

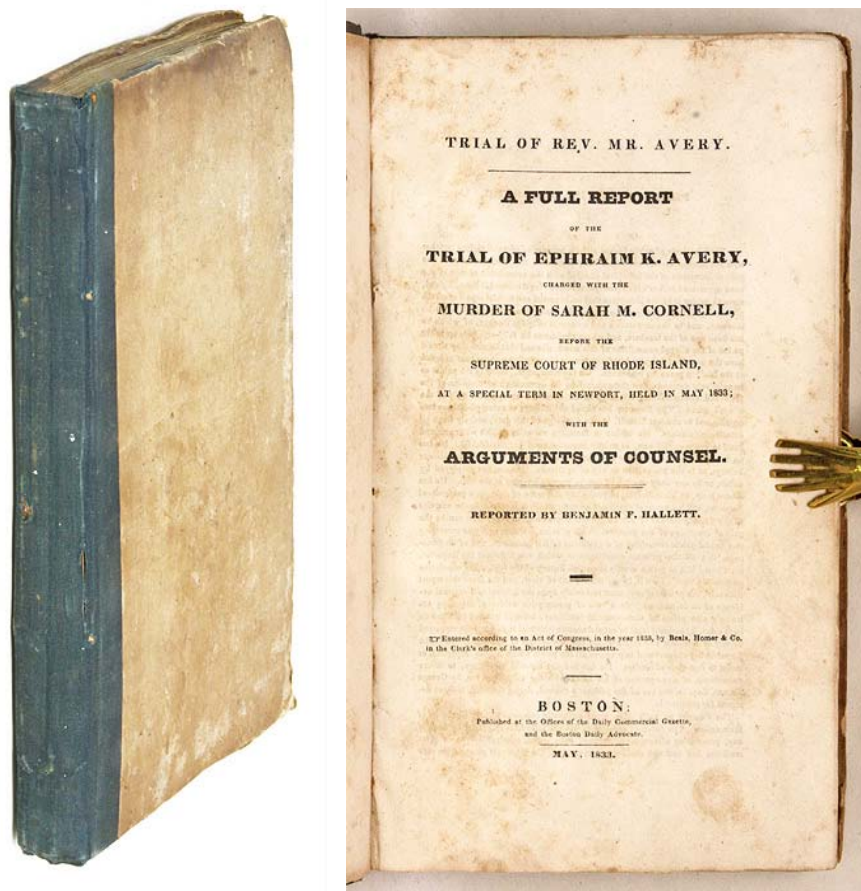
30 TRIALS

(And Trial-Related Items)

June 27, 2017



THE
LAWBOOK EXCHANGE
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**One of the Most Famous American
Murder Trials of the Nineteenth Century**

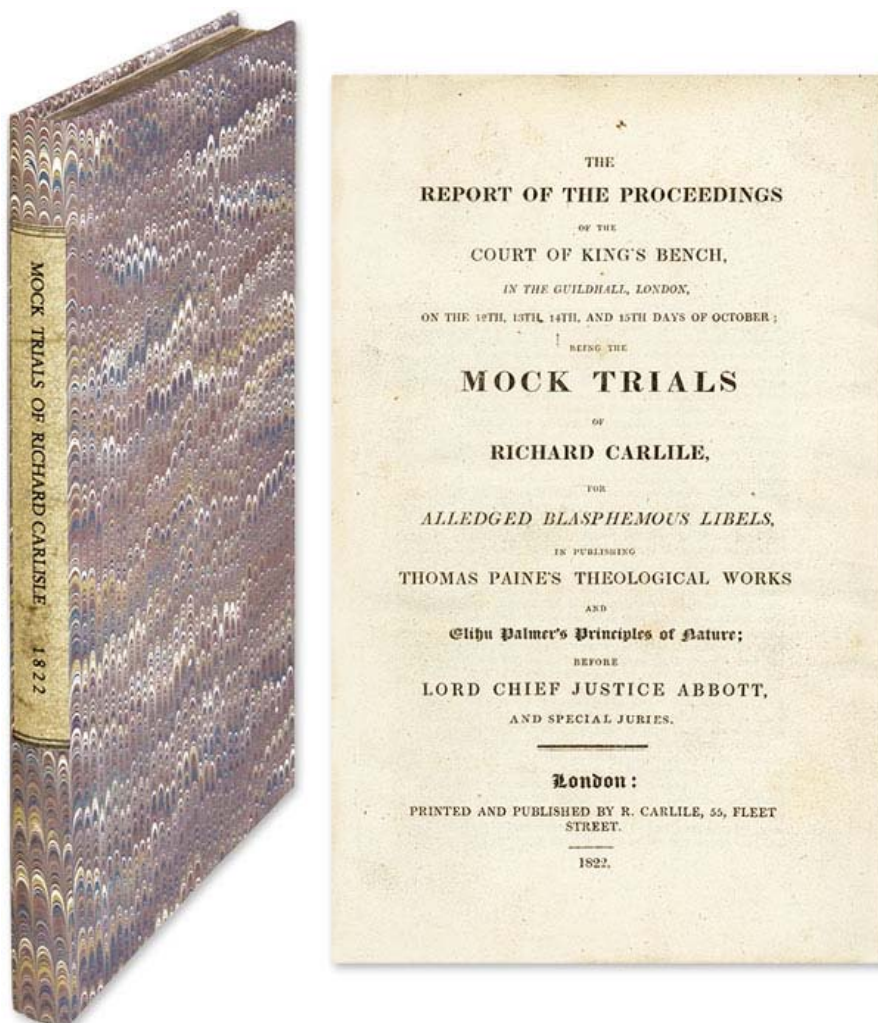
**1. Avery, Ephraim [1799-1869], Defendant.
[Hallett, B[enjamin] F[ranklin] (1797-1862), Reporter].**

Trial of Rev. Mr. Avery: A Full Report of the Trial of Ephraim K. Avery, Charged with the Murder of Sarah Maria Cornell Before the Supreme Court of Rhode Island at a Special Term in Newport, Held in May 1833: With All the Incidental Questions Raised in the Trial Carefully Preserved, The Testimony of the Witnesses Nearly Verbatim, and the Arguments of Counsel, And a Correct Map and References of All the Localities Described in the Testimony, Prepared Expressly for this Report Alone. Boston: Published at the Offices of the Daily Commercial Gazette, And the Boston Daily Advocate, May, 1833. 207, 40 pp. Two parts, each with individual pagination, second part has running title *Avery's Trial*. [Supplementary Edition]. Folding map. Octavo (9-3/4" x 5-1/2").

Original publisher boards, quarter-cloth spine, some signatures unopened. Light rubbing to boards, moderate rubbing to extremities with minor wear to joints and spine ends, corners bumped and worn, rear hinge starting, a few cracks to text block. Moderate toning and light foxing to text, clean partial tear to map along fold line, early owner signature to front free endpaper. \$250.

* First edition, one of two issues from 1833. The Avery Case was one of the most famous American murder trials of the nineteenth century. Although questions about this case remain, it appears that Avery murdered Cornell when he learned she was pregnant with his child. After strangling her he put a noose around her neck and hung her from a barn rafter to make it appear that she had committed suicide. A second edition of Hallett's account was published in 1833. Cohen, *Bibliography of Early American Law* 12310. McDade, *The Annals of Murder* 52.

Order this item: <http://www.lawbookexchange.com/details.php?record=65983>



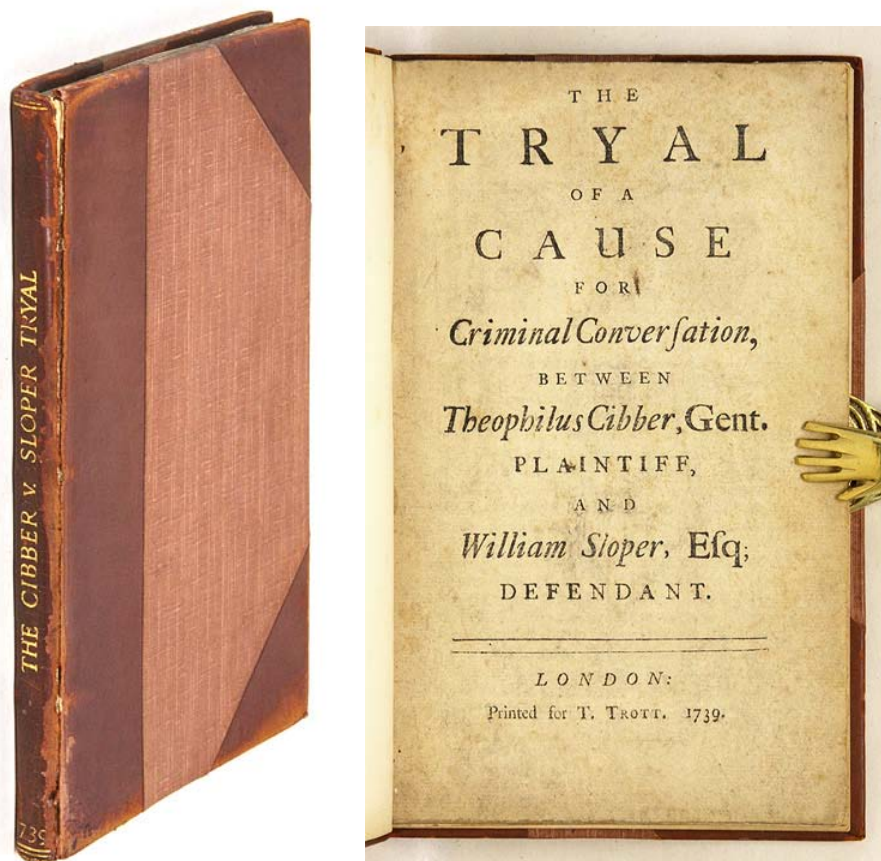
**A Notable Freethinker and Publisher
Of Thomas Paine Reports One of His Blasphemy Trials**

2. 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. Carlile 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 Carlile issued as *The Age of Reason, Part the Third*. Portions of these were read in court by Carlile with commentary. *Catalogue of the Library of the Harvard Law School* II:1035. Order this item: <http://www.lawbookexchange.com/details.php?record=55651>



A Notable to Profit from Adultery

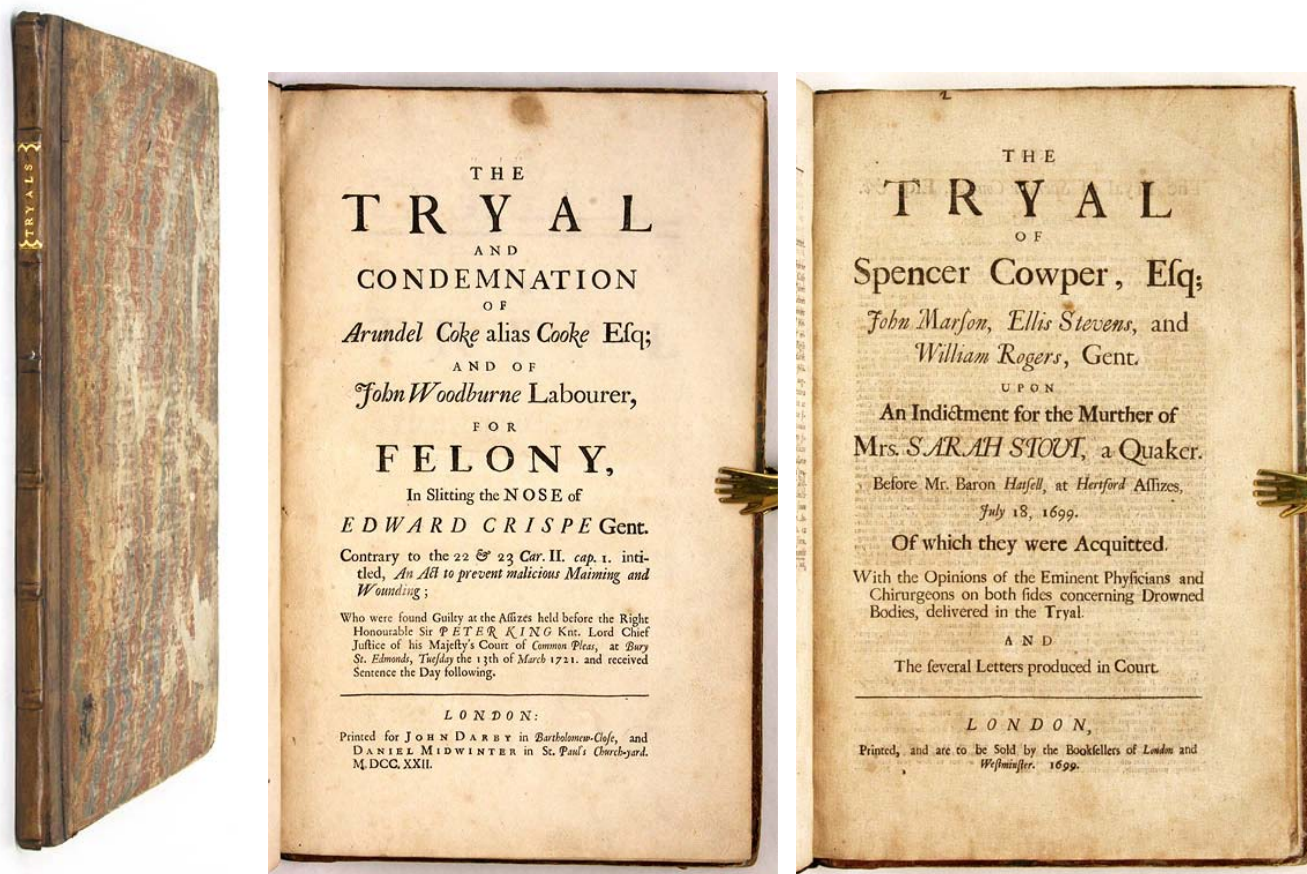
3. Cibber, Theophilus [1703-1758], Plaintiff.

The Tryal of a Cause for Criminal Conversation, Between Theophilus Cibber, Gent. Plaintiff, And William Sloper, Esq; Defendant. London: Printed for T. Trott, 1739. 32 pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound into nineteenth-century three-quarter calf over cloth, gilt title to spine. Moderate rubbing to extremities with some wear to spine ends and corners, front hinge cracked, hinges starting, bookplate residue to front pastedown, early bookseller description tipped-in to front free endpaper. Light soiling to title page and verso of p. 32. Moderate toning to text, minor stains and smudges to a few leaves. \$950.

* Only edition, one of two issues, both from 1739. The Cibber trial, which involved two well-known actors, was a sensational event because it appears that Cibber pushed his wife toward adultery in a scheme to make money from her affair. William Sloper was a frequent visitor to the Cibber's country home, having been asked by Mr. Cibber to teach his wife backgammon while he pursued his interest in hunting. There were reports that the Cibbers and Mr. Sloper lived together and that a door connected Mr. Sloper and Mrs. Cibber's bedrooms. It appears that Mr. Cibber had already "borrowed" £400.00 from Mr. Sloper and that matters might have continued in a similar manner, with Mrs. Cibber serving as a kept woman procured by her husband. However, Mrs. Cibber detested the situation because she fell in love with Mr. Sloper. She ran off with him, but Mr. Cibber brought her back by force and confined her. She was rescued by her brother and returned to Mr. Sloper. Though ruling in his favor, the jury was convinced that Mr. Cibber had instigated the affair and awarded him £10.00 instead of the £5,000.00 he sought. The other issue of this pamphlet is identical except for a title-page statement reading "Price Six Pence." OCLC locates 3 copies in North American law libraries (Harvard, Library of Congress, Worcester Law Library). *English Short-Title Catalogue* T51983.

Order this item: <http://www.lawbookexchange.com/details.php?record=66059>



**Scarce English Trials Concerning a Botched
Murder Attempt and the Murder of a Quaker Woman**

**4. Coke, Arundel [d. 1722], Defendant.
Woodburne, John, [d. 1722], Defendant.**

The Tryal and Condemnation of Arundel Coke Alias Cooke Esq; And of John Woodburne Labourer, For Felony, in Slitting the Nose of Edward Crispe Gent. Contrary to the 22 & 23 Car. II. Cap. I. Intitled, An Act to Prevent Malicious Maiming and Wounding; Who Were found Guilty at the Assizes Held Before the Right Honourable Sir Peter King Knt. Lord Chief Justice of his Majesty's Court of Common Pleas, At Bury St. Edmonds, Tuesday the 13th of March 1721. And Received Sentence the Day Following. London: Printed for John Darby in Bartholomew-Close, And Daniel Midwinter in St. Paul's Church-Yard, 1722. 16, *17-*18, 17-37, [1] pp. With an initial imprimatur leaf; text is continuous (and complete).

[Bound with]

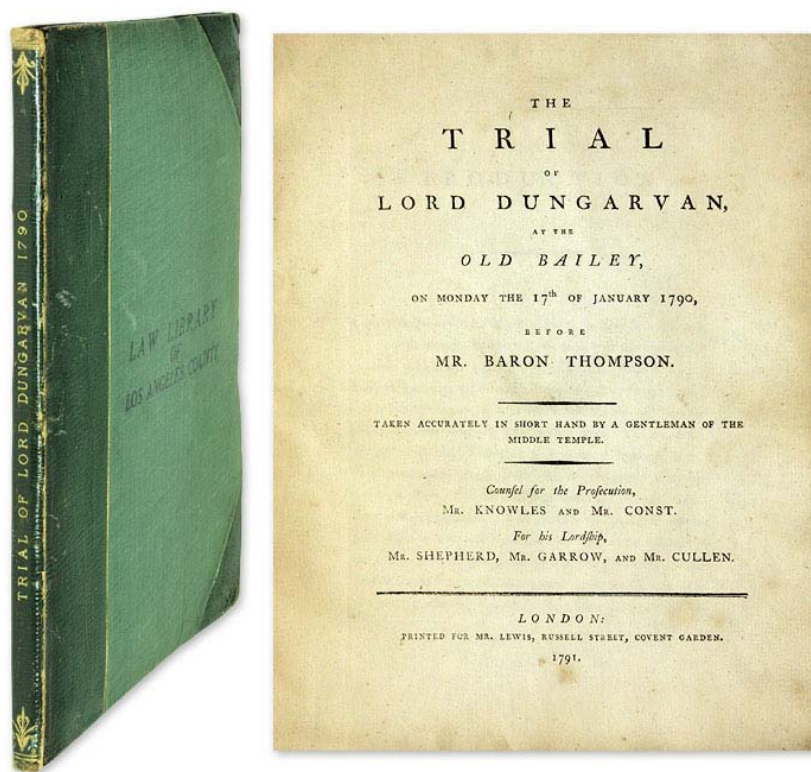
Cowper, Spencer [1669-1728], Principal Defendant.

The Tryal of Spencer Cowper, Esq; John Marson, Ellis Stevens, And William Rogers, Gent. Upon an Indictment for the Murther of Mrs. Sarah Stout, A Quaker. Before Mr. Baron Hatsell, At Hertford Assizes, July 18, 1699. Of Which They Were Acquitted. With the Opinions of the Eminent Physicians and Chirurgeons on Both Sides Concerning Drowned Bodies, Delivered in the Tryal. And the Several Letters Produced in Court. London: Printed and Are to be Sold by the Booksellers of London and Westminster, 1699. 38 pp.

Folio (12-1/2" x 8"). Contemporary marbled boards with recent period-style re-backing, raised bands and lettering piece to spine, endpapers retained, hinges repaired. Moderate rubbing and scuffing to boards, corners bumped and somewhat worn, early armorial bookplate to front pastedown, tiny wormhole through bottom margin of text block. Moderate toning, somewhat heavier in places, some leaves have light foxing or stains. Early owner annotation to front free endpaper, interior otherwise clean. Two scarce trials in a handsome binding. \$1,750.

* Coke: first edition; Cowper: only edition, one of three issues from 1699. Coke, a barrister, lost his money in the South Sea Bubble. He hired Woodburn to kill his brother-in-law, Edward Crisp, aiming to inherit his money. In his failed murder attempt Woodburn managed to cut Edward Crisp's nose. This led to the first convictions under the Coventry Act, which outlawed assault with the intention to maim or mutilate. Both men were convicted and hanged. Spencer Cowper, a judge, was indicted for the murder of Sarah Stout. He was at her house late on the evening before she was found drowned in a river. Cowper's alleged motivations were a desire to end an illicit love affair and avoid payment of a debt. Cowper's lawyers argued that Stout's parents wanted to hide the fact that their daughter committed a suicide, a heinous act among Quakers. The defence also suggested a political motivation: a desire by local Tories to harm the career of a rising Whig. Cowper had been at the woman's house late on the evening before she was found drowned in the river, but there was little material evidence against him. Also, his lawyers benefited from expert medical testimony from three leading physicians, Samuel Garth, Hans Sloane and William Cowper. He was acquitted. The trial attracted a good deal of attention and generated several pamphlets, including post-verdict pamphlets that attempted unsuccessfully to reopen the case. The *Trial of Spencer Cowper* is one of the standard accounts of the trial. *English Short-Title Catalogue* T136036, R219713.

Order this item: <http://www.lawbookexchange.com/details.php?record=65261>



A Cautionary Tale for "Young Gentlemen"

5. 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. \$1,250.

* 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.

Order this item: <http://www.lawbookexchange.com/details.php?record=62370>

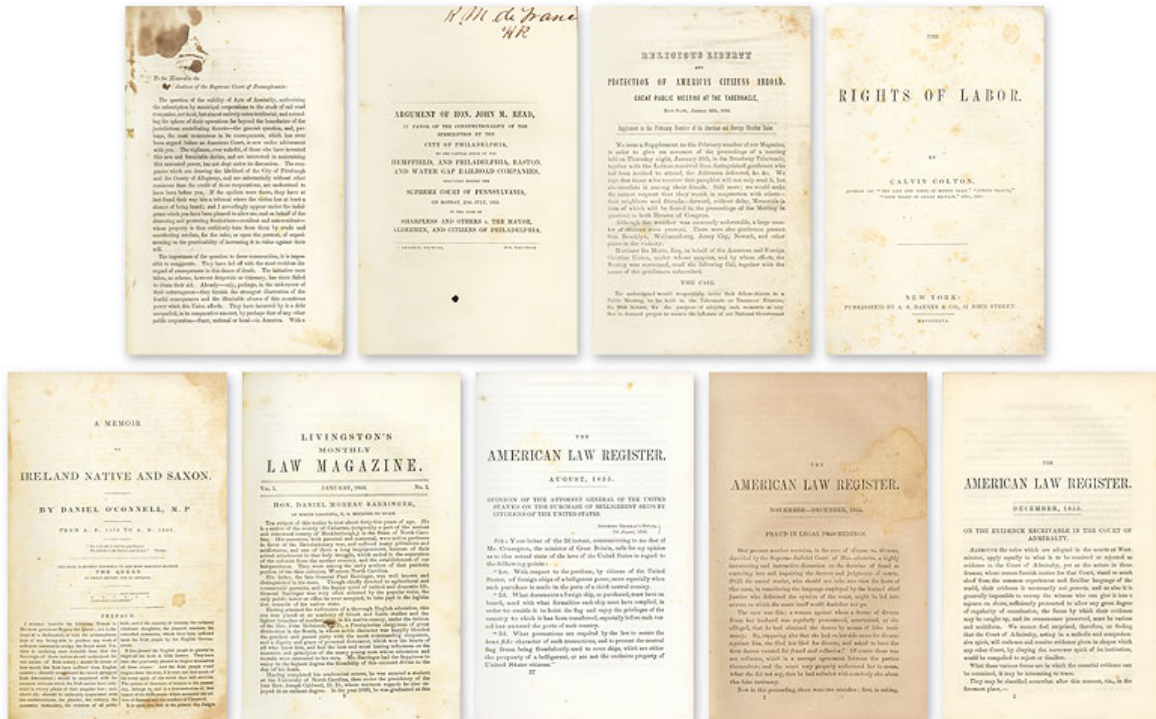


Interesting Collection of Trial-Related Darrow Photographs

6. [Darrow, Clarence (1857-1938)].

[Fifteen Black-and-White Press Photographs of Darrow, 1924-1936]. Sizes ranging from 5-1/2" x 8" to 8" x 10." Light to moderate edgewear, annotations and tipped-in captions to versos, some photos have crop marks and creases, a few have captions printed below image. An interesting collection. \$1,500.

* These photographs, some later reprintings, record incidents from four of Darrow's greatest trials. Four relate to the Loeb-Leopold Trial (1924). Three were taken during trials, the fourth is an image of Nathan Leopold from 1957. There are three courtroom scenes from the Scopes Trial (1925) and a single image of Darrow and his client Russell McWilliams, a young man sentenced to death in 1933. The remaining six images depict incidents surrounding the Massie Trial (1931-1932). This group also includes a 1936 picture of Darrow and his wife, Ruby.
Order this item: <http://www.lawbookexchange.com/details.php?record=63059>



Compiled by a Notable Pennsylvania Statesman

7. [De France, R.M., Compiler].

[Collection of Nine Legal Pamphlets, Trials and Essays]. N.p., c. 1846-1855. Various paginations. Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter calf over marbled boards, gilt fillets and lettering piece to spine. Some rubbing to boards and extremities, spine lightly abraded, "R.M. De France's/ Book" to front free endpaper, his name to heads of several items in volume. Moderate toning, browning to a few items, occasional light foxing. Unique. \$250.

* R.M. De France was a notable Pennsylvania statesman active in the Whig Party. This volume collects nine items that interested him in the mid-1850s. Contents:

-Williams, Thomas. [*Opinion Submitted to Pennsylvania Supreme Court Concerning "The Validity of Acts of Assembly, Authorizing the Subscription of Municipal Authorities to the Stock of Rail Road Companies"*]. N.P.: S.n., [1853]. 53 pp.

-**Read, John M.**, *Argument in Favor of the Constitutionality of the Subscription by the City of Philadelphia, to the Capital Stock of the Hempfield, And Philadelphia, Easton, And Water Gap Railroad Companies*. [Philadelphia?]: C. Sherman, 1853. [ii], 31 pp.

-**De Motte, Mortimer**, *Religious Liberty and Protection of American Citizens Abroad*. N.p.: S.n., 1854. 64 pp.

-**Colton, Calvin**, *The Rights of Labor*. New York: Published by A.S. Barnes, 1846. 96 pp.

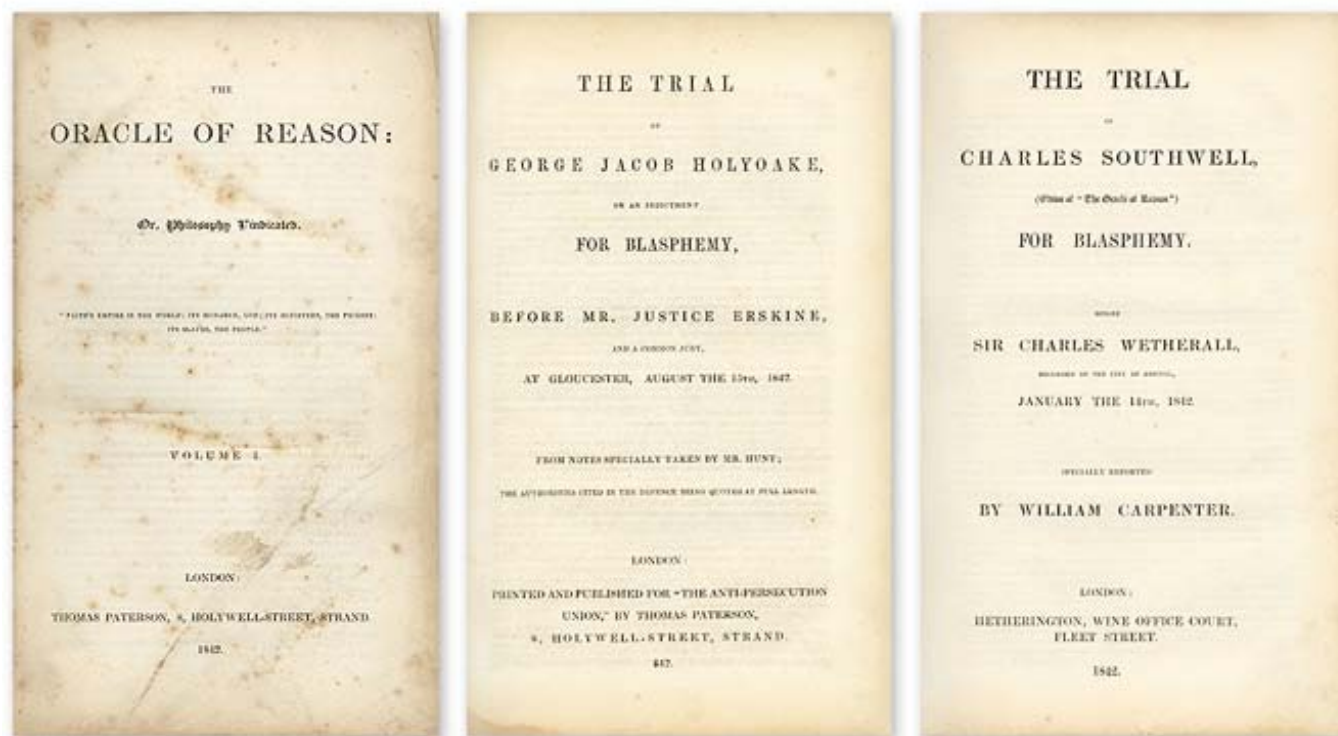
-**O'Connell, Daniel**, *A Memoir on Ireland Native and Saxon*. N.p.: S.n., N.d. 80 pp. Frontispiece.

-*Livingston's Monthly Law Magazine* (January, 1853). 1-80 pp. (Incomplete.) Frontispiece.

-*The American Law Register* (August, 1855). [577]-640 pp. (Incomplete). -*The American Law Register* (November-December, 1855). [1]-128 pp. (Incomplete.)

-*The American Law Register* (December, 1853). [65]-128, [16] pp. (Incomplete. Includes 16 pages of advertisements).

Order this item: <http://www.lawbookexchange.com/details.php?record=60118>



Two Notable British Trials for Blasphemy, And Their Context

8. [Freedom of the Press].

The Oracle of Reason: Or, Philosophy Vindicated. Volume 1. London: Thomas Paterson, 1842. Numbers 1-52 (with Supplements to Numbers 6 and 52). Complete. Text in parallel columns.

[Bound with]

Holyoake, George Jacob [1817-1906], Defendant.

The Trial of George Jacob Holyoake, On an Indictment for Blasphemy, Before Mr. Justice Erskine, And a Common Jury, At Gloucester, August the 15th, 1842. From Notes Specially Taken by Mr. Hunt; The Authorities Cited in the Defence Being Quoted at Full Length. London: Printed for "The Anti-Persecution Union," by Thomas Paterson, [1]842. 68 pp.

[And]

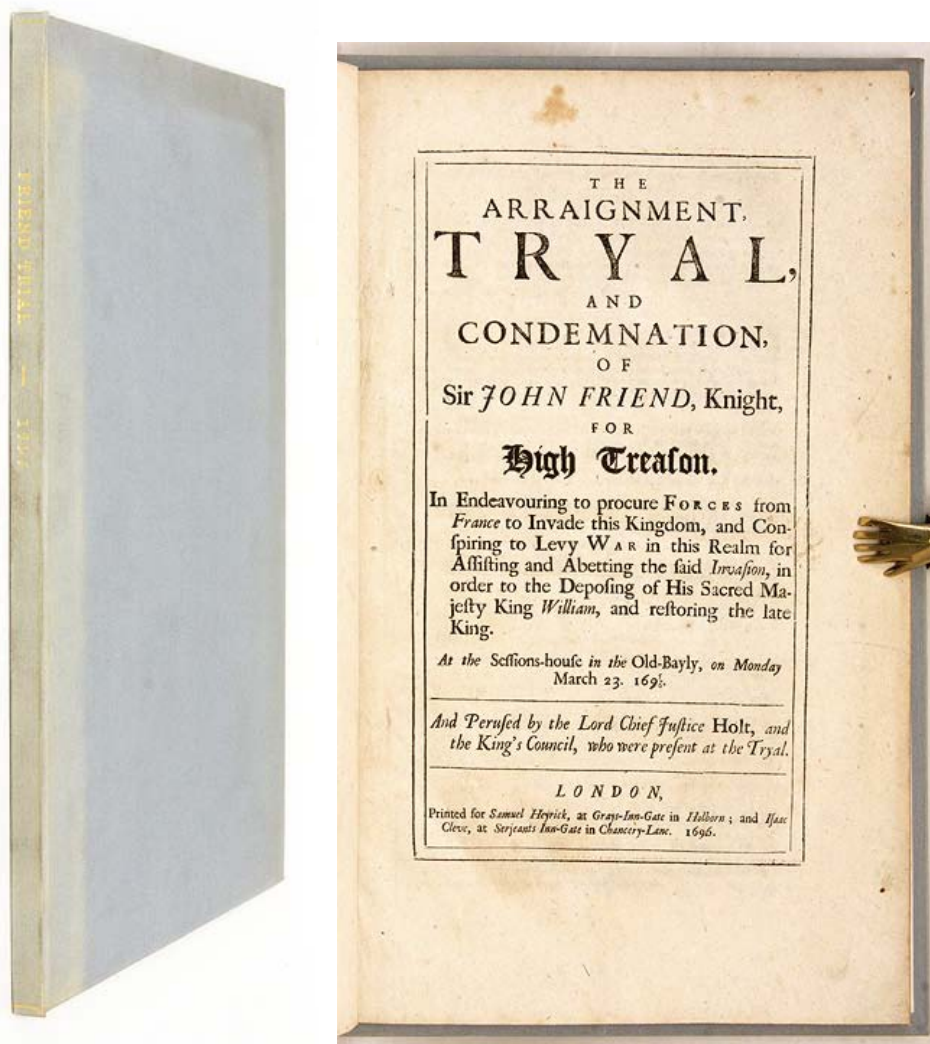
Southwell, Charles, Defendant.

Carpenter, William, Reporter.

The Trial of Charles Southwell, (Editor of "The Oracle of Reason"), For Blasphemy. Before Sir Charles Wetherall, Recorder of the City of Bristol, January the 14th, 1842. Specially Reported. London: Hetherington, 1842. iv, 104 pp.

Octavo (8-1/2" x 5-1/2"). Stab-stitched pamphlets bound into contemporary cloth, gilt title to spine. Some rubbing to extremities with wear to corners and spine ends, faint inkstains and dampstaining to boards. Moderate toning to text, occasional foxing, internally clean. Unique. \$1,950.

* After breaking away from Robert Owen's socialist movement, Southwell opened a free-thought bookshop in Bristol with William Chilton and John Field in 1841. Holyoake joined him the following year. Southwell and Holyoake went on to establish the *Oracle of Reason*, a periodical devoted to atheism. After a year the authorities had enough of their publication, and the two editors were tried for blasphemy. Both were acquitted and their trials stand as landmarks in the history of free speech. In 1851 Holyoake would be the defendant in the last blasphemy trial in Great Britain. Our volume is notable because it combines a complete run of the first year of the *Oracle* with the two trials it provoked. (Publication of the *Oracle* ceased at the end of 1843). Both trial accounts are scarce, individual issues and a complete runs of Volume 1, are rare. Order this item: <http://www.lawbookexchange.com/details.php?record=60734>



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Hanged Without Benefit of Counsel

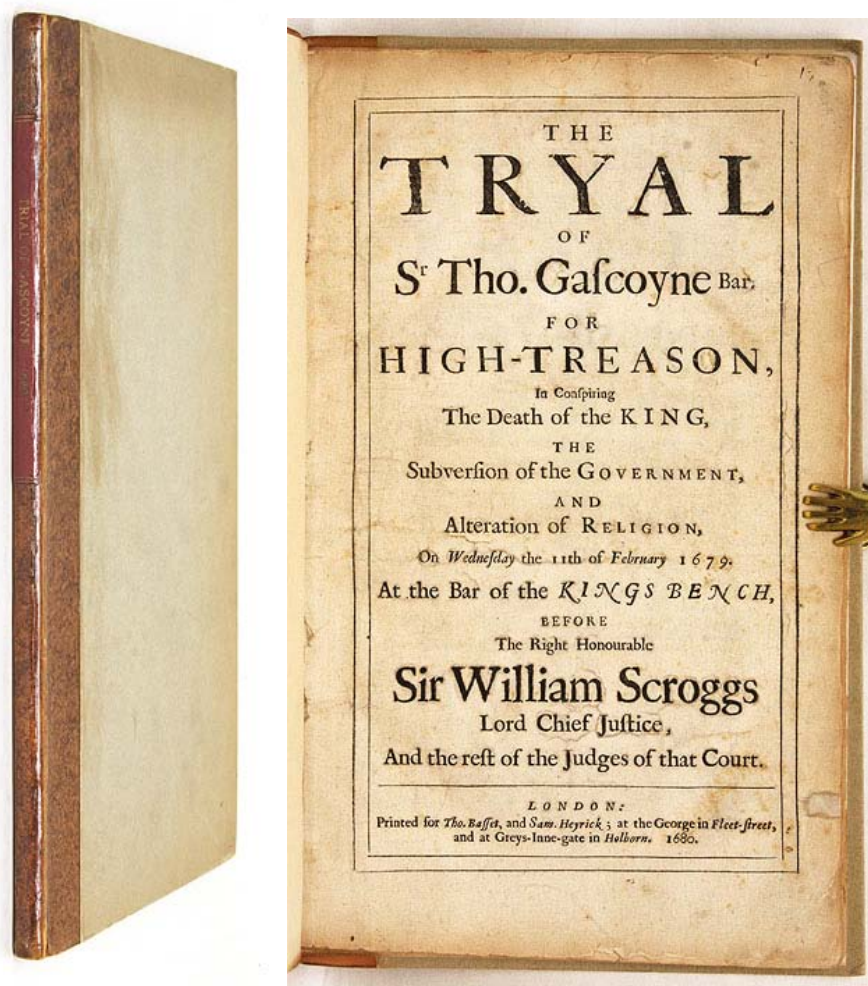
9. Friend, Sir John [d. 1696], Defendant.

The Arraignment, Tryal, And Condemnation, Of Sir John Friend, Knight, For High Treason, In Endeavouring to Procure Forces from France to Invade this Kingdom, And Conspiring to Levy War in this Realm for Assisting and Abetting the Said Invasion, In Order to the Deposing of His Sacred Majesty King William, And Restoring the Late King. At the Sessions-house in the Old-Bayly, On Monday March 23. 1695/6. And Perused by the Lord Chief Justice Holt, And the King's Council, Who were Present at the Tryal. London: Printed for Samuel Heyrick, at Grays-Inn-Gate in Holborn, 1696. [iv], 44 pp. Main text preceded by "Order to Print" (imprimatur) leaf. Folio (12-1/2" x 8").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light rubbing to extremities, some fading to spine and parts of boards. Moderate toning to text, somewhat heavier in places, faint dampstaining to a few leaves, wear to fore-edge of final leaf. Ex-library. Bookplate to front pastedown. A nice copy. \$350.

* Only edition. Friend was charged with high treason for participation in Jacobite assassination plot 1696 and denied counsel by Chief-Justice Sir John Holt. He was convicted and hanged, one of the last two people condemned before the Treason Act of 1695 came into force. This act, which allowed counsel in cases of treason, may have helped

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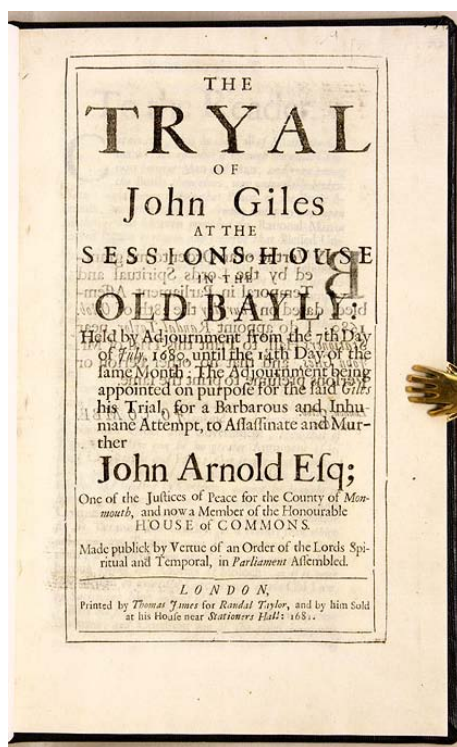
A Survivor of the Popish Plot

10. Gascoigne, Sir Thomas [1593?-1686], Defendant.

The Tryal of Sr Tho. Gascoyne Bar. For High-Treason, In Conspiring the Death of the King, The Subversion of the Government, And Alteration of Religion, On Wednesday the 11th of February 1679. At the Bar of the Kings Bench, Before the Right Honourable Sir William Scroggs Lord Chief Justice, And the Rest of the Judges of that Court. London: Printed for Tho. Bassett, and Sam. Heyrick, 1680. Final leaf is a bound-in facsimile. 67, [1] pp. Folio (11-3/4" x 7").

Stab-stitched pamphlet bound into later quarter speckled calf over paper-covered boards, lettering piece to spine. Light rubbing to extremities, slight darkening to edges of boards. Moderate toning to text, light browning to edges, light foxing, edgewear and minor tears to a few leaves, light soiling to title page. Ex-library. Bookplate to front pastedown, stamps to endleaves, perforated stamp to head of title page. \$150.

* Only edition. A fictitious conspiracy to assassinate Charles II, the Popish Plot provoked a spasm of anti-Catholic hysteria in England and Scotland that led to the executions of at least 22 men between 1678 and 1681 and harsh laws against Catholics. Gascoigne, who was implicated by two disgruntled former servants, was among the many who were implicated in the Popish Plot, and one of the few who managed to escape execution. OCLC locates 4 copies in North American law libraries (Harvard, Osgoode Hall, University of Minnesota, University of Michigan). *English Short-Title Catalogue* R6828. Order this item: <http://www.lawbookexchange.com/details.php?record=65749>



Notable Seventeenth-Century Case of Assault and Battery

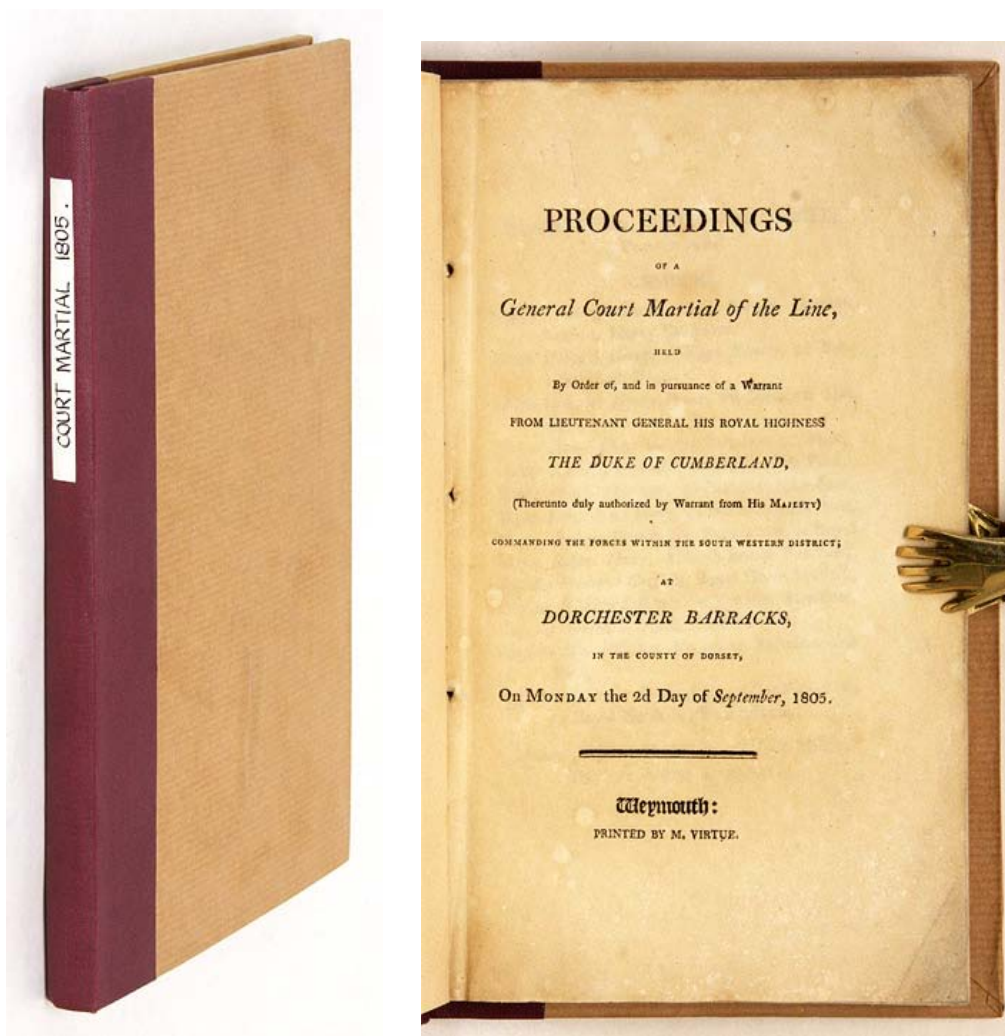
11. Giles, John, Defendant.

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 Murther John Arnold, Esq. London: Printed by Thomas James for Randal Taylor, 1681. 58 pp. Folio (11-1/2" x 7-1/4").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Negligible light toning to text, light foxing to a few leaves. Early hand-lettered numbers to upper left-hand corners of each leaf, most affected by trimming, interior otherwise clean. \$250.

* 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, Osgoode Hall, Yale). *English Short-Title Catalogue* R24640.

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A Rare English Court Martial from 1805

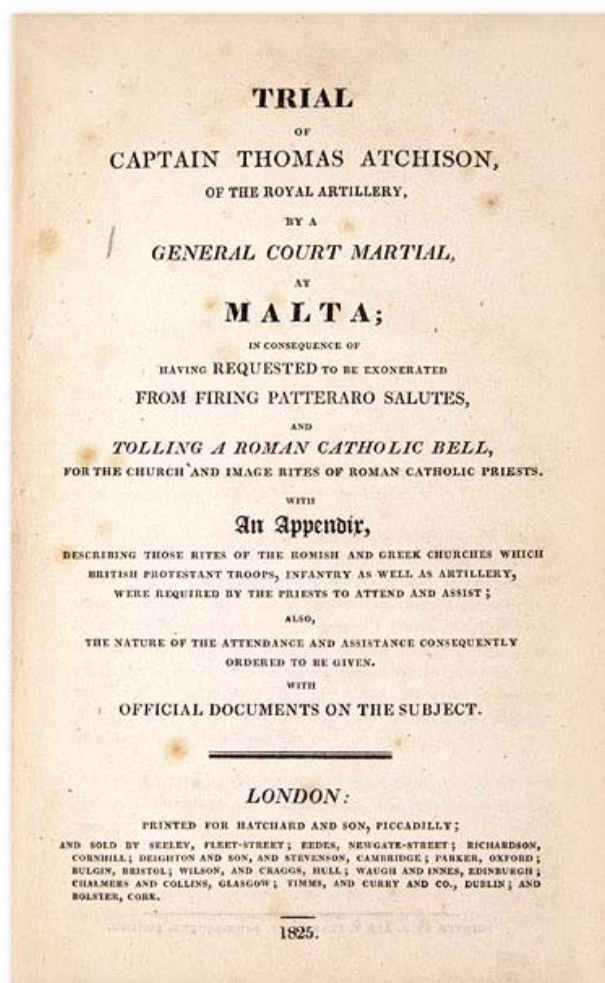
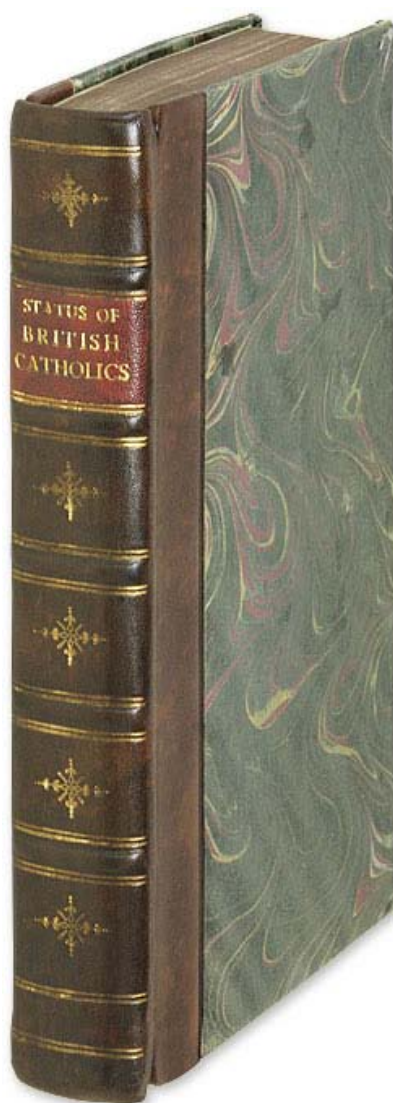
12. [Graham, Captain Henry Charles Edward Vernon, Defendant].

Proceedings of a General Court Martial of the Line, Held by Order of, And in Pursuance of a Warrant from Lieutenant General His Royal Highness the Duke of Cumberland, (Thereunto Duly Authorized by Warrant from His Majesty) Commanding the Forces within the South Western District; at Dorchester Barracks, In the County of Dorset, On Monday the 2d Day of September, 1805. Weymouth: Printed by M. Virtue, [1805]. 84 pp. Octavo (8-1/2" x 5").

Stab-stitched pamphlet bound into recent quarter cloth over paper-covered boards, hand-lettered title label to spine. Light toning to text, somewhat heavier in places, light foxing to a few leaves, light browning to title page. A very good copy. \$1,250.

* Only edition located. Captain Henry Charles Edward Vernon Graham, of the 15th (or King's) Regiment of [Light] Dragoons was faced with two charges. The first charge was "scandalous and infamous behaviour, unbecoming the character of an officer and gentleman" occasioned by accusing an officer, Captain Broadhurst, "*before a Sergeant of his Troop*, of having behaved improperly" by observing to the sergeant "that he had a great mind to put Captain Broadhurst under arrest" (6). The second charge related to letters sent to Capt. Graham to his Commanding Officer stating that "the whole of the Junior Officers [were] forming a systematic plan to drive him [Capt. Graham] out of the Regiment (7). In the event, Graham was found not guilty on the first charge but guilty on the second, for which it was ordered that he be reprimanded by the commanding officer in the presence of the field officers of the Regiment. Graham appears to have sponsored this publication. The trial ends with an afterword by Graham that adds his perspective and notes that he printed a number of copies of his trial report for "the information of my relations, and those friends most interested in my welfare" (83-84). No copies listed on COPAC. OCLC locates one copy worldwide (Yale University).

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**Eight Scarce Titles Concerning the
Status of Catholics in Early Nineteenth-Century Britain**

13. [Great Britain].

[Catholics].

Atchison, Thomas, Defendant.

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

[Bound with]

[Atchison, Thomas].

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

[And]

Wix, Samuel.

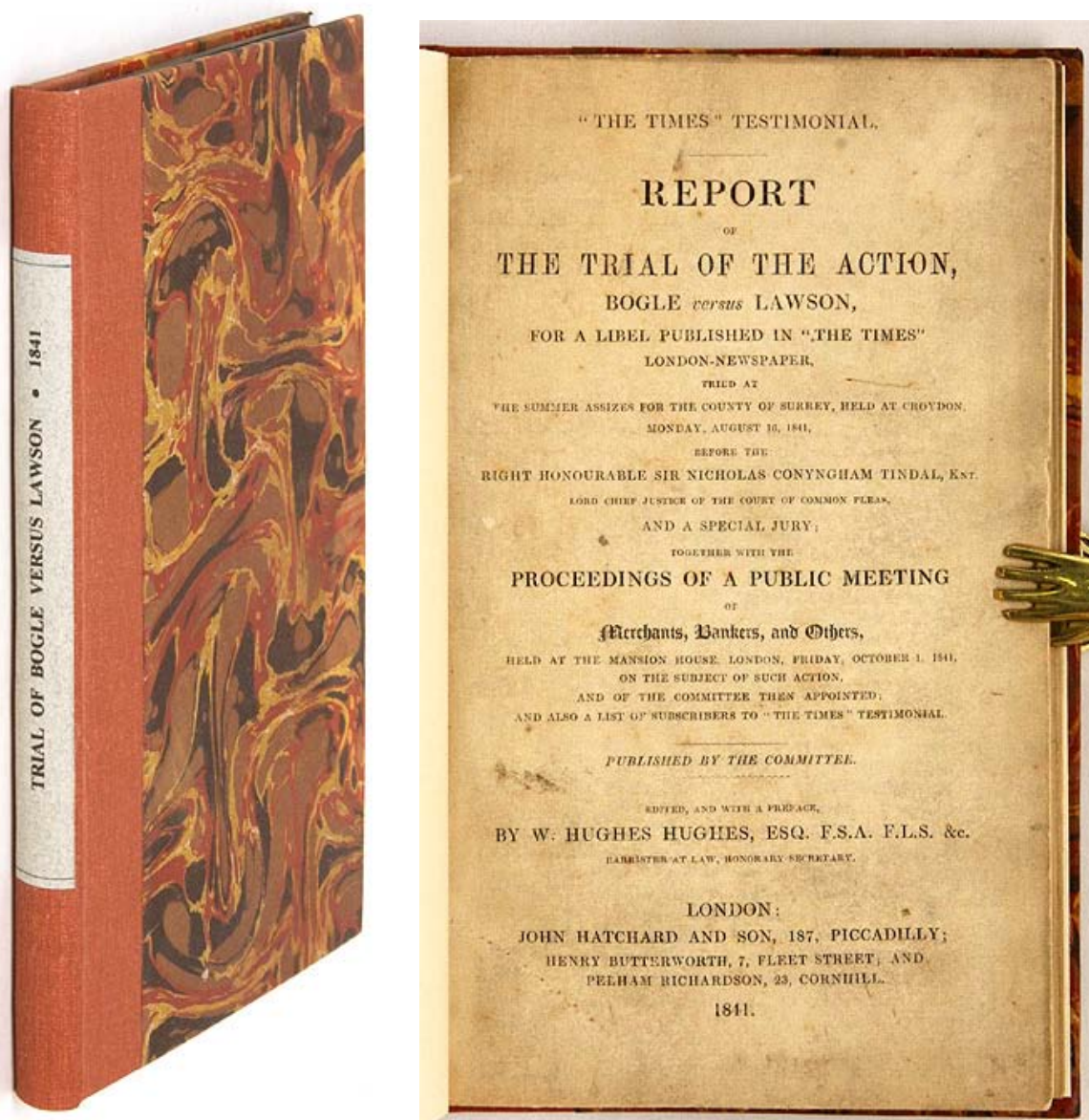
Reflections Concerning the Expediency of a Council of the Church of England and the Church of Rome Being Holden, With a View to Accommodate Religious Differences, And to Promote the Unity of Religion in the Bond of Peace: Humbly, But Earnestly, Recommended to the Serious Attention of His Royal Highness the Prince Regent: The Most Reverend the Archbishops; The Right Reverend the Bishops; The Reverend the Clergy, And All Lay Persons, Who are Able and Willing Dispassionately to Consider the Important Subject. Second Edition, With Additions. London: Printed for F.C. And J. Rivington, 1819. [xxix], 108 pp.

[And]

[Five Pamphlets Relating to Catholicism in Great Britain].

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

* This volume collects eight scarce items concerning British and Irish Catholics during the second phase of Catholic Emancipation. The other titles are numbers 4-8 of the periodical *Antibiblion, Or the Papal Tocsin* (1817, 1818), *A Correspondence Which Arose out of the Discussion at Carlow Between a Protestant and a Roman Catholic Clergyman, To Which are Annexed, Notes and Observations by the Rev. Robert Daly* by Robert Daly and Richard Clowry (1825), *Faith, Hope, And Charity: The Substance of a Sermon Preached at the Dedication of the Catholic Chapel at Bradford, in the County of York, On Wednesday, July 27, 1825* by Peter Augustine Baines (1825), Number II of a periodical, *Supplement to the Roman Catholic Expositor, And Friend of Ireland* (1824) and *Popery the Religion of Heathenism: Being the Letters of Ignotus Published in "The Times" Newspaper in the Conclusion of the Year 1817. With Additions, Proving the Conformity Which Subsists Between the Romish Religion and the Religion of the Ancient Heathens* by John Pynder (1818). Order this item: <http://www.lawbookexchange.com/details.php?record=64296>



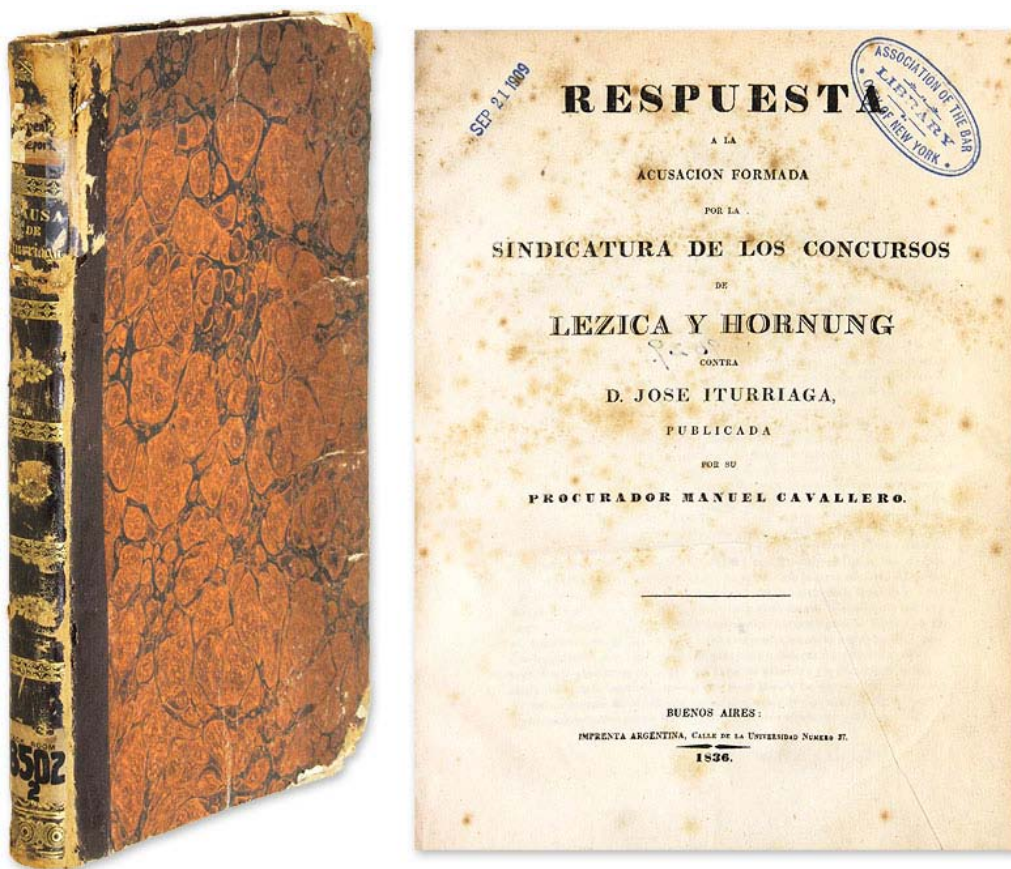
**One of the Most Detailed Accounts of a
Major Nineteenth-Century Financial Swindle**

14. Hughes, W. Hughes, Editor.

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

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

* First edition. A sensational case of a million-pound plot to defraud continental bankers by forged letters of credit, or *lettres circulaires*, purporting to have been issued by the bankers Glyn, Hallifax, Mills, & Co. The plot was exposed by a *Times of London* correspondent in a letter, published in the newspaper on 26th May 1840, which referred to "the great forgery company established on the continent lately detected," and naming the co-conspirators. These included the Marquis of Bourbel, "the chief of the gang," the Baron Louis d'Arjuzon, alias De Castel, Pipe "an Englishman who professes to be a solicitor in London," and Cunningham Graham "an anonymous partner in the house of Bogle, Kerrich, and Co." The case was sensational in both social and in banking circles. It exposed the largely unregulated and certainly sloppy banking practices associated with letters of credit (easy to forge and difficult to police) and the almost brilliant ingenuity of an international gang of con men. The naming of Allan George Bogle—who was almost certainly involved—triggered this libel action against John Joseph Lawson, the printer and publisher of the *Times*, and resulted in the award of one farthing damages for Bogle, but enormous expense and the considerable gratitude of bankers and investors for the *Times*. The present report is without much doubt one of the most detailed accounts of a major financial swindle of this period, particularly one involving letters of credit. A second edition was published the same year as the first, the third and final edition in 1842. All three are rare. OCLC locates 6 copies worldwide of the first edition, 2 in North America (Newberry Library, Temple University). COPAC adds a copy at the Society of Antiquaries. This edition not in Kress, which lists the 3rd edition (C.5743). Order this item: <http://www.lawbookexchange.com/details.php?record=65223>



Notable Fraud Case at an Important Argentinean Trading House

15. [Iturriaga, Jose de, Defendant].
Cavallero, Manuel.

Respuesta a la Acusacion Formada por la Sindicatura de los Concursos de Lezica y Hornung Contra D. Jose Iturriaga. Buenos Aires: Imprenta Argentina, 1836. [iv], 47 pp.

[Bound with]

I[turriaga], J[ose de].

Breve Contestacion al Libelo Publicado por Manuel Sainz de la Maza. Buenos Aires: Imprenta Argentina, 1836. 8 pp.

[And]

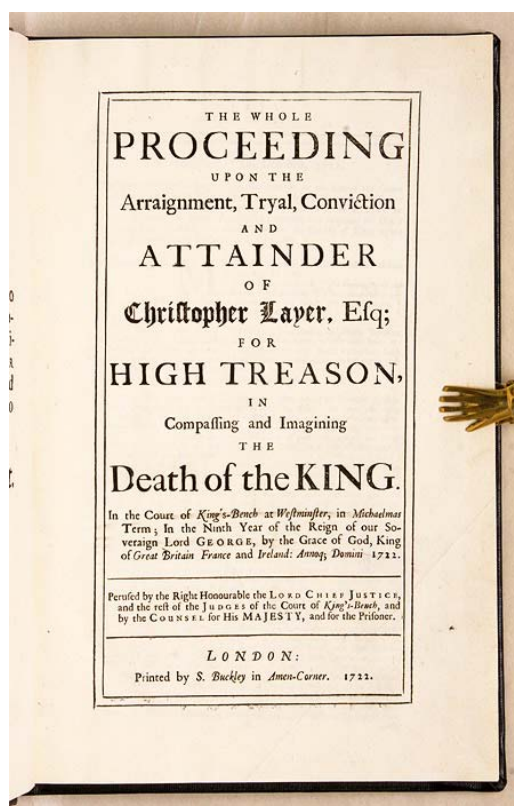
O., G.

Manifiesto en Derecho a Favor de Jose de Iturriaga, Acusado de Ocultacion de Unos Ganados y de Complicidad en la Falsificacion de su Firma, Ejecutada por Federico Hornung. [Buenos Aires]: Imprenta Argentina, [1836]. 83 pp.

Contemporary quarter calf over marbled boards, gilt ornaments and title (reading *Causa de Iturriaga*) to spine. Rubbing to extremities with heavy wear to corners, chipping to head of spine, hinges starting, owner bookplate to front pastedown. Manuscript divisional title pages between items. Moderate toning and occasional foxing to text, internally clean. Ex-library. Location label to spine, small inkstamps to title page of *Respuesta*, brief annotations to verso. Solid copies of three rare items. \$750.

* Only editions. These items relate to a trial that followed the collapse of a notable Argentinean trading house. "Corruption or mismanagement by employees or partners of non-British houses frequently made news during the century. One of the more celebrated cases was the failure of Sebastian Lezica Brothers in September 1835. The manager of the house, a German named Frederick Hornung, apparently forged bills of exchange without the knowledge of his employers, three Argentine brothers. After the failure of a British house, Thwaites and Company, and after the retention of money in the Chilean branch, the Lezica Brothers had to raise money. Originally Hartung procured the signatures of a number of people, including Thwaites; but when persons declined, he began to forge names on bills of exchange--both the drawer's and drawee's names--in order to prevent bankruptcy. He thought this would need to be done for only a short time, but he became involved until the total sum owed the market was over one and a half million pesos." (Reber). OCLC locates 1 copy of *Respuesta* (at UC-Berkeley), 1 copy of *Breve Contestacion* (at the Biblioteca Nacional de Chile) and no copies of *Manifiesto*. Reber, *British Mercantile Houses in Buenos Aires, 1810-1880* 107.

Order this item: <http://www.lawbookexchange.com/details.php?record=63687>



See Next Page

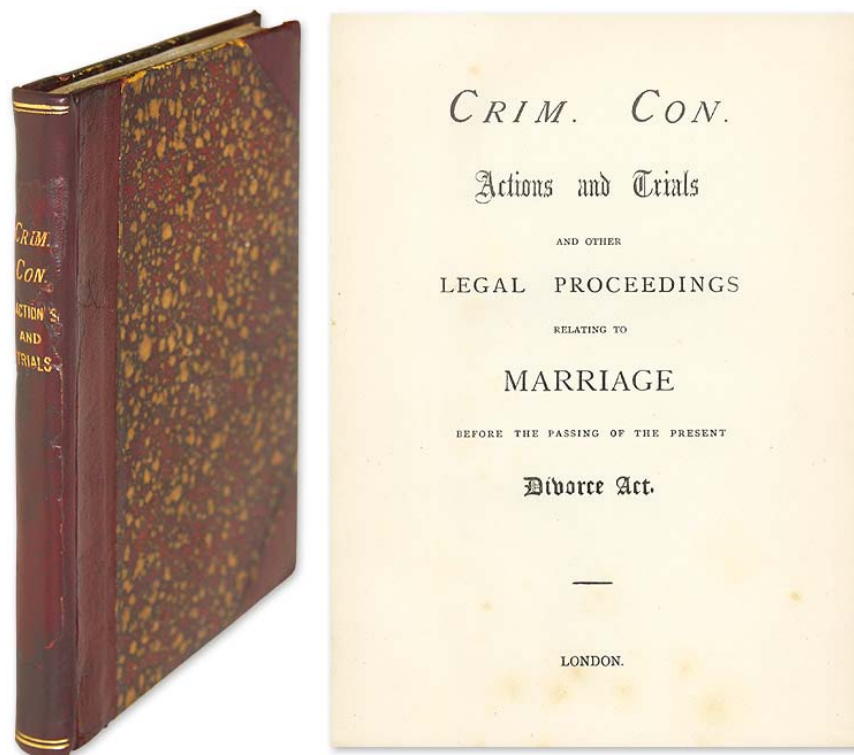
A Leader of the Jacobite Rebellion of 1722

16. Layer, Christopher [1683-1723], Defendant.

The Whole Proceeding Upon the Arraignment, Tryal, Conviction and Attainder of Christopher Layer, Esq; For High Treason, In Compassing and Imagining the Death of the King. In the Court of King's-Bench at Westminster, In Michaelmas Term; In the Ninth Year of the Reign of Our Sovereign Lord George, By the Grace of God, King of Great Britain France and Ireland: Annog; Domini 1722. Perused by the Right Honourable the Lord Chief Justice, And the Rest of the Judges of the Court of King's-Bench, And by the Counsel for His Majesty, And for the Prisoner. London: Printed by S. Buckley in Amen-Corner, 1722 [i.e. 1723]. [iv], 152 pp. Leaves in Signature Y (pp. 85-88) bound in reverse order. With an initial imprimatur leaf dated Jan. 21, 1722/3. Folio (12-1/2" x 8").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Very light toning to text, internally clean. \$200.

* First edition. This is the standard contemporary account of Layer's trial, which resulted from his leadership during Jacobite Rebellion of 1722. Also known as the Atterbury Plot, this was the second attempt to return James II to the thrones of England and Scotland. The trial ended with the execution of Layer and most of his colleagues. (One of them, Francis Atterbury, the Bishop of Rochester, was banished.) This account was reissued in Dublin in 1723. *English Short-Title Catalogue* T114598. Order this item: <http://www.lawbookexchange.com/details.php?record=65891>



Criminal Conversation's Influence on Later Divorce Law

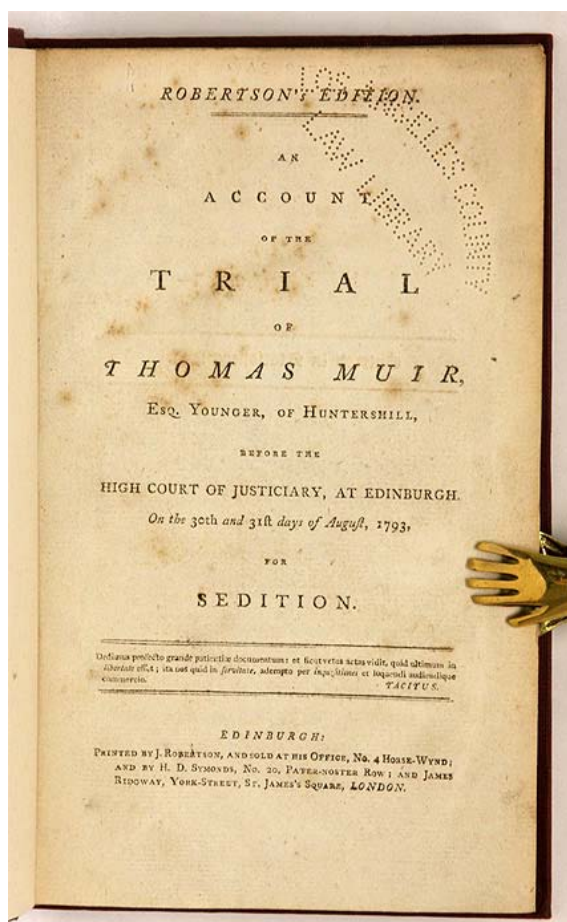
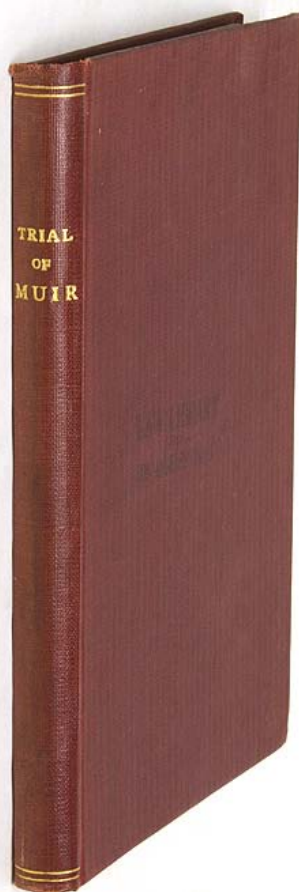
17. [Marriage Law].

Crim. Con. Actions and Trials and Other Proceedings Relating to Marriage Before the Passing of the Present Divorce Act. London: N.p, c.1857. [iv], 110, [2] pp. Octavo (7-1/2" x 5").

Three-quarter calf over marbled boards, rebaked retaining portions of original backstrip, hinges mended. Some rubbing to extremities, offsetting and foxing to endleaves, light toning to text. A handsome copy of a scarce title. \$250.

* Only edition. With two cases involving Thomas Erskine as counsel. "Actions for what was formerly known...as crim[inal] con[versation] were *nominally* abolished thirty years ago: that they were not *actually* got rid of, as will presently be shewn, is evident from the wording of the Divorce Act.... It is a remarkable fact, however, that in spite of the loose wording of the Act, such actions have become of such a rare occurrence as to be virtually at an end, and what the Act was intended to bring about, while failing to do it technically, has yet to come to pass. The object of the following pages is to show the nature of the legal proceedings formerly in vogue as necessary before an injured husband could clear himself of an adulterous wife and marry again, and a number of interesting cases, which attracted a deal of public attention, in their day, are given, from which it may be readily perceived with what facility conspiracy and fraud could be perpetuated.": Preface [iii]. Not in Sweet & Maxwell or the *British Museum Catalogue*.

Order this item: <http://www.lawbookexchange.com/details.php?record=51696>



An Important Scottish Seditio Trial

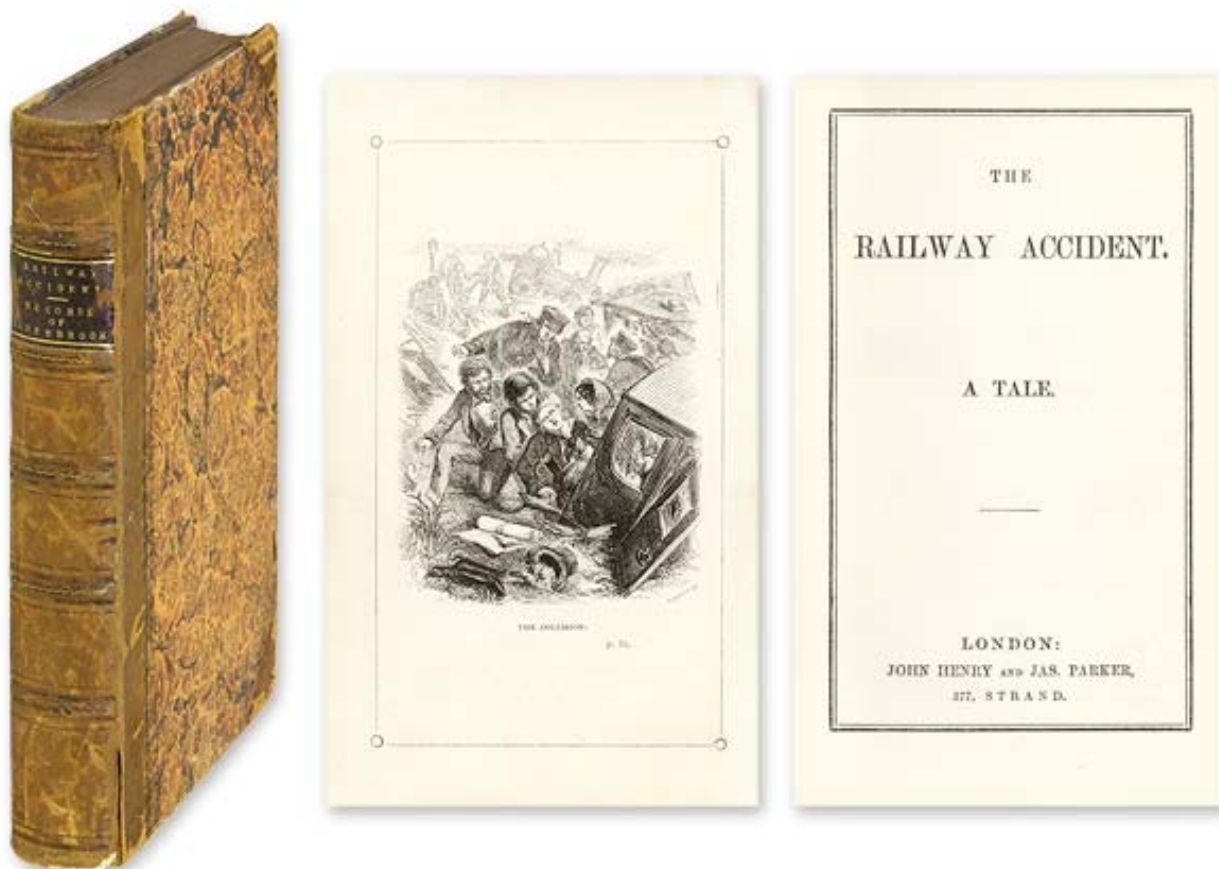
18. Muir, Thomas [1765-1799], Defendant.

Robertson's Edition. 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 Seditio. Edinburgh: Printed by J. Robertson, And Sold at His Office, No. 4 Horse-Wynd; And by H. D. Symonds, No. 20, Pater-Noster Row; And James Ridgeway, York-Street, St. James's Square, London, [1793]. 160 pp. Complete as issued. Octavo (8-1/4" x 5").

Later cloth gilt fillets and title to spine. A bit of wear to spine neds and corners, very light fading to spine. Moderate toning to text, light foxing to a few leaves, light soiling to title page and verso of final leaf, interior otherwise clean. Ex-library. Stamps to boards, edges and endleaves, bookplate to front pastedown, perforated stamp to title page. \$125.

* First edition, one of four issues from 1793, 3 by Robertson. 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. Unlike the other 1793 issues, ours was not issued with a portrait frontispiece. *English Short-Title Catalogue* T19436.

Order this item: <http://www.lawbookexchange.com/details.php?record=64865>



Rare British Novella About A Railway Accident Featuring a Trial for Negligence

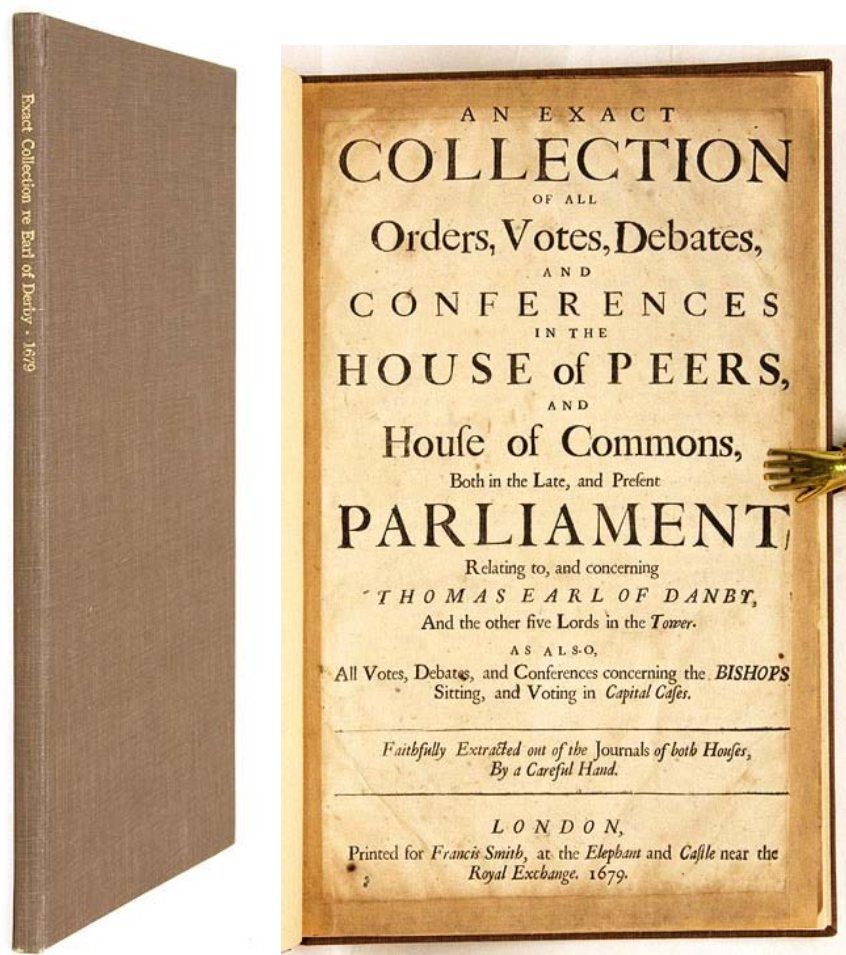
19. [Neale, John Mason].

The Railway Accident: A Tale. London: John Henry & Jas. Parker, [c. 1855]. 103 pp. Woodcut frontispiece. [Bound with three other titles.] Octavo (6-1/2" x 4").

Contemporary three-quarter calf over marbled boards, raised bands and lettering piece to spine. Some rubbing to extremities, corners bumped and somewhat worn and corners rubbed. Light toning, light browning to final title. \$650.

* The plot of *The Railway Accident* concerns a railroad worker who is falsely accused of having caused the accident; the final quarter of the novella is a "verbatim" account of the courtroom proceedings in which he is acquitted by "the almost special interference of Providence." This is a rare item. We located 3 copies in the UK and 1 copy in North America (at the University of Missouri). The other works in this volume are Emily Judson's *Records of Alderbrook, Or Fanny Forester's Village Sketches* (London, 1854) and two pamphlets issued by the Society for Promoting Christian Knowledge: *Stephen Bell; Or, Follow After Charity* (London, 1855) and *The Cripple of the Railroad* (London, 1853).

Order this item: <http://www.lawbookexchange.com/details.php?record=58529>



An Important Ally of King Charles II Impeached by Parliament

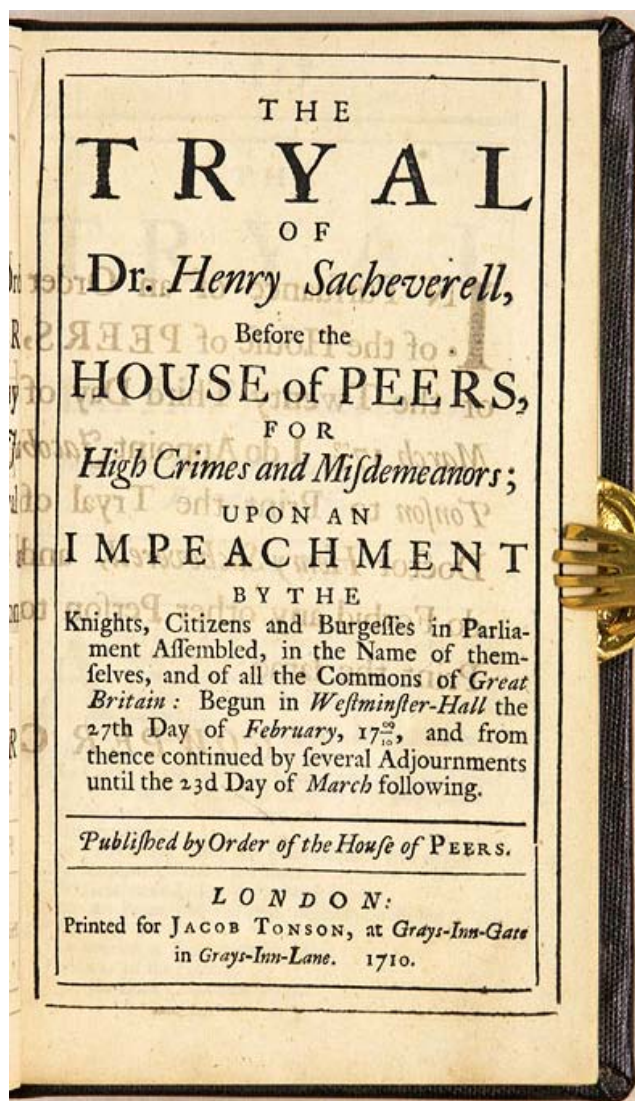
20. [Osbourne, Thomas, Duke of Leeds, Previously Earl of Danby (1631-1712)].

An Exact Collection of All Orders, Votes, Debates, And Conferences in the House of Peers, And House of Commons, Both in the Late, And Present Parliament Relating to, And Concerning Thomas Earl of Danby, And the Other Five Lords in the Tower. As Also, All Votes, Debates, and Conferences Concerning the Bishops Sitting, And Voting in Capital Cases. Faithfully Extracted Out of the Journals of Both Houses, By a Careful Hand. London: Printed for Francis Smith, At the Elephant and Castle Near the Royal Exchange, 1679. [ii], 2, 5-16 pp. Pagination irregular, but complete. Folio (12" x 7-1/4").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light rubbing to extremities. Light browning, heavier browning and some edgewear to margins, those of title page and final leaf reinforced, fore-edge of A1 (pp. 1-2) trimmed closely with minor loss to text, internally clean. Ex-library. Bookplate to front pastedown. \$100.

* Only edition. Danby was a prominent political figure who served in a variety of offices under Kings Charles II and William III. In 1678 Danby had endorsed King Charles's demand for payment by King Louis of France to avoid war. This issue fed into the hysteria surrounding the Popish Plot. A faction in Parliament treated this support as an assumption of royal authority, which led eventually to his impeachment and imprisonment in the Tower for five years. OCLC locates 4 copies in North American law libraries (Library of Congress, Social Law, University of Minnesota, University of Washington). *English Short-Title Catalogue* R30028.

Order this item: <http://www.lawbookexchange.com/details.php?record=65741>



A Triumph for Tories and High-Churchmen

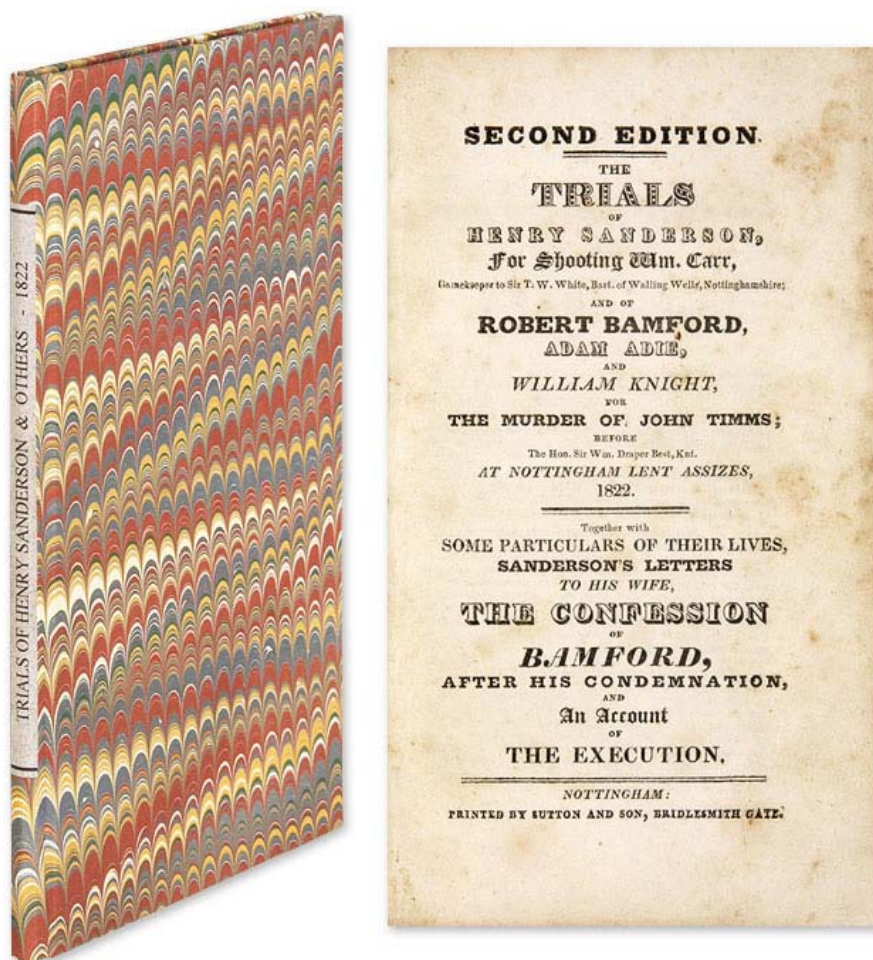
21. Sacheverell, Henry [1674-1724], Defendant.

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. With an initial imprimatur leaf. Octavo (7-1/2" x 4-3/4").

Recent buckram, gilt-stamped title to spine, interior notably fresh, a few page numbers affected by trimming. \$150.

* First octavo edition. 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. *English Short-Title Catalogue* T176104.

Order this item: <http://www.lawbookexchange.com/details.php?record=65823>



"Tell Them Their Father is Gone to Heaven"

22. Sanderson, Henry [d. 1822], Defendant.

Bamford, Adam Adie [d. 1822], Defendant.

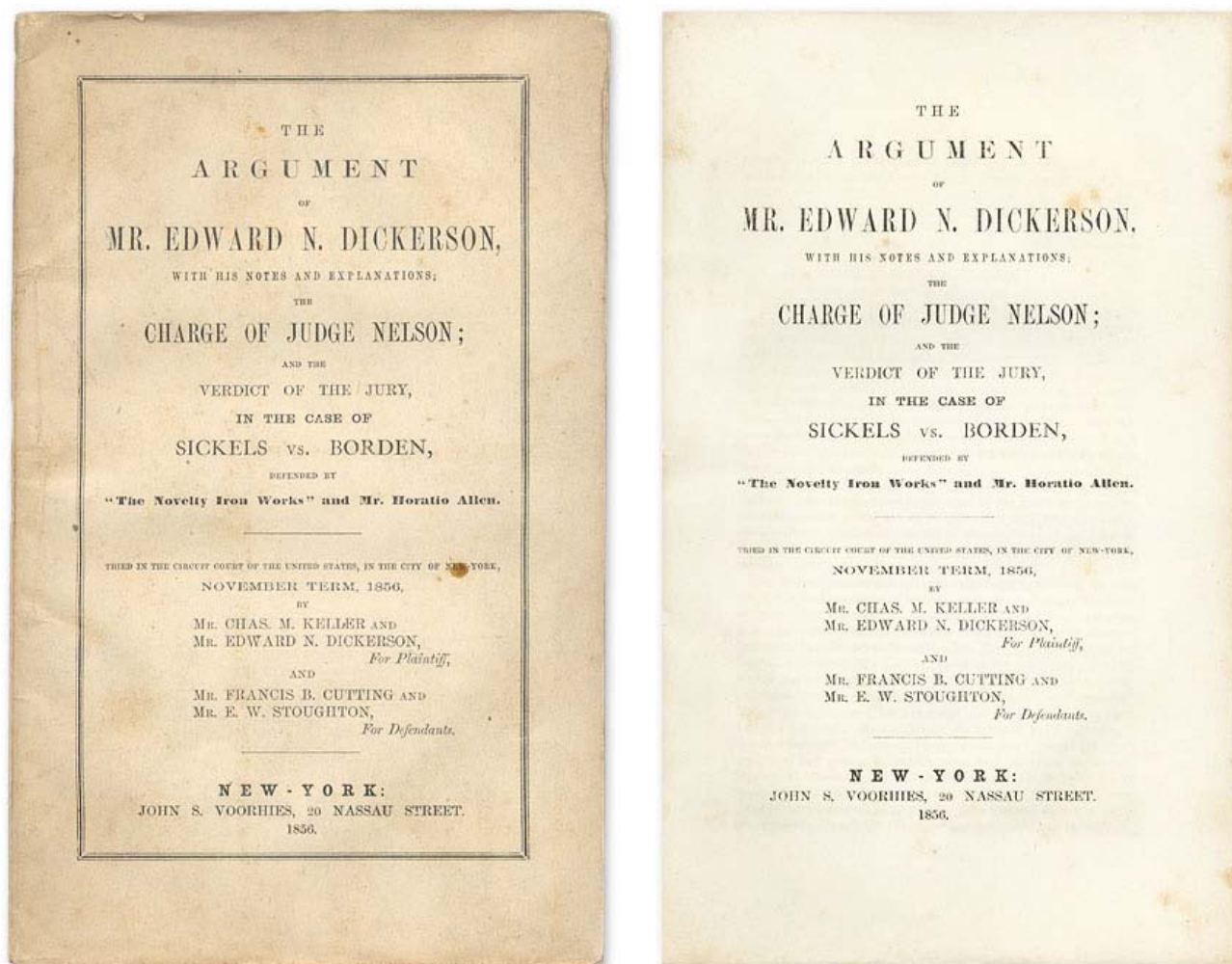
Knoght, William [d. 1822], Defendant.

The Trials of Henry Sanderson, For Shooting William Carr, Gamekeeper to Sir T.W. White, Bart. Of Walling Wells, Nottinghamshire; And of Robert Bamford, Adam Adie, And William Knoght, Of the Murder of John Timms; Before the Hon. Sir. Wm. Draper Best, Knt. At Nottingham Lent Assizes, 1822. Together with Some Particulars of Their Lives, Sanderson's Letters to His Wife, The Confession of Bamford, After His Condemnation, And an Account of His Execution. Nottingham: Printed by Sutton and Son, [1822]. 37 pp. Octavo (7-1/2" x 6-1/2").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine, untrimmed edges. Moderate toning and light foxing to text, internally clean. \$650.

* Sanderson, a 31-year old poacher caught in the act by a gamekeeper, was married and the father of young children. His harrowing pre-execution letters to his wife are reprinted in full. Sample excerpt: "Good bye, my love, I shall carry your last look at me to the fatal tree. Kiss my dear children for me, and tell them their father is gone to heaven." The other three defendants were tried and convicted of the murder of John Timms by throwing him from a bridge into the River Trent. This pamphlet is designated the second edition, but we did not locate a first or any other edition. (The British Library has a single folio sheet recounting these trials, but its title is very different.) No copies located on OCLC.

Order this item: <http://www.lawbookexchange.com/details.php?record=64342>



An Interesting Patent Case

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

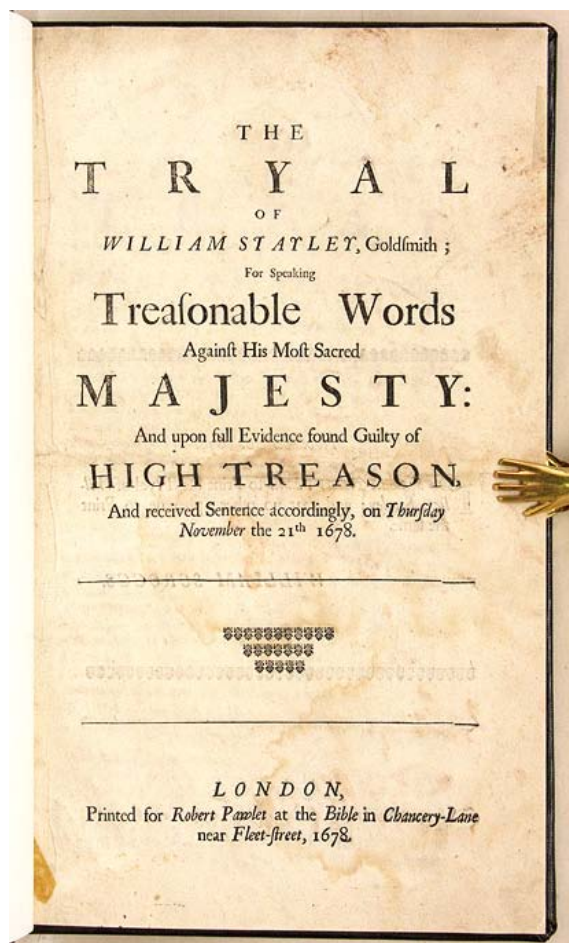
Dickerson, E[dward] N[icoll] [1824-1889].

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 value 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: <http://www.lawbookexchange.com/details.php?record=63536>



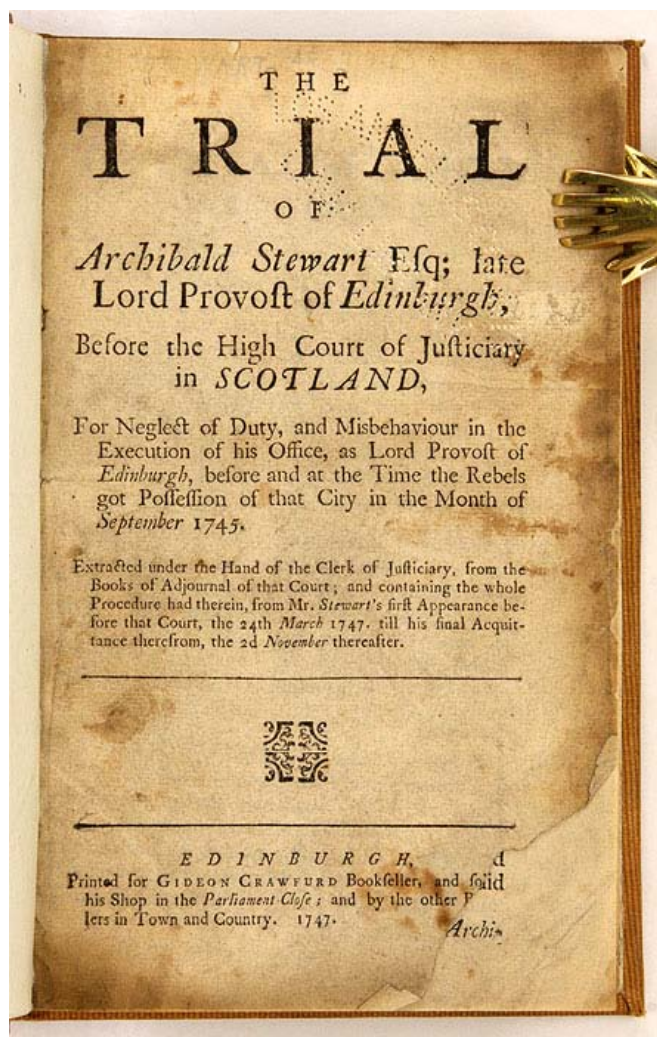
"For Speaking Treasonable Words Against His Most Sacred Majesty"

24. Staley, William [d.1678], Defendant.

The Tryal of William Stayley, Goldsmith; For Speaking Treasonable Words Against His Most Sacred Majesty: And Upon Full Evidence Found Guilty of High Treason, And Received Sentence Accordingly, On Thursday November the 21th 1678. London: Printed for Robert Pawlet, At the Bible in Chancery-Lane near Fleet-Street, 1678. 8, 7-10 pp. Main text preceded by imprimatur on verso of title page. Text continuous, and complete, despite pagination. Folio (12-1/2" x 8").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Moderate toning to text, faint dampstain and light soiling to title page, internally clean. \$250.

* Only edition, one of two issues from 1678. William Staley (or Stayley) was one of the victims of the Popish Plot, one of the cruelest hoaxes in British history and the inspiration for a wave of anti-Catholic violence. It was the invention of Titus Oates, an Anglican clergyman, and his friend, Dr. Israel Tonge, a cleric and passionate anti-Catholic. They pretended to have discovered a Jesuit plot to assassinate the King, massacre Protestants, and set James, Duke of York, the King's Catholic brother, on the throne. Convicted as a conspirator, Staley was executed and quartered in 1678. "Instead of his quarters being set upon the city gates the king allowed them to be delivered to his relatives. Mass was said over his remains and a 'grand' funeral was arranged from his father's house on 29 November, before his burial in St Paul's, Covent Garden. This incensed the government so much that the coroner ordered the body to be dug up and delivered to the sheriff to be set upon the city gates" [*Oxford Dictionary of National Biography*]. William Stayley's head has a small place in London's history; it was the last to be displayed on London Bridge. This account was reissued in Dublin in 1723. *English Short-Title Catalogue* TR228446. Order this item: <http://www.lawbookexchange.com/details.php?record=65892>



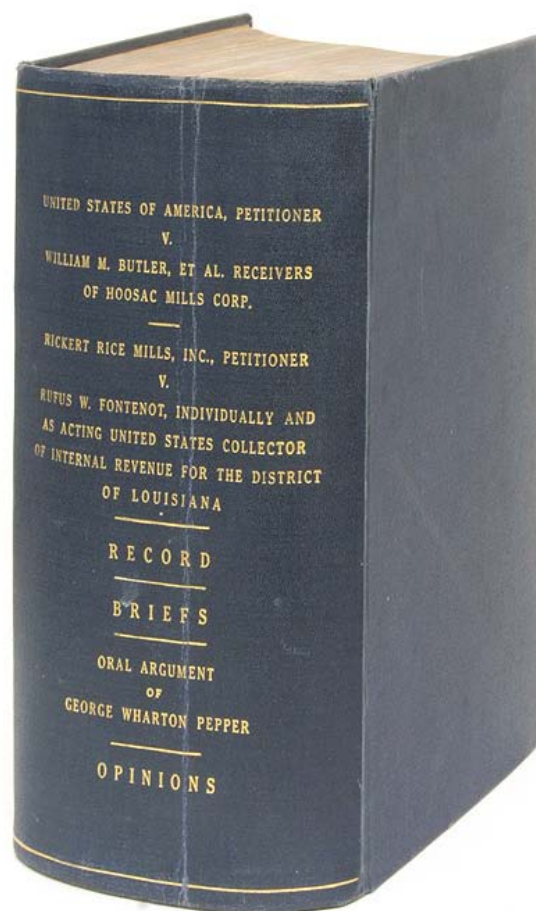
A Turncoat?

25. Stewart, Archibald [1697-1780], Defendant.

The Trial of Archibald Stewart Esq; Late Lord Provost of Edinburgh, Before the High Court of Justiciary in Scotland, For Neglect of Duty, and Misbehaviour in the Execution of His Office, As Lord Provost of Edinburgh, Before and at the Time the Rebels Got Possession of That City in the Month of September 1745. Extracted Under the Hand of the Clerk of Justiciary, From the Books of Adjournal of that Court; And Containing the Whole Procedure had Therein, From Mr. Stewart's First Appearance Before that Court, The 24th March 1747. Till his Final Acquittance Therefrom, The 2d November Thereafter. Edinburgh: Printed for Gideon Crawford, 1747. 178; 203, [1] pp. Two parts. The second has the drop-head title: *Proceedings in the Second Trial of Archibald Stewart, Esq.* Octavo (7-1/2" x 4-1/2").

Later buckram, calf lettering piece to spine. Light soiling, corners bumped and lightly worn. Moderate toning to text, soiling and edgewear to title page, lower corner lacking with minor loss to text. Ex-library. Stamps to boards, edges and endleaves, bookplate to front pastedown, perforated stamps to title page, following leaf. \$250.

* Only edition. Stewart was tried for his failure to prevent Jacobite troops from taking Edinburgh. After a long trial he was acquitted, though many believed he was a secret Jacobite who handed Edinburgh to the rebels. OCLC locates 9 copies in North American law libraries (Harvard, Indiana Supreme Court, Library of Congress, Social Law, UC-Berkeley, University of Georgia, University of Miami, University of Minnesota, University of Pennsylvania). *English Short-Title Catalogue* T140658. Order this item: <http://www.lawbookexchange.com/details.php?record=64982>



Documentary Record of Owens v. Butler, A Supreme Court Case that Invalidated an Important New Deal Program

26. [Supreme Court, United States].

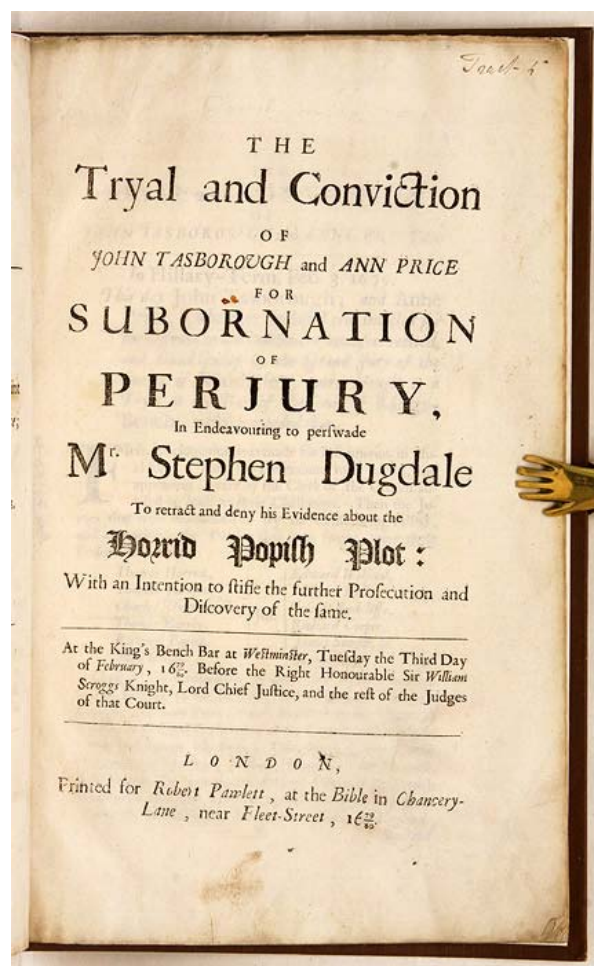
United States of America, Petitioner V. William M Butler, Et Al. Receivers of Hoosac Mills Corp., Rickert Rice Mills, Inc., Petitioner V. Rufus W. Fontenot, Individually and as Acting United States Collector of Internal Revenue for the District of Louisiana. Record. Briefs. Oral Argument of George Wharton Pepper. Opinions [1935-1936] [spine title]. Washington, DC, 1935-1936. 19 items, various paginations. Folding tables.

Pamphlets in wrappers bound in cloth, gilt title to spine, bound-in typewritten table of contents. Some rubbing to extremities with minor wear to corners, faint vertical crease through spine. Minor edgewear and a few tears to folding tables, internally clean. \$1,500.

* Assembled by an unknown attorney or law clerk, the 19 items in this volume, a 2-part transcript, 15 briefs, an oral argument and the opinion of U.S. Supreme Court Justice Owen J. Roberts form a documentary record of *Owens v. Butler* [297 U.S. 1 (1936)] the case that brought about the demise of the Agricultural Adjustment Act of 1933. Part of Roosevelt's New Deal, this was a Federal law that aimed to raise the value of crops by paying farmers and ranchers to reduce production. The money for these subsidies was generated through an exclusive tax on companies that processed farm products. This led to a series of seven suits by processors, who believed they were being taxed unfairly. The most important of these was *Owens v. Butler*. As framed by the plaintiff's lawyers, it asserted the right of a taxpayer to question the validity of a Federal tax. The Court decided in favor of Owens, ruling that the taxes instituted under the 1933

Agricultural Adjustment Act were unconstitutional under the Tenth Amendment. As argued by Justice Roberts, the tax was not valid because it was established in conjunction with coercive contracts with proceeds earmarked for the benefit of farmers complying with the prescribed conditions. The court also held that the basic premise of the act, paying a farmer to produce less to manipulate prices, went beyond the powers of the national government. The issues raised by *Owens v. Butler* were addressed by the Agricultural Adjustment Act of 1938, which continued the farm subsidy program.

Order this item: <http://www.lawbookexchange.com/details.php?record=66002>



Two Victims of the Popish Plot

27. Tasborough, John, Defendant.

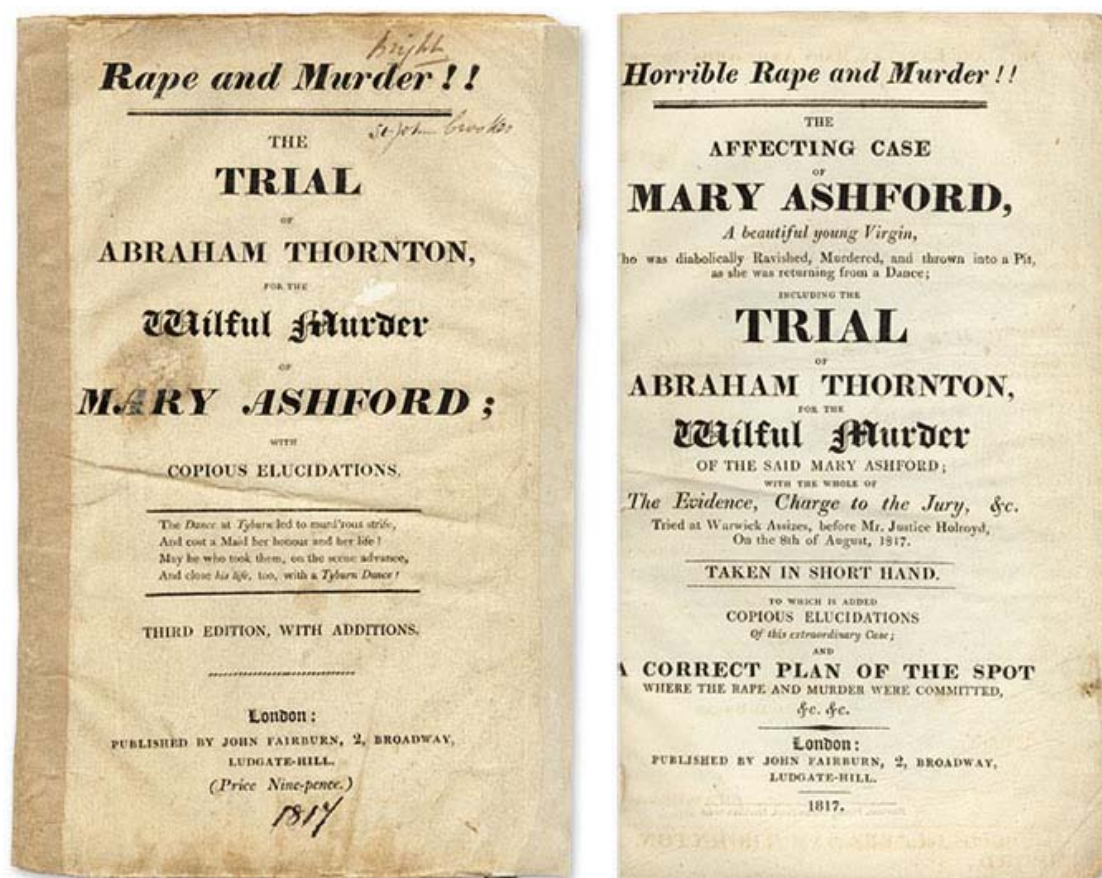
Price, Ann, Defendant.

The Tryal and Conviction of John Tasborough and Ann Price for Subornation of Perjury, In Endeavouring to Perswade Mr. Stephen Dugdale to Retract and Deny his Evidence About the Horrid Popish Plot: With an Intention to Stifle the Further Prosecution and Discovery of the Same. At the King's Bench Bar at Westminster, Tuesday the Third day of February, 1679/80. Before the Right Honourable Sir William Scroggs Knight, Lord Chief Justice, And the Rest of the Judges of that Court. London: Printed for Robert Pawlett at the Bible in Chancery Lane near Fleet-street, 1679/80 [i.e. 1680]. [iv], 59, [1] pp. Main text preceded by licence leaf. Final leaf contains a publisher advertisement. Folio (12-1/4" x 7-3/4").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light rubbing to extremities. Light toning, some soiling and edgewear to first and final leaves, negligible light foxing to a few leaves. Early annotation to recto of licence leaf, "tract-5" in small early hand to head of title page. Ex-library. Bookplate to front pastedown. \$100.

* Only edition. Dugdale was a self-proclaimed discoverer of parts of the Popish Plot. A fictitious conspiracy to assassinate Charles II, it provoked a spasm of anti-Catholic hysteria in England and Scotland that led to the executions of at least 22 men between 1678 and 1681 and harsh laws against Catholics. Tasborough and Price, servants of Dugdale, were two of the victims. Dugdale accused them with soliciting him to sign a recantation of his evidence in exchange for a £1,000 reward. OCLC locates 7 copies in North American law libraries (Columbia, Harvard, Library of Congress, Ohio State, University of Michigan, University of Washington, Worcester County Law Library). *English Short-Title Catalogue* R23482.

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"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 United States settled in Baltimore, Maryland. 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). Order this item: <http://www.lawbookexchange.com/details.php?record=61933>



See Next Page

Nineteenth-Century Scottish Treason Trials

29. [Treason].

Douglas, Niel [1750-1823], Defendant.

An Address to the Judges and Jury, In a Case of Alleged Sedition, On 26th May, 1817, Which was Intended to be Delivered Before Passing Sentence. Glasgow: Printed by D. Mackenzie, 1817. 40 pp.

[Bound with]

Dow, John, Reporter.

The Trial of the Rev. Niel Douglas, Before the High Court of Justiciary, At Edinburgh, On the 26th May 1817, For Sedition. Edinburgh: Printed for John Robertson, 1817. [ii], 50 pp. Portrait frontispiece.

[And]

Bellingham, John].

An Authentic Account of the Trial and Execution of John Bellingham, For the Assassination of the Right Hon. Spencer Perceval. With a Vindication of the Character of Sir Francis Burdett from the Aspersions of Some of the London Prints. Edinburgh: Printed and Published by D. Schaw and Son, 1812. [ii], [5]-65 pp.

[And]

M'Laren, Alexander, Defendant.

Baird, Thomas, Defendant.

Dow, John, Reporter.

The Trial of Alexander M'Laren, And Thomas Baird, Before the High Court of Justiciary, At Edinburgh, On the 5th and 7th March 1817, For Sedition. Edinburgh: Printed for John Robertson, 1817. vi, 153 pp.

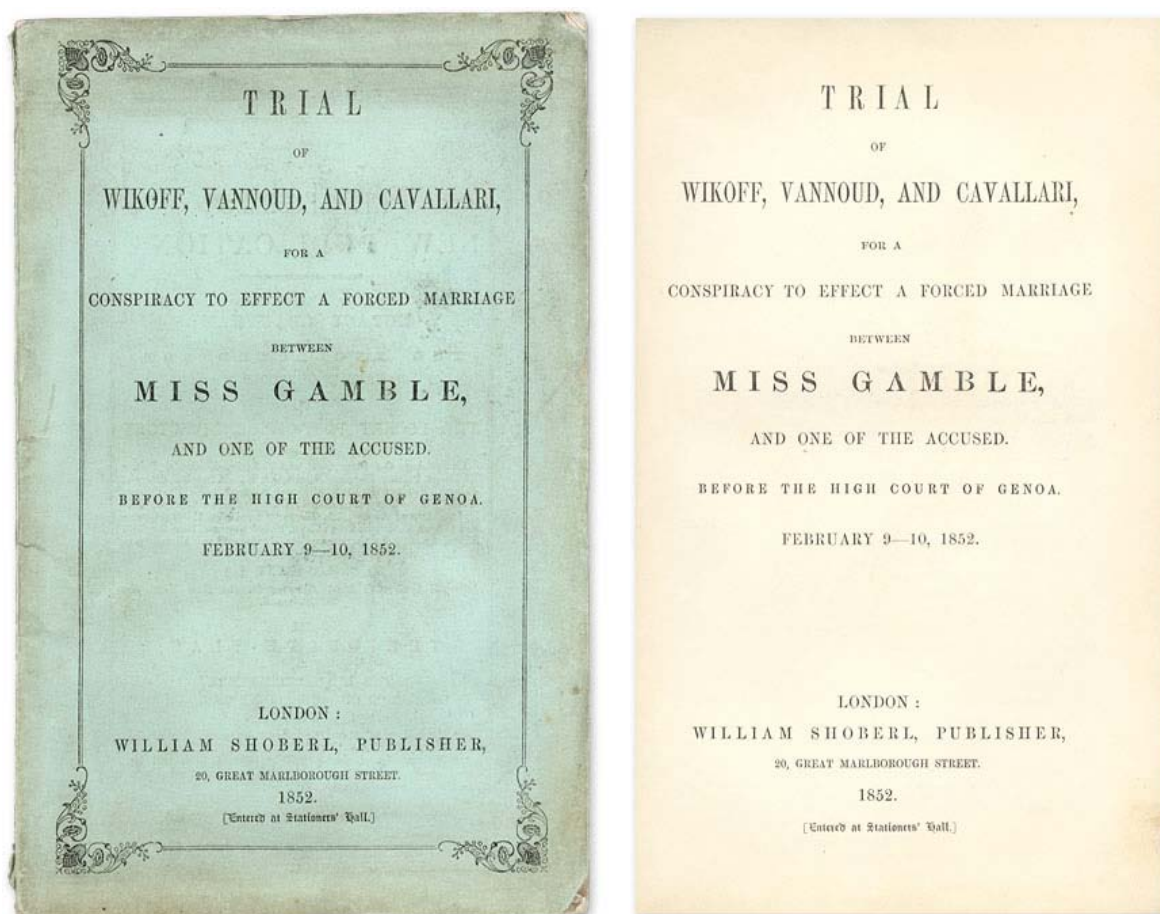
[And]

Account of the Proceedings of the Public Meeting of the Burgesses and Inhabitants of the Town of Kilmarnock, Held on the 7th of December, 1816, For the Purpose of Deliberating on the Most Proper Method of Remedying the Present Distresses of the Country. With a Full Report of the Speeches on that Occasion. Kilmarnock: Printed by H. Crawford, 1816. 45 pp.

Octavo (8-1/2" x 5"); *Account*: Octavo (6-1/2" x 4"). Stab-stitched pamphlets bound into contemporary three-quarter sheep over marbled boards, lettering piece and gilt fillets to spine. Moderate rubbing, a few scuffs to boards, some chipping to spine ends, corners bumped, front hinge cracked. Light to moderate toning, soiling to title page of *Bellingham*, internally clean. \$1,850.

* An exemplary gathering of five tracts, four of them concerning the trials of Douglas and M'Laren, the first trials for sedition held in Scotland during the aftermath of the Napoleonic Wars, a time of acute economic distress and social protest. These took place concurrently with the London trials of William Hone. Douglas, an eccentric non-conformist minister, poet, abolitionist and visionary social reformer was charged with sedition for comments in a sermon that compared the king to Nebuchadnezzar, the prince regent to Belshazzar and the House of Commons to a den of thieves. His counsel brought forth witnesses familiar enough with the preacher's eccentricities to prove his innocence. He was acquitted. M'Laren, a weaver, was charged with sedition for delivering a fiery speech at Kilmarnock in favor of Parliamentary reform. Thomas Baird, a grocer, was charged with printing it. They were fined and sentenced to six months in prison. Bellingham was the only person to assassinate a British Prime Minister. A merchant who had been imprisoned in Russia, he demanded compensation from the British government. Twice refused, he shot the prime minister in the lobby of the House of Commons. *An Address to the Judges*, prepared in advance of the trial, is scarce, more so than accounts of the trial. OCLC locates 6 copies in North America, 1 in a law library (Harvard). *Account of the Proceedings* is the rarest item in this volume. OCLC locates 1 copy (at the National Library of Scotland). Concerning Douglas and M'Laren, see May, *Constitutional History of England Since the Accession of George the Third, 1760-1860* II:192.

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A Sensational Kidnapping Case

30. Wikoff, Henry [1813-1884], Principal Defendant.

Vannoud, Louis, Defendant.

Cavallari, Luigi, Defendant.

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

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

* Only edition. An account of one of the sensational trials of the early 1850s. Wikoff, or as he called himself, Chevalier Wikoff, was an American impresario, occasional European correspondent for the *New York Herald* and, possibly, a spy for Lord Palmerston. He was engaged to Jane Catherine Gamble, an English woman. Gamble changed her mind shortly before the wedding and fled to Genoa. Wikoff tracked her down and apparently tricked her into coming along with him to his apartment. Shortly afterwards Gamble filed a complaint of kidnapping that landed Wikoff in an Italian jail for 15 months. He was found guilty in an Italian court and forced to return her letters and "extorted promise of marriage." Ever enterprising, Wikoff responded to the negative publicity with a memoir entitled *My Courtship and Its Consequences* (1855), which became a best-seller. Copies of *The Trial of Wikoff* are scarce. OCLC locates 7 worldwide: 2 in the British Library and 5 in North American law libraries (Harvard, Library of Congress, University of Georgia, University of Minnesota, University of Pennsylvania). Order this item: <http://www.lawbookexchange.com/details.php?record=64106>