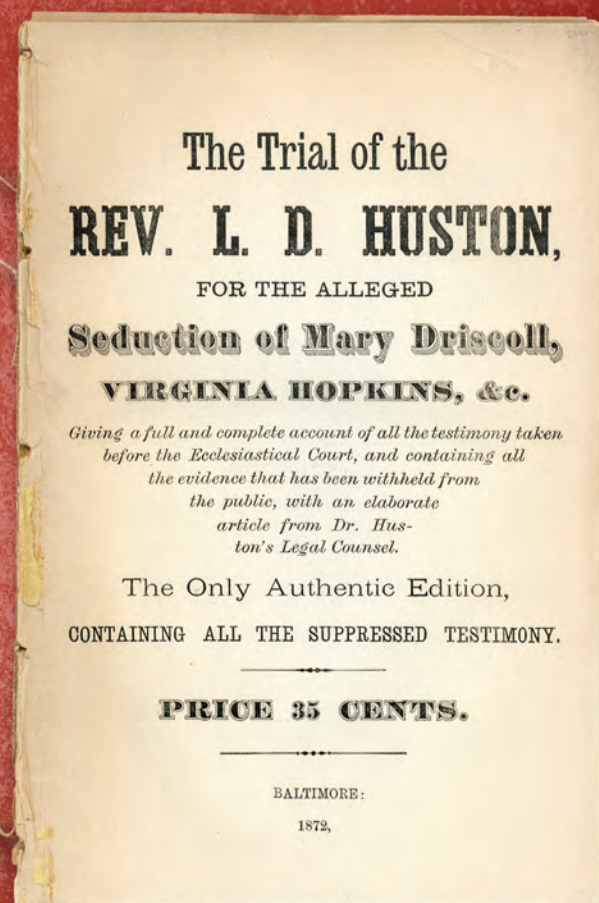
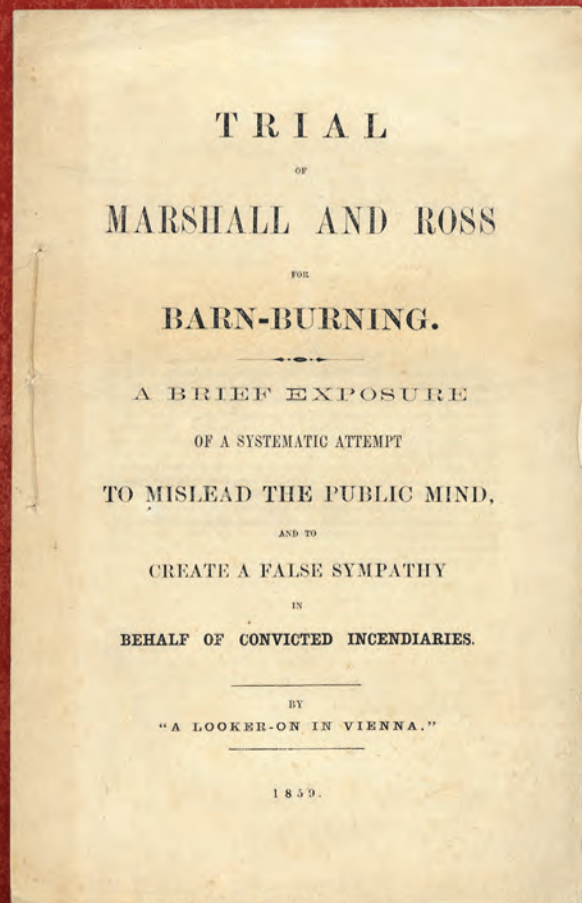

American Trials

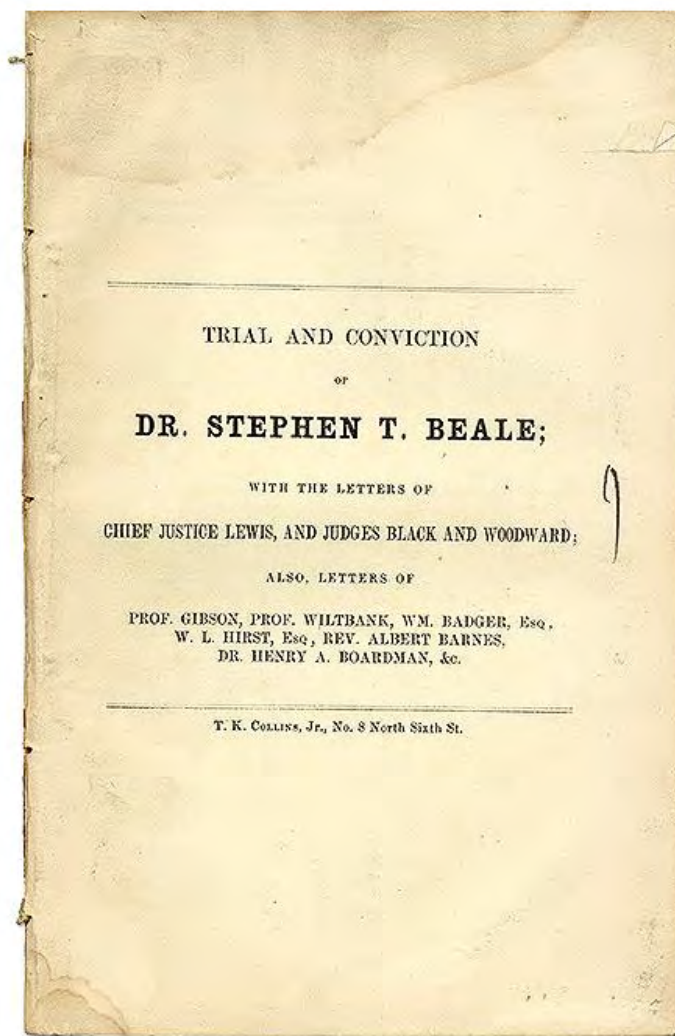
1802–1879

30 ITEMS

July 13, 2021



THE
LAWBOOK EXCHANGE
LTD.



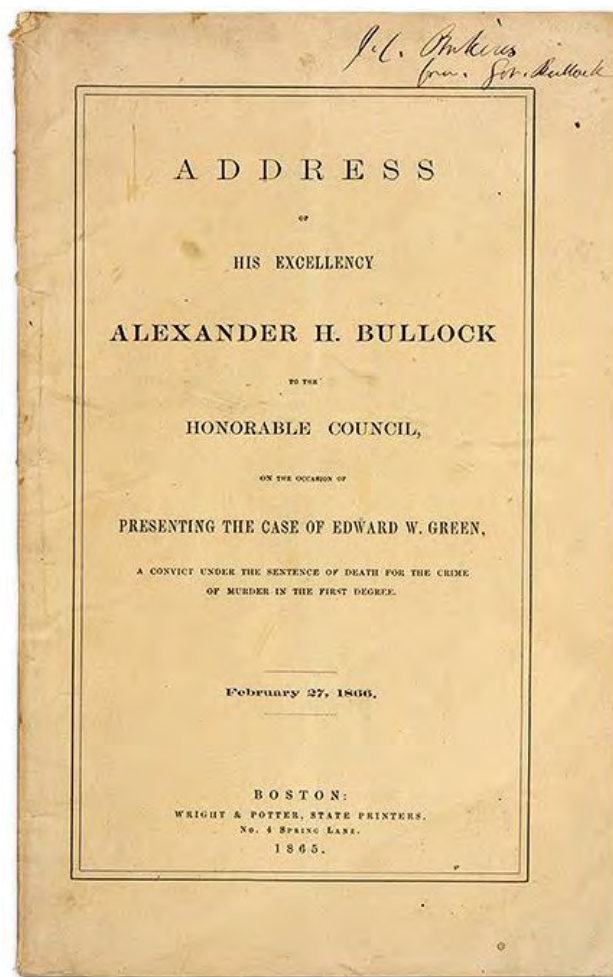
Raped Under Anesthesia by Her Dentist

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](#)



The First Bank Robbery in the United States

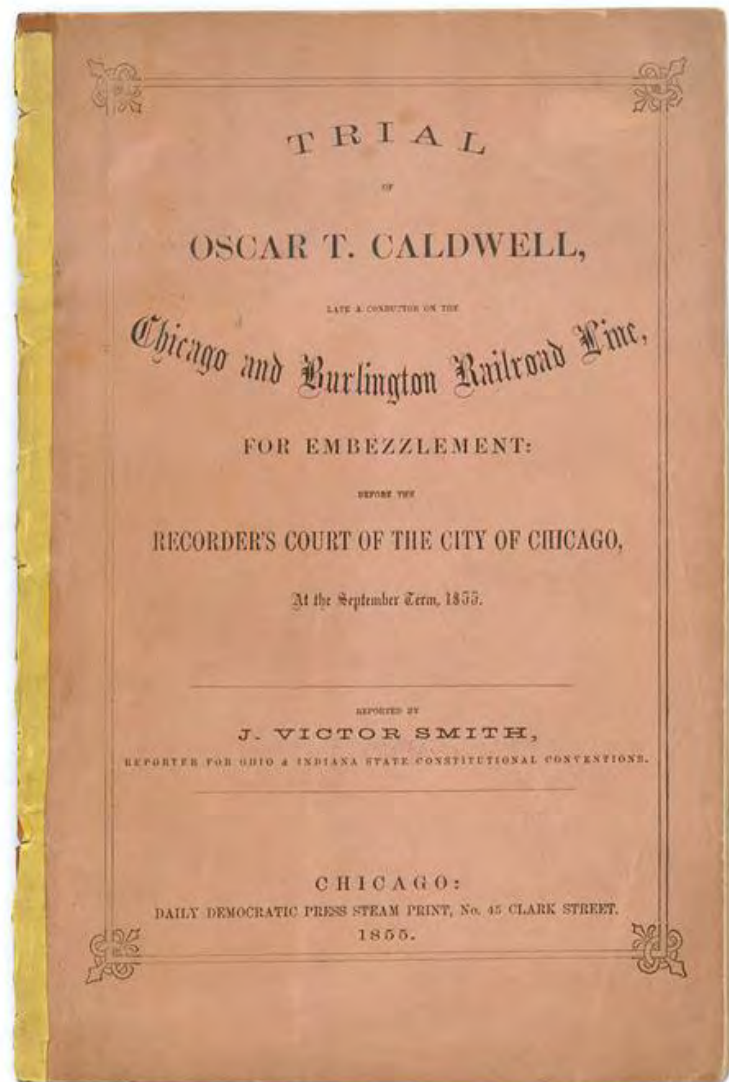
2. Bullock, Alexander H. [1816-1882].

Green, Edward W. [d.1866], Defendant.

Address of His Excellency Alexander H. Bullock to the Honorable Council on the Occasion of Presenting the Case of Edward W. Green, A Convict Under the Sentence of Death for the Crime of Murder in the First Degree. February 27, 1866. Boston, Wright & Potter, State Printers, 1865 [i.e. 1866]. 29 pp. Octavo (9-1/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers, recent repair to lower corner of rear wrapper. Light soiling and a few minor spots, light wear to spine ends, faint vertical crease through center, presentation inscription, "J.C. Jenkins from Gov. Gov. Bullock," to head of front wrapper, light toning to interior, a few spots to title page. \$750.

* Only edition. Green, the postmaster of Malden, Massachusetts, is believed to be the first person to rob an American bank. He was "a 'secretly drinking man' and had been short on his post office accounts. On December 15, 1863, finding the bank manned solely by the seventeen-year-old son of the president, he went back for his gun. Entering the bank, he shot the youth twice through the head and carried off \$5,000. in bills. The crime was very quickly traced to him; his confession disclosed where he had hidden the money, and he was condemned to die" (McDade, annotation to 381). Bullock was the governor of Massachusetts. His *Address* discusses his reasons for signing Green's death warrant. OCLC locates 5 copies in North American law libraries (Harvard, Library of Congress, Ohio State University, Worcester Trial Court Library, Yale). McDade, *The Annals of Murder* 382. [Order This Item](#)



Brought to Justice by the Pinkertons

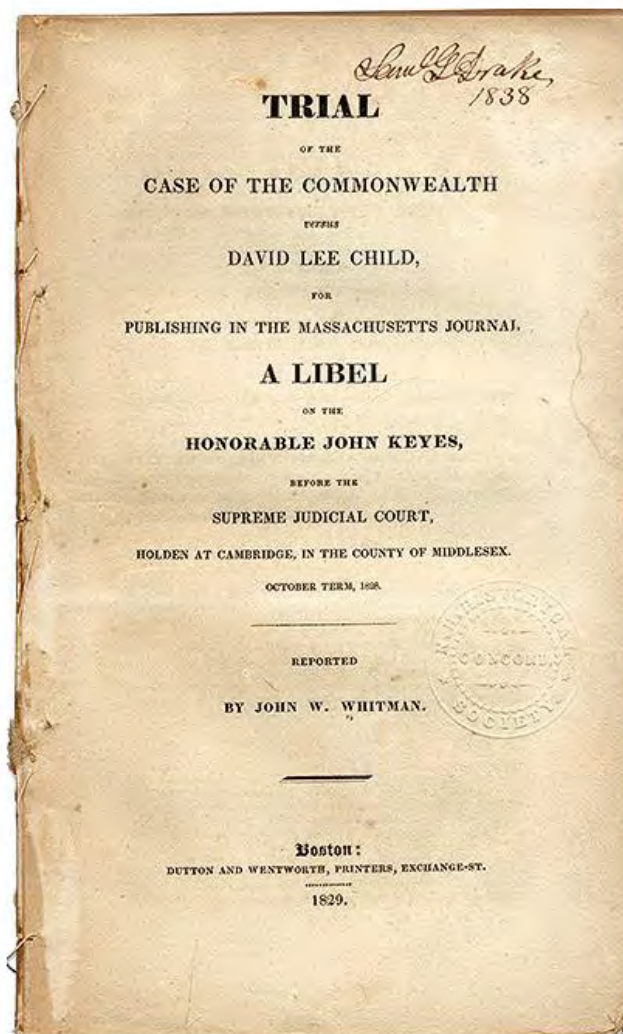
3. Caldwell, Oscar T., Defendant.

Smith, J. Victor, Reporter.

Trial of Oscar T. Caldwell, Late a Conductor on the Chicago and Burlington Railroad Line, For Embezzlement: Before the Recorders Court of the City of Chicago at the September Term, 1855. Chicago: Daily Democratic Press Steam Print, 1855. 35 pp. Text in parallel columns. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, spine reinforced. Light soiling, minor edgewear, spine abraded (but secure), some toning to text. \$150.

* Only edition. Caldwell's trial was the result of an investigation by the Pinkerton detective agency, then a five-year old company. Caldwell was convicted. The rear wrapper carries an advertisement for the Pinkerton & Company. OCLC locates 6 copies in law libraries (Harvard, Library of Congress, Rutgers, St. John's University, Social Law, University of Missouri). Cohen, *Bibliography of Early American Law* 13985. [Order This Item](#)



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

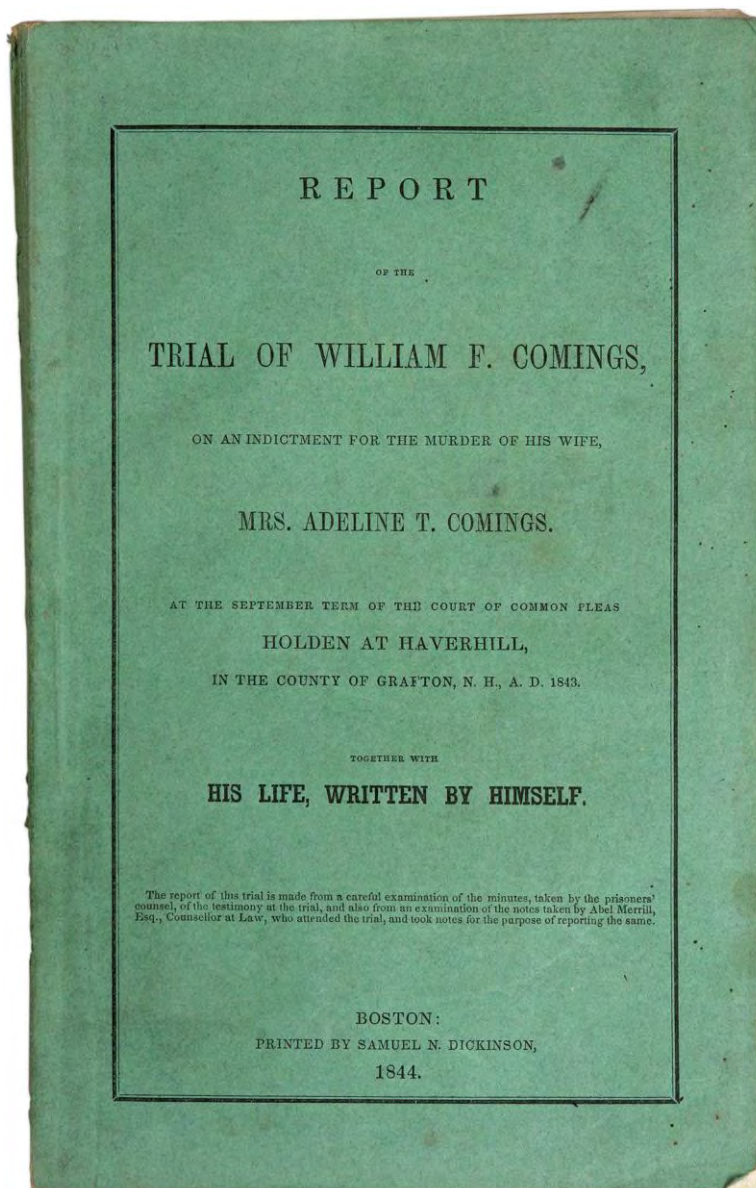
4. Child, David Lee [1794-1874], Defendant.

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

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

Disbound stab-stitched pamphlet. Negligible light edgewear and soiling to exterior, embossed library stamp and early owner signature (Samuel Drake 1838) to title page. Moderate toning, occasional early marks and notes in pencil to margins, faint dampstaining to margins of title page and a few other leaves. \$300.

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



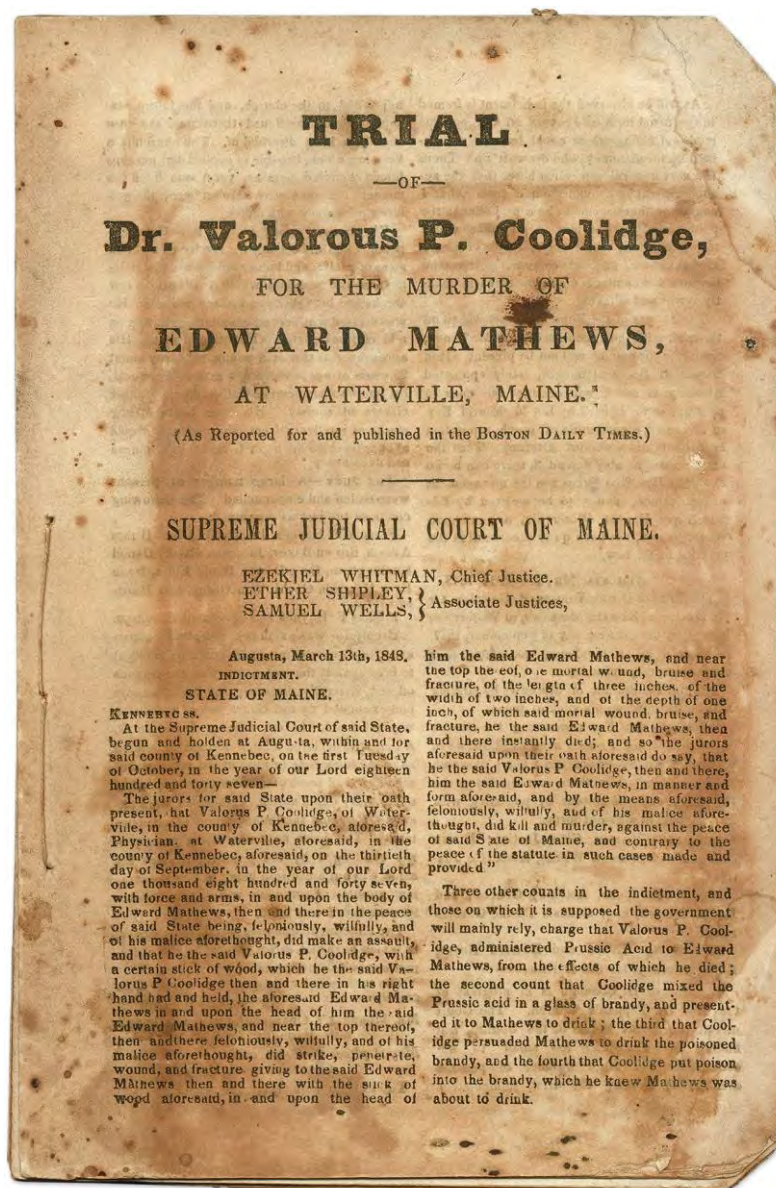
He Tried to Make the Murder Look Like a Suicide

5. Comings, William F., Defendant.

Report of the Trial of William F. Comings: On an Indictment for the Murder of His Wife, Mrs. Adeline T. Comings. At the September Term of the Court of Common Pleas Holden at Haverhill, In the County of Grafton, N.H., A.D. 1843. Together with His Life, Written by Himself. Boston: Samuel N. Dickinson, 1844. 158 pp. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light soiling and a few minor marks to wrappers, light wear to spine ends and corners, rear joint and adjacent signature just starting to detach at foot, some loss to foot of fore-edge of rear half of text block with no loss to text. Light toning to text, somewhat heavier in places, occasional light foxing. \$950.

* Only edition. "He was convicted of strangling his wife at Bath, N.H., with a handkerchief, and suspending her from a bedpost to make it appear to be suicide" (McDade). OCLC locates 5 copies in law libraries (Library of Congress, New York University, Social Law Library, University of Missouri, Yale). McDade, *The Annals of Murder* 208. [Order This Item](#)



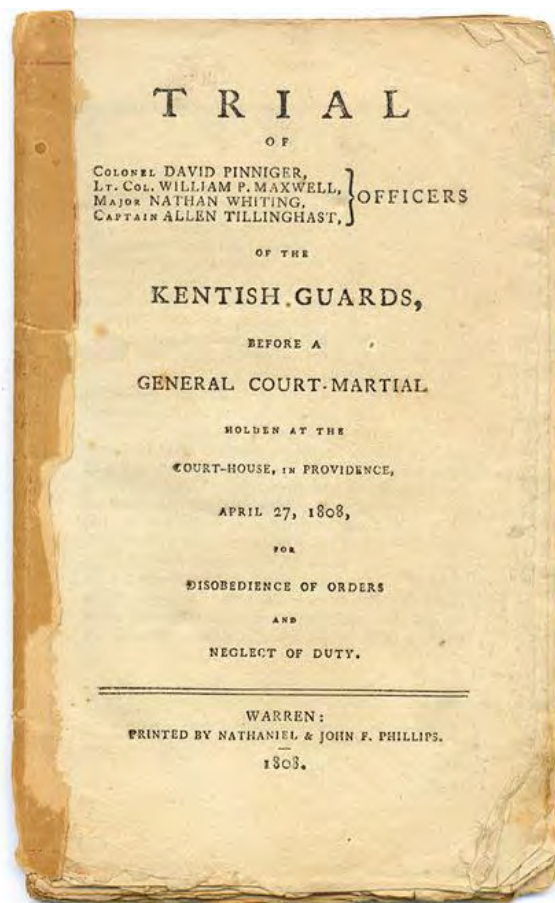
Poisoned by His Doctor

6. Coolidge, Valorous P. [c.1823-1849], Defendant.

Trial of Dr. Valorous P. Coolidge, For the Murder of Edward Mathews, At Waterville, Maine (As Reported For and Published in the Boston Daily Times). [N.p.: S.n., 1848]. 40 pp. Text in parallel columns. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in self-wrappers, untrimmed edges. Some wear to corners, moderate browning, heavier browning to leaves at beginning and end of text, faint dampstaining in a few places, tiny inkspots to a few leaves. \$350.

* Only edition. Coolidge murdered Mathews with a shot of poison-laced brandy because Mathews refused to loan him money. When the body was found Coolidge was summoned by the coroner's jury to perform an autopsy on his own victim. After an inept series of attempts to hide his crime, Coolidge was convicted and sentenced to hang. He cheated the gallows, however, by committing suicide. OCLC locates 2 copies, none in law libraries. We located a copy, however, at Yale Law School. McDade, *The Annals of Murder* 211. [Order This Item](#)



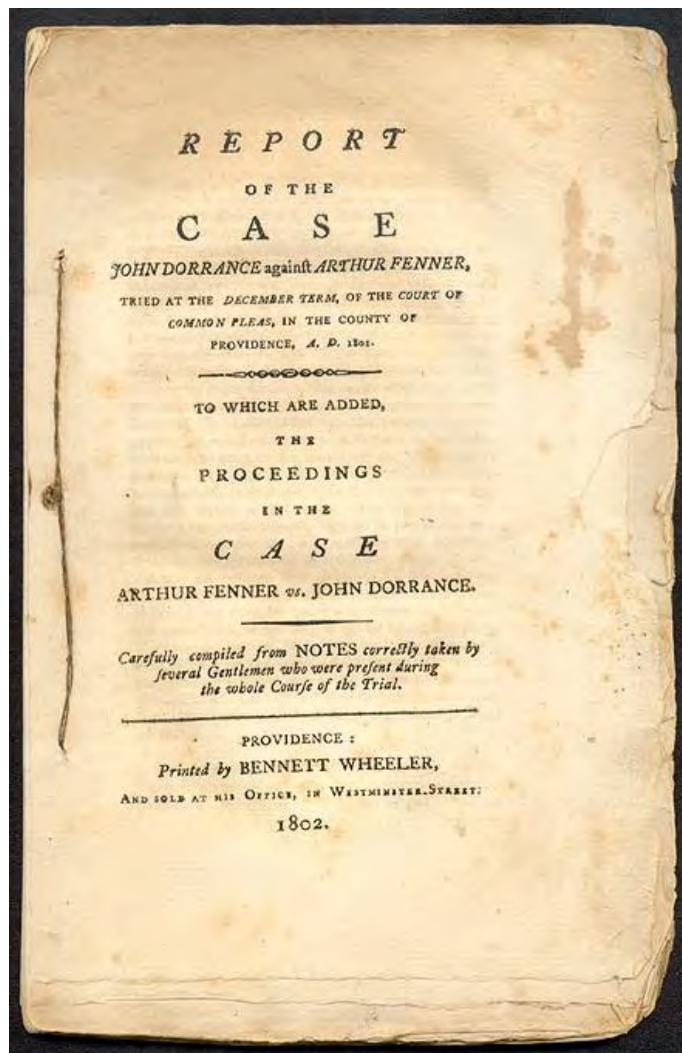
**1808 Court Martial of Rhode Island Militia Officers
Who Refused to Select Six Guardsmen for Federal Service**

**7. [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](#)



Body Snatching in Rhode Island

8. 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"

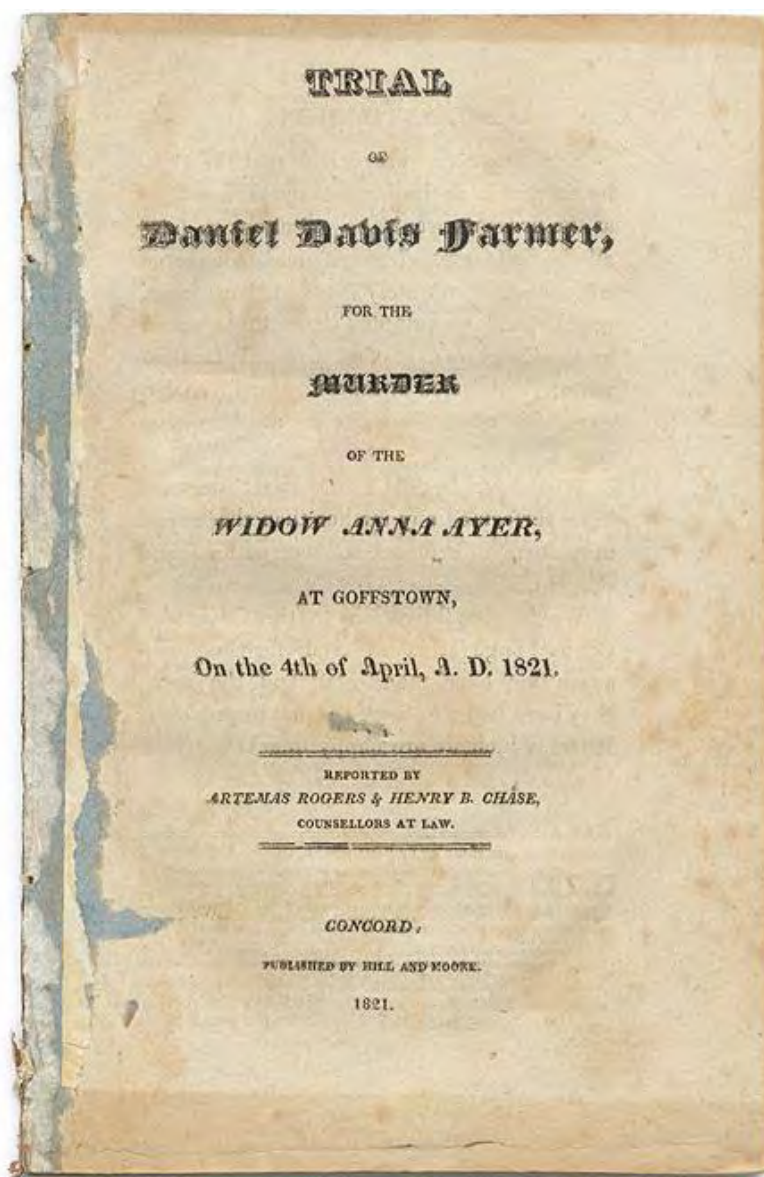
9. Fairchild, Joy Hamlet [1790-1859], Defendant.

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 Edgecomb, Maine, while she was a domestic in his family. She had a child, and nominated Fairchild as the father. Fairchild claimed that rival ministers had defamed him by calling him a habitual libertine and adulterer. This pamphlet includes testimony from witnesses, including Miss Davidson, who said: "In all, he might have had 15 or 20 connections with me." The pamphlet closes with the verdict of not guilty, which caused "the audience [to] 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 ours (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

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

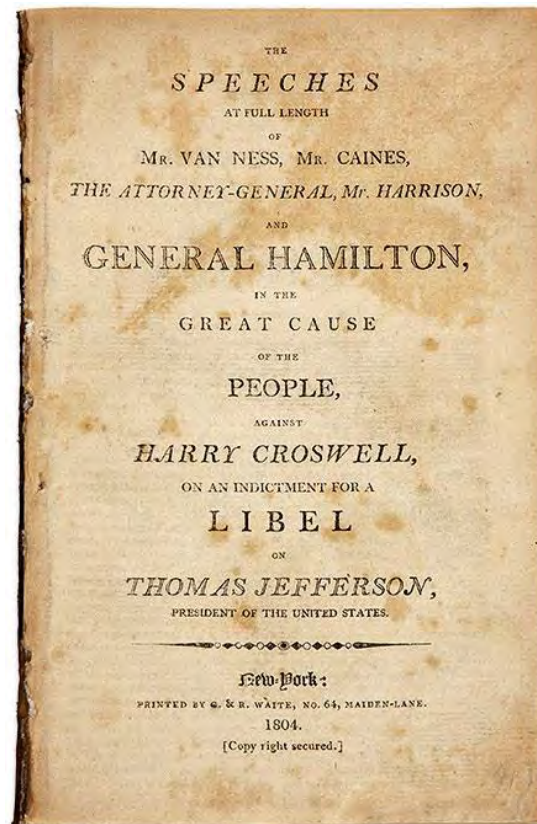
Rogers, Artemas, Reporter.

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, fragments of wrapper along spine. Light rubbing to extremities, light browning to text, light foxing to a few leaves. \$350.

* 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](#)



A Landmark Case in the History of the First Amendment

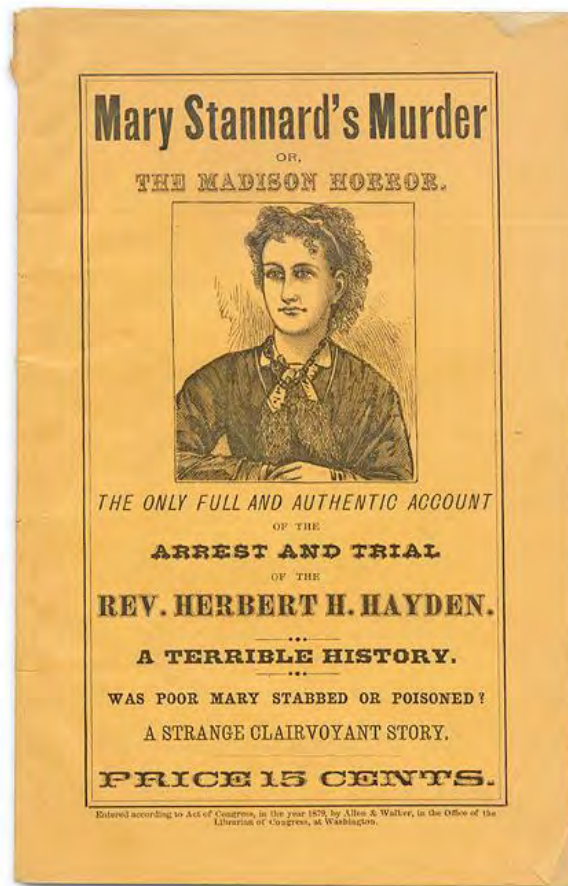
11. Hamilton, Alexander [1757-1804] (et Al.).

Crosswell, Harry (1778-1858), Defendant.

The Speeches at Full Length of Mr. Van Ness, Mr. Caines, the Attorney- General, Mr. Harrison, And General Hamilton, In the Great Cause of the People, Against Harry Crosswell, On an Indictment for a Libel on Thomas Jefferson, President of the United States. New York: Printed by G. & R. Waite, 1804. 78 pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet. Moderate toning, occasional light foxing, negligible light soiling to title page and verso of final leaf. \$1,250.

* Only edition. *People of the State of New York v. Harry Crosswell*, also known as *People v. Crosswell*, is a landmark case in the history of the First Amendment. It was a prosecution for criminal libel under the Sedition Act in the Court of General Sessions of the Peace of Columbia County, New York. Crosswell was indicted for an article, published in *The Wasph*, a Federalist newspaper he edited, that accused Jefferson of hiring James Callender to write articles attributing various crimes to Washington and Adams. Crosswell was defended by a distinguished team of lawyers, among them Alexander Hamilton. In one of his greatest and most influential speeches, and one of the last he gave in his lifetime, Hamilton argued that freedom of the press consists in publishing the truth, from good motives and for justifiable ends, however it may reflect on its subjects. More important, he argued for a rejection of libel based on English rules, which remained a part of New York law, especially the rule that truthfulness is not a reason for acquittal. Crosswell was convicted, but he was not sentenced or retried. And the cause of his case was mooted the following year when the New York State Legislature abandoned English libel law in favor of one based on Hamilton's argument. It became the law of the land when the other states and the Federal government followed New York's example. Ford, *Bibliotheca Hamiltoniana* 90. Cohen, *Bibliography of Early American Law* 13322. [Order This Item](#)



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

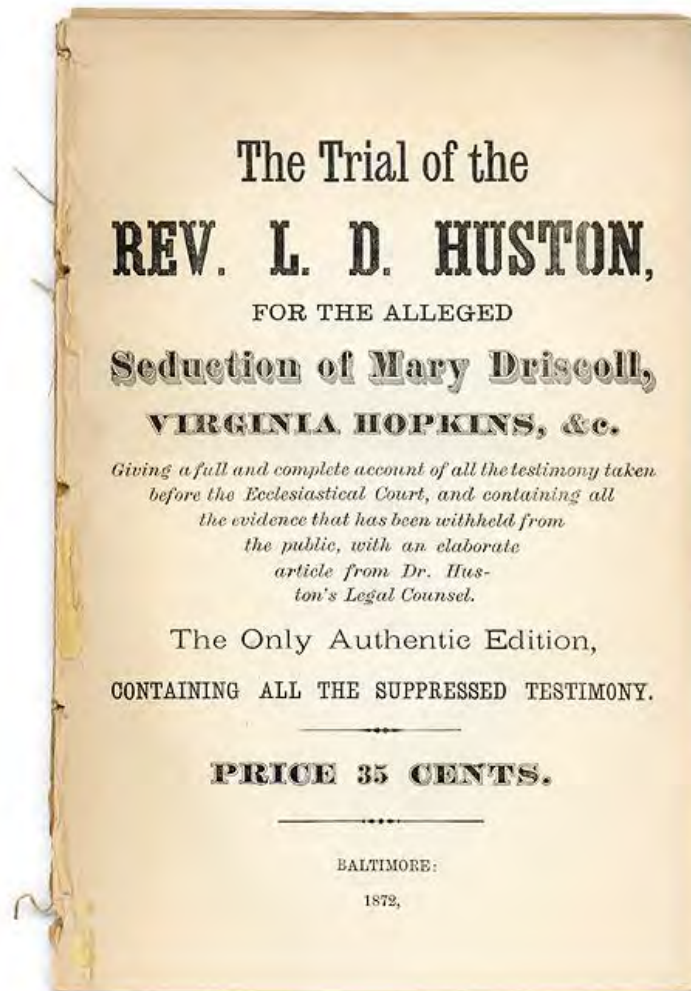
12. [Hayden, Herbert H. (b.1850), Defendant].

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](#)



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

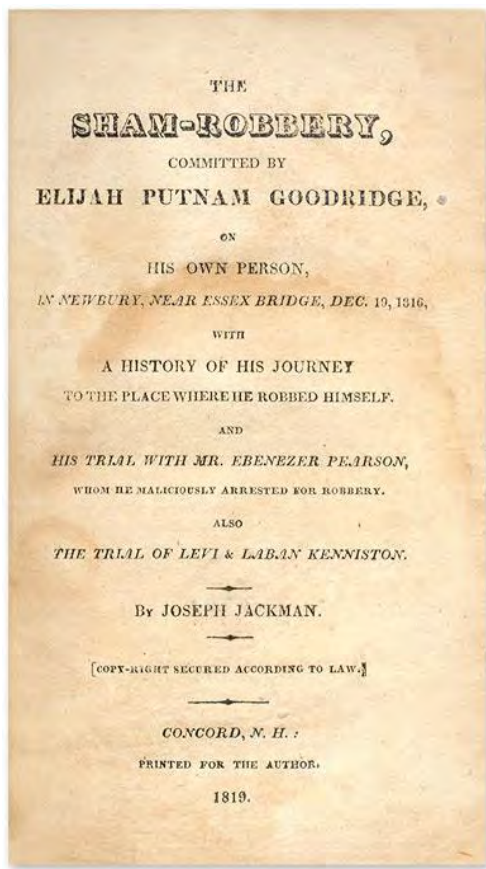
13. Huston, Lorenzo Dow [1820-1887], Defendant.

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.

[Order This Item](#)



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

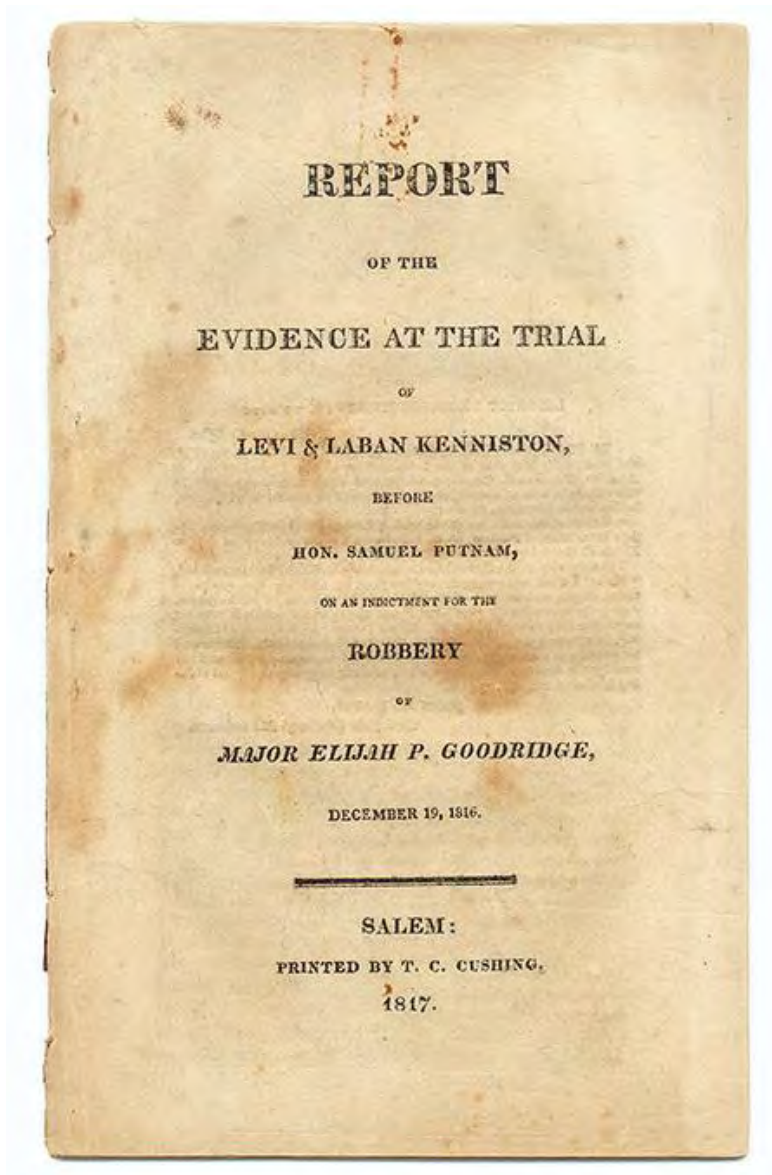
14. Jackman, Joseph.

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. \$350.

* 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

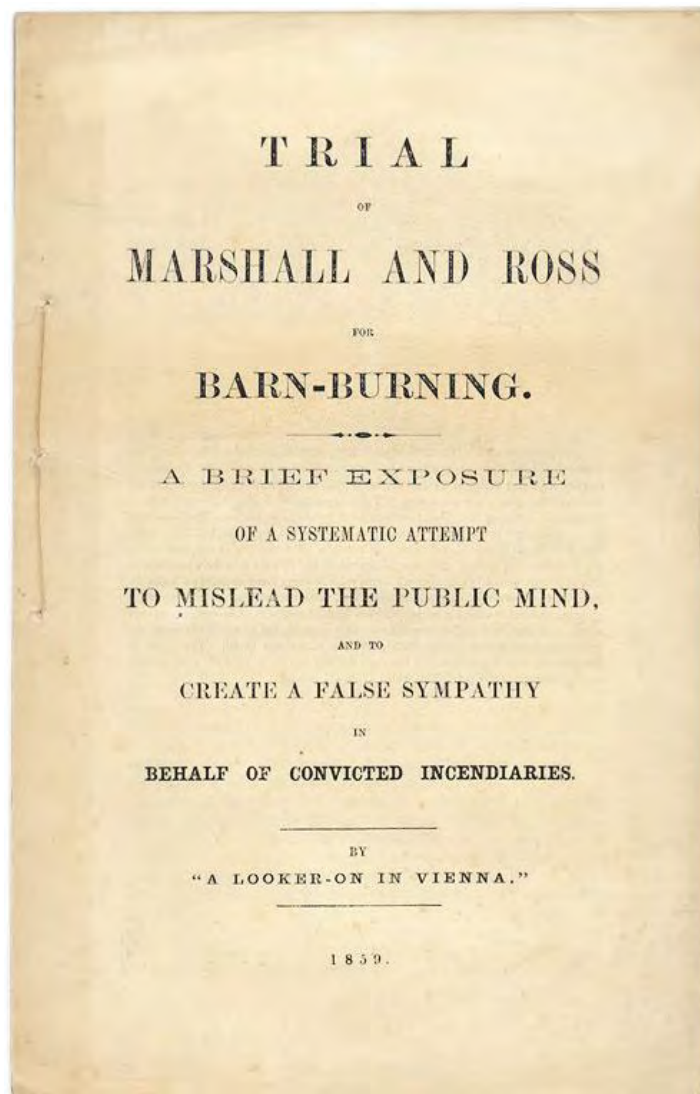
15. Kenniston, Levi, Defendant.

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](#)



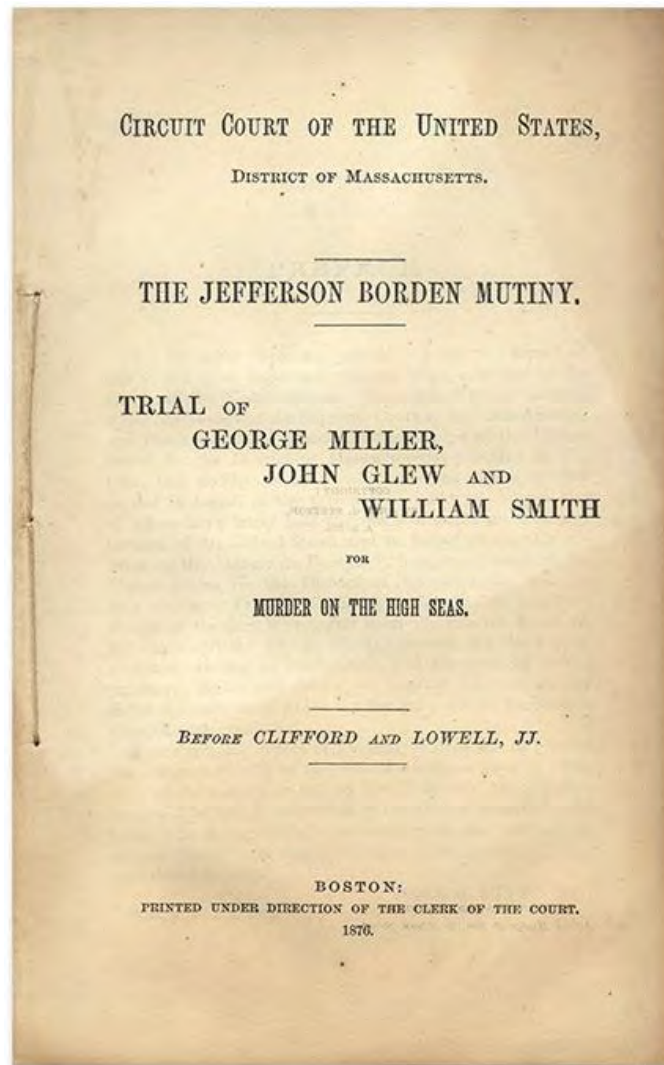
A Case of Arson in Gloucester, Massachusetts

16. 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](#)



Mutiny and Murder on the High Seas, McDade 679

17. Miller, George [d. 1876], Defendant.

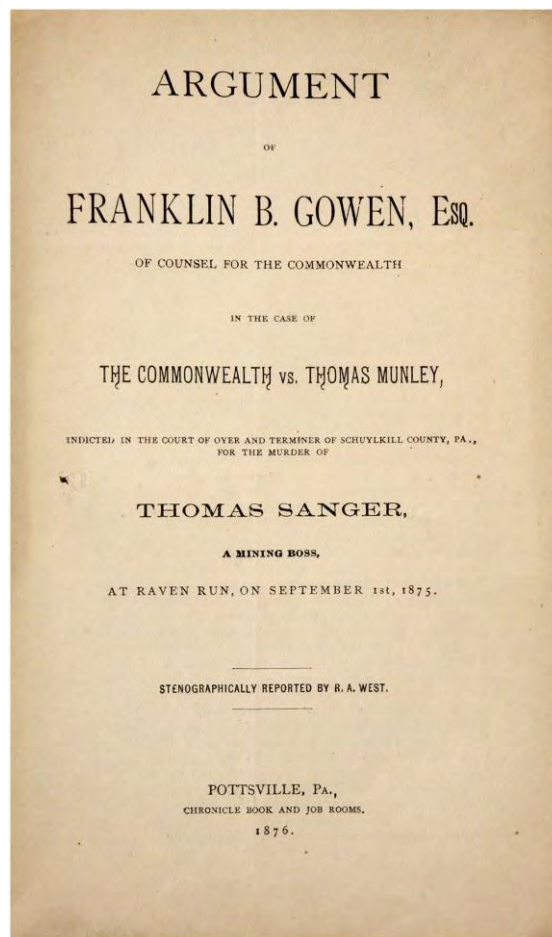
Glew, John, Defendant.

Smith, William [d. 1876], Defendant.

The Jefferson Borden Mutiny: Trial of George Miller, John Glen, And William Smith for Murder on the High Seas: Before Clifford & Lowell, JJ. Boston: Printed Under the Direction of the Clerk of the Court, 1876. 141 pp. Octavo (7-1/2" x 4-3/4").

Stab-stitched pamphlet, printed wrappers, which are detached with moderate edgewear, fading and light soiling, spine perished, text block secure. Moderate toning to text, faint offsetting to title page, light foxing to a few leaves, heavier offsetting to verso of final leaf, a blank. \$350.

* Only edition. "The Jefferson Borden was bound for London from New Orleans. Corydon Trask Patterson was the mate, and in the course of a mutiny, he was hit with an iron bar and thrown overboard. The mutiny was suppressed, and at this trial Glew was acquitted and Miller and Smith were condemned" (McDade). This official account includes the indictment, arraignment, pleas, assignment of counsel to prisoners, empaneling of the jury, evidence, charge to the jury, verdict, remarks of the Court on passing sentence and the sentences. McDade, *The Annals of Murder* 679. [Order This Item](#)



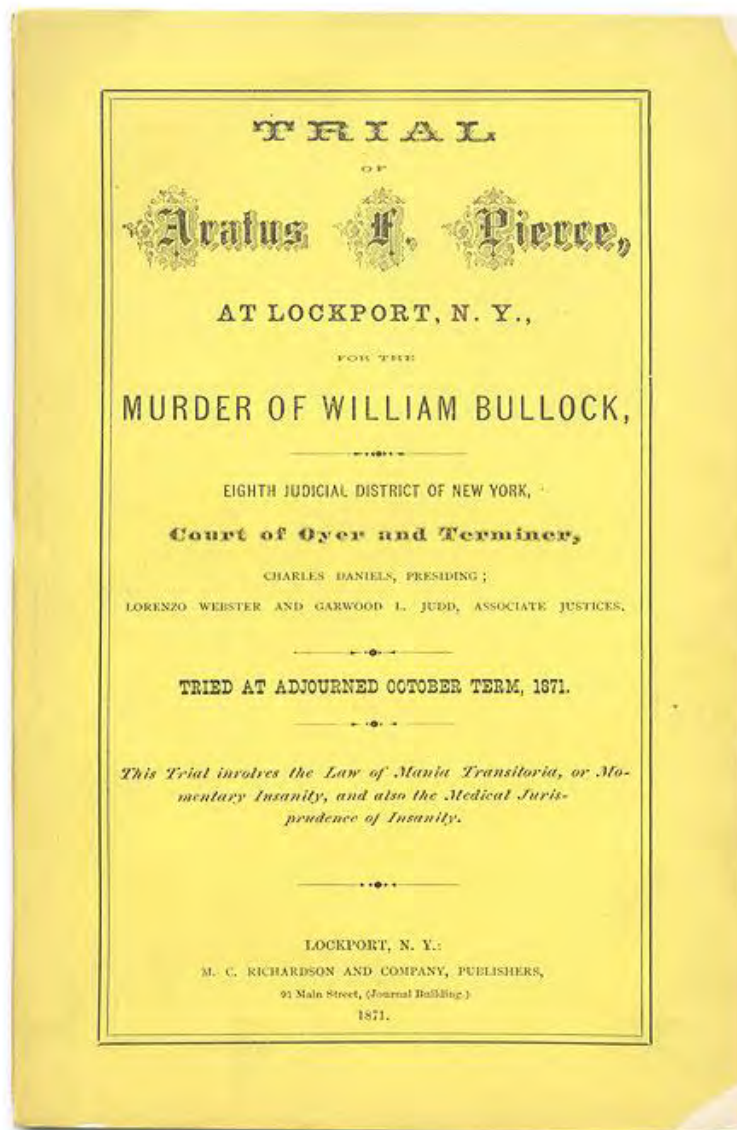
"Fraternalism Gone Bad": McDade 689

18. [Mollie Maguires].

Argument of Franklin B. Gowen, Esq., Of Counsel for the Commonwealth, In the Case of the Commonwealth vs. Thomas Munley, Indicted in the Court of Oyer and Terminer of Schuylkill County, Pa., For the Murder of Thomas Sanger, A Mining Boss, At Raven Run, On September 1st, 1875. Stenographically Reported by R. A. West. Pottsville, PA: Miners' Journal Book and Job Rooms, 1876. 36 pp. Tipped-in advertisement for the Pinkerton Detective Agency before title page Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Light soiling, faint vertical crease through center, moderate edgwear, wrappers beginning to detach at ends, a few tiny holes to front wrapper, light toning to text. \$200.

* Only edition. "'Fraternalism gone bad' might best describe the situation in the mining regions of Pennsylvania where the local chapter of the Ancient Order of Hibernians held sway. An inner group known as the Mollie Maguires...committing numerous murders. Its control of the area was finally broken up by a Pinkerton detective named James McParlan who had secretly spent months undercover in the group. June 21, 1877, saw the end of ten Mollies; six were hanged that day at Pottsville, Pennsylvania, for the murder of Frank Yost, a policeman of Tamaqua, and four others were hanged at Mauch Chunk, three for the murder of John Jones, a mining boss. Three more were executed at Bloomsburg, Pennsylvania, on March 25, 1878, for the murder of Alexander Rea, a mining paymaster killed during the holdup of a mine payroll" (McDade). OCLC locates 3 copies in law libraries (Touro, University of Pennsylvania, Yale). McDade, *The Annals of Murder* 689. [Order This Item](#)



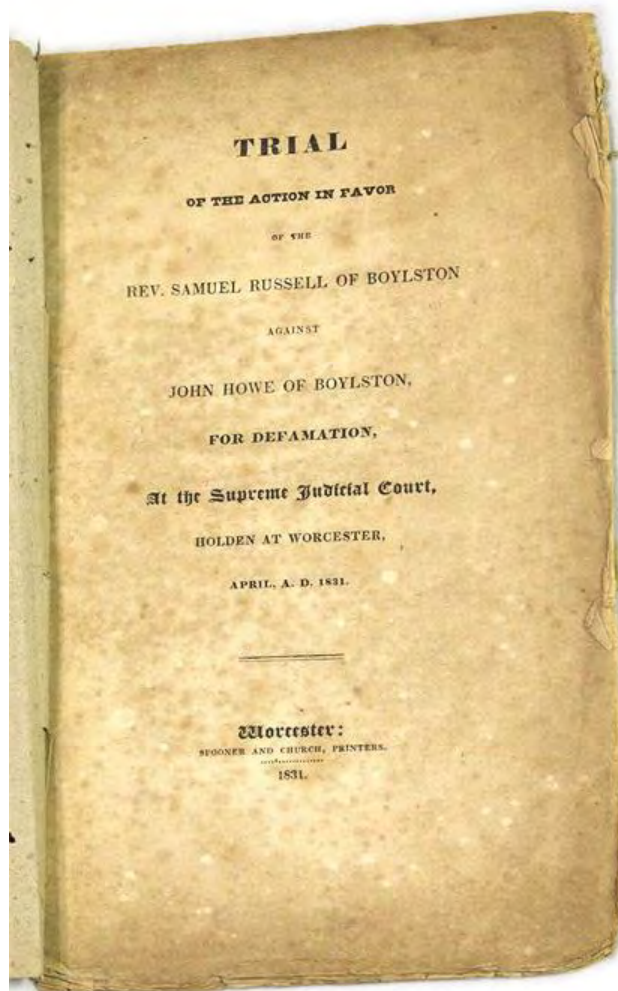
A Successful "Mania Transitoria" Defense

19. 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](#)



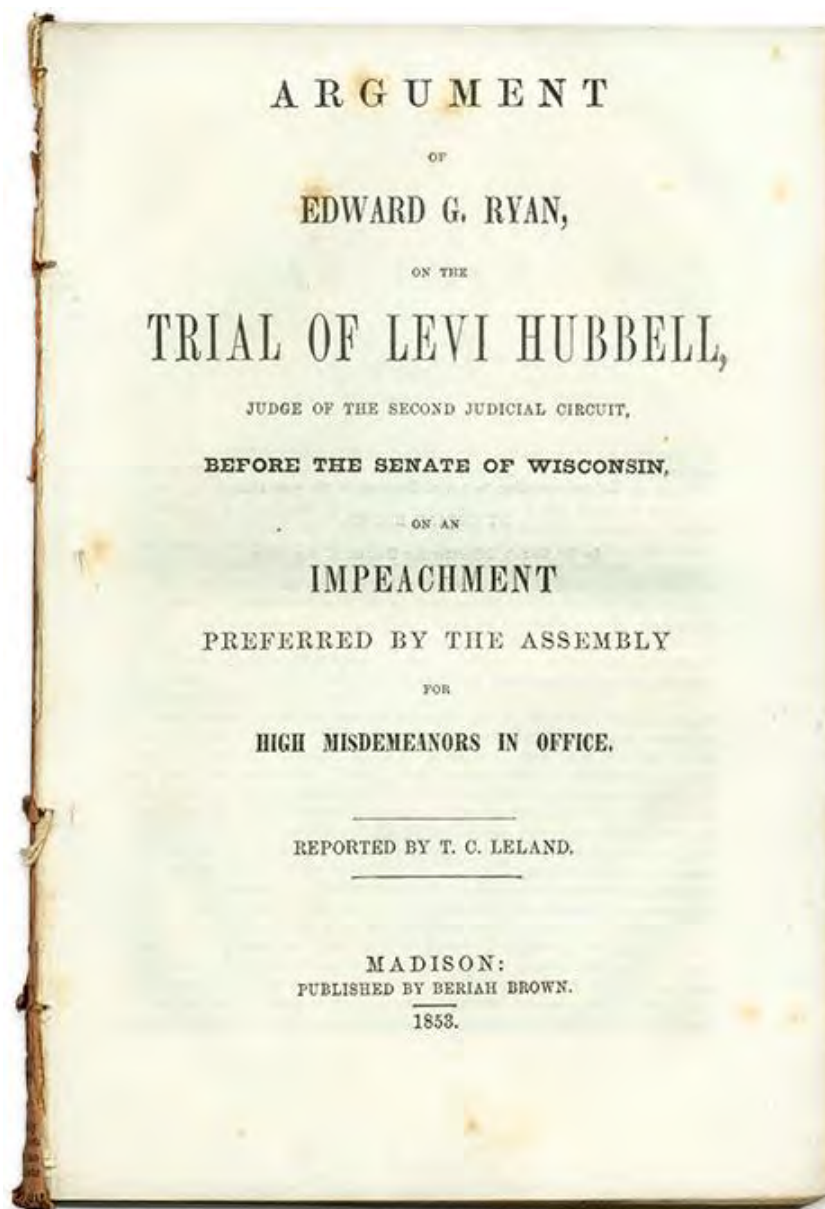
Libel in Worcester, Massachusetts

20. Russell, Samuel [1798-1835], Plaintiff.

Trial of the Action in Favor of the Rev. Samuel Russell of Boylston Against John Howe of Boylston, For Defamation: At the Supreme Judicial Court, Holden at Worcester, April, A.D. 1831. Worcester [MA]: Spooner and Church, Printers, 1831. 27 pp. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in plain wrappers, untrimmed edges. Light soiling and moderate edgewear to wrappers, front wrapper partially detached. Moderate toning and light foxing to text, minor tears to edges of some leaves, internally clean. \$450.

* Only edition. "In protesting Russell's election to the school committee, Howe allegedly accused him of lying to a colleague about an exchange of church ministers. Russell sued for libel, but the jury found for the defendant. Russell's motion for a new trial was denied" [Cohen]. This pamphlet is a detailed summary of Russell's charges and the testimony of witnesses. Russell's motion for a new trial was based on an allegation that one of the jurors had improperly concealed a bias favoring Howe. This account contains the complete text of the court's opinion denying the motion. OCLC locates 10 copies, 4 in law libraries (Harvard, Library of Congress, Social Law, Yale). Cohen, *Bibliography of Early American Law* 12028. [Order This Item](#)



1853 Impeachment Trial of a Wisconsin Judge

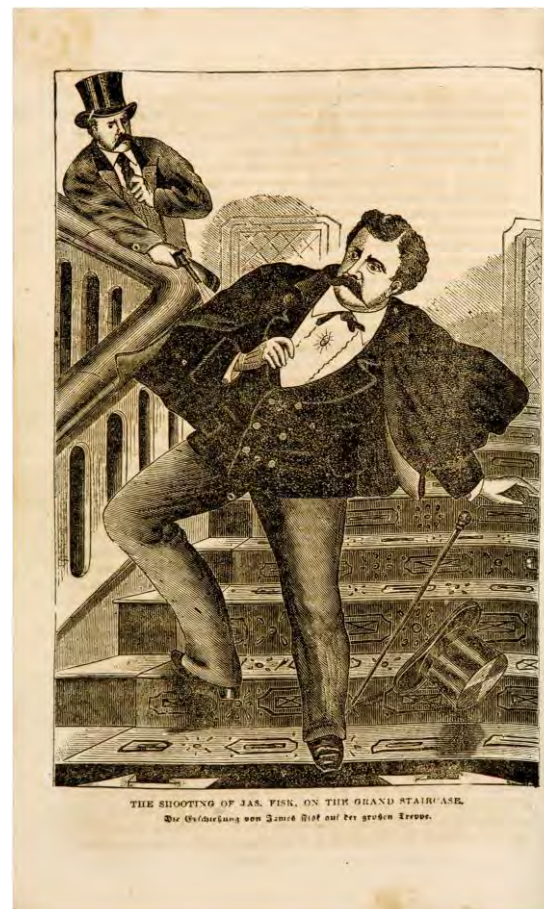
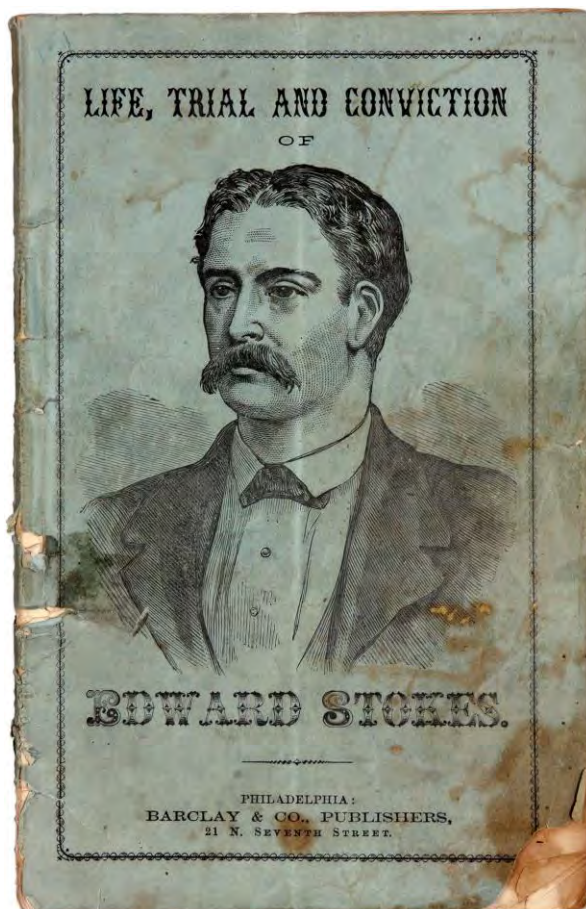
21. Ryan, Edward G. [1810-1880].

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](#)



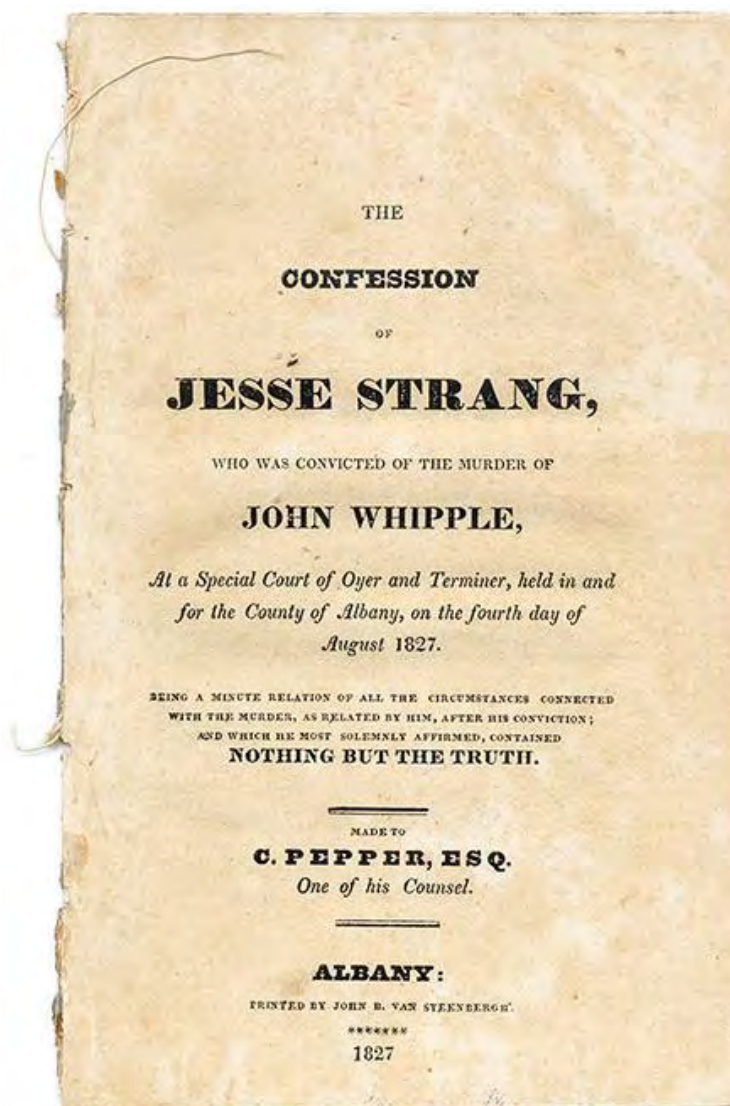
A Love Triangle, Allegations of Financial Misconduct and Murder

22. Stokes, Edward [1841-1901], Defendant.

Life, Trial and Conviction of Edward Stokes, For the Assassination of Jas. Fisk, Jr. To Which is Added, The Life and Eventful Career of Josephine Mansfield. The Interesting Trial. Many Secrets Now for the First Time Made Public. Philadelphia: Published by Barclay & Co., [1873]. [ii], 19-111, [1] pp. 12 full-page woodcuts. Complete. Octavo (9-1/4" x 5-3/4").

Stab-stitched pamphlet in pictorial wrappers. Light soiling and a few faint dampstains and minor tears to wrappers, spine abraded, moderate wear to corners of wrappers and text block. Moderate toning to interior, corners of some leaves dog-eared, faint stains to a few leaves. \$1,250.

* Only edition, one of two issues. "Jim Fisk...was a financial wonder in New York in 1872. Edward Stokes had been associated with him in the oil business, but they had become engaged in a bitter legal battle which originated when Stokes stole Fisk's mistress, Josie Mansfield. In retaliation Fisk had charged Stokes with embezzling oil company funds; Stokes replied with a charge of false imprisonment. Then Mansfield threatened to publish letters from Fisk revealing some of his transactions. On January 5 an injunction was issued restraining the publication of the letters; on the next day Josie Mansfield was exposed to a humiliating cross-examination in police court on her relations with Fisk. Stokes, in a rage, followed Fisk to the Broadway Central Hotel where he shot him on the stairs. After two trials the state could only convict Stokes of third-degree manslaughter" (McDade, annotation to 917). This Barclay account was published after the second trial. It was also issued by Barclay with the imprint: "Cleveland, Ohio: Great Western Publishing Company, [1872]." OCLC locates 2 copies in law libraries (Harvard, Yale), both with the Philadelphia imprint. McDade, *The Annals of Murder* 922. [Order This Item](#)



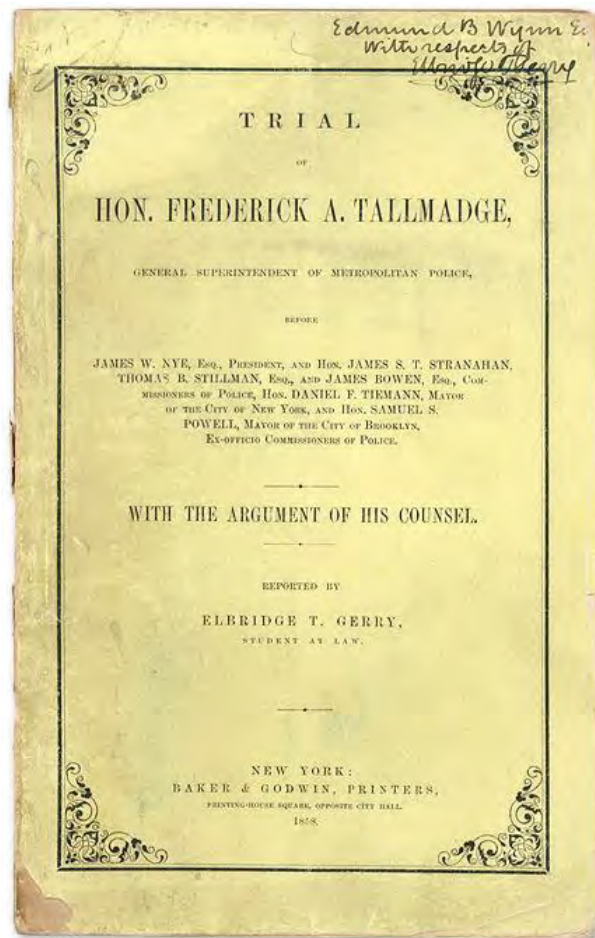
"Black, Unhallowed, Uncaused Crime": McDade 934

23. 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 Steenbergh, 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](#)



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

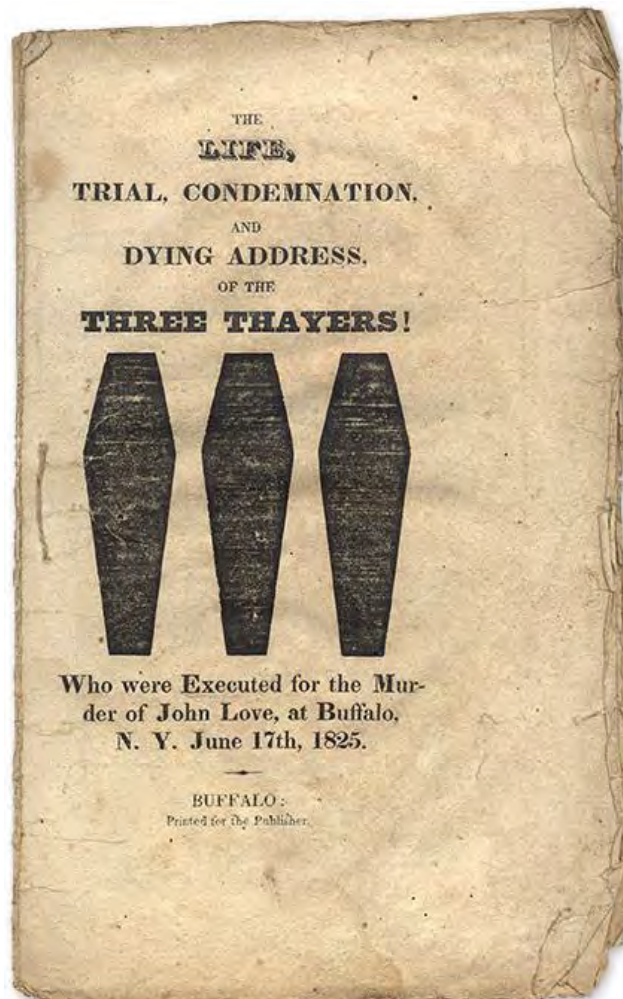
24. Tallmadge, Frederick A. [1792-1869], Defendant.

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

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

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

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



Sensational 1825 Murder Trial in Buffalo, N.Y.

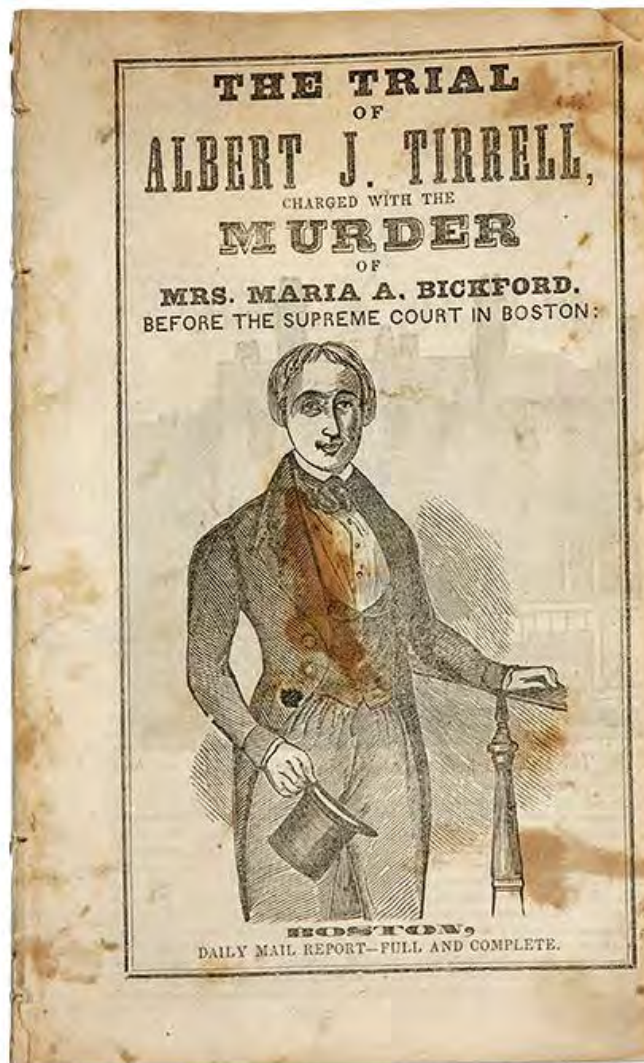
25. Thayer Brothers.

[Love, John].

The Life, Trial, Condemnation and Dying Address, Of the Three Thayers! Who Were Executed for the Murder of John Love, At Buffalo, N.Y. June 17th, 1825. Buffalo: Printed for the Publisher, [1825]. 16 pp. Octavo (8-1/2" x 5-1/4").

Stab-stitched pamphlet in printed wrappers, untrimmed edges, large woodcut of three coffins to front. Light browning and faint dampspotting, light soiling to exterior, faint stain to foot of front wrapper. A well-preserved copy. \$950.

* The Thayer brothers (Nelson, Israel, and Isaac) were convicted in 1825 for the robbery and murder of their boarder John Love, to whom they owed a substantial amount of money. The brothers shot him in the head, then lacerated his body with a meat cleaver. After disguising the murder scene with a pig carcass, they buried Love in a shallow grave. Their crime was discovered a short while later. After two brief trials, the Thayers were executed together by hanging on June 17, 1825. A sensational event, it was probably the first hanging to take place in Erie County, New York. This event was the subject of several pamphlets, four published in Buffalo. In this edition the dying address is followed by an account of the trial and execution in verse. This imprint, which is listed in Cohen and mentioned in McDade, is a variant of a copy described in McDade, which has an image of a single coffin. McDade, *The Annals of Murder* 972. Cohen, *Bibliography of Early American Law* 13088. [Order This Item](#)



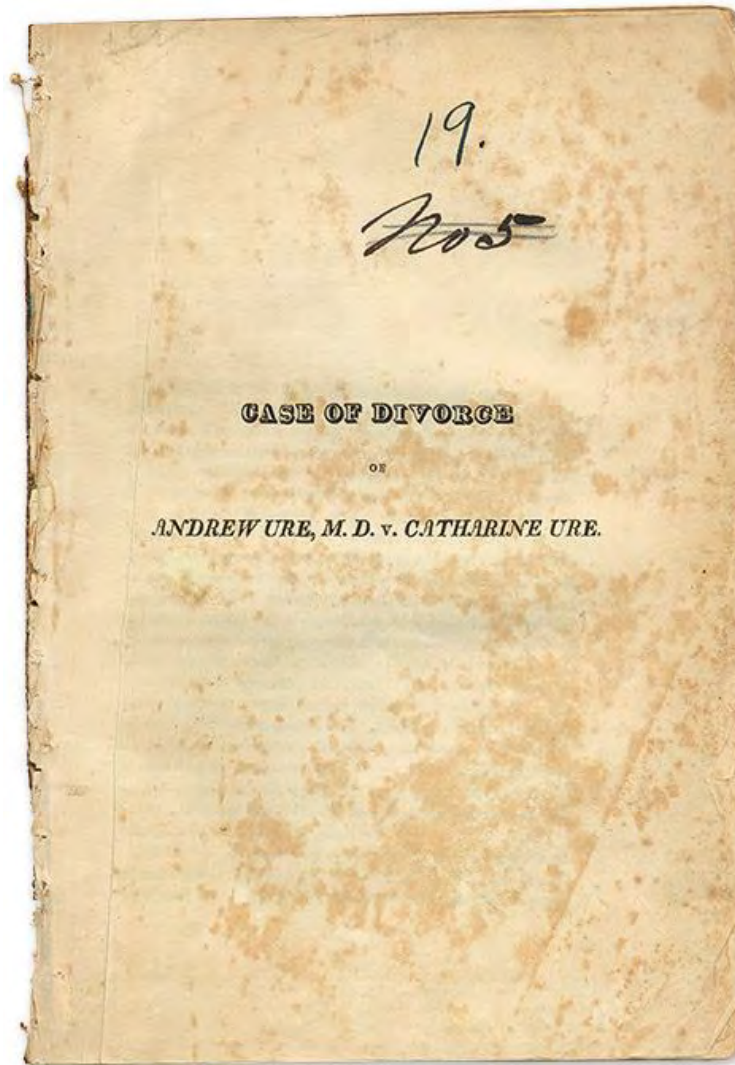
Not in McDade

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](#)



**Account of an Adultery Trial
Published to Block an Academic Appointment**

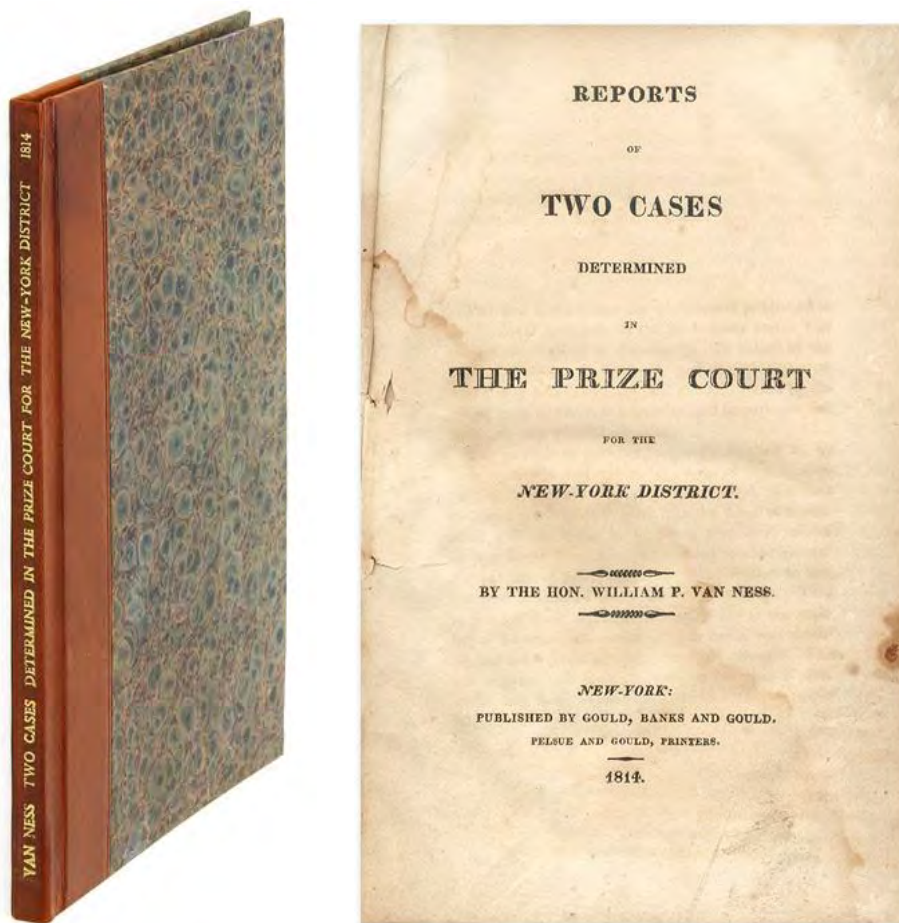
27. Ure, Andrew [1778-1857], Plaintiff.

[Chapman, Nathaniel, Editor].

The Whole of the Proceedings, Duly Authenticated, In the Case of Divorce of Andrew Ure, M.D. v. Catharine Ure, For Adultery with Granville Sharpe Pattison. Tried in the Consistory Court at Edinburgh on the 30th of January, 1819. [Philadelphia: W. Fry, Printer, 1821]. [ii], viii, [2], viii, 39 pp. Preface, viii pp. preceding title page, signed: N. Chapman. then a statement of the printer, signed and dated 1 Sept. 1821, followed by the title page. Complete, final two sections bound in reverse order. Octavo (8-1/4" x 5-3/4").

Disbound stab-stitched pamphlet, untrimmed edges. Light browning, light foxing in places, early annotation to head of half-title. \$650.

* Only edition. "This compilation was prepared by Nathaniel Chapman, a Philadelphia doctor, in order to block Granville Sharpe Pattison's academic appointment in this country. Pattison, a Scottish Anatomist, had been named co-respondent in the Ure divorce.": Cohen, *Bibliography of Early American Law* 11459. [Order This Item](#)



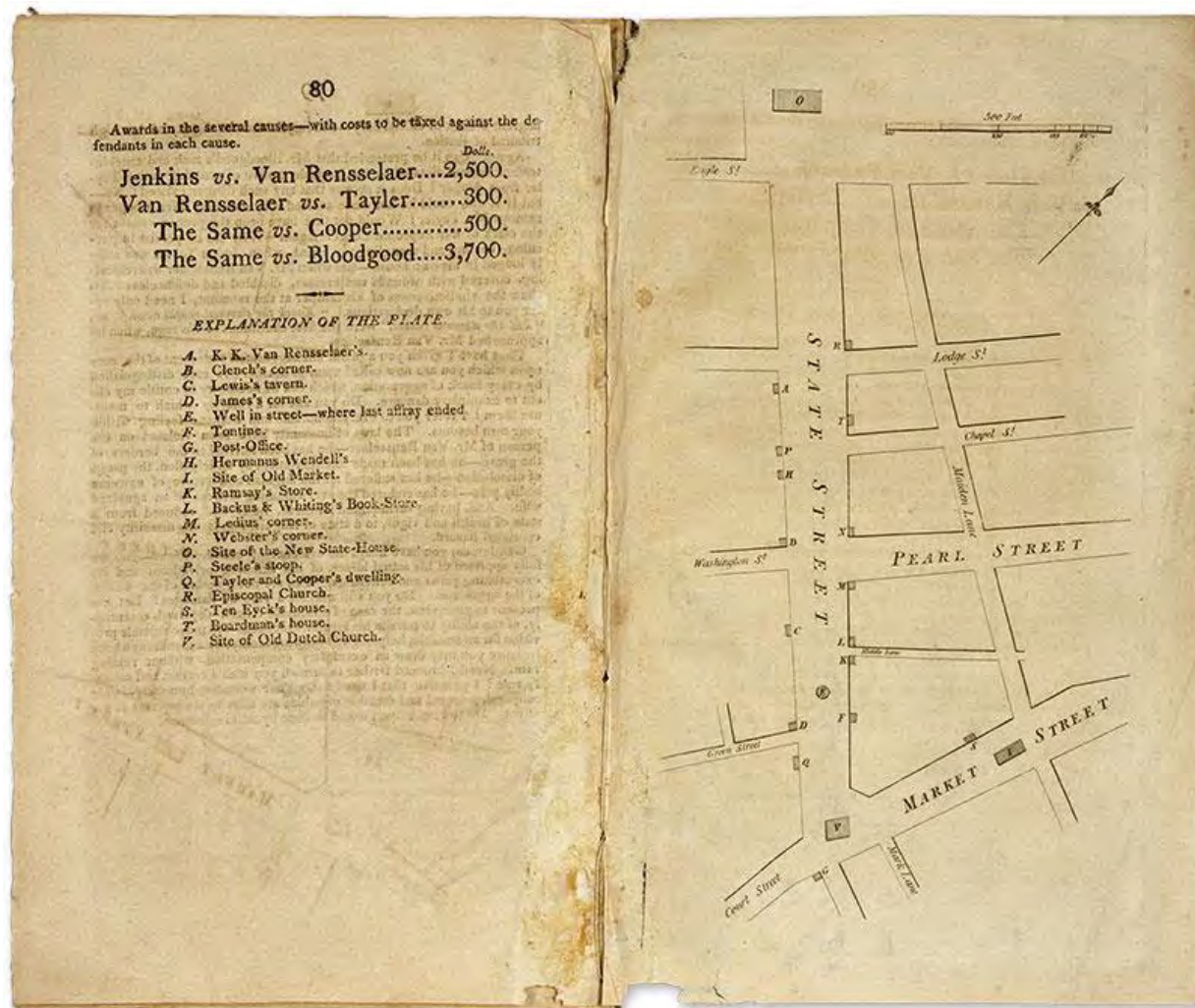
**The First Prize Cases Tried in the
United States District Court for the District of New York**

28. 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](#)



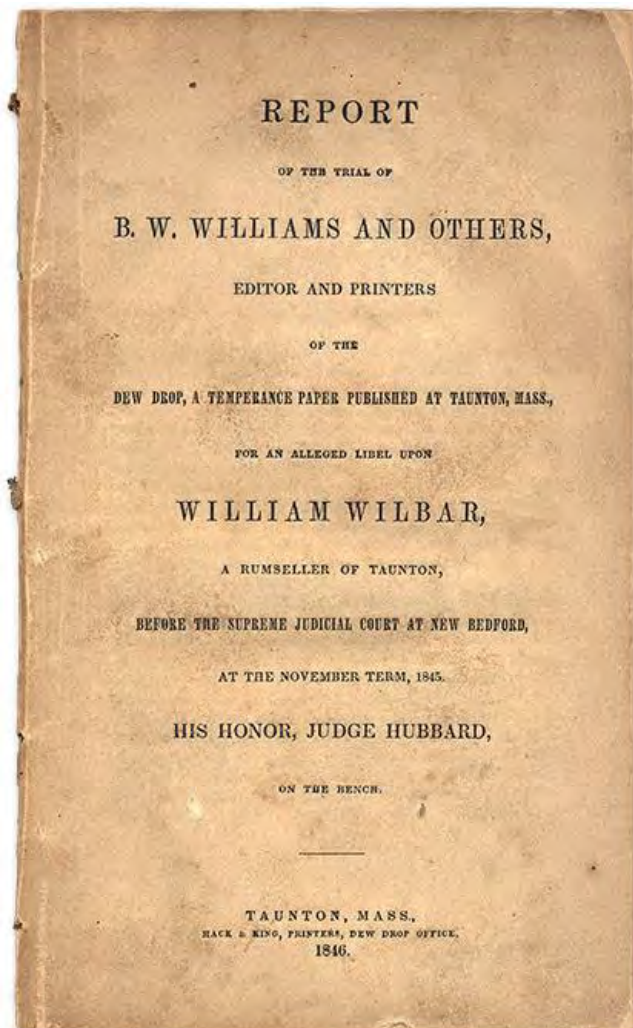
Bloody Clashes Between Federalists and Jeffersonians in Albany

29. 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]: Croswell & Frary, 1808. 80 pp. Woodcut map. Octavo (8-1/2" x 5-1/4").

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

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



"A House of Human Slaughter"

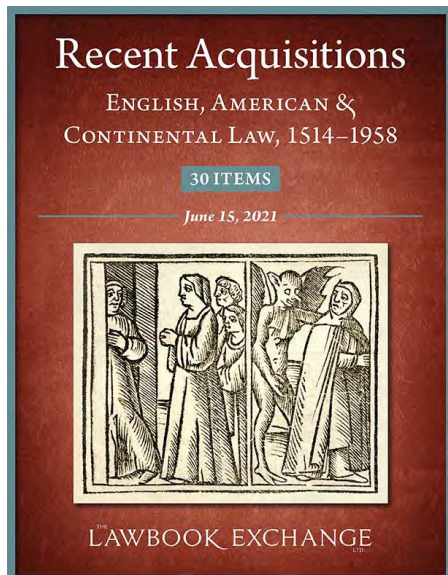
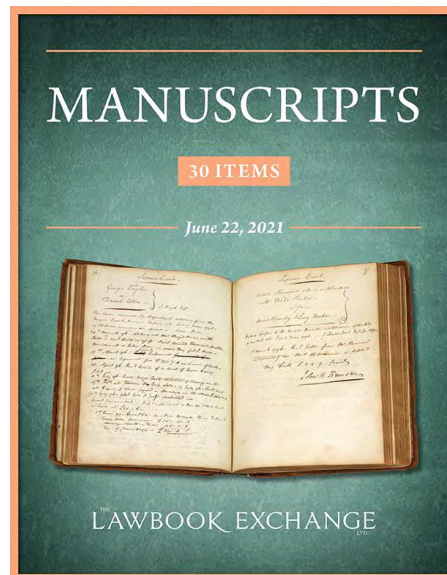
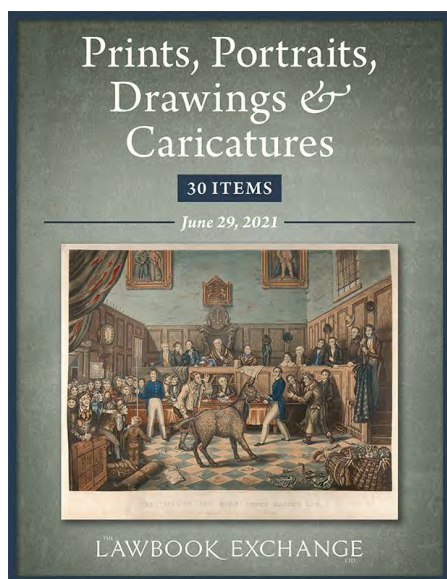
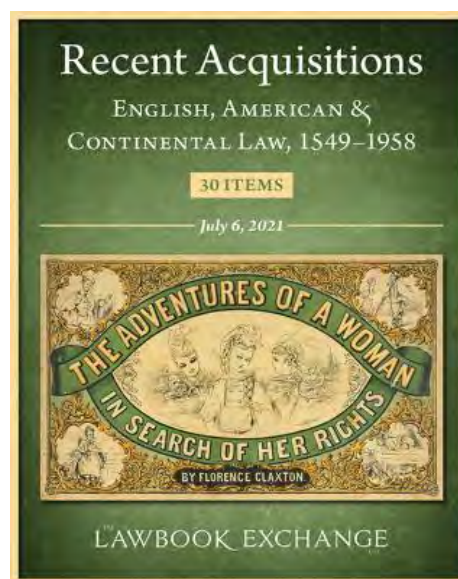
30. Williams, B[enjamin] W., Principal Defendant.

Report of the Trial of B.W. Williams and Others, Editors and Printers of the Dew Drop, A Temperance Paper Published at Taunton, Mass., For an Alleged Libel Upon William Wilbar, A Rumseller of Taunton, Before the Supreme Judicial Court at New Bedford, At the November Term, 1845, His Honor, Judge Hubbard, on the Bench. Taunton [Mass.]: Hack & King, Printers, Dew Drop Office, 1846. 60 pp. Octavo (8-1/2" x 5-1/4").

Disbound stab stitched pamphlet. Moderate toning, light soiling to exterior, some rubbing to extremities. Light browning to text, faint tick marks in light pencil to margins in a few places, light foxing to a few leaves. \$450.

* First edition. In January, 1845, the defendant published an article in his temperance paper *The Dew Drop* that referred to Mr. Wilbar as "the incarnate Devil" with a mouth that emitted "flames of fire" that "withered and scorched all the deluded wretches" who entered his shop, "a house of human slaughter." The defendants were acquitted after 45 minutes of deliberation. Although there are many reprint editions available, the original 1846 printing is scarce in the marketplace. OCLC locates 7 copies in North American law libraries (Harvard, Library of Congress, Social Law, University of Minnesota, University of Missouri, University of Pennsylvania, York University). Not in McCoy, *Freedom of the Press*. Cohen, *Bibliography of Early American Law* 12078. [Order This Item](#)

Recent Weekly E-Lists

[June 15, 2021](#)[June 22, 2021](#)[June 29, 2021](#)[July 6, 2021](#)

We are happy to hold items for institutional customers who wish to reserve items today and have them invoiced or shipped at a later date