


American Crimes, Trials & Punishments 1819-1903

July 9, 2019

EXECUTION
OF
Stephen Merrill Clark,
Which took place on Winter Island, Salem, on Thursday,
May 10, 1821.
FOR THE CRIME OF ARSON.

Be warn'd, ye youth, who see my sad despair:
Avoid LEWD WOMEN, false as they are fair.
By my example learn to shun my fate:



How wretched is the man who's wise too late!
Ere innocence, and fame and life be lost,
Here purchase wisdom cheaply, at my cost."

STEPHEN MERRILL CLARK.

In the present state of public excitement respecting the fate of the wretched young man above named, it may be proper to state, that he has made a free confession to some of the Clergy of his guilt of the crime for which he is to suffer next Thursday. He has also declared, that he caused the fire the night previous to that of which he is convicted, and that in both instances he acted without an accomplice. This information, they have his authority for communicating to the public, and do it in the hope that it may remove the doubts of many respecting his guilt; trusting that the awful event that awaits him may deter other youth from associating with bad company, and following bad advice.

It is impossible to give adequate expression to the deep and awful feelings to which the memorable transactions of that day gave birth. At an early hour the place of execution was literally surrounded by anxious multitudes, waiting the arrival of the fatal moment that was to consign one of their fellow mortals to an untimely grave; their eyes now fixed on the instrument of death before them, and now turned in that direction where the funeral escort of the unhappy criminal was expected to appear in sight. Soon the funeral procession met their view, and was seen slowly winding its way to the fatal spot, preceded and accompanied by additional multitudes of spectators, and at about half past one, it halted just without the area on which the gallows stood. In a few moments the Peace officers commanded an opening to be made through the crowd, and the young and interesting subject of universal attention and commiseration was led into the space—but O, how changed from that sturdy, robust and apparently unconcerned youth who, but a few weeks before, was tried, convicted and sentenced to suffer death! There, his countenance was haggard and his eye was languid and directed to earth, his aspect bespoke an inward grief and agony that could not be uttered, and as the Rev. Clergyman supported his feeble steps toward the scaffold, his very soul appeared to quake at the terrors of the law that surrounded him.

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An Event That Advanced a Successful Movement to Reduce the Number of Capital Crimes in Massachusetts

1. [Broadside].
[Execution].
[Salem, Massachusetts].

Execution of Stephen Merrill Clark, Which Took Place on Winter Island, Salem, On Thursday, May 10, 1821. Salem (?), MA: S.n., 1821. 17-1/2" x 11-1/4" broadside. Text in four columns enclosed by black rules, small woodcut of a coffin below headline, untrimmed edges.

Light browning and foxing, fold lines, three horizontal and one vertical, a few creases and tiny fold-overs along edges. A notably well-preserved copy. \$1,500.

* In 1820 Clark burned down a barn. There was no loss of life, but he was tried for a capital crime, found guilty and sentenced to death. The jury recommended commutation to no avail. He was sixteen years of age when he committed the crime, seventeen when executed. His case helped to advance a successful movement to reduce the number of capital crimes. By 1852 only murder remained a capital offense. Cohen lists this item but notes that he didn't handle a copy; his entry is based on a dealer's catalogue. Cohen also notes another broadside, again unseen, a 16-page pamphlet at Harvard Law School, and a 63-page report of the trial, at Yale Law School. Curiously, there is nothing for Clark in McDade, which is surprising given the contemporary and long-term importance of the case. These omissions in McDade suggest the rarity of these four accounts. OCLC locates 10 copies of the broadside. Cohen, *Bibliography of Early American Law* 1238. [Order This Item](#)



Anti-Jackson Broadside from the 1828 Presidential Race

2. [Broadside].

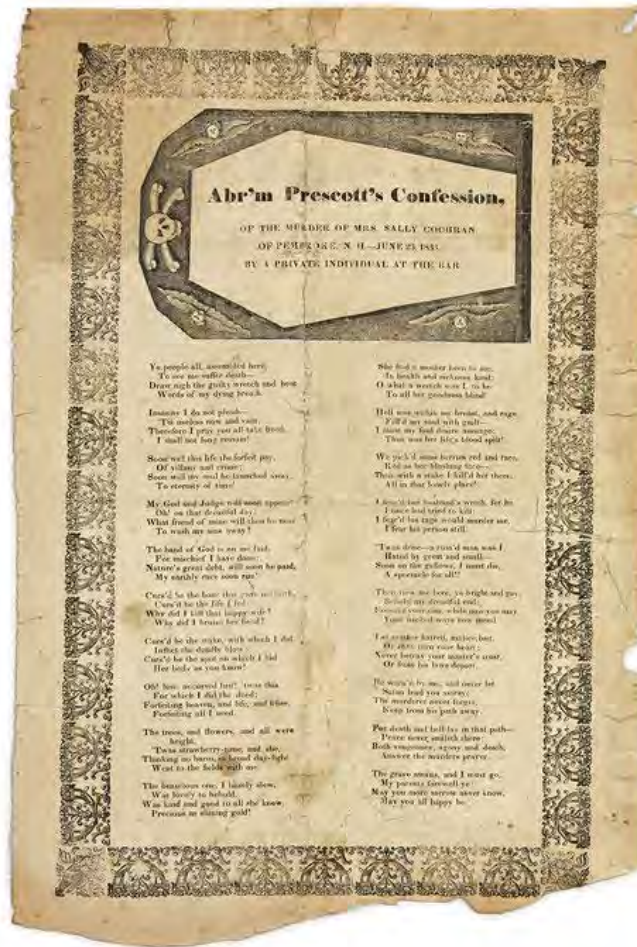
[Jackson, Andrew (1767-1845)]

[1828 Presidential Campaign].

A Brief Account of the Execution of the Six Militia Men!! [Philadelphia: Democratic Press, 1828].

18-1/2" x 10 1/4" broadside with untrimmed edges, text in three columns below headline and woodcut image of six coffins. Moderate toning, light foxing and a few faint dampstains, three tiny scuffs with minor loss to text, mended on verso with archival tape. Item hinged to archival-quality cloth-covered illustration board. \$2,750.

* This is one of a series of broadsides attacking candidate Andrew Jackson for an incident that occurred during the War of 1812. In 1815 Jackson ordered the execution of six soldiers who tried to leave the service shortly before the conclusion of their three-month enlistment term. They were condemned as deserters and executed by firing squad in Nashville, Tennessee. Many thought execution was unfair, a classic case of a punishment that did not fit the crime. Jackson was running mainly on the strength of his war-hero resume, so broadsides such as this one were intended to undermine this reputation and to show him as a cruel individual. As we know, the strategy failed. Jackson defeated John Quincy Adams. This appears to be an unrecorded broadside. Shaw & Shoemaker records a later issue of this broadside, with the same title, entry 32473, but it is in four columns and has additional text dated 20 January 1828. [Order This Item](#)



**"Oh! Lust, Accursed Lust!
'Twas This for Which I Did the Deed"**

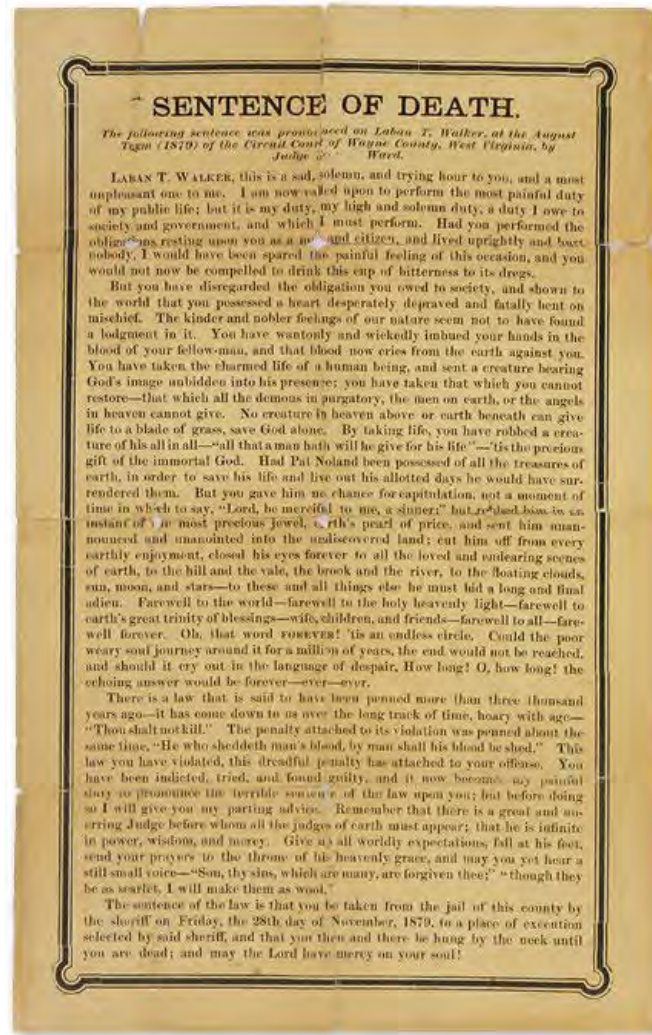
**3. [Broadside].
[Murder].**

Private Individual at the Bar.

Abr'm Prescott's Confession of the Murder of Mrs. Sally Cochran of Pembroke, N.H.--June 23, 1833. [Concord, NH.]: S.n., 1836.

17" x 11-1/2" broadside. Two-columns of verse in twenty stanzas within woodcut ornamental border, text headed by large woodcut vignette of a coffin. Light browning and a few minor stains, faint horizontal and vertical fold line, chipping to edges, section lacking from bottom margin, just touching bottom right corner of border, a few tears along fold lines with no loss to text, later repairs to verso. \$2,500.

* Abraham Prescott was found guilty of the murder of Sally Cochran in two separate trials held in Concord in September 1834 and September 1835. Despite a well-crafted insanity defense, he was sentenced to be hanged on December 23, 1835, in Hopkinton, New Hampshire. The execution was postponed to January 6, 1836. The verse account in this broadside presents the murder as a crime of passion: "Oh! lust, accursed lust! 'twas this for which I did the deed; Forfeiting heaven, and life, and bliss, Forfeiting all I need." See McDade, *The Annals of Murder* 769. OCLC locates 7 copies (American Antiquarian Society, Brown, Dartmouth, Harvard, Peabody Essex Museum, University of Michigan, Yale). [Order This Item](#)



**Broadside Relating to an 1879
Execution in Wayne County, West Virginia**

4. [Broadside].

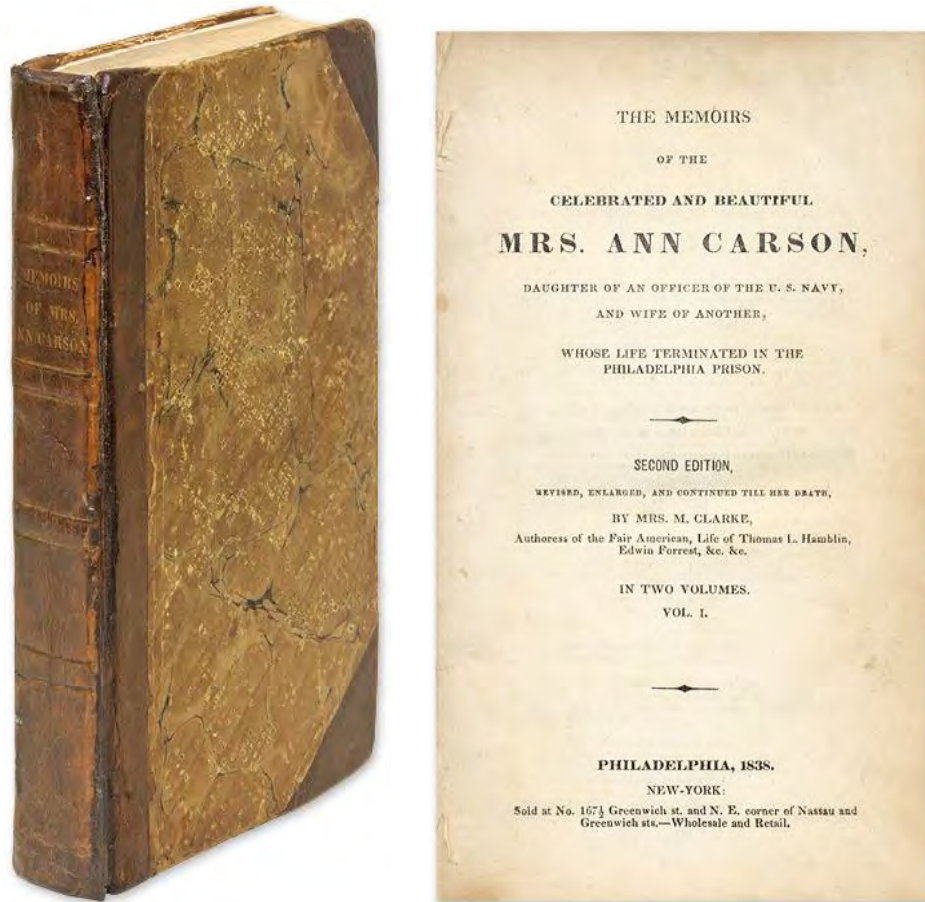
[Trial].

[Walker, Laban T. (1879)].

Sentence of Death, The Following Sentence was Pronounced on Laban T. Walker, At the August Term (1879) of the Circuit Court of Wayne County, West Virginia, By Judge [S.D.] Ward. [Wayne County, WV: S.n., 1879].

17" x 10-3/4" broadside. Single-column text below headline within ruled border. Light browning, vertical and horizontal fold lines, a few small holes with minor loss to text, some tears along fold lines, a few minded on verso with cellotape. \$650.

* Complete text of the death sentence pronounced by Judge Ward, an interesting text rich in biblical references. On August 21, 1878, Walker shot Patrick Nolan. In the following year Walker was found guilty of first degree murder and sentenced to hang. On November 28, 1879, an enormous crowd witnessed the execution. According to a commemorative article in the Wayne County News (February 7, 1924), the execution had a carnival-like atmosphere and was the only civil execution to occur in Wayne County. No copies located on OCLC. [Order This Item](#)



A Fascinating and Enterprising Nineteenth-Century Female Criminal

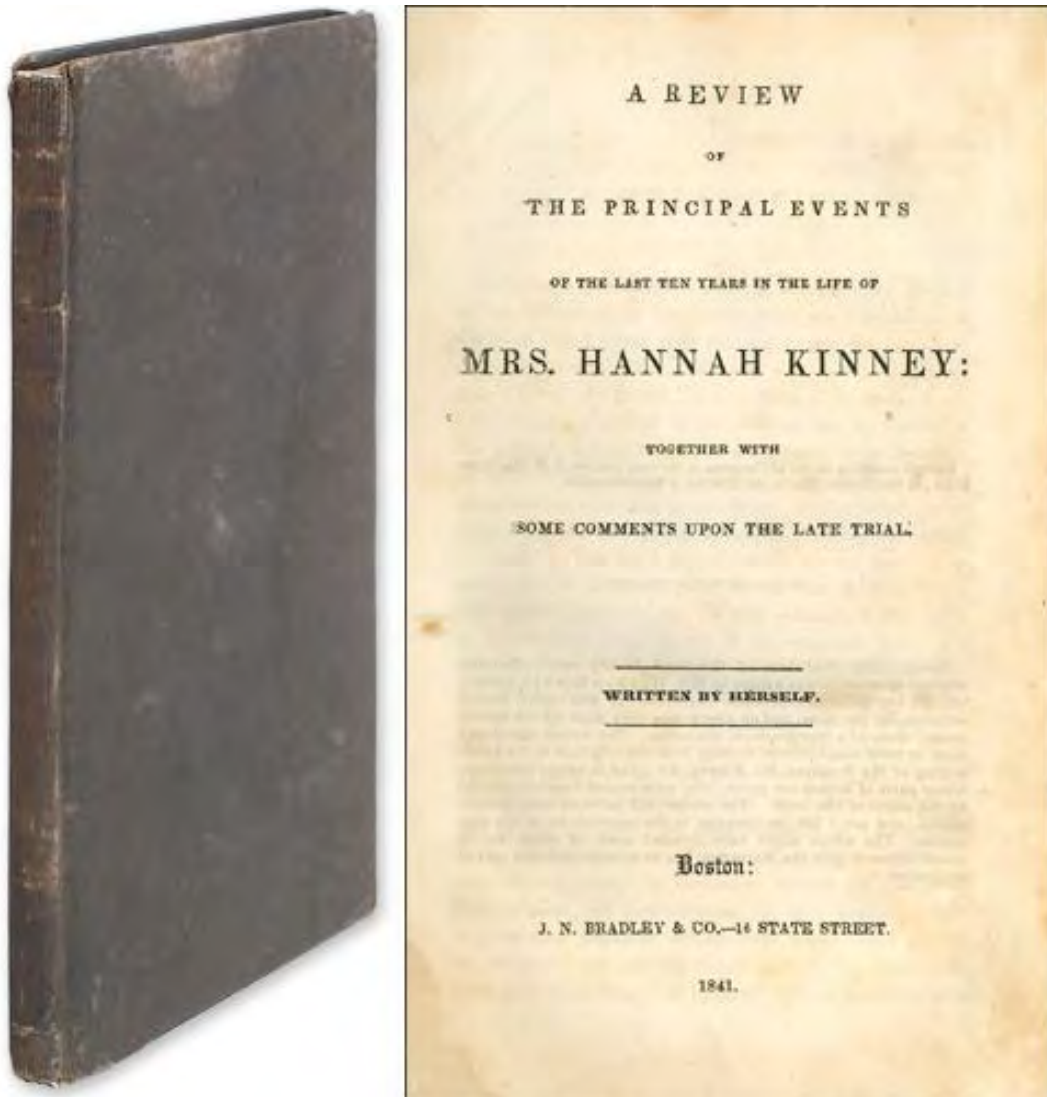
5. Carson, Ann Baker.

Clarke, Mrs. M.

The Memoirs of the Celebrated and Beautiful Mrs. Ann Carson, Daughter of an Officer of the U.S. Navy, And Wife of Another, Whose Life Terminated in the Philadelphia Prison. Second Edition, Revised, Enlarged, And Continued Till Her Death, by Mrs. M. Clarke, Authoress of The Fair American, Life of Thomas L. Hamblin, Edwin Forrest, &c. &c. Philadelphia, 1838. New York: Sold at No. 167 1/2 Greenwich St. and N.E. Corner of Nassau and Greenwich Sts.--Wholesale and Retail. 1838. Two volumes in one. xiii, [2], 16-231, [1]; [iii], 6-175, [1] pp. Last page in each volume blank. 12mo. (7-1/4" x 4-1/4").

Contemporary three-quarter calf over marbled boards, rebacked retaining existing spine, endpapers renewed, title page and following leaf re-hinged. Light rubbing to boards, small scuff to front board, moderate rubbing to extremities with wear to corners. Moderate toning to text, light foxing in a few places. An appealing copy of a rare title. \$1,500.

* Second and best edition. "The Carsons had been married nine years when John Carson left home in 1810. Not having heard from him for two years, his wife married [Richard] Smith. Carson returned and, in trying to dispossess Smith of his wife and home, was shot by Smith. The judge practically directed Smith's conviction and he was hanged. Mrs. Carson, who was a rugged individual in her own right, tried to kidnap the governor to save Smith. After his execution she joined a gang of counterfeiters and subsequently died in prison" (McDade). This account went through two editions, both in 1838. The second edition is better because it contains additional material, as indicated by the title. Both editions are rare. OCLC locates no copies of the first edition, 4 of the second (American Antiquarian Society, New-York Historical Society, University of Michigan, Yale University). McDade, *The Annals of Murder* 888. [Order This Item](#)



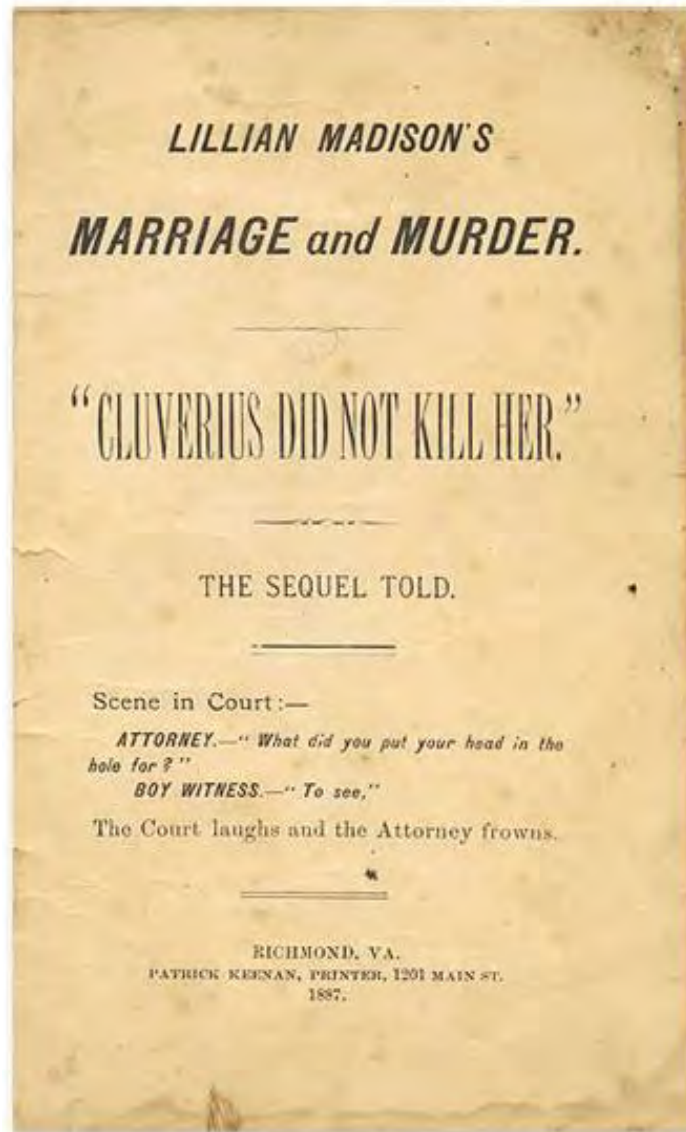
Mrs. Kinney Defends Herself

6. Kinney, Hannah.

A Review of the Principal Events of the Last Ten Years in the Life of Hannah Kinney: Together with Some Comments Upon the Late Trial. Written by Herself. Boston: J.N. Bradley & Co., 1841. 87 pp. Octavo (7" x 4-1/2").

Contemporary cloth, rubbing with some wear to extremities, front hinge starting, front free endpaper lacking. Faint dampstaining to foot of text block near gutter, occasional light foxing, internally clean. \$200.

* Only edition. When Mr. Kinney died of arsenic poisoning, Mrs. Kinney's suspicious behavior brought her to trial. She was acquitted. According to McDade, there is a related work entitled *A Brief Notice of the Life of Mrs. Hannah Kinney for Twenty Years* by Ward Witham, her first husband, who reports that she never tried to poison him. McDade, *The Annals of Murder* 561. [Order This Item](#)



Cluverius Defended by a Friend of the Family, McDade 194

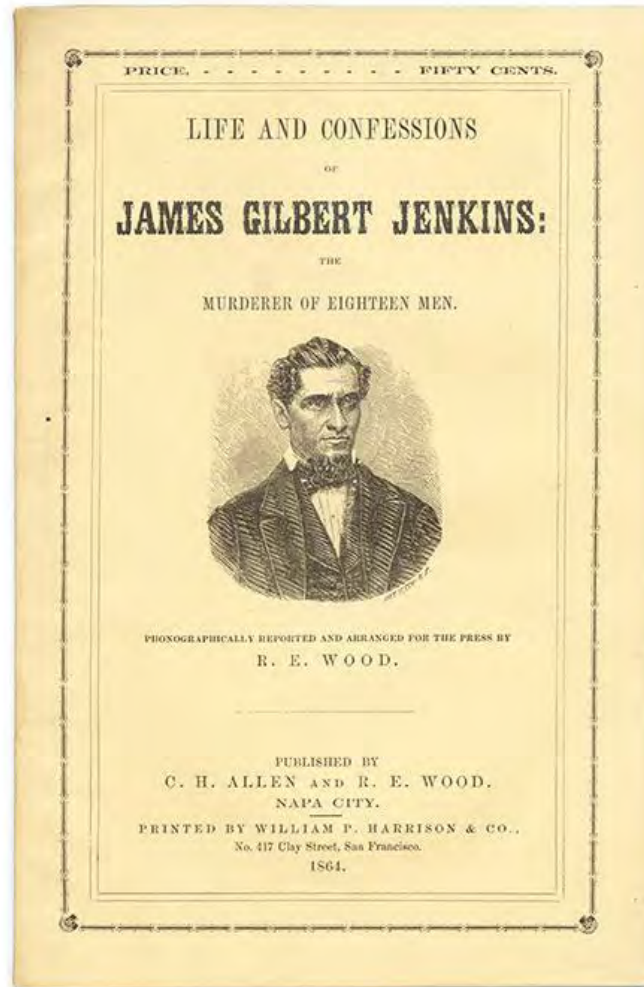
7. [Leigh, Phillip].

[Cluverius, Thomas J. (1861-1887), Defendant].

Lillian Madison's Marriage and Murder: Cluverius Did Not Kill Her. The Sequel Told. Richmond, VA: Patrick Keenan, Printer, 1887. 29 pp. Octavo (7-3/4" x 5").

Stab-stitched pamphlet in printed wrappers. Some soiling, staining and edgewear, toning and light foxing to text. Early signatures to front cover, internally clean. A solid copy of a rare title. \$650.

* Only edition. Dedicated to Willie Cluverius, this is a defense by a friend of the Cluverius family. Cluverius had a secret romantic relationship with his cousin, Lillian Madison. "He finally had her come to Richmond, where he murdered her and threw her body into the reservoir. He was quickly traced, tried, and executed" (McDade). OCLC locates two copies (at the New-York Historical Society and the University of Michigan, Clements Library). McDade, *The Annals of Murder* 194. [Order This Item](#)



"It was Only His Slipshod Performance that Bothered Him": McDade 514

8. [Murder].

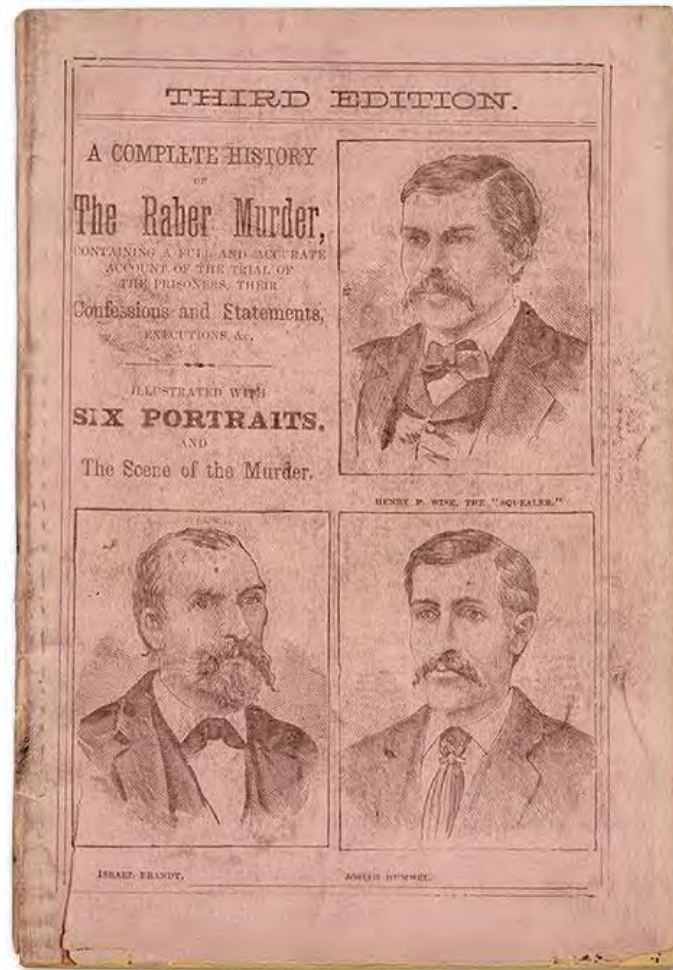
Jenkins, James Gilbert [1834-1864].

Wood, R.E. Reporter and Editor.

Life and Confessions of James Gilbert Jenkins: The Murderer of Eighteen Men. Containing an Account of the Murder of Eight White Men and Ten Indians; Together with the Particulars of Highway Robberies, the Stealing of Several Horses, And Numerous Other Crimes as Narrated by Himself to Col. C.H. Allen, Sheriff of Napa County, While in Jail Under Sentence of Death for the Murder of Patrick O'Brien. Napa City, CA: C.H. Allen and R.E. Wood, 1864. 56 pp. Two woodcut illustrations, 1 full-page. Octavo (9" x 6").

Stab-stitched pamphlet in pictorial wrappers. Negligible rubbing to extremities, minor wear to head of spine, light toning to text. A well-preserved near fine copy. \$350.

* First edition. "O'Brien's wife wanted him out of the way, and Jenkins obliged, burying O'Brien in the woods. Like many before him, when discovered, he charged his plight to liquor. 'That whiskey that I drank,' he said, 'the morning before I shot O'Brien was what caused me to do it when I did, and in so careless a manner.' The deed caused him no regrets; it was only his slipshod performance that bothered him.": McDade, *The Annals of Murder* 514. *Six-Guns and Saddle Leather* 2240. Howes, *USIana* W-635. [Order This Item](#)



"Six of Them Banded Together to Collect Some Life Insurance"

9. [Murder].

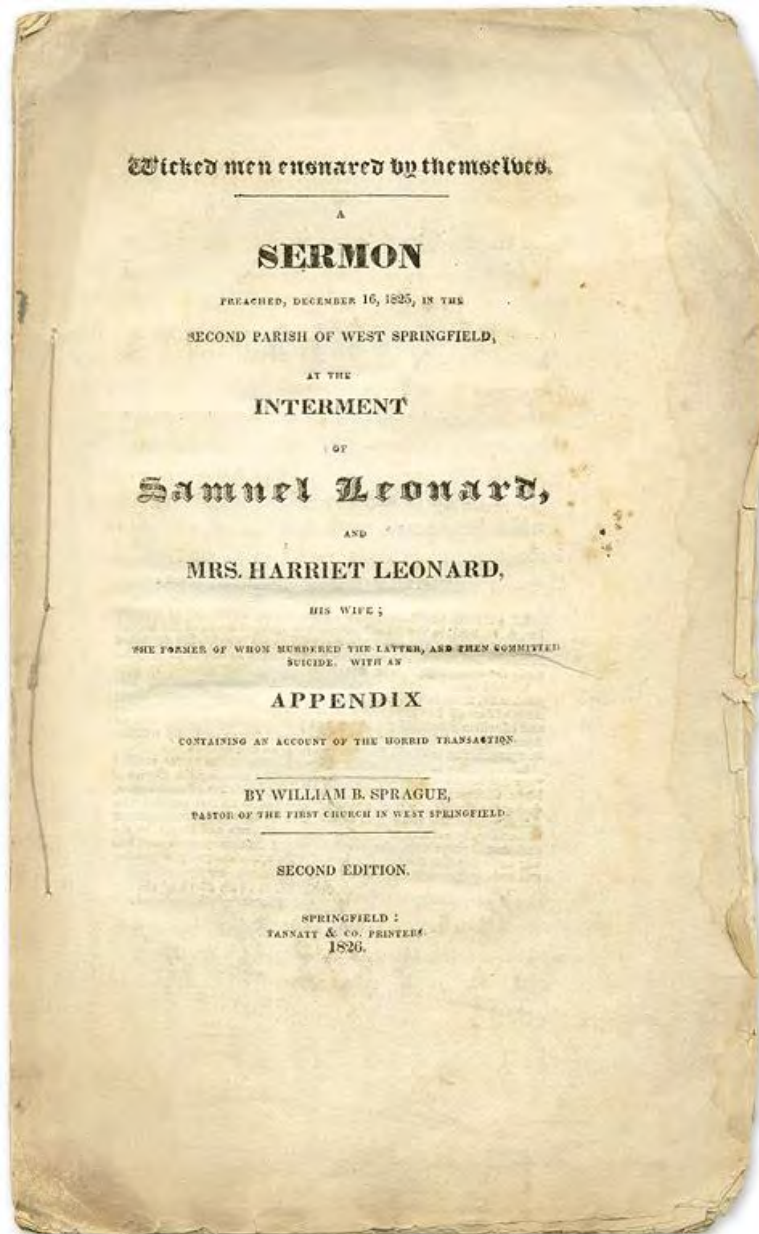
[Raber, Joseph].

The Raber Murder, Containing a Detailed and Accurate Account of the Murder of Joseph Raber, By Drowning in Indiantown Creek, Union Township, Lebanon Co., PA., On the 7th of December, 1878, For the Insurance Money upon His Life. With Illustrations and Results of the Trial and Conviction of the Six Men for the Crime, Also, Full History of Their Lives and Confessions. Lebanon, PA: C.M. Bowman, 1880. 52 pp. One woodcut plate (of crime scene with inset image of execution). Six woodcut text images (of the murderers). Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in pictorial wrappers. Light soiling, some wear to spine ends and corners, a few minor chips to edges, clean tear to lower margin of front wrapper near spine, rear wrapper just beginning to detach, light browning to text. \$350.

* Third (stated) edition. Raber was a "feeble old man who lived among the woodcutters of Lebanon County, Pennsylvania. Six of them banded together to collect some life insurance and selected him as their victim" (McDade). Of the six, five were convicted and hanged. This account brings the story up through the execution of the final three conspirators in the spring of 1880. It also includes biographical sketches of the conspirators, extracts from testimony, two lengthy written confessions, the judge's charge and an account of the executions." McDade, *The Annals of Murder* 782.

[Order This Item](#)



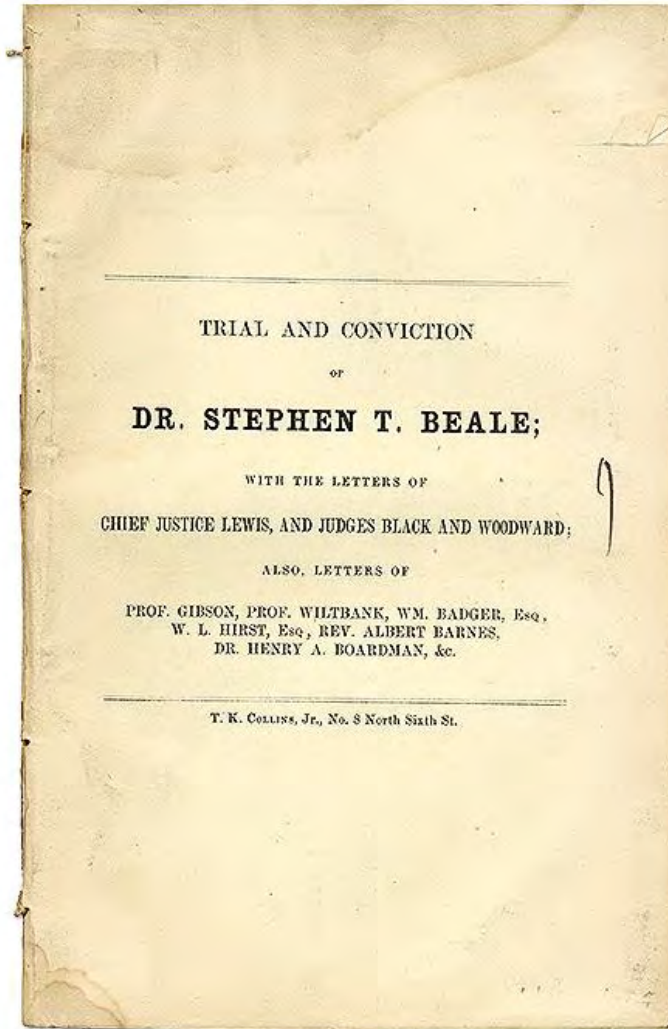
Wicked Men Ensnared by Themselves, McDade 601.

10. Sprague, William Buell [1795-1876].

Wicked Men Ensnared by Themselves: A Sermon Preached, December 16, 1825 in the Second Parish of West Springfield, At the Interment of Samuel Leonard, And Mrs. Harriet Leonard, His Wife; The Former of Whom Murdered the Latter, And then Committed Suicide. Springfield, MA: Tannatt & Co., Printers, 1826. [iii], 4-44 pp. Octavo (9-3/4" x 5-3/4").

Stab-stitched pamphlet, untrimmed edges. Toning, light soiling and faint dampstain to title page, internally clean. \$150.

* First edition. After threatening several times to do so, Leonard killed his wife with an ax and then cut his own throat": McDade, *The Annals of Murder* 601. [Order This Item](#)



Raped Under Anesthesia by Her Dentist

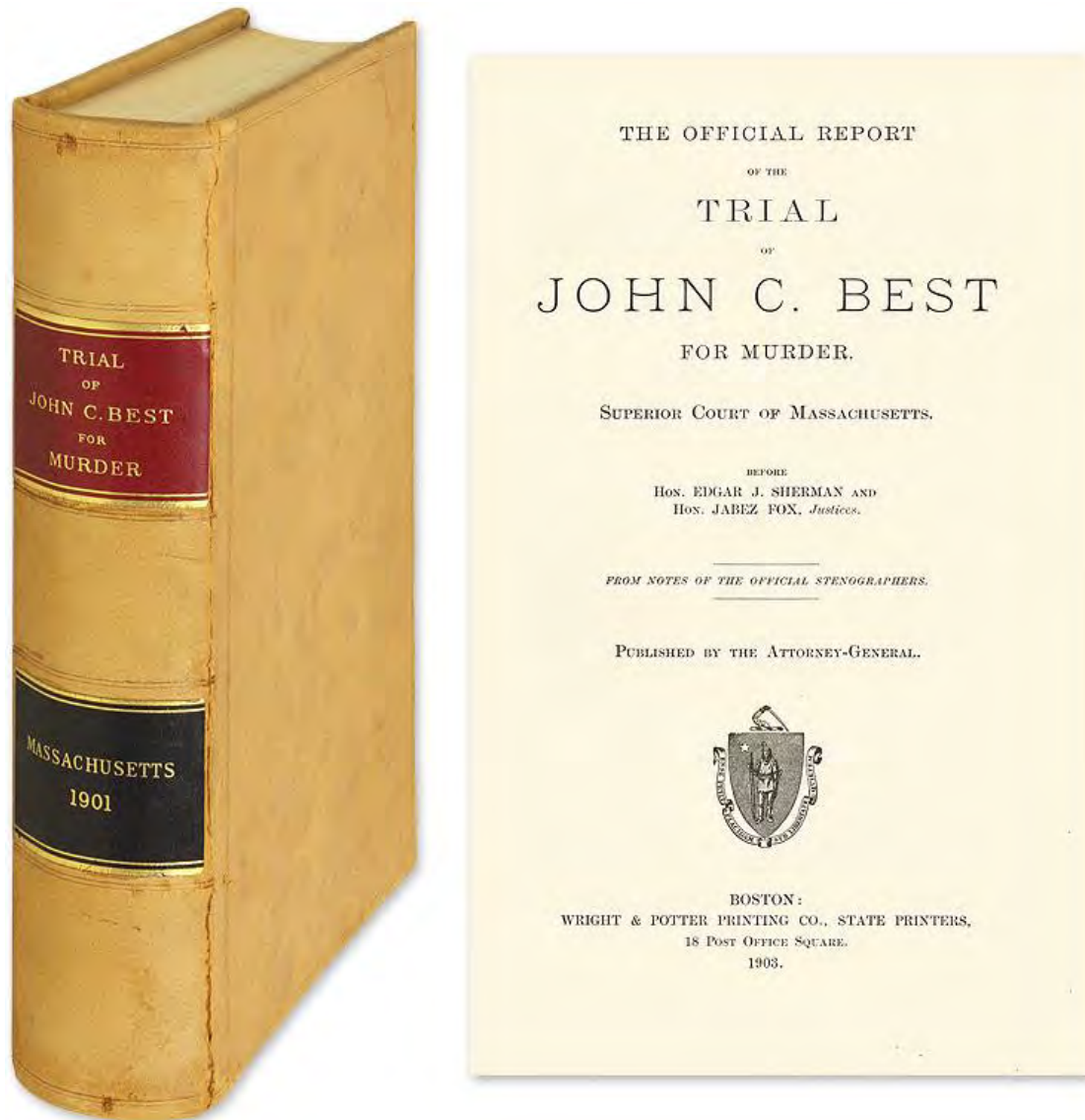
11. [Trial].

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. \$750.

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



A Trial Discussed by Wigmore

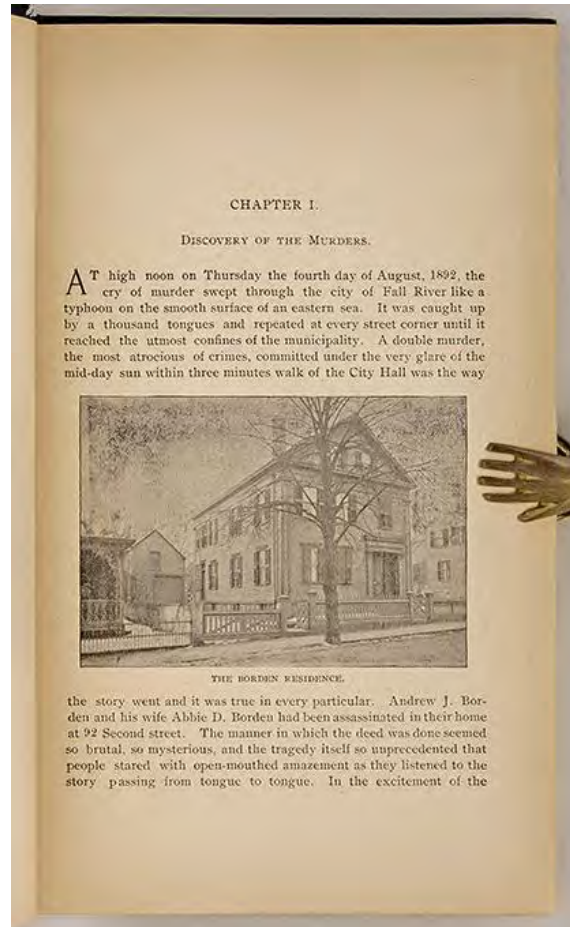
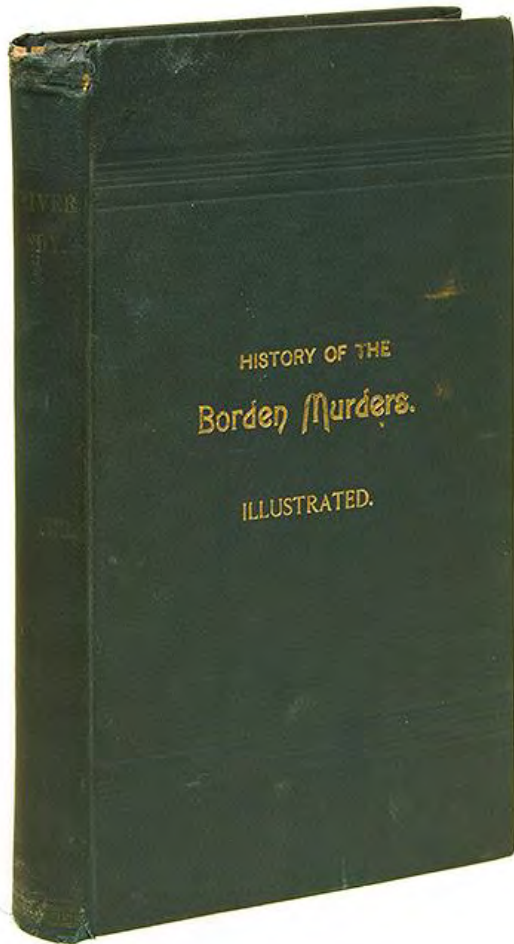
12. [Trial].

Best, John C. [1865-1902], Defendant.

The Official Report of the Trial of John C. Best for Murder. Superior Court of Massachusetts. Before Hon. Edgar J. Sherman and Hon. Jabez Fox, Justices. From Notes of the Official Stenographers. Boston: Wright & Potter Printing Co., State Printers, 1903. 863 pp. Octavo (8" x 5").

Original law calf, red and black lettering pieces to spine. Light rubbing to extremities, front hinge cracked but secure, front board starting, internally pristine. \$95.

* First edition. John C. Best was indicted for the murder of George E. Bailey in 1901. He was convicted of first degree murder and sentenced to death in the electric chair. According to Wigmore, this is "a good example of a trial for assassination motivated by hostility." Wigmore, *The Principles of Judicial Proof* 1171. [Order This Item](#)



Lizzie Borden Took an Axe...

13. [Trial].

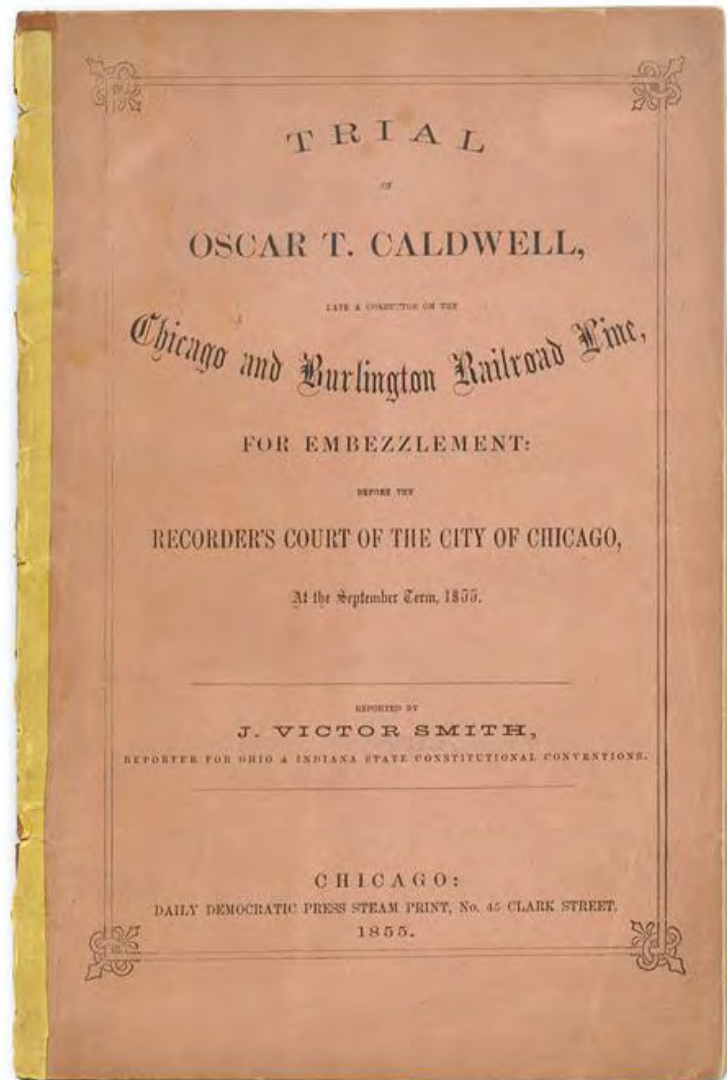
[Borden, Lizzie (1860-1927), Defendant].

Porter, Edwin, H., Reporter.

The Fall River Tragedy: A History of The Borden Murders. A Plain Statement of the Material Facts Pertaining to the Most Famous Crime of the Century, Including the Story of the Arrest and Preliminary Trial of Miss Lizzie A. Borden and a Full Report of the Superior Court Trial, with a Hitherto Unpublished Account of the Renowned Trickey-McHenry Affair Compiled from Official Sources and Profusely Illustrated with Original Engravings. Fall River, MA: J.D. Munroe, 1893. 312 pp. Photographs and line illustrations. Octavo (9" x 5-3/4").

Original cloth, blind rules to boards, gilt titles to front board and spine, patterned endpapers. Some fraying to spine ends, most of lettering rubbed away from spine, corners bumped, hinges cracked, light browning to text, tiny label to front pastedown, owner stamp and brief annotation to verso of title page. \$450.

* Only edition. McDade says this is "the basic book on the case." Compiled nearly contemporaneously with Borden's sensational trial, the author aims to provide "a connected story of the whole case, commencing with the day of the tragedy and ending with the day that Miss Borden was set free." He touches on such topics as the discovery of the murders, the adjournment of the preliminary hearing and some of the many theories that were advanced before any arrests were made. Porter was the police reporter of the *Fall River Globe*. This book is uncommon. Some have speculated that Borden bought and destroyed much of the original print run. McDade, *The Annals of Murder* 117. [Order This Item](#)



Brought to Justice by the Pinkertons

14. [Trial].

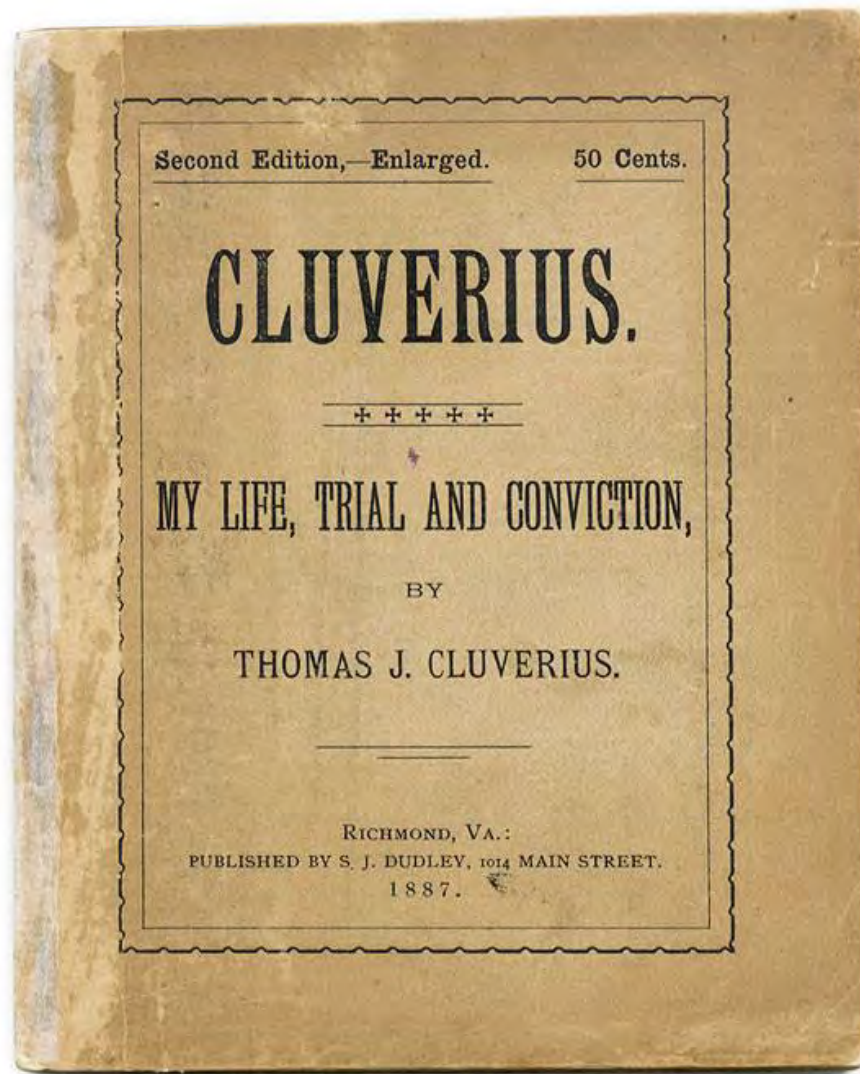
Caldwell, Oscar T., Defendant.

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](#)



Augmented Edition of Cluverius's Account of His Life and Trial

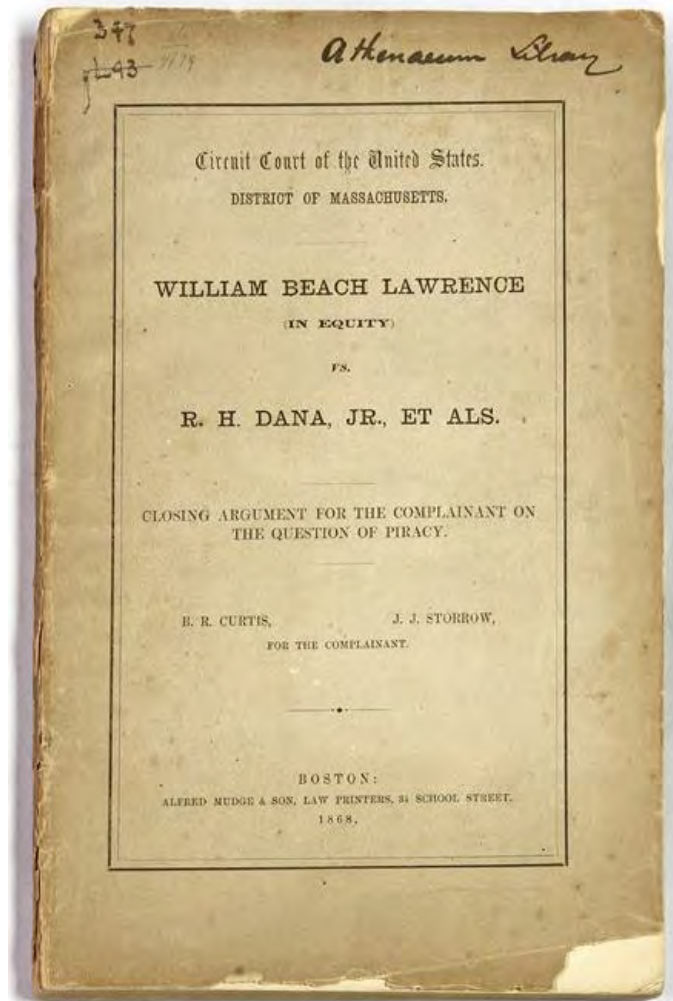
15. [Trial].

Cluverius, Thomas J. [1861-1887].

Cluverius. My Life, Trial and Conviction. Enlarged. Richmond: Published by S.S. Dudley, 1887. 128 pp. Quarto (5-3/4" x 4-1/2").

Printed wrappers. Light soiling, light rubbing to extremities, spine reinforced with archival tape, light toning to interior. Ex-library. Small inkstamp to verso of front wrapper, shelf mark to verso of title page. A well-preserved copy. \$150.

* Second edition. "Cluverius came from one of the 'better' Virginia families. He had married Lillian Madison, a country girl, but had kept the marriage a secret from his family and friends. He finally had her come to Richmond, where he murdered her and threw her body into the reservoir. He was quickly traced, tried, and executed" (McDade). Both editions of Cluverius's memoir were published in 1887. The second edition adds an account of his execution. Both editions are scarce. McDade, *The Annals of Murder* 193. [Order This Item](#)



A Protracted Plagiarism Case Against Richard Henry Dana

16. [Trial].

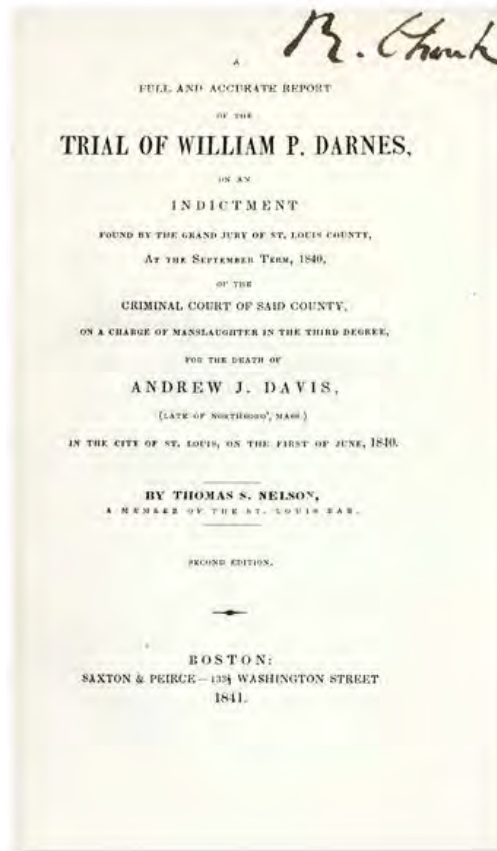
Curtis, Benjamin Robbins [1809-1874].

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

Circuit Court of the United States. District of Massachusetts. William Beach Lawrence (in Equity) vs. R.H. Dana, Jr., Et Als. Closing Argument for the Complainant on the Question of Piracy. B.R. Curtis, J.J. Storrow, *For the Complainant on the Question of Piracy.* Boston: Alfred Mudge & Son, 1868. vii, [3]-255 pp. Octavo (10-1/2" x 7").

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

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



Rufus Choate's Copy

17. [Trial].

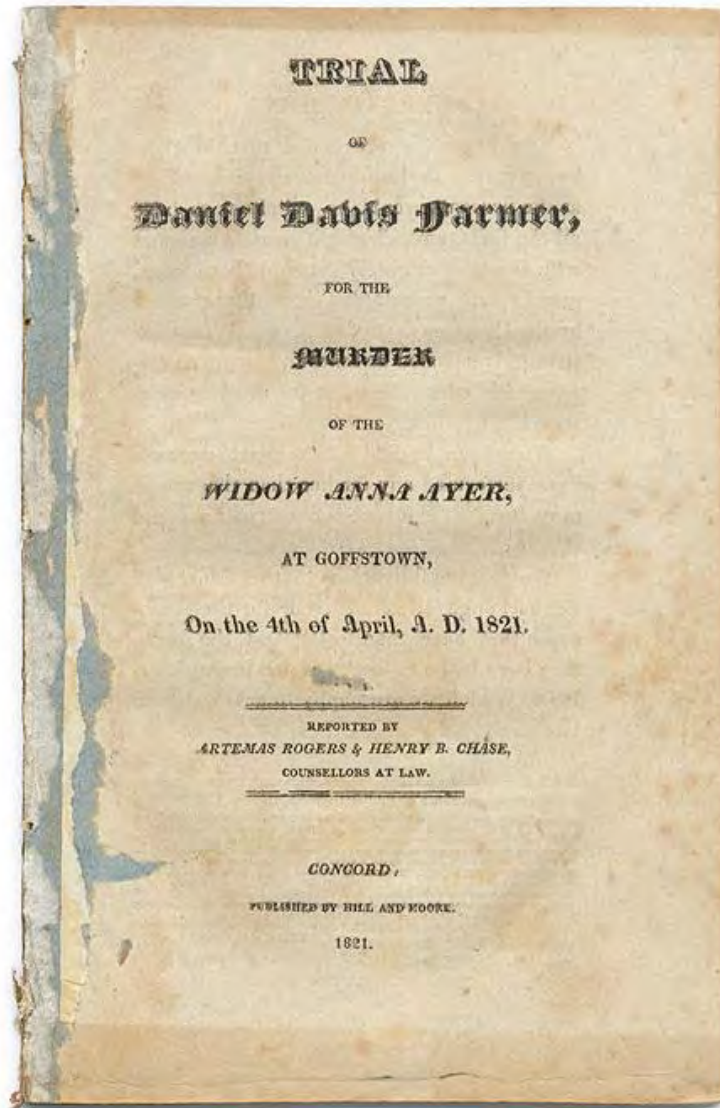
Darnes, William P., Defendant.

Nelson, Thomas S., Reporter.

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

Stab-stitched pamphlet in printed wrappers, untrimmed edges. A few chips to extremities, front joints starting, some wear to foot of spine, interior notably bright. "R. Choate" to head of front wrapper and title page, interior otherwise clean. \$450.

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



He Beat Her to Death with a Shovel

18. [Trial].

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

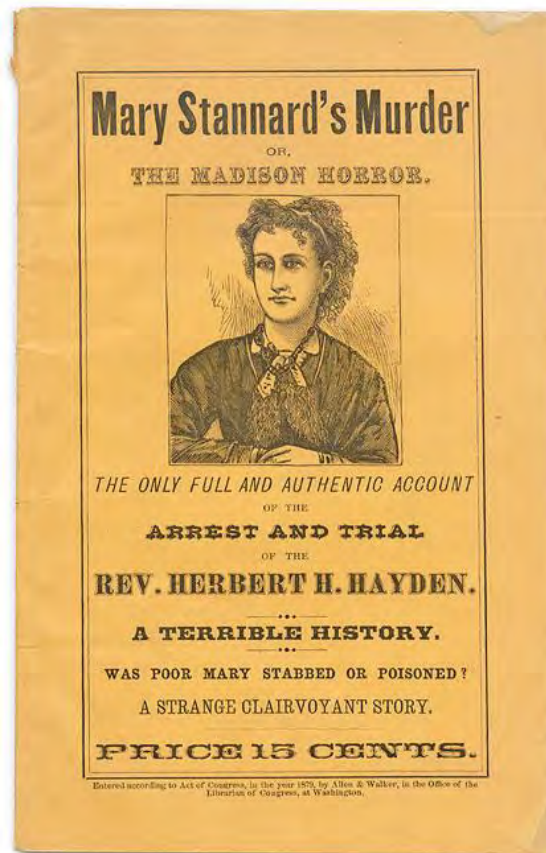
Rogers, Artemas, Reporter.

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. \$400.

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



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

19. [Trial].

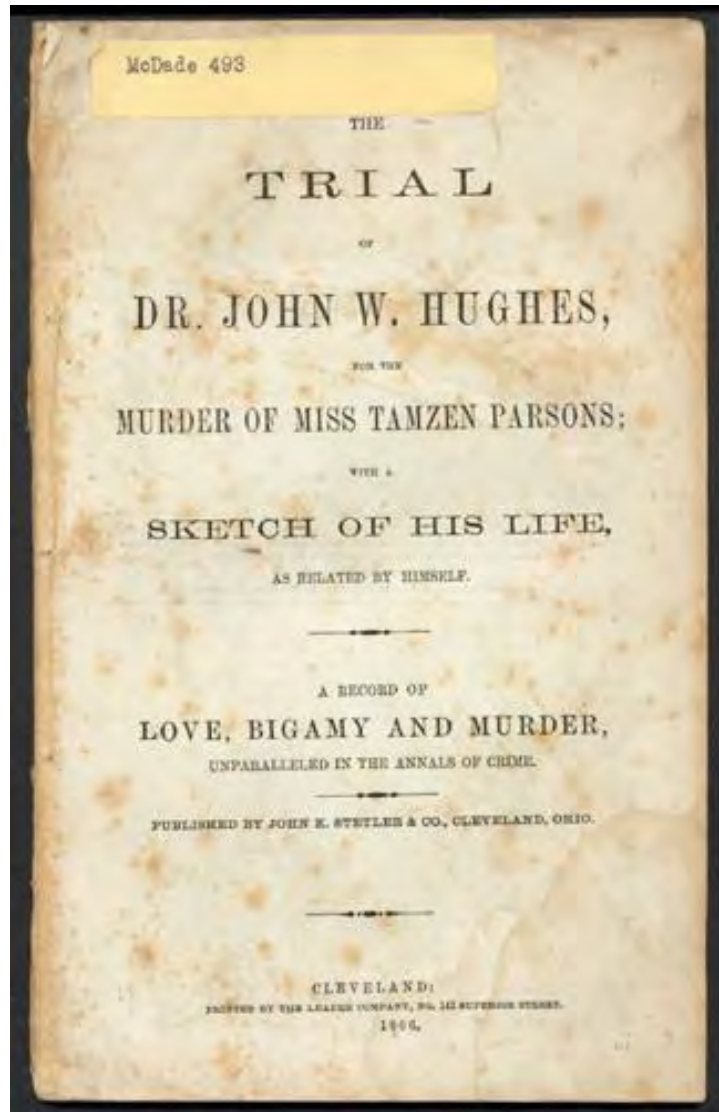
[Hayden, Herbert H. (b.1850), Defendant].

Stannard, Mary [1856-1878].

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

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

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



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

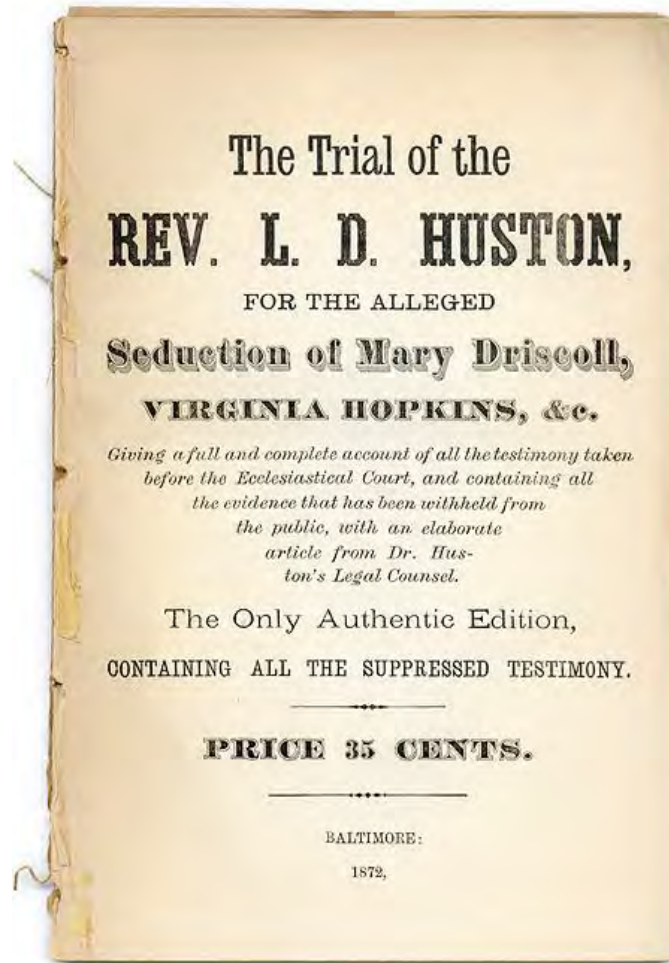
20. [Trial].

Hughes, Dr. John W., Defendant.

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

Stab-stitched pamphlet with printed back wrapper. Some wear to edges, occasional foxing and faint dampstaining. Small typed label stating--incorrectly--"McDade 493" to head of title page, internally clean. \$600.

* "Jealous and intoxicated, Hughes, on the streets of Bedford, Ohio, shot the seventeen year old girl he had seduced. At his execution, he spoke for fifteen minutes until the sheriff reminded him "Time is going." Then he dropped" (McDade). Our copy is not in McDade, which lists one with the following imprint: "Cleveland: John K. Stetler & Co., 1866." See McDade, *The Annals of Murder* 493. [Order This Item](#)



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

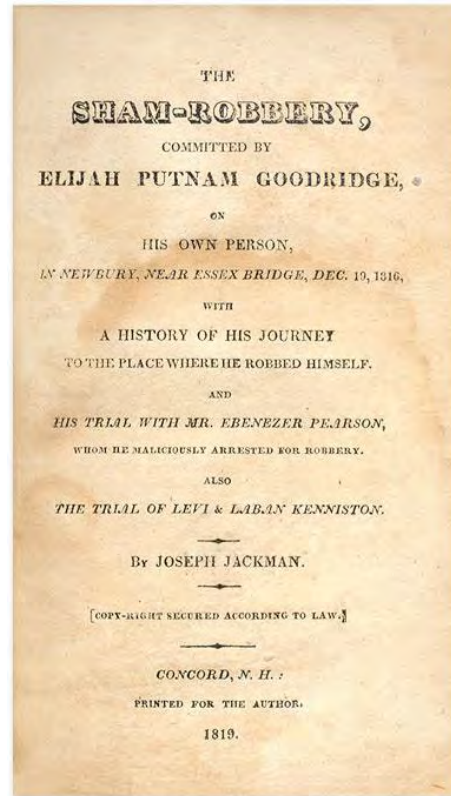
21. [Trial].

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. \$350.

* 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**

22. [Trial].

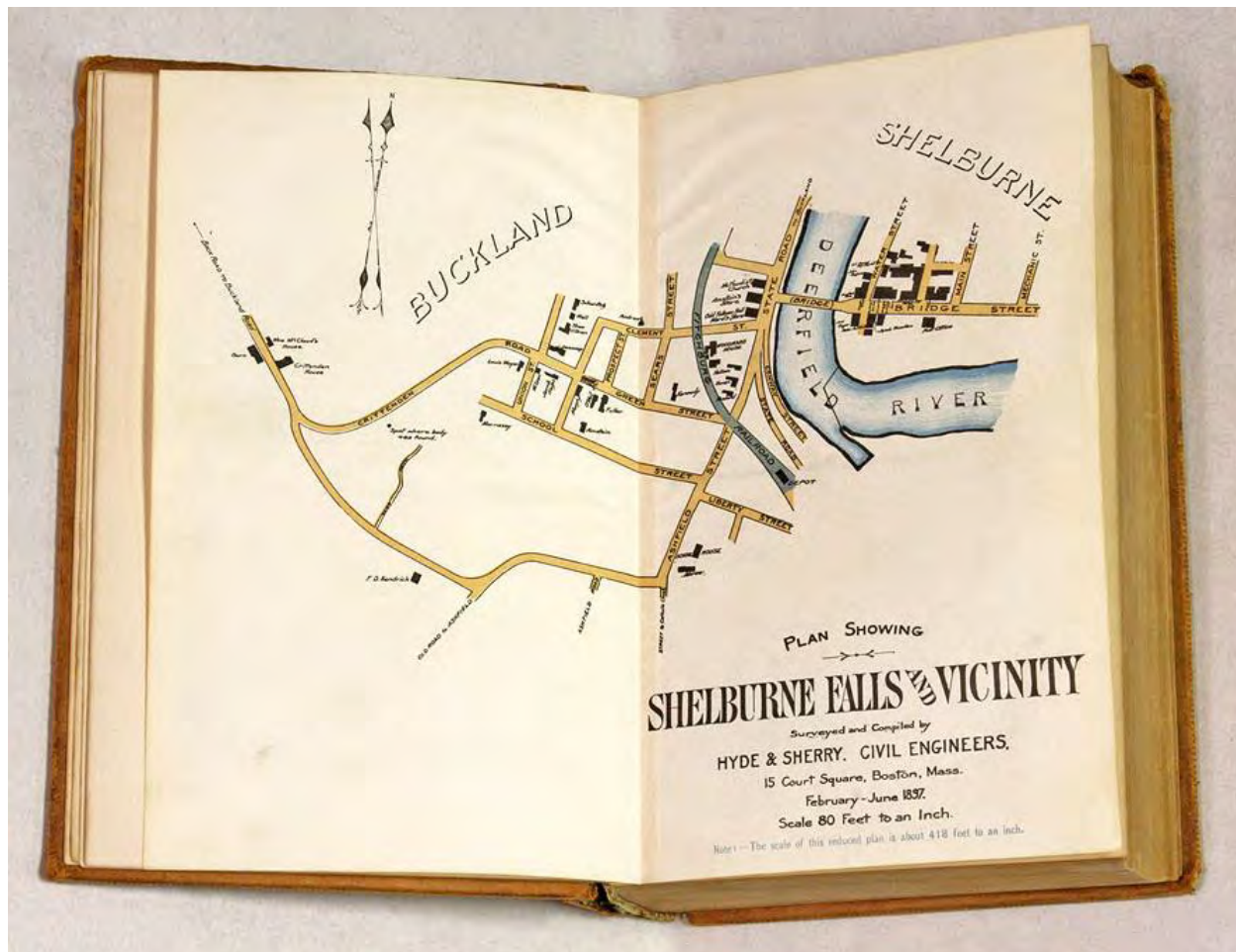
Jackman, Joseph.

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

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

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

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



Murder, Rape and Necrophilia on a Country Lane in Massachusetts

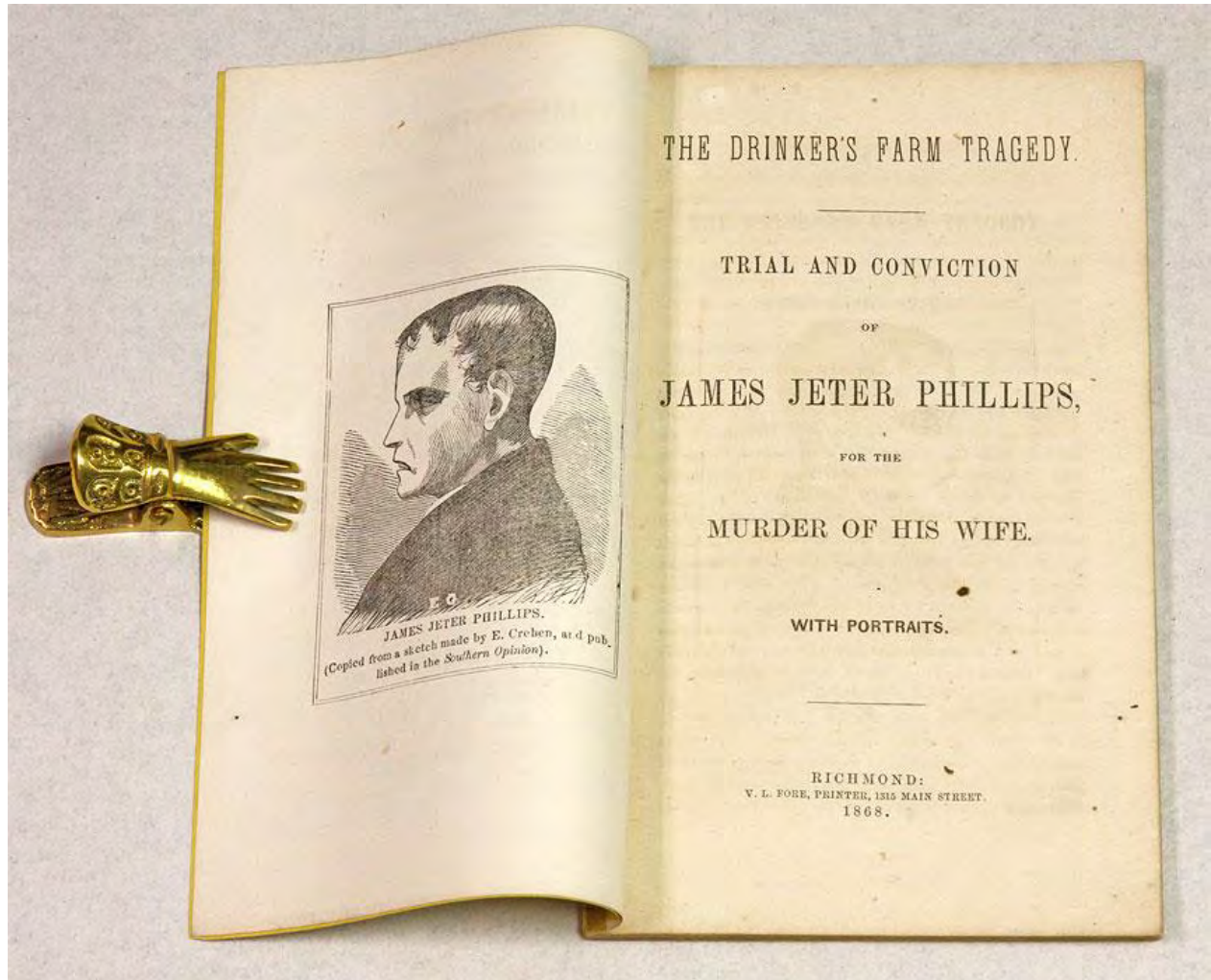
23. [Trial].

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

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

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

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



A Scarce McDade Item

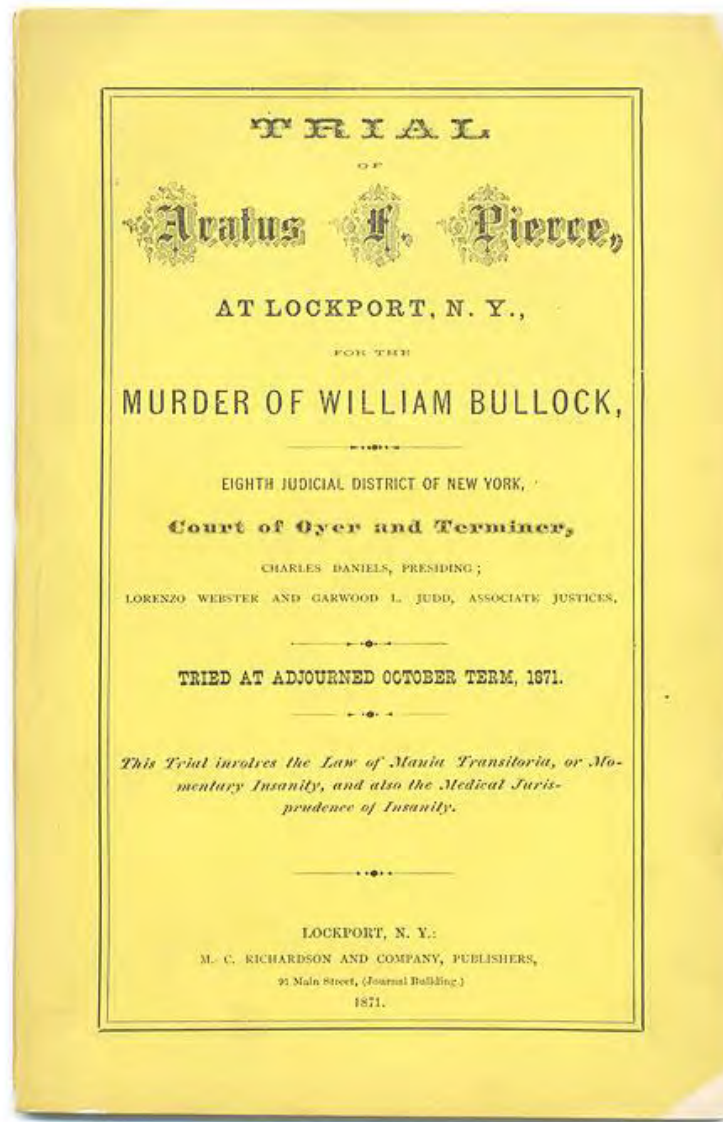
24. [Trial].

Phillips, James Jeter, Defendant.

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

Original printed wrappers, with advertisements for various Richmond businesses rear and inside front covers. Negligible light soiling and shelfwear, light toning to interior. An exceptionally well preserved copy. \$750.

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



A Successful "Mania Transitoria" Defense

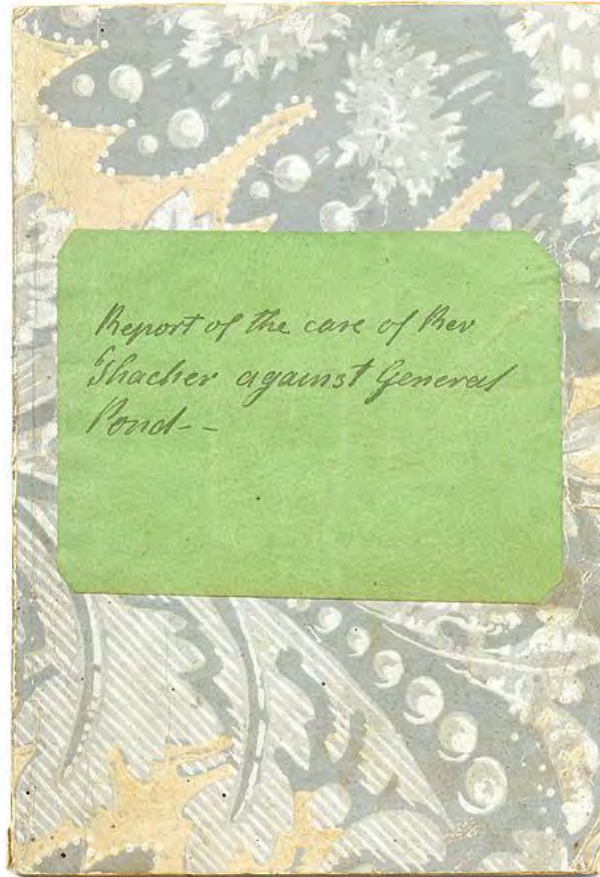
25. [Trial].

Pierce, Aratus F., Defendant.

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

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

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



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

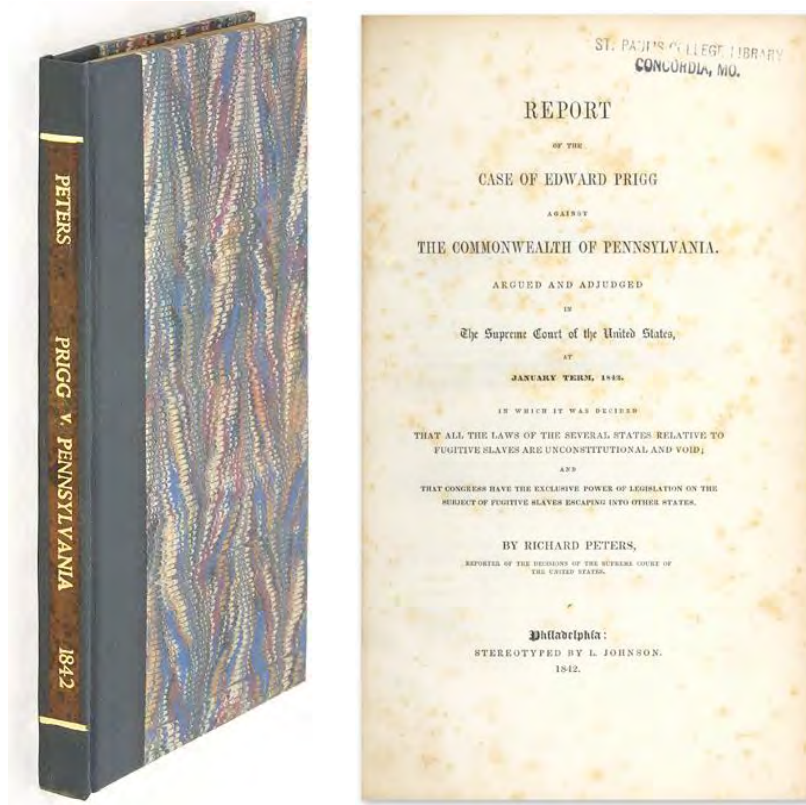
26. [Trial].

Pond, Preston [1792-1868], Defendant.

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

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

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



The Crucial Decision that Undercut the Fugitive Slave Act

27. [Trial].

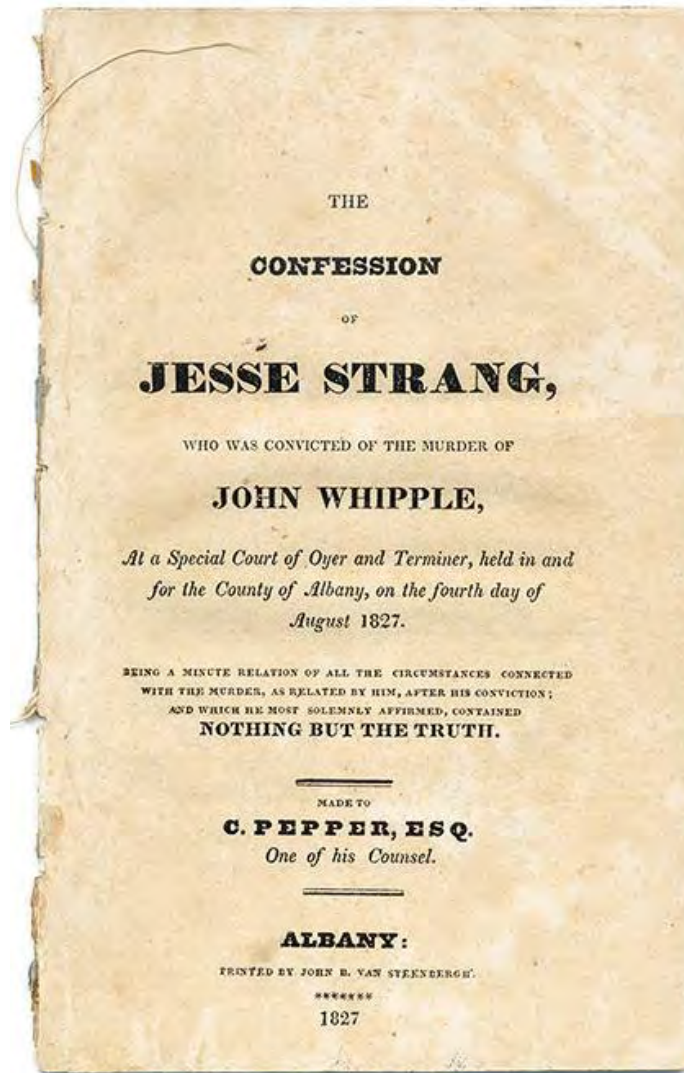
Prigg, Edward, Plaintiff in Error.

Peters, Richard [1780-1848], Reporter.

Report of the Case of Edward Prigg Against the Commonwealth of Pennsylvania. Argued and Adjudged in the Supreme Court of the United States, At January Term, 1842. In Which it was Decided That All the Laws of the Several States Relative to Fugitive Slaves are Unconstitutional and Void; And that Congress Have the Exclusive Power of Legislation on the Subject of Fugitive Slaves Escaping into Other States. Philadelphia: Stereotyped by L. Johnson, 1842. 140 pp. Octavo (9-3/4" x 6").

Recent quarter cloth over marbled boards, gilt title to spine. Light toning and foxing to text. Ex-library. Small inkstamps to edges and head of title page. A nice copy in a handsome binding. \$1,000.

* Only edition. A landmark in the history of American slavery, *Prigg v. Pennsylvania* was the first Supreme Court case to address the state and Federal laws concerning fugitive slaves, most notably the Federal Fugitive Slave Act of 1793. Prigg, a Maryland slave-catcher, apprehended Margaret Moran, an alleged fugitive slave, in Pennsylvania and brought her back to Maryland. Pennsylvania convicted him for kidnapping because he failed to obtain a state-mandated Certificate of Removal, a court document permitting the capture of a fugitive slave. The U.S. Supreme Court reversed the decision. In an opinion written by Justice Story, the Court held that Congress had the exclusive power to regulate the treatment of fugitive slaves. Thus Pennsylvania's requirement of a Certificate of Removal was illegal under the Constitution. The Court held that slave-catchers could seize alleged fugitives without judicial approval. However, and more important, the Court also said the Federal government lacked the authority to compel state officials to enforce the Fugitive Slave Act. In sum, *Prigg v. Pennsylvania* undercut the power of that act. Anger in the slave states over this decision led to the Compromise of 1850, which compelled the governments and residents of free states to enforce the capture and return of fugitive slaves. Finkelman, *Slavery in the Courtroom* 60-64. Cohen, *Bibliography of Early American Law* 13856. [Order This Item](#)



"Black, Unhallowed, Uncaused Crime": McDade 934

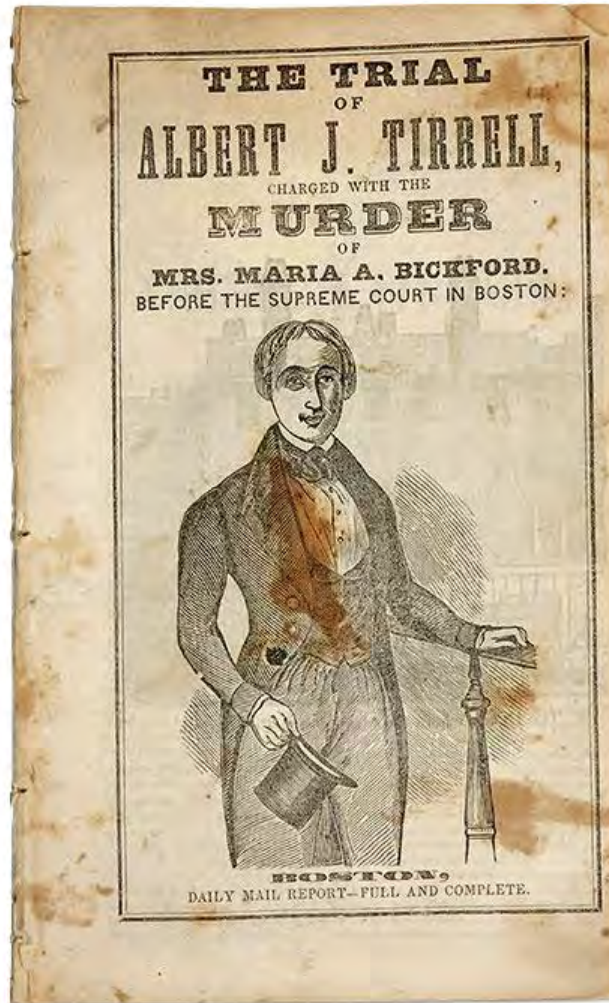
28. [Trial].

Strang, Jesse, Defendant.

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

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

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



Not in McDade

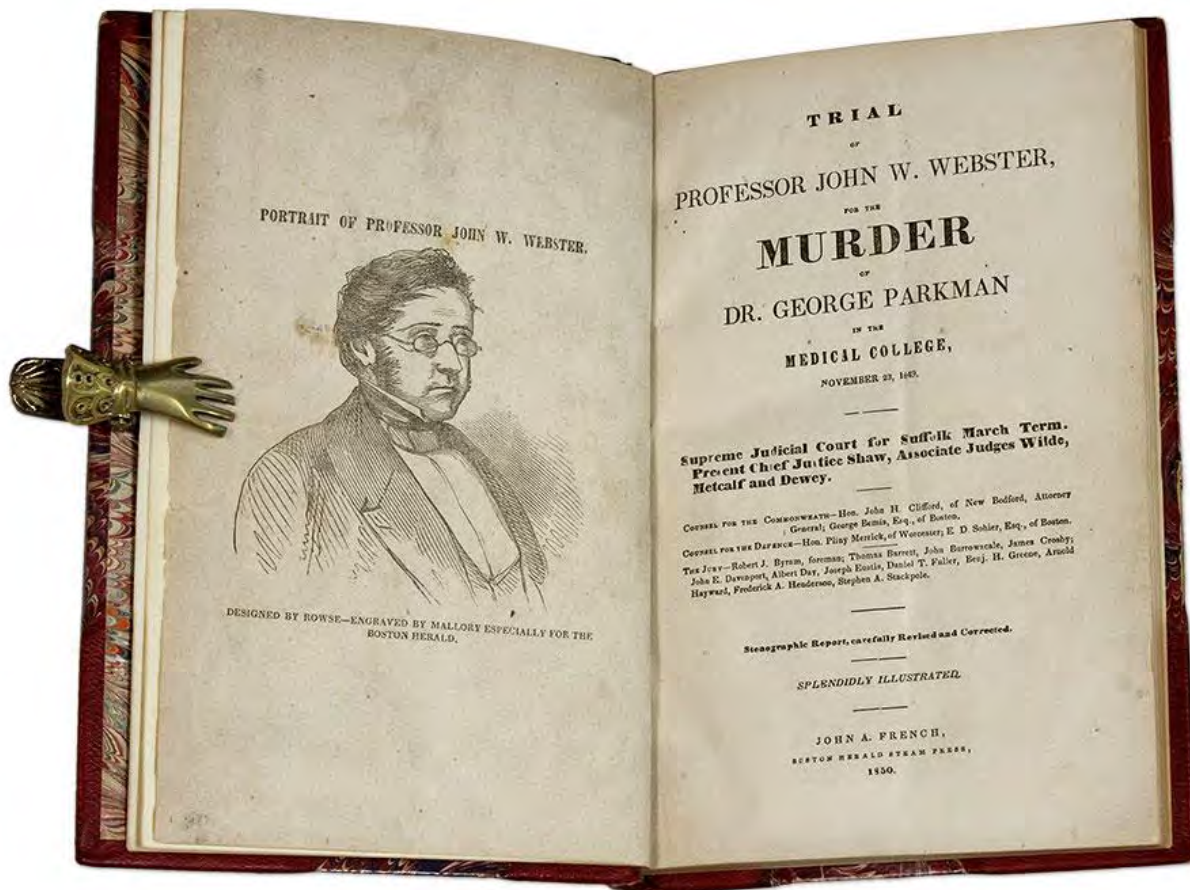
29. [Trial].

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](#)



Illustrated Account of
"America's Classic Murder"

30. [Trial].

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

Trial of Professor John W. Webster, For the Murder of Dr. George Parkman in the Medical College, November 23, 1849. Supreme Judicial Court for Suffolk, March Term, Present Chief Justice Shaw, Associate Judges Wilde, Metcalf and Dewey. (...) Stenographic Report, Carefully Revised and Corrected. Splendidly Illustrated. Boston: John A. French, Boston Herald Steam Press, 1850. 91, [1], [5] pp. Includes 3 pages of advertisements. 8 woodcut text illustrations, large woodcut frontispiece, 1 full-page woodcut. Main text in parallel columns. Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet bound into later three-quarter morocco over marbled boards, gilt title to spine, added marbled endpapers. Moderate rubbing to extremities, a few nicks to spine, light wear to corners. Faint vertical crease through center of text block, light toning to text, light foxing to a few leaves. \$250.

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