and Hobbs relinquished use of the brig on the 19th.

On the 21st, Hobbs tells of "speaking to about 50 natives who listened attentively to what we advanced. Among them were Patuone, Nene [Tamati Waka Nene] and Te Tao-nui [Makoare Te Taonui] (c1790–1862), chief of the Te Popoto hapu and also a signer of both the 1835 Declaration of Independence and the 1840 Treaty of Waitangi. As men they manifested much nobleness of mind though they are firmly attached to their old Ideas." They continued to minister to the Maori and report reasonable attendance.

By this time, Hobbs had understood that while Patuone was still important, a "person by the name of Muriwai is considered by the Natives as Father or head; and his cousin Te Tao-nui is considered the next and Perhaps Patuone may be the next." He clarifies further: "The reason why Muriwai is most respected is not because he has any hereditary right so to be but because as the Natives say he understands how to be angry so as to make the people listen to him when they disagree or when any thing is about to be done which he as a man of age and experience thinks ought not to be done."

On December 14, they paid Patuone "for a certain piece of land along the River from a small stream of Water called the Arawata kowai." Payment was comprised of blankets, axes, hoes, hatchets, chisels, knives, combs, files and scissors. Five days later, they were warned to be on the look out as Hongi's people were unhappy that relations had taken place between a European known as Pearson and a daughter of Ngahuruhuru, who was already married. The next day, the 20th, Patuone also met with them, confirming that there would be trouble and advised them to join the other Europeans. Hobbs decided they would stay where they were and hope to avoid any trouble.

Hobbs's entry for the 21st reads in part: "This morning the alarm of War was sounded among the natives, and some agitation ensued. It was reported that a war party had commenced an attack upon the place where Te Puhi lives and Tu, one of our workmen whose family was there was requested to go immediately, which he did with all speed. During the day many guns have been discharged; and many of the natives of the place are said to be pursuing the fighting party. The company appears to belong to Hongi and to be but small. Their object seems to be to kill Te Puhi by falling on him slyly. They nearly effected their object but were observed and made the rest of their way into the woods."

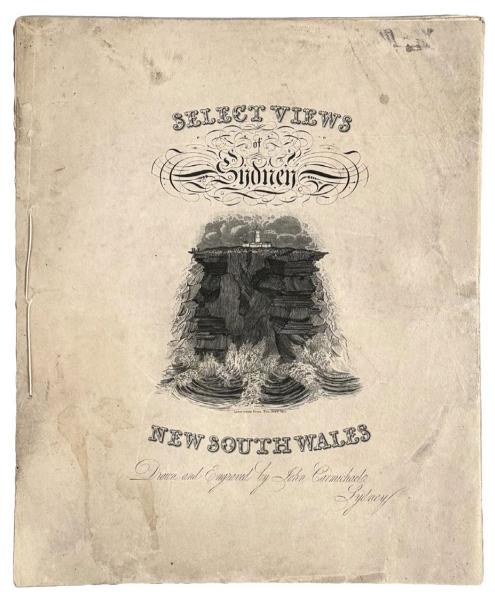
With colonialism came capitalism, the effects of which were felt very early on. Hobbs reports that one elder complained, that "Before ships came, every place was common property. Before ships came the Trees stood as common to any one. Before ships came the flax stood, and every person took what he wanted and there was more than an abundance for every body. But now, the white people come and pitch upon this place, and that place, and buy it. — But who is to have the payment? It belongs to every body."

Patuone continued to encourage Hobbs and his entourage to settle with the rest of the Europeans on his land and was engaged in building a wall around their dwellings. Hobbs remained unwilling for fear of being tarnished with the misdemeanours. He ends these extracts still wondering where would be for them to settle: "Having thought during the afternoon on what Patu said and on many things connected with the advantages and disadvantages connected with our being settled here I mentioned to Bro Stack a thought which had occurred to me about going down the River to the Horeke where Messrs Browne & Raine's establishment is."

Hobbs and his wife remained on New Zealand until 1833 when his transfer request was approved and they sailed for Tonga where they would remain for the next five years. Ill-health forced them to return to New Zealand. Hobbs did not publish an account of his time in New Zealand and so these excerpts provide much added information on his experiences establishing a missionary station and his interactions with notable Maoris in the region.

A full transcription is included.

https://www.jps.auckland.ac.nz/document//Volume_79_1970/Volume_79%2C_No._3/Religious_disputation_at_Whangaroa%2C_1823-7%2C_by_John_Owens%2C_p_288_-_304/p1



"Our Australian Metropolis": A Rare Sydney View Book with Contemporary Annotations

16 CARMICHAEL (John), [MATCHAM (George & Charles).] Select Views of Sydney, New South Wales. Drawn and Engraved by John Carmichael, Sydney.

First edition. Engraved title & six engraved views. Small 4to. Stitched as issued. Some expert restoration to tears, and some paper infill, each image with contemporary ms. annotations in ink. [iv], [2], [3]–6pp. Sydney, printed by A. Hill, 1829.

£12,500

[With:] [MATCHAM (George).] Agricultural tour of Speculation in New South Wales. Manuscript in ink on laid paper. Folio. Stitched. 14ll rectos only. [England, 1829.]

A rare and desirable group, the book being augmented by the annotations of a contemporary owner plus an accompanying manuscript with information on agricultural practices in New South Wales.

The annotations are almost certainly by Charles Horatio Nelson Matcham (1806–44) who migrated to Australia, arriving at Port Jackson on the ship *Surry* in January, 1829. He took up a grant of 2560 acres at Erina, Brisbane Waters which is now a suburb called Matcham. He later took another grant, this time 2500 acres, at William's River just north of Newcastle and was a partner of the Bank of Australia.

A subscription for the book was advertised in the 28 March, 1829, issue of the Sydney *Gazette*:

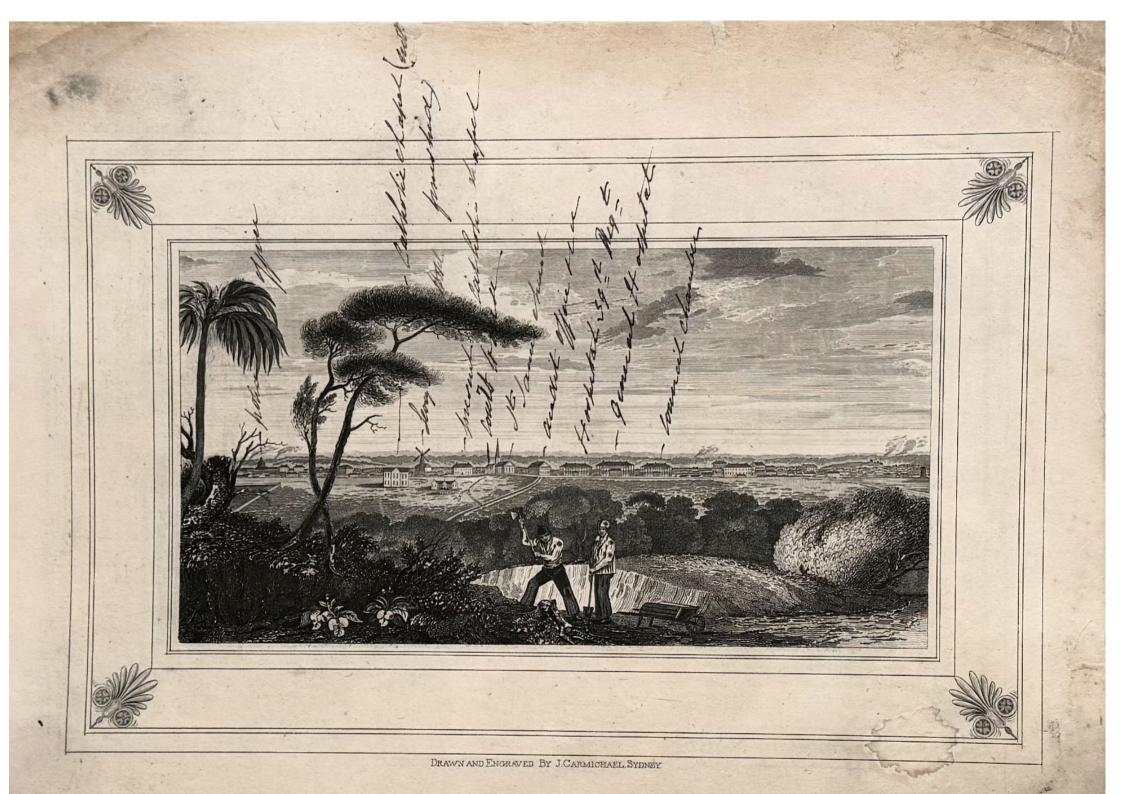
"In the hands of the Artist, and will speedily be published, price Four Dollars, stitched into a handsome cover, Six Select Views of Sydney and its Environs, dedicated by special permission to Sir John Jamison, President; and to the other Members of the Agricultural and Horticultural Society of New South Wales. These Engravings will not only be finished in the most superb style, so as to render them worthy of a place in the portfolio of the connoisseur, as superior specimens of the art, but they will also be calculated to exhibit to those at a distance, a true picture of this interesting town, of this our Australian metropolis, and accompanied too with such letter press illustrations as may be necessary."

Wantrup describes Carmichael as a "professional engraver trained in Scotland who came to New South Wales as a steerage passenger in 1825. He practised as a general engraver in Sydney until his death in 1857, carrying out some quite important work such as producing stamps for the Post Office and engraving Mitchell's important 1834 *Map of the Colony of New South Wales*" (Wantrup). The book is essentially documents "the civic and architectural progress of Sydney that followed the advent of less repressive government regulation and rapid development of a thriving entrepreneurial class" (*ibid*). Its importance is emphasised by it being essentially the fourth topographical view book produced in Australia and of great value to any new settler.

The plates are as follows:

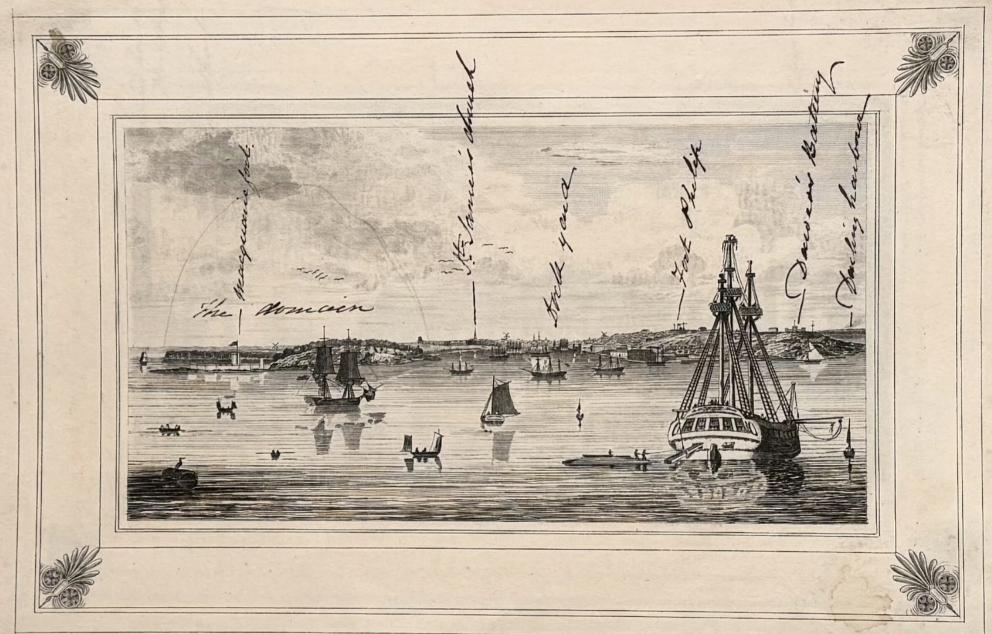
- 1. Sydney Cove between Fort Philip & Dawes Battery;
- 2. George Street from the wharf;
- 3. Sydney from the Domain, near Government House;
- 4. Sydney from Woolloomooloo Hill;
- 5. Sydney from Hyde Park;
- 6. Sydney from the Parramatta Rd.

Plus the title-page illustration: "[Macquarie] Light House from the open sea."



SYDNEY.

from Woolloomooloo Hill



DRAWMAND ENGRAVED BY J. CARMICHAEL SYDNEY.

SYDNEY. COVE.

Between Ert Philip & Dawes Baltery

Matcham's annotations to each note important landmarks: government and commercial, hospitals and churches.

The accompanying manuscript is written by Charles's father. George Matcham (1753–1833) was Admiral Nelson's brother-in-law, and a notable traveller in his own right. This account was presumably composed with Charles's emigration in mind. He forwards information from a tour of New South Wales by a Mr. F. It commences with the following, rather patronising, remark: "The observation on the town & vicinity was that it and its splendour to Govn Macquarie, who tho' perhaps rather too proper in his architectural display for a new colony, yet it had the pleasing effect of governing the taste of the rich Colonists, inviting them to build elegant houses, & lay out beautiful grounds. This made little impression on F, he had seen the various magnificent palaces of Europe & wished for the more

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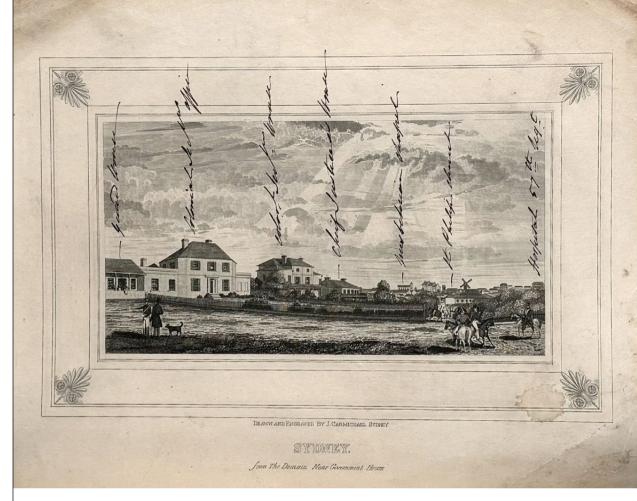
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satisfaction ... of inspecting the tenements & farms of the middling & lower classes happy mutation from poverty & distress in their own country to competence & comfort in this."

Mr. F also comments on the "settlers on very small farms, some of them proprietors industriously improving, extending their boundaries every year surrounded by their children" while others "indulged in early habits of drinking". Turning to the land itself and different systems of agriculture, "many little farms are wholly devoted to arable, the inducement had been the useful sturdiness of their boys. This plan generally succeeds in small properties as far as means of subsistence are required", while other farms are devoted to pasturage or orcharding, and some combine all three. On the verso are instructions for treating snake bites.

Carmichael's *Select Views* and the Matchams' ms. give us insight into the sort of information available to new settlers and how it was used.

OCLC locates complete copies at BL, SLNSW, Historic Houses Trust of NSW, & NLA. Auction records record just three copies in 2006, 2016 & 2023, the latter two possibly being the same copy.

Ferguson, 1250; Kerr, pp.134-5; Wantrup (2nd ed), p.387 & 223; Sydney Gazette, 28 March, 1829, p. 3, column 5.

A Magnificent Map of New South Wales

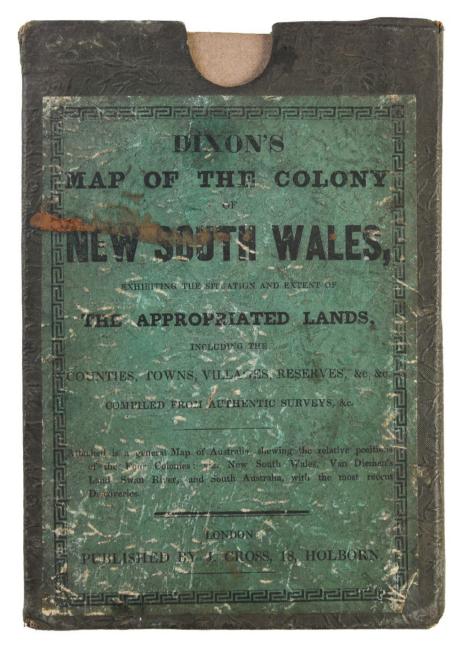
17 DIXON (Robert), cartographer. CROSS (Joseph), publisher. This Map of the Colony of New South Wales, Exhibiting the Situation and Extent of the Appropriated Lands including the Counties, Towns, Village Reserves &c., Compiled from Authentic Surveys &c. is respectfully Dedicated to Sir John Barrow Bar.t President of the Royal Geographical Society &c. &c. &c. By his obliged Humble Servant Robert Dixon.

First edition. Copper engraved map, with original hand colour. Measuring 1265 by 760mm. Scale: 8 miles to an inch. Dissected into 40 sections and mounted upon original linen, folding into original green patterned cloth slipcase with printed pastedown paper label to upper cover, a few light stains, some mild offsetting and light toning; slipcase rubbed and stained, but very good. London, Joseph Cross, July, 20th, 1837. £12,500

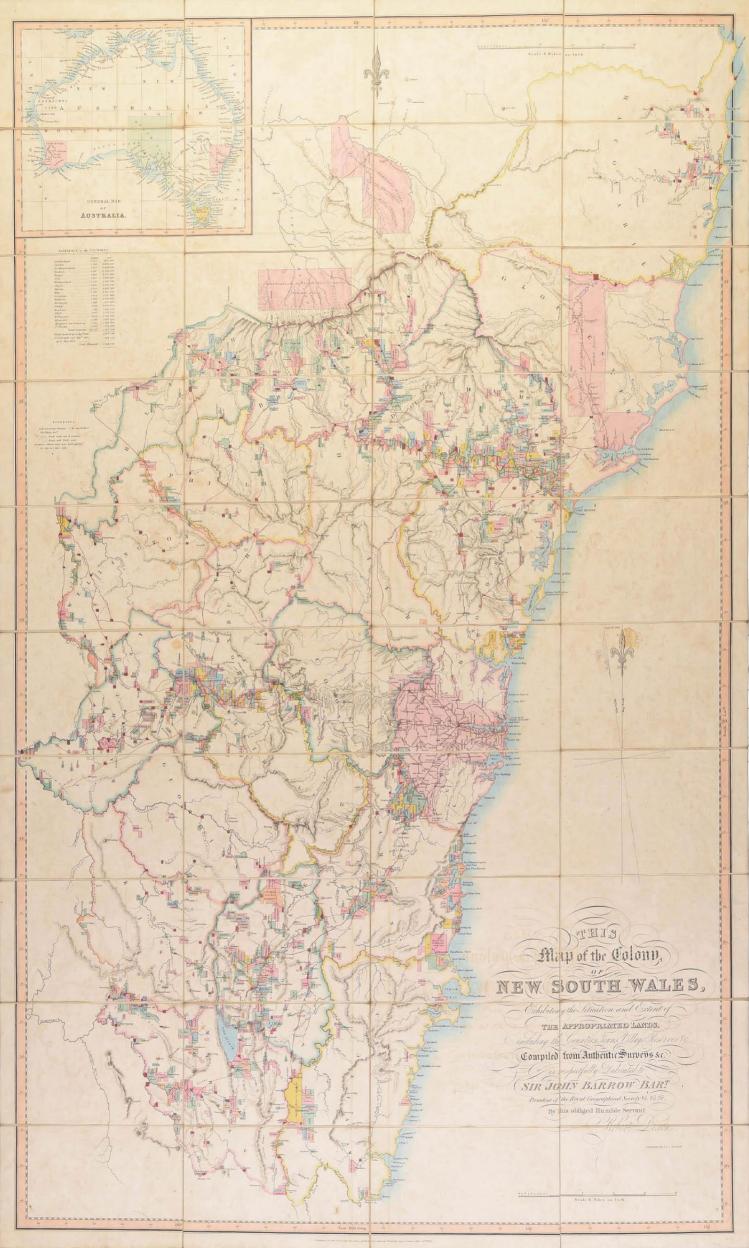
Rare and important: Robert Dixon's (1800–1858) map captures New South Wales at a pivotal moment in its history as it transitioned from a penal colony into a free-settler society. It is the first cadastral and land management map of NSW, documenting the officially sanctioned settled area, determined between 1828–34.

During the eleven-year (1810–21) governorship of Lachlan Macquarie, the colony not only experienced a boom with the establishment of new towns and infrastructure, but the interior was explored by the likes of Gregory Blaxland, Williams Lawson and Wentworth, who crossed the Blue Mountains for the first time in 1813. Hamilton Hume and William Hovell journeyed south and discovered the Murray River and Port Phillip. Later, Charles Sturt led two expeditions, the first to navigate the Murray River, the second to explore the Macquarie and Darling Rivers to the northwest of Sydney. These explorations culminated with Sir Thomas Mitchell, Surveyor General, whose series of expeditions in the region sought to complete colonial understanding in the 1830s.

Furthermore, in 1826 it was agreed that the colonial settlement would remain within the nineteen counties of: 1. Gloucester; 2. Durham; 3. Northumberland; 4. Cumberland; 5. Camden; 6. St. Vincent; 7. Hunter; 8. Cook; 9. Westmoreland; 10. Georgiana; 11. King; 12. Murray; 13. Argyle; 14. Roxburgh; 15. Bathurst; 16. Brisbane; 17. Phillip; 18. Wellington; and 19. Bligh. For the next five years, unsettled land within these was offered free to settlers, but that changed in 1831 when land titles were purchased and formally registered. Squatters were another complicating factor, and in 1836 a provision was made whereby they could occupy unsettled land for fourteen years at £1 per annum. As such, the need arose for an accurate map that not only attended topographical matters but also, so as to minimise, or quickly settle any legal disputes, properly recorded land titles.



In 1828 Thomas Livingstone Mitchell replaced Oxley as Surveyor General. One of the first things he petitioned governor Darling for was the need of said map. Robert Dixon was already on Mitchell's staff, having been appointed Assistant Surveyor by John Oxley in 1826. He was an active presence, tracing the coastline from the mouth of Port Jackson south to St. George's River, from Illawara to Dapto Creek. The following year he joined Mitchell and Edmund Lockyer in exploring the Grose Valley, plus Camden and the Burragorang Valley. In 1828, he traced the



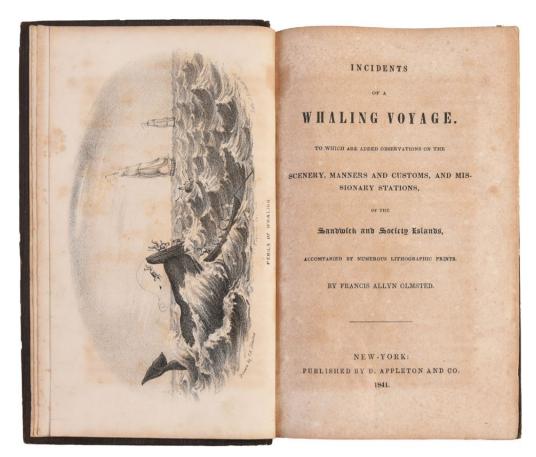
Nattai, Waragamba and Wollondilly Rivers, and then surveyed the land between Mount York and Bathurst. The 1830s were similarly busy with surveys of the Upper Hunter Calley and parts of the Liverpool Range. He was later tasked with following a route between the Lachlan and Macquarie Rivers, but opted to trace seventy miles of the hitherto unexplored Bogan River instead. Mitchell made him his chief deputy, yet this disregard for authority would continue throughout his career.

As was common at the time, Mitchell decided to print his own map of the nineteen counties. He spent £900 of his own money engaging John Carmichael to print "To the Right Honorable Edward Geoffrey Smith Stanley this Map of the Colony of New South Wales / Compiled from actual measurements with the chain & circumferenter, and according to a trigonometrical Survey ..." (Sydney, 1834). While this was indeed the first broadly accurate map of the region, it lacked the cadastral information desired by the crown. Furthermore, the crown took the unusual step of limiting both the print run of the map to 200 copies and price to £1. If Mitchell was aghast at the £700 loss, his deputy's next move would've been intolerable.

In 1836, Dixon applied for, and was granted, two years' leave to attend *private* business in England. Amongst his belongings were manuscript sketches and field books (some of which were copied without permission) which Dixon surreptitiously carried to London. He produced this remarkable map from those materials and his own notes. Importantly, the map notes the size of each county, notes Government reserves (shaded in yellow), Church reserves, Village Reserves (shaded in red) and demarcates cadastral lots noting the owners name and acreages in each. A note below reads "Locations without name were [*sic*] land applied for but not then sold." There are additionally, completed roads, roads under construction and even tracks.

He had the noted map dealer Joseph Cross, who capitalized on the new information coming from Australia and made it a speciality, publish it at a cost of £2. The value of Dixon's map was immediately recognised on publication. Though preceded by Mitchell's map, it was the first to comprehensively record cadastral information and land settlement patterns, which was the primary intelligence required by the colonial and central governments and the settlers and prospective settlers of New South Wales. As such, it was Dixon who fulfilled the mandate that the crown gave to Mitchell in 1828. Subsequent editions appeared in 1841, 1842, and 1846. Furthermore, the London mapmaker James Wyld the Younger, who acquired Cross's original copperplate, was selling examples of map with his own name pasted over that of Cross as late as 1872.

OCLC locates copies at NLA, SLNSW, Royal Australian Historical Society, SLQ, SLSA, University of New England (Armidale), South Africa, and the BL. *Ferguson Map Collection*, F891; Clancy, R., The Mapping of Terra Australia (1995), p.168; Tooley, R.V., *The Mapping of Australia* (London, 1979), p.249; Worms, L. & Baynton-Williams, A., *British Map Engravers* (London, 2011), p.171.



One of the Earliest Accounts of the Spermwhale Industry

18 OLMSTED (Francis Allyn). Incidents of a Whaling Voyage, to Which Are Added Observations on the Scenery, Manners and Customs, and Missionary Stations of the Sandwich and Society Islands.

First edition. 12 lithographed plates. 8vo. Publisher's black cloth, spine elaborately gilt, extremities slightly rubbed, text spotted and toned as usual. 36opp. New York, Appleton & Co., 1841. £6,250

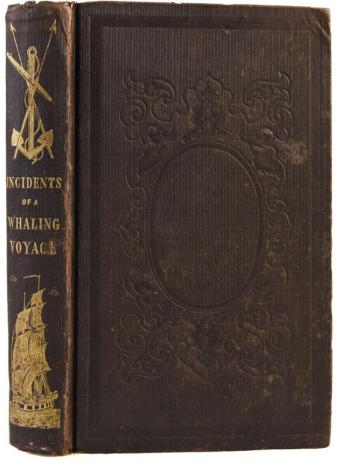
A very good copy of the rare first edition. The last complete copy at auction was at Sotheby's in 2000, this one has all 12 twelve plates.

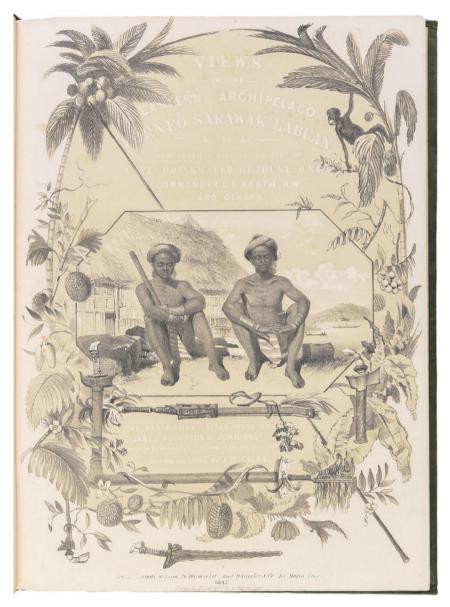
"After graduation from Yale, Olmsted took to the sea for reasons of health. He boarded the *North America* at New London, Conn., in October, 1839. The ship hunted whales in the Atlantic, rounded Cape Horn and headed for the Hawaiian Islands. His account of that region resulted in 'one of the wittiest pictures of Hawaii created prior to the visit of Mark Twain.' The ship also visited Tahiti and the South Pacific, suffered various adventures and disasters and made a fair catch of whales" (Hill).

Forbes is similarly impressed, stating that it is "one of the great classics of life on a whaling voyage, and it includes an important account of the author's visit to Hawaii." Four of the plates illustrate scenes of the island, he describes surfing at some length and quotes the story of a "Hawaiian woman, who, after the capsize of the schooner *Keola* on which she was a passenger, swam 25 miles to shore, much of the time with her husband in tow" (*ibid*). His description includes an account of his excursion to the island of Hawaii on the *Clementine* when he met several local dignitaries, including the missionary Seth Andrews, the Rev. Lyons, Governor Kuakini, and Kamehameha. He also attended a local church service (and remarks on the American missionary service), and describes bullock hunting.

The work's enduring value is for its definitive descriptions of whaling life, which was an obvious and noted source book for Herman Melville's *Moby-Dick* (1851). The book "was so popular in its day that it was evidently read to shreds, and copies of the original are now among the rarest of volumes" (Hill).

Hill, 1261, 1262; Howes, O75; Forbes, 1312; O'Reilly & Reitman, 1041; Sabin, 57239.





25 Beautiful Lithographs

19 ST. JOHN (James Augustus). Views in the Eastern Archipelago, Borneo, Sarawak, Labuan ...

First edition in book form. 25 tinted lithographed plates by J.W. Giles after Drinkwater Bethune and others (including pictorial title, 3 folding). Folio. Publisher's green decorative cloth, gilt lettered on upper cover and spine. Plates interleaved with letterpress explanatory text. London, Thomas McLean, 1847.

£12,500



Drawn by MFH Wilhams, Min Sur.

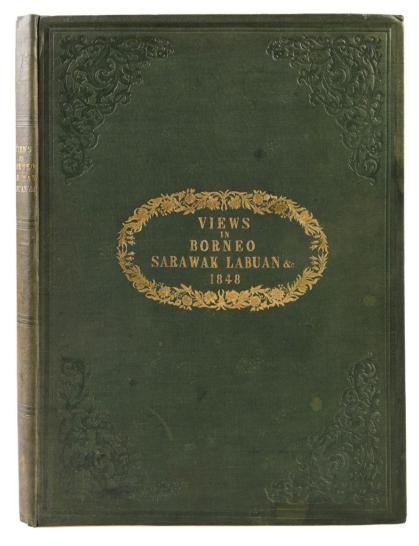
Originally published in parts, this is an excellent copy of the book.

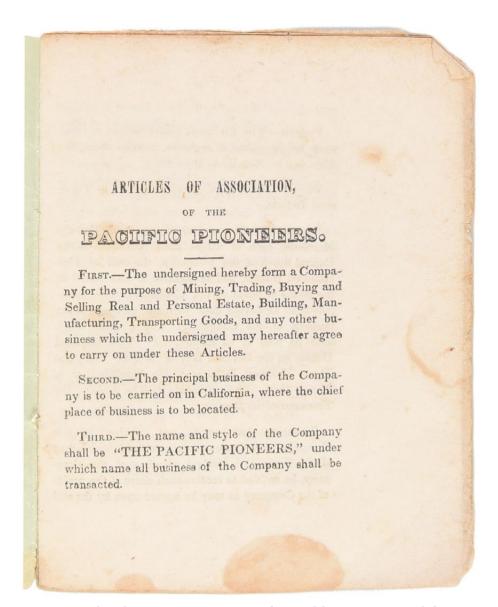
The text records British activities in the Eastern Archipelago, especially those of Sir James Brooke (who's depicted in one of the images) in Singapore, Borneo, Labuan and Sarawak. Brooke was appointed the first governor of the latter in 1841. He was eager to counter the Dutch influence in the archipelago in areas not governed by the 1824 Anglo-Dutch treaty, and he modelled himself on the likes of Alexander Dalrymple and Sir Stamford Raffles.

The illustrations were made on the spot by Drinkwater, Bethune, L.C. Heath and others.

There are copies in a handful of institutions, but this book, especially in such good condition, is scarce on the market.

Abbey Travel, 548 (original parts).





An Exceedingly Rare Constitution for Gold Miners in California

20 [CALIFORNIA GOLD RUSH] [PRATT (Julius Howard).] Articles of Association of the Pacific Pioneers.

First edition. Small 8vo (120 by 95mm). Publisher's pale blue printed wrappers, some minor spotting and soiling. 7, [1]pp. [Meriden, Connecticut, February, 1849.]

"Among the most elusive of California gold-rush ephemera are the constitutions and by-laws of the various mining companies organized on the east coast in 1849" (Hannah).

An unlikely survivor from the earliest days of the California gold rush: this articles of association of the Connecticut-based Pacific Pioneers is one of three recorded copies.

"In the autumn of 1848 the whole country was electrified by the rumour of astounding gold discoveries in our newly acquired territory of California" (Pratt, 35). From the east coast, men frequently travelled together, both for protection on the journey to California, and to co-ordinate their efforts on the mines once they arrived. In some instances they formed companies to give these pacts structure. These companies ranged in size from six to two hundred men, most included doctors, many brought a chaplain, some signed-up geologists. In Massachusetts alone, 150 companies were formed in 1849 with similar numbers in other states along the eastern seaboard.

Formed by Julius Howard Pratt (1821–1909) of Meriden, Connecticut, the Pacific Pioneers, comprised twenty men who each contributed five hundred dollars. It was better organised and perhaps more level-headed than most. This exceedingly rare constitution is comprised of 23 articles. The scope of their activities is defined in article one: "for the purpose of Mining, Trading, Buying and Selling Real and Personal Estate, Building, Manufacturing, Transporting Goods, and any other business." The duration of the company was set for eighteen months, commencing 1 March, 1849. The remaining twenty-two articles cover the structure of the company — directors, treasurer, auditor — the selling and forfeiture of shares, the retention of an agent in Meriden, and the stipulation that the majority of the Pacific Pioneer's business would be conducted in California. This little pamphlet provides a direct insight into the ambitions, priorities, and organisation of these companies.

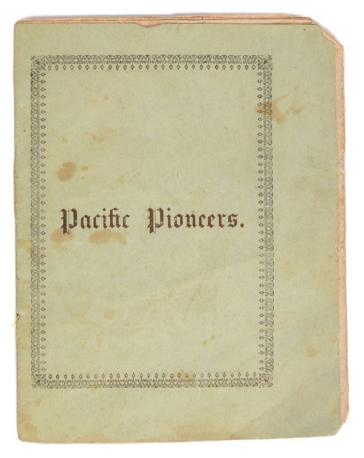
In Pratt's privately printed *Reminiscences* ... he devotes two chapters to his Californian adventure. "In a short time I organized a company of twenty good, intelligent Yankee men, taken from various trades and occupations, each of whom submitted to a code of laws for associate government and to articles of agreement for two years' service" (*ibid*, 37). That the printed document states eighteen months suggests that Pratt himself no longer had a copy of the articles.

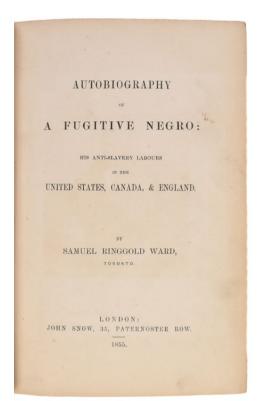
A farewell sermon was given to the Pacific Pioneers on March 22, 1849 by Pastor G.W. Perkins and the party left the same day. First by train to New York, before embarking on the 140 ton brig *Mayflower* taking the sea route via the Isthmus of Panama. Pratt arrived in San Diego and made his way to Sacramento, where he purchased a covered wagon and five mules, and headed the American River in the Sierra Nevada mountain range. He relied on John Frémont's journal for geographical knowledge of the region. The going was difficult and they found that they weren't able to sift enough gold to cover the (inflated) cost of basic provisions. However, the company continued to function according to the rules laid down in this pamphlet. Pratt remarks: "In fact, we were a communistic association and had the opportunity to test the practicability of communistic ideas" (*ibid*, 72).

Robert Vail emphasises the scarcity of any printed material by these companies and associations: "few bothered to have their constitutions and by-laws printed, and it was inevitable that most of this ephemeral literature should have disappeared long before our day. [Such literature] is so rare, in fact, that less than half a dozen examples have been mentioned previously in any of the bibliographies of California and the Gold Rush."

OCLC locates a single copy at the Connecticut Museum of Culture and History. Auction records list just the Streeter copy sold in 1968 for \$300.

Hannah, A., "Additions to the Western Americana Collection" in Yale University Library Gazette, Vol. 56, No. 1/2 (October, 1981), p.22; Perkins, G.W., An Address to the "Pacific Pioneers," on the eve of their departure for California, March 22, 1849 by G.W. Perkins, Pastor of the First Congregationalist Church Meriden (West Meriden, E. Hinman's Office, 1849); Pratt, J.H., Reminiscences, Personal and Otherwise (Privately Printed, 1910); Vail, R.W.G., "Bibliographical Notes on Certain Eastern Mining Companies of the California Gold Rush" in Papers of the Bibliographical Society of America, Vol. 43, No. 3, pp.247–248.







A Friend of Frederick Douglass & Champion for Black Freedom, Citizenship, and Equality

21 WARD (Samuel Ringgold). Autobiography of a Fugitive Negro: His Anti-Slavery Labours in the United States, Canada, and England.

First edition. Portrait frontispiece. 8vo. Publisher's blindstamped navy cloth, spine gilt, a little wear to extremities but very good indeed. xii, 412, 16ads. pp. London, John Snow, 1855. £8,000

An excellent copy of this important memoir by the Black abolitionist, Samuel Ringgold Ward (1817–1866).

Ward was born to enslaved parents in Maryland. He was just three when his family escaped to New Jersey in 1820, and settled in New York in 1826. Ward attended the African Free School in New York City, and worked as a law clerk and educator prior to obtaining his license to preach from the New York Congregational Association in 1839. He married to Emily E. Reynolds in 1838, and they had four children together. Between 1838 and 1850, Ward worked throughout western and central New York as an agent of the American and New York State Anti-Slavery societies. He spoke publicly against the injustices of the Fugitive Slave Act, 1850 and in support of voting rights for African Americans. He was also a prolific writer and editor of abolitionist causes.

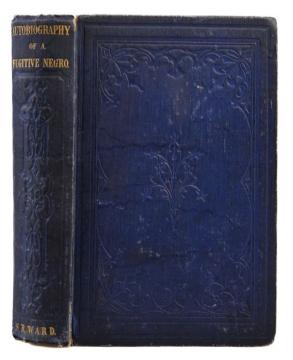
He was also a powerful speaker, and came to the attention of the American social reformer, abolitionist, orator, writer, and statesman, Frederick Douglass (1818–1895). Douglass thought very highly of Ward, and recalled the impact of his public presentations: "As an orator and thinker he was vastly superior, I thought, to any of us, and being perfectly black and of unmixed African descent, the splendors of his intellect went directly to the glory of race. In depth of thought, fluency of speech, readiness of wit, logical exactness, and general intelligence, Samuel R. Ward has left no successor among the colored men amongst us, and it was a sad day for our cause when he was laid low in the soil of a foreign country."

His relationship with Douglass was productive. The two helped organise the American League of Colored Laborers, which was the first Black American labour union.

In 1851, Ward helped aide the escape of William Henry, a principle in the "Jerry Rescue" fugitive slave case. To avoid being arrested himself, he fled with his family to Canada and continued his work for the American Anti-Slavery Society. In 1853, he undertook a fundraising tour to Great Britain on behalf of the Anti-Slavery Society of Canada. Much of this *Autobiography* focuses on his observations and feelings about slavery, racism, and his work as a Minister with Anti-Slavery movements in the United States, Canada and Great Britain. Money raised from the publication of this book went to Antislavery Society in Canada.

Very rare. Auction records list four copies at Bangs (1901), Merwin Clayton (1911), Charles Heartman (1948) and Parke Bernet (1970).

Douglass, F., The Life and Times of Frederick Douglass ... (Hartford, 1881), p.345.



Ceding Sovereignty to Remain in Michigan

22 [OJIBWA & ODAWA PEOPLE] ELY (Elisha). We the Undersigned Descendants of the Chippewa and Ottawa Tribes of Indians ...

Letterpress handbill with decorative border, on pale blue paper measuring 240 by 95mm. Repaired tear, a little toned, one ms. signature, but very good. Allegan County, Michigan, April 18th 1853. £8,500

One of only three known copies of this rare handbill, recording the effective cession of Native sovereignty by the Chippewa (Ojibwa) and Ottawa (Odawa) people of Allegan County in Michigan, who in return would not be removed from their ancestral lands.

The handbill is signed in print by forty-three members of the two nations, plus the additional manuscript signature of an Atwam Adawich. This may be in the hand of the interpreter James Pricket (named in the document), as it is also marked with an "X", usually denoting the signature of one without written literacy. One of the other two known copies is similarly inscribed in manuscript Peter Adawich, also marked with an "X".

This proclamation came amid a period of forced relocations for Native people throughout the Eastern Seaboard, Appalachia and the Midwest. Andrew Jackson's Indian Removal Act of 1830 was most fiercely deployed against the Cherokee, Creek, Choctaw, Chickasaw and Seminole nations, and the resultant coerced migration across the country came to be known as the "Trail of Tears" for the loss ancestral homelands, and the terrible death toll of the march itself. A lesser told story, however, is that of the Native people who fought to remain in their historic lands, and the ways in which this was managed by the US Government.

Elizabeth Neumayer gives a helpful overview: "In 1853 after Indian removal in the United States had reached its peak, the Indian Commissioner reported that of the 400,000 Indians that were east of the Mississippi before the beginning of removal, only 18,000 remained. The rest had been taken to the lands of Kansas and Iowa and from there, some went to Oklahoma. Those remaining were scattered in New York, Florida, North Carolina, Mississippi, Wisconsin and Michigan. The largest numbers of Indians remaining were in the last three states mentioned: about one third were in Michigan" (Neumayer, 275).

A key factor of the resistance to relocating to Indian Territories amongst the Nations of the Great Lakes was the total unsuitability of the plains landscape and climate to their traditional ways of life. The Ojibwa and Odawa cultures were rooted in sugar maple and birch forests, and fresh water fishing practices. A move to the Great Plains would have had devastating consequences on these traditions, as indeed it did for many other nations.

An alternative "Northern Removal Policy" was posited, to relocate the Michigan nations to Northern Wisconsin and Minnesota, where the climate was more

We the undersigned descendants of the Chippewa we the undersigned descendants of the Chipteria and Ottawa tribes of Indians, having been born in the State of Michigan, and always resided therein—being attached to the soil, where the bones of our Fathers are laid-and being desirous of abandoning our own system of laws and government, and of adopting the laws, habits of life, and Government of the white people of the United States and of the State of Michigan, that we may enjoy the benefits of civilization and christianity, and the privileges and civil rights of citizens and voters: do hereby with our Chiefs, solemnly declare that we yield our laws and Government up for laws of the United States and of Michigan; that we mean to adopt the habits of civilized life, to clear land and cultivate the soil. to build houses to live in, and to have our children educated in the habits, customs, language and mode of living of the white men our neighbors, and that in all things we mean to claim the protection of the laws of the Government, and submit ourselves to the jurisdiction and control of the laws both in civil and criminal matters. Paul Waukazoo Daniel Wedegowish Tabaschapichig Lewis McSauby Joseph Visawagwat James Prickett James Shashaquase Kiweiasang Joseph Macksauba John Oshawashquar William Bewitebigabaw Nenoiquar Oshawashquar Wassa Zumby George Weazhe Willam Chingnah Mutebe Sakendouinm Francis Macksauba Winsor Animiquum Peter Shoshaguase Michael Akibauozi Paul Nisawaquat Erancis Wowangobo Lewis Akibemose Prter Oshoswoshquar William Keshewose John Oshamoshquar John Akibemose Joseph Shashaquashe Agent Okinotsgo George Shashawonipise Peter Wawangabo Paul Shoshaquashe Poneit Wouatchenotin Atoin Matchikishig Peminawa Magatemini Joseph Shashaxuase Monitowe Oshawoshquar Louis Matchikishig Joseph Chawegoshgun Robe Kishigobinese Akiwendjigetose Awasekishig Akiwendjigetose Roberts Apishabe State of Michigan;
Allegun County, ss: ; On this 18th day of April, in the year of our Lord one thousand eight hundred and fifty three, personally came before the undersigned, a Notary Public, in and for the county aforesaid, Paul Wakazoo, Lewis Macksauba, Tohaschaapachig, Joseph Visagagayust James Pricket, Chiefe of the Or-Joseph Visagagwat, James Pricket, Chiefs of the Ottawa and Chipawa tribes; and Daniel Wedegowish, Mutebe Salmdoim, Wichael Akibauzise, Lawis Akibauzse, William Hithwase, John Atermase, Joseph Shashaquatae, Agent Okinotsgo, Atin Matchkishig, Penawa Mayatearine, Joseph Sharaquase, Awasiki-thig Akiandjitose, Monita Oscawaskqua, Robert A-piskabe, Joseph Masksauba, William Benwitaglawn, Joseph Armignan, Francis Macsauba, Winsor Animiquan, Peter Shashagum, Paul Nisawaquit, Francis Waangoba, Peter Oshhawshqua, John Oshawshque, George Washawanipi, Peter Wawagaba, Paul Shashaquashe, Ponit Warnitthenatin, Joseph Ashawashgua, Lonis Mathekishy, Joseph Chawigo-kigm, James Shashaquude, Kishigobanie Akindjiabe, John Ashawashayun, Niyisawa Otta Laway Waling Mathekishy, Joseph Chawigo-kigm, James Shashaquude, Kishigobanie Akindjiabe, John Ashawashayun, Niyisawa Otta Laway Waling Mathekishy, Joseph Chawigo-kishigobanie Akindjiabe, John Ashawashayun, Niyisawa Otta Laway Waling Mathekishy, Joseph Chawigo-kishigabanie Akindjiabe, John Ashawashayun, Niyisawa Otta Laway Waling Mathekishy, Joseph Chawigo-kishigaban M Shashaquude, Aishigobanie Akindjiabe, John Asha-washaque, Niniuqua Otho-hawga.—Who by the oath of James Pricket, who acted as Interperter for them, were made known to me and who all severally ac-knowledged that they had executed the same freely and for the purposes above expressed.

ELISHA ELY, Notary Public.

comparable. This was largely unsuccessful however, with only 651 of the between 7,600 and 8,300 strong Michigan Native population actually being removed (*ibid*, 278).

The alternative, to stay, came at a cost of land rights and Native sovereignty. As the present document attests:

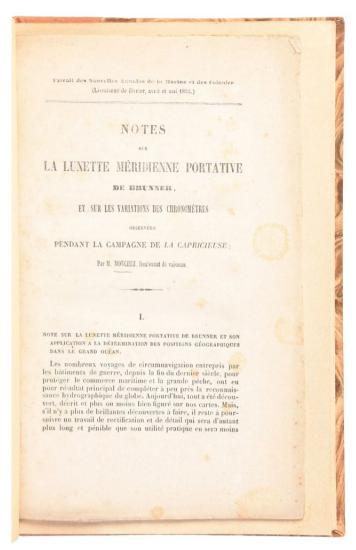
"We the undersigned descendants of the Chippewa and Ottawa tribes of Indians, having been born in the State of Michigan, and always resided therein — being attached to the soil, where the bones of our Fathers are laid — and being desirous of abandoning our own systems of laws, habits of life, and of adopting the laws, habits of life, and Government of the white people of the United States and of the State of Michigan, that we may enjoy the benefits of civilization and christianity, and the privileges and civil rights of the citizens and voters: do hereby with our Chiefs, solemnly declare that we yield our laws and Government up for the laws of the United States and of Michigan; that we mean to adopt the habits of civilized life, to clear land and cultivate the soil, to build houses to live in, and to have our children educated in the habits, customs, language and mode of living of the white men our neighbours, and that in all things we mean to claim the protection of the laws of Government, and submit ourselves to the jurisdiction and control of the laws both in civil and criminal matters."

In many ways, this pre-empted the wave of assimilationist legislation which would follow the Indian Removals Act, culminating in the Dawes Act of 1887, and subsequent land allotment within Indian Territory. Treaties like this one tell an often overlooked part of the story of the erosion of Indigenous American rights by emerging state governments in the nineteenth century, as the settler population of America encroached upon and sought to assert legislative control over every corner of the nation. Indeed, Allegan County under whose jurisdiction this treaty was issued, was only twenty years old at the time. In spite of these myriad concessions to abide by the laws and assimilate to the culture of Michigan State, the Indigenous signatories did not received rights of citizenship in return. This would not be granted until the Indian Citizenship Act of 1924.

Elisha Ely (1781–1854) was Allegan County's first Judge, State Representative, and Superintendent for the Poor. Prior to the county's incorporation, Ely had been a significant land owner in the region, holding a one third stake in the area which would become the town. He owned a sawmill, and the area's settler population grew to meet the needs of this and other businesses, he applied to administratively separate from Kalamazoo and have it organised as a county in its own right. This was effected in 1835.

This document is rare. We have traced one copy only in institutional holdings, at the University of Tulsa. Another copy (inscribed Peter Adawaich, mentioned above) sold at Swann Galleries in 2022 for \$8,750.

Neumayer, Elizabeth. "Michigan Indians Battle Against Removal" in *Michigan History* Vol. 55, No. 4. (Winter 1971) pp.275–288.

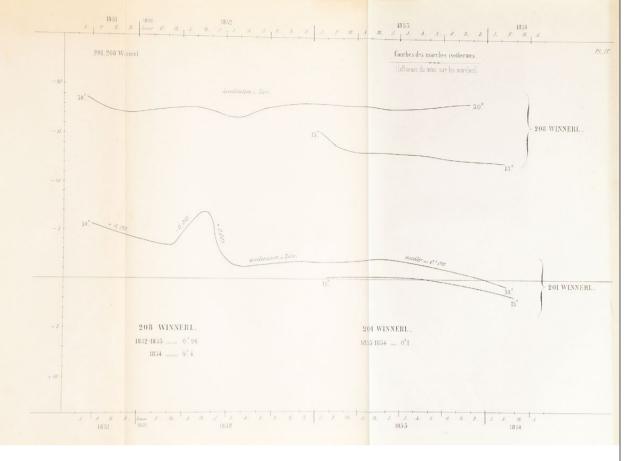


Sailing in the North Pacific

23 MOUCHEZ (Ernest-Amédée-Barthélémy). Observations Chronometriques faites pendant la Campagne de Circumnavigation de la Corvette La Capricieuse ...

First edition. Four folding charts. 8vo. viii, 139, [1]pp. Paris, Typographie de Firmin Didot frères, 1855. [Bound with:] MOUCHEZ (E.) Notes sur la Lunette Méridienne Portative de Brunner, et sur les Variations des Chronomètres Observées pendant la Campagne de La Capricieuse. Offprint from Nouvelle Annales de la Marine et des Colonies. 8vo. Twentieth-century half morocco over marbled boards, spine gilt. 40pp. Paris, Paul Dupont, February 1855.

£3,750



Rare observations taken on the last grand voyage under sail.

The thirty-two gun corvette *La Capricieuse* sailed under the command of Gaston Rocquemaurel (1804–78), who already had a distinguished career in the navy and was second-in-command on Jules Dumont d'Urville's voyage to the Pacific on the *Astrolabe*, 1837–40. "Officially, it was a political mission to China, but Rocquemaurel also had some scientific assignments. He explored unknown parts of the Sea of Japan, reconnoitred the coasts of Indochina, and, by following Lapérouse's route along the coasts of Korea and Kamchatka, he filled in some of the last uncharted areas on 18th-century maps" (Caffarel).

Ernest Mouchez (1821–92) served as lieutenant on board and took responsibility for hydrographic and astronomical observations as they sailed along the coasts of Vietnam, Korea, China and Macao correcting many of the errors they found on the English maps they brought with them. He further elaborates on these observations in the accompanying pamphlet, which concerns the Brunner portable telescope which he used on board. An official account doesn't appear to have been published and so these are two of the few contemporary sources on the voyage.

Mouchez also served on voyages to South America and the Indian Ocean, and later became the director of the Paris Observatory.

OCLC locates copies at US Naval Observatory, Observatoire de Paris, BnF, Defesiebibliotheken, and the Kungliga Biblioteket in Sweden.

Not in Hill; not in Howgego, Caffarel, S., "A disillusioned explorer: Gaston de Rocquemaurel or the culture of French naval scholars during the first part of the 19th century" in *Terrae Incognitae*, Vol 45, no. 2 (October, 2013) pp.113–127; Xie, J., *The French in Macao* ... (Macmillan, 2022) p. 103.

A Memorable Clipper Ship Card

24 COLEMAN (Wm. T.), owner. The Magnificent A1 Clipper Ship Florence Nightingale.

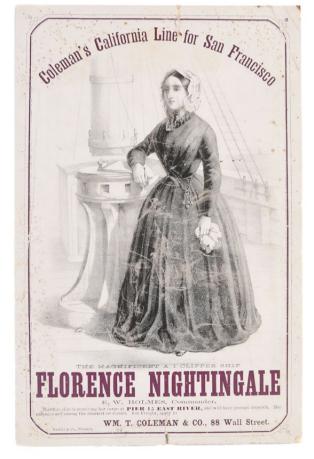
Lithographed card measuring 210 by 135mm. A little spotty with some edgewear. [New York,] Nesbitt & Co., Printers, c. 1855. £600

Commanded by Capt. E.W. Holmes, this Canadian-built clipper, sailed between New York and San Francisco catering to the demand for people eager to join the last years of the California Gold Rush. Of the *Florence Nightingale*, the card states that "her passages are among the shortest on record."

While Florence Nightingale was already active as a nurse and health-care reformer prior to the outbreak of the Crimean War, her efforts to improve the conditions of soldiers in Scutari and her subsequent appearance at the Royal Commission on the Health of the Army, brought her international renown. She was among the most famous of the women after whom clipper ships were named.

OCLC locates a single copy held at AAS.

Fairburn IV, p. 2322.



ON

THE ORIGIN OF SPECIES

BY MEANS OF NATURAL SELECTION,

OR THE

PRESERVATION OF FAVOURED RACES IN THE STRUGGLE FOR LIFE.

By CHARLES DARWIN, M.A.,

FELLOW OF THE ROYAL, GEOLOGICAL, LINNÆAN, ETC., SOCIETIES;

AUTHOR OF 'JOURNAL OF RESEARCHES DURING H. M. S. BEAGLE'S VOYAGE
ROUND THE WORLD.'

LONDON:
JOHN MURRAY, ALBEMARLE STREET.
1859.

The right of Translation is reserved.

The Most Important Biological Work ever Written

25 DARWIN (Charles). On the Origin of Species by Means of Natural Selection ...

First edition. Folding lithographed table. 8vo. A very good copy in publisher's green cloth, headcap sensitively repaired, front free endpaper renewed, first quire a little ragged from opening, ownership inscriptions to half-title, some ms. marginalia to read free endpaper. Housed in a custom quarter morocco clamshell box. x, 490, [491–502]index, 32ads.pp. London, John Murray, 1859.

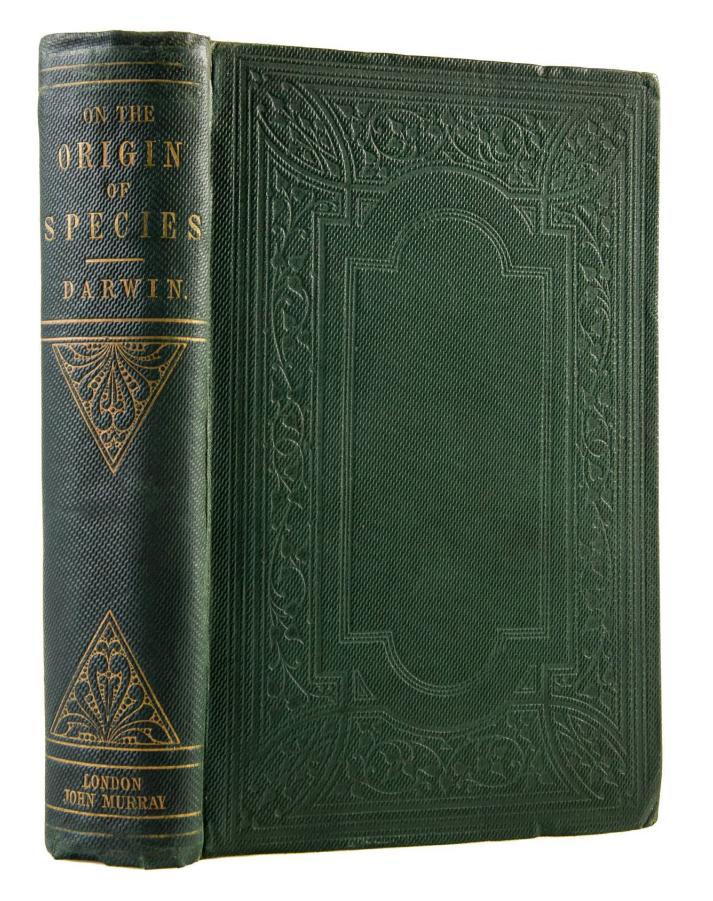
£195,000

John Murray originally printed 1250 copies of the book which "caused a greater upheaval in man's thinking than any other scientific advance since the rebirth of science in the Renaissance" (Ernst Mayr). It is also considered "the most influential scientific work of the 19th century" (Horblit) and "certainly the most important biological book ever written" (Freeman).

Despite its 490 pages, it was intended only as an "abstract" of a far larger work. Yet for years Darwin had showed a marked reluctance to print anything on the subject of evolution. Although he developed his theory on the origin of the species in 1838, he communicated it to no one. In 1842 he drew up a rough sketch of the argument, expanding this into an essay only to be published in the event of his death. Once he had prepared the third part of the *Geology of the Voyage of the Beagle* for publication, he shelved the species question "and started on eight tedious years' study" of living and fossil barnacles. His painstaking work on their structure and classification enabled him to acquire first-hand knowledge of the amount of variation to be found in nature.

In April 1856 he described his theory of natural selection to Charles Lyell, and that summer began work on the book that Lyell urged him to write. On 18 June 1858 he received the shock letter from Alfred Russell Wallace which appeared to be "a perfect summary of the views which he had worked out during the preceding twenty years" (DSB III, p.573). In a compromise that was fair to both, Darwin presented his own and Wallace's papers before the Linnean Society of London on 1 July 1858, and they were published together on 20 August of that year. Unable to squander any more time over the writing of his "big book," Darwin then set about writing the "abstract" which we know as the *Origin* with the encouragement of Joseph Hooker.

Its impact can hardly be overstated. Ernst Mayr writes in his introduction to the 1964 facsimile edition: "The publication of the Origin of Species ushered in a new era in our thinking about the nature of man. The intellectual revolution



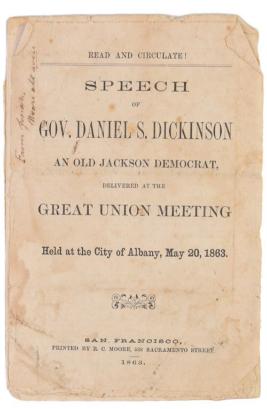
it caused and the impact it had on man's concept of himself and the world were greater than those caused by the works of Copernicus, Newton, and the great physicists of more recent times ... Every modern discussion of man's future, the population explosion, the struggle for existence, the purpose of man and the universe, and man's place in nature rests on Darwin."

A very good copy of this landmark work with the ads dated June, 1859. It was previously owned by the scientist Lancelot Albert Forscey, and John Rizzo Naudi. Dibner, Heralds, 199; Eimas Heirs, 1724; Freeman 373; Garrison-Morton, 220; Grolier Science, 32b; Horblit 23b; Norman, 593; PMM, 344; Sparrow Milestones, 49; Waller, 10786.

Preserving the Union at all Costs

26 DICKINSON (Daniel S.) Read and Circulate! Speech of Gov. Daniel S. Dickinson An Old Jackson Democrat, delivered at the Great Union Meeting Held at the City of Albany, May 20, 1863.

First edition. 8vo. Self-wrappers. Leaves detached, creased with old folds, minor browning. With a contemporary inscription on the title: "From Josiah / We are all well". 8pp. San Francisco, R. C. Moore, 1863. £750



Daniel S. Dickinson (1800–1866) served as New York's Attorney General during the Civil War until Lincoln appointed him US Attorney for the Southern District in early 1865.

Published by order of the Union State Central Committee, and delivered in the wake of the Emancipation Proclamation, Dickinson's speech commences in dramatic fashion: "That the rebellion is upon us which threatens the very existence of this Union is denied by none ... That this war was commenced in a corrupt and perjured conspiracy, and murderous thieving rebellion, will not be denied ..." He continues thus on his opposition to the war and, in particular his plea to preserve the Union which is his priority: "if Democrats won't go with me, I will go with Republicans; if Republicans won't go with me, I will go with Abolitionists, and if Abolitionists won't go with me, and if white men won't go with me, I will go with black men; and if that is treason to party or country, then make the most of it ..."

The Union State Central Committee was similarly adamant in prosecuting the war to its conclusion, and this speech was likely printed in order to be circulated at their convention on June 17, the same year.

Rare: OCLC locates copies at California State, UC Berkeley and UC Santa Barbara only.

Recruiting Black Troops in the Civil War

27 [DOUGLASS (Frederick)] [CRAIG (Tom).] A Song Dedicated to The Colored Volunteer.

First edition. Letterpress broadside measuring 243 by 150mm. A little toned, small crease to upper margin but very good. [Philadelphia,] Published by the Supervisory Committee for Recruiting Colored Regiments, [1863]. £4,500

Coming in the midst of the Civil War, the Emancipation Proclamation, had an immediate and multi-faceted effect on the lives of African Americans. One of these came on 22 May, 1863: General Orders 143 which authorised the creation of regiments of Colored Troops. The 54th Massachusetts Infantry Regiment was the first such to be established and entered the war on May 28.

In Philadelphia a rally was held in July. Hosted by William Kelley (1814–1890), the Philadelphia politician, abolitionist, and friend of Abraham Lincoln, it included speeches by Anna E. Dickinson and Frederick Douglass, who spoke to the Black members of the audience directly: "The only question I have, and the point at which I differ from those who refuse to enlist, is whether the colored man is more likely to obtain justice and equality while refusing to assist in putting down this tremendous rebellion ... Nothing can be more plain, nothing more certain than that the speediest and best possible way to open us to manhood, equal rights, and elevation, is that we enter this service ... There are two governments struggling now ... which is for us and which is against us!"

A SONG,

THE COLORED VOLUNTEER.

Fremont he boldly told us,
When this cruel war begun,
How to save the Union,
And how it should be done;
Kentucky strove so hard,
And Old Abe he had his fears,
And that was all about the Colored Volunteers.
Chorus—Give us the flag, all free without one slave,
And we will defend it as our fathers did so brave,
Onward! boys, Onward! its the year of Jubilee,
God bless America, the land of Liberty.

McClellan went to Richmond.
With two hundred thousand braves,
Says he keep back the Negroes
And I'll the Union save,
But Little Mac he was defeated,
Now the Union is in tears,
Now they are calling on the Colored Volunteers.

Chorus.

Jeff Davis says he'll hang us,
If we dare meet him in arms,
Its a very big thing,
But we are not alarmed;
He has first got to catch us,
Before his way is clear,
For there is not a faint heart in the Colored Volunteer.

Chorus.

Then here is to the Fifth-Fourth,
Which has been nobly tried,
They were willing, they were ready,
With their bayonets by their side,
Col. Shaw led them on,
And he had no cause to fear,
About the courage of the Colored Volunteer.
Chorus.

So we'll rally! Boys rally!
And we need not heed the past;
We had a hard road to travel,
But our days are come at last,
God for our aid
We have no cause to fear,
And that is the motto of the Colored Volunteer.
Chorus.

Published by the Supervisory Committee for Recruiting Colored Regiments.

But wider recruitment efforts were needed and this song, written by Tom Craig, became part of the campaign. The chorus goes: "Give us the flag, all free without one slave, And we will defend it as our fathers did so brave. Onward! boys, Onward! It's the year of the Jubilee, God Bless America, the land of Liberty ..."

And there is also mention of the 54th: "Then here is to the Fifty-Fourth, Which has been nobly tried, They were willing they were ready, With their bayonets by their side, Col. Shaw led them on, And he had no cause to fear, About the Courage of the Colored Volunteer."

These efforts led to the creation of the 127th U.S. Colored Infantry, which served at the crucial battle of Appomattox. In June 1865, it joined the U.S. Army's 25th Corps in Texas.

While this broadside is held in a handful of libraries, the last recorded copy at auction was in 1907.

Sabin, 86884.

Celebrating Black Troops in the Civil War

28 CURRIER & IVES. The Gallant Charge of the Fifty Fourth Massachusetts (Colored) Regiment. On the Rebel works at Fort Wagner, Morris Island near Charleston, July 18th, 1863 and Death of Colonel Robt. G. Shaw.

Hand-colored lithograph. Measuring approx. 250 by 355mm. Toned in places. New York, Published by Currier & Ives, 152 Nassau St, 1863. £3,250*

A dramatic, hand-coloured depiction of the first major battle in the Civil War to involve African-American troops: the attempted storming of a Confederate fort near Charleston, South Carolina on July 18, 1863.

Colonel Robert Gould Shaw was killed along with fifteen other officers and nearly 300 of his men of the Fifty-Fourth Massachusetts Regiment. This dynamic scene shows the meeting of Union and Confederate infantry lines at Fort Wagner, with close contact combat between several of the soldiers, some with bayonets drawn. A Union officer, likely representing Shaw, stands atop a hill at the middle of the scene, sword held high, the American flag waving boldly next to him reading "54th MASS.," appearing to have just taken a fatal bullet, as his head is snapped back and he is clutching at his throat. At bottom left, an African-American soldier fights hand-to-hand with a Confederate who is trying to knife him. The lively blue colouring of the 54th's uniforms set against the drab gray of the Confederates provides a stark contrast, as does the dichotomy of the American flag set against the Confederate "Southern Cross."

This Currier & Ives print provides a dramatic and energetic portrayal of this important historical moment, and the sacrifice of African-American troops and their leaders in the Union cause.

Currier and Ives: Catalogue Raisonné, 2393; Peters, 836.



THE GALLANT CHARGE OF THE FIFTY FOURTH MASSACHUSETTS (COLORED) REGIMENT.

On the Rebel works at Fort Wagner, . Morris Island near Charleston, July 18th 1863, and death of Colonel Rob! G. Shaw.



The Capture of Kaitake

29 [SECOND TARANAKI WAR] WARRE (Lieut-Gen. Sir Henry James). "The Tribal Maori Position at Kitake, Taranaki — taken & occupied 25th March 1864 by Sir Henry Warre."

Watercolour measuring 240 by 340mm. Captioned below in pencil. Framed & glazed. 25 March, Kitaki, Taranaki, 1864. £6,750*

Very rare: this watercolour, painted in the field, documents an important battle in the midst of the Second Taranaki War. Warre (1819–98) himself regarded the battle depicted in this scene as a major turning point in the war, later calling the capture of Kaitake "a severe blow to the rebel natives; it was one of the strongest of their fastnesses, admirably placed on the borders of impenetrable jungle, and commanded about 2 miles of open level land between the mountain range upon which it was situated and the sea" (Warre, Historical Records of the Fifty-Seventh).

Sir Henry James Warre was born in Cape Town, though attended Sandhurst, and later became aide-de-camp to his uncle Sir Richard Downes Jackson, Commander-in-Chief of the Forces in British North America in 1839. He might now be best known for his two published volumes: *Sketches in North America and the Oregon Territory* (1848) and *Sketches in the Crimea* (1856). However, he was active throughout his career, including his time in New Zealand where he was Commanding Officer of the 57th Regiment, based on the North Island.

The 1860s saw the peak of hostilities in the New Zealand Wars which were already fifteen years old. While the First Taranaki Conflict lasted just a year (March 1860–March 1861), the second spanned 1863–1866. The cause of the war was primarily over the confiscation of land by European settlers, in this case the forcing out of the Maori at Tataraimaka by Warre's 57th Regiment.

This accomplished example is one of the very few on the market, by Warre or any of his compatriots, that shows actual fighting — as opposed to the more common topographical or ethnographic subjects. It depicts Kaitake being stormed and captured by the troops on the 25th March, 1864. At the time, Warre commanded a force of 420 of the 57th, 70th, and Volunteers and Militia, with four guns, that moved out from New Plymouth to the base of the range. The guns were placed in position about 1,500 yards from the right of the Maori rifle-pits, and made such accurate practice that most of the defenders were driven out of those portions of the works, while a "lucky shot" from one of their Armstrong guns which set a large fire within the stockade proved decisive.

It was an important battle in the war which Warre's regiment won without loss of life; the rebels escaped "without serious loss" but were forced to abandon the district. A further battle ensued at Manutahi and Governor George Grey declared peace on 25 October that year though skirmishes continued thereafter.

Throughout his career Warre proved himself to be an accomplished topographical artist, and his sketches and watercolours have long been recognised as an important visual record of the colonial wars, many of them now held in Australian and New Zealand institutions since mid-century through the efforts of renowned collectors such as Rex Nan Kivell and Kenneth Webster. Examples are rare on the market.

Provenance: Rathbone Family of Liverpool Collection Army officer and artist.

A Hawaiian Lincoln

30 [LINCOLN (Abraham)] CHASE (Henry L.), photographer. [Carte de visite portrait photograph of Abraham Lincoln.]

Albumen photograph measuring 90 by 60mm, laid down on photographer's card. Two small holes along the left side, likely from contemporary pinning to a letter. Honolulu, c. 1865. £1,000*

This lovely portrait of Lincoln, available for customers in Hawaii, was made after Matthew Brady (Meserve 87) but here retouched and on a Hawaiian photographer's mount.

Chase opened his photo studio in Honolulu in 1862, advertising his purchase of the former gallery of Joseph W. King. After a brief stay in San Francisco the following year, he returned to Hawaii "prepared to take pictures in every style such

as ambrotypes, photographs, Melainotypes for lockets and landscapes, views of dwellings, &c.' A story in the *Honolulu Friend* of March 1, 1865 reported that Chase 'is now taking photographic views of the volcano and other island scenery, which are very good representations.' Following the assassination of Abraham Lincoln, Chase busied himself copying a photograph of the martyred president and selling prints" (Palmquist).

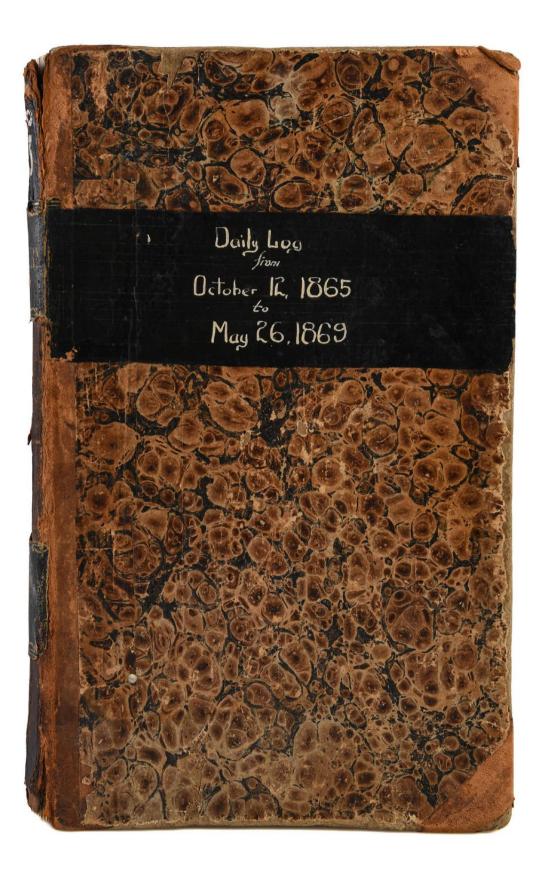
It indicates the popularity of Lincoln not just across the United States but even the Pacific. At this time Hawaii was under the reign of Kamehameha V, who ruled from 1863–1872. Hawaiians enthusiastically greeted news of the Emancipation Proclamation and Lincoln's death was front page news.

Palmquist, Peter, Pioneer Photographers of the Far West: A Biographical Dictionary, 1840–1865 (Stanford University Press, 2000), p.173.









A Key Piece of Californian Social History

[SAN QUENTIN PRISON.] Daily log book 1865–1868.

Manuscript in ink in a florid but entirely legible hand. Most leaves have manuscript entries on recto and verso, about a dozen leaves on recto only. Brown, black and blue ink on blueish lined paper, frequent red ink markings in text. Folio (330 by 200mm). Contemporary half sheep with marbled papered boards; the spine with faded gilt-lettered title "Journ." on a black sheep label. Seemingly later manuscript title on the front board. Binding rubbed, spine with cracks on hinges, corners are bumped and with tears, the first leaf is soiled, occasional foxing in text; a very good journal, written in a legible hand. 140 leaves, with printed numbers in the upper corners of recto and verso (from 63 to 400 with some gaps). San Quentin, 12 October, 1865–26 May, 1868.

£20,000

An extraordinary survival from the earliest days of the wild west. Established in 1852, San Quentin was the first penitentiary in California. This daily log provides vital information on the earliest years of the jail, the organisation of the prison, its methods, staff and inmates.

The penitentiary was constructed by inmates, who were housed on the prison ship *Waban* in San Francisco Bay. The building was designed to hold 250 inmates in forty-eight windowless cells and the name was taken from a Coast Miwok warrior who was captured there. San Quentin's doors finally opened until 1854 and it remained the only jail in California for the next thirty years. This journal of daily events covers the period in the immediate aftermath of the Civil War: October 1865 –May 1869 (with a small gap between November 6, 1865 and January 7, 1866), thus covering the second decade of its existence.

Due to the state's dire finances management of the jail was initially out-sourced to a private company, though the state assumed control of it in 1860. Governorship wasn't truly established until 1880 when Josiah Parker Ames became the first warden. This journal is replete with information, documenting daily life in the penitentiary. Incidents include the registering arrivals and discharges of inmates (often with their full names, crimes and prison terms); punishments (lashes, transfers to dungeons, lost commutation time); transfers (hospitals, dungeon etc), pardons, escapes, sicknesses and deaths; visits of government officials, including two California Governors Frederick Low and Henry Haight; plus visits of societies, celebrations, weather, an earthquake on October 8, 1865 "two heavy shocks of earthquake"; and even an assault of a prison guard by several inmates.

The entries often include full names of the inmates, providing information about nationalities of prisoners, who included people of English and European descent ("John Davis," "James McConnell," "John O'Grady," "Otto Becker," "John Schmidt," "Henry Templehoff," "Stanislaus [Lybrian?]" et al.), Jews ("Abraham Goldstein"), Latin Americans ("Jose Castro," "Pedro Juarez," "Perfecto Escalanto," et al.), Chinese ("Ah Wing", "Ah Chu", "Ah Mow" and many others), Native Americans ("Frank (Indian)," "Chappo (Indian)," "John Brown (Indian)") and others. Several entries record the imprisonment of women: "Catharine McCarthy" (p.75), "Dolores Castillo" (p.117), "Margaret Hobbard" (p.136), "Dolores Figuoroa" (p.161), "Agnes Miller" (p.202), and others. Prison guards are also named ("Captain Fitzpatrick," "Captain Curtin," "Captain Hardy"). And there are notes on the names and ranks of the officials who delivered the criminals to the prison: "Sheriff Garigas from Santa Clara" (p. 72), "Iailor from San Francisco" (p. 72), "Deputy Sherriff Morse from Alameda County" (p.76), "Sheriff Clifford of Trinity County" (p.77), "a detachment of U.S. Marines from Mare Island" (p.83), "Deputy Sherriff Belden from Nevada" (p.86), and others.

The many crimes committed by inmates read like a potted history of the wild west: larceny (p.197), manslaughter (p.198), robbery (p.202), forgery (p.203), burglary (p.205), housebreaking (p.208), murder (p.209), jailbreaking (p.210), assault to murder (p.216), assault with deadly weapon (p. 225), counterfeiting (p.227), arson (p.229), felony (p.243), rape (p.248), receiving stolen goods (p.254). This list of crimes sets the stage nicely for the many violations of prison rules by the inmates of which we learn by the record of lashings administered to them.

The violations punished by lashes include "fighting" (p.201), "stabbing" (p.216), "abusive language" (p.112), "keeping fire in his cell at night" (p. 175), "making tools for the purpose of aiding him to escape" (p. 181), "misconduct in the tailor shop" (p.100), "mutinous conduct toward the guard and employees of the brickyard and fighting" (p.128), "playing sick" (p.195), "refusing to work" (pp. 110, 202), "throwing & emptying his night bucket on the prison balcony" (p.252), "drawing a knife on a prisoner" (p.259), and others. Time in the dungeon was given for "carrying contraband correspondence through the gates" (p.195), "insolence" (p. 180), "contradicting the foreman of his shop" (p.142). Lost commutation time was given for "disobedience of orders" (p.198), "striking [another prisoner] on the head with a brick" (p.199), "stealing in shoe shop" (p.200). This is hardly a surprise given that the prison was already overcrowded by the end of its first year of operation.

However, 1865 was an important year in the history of San Quentin. A full-time physician was employed to care for the sick and those injured by the lash. Striped uniforms were first distributed among inmates (to distinguish them from the guards) and an increase in discipline reduced the number of breakouts. Furthermore, two three-story cell blocks were constructed which increased the number of cells by 396. This was still insufficient, but an improvement nonetheless.

Continued 1866 (34) to Dungeon, for being implicated in the escape meditated on the Evening of the Boist. World Minister of Prisioners Confined (669) all quit- and Orderly. Not 14 No Men working in Cooper Shop to day!
on allount of the roof ling in backy Endition
Changes! Nohn Davis from Dingeon to bell (43)
Soly Thedress from bell (279) to bell (208) Thomas Rodindo from Dingeon to bell (34) 368 M Connell and Opolemaris Severedre discharged by Exponation of Sentence The Towng, Sentenced to 3 years from Mariposa for Graceny, died, he having been ill for Some time. Total Sumber of Prisoners Confined (666) all quit and orderly 19 Me Short Deputy Thirth arrives from San Francisco in Charge of two prisoners my: George Wardwell and Catharine In Carthy Changes. Och Tong from bell (92) to Drugeon Ty Ming from bill 92 to Hospital (2) Manuel Remnet of from Boom (6) - to bell (39) Sotal Rumber of Presiners Confined (668) Sw. Wardwell assigned to bell (40) Total Mimber of Prisoners conf. 668 all giet and orduly.

Furthermore, pages 151–154 show how the prison continued to make use of the inmates' labour. Four records of "Earnings by shops in the Cal. State Prison" in May–August 1864, accounting for the money received from the prisoners' work in private and state blacksmith shops, and government-run tin, mattress, oakum, saddler, lace, show, tailor, carpenter, engraver, paint and upholstery shops.

Of real interest is the extensive entry from January 13, 1866, which describes the assault of the inmates to one of the prison guards, James Fitzpatrick. It reads: "At 4 O'clock pm while the Prisoners where at supper in the dining room, four of them seized Capt. Fitzpatrick by the throat and arms with the intention of securing him to aid their contemplated escape. Captain Fitzpatrick was severely chocked while in their hands, one of their number named Murphy brandishing a knife over his head threatening to kill him if he would move an inch …"

The history of San Quentin Prison commences roughly in tandem with California statehood and the Gold Rush: era-defining events in the American west and the history of the United States. A significant contribution towards the state's social history, this log has vast scope for further research.

McAfee, W.M., "San Quentin: The Forgotten Issue of California's Political History in the 1850s" in *Southern California Quarterly* Vol.72, No.3 (Fall, 1990), pp.235–254; McKanna, C.V., "The Origin of San Quentin, 1851–1880" in *California History*, Vol. 66, No.1 (Mar, 1987), pp.49–54.

Sotal number of prisoners Conf. 694 all quick ...

Not. 15. Sherriff of Los angeles County arrived in Charge of lever prisoners ing: Dolores Castillo 5 yes. & Domingo Lyber 5 ym.

They were assigned as follows:

Solate to Room 4 2 Domingo Lyber 5 ym.

Solate harpenter discharged Expiration of Son knee Gold unimber of prisoners conf. 695 all quit.

"In. 16 Sherriff of Nisada arrived in Charge of one prisoner vig: Do. S. Price 10 yrs. returned from new brial.

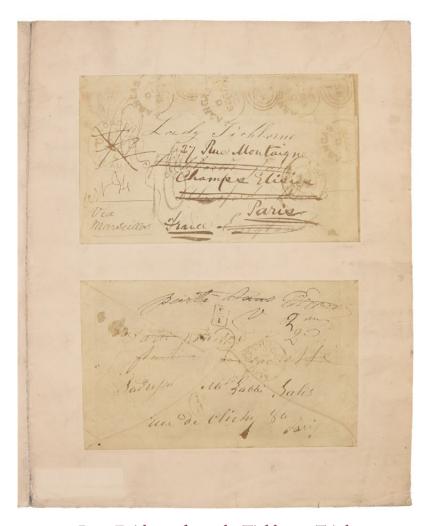
The was assigned to bell 44.

Changes: Frank Helliams from bell 44 to bell 1833.

Solat unimber of prisoners conf. 696. all quit and orderly.

Tri. 17 fat Darkin discharged — Sentince remitted

Saac Astring do Expiration of Sentince



Rare Evidence from the Tichborne Trial

32 [TICHBORNE CLAIMANT] Photographic reproductions of 16 letters from Arthur Orton and Roger Tichborne.

29 albumen photographs laid down on 15 sheets of cream card, chipped and soiled. Card measuring 235 by 360mm and 405 by 290mm. London, Mr. Bowen, Mr. Savage, and H. Barraud, c. 1874. £5,000*

An exceedingly rare group of original photograph reproductions of letters written by the Tichborne Claimant.

The letters date from Christmas day 1852 to his lover, Mary Ann Loader, signing variously as Arthur Orton, Roger Tichborne, or "The Claimant" as he was known. The other letters are to Lady Tichborne, his lawyer in Wagga Wagga, William Gibbes, and to Tichborne family solicitor, Edward Hopkins.

Thy hear and believed the other received your note dated 23th here ynote well. I was very darry to ent of poor father and flew death. as dly truow my that mother how you have bome the suspence of knowing fate so long you must not blame mathes for I believe fate had I great deal to do with it I wrote to you on the 18th Jan for the first time since! been in Eustratia you with munder my I have not wrote before Hust that I will tell you myself should and space my life to reach England em trying to get away by the Danama rout which heaves dy dung an the 15th of June. But I do not know meather the Banker here will retranse me the honey or not

My autoring bus promes to see and I have no direct with adam me the Buyer apeaking at the file my attorney be is the only friends, ever but sime I been in Eustralia But I will be able to till you in A his Kindness when Pace you we have please gud with not belong watch the lost mail at arrived with great ungesty haping to have had un unswir fram you. But frappose you had not time to write by the mail. Haping to see you shout the 20th of august Junin your held Hoges Phasto Tithosne

- 1. To Mary Ann Loader, Torquay, December 25, 1852 (2pp on a single sheet with ms. caption to margins).
- 2. To Lady Tichborne, Wagga Wagga, Jan 17, 1866 (2pp, 8vo on a single sheet likely incomplete, though Hampshire's copy is also only 2pp).
- 3. To William Gibbes, March 28, 1866, Wagga Wagga, (2pp, 8vo, ms. caption to margin "Brought home by Mr Purcell").
- 4. To Lady Tichborne, Wagga Wagga, May 24, 1866 (2pp, 8vo plus images of the envelope on a single sheet).
- 5. To William Gibbes, June 18, 1866, Wagga Wagga, (2pp, 8vo, ms. caption to margin "Brought home by Mr Purcell").
- 6. To Lady Tichborne, Sydney, June 23, 1866 (2pp, 8vo plus images of envelopes on a single sheet).
- 7. To Lady Tichborne, Sydney July 24, 1866. (3pp, 8vo on a single sheet also held at Hampshire).
- 8. To Lady Tichborne, Sydney July 24, 1866. (3pp, 8vo on a single sheet at Hampshire also held at Hampshire duplicate in smaller format with ms caption to margins on same sheet as Loader).
- 9. To Mrs Greenwood, Feb 3, 1867 (3pp, plus envelope, 8vo on a single sheet, ms. caption to margin).
- 10. To Edward Hopkins, Feb 1867 (3pp, 8vo on a single sheet, blue pencil marks to letter pages, ms. caption to margin).
- 11. To Lady Tichborne, 28 July, 1867 (2pp, 8vo on a single sheet, ms. caption to margin).
- 12. To William Gibbes, 23 August 1867, Croydon (4pp, 8vo on a single sheet, ms. annotation to first image "Brought home by Mr Purcell).
- 13. To Lady Tichborne, 3 Feb, 1868 (4pp, 8vo on a single sheet, ms. caption to margin).
- 14. To William Gibbes, n.d. (Single sheet, 8vo, ms. caption to margin).
- 15. To William Gibbes, March 17 (Single sheet, 8vo, ms. caption to margin "Brought home by Mr Purcell").
- 16. To William Gibbes, n.d., Paris (4pp, 8vo on a single sheet, ms. caption to margin "Brought home by Mr Purcell").

An example of how the letters were used is taken directly from the trial transcripts. In this case regarding item 10 above, to Edward Hopkins. On the tenth day of the trial — February 12, 1874 — before questioning the content of the letter, the Lord Chief Justice, Alexander Cockburn, notes: "There are I observe 14 printed lines in which there are two large 'I's' and 16 small 'i's'." Our copy is marked up thus,

possibly by the Lord Chief Justice himself, a colleague, or someone observing the trial. Indeed, in the top right hand corner is written "Test Letter."

On day 19 of the trial, Friday, February 27, Cockburn addresses the subject more directly: "I ask you to carefully look at the handwriting of the undoubted Roger Tichborne, of the Claimant as Roger Tichborne, and of Arthur Orton" ... (p.274).

These were reproduced as evidence in the trial, to compare Orton's hand against extant letters by Sir Roger. Only one of these letters (to Lady Tichborne, Sydney July 24, 1866) was reproduced in *The Tichborne Trial: the Evidence of Handwriting* (London, 1874).

Three of the letters are held in the Tichborne Trials Archive at the Hampshire Cultural Trust, there may also be copies at the SLNSW's Papers connected with the Tichborne Case (947221).

Cockburn, A.J.E., *The Tichborne Trial: The Summing-Up by the Lord Chief Justice of England ...* (London, Ward, Lock et al, 1874) p.135.

The Great Port-Breton Swindle

33 [NEW GUINEA] [DU BREIL (Charles Marie Bonaventure)] GROOTE (Paul de), editor. La Nouvelle France. Journal de la colonie libre de Port-Breton.

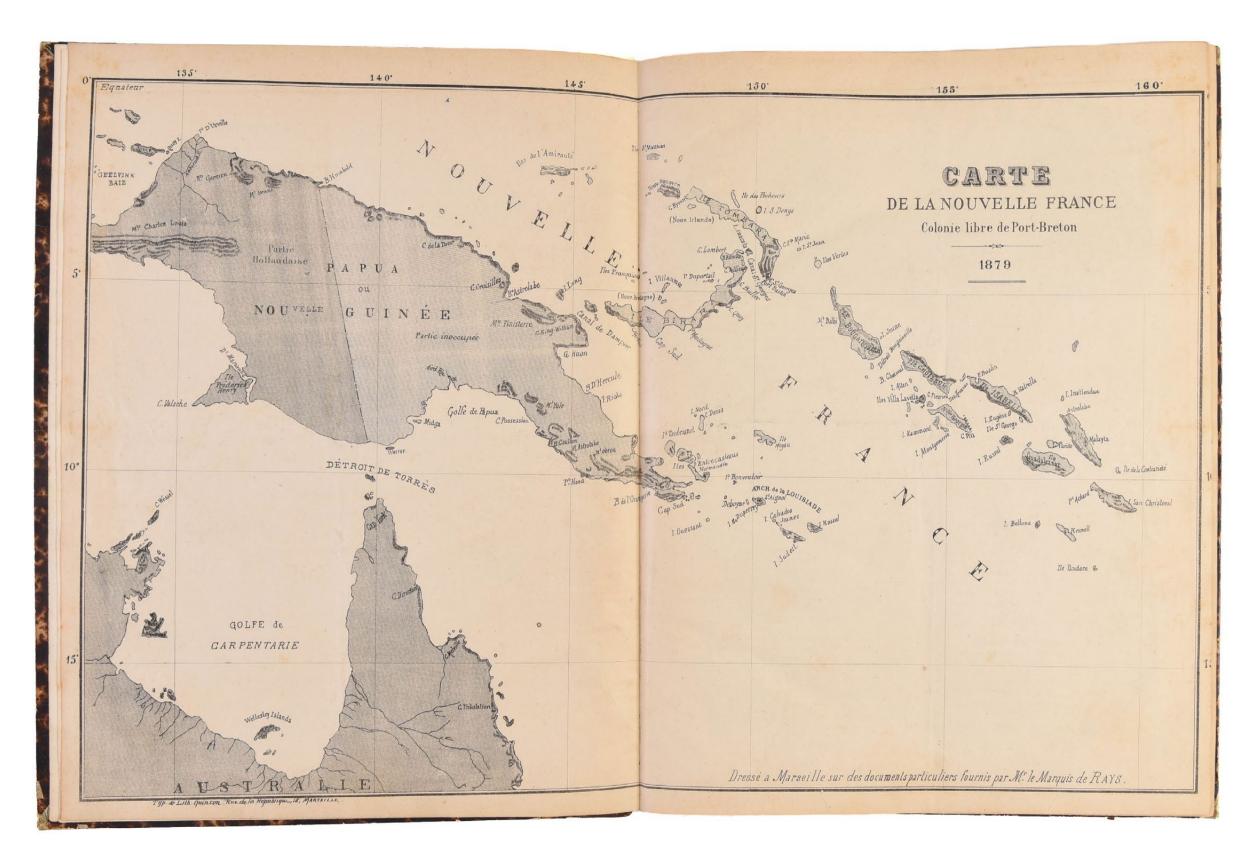
25 issues (*avis* plus 24). Profusely illustrated. 2 vols. Folio. Quarter sheep over marbled boards, red morocco labels to spine. Marseille, Bureaux [de la Nouvelle France], 1879–1881. £4,000

"La Nouvelle-France is arguably the biggest fraudulent utopian scheme ever perpetrated" (Metcalf, 105).

Everything about this project is extraordinary: the young Marquis de Rays was told by a fortune-teller that he would rule a utopia and he chose to believe them. Despite the omens along the way, he continued to believe so. First he travelled to America where he briefly, unsuccessfully, managed a ranch, then to Senegal where he proved ill-suited to life as a peanut trader. Undaunted, he tried his luck in Madagascar, then Indo-China. However, he never lost sight of his utopian kingdom.

His hopes to establish the colony at Shark Bay in Western Australia and then New Caledonia were disappointed. The Marquis de Rays settled on Port-Breton (New Ireland) having read Duperrey's voyage. Duperrey had visited Port Breton during an unlikely nine-day stretch of good weather and described it as idyllic.

In 1877, the Marquis de Rays announced it to the world. Two years later, he released a formal prospectus. Despite not having visited Port Breton, he enlarged considerably on Duperrey's account. He enlisted the help of Paul de Groote, a Belgian physician, and appointed him Consul General of New France.



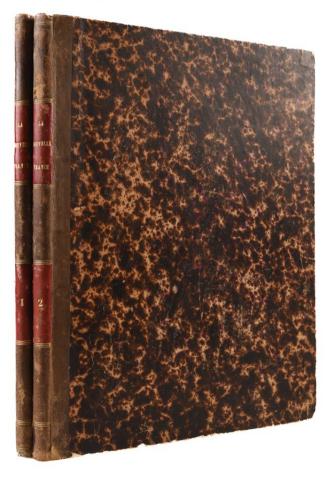


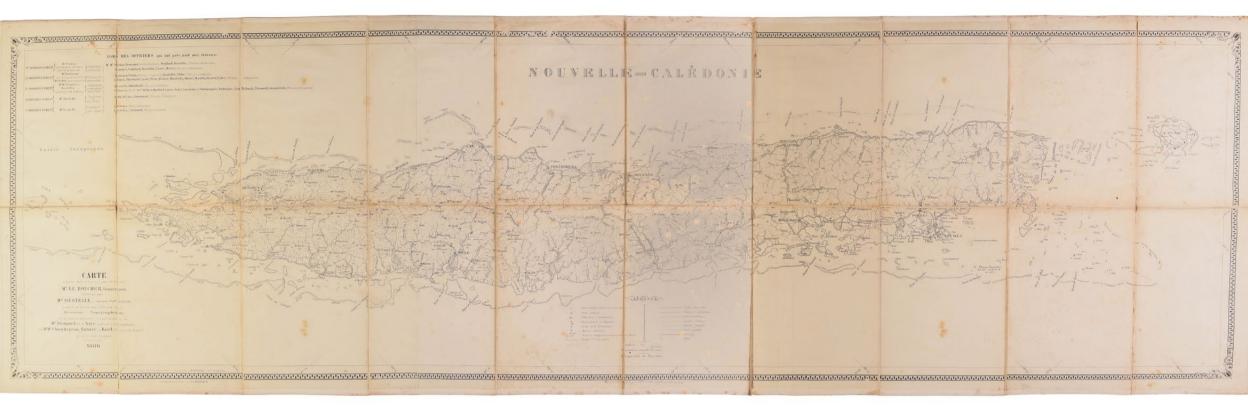
Central to the ongoing propaganda was this widely-distributed newspaper, La Nouvelle France. Issued fortnightly, and edited by Groote, it was "profusely illustrated by old engravings purporting to picture South Seas islands scenery. Prospective investors were showered with pamphlets and prospectuses. For a consideration, they could also procure a portrait of the Marquis (for sixty centimes), a map of Port-Breton (one franc), a map of La Nouvelle-France, either in

an 'ordinary' edition (fifty centimes) or in a deluxe edition (one franc) and, finally, (for two francs) the 'March of Port-Breton,' composed by the Liberian consul in Paris, one Dr. Febrer, and dedicated to the founder of the colony" (Biskup). In 1880, Groote published a self-serving, obsequious account of the colony, titled *Nouvelle France*, Colonie Libre de Port-Breton (Océanie). Oeuvre de Colonisation agricole, chrétienne et libre de Monsieur Charles de Breil, Marquis de Rays ...

The scheme coincided with the aftermath of the Franco-Prussian war, when the prospect of escaping to a utopia was tempting to many French and thus hundreds signed up — both investors and peasants — all of whom lost their money, and some of whom their lives. The stir was such it involved the governments of France, Belgium, Spain, and Britain, and several Australian colonies. The Marquis was arrested in July 1882 for criminal negligence and sentenced to six years in prison. Scarce: OCLC locates eight copies.

Biskup, P., ed., *The New Guinea Memoirs of Jean Baptiste Octave Mouton*, (Canberra, ANU), p.13; Metcalf, B., "The Marquis de Rays and La Nouvelle France" in *Utopian Studies* Vol. 22, No.1 (2011), pp.104–124.





Printed in a Penitentiary: An Extraordinary Artefact from the C19th Pacific

34 DESTELLE (Émile-Honoré), cartographer. KALITCHER (Vassile), lith. Nouvelle-Caledonie.

Lithographed map measuring 560 by 1870mm. Greek key border, dissected into 20 sections and mounted upon original linen, with a few neat contemporary mss. additions in red and black pen, with mss. short title to linen verso, sporadic spotting and toning, especially along horizontal centrefold, a few small abrasions affecting border top centre, very good. Montravel [Nouméa], Nouvelle-Calédonie, Presse lithographique de l'administration pénitentiaire à Montravel, 1886.

Rare and important: the first complete scientific survey map of Nouvelle-Calédonie.

Measuring nearly two metres, it was the product of seven years of systematic trigonometric surveys by the Mission Topographique de la Nouvelle-Calédonie, a purpose-formed elite mapping unit, with their grand final manuscript composed by the Marine Captain (later Colonel) Émile-Honoré Destelle, and published near Nouméa, Nouvelle-Calédonie by the Bulgarian convict-master lithographer Vassile Kalitcher. The map was so accurate it remained the authoritative base map of

Nouvelle-Calédonie until World War II. One of the masterpieces of cartography and lithography created in the South Pacific during the nineteenth century, the map was printed at the Presse lithographique de l'administration pénitentiaire à Montravel, a printing shop that operated inside the island's largest prison.

It's entirely apt that such an important map should be produced in a prison. In the wake of the settlement of Port Jackson, the French were eager to establish their own penal colony in the Pacific. Not just as a means to reduce the pressure on their own crowded jails, but as a strategic outpost for national interests. In 1854, on the orders of Napoleon III, New Caledonia became a French possession. The first decade was extremely difficult for the settlers, but those fortunes were reversed with the discovery of vast nickel deposits in the island's interior in 1864. In the same year, the first jail was built. Both of these things were disastrous for the indigenous Kanak population, the pressure upon whom culminated in an armed rebellion against the French in May, 1878 which lasted into the next year.

While the coasts had been extensively mapped by both the British and French navies, the interior remained largely uncharted. That lack of knowledge was exploited by the Kanaks in their rebellion and prompted the Governor of Nouvelle-Calédonie, Jean-Baptiste Orly, to establish the Mission Topographique de la Nouvelle-Calédonie in 1879. Led by Joseph-Léon Bagay, the Mission was



comprised of marines trained in engineering and surveying who were tasked with creating an accurate map of the entire island. The combination of the rugged terrain, tropical climate, and unwelcoming Kanaks ensured that the job took a full seven years to complete. This map was made primarily to aid the French military in their ongoing efforts to subdue the Kanak people as well as to support the expansion of the nickel mining industry.

While it was customary to have such a large and complex manuscript map printed in Paris, with copies sent back by express, Governor Le Boucher didn't want to wait that long. However, while printing first arrived in Nouvelle-Calédonie with the establishment of the Imprimerie du Gouvernement in 1859, and a few small private presses had been founded since, none of these were capable of publishing such a grand graphic work. Fortunately, the authorities at the Montravel Penitentiary, the island's largest correctional facility, located in what was then the outskirts of Nouméa (but today well within its limits), had recently completed a printing workshop within the jail, the Presse lithographique de l'administration pénitentiaire à Montravel, which was operated by the inmates under strict supervision.

Under the guidance of Valisse Kalitcher (1855–1905), the map rolled off the press in early 1886. The map includes contour lines track elevation, rivers, military posts, towns, tramways, bridges, post and telegraph offices, transit camps, Roman Catholic missions and even mule trails. Furthermore, in the upper left is a list of the surveyors who participated on the Mission Topographique de la Nouvelle-Calédonie, matched to the localities of their operations.

This map is not to be confused with the two copies made in Paris. The first printed the same year by C. Gallet, *Carte de la Nouvelle-Caledonie* (Erhard Freres, 1886) is at a reduced scale of 1:400,000. The following year, a massive five-sheet version was issued, being the *Carte de la Nouvelle-Calédonie et de ses dépendances*, *dressée ... par les officiers de la mission topographique ... 1879–1880* (Imp. Dufrenoy, 1887), at a scale of 1:107,941.

The map would have been published in only a very small print run for local consumption. Furthermore, that it was such a large object, produced in the tropics, ensured a very low survival rate. We can trace only a single institutional example of the map, held by the *Mus*ée *national d'histoire naturelle* (Paris), though there must be one or two others in French institutions.

A Turning Point for the City

35 [SAN FRANCISCO EARTHQUAKE.] [15 panoramic photographs of Nob Hill, 1906.]

15 photographs measuring approximately 85 by 295mm. Typed carbon captions to verso of each, one image lacking top right corner, some light fading but very good. [San Francisco, 1906.] £3,250*













The first tremors were felt at 5:12am on the morning of 18 April, 1906. In what is estimated to be a 7.9Mw earthquake lasting about a minute, the effects were felt from Eureka to the Salinas Valley. Roughly 3,000 people were killed and 25,000

The photographs are captioned as follows:

- 1. "Looking across Market showing the effect the earthquake had upon City Hall with Hall of Records at the right with dome."
- 2. "Howard St. sout[h] ..."
- 3. "Van Ness Ave. Mr. Spreckles house on the left, the Fairmont hotel at extreme right [top corner missing, but only sky]."
- 4. "Looking West on California St. from a point near Market."
- 5. "Market St. West of 6th."
- 6. "Nob Hill, Calif. St. showing on the right Stanford & Hopkins' homes, on the left ruins of Crocker, Huntington Floods & the Fairmont."
- 7. "So. of Market looking toward Market showing on the left Kohl., Rialto and ruins of Palace Hotel."
- 8. "Howard & 5th looking toward Market with U.S. Mint on the left."
- 9. "Market st. showing ruins of Hibernia Sav. Bank on the left."
- 10. "Looking toward Market from the corner California & Taylor Sts."
- 11. "Entrance to the Golden Gate."

buildings were destroyed over 490 city blocks. This evocative group of images record the immediate devastation of the 1906 San Francisco earthquake.

- 12. "Cor. Montgomery & Calif. looking west showing Ger. Sav. & S.F. San Union."
- 13. "View on Market St. with ruins of Hibernia Sav. Bk on left."
- 14. "California St. at its junction with Market showing Mr. Frothingham just after he had served 1 1/2 hours throwing bricks."
- 15. "3rd St looking towards Market."

Thanks to the development of the Kodak by George Eastman in 1888, and the release of the Brownie in 1895, "the earthquake and fire of 1906 was one of the best documented disasters of its time" (Dicker). The captions suggest the images were taken by a press photographer, but none of the captions below seem to look up nor are there any studio names on the negative. They were probably taken on a recently-released cirkut camera on the day itself or shortly thereafter. In contrast to George Lawrence's aerial panoramas, these show what life was like on the ground and are altogether more intimate. One of the most striking things about them is the formality of the many people in the photographs — women are in traditional, long-sleeved dresses, men are in suits and hats — wandering through the ruins as though they were hundreds of years old rather than hours.

It's very rare to see so substantial a set of images of this event.

Dicker, L.M., "The San Francisco Earthquake and Fire: Photographs and Manuscripts from the California Historical Society Library" in *California History*, Vol. 59, No. 1 (spring, 1980), p.37.

CONTRACT

THIS AGREEMENT, made and entered into this ______ day of April. 1911, by and between FRANK J. BOUDINOT, of Fort Gibson, Oklahoma, party of the first part, and DANIEL B. HENDERSON, of the City of Washington, District of Columbia, party of the second part.

WITNESSETH: That whereas the said Frank J. Boudinot is the duly appointed attorney in fact for the Keetoowah Society, a corporation organized under the laws of the United States, embracing in its membership several thousand Cherokees by blood, members of the former Cherokee Nation; and,

WHEREAS, by the terms of his appointment and employment he is authorized and empowered, and it is his duty, to prosecute a claim or claims against the United States for the value of a certain tract of land belonging to the Cherokees, and known as the Cherokee Outlet, and to that end to employ attorneys to assist in the work of so doing and represent him and the said Cherokees by blood in the premises; and

WHEREAS he has selected and employed the said Daniel B. Henderson as one of such attorneys and associate counsel, and has assigned unto him a one eighth interest in the fees authorized by the said Keetoowah Society to be paid for such services, as well more aerinitely and fully appear from the power of attorney given unto the said Frank J. Boudinot by the said Keetoowah Society, dated the 30th day of August, 1910, a copy of which power of attorney and contract for fees is hereto attached;

NOW THEREFORE, the said Frank J. Boudinot does hereby ratify and confirm all assignments heretofore made to the said Daniel B. Henderson in the premises, and noes agree to take all necessary and proper steps to keep the contracts herein referred to with the Keetoowah Society, and with individual Cherokees, in force and effect so long as may be necessary for the com-

CALIFORNIA HIGHLIGHTS

Seeking Compensation from the US Government for Land Allotted to the Cherokee Freedmen

36 BOUDINOT (Frank J.) [Contracts and documents regarding the Keetoowah Society's legal actions, led by Frank J. Boudinot, to obtain compensation from the United States for the land parcel known as the Cherokee Outlet, in particular for land allotted to the formerly enslaved Cherokee Freedmen.]

Typescript (4ll) and carbon copy (5ll) with manuscript notes, signatures and underlinings. On foolscap sheets of onionskin paper, rectos only, held in a card half-folder with three triangular paper clips at the top edge. Old folds, paper cockled, paperclips rusted, closed tear to back wrapper along fold. Text entirely legible. Each leaf initialled "D.B.H." [Daniel B. Henderson]. 9ll. Fort Gibson, Oklahoma, Tahlequah, Cherokee County; Washington, D.C., 1910–1911.

A rare clutch of documents describing a complex moment in the history of Cherokee legal claims against the United States — here seeking compensation for the US Government's "apportion to the Cherokee freedmen and their descendants certain lands, moneys, and other things of value, that belonged to the Cherokee people". This pertains to the 1870s sale by the Cherokee Nation of a parcel of land called the Cherokee Outlet (a 60-mile-wide strip just south of what is now the Oklahoma-Kansas border), and the U.S. Government's stipulation that the formerly enslaved Cherokee freedmen have a share in this allotment.

The action would culminate in the 1912 case before the Supreme Court Cherokee Nation v. Whitmire, 223 U.S. 108, at which the two signatories of these documents, Frank J. Boudinot and Daniel B. Henderson, acted as *amici curiae*.

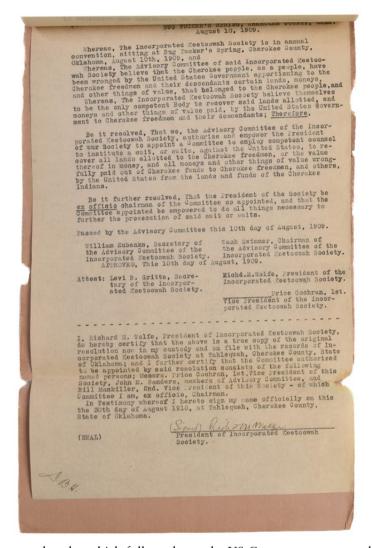
The documents comprise:

- 1. Contract. Typescript original contract between Frank J. Boudinot, on behalf of the Keetoowah Society, and Daniel B. Henderson, appointing the latter as an attorney empowered to pursue "a claim or claims against the United States for the value of a certain tract of land belonging to the Cherokees". Signed by both. 29th April 1911. 2pp.
- 2. Assignment of an Interest in a Certain Cherokee Contract. Typescript original contract between Boudinot and Henderson, the former selling the latter for one dollar a 10% interest in a contract between Boudinot and the Keetoowah Society, dated 30 August 1910. Signed by Frank Boudinot, 29th April 1911. 1p.
- 3. Assignment of an Interest in a Certain Cherokee Contract. Typescript original contract between Boudinot and Henderson, the former selling the latter for one dollar a 12.5% interest in a contract between Boudinot and the Keetoowah Society, dated 30 August 1910. Signed by Frank Boudinot, 29th April 1911. 1p.

- 4. Contract. Carbon copy contract between the governing board of the Keetoowah Society and Frank J. Boudinot, to empower him to act as their attorney. The members of the Keetoowah Society listed in the contract are: President Richard M. Wolfe, First Vice President Price Cochran, member of the Advisory Committee John M. Sanders and Second Vice President Bill Mankiller. The contract was made in Tahlequah, Cherokee County in the State of Oklahoma, and concerns the attempt to recover remuneration for "certain lands granted to the Cherokee by the treaties of 1828, 1833, 1835 and 1846" which were subsequently allotted or sold by the U.S. Government in a way that the Keetoowah Society saw as in breach of these contracts. The proceeds of these recouped funds would then be distributed "per capita to members of the Cherokee tribe entitles thereto," except for the fee payable to Boudinot: 25% on any recoveries. 30th August 1910. 3pp.
- 5. Resolution. Carbon copy contract further authorising Boudinot to take such action necessary on behalf of the Keetoowah Society in pursuit of their claims. Signed in copy, Richard M. Wolfe, President. 30th August 1910. 1p.
- 6. Bug Tucker's Spring, Cherokee County, Okla. August 10 1909. Carbon copy resolution from a meeting between the Incorporated Keetoowah Society and The Advisory Committee wherein the society decided to "authorize and empower the President of our Society to appoint a Committee to employ competent counsel to institute a suit, or suits, against the United States, to recover the lands allotted to the Cherokee freedmen, and others, from the lands and funds of the Cherokee Indians." The advisory committee comprised William Eubanks, Levi B. Gritts, Wash Swimmer, Richard M. Wolfe and Price Cochran. 1pp.

The Cherokee Freedmen were individuals who had been enslaved by members of the Cherokee Nation, and following emancipation, were in 1866 granted by treaty between the Cherokee and the United States, hereditary membership to the tribe. In order to activate this right, the Freedmen had to settle within the Indian Territories, otherwise they would be granted US citizenship instead. Many, but not all, of the freedmen were of mixed Native and Black heritage.

In the wake of the devastating Indian Removals Act of 1830, the Cherokee people were forced to migrate from their ancestral Appalachian homelands to the Indian Territories west of the Mississippi. This catastrophic displacement, known as the Trail of Tears, included many enslaved people who were relocated by their Cherokee owners. The practice of chattel slavery continued in the Oklahoma territories, with many of the Cherokee running plantations, or simply having enslaved labourers within their households. Following the end of the American Civil War and Lincoln's Emancipation Proclamation of 1863, the Union faction of the Cherokee Nation issued their own Emancipation Proclamation granting freedom to enslaved people within the Indian Territories. Crucially, and unlike the US Proclamation, this did not automatically grant the Freedmen citizenship to the Cherokee Nation. This omission necessitated the 1866 treaty with the United States.



The two decades which followed saw the US Government encroach further and further upon the rights of tribal sovereignty, culminating in 1887 with the Dawes Act, which forced the allotment of tribally owned land to individual owners. The Dawes Commission produced a roll of tribal members, separated into three categories: by blood, freedmen, and intermarried whites — all of whom were entitled to their apportions of tribal land. Of course, the intention was not simply to standardise land ownership practice across the United States, but rather to weaken the Indigenous Nations by enabling white settlers to purchase parcels of land in their territories, ultimately undermining their sovereignty. In the years that followed, the US Government dismantled the Cherokee Nation's civic institutions, weakening them to the point of disincorporation. "By 1907, the same year the Cherokee Nation was officially dissolved and Oklahoma became a state, 4,208 Cherokee freedmen had received allotments" (Sturm, 244).

The Keetoowah Society was a traditionalist core of Cherokee leaders who sought to maintain some semblance of a tribal council in the aftermath of this dissolution, and the present series of documents see them enlist legal assistance in pursuing compensation for land allotted to the Cherokee freedmen. They describe themselves in the text as "a corporation organized under the laws of the United States, embracing in its membership several thousand Cherokees by blood, members of the former Cherokee Nation". By blood is a significant qualifier, implicitly inferring the omission of Black freedmen from this definition of Cherokee. This is an about face from a pre–1861 incarnation of the Keetoowah Society, who have been described as a "secret abolitionist society" (Grinde & Taylor, 212).

Frank Josiah Boudinot / Kaw-La-Nah (1886–1945) was a member of the Cherokee Holly clan. He was educated at Bacone Indian University in Muskogee Oklahoma, after which he studied law at the University of Michigan. After graduating, he served as the attorney and council to the Keetoowah society of Cherokees, clerk to the Cherokee Supreme Court, and was elected in 1895 as Principle Chief of the Cherokee Nation. In 1896 he stood before the Dawes Commission in his official capacity as attorney of the Cherokee Nation.

Daniel B. Henderson (1862–1940) was a white lawyer who specialised in representing Native American interests in the American courts. He also worked with the Assiniboine, Klamath and Modoc Nations.

The case that these documents built towards, *Cherokee Nation v. Whitmire*, 223 U.S. 108 (1912), was an appeal against a ruling enforcing the Department of the Interior's Kern-Clifton roll as a definitive census of the Cherokee Nation. This roll contained the names of certain Cherokee freedmen who the Keetoowah Society objected to receiving a portion of the \$8,595,736 paid by the United States to the Cherokee Nation for the piece of land known as the Cherokee Outlet. The particular objection related to whether they (or their ancestors) had moved back into the territory within the six month grace period following the 1866 treaty with the United States. The appeal was successful, and the Kern-Clifton roll found to be ineligible.

The Cherokee freedmen's battles for legal recognition as enrolled member of the tribe continue to this day. It was only in 2021 that the Cherokee Nation's Supreme Court ruled to remove the wording "by blood" from their constitution, in recognition of the freedmen's rights to claim Native Citizenship through their status as the descendants of enslaved people.

CHEROKEE NATION v. WHITMIRE, 223 U.S. 108(1912) https://caselaw.find-law.com/court/us-supreme-court/223/108.html - accessed 24th Nov 2023; Sturm, Circe. 'Blood Politics, Racial Classification, and Cherokee National Identity: The Trials and Tribulations of the Cherokee Freedmen' in *American Indian Quarterly*, Vol 22, No. 1/2, (Winter–Sping, 1998) pp.230–258; Grinde Jr., D. A. & Taylor, Q. 'Red vs Black: Conflict and Accommodation in the Post Civil War Indian Territory, 1865–1907' in *American Indian Quarterly*, Vol 8, No. 3, (Summer 1984) pp.211–229.

Advertising a Multimedia Show by The Photographer of "The North American Indian"

37 CURTIS (Edward S.). Intimate Life Story of a Vanishing Race ... Lecture Illustrated with Mr. Curtis' Own Incomparable Art Slides - Vivid Motion Pictures

Three-colour lithographed broadside on two pieces of poster board. Together measuring 355 by 555mm. A few small areas of expert restoration, mainly at fore-edge of left hand panel, otherwise very faint rippling and minor rubbing, else very good. Chicago, The National PTG. and ENG. Co., 1911–12.

£3,500*

Photographer and ethnographer Edward Sheriff Curtis (1868–1952) was, by 1911, four years into the publication of his magnum opus *The North American Indian* (1907–1930). In spite of a \$400,000 cash injection from J. Pierpont Morgan, funds were rapidly depleting due to the high overheads on this lavish production, and a reluctance to compromise on quality. As such, Curtis devised this "musicale", *The Indian Picture Opera*, in order to drum up interest in and revenue for the twenty volume set of photogravures, still considered to be a landmark work of Western and Indigenous Americana.

The touring production, which the present broadside advertises, comprised a lecture programme, illustrated with magic lantern slides of his photographs, in some cases colourised for added effect, and projected with the state of the art stereopticon. Alongside these were clips of motion picture which Curtis had also recorded in the field, all with an orchestral accompaniment of music composed by Henry F. Gilbert, based on Curtis's wax cylinder recordings of traditional Native music. Curtis's narration drew from his own observations and anecdotes, which despite his lack of formal education, were well received in academic ethnographic circles.

Much like the Wanamaker-funded expeditions of Joseph K. Dixon happening at the same time, the onus of Curtis's reportage from Indian Territory was on the misplaced concept of the "Vanishing Race" — a way of life to be documented before it disappeared entirely. Curtis's preoccupation with technology meant that he approached this mission with the latest advances in image recording equipment. He would go on in 1914 to shoot the first feature length film with a wholly Indigenous American cast, *In the Land of the Head Hunters*, a documentary on the Kwakwaka'wakw people of Queen Charlotte Strait. That film was also toured as a fundraising initiative for *The North American Indian*, however was even less successful than *The Indian Picture Opera*. He ultimately sold the rights to the American Museum of Natural History in New York.

Neither of these ventures were as lucrative as Curtis had anticipated, and ultimately he had to beg further patronage from the Morgan family for the funding



INTIMATE LIFE STORY OF A VANISHING RACE IS TOLD BY

EDWARDS. CURTIS

NORTH AMERICAN INDIAN

INCOMPARABLE ART SLIDES ~VIVID MOTION PICTURES

SPECIAL INDIAN MUSIC FULL OR CHESTRA TRAVELING WITH
RENDERED BY

required to complete *The North American Indian*. In spite of the personal and professional problems it caused for Curtis, when the final volume was concluded in 1930, the publication included over 2,200 photographs documenting people and ways of life from over a hundred Native Nations. Curtis had by this stage moved to Los Angeles, where his experience shooting moving pictures in Indian Territory and the Pacific Northwest set him in good stead for a career as a Hollywood cameraman.

The present advertisement is known in only one other copy, held at Princeton University. Their copy is also in two halves, suggesting that this is how it was issued, perhaps designed as a theatre lobbycard. The sepia tones of the text and illustration echo the distinctive palette of Curtis's famous photogravures.

The First Anzac Banquet

38 [AUSTRALIA AND NEW ZEALAND ARMY CORPS.] ANZAC Anniversary Day.

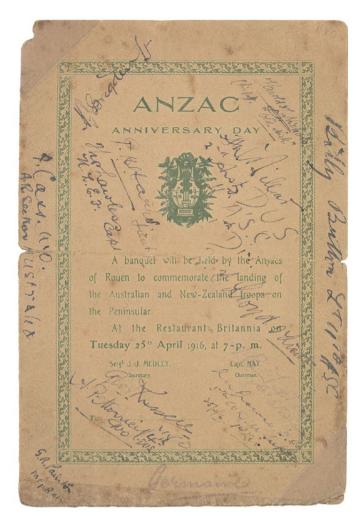
Printed menu in green ink with decorative border. 12mo (195 by 130mm). Old fold, some edgewear, ms. signatures in ink. 4pp. London, April, 1916. £2,250

"A banquet will be held by the Anzacs of Rouen to commemorate the landing of the Australian and New-Zealand troops on the Peninsular." The feast was held at the Restaurant Britannia and the menu is signed in print by Sergeant J.J. Medley and Captain May.

The importance of the Gallipoli landings to Australia's national identity was felt immediately. It might be said that it was the event when Australia, then an independent nation of just fifteen years, *became* Australia. The very first ANZAC day — Tuesday, 25 April 1916 — was commemorated in ceremonies and services in Australia and New Zealand, a sports day was held in the Australian camp in Egypt. In London, more than 2000 ANZAC troops marched through the streets to Westminster Abbey, where a special service was held with King George V in attendance.

This hitherto unrecorded menu was for a celebration that evening and is signed by 16 of the attendees: twelve were Australian, three from New Zealand and an English lieutenant. The names include Leslie Roy Tiptaft (2653) 1st Aus DUS and head of the executive committee; Secretary Sergeant J.J. Medley; Treasury Warrant Officer G.J. Russell. There are others, notably, William "Billy" Button Lt. 11 ASC who was with the 4th Pioneers, and H.J Brigden 1st Aus Div train gave one of the speeches.

Other autographs include F.Cass ATO, A.R. Section Australia (Service #1213); L. Durand R.N. N.Z. ASC; Thos. Lawless, N.Z.E.F. Captain; T. Loyd Lieut; A.W. Millar, 2nd Aust. DUS 11th ASC 1st Div; A.P. Morrice W.O. 4th DUS (Service



#58604); Harold N. Nichols "Old Nick," 12t Aus. Infantry (Service #633314); A.C. Orr 3rd ADUS; G.R. Painton, Major RA; L.C. Parker Lt. Dac Recats; R.N. Prowse 5th A.L.U. 1st Div (Service #8658); W.D. Young; T.L. Hindley 2 Lieut N.Z.

As is common with such themed events, the menu adopts a number of names and locations. Commencing with "Rations a la Gallipoli" there are two soups: Creme "Walker's Ridge" and Consommé "Quinn's Post." Fish dishes include Lemons Soles de la "Brighton Beach" and diners could also choose from ANZAC cutlets and Sauce a la "Beachy Bill", and "Hellspit roast filet beef." This continues through the vegetable sides, desserts and even the wine.

A list of toasts includes songs such as "Boys of the Dardanelles", "Mother Macree", and "The Anzacs will be there." Speeches were given by Lieut Dick "Army and Navy", Lieut G. Gardner "Reply to the ANZACs" and Lieut H.J. Bridgen "Our AIN folk." Finally, J.J. Medley gave the toast to fallen comrades. Exceedingly rare. Not on OCLC, not in Trove, not at the Turnbull.



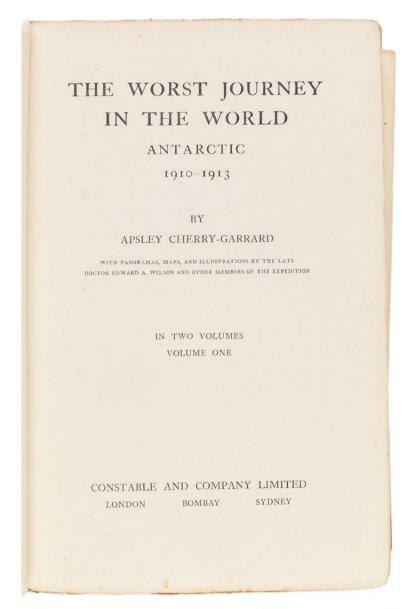
"A War is like the Antarctic ... there is no getting out of it with Honour as long as you can put one foot before the other."

39 CHERRY-GARRARD (Apsley). The Worst Journey in the World. Antarctic 1910–1913.

First edition. 2 vols. 5 maps (4 folding) & 6 colour plates, with numerous other illustrations including several panoramas. 8vo. Fine original linen-backed pale blue boards, with printed paper labels, these very slightly soiled, bookplate to front pastedowns. lxiv, 300, [4]; viii, 310–585pp. London, 1922. £7,500

"The best written and most enduring account of exploits in the Antarctic" (Taurus). This is an excellent copy of Cherry-Garrard's (1886–1959) renowned narrative of Scott's Last Expedition, from the departure from England in 1910 until its return in 1913, in the preferred polar binding of linen-backed blue boards.

Educated at Winchester College and Christ Church, Oxford, Cherry-Garrard was made assistant zoologist of the *Terra Nova* expedition. He's best-known for accompanying Henry Bowers and Edward Wilson on a 105-kilometre journey to collect Emperor Penguin eggs at Cape Crozier, at the eastern end of Ross Island. "No previous Antarctic expedition had attempted a major excursion during the depth



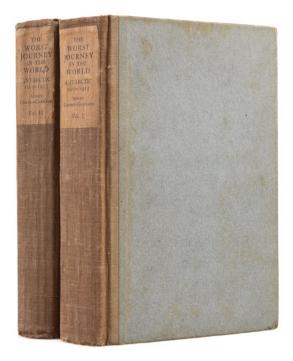
of the Antarctic winter" (Howgego). They departed on 27 June, 1911, pulling two sledges with six-weeks' rations. They passed Hut Point and Cape Armitage before ascending to the Ross Ice Shelf. Conditions were so miserable and dangerous, the dark relentless, and the weather so cold (as low as -61°C) that Cherry-Garrard famously shattered his teeth. Of the six eggs they gathered from the rookery, three broke on the return to their makeshift igloo. Inclement weather was a constant and gale-force winds blew their igloo's canvas roof away, exposing the men to the worst of the weather. Cherry-Garrard's sleeping bag weighed more than twelve kilograms from all the frozen sweat. They returned to Cape Evans on 1 August, the remaining three eggs miraculously intact.

Of course, there was the march to the pole, too. He accompanied Scott's polar party as far as Beardmore Glacier, and was a member of the second-supporting party to be sent back. On 26 February, along with the dog handler, Dmitri Gerov, he set off for One Ton Depot arriving on 3 March, looking to meet and support the polar party on their return. They waited a week to no avail, and again inclement weather made travelling further south impossible. On 10 March, they deposited additional supplies and turned back. Finally, Cherry-Garrard was a member of the search party for Scott's body which was found alongside those of Wilson and Bowers.

Like so many other Antarctic explorers, Cherry-Garrard returned home only to face fighting in World War One. He served in Belgium before being invalided out in 1916 and used his long convalescence to write *The Worst Journey in the World*. The intervening years meant that he was able to consult widely, drawing not only from his own experiences but also from Scott's diaries, Thomas Griffith Taylor's *With Scott, The Silver Lining* (London, 1916), George Levick's *Antarctic Penguins* (London, 1914), Raymond Priestley's *Antarctic Adventure* (London, 1915), William Lashley's diary (his account in its first appearance), C.J. Wright's otherwise unpublished diary, the meteorological logs kept by Bowers, and even, perhaps inevitably, Amundsen's *The South Pole* (London, 1912).

It's not only the best account of the Scott's Last Expedition, it is the most considered and the most satisfying of any Heroic Age narrative. Edward Wilson's sketches supplement the photographic illustrations.

Howgego III, S13; Rosove, 71.A1; Spence, 277; Taurus, 84.



CALIFORNIA HIGHLIGHTS MAGGS BROS LTD

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

Circular Letter

April 15, 1938.

TO: SUPERINTENDENT, NAVAJO AGENCY.

In recent years the Office of Indian Affairs has become increasingly concerned with the preservation and use of the native languages. Prior to this time such interest has been limited largely to missionary groups and scientific bodies who have produced simple and satisfactory alphabets with which a written form of these languages has become possible. The Navajo Indians, who today are the largest Indian tribe, numbering between 45 and 50 thousend, remain the one large group for whom such means of communication has not been provided. In this case our concern has been of a prectical rather them a sentimental character, for despite the recent increase in educational opportunities provided for Navajo youth, it is estimated that approximately 90% of these Indians at the present time make little or no use of English.

Intercommunication and understanding between the Navajo people and representatives of the government on the vestly improved when written communication in the Navajo language becomes possible. It is believed that a written form of the language will facilitate interpreters in their translation of addresses, afford native judges an opportunity for making court records in their own language, permit written records of tribal procedure, and provide an opportunity to record the great body of oral literature which is the heritage of this tribe. In addition, of course, there is an archeological and ethnological interest connected with the preservation of permanent records of the language for scientific purposes.

The Indian Office has cooperated with several research projects looking to the development of an adequate alphabet to actisfy these needs. Several years of study revealed that there were two types of written language which might be developed, the first with a highly accented phonetic alphabet calculated to record for posterity the sound as well as the structure of the Navajo language and therefore highly useful for scientific research. Great credit is due Dr. Edward Sapir and Father Berard Hails of St. Michael's Catholic Mission on the Navajo reservation for the work which they have done in the development of such a scientific alphabet which it is believed will prove of inestinable benefit to ethnologists in their study of Navajo culture. And an equal credit is due Messrs. Oliver LaFarge

Outlining Navajo Orthography for the First Time

40 COLLIER (John). Circular Letter from John Collier at the United States Department of the Interior Office of Indian Affairs, Washington D.C.

Three typescript leaves stapled at upper left corner, light toning but otherwise near fine. [5]pp. United States Department of the Interior, Office of Indian Affairs, Washington D.C., 1938. £750

LETTERS WHICH MUST NOT BE USED

There is no place in Navajo for the following letters, and there is no excuse for using them: B, D, F, W, R, V.

DIACRITICAL MARKS

Diacritical marks are not necessary for ordinary correspondence, and no attempt should be made to teach them in ordinary schooling. They can be useful for more exact work, and for helping outsiders to pronounce the language. The use of a comma to indicate masality has already been explained.

The other marks are concerned with pitch - that is to say, the tone in which a vowel is pronounced - and leap - the change from one tone to another.

- (1) Unmarked vowels are understood to have low pitch (of course the second vowel of a doubled vowel has the same pitch as may be indicated on the first).
- Acute accent (/) placed above the vowel shows high pitch. N also occurs.
- (3) Circumflex accent (^) placed above the vowel shows downward leap.
- (4) Wedge (✓) placed above a vowel shows upward leap.

Punctuation and capitalization should be as in ordinary English usage.

Henceforward, this system will be used in the recording of personal and geographical names on the Navajo reservation; in instruction in written Navajo in the elementary and secondary schools of the Navajo reservation where such instruction is deemed desirable; and in instruction of adult Navajos, agency employees, and others desirous of acquiring skill in the written language. The Education Division is hereby directed to take such steps as may be necessary to introduce and facilitate the use of this written form of the language, and the superintendent of the Navajo Service and the Director of Education are requested to set up a cooperative committee of Navajos and those familiar with the use of this simple alphabet, to determine upon the spelling of place names and words in common use, from whose decisions there may be developed, ultimately, an adequate and useful dictionary of the Navajo language.

(SIGNED) John Collier. Commissioner.

21571

Addressed to the Superintendent of the Navajo Agency, the letter begins: "In recent years the Office of Indian Affairs has become increasingly concerned with the preservation and use of the native languages." It then outlines the Department's motivation to establish a fixed orthography for the Navajo language, which until the 1930s had no standardised written form. The rest of the document describes the necessary adaptations of the roman alphabet, as well as giving specific pronunciations, diacritical marks, and the means of representing the clicks characteristic of Navajo speech.

John Collier (1884–1968) was the Commissioner for the Bureau of Indian Affairs under President Franklin D. Roosevelt's administration, from 1933 to 1945 and was chiefly responsible for the "Indian New Deal". In particular, he oversaw the Indian Reorganization Act of 1934, through which he attempted to reverse a long-standing policy of cultural assimilation of Native Americans, and instead to implement systems for the preservation and perpetuation of their distinct history and culture. This circular letter refers to writer and anthropologist Oliver La Farge (1901–1963) and linguist and ethnologist John Harrington (1884–1961), as well as Catholic missionaries Dr. Edward Sapir and Fr. Berard Haile, all of whom contributed to the development of the Navajo orthography.

This late development of a written form of the Navajo language was to serve the United States unexpectedly just a few years later during World War Two. The US Army employed Navajo speakers as "code talkers" to transmit secret radio messages, safe in the knowledge that there were at that stage no published dictionaries with which the enemy might decipher any intercepted speech. No copies located through OCLC.