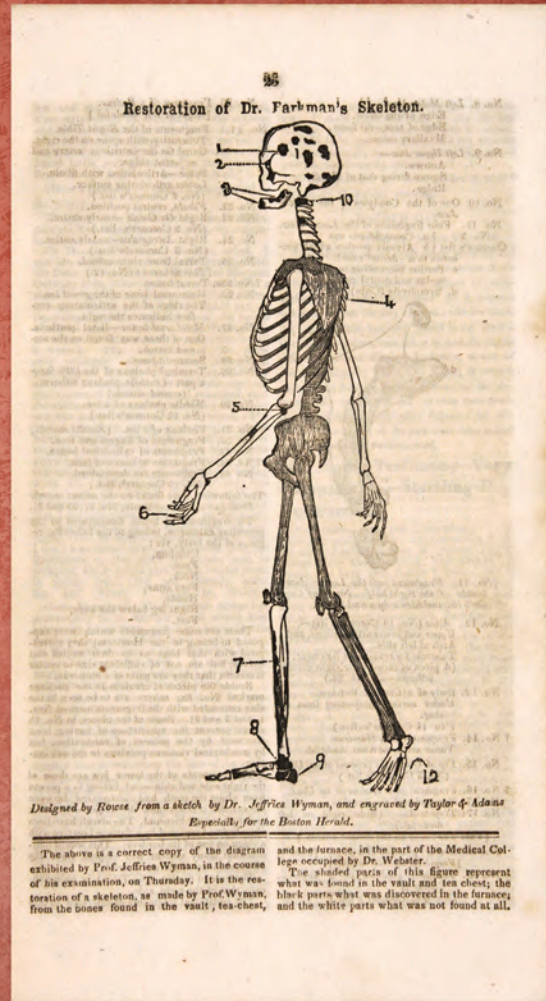
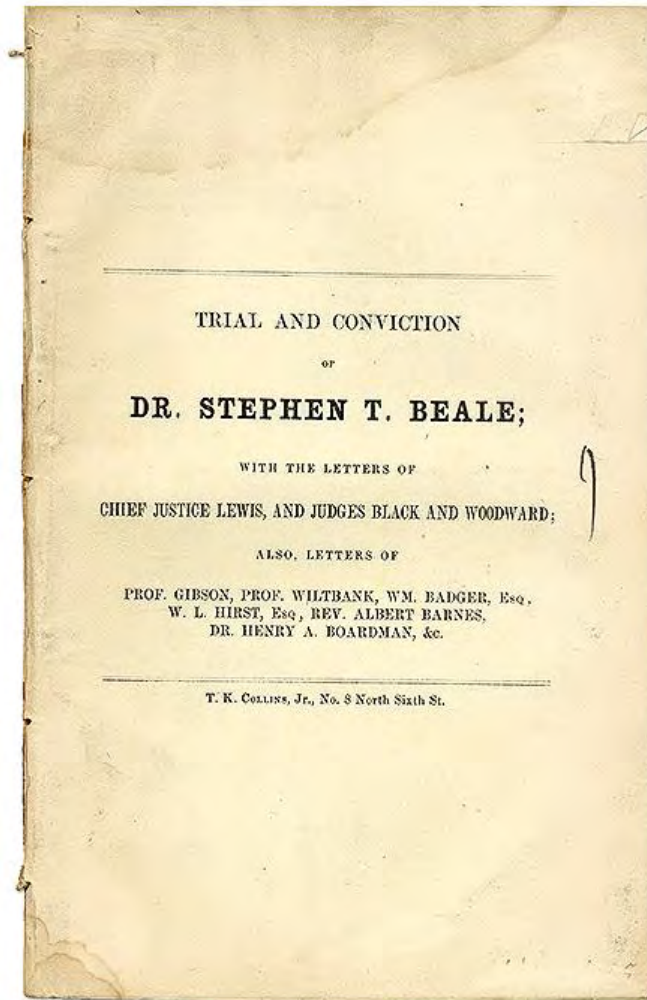


American Trials 1799–1901

30 ITEMS

June 2, 2020





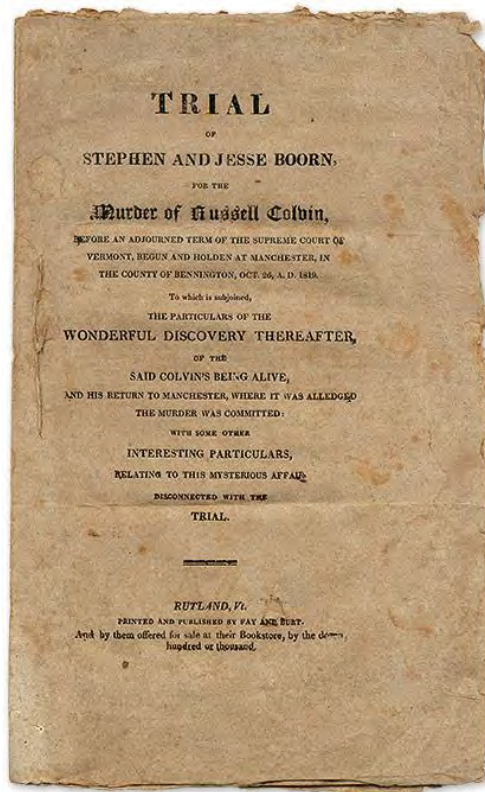
Raped Under Anesthesia by Her Dentist

1. 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"

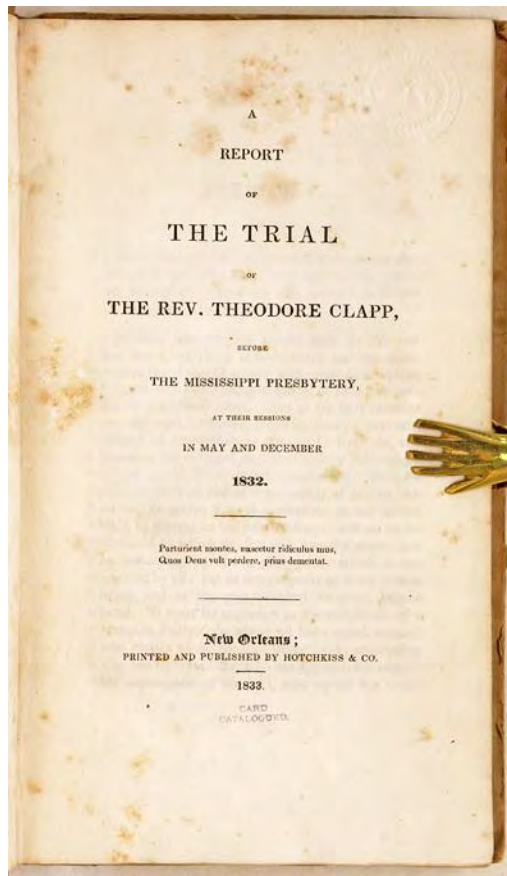
2. Boorn, Stephen, Defendant.

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*, annotation to Entry 111, 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." McDade, *The Annals of Murder* 114. [Order This Item](#)



Religious Liberty and the Tyranny of the Mississippi Presbytery

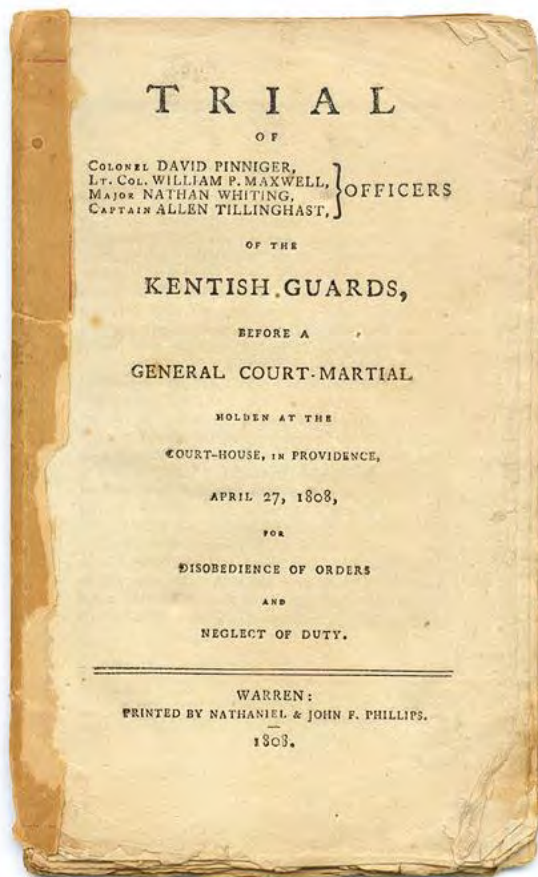
3. Clapp, Theodore [1792-1866], Defendant. [Channing, William Ellery (1780-1842)].

A Report of the Trial of the Rev. Theodore Clapp, Before the Mississippi Presbytery, At Their Sessions in May and December, 1832. New Orleans: Printed and Published by Hotchkiss & Co., 1833. xiv, 374 pp. Octavo (9-1/4" x 5-1/4").

Contemporary quarter cloth over plain boards, printed paper title label to spine. Light soiling and a few minor stains to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, chipping to spine label. Some toning to text, occasional light foxing, brief early annotations in pencil to a few leaves. Ex-library. Location label to foot of spine, bookplate to front pastedown, small embossed stamp to title page. A nice copy of a scarce trial. \$500.

* Only edition. Clapp paid a heavy price for his gradual rejection of Calvinist views and embrace of Unitarian principles. He spent seven stormy years at the First Presbyterian Church of New Orleans, affiliated with the Mississippi Presbytery, which finally convicted him of heresy in 1832. This is the record of his trial, preceded by a reprint of a sermon concerning the trial, "on the Subject of Religious Liberty," by William Ellery Channing, the foremost Unitarian preacher and theologian of the early nineteenth century. It warns of the evils of religion when it turns into "tyranny," as exemplified by the Mississippi Presbytery. Indeed, says the introduction, "no Presbytery in the United States ever before had the moral turpitude, the hardihood, the utter recklessness of justice, evinced by the Mississippi Presbytery" (xiv). OCLC locates 2 copies in North American law libraries (Harvard, Social Law). Jumonville, *Bibliography of New Orleans Imprints* 790.

[Order This Item](#)



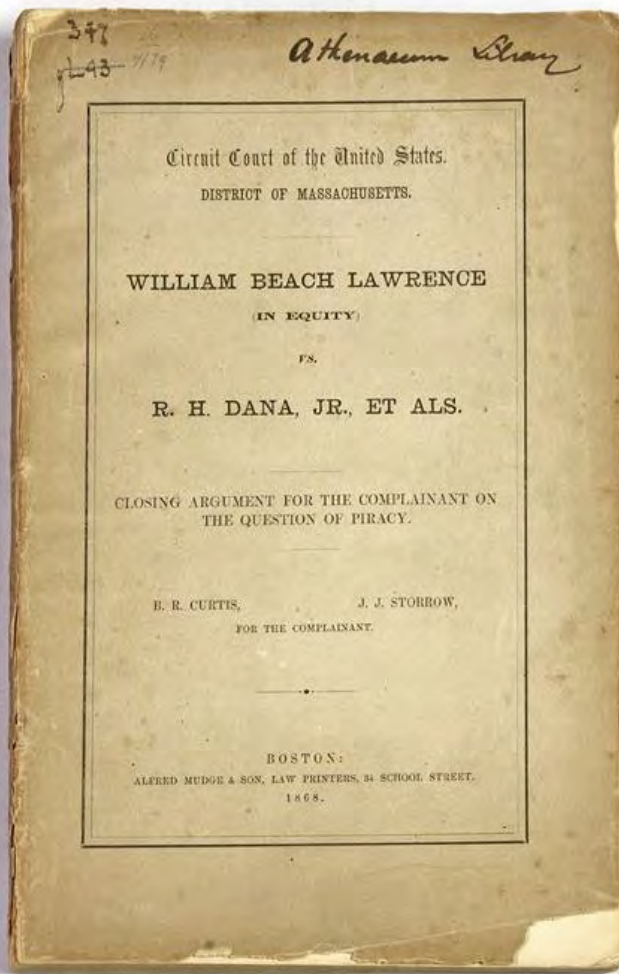
**1808 Court Martial of Rhode Island Militia Officers
Who Refused to Select Six Guardsmen for Federal Service**

**4. [Court Martial].
[Kentish Guards].**

Trial of Colonel David Pinniger, Lt. Col. William P. Maxwell, Major Nathan Whiting, Captain Allen Tillinghast: Officers of the Kentish Guards, Before a General Court-Martial Holden at the Court-House, In Providence, April 27, 1808, For Disobedience of Orders and Neglect of Duty. Warren [RI]: Printed by Nathaniel & John F. Phillips, 1808. 41, [4] pp. Errata slip pasted to verso of p.41. Octavo (7-3/4"x 4-3/4").

Stab-stitched pamphlet, fragments to wrapper along spine, untrimmed edges. Moderate toning, early owner signature to verso of final leaf. \$650.

* Only edition. Formed in 1774, the Kentish Guards of Rhode Island boasted General Nathanael Greene as an original officer. The Guards distinguished themselves at the Siege of Boston and elsewhere. In 1807 Colonel David Pinniger refused an order to select six guardsmen for federal service, asserting that the Guards's charter permitted the call up of the entire unit, but not individual soldiers. Pinniger's refusal precipitated his court martial and that of the fellow officers who supported him. All were removed from office without further penalty. The guards elected replacement officers; no one went into the U.S. Army. This pamphlet was published by the officers after the "unfavorable result" of the court martial in order to protect their reputations. All aspects of the case are covered. Cohen, *Bibliography of Early American Law* 13588. [Order This Item](#)



A Protracted Plagiarism Case Against Richard Henry Dana

5. Curtis, Benjamin Robbins [1809-1874].

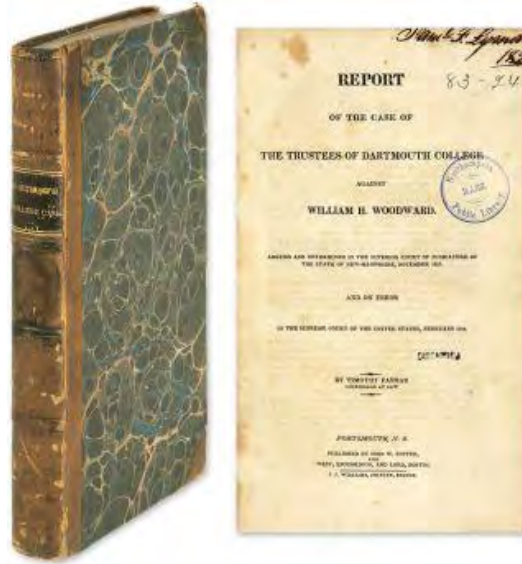
Dana, Richard Henry [1815-1882], Defendant.

Circuit Court of the United States. District of Massachusetts. William Beach Lawrence (in Equity) vs. R.H. Dana, Jr., Et Als.

Closing Argument for the Complainant on the Question of Piracy. B.R. Curtis, J.J. Storrow, For the Complainant on the Question of Piracy. Boston: Alfred Mudge & Son, 1868. vii, [3]-255 pp. Octavo (10-1/2" x 7").

Original printed wrappers. Spine abraded, a few chips to edges, light toning to text. Ex-library. Shelf number and hand-lettered institution name to head of front wrapper, small inkstamp to title page. \$650.

* Only edition. William Beach Lawrence edited two editions of Henry Wheaton's *Elements of International Law*. Dana, then the U.S. District Attorney for Massachusetts, was the editor of a later edition. Lawrence accused Dana of plagiarism and initiated a copyright lawsuit that lasted 13 years. The court supported Lawrence in minor matters, such as the arrangement of notes and verification of citations, but maintained that Dana's notes were original. The trial brought together some of the finest legal minds of the era, including Curtis, the former U.S. Supreme Court justice who had dissented in the Dred Scott Case and then resigned from the Court. OCLC locates 11 copies. *Catalogue of the Library of the Harvard Law School* (1909) II:1129. [Order This Item](#)



First Report of the Landmark Dartmouth College Case

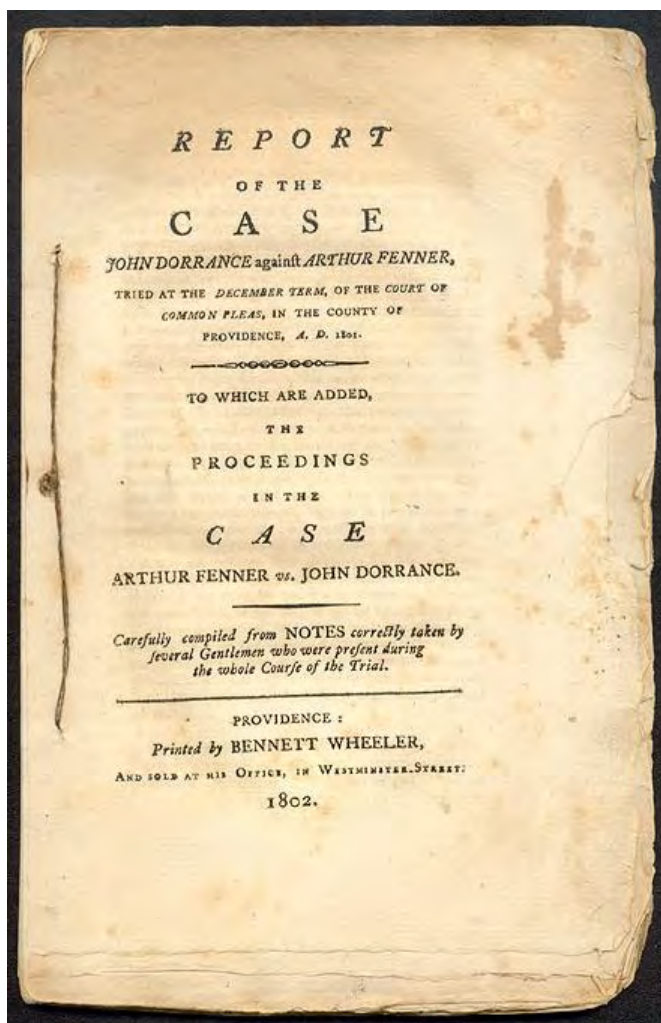
6. [Dartmouth College Case].

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, N.H.: Published by John W. Forster, And West, Richardson, And Lord, Boston, [1819]. [iv], 406 pp. Octavo (9" x 5").

Later nineteenth-century three-quarter calf over marbled boards. Moderate rubbing to extremities with wear to corners, hinges cracked. Moderate toning and light foxing to text. Early owner signature and annotation to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown, two small inkstamps to title page, residue from card pocket to rear pastedown. A solid copy. \$750.

* 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. This decision represented "an assurance for all investors in American corporate enterprises that the terms upon which they had committed their capital could not be unilaterally altered by a state. At a time when corporations were first being widely used, it thus encouraged the expansion of American business enterprise. The decision vested the Corporation with indestructible contract rights, even against its creator" (Schwartz, 86, 111). "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. [Order This Item](#)



Body Snatching in Rhode Island

7. Dorrance, John [1747-1813], Plaintiff.

Report of the Case John Dorrance Against Arthur Fenner, Tried at the December Term, of the Court of Common Pleas, In the County of Providence, A.D. 1801. To Which are Added, The Proceedings of the Case of Arthur Fenner vs. John Dorrance, Carefully Compiled from Notes Correctly Taken by Several Gentlemen Who Were Present During the Whole Course of the Trial. Providence: Printed by Bennett Wheeler, 1802. iv, 116 pp. Octavo (8" x 5").

Stab-stitched pamphlet, untrimmed edges. Moderate toning, foxing and faint stains to a few leaves, light soiling to exterior, internally clean. \$400.

* First edition. A bizarre case involving a suit and counter suit between a justice of the Court of Common Pleas (Dorrance) and the Governor of Rhode Island (Fenner), who libeled Dorrance with a charge that he exchanged the body of a suicide left in his care to one Dr. Pardon Bowen for a one beaver hat, which Dorrance "had the impudence to wear... while... officiating as moderator of a town meeting." Dorrance and Fenner were obviously political rivals, and the trials resulted in two confusing verdicts, but the real interest here is the medical background, which recounts in great detail the measures taken by local medical doctors and their students to acquire corpses for classroom dissection. OCLC locates 11 copies in law libraries. Cohen, *Bibliography of Early American Law* 11968. [Order This Item](#)



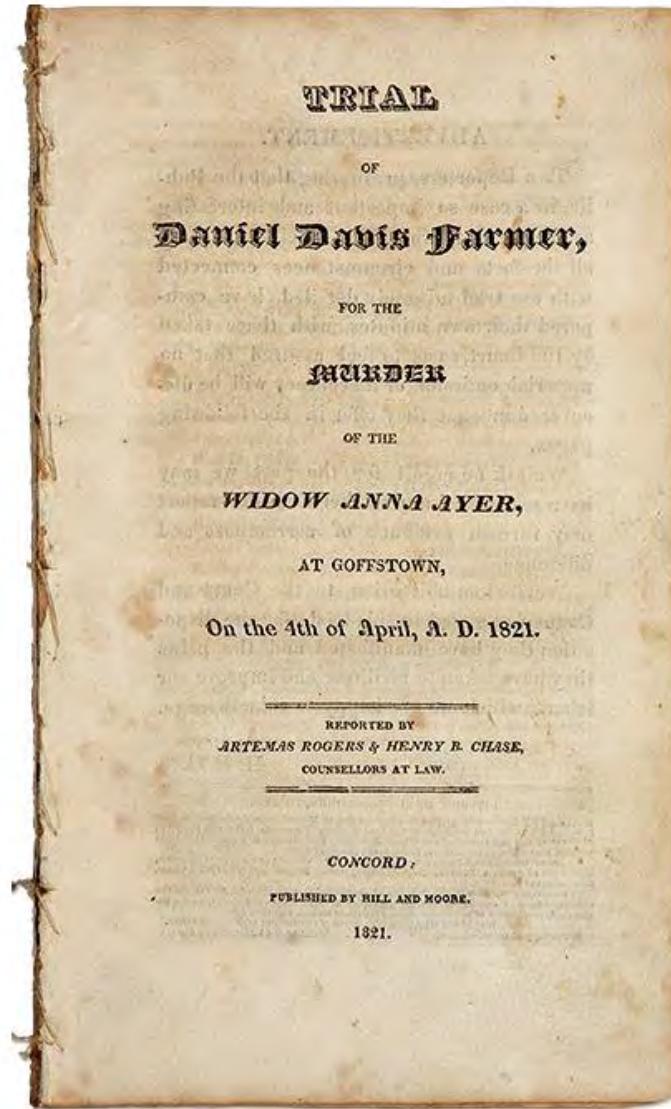
"In All, He Might Have Had 15 or 20 Connections with Me"

**8. 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, untrimmed edges. Light soiling to exterior, moderate toning to text, light foxing in a few places. \$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 Edgcomb, 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 a 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](#)



He Beat Her to Death with a Shovel

9. Farmer, Daniel Davis [1793-1822], Defendant.

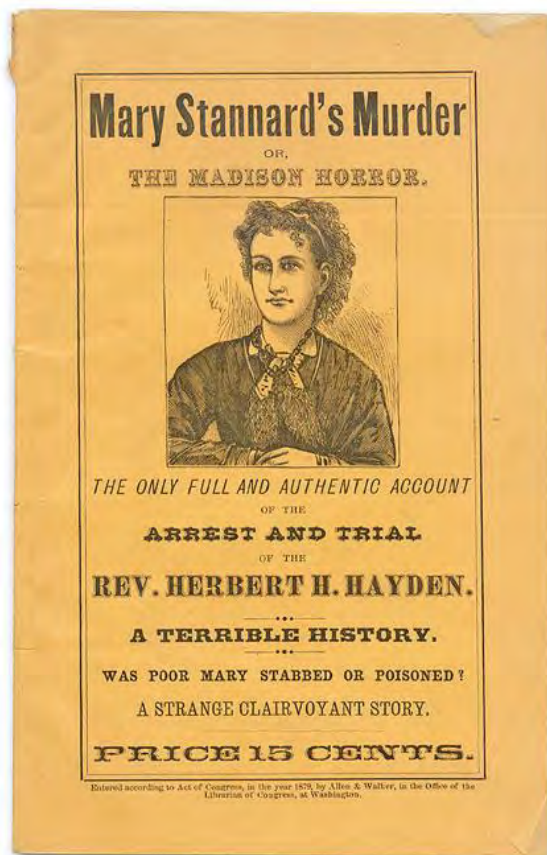
Rogers, Artemas, Reporter.

Chase, Henry B., Reporter.

Trial of Daniel Davis Farmer, For the Murder of the Widow Anna Ayer, At Goffstown, On the 4th of April, A.D. 1821. Concord [NH]: Published by Hill and Moore, 1821. 72 pp. Octavo (8" x 5-1/4").

Disbound stab-stitched pamphlet. Light soiling to exterior, light rubbing to extremities, light browning and occasional light foxing to text. \$500.

* Only edition. "Mrs. Ayer had charged Farmer with fathering her child. He beat her to death with a cudgel [sic] and tried to burn her house" (McDade). The report states that the murder weapon was an iron shovel. Farmer was found guilty and executed. McDade, *The Annals of Murder* 300. [Order This Item](#)



**"The Most Mysterious of All the Cases
Which have Baptized Connecticut in Blood"**

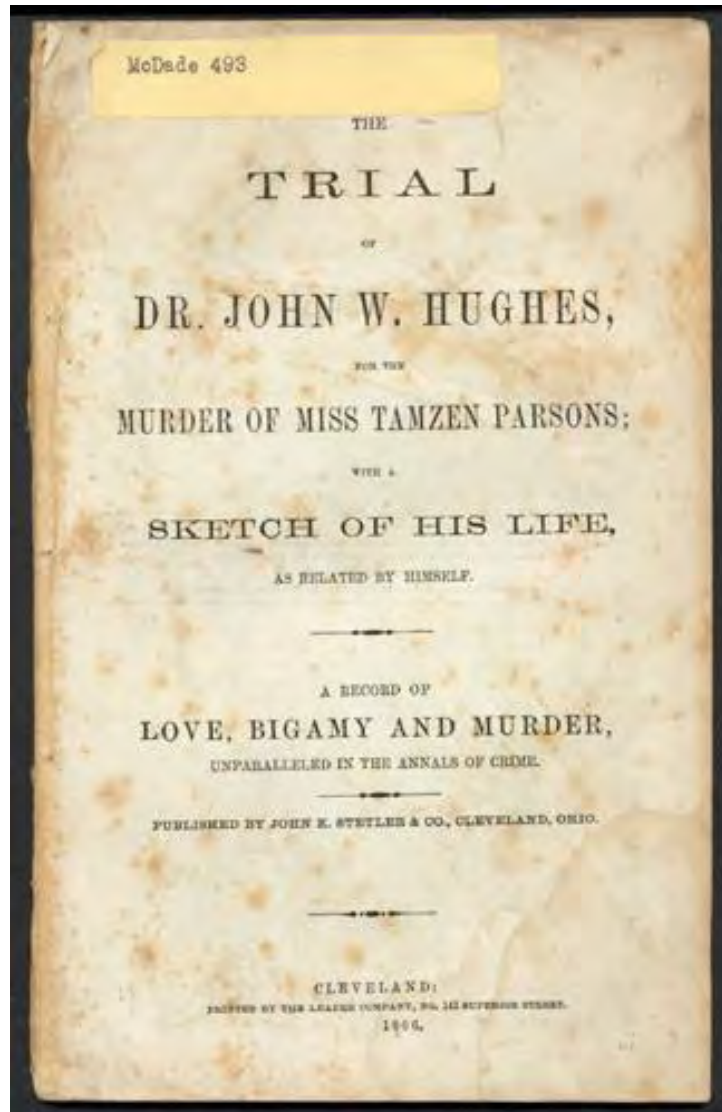
10. [Hayden, Herbert H. (b.1850), Defendant].

Stannard, Mary [1856-1878].

Poor Mary Stannard! Full and Thrilling Story of the Circumstances Connected with Her Murder. History of the Monstrous Madison Crime. The Most Mysterious of All the Cases Which have Baptized Connecticut in Blood. The Only True and Reliable Account. The Clairvoyant's Wonderful Story. New Haven: Stafford Print. Co., 1879. 47 pp. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed wrappers with a woodcut portrait of Stannard. Faint fold lines, some wear to spine ends, a few small chips to edges, small dampstain to upper corner of front wrapper, some browning to text. A well-preserved copy. \$850.

* Only edition. "In 1879, the body of Mary Stannard, twenty-two, once the servant of Reverend Herbert H. Hayden, was found in one of Hayden's fields in Madison, Conn. Her throat was cut, her skull was fractured, and there was arsenic in her stomach. Stannard had spoken to several people about her recent pregnancy by Hayden, and explained that he was going to give her something to induce an abortion. She said also that she was planning to meet Hayden in the field to pick berries and discuss their future. Unable to account for himself during the time of the killing, Hayden was arrested after it was discovered that he had purchased an ounce of arsenic "to kill rats" the day of his former servant's death.... At the three-month trial, a clairvoyant testified to the defendant's innocence, the first such incident in an American courtroom. A hung jury resulted in Hayden's release" (Nash). OCLC locates 12 copies, 2 in law libraries (University of Missouri, Yale). Nash, *Encyclopedia of World Crime* 1493. McDade, *The Annals of Murder* 449. [Order This Item](#)



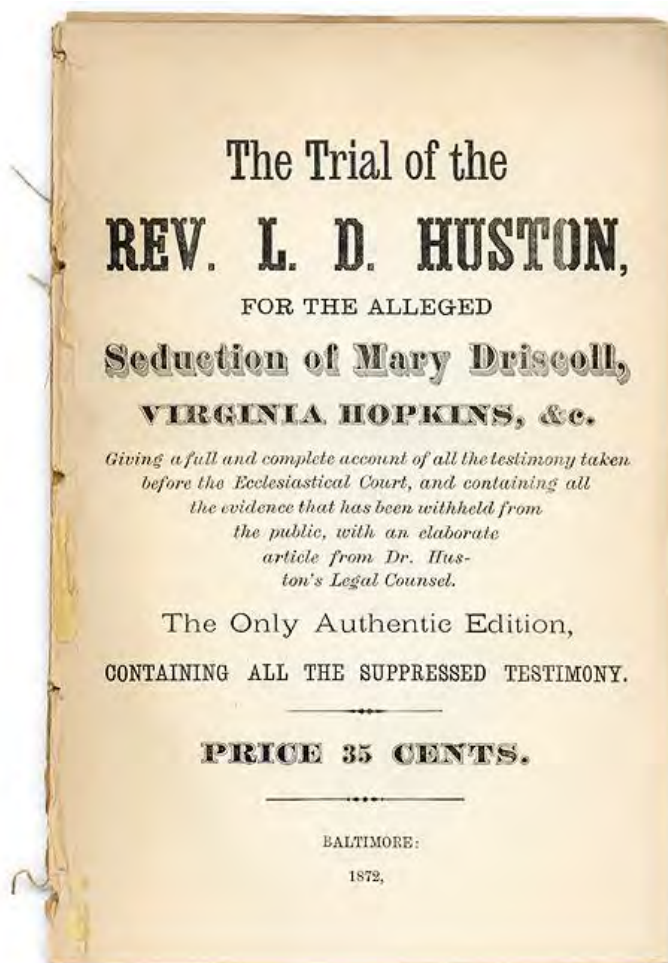
**An "Unparalleled" Record of Love,
Bigamy and Murder: A Variant Not Recorded in McDade**

11. 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--incorrectly--"McDade 493" to head of title page, internally clean. \$750.

* "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). Our copy is not in McDade, which lists one with the following imprint: "Cleveland: John K. Stetler & Co., 1866." See McDade, *The Annals of Murder* 493. [Order This Item](#)



**"For the Alleged Seduction of
Mary Driscoll, Virginia Hopkins, &c."**

12. Huston, Lorenzo Dow [1820-1887], Defendant.

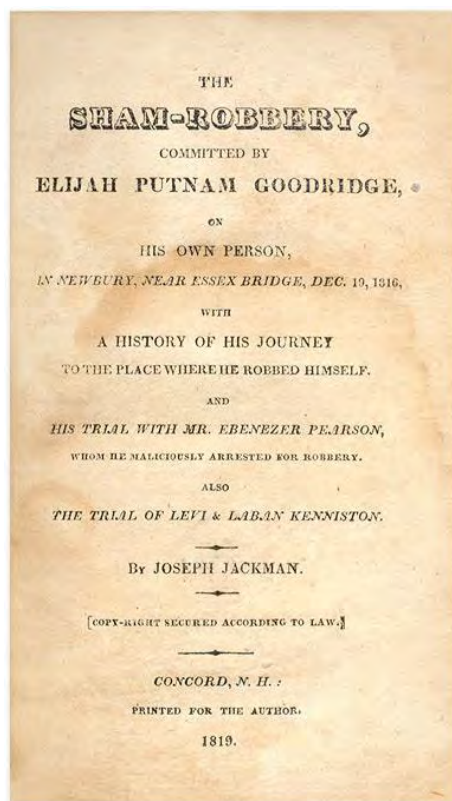
The Trial of the Rev. L.D. Huston for the Alleged Seduction of Mary Driscoll, Virginia Hopkins, &c; Giving a Full and Complete Account of All the Testimony Taken Before the Ecclesiastical Court, And Containing all the Evidence that has Been Withheld from the Public, With an Elaborate Article from Dr. Huston's Legal Counsel. The Only Authentic Edition, Containing All the Suppressed Testimony. Baltimore, S.n., 1872. 64 pp. Main text in parallel columns. Laid-in portrait plate, issued with some copies, not present in this copy. Octavo (8-1/2" x 5-3/4").

Disbound stab-stitched pamphlet. Light toning, a few chips and minor tears to title page and final leaf, which is detached. Early notes in pencil to foot of p. 64. Ex-library. Small embossed stamps to a few leaves. A scarce title. \$150.

* Only edition. As Karin Gedge notes, Huston, a Methodist Minister and teacher, was a clever practitioner of a "seduction theology that persuaded girls to reluctantly accept sexual behavior that was clearly contrary to most Christian teaching." Eventually tried, but acquitted, he seduced at least three girls. OCLC locates 11 copies, 5 in law libraries (Harvard, Social Law, UC-Berkeley, University of Missouri, US Supreme Court). Gedge, *Without Benefit of Clergy: Women and the Pastoral Relationship in Nineteenth-Century American Culture* 55-57. *Catalogue of the Library of the Harvard Law School* II:1109.

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**Fletcher Webster's Copy of an
Account of One of His Father's Famous Cases**

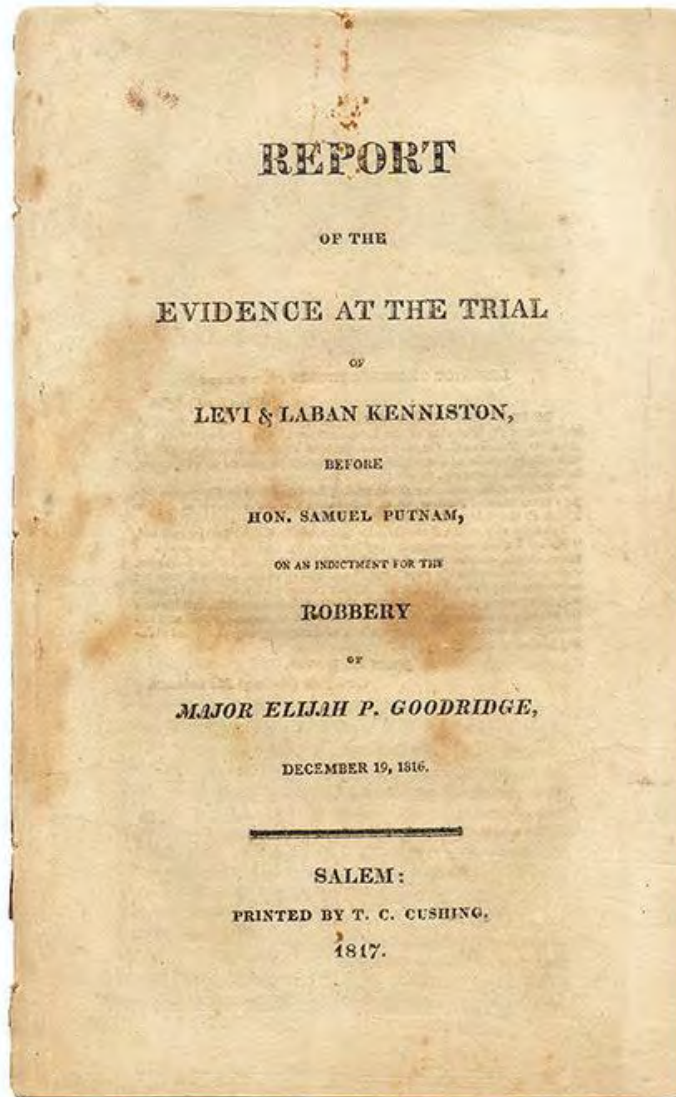
13. Jackman, Joseph.

Goodridge, Elijah Putnam [1787-1851], Defendant.

The Sham-Robbery, Committed by Elijah Putnam Goodridge on His Own Person, In Newbury Near Essex Bridge, Dec. 19, 1816: With a History of His Journey to the Place Where he Robbed Himself; and His Trial with Mr. Ebenezer Pearson, Whom he Maliciously Arrested for Robbery: Also the Trial of Levi & Laban Kenniston. Concord, NH: Printed for the Author, 1819. 151, [1] pp. 12mo (6-3/4" x 4-1/4").

Stab-stitched pamphlet in plain wrappers, untrimmed edges. Light soiling and a few minor stains, wrappers worn, but secure. Light browning to text, light foxing in a few places, faint dampstaining to a few leaves, "Daniel Webster, Jr" in pencil to front endleaf and recto of rear wrapper, "Polly Webster" to rear free endpaper. \$450.

* Only edition. Full account of the several trials connected with this famous Massachusetts case, by one of the accused. Daniel Webster served as one of the defense attorneys shortly after his return to private practice following his two terms in Congress. The respected and well-connected Major Goodridge's accusation of robbery against the witless, low-life Kenniston brothers was supported by popular sentiment, until Webster began his defence, which meticulously unraveled the Major's story and succeeded in gaining the Kenniston's acquittal. The trial was an early landmark in Webster's legal career, and his final address to the jury, first printed here, is considered a classic of Webster's oratory. It was later anthologized. Daniel Fletcher Webster [1818-1862], known as Fletcher Webster, was Daniel Webster's eldest son. Chief Clerk of the U.S. State Department when his father was Secretary of State, he commanded the 12th Massachusetts Infantry during the Civil War. He was killed at the Second Battle of Bull Run. We are unsure of the identity of Polly Webster. Cohen, *Bibliography of Early American Law* 14017. [Order This Item](#)



False Accusations of Robbery

14. Kenniston, Levi, Defendant.

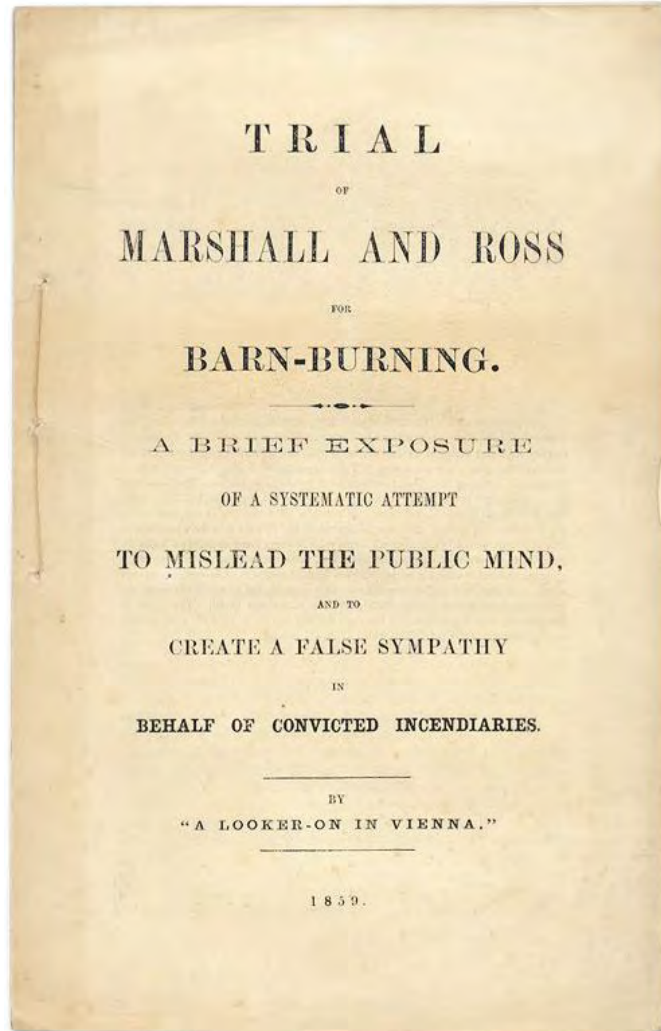
Kenniston, Laban, Defendant.

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. Light browning, some leaves have light foxing, tiny faint mark from paper clip to title and final page. \$150.

* Only edition, one of three accounts of this trial, all from 1817. "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. [Order This Item](#)

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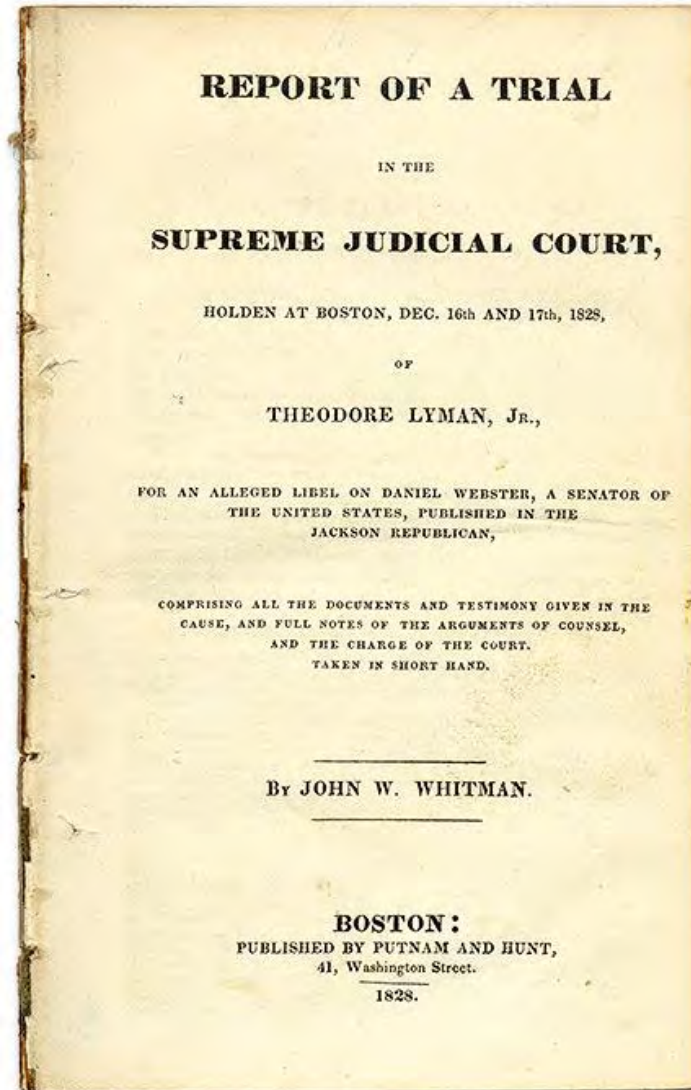
A Case of Arson in Gloucester, Massachusetts

15. 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 5 copies in North America law libraries (Columbia, Harvard, Library of Congress, Social Law, University of Missouri). *Catalogue of the Library of the Harvard Law School* (1909) II:1140. [Order This Item](#)



An Alleged Libel on Daniel Webster

16. 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.

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A Female Slave in New York City is Tried for Stealing Money from Her Master

17. [Manuscript].

[Slavery].

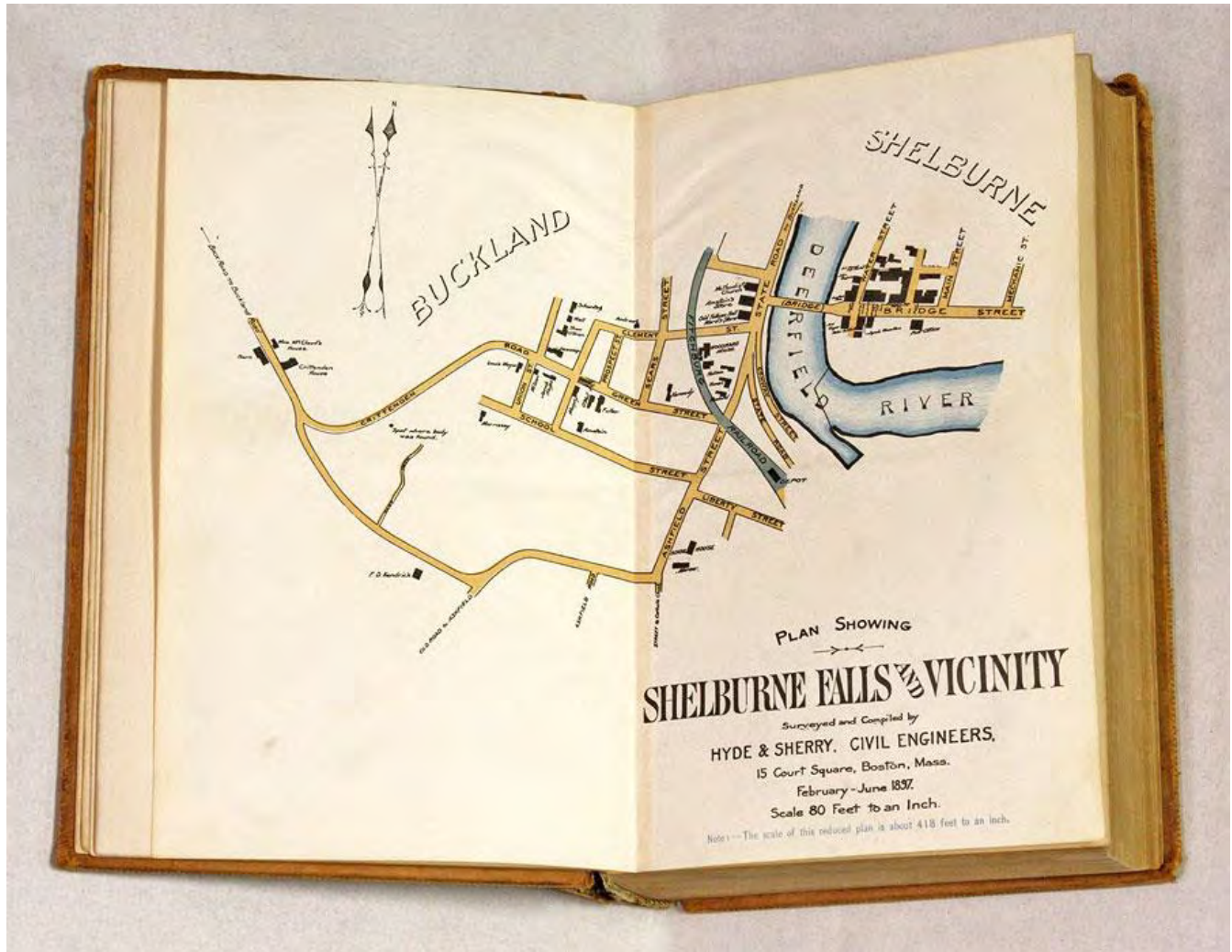
[New York].

[Documents Relating to the Trial of a Female Slave Accused of Theft].

[New York City, 1799]. Part-printed jury true bill, 13" x 8," dated October 1, 1799, content to recto and verso, a leaf combining a guilty pleas and an affidavit by the plaintiff, 13" x 8," dated December 6, 1799, docketed on verso and a cover sheet, 13" x 8."

Light browning and edgewear, horizontal fold lines, lower section of cover sheet detached at fold, jury bill torn along fold lines. Content in neat hand. \$950.

* These documents relate to the trial of a slave named Dolly Burrows. One document contains a plea from Burrows stating she stole money from her master, Arnold Stansbury, after he had gone out for the evening. Below it is a statement from Stansbury stating that the money belonged to him and a friend, John Brown. The jury true bill states the facts of the case and records the guilty verdict. [Order This Item](#)



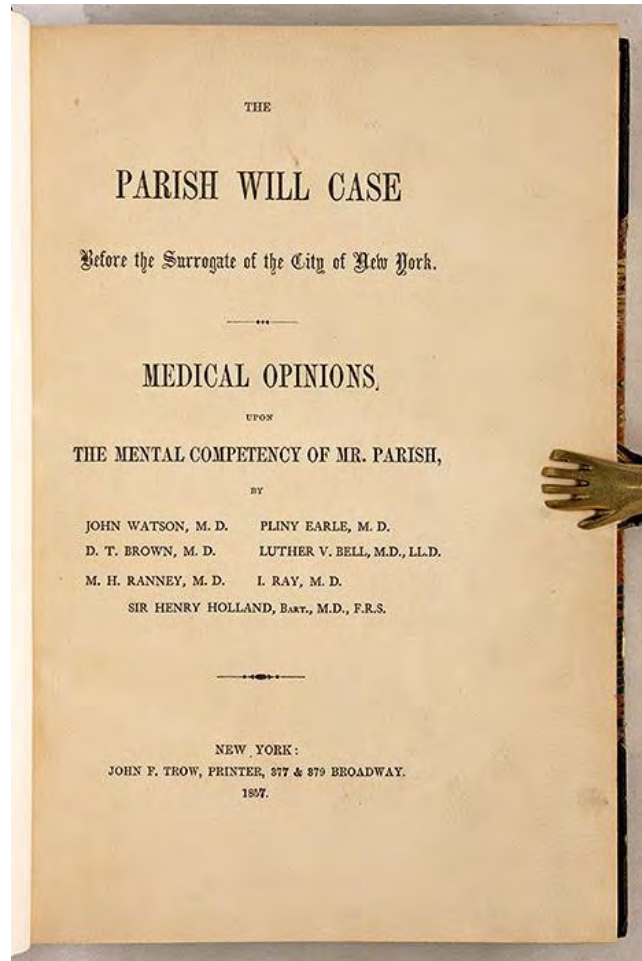
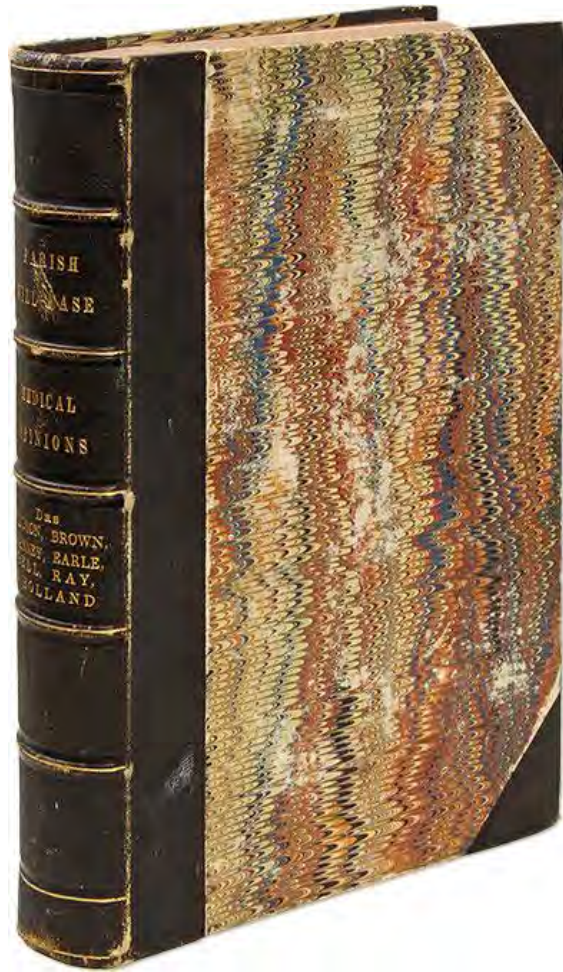
**Murder, Rape and
Necrophilia on a Country Lane in Massachusetts**

18. O'Neil, John [1873?-1908], Defendant.

The Official Report of the Trial of John O'Neil for the Murder of Hattie Evelyn McCloud, In the Superior Court of Massachusetts. From Notes of the Official Stenographers. Published by the Attorney-General, Under Chapter 214 of Acts of 1886. Boston: Wright & Potter Printing Co., 1901. [iv], 730 pp. Color map. Octavo (9" x 5-3/4").

Recent period-style calf, blind rules to boards, blind fillets and original lettering pieces to spine, endpapers renewed. Light toning to text, negligible edgewear to preliminaries. \$950.

* Only edition. O'Neil, an unemployed machinist with a drinking problem, strangled Mrs. McCloud, then raped her corpse, on a country lane near Shelburne Falls, Massachusetts, on January 8, 1897. Convicted later than year, O'Neil was executed on January 7, 1898. McDade, *The Annals of Murder* 722. [Order This Item](#)



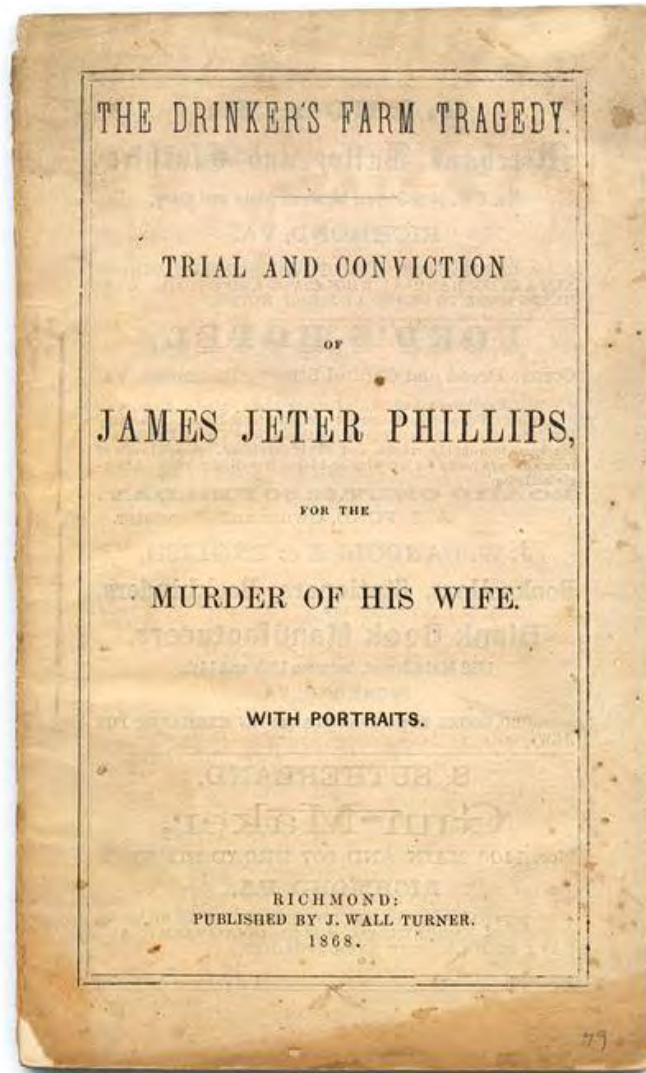
**Testimony of the Seven Medical Experts in a Notable
Nineteenth-Century Will Case Involving Questions of Sanity**

19. [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. Later editions were issued in 1858 and 1860. Cohen, *Bibliography of Early American Law* 11386. [Order This Item](#)



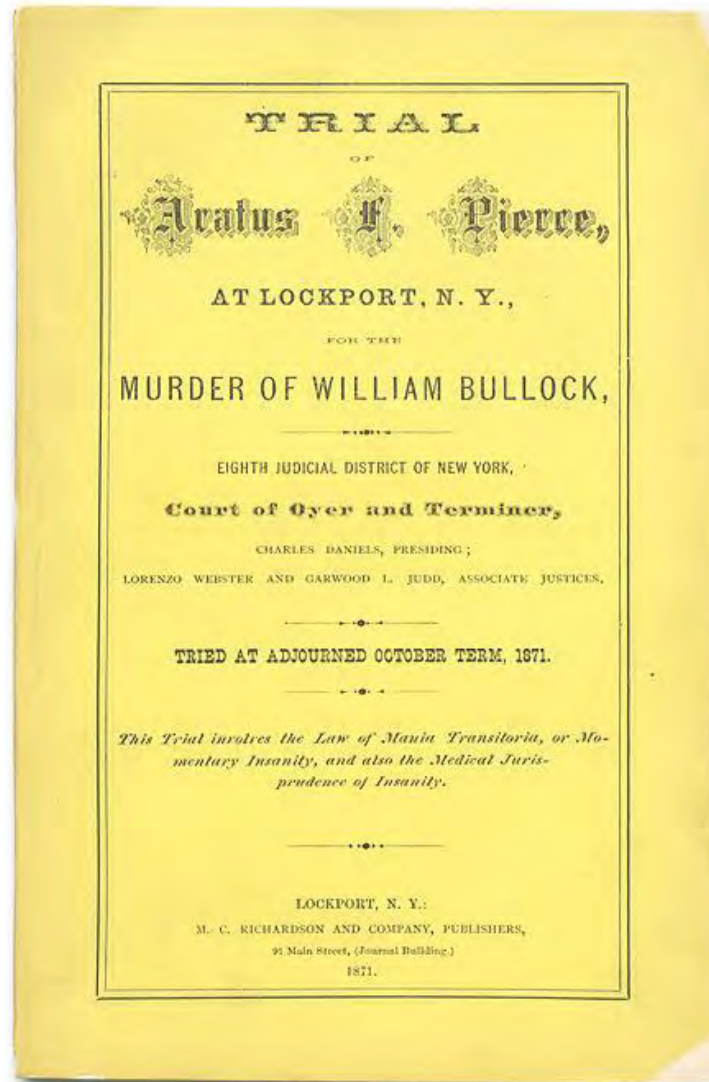
A Scarce McDade Item

20. Phillips, James Jeter, Defendant.

The Drinker's Farm Tragedy. Trial and Conviction of James Jeter Phillips, For the Murder of His Wife. With Portraits. Richmond: Published by J. Wall Turner, V.L. Fore, Printer, 1868. 96 pp. Two full-page woodcut portraits (of Phillips and his wife, Mrs. Mary Emma Phillips). Octavo (7-1/2" x 4-1/2").

Original printed wrappers, with advertisements for various Richmond businesses rear and inside front covers. Some soiling, spotting and rubbing with wear to spine ends. Light toning to interior, somewhat heavier in places, light foxing to a few leaves. \$750.

* Only edition. "Phillips, a scion of a 'good' Virginia family, twenty-four years old, murdered his wife Emily, who was ten years older, on a Henrico County, Virginia, roadside near Drinker's farm. He shot her with a small pistol, and her body was unidentified for three months" (McDade). OCLC locates 4 copies in North American law libraries (Duke, Harvard, University of Virginia, Yale). McDade, *The Annals of Murder* 747. [Order This Item](#)



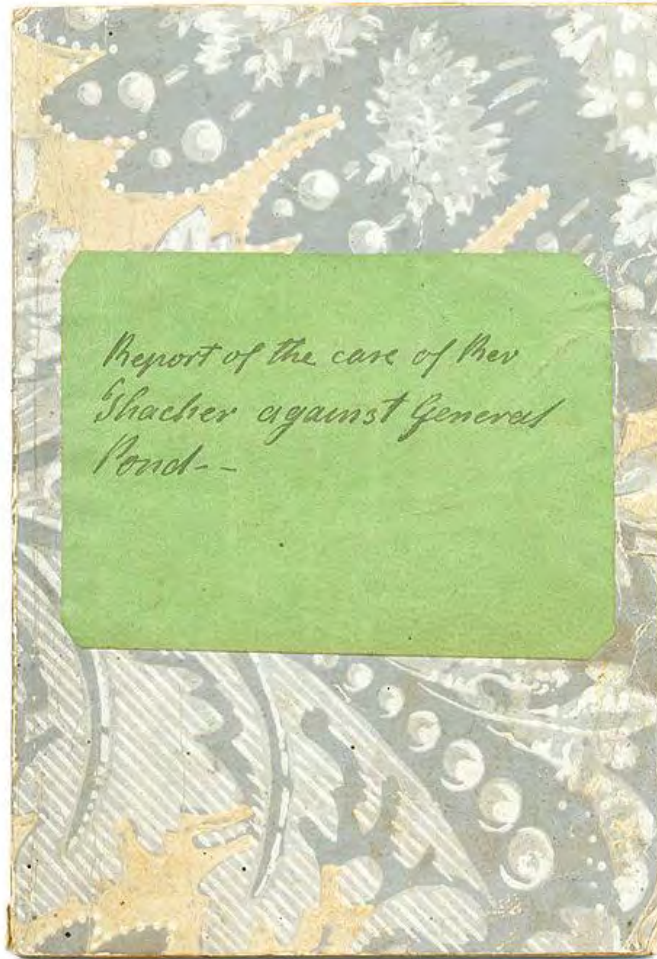
A Successful "Mania Transitoria" Defense

21. Pierce, Aratus F., Defendant.

Trial of Aratus F. Pierce, At Lockport, N.Y., For the Murder of William Bullock, Eighth Judicial District, Court of Oyer and Terminer, Charles Daniels, Presiding; Lorenzo Webster and G.L. Judd, Associate Justices, Tried at Adjourned October Term, 1871. Lockport, NY: M.C. Richardson and Co., 1871. 101 pp. Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Minor wear to spine ends, a few small chips to edges, light soiling to rear wrapper, light toning to interior. A well-preserved copy of a scarce title. \$1,250.

* Only edition. Pierce killed a man who seduced his sister, then refused to marry her. The trial is notable because it involved a successful defense based on the law of "mania transitoria," or momentary insanity (McDade). OCLC locates 13 copies, 4 in law libraries (Harvard, Social Law, Supreme Court of New York, U.S. Supreme Court). McDade, *The Annals of Murder* 748. [Order This Item](#)



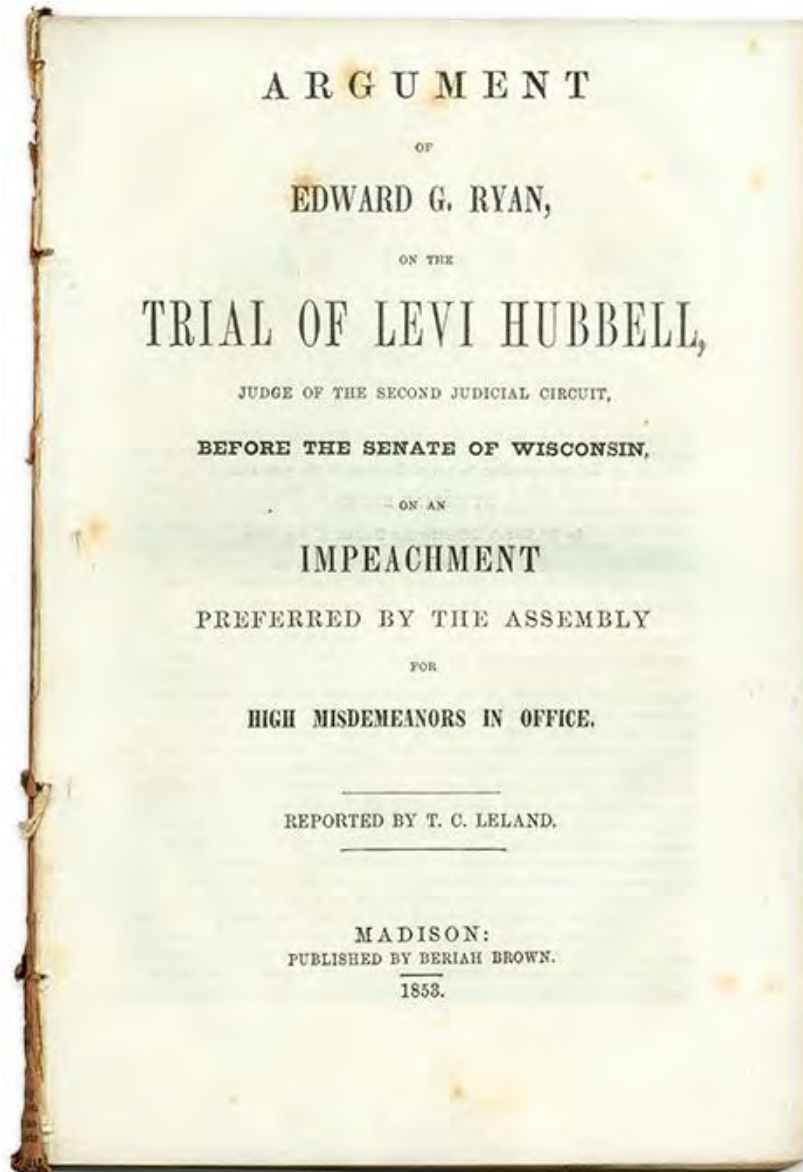
**1838 Libel Case in Dedham,
Massachusetts Due to an Accusation of Adultery**

22. Pond, Preston [1792-1868], Defendant.

Report of the Case of Rev. Moses Thacher, Vs. Gen. Preston Pond, For Slander, In Charging Him with Committing the Crime of Adultery. Reported for the Dedham Patriot. Dedham [MA]: Dedham Patriot and Boston Times, 1838. 31 pp. Quarto (7-3/4" x 4-1/2").

Stab-stitched pamphlet in contemporary thick patterned-paper wrappers, hand-lettered title panel to front cover. Some rubbing to extremities with a bit of wear to spine ends and corners, a few minor tears to wrappers. Light browning to text, occasional light foxing, dampstains to a few leaves, two leaves have clean tears, light soiling to title page. Early annotations and signatures to title page, interior otherwise clean. \$650.

* Only edition. "Moses Thacher (sometimes spelled Thatcher) charged Pond with slander. Pond pleaded not guilty and alleged truth as a defense. The jury found for the plaintiff and awarded \$5.00 in damages and \$1.25 in costs" (Cohen). After the trial Thacher left New England and served as pastor in Wysox, Pennsylvania and in Courtland and Cayuga Counties in New York. The trials attracted a fair amount of attention; according to Cohen, it was discussed in three pamphlets. All are scarce. OCLC locates 7 copies of the *Report* in North American law libraries (Columbia, Harvard, Library of Congress, Social Law, University of Minnesota, University of Missouri, William and Mary). Cohen, *Bibliography of Early American Law* 12063. [Order This Item](#)



1853 Impeachment Trial of a Wisconsin Judge

23. Ryan, Edward G. [1810-1880].

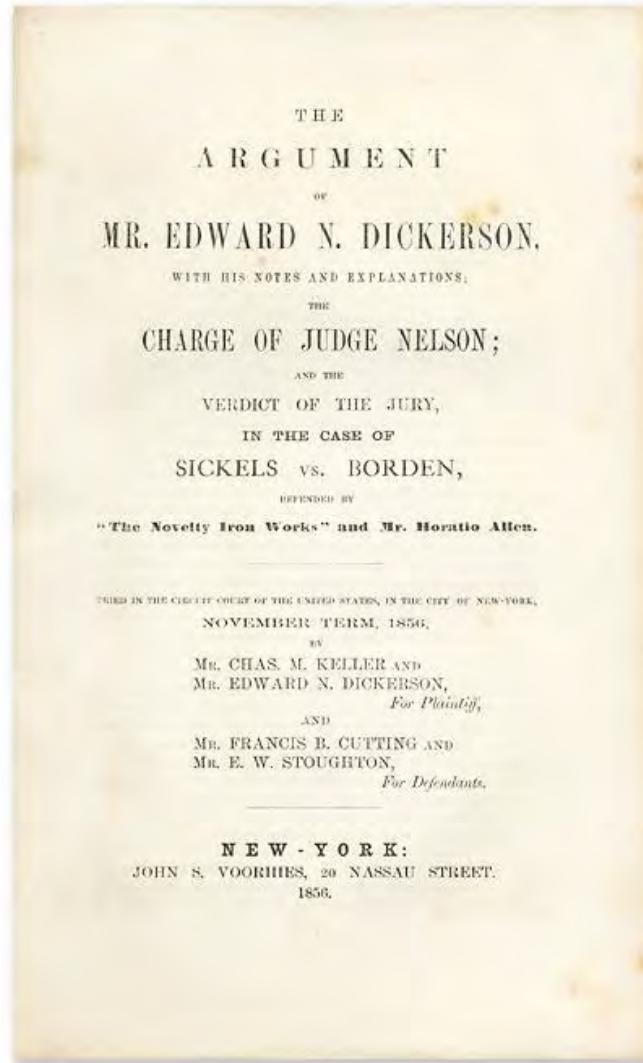
Hubbell, Levi [1808-1876], Defendant.

Argument of Edward G. Ryan, On the Trial of Levi Hubbell, Judge of the Second Judicial Circuit, Before the Senate of Wisconsin, On an Impeachment Preferred by the Assembly for High Misdemeanors in Office. Madison, [WI]: Published by Beriah Brown, 1853. 154 pp. Octavo (8-1/4" x 5-1/2").

Disbound stab-stitched pamphlet. Light soiling to exterior, light toning to text, light foxing to a few leaves. \$350.

* Only edition. Judge Hubbell was charged with corruption while in office. His impeachment trial in the Wisconsin Senate resulted in an acquittal. Ryan was the prosecutor in the case. OCLC locates 11 copies, 2 in law libraries (Harvard, Library of Congress). Cohen, *Bibliography of Early American Law* 14491. [Order This Item](#)

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An Interesting Patent Case

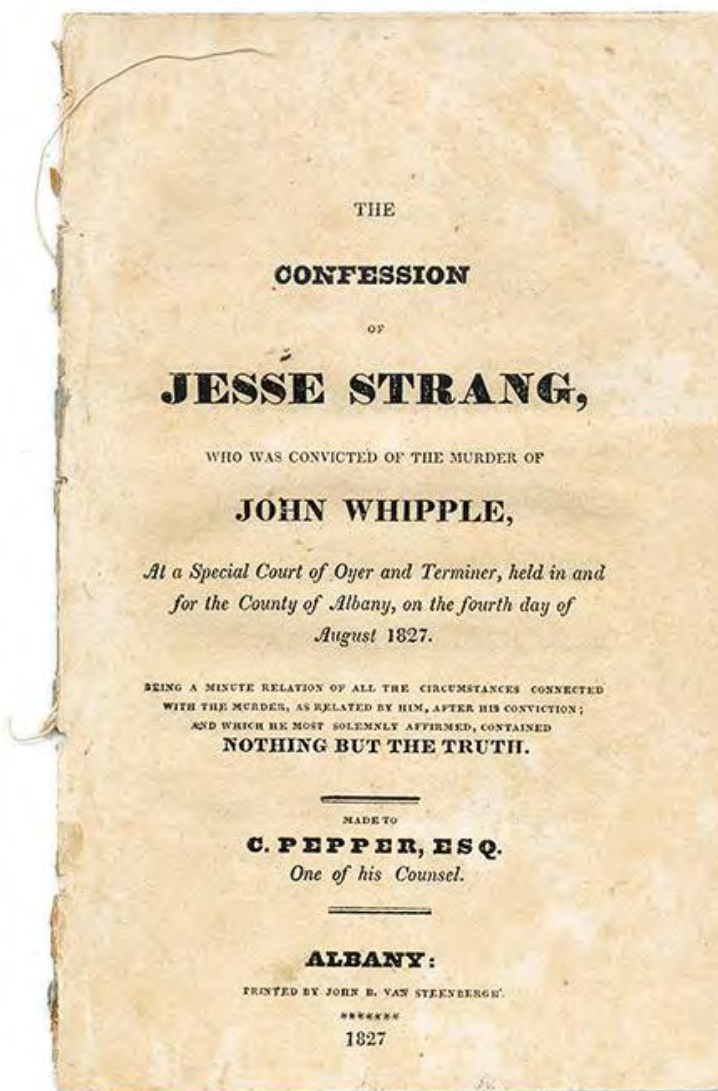
24. [Sickels Et Al. v. Corliss Et Al.]

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 (9-1/2" x 6").

Stab-stitched pamphlet in printed wrappers. Light soiling, some rubbing to extremities. Light toning to text, foxing and faint dampstaining to a few leaves, internally clean. \$100.

* 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 valve device, an important innovation that enabled the development of more powerful steam engines. 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* 11530. [Order This Item](#)



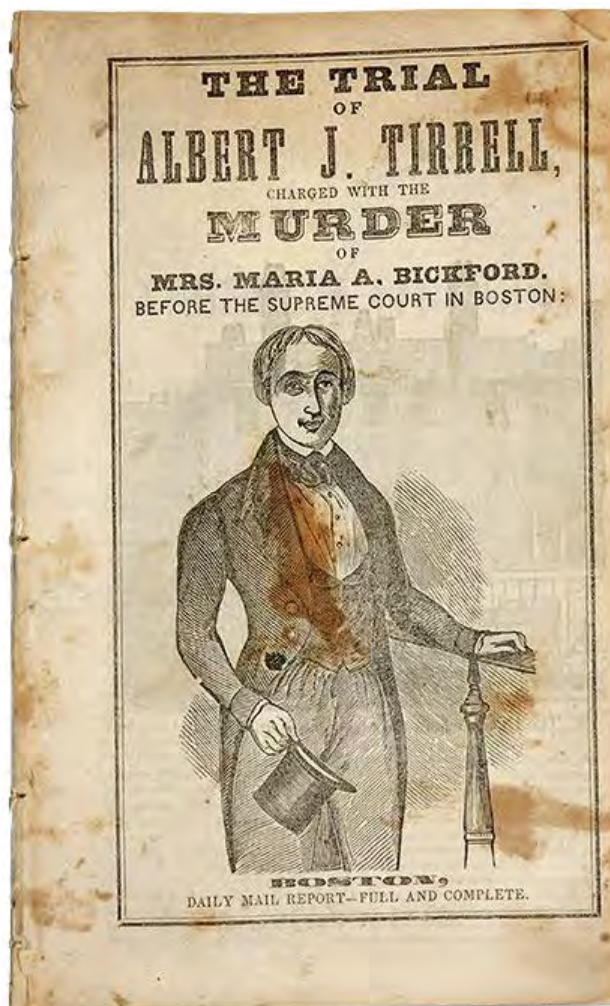
"Black, Unhallowed, Uncaused Crime": McDade 934

25. Strang, Jesse, Defendant.

The Confession of Jesse Strang, Who Was Convicted of the Murder of John Whipple, At a Special Court of Oyer and Terminer, Held in and for the County of Albany, On the Fourth Day of August 1827. Being a Minute Relation of All the Circumstances Connected with the Murder, As Related by Him, After His Conviction; And Which he Most Solemnly Affirmed, Contained Nothing but the Truth. Made to C. Pepper, Esq. One of His Counsel. Albany: Printed by John B. van Steenberg, 1827. 35 pp. Octavo (9-1/2" x 5-1/2").

Disbound stab-stitched pamphlet. Moderate toning, light foxing to a few leaves, light browning to title page. A nice copy, \$250.

* Only edition. Jesse Strang (living under the alias Joseph Orton) was involved in an affair with Elsie Whipple. Strang shot Elsie's husband, John Whipple, after several unsuccessful attempts by the lovers to poison him. Strang was convicted and executed. Elsie was tried individually and acquitted. This pamphlet includes a poem, "To Mrs Whipple," accusing her of "black, unhallowed, uncaused crime." McDade, *The Annals of Murder* 934. [Order This Item](#)



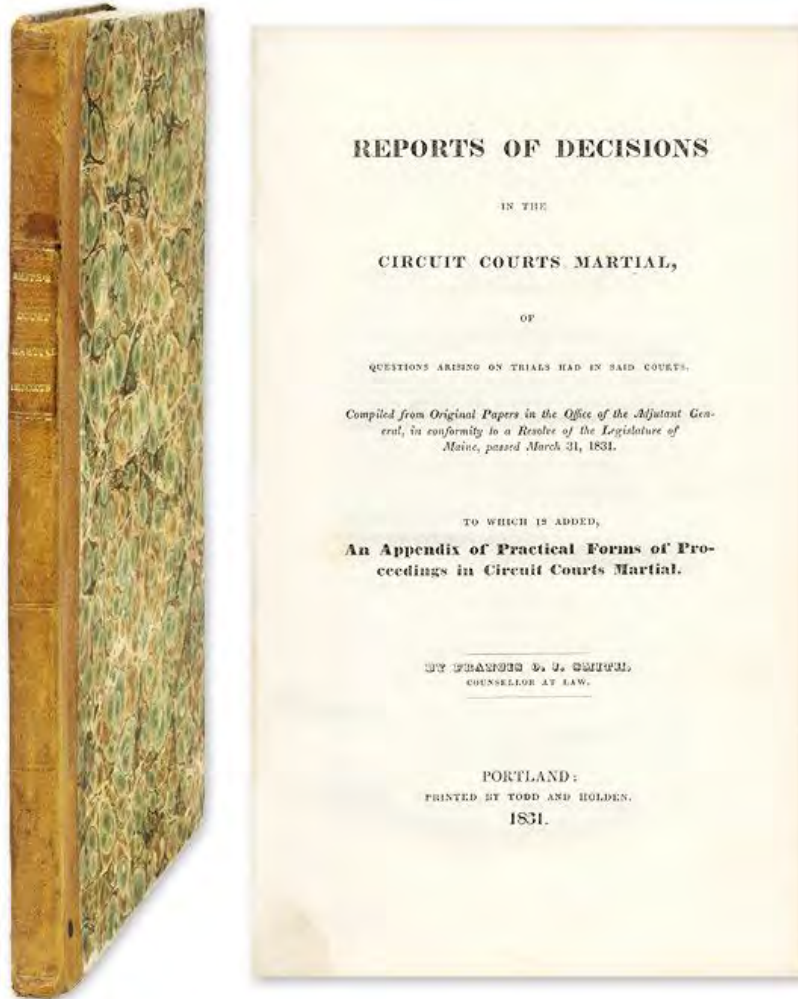
Not in McDade

26. 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](#)



Notable Collection of Courts Martial

27. Smith, Francis O.J. [1806-1876], Reporter.

Reports of Decisions in the Circuit Courts Martial, Of Questions Arising on Trials had in Said Courts. Compiled from Original Papers in the Office of the Adjutant General, In Conformity to a Resolve of a Legislature of Maine, Passed March 31, 1831. To Which is Added, An Appendix of Practical Forms of Proceedings in Circuit Courts Martial. Portland: Printed by Todd & Holden, 1831. [ii], 113 pp. Octavo (9" x 5-1/2").

Contemporary quarter sheep over marbled boards, blind fillets and lettering piece to spine. Light rubbing to extremities, corners bumped and lightly worn, bookplate to front pastedown indicating this was a copy for official use. Some toning to text, occasional light foxing. Early inscription to front free endpaper, interior otherwise clean. \$150.

* Only edition. This reporter covers military jurisprudence in Maine from August, 1827 to June 1831. Smith practiced law in Portland and served in the U.S. Congress. He is remembered today as the business partner of Samuel F.B. Morse and later as his opponent in the telegraph litigation. Smith hoped that this carefully organized work, "the first of its kind ever published under any government," would promote uniformity in future military proceedings and case reports. Not in Wallace. Cohen, *Bibliography of Early American Law* 9027. [Order This Item](#)



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

28. [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). [Order This Item](#)



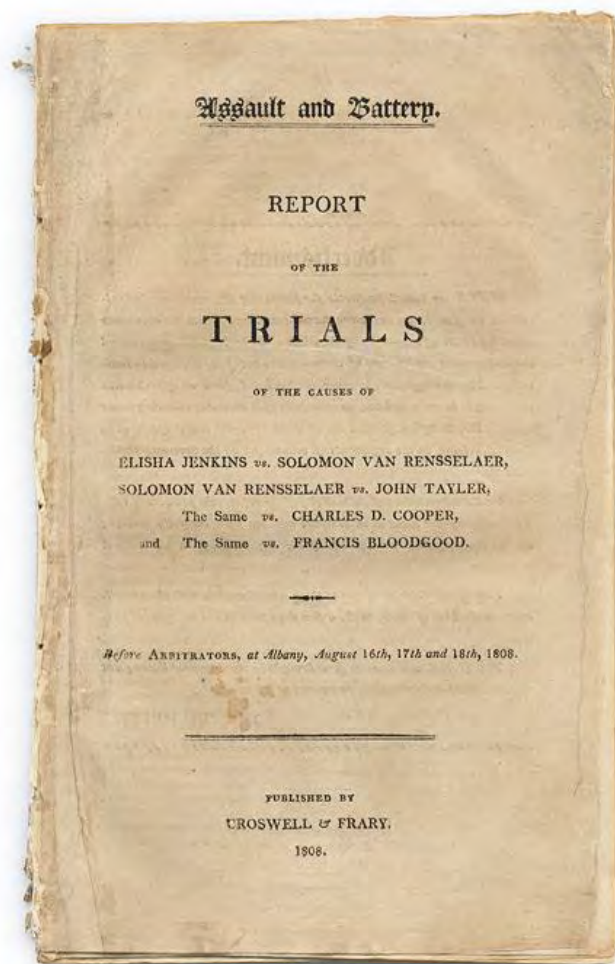
**The First Prize Cases Tried in the
United States District Court for the District of New York**

29. Van Ness, William P. [1778-1826], Reporter.

Reports of Two Cases Determined in the Prize Court for the New-York District. New York: Published by Gould, Banks and Gould, 1814. 59 pp. Octavo (8-1/2" x 5").

Stab-stitched pamphlet bound into recent quarter calf over paper-covered boards, gilt title to spine, tears to title page mended. Light browning, foxing in a few places, faint dampstaining title page and following leaf. \$850.

* Only edition, one of two issues. Also known as *Van Ness's Prize Cases*, this volume reports two prize cases during the War of 1812. These were the first cases tried and reported in the United States District Court for the District of New York. Both involved British ships captured by an American privateer in 1814: "Charles Johnson, on behalf of himself, officers and crew of the private armed vessel the Tickler, vs. 21 bales, 28 cases of merchandise, and 2708 bars of iron, goods & merchandise claimed by Robert Falconer, for and on behalf of John Richardson" and "Charles Johnson, on behalf of himself, owners, officers and crew of the private armed vessel called the Tickler, against Thirteen bales and thirteen cases of goods & merchandise, found on board the ship Mary and Susan, Josiah Wilson, master: William Falconer claimant of nine bales of merchandise, in behalf of James Beswicke and Son." According to Sabin, there are two issues of this title, distinguished by a few small typographical points. This is the most obvious: in issue A, the copy offered here, p. 39 ends "But however distinct-." In Issue B, p. 39 ends "But however dis-." Sabin, *A Dictionary of Books Relating to America* 98533. Wallace, *The Reporters* 567. [Order This Item](#)



Bloody Clashes Between Federalists and Jeffersonians in Albany

30. 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](#)