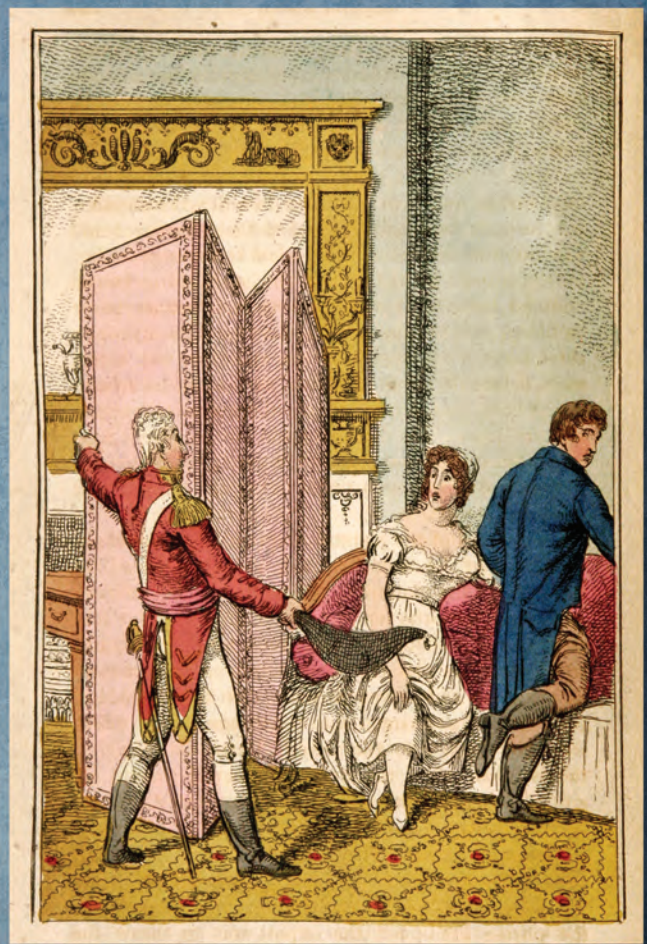
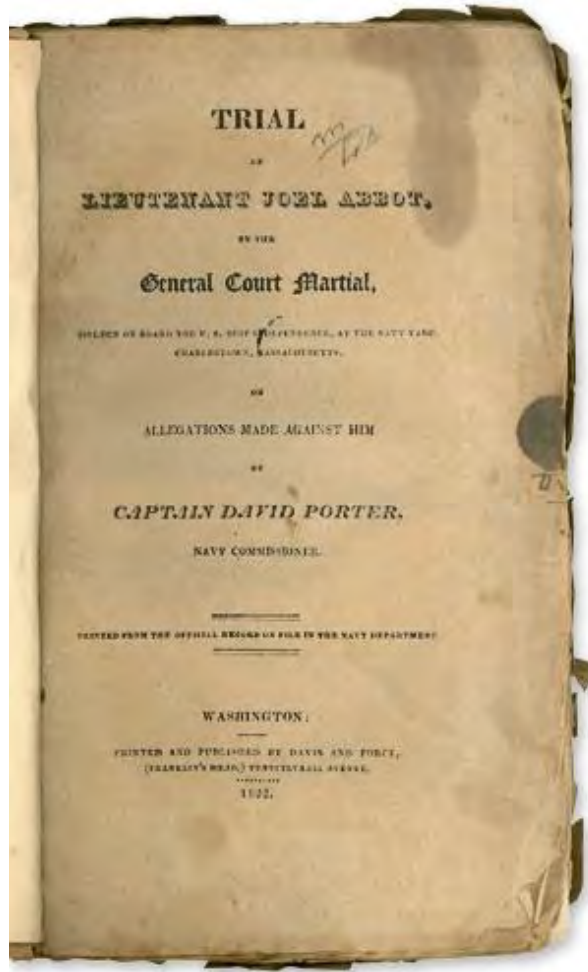


# 30 American & English Trials 1670–1877

October 8, 2019



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### Early U.S. Navy Court Martial

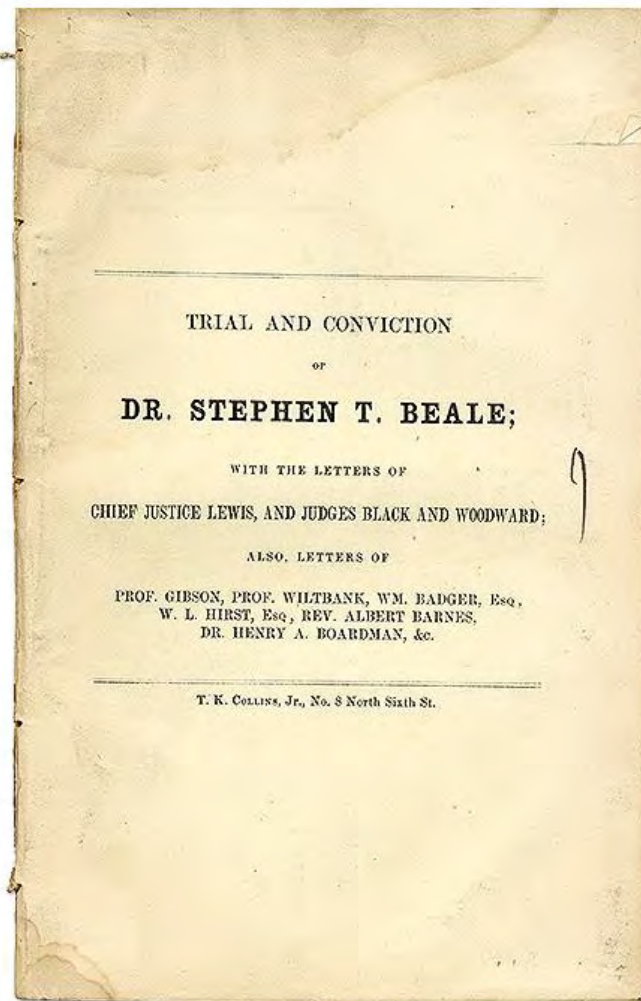
#### 1. [Trial].

#### Abbot, Joel [1793-1855], Defendant.

*Trial of Lieutenant Joel Abbot by the General Naval Court Martial, Holden on Board the U.S. Ship Independence, at the Navy Yard, Charlestown, Massachusetts, on Allegations Made Against Him, by Capt. David Porter, Navy Commissioner. Printed From the Official Record on File in the Navy Department.* Washington: Printed and Published by Davis and Force, 1822. 152 pp. Octavo (9" x 6").

Stab-stitched pamphlet in plain wrappers, contemporary hand-lettered label to front board, uncut edges. Moderate rubbing with wear to corners and spine ends, front cover just beginning to detach at head. Several uncut signatures, light browning and occasional light foxing to text. Small inkstain to title page, interior otherwise clean. \$125.

\* First edition, issued the same year as the Boston imprint published by Russell and Gardiner. With an appendix containing texts of documents relating to irregularities at the Boston naval station and the misconduct of the naval agent, Amos Binney. Abbott was a decorated naval officer who fought under Commodore Rogers on the frigate *President* during the War of 1812. "In March 1822...he discovered a series of frauds upon the government... [and] made very serious charges against his commandant, Captain Isaac Hull. Failing to prove these accusations when brought before a court-martial, Abbot was suspended from the naval service for the period of two years.": *Dictionary of American Biography* 1:14. Cohen, *Bibliography of Early American Law* 13395. [Order This Item](#)



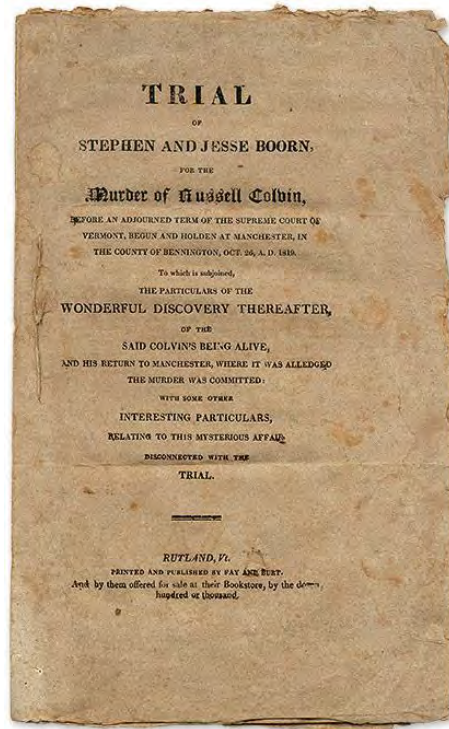
### Raped Under Anesthesia by Her Dentist

#### 2. Beale, Stephen T., Defendant.

*Trial and Conviction of Dr. Stephen T. Beale; With the Letters of Chief Justice Lewis, And Judges Black and Woodward, On His Case. Interesting Ether Cases, And the Letters of Prof. Gibson, Prof. Wiltbank, Wm. Badger, Esq., W.L. Hirst, Esq. Rev. Albert Barnes, Dr. Henry Boardman, &c.* Philadelphia: T.K. Collins, Jr., 1855. 30 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers removed from a volume, rear wrapper lacking. Faint dampstaining to head and lower corner at foot of spine through first half of text block, light soiling to exterior, minor tear and "9" in early hand to front wrapper, light toning to text. \$600.

\* Only edition. This trial account reflects contemporary anxiety about ether, which was used for the first time in 1846. Narcissa Mudge claimed she was raped by her dentist, Dr. Beale while unconscious from ether during a procedure. Beale was convicted. This account of the trial is written by someone who characterizes the dentist as an innocent victim. He argues that Mudge's accusation was based on false memory, a side-effect induced by ether. His case is supported by the testimony concerning the effects of ether by a group of dentists and other authorities. *Bibliography of Early American Law* 13774. [Order This Item](#)



**"A Constant Reminder that  
Innocent Persons Can Be Convicted"**

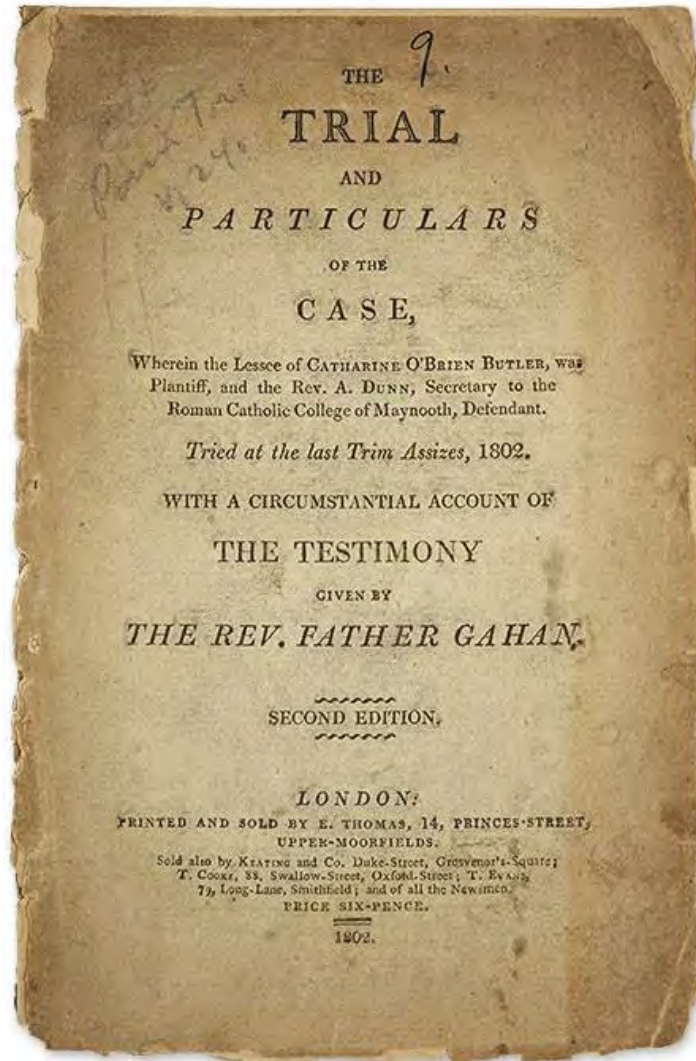
**3. Boorn, Stephen, Defendant.**

**Boorn, Jesse, Defendant.**

*Trial of Stephen and Jesse Boorn, For the Murder of Russell Colvin, Before an Adjourned Term of the Supreme Court of Vermont, Begun and Holden in Manchester, In the County of Bennington, Oct. 26, A.D. 1819 To which is Subjoined, The Particulars of the Wonderful Discovery Thereafter, Of said Colvin's Being Alive, And His Return to Manchester, Where it was Alleged the Murder was Committed: With Some Interesting Particulars, Relating to This Mysterious Affair, Disconnected with the Trial.* Rutland, VT: Printed and Published by Fay and Burt, [1819]. 32 pp. Octavo (9-1/2" x 5-3/4").

Stab-stitched pamphlet in printed wrappers, untrimmed edges. Light browning and foxing, tiny hole to front wrapper with no loss to text. Quite uncommon in the first edition. \$1,500.

\* First edition. As McDade notes in *The Annals of Murder*, this famous case is a "constant reminder that innocent persons can be convicted. Russell Colvin, the alleged victim, had married a sister of the Boorns and had several children by her. He was mentally deficient and disappeared in 1812. Local gossip credited the Boorns with having disposed of him, presumably because he was a burden on the family. In the spring of 1819 the Boorns were arrested and, either from fear or mental weakness, they told stories involving each other in the death of Colvin--Stephen's amounting to a confession of murder. They were tried and sentenced to be hanged; the state legislature, however, commuted Jesse's sentence to life imprisonment. As a last resort a notice was placed in the papers requesting information about Colvin. A farmer in Monmouth County, New Jersey, believed he recognized a hired man in the vicinity from the description. This man, who was mentally deranged, was enticed to Manchester, arriving...six weeks before the day set for Stephen's execution. It was definitively established that he was the missing Colvin; he had apparently wandered off on his own volition. (...) Though published fifty-four years after the event, the pamphlet was prepared by one of the defense counselors and contains important information on the discovery and return of Colvin" (34). McDade, *The Annals of Murder* 114. [Order This Item](#)



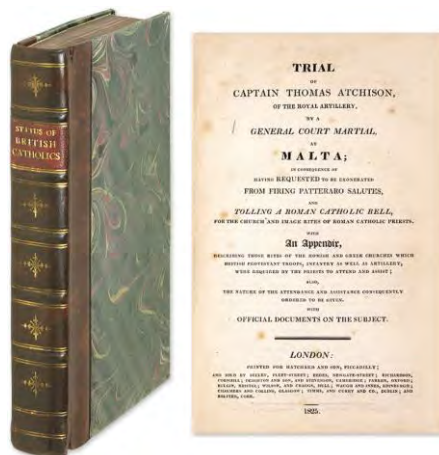
**Will the Church Allow Her to  
Stay on Land Donated by Her Brother?**

**4. Butler, Cathrine O'Brien [1730-1807], Plaintiff.**

*The Trial and Particulars of the Case, Wherein the Lessee of Catharine O'Brien Butler, Was Plaintiff, And the Rev. A. Dunn, Secretary to the Roman Catholic Collage of Maynooth, Defendant. Tried at the Last Trim Assizes, 1802. With a Circumstantial Account of the Testimony Given by the Rev. Father Gahan. Second Edition.* London: Printed and Sold by E. Thomas, 1802. 20 pp. Octavo (8-1/2" x 5-1/2").

Disbound pamphlet, all leaves detached, moderate edgewear, soiling to title page and verso of final leaf, "9." in small early hand to head of title page. \$500.

\* Second and final edition, published the same year as the first. This case concerned the will of Catharine O'Brien Butler's brother, John Butler, 12th Baron Dunboyne, who had left his property to the St. Patrick's College, Maynooth. OCLC locates 3 copies, 2 in North America (Emory Pitts Theological Seminary, Newberry Library), which are both first editions. COPAC locates 1 copy (Ushaw College, Durham), which has a second edition. [Order This Item](#)



### The Status of Catholics in Early Nineteenth-Century Britain

#### 5. [Catholics].

#### [Great Britain].

#### Atchison, Thomas, Defendant.

*Trial of Captain Thomas Atchison, Of the Royal Artillery, By a General Court Martial, At Malta; In Consequence of Having to be Exonerated from Firing Patteraro Salutes, And Tolling a Roman Catholic Bell, For the Church and Image Rites of Roman Catholic Priests. With an Appendix, Describing Those Rites of the Romish and Greek Churches which British Protestant Troops, Infantry as Well as Artillery, Were Required by the Priests to Attend and Assist; Also, The Nature of the Attendance and Assistance Consequently Ordered to be Given. With Official Documents on the Subject.* London: Printed for Hatchard and Son, 1825. viii, 91 pp.

#### [Bound with]

#### [Atchison, Thomas].

*Some Particulars Relative to the Co-Operation Required of the British Troops in Malta, In the Superstitious Ceremonies of the Romish Church, With a Statement of the Chief Reasons which Occasioned the Remonstrance of Captain Atchison, Addressed to his Friends.* [London: J. And T. Clarke, Printers (1826)]. 15 pp.

#### [And]

#### Wix, Samuel.

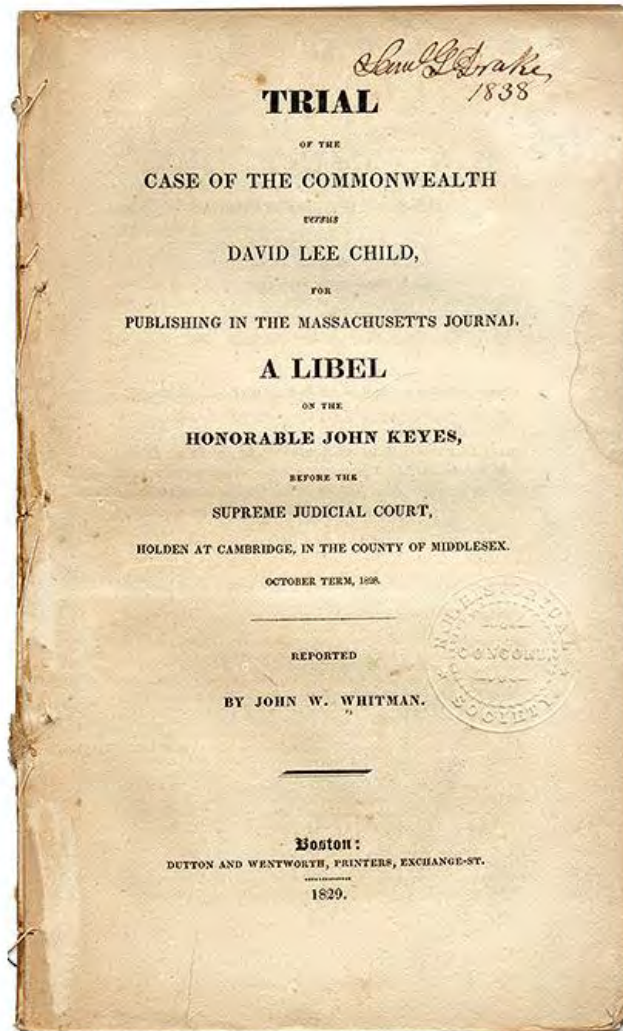
*Reflections Concerning the Expediency of a Council of the Church of England and the Church of Rome Being Holden, With a View to Accommodate Religious Differences....* London: Printed for F.C. And J. Rivington, 1819. [xxix], 108 pp.

#### [And]

[*Five Pamphlets Relating to Catholicism in Great Britain (London, 1817-1825)*].

Octavo (8" x 5"). Recent period-style quarter calf over marbled boards, raised bands, gilt ornaments and lettering piece to spine. Moderate toning, light foxing to a few leaves. Early manuscript table of contents to front free endpaper, item numbers in same hand at head of each title. \$1,250.

\* This volume collects eight scarce items concerning British and Irish Catholics during the second phase of Catholic Emancipation. The other titles are numbers 4-8 of the periodical *Antibiblion, Or the Papal Tocsin* (1817, 1818), *A Correspondence Which Arose out of the Discussion at Carlow Between a Protestant and a Roman Catholic Clergyman, To Which are Annexed, Notes and Observations by the Rev. Robert Daly* by Robert Daly and Richard Clowry (1825), *Faith, Hope, And Charity: The Substance of a Sermon Preached at the Dedication of the Catholic Chapel at Bradford, in the County of York, On Wednesday, July 27, 1825* by Peter Augustine Baines (1825), Number II of a periodical, *Supplement to the Roman Catholic Expositor, And Friend of Ireland* (1824) and *Popery the Religion of Heathenism: Being the Letters of Ignotus Published in "The Times" Newspaper in the Conclusion of the Year 1817. With Additions, Proving the Conformity Which Subsists Between the Romish Religion and the Religion of the Ancient Heathens* by John Pynder (1818). [Order This Item](#)



**A Notable Trial that Pitted  
Freedom of the Press Against the Law of Libel**

**6. Child, David Lee [1794-1874], Defendant.**

**Whitman, John W. [1798-1833], Reporter.**

*Trial of the Case of the Commonwealth Versus David Lee Child, For Publishing in the Massachusetts Journal a Libel on the Honorable John Keyes, Before the Supreme Judicial Court, Holden at Cambridge, In the County of Middlesex, October Term, 1828.* Boston: Dutton and Wentworth, Printers, 1829. 119 pp. Octavo (8-3/4" x 5-1/2").

Disbound stab-stitched pamphlet. Negligible light edgewear and soiling to exterior, embossed library stamp and early owner signature (Samuel Drake 1838) to title page. Moderate toning, occasional early marks and notes in pencil to margins, faint dampstaining to margins of title page and a few other leaves. \$350.

\* Only edition. This trial addressed the contested boundary between freedom of the press and the law of libel. In his *Massachusetts Journal* and various handbills, Child accused Keyes of irregularities as chairman of the county Committee of Accounts, bid rigging and animosity toward the administration in power in Washington. Child was found guilty. Cohen, *Bibliography of Early American Law* 13312. McCoy, *Freedom of the Press* C318. [Order This Item](#)



"In All, He Might Have  
Had 15 or 20 Connections with Me"

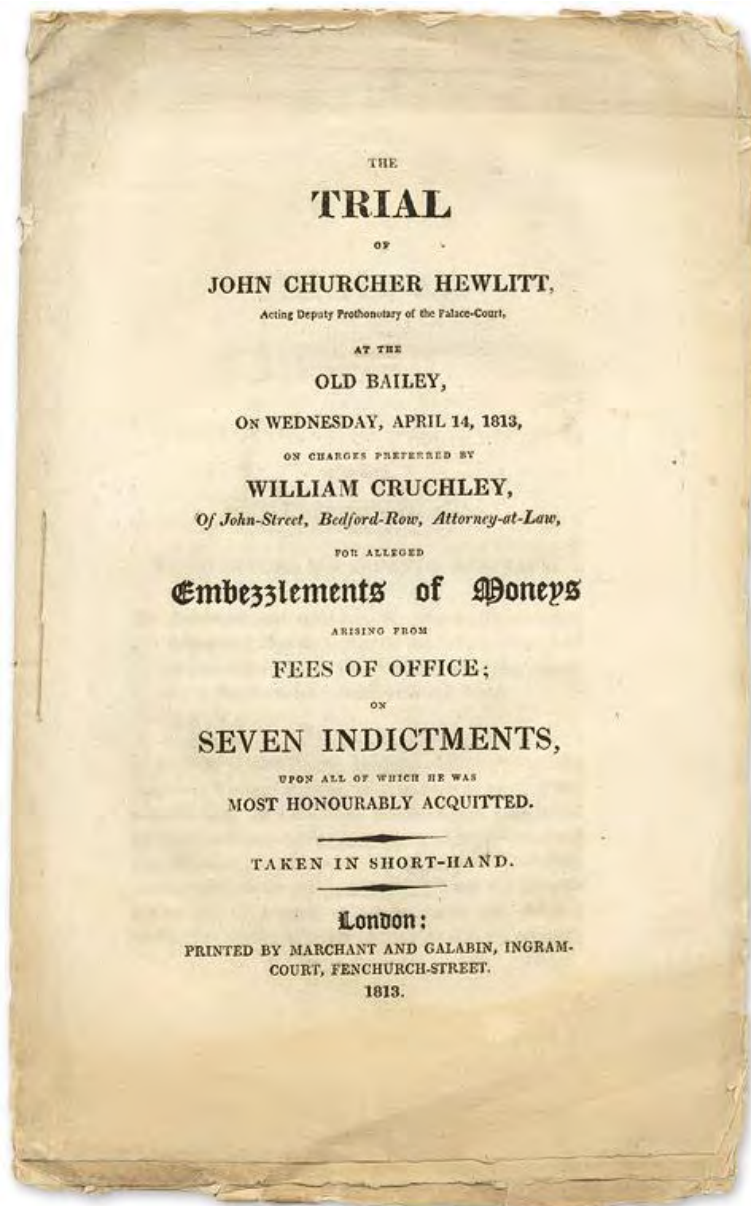
7. Fairchild, Joy Hamlet [1790-1859], Defendant.  
Weeks, James E.P., Reporter.

*Trial of Rev. Joy Hamlet Fairchild, On a Charge of Adultery with Miss. Rhoda Davidson.* [Boston]: Boston Daily Times, 1845. 32 pp.  
Main text in parallel columns. Octavo (9" x 6").

Stab-stitched pamphlet with untrimmed edges bound into recent stiff wrappers with quarter buckram spine, small typed title label to front cover. Light wear to spine ends and corners of wrappers, moderate toning, light foxing to some leaves. Ex-library. Tiny inkstamp to bottom margin of p.2. A well-preserved copy of a scarce pamphlet. \$450.

\* At head of text: "Times" Report, the first of three editions published by the *Boston Daily Times*. One of several publications about this celebrated, notorious case, consuming much contemporary print. Fairchild allegedly seduced a young woman, Rhoda Davidson, of Edgecomb, Maine, while she was a domestic in his family. She had a child, and nominated Fairchild as the father. Fairchild claimed that rival ministers had defamed him by calling him an habitual libertine and adulterer. This pamphlet includes witnesses' testimony, including that of Miss Davidson. "In all, he might have had 15 or 20 connections with me." The pamphlet closes with the verdict of Not Guilty; "the audience burst out in involuntary applause, which was immediately checked." Another, earlier issue does not include the jury verdict, the pamphlet noting that deliberations were ongoing. Accounts of this case are scarce. OCLC locates 3 copies of our account (American Antiquarian Society, Harvard Law School, New Hampshire Historical Society). Cohen, *Bibliography of Early American Law* 13693. [Order This Item](#)





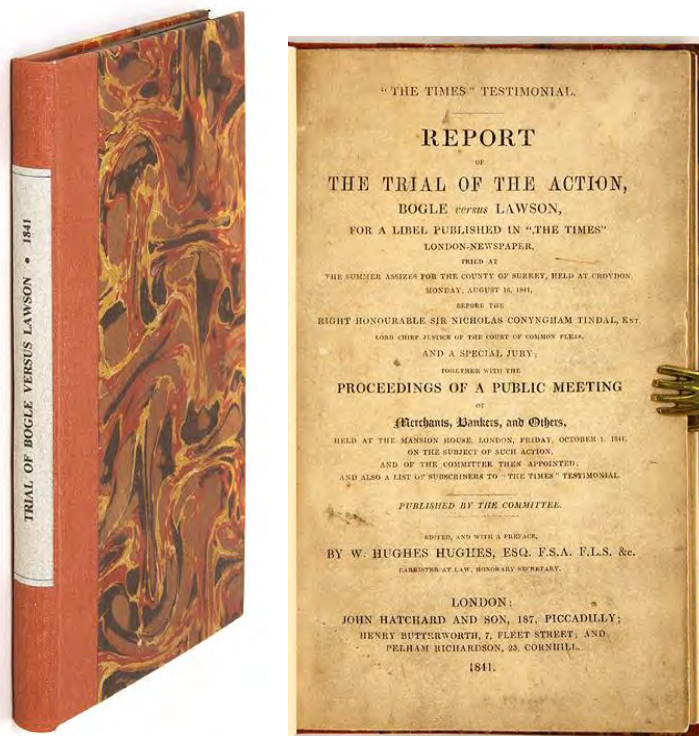
### Scarce English Embezzlement Trial

#### 8. Hewlitt, John Churcher, Defendant.

*The Trial of John Churcher Hewlitt, Acting Deputy Prothonotary of the Place-Court, At the Old Bailey, On Wednesday, April 14, 1813, on Charges Preferred by William Cruchley, Of John-Street, Bedford-Row, Attorney-at-Law, For Alleged Embezzlements of Moneys Arising from Fees of Office; On Seven Indictments, Upon All of Which he was Most Honourably Acquitted. Taken in Short-Hand.* London: Printed by Marchant and Galabin, 1813. [ii], 16 pp. Octavo (9" x 5-1/2").

Stab-stitched pamphlet. Light browning, several leaves unopened, internally clean. \$450.

\* Only edition. Hewlitt was accused of embezzlement by his employer, Cruchley. This appears to be a vindication of Hewlitt's honor and innocence. It may have been published at his expense or urging. OCLC locates 4 copies in North America, 2 in law libraries (Harvard and Social Law). [Order This Item](#)



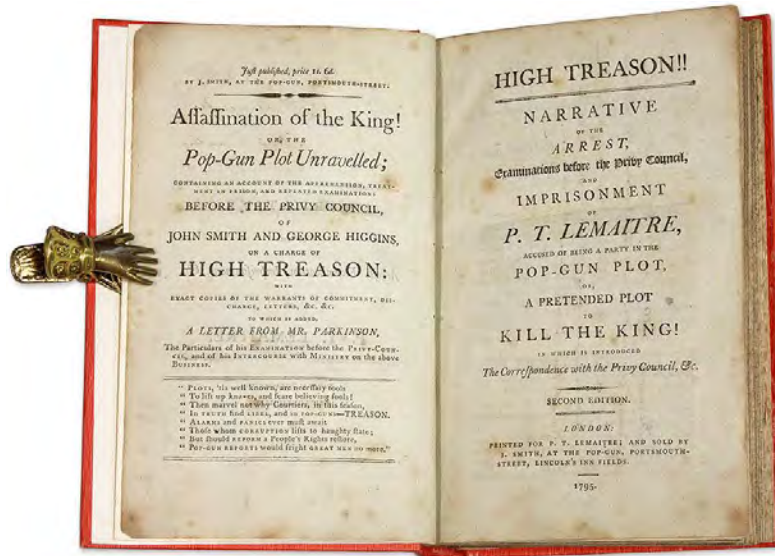
**One of the Most Detailed Accounts of a  
Major Nineteenth-Century Financial Swindle**

**9. Hughes, W. Hughes, Editor.**

*"The Times" Testimonial: Report of the Trial of the Action, Bogle Versus Lawson, For a Libel Published in "The Times" London-Newspaper, Tried at the Summer Assizes for the Country of Surrey, Held at Croydon, Monday, August 16, 1841, Before the Right Honourable Sir Nicholas Conyngham Tindal, Knt. Lord Chief Justice of the Court of Common Pleas, And a Special Jury; Together with the Proceedings of a Public Meeting of Merchants, Bankers and Others, Held at the Mansion House, London, Friday, October 1, 1841, On the Subject of Such Action, And of the Committee then Appointed; And Also a List of Subscribers to "The Times" Testimonial. Published by the Committee.* London: John Hatchard and Son, Henry Butterworth and Pelham Richardson, 1841. 179, [1] pp. Half-title lacking. Octavo (8-1/4" x 5").

Recent quarter cloth over marbled boards, printed paper title label to spine. Some toning to text, light soiling to title page. A nice copy of a rare title. \$1,250.

\* First edition. A sensational case of a million-pound plot to defraud Continental bankers by forged letters of credit purporting to have been issued by the bankers Glyn, Halifax, Mills, & Co. The plot was exposed by a *Times of London* correspondent in a letter, published in the newspaper on 26th May 1840. The case was sensational in both social and in banking circles. It exposed the largely unregulated and certainly sloppy banking practices associated with letters of credit, which were easy to forge and difficult to police, and the ingenuity of an international gang of con men. The naming of Allan George Bogle—who was almost certainly involved—triggered this libel action against John Joseph Lawson, the printer and publisher of the *Times*, and resulted in the award of one farthing damages for Bogle, but enormous expense and the considerable gratitude of bankers and investors for the *Times*. The present report is one of the most detailed accounts of a major financial swindle of this period, particularly one involving letters of credit. A second edition was published the same year as the first, the third and final edition in 1842. All three are rare. OCLC locates 6 copies worldwide of the first edition, 2 in North America (Newberry Library, Temple University). COPAC adds a copy at the Society of Antiquaries. This edition not in Kress, which lists the 3rd edition (C.5743). [Order This Item](#)



**Three Items About a Plot to Assassinate King George III with a Poison Dart, One Inscribed by an Alleged Plotter**

**10. Lemaitre, Paul Thomas [1776-1864], Defendant.**

*High Treason!! Narrative of the Arrest, Examinations Before the Privy Council, And Imprisonment of P.T. Lemaitre, Accused of Being a Party in the Pop-Gun Plot, or, A Pretended Plot to Kill the King! In Which is Introduced the Correspondence with the Privy Council.* London: Printed for P.T. Lemaitre, 1795. [iv], 60 pp.

**[Bound with]**

**[Lemaitre, Paul Thomas].**

*Petition of Paul Thomas Lemaitre Against the Suspension of the Habeas Corpus Act. Extract from the Journals of the House of Commons. Lmae, 23 die Junii, 1817 (No. 41) [drop-head title].* [(London): Causton, Printer, Birch-Lane, Cornhill, (1817)]. 4 pp.

**[And]**

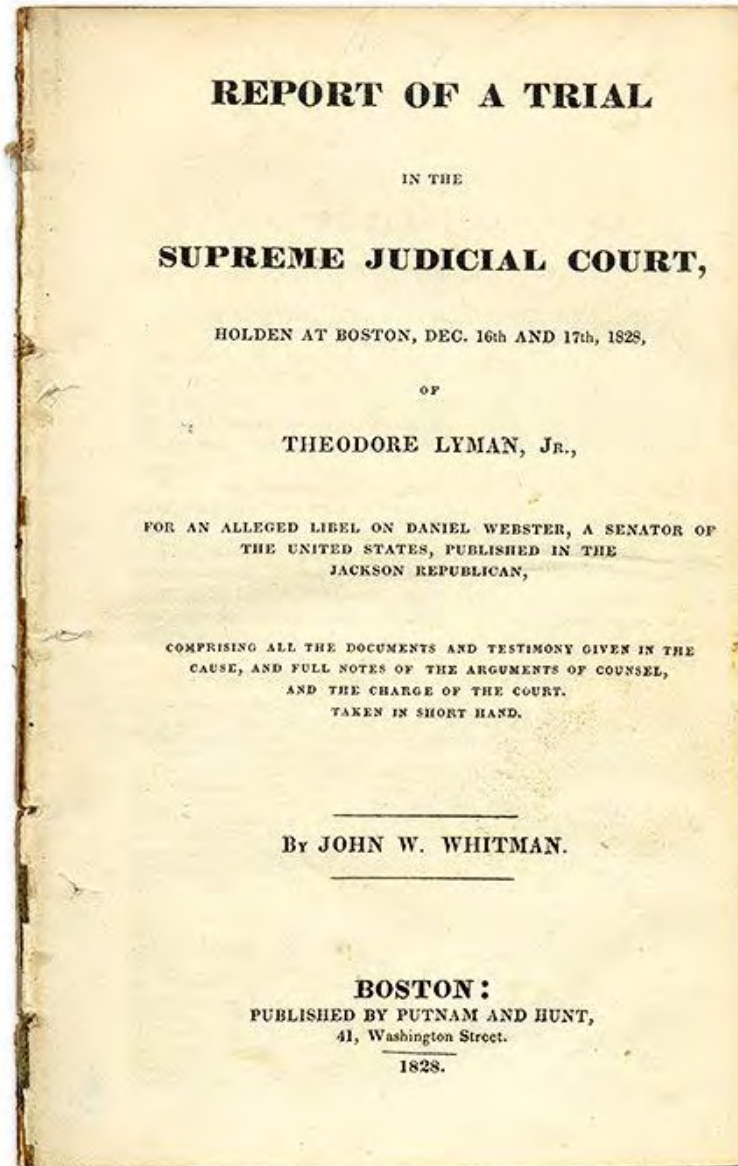
**Crossfield, Robert Thomas [1759-1802], Defendant.**

**Gurney, Joseph [1744-1815], Reporter.**

*The Trial of Robert Thomas Crossfield, For High Treason, At the Sessions House in the Old Bailey, On Wednesday the Eleventh, And Thursday the Twelfth of May, 1796. Taken in Short-Hand.* London: Sold by Martha Gurney, 1796. 328, iii, [5] pp. With two leaves of publisher advertisements.

Octavo (8-1/2" x 5-1/2"); *Petition*, Folio (11" x 7-1/2"), bottom margin trimmed, bound along gutter, and folded twice. Two stab-stitched pamphlets and one bifolium bound into 20th-century cloth, "Pop-Gun Plot" and "1795-96" gilt stamped to spine. Negligible shelfwear, moderate toning to interior, light foxing in a few places, presentation inscription from Lemaitre "to his friend Miss Starling" to half-title of *High Treason!!*. \$1,250.

\* *High Treason!!*: second edition; *Trial*, *Petition*: only edition. The Popgun Plot was an alleged 1794 conspiracy by members of the London Corresponding Society, a British Radical organization, to assassinate King George III with a poison dart fired from a pop-gun (airgun). Lemaitre and Crossfield were two of four men indicted as conspirators and charged with treason. All four were acquitted in May 1796 because the chief witness against them died. The first edition of Lemaitre's account was first published in 1794. Both editions are rare. OCLC locates 16 copies of both editions, 1 in a North American law library (Social Law, which has a first edition). OCLC locates 9 copies of *Trial* in North American law libraries. The *Petition* appears to be unrecorded; no copies are listed on OCLC or COPAC. *English Short-Title Catalogue* T81543 (*High Treason!!*), T80824 (*Trial*). [Order This Item](#)



**An Alleged Libel on Daniel Webster**

**11. Lyman, Theodore, Jr. [1792-1849], Defendant.**

**Whitman, John W. [1798-1833], Reporter.**

*Report of a Trial in the Supreme Judicial Court, Holden at Boston, Dec. 16th and 17th, 1828, Of Theodore Lyman, Jr., For an Alleged Libel on Daniel Webster, A Senator of the United States, Published in the Jackson Republican, Comprising All the Documents and Testimony Given in the Cause, And Full Notes of the Arguments of Counsel and the Charge of the Court.* Boston: Published by Putnam and Hunt, 1828. 76 pp. 12mo. (7" x 4-1/2").

Disbound stab-stitched pamphlet. Light soiling to exterior, moderate toning to text. \$150.

\* Only edition. According to the indictment, Lyman said Webster conspired with other leading Federalists in 1807-1808 to secede from the Union and re-join New England to England. Cohen, *Bibliography of Early American Law* 13348.

[Order This Item](#)



### The Largest Award Granted in an English Adultery Case

#### 12. Mildmay, Sir Henry [1787-1848], Defendant. [Cruikshank, George (1792-1878), Frontispiece].

*Crim Con!! Damages Fifteen Thousand Pounds! Fairburn (Senior's) Edition of the Trial Between Lord Roseberry and Sir Henry Mildmay, For Criminal Conversation with the Plaintiff's Wife; Before J. Birchall, Esq. At the Sheriff's Court, Bedford-Street, On Saturday, December 10th, 1814: Including the Attorney-General's Speech and Mr. Brougham's Reply, At Full Length: Taken in Short-Hand.* London: Published by John Fairburn, [1814]. [ii], [3]-43, [1] pp. Folding frontispiece. Final page is a publisher advertisement. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in plain wrappers, untrimmed edges. Light soiling to wrappers, light toning to text, light soiling to title page. \$2,500.

\* Mildmay was accused of committing adultery with his deceased wife's sister, Harriett Bouverie. At the time, she was the wife of Sir Archibald John Primrose, 4th Earl of Roseberry (or Rosebery) [1783-1868] and mother of their four children. The charges were not contested, but a trial was held to assess the damages. The award of £15,000 pounds was the highest ever given in an English adultery case. Our imprint is similar to one listed in Cohn, which is 48 pages and has a plate that is colored. Cohn notes "there were several editions of this pamphlet, which is very scarce." No copies of this imprint listed on OCLC or COPAC. See Cohn, *George Cruikshank: A Catalogue Raisonné* 712. [Order This Item](#)



With Sixteen Hand-Colored Plates, Three by George Cruikshank

13. Moore, A.

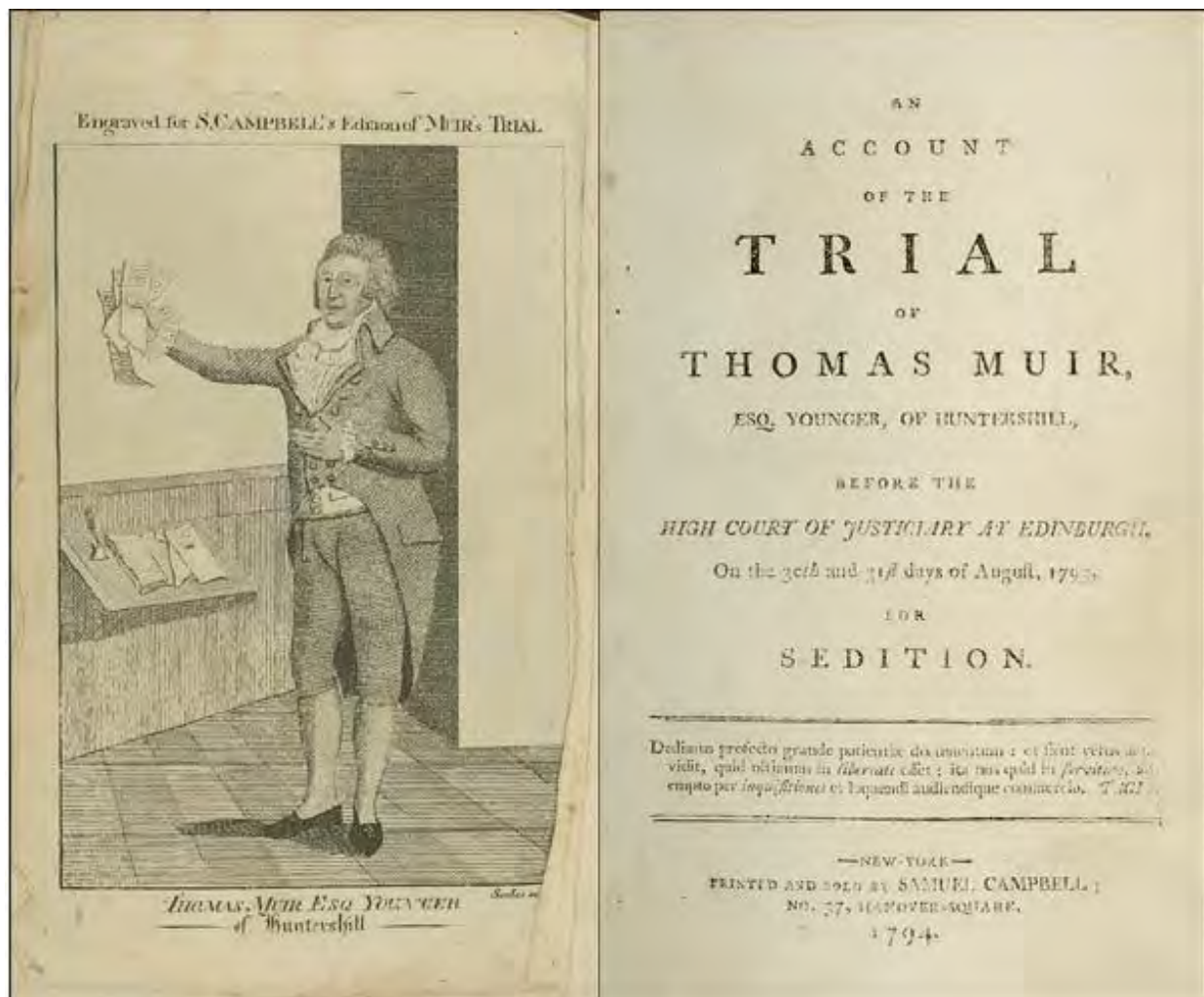
[Cruikshank, George, Illustrator].

[Jenkins, J., Illustrator].

*The Annals of Gallantry; Or, The Conjugal Monitor: Being a Collection of Curious and Important Trials for Divorces, And Actions of Crim. Con. During the Present Reign; Accompanied with Biographical Memoirs and Anecdotes, And Illustrated with Notes.* London: Printed for the Proprietors, And Sold by M. Jones, 1814-1815. Three volumes. 16 (of 18) hand-colored plates, 1 (of 2) uncolored plates. The 3 color plates by Cruikshank present. Octavo (8" x 5").

Contemporary three-quarter calf over marbled boards, raised bands, lettering pieces and gilt ornaments to spines, marbled edges and endpapers. Moderate rubbing to boards and extremities, corners lightly bumped, front hinges cracked rear hinges starting at ends. Light toning to text, light foxing in a few places, a few leaves have light offsetting from plates. An attractive set. \$3,500.

\* Only edition (in this form). The *Annals of Gallantry* was originally issued in 18 monthly parts from March 1, 1814 to August 1, 1815. This book aimed to amuse and titillate. The accounts in these volumes are valuable nevertheless for their accurate reports and vivid background histories. What is more, this collection is a fascinating document of English social and legal attitudes toward adultery and divorce during the age of George IV and Jane Austen. The Plates by Cruikshank, all in Volume I, are "Lady Grosvenor and the Duke of Cumberland Surprised by the Servant," "The Unwelcome Intruders" and "The Elopement of Lady W---- with Lord Paget." Cohn, *A Bibliographical Catalogue of the Printed Works Illustrated by George Cruikshank* 573. [Order This Item](#)



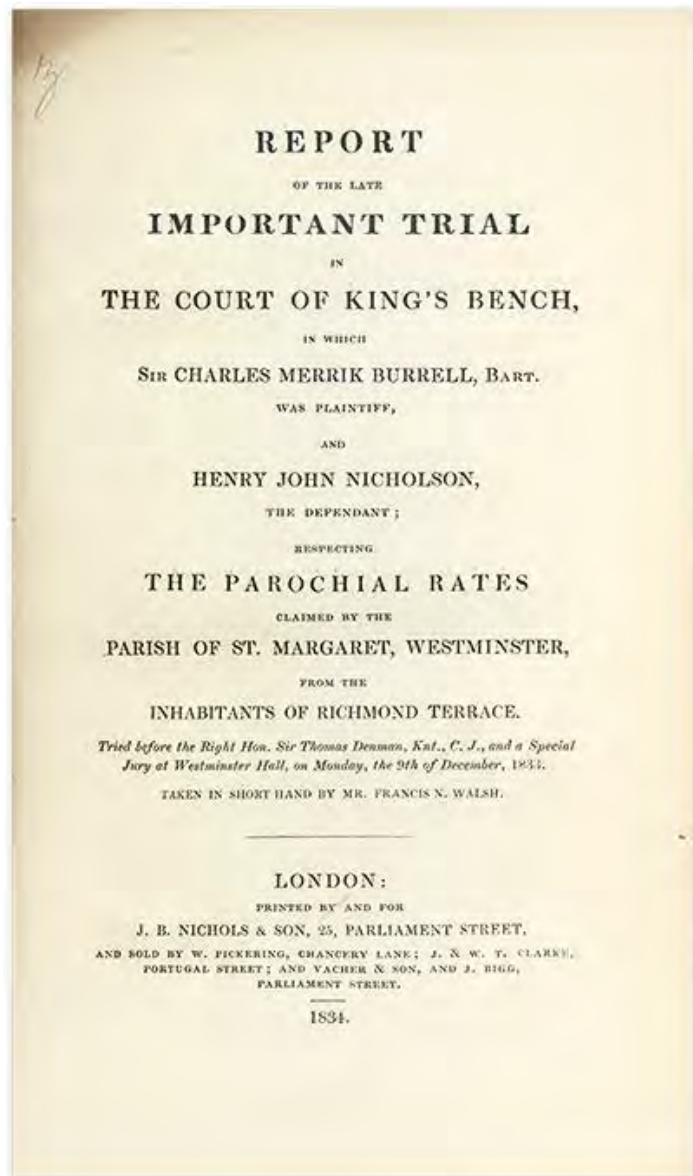
**One of the Principal Scottish Martyrs Transported to Australia**

**14. [Muir, Thomas [1765-1799], Defendant.**

*An Account of the Trial of Thomas Muir, Esq. Younger of Huntershill, Before the High Court of Justiciary at Edinburgh, On the 30th and 31 Days of August 1793, For Sedition.* New York: Printed and Sold by Samuel Campbell, 1794. 148 pp. Copperplate frontispiece. Octavo (8" x 5").

Contemporary sheep, lettering piece to spine. Moderate rubbing to extremities, corners worn, front board detached, rear board partially detached, frontispiece detached and edgeworn, wear to lower corner of p. 5 few leaves with minor loss to text (not affecting legibility). Some toning to text, light dampspotting in places. Early owner signature to rear endleaf, interior otherwise clean. \$100.

\* First American edition. Muir, a Scottish advocate, was sentenced to transportation to Australia for sedition, in support of the French Revolution and Irish independence, and agitation for parliamentary reform. He is among the five men honored by the Scottish Political Martyrs Monument in Edinburgh. Another monument in Muir's honor stands in Huntershill Village, the site of his estate. The first account of his controversial trial was published in Edinburgh in 1793. *Catalogue of the Library of the Harvard Law School* (1909) II:1149. [Order This Item](#)



### Interesting Trial Concerning Responsibility for Poor Relief

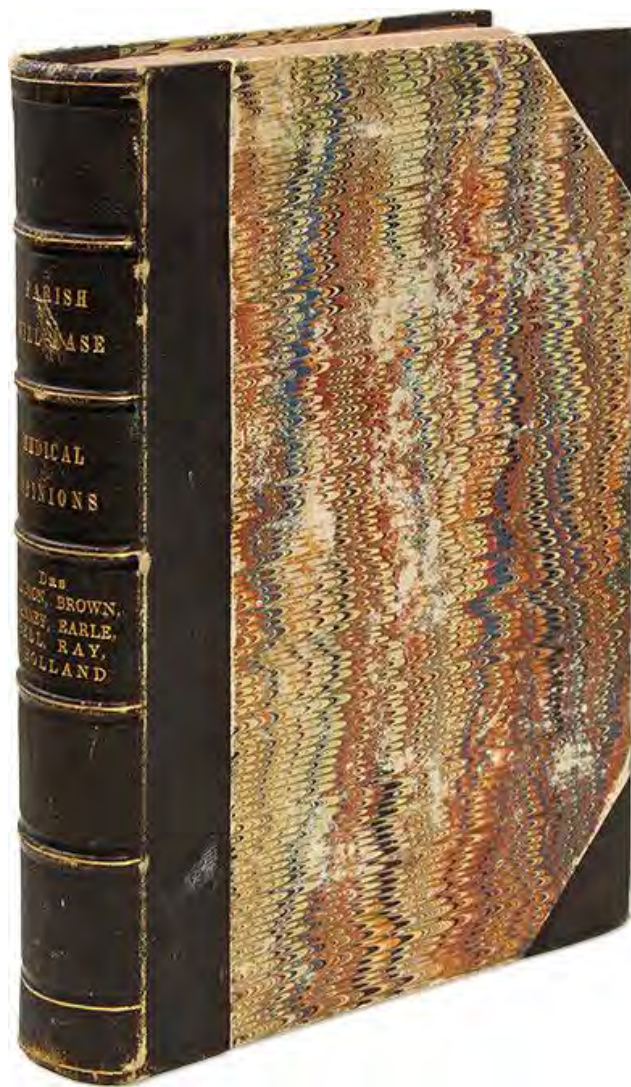
#### 15. Nicholson, Henry John, Defendant.

*Report of the Late Important Trial in the Court of King's Bench, In Which Sir Charles Merrik Burrell, Bart. Was Plaintiff, And Henry John Nicholson, the Defendant; Respecting the Parochial Rates Claimed by the Parish of St. Margaret, Westminster, From the Inhabitants of Richmond Terrace.* London: Printed by and for J.B. Nichols & Son, 1834. 191 pp. [with 191 blanks interleaved]. Octavo (8-1/2" x 5-1/4").

Contemporary calf, lettering piece to spine. Considerable rubbing, spine abraded, front joint cracked, corners worn, front joint partly cracked, but secure. Light toning to text, internally clean. \$100.

\* Only edition. The plaintiff claimed that Richmond Terrace was not within the parish of St. Margaret. Therefore, its inhabitants could not be compelled to contribute to the relief of the poor in that parish. *Catalogue of the Library of the Harvard Law School* (1909) II:1030. [Order This Item](#)





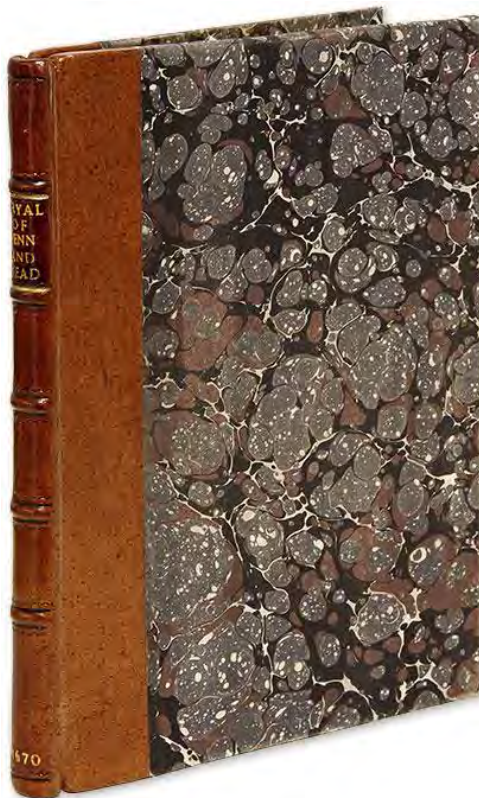
**Testimony of the Seven Medical Experts in a Notable  
Nineteenth-Century Will Case Involving Questions of Sanity**

**16. [Parish Will Case].**

*The Parish Will Case Before the Surrogate of the City of New York. Medical Opinions upon the Medical Competency of Mr. Parish, by John Watson, M.D., D.T. Brown, M.D., M.H. Ranney, M.D., Pliny Earle, M.D., Luther V. Bell, M.D., LL.D., M.H. Ranney, M.D., I. Ray, M.D., Sir Henry Holland, Bart., M.D., F.R.S. New York: John F. Trow, 1857. [iii], 573 pp. Each section preceded by divisional title page. Octavo (9-1/2" x 6-1/4").*

Contemporary three-quarter morocco over marbled boards, gilt-ruled raised bands and gilt title to spine, speckled edges. Some rubbing to boards and extremities, moderate toning to text, light foxing to a few leaves. A well-preserved copy. \$750.

\* First edition. Henry Parish, a New York merchant, died in 1856, at age 69, having left a will made in 1842 and amended with three codicils signed by him some time after suffering a paralyzing stroke in 1849. These codicils were contested on the grounds of mental impairment. This trial attracted a good deal of attention and it involved testimony by several leading medical and legal experts. Cohen, *Bibliography of Early American Law* 11386. [Order This Item](#)



### A Landmark in the History of Juries

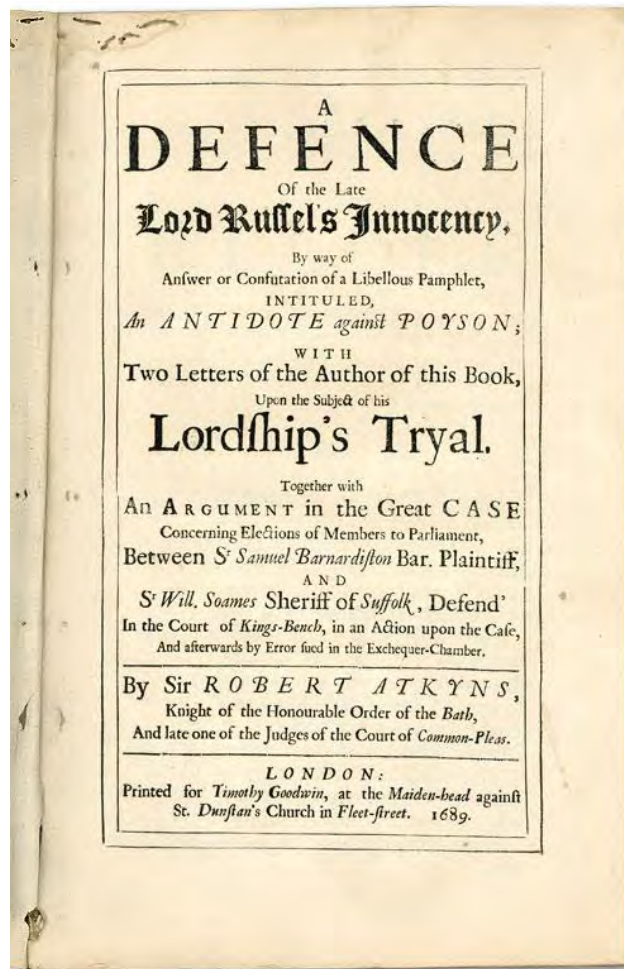
**17. Penn, William [1644-1718], Defendant.**

**Mead, William [1628-1713], Defendant.**

*The Peoples Ancient and Just Liberties Asserted in the Tryal of William Penn, And William Mead, At the Sessions Held at the Old-Baily in London, The First, Third, Fourth and Fifth of Sept. 70. Against the Most Arbitrary Procedure of that Court. Old-Baily, 1st. 3d. 4th, 5th of Sept. 1670. [London], Printed in the Year, 1670. 62 pp. Lacking final blank leaf. Quarto (7-1/4" x 5-1/4").*

Stab-stitched pamphlet bound into quarter calf over marbled boards, gilt title to spine, top-edge gilt, endleaves added, title page and final leaf mounted, a few leaves re-hinged. Moderate toning, occasional light soiling, faint dampstaining and light foxing to a few leaves, faint inkstamp to foot of p. 62, faint embossed library stamp to title page, small chip to its upper corner. A nice copy in a handsome binding. \$1,500.

\* First edition, one of five issues from 1670. Popularly known as "Bushel's Case," this case was a landmark in the establishment of jury nullification and, more broadly, the idea that juries are independent bodies. Mead, a London merchant, and Penn, later the founder of Pennsylvania, were prominent Quakers. They were arrested for preaching to a large public gathering, an act Penn deliberately provoked to test the validity of the Conventicle Act, which denied the right of assembly to gatherings larger than five people for any religious purpose not affiliated with the Church of England. The jury found the two guilty of speaking in public but refused to say they were addressing an unlawful assembly. The infuriated judge demanded a verdict that declared them violators of the Act. When, following the lead of the foreman, Edward Bushel, the jury refused, the judge imprisoned the jurors for two days without food, water or heat. Upon release, the jury returned a verdict of not guilty. The judge then fined the jurors for contempt of court and returned them to prison until they paid their fines. On behalf of his fellow jurors, Bushel petitioned the Court of Common Pleas for a writ of habeas corpus. Sir John Vaughan, that court's chief justice, ruled ultimately that a jury could not be punished for the verdict it returned. *English Short-Title Catalogue* R40049. [Order This Item](#)



### The Legality of Lord Russell's Trial

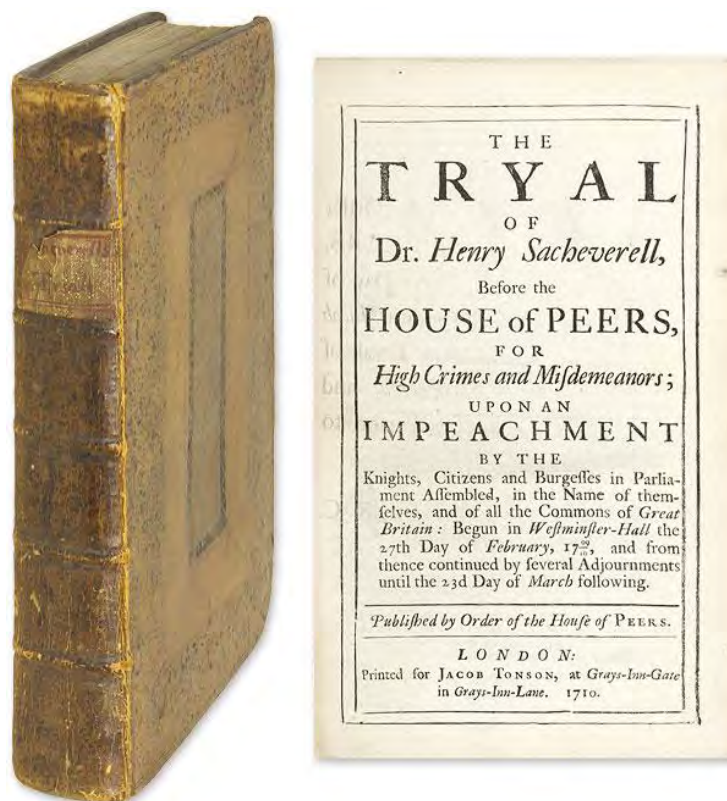
#### 18. [Rye House Plot].

#### Atkyns, Sir Robert [1621-1709].

*A Defence of the Late Lord Russel's Innocency, By Way of An Answer or Confutation of a Libellous Pamphlet, Intituled, An Antidote Against Poyson; With Two Letters of the Author of This Book, Upon the Subject of His Lordship's Tryal. Together with an Argument in the Great Case Concerning Elections of Members to Parliament, Between Sr Samuel Barnardiston Bar. Plaintiff, And Sr Will. Soames Sheriff of Suffolk, Defend' in the Court of King's-Bench, In an Action Upon the Case, And Afterwards by Error Sued in the Exchequer-Chamber.* London: Printed for Timothy Goodwin, 1689. [iii], 51 pp. Title page preceded by advertisement leaf. Argument in the Great Case preceded by divisional title page. Folio (12" x 7").

Disbound, text secure. Some edgewear and soiling to first and final leaves, worming through upper margins of most leaves with no loss to text. Toning, small faint stains to a few leaves, internally clean. \$250.

\* First edition. This is a reply to a pamphlet by Sir Bartholomew Shower that defended the legal position of the Russell trial. Atkyns was Russell's legal advisor. Russell [1639-1683] was implicated in and ultimately executed due to his supposed involvement in the Rye House Plot, a plan to assassinate King Charles II and his brother (and heir to the throne) James, Duke of York devised by a group of Whigs. Some historians believe this plot was largely fabricated by Charles II as a way to destroy the Whigs, most notably Russell and Algernon Sydney [1623-1683], who were convicted and executed on the basis of flimsy evidence. *English Short-Title Catalogue* R4958. [Order This Item](#)



### A Triumph for Tories and High-Churchmen

#### 19. Sacheverell, Henry [1674-1724], Defendant.

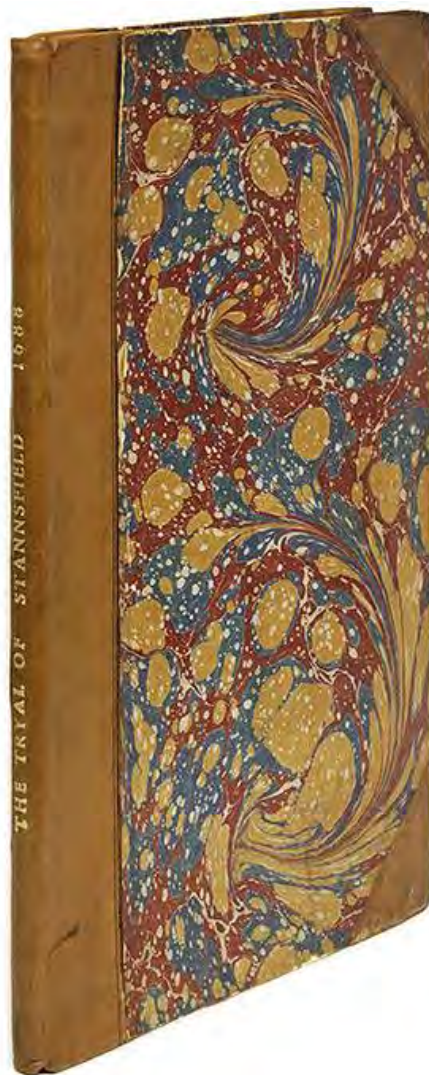
*The Tryal of Dr. Henry Sacheverell, Before the House of Peers, For High Crimes and Misdemeanors; Upon an Impeachment by the Knights, Citizens and Burgeses in Parliament Assembled, In the Name of Themselves, And of All the Commons of Great Britain: Begun in Westminster-Hall the 27th Day of February, 1709/10, And from Thence Continued by Several Adjournments Until the 23d Day of March Following. Published by Order of the House of Peers.* London: Printed for Jacob Tonson, 1710. 456 pp.

#### [Bound with]

*The Bishop of Salisbury's, And the Bishop of Oxford's Speeches in the House of Lords, On the First Article of the Impeachment of Dr. Henry Sacheverell; Also the Bishop of Lincoln's and Bishop of Norwich's Speeches At the Opening of the Second Article of the Said Impeachment.* London: Printed, And Sold by John Morphew, Near Stationers-Hall, 1710. 16; 16; [2], 35-52; 53-63, [1] pp. Four parts, each with title page, first three parts have individual pagination.

Octavo (7-1/2" x 4-1/2"). Contemporary paneled calf, raised bands and early hand-lettered paper spine label. Light rubbing to extremities, corners bumped, spine label soiled and edgeworn. Light toning to text, internally clean. An appealing copy. \$150.

\* First octavo editions (both among several issues from the same year). Fundamental documents in the ideological controversy between Whigs and Tories that was to dominate 18th century England. Dr. Henry Sacheverell was impeached for preaching two sermons that advocated the Tory doctrines of non-resistance and passive obedience. His punishment was unique. He was not allowed to preach for three years, but he was allowed to perform other clerical functions and accept preferment during that time. His two sermons were ordered burned by the common hangman. Such a sentence was felt to be a triumph for him and the High-Church and Tory party, and the news of it was received with great enthusiasm throughout the kingdom. See *Dictionary of National Biography* XVIII:569-572. *English Short-Title Catalogue* T176104, T22852. [Order This Item](#)



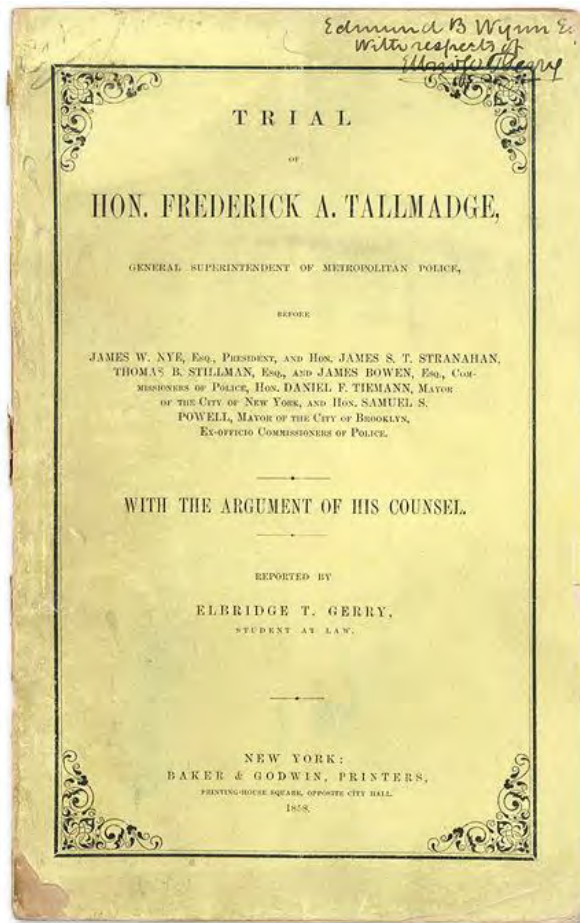
**Scottish Murder Trial,  
This Imprint Not in the *ESTC***

**20. Standsfield, Philip [d. 1688], Defendant.**

*The Tryal of Philip Standsfield Son to Sir James Standsfield of New-Milns, For the Murder of His Father, And Other Crimes Libel'd Against Him. Published by Authority.* Edinburgh: Printed by the Heir of Andrew Anderson, Printer to the King's Most Sacred Majesty, Anno Dom., 1688. 44 pp. Folio (11" x 7").

Later three-quarter calf over marbled boards, rebacked, gilt title to spine, endpapers renewed. Moderate rubbing to board edges, corners bumped and somewhat worn. Light browning and occasional faint dampspotting to text, light soiling to title page, small fragment of label (?) near center. \$950.

\* First edition. One of three issues from 1688, ours not recorded in the *ESTC*. Sir James Standsfield, the founder and director of a woolen mill, was murdered by his son Philip after he was disinherited for leading a dissolute life. The *ESTC* lists a similar copy, with 32 pages and the same title, publisher and date (R217941). We located copies with a collation identical to ours at Harvard Law School and Indiana University. All issues are scarce; taken together, OCLC locates 14 copies, 3 in North American law libraries (Harvard, which has 2 copies, University of Minnesota). [Order This Item](#)



**1858 Trial of the Head of New York  
City's Police Department for Neglect of Duty**

**21. [Trial].**

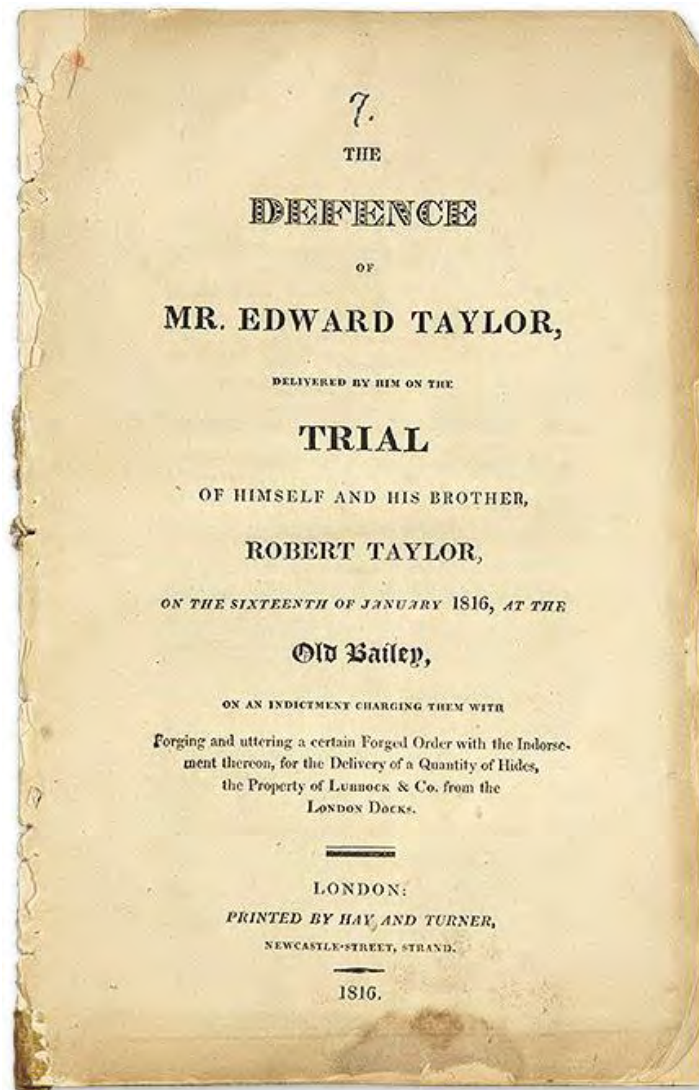
**Tallmadge, Frederick A. [1792-1869], Defendant.**

**Gerry, Elbridge T. [1837-1927], Reporter.**

*Trial of Hon. Frederick A. Tallmadge, General Superintendent of Metropolitan Police, Before James W. Nye, Esq., President and Hon. James S.T. Stranahan, Thomas B. Stillman, Esq., And James Bowen, Esq., Commissioners of Police, Hon. Daniel F. Tiemann, Mayor of the City of New York, And Hon. Samuel S. Powell, Mayor of the City of Brooklyn, Ex-Officio Commissioners of police: With the Argument of His Counsel.* New York: Baker & Goldwin, Printers, 1858. 88 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Spine abraded, covers detached, lightly soiled and moderately edgeworn. Light toning to text, small chips to fore-edges of a few leaves, presentation inscription from Gerry to upper corner of front wrapper. \$500.

\* Only edition. "Frederick Tallmadge, general superintendent of the Metropolitan (New York City) Police, was charged with neglect of duty in a hearing before the Board of Police Commissioners. He allegedly did not respond to a call from the Quarantine Station on Staten Island where several hospitals had been set on fire by a mob. He was cleared of one charge, censured on another, and restored to duty" (Cohen). OCLC locates 8 copies in North American law libraries (Columbia, Library of Congress, New York University, Northwestern, Social Law, University of Minnesota, US Supreme Court, Yale). Cohen, *Bibliography of Early American Law* 14665. [Order This Item](#)



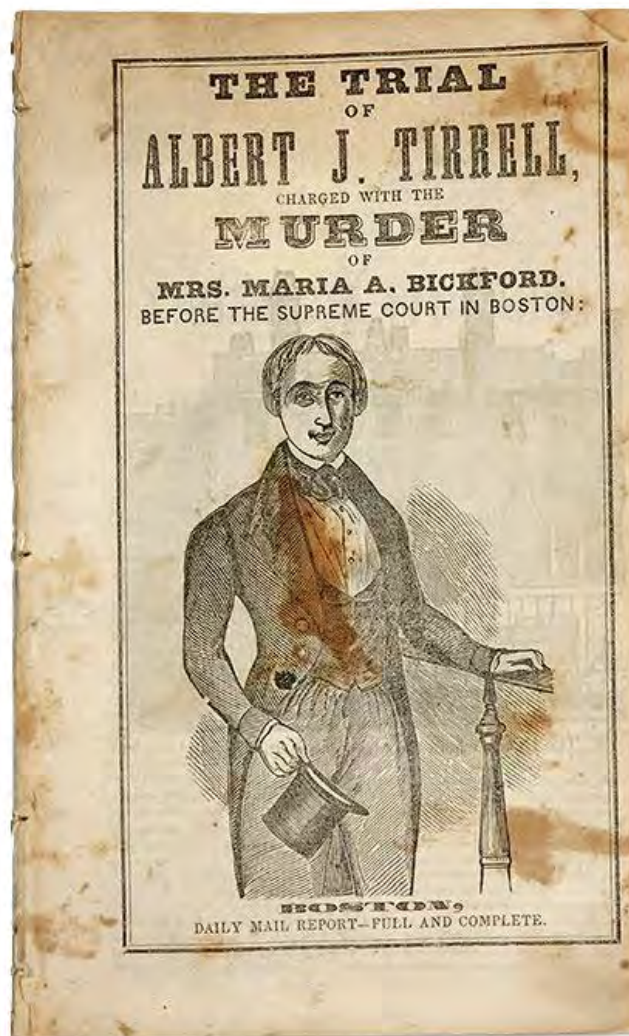
Not Listed on COPAC or OCLC

**22. Taylor, Edward, Defendant.  
Taylor, Robert, Defendant.**

*The Defence of Mr. Edward Taylor, Delivered by Him on the Trial of Himself and His Brother, Robert Taylor, On the Sixteenth of January 1816, at the Old Bailey, On an Indictment Charging them with Forging and Uttering a Certain Forged Order with the Indorsement Thereon, For the Delivery of a Quantity of Hides, The Property of Lubbock & Co. from the London Docks.* London: Printed by Hay and Turner, 1816. 14 pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet, title page detached, lightly soiled and moderately edgeworn, "7." in early hand to head, moderate toning to text, faint dampstaining to foot of text block. \$500.

\* Only edition. Taylor confesses his guilt, explains his actions and asks the court to be lenient with his brother. He also asks the court to consider the two brother's responsibility for their widowed elderly mother. No copies listed on COPAC or OCLC. [Order This Item](#)



**Not in McDade**

**23. Tirrell, Albert J, Defendant.**

*The Trial of Albert J. Tirrell, Charged with the Murder of Mrs. Maria A. Bickford. Before the Supreme Court in Boston.* Boston: Daily Mail Report-Full and Complete, [1846]. 37 pp. Text in parallel columns. Portraits. Illustrations. Octavo (8-1/2" x 5-1/4").

Disbound stab-stitched pamphlet in pictorial wrappers, rear wrapper lacking. Portrait of Tirrell on front wrapper, depiction of crime scene to verso; portrait of Bickford on p.37. Light soiling, small chip to upper corner of front wrapper, moderate toning, light foxing to a few leaves. \$650.

\* Only edition. "The murder of a harlot seems to lend a special interest to a case which is measurable by the many publications which ensue. (...) The Tirrell case is one of the triumphs of Rufus Choate, who convinced the jury that his client did not cut the throat of Mrs. Bickford, or, if he did, he did it in his sleep. The defense of somnambulism by Choate might well join that other classic of defense put forth by Delphin Michael Delmas, who as counsel for Harry K. Thaw pleaded 'dementia Americana'" (McDade). Our 37-page account is not among the 8 accounts in McDade, which lists a similar account with 32 pages. OCLC locates 11 copies, 3 in law libraries, (Harvard, University of Missouri, Yale). McDade, *The Annals of Murder*, note to 986. [Order This Item](#)





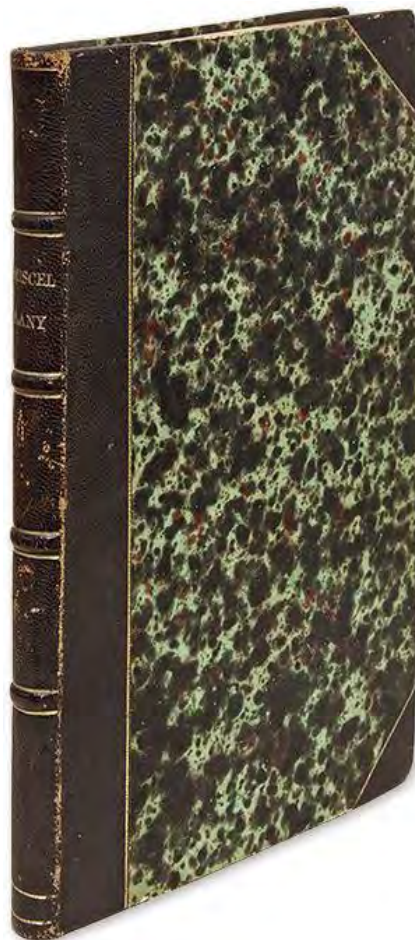
**Trial Notable for  
"Dr. Winslow's Analysis of the Convict's Mind"**

**24. Townley, George Victor [b. 1838], Defendant.**

*The Trial and Respite of George Victor Townley for Wilful Murder. With Original Documents and Correspondence Now First Published; Dr. Winslow's Analysis of the Convict's Mind, Portraits, Autographs and Plan.* Derby: W. Bemrose & Sons, [1864]. [iii], 6-70 pp. Portraits. Plan. Octavo (7-1/4" x 4-3/4").

Stab-stitched pamphlet in printed wrappers. Negligible light soiling to exterior, early owner signature (St. John Crookes/Sunderland/ 1864) to head of front wrapper, moderate toning to text, slightly heavier in places. \$950.

\* Only edition. In 1863 Townley murdered his girlfriend, Elizabeth Goodwin, after she broke off her engagement to him. An expert witness at Townley's trial was Dr. Forbes Winslow, one of the founders of forensic psychiatry and the author of *The Plea of Insanity, In Criminal Cases* (1843). Despite Winslow's testimony, Townsend was found guilty and sentenced to death. He was granted a reprieve, however, after evidence was produced confirming hereditary insanity and a history of delusional behavior. Public outrage over the reprieve led to a second committee investigation, which judged him to be sane. Our account includes memorials from the public and the committee's report, along with Winslow's account of a visit with Townley in prison. Townley was later transferred to an asylum, where he committed suicide. The portraits are of Townley and Goodwin; the plan shows the scene of the crime. OCLC locates 11 copies in North American law libraries. *Catalogue of the Library of the Harvard Law School* (1909) II:1210. [Order This Item](#)



**A Volume of Four Rare and Scarce  
Nineteenth-Century American Trials**

**25. [Trials].  
[United States].**

[*Sammelband of Four Murder Trials and One Adultery Trial, 1830-1846*]. Octavo (9" x 5-1/2").

Stab-stitched pamphlets bound into contemporary three-quarter morocco over marbled boards, raised bands and gilt title (reading *Miscellany*) to spine. Light rubbing to boards, slightly heavier rubbing to extremities, corners lightly bumped. Moderate toning, occasional light foxing, some leaves have minor tears or edgewear, early owner signature (Prof. F.M. Dodge. Wenham, Mass) to front free endpaper. \$2,000.

\* Contents:

-**Citizen of Danvers**, *A Biographical Sketch of the Celebrated Salem Murder, Who for Ten Years Past has been the Terror of Essex County, Mass. Including a Full and Authentic Account of His Daring Exploits; Together with Many New and Interesting Particulars of the Late Murder*. Boston: Printed for the Author, 1830. 24 pp. Woodcut frontispiece. Wrappers lacking. Foot of text block trimmed. OCLC locates 10 copies. McDade, *The Annals of Murder* 564.

-*A Full Report of the Trial of Albert John Tirrell for the Murder of Mrs. Maria Ann Bickford in Boston, To Which is Added, The Argument of Hon. Rufus Choate, With the Judge's Charge, And the Verdict*. Boston: S.n., 1846. 32 pp. Text in parallel columns. Self-wrappers. Not in McDade. OCLC locates 1 copy (U.S. Supreme Court).

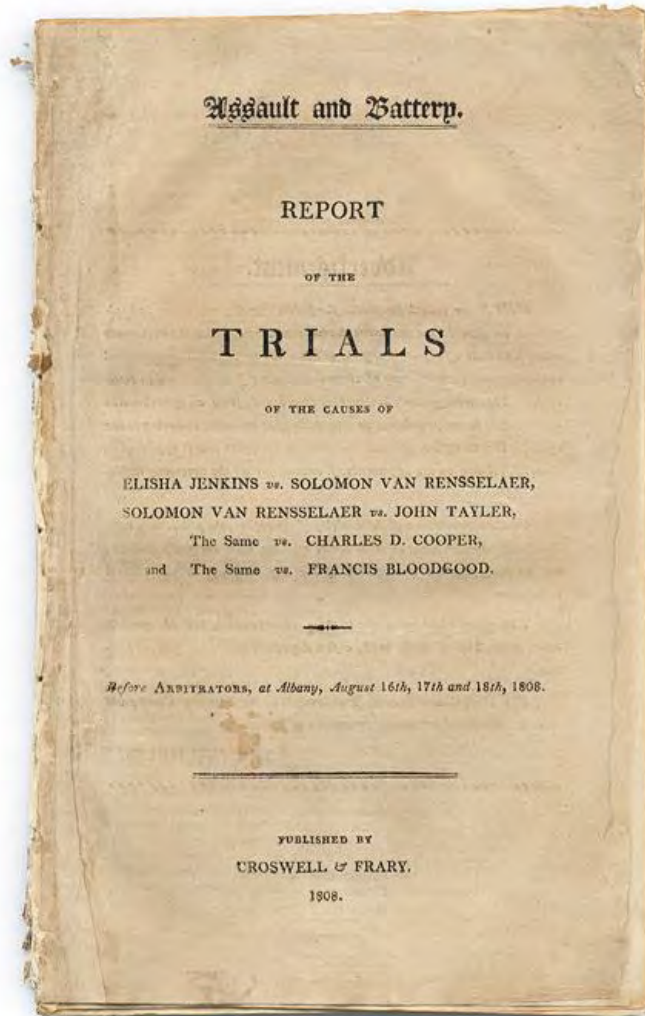
-[*Trial of Henry G. Green, For the Murder of His Wife. Containing the District Attorney's Opening, The Testimony Complete, Judge Parker's Charge in Full, The Verdict and Sentence, The Letter of His Mother, To Green, A Poem Suggested by the Occasion.* Troy: Printed at the Budget Office, 1845]. 48 pp. Text in parallel columns. Wrappers lacking. McDade 388 OCLC locates 14 copies.

-*Trial of Professor John W. Webster, For the Murder of Dr. George Parkman in the Medical College, November 23, 1849.* [Boston]: John A. French, Boston Herald Steam Press, 1850. 91, [5] pp. Text in parallel columns. Two full-page plates of Webster and Parkman, several text illustrations. Wrappers lacking. "Perfect Likeness" in contemporary hand to foot of Parkman plate. McDade 1067

-*Mr. Fairchild's Trial.* [Boston]: S.n., [1842 or 1845]. 24 pp. Text in parallel columns. Wrappers lacking. OCLC locates 5 copies, 3 dated 1842 date (Cornell, University of Chicago, Western University, Ontario), 2 dated 1845 (American Antiquarian Society, Harvard).



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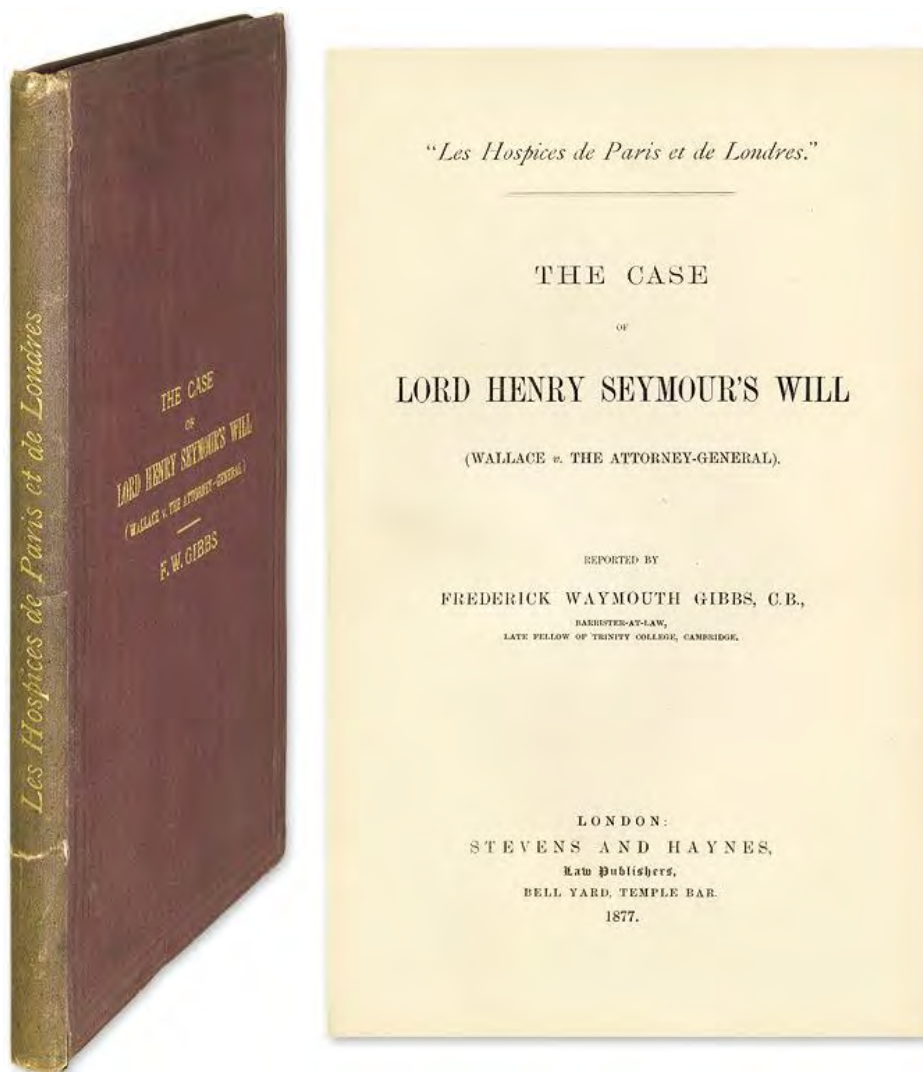
**Bloody Clashes Between  
Federalists and Jeffersonians in Albany**

**26. Van Rensselaer, Solomon [1774-1852], Primary Defendant.**

*Assault and Battery: Report of the Trials of the Causes of Elisha Jenkins vs. Solomon Van Rensselaer, Solomon Van Rensselaer vs. John Tayler, the Same vs. Charles D. Cooper, And the Same vs. Francis Bloodgood: Before Arbitrators, At Albany, August 16th, 17th and 18th, 1808.* [Albany, NY]: Crosswell & Frary, 1808. 80 pp. Woodcut map. Octavo (8-1/2" x 5-1/4").

Disbound stab-stitched pamphlet, untrimmed fore and bottom edges. Light soiling to exterior, tiny stain to title page, a few signatures loose, light browning to text. Small mark in pencil to verso of title page, interior otherwise clean. \$450.

\* Only edition. A notorious episode in Albany's political history, these trials were the result of a street brawl between a group of Federalists and Jeffersonians. It was initiated when Rensselaer attacked Jenkins from behind with his walking stick after an argument over the fate of Irish rebels seeking admission to the United States. Cooper, Tayler and Bloodgood joined the fight. Jenkins was awarded \$2,500.00 in damages. Bloodgood would later become mayor of Albany. Tayler, later a judge, went on to become lieutenant governor of New York. Taylor and Cooper, a judge, were involved in the controversy that precipitated the Hamilton-Burr duel. The street map shows locations of relevant sites and the positions of witnesses. Cohen, *Bibliography of Early American Law* 14363. [Order This Item](#)



**A Complicated Case of Inheritance and Succession  
Involving a Charity and the Laws of France and Great Britain**

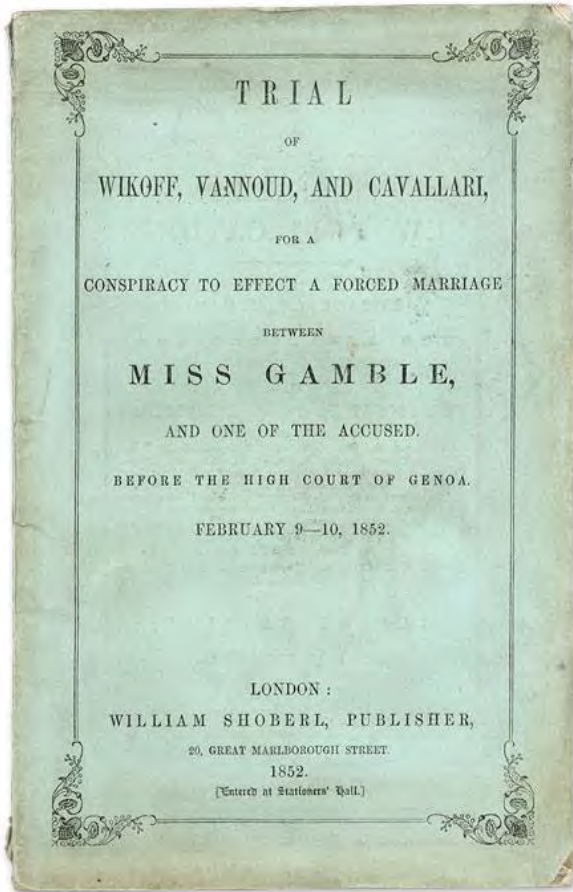
**27. Wallace, Sir Richard [1818-1890].**

**Gibbs, Frederick Waymouth [1821-1898], Reporter.**

*The Case of Lord Henry Seymour's Will (Wallace v. the Attorney-General)*. London: Stevens and Haynes, 1877. vii, 98, 48 pp. Includes forty-eight page publisher catalogue. Octavo (9-1/2" x 6-1/2").

Original cloth, blind rules to boards, gilt titles to front board and spine. Some rubbing to extremities, light fading to spine, joints and front hinge just starting at ends. Early owner annotation to half-title, interior otherwise fresh. \$450.

\* Only edition. Text in English and French. At head of title: "Les Hospices de Paris et de Londres." This was an unusually complicated case of inheritance and succession. "France ... was the country to whose courts belonged the principal administration of his estate, and his will was brought before the Court of Chancery here by Mr. Wallace ... in aid of the French administration. The universal legacy gave rise to two questions ... 1st, what was the extent, topographically, of the word 'London' as used by the testator; and 2ndly, what institutions were included within the description, 'Les Hospices de Londres'" (1-2). Catalogue of the Library of the Harvard Law School (1909) II:1218. [Order This Item](#)



### A Sensational Case of Kidnapping

**28. Wikoff, Henry [1813-1884], Principal Defendant.**

**Vannoud, Louis, Defendant.**

**Cavallari, Luigi, Defendant.**

*Trial of Wikoff, Vannoud, And Cavallari, For a Forced Marriage Between Miss Gamble and One of the Accused. Before the High Court of Genoa, February 9-10, 1852.* London: William Shoberl, 1852. 64 pp. Lithograph portrait frontispiece of Wikoff. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Moderate soiling, rubbing to extremities with some wear to spine ends and corners. Light toning to text, foxing to a few leaves, internally clean. \$750.

\* Only edition. An account of one of the sensational trials of the early 1850s. Wikoff, or as he called himself, Chevalier Wikoff, was an American impresario, occasional European correspondent for the *New York Herald* and, possibly, a spy for Lord Palmerston. He was engaged to Jane Catherine Gamble, an English woman. Gamble changed her mind shortly before the wedding and fled to Genoa. Wikoff tracked her down and apparently tricked her into coming along with him to his apartment. Shortly afterwards Gamble filed a complaint of kidnapping that landed Wikoff in an Italian jail for 15 months. He was found guilty in an Italian court and forced to return her letters and "extorted promise of marriage." Ever enterprising, Wikoff responded to the negative publicity with a memoir entitled *My Courtship and Its Consequences* (1855), which became a best-seller. Copies of *The Trial of Wikoff* are scarce. OCLC locates 7 worldwide: 2 in the British Library and 5 in North American law libraries (Harvard, Library of Congress, University of Georgia, University of Minnesota, University of Pennsylvania). [Order This Item](#)



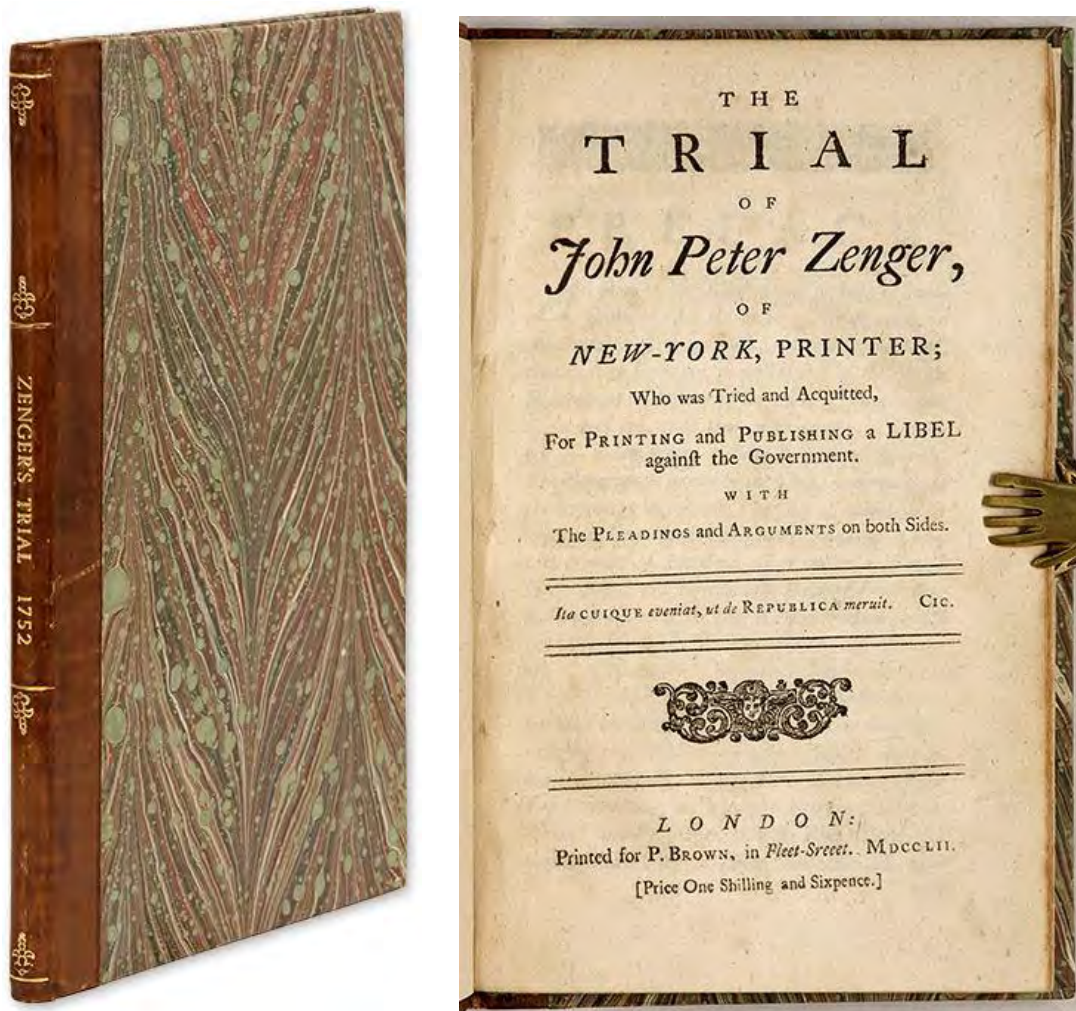
**"A Figure with the Body, Feet, And Tail of a Rat,  
With the Head and Face of a Man, (Resembling the Plaintiff)"**

**29. Wood, William, Defendant.**

*St. Luke's Parish Malt!!! Fairburn's Edition of the Trial between Doctor Smith and Mr. Wm. Wood: For a Malicious and Scandalous Libel Against the Said Doctor Smith, Contained in a Print, Or Picture, Commonly Called a Caricature!! Intituled, "The Inside of a Newly-Reformed Workhouse with All Abuses Removed": In Which Caricature was Depicted 4 Sacks of Parish Malt and a Figure with the Body, Feet, And Tail of a Rat, With the Head and Face of a Man, (Resembling the Plaintiff), Nibbling at Them: Also a Figure of a Women in Breeches, Pulling the Rat by the Tail Intended to Represent the Plaintiff's Wife: With the Defendant Charging the Vestry-Clerk with Receiving £45 for Bastardy of an Adjoining Parish who with Satan at his Elbow, Prompting Him to Tell a Good Fat Lie, Denies the Charge, &c.: Including the Evidence at Full Length, Taken in Short Hand. Which was Tried in the Court of King's Bench, Guildhall, On Wednesday, January 20, 1813, Before Lord Ellenborough, And a Special Jury.* London: Published by John Fairburn, [1813]. 24 pp. Octavo (8" x 5-1/4").

Disbound stab-stitched pamphlet. Light browning and foxing, moderate edgewear, final few leaves partially detached, negligible light soiling to exterior, "5" in early hand to head of front wrapper. A rare title. \$750.

\* Only edition. "This was an action brought by John Smith, a surgeon and apothecary, (...) against William Wood, a boot and shoe maker, (...), in the same parish; to recover a compensation in damages for publishing a gross, scandalous, and malicious, libel, in the form of a caricature picture, or print, (...) tending to injure and defame the character of the plaintiff.- The damages were laid at one thousand pounds" (pp. 3-4). The court found for the defendant. OCLC locates 1 copy (Cornell University). *Catalogue of the Library of the Harvard Law School* (1909) II:1191. [Order This Item](#)



**The First Major Victory  
for Freedom of the Press in America**

**30. Zenger, John Peter [1697-1746], Defendant.**

*The Trial of John Peter Zenger, Of New-York, Printer; Who was Tried and Acquitted, For Printing and Publishing a Libel Against the Government, With the Pleadings and Arguments of Both Sides.* London: Printed for P. Brown, 1752. [iv], 74, [2] pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound into recent quarter calf over marbled boards, gilt title to spine, endleaves added. Light rubbing to extremities, light toning to text, light foxing in a few places. A handsome copy. \$1,750.

\* London reissue of an account first published in New York in 1736 as *A Brief Narrative of the Case and Trial of John Peter Zenger*, which was probably written by James Alexander, the co-founder and main editorial voice of Zenger's newspaper, the *New-York Weekly Journal*. Zenger was tried for seditious libel for publishing satirical comments about the governor of New York in his newspaper. Defended by the brilliant Philadelphia lawyer Andrew Hamilton, his 1735 acquittal is generally regarded as the first major victory for freedom of the press in the American colonies and a precedent for the First Amendment of the U.S. Constitution. McCoy, *Freedom of the Press* Z8. *English Short-Title Catalogue* T877.

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