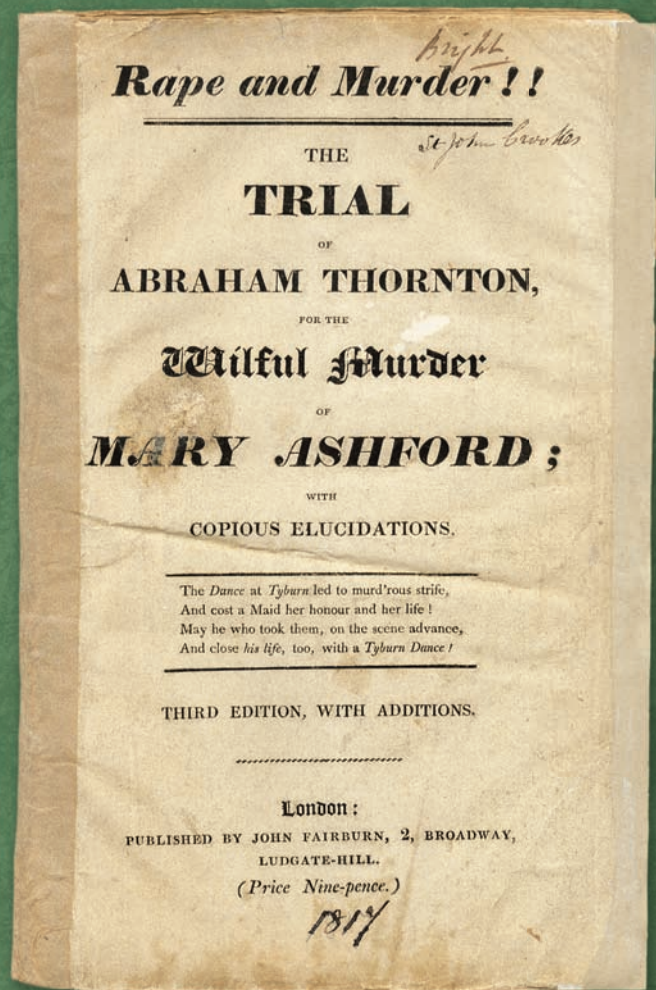
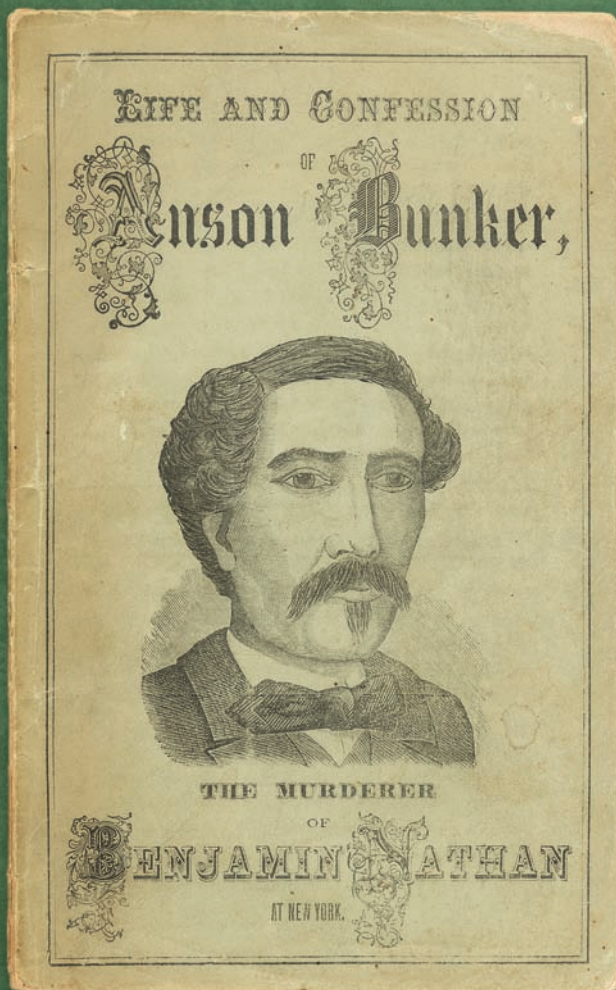


60 BRITISH, SCOTTISH & AMERICAN TRIALS

September 16, 2014



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60 British, Scottish and American Trials

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Part I: Great Britain and Scotland

Scarce Trial Involving Poison, Abortion and Murder

1. Angus, Charles, Defendant.

Jones, William, Jr., Reporter.

The Trial of Charles Angus, Esq., On an Indictment for the Wilful Murder of Margaret Burns, At the Assizes Held at Lancaster, On Friday, 2d Sept. 1808. Before the Hon. Sir Alan Chambre, One of the Justices of His Majesty's Court of Common Pleas. Taken in Short Hand. Liverpool: Printed by William Jones, [1808]. [iv], 288 pp. Octavo (8" x 5").

Three-quarter calf over marbled boards, rebaked with period-style gilt spine with lettering piece, hinges mended. Light rubbing to boards, corners lightly bumped, residue from bookplate to front pastedown, front free endpaper and final leaf re-hinged (and a small tear near the gutter carefully repaired). Moderate toning to text, light foxing in a few places, some soiling to verso of final leaf, internally clean. A nice copy. \$1,250.

* Only edition. Angus was charged with assisting Margaret Burns in the abortion of their child. They used "corrosive sublimate of Mercury," which killed the fetus, and Margaret. Angus was acquitted after a trial rich in lurid detail. The publisher, who also recorded the trial in shorthand, clearly hoped to profit from the scandalous nature of the trial. Whatever commercial success this publication may have had, it is an interesting trial that tells us much about the status of women in northern Britain in the early nineteenth century. OCLC locates 7 copies in North American law libraries (Indiana Supreme Court, Los Angeles County, Social Law, the Universities of Minnesota and Virginia and Yale and York Universities).

Baffling Case Involving Liquid Chloroform and Incest

2. Bartlett, Adelaide, Defendant.

The Trial of Adelaide Bartlett for Murder. Held at the Central Criminal Court, Monday April 12 to Saturday, April 17th, 1886. Edited by Edward Beal. With a Preface by Edward Clarke. London: Stevens and Haynes, 1886. x, 313 pp. Octavo (8-1/2" x 5").

Original cloth, some shelfwear and dampstaining, binding somewhat cocked, crack near center of text block. Early owner signature to front free endpaper, interior otherwise clean. \$30.

* One of the more unusual and baffling English murder cases, it involved liquid chloroform and an incestuous family. Mrs. Bartlett was accused of poisoning her husband in order to inherit his estate. How she murdered him remains a mystery, however. Although chloroform was found in his stomach, no traces were found in his mouth or throat. Unable to determine how she could have killed her husband, the jury did not convict Mrs. Bartlett.

Aftermath of the "White Mutiny"

3. Bell, John, Defendant.

Marsh, Charles, Attorney.

The Defence of Lieutenant-Colonel John Bell, Of the First Battalion of Madras Artillery, On His Trial at Bangalore, Before a General Court-Martial, As it Was Read in Court by His Counsel, Charles Marsh, Esq. London: Printed and Sold by Black, Parry & Kingsbury, 1810. [iv], 85, [3] pp. Includes three-page publisher advertisement (of books relating to India). Octavo (8-1/4" x 5").

Stab-stitched pamphlet in later plain wrappers, hand-written title to front. Light toning to text, some offsetting to margins of title page, internally clean. \$500.

* Only edition. In 1809 several officers of the East India Company's Madras Army caused a number of violent disturbances and refused to obey orders due to a dispute over allowances and pay, an event later known as the "White Rebellion." Bell was charged with joining and leading this "most dangerous and alarming mutiny and sedition" [iii]. He was found guilty and discharged from his post. OCLC locates 8 copies, 5 in North America, 2 in law libraries (Library of Congress, University of Minnesota). See Malcolm, *Observations on the Disturbances in the Madras Army in 1809*.

**Anson Bunker, "The Bloody Hand,"
Illustrated with Nine Woodcut Plates - Not in McDade**

4. [Bunker, Anson (1818-c.1873)].

A Great Number of Mysterious Murders Revealed: The Life of Anson Bunker, "The Bloody Hand," The Perpetrator of No Less Than Fifteen Cold-Blooded Murders, Amongst Which Were the Great Nathan Murder of New York City, And Those of His Three Wives, and Several Others in Various Parts of the Country. His Horrible Confessions and Terrible Doom. Philadelphia: Barclay & Co., Publishers, [copyright 1881]. [ii], [19]-95 pp. Nine pages of woodcut plates. Octavo (9-1/4" x 6").

Stab-stitched pamphlet in pictorial wrappers. Light soiling, some edgewear and a few tiny stains, final few leaves partially detached but secure. Light toning, internally clean. \$750.

* Later issue. First published in 1875, this is a notably lurid biography. The most prominent victim was Nathan, a leading member of New York's Jewish, financial and philanthropic communities. This murder was front-page news in New York, and it was never solved. Bunker was not a suspect, but he is presented as a likely murderer in this account. People Anson actually murdered include his three wives and other victims in Canada, St. Louis, Cincinnati, Louisville, New Orleans and elsewhere. Bunker's adventures in the Confederate Army are also described. The plates are notably lurid. One depicts a botched bank robbery in Kentucky in which Bunker and his associate disguised themselves as African-Americans. Another shows a pre-teen Bunker and four other boys murdering a man in New York City's notorious "Five Points." No copies of this imprint on OCLC. Not in McDade.

**A Case that Inspired
a Story by Robert Lewis Stevenson**

5. Burke, William [1792-1829], Defendant.

M'Dougal, Helen [1795-?], Defendant.

[Hare, William (1792?-1870?)].

Macnee, John, Reporter.

Trial of William Burke and Helen M'Dougal, Before the High Court of Justiciary, At Edinburgh, On Wednesday, December 24, 1828, For the Murder of Margery Campbell, Or Docherty. With an Illustrative Preface. Also, Portraits of Burke, M'Dougal, And Hare,--View of the Interior of Burke's House, Plan of Premises, &c. Edinburgh: Robert Buchanan, 1829. [ix], vi-xviii, 200 pp., 3 plates. Half-title misbound before p. 1. Octavo (9" x 5-1/2").

Printed publisher wrappers, repaired and rebaked with matching paper, untrimmed edges, most signatures unopened. Some edgewear, minor tears and creases to wrappers, light toning to text. Early owner signature to head of title page, interior otherwise clean. \$250.

* Only edition. The most famous "resurrection men" in British history, Burke and Hare, confessed to a minimum of sixteen murders and grave robberies, all of which were committed to supply the medical schools of Edinburgh with fresh cadavers. They were assisted by Burke's mistress, Helen M'Dougal (McDougal), and Hare's wife Margaret Laird. Burke, M'Dougal, and Hare were indicted. M'Dougal was not convicted, Burke was hanged, Hare turned King's evidence and escaped the hangman. Their exploits and trial inspired Robert Lewis Stevenson's 1884 short story "The Body Snatchers." *Catalogue of the Library of the Harvard Law School* (1909) II:1030.

**A Notable Freethinker and Publisher
Of Thomas Paine Reports One of His Blasphemy Trials**

6. Carlile, Richard [1790-1843], Defendant and Reporter.

The Report of the Proceedings of the Court of King's Bench, In the Guildhall, London, On the 12th, 13th, 14th, And 15th Days of October: Being the Mock Trials of Richard Carlile, For Alleged [sic] Blasphemous Libels, In Publishing Thomas Paine's Theological Works and Elibu Palmer's Principles of Nature; Before Lord Chief Justice Abbott, And Special Juries. London: Printed and Published by R. Carlile, 1822. xx, 203 pp. Octavo (8-1/4" x 5-1/4").

Stab-stitched pamphlet (without wrappers) bound into recent marbled boards with paper title label. Toning, light soiling to title page, creases to corners of a few leaves. An appealing copy. \$950.

* Only edition. Carlyle was one of the most prolific freethinking journalist-publisher-political activists of his day. As one would suspect, he was often at odds with the government. In 1819 he was fined 1,500 pounds and imprisoned for three years for six counts of "blasphemous libel." He published this account of the first day of his 1819 trial after his release. It deals with the information against him for publishing Thomas Paine's *Age of Reason* and *Examination of the Passages in the New Testament Quoted from the Old and Called prophecies concerning Jesus Christ*, which Carlyle issued as *The Age of Reason, Part the Third*. Portions of these were read in court by Carlyle with commentary. *Catalogue of the Library of the Harvard Law School* II:1035.

A Court-Martial for Embezzlement

7. Cawthorne, John Fenton, Defendant.

A Copy Of The Proceedings Of A Court Martial Holden for the Trial of John Fenton Cawthorne, Esq; Colonel of the Westminster Regiment of Middlesex Militia. Ordered to be Printed 8th April 1796. [London: S.n., 1796]. [ii], 435 [1] pp. Folio (13" x 8-1/4").

Original plain publisher wrappers, untrimmed edges. Some edgewear and soiling, light toning to text, internally clean. \$450.

* First edition. This massive report was commissioned by Parliament. It records a court-martial involving the embezzlement of recruiting funds and other offenses concerning the withholding of pay and manipulation of recruitment for personal gain. Cawthorne was found guilty on some of the charges and dismissed. This report was reissued in 1807. *English Short-Title Catalogue* T101044.

"The Blackest and Basest of All Crimes"

8. Charles I [1600-1659], Defendant.

Nelson, J[ohn] [1638-1686].

A True Copy of the Journal of The High Court of Justice, For the Tryal of King Charles I. As it Was Read in the House of Commons, And Attested Under the Hand of Phelps, Clerk of That Infamous Court. With a Large Introduction. London: Printed by H.C. For Thomas Dring, 1684. [xii], LXX, [2], 128, [8] pp. Two copperplate frontispieces, one a portrait frontispiece of Charles I., the other an allegory of his trial. Copperplate trial scene. Folio (12" x 7-1/2").

Contemporary calf, gilt fillets and small central owner crests to boards, raised bands, gilt ornaments and lettering piece to spine. Moderate rubbing with some wear to extremities, small chip to foot of spine. Pages 86 and 110, which list the members of the High Court, printed in red and black. Light toning to text, dampspotting, dampstaining, finger smudges and minor tears in a few places, clean tear to plate depicting trial mended with archival tape, edgewear to folding leaf with minor loss to text, internally clean. \$1,250.

* First edition. The seventy-page "Large Introduction" is a polemical attack on the high court, "Monsters of Ingratitude and Cruelty, Treachery and Hypocrisy" who committed "the blackest and basest of all crimes" in their conviction and execution of King Charles I. Many journal entries have commentary by Nelson; several are quite sarcastic. The allegorical frontispiece is faced with an explanation in verse. The trial scene is keyed to a facing (polemical) leaf of captions. Later editions were published in 1731 and 1740. *English Short-Title Catalogue* R5636.

Did the Punishment Fit the Crime?

9. Cooke, Percival, Defendant.

Tomlinson, James, Defendant.

The Confession of Percival Cooke and James Tomlinson, Who Were Executed on Friday, April 10, 1812, On a Drop Newly Erected in Front of Derby Goal, For Robbing the Houses of Mr. S. Hunt, Of Oakbrook Mill, And Mr. J. Brentnall, Of Locke-Grange, In the County of Derby. Nottingham: Printed and Sold by C. Sutton, [1812]. 8 pp. Quarto (7" x 5").

Single leaf folded to form four pages, edges unopened, deckle edges. Woodcut tail-piece depicting a casket. Light soiling, a bit heavier near edges. \$175.

* A sympathetic account of two condemned prisoners. The anonymous author questions whether these two men deserved to be hanged. Not in the *British Museum Catalogue*.

A Cautionary Tale for "Young Gentlemen"

10. Cork, Edmund Boyle, Earl of [1767-1856], Defendant.

The Trial of Lord Dungarvan, At the Old Bailey, On Monday the 17th of January 1790, Before Mr. Baron Thompson. Taken Accurately in Short Hand by a Gentleman of the Middle Temple. Counsel for the Prosecution, Mr. Knowles and Mr. Const. For his Lordship, Mr. Shepherd, Mr. Garrow, and Mr. Cullen. London: Printed for Mr. Lewis, 1791. [6], ii, [3]-38, [2] pp. Includes two-page publisher catalogue. Copperplate portrait frontispiece. Quarto (10" x 8").

Recent three-quarter morocco over cloth, gilt rules to boards, gilt title to spine, untrimmed edges. Moderate rubbing to extremities, some toning to text, light soiling to half-title, which has an owner signature (of William Owen, Trinity College) dated 1794, repairs to corners and fore-edge of frontispiece. Ex-library. Stamps to boards and free endpapers, bookplate to front pastedown. A solid copy of a rare title. \$1,750.

* Only edition. The frontispiece depicts Elizabeth Weldon, the prostitute who initiated the suit. In an attempt to extort money, she threatened Boyle, also known as Viscount Dungarvan due to his Irish properties, with a bogus lawsuit. She said she would claim he took money from her clothing after he purchased her services. However, Cork called her bluff and eventually prevailed in court. Clearly a salacious case, it is presented here as a cautionary tale for "young gentlemen, whose levity may bring them into a familiar situation..." The reporter warns that it "may not always be in the power, even of a man of *fashion*, to refute the plausible tale of an artful woman, (although a prostitute.) It may not always happen that an innocent defendant shall have the same circumstances to protect his honour, as my Lord Dungarvan" (ii). OCLC locates 2 copies, both in law libraries (Columbia, Harvard). *English Short-Title Catalogue* N013878.

A Famous Witchcraft Trial

11. Cullender, Rose [d. 1665], Defendant.

Duny, Amy [d. 1665], Defendant.

Hale, Sir Matthew [1609-1676], Judge.

A Tryal of Witches, At the Assizes Held at Bury St. Edmonds for the County of Suffolk; On the Tenth Day of March, 1664. Before Sir Matthew Hale, Kt. Then Lord Chief Baron of His Majesties Court of Exchequer. London: Printed for William Shrewsbury, 1682. [iv], 59 pp. Octavo (6-1/2" x 4").

Later three-quarter calf over marbled boards, gilt rules to boards, gilt title to spine, marbled endpapers. Moderate rubbing to extremities, light rubbing to boards, which are slightly warped, armorial bookplates to front pastedown and free endpaper, top-edge of text block trimmed closely, text not affected. Moderate toning to text, light foxing in places. Early owner signature to title page, interior otherwise clean. \$2,000.

* First edition. *A Tryal of Witches* is an account of the Lowestoft Witchcraft trial conducted at Bury St. Edmonds. Well-known in its day, this remains the most famous English witchcraft trial because it was, thanks to this account, well-documented. Also, it involved many leading jurists and experts of the day, most notably Thomas Browne, a physician who presented one of the earliest examples of psychiatric testimony as an expert witness. Some experts believe this account inspired the Salem Witchcraft trials. Indeed, Browne's testimony was quoted at that trial by Cotton Mather. *A Tryal of Witches* was later appended to Hale's *Short Treatise Touching Sheriffs Accompts* (1683). Excluding copies issued with the 1683 treatise, OCLC locates 3 copies in North American law libraries (at Columbia, GWU, York). *English Short Title Catalogue* R37899.

A Notable Forgery Trial

12. Dodd, William [1729-1777], Defendant.

Gurney, Joseph, Reporter.

The Whole Proceedings of the King's Commission of the Peace, Oyer and Terminer, And Gaol Delivery for the City of London; And Also the Gaol Delivery for the County of Middlesex; Held at Justice Hall in the Old Bailey, On Wednesday the 19th of February 1777, And the Following Days; Being the Third Session in the Mayoralty of the Right Honble Sir Thomas Hallifax, Lord Mayor of the City of London. Number III. Part I. London: Printed by William Richardson, [1777]. 94-124 pp. Quarto (9" x 7-1/2").

Stab-stitched pamphlet in self-wrappers. Light soiling and edgewear, some toning to text. "Dr. Dodd" in contemporary hand to head of title page, interior otherwise clean. \$350.

* The complete number as issued, containing the report of the trial of William Dodd, clergyman and author, for counterfeiting a bond in the amount of 4200 pounds with the intention to defraud his former pupil, Lord Chesterfield. The objections to the indictment made by counsel (94-106) are followed by the trial itself (106-118). Dr. Dodd was found guilty but the jury recommended clemency. Despite the intercession of Samuel Johnson and numerous others (one petition was said to have been signed by 23,000 people) Dodd was hanged. *English Short-Title Catalogue* T219028.

Notable Seventeenth-Century Case of Assault And Battery

13. Giles, John, Defendant.

The Tryal of John Giles at the Sessions-House in the Old Bayly: Held by Adjournment from the 7th Day of July, 1680 Until the 14th Day of the Same Month the Adjournment Being Appointed on Purpose for the Said Giles, His Trial for a Barbarous and Inhumane Attempt to Assassinate and Murder John Arnold, Esq. London: Printed by Thomas James for Randal Taylor, 1681. 58 pp. Folio (12" x 7-1/2").

Later paper-covered boards, calf lettering piece to spine. Light soiling, some rubbing to extremities, corners and spine ends bumped and lightly worn. Light toning to text, light foxing to title page and final leaf, internally clean. \$375.

* Only edition. An account of a sensational case of assault and battery. John Arnold, a justice of the peace from Monmouth, was attacked by a gang of men armed with knives and swords. Stabbed several times, Arnold survived the attack. One of these men, Giles, was apprehended and brought to trial. He was convicted, fined, compelled to offer sureties for good behavior for the rest of his life and sentenced to three hour-long sessions in the pillory over the course of three days, one facing Lincoln's Inn, another facing Gray's Inn and a third "by the May-Pole in the Strand." OCLC locates 13 copies, 3 in North American law libraries (Harvard, Yale, York). *English Short-Title Catalogue* R24640.

A Misguided Love Affair

14. Gordon, Lockhart, Defendant.

Gordon, Loudoun, Defendant.

Fairburn's Edition of the Trial of Lockhart and Loudon, For Forcibly and Feloniously Taking Rachel Fanny Antonia Lee, From her House, Against Her Will, And Defiling Her, At Tetsworth; Which was Tried at Oxford, Before Mr. Judge Lawrence, And Mr. Justice Le Blanc, March 6, 1804. To Which is Added, the Whole of the Examinations at Bow-Street, Her Dream, &c. &c. London: Published by John Fairburn, [1804]. 28 pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into later cloth, gilt title to spine. Light soiling, minor rubbing to spine and corners, later owner bookplate to front pastedown. Light browning and occasional light foxing to text, internally clean. \$500.

* Only edition. This colorful trial for abduction and assault was the result of a misguided love affair. The plaintiff, Mrs. Lee, claimed that she had been abducted by Lonsdale Gordon and his brother, the author of this pamphlet. Both were ultimately acquitted. OCLC locates 1 copy (at Cornell University). *British Museum Catalogue* (Compact Edition) 10:951.

Sensational 1770 Adultery Trial Involving the Brother of King George III

15. [Grosvenor Cause].

[Henry Frederick, Duke of Cumberland (1745-1790), Defendant].

The Trial of His R[oyal] H[ighness] the D[uke] of C[umberland] for Criminal Conversation with Lady Harriet G[rosvenor]. Including the Letters Which Have Passed Between His R.H. and Her Ladyship, and Were Read in Court. [London]: Bailey, Printer, 1770. 48 pp. Octavo (6-3/4" x 4-1/4").

Stab-stitched pamphlet in plain wrappers bound into recent period-style quarter calf over cloth. Charming woodcut title page device, head-piece and tail-piece. Light foxing to final leaf, interior otherwise fresh. \$650.

* Henry Frederick, the brother of King George III, was notorious for his--to use the language of the day--"excesses" and "irregular" life. In 1770 Richard Grosvenor, first earl Grosvenor, sued him for committing adultery (criminal conversation) with the Countess Grosvenor. Argued before the great jurist Lord Mansfield, it was one of the most colorful trials of the day. The court found in Grosvenor's favor and ordered the Duke to pay him 10,000 guineas in damages. Short of cash, his brothers had to assist him with the payment. This pamphlet offers a vivid narrative account enlivened with a few excerpts from the transcripts, along with complete texts of the letters. The cornerstone of this case, they are occasionally quite bawdy. *Catalogue of the Library of the Harvard Law School* (1909) II:1090.

The Lady Deserted Her Husband and Daughter

16. [Henry, Joseph, Defendant].

Report of the Trial of Joseph Henry, Esq., In the Sheriff's Court, On Friday, Jan. 20, 1809, For Criminal Conversation with Lady Emily Best. London: Printed by B. McMillan, 1809. [ii], 50, [1] pp. Includes one-page advertisement. Octavo (8-1/2" x 5-1/2").

Disbound stab-stitched pamphlet. Light soiling to exterior, minor edgewear to first and final leaves, light toning to interior. \$350.

* A report of the inquiry to award damages after Lady Emily Best deserted her formerly wealthy husband, who was currently living in a debtor's prison, and her infant daughter. The trial resulted in an award of £2000. OCLC locates 2 copies (at Cornell and Yale Universities). *Catalogue of the Library of the Harvard Law School* (1909) II:1098

Scarce English Embezzlement Trial

17. 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. [iii], 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).

Highway Robbery

18. Laidly, William, Defendant.

Authentick Coppie of the Tryal of Scot and Mackpherson, Anno 1712: Laid Before the House, Pursuant to their Lordships Order for that Purpose, 18 Aprilis, 1737. London: Printed by John Baskett, 1737. 33, [1] pp. Folio (12-1/2" x 8").

Later quarter morocco over cloth, gilt title to spine, endpapers renewed. Some rubbing to extremities, minor blistering to boards, partial crack near center of text block. Light toning to text. Later annotations in pencil to endleaves, interior otherwise clean. \$350.

* Trial of William Laidly (alias Scot of Mossphennan) for assault and robbery, on the complaint of Donald McPherson, before the High Court of Justiciary. OCLC locates 13 copies in North America, 3 in law libraries (Yale, Harvard and the University of Washington). *English Short-Title Catalogue* T22795.

A Social Radical is Tried for Seditious Libel

19. Lovett, William [1800-1877], Defendant.

The Trial of W. Lovett, Journeyman Cabinetmaker, For a Seditious Libel, Before Mr. Justice Littledale, At the Assizes at Warwick, On Tuesday, the 6th of August, 1839. London: Printed and Published by H. Hetherington, 1839. 19 pp. Octavo (8-1/2" x 5-1/2").

Disbound pamphlet. Light soiling and edgewear. Manuscript page numbers to bottom margins, interior otherwise clean. A well-preserved copy. \$450.

* Only edition. An account of the trial of the radical social reformer published by his associate, Hetherington. Lovett was the author of the People's Charter. "As a signatory of the [first Chartist convention's] resolutions condemning the Metropolitan Police's dispersal of the Bull Ring meetings, [he] was arrested on 6 July and sentenced for weeks later at Warwick assizes to twelve months' imprisonment for seditious libel" (DNB). OCLC locates 6 copies in North America, none in law libraries. *Dictionary of National Biography* XII:178-79. McCoy, *Freedom of the Press* L368.

First American Edition, New York, 1794

20. 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 31st 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, boards 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. \$400.

* 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.

A Scarce Scottish Defamation Case

21. Nairne, James [1782-1847], Defendant.

The Trial Before the Lord President of the Court of Session, Lord Mackenzie, And a Special Jury, (Taken in Shorthand,) Of the Issues in the Action of Damages at the Instance of Lady Ramsay, Widow of the Late Colonel Sir Thomas Ramsay of Balmain, Baronet, Against James Nairne, W.S., For Falsehood and Defamation; Containing the Speeches of Counsel and Charge of the Lord President, With the Whole Evidence, And an Appendix of Letters and Documents. Edinburgh: Published for the pursuer by W. and R. Chambers; London: Orr and Smith, 1833. [iv], 234, 80 pp. Quarto (11-1/4" x 9").

Original three-quarter cloth over paper-covered boards, rebaced retaining original spine and printed paper title label, hinges mended, untrimmed edges. Some rubbing, a few stains to boards, early owner signature (of John Osbourne Browne, Esq.) to front. Annotations in contemporary hand to foot of table of contents, interior otherwise clean. Ex-library. Shelf number to foot of spine, bookplate to front pastedown, date-due sheet and label to front free endpaper. A nice copy of a scarce title. \$250.

* Only edition. A highly detailed record of a case involving accusations of marital infidelity by a colleague of Lady Ramsay's late husband. Lady Ramsay prevailed; the jury determined that her "character" was "perfectly pure and unsullied" and awarded her damages of 200 pounds sterling. (234). OCLC locates 10 copies in North American law libraries. *Catalogue of the Library of Harvard Law School* (1909) II:1171.

A Libel on Napoleon

22. Peltier, Jean-Gabriel (John) [1760-1825], Defendant.

The Trial of John Peltier, Esq. For a Libel Against Napoleon Buonaparte, First Consul of the French Republic, At the Court of King's-Bench, Middlesex, On Monday the 21st of February, 1803. Taken in Short-Hand by Mr. Adams, And the Defence Revised by Mr. Mackintosh. London: Printed by Cox, Son, and Baylis for M. Peltier, 1803. xxxii, 312, clii pp. Full-page caricature of Napoleon (as a Sphinx) following title page. Introduction in French and English on facing pages. Octavo (8-1/4" x 5-1/4").

Three-quarter calf over marbled boards, rebaced, gilt rules and lettering piece to spine, hinges mended. Some rubbing and minor staining to boards. Some toning, light browning in places, internally clean. \$200.

* Only edition. Peltier was a French Royalist who immigrated to England around 1792. In 1800 he began to publish a political journal that strongly opposed Napoleon. Accused of advocating Napoleon's assassination by the French Government, he was tried by an English court in 1803. He was represented by Sir James Mackintosh, who offered a famous speech for the defense. Peltier lost his case and sentenced to pay a token fine. *Catalogue of the Library of the Harvard Law School* (1909) II:1161.

A Stolen Election to Parliament

23. [Petrie, Samuel, Compiler].

Report of the Cricklade Case; Comprehending the Whole of the Proceedings in the Courts of Law, Before the Select Committee of the Commons, and in Both Houses of Parliament. London: Printed for Thomas Payne and Son, 1785. xvi, 588, [30] pp. Octavo (8-1/4" x 5").

Recent period-style quarter calf over marbled boards, gilt fillets and lettering piece to spine, endpapers removed. Occasional light foxing, early signatures to title page, early annotations in fine hand to a few leaves. Ex-institution library. Small inkstamps to title page and elsewhere. \$400.

* Only edition. With index. Petrie ran unsuccessfully against John Bristow for a seat in the House of Commons from the Borough of Cricklade. He discovered that the winner purchased votes, and took Bristow and his conspirators, Paul Benfield and Sir John MacPherson, to court. Petrie prevailed, and as a consequence of this bribery, and of other examples discovered in the course of the proceedings, the elective franchise in Cricklade was extended to the freeholders of several adjoining hundreds. The first nineteen chapters of Petrie's account review the proceedings. The final two chapters contain the statements on the proceedings by the House of Lords and House of Commons. OCLC locates 19 copies. *Catalogue of the Library of the Harvard Law School* (1909) II:1164.

The Last Public Hanging in Scotland

24. Pritchard, Edward William [1825-1865], Defendant.

A Complete Report of the Trial of Dr. E.W. Pritchard for the Alleged Poisoning of His Wife and Mother-in-Law. Edinburgh: William Kay, 1865. viii, 134 pp. Woodcut frontispiece. Octavo (8-1/2" x 5-1/2").

Original printed wrappers. Binding slightly cocked, some soiling, moderate wear to extremities, foot of spine reinforced with cellotape, a few signatures loose. Some toning, internally clean. A solid copy. \$150.

* First edition. Pritchard was accused of poisoning his wife and several other females over a period of years. He was convicted of murdering his wife and mother-in-law and sentenced to be hanged. While awaiting execution he confessed to the murders. His execution was the last public hanging in Scotland, and was witnessed by 100,000 people. *Catalogue of the Library of the Harvard Law School* (1909) II:1169.

A Triumph for Tories and High-Churchmen

25. Sacheverell, Henry [1674-1724], Defendant.

The Trial of Dr. Henry Sacheverell, Before the House of Peers, For High Crimes and Misdemeanors; Upon an Impeachment by the Knights, Citizens and Burgesses 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 Oxford's Speech in the House of Lords, On the First Article of Impeachment of Dr. Henry Sacheverell. London: S.n, 1710. 16 pp.

[And]

The Bishop of Lincoln's and Bishop of Norwich's Speeches in the House of Lords, March the 17th. At the Opening of the Second Article of the Impeachment Against Dr. Sacheverell. London: S.n., 1710. [ii], 35-52 pp.

[And]

The Bishop of Norwich's Speech in the House of Lords, At the Opening of the Second Article of the Impeachment Against Dr. Sacheverell. London: S.n., 1710. [iii], 55-63

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, also published the same year in folio. 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. *Catalogue of the Library of the Harvard Law School* (1909) II:1180.

The Court-Martial of Lord Sackville

26. Sackville, George Germain, Viscount [1716-1785], Defendant.

A Parallel Between the Two Trials of Lord George Sackville, Lately Published Pointing out Their Difference: With Occasional Remarks in Which the Evidence and Matter are Compared and Canvassed, And a Light Thrown Upon the Whole Process. London: Printed for J. Pridden, 1760. 27, [1] pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine, endpapers renewed. Light browning, faint dampstaining and foxing to a few leaves. A nice copy of a scarce title. \$450.

* Only edition. Lord Sackville was dismissed from the British army for insubordination at the Battle of Minden (1759) during the Seven Years' War. Secretary for the colonies from 1775 to 1782, he received much of the blame for Great Britain's defeat in the American Revolution. ESTC locates 9 copies in North America. OCLC locates 1 copy in a North American law school (Harvard). *English Short-Title Catalogue* T043631.

Boswell's Son Dies in a Duel

27. Stuart, James (1775-1849), Defendant.

The Trial of James Stuart, Esq., Younger of Dunearn, Before the High Court of Justiciary, At Edinburgh, On Monday, June 10, 1822. With an Appendix of Documents. Taken in Short Hand. Edinburgh: Printed for Archibald Constable and Co./London: Hurst, Robinson, and Co.: James Ridgway, 1822. [iv], 186, [2], 20 pp. Octavo (8-1/4" x 5-1/4").

Recent cloth, gilt title to spine, endpapers renewed. Toning to text, light soiling to title page and verso of final leaf. Contemporary (?) signature of A.L. Melville to head of title page, interior otherwise clean. \$100.

* Third edition, identical to all other editions, also published in 1822. The son of Samuel Johnson's associate James Boswell, Sir Alexander Boswell, first Baronet [1775-1822] was a Scottish poet, antiquary, and song writer. He used the funds from his inheritance to purchase a seat in Parliament and later achieved a Baronetcy for his political support of the Government. After he left Parliament, Boswell wrote a series of anonymous essays denouncing Stuart, a prominent Whig. When Stuart suspected Boswell's authorship, he demanded that Boswell deny authorship or apologize. Boswell

refused to do either, so Stuart challenged him to a duel. Boswell deliberately fired wide, but Stuart, who had never before handled a gun, shot Boswell in the collarbone. The wound was fatal. Despite Boswell's popularity, Stuart was acquitted unanimously. *Catalogue of the Library of the Harvard Law School* (1909) II:1200.

"Diabolically Ravished, Murdered, And Thrown Into a Pit"

28. Thornton, Abraham [c.1793-1860], Defendant.

Horrible Rape and Murder!! The Affecting Case of Mary Ashford, A Beautiful Young Virgin, Who was Diabolically Ravished, Murdered, And Thrown Into a Pit, As She Was Returning From a Dance; Including the Trial of Abraham Thornton, For the Wilful Murder of the Said Mary Ashford; With the Whole of the Evidence, Charge to the Jury, &c. Tried at Warwick Assizes, Before Mr. Justice Holroyd, On the 8th of August, 1817. Taken in Short Hand. To Which is Added Copious Elucidations of this Extraordinary Case; And a Correct Plan of the Spot Where the Rape and Murder were Committed, &c. &c. London: Published by John Fairburn, 1817. [ii], 60 columns (34 pp), 64, [1] pp. Several contemporary newspaper clippings concerning this case pasted to final leaf, rear wrapper and verso of title page. Woodcut folding map of crime scene. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, untrimmed edges. Some soiling and edgewear, spine and fold-lines of table reinforced, fore-edge mended, some toning to text. Early owner signatures and annotation to front wrapper and map (not the image side), interior otherwise clean. \$950.

* "Third Edition." Abraham Thornton, a bricklayer, "was accused of rape and murder after attending a dance where he became intimate with a gardener's daughter named Mary Ashford. They left the dance together and her body was found the next morning in a deep pool of water near a local footpath. Thornton was tried at the Warwick assizes on 8 August 1817. Since the marks on Mary's body were not necessarily inconsistent with Thornton's claim that she had consented to sexual intercourse, and since the times on the morning in question when Thornton was seen walking home to Bromwich suggested he could not have been with her when she met her death, the jury found him not guilty. The case aroused much interest and reminded people of a similar murder of a local woman a year earlier. Many were convinced of Thornton's guilt and he was assailed in local and London newspapers. A group collected around the Birmingham solicitor William Bedford invoked the old legal process of 'appeal of murder,' by which a person acquitted of murder could be tried again for the same offense. This process was generally regarded as obsolete, though there had been several instances in the eighteenth century. More controversy arose when Thornton came before the court of King's Bench in November 1817 and demanded ordeal by battle, which was open to the subject of an appeal of murder but had not been claimed since Charles I's reign. After several hearings between November 1817 and April 1818 the court decided that the appellee did have this right. The appeal of murder was dropped. Appeals of murder were abolished in 1819 partly because of this case" (Turner). Unable to lead a normal life, Thornton moved to the US and settled in Baltimore. OCLC locates 7 copies of this imprint, 2 in North America, 1 in a law library (Yale). Turner, Michael J., "Thornton, Abraham," *Oxford Dictionary of National Biography* (online edition).

A Victory for Free Speech

29. Tocker, Mary Ann, Defendant.

Cobbett, William [1763-1835], Reporter.

The Trial of Miss Mary Ann Tocker, For an Alleged Libel, On R. Gurney, Jun. Vice-Warden of the Stannery Court, In the County of Devon; Which Trial Took Place Before Mr. Justice Burrough, One of the Judges of the Court of King's Bench, On Wednesday, The 5th of August, 1818, At the Town of Bodmin, In the County of Cornwall. To Which is Prefixed a Letter to Miss Tocker, And to Which is Added an Address to Jury-Men on Their Duties as Jurors, And Especially on Trials for Criminal Libel. New York: Printed for William Cobbett, By Clayton & Kingsland, 1818. 48 pp. Octavo (7" x 4-1/2").

Disbound stab-stitched pamphlet. Moderate toning and light foxing to text, title page partially detached but secure. Early signature to head of title page, text otherwise clean. \$850.

* First American edition, the best account of this notable case. Tocker was prosecuted for libel upon on a local official. She represented herself and was exonerated by the jury, who declared that her accusations were true. "Miss Tocker achieved great fame in radical circles by the spirited manner in which she conducted her own defense. (...) Cobbett, too, was delighted with 'Miss Tocker's triumph,' in part by her appeal to the jury over the head of the judge, the unpopular Sir James Burrough (...) whom Cobbett himself had faced in 1809" (Pearl). Although there are several London editions, the American edition is the only one with additions by Cobbett, which are considerable, including the text of a letter to Tocker dated North Hempstead, Long Island, November 2, 1818 and notes to ten pages of the trial transcript. This edition was reprinted in Boston by Coverly "from the 3rd New York Edition." However, OCLC and Pearl list no edition other than ours. Pearl, *William Cobbett: A Bibliographical Account of His Life and Times* 99. Evans, *American Imprints* 43652.

**An "Amorous,"
"Critical," "Humorous" Tale**

30. Williams, Elizabeth, Defendant.

The Trial of Mrs. Elizabeth Williams, In the Arches Court of Canterbury, At Doctors Commons, For Committing Adultery with Joseph Peyton, Esq. Captain of the Beaver Sloop. In Which is Given, The Whole of the Depositions of the Several Witnesses, Fully Describing the Critical, Amorous, And Humorous Scenes in that Unparalleled Trial. London: Printed for the Editors, [1782?]. 32,29*-32,33-91,98-100[i.e.98] pp. Text is continuous. Octavo (8-1/2" x 5").

Stab-stitched pamphlet in recent marbled wrappers, printed title label to front. Light soiling to title page, interior otherwise fresh. \$650.

* A spicy account of an affair between Captain William's wife and one of his subordinate officers. The evidence of each "act of c-----n c-----n" is described in detail. This is one of two accounts published c. 1782. Another appeared the following year. All editions are scarce. OCLC locates 5 copies of the present copy. *English Short-Title Catalogue* T53434.

**Notable Libel Trial
With a Defence by Lord Brougham**

31. Williams, John Ambrose [1793-1854], Defendant.

The Trial of John Ambrose Williams, For a Libel on the Clergy, Contained in the Durham Chronicle of August 18, 1821. Before Mr. Baron Wood and a Special Jury. Tried at the Summer Assizes, At Durham, On Tuesday, August 6th, 1822. To Which is Prefixed, A Report of the Preliminary Proceedings in the Court of King's Bench, London. Durham: Printed by J.A. Williams, 1822. iv, 57 pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light soiling to title page and verso of final leaf, light browning. Early owner signature to head of title page, interior otherwise clean. \$350.

* First edition. "When [Queen Caroline] died in 1821, the clergy of Durham refused to allow the bells to be tolled. Mr. John Ambrose Williams, who owned the *Durham Chronicle*, published an article in it attacking the conduct of the clergy, who set the law in motion against Mr. Williams in the shape of a criminal information for libel. [The] case came for trial before a special jury at Durham. Mr. Scarlett (afterwards Lord Abinger), a most consummate advocate, conducted the prosecution, and Brougham the defense. Brougham made a magnificent speech, but it was rather a political manifesto than a wise appeal to a jury at Durham, who were not likely to be pleased with torrents of irony addressed to such topics as the revenues and management of their palatinate. The result was that his client was found guilty..." (Archer). This pamphlet was also issued the same year in London and Edinburgh. OCLC locates 2 copies of the Durham issue (at Cambridge and Glasgow Universities). Archer, *William Ewart Gladstone and his Contemporaries* 40. McCoy, *Freedom of the Press* W297.

Trial Involving a Forged Codicil

32. Williams, Thomas, et al., Defendants.

The Trial of Thomas Williams, Esq. Of Brynbras Castle, Caernarvonshire, Indicted, With Ellen Evans & Ann Williams, Two of His Servants, For Forgery; At the Central Criminal Court, Old Bailey, London, On Monday, April 9th, 1838, And Four Following Days, Before Mr. Baron Parke; Which Ended in Their Entire Acquittal. London: Published by Simpkin, Marshall, And Co., 1838. [iv], [3]-634 pp. Octavo (9" x 5-1/2").

Original cloth backed publisher boards, printed paper spine label. Moderate rubbing to extremities, spine ends bumped, front joint starting. Light toning, foxing in a few places. Early owner signature to head of title page, interior otherwise clean. \$125.

* First edition. A substantial report of a trial involving the alleged forgery of a codicil to a will which would have altered the disposition of landed property situated in Wales, London, and Devonshire; with interesting expert testimony on handwriting and graphics. The defendant, Thomas Williams, of Brynbras Castle, Caernarvonshire, was indicted along with two of his servants; all three were acquitted to great applause. The forensic evidence, which is considerable, includes analyses of paper, ink, and handwriting, as well as testimony given by an engraver by the name of Allard and by a lithographer, Joseph Netherclift, who was employed at the British Museum. OCLC locates 4 copies in North American law libraries (Library of Congress, Social Law, Stanford, Yale).

Part II: United States

Early U.S. Navy Court Martial

33. 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.

"Mrs. Beardsley...Represented Herself to be an Unmarried Woman"

34. Beardsley, Mary Elizabeth, Defendant.

Report of the Beardsley Divorce Case: Containing the Full and Unabridged Testimony of All the Witnesses, Together with All the Evidence Suppressed by the Daily Papers. New York: Robert M. De Witt, [1860]. 83 pp. Octavo (8-1/2" x 5-1/2").

Later cloth. Light rubbing to extremities, title page soiled, edgeworn and partially detached, light toning to text, internally clean. Ex-library. Location label to front board, stamps to pastedown and title page. \$85.

* An interesting New York City case, tried before Judge Lott of the Supreme Court Circuit, Brooklyn, November 22-28, 1860, involving fraud and bigamy. "The complainant, on information and belief, asserts that on the 5th of December, 1855, Mrs. Beardsley, disregarding the solemnity of the marriage vow, represented herself to be an unmarried woman, and under an assumed and fictitious name, caused a marriage to be solemnized between her and Dr. James Francis Mahon, and that said marriage was solemnized by the Rev. Sylvester Malone, a Roman Catholic clergyman in the Eastern District" (9).

A Famous Massachusetts Libel Case

35. Buckingham, J.C., Defendant.

Trial: Commonwealth vs. J.C. Buckingham, Of an Indictment for Libel Before the Municipal Court of the City of Boston, December Term, 1822. Boston: Published at the Office of the New-England Galaxy, 1822. [iv], 60 pp. Octavo (8" x 5").

Stab-stitched pamphlet, untrimmed edges. Light browning, somewhat darker in places, staining and light foxing to a few leaves, internally clean. \$75.

* This was one of three accounts issued in 1822. "Joseph Buckingham, publisher of the *New England Galaxy*, was indicted on the charge of printing a libel on John Maffitt, a Methodist preacher (sometimes spelled Maffit). His defense was built on proving the truth of the alleged libel, and he was acquitted. Several works about the trial itself were published long after it took place; their intent was to damage Maffitt's reputation, as he was then engaged in parochial conflicts.": Cohen, *Bibliography of Early American Law* 13283.

It Began as a Dispute Over a "Quantity of Scallop Shells"

36. Congdon, George W., Defendant. *The Trial of George W. Congdon for the Murder of Christopher Wilcox.* Providence, RI: Sidney S. Rider, 1884. [iv], 176 pp. Octavo (10" x 6").

Original printed wrappers, front cover and first two signatures detached, light soiling to covers, chipping to edges of some leaves, most signatures unopened. \$50.

* "The shooting, which took place at Warwick, Rhode Island, was the culmination of a dispute over a quantity of scallop shells which had led to a law suit. Congdon was convicted of manslaughter." McDade, *The Annals of Murder* 209.

"More a Struggle Between Two Families Than an Affair of the State"

37. Baker, Abner, Defendant.

Crozier, C.W.

Life and Trial of Dr. Abner Baker, Jr., (A Monomaniac) Who Was Executed October 3, 1845, For the Alleged Murder of His Brother-In-Law, Daniel Bates; Including Letters and Petitions in Favor of a Pardon, And Narrative of the Circumstances Attending His Execution, Etc. Etc. Trial And Evidence by A.R. M'Kee. Louisville, KY: Prentice and Weissinger, 1846. [vi], v-xiii, 152 pp. Frontispiece (Diagram of murder scene). Portrait frontispiece lacking. Octavo (8-1/2" x 5").

Contemporary quarter sheep over marbled boards, gilt title and fillets to spine. Light rubbing to boards, heavier rubbing to extremities with wear to corners, front hinge starting, rear free endpaper lacking. Moderate toning and light foxing to text, annotations to front endleaves. \$300.

* Only edition. "Dr. Baker thought Bates was having an affair with his wife. On a street in Cumberland, Kentucky, he shot Bates in the Back, but was released as insane. The Bates family published and award for his capture, and Baker family pride, stung by the publication, produced the doctor, who was convicted and hanged. Like many Clay County cases, this was more a struggle between two families than an affair of the state" (McDade). OCLC locates 2 copies (at Yale Law School and Los Angeles County Law Library). McDade, *The Annals of Murder* 60.

A Scandalous Boston Divorce

38. Dalton v. Dalton

Merrick, Pliny [1794-1867].

Judge Merrick's Charge to the Jury, In the Dalton Divorce Case, The Phonographic Report of the Daily Bee (Boston Daily Bee Extra), By Messrs J.M.W. Yerrinton, and Rufus Leighton, Of Boston, And Messrs Henry M. Parkhurst and William H. Burr, Of New York. [Boston]: Office of the Boston Daily Bee, 1857. 16 pp. Text in parallel columns. Octavo (10" x 6-1/2").

Stab-stitched pamphlet. Wrappers detached, light edgewear, vertical fold line through center. Light browning, some spotting to rear. \$150.

* Benjamin F. Dalton sued for divorce on the grounds of his wife's alleged adultery with William Sumner, who had been killed by Dalton in a crime of passion. Mrs. Dalton denied the charge and alleged that Mr. Dalton had himself committed adultery. The trial was widely publicized and was a notorious society scandal. Richard Henry Dana was the lawyer for Benjamin Dalton, Rufus Choate for Helen Dalton. The jury ended deadlocked with ten votes for Dalton and two for Helen Dalton. Dalton later received a five-month sentence for the murder of Sumner. The light sentence reflected popular sympathy for supposedly cuckolded Dalton. OCLC locates 13 copies, 5 in North American law libraries (LA County, Harvard, Ohio State, University of Pennsylvania and Yale). Cohen, *Bibliography of Early American Law* 11433.

Rufus Choate's Copy

39. Darnes, William P., Defendant.

Nelson, Thomas S., Reporter.

A Full and Accurate Report of the Trial of William P. Darnes, On an Indictment Found by the Grand Jury of St. Louis County, At the September Term, 1840, Of the Criminal Court of Said County, On a Charge of Manslaughter in the Third Degree, For the Death of Andrew J. Davis, (Late of Northboro', Mass.) In the City of St. Louis, On the First of June, 1840. Boston: Saxton and Peirce, 1841. 269 pp. Octavo (7-3/4" x 5").

Stab-stitched pamphlet in printed wrappers, untrimmed edges. A few chips to extremities, front joints starting, some wear to foot of spine, interior notably bright. "R. Choate" to head of front wrapper and title page, interior otherwise clean. \$650.

* Second and final edition. Davis was the well-known owner of a St. Louis newspaper that published several highly critical columns about Darnes, an important local politician. Enraged, Darnes attacked Davis on the street with an iron rod, striking him in the head. Rushed to a hospital, Davis was operated on, but died a few days later. Darnes was indicted. The trial lasted two weeks and engaged some of the best lawyers and medical experts in the area. The case turned on whether Davis died from the blow or his medical treatment. Both sides offered a strong case. In the end Darnes was convicted of fourth-degree manslaughter and fined \$500. This copy belonged to Rufus Choate [1799-1859], the great Massachusetts lawyer and statesman. He was a member of the U.S. House of Representatives from 1831-34, U.S. Senator from 1841-45 and Attorney General of Massachusetts from 1853-54. This case not in McDade. Stevens, *St. Louis, The Fourth City, 1764-1911* 1:369-70. *Catalogue of the Library of the Harvard Law School* (1909) II:1057.

First Report of the Landmark Dartmouth College Case

40. [Dartmouth College Case].

Farrar, Timothy [1788-1874], Reporter.

Report of the Case of the Trustees of Dartmouth College Against William H. Woodward. Argued and Determined in the Superior Court of Judicature of the State of New-Hampshire, November 1817. And on Error in the Supreme Court of the United States, February 1819. Portsmouth: Published by John W. Forster, And West, Richardson, And Lord, Boston, [1819]. [iv], 406 pp. Octavo (9" x 5").

Original publisher boards, untrimmed edges, printed paper title label to spine. Moderate rubbing, considerable wear to spine ends, corners bumped and somewhat worn, bottom edges bumped, front board partially detached, front endleaves loose. Some toning to text, light foxing, chips and minor tears to some leaves. Early owner annotations to boards and spine. Signature (Daniel Wells) to front free endpaper, interior otherwise clean. Item housed in recent cloth-covered clamshell box, calf spine with raised bands and lettering piece. \$1,500.

* First published report. This is probably the most important American case concerning the contract right of corporations. The New Hampshire legislature passed a bill in 1816 that revoked Dartmouth College's original charter and converted the college from a private to a state institution. The college challenged the constitutionality of this act in the state supreme court without success, but the U.S. Supreme Court reversed the state's decision in a landmark opinion based on the contract clause of the Constitution. "By construing the contract clause as a means of protecting corporate charters from state interventions, Marshall derived a significant limitation on state authority. As a result, various forms of private economic and social activity would enjoy security from state regulatory policy. Marshall thus encouraged, through constitutional sanction, the emergence of the relatively unregulated private, autonomous economic actor as the major participant in a liberal political economy that served the commonwealth by promoting enlightened self interest" (Konefsky). Farrar's comprehensive report contains all material related to the case, including the arguments of Webster and Wirt and the opinions of Chief Justice Marshall and Justices Story and Washington and texts of related documents. Alfred F. Konefsky, "Dartmouth College v. Woodward" in *The Oxford Companion to the Supreme Court* 218-219. Sabin, *A Dictionary of Books Relating to America* 23887. Cohen, *Bibliography of Early American Law* 11614.

Account of a Grisly Murder in Maine

41. Dunton, Alvin.

[Hart, Nathan F., Defendant].

The True Story of the Hart-Meservy Murder Trial, in Which Light is Thrown Upon Dark Deeds, Incompetency and Perfidy; And Crime Fastened Upon Those Whose Position, If Not Manhood, Should Have Commanded Honest Dealing. Boston: By the Author, 1882. 309 pp. Two portrait frontispieces. Octavo (7-1/2" x 5").

Original cloth, black-stamped title and vignette to front board, gilt title to spine. Some wear to spine ends and corners, fragment of early newspaper article and annotation. Early signature and annotation to title page in fine hand, interior otherwise clean. A nice copy. \$65.

* First edition. Sarah Meservy was found strangled in her home in St. George, Maine in late December 1877. Hart was convicted "mainly because he talked too much before the body was found of how he dreamed she was strangled." (McDade). This account was written in a spirit of regret by a participant in the case. "Not from anticipation of literary fame, not from hope of pecuniary gain, nor from a love of controversy, have the following pages been written; but from a love for the right, from a hatred of wrong, from an imperative sense of duty. The writer, misled and deceived by others, gave testimony that was perhaps decisive in procuring the indictment of Nathan F. Hart...": Preface. *McDade, Annals of Murder* 447.

Interesting Vermont Libel Trial

42. Field, R[oswell] M., Defendant.

Trial for Libel: Susannah Torrey, Plaintiff. R.M. Field, Defendant. This Case Came on for Trial by Jury at Woodstock, On Friday the 28th Day of November, Before Judges Collamer, Porter and Briggs [running title]. [Fayetteville, VT: E.C. Church, Printer, 1835]. 38 pp. Octavo (8-1/4" x 5-1/4").

Neatly disbound stab-stitched pamphlet. Light browning, occasional light foxing. Early owner inscription and small later inventory number to p. 1, which also has a small tear repaired with archival tape. A scarce item. \$450.

* Only edition. This interesting trial concerned events that originally took place in Connecticut. It led eventually to a libel suit. Susannah Torrey, hired as a house servant, induced Dr. Elisha Phelps to separate from his wife who had become ill. She lived with Phelps for several years, feigning marriage under a fraudulent bill of divorce. Later Phelps's estate was improperly assigned to her. S.T. Field, husband of one of the Phelps heirs, instituted a suit in Chancery to set aside the dower and proceeded to publish the Chancellor's notice, deemed libelous, in the Bellows Falls *Intelligencer*. Susannah Torrey brought suit for \$10,000; the jury awarded her one dollar in damages. No copies located on OCLC. Cohen, *Bibliography of Early American Law* 12066.

One of the First Trials to Consider Handwriting Analysis

43. Gilman, Ephraim, Defendant.

Report of the Case of Ephraim Gilman, Indicted for the Murder of Mrs. Harriet B. Swan, Before the Supreme Judicial Court of Maine, Including the Arguments Before the Law Court Upon the Exceptions, And the Opinion of the Court. Portland: Stephen Berry, Printer, 1863. 77, [1] pp. Octavo (9" x 6").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Faint vertical fold line through center of text. Toning to title page, upper corner clipped. "Gilman, Ephraim" in faint pencil to head of title page in contemporary hand, interior otherwise clean. \$450.

* Only edition. This trial is notable because it was one of the first to admit handwriting analysis into evidence. "Gilman strangled Mrs. Swan at Fryeburg, Maine, because she objected to his attentions to her daughter. He spent forty-three years in prison before he was pardoned in 1906" (McDade). OCLC locates 11 copies worldwide. McDade, *The Annals of Murder* 354.

Argued by Horace Binney, John Sergeant and Daniel Webster

44. [Girard Will Case].

Arguments of the Defendants' Counsel and Judgment of the Supreme Court, U.S. in the Case of Vidal and Another, Complainants and Appellants, Versus the Mayor, Etc. of Philadelphia, The Executors of Stephen Girard, and Others, Defendants and Appellees. January Term, 1844. To Which is Added the Will of Stephen Girard. Printed by Order of Commissioners of the Girard Estates. Philadelphia: Chrissy and Markley, 1854. 348 pp. Octavo (9" x 6").

Textured cloth with decorative blind-stamping. Some wear to edges, joints starting, light rubbing to boards, small chip to head of spine, strip of reinforcement tape to foot. Early signature to front free endpaper, interior otherwise clean. A good copy. \$50.

* Reprint of first edition. Stephen Girard, the wealthiest self-made man of his day in America, died without issue in 1831, leaving the bulk of his property to the city of Philadelphia in trust to establish and maintain a college for poor white male orphans. His relatives, dissatisfied with their moderate legacies, filed a bill alleging that the city could not be a trustee, and also that the objects of the charity were too vague and indefinite to sustain a trust. The bill was dismissed, but the U.S. Supreme Court failed to decide the appeal in 1843 and ordered a reargument. The complainants retained Daniel Webster; the city retained Horace Binney and John Sergeant. *Catalogue of the Library of the Harvard Law School* (1909) II:1084.

A Lethal Dose of Strychnine Intended to Induce Abortion

45. Hersey, George C, Defendant.

Yerrinton, James M.W., Reporter.

Report of the Case of Geo. C. Hersey, Indicted for the Murder of Betsy Frances Tirrell Before the Supreme Judicial Court of Massachusetts; Including the Hearing on the Motion in Arrest of Judgment, The Prisoner's Petition For a Commutation of Sentence, The Death Warrant, Officer's Return Upon It, And the Confession. Boston: A. Williams & Co., 1862. 267 pp. Octavo (9-1/2" x 6").

Original cloth, blind stamped frames to board, gilt titles to spine. Rubbing with some wear to board edges, corners bumped chipping to spine ends, rear joint cracked but secure. Light foxing to a few leaves, interior otherwise fresh. \$30.

* First edition. "Hersey had been living in Weymouth [Massachusetts] with the Tirrell family since the sudden death four months before of their daughter and his fiancée, Mary Tirrell. A second daughter, Betsy became pregnant by him, and he gave her a drug which he represented would cause an abortion. Actually, it was strychnine which he had obtained in Boston allegedly to poison a dog. He was convicted and hanged. The preface claims this to be the only (in 1862) published trial in which strychnine was detected by analysis in the deceased.": McDade, *The Annals of Murder* 472. *Catalogue of the Library of the Harvard Law School* (1909) II:1099.

An "Unparalleled" Record of Love, Bigamy and Murder

46. Hughes, Dr. John W., Defendant.

The Trial of Dr. John W. Hughes, For the Murder of Miss Tamzen Parsons; With a Sketch of His Life, As Related by Himself. A Record of Love, Bigamy and Murder, Unparalleled in the Annals of Crime. Cleveland: Printed by the Leader Company, 1866. 58 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet with printed back wrapper. Some wear to edges, occasional foxing and faint dampstaining. Small typed label stating "McDade 493" to head of title page, internally clean. \$350.

* "Jealous and intoxicated, Hughes, on the streets of Bedford, Ohio, shot the seventeen year old girl he had seduced. At his execution, he spoke for fifteen minutes until the sheriff reminded him 'Time is going.' Then he dropped.": McDade, *The Annals of Murder* 493.

False Accusations of Robbery

47. Kenniston, Levi, Defendant.

Kenniston, Laban, Defendant.

Report of the Evidence at the Trial of Levi & Laban Kenniston, Before Hon. Samuel Putnam on an Indictment for the Robbery of Major Elijah P. Goodridge, December 19, 1816. Salem: Printed by T.C. Cushing, 1817. 32 pp. Octavo (9-1/2" x 5-1/2").

Stab-stitched pamphlet, untrimmed edges. Light browning, faint dampspotting to portions of text, internally clean. \$150.

* Only edition. "Elijah Goodridge brought charges against a number of individuals whom he accused of robbing him, but apparently no robbery had taken place. Goodridge's accusations had been fabricated and the defendants were acquitted after a trial in the Massachusetts Supreme Judicial Court" (Cohen). This is one of three accounts of this case. Cohen, *Bibliography of Early American Law* 14018.

A Decision by James Kent Supporting Robert Fulton's Steamboat Monopoly

48. Livingston, Robert [1746-1813], Defendant.

Fulton, Robert Fulton [1765-1815], Defendant.

The Opinions of the Judges of the Supreme Court, Delivered in the Court of Errors, In the Cause of Robert E. Livingston and Robert Fulton, vs. James Van Ingen, And Twenty Others. Albany: Printed by S. Southwick, 1812. 12, 12, 23, [1] pp. Octavo (9" x 6").

Stab-stitched pamphlet with untrimmed edges. Light browning, a few tiny tears to edges, faint dampspotting to title page and a few leaves. Early annotations to margins of a few leaves in fine hand, interior otherwise clean. A well-preserved copy of a scarce item. \$650.

* First edition. In this decision the Supreme Court of New York upheld the thirty-year monopoly on steamboat navigation on the Hudson River granted by the state legislature to Fulton and Livingston. The longest of the three opinions in this unanimous decision was written by Chief Justice James Kent. A scion of New York's most powerful family of the eighteenth and early nineteenth centuries, Livingston was one of the drafters of the Declaration of Independence. While serving as Minister to France from 1801 to 1804 he negotiated the Louisiana Purchase. It was during his time in France that he met Fulton, with whom he developed the first viable steamboat. Several lawsuits by disgruntled competitors followed. A few years later another steamboat entrepreneur, Thomas Gibbons, defied the law and established a ferry line between New York and New Jersey. This led to the 1824 U.S. Supreme Court ruling *Gibbons v. Ogden*. Declaring that states cannot regulate interstate commerce, the court struck down Fulton's monopoly. *Catalogue of the Library of the Harvard Law School* (1909) II:1129.

The Mystery of the Headless Skeleton

49. Lowell, James M., Defendant

Plaisted, H.M., Reporter.

Report of the Trial of James M. Lowell, Indicted for the Murder of His Wife, Mary Elizabeth Lowell, Before the Supreme Judicial Court of Maine, for Androscoggin County; Containing the Evidence, Arguments of the Counsel and the Charge of the Court, in Full, with the Verdict of the Jury and Sentence of the Prisoner, and an Appendix. Portland, ME: Published by Dresser, McLellan & Co., 1875. [3], ii, 260 pp. Frontispiece. Map. Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter calf over marbled boards, lettering piece to spine. Rubbed with considerable wear to spine ends and corners, front hinge cracked, light toning to text. Owner stamp to front free endpaper, interior otherwise clean. \$50.

* First edition. Although the headless skeleton, encased in a silk dress, was not discovered for more than three years after her murder, Lowell was tried and convicted of murdering his wife. The tale is also interesting because the victim's mother foresaw the murder in a dream, which is described in the Appendix. "A case of circumstantial evidence... hardly surpassed in the annals of criminal justice" (Preface). Plaisted was Maine's Attorney General. McDade, *The Annals of Murder* 633.

A Case of Arson in Gloucester, Massachusetts

50. Looker-on in Vienna.

Trial of Marshall and Ross for Barn-Burning: A Brief Exposure of a Systematic Attempt to Mislead the Public Mind, And Create a False Sympathy in Behalf of Convicted Incendiaries. [Gloucester, MA: S.n.], 1859. 20 pp. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light soiling and negligible edgewear, rear wrapper lacking, light toning to text. \$650.

* Only edition. Marshall and Ross (we are never given their first names) were a tenant and hired hand of a Mr. Niles, a farmer. They were convicted of arson after Niles's barns were destroyed by fire. This verdict seemed unfair and the defense attorney petitioned successfully for an appeal. Published in the weeks leading up to the second trial, this pamphlet offers an argument for their conviction. An interesting case, it is also a fine record of the social setting of criminal law in small-town New England in the mid-nineteenth century. OCLC locates 14 copies in North America, 5 in law libraries (Columbia, Harvard, Library of Congress, Social Law, University of Missouri). *Catalogue of the Library of the Harvard Law School* (1909) II:1140.

Naval Officer Disputes His Dismissal

51. [McLaughlin, Augustus, Defendant and Author].

The Case of Augustus M'Laughlin, Before the Naval Court of Inquiry [Caption title]. N.p.: S.n, c. 1857. 4 pp. Octavo (9" x 5-1/2").

Brochure. Light soiling, minor wear to corners, tiny stain to fore-edges, two faint horizontal fold lines. \$100.

* Only edition. McLaughlin was dismissed due to deficiencies in his "physical, mental, and moral fitness." He, understandably, refutes these charges. OCLC locates 1 copy (at the Huntington Library). Not in Cohen or the *Harvard Law Catalogue*.

Blame the Mother-In-Law

52. [Murder].

[Harden, Jacob S. (1837-1860)].

Life, Confession, And Letters of Courtship of Rev. Jacob S. Harden, Of the M.E. Church, Mount Lebanon, Hunterdon Co., N.J. Executed for the Murder of His Wife, On the 6th of July, 1860, At Belvidere, Warren Co., N.J. Hackettstown, Warren Co., NJ: E. Winton, Printer, 1860. 48 pp. Woodcut portrait frontispiece. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in pictorial wrappers, untrimmed edges. Light soiling, some rubbing to extremities with light wear. Some toning to text, a bit heavier in places, dampstaining to upper corners of pamphlet. \$200.

* Only edition. "The Reverend poisoned his wife with arsenic after a fortune teller had told him that she would not live long. His mother-in-law was the real cause of the crime for she hounded him until he reluctantly married the girl, although there does not seem to have= been any necessity that he do so.": McDade, *The Annals of Murder* 438.

A Groundless Malpractice Suit

53. Sayre, Dr. Lewis A. [1820-1900], Defendant.

The Alleged Malpractice Suit of Walsh vs. Sayre. New York: Geo. H. Shaw & Co., 1870. 190 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Light soiling, a few chips to wrappers, spine worn, front wrapper detached, rear wrapper lacking, minor wear to corners of a leaves at ends of text, internally clean. Ex-library. Small stamps to front wrapper and title page. \$75.

* Sayre, the first professor of orthopedic surgery in the United States and a founding member of the AMA, was a leading physician of the nineteenth century. In 1870 a suit alleging malpractice was brought by John F. Walsh, the guardian of Margaret Sarah Walsh, a six-year-old girl. It was shown to be a groundless case and Sayre was acquitted.

An Interesting Patent Case

54. [Sickels Et Al. v. Corliss Et Al.]

Dickerson, E[dward] N[icoll] [1824-1889].

The Argument of Mr. Edward N. Dickerson: With His Notes and Explanations: The Charge of Judge Nelson: And the Verdict of the Jury in the Case of Sickels vs. Borden Defended by "The Novelty Iron Works" and Mr. Horatio Allen. New York : John S. Voorhies, 1856. 67 pp. Octavo (6" x 9-1/2").

Stab-stitched pamphlet in recent facsimile printed wrappers. Faint dampstaining, soiling, cello tape residue and clean tears to title page. Light foxing, internally clean. \$50.

* Argued by a great patent lawyer and reported at 22 Federal Cases 67, this case involved the infringement of Sickels's patent on a steam value device. The jury found a verdict for the plaintiff for \$720. Dickerson was the outstanding authority on patent law in the United States at this time. Cohen, *Bibliography of Early American Law* 111530.

Maimed with Oil of Vitriol

55. Townsend, Washington L., Defendant.

"Trial of Washington L. Townsend on an Indictment for Mayhem, Lying in Wait For and Maiming Joh[n] Reese, By Throwing Oil of Vitriol in His Face," *The Extra Sun* (New York, 1839).

20" x 15" newspaper broadsheet, six-column text on recto and verso. Light browning and a few tiny stains, horizontal fold line across center, some edgwear and minor chips and tears to margins. \$750.

* This extra issued by the *New York Sun* offers a complete account of a grisly assault with sulfuric acid (oil of vitriol). Townsend, a carpenter, and Reese, a bookbinder, were acquaintances who knew each other for about five years. Shortly before his maiming, Reese heard a rumor that Townsend was a bigamist. He shared this information with Townsend's wife. It seems he was conducting an affair with her and was hoping this news would persuade her to leave her husband. Townsend was indicted for mayhem and assault and battery with intent to kill. Townsend, though apparently guilty, was acquitted. According to *The Law Reporter*, this was a case that "caused much excitement in New York." However, our broadside appears to be its only popular account. Also, it appears to be unrecorded. *The Law Reporter* 1 (1838-1839) 344.

He Shot Her in the Back

56. Van Patten, John F. [1801-1825], Defendant.

The Trial, Life and Confessions of John F. Van Patten, Who was Indicted, Tried, And Convicted of the Murder of Mrs. Maria Schermerhorn, On the 4th of October Last, And Sentenced to be Executed on the 25th February, 1825. New York: [Christian Brown], 1825. 16 pp. Octavo (8-1/2" x 5-1/4").

Disbound stab-stitched pamphlet, woodcut vignette of execution to front wrapper. Light browning and faint dampspotting, front cover partially detached and somewhat worn along gutter edge. Early owner initials to head of front wrapper, internally clean. \$750.

* Only edition. "Van Patten was courting a girl and Mrs. Schermerhorn cautioned her against marrying him; as a result her parents forbade his suit. Borrowing a shotgun from a neighbor, he called on Mrs. Schermerhorn in Rotterdam, New York; while she was going upstairs to get some wadding he requested, he shot her in the back" (McDade). Our copy is one of the three accounts of this case. All are scarce. OCLC locates 3 copies of the Christian imprint in law libraries (Harvard, Library of Congress, Yale). McDade, *The Annals of Murder* 1020.

One of the Earliest Examples of Judicial Review in America, Jefferson Owned a Copy of This Account

57. Varnum, James M. [1748-1789].

Weeden, John, Defendant.

The Case, Trevett Against Weeden: On Information and Complaint, For Refusing Paper Bills in Payment for Butcher's Meat, In Market, At Par with Specie. Tried Before the Honourable Superior Court, In the County of Newport, September Term, 1786. Also, The Case of the Judges of Said Court, Before the Honourable General Assembly, At Providence, October Session, 1786, On Citation, For Dismissing Said Complaint. Wherein the Rights of the People to Trial by Jury, &c. Are Stated and Maintained, And the Legislative, Judiciary and Executive Powers of Government Examined and Defined. Providence: Printed by John Carter, 1787. iv, 60 pp. Quarto (7-3/4" x 6").

Stab-stitched pamphlet in plain wrappers. Moderate edgewear and staining. Light browning to text, internally clean. An appealing copy of an important item. \$1,000.

* First edition. This landmark in the history of American judicial review arose from a dispute with a butcher. In 1786 Trevett attempted to purchase meat from Weeden with paper money issued by an act of the General Assembly of Rhode Island, which Weeden refused. Trevett lodged a complaint with Superior Court of Newport, but it ruled in favor of the defendant, who was defended by Varnum, stating that it was unconstitutional for the state to demand acceptance of its paper money. The judges were called before the state legislature, where they defended their actions. This event received a great deal of public attention and inspired Varnum's brief study, which examines the motivations of the legislature, the power of the judiciary to alter legislation and the rights of individual citizens. John Marshall noted Varnum's book in the debates leading to his decision in *Marbury v. Madison*. Also a general in the Rhode Island State Militia, Varnum was a Rhode Island lawyer who served in the Continental Congress from 1780 to 1782. He was appointed Judge of the Northwest Territory in 1787 and spent the rest of his life in Ohio. Ritz, *American Judicial Proceedings Published Before 1801* 157. Cohen, *Bibliography of Early American Law* 11239. Sowerby, *Catalogue of the Library of Thomas Jefferson*, 2018.

"America's Classic Murder"

58. Webster, John White [1793-1850], Defendant.

The Parkman Murder: Trial of Prof. John W. Webster, For the Murder of Dr. George Parkman, November 23, 1849. Before the Supreme Judicial Court in the City of Boston. With Numerous Accurate Illustrations. Boston: Printed at the Daily Mail Office, [1850]. 64 pp. Main text in parallel columns. Large woodcut of courtroom scene to front wrapper, five additional text woodcuts. Five contemporary newspaper clippings laid in, four relate to the trial. Octavo (9-1/2" x 6").

Stab-stitched pictorial self-wrappers, untrimmed edges. Lightly worn and soiled, some toning to text, internally clean. \$75.

* McDade notes: "The murder in the Harvard Medical School of Dr. George Parkman, a prominent Bostonian and Harvard Alumnus, by Professor John W. Webster was, in the words of Edmund Pearson, 'America's classic murder.' While there have been more mysterious cases, some involving more prominent and notorious persons and others more macabre, the Parkman case still ranks high on the list of American murders." McDade lists some 18 accounts and variants. On the front wrapper is a depiction of the courtroom scene, on the rear wrapper the medical school. Complete with Judge Shaw's charge to the jury, the verdict and the sentence (truncated). The laid-in newspaper clippings are a notice of the reward made by the victim's family to the janitor who discovered the body and the text of a letter from Webster's daughter claiming his innocence and a prayer for clemency. OCLC locates 7 copies in North American law libraries (Duke, Harvard, LA County, Library of Congress, Social Law, University of Minnesota, University of Missouri). McDade, *The Annals of Murder* 1059.

Illustrated Account of "America's Classic Murder"

59. Webster, John White [1793-1850], Defendant.

Trial of Professor John W. Webster, For the Murder of Dr. George Parkman in the Medical College, November 23, 1849. Supreme Judicial Court for Suffolk, March Term, Present Chief Justice Shaw, Associate Judges Wilde, Metcalf and Dewey. Stenographic Report, Carefully Revised and Corrected. Splendidly Illustrated. Boston: John A. French, Boston Herald Steam Press, 1850. 91, [1], [5] pp. Includes 3 pages of advertisements. 8 woodcut text illustrations, large woodcut frontispiece, 1 full-page woodcut. Main text in parallel columns. Octavo (9-1/2" x 6").

Stab-stitched uncut pamphlet in plain wrappers. Wrappers edgeworn, front detached. Some toning, light foxing in places, internally clean. \$75.

* McDade notes: "The murder in the Harvard Medical School of Dr. George Parkman, a prominent Bostonian and Harvard Alumnus, by Professor John W. Webster was, in the words of Edmund Pearson, 'America's classic murder.' While there have been more mysterious cases, some involving more prominent and notorious persons and others more macabre, the Parkman case still ranks high on the list of American murders. McDade lists some 18 accounts and variants. Regarding the present account, McDade notes another issue, 89 pp., without the sentence printed here on pp. 90-91. On the verso of p. 91 is a "semi-official" statement by one of the jurors. The frontispiece is a portrait of Webster, the verso of the final leaf is a full-length portrait of Parkman. McDade, *The Annals of Murder* 1067.

Two Attacks on Legal Arguments for Freedom of the Press

60. [Zenger, John Peter (1697-1746)].

[Blenman, Jonathan, Attorney].

Remarks on the Trial of John-Peter Zenger, Printer of the New-York Weekly Journal, Who was Lately Try'd and Acquitted for Printing and Publishing Two Libels Against the Government of that Province. London: Printed for J. Roberts, 1738. v, 27, [1] pp. Main text in parallel columns. Quarto (8-1/2" x 7").

Stab-stitched pamphlet bound into modern three-quarter morocco over cloth, gilt title to spine, marbled endpapers. Moderate rubbing to extremities, front hinge weak. Some soiling to title page and verso of final leaf, moderate toning to text, faint dampstaining and minor edgewear to margins of a few leaves. \$1,750.

* First London edition. Two attacks on the legal arguments of Andrew Hamilton who successfully defended Zenger in 1735 from a charge of seditious libel. The first, signed on page 16 as "Anglo-Americanus, is attributed to Jonathan Blenman, the attorney general of Barbados, where it was first printed in the *Barbados Gazette* in 1737. The second anonymous attack, also printed in the *Barbados Gazette*, is signed on page 27 as "Indus-Britannicus." The original pamphlet edition of these two articles was published in Philadelphia in 1737, as, *Remarks on Zenger's Trial: Taken Out of the Barbados Gazette's*. The great Americana collector Thomas Streeter had only a copy of the London 1738 edition. See *The Celebrated Collection of Americana Formed by the Late Thomas Winthrop Streeter* (1968-1969) II: 866 (sold for \$550). McCoy, *Freedom of the Press: An Annotated Bibliography* A-202. Cohen, *Bibliography of Early American Law* 13382.



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