

1. **[Andrews, Samuel M.]: FULL REPORT OF THE TRIAL OF SAMUEL M. ANDREWS, FOR THE MURDER OF CORNELIUS HOLMES.** Plymouth: Memorial and Rock Press, 1868. 52pp. Stitched in original printed wrappers, with wrapper title, as issued. Near Fine.

The case resonates among today's hot-button political-social issues. "The oldest plea of homosexual panic in America seems to have been made in Massachusetts in 1868. Accused of killing a longtime friend, a young man named Samuel M. Andrews claimed that he had been driven into 'transitory insanity' when the friend pushed him down, tore open his pantaloons, and said, 'Now I'm going to have some, this time.' The word 'homosexual' wouldn't debut in English for almost another two decades, but a fear of homosexuality was already being presented as a justification for killing a gay man" [New Yorker, THE THEORY THAT JUSTIFIED ANTI-GAY CRIME, 26 June 2019].

"Holmes was beaten to death with stones by Andrews, whom he had named as his heir in his will. The defendant pleaded insanity and self-defense, for he had had to fight off Holmes' attempted act of sodomy" [McDade]. The case "generated a great deal of interest from the psychiatric and legal communities, including articles published in the American Journal of Insanity (Jarvis, 1869, 1870), the Boston Medical and Surgical Journal (Choate, 1869), and a book-length document titled, Report on the Trial of Samuel M. Andrews, Indicted for the Murder of Cornelius Holmes before the Supreme Judicial Court of Massachusetts (Davis, 1869), which contained the judges' rulings, the attorneys' speeches, and witness testimony" [Margolin, MADMAN IN THE CLOSET. 'HOMOSEXUAL PANIC' IN NINETEENTH CENTURY NEW ENGLAND. Journal of Homosexuality, December 2019. Available at online Omnilogos web site].

This pamphlet recounts "the tragic event that wrought the quiet village of Kingston to the highest intensity of excitement and horror." The testimony and evidence against Andrews, reviewed here, "swept away all hope of innocence, all claim to sympathy." In this casebook trial on the effect of mental illness upon the criminal law, Andrews was found guilty of manslaughter and sentenced to twenty years' imprisonment.

McDade12. (37609) \$1,500.00

2. **[Arnold, Stephen]: THE TRIAL OF STEPHEN ARNOLD, FOR THE MURDER OF BETSEY VAN AMBURGH, A CHILD SIX YEARS OF AGE; BEFORE THE COURT OF OYER AND TERMINER AND GENERAL GAOL DELIVERY, FOR THE COUNTY OF OTSEGO, AT THE COURT HOUSE IN COOPERSTOWN, JUNE 4TH, 1805.** PUBLISHED ACCORDING TO ACT OF CONGRESS. [Cooperstown?]: 1805. iv, 5-24 pp. Sidestitched, untrimmed [chipping along untrimmed edges, portions of a couple of letters affected], scattered foxing, couple of holes in blank portion of title leaf. Closed blank inner margin tears. Good.

This is the rare printing of a particularly gruesome murder. "Arnold was a schoolmaster in Cooperstown, New York, where his niece Betsy boarded with him. Because she could not pronounce the word 'gig,' he beat her severely, as a result of which she died. Arnold fled to Pittsburgh but was captured and returned" [McDade]. The great Chief Justice James Kent presided at Arnold's jury trial. This is the rarest of several pamphlets recording the sensational trial. It begins with the indictment and the impaneling of the jury. Witnesses described the brutality of the beatings.

The arguments of counsel are followed by Chief Justice Kent's charge to the jury. "His honor recapitulated the testimony of the several witnesses, and observed that, after duly

weighing and carefully comparing the same, and considering the time expended in the transaction, an hour and a half, and the seven intervals, affording time and opportunity for reflection, and that the barbarous severity of the scourging, had occasioned the death of the child, he was inclined to consider it murder-- his honor, however, wished, and enjoined it on, the Jurors to judge for themselves, as he had no wish that they should be influenced or biased by his opinion."

The verdict of course was guilty of murder. After all, as the Chief said, "she died, because she did not pronounce the word gig or jig, as he thought proper -- he had whipped her seven times, and was an hour and an half employed in the horrid transaction..."

Cohen 12291 [Cohen listing only 23 pages]. McDade Numbers 24-30 do not record this imprint; nor does American Imprints [see AI 7883, 9083]. 163 Eberstadt 347 records a Newark 1806. Not located at the online sites of AAS, NYPL, NYHS.

(37731) \$850.00

3. **Avery, Ephraim:** TRIAL OF REV. MR. AVERY. A FULL REPORT OF THE TRIAL OF EPHRAIM K. AVERY, CHARGED WITH THE MURDER OF SARAH M. CORNELL, BEFORE THE SUPREME COURT OF RHODE ISLAND, AT A SPECIAL TERM IN NEWPORT, HELD IN MAY 1833...WITH ALL THE INCIDENTAL QUESTIONS RAISED IN THE TRIAL CAREFULLY PRESERVED, THE TESTIMONY OF THE WITNESSES NEARLY VERBATIM, AND THE ARGUMENTS OF COUNSEL...REPORTED BY BENJAMIN F. HALLETT. Boston: May, 1833. Second Edition. 191, [1 blank] pp + attractive folding map of the crime area. Scattered foxing, disbound, Good+.

[offered with] AVERY'S TRIAL. [SUPPLEMENTARY EDITION.] REPORTED BY B.F. HALLETT. [Boston: 1833]. 40pp, light soil. Disbound. Good+.

[offered with] THE ARGUMENTS OF COUNSEL IN THE CLOSE OF THE TRIAL OF EPHRAIM AVERY, FOR THE MURDER OF SARAH M. CORNELL...REPORTED WITHOUT ABRIDGEMENT, BY BENJAMIN F. HALLETT. ALSO, A LITERAL REPORT OF THE MEDICAL TESTIMONY OF PROFESSOR WALTER CHANNING AND DR. WILLIAM TURNER, REVISED BY THE WITNESSES, AND NOT BEFORE PUBLISHED. Boston: June, 1833. 94pp + [1 advertising leaf]. Good+. Disbound.

Three pieces on this notorious trial. "When Sarah Cornell was found hanging from the frame of a haystack in Tiverton, Rhode Island, it might easily have been called suicide but for a note she had left in her bandbox saying, 'If I should be missing, enquire of the Rev. Mr. Avery, of Bristol,- he will know where I am.' This was the beginning of the Reverend's troubles and one of the most famous nineteenth-century cases." McDade 33.

Sarah had been five months' pregnant, allegedly by Avery; a 27-day trial resulted in Avery's acquittal.

McDade 52, 34. II Harv. Law Cat 1008.

(25563) \$500.00

4. **[Bellingham, John]:** FOR THE MURDER OF MR. PERCEVAL. [London?: 1812]. Caption title, as issued. 16pp. Disbound, with a rough and loosened inner margin. Good+.

Probably crazy, Bellingham thought the British government owed him money and that he been unjustly imprisoned in Russia. He shot Perceval, the Prime Minister, the only Prime Minister so dispatched. (32619) \$75.00

5. **[Blaisdell, John]: TRIAL OF JOHN BLAISDELL, ON AN INDICTMENT FOR THE MURDER OF JOHN WADLEIGH, AT THE SUPERIOR COURT OF JUDICATURE, HOLDEN AT EXETER, SEPTEMBER 1822. BY A MEMBER OF THE BAR. Exeter: [1822?]. 60pp, stitched and untrimmed. Light spotting, Very Good. Inscribed in ink on the title page: "To Ira Young Esq | Counsellor at Law | Darby NH | From his Friend | Philip Carrigain."**

"Blaisdell was convicted of manslaughter in connection with the death of Wadleigh, whom he beat with a stick at Exeter, New Hampshire" [McDade]. Ichabod Bartlett and William Smith represented him. The pamphlet prints the indictment, the selection of jurors, opening remarks of the prosecutor and summaries of the testimony of the many witnesses. One such witness, Jude Hall, is identified as "a coloured man." Closing arguments of counsel are printed. Blaisdell's lawyers make an impassioned plea for his innocence, emphasizing that there were no witnesses to the murder; and that the prosecution's case was entirely circumstantial. Judge Levi Woodbury, who would be appointed to the U.S. Supreme Court in 1845, charged the Jury. His review of the evidence suggests that Woodbury himself was not persuaded of Blaisdell's guilt.

The jury returned with a compromise verdict-- Blaisdell was found guilty of manslaughter.

Philip Carrigain [1772-1842] was a lawyer, New Hampshire Secretary of State [1805-1810], Clerk of the New Hampshire State Senate [1821-1823], and surveyor and publisher of the 1816 map of the State. He is credited by some with the creation of the State's nickname -- The Granite State. Ira Young [1794-1845], a lawyer, was a member of the State militia, rising to the rank of Major-General.
McDade 107. Cohen 12373. Sabin 96828.

(37624) \$750.00

6. **[Boyd, Jabez]: AN ACCOUNT OF THE ARREST, TRIAL, CONVICTION AND CONFESSION OF JABEZ BOYD, FOR THE MURDER OF WESLEY PATTON. BY A GENTLEMAN OF THE NEIGHBOURHOOD. Philadelphia: T.K. & P.G. Collins, Printers, 1845. 15, [1 blank] pp. Stitched and lightly foxed, some pencil linings in margins. Good+.**

"The victim was beaten to death at Westchester, Pennsylvania, while being robbed. Boyd was arrested in church 'with a hymn book in his hand, and from which he was singing with apparent composure.' He was hanged" [McDade]. The pamphlet's author says Boyd "was brought up in ignorance, and surrounded by depraved companions." From his youth he "exhibited a cruel disposition, and a manifest delight in tormenting and witnessing the sufferings of others, and more especially those of dumb animals." Conceiving a plan to poison someone with arsenic, he tested it by giving "it to a coloured man engaged about the premises." The pamphlet recounts his pattern of criminal behavior.

"Eventually to be known as the American Jekyll and Hyde, Jabez Boyd was always judged to be a highly religious man in his community, but it appears that he used his church-going activities to learn when potential victims would be abroad with sums of money on their persons or in their homes" [Steakis, Encyclopedia of American Crime 118].
FIRST EDITION. McDade 126. AI 45-953 [3]. Cohen 12386. OCLC 70114956 [3- Yale, Lib. Cong., Clements], 82107487 [1- Harv. Law School] as of July 2021.

(37655) \$850.00

7. **[Buchner Tobacco Company]: DEFENDERS AND OFFENDERS.** New York: D. Buchner and Company, [1888]. Original decorated cloth [rubbed at spine ends and extremities]. [124] pp. With 210 chromolithograph portrait illustrations, each with a brief biography on the facing page. Last leaf with a short closed tear, repaired without loss by a label of the OK Book Store on 3d Avenue, New York City. Light dusting, Very Good.

The first ten portraits depict New York City, Brooklyn, and Jersey City police superintendents and inspectors. There follow 200 chromolithograph portrait illustrations of sundry criminals: Mrs. Druse, "the first woman hanged in the State of New York" [she murdered her husband]; August Spiess, executed for the Haymarket murders; S. Fischer, "a pronounced Anarchist" executed with Spiess; Johnny Beal, a "young rascal" of thirteen years who murdered his mother; Dan Driscoll, leader of the Whyo Gang in New York City; Bertha Heyman, "notorious and successful confidence woman"; Calandro Bettini, "the head of a band of Italian counterfeiters in New York City"; James Watson, "an expert pickpocket"; "William Patterson, colored," convicted of murder and "a notorious thief and burglar"; Emma Davis, a "remarkable woman" with "a mania for administering poison to those whom she thinks have been long enough in this world"; Hong Di, a "chinese murderer"; Michael Kurtz, known as "Sheeny Mike"; and assorted other thieves, murderers, train robbers, bank robbers, forgers. Twenty-five women are depicted, several members of Western gangs, as well as some Negroes.

The last page is a sketch of the Buchner Tobacco Company in New York City. The Company issued trade cards with its tobacco products, and this book follows that illustrative style.

Adams Six-Guns 578.

(36972) \$1,000.00

8. **[Bulfinch, John]: THE TRIAL OF MOSES ADAMS, HIGH-SHERIFF OF THE COUNTY OF HANCOCK, BEFORE THE SUPREME JUDICIAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS, ON AN INDICTMENT FOR THE MURDER OF HIS WIFE. [FROM MINUTES TAKEN AT THE TRIAL BY JOHN BULFINCH.] SECOND EDITION.** Boston: Printed and Published by E.B. Tileston, 1815. 32pp. Stitched, title page lightly foxed, a few other scattered fox spots. Untrimmed. Very Good.

"Dr. Adams was acquitted of the murder of his wife, who had been killed with an ax in her kitchen at Ellsworth, Maine" [McDade]. "There was evidence that the house had been robbed, and the defense indicated that the murderer was probably a thief. The defendant, a physician as well as sheriff of the county, did not testify in his own defense" [Cohen]. This second edition, like the first, was published in 1815 with "no apparent change from the first edition" [Cohen].

The only contemporary record of the Trial, the pamphlet prints the names of the jurors [noting that twenty-one veniremen had been peremptorily challenged], summaries of the testimony, the Charge of Judge Jackson to the Jury, and the Jury's verdict -- Not Guilty-- after only two hours' deliberation. Judge Jackson's charge forcefully reminded the jurors that conviction required "a violent presumption of his guilt," and the question was "not whether they were entirely satisfied of the innocence of the prisoner; but whether he was proved to be guilty."

FIRST EDITION. McDade 4 [recording only the first edition]. Cohen 12272.

(35518) \$650.00

9. **[Congdon, George W.]: THE LAW OF SELF-DEFENSE. THE TRIAL OF GEORGE W. CONGDON FOR THE MURDER OF CHRISTOPHER G. WILCOX.** Providence: 1884. Original printed wrappers [chipped at spine ends and corners]. Stitched, 176pp. Untrimmed and partly uncut, Very Good plus.

"The shooting, which took place at Warwick, Rhode Island, was the culmination of a dispute over a quantity of scallop shells which had lead to a law suit. Congdon was convicted of manslaughter." McDade, who records no other item on this trial.
FIRST EDITION. McDade 209. (21949) \$150.00

10. **[Coolidge, Dr. Valorous P.]: TRIAL OF DR. VALOROUS COOLIDGE, FOR THE MURDER OF EDWARD MATHEWS, AT WATERVILLE, MAINE. (AS REPORTED FOR AND PUBLISHED IN THE BOSTON DAILY TIMES.) SUPREME JUDICIAL COURT OF MAINE.** [Augusta ME: 1848]. 40pp, caption title (as issued). Disbound. Double columns. Light wear, minor spotting to title page. Good+.

Dr. Coolidge "dispatched him with a shot of brandy laced with prussic [hydrocyanic] acid" [McDade]. The "overextended, badly pressed doctor" killed Mathews for money, and was found guilty. Before being arrested, Coolidge "had the distinction of performing the autopsy on his own victim." Dr. C. killed himself "almost immediately" after his conviction. Id.
FIRST EDITION. McDade 211. Cohen 12457. (28522) \$250.00

11. **[Corcoran, John J.]: THE MURDER OF LEE TEEP. THE TRIAL AND ACQUITTAL OF JOHN J. CORCORAN, CHARGED WITH THE MURDER. SUMMING UP OF HORACE RUSSELL, FOR THE DEFENCE; WITH A PREFATORY NOTE GIVING THE SUBSTANCE OF THE TESTIMONY.** [Caption title: COURT OF GENERAL SESSIONS OF THE PEACE FOR THE CITY AND COUNTY OF NEW YORK. THE PEOPLE & C., VS. JOHN J. CORCORAN.]. [New York: 1881]. 91, [1 blank] pp. Original front printed wrapper [detached but present], disbound and lightly worn. Light chipping, final leaf with larger chips [outer edge repaired, no text loss]. Rubberstamps on blank upper margin of front wrapper. Clean text. Good to Good+.

This is the trial of John J. Corcoran, a young white trucker, for the murder of Chinese immigrant laundry worker Lee Teep. It marked the first occasion in New York County that a white American was tried for the murder of a Chinese man. The Chinese colony in the City raised a subscription for the prosecution of Corcoran and hired private counsel to aid Assistant District Attorney William C. Beecher. The representative of the Chinese government in the United States also took an active interest in the case, particularly because Chinese immigrants had been subjected to protracted harassment.

Ex-Judge Horace Russell and Peter Mitchell defended Corcoran. On April 24, 1881, Lee Teep and two Chinese immigrant coworkers, after attending Sabbath-school at the Twenty-Third Street Presbyterian Church, were confronted by Corcoran and others. Corcoran knocked Teep's hat from his head and, allegedly, stabbed him to death with a pocket knife. The New York Times described Judge Russell's emotional trial presentation, during which he wept and caused even the "hard-hearted court officials" to break down, with some leaving the courtroom in tears. Despite Teep's identification of Corcoran just before his death and

corroborating testimony of Teep's companions, the jury acquitted him after a half hour's deliberation. [THE NEW YORK TIMES, July 2, 1881, p.8; July 8, 1881, p. 8.]
McDade 215. Marke 984. OCLC 63887890 [4], as of December 20, 2017.

(34532) \$350.00

12. **[Dean, Cyrus B.]:** THE TRIAL OF CYRUS B. DEAN, FOR THE MURDER OF JONATHAN ORMSBY AND ASA MARSH, BEFORE THE SUPREME COURT OF JUDICATURE OF THE STATE OF VERMONT, AT THEIR SPECIAL SESSIONS, BEGUN AND HOLDEN AT BURLINGTON, CHITTENDEN COUNTY, ON THE 23D OF AUGUST, A.D. 1808. REVISED AND CORRECTED FROM THE MINUTES OF THE JUDGES. Burlington: Printed by Samuel Mills. Sold at his Bookstore, by Mills and White, Middlebury, and by the Principal Booksellers in the United States, 1808. 48pp. Disbound with some separated gatherings lightly foxed, Good+.

"The victims were two revenue agents who tried to intercept smugglers taking potash into Canada. They were shot with a gun nine feet, four inches long. Dean was sentenced to hang" [McDade]. "Dean was the leader of the crew of the Black Snake, a vessel engaged in smuggling of goods into Canada" [McCorison]. "McCorison's 'Additions...' attributes the text to Royall Tyler, who was the Chief Judge" [Cohen].

The pamphlet summarizes the witnesses' testimony, other aspects of the trial proceedings, and unsuccessful efforts of Dean's attorneys to set aside the guilty verdict. McDade 246. McCorison 983. Cohen 12500.

(38837) \$850.00

13. **Du Bois, William E.:** TRIAL OF LUCRETIA CHAPMAN, OTHERWISE CALLED LUCRETIA ESPOS Y MINA, WHO WAS JOINTLY INDICTED WITH LINO AMALIA ESPOS Y MINA, FOR THE MURDER OF WILLIAM CHAPMAN, ESQ. LATE OF ANDALUSIA, COUNTY OF BUCKS, PENNSYLVANIA, IN THE COURT OF OYER AND TERMINER, HELD AT DOYLESTOWN, FOR BUCKS, DECEMBER TERM, 1831, CONTINUED TO FEBRUARY TERM, 1832. PREPARED FOR PUBLICATION, BY... STUDENT OF LAW. Philadelphia: G.W. Mentz & Son, 1832. Later cloth. [2], 213, [1 blank], 11 pp. With the Supplement on the trial of Lino which, as Cohen notes, was sometimes excluded from the book. Scattered foxing, lacks front free endpaper, rear endpaper dirty, light rubberstamp on title page, Good+.

Lucretia, "past forty and buxom," and Lino, a young boarder who claimed to be the son of the Spanish governor of California, became lovers; a decision was reached to rid themselves of Lucretia's inconvenient husband. "Five weeks after he arrived Lino purchased a quarter of a pound of arsenic from a Philadelphia druggist, explaining that he used it in stuffing birds. The following day Mr. Chapman was taken ill; four days later he was dead." Soon thereafter the lovers "were quietly married in New York...Almost immediately the true character of the Spanish adventurer came out, with the disappearance of the family silver and other obvious signs of his chicanery." His activities came to the attention of the police, who decided to investigate Mr. Chapman's death. They discovered that "he was heavily dosed with arsenic" and arrested them both.

This book contains all the material on Lucretia's trial. Lino was tried separately, convicted, and executed. Lucretia was acquitted. "It is difficult to tell whether they had acted

in concert in the murder; at least the jury gave her the benefit of the doubt" [quotations from McDade].

McDade 169. Cohen 12416.

(32548) \$450.00

14. **Egan, Pierce:** RECOLLECTIONS OF JOHN THURTELL, WHO WAS EXECUTED AT HERTFORD ON FRIDAY, THE 9TH OF JANUARY, 1824; FOR MURDERING MR. W. WEARE: INCLUDING VARIOUS ANECDOTES, AND AN ACCOUNT OF HIS Demeanour AFTER SENTENCE WAS PASSED. ALSO, THE CONDEMNED SERMON, AND A CORRECT VIEW OF THE EXECUTION, TAKEN ON THE SPOT BY AN EMINENT ARTIST. BY...BEING AN APPENDIX TO HIS ACCOUNT OF THE TRIAL. London: Knight & Lacey, 1824. [2], 44pp, plus facsimile of the frontis [the execution scene]. Light spotting, bound in modern cloth. Good+.

The victim, a lawyer and gambler, had lent money to Thurtell, an amateur boxer. When Weare came to collect, Thurtell killed him. (28559) \$75.00

15. **Fiske, Nathan:** A SERMON PREACHED AT BROOKFIELD MARCH 6, 1778. ON THE DAY OF THE INTERMENT OF MR. JOSHUA SPOONER, WHO WAS MOST BARBAROUSLY MURDERED AT HIS OWN GATE, ON THE LORD'S DAY EVENING PRECEDING [sic], BY THREE RUFFIANS, WHO WERE HIRED FOR THE PURPOSE BY HIS WIFE. Boston, New-England: Printed by Thomas & John Fleet, 1778. Small 4to. 20pp, but lacking the half title. Untrimmed, light toning, scattered spotting, several short repairs to several blank edges and inner blank margins. Bound in attractive, modern half green morocco and marbled boards, with gilt-stamped spine title. Contemporary inscription, 'Benjamin Brown His Book.' Good+.

Bathsheba Spooner was the first woman executed in the United States after the Declaration of Independence. Her co-conspirators, three veterans of the American Revolution, included Ezra Ross of Ipswich. "Mr. Spooner was a retired lumberman, passively disposed and of simple tastes. His wife was Bathsheba, daughter of Chief-Justice Ruggles. She never knew the want of a luxury that money could buy and was haughty and imperious, and the house was divided against itself. On Ezra's return from his second enlistment, gratitude prompted him to visit his benefactress. He was youthful, had a fine physique, and stature far beyond his years; he was active, social, witty, handsome; she was artful, seductive, profligate. Mr. Spooner was in her way and he was removed. Four persons were arrested, including Mrs. Spooner and young Ezra." [Harris, Gordon: "The hanging of Ezra Ross and Bathsheba Spooner, July 2, 1778", Website of [historicipswich](http://www.historicipswich.com), accessed February 4, 2019.] A historic marker, known as the "Spooner Well," marks the location of the well into which the three soldiers deposited Spooner's dead body. They, along with the pregnant Bathsheba, were all executed.

Speaking over the "mangled remains" of his murdered neighbor, Spooner says, "So premeditated, so aggravated, so horrid a murder was never perpetrated in AMERICA [italics in original], and is almost without a parallel in the known world." Acknowledging "the horrid wickedness of the human heart," Fiske manfully attempts to answer "why the just Governor of the Universe permits innocent persons thus to fall before wicked men."

ESTC W29231 [10 locations]. Evans 15793. Not in McDade, Cohen, Marke, Harv. Law Cat.

(35398) \$2,500.00

16. [General McCook Murder Trial] Royce, M.S.: MANUSCRIPT PETITION IN REGARD TO CAPT. F.B. GURLEY - 4TH ALA. CAV. [np: 1864]. 4to. Written in ink, and signed at the end by Royce on the verso of a single leaf. Several small holes [text unaffected], a few closed tears [two archival tape repairs]. Good+.

This unusual, insightful document illuminates the laws of war applicable during the bitter American Conflict. Royce's Petition seeking justice for Gurley is directed to the Confederate Commission of Exchange. Its author, Confederate Captain Moses Strong Royce, was captured in Tennessee and imprisoned at Nashville. His cell-mate, Captain Frank R. Gurley, had allegedly murdered Union General Robert McCook of Ohio, near Huntsville, Alabama, in August 1862. In October 1863 Gurley was captured and charged with the murder. Gurley, Union officials claimed, was a guerrilla who shot McCook while the General was lying in an ambulance. Southerners claimed that Gurley was not a guerrilla, but a regular soldier in the Confederacy's 4th Alabama Cavalry; and that he killed McCook according to the laws of war.

The pages of Harper's Weekly and Frank Leslie's Illustrated Newspaper fanned the flames, claiming that guerrillas or lawless Confederate cavalrymen caused the general's death; feelings ran high. "US General Grant wrote CS General Hardee in December of 1863 and said that although Gurley was a member of the Confederate army, that did not preclude him from being tried for having committed a foul murder" [online Huntsville-Madison County Public Library essay, 'Frank B. Gurley's 1866 Diary'].

Royce advises that he escaped from prison "on the 1st of March." War Department Records claim Royce was still a prisoner at Nashville on April 6, 1864. That Record doubtless relied on outdated information. Having escaped in March 1864. Royce pleads Captain Gurley's case. "He was confined in a cell for sixty-eight days and allowed only about one hour a day for exercise and was put upon trial for the killing of Genl. McCook. He was obliged to employ counsel to defend himself at an expense of 2500 dollars in greenbacks. The evidence produced completely exonerated him of anything like MURDER, and the argument of his counsel was a complete vindication of his RIGHT as a soldier and an officer to do all that he did in bringing Genl. McCook to his death. When the trial was nearly ended four communications by flag of truce were sent to the court and were there read - one from Lt. Col. Hambrick, one from Genl. Forrest, one from Genl. Hardee and one from Genl. Johnston," assuring that Gurley was not a guerrilla but a duly enrolled member of the Confederate military forces. Nevertheless Gurley was found guilty and sentenced to death. [original italics are printed here in capital letters.]

"The undersigned believes that if an effort were to be made by the Confederate Commission of Exchange to have Capt. Gurley exchanged the Federal authorities would immediately send him forward for that purpose, and as a friend of Capt. Gurley the undersigned respectfully requests General Johnston to use his influence in procuring the exchange of Capt. Gurley. Respectfully submitted, M. S. Royce."

Even after War's end, the dispute continued. Gurley, having been released from prison in an administrative snafu, was re-arrested, charged, but finally released and placed on parole in April 1866.

(36882) \$2,000.00

17. **George, Andrew L.:** A TEXAS PRISONER. SKETCHES OF THE PENITENTIARY, CONVICT FARMS AND RAILROADS, TOGETHER WITH POEMS. np: nd [1895?]. 4 1/4" x 5 3/4", in original printed yellow pictorial title wrappers and staples. Lower forecorners chipped, affecting 3-4 letters at leaf 13-14. Good+.

The front wrapper depicts the gallows, the rear wrapper a convict in his prison dress; there are eight photographic illustrations, one of them captioned 'Prisoner Taken from Dungeon and Whipped.' The text demonstrates the horrors of prison life, with the usual homilies: "Bad company, cards and whiskey have filled the prisons and will ruin any young man who partakes of them." The author was convicted of murder in 1884, and sentenced to be hanged; but Governor Ireland commuted his sentence to life imprisonment at Huntsville. He was finally exonerated and pardoned when a fellow prisoner confessed to the murder. This is one of two issues, the other with a Charlotte NC imprint. OCLC records five locations, under two accession numbers, for this offering.

Adams Six Guns 822. (25150) \$250.00

18. **[Goodere, Samuel]:** THE AUTHENTICK TRYAL OF SAMUEL GOODERE, ESQ; MATTHEW MAHONY, AND CHARLES WHITE, AT THE CITY OF BRISTOL, ON THURSDAY THE 26TH, AND FRIDAY THE 27TH OF MARCH, 1741. FOR THE MURDER OF SIR JOHN DINELY GOODERE, BART. ON BOARD THE RUBY MAN OF WAR, IN KING-ROAD, BRISTOL. THE SECOND EDITION. London: Printed for E. Hill, 1741. 14pp. Disbound, light wear, light rubberstamp on title page. Good+.

The prosecutor deems Samuel "a criminal of the First Rate," for murdering his own brother. The reason: "to ratify a Revenge he had conceived against his Brother for some Prejudice he thought Sir John had done him in settling his Estate." He and his co-conspirators were convicted and sentenced to death. The sentencing judge advises, "Make a proper Use of that short Time which the Law allows you for making your Peace with God."

ESTC and OCLC record only a few locations for the first and fourth editions, and do not note this second edition, printed in the same year as the first. II Harv. Law Cat. 1085 [1st edition].

(35278) \$375.00

19. **[Hall, Andreas]:** AWFUL DISCLOSURES! THE LIFE AND CONFESSIONS OF ANDRESS [sic] HALL: AS GIVEN BY HIMSELF TO REV. GEORGE C. BALDWIN, PASTOR OF FIRST BAPTIST CHURCH, TROY, N.Y., ON THE SECOND WEEK PRECEDING HIS EXECUTION, FOR THE MURDER OF MRS. AMY SMITH. CONTAINING A DETAILED ACCOUNT OF THREE MOST BRUTAL MURDERS; BESIDES MANY OTHER ATROCIOUS CRIMES. Troy: J.C. Kneeland and Co.'s Steam Press, 1849. Stitched in contemporary plain, thick drab wrappers. 16pp. Illustrated title leaf. Text toned with light extremity wear [costing a few letters]. Good.

"Hall killed an old couple, Noah and Amy Smith, near Troy, New York, hitting them on their heads and cutting their throats. He got over \$1,200 by robbing the house, but was quickly apprehended" [McDade]. "Hall also confessed to the murders of Franklin Brown and Noah Smith" [Cohen].

The pamphlet is written as if told by Hall himself. He describes his early life, "His first resolve to Murder," "His progress in Crime," "His Supposed Conversion," His various resolves to murder and to commit suicide.

McDade 427. Cohen 12662. OCLC records eleven locations under several accession numbers as of October 2021.

(37842) \$750.00

20. **[Hall, Lucian]:** A MINUTE AND CORRECT ACCOUNT OF THE TRIAL OF LUCIAN HALL, BETHUEL ROBERTS AND WILLIAM H. BELL FOR MURDER, AT THE MIDDLESEX SUPERIOR COURT, CONNECTICUT, FEBRUARY TERM, 1844. WITH THE INDICTMENT: NAMES OF THE GRAND AND PETIT JURORS; THE TESTIMONY IN FULL: THE CHARGE OF THE COURT TO THE PETIT JURY: ADDRESSES OF COUNSEL: AND THE SENTENCE UPON THE PRISONER: WITH THE JUDGE'S ADDRESS TO HIM; ACCOMPANIED WITH PLATES AND CUTS REPRESENTING THE HOUSE IN WHICH THE MURDER WAS COMMITTED: THE COUNTRY AND LOCALITIES BETWEEN THAT AND THE RESIDENCE OF HALL: SHOWING HIS ROUTE: WITH HIS CONFESSION SIGNED BY HIMSELF, AND A FAC SIMILE OF HIS SIGNATURE TO THE SAME; AND A REPRESENTATION OF THE WOUNDED AND BLOODY RIGHT HAND: AND OTHER INTERESTING MATTERS RELATING TO THE MURDER AND TRIAL. Middletown, Conn.: Charles H. Pelton, printer, 1844. [2], 40 pp, with one folded plate. Stitched, original printed brown wrappers [front wrapper detached along the inner margin, and outer blank corner chipping]. Scattered light foxing. Else Very Good. Folding map frontis, with the map's legend on verso of title page; diagram of the Bacon house, where the murder occurred; an "exact representation of the RIGHT HAND of HALL, as it appeared after it was cut and when he was arrested"; facsimiles of the signatures of Hall, the State's Attorney, and Hall's counsel.

"Mrs. Lavinia Bacon was beaten and stabbed to death in her home in Middletown, Connecticut... Hall, Bell, and Roberts were suspected; Hall from his previous record and suspicious actions, Bell and Roberts from the same plus damaging admissions... Near the end of the trial Hall confessed and exonerated Bell and Roberts, who were completely innocent [McDade].

In an excellent reminder of the importance of the right to counsel in all cases, the pamphlet's author writes [page 9]: "The peculiar circumstances of this case, furnish another rebuke to those thoughtless and unreasonable persons who assume upon themselves to reproach the legal profession for undertaking the defence of those whom the public has already judged guilty. They teach the salutary lesson that the popular judgment is not always infallible-- that plausibility is not always truth-- that innocence sometimes needs a vindicator, and that all stories have two sides."

McDade 430. Cohen 12660.

(34578) \$875.00

21. **[Harrington, Michael]:** MICHAEL HARRINGTON, AGAINST THE STATE OF OHIO. RESERVED TO THE SUPREME COURT FROM LUCAS COUNTY, ON MOTION FOR NEW TRIAL. ARGUMENT OF JAMES R. TYLER, OF COUNSEL FOR DEFENDANT. [Toledo?: 1869]. 15, [1 blank] pp. Stitched in original printed title wrappers [lightly worn]. Very Good.

Indicted for murder in the first degree, Harrington was convicted of murder in the second degree. Tyler made several arguments in his appeal to overturn the verdict. Ohio's Supreme Court agreed, and held that the trial judge had erred in instructing the jury that

evidence of Harrington's good character was unimportant. Its opinion is printed at 19 Ohio St. 264 [1869]

Noting that the evidence against Harrington was entirely circumstantial, the Supreme Court observed that "a large number of witnesses testified to the good character of the prisoner for peace, and in other respects. On the subject of good character there was no conflict in the evidence." But the trial judge had instructed the jury that evidence of Harrington's good character was not significant in a murder trial. The Supreme Court held: "The weight that ought to be given to proof of good character does not depend upon the grade of the crime, but rather upon the cogency and force of the evidence."

Not located on OCLC as of July 2021.

(37667) \$375.00

22. **[Hendrickson, John Jr.]: TRIAL OF JOHN HENDRICKSON, JR. FOR THE MURDER OF HIS WIFE MARIA, BY POISONING, AT BETHLEHEM, ALBANY COUNTY, N.Y., MARCH 6TH, 1853, TRIED IN THE COURT OF OYER AND TERMINER, AT ALBANY, N.Y. IN JUNE AND JULY, 1853. REPORTED AND COMPILED BY DAVID M. BARNES, OF THE MORNING EXPRESS, AND W.S. HEVENOR, ASSISTANT DISTRICT ATTORNEY OF ALBANY COUNTY.** Albany: David W. Barnes and W.S. Hevenor, 1853. Stitched in original printed blue wrappers. Frontis illustrations of murderer and murdere. [7], [1 blank], 176 pp. Light wrapper wear, Very Good.

"Hendrickson, twenty years old and a wastrel, poisoned his nineteen-year-old wife in the first case of aconite poisoning in America. The murder took place in a small country house with seven others of the Hendrickson family close by, all apparently conspiring to conceal the crime. Hendrickson was convicted and hanged" [McDade].

FIRST EDITION. McDade 468. Marke 990. Cohen 12686. Not in Harv. Law Cat.

(37607) \$650.00

23. **Hildreth, Richard:** A REPORT OF THE TRIAL OF THE REV. EPHRAIM K. AVERY, BEFORE THE SUPREME JUDICIAL COURT OF RHODE ISLAND, ON AN INDICTMENT FOR THE MURDER OF SARAH MARIA CORNELL; CONTAINING A FULL STATEMENT OF THE TESTIMONY, TOGETHER WITH THE ARGUMENTS OF COUNSEL, AND THE CHARGE TO THE JURY. BY RICHARD HILDRETH, ATTORNEY AT LAW. WITH A MAP. Boston: Russell, Odiorne..., 1833. 143, [1 blank] pp, full page map. Disbound. Tear to top margin of title page takes the first letter of the title ['A']. Else Good+.

First, second, and third editions of this sensational trial issued in 1833. This is the first.

"When Sarah Cornell was found hanging from the frame of a haystack in Tiverton, Rhode Island, it might easily have been called suicide but for a note she had left in her bandbox saying, 'If I should be missing, enquire of the Rev. Mr. Avery, of Bristol,- he will know where I am.' This was the beginning of the Reverend's troubles and one of the most famous nineteenth-century cases." McDade 33. Sarah had been five months pregnant, allegedly by Avery; a 27-day trial ensued, which resulted in Avery's acquittal.

McDade 46. AI 17466 [5]. II Harv. Law Cat. 1008. Cohen 12306. (28593) \$250.00

24. **Hildreth, Richard:** A REPORT OF THE TRIAL OF THE REV. EPHRAIM K. AVERY, BEFORE THE SUPREME JUDICIAL COURT OF RHODE ISLAND, ON AN INDICTMENT FOR THE MURDER OF SARAH MARIA CORNELL; CONTAINING A FULL STATEMENT OF THE TESTIMONY, TOGETHER WITH THE ARGUMENTS OF COUNSEL, AND THE CHARGE TO THE JURY. BY RICHARD HILDRETH, ATTORNEY AT LAW. WITH A MAP. THIRD EDITION. Boston: Russell, Odiorne..., 1833. 143, [1 blank] pp, full page map. Bound in contemporary handwritten wrappers. Scattered light to moderate foxing, Good+.

First, second, and third editions of this sensational trial issued in 1833.

"When Sarah Cornell was found hanging from the frame of a haystack in Tiverton, Rhode Island, it might easily have been called suicide but for a note she had left in her bandbox saying, 'If I should be missing, enquire of the Rev. Mr. Avery, of Bristol, - he will know where I am.' This was the beginning of the Reverend's troubles and one of the most famous nineteenth-century cases." McDade 33. Sarah had been five months pregnant, allegedly by Avery; a 27-day trial ensued, which resulted in Avery's acquittal. McDade 46. AI 17468 [4]. II Harv. Law Cat. 1008. Cohen 12306.

(34676) \$250.00

25. **Hunker, Hon. A. [pseud.]:** FOUR EPISTLES ON FREE LOVE AND MURDER. Troy, N.Y.: A.W. Scribner, 1870. Original printed wrappers [front wrapper detached but present], stitched. 16pp. Light wear, Good+.

The author, writing from "Hunkerville" in May 1870, claims the Epistles "are valuable:- for I conscientiously desire to make a little money out of them." We have been unable to ascertain "Hunker's" identity.

Hunker originally wrote these humorous, satirical pieces for the Troy Whig as "suggested by the [Daniel] McFarland case." [The Brooklyn Daily Eagle, June 14, 1870, p. 2.] "McFarland was a rascal and drunkard whose wife Abby finally divorced him, planning to marry Richardson, a popular author and New York Tribune editor. Richardson was shot by McFarland in the office of the Tribune, and on his deathbed was married to Abby McFarland by no less a person than Henry Ward Beecher. A deliberate campaign to vilify Richardson and whitewash McFarland had the effect of acquitting the latter, proving again that you can get away with murder if you claim to be defending the American home. The case was a cause celebre in 1869 and 1870." [McDade 652].

Hunker recalls that Reformers were formerly denounced with "epithets, that used to defile their reputation." Now they have been rehabilitated. Only a generation ago, "every Abolitionist was denounced also as an Infidel. There was an egg that was dreadful." Now, however, "As only a pleasant smell now arises from the Abolition-Egg, so the other bad ones, that we sent flying after it, have lost their stench for the nostrils of this degenerate epoch."

The Woman Suffrage movement seems to be the only cause left for anyone to satirize. Hunker makes fun of Beecher, Frothingham, Greeley, and other "Free-Lovers." Indeed, "Free-love is a core of the Woman's Rights apple. Susan B. Anthony, for instance, is a terrific free-lover. True, she never loves any man, nor permits any man to love her; but it's all the same: she's a free-lover, and so is my venerable Quaker wife, Samantha Hunker."

OCLC 1323317527 [1- NYPL], 476461375 [1- NYHS] as of January 2022.

(37412) \$650.00

26. **Hurin, Silas E.:** AUTOGRAPH LETTER SIGNED TO "MY DEAR ALFRED," HIS PRINCETON CLASSMATE, VIVIDLY DESCRIBING MURDERS, LAWLESSNESS, AND MOB VIOLENCE IN CINCINNATI. "THE CITY HAS NOT BEEN STIRRED UP SO SINCE THE WAR." Wyoming, Ohio: March 30, 1882. [7], [1- docket] pp. Unbound. Written in neat ink manuscript, Very Good.

"Judge Hurin was a native of Hamilton County, Ohio, and a graduate of Princeton University in 1882... He began his career teaching near Cincinnati, but entered law school in 1885. He practiced law in Hancock County for twenty years and served on the Circuit bench for six years, having been elected in 1904" [18 Northwest Ohio Quarterly 106, July 1946].

He writes in dismay to his friend that, "We have been having a fearful time in Cincinnati lately. Murders have become common." Despite the jailing of about forty murderers "we have been unable to get any of them hanged." A recent manslaughter conviction, rather than first degree murder, launched a firestorm of anger. "The jury have been mobbed and some have barely escaped with their lives... Last night the excitement culminated in a mob which stormed the jail." The militia prevented them "from reaching the prisoners," but "about half a dozen had been killed and many others wounded. It is said that twenty thousand people were surrounding the jail... The murderer who caused all the excitement was allowed to escape."

(36917) \$450.00

27. **Johnston, William:** ARGUMENT...IN THE CASE OF STATE VS. AMES, BEFORE THE CRIMINAL COURT OF CINCINNATI. Cincinnati: [Marshall & Langtry, Printers], 1853. Original printed front wrapper [dirty], stitched, 40pp. Title page and last page dusted, some blank foremargin wear to title leaf. Good+.

Johnston was a skilled Ohio lawyer whose other clients included alleged fugitive slaves. Here his client is Fisher W. Ames, charged with attempted murder. Johnston's preface to this pamphlet complains of media bias. The press, he says, published "a stupid caricature" of his argument. Newspapers suspected that he "had been in part instrumental in snatching from them a victim, whom they had pursued with unparalleled [sic] ferocity," and thus "turned from the baffled pursuit to make war on a humble advocate, and to make ridicule of his feeble efforts." He complains that press bias makes it "impossible" to find an unbiased jury, encourages perjury, and pollutes popular opinion. He prints his jury argument in full. Sabin 36388. Cohen 13773. Not in McCoy, Harv. Law Cat., Marke, Thomson, Eberstadt, Decker.

(25496) \$275.00

28. **[Laros, Allen C.]:** TRIAL OF ALLEN C. LAROS AT EASTON, PENNSYLVANIA, AUGUST, 1876, FOR THE MURDER OF HIS FATHER, MARTIN LAROS, BY POISON, AND HIS DEFENCE, BASED UPON THE DEFENCE OF EPILEPTIC INSANITY, TOGETHER WITH THE ARGUMENT ON THE RULE FOR A NEW TRIAL AND PROCEEDINGS UPON THE PLEAS IN BAR OF THE SENTENCE. Easton, Pa.: Cole & Morwitz, Publishers, 1876. [6], 245, [1 blank] pp. Stitched in original printed wrappers. Very Good. Inscribed on front wrapper: "Compliments of W.S. Kirkpatrick," who represented Laros at the trial.

"In Northampton County, Pennsylvania, Laros, a twenty-two-year-old teacher, put four and one-half ounces [equal to over two thousand grains] of arsenic in the family coffeepot,

killing his parents and a hired man; his two brothers and two sisters were made ill but lived. He had stolen \$330 from money kept in the house" [McDade]. Laros's claim of "insanity, produced by epilepsy or some other disease," was unpersuasive; he was sentenced to death.

According to the Reporter, who compiled this pamphlet from a variety of sources and reviewed it with counsel for accuracy, Laros "was always disposed to be somewhat reticent and spent much of his time alone. For several years past he has taught school in the neighborhood and in connection with the duties of his school had begun the study of law." McDade 583. II Harv. Law Cat. 1125.

(37826) \$850.00

29. **[Leigh, Philip]:** LILLIAN'S MARRIAGE AND MURDER. "CLUVERIUS DID NOT KILL HER." THE SEQUEL TOLD. Richmond, Va.: Patrick Keenan, Printer, 1201 Main St., 1887. 29, [3 blanks] pp. Disbound. Original printed blue wrappers ["Price, 15 Cents."] The blank verso of the front wrapper has a remnant of paper adherent. Except as noted Very Good. Dedicated to Willie Cluverius.

"The body of Fannie Lillian Madison was found in Richmond's Old Reservoir on 14 March 1885. It was first believed Madison committed suicide, but evidence of a struggle suggested that she had been murdered. Madison's cousin Thomas J. Cluverius, a graduate of Richmond College and a lawyer in King and Queen and King William Counties, was indicted for her murder. Cluverius was convicted mostly on circumstantial evidence - the key piece of evidence being a watch key, supposedly belonging to Cluverius, which was found at the scene of the murder. The trial lasted from the 5 May to 4 June 1885, and Cluverius was hanged on 14 January 1887 despite several appeals." [A Guide to the Commonwealth of Virginia versus Thomas J. Cluverius, 1885. A Collection in the Library of Virginia].

"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 193].

McDade 194. (38785) \$375.00

30. **[Loyalty Oath] Dennis D. Darden of Mosby's Cavalry :** WHEREAS, ANDREW JOHNSON, PRESIDENT OF THE UNITED STATES, DID, ON THE 7TH DAY OF SEPTEMBER, A.D., 1867, ISSUE A PROCLAMATION PROCLAIMING FULL PARDON TO CERTAIN PERSONS ENGAGED IN THE LATE REBELLION, CONDITIONED UPON TAKING AND SUBSCRIBING A CERTAIN OATH THEREIN SET FORTH AND HERETO ATTACHED AND HEREIN INSERTED. . . "I D.D. DARDEN DO SOLEMNLY SWEAR, (OR AFFIRM,) IN PRESENCE OF ALMIGHTY GOD, THAT I WILL HENCEFORTH FAITHFULLY SUPPORT, PROTECT, AND DEFEND THE CONSTITUTION OF THE UNITED STATES, AND THE UNION OF THE STATES THEREUNDER; AND THAT I WILL, IN LIKE MANNER, ABIDE BY AND FAITHFULLY SUPPORT ALL LAWS AND PROCLAMATIONS WHICH HAVE BEEN MADE DURING THE LATE REBELLION, WITH REFERENCE OT THE EMANCIPATION OF SLAVES. SO HELP ME GOD." [signed] DENNIS D. DARDEN/ . . . THIS DAY PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND DISTRICT AFORESAID, THE ABOVE-NAMED D.D. DARDEN AND SUBSCRIBED AND MADE OATH TO THE AFOREGOING. [signed] F.F. KIRBY, N.P., MAY 27, 1868. Washington, D.C.: R.A.

Waters, Penn. Ave., cor. 13th Street, [1867-1868]. Broadside, 8" x 10". Printed document, with illustration of American Eagle and Shield, completed in ink manuscript with signature of Darden and Notary Public Kirby. Notary's blindstamp at bottom blank left corner. Two small pinholes at upper blank margin from prior mounting. Very Good.

A presidential pardon was required in order for former Confederates to regain their citizenship and voting privileges. The Oath which Darden took in this Proclamation was a precondition to President Johnson's grant of a Pardon to him.

Dennis D[awney] Darden [c.1833-1883], born in Washington D.C., enlisted in October 1863 as a Private in Co. B, Mosby's Cavalry Regiment [Partisan Rangers]. Captured at Upperville, Virginia on 14 October 1864, he was sent to Old Capitol Prison; transferred on 8 February 1865 to Fort Warren, MA; and was one of about sixty Confederate prisoners released on 13 June 1865.

He signed the Oath of Allegiance on the day of his release. John W. Munson, a comrade of Darden's, later credited Darden with helping Munson escape from Old Capitol Prison; Darden stayed behind. Munson's Memoir states that Darden had been "in the secret service department of the government" before the War. Census records show him as a druggist both before and after the War. [Munson: Recollections of a Mosby Guerrilla, 1906.]

In August 1871 Darden was accused of murdering gambling house operator John McCarthy. During a gambling-related altercation, defense witnesses said McCarthy drew a derringer on Darden but that the gun misfired; McCarthy then hit Darden over the head. When officers arrived, Darden was firing a gun at McCarthy, and shot him dead.

The New York Times reported that "the entire gambling fraternity here, who bore bitter animosity to McCarthy, have been very active in Darden's behalf, and he has not lacked for either money or friends." Darden was acquitted; at trial's end a doctor declared Darden insane from McCarthy's beating. He was ordered to an insane asylum. Later he moved to Tennessee with his sisters. The Darden-McCarthy case exposed the police graft system and resulted in the removal of corrupt policemen.

Baltimore Sun, 8/16/1871, p.1 and 1/18/1883, p.4; Washington Post, 8/18/1912, p.9; Evening Star [Washington DC], 10/3/1871, p.4; The New York Times, 10/3/1871, p.8; Munson, J.W.: Recollections of a Mosby Guerilla, 1906.]

(36564) \$750.00

31. **Montgomery, Zach:** THE SCHRODER TRIAL. BOTTOM FACTS AND LEADING INCIDENTS CONNECTED WITH THE KILLING OF DR. ALFRED LeFEVRE, AND THE TRIAL AND DISGRACEFUL ACQUITTAL OF THE SLAYER. UNDOUBTED INNOCENCE OF THE DECEASED. THE VEILED WOMAN THAT THREATENED TO HAVE REVENGE, AND HOW SHE ACCOMPLISHED HER THREAT. TRUE THEORY AS TO THE CAUSE OF THE KILLING, AS GATHERED FROM EVIDENCE ADDUCED, EVIDENCE EXCLUDED AND EVIDENCE SUPPRESSED. WHY MRS. SCHRODER WAS NOT CALLED AS A WITNESS. VALUABLE DISCOVERY IN THE LAW OF EVIDENCE. AN ENTIRELY NEW, CONVENIENT AND PERFECTLY SAFE MODE, OF PROVING BY ONE'S OWN WIFE, A CRIMINAL INTIMACY (WHICH NEVER OCCURRED) BETWEEN HERSELF AND HER IMAGINARY PARAMOUR, IN ORDER TO JUSTIFY THE KILLING OF THE LATTER: WITHOUT SUBJECTING THE DEAR CREATURE TO THE MORTIFICATION OF A CROSS-EXAMINATION, OR TO THE PERILS OF A PROSECUTION FOR PERJURY. THE AUTHOR'S OBJECT IN PUBLISHING THIS PAMPHLET IS NOT TO VILLIFY GUILTY LIVING, BUT TO VINDICATE THE MEMORY OF THE SLANDERED DEAD. DEDICATED TO THE

LOVERS OF TRUTH, JUSTICE AND THE IMPARTIAL ADMINISTRATION OF THE LAW. BY ZACH MONTGOMERY, OF COUNSEL FOR THE STATE. [Oakland CA: 1881]. 21, 3 pp. Frontis portrait of Dr. LeFevre. Stitched in original printed pink wrappers. Light wrapper wear [couple of closed margin tears, wear along spine, slight discoloration]. A pristine text. Near Fine. The final three pages print the prospectus of Family's Defender, "An Independent, Non-Partisan, Non-Sectarian, Monthly Magazine and Educational Review."

"This is another case of a husband's shooting a man suspected of being his wife's lover and getting away with it" [McDade]. Montgomery, this pamphlet's author, was hired specially to prosecute Schroder. He had recently retired after a long, successful career as a trial lawyer, in order to devote his energies to reform in public education. But this case induced him to return to the legal wars: "Dr. LeFevre had for many years been my dentist, my client, and my friend ... I believed him to have been foully murdered by an assassin who, after killing him was seeking to destroy his reputation by falsely charging him with the seduction of his wife in order to palliate the murder." Angered by this libel upon his now defenseless friend, he decided to "assist in the prosecution of the murderer." He did so without fee.

However, his efforts-- "to vindicate the good name of the slandered dead and to assist to the extent of my humble ability in protecting society against a repetition of similar deeds of blood in the future"-- failed: Schroder, a man "considerably addicted to playing cards and speculation in stocks," was acquitted. In fact, says Montgomery, Schroder committed an "unmerciful beating of his wife" to force her to testify to a "criminal intercourse with Dr. LeFevre" that had never occurred. And LeFevre, in his dying declaration, said that Schroder had murdered him "without any cause!"

McDade 589. Rocq 923. Cowan 439.

(37661) \$1,250.00

32. [Nutt, Lizzie]: LIZZIE NUTT'S SAD EXPERIENCE. A HEART BROKEN, AND A FAMILY PLUNGED IN GRIEF. WRECK AND RUIN! THE SHOOTING AND TRAGIC DEATH OF NOBLE-HEARTED CAPTAIN NUTT, LIZZIE'S BRAVE FATHER, WHO FLINCHED NOT, LIKE A TRUE SOLDIER, TO DIE IN DEFENCE OF HIS DAUGHTER'S HONOR. THE GREAT DUKES TRIAL AT UNION TOWN, PA. FULL ACCOUNT, AND ALL "THOSE TERRIBLE LETTERS." Philadelphia: Barclay and Company, [1883?]. Original pale green printed and illustrated wrappers. Stitched. 8 full-page plates, plus rear wrapper illustration of the murder. Pages [17]-79, [1] [as issued]. Disbound rather roughly, rubberstamped front wrapper and title page, wraps detached but present. One illustration plate with short tape repair. Text tanned. Complete. Good.

Nicholas L. Dukes, a successful attorney, called off his engagement to Lizzie Nutt; he feared that her reputation was not unsullied. Soon thereafter Captain Adam Nutt, Lizzie's father, confronted Dukes in a misguided defense of his daughter's honor. During a scuffle Dukes shot and killed Captain Nutt. Dukes, pleading self-defense, was acquitted; the jury allegedly contained many of his friends. A few months later James Nutt, Captain Nutt's son, shot Dukes dead. James Nutt was acquitted by reason of insanity.

McDade notes that, "There are various editions of this work, all with the same title page but with different cover titles." This one, which McDade calls the third edition, has a wrapper title, "The very pathetic and truly remarkable trial of young James Nutt. The avenger of his father's death." Its copyright date is 1883, the year of the murder; McDade's copy was

copyrighted 1884. This is a typically sensational Barclay crime pamphlet.
McDade 718.

(34928) \$250.00

33. **[Phillips, James Jeter]:** THE DRINKER'S FARM TRAGEDY. TRIAL AND CONVICTION OF JAMES JETER PHILLIPS, FOR THE MURDER OF HIS WIFE. WITH PORTRAITS. Richmond: J. Wall Turner, 1868. Original printed wrappers [spine wear], stitched, port. frontis of James Jeter Phillips. 96pp. Text clean. Portrait of Mrs. Mary Emma Phillips, "taken after her death" at page [45]. Very Good.

One of a small number of Southern McDade entries. "Phillips, 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. This pamphlet tells the story of the murder, the discovery of the body, the investigation, the two trials [the first jury having failed to reach a verdict], the finding of guilty and sentence of death, and the so-far-successful efforts to stay the execution.

"Thus, by a politico-legal hocus-pocus a capital felon, convicted of a most atrocious deed, was remitted to life and the hope of ultimate liberty."

FIRST EDITION. McDade 747. Haynes 5243. Cappon 2452 [2]. (35940) \$750.00

34. **[Robinson, Peter]:** THE TRIAL OF PETER ROBINSON, FOR THE MURDER OF ABRAHAM SUYDAM, ESQ. PRESIDENT OF THE FARMERS' AND MECHANICS' BANK, OF NEW BRUNSWICK, CONTAINING A VERY FULL AND ACCURATE ACCOUNT OF ALL THE TESTIMONY ADDUCED ON THE TRIAL-- THE WHOLE HAVING BEEN CAREFULLY TAKEN DOWN AS IT WAS DELIVERED: ALSO, THE VERY ELOQUENT AND IMPRESSIVE CHARGE OF CHIEF JUSTICE HORNBLOWER, TO THE JURY, AND HIS FINAL MOST AFFECTING ADDRESS TO THE WRETCHED CRIMINAL ON PRONOUNCING UPON HIM THE SENTENCE OF DEATH: TOGETHER WITH A FULL ACCOUNT OF ALL THE STRANGE AND HORRID CONFESSIONS OF ROBINSON AS MADE TO DIFFERENT PERSONS BEFORE HIS TRIAL, AND TO HIS COUNSEL AND OTHERS SINCE HIS CONVICTION. SENTENCED TO BE HUNG ON THE 16TH DAY OF APRIL NEXT. THE WHOLE REPORTED FOR THE NEW-YORK HERALD, BY WILLIAM H. ATTREE. New York: Published at the Office of the New York Herald, [1841]. 31, [1] pp. Stitched as issued, each text page printed in two columns. Portrait of Robinson on page [3]. Scattered foxing. Title leaf and page [32] are dusted; page [32] with a closed tear [not taking any text]. Good.

"When Suydam, a bank president in New Brunswick, New Jersey, disappeared on December 3, 1840, some said he had been murdered; others, less generous, thought he had absconded. No suspicion attached to Robinson until he flourished his mortgage and claimed he had paid it off to Suydam. Those who knew that Robinson had no resources reported this, and on December 14 a search of his home revealed the body of Suydam buried under the basement floor. After conviction Robinson confessed that he had tried to wrest the papers from Suydam, not intending to kill him, and finding Suydam too strong for him, knocked him out with a mallet. He kept Suydam tied up in his cellar from Thursday to Saturday, when he dug a grave before his victim's eyes, threw him in it, battered in his head with a shovel, and filled in the hole. His hanging was a gala event in New Brunswick" [McDade].

A later printing records the sentencing.
McDade 809, 806. Cohen 12979. Felcone, New Jersey Books 1368 and 1371 [other accounts of the trial].

(37732) \$850.00

35. **Rogers, Daniel:** THE NEW-YORK CITY-HALL RECORDER, FOR JULY, 1819: CONTAINING REPORTS OF THE MOST INTERESTING TRIALS AND DECISIONS WHICH HAVE ARISEN IN THE VARIOUS COURTS OF JUDICATURE, FOR THE TRIAL OF JURY CAUSES IN THE CITY-HALL; PARTICULARLY IN THE COURT OF SESSIONS. WITH NOTES AND REMARKS, CRITICAL AND EXPLANATORY. BY DANIEL ROGERS, COUNSELLOR AT LAW. VOL. IV. NO. 7. JULY, 1819. New York: Published by Nathaniel Smith; printed by Clayton & Kingsland, 1819. [97]-112 pp [as issued]. Original printed tan wrappers [minor wear], stitched, untrimmed, printed in double columns. Very Good.

The Reports include: Thomas Mather and Harvey Strong vs. Ira Bush on questions of insolvency and state laws impairing the obligation of contracts; Sturges v. Crowninshield on bankruptcy; Daniel Searles indicted for forging and passing counterfeit notes; Hugh Wallace indicted for assault and battery on John Gowan.

Also printed is the interesting case of Hugh Curry, who was indicted for manslaughter after throwing a teapot at his wife's head during a drunken argument which resulted in her death eleven days later. The couple is described as having engaged in "bestly intoxication" and frequent arguments. Jane Mokins and Matilda Hill, two "blacks living in the same house," testified that the victim cried that her husband was murdering her; Mokins saw the victim bloodied when she ran for help. The victim returned to her husband after he assured Mokins that he would not beat his wife further. Curry was found guilty and sentenced to fourteen years in prison.

(31399) \$150.00

36. **[Ruloff, Edward Howard]:** THE MAN OF TWO LIVES! BEING AN AUTHENTIC HISTORY OF EDWARD HOWARD RULLOFF PHILOLOGIST AND MURDERER. SECOND EDITION. New York: American News Company, 1871. 100pp. Stitched, original printed front title wrapper bound into later boards [old bookplate]. Frontis portrait of the murderous fiend, full-page illustrations. Light wear, Very Good.

Edward Howard Ruloff [born John Edward Howard Ruloffson] was born in 1821 in New Brunswick, Canada. He had served a two-year jail sentence for embezzlement before settling in Ithaca, New York. Having learned a variety of languages while incarcerated, Ruloff went on the lecture circuit-- while engaging in burglaries and other crimes.

"Ruloff (or Ruloff; the name is spelled both ways) was one of those bizarre criminals who defy easy classification. He began his criminal career with the murder of his wife and child at Ithaca, New York, probably disposing of their bodies in Lake Cayuga. Unable to establish a corpus delicti, the state could only convict him of abducting his wife". [McDade 835]. After serving ten years, he was released and immediately arrested for the murder of his daughter. He was convicted, but the conviction was reversed.

Years later, he was accused of shooting and killing Fred Merrick, a store clerk at the dry goods store Halbert Brothers in Binghamton, during a robbery with two accomplices. He was "identified by the lack of a big toe on his left foot" and tried, convicted, and hanged. The

case captured the public imagination, which probably accounts for the plethora of publications which McDade has identified about the murderer. His hanging was the first and last public hanging in Binghamton's history. ["The Gallows," Brooklyn Daily Eagle, May 19, 1871, p.8; Crandall, Brian, "The strange case of Edward Ruloff, 1800s Ithaca murderer and bar namesake", September 5, 2014, website of The Ithaca Voice.]
FIRST EDITION. McDade 836 [ours is the second edition]. (38610) \$650.00

37. **Scott, W.W. [Editor and Proprietor]: THE DAILY IRON VALLEY REPORTER: VOLUME I, NOS. 1, 2, 3, 5, 7, 10.** Canal Dover and New Philadelphia, Ohio: 1881. Each issue [4] pp folio bifolium, each page 13" x 20." The issues are dated 23 February, 25 February, 26 February, 1 March, 3 March, 7 March, 1881, with woodcut illustrations. Occasional fold split, occasional blank edge chips. The issues describe the trial of Ellen Ann Athey, for the murder Miss Mary E. Senff, on 28 May 1880. Good+.

According to the Library of Congress, this periodical was "Published only when a major event occurred in the community." That criterion was certainly satisfied when Ellen Ann Athey went to trial for murdering eighteen-year-old Mary Elizabeth Senff. The Daily Iron Valley Reporter followed the trial faithfully, and reported its doings in detail. Defense counsel initially sought to postpone the trial until the May term of Court, on the ground that the Reporter had "whooped things" to excess, "and had given the public too much of an insight to the case." But the case went ahead and jurors were impaneled. The Reporter writes, "We fling the first number of the Daily Reporter to the wintry breeze, with no fears of its meeting a chilling reception. The weekly Reporter has stood up fearlessly for the rights. The public pulse has beaten in unison with our own. This trial is to be no farce."

Witnesses testify to the "chopped and hacked" body of Miss Senff, and the overwhelming evidence that pointed to Ellen Athey, overwhelmed by jealousy at the attentions her husband bestowed on Mary, a domestic worker at the Athey home. Ellen was found guilty. She had killed Mary with an ax, tearfully confessed, and died at the Ohio Hospital for the Criminally Insane years later. In addition to the trial, for which we do not have the entirety of the proceedings, local advertisements and local news are reported.

(37759) \$650.00

38. **[Selfridge, Thomas O.]: TRIAL OF THOMAS O. SELFRIDGE, ATTORNEY AT LAW, BEFORE THE HON. ISAAC PARKER, ESQUIRE. FOR KILLING CHARLES AUSTIN, ON THE PUBLIC EXCHANGE, IN BOSTON, AUGUST 4TH, 1806. TAKEN IN SHORT HAND, BY T. LLOYD, ESQ....** Boston: [1807]. 168, [7] pp. Original paper-covered boards [spine shorn, hinges loosening]. Untrimmed, text Near Fine. With a map of the scene of the crime, errata, and table of contents. Contemporary signature on front free endpaper, 'JQA Fowle/ No. 10 Ann Street/ Boston/ 1807.'

"The killing of Austin by Selfridge arose out of a political dispute between Selfridge and the victim's father. The grand jury refused to indict him for murder; the charge was manslaughter. The case was long an authority on the law of self-defense. Paul Revere was a member of the jury which acquitted Selfridge." McDade 860. This is one of two 1807 reports of the trial.

McDade 861. AI 13740 [10].` (18693) \$125.00

39. **Smith, M. Hale:** IMPIETY IN HIGH PLACES, AND SYMPATHY WITH CRIME, A CURSE TO ANY PEOPLE. A SERMON...IN NASHUA, N.H. ON SABBATH, APRIL 20, 1845, WITH REFERENCE TO THE ANNUAL STATE FAST. BY M. HALE SMITH, PASTOR. Boston: 1845. Original printed salmon wrappers [rubberstamps in blank portion of front wrap], stitched, 32pp. Except as noted, Very Good.

A sermon endorsing capital punishment, referring specifically to William F. Comings's murder of his wife, a recent "murder at Manchester," and "the recent attempt of De Noss, in the New Hampshire State prison, to take the life of the barber."

For the Comings case, see McDade 208.

AI 45-5596 [5]. (34790) \$125.00

40. **Sprague, William B.:** 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. WITH AN APPENDIX CONTAINING AN ACCOUNT OF THE HORRID TRANSACTION. SECOND EDITION. Springfield: Tannatt & Co., Publishers, 1826. 44pp. Stitched in original drab wrappers. Some spotting, several closed tears without loss. Good+.

"After threatening several times to do so, Leonard killed his wife with an ax and then cut his own throat" [McDade]. Cohen states, "We have been unable to locate a first edition and none appears in N.U.C." McDade and American Imprints do not designate an edition, although Imprints also records a "third edition" in the same year. The Appendix at pages 37-44 "contains a statement of the principle facts in the case" [Cohen]. The Sermon indicates that Leonard's Universalist beliefs may have contributed to his foul deed: the doctrine of universal salvation tends "practically to nullify the threatening of God."

McDade 601. Cohen 4169. Not in Marke or Harv. Law Cat. AI 26122.

(35596) \$450.00

41. **St. Clair, Henry:** THE UNITED STATES CRIMINAL CALENDAR: OR AN AWFUL WARNING TO THE YOUTH OF AMERICA; BEING AN ACCOUNT OF THE MOST HORRID MURDERS, PIRACIES, HIGHWAY ROBBERIES, &C. &C. COMPILED FROM THE BEST AUTHORITIES, BY HENRY ST. CLAIR. WITH FIFTEEN ENGRAVINGS. Boston: Printed and published by Charles Gaylord, 1840. 356pp, frontispiece engraving and 13 dramatic, attractive plate engravings [appears to be lacking one engraving]. Original illustrated paper-covered boards, cloth spine. The first gathering of text partly loosened and fastened to the text block with an old pin. Light tan and light scattered foxing. Good+.

St. Clair believed that shocking crimes should be exploited to dissuade youth from becoming criminals; the Preface makes clear that St. Clair greatly enjoyed feeding the public's interest in lurid crimes. The Preface notes the propensity to "take pleasure in the sight or relation of human sin and suffering." St. Clair writes about those robbers, pirates, murderers, madmen, and others, who have been "eminent in their professions... people will indulge in reading such matter, whether this volume is published or not and it is certainly

better that it should be presented in the least exceptionable form possible." More than forty notorious criminals and their crimes are presented.
Cohen 12114. AI 40-5930 [5]. (31287) \$250.00

42. **Swift, Zephaniah:** A VINDICATION OF THE CALLING OF THE SPECIAL SUPERIOR COURT, AT MIDDLETOWN, ON THE 4TH TUESDAY OF AUGUST, 1815, FOR THE TRIAL OF PETER LUNG, CHARGED WITH THE CRIME OF MURDER. WITH OBSERVATIONS ON THE CONSTITUTIONAL POWER OF THE LEGISLATURE TO INTERFERE WITH THE JUDICIARY IN THE ADMINISTRATION OF JUSTICE. Windham [CT]: Printed by J. Byrne, 1816. 48pp. Bound in modern marbled wrappers. Light toning, Very Good. Ownership signature, "E. Hubbard's".

"Lung, while drunk, beat his wife to death in bed. He was twice tried and convicted" [McDade 637]. Swift, as Chief Judge of the Connecticut Superior Court, originally ordered Lung tried before "a special Superior Court" after a Jury of Inquest found that Mrs. Lung was the victim of a wilful murder. Swift did so, he says, because the regular session of the Superior Court had closed, and the remaining sitting judges were in ill health. Lung was convicted and sentenced to death.

The legislature, upon Lung's petition, decided that Swift lacked the power to call such a court or "to issue a warrant to summon a grand jury." Ordering that Lung be tried again in the ordinary course of judicial business, the legislature concluded that Swift had attempted "an illegal exercise of power, so flagrant as to require to be resisted by legislative interference." Swift reminds his readers that when his "court assembled, there was not the remotest hint that it was not duly organized." The evidence and court proceedings, set forth here, were carefully and meticulously presented, all demonstrating the certainty of Lung's guilt. "No man ever had a fairer and more impartial trial than Lung." Swift gives the legislature a lesson in the constitutional separation of powers, arguing that the General Assembly has no power to perform judicial functions, as it sought to do in Lung's case.

"Judge Swift sometimes generated controversy as in Lung's Case, 1 Conn. 428 (1815). Peter Lung was convicted of murder and sentenced to death, with Swift as one of the three presiding judges. Lung appealed to the State Legislature and, citing irregularities in the grand jury proceedings, the Assembly ordered a new trial. Judge Swift published a pamphlet criticizing the action stating in part, '...the legislature should never encroach on the judiciary.'" [website of the CT Judicial branch, www.jud.ct.gov/lawlib/history/swift].
McDade 638. II Harv. Law Cat. 699. AI 39040 [4]. (34581) \$875.00

43. **[Texas] McCann, Ed:** JURY INSTRUCTIONS IN THE CASE OF THE STATE OF TEXAS VS. ED McCANN, CASE NO. 2343, NAVARRO COUNTY, AUGUST TERM 1895, ACCUSED OF AGGRAVATED ASSAULT UPON JIM SHAUGHNER WITH A KNIFE AND CUTTING HIM IN A MANNER TO INFLICT "SERIOUS BODILY INJURY" :

"GENTLEMEN OF THE JURY THIS DEFT. ED McCANN STANDS CHARGED BY INFORMATION WITH THE OFFENSE OF AGGRAVATED ASSAULT AND BATTERY ALLEGED TO HAVE BEEN COMMITTED IN THE COUNTY OF NAVARRO AND STATE OF TEXAS ON OR ABOUT THE 13TH DAY OF FEBRUARY A.D. 1895. TO WHICH CHARGE THE DEFENDANT HAS PLEADED 'NOT GUILTY.' ... THE USE OF ANY UNLAWFUL VIOLENCE UPON THE PERSON OF ANOTHER WITH THE

INTENT TO INJURE HIM WHATEVER BE THE MEANS OR DEGREE OF VIOLENCE USED IS AN ASSAULT AND BATTERY. ASSAULT AND BATTERY BECOMES AGGRAVATED WHEN A SERIOUS BODILY INJURY IS INFLICTED UPON THE PERSON ASSAULTED OR WHEN COMMITTED WITH DEADLY WEAPONS UNDER CIRCUMSTANCES NOT AMOUNTING TO AN INTENT TO MURDER OR MAIM. A DEADLY WEAPON IS ONE WHICH IN THE MANNER USED IS LIKELY TO PRODUCE DEATH OR SERIOUS BODILY INJURY. . . "

SIGNED AT END "M.L. SHELTON, COUNTY JUDGE OF NAVARRO" AND DOCKETED ON FINAL PAGE "WE JUROR [SIC] FIND THE DEFENDANT GUILTY ASSESS HIS FINE \$25. R.A. FIFE, FOREMAN."

. Navarro County, TX: 1895. Folio, 8-1/4" x 14". Five leaves bound with stick pin in top blank margin, lined paper with red margins. [4], [1-docket] pp. The first three leaves are manuscript on recto only, the fourth is a printed form, its recto defining the presumption of innocence and reasonable doubt. The directions to the jury have been signed M.L. Shelton, County Judge Navarro County, Texas. Lightly wear, Very Good.

McCann allegedly cut Jim Shaughner with a knife. The Court's instructions explain the different types of assault, distinguishing them from self-defense. If McCann had cut Shaughner in self-defense, the jury would have been required to acquit him. The jury found McCann guilty and he was fined \$25. Our research found one young man by the name Edward McCann in Navarro County in the U.S. Federal Census records, listed as a mulatto male born about 1874.

"Martin L. Shelton, Nov. 1894 - Oct. 1896, a member of the law firm of Grantham & Shelton, was County Judge for two years, holding office when the new oil field was brought in. Personal information is lacking, but records indicate he was a bachelor and resided on North Nineteenth Street." [Judges of Navarro County, Texas, Originally published in "The Navarro County Scroll", Vol. XX, 1975.] Our research found him sitting as a judge in Navarro as early as 1892 when he suggested a new systems for working roads and advocating a special tax to work the county convicts more extensively. [TRANSACTION OS THE TEXAS ACADEMY OF SCIENCE, VOL. I, NO. I, Nov. 1892, p. 87.]

(37389) \$275.00

44. **Texas Murder Trial:** IN COURT OF APPEALS OF TEXAS, MAY TERM, 1876. JIM WEST, APPELLANT, VS. THE STATE OF TEXAS, APPELLEE. BRIEF FOR APPELLANT. [np: nd].. 9, [1 blank] pp. Caption title [as issued]. Spine reinforced. Light dusting, a few chips to blank upper margins. Good+.

Jim West was convicted of first degree murder for killing George McNelly; he was sentenced to life. This, his appeal brief, was filed by his attorneys, Sheeks & Sneed and R.L. Brockenbrough. West's claim of self-defense had failed at trial, although the jury heard testimony that McNelly told West, "I will see you before Saturday night and put more holes in you than there is in a sifter." His lawyers argue, "Deceased had armed himself and prepared himself to kill West, and flee the country. In his attempt to kill West he was killed himself-- a blessing to civilization and to society."

(24075) \$250.00

45. **Thompson, Lieut. J.J. :** A HISTORY OF THE FEUD BETWEEN THE HILL AND EVANS PARTIES OF GARRARD COUNTY, KY. THE MOST EXCITING TRAGEDY

EVER ENACTED ON THE BLOODY GROUNDS OF KENTUCKY. Cincinnati: U.P. James, [1854?]. xiii, [1 blank], [15]-112 pp. Stitched in original printed golden wrappers [light edge wear, spine reinforced, printed spine title]. Wrapper title reads: "Kentucky Tragedy! A History of the Blood Renconters, Street Fights, Battles, &c., Extending Through a Number of Years, in Which Many Persons Were Killed, and Others Seriously Wounded, Known as 'The Hill and Evans Feud,' in Garrard County, KY." Rear wrapper and inner front wrapper list U.P. James books for sale. Very Good.

"The feud, which started over a female slave, resulted in many killings and is one of the more famous of all such affairs. Lt. Thompson, the author of the startling work, shortly afterward tried to outdo the subtitle when he brutally murdered his mother, brother, and sister and paid for the crime on the scaffold." [Eberstadt] The first edition was published in Louisville earlier in 1854. This offering, one of the "nice copies in yellow wrappers" [Jillson], is the first issue of the second edition. Thompson dedicates it "to the good, great, and chivalric people of Kentucky."

This Kentucky feud was a multi-decade marathon, which Thompson traces in detail. It "grew out of the return of a female slave which Dr. Hezekiah Evans hired from John Hill." [Jillson] The earliest account of trouble began with Dr. Hezekiah Evans hiring a negro woman from John Hill, and Hill then arranging the woman's flight from Evans so that he could have her for himself. In the resulting confrontation John Hill hit Evans in the head with a hickory stick. Later conflicts escalated, and the feud progressed from bloody to deadly.

Thompson calls both families "belligerent," recounting how the Hill family drew strangers into the fray by giving "little dancing parties... to collect crowds of the floating loafers of the country... pleasantly detained them with the fiddle's charm, and the bold spirit of Bacchus, and with the embraces of women of no enviable reputation."

Howes T198. Jillson 125. Coleman 1699. 134 Eberstadt 366 [Louisville]. Not in Thomson.
(37460) \$1,500.00

46. **Tingley, H.F.:** INCIDENTS IN THE LIFE OF MILTON W. STREETER, THE JEALOUS AND INFATUATED MURDERER, WHO MURDERED HIS BEAUTIFUL AND YOUNG WIFE, ELVIRA W. STREETER, AT SOUTHBRIDGE, MASS., A FEW MONTHS SINCE: CONTAINING ALL THE INTERESTING INCIDENTS OF HIS LIFE- ALL THE PARTICULARS OF THE MURDER- HIS TRIAL, WHICH OCCURRED RECENTLY, SENTENCE, &C. Pawtucket, R.I.: A.W. Pearce, Printer, 1850. Original printed wrappers, stitched, 96pp. Full-page illustration of the murder scene. The rear wrapper advertises, "Agents Wanted to sell this book in all parts of the United States and the British Provinces, and in all parts of Europe where the English language is spoken." Very Good plus.

"Streeter's wife decided to leave him because of his insane threats and suspicions. When she started a suit to do so, he cut her throat as well as his own, though he survived. His death sentence was commuted to life imprisonment" [McDade]. Phrenological information is provided.

"The disordered mind of Milton W. Streeter" is described in detail. As Cohen points out, the book is "An early psychological approach to a domestic murder, in which the reader's sympathy is developed for both the victim and the murderer, the latter having been deprived of a Christian upbringing" [Cohen].

McDade 945. Cohen 13053. Sabin 95848.
(35174) \$950.00

47. **[Tirrell, Albert J.]:** TRIAL OF ALBERT JOHN TIRRELL FOR THE MURDER OF MARY ANN BICKFORD. IN THE SUPREME JUDICIAL COURT OF MASSACHUSETTS, HOLDEN AT BOSTON, TUESDAY, MARCH 24TH, 1846. TOGETHER WITH THE LIVES OF ALBERT J. TIRRELL AND MARY ANN BICKFORD. REPORTED FOR THE BOSTON DAILY TIMES BY J.E.P. WEEKS, ESQ. Boston: Published at the 'Times' Office, 1846. 39, [1] pp. Disbound, original printed title wrappers, [two rubberstamps on title page]. Last leaf with a tear [early, crude repair] and loss of a couple of letters. Else Good+.

"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" [McDade 986].

McDade 991. Cohen 13118.

(34655) \$450.00

48. **Turnbull, Robert J.:** A VISIT TO THE PHILADELPHIA PRISON; BEING AN ACCURATE AND PARTICULAR ACCOUNT OF THE WISE AND HUMANE ADMINISTRATION ADOPTED IN EVERY PART OF THAT BUILDING; CONTAINING ALSO AN ACCOUNT OF THE GRADUAL REFORMATION, AND PRESENT IMPROVED STATE, OF THE PENAL LAWS OF PENNSYLVANIA: WITH OBERVATIONS ON THE IMPOLICY AND INJUSTICE OF CAPITAL PUNISHMENTS. IN A LETTER TO A FRIEND. London: Re-Printed and Sold by James Phillips & Son., 1797. [2], ii, 93, [1 blank], [folding table]. Lacks the final advertisement leaf collated by ESTC. Bound in modern marbled wrappers. Light wear, Very Good.

This is the first London edition, after the 1796 Philadelphia printing. Turnbull was a libertarian and progressive in many of his opinions, with the glaring exception of slavery. He writes here, he says, because "as mankind in general have long been the dupes and victims, to all the mischiefs of superstition and false systems of religion, so have they been more or less affected, from a blindly adopted policy in matters of jurisprudence." He conveys a more enlightened approach, with the Walnut Street Prison in Philadelphia-- "this wonder of the world"-- as his model. That prison, he observes approvingly, separates prisoners according to the severity of their offenses, establishes work-shops for the prisoners, prohibits the death penalty "for every crime except cool and deliberate murder," and promotes a policy of cleanliness. Turnbull's arguments against the death penalty are extensive and well-reasoned. Cohen 4575. ESTC T50963. Sabin 97470. Brinley Sale 3158. Goldsmiths 17132. Not in Marvin, Marke, Harv. Law Cat., Eberstadt.

(31974) \$350.00

49. **[Twitchell, George S.]:** THE TRIAL AND CONVICTION OF GEORGE S. TWITCHELL, JR., FOR THE MURDER OF MRS. MARY E. HILL, HIS MOTHER-IN-LAW. WITH THE ELOQUENT SPEECHES OF COUNSEL ON BOTH SIDES, AND HON. JUDGE BREWSTER'S CHARGE TO THE JURY IN FULL. TO WHICH ARE ADDED MANY INTERESTING FACTS IN REGARD TO THE HILLS AND TWITCHELLS NEVER BEFORE PUBLISHED. Philadelphia: Barclay & Co., [1869]. [2], 19-90pp, as issued, with six full-page illustrations. Stitched in original printed wrappers,

the front wrap illustrated with a portrait of Twitchell, the rear wrap with an illustration of the murder. Light wrapper wear, a clean text. Very Good.

A trademark Barclay gruesome, sensational story. Mrs. Hill's body was found dead in her yard by a servant girl. Mr. Twitchell and his wife, Camilla Twitchell, claimed that she must have fallen from a second story window. But the evidence indicated that Mrs. H. was beaten with a poker, and then thrown out the window to simulate an accident. Both Twitchells were arrested. Camilla was acquitted; but George was found guilty and sentenced to hang. On the day of his execution, George Twitchell committed suicide.

McDade 1010. (35568) \$950.00

50. **Voorhees, D[aniel] W.:** SPEECH OF D.W. VOORHEES, DELIVERED AT GREENEVILLE, TENNESSEE, JUNE 23, 1885, IN DEFENSE OF CAPT. EDWARD T. JOHNSON, INDICTED FOR THE MURDER OF MAJOR EDWIN HENRY. Washington: Judd & Detweiler, 1885. Original printed wrappers with wrapper title [as issued], stitched. 74pp, a clean text. Several extremity chips to blank margins of wrappers, else Very Good.

Voorhees was U.S. Senator from Indiana at the time of this trial. He had been a Copperhead during the War. A talented lawyer, he had defended one of John Brown's accomplices in the Harper's Ferry trials.

In this case the deceased, Edward Henry, "had an affair with Mrs. Johnson. When her husband became aware of it, she committed suicide. Johnson then killed Henry with a shotgun" [McDade, who cites this pamphlet as the sole source for the trial]. After he killed Henry, Johnson gave himself up. Voorhees lauds Johnson's sterling character, to which many solid citizens of Johnson's and Voorhees's native Indiana attested. "While this most unhappy defendant stood faithfully at his post of duty, Henry incessantly haunted his wife's presence and preyed upon her weakness."

McDade 518. (35160) \$600.00

51. **[White, John]:** CHARGES, PREFERRED BY JOHN WHITE, OF THE CITY OF NEW YORK, PILOT, AGAINST HENRY CAHOONE, ESQ. LATE COMMANDER OF THE REVENUE CUTTER ACTIVE, OF THIS PORT, AND NOW COMMANDER OF THE REVENUE CUTTER ALERT, OF THE SAME PORT: TOGETHER WITH THE TESTIMONY IN SUPPORT OF THOSE CHARGES. New York: Hopkins & Morris, 1825. 76pp. Disbound and foxed. Tear at leaf 53-54 affects about seven letters. Good to Good+. 'H.M. Western' inscribed at head of title. Henry M. Western [1797-1853], a prominent New Yorker, was a great jury lawyer and a leading advocate in criminal cases, especially capital ones. He represented cult-like religious leader Matthias [a/k/a Robert Matthews] at his murder trial in 1835, and advised freed slave and member of Matthias's flock, Isabella Baumfree, who later became known as Sojourner Truth.

"White, previously the defendant in a slander action, here reiterates a series of charges of misconduct against Cahoon, the plaintiff. The charges, which had been presented earlier without success to Congress and the Treasury Dept., include smuggling and improper disposal of a revenue cutter" [Cohen].

Cahoon had lost the slander case; White reiterates many of the allegations which had prompted that litigation.

FIRST EDITION. Cohen 11963. Sabin 103412. AI 23310 [8]. Not in Marke, Harv. Law Cat.,
Eberstadt.
(32055) \$450.00