

Report of the
TRIAL
of
HENRY BEDLOW
for Committing a Rape on
LANAH SAWYER
New York, 1793

by
William Wyche

Edited by
JOHN WOOD SWEET

Chapel Hill, N.C. · 2022

*Transcribed from the surviving copies
at the
New-York Historical Society
and the
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Introduction

When Lanah Sawyer charged Henry Bedlow with rape in the fall of 1793, the result was one of the most sensational trials of the Revolutionary era. She was a seventeen-year-old seamstress from a working-class family. He was a twenty-five-year-old scion of wealth and privilege. He had drawn her in with charm and deception; she had agreed to go out for a walk on the Battery; they had ended up in the back room of a brothel. The trial on October 8, 1793 filled New York's Federal Hall with a crush of spectators—and featured many of the region's most distinguished attorneys. Among those crowding the courtroom was a young English lawyer who came prepared to take detailed notes of the proceedings. Six weeks later, he produced a sixty-two-page *Report of the Trial of Henry Bedlow, for committing a Rape on Lanah Sawyer* (New York, 1793), the first published report of an American rape trial.

William Wyche had arrived New York less than two years earlier, fleeing scandal. According to a London newspaper, in March 1792 he had “interfered” with another man and a “lady” in the street, been challenged to an illegal duel, and ended up wounding his opponent in the shoulder. Forced to abandon his almost-complete legal studies at one of the Inns of Court, he began a new apprenticeship in New York under the prosperous attorney Carey Ludlow. By the fall of 1793, Wyche was twenty-three years old and looking to make a name for himself. He set his sights on bringing some of England's sophisticated legal culture to America—at a time when London numbered almost a million people and New York only about forty thousand. By the time of the Bedlow trial, Wyche was already planning *A Treatise of on the Practice of the Supreme Court of Judicature in New-York in Civil Actions* (New York, 1794), the first such manual of practice in the new United States.

What drew Wyche to the Bedlow trial was likely a combination of personal interest, obligation to his employer, and professional ambition. The London street scene that led to Wyche's fateful duel may have paralleled the incident in which Lanah Sawyer first met the man who turned out to be Henry Bedlow: she was being harassed on Broadway and he stepped in, supposedly to rescue her. Moreover, in the fall of 1793, Edward Ludlow, the son of Wyche's employer, was facing rape charges of his own in Queens County. Finally, Wyche was clearly

encouraged by the extraordinary public interest in the Bedlow trial. At the time, detailed published reports of trials were common in London, where the city's highest criminal court, the Old Bailey, routinely published records of its proceedings. But, in the United States, where shorthand was not widely used and court clerks didn't yet produce anything like modern stenographic transcripts, published accounts of criminal proceedings were still rare.

Without Wyche's *Report of the Trial of Henry Bedlow*, the only records of this case would be two sparse manuscripts. One is the attorney general's indictment, a sketchy, formulaic document that gives only the briefest outline of the charges. The other is the official minute book of the Court of Oyer and Terminer (a criminal arm of the state Supreme Court of Judicature), which includes nothing more than the trial's date and location; the names of the three judges, the jurors, the prosecution and defense witnesses; and the jury's ultimate verdict.

In an editorial note at the end of his *Report*, Wyche wrote that the spectator galleries in the courtroom were so crowded that his ability to take verbatim notes was compromised. But he did his best—and the enormous public interest in the trial seemed to justify publishing his work. The trial was frequently interrupted by animated spectators alternately hissing and clapping—and ended with a stunning verdict. Public outrage spilled over into riots in the streets; a protracted debate in the city's newspapers quickly spread across the nation. On the title page, Wyche included the phrase *aequae loquor*, Latin for “equally told”—a promise of impartiality.

Not everyone was happy to see Wyche's report of the trial in print. Bedlow's father had hired six of the city's best attorneys to work on his son's defense and they were alarmed by the prospect of having their legal tactics and arguments exposed in black and white. Wyche published the report anonymously, styling himself obliquely on the title page as “A Gentleman of the Profession”; but his identity was not difficult to discern. The defense team tried to pressure him in withdrawing the report from circulation and, when he refused, did their best to discredit it. In a huff, four of them published a letter in the city's newspapers—making it clear that they knew the identify of the report's author and complaining that his account was shamefully garbled and inaccurate. Remarkably, a host of others responded with letters of their own—defending the accuracy of Wyche's account and observing that the defense lawyers had good reason to be ashamed of their trial tactics, which included baselessly maligning Lanah Sawyer snobbishly disparaging the prosecution witnesses as “an obscure set of people.”

If William Wyche had hoped that his *Report of the Trial of Henry Bedlow* would favorably impress New York's legal establishment, he ended up disappointed. Part of the trouble, no doubt,

was the way in which this early work had alienated so many of the bar's most prominent members. Their animosity may well have dulled appreciation that his subsequent, more ambitious and scholarly, publications deserved. By late 1796, he gave up on New York and moved to Charleston, South Carolina, and developed a practice there.

Meanwhile, his *Report* seems to have encouraged a trend toward the publication of other, similar, reports of criminal proceedings in the city and across the new nation. Like the Bedlow case, many of these early reports of criminal cases and related newspaper coverage focused on cases involving sex and violence against women. By the mid-1790s, concern about the prurient interest prompted the Old Bailey in London to stop publishing reports of rape cases. But in the United States, there was little such restraint on the appetite of popular press for sensationalism. By the end of the century, several other reports rape and seduction trials appeared in New York. An 1800 trial for the murder of a young woman named Gulielma Sands resulted in three different reports from competing printers, including one prepared by the clerk of the Supreme Court of Judicature, who claimed that his was a faithful transcript of the entire proceedings, taken in shorthand.

This edition of William Wyche's *Report* is based on the only two surviving copies—one of which is held by the New-York Historical Society in New York City and the other by the American Antiquarian Society in Worcester, Massachusetts. Original page numbers are included, as they appeared in the original, in square brackets. The text is a verbatim transcription of the original, including spelling and punctuation, including parentheses and square brackets—with a few editorial interventions made for historical accuracy and consistency.

Select typographical errors in the original have been silently corrected: on page 18, “cloths” is rendered “clothes”; on 25 “Autaeus” is rendered Antaeus; on 29, “the house of of Mrs.” is rendered “the house of Mrs.”; on 40, “of two serious importance” is rendered “of too serious importance.”

A comparison of Wyche's report with the brief record in the Court of Oyer and Terminer Minute Book (preserved now only as a microfilm copy in the Archives at Queens Library) revealed a number of minor discrepancies in the order in which witnesses appeared and in their names. Here, the witnesses all appear in the order in which Wyche presented them, but I have, throughout the text, silently corrected a number of names based on the official minutes, city directories, and other records. Wyche misidentified several people: his “Mary Cary” was really Ann Carey; his “Joel Hone” was Samuel Hone; and his “_____ Hone” was Hannah Hone. Based

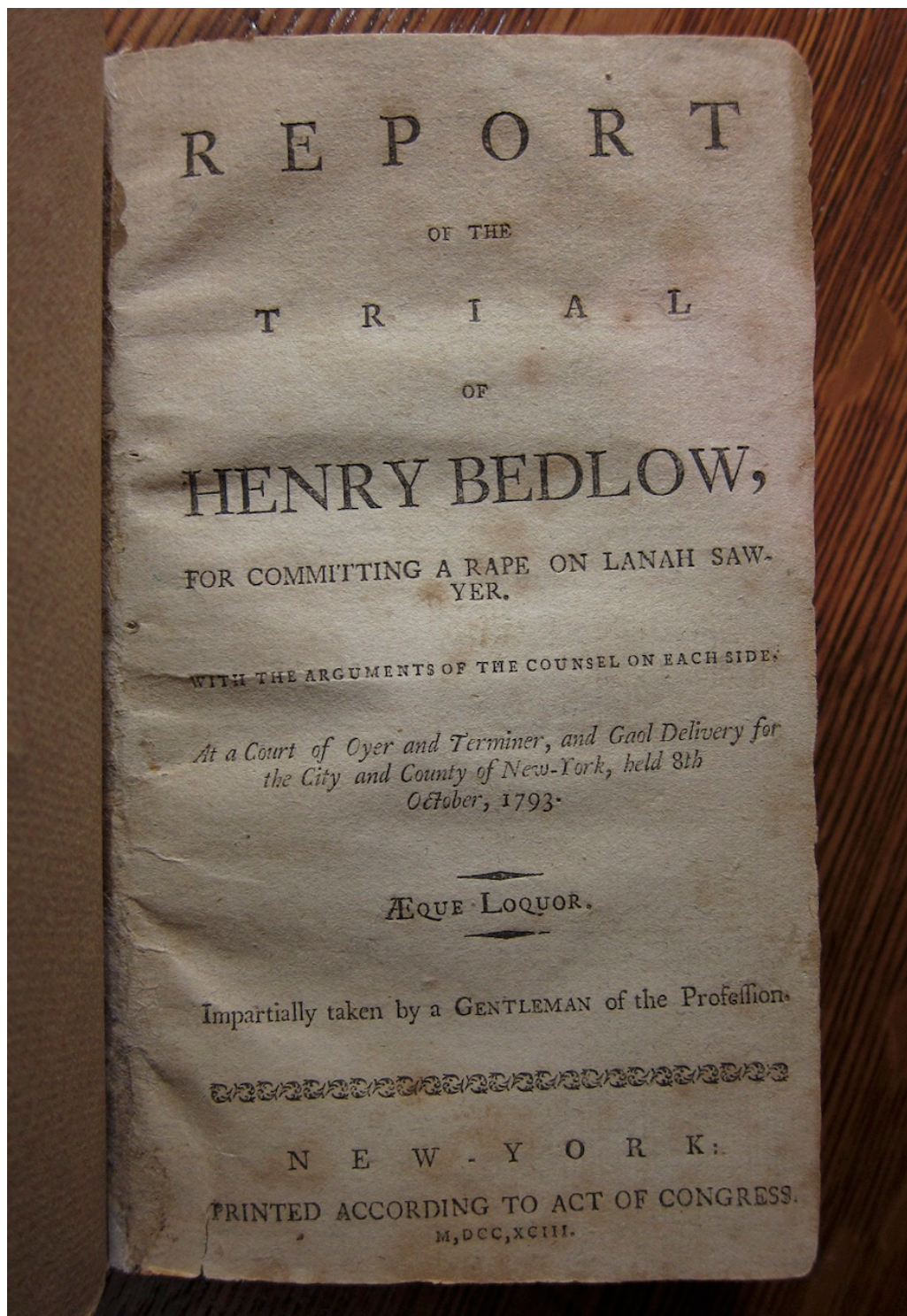
on other contemporary sources, I have standardized the spelling of several other names: “Harrison” is Harison; “Dow” is Dowle; “M’Ready” is McCready; “M’Faul” is McFall; and “Tout” is Towt.

In other cases, Wyche did not identify an individual by name. The Attorney General was Nathaniel Lawrence; the Mayor was Richard Varick; and the Recorder was Samuel Jones. Lanah Sawyer refers at various points to her “father,” meaning her stepfather, John Callanan. The “prisoner” was Henry Bedlow (also known as “Harry”); his father was William Bedlow. In these cases no changes in the text seemed necessary. For clarity, I did supply missing names in two passages: On page 17, Wyche recounts the Mayor’s testimony about “a complaint against Callahan”—which I have rendered as “a complaint against John Callanan (Lanah Sawyer’s stepfather).” On page 18, Wyche referred to two different individuals only as “Another witness.” I have supplied their names, set off by commas: thus, “Another witness, ELIZABETH AUBICK,” and “Another witness, MARY CASWELL.”

For more on Lanah Sawyer, Henry Bedlow, William Wyche, and details about the identities of the witnesses during the trial, see John Wood Sweet, *The Sewing Girl’s Tale: A Story of Crime and Consequences in Revolutionary America* (New York: Henry Holt & Co., 2022).

John Wood Sweet
Chapel Hill, North Carolina
31 June 2022

Report of the Trial of Henry Bedlow



*The title page of the New-York Historical Society's copy of William Wyche's Report.
 Photograph by John Wood Sweet, 2010.*

[3]

T R I A L, &c.

ON Tuesday, the 8th of October, 1793, at the court of Oyer and Terminer, and Gaol delivery for the County of New-York, came on the trial of Henry Bedlow, for committing a rape upon the body of Lanah Sawyer, spinster, a young girl of about 17 years of age. The counsel for the prosecution, were, The *Attorney General*, Messrs. *Hoffman* and *Kent*; for the prisoner, Messrs. *Thompson*, *Hughes*, *B. Livingston*, *Troup*, *Cozine* and *Harison*.

After the usual preliminaries were over, the Attorney General opened the prosecution with a few general observations on the nature of the evidence in an affair of this kind; and remarked that it must always be drawn from the party herself, whose testimony, if clear and positive, and not impeached, was deemed in law, sufficient to ground a conviction. He then called the Prosecutrix.

LANAH SAWYER, who, being sworn, testified, that “on a Sunday evening, the latter end of August, she was going through Broadway, and received several insults from some Frenchmen, whose language she could not understand; and that the Prisoner came up---rescued her, and then attended her home to her father’s house in Gold-Street---That he told her his name was lawyer Smith. On the Sunday following, she met him again---he accosted her---they entered into conversation; in the course of which, he asked her, if she would [4] take a walk with him on the battery the following evening; she replied, she was engaged; he then mentioned Tuesday evening; she told him that she was also engaged; he said, surely you are not engaged on every evening---you can certainly go on Wednesday; to which she told him she was not then engaged. He conveyed her home, and departed. In the morning, a Mr. Hone, who lived opposite to her, observed what a smart Beau she had got. She told him it was a lawyer Smith; but Mr. hone said it was not, for it was *Harry Bedlow*, a very great rake; she said it could not be, as he had

said his name was lawyer Smith. On the Wednesday evening following, being the 4th of September, she was sitting on her father's stoop, and the Prisoner came up to her, asked her to take a walk, and told her that Miss Steddiford (whom she had before mentioned to him to be a young lady of her acquaintance) would, with another gentleman, accompany them. That she went with the prisoner to the house of Mr. Steddiford, but found his daughter out; that Bedlow suggested they had gone to the battery. She accordingly went with him towards that place, down Broadway. They stop'd at Corre's, and took some ice cream, and afterwards proceeded to the Battery, round which they walked twice. During this time she heard the clock strike, and counted twelve; this alarmed her, she mentioned her fears to the Prisoner, but he quieted them by telling her it was only ten. They then returned and going into Broadway, met three watchmen, who, upon being asked by Bedlow, told them it was one o'clock. They then went on to John-Street, where she was going to turn down, but the Prisoner would not let her. He kept his arm around her, and brought her on to Ann-Street, which he wanted her to turn down, but she would not, as she knew there were vacant lots there---had heard the street was filled with bad people, and thought it improper for a young girl [5] to do down there. He kept tight hold of her;---she screamed, and he stopt her mouth. She then, for the first time, began to suspect his intentions. He then dragged her along to the opposite the Brick-Meeting-house, with one arm round her, the other having both her hands; he then knocked with his stick at the door of Mrs. Carey. Mrs. Carey opened the window; he desired admittance; she refused, saying, that her doors were locked---that her husband was out of town, and she could not open them. The Prosecutrix, during this, escaped from the Prisoner, and run near to the corner of Nassau-Street; Bedlow dragged her back again; she again escaped, and fled quite to the corner; he forcibly made her return, she again ran away, almost exhausted, and not knowing what she did, run upwards; the Prisoner followed her, told her she should not go back against, and keeping tight hold of her, bro't her to Ann-Street, she resisting; he carried her down there, took her through a vacant lot, keeping fast hold of her arms, and going backwards himself, drew her through a passage, pushed open a gate, led her thro' a garden, where they were obstructed by bushes---then came to a back door, at which he knocked and demanded admittance; the door was opened by Mrs. Carey, who said, "there is a room;" the Prisoner dragged her into it; she screamed; he called for a candle, which was afterwards put in at the door by Mrs. Carey, and the door was then shut. Bedlow the pulled off his coat and waistcoat, during which, the Prosecutrix screamed and endeavoured to escape, that he then seized her, stopped her mouth, and laughed loud to prevent her screams from being heard; he then threw off her hat, tore the pins out of her gown, and placing her before him, drew it off her shoulders; he asked her consent three or four times, which she refused, calling him

a brute, a dog, and a villain; he next asked her consent to put out the candle; which she [6] likewise refused, and he put it out without; afterwards he tore the strings of her petticoats, and kicked them off with his feet; upon this he threw her down on the bed, and pulled off his own cloaths, during which, she tried to effectuate an escape, but was prevented by him. He then threw himself upon her, laid his left arm across her throat, so that she was almost choaked; and did not suppose she could live many minutes, and *had his ends of her*. These words were explained by leading questions, (the answers to which thro' delicacy we omit; but they amounted to proof of the fact.) She did not feel his right arm at all, nor new what he did with it; afterwards he turned his back and went to sleep; she then arose to look for the door, but came across the window, tried to open it, but could not; she next found the door, felt a latch but could not open it; felt all over for bolts and found none; Bedlow hearing her, got up and forced her to bed again, but did not offer nay new violence. He went to sleep again; she again got up and tried at the window, but not being able to get out, set down in a chair, the room being very dark and impossible to distinguish any day-light; that Bedlow again got up and made her lie down; after some time he arose, opened the shutter, and she discovered it to be broad day; he dressed himself, told her to do the same, and to make haste, as he supposed Mrs. Carey wished them to be gone; that he went away; she staid, dressed herself, and coming out into the passage, was met by Mrs. Carey, who said, "deary, you may go out the back or the front door, as I have looked out and there is nobody in the street"; the prosecutrix replied she would go out the front door, and did not care if the first man she met was her father, or some relation or acquaintance. Almost ten in the morning she went out, turned up near Broadway, and as she came near Ann-Street, she saw Bedlow pass her. Being much distressed and fearful lest her father should beat her before he heard her story, and [7] being desirous of acquainting her mother with it first, she went to the bathing-house near the north-river, and sat down by the riverside; a gentleman came up with two little boys, spoke to her, asked why she looked so dejected, she refused to tell him & he again importuned her and met with a like refusal; he then asked if she had lost her lover; if he had gone to sea, and whether she intended to drown herself; he then wrote something on a paper, and told her he would show it her, if she would disclose the cause of her grief; at last he went away, and the Prosecutrix walked to a Mrs. Bruce's near the battery, where an aged aunt of hers lived; here she stayed the afternoon, drank tea, and went away about seven o'clock. She then went round to a Mr. Jones's in Dock-Street, on an errand, but seeing the door shut, and some Frenchmen on the stoop, was afraid to go in; she missed her glove and returned to Mrs. Bruce's to find it, but could not; she then proceeded to the house of a Miss Pine, in George-Street, in order to get her to go home with her; she saw her standing over her door, and Miss Pine called to her, upon which the Prosecutrix

asked her or her sister to go home with her; Miss Pine told her she would, and a Mrs. Towt said her husband should go with them, but the Prosecutrix refused; but Mrs. Towt apprehensive they would not go home, sent her husband with them, on the other side, to see them home; that they went home, but her father and mother were both out; she went over the way to a Mrs. Hone's, and stayed a long time there; that her mother came and was in a great passion, and a Mrs. Harper, a cousin of hers, said she should go home and stay the night with her, which she accordingly did, and went immediately to bed. In the morning her mother came, to whom for the first time, she related the whole affair. Afterwards her father came, and the story was told to him; that he then made her go with him to Mrs. Carey's. When they came to [8] the house, he desired her to go in first, which she did; that on seeing Mrs. Carey, her father asked if she knew that young woman, pointing to the Witness; Mrs. Carey, to repeated questions of this kind, replied that she had never seen her before in her life. The father asked the Witness if that was not the house; she told him before Mrs. Carey, it was the house she was dragged into the night-before-last; that Mrs. Carey refused her father a sight of the back room.

In the course of the testimony, the gown of the Witness was produced, (a calico, made with drawn frill round the neck;) two or three strings were torn off--a few places were torn in the gown, but mended, which the Prosecutrix did the next day, to walk in the streets decently.

On a *cross examination*, she said she did not know the that the lawyer Smith was Bedlow, till they got to the corner of Ann-Street, when, from his behavior, suspecting his intentions, she thought she had been deceived, and that he really was Harry Bedlow. She denied being influenced by her father, or any other friends, to bring on this prosecution. It came out, likewise, that there was a child who slept in the corner of the room, boarded off, where they were; and that no noise had awakened him; this child was fetched away by Mrs. Carey, in the morning. She denied being at Mrs. Carey's the next night, or at Mr. Bedlow's house, and did not even know where the latter was. She heard nobody move in the house in the morning. The first light she saw in the room, was from the Prisoner's opening the window; she did not stamp in the room with her feet; she saw nobody in the street, after passing the three watchmen.

The Attorney-General then rested the prosecution, for the present, and the nature of the Defense was opened by [9]

MR. THOMPSON.

Gentlemen of the Jury,

IT is now my duty, as the youngest counsel for the Prisoner, to open the nature of his defense, and to state to you the substance of the most material evidence, that will be offered in its support.

And first, as the nature of the crime of which he is accused, and the most serious consequences involved in the event of this trial, are too well known to you, in opening the cause, I shall pass over them in silence, only mentioning that it is an accusation easy to be made, hard to be proved, but harder, much harder to be defended, by the party accused, though perfectly innocent. As it is an offense of so dark a nature, so easily charged by the women, and the negative so difficult to be proved, putting the life of a citizen in the hands of a woman, to be disposed of almost at her will and pleasure; you therefore will find it necessary in the first place to examine with strictest scrutiny into the character and conduct of her upon whose evidence he must stand or fall. Her character, her conduct, to entitle her to be that evidence who shall take away the life of a citizen, ought not only to be perfectly chaste, but through the whole scene should not leave the slightest suspicion of impropriety; she ought indeed to be a person who would have avoided the house in which she intends the fact was committed, as she would have avoided her own ruin. The first ground of our defense she has furnished from the relation of the facts themselves, which she has just now related, from which we infer, that she is not the evidence who is intitled to belief by a jury of the country. So that if we had not a single evidence on the part of the prisoner, upon your oaths you ought to acquit him; but kind Providence, who sometimes protects the innocent, has furnished us with that evidence which cannot leave the least suspicion upon your mind of his guilt, but will indeed disclose a scene of [10] fraud and falsehood; clearly shew that the measure of her iniquity is full; and that she yielded herself a willing sacrifice on the altar of prostitution.

I now proceed to state the substance of the prisoner's evidence, which in many instances will corresponded with that offered on the part of the people; and indeed the first evidence we shall offer, will begin at the time the Prosecutrix and the Prisoner came to the house of Mrs. Carey, which was nearly between 10 and 11 in the evening of Wednesday night; that the Prisoner with Miss Sawyer, while at Mrs. Carey's front door, were in a very agreeable conversable mood, and that there were no noise or tokens of violence appearing to be offered by the Prisoner to Miss Sawyer; that after continuing some time above an hour longer, when Mrs. Carey and the family were alarmed by the barking of dogs in the backyard; that at this time the Prisoner and Miss Sawyer come into the lane from Ann-Street to the gate that leads into Mrs. Carey's garden; that this gate was fastened by a heavy latch with a nail over it, which was inserted for greater security; that the Prisoner left Miss Sawyer on the out side of the gate, and let Miss Sawyer

through into the garden; that upon letting her in, he fastened the gate, and came with Miss Sawyer to the back door of Mrs. Carey's house, and wrapped for entrance; that upon hearing the noise, Mrs. Carey came to the door, and enquired who was there; whereupon the Prisoner replied a friend; upon hearing the Prisoner's voice; she knew him, opened the door, and introduced him into the room, and presently handed a candle to them; that while Mrs. Carey was at the door, there was no noise or signs of violence; that after the Prisoner shut the door, he and Miss Sawyer were heard to converse in a soft agreeable manner, for about an hour; that during this time the Prisoner and Miss Sawyer were [11] both heard to laugh; that no noise or distress or violence during any part of the night was made after the Prisoner came to the house, altho' if there had been this pretended noise, a number of persons then in the house, from their situations, certainly must have heard it; that the Prisoner and Miss Sawyer continued in the room until 10 o'clock next morning, when she left it with a degree of apparent complacency and satisfaction in her looks and conduct. I will further proceed to state certain facts representing the situation of the gate and likewise the rooms in Mrs. Carey's house; as to the gate it was 7 feet high and well bolted; the windows and shutters of the room in which the Prisoner and Miss Sawyer were, had no bolts or fastening; the lock of the door of the same room was spoiled, and had no latch to keep it together. It will be also proved, that there was a child of about 3 and a half years old, who slept in the room, within about two foot of the bed on which the Prisoner and Miss Sawyer lay; that the child was not awakened by any disturbance in the night time, and without any assistance came out of the room about 7 o'clock in the morning, leaving the door upon a crack; from whence, Gentlemen of the Jury, you will infer that Miss Sawyer might have left the room at any time in the night or morning; we shall further prove, that the door of the room directly opposite, was within three feet; that the bed in the room opposite, on which one of our witnesses lay, was at the distance of 13 feet from the bed in the room where the fact is pretended to have been committed; that the door of the same room was partly open; that the bed in the room in the front of the house, on which Mrs. Carey and one other of the witnesses lay, was 14 feet; that the door of the same room was 7 feet; that these rooms were all upon the lower floor of the house; and that the rooms are divided from each other by thin boarded partitions; of consequence the slightest whispers in one room of the house, must necessarily be heard throughout the whole.

[12]

If we can prove these facts, you will without hesitation, discover that the whole is a scene of iniquity, contrived to extort money from an aged infirm father, or to deprive an innocent man of his life; and in truth, to his parents, it is a day of tribulation, of rebuke, and of sorrow; but the

prisoner a day of joy, that he has an opportunity of coming forward, and showing to the world, that he is innocent of a most scandalous and wicked charge. Mr. Thompson then called

ANN CAREY, who deposed, that on the evening of September the 4th, being Wednesday, she heard some time after 10 o'clock, a knocking at her door, upon which she opened the shutter of her room window, and the prisoner demanded entrance; this she refused saying her doors were locked, her husband was from home, and she was afraid of opening the doors; that the Prisoner did not appear to hold the Prosecutrix, who made no noise, nor struggles; that a number of people were passing and repassing the street; that she then returned to her bed, and fell into a doze of a sleep; sometime after, she was awakened by a barking of dogs and a noise at her back door; she got up, greatly alarmed, as did Mary Franklin, who slept with her; enquired who was there, and heard Bedlow's voice; she then opened the door in her shift; asked him how he got in; he replied, he jumped over the fence; she then told him there was a room; she did not see the Prosecutrix come in, nor saw her that night, as she then ran in, to tell Mary Franklin to light a candle. When the witness had put on some clothes, she shoved the candle in at the door, and went away. In the morning, the family arose, breakfasted at 8, and passed and repassed thro' the entry several times. The Prosecutrix came out of the room at 10 o'clock, and then the witness had the conversation with the Prosecutrix as mentioned by her, except as to wishing to meet her father; that she appeared perfectly composed and satisfied; that she [13] made no noise in the night---and that if she had, the witness must have heard it, as she did not sleep afterwards; and as words spoken in one room of her house could almost be heard in any other. That in the room they slept there were no means of making it totally dark, for part of the shutter was broke, and the least light might be seen through the cracks; that the back passage to her house was obstructed by logs and clam-shells; the back-gate was fastened at night, so that nobody could open it from without; no fastenings to the windows of the room, no fastening to its door.

That on the next evening being Thursday, at the hour of lighting candles, the Prosecutrix called, and enquired for Mr. Bedlow; the Witness told her hew as not there: The Witness had some pumpkin pye---gave some to a lady who was there, and asked the Proscutrix to have some, which she refused; the lady then went into the kitchen to see her child. The Witness afterwards requested the Prosecutrix to go into another room, as some gentlemen might come in; the Prosecutrix told her she could not stay; upon which, the Witness said, if she left a message for Mr. Bedlow, it should be conveyed to him, the prosecutrix said, "give my love to him, and tell him if I can get out to-morrow evening, I will meet him," and then departed. The witness could not

recollect the dress of the Prosecutrix, but the gown had a frill round the neck. The Prosecutrix was four times at her house.

— — —

ANN McFALL deposed, That she was a relation of Mrs. Carey's, who kept her child; that on Thursday evening she was there, to see her child, she saw the Prosecutrix there at dark, repeats exactly the story of the pumpkin pye as the last Witness, and that she went into the kitchen; knows the Prosecutrix, from having frequently see her lean over her father's door, it being near where she lived. [14]

MARY FRANKLIN deposed, That on Wednesday evening she was in bed with Mrs. Carey; that after ten they heard a knocking at the door; that Mrs. Carey opening her window-shutter, and refused admittance; that no noise was made either of struggling or of screams, and that if any had been made, she must have heard it; that the house was a mere shell, and any little noise in or near the out part of the house, must have come to their ears; that they did not go to sleep; some time afterwards an alarm was heard at the back door, of dogs barking; Mrs. Carey called to her to get up, being afraid of thieves breaking in; that Mrs. Carey heard Bedlow's voice and opened the door: no struggling was made in the passage; Mrs. Carey called to her to light a candle, which she did and gave it to her; no noise or screams were made in the night; she heard them converse, and a woman's laugh: she never observed any obstructions in the back part of Mrs. Carey's house, though she knew it well. The room in which the parties lay, must have shewn light through the cracks of the window at break of day, and part of the shutter was broke; that the child got up at eight in the morning, came out, and left the door upon a crack; that they staid in the room till long after breakfast; no fastenings to windows or doors.

— — —

ELIZABETH SMITH deposed, That on Wednesday night she was alone in bed in a room in Mrs. Carey's house; she heard the knocking at the back door, the letting in, no noise or screams were heard during the night, but a talking and a woman's laugh; no struggling made at the entrance; must have heard it had there been any; saw the Prosecutrix go out next morning, perfectly composed and easy; to the broken shutter; to the light that must have been in the room; and to the opening of the window in the morning by Mr. Bedlow she speaks: a latch to the door. [15]

THOMAS McCREADY went to Mrs. Carey's house by desire of the Prisoner's father, measured the distance from room to room, and from bed to bed, which were as follows: the entry

way through Mrs. Carey's house, is 3 foot wide; that the bed in the room opposite the back room, is 13 foot; that the bed in the room in front of the house, is 14 foot from that in which he was told the fact happened; that the door of the same room to the other room is 7 feet; that the height of the garden gate is 7 foot; but all the rooms in the house are divided from each other by a thin boarded partition. He also saw Mr. Bedlow in the streets attending a building after the affair.

The MAYOR testified, That the warrant was issued on the 10th of September, and afterwards the prisoner band his father came to his office to make a complaint against John Callanan (Lanah Sawyer's stepfather) for an assault; that not liking to arrest him himself, he sent to different officers; that he amused the Prisoner with making a deposition as to the assault, till an officer came, and he then wrote on a paper to the elder Mr. Bedlow that he must commit his son. That the deposition of the Prosecutrix to ground the charge, came from Evertson and Rigg's office, ready to be sworn, was a little inaccurate, & amended by the Witness. That on the examination of Mrs. Carey before him, she said there was nobody in her house at the time, but a young woman and a negro wench.

The Attorney-General then called the following witnesses, to prove that the Prosecutrix was not at Mrs. Carey's on the second night; the marks of violence on her; and that her character was blameless.

JOHN CALLANAN deposed, That being extremely alarmed at the absence of his daughter, on Wednesday night, and the subsequent day, he had some conversation with Mr. Hone, a neighbor of his, on the subject; Mr. Hone informed him of seeing Bedlow with her, [16] and he thence concluded she was with him. On Thursday evening, he requested Mr. Hone to go with him in search of her; and they according walked about the city for that purpose. After some time they met the Prisoner; the Witness accosted him, and demanded where his daughter was; the Prisoner, at first, said he knew nothing about her---but afterwards pretended he had taken her home. [The Witness proceeding to relate a scuffle between them, was stopped by the Court.] On returning home he heard his daughter had returned, but Mr. Hone would not discover where she was, till he had promised not to beat her, which he did; he told Mr. Hone if his daughter was wrong, he would turn her out of doors, if right he would say nothing to her; that he does not know that this came to her ears. After seeing his daughter the next morning, and hearing the story from her, he made her go with him and Mr. Hone to Mrs. Carey's; that they went into a side room; he demanded of Mrs. Carey whether she knew the Prosecutrix; Mrs. Carey repeatedly

said, in answer to different interrogatories, that she had never seen her before. He then demanded a sight of Mrs. Carey's back room, which she refused. The Witness never threatened his daughter, nor compelled her to bring this prosecution, but left her to her own will.

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SAMUEL HONE, deposed, That on the morning after Bedlow had first come home with the Prosecutrix, he told her what a smart Beau she had had, and that his name was Harry Bedlow; she told him it was lawyer Smith; but the Witness did not mention the character of the Prisoner to her, or that he was a great rake.---That on Thursday evening, Mr. Callahan appearing much alarmed at what had become of his daughter, was conversing with him, and the Witness then mentioned that he had seen Bedlow with her; confirms the last Witnesses account of their search after her: That being [17] told by his wife of the return of the Prosecutrix, and where she was, & knowing Mr. Callahan to be a very violent man, and apprehensive he might beat her, he exacted a promise from him, not to do it, before he discovered where she was; that Mr. Callahan told him if she was wrong, he would turn her out of doors; if right, he would not say a word to her about it; but this the Witness did not tell the Prosecutrix, nor knows that she heard it. He afterwards went with Mr. Callahan and his daughter to Mrs. Carey's; that Mr. Callahan asked her if she knew that young woman; Mrs. Carey replied she had never seen her before; Mrs. Carey also refused to shew her back room.

JANE CALLAHAN deposed, that on Thursday evening she saw her daughter; was extremely angry at her; Mrs. Harper, a relation, took her home that evening; soon after Mrs. Harper returned to see her, and told her that her daughter's linen was discoloured, and that she must have had connection with a man. In the morning, the Witness went to Mrs. Harper's; examined her daughter's linen, and found it very bloody; and that she could no longer be a virgin; her daughter then told her the whole story; she mentioned to her her father's anger.

HANNAH HONE deposed that the Prosecutrix came to her home a little after seven, on Thursday evening; that company being there, she did not ask her any questions. She stayed till past nine, when her mother came home, and Mrs. Harper took her away.

LUCRETIA HARPER deposed, That she was at Mrs. Hone's when the Prosecutrix came in; it was a little after 7, on Thursday evening. When her mother came, finding her to be very angry, the Witness tho't it prudent to carry the Prosecutrix home with her, which she did; in going home, the Prosecutrix went a little a-head; no questions were asked her that evening; when

she got to the Witnesses's house she took a candle and went to bed; after she had been some time, [18] the Witness went, and finding her asleep, drew the clothes off her, and examined her linen; saw it much discoloured and very bloody, and evident marks of her no longer being a virgin; she then went to Mrs. Callahan, and told her what she had seen. In the morning Mrs. Callahan came to her house, and before the girl had spoke a word, threw her down and examined her linen. Then the Prosecutrix told her the story, extremely similar to that given in evidence. That the character of the Prosecutrix is generally good and she reputed to be a discreet, prudent girl, never kept much company.

ROBERT DOWLE had known the Prosecutrix for some time; always esteemed her a modest girl, was generally reputed to be so.

MARY MACDONALD had been acquainted with the Prosecutrix for two years; thought her a very discreet, prudent, modest girl, was generally esteemed so.

Another witness, ELIZABETH AUBICK, was known to the Prosecutrix about 14 months, having lived 2 months in the same house, without ever seeing any lightness in her conduct, but she was generally thought a modest, prudent, and discreet girl.

GEORGE WARNER deposed, That the general character of the Prosecutrix was good, and she esteemed to be modest and prudent.

Another witness, MARY CASWELL, deposed, That the Prosecutrix, on Thursday afternoon, came to Mrs. Bruce's to see an aged lady, that she appeared very much down and dejected; stayed to tea, and went away between 6 and 7---nearer 7.

ROBERT TOWT deposed, That on Thursday evening, about seven, or a little after, the Prosecutrix going down George Street, was called to, by Miss Pine, then looking over her door; that he then went into a neighbor's house, but was called out by his wife to go with her home, as she was afraid of her father; that [19] he offered to go, but she said she would not trouble him; that he said, she and Miss Pine might go on first, and he would follow; that he only went, as she was afraid of going home, and had no apprehensions of their going to an improper place, as she was a decent girl; that he followed them home; the Prosecutrix went into her father's house, and

then into Mr. Hone's---and he returned with Miss Pine. That she is known generally to be of good character, modest and virtuous.

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The cause was then summed up, on the part of the Prisoner, first by

Mr. *BROCKHOLST LIVINGSTON*.

Gentlemen of the Jury,

The solemnity of the present occasion; the awful situation of the prisoner at the bar, charged with having committed a crime of the deepest dye; the natural consequence of which, if proved against him, is the loss of his life, has no doubt impressed you with the serious importance of the cause you are now to determine. The magnitude of the offense, the wild character of Mr. Bedlow, the stories which have been circulated, have excited the attention of the public, sufficiently evinced by the numerous auditory present, and have no doubt created strong prejudices against the prisoner; they are prejudices however, which, after a fair and impartial view of the evidence even of the Prosecutrix herself, it is time to dismiss. By examining the various inconsistencies and contradictions throughout the whole of her testimony; by separating truth from falsehood; I pledge myself to prove that the present prosecution is founded in fraud and malice. The talk, gentlemen, may be long, and the hour is late; but you will not require an apology for that length, when the life of a fellow-citizen is at stake.

In order to determine whether Mr. Bedlow is guilty [20] of a rape, let us see the nature of that crime; whether the facts sworn to, amount to a proof of the Prisoners' culpability. An eminent writer of the English law, who is deservedly esteemed of high authority in that nation, Lord HALE, defines Rape to consist "in the carnal knowledge of a woman, forcibly and against her will." Has the Prosecutrix proved any force? Has she proved a violation against her will? Gentlemen, I by no means pretend to justify the conduct of Mr. Bedlow,

[Here a cry of "*Prisoner at the Bar.*"]

I will call him Mr. Bedlow, or Prisoner at the Bar, as I think proper for his defense. I know of no obligation to call him one more than the other. Gentlemen, as I was going to observe, Mr. Bedlow may have been highly culpable, and yet not guilty of a Rape. He may have seduced this girl; yet he did not force her. Overcome by his assiduities, his attentions, his address, his persuasions, she may have fallen a victim to seduction, but she has not experienced the monstrous brutality of a rape. The Prisoner is known to be a gallant man, fond of women, one who will not

refuse the favors of the Fair, and one perhaps, who will go to considerable lengths in soliciting their consent to his wishes; but he is not known to be a wretch, so lost to every sense of honor and decency, as to be capable of satisfying his lustful appetite by a recourse to the brutality of force. Besides, his character as a man of gallantry, is by no means a circumstance against him, it is strongly in his favor; accustomed to the company of women; a genteel figure; an insinuating address; would probably open sufficient avenues to the gratification of his pleasures, and prevent the necessity of force from ever occurring to his mind. His character, gentlemen, is almost a demonstrative proof, that seduction, and not rape, was the crime committed. We shall presently see from examining the testimony of Miss Sawyer, that throughout the whole of her tale, there are evident marks of the former---none of the latter. [21]

In cases of this kind, it is true that the law has from the necessity of the case, admitted the testimony of the party herself; but it has not allowed it to be conclusive; it must be accompanied with circumstances which show that the party is entitled to credibility. The same writer whom I just now mentioned, and the respectability of whose authority does not require my word in his support, has a passage so extremely applicable to the present occasion, that I cannot forbear quoting it:

“And first, the party ravished, may give evidence upon oath, and is in law a competent witness; but the credibility of her testimony, and how far forth she is to be believed, must be left to the jury, upon the circumstances of fact that appear in the testimony. For instance, if the witness be of good fame; if she present discovered the offence, and made search for the offender; if the party accused fled for it; these and the like are concurring circumstances which give greater probability to her evidence. But on the other side, if she be of evil fame, and stand unsupported by others; if she conceal the injury for any considerable time, after she had opportunity to complain; if the place where the fact is alledged to be committed, was where it was possible she might have been heard, and she made no out-cry, these, and the like circumstances, carry a strong, but not conclusive presumption, that her testimony is feigned.”

These, gentlemen, are the circumstances by which you can put the evidence of Miss Sawyer to the test---Do they appear in the present case? Or do they not? Is she of good fame? Did she make complaint as soon as she had the power? Was she in a place where she might have been heard, and did she make an out-cry? Did the Prisoner, conscious of guilt, fly? If all these were the case, admit him guilty. If they were not, you must say he is innocent.

First, gentlemen, I will show, from the single testimony of the Prosecutrix, without commenting on the [22] evidence produced by the Prisoner at the bar, that all these circumstances are wanting. We may be told that our witnesses appear in a suspicious light, but even if they are not worthy of belief, I want them not; the Prosecutrix has said sufficient to acquit Mr. Bedlow.

What is her reputation? A cloud of witnesses have sworn that she is a modest, discreet, prudent girl. It is true, before this discovery, she might have been so esteemed. She may have had the art to carry a fair outside, while all was foul within. She may have appeared modest, discrete, and prudent to her neighborhood, while she was the very reverse, when not under their observation. Possibly before this affair, there were no means of judging of her discretion and prudence. Never before in the way of temptation, she had been innocent for want of opportunity. But gentlemen, facts speak for themselves; the testimony of a whole neighborhood in her behalf, is not so strong and convincing, as what she herself has disclosed. Determine her character from her own evidence, you will judge of the probability of the material part of her story---you will then see the real motives which actuate the present prosecution.

Her first acquaintance with the Prisoner at the bar, is a proof of her discretion. She walks alone through the city, at a late hour of the night---picks up the Prisoner (then an utter stranger) in the street, suffers him to convey her home, and appears to be pleased with his conversation. On the Sunday following she sees him again; instead of exercising her prudence on this occasion, she makes no attempt to repel his assiduities; permits him to walk with her again, to attend her home, and actually makes an appointment to walk with him on the Battery the next Wednesday evening. Whatever prudence she might have previously had, she seems, throughout the whole of her conduct towards the Prisoner at the bar, to have thought it no longer necessary. But this is not all, it seems he had told her his name was Smith, a law[23]yer; the next morning, she had a conversation with her neighbor Hone, who told her she had got a smart beau and that it was Harry Bedlow. Upon receiving this information, would not a discreet girl have been alarmed? Would she not, startled at the idea of deception, have made enquiries into the reason? no, nothing of this; she suffered no fears or alarms to possess her; but by her conduct on this occasion evinced a disposition to become a willing victim to what ensued. But it will be inferred, that the Prisoner at the bar concealing his name and assuming that of lawyer Smith, is evidence of his guilty intentions. Recollect gentlemen the character of the Prisoner, as a man of gallantry, had he mentioned his real name, he was so well known, he might have supposed the girl would have been shy, and that she should have resisted his efforts to become acquainted with her. This

concealment is consistent with an intention to seduce, and we cannot suppose, without doing violence to our reason, that Mr. Bedlow at that instant meditated a rape.

Knowing this to be Mr. Bedlow, yet willing to be deceived, she accompanies the Prisoner at a late hour on a walk; goes with him into Corre's Hotel, and instead of taking a single glass of ice-cream, and returning, as would a girl, jealous of her reputation, she stays with him here a full hour and a half; and according to her own story, at the late hour of near ten o'clock, quits the hotel, and turns, not homewards, but towards the battery with the Prisoner. Here they walked round twice before she discovers any wish to go home; at last she hears the clock strike, but at the Prisoner saying it was only ten, her fears become composed, and they set off on their return. At the head of Broadway they meet with three watchmen, of whom Mr. Bedlow enquired the hour, and was told near one. Here let us rest gentlemen, and reflect a little on this curious testimony. You will probably wonder how so much time could have elapsed since their departure from the Hotel. They leave it at near ten, walk slowly to be sure twice round the battery; return to the head of Broadway, and it is one o'clock. Had they crawled with the pace of snails, they surely could not have employed all this time; they must either have set out later, or it was not so late when they quitted the battery. If the first was the case, we are told it was not later, to make us suppose she had more discretion than she really had. If the latter was the case, if it was not really one, it was artfully said, to account for there being no people in the street, when she was returning. You will likewise observe that Mr. Bedlow, and not the Prosecutrix, enquired what it was o'clock; he could then have no intention to deceive; but fairly suffered the real time to be disclosed. Had the Prosecutrix likewise been alarmed at the lateness of the hour; had she felt that the Prisoner had deceived her, would she not have applied to the first people she saw for assistance? Would she not have made known to the watchmen her fears and her alarms? Prudence I should presume, would have dictated this conduct; but her prudence appears to be of a curious nature; it led her to continue in the paths of destruction, though she had the means of turning aside.

She proceeds quietly with the Prisoner, till they came to John-Street.---From here we have a lamentable tale of her being dragged by him to the door of Mrs. Carey; of her screaming aloud; the inefficacy of her resistance; and of her being finally exhausted. Gentlemen, view the Prisoner; is he of that Herculean make which is necessary to accomplish all that has been related of him? Or rather does he not appear to be of equal strength with the Prosecutrix?

[*Here a hiss.*]

Gentlemen, *I stand here in defense of the Prisoner---I will use every means in my power to detect the falshoods [25] that have been accumulated to deprive him of life; and neither hisses nor clamors shall make me swerve from what I conceive to be the line of my duty.*

[Here a Clap.]

I repeat, gentlemen, the impossibility that the Prisoner at the Bar, should drag a girl of equal strength through so many streets; he, as well as herself, must have been exhausted at the attempt; but they wish us to suppose that *Antaeus* like, every exertion of his strength endued him with fresh vigor. In going thro' with this tale, I am amazed at the blindness of the girl, in supposing her incredible relation could gain belief. I am still more amazing at the blindness of her parents, in being imposed on by a story so unnatural. Had they drawn the veil of prejudice from their eyes, they never would have suffered her to publish her shame.

The farther we proceed, the more inconsistencies appear---the nearer do we approach to the falshood of the charges. At the door of Mrs. Carey's house, after the fatigue which the Prisoner must have undergone, she is still held down, and her mouth stopped, one arm round her waist, the other on her mouth; but as to how he knocked, or with what, we are left in the dark, and without conceiving that he had a third hand, this knocking was not possible. The truth is, willing to go in, she was sitting quietly on the stoop while he was endeavouring to gain admittance.

At last we find the Prisoner dragging the girl through the back way, she screaming, and nobody is alarmed.---Here, tho' it has been sufficiently proved there were obstructions, such as logs and clam-shells in the way, he had hold of both hands, and going backwards, pulled her along, and none of these obstructions were perceived. She is next let into the house of Mrs. Carey, making a noise which nobody ever heard; and we find the Prisoner and her together in a room. She must then have [26] have had no doubt of his intentions. She tells you indeed she screamed; but were there no other means which a virtuous woman would have employed in defense of her chastity? Would she have exercised her voice alone? Would she not rather have stamped her feet? And even if she was exhausted, have exerted her small remains of strength in opposing the ravisher? Let me ask all of you, gentlemen, whether the description she gave amounted to a rape? Was she forced? Did the Prisoner accomplish his wishes against her will?

After the affair, Mr. Bedlow slept: Why did she not then escape? She informs us she arose and went to the windows, but could not open them; the door likewise was fastened, but it has been proved there were neither bolts nor bars to either; how easily might she have shoved open the window and got into the street? But on this occasion she lost her sense of feeling; in the morning, people were passing and repassing in the passage, yet she heard them not. The room in

which she lay was totally dark for some hours after sun-rise, though the shutter was broke, and the light always before had appeared through the cracks. It seems that she who had lost her sense of feeling, and was deaf before, had of a sudden become blind. The sun which had rose for others, did not rise for her, and truly one would imagine she had lost her senses, when she attempted to impose such an incredible story on the minds of an enlightened jury. What kind of credit, gentlemen, can you give to such a string of falsehoods; the nature of which, without opposite testimony, is sufficient to show the character of the Prosecutrix.

Thus far, gentlemen, I have proved the falsehood of the charge, from the story of Prosecutrix. It is now time to compare it with the testimony offered in behalf of the Prisoner, and from that to corroborate his innocence. The character of these witnesses I am aware will be strongly attacked by the counsel for the prosecu[27]tion. You will be told to pay no credit to their evidence, considering their habits of life. Mrs. Carey's occupation, too well known to deny, will be thought to impeach her credibility. She has, it is true, been charged as an accomplice with the Prisoner; but nothing of the kind has been made out. Her very refusal to admit the Prisoner and Prosecutrix into her house, is a clear proof of her innocence. Had this been a previously concerted scheme, contrived between Mrs. Carey and Mr. Bedlow, would her doors have been shut? Would she have hazarded a discovery by keeping them in the street? Surely it this is a fact, though Mrs. Carey has been termed a woman of intrigue, she possessed very little intrigue at this instance. Her doors being shut at ten o'clock, evinces, that though she is a woman who keeps a bad house, still it is one of a decent kind. But why did she open her back door, when she was so careful of her front door? She tells us she was alarmed, supposed thieves were breaking in; hearing Mr. Bedlow's voice she opened the door. Was there any thing strange in this? From the Prisoner's character as a man of gallantry, he was probably well known at the house; the woman happy to find her fears dissipated, with gladness opened the door. It will likewise be said, when before the Mayor, she told him she had never seen the girl; and that when the father of the Prosecutrix when to Mrs. Carey's house, she likewise denied any knowledge of the Prosecutrix. But was there any obligation on Mrs. Carey to disclose the secrets of her house? Out of decency and delicacy she refused to publish Miss Sawyer's shame, for which purpose she concealed the truth to questions that were improper. When questioned in this Court upon oath, she, actuated by conscience, discloses the whole truth. Every part of Mrs. Carey's evidence, strongly concurs with that of the Prosecutrix in many circumstances; she does not appear to be influenced by any undue motives; she cannot be interested in the [28] event, nor have any Witnesses been brought forward against her credibility. Mrs. Carey has testified, That the Prosecutrix came to her house on the next evening, enquired in a friendly manner after Mr. Bedlow, and left a message for him,

which by no means comported with the injury she pretends to have sustained. This is confirmed by the evidence of Mrs. McFall, a poor decent woman, who, though a relation of Mrs. Carey, appears not to be in the same walk of life. The girl denies it. Who, Gentlemen of the Jury, are you to believe? A single interested witness, or two who derive no benefit from the event of this trial? For my own part, I cannot doubt but that she did go; and if this is the case, what credit can we give to the whole of her testimony, when she has the audacity to step forward and deliberately swear to a falsehood? It is likely, Gentlemen of the Jury, that if this pretended violence had been committed on her the preceding night; that if she had been actually ravished, she would so mildly have sought her seducer, and have appointed to meet him the next evening? This transaction evidently explains the nature of the whole affair, and demonstrates beyond a doubt, that if she had been injured at all, it was by seduction, and not rape.

I believe Gentlemen, it is time to stop on this head: The question whether Miss Sawyer's character is such as to command belief, has been sufficiently answered: Credulity itself cannot credit her improbable tale.

Let us consider her conduct subsequent to the violence of which she complains. Did she immediately pursue the offender? She tells us, though it is flatly contradicted by Mrs. Carey; she said to her "I will go out at the front door, and wish the first man I meet, may be my father or some other friend." When she was walking freely her own mistress in the street, did she complain? When Mr. Bedlow passed her, did she call to the people passing, stop that ravisher? Surely she did [29] not want a father to redress an injury of this atrocious nature. Had she mentioned it to a single citizen, he would have immediately have stopped the offender, and delivered him into the hands of justice. Smarting with the violence she had received; impressed with a deep and strong sense of her wrongs; one would hardly suppose she would mildly suffer the wretch who caused them, to pass her without complaint to the public. Instead of following what nature would dictate on such an occasion, how different her conduct. If delicacy had prevented her complaining in the street, why did she not go immediately home? Why direct her steps towards the bathing-house, and seat herself down by the side of the river? Had she been seduced; had she been overcome through the entreaties of the Prisoner at the Bar to consent to her ruin, this would have been very natural; we might reasonably suppose that a sense of guilt had filled her with contrition and remorse; that afraid to look her parents in the face, she had retired to ruminate on her crime in solitude. While she was in this place, she tells us of a very romantic scene; after which she goes to her aunt's, to whom she does not mention a single word of what had passed. After loitering in this manner throughout the whole day, she in the evening again enters the streets. Here, gentlemen, it is again necessary to recur to the circumstance of her going

to the house of Mrs. Carey the second night; that explains the reason of her not going home this day, she wished to see Mr. Bedlow again; had she gone to her father's, she had reason to believe she would have been prevented; but when she went to Mrs. Carey's, finding him not there, she began to suspect he had done with her, and that home was her only refuge. An idea of a rape never entered her head; we find she never mentioned it to any body, not even to her aunt; instead of making a hue and cry, she again seeks the ravisher in the very house where she had been ravished; not finding him [30] there she then goes home; but to her mother, whom she says she wished to see first, she mentions not a word; to Mrs. Harper, who kindly took her home, she still preserves silence; it is not till she is in bed that any discovery is made, and then a circumstance occurs which clears upon the whole mystery; which sufficiently accounts for the present prosecution. The curiosity of Mrs. Harper discovers the whole; she finds from inspection, the girl must have had connection with a man; tells her mother; the mother goes to the house; before she hears a word, throws her daughter down, and the secret is discovered. The girl obliged to account for these appearances, to justify herself from these marks of guilt, to ally the wrath of her parents; invents this rape, which probably before never entered into her head; whence originates the present prosecution. Had it not been for the impertinent curiosity of Mrs. Harper, it would have rested to this day in silence. After this discovery, five days elapsed before any prosecution, and no reason assigned for the delay. Another strong mark of Mr. Bedlow's innocence is, his continuance in the city, walking about the streets as usual, perfectly unconcerned; superintending a building of his father's, and even after hearing that a warrant was issued, going to the Mayor to prosecute the father of the girl for an assault. Was this a mark of conscious guilt or of conscious innocence? Would a man who had actually committed a crime, the penalty of which was death, hear that a warrant was issued for his apprehension, go to a public magistrate and deliver himself into the hands of justice? Or would he fly?

The last circumstance laid down by Lord HALE, as discrediting the testimony of a Witness in these kind of prosecutions is, "if the fact was committed where it was possible she might have been heard, and she made no outcry." This is really the case in the present instance. Mrs. Carey's house has been proved to be a [31] mere shell; any noise in it must be heard by the neighbours; almost every word said in one room must be heard in another; yet notwithstanding the screams of which the Prosecutrix has told us, none were heard by three people who lay in the same house; they all tell you they heard a talking and the laugh of a woman, who appeared perfectly satisfied and pleased. I directed Mr. M'Cready to measure the distance from room to room, from bed to bed, and the closeness of them is a convincing proof, that if a noise had been made, it must have been heard by the witnesses. When Miss Sawyer went out in the morning,

did she make any complaint to Mrs. Carey? Did she say I have been injured in your house, I demand redress? No, she appeared perfectly composed and satisfied.

I now trust, Gentlemen, when you consider the evidence of the Prosecutrix, when you observe that it wants those essential marks of truth which ought to stamp its credibility, you can scarcely entertain a serious doubt of Mr. Bedlow's innocence. When you weigh the testimony of a girl whose interest it is to get the prisoner convicted, with that of those who have no interest in getting him acquitted, you will determine on which side inclines the balance. Let impartiality and justice hold the beam, and my client has nothing to fear.

Keep in mind the strong interest Miss Sawyer has in the event. In common crime, the interest of the prosecutor is little compared with hers. A man robbed of his watch, goes to a court of Justice, perhaps with it in his pocket, and testifies against the criminal for the sake of justice alone. Even if he loses the watch, the consequence is trivial, a small sum of money replaces his loss; but the woman who complains of a rape has more at stake, if she does not succeed, her reputation and character are irretrievably lost, she is shunned by her former dearest connections, and life itself must become a burthen. To the motive of justice, she superadds the more powerful one of revenge; actuated by their united impulsive force, she leaves not a single effort untried to prosecute the prisoner's conviction. All the stories that malice and art can contrive, are spread into the world; the public voice is raised against the accused; any former wildness of character, or juvenile indiscretion, creates a general prejudice, and the unhappy man is condemned without being heard. The universal abhorrence which men feel to the crime, involves an abhorrence to the supposed criminal; the mere charge of a rape is his condemnation. When you, Gentlemen of the Jury, consider how easily this offence is charged; when you consider the various motives which may actuate a woman in its prosecution, you will not fail to examine the evidence in the present case by the circumstances I have mentioned. You all know how strong the passion of revenge exists in a female breast; a deserted woman sets no bounds to her anger. How probable is it that Miss Sawyer's finding Mr. Bedlow had no farther occasion for her, and neglected to meet her on the second night, filled with malice, meditated his destruction. The love of a woman is indeed intense; but when turned into hatred, the latter becomes equally intense. Instances of this nature are not wanting in history—indeed the author from whom I quoted a passage in the beginning of these observations, relates two so very extraordinary, that it will be proper to recite them: "It is true" says Lord HALE,

"that rape is a most destable crime, and therefore ought severely and impartially to be punished with death; but it must be remembered that it is an accusation easy to be made, hard to be proved, and harder to be defended by the party accused, though innocent. I

shall never forget a trial before myself of a rape in the county of Sussex. There had been one of the county convicted and executed for a rape in that county, before some other judges, about three assizes before, & I suppose very justly. [33] Some malicious people seeing how easy it was to make out such an accusation, and how difficult it was for the party accused to clear himself, furnished the two assizes following with many indictments, wherein the parties accused, with some difficulty escaped. At the second assizes following, there was an ancient wealthy man of about 63 years old, indicted for a rape, which was fully sworn against him, by a young girl of 14 years old, and a concurrent testimony of her mother and father, and some other relations. The ancient man when he came to his defense, alledged that it was true the fact was sworn, and it was not possible for him to produce witnesses to the negative; but yet he said his very age carried a great presumption that he could not be guilty of that crime, but he had one circumstance more, that he believed would satisfy the court and jury that he neither was nor could be guilty; and being demanded what that was, he had for about seven years last past, he said, been afflicted with a rupture so great, that it was impossible he could carnally know any woman, neither had he upon that account carnally known his own wife, and offered to show the same openly in court, which for the indecency of it I declined, but appointed the jury to withdraw into some room to inspect this unusual evidence; they accordingly did so, and came back, and gave an account of it to the court, that it was impossible he should have to do with any woman in that kind, must less to commit a rape, for all his bowels seemed to be fallen down in those parts, that they could scarce discern his privities, the rupture being full as big as the crown of a hat; whereupon he was acquitted. Again at Northampton assizes, before one of my brother Justices, upon the *nisi prius*, a man was indicted for the rape of two young girls, not above 14 years old, the younger somewhat less; and the rapes fully proved, through peremptorily denied by the prisoner; [34] he was therefore to the satisfaction of the judge and jury convicted; but before judgment it was most apparently discovered, that it was but a malicious contrivance, and the party innocent, he was therefore reprieved before judgment. I mention these instances, that we may be the more cautious upon trials of offences of this nature; wherein the court and jury may with much ease be imposed upon, without great care and vigilance. The heinousness of the offence many times transporting the judge and jury with so much indignation, that they are overhastily carried to the conviction of the party accused thereof, by the confident testimony of sometimes false and malicious witnesses.”

Thus, says lord HALE, and thus says reason. But Gentlemen, I hasten to conclude; these instance need no comment; by this time you well understand the complexion of this charge; you see the prosecutrix in her true colours; you discover her secret springs and motives, and can have no hesitation to acquit the Prisoner. You cannot require deliberation, the case is so plain, and I trust your minds will be made up, and Mr. Bedlow's innocence determined by a verdict given without quitting the bar. The prejudices against the Prisoner must now be dismissed, and this honorable acquittal you owe to justice, for the purpose of clearing his character to the public, and of showing the world that you have not a shadow of doubt of his having never committed the crime. Renew to him the reputation destroyed through malice, by this honorable testimony in his behalf, by acquitting him without leaving the bar.

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Mr. TROUP.

Gentlemen of the Jury,

THIS cause no doubt will be discussed with considerable eloquence by the Gentlemen on the opposite side. They will attempt to awaken your passions and feelings [35] in behalf of the youthful Prosecutrix. For my part, Gentlemen, I consider the innocence of the prisoner so plain, that I did I possess the powers of eloquence I should not use them on this occasion. Reason is sufficient, without having recourse to the passions to acquit the prisoner of this scandalous yet consistent charge.

I cannot but consider it as peculiarly fortunate for Mr. Bedlow, that he is the subject of a free country; of a country whose laws, attentive to the preservation of the accused from a malignant prosecution, has wisely provided that no man shall be deprived of life, unless by the judgment of twelve of his fellow-citizens. Had this happened in a despotic country, the enormity of the crime might have hastily transported the judges to find the Prisoner guilty, without a fair and impartial trial. He might not have been permitted a thorough investigation into the affair, and perhaps his life would have fallen victim to malice. But happily, Gentlemen of the Jury, he stands before you, his peers and equals, and depends upon your oath to find a verdict according to evidence.

Rape is a crime perhaps the most enormous in human society. The man who dares forcibly to violate female honor; who dares thus to insult a sex whom it is his duty to defend, deserves the greatest punishment which the vengeance of man can inflict. Rape is a crime indeed which poisons the sweetest springs of human happiness. The enormity of its guilt however induces a presumption in favor of the Prisoner at the Bar; common charity will not let us suppose him this abandoned wretch, unless the proof is clear as the open face of day. The more

abominable the crime, the less probability there is of its having been committed. This reflection, Gentlemen of the Jury, will make you consider the evidence in support of the prosecution, with the greatest degree of caution; will make you call for the clearest testimony, ere you deprive a fellow-citizen of life. [36]

It has been well observed by the Gentleman who spoke last, that seduction and not rape, is the crime with which Mr. Bedlow should have been charged. View the whole of Miss Sawyer's narration from beginning to end, and what can you pronounce, but that she fell an easy prey to the seducing arts of the Prisoner at the Bar? I cannot indeed, Gentlemen of the Jury, exculpate him from all degree of blame; neither can I from the whole of the evidence, collect a single circumstance which appears to evince that the Prosecutrix was forced against her will. This material essence of a rape is wanting in proof; it cannot be collected from any part of the testimony.

Lord HALE, in the passage judiciously quoted by Mr. LIVINGSTON, tells us that though the party injured is in law a competent witness of the rape, yet that her evidence must be taken with many grains of allowance. The character of the Prosecutrix must be pure and unblemished; if the fact happened in a place where she could have been heard, she must have made all the outcries in her power; after she was at liberty, she must have made immediate complaint of the outrage; if these circumstances are wanting, the credibility of the Prosecutrix is destroyed; and unfortunately for Miss Sawyer, they are indeed wanting in the present instance. Though Mr. LIVINGSTON has entered very fully into an examination of Miss Sawyer's testimony by these circumstances, and though your patience may be nearly exhausted with the extreme length of the trial, yet the importance of the of the subject to the Prisoner, and the safety of his life, will excuse my going again through the testimony, and placing it in the light which truth and justice requires; of making his innocence manifest.

As to the character of Miss Sawyer, this is pretended to be established by a multitude of Witnesses, who have told you a great deal of her prudence, discretion, and modesty; but who are these Witnesses? And obscure [37] set of people, perhaps of no character themselves. We know none of them, and the very girls who have testified in behalf of the Prosecutrix, require testimony in behalf of their own reputation. But after we have heard so much of this prudence and discretion, it is astonishing we see none of it in her conduct towards the prisoner. Her very story gives her witnesses the lie, and is in fact a scene of indiscretion and imprudence, from the commencement to the conclusion. Was it prudent to pick up a man in the streets, and become instantly acquainted with him? To meet him again and make an assignation for another evening? Was it discreet to go on the battery with this stranger, and amuse herself with him beyond

midnight? After these confessions, let us bury the idea of her discretion and prudence; let us put no confidence in witnesses who are contradicted by the Prosecutrix herself.

This improbability and sometimes impossibility of the story, is a convincing proof of Miss Sawyer's not being worthy of credit; that malice is the foundation of her charge and falsehood the superstructure. She tells us that Mr. Bedlow dragged her through the streets at a late hour of the night, notwithstanding her screams. Can you suppose, Gentlemen of the Jury, that at this still hour of the night, the screams of a woman who was in danger of being ravished, would not have been heard? The smallest noise must have awakened and alarmed some of the citizens to her assistance. But where were the nightly watch who guard the streets? Could a woman have been dragged from the top of Ann-Street to the brick meeting-house and the watch be ignorant of it?

It has been proved by Mrs. Carey;---but before I mention her evidence, let me remark, that though much may be said against her general character, yet on this occasion her credibility ought not to be impeached. She can have no temptation to come into a court of justice, and deliberately swear to a falsehood. What^[38]ever be her reputation as a woman of intrigue, you have no right to suppose she is a woman who disregards the solemnity of an oath. I say it has been proved by Mrs. Carey, that the garden gate on the back of her house was fastened on the evening of this affair, by a strong latch and a nail; yet the Prosecutrix has asserted that Mr. Bedlow having both of her hands, drew her along, he walking backwards, and shoved open this gate with his back. This was impossible, he must have jumped over the fence to unfasten the gate, and Miss Sawyer must have willingly waited until this was done: Instead of taking this opportunity to make her escape, she abides, and voluntarily consents to her own ruin. These sufficiently mark the features of the prosecution.

As to the outcries, she was in a place where the least noise must have been heard; she herself tells you she screamed, but this is flatly contradicted by three witnesses in the same house; they all tell you they heard the Prosecutrix and the Prisoner converse together in a cheerful manner; that they heard a woman's voice; and that when she came out in the morning, satisfaction and composure appeared on her countenance. But a circumstance stronger still, is not to be forgotten; these loud screams were not capable of awakening a child who lay in the same room, scarcely two feet from the bed. The Prosecutrix has owned that the child continued asleep. Gentlemen, need I comment on this fact? Need I endeavour to make plainer which is so extremely plain? Need I ask you what outcry, what struggles could a woman make, when this child was not awakened?

Let us now attend to the conduct of the Prosecutrix when she left the house of Mrs. Carey. One would have supposed a woman who had been injured in such an atrocious manner,

would have flown immediately to her friends, have disclosed her wrongs, and had proper measures pursued to arrest the offender. Instead of this, we view the Prosecturix coolly walking through the [39] streets; instead of going home, directing her steps towards the north-river, and at last reposing herself by the bathing-house. Can there be a stronger proof of her feeling herself a willing party in the scene that had been acted the night before. Shame, Gentlemen of the Jury, is ever attendant on guilt; fear, and shunning the sight of the world, are strong marks of criminality. The misery which this unhappy girl had brought on herself; the loss of her chastity; her continuance out all night; the probability of being discarded by her friends, and of being thrown into the wide world, bereft of the means of supporting her future existence, must now become objects of contemplation, and solitude was sought to devise the means of averting these horrors. Here, perhaps, the idea of rape first occurred, to save herself from impending ruin, wishing first to see her seducer, with whom she might accommodate and prevent recourse to this diabolical measure. This was probably the idea which brought her the second night to the house of Mrs. Carey; not meeting with Mr. Bedlow there, she went home, determined to justify herself by pretending she was forced. This accounts for the extreme backwardness she had in relating her story to her friends. Though she saw her mother on the first night; though she was treated with kindness by her cousin Mrs. Harper; still the pretended violence is concealed; not a word is mentioned till an examination has made appearances so strong against her, that her only alternative is to acquit herself of blame by inventing a rape. The threat of being turned out of doors by her father, conveyed to her ears by her mother, urges the necessity of this falsehood. By this means she imposes on her parents; partial to their child; not willing to deem her guilty; the Prisoner becomes the object of their vengeance, and stands charged before you with this enormous crime.

The consideration of these circumstances, Gentlemen of the Jury, must influence you in favor of the Prisoner. To suppose him guilty, you must believe what never could have happened; you must credit the most absurd inconsistencies, and suppose falsehood to be truth. I am however confident, that you are convinced, the malice and fraud of this prosecution is too apparent to make you hesitate a single moment in acquitting the Prisoner. The life of a fellow-citizen is of too serious importance to be taken, unless the clearest proof is adduced of its being justly forfeited for a real crime. This evidence does not appear in the present instance; your consciences, your oaths, therefore, can only be satisfied by an honorable acquittal.

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Mr. COZINE.

Gentlemen of the Jury,

THIS case has been so fully argued by the gentlemen who have preceded me, that it is perfectly unnecessary now to enter into a minute detail of the evidence. I shall fulfill my duty as Counsel for the Prisoner, in going through such material parts as evince his innocence, and offering some additional observations to those adduced by the Counsel on the same side with myself.

The evident indiscretion of the Prosecutrix, manifested by her own narrative, affords a circumstance sufficiently strong to found the conclusion, that she had as much desire as the Prisoner at the Bar to consent to his wishes. The hasty acquaintance which she formed with him, shows her desire of gratifying her passions. Remember the character she tells you he first assumed---lawyer Smith, and remember the condition in her life---a sewing girl. Considering the difference of their situations, to what motive could she attribute his assiduities? Could she imagine that a man of his situation would pay her attention, take her a walking, carry her to Corre's and treat her with ice-cream, unless with a view of promoting illicit commerce? Was it probable that lawyer Smith had any honorable designs in his connection with a sewing girl? If she possessed the least penetration, she [41] must have seen that lust and nothing else was his only aim. Thus acquainted with his views, she still permits his attentions, and stays with him till an extreme late hour in the night, strolling through the streets, and up and down the battery. Gentlemen of the Jury, is it probable that a girl who had thus abandoned the outworks of her chastity, and left every pass to it unguarded, would be long in surrendering the citadel? Would a girl who appears to have been so kind and yielding, so complying with the desires of the Prisoner in every other instance, have hesitated in granting him his last wish?

The very description which Miss Sawyer has given us of this pretended rape, is a convincing proof that it wants the essentials to constitute a crime of that nature. The manner of her acquaintance with the Prisoner; her indiscretion throughout the whole of her behavior to him, affords a strong presumption of her consent. Her subsequent conduct confirms this presumption; nay, renders it indubitable. She tells us in the act of which she complains that Mr. Bedlow did not use his right hand; and if he did not, how could he force her, is inexplicable. For gentlemen, I believe you are pretty well convinced, that to force a woman, the right hand is absolutely necessary. This circumstance must induce you to pay little credit to a story which carries on the face of it such an impossibility.

Another astonishing part of the testimony of the Prosecutrix, is that wherein she mentions the screams to which she had recourse, as a means of obtaining assistance. This was expressly contradicted by the testimony of three witnesses on the part of the Prisoner, and not one brought forward to confirm it. It is true, great stress will be laid on the general bad character

of these witnesses; it will probably be said that little credit is due to their evidence. But had these screams in fact been made, how easy it would have been to have produced [42] witnesses who had heard them. Mrs. Carey's house has been proved to be a mere shell; the people in the inside can generally hear all that passes in the street. I am credibly informed that the adjoining house is inhabited by an industrious mechanic and family, who must have heard the outcry of a woman on the point of being ravished. At this time you will recollect that the steeple of the brick meeting was repairing; the workmen were there at a very early hour of the morning; how easy would it have been to have sought out some of these people, and have brought them to confirm these screams having been made, if they had heard them? As this has not been done, we have a right to presume that this part of Miss Sawyer's testimony has no foundation in truth.

Another strong circumstance of discredit to the Prosecutrix's evidence, is her going the night after the affair happened to the house of Mrs. Carey, and enquiring for Mr. Bedlow. This indeed she has positively contradicted upon oath; but the evidence of the fact is too strong to suffer you to doubt it. It is not Mrs. Carey alone who proves it; but it is expressly confirmed by Mrs. McFall, and her character is not impeached. It appears that Mrs. Carey is her relation, keeps her child, and that she accidentally came to the house that evening, saw Miss Sawyer there, knew her from having seen her before, and confirms Mrs. Carey's relation in every particle. We may perhaps be told that on this night one witness has proved that Miss Sawyer left a house in Broadway, near seven o'clock, and that another witness has proved she was at a house in George-Street about seven. But gentlemen, when you consider how easy it is to mistake half an hour or an hour of time, and that the witnesses probably compute by guess, without referring to a time piece, it is easily conceived that the Prosecutrix might find an interval in her way from Broadway to George-Street, to call at Mrs. Carey's. If this is possible, you ought to infer it, for we must reconcile testimony when-[43]ever we can, to prevent the presumption of perjury. That crime is too odious to be presumed.

From all the facts on this trial, even those disclosed by the Prosecutrix herself, I trust it sufficiently appears that the charge of rape is unjustly founded. No force can be traced; the consent of Miss Sawyer may fairly be presumed from her conduct. How far she may have been seduced by the Prisoner at the Bar, or won over by intreaty to consent to his desires, is a question not for me to determine; but if the facts in that light appear, let them be ever so strong, they never will amount to a proof of a crime with which the Prisoner is now charged. Whatever other punishment he may deserve, the laws of this country do not for that, incur a forfeiture of his life. In any point of view therefore, Gentlemen of the Jury, I trust your verdict will acquit the Prisoner on the present charge of a rape.

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Mr. HARISON.

Gentlemen of the Jury,

IT now remains for me to close the defense of the Prisoner at the Bar, and at this late hour of the night, you are probably willing to excuse any farther observations on the subject. I should not indeed have thought it necessary to add to the excellent comments already made on the evidence, did not I consider the importance of the event of this trial to the Prisoner. His life involved in the issue, it behoves me as his counsel, to defend him from a charge which I trust will appear unfounded.

Our principal enquiries are, what is the crime with which the Prisoner is charged? And does the evidence prove him guilty of that offence?

Rape has been well defined by the counsel on the same side with myself, from a respectable author, to consist in the carnal knowledge of a woman, forcibly and against her will; and this definition of the crime the court will tell you is just. The next subject of discussion [44] is then simply, whether the Prosecutrix has satisfactorily proved the force and a want of her consent? This must be collected from the credibility of the Prosecutrix; the probability of her story; her subsequent conduct and that of the Prisoner. These topics have been so well discussed already, that I shall confine myself to remarks on the principal features of the evidence, since by this time I trust the innocence of Mr. Bedlow is manifest.

Some young people have testified that they esteem Miss Sawyer to be a modest, discreet and prudent girl; but the youthful appearance of these witnesses, their belonging to the same condition of life with the Prosecutrix, give us a right to doubt what they mean by these terms. Accustomed to levity, to allowing male friends liberties, they may esteem this consistent with modesty. What they term discretion and prudence, may by people of more mature judgment, be termed the highest indiscretion and the highest imprudence. It is well known that some girls frequently consider the permission of those liberties innocent, which in fact lay them open easy victims of seduction. Thoughtlessness and inexperience in the arts of mankind, give a wrong colouring to the ideas of youth, and leads them to indiscretions which pride will not permit them to call by a right name. These considerations lead me to consider the conduct of the Prosecutrix in the melancholy affair which has led her so unadvisedly into a court of justice on the present charge. She appears to be highly imprudent in continuing her clandestine acquaintance with the Prisoner, after the warning she had received from her neighbour, that he had imposed on her by personating a false character. Surely had she a spark of prudence, she would never have trusted herself alone with a man at a late hour of the night, whom she had reason to believe had deceived

her, for the purpose of cloaking a dishonorable intention. Throughout the [45] whole of her intimacy with the Prisoner, the infatuation which led her on to ruin, is too apparent to leave us room to believe that the force used by the Prisoner to accomplish his ends, was of the kind which is necessary to constitute a rape. On the very night of the affair, she does not pretend to have struggled much with the Prisoner; the screams which she uttered were not loud enough to awaken a child in the same room. Some degree of force, Gentlemen of the Jury, possibly might have been used by the Prisoner at the Bar; but it was a force only to save the delicacy and feelings of the Prosecutrix. Any woman who is not an abandoned Prostitute, will appear to be averse to what she inwardly desires; a virtuous girl upon the point of yielding, will not appear to give a willing consent, though her manner sufficiently evidences her wishes. But it is not this kind of force which can be said to constitute a rape. It is not the apparent refusal or the feigned struggles used as a veil for delicacy, which the law contemplated when it made death the punishment of a rape. It had in view the brutal violator of female innocence; not the seducer who had recourse to entreaty, persuasion, and apparent force, but the ravisher, who, scorning the use of these means, at once had recourse to strength, and notwithstanding the real resistance and loud screams of an unwilling woman, unwilling in heart as well as in show, perpetrated the detestable crime. This is the man who justly deserves to lose his life. This is the man to whom the law extends its terrors, and declares no longer fit to live in society. But the bare seducer, though criminal, is not subjected to this; the greatest punishment which man can inflict. Had the Prosecutrix and her friends been well advised, they would have had recourse to the proper mode pointed out by the law for her relief. They would have commenced a civil action, and have recovered a compensation in damages for the seduction of the Prosecutrix; it is the purse and not the life of the Prisoner which they can affect. [46]

Some of the witnesses on the prosecution, have deposed that marks of violence appeared on the linen of Miss Sawyer, after the affair. But you will, gentlemen of the Jury, remember the witnesses explained their meaning, by saying that these marks were such as indicated that the girl had lost her virginity. So that no proof of a rape can be inferred from this testimony. If the Prosecutrix has been seduced, and not ravished, the same consequence would have ensued. The discolouring of her linen is the natural effect of her first connection with a man.

I shall not, Gentlemen of the Jury, urge any thing further on this subject; I am confident you know the solemn obligation which your oath imposes on you, of bringing in a verdict according to evidence. I am confident you will see none adduced on the present occasion capable of maintaining the charge of a rape against the Prisoner at the Bar. You will not suffer positive testimony which is flatly improbable, to induce you to deprive a fellow-citizen of life. I am

sensible, in the course of these observations, I have made use of many arguments which have been mentioned before: but repetition is excusable on this important occasion.

N.B. Such parts of the last speeches as contained nearly the same arguments as those used in the first, were curtailed, in order to prevent an immoderate length.

The defense being thus closed, the reply of the Prosecutrix was opened by

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Mr. KENT.

Gentlemen of the Jury,

I HAVE only been employed by the father of the Prosecutrix in her behalf, since this cause began; I am not therefore, for want of a previous knowledge of the whole affair, so well prepared to discuss it thoroughly, as the gentlemen on the same side with myself. I shall endeavour however, from the evidence given on this [47] trial, to draw those inferences which are natural and plain, and leave you to judge as reason and justice determine.

Much has been said against the character of Miss Sawyer; strongly have the counsel on the other, endeavoured to discredit her testimony; but the very sources from which they have drawn their arguments against her, afford a convincing proof of the artless simplicity of her story. The appearance of the girl; the modest manner in which she delivered her evidence; the effect it had upon her feelings; all forcibly struck me, Gentlemen, and I trust it did you, with the opinion that truth, and nothing else, flowed from her lips. Her very indiscretions, which the council for the Prisoner tell you impeach her credibility, she openly and unasked revealed to you. With an air devoid of guile, she told you circumstances which really make against herself. Had she been this perjured witness which we are told, would not all these parts of her tale have been buried in oblivion? Is it probable that a prepared story would have contained these facts? Surely the art that led her to deceive, would have led her to conceal. But contrary has been her conduct; in a candid and ingenuous manner she has told the whole of her story, as well the parts that make against her, as those which make for her, and thus she appears before you without dissimulation. In one instance indeed, she has said more against herself than was true. She told you when Mr. Hone told her that lawyer Smith was Harry Bedlow, he added that he was a great rake; but Mr. Hone has informed us that he did not mention that he was a rake. The girl had probably heard the character of the Prisoner at the Bar, from some other source, and combining it with what Mr. Hone had told her, had fancied the whole came from him, and with this impression made it a part of her story. This evidently shows her intention of disclosing the whole truth; when she has even said what she [48] fancied to be true, though it made against her. Examine every part of her testimony, and I trust you will see a well connected tale, highly artless and probable; you will see

the chequer of indiscretion and imprudence which is a forcible mark of its truth. You find her narration is the same at all times. She relates it to her mother, then to her father, and when she comes in court and relates it again upon oath, her friends and relations tell you it is the same she told to them. She preserves a uniform consistency; she does not vary from her tale a single iota; and in itself it appears highly probable. Every part of her testimony which could receive confirmation, has been confirmed. The information she received from Mr. Hone, relative to the character of the Prisoner at the Bar, he repeats in the same words, omitting what I have mentioned. Her visit to her aunt, the time she stayed there, is proved by another witness; her calling on Miss Pine, and at what time, is sufficiently proved by several creditable people; and in short there is no single part of her testimony, which came under the eye of people of reputation, but what is strongly confirmed. The only dark part is that, where unfortunate for her, none but the most abandoned of their sex could be witnesses; here we meet with what we must naturally expect from people of this description; a total contradiction to Miss Sawyer's evidence. Here the question occurs, which are to be believed? An artless simple girl who never varies from her tale; a girl whose character is proved to be fair and unblemished; or a woman whose constant life is a scene of iniquity and guilt? Women of the most infamous occupations, employed in the destruction of the innocent, or in the support of themselves by prostitution? Observe too the story of Mrs. Carey; before the father of the girl, and his honor the Mayor, she tells one thing; in this court she tells another. But say the counsel for the Prisoner at the Bar, when she denied what she now discloses, she [49] was not upon oath, and prudence obliged her to conceal the truth. Is this a justification, Gentlemen of the Jury? Is this the witness who is brought forward to discredit the testimony of a reputable girl? Can you believe, gentlemen, that a woman who dares to tell a lie before a public Magistrate, will scruple at perjury? Can you put confidence in that abandoned wretch whose notorious infamy, ought, long ere this, to have made her a severe example to public justice. For my part, Gentlemen of the Jury, I would as soon put faith in the most glaring inconsistencies, as in the oath of her who would deliberately lie with an intent to deceive. I trust, notwithstanding all that has been said in favor of the witnesses adduced on behalf of the Prisoner at the Bar, you will not suffer their testimony to give you one scruple in the affair.

The resistance of the Prosecutrix, and her outcries; the brutal force which she experienced from Mr. Bedlow, are all facts which stand in the testimony of Miss Sawyer uncontroverted by any of these scandalous witnesses: leaving them out of the question, we have no reason to doubt the truth of these facts.

It has been contended that the want of an immediate complaint and pursuit, affords an inference in favor of the Prisoner's innocence. It has been said that nature would have dictated

the Prosecutrix to have made an hue-and-cry in the streets, after the Prisoner, and have caused him to be instantly arrested. When you consider the delicacy of the girl's situation, you will certainly say that such conduct would not have been natural. There is a story in the Roman History, which shows the dictates of nature on a similar occasion. You are all well acquainted with the History of Lucretia.

[Mr. Kent then concluded with repeating the story of Lucretia, so well known, that repetition is here omitted as unnecessary.] [50]

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Mr. HOFFMAN.

Gentlemen of the Jury,

IN advocating the cause of this prosecution, I shall not attempt to touch your passions. Those means alone which reason dictate, I shall employ in replying to the arguments of the counsel for the Prisoner at the bar. This is a cause, indeed, which with very little assistance from oratorical talents, might influence your passions in favor of the unhappy girl, who now demands justice for her wrongs. But I disdain recourse to the pathetic, or the arts of eloquence, to justify her whole character, conduct and testimony, will stand the test of the strictest scrutiny.

I am extremely happy, Gentlemen of the Jury, to meet the counsel opposed to me, on their own grounds. The very circumstances by which they have examined the testimony of the Prosecutrix, and from which they have attempted to draw inferences unfavorable to her cause, appear to me to stamp the highest degree of credit on Miss Sawyer's evidence.

It has been laid down, that a witness entitled to belief in a charge of this nature, ought to be of spotless fame. The character of Miss Sawyer, Gentlemen of the Jury, has been thoroughly established as pure and undefiled. A number of decent and creditable people have testified, that she has always borne the reputation of being modest, discreet, and prudent; that she never kept much company; and that they never observed in her any room for censure. One of these witnesses dwelt in the same house with her for the space of two months, was in the habit of intimacy with her, yet never saw her guilty of any indiscretion. Surely, gentlemen, had she been this light, this inconsiderate girl, as the counsel for the Prisoner have endeavoured to persuade you, she could never have been so circumspect as to conceal it from a female friend who was constantly with her during two months. Had she been indiscreet and imprudent, it must [51] have been known to her intimates; we well know the prying curiosity of the world; they soon discover the smallest blot in the character of a man or woman, and with the help of scandal easily magnify it into a crime of deeper dye. But imprudence and indiscretion are of such a nature, that if they exist, they must appear abroad; their very being depends alone on apparent conduct. How

can the woman who regulates herself by strict attention to the prudential duties in her converse with the world, be esteemed imprudent? To say that she must be so esteemed, is a solecism in reason and in language. Evidence alone is our guide; when we depart from that, we wander into obscurity. But the counsel say, setting aside this evidence of character, Miss Sawyers indiscretion is apparent from her own relation. Before I proceed to answer this objection, let it be remembered, that if she was so imprudent, it does not impeach her testimony. She might have been thoughtless in relying too much upon the Prisoner's honor; but it does not follow that she has taken a false oath; you have no right from this to presume that she has perjured herself.

But where are the marks of this indiscretion? From a candid investigation of Miss Sawyer's story, there are none to be collected. Through the natural simplicity of youth; through inexperience in the wiles of mankind; she may probably have placed too great a confidence in the Prisoner at the Bar; but this, instead of diminishing, encreases his guilt. It only proves that he made use of her security in his honor, to get her more effectually in his power. The counsel have called her first acquaintance with the Prisoner, a circumstance of indiscretion; but recollect the occasion which gave rise to this acquaintance; she was insulted in the street by Frenchmen; Mr. Bedlow came to her assistance, rescued her, and politely attended her home, to preserve her from further insult. Could she refuse his offer? Could [52] she ungratefully tell the man who had exerted himself in her behalf, to leave her, that she would not speak to him? Or, did not nature and gratitude dictate the conduct she really pursued? On the following Sunday she met him again, he accosted her; would the Prisoner's counsel have her spurn at her generous defender and have her suppose that the man who had evinced his regard for the protection of the Fair, in his behaviour to herself, meditated designs against her honor? Recollect too the art of the Prisoner, he imposed on her by a last name, lawyer Smith. She presumed him to be a respectable man, not of loose character with respect to women. But why was she thus deceived? Why not listen to Mr. Hone, when he told her it was Harry Bedlow? The answer is at hand; not supposing from the conduct of the Prisoner towards herself, that he was capable of guile; free herself from art, she did not suppose it in others, and of course imagined her friend mistaken. On his requesting her to walk with him on the next evening, she prudently told him she was engaged; to his request to walk on Tuesday evening, discretion dictated the same answer; when he said, "surely you are not engaged every evening, you can go on Wednesday"; struck with his importunity, recollecting that this was a man to whom she was highly indebted for his friendly assistance; her gratitude opposed her prudence, and she replied that she was not then engaged; but observe, gentlemen, she made no promise or appointment to take this walk. Her walking with him on the Wednesday evening following, was not owing to any promise, but to a circumstance which has been as

industriously kept out of sight by the Prisoner's counsel, and not adverted to by the gentleman who preceded me on the part of the prosecution. The Prisoner finding he could not gain her consent to go, has recourse to a scheme, which, unfortunately for Miss Sawyer, succeeds. On this Wed[53]nesday evening he goes to her, requests her to walk, and tells her that Miss Steddiford (with whom she is acquainted) and a gentleman, will accompany them. The Prosecutrix thinking no harm could arise to her, when in the company of so many, and with miss Steddiford, very naturally consents to go. Before I proceed, gentlemen, I cannot help remarking the superior art with which the Prisoner conducted the whole scheme, and from thence, drawing a strong proof of his guilt. In the whole affair, he acted as a man who meditated a villainous design. In his first acquaintance with Miss Sawyer, he personates the character of another man; in the prosecution of his intention, he deludes the girl with the falsehood that Miss Steddiford would accompany them, in order to get her out. But we have been told that all this might be, and yet the Prisoner meant no farther than seduction. The intention, however, gentlemen, is best judged from the conclusion of the story. All these arts evince the intentions of man to go to the greatest lengths in the accomplishment of his wishes; and accompanied with the actual proof of force, show the perfidious capacity of the Prisoner, to use all means, however atrocious, to effectuate his purposes. The man who will seduce, will ravish if opportunity serves; for we know of no bounds that can be set to the lawless irregularities of sensual desire.

But I return to the evidence----having thus artfully got the Prosecutrix out, he takes her to Mr. Steddiford's; but, (as probably the Prisoner knew before) Miss Steddiford was from home. Mr. Bedlow then suggests that they had gone to the Battery, and under this pretence, she is led to continue the walk. On the way, he persuades her to go into Corre's and take some ice-cream; nothing could be improper in this, and she consents. When they quitted this place, it has been said that propriety would have made her turn homewards, had not the Prisoner hinted that Miss Steddiford had [54] gone to the battery? Was it not very natural then, for the Prosecutrix to go that way in search of her? After walking sometime on the battery, she for the first time hears a clock, and counts twelve; this alarms her, but the Prisoner allays her apprehensions, by saying it was only ten. What follows? She, upon the supposition it was only ten, thinks it too late for her to be out, and they go immediately into the way home. Entering Broadway, they meet three watchmen, who, to the question of Bedlow, say it was near one o'clock. Here it has been said, that the Prosecutrix ought to have applied to these watchmen, and put herself under their protection. Why? No rudeness had then been offered to her; the intentions of the prisoner had not then appeared; and they were then on the way towards her home. It would have been absurd to complain without occasion. The circumstance of the Prisoner's asking the watchmen the time, it

has been said, shews that he had no intention to deceive. This, however was the consequence of cunning; supposing the Prosecutrix would naturally ask the hour, he anticipated her, and thought by this pretended fairness, to allay her suspicions, and not to lose her confidence. He might upon second thought imagine that her knowledge of the lateness of the hour would promote his designs; that she being alarmed, probably supposing she was shut out, would the more willingly go to a house.

On their reaching Ann-Street, the Prisoner kept tight hold of her, and wanted her to turn down there---she knowing it to be a bad place, refused. She then, (and not till then) suspected his baseness. What was her conduct then? Screams, and all the resistance in her power. Why were not those screams heard? She tells you he stopped her mouth. He drags her on to Mrs. Carey's door; the counsel for the Prisoner have talked of the impossibility of his holding her in the manner described, and knocking at the door. This is not a fact, [55] when at the door he left her, to knock at it; this is evinced by her escaping three several times: At last he forces her to the back way into this house. But was it possible for the Prisoner to drag Miss Sawyer thus? Had he strength equal to the task? Her age, her sex, her fears, her alarms, all account for her want of strength; she tells you, besides, that with the force of the Prisoner she was quite exhausted.

Thus far, Gentlemen of the Jury, it appears that the conduct of the Prosecutrix has been in no instance improper. Hitherto, prudence and discretion have been her guides. She was brought into the room where the fact was perpetrated, by a combination of art and force, against her will. Let us attend to what follows: The Prisoner finding his prey in his power, exulting in the success of his schemes, now seizes the unhappy victim; forcibly tears off her cloaths, and accomplishes his diabolical scheme. It appears from the testimony of the Prosecutrix, that she did not know what the Prisoner did with his right hand. One of the counsel catching at this circumstance, has ingeniously twisted it, and asked how it was possible for the Prisoner to exercise this force without using his right hand. But, gentlemen, recollect the situation of the Prisoner; the whole weight of his body on the Prosecutrix, his left arm across her throat, she was incapable of motion of resistance: She then says, not that he did not use his right hand, but that she did not know what he did with it. There is no doubt, gentlemen, of its being used, you can conceive in what manner, though from her innocence she could not.

From all this, Gentlemen, I cannot but conclude, that the whole of the evidence of the Prosecutrix is highly natural and probable; that no indiscretions appear in her conduct; that what has been termed imprudence, was really unsuspecting innocence, and that her character and good fame stands confirmed by the evidence of respectable witnesses. [56]

Another circumstance, Gentlemen of the Jury, which supports the testimony of the Prosecutrix in a crime of this nature, is, if the fact was committed in a place where she might have been heard, and made outcries.----Miss Sawyer was in this situation, and has positively sworn that she repeatedly screamed aloud for help, and nobody came to her assistance. But she was constantly stopped by the Prisoner, who laid his hand upon her mouth and laughed aloud, to prevent her being heard. In opposition to this part of the testimony, evidence has been introduced---the respectable Mrs. Carey, and the Ladies of her house. The distances from room to room have been accurately measured; they were so near, the screams must have been within ear-shot, and yet none of these credible witnesses heard the least noise or tokens of violence. Gentlemen, need I say a word to induce you to dismiss every particle of this testimony from your minds? Can you believe such people? But the counsel for the Prisoner has seriously supported them as entitled to belief. It is said no motive can influence those women to perjure themselves on this occasion. But, Gentlemen, the strongest of motives must influence Mrs. Carey to come forward; the future reputation of her house, and her own safety in obtaining the Prisoner's acquittal. The women of her house, have with her a common interest; their character in life, their daily habits of guilt, have long since bereft them of the terrors of conscience; and words and oaths are with them but wind. Abandoned to every species of vice, how can you expect their adherence to truth? An unspotted witness has declared she made these outcries; these people declare they heard them not; but the credibility, and not the number of witnesses, ought to be your guide. It was observed of the Prosecutrix, that on one occasion she was willingly deaf. This observation may with much more propriety be applied to Mrs. Carey and her creatures; it was improper for them to [57] hear these outcries; a sudden deafness seized them, and in telling you they did not hear, they may have the audacity to sport with the solemnity of an oath.

In supporting the evidence of these people, the counsel for the Prisoner have departed from their own principle; have completely confuted their own arguments. To determine whether Mrs. Carey and her train are to be believed or not, we have only to recur to the ground on which the testimony of Miss Sawyer has been attacked. Are these witnesses of good fame? We are told that the Prosecutrix is not---therefore, you ought to pay no attention to her evidence. But the fame of the Prisoner's witnesses is pretty notorious; the inference of his own counsel, then, determine their rejection; for the principle cannot be right in one instance, and wrong in another. If this affects the testimony of the Prosecutrix, it affects that of Mrs. Carey with ten-fold force; her constant life is an iniquitous scene of depravity and vice. Thus, gentlemen, the Prisoner's counsel have impliedly admitted the incredibility of their own evidence; through over haste to

attack the Prosecutrix, where she was not vulnerable, they have erected a battery, which has completely secured the safety of her enemy.

The want of an immediate complaint and pursuit of the Prisoner, after the fact happened, is alledged as another circumstance affecting Miss Sawyer's credibility. After she left the house of Mrs. Carey, the Prisoner at the Bar passed her in the street;---here we have been told she ought to have applied to the passengers for assistance, and have caused the Prisoner to be arrested. This might indeed, have been the conduct of a shameless woman, or a masculine heroine, but surely not that of a young, and innocent girl. She did what nature and simplicity dictate---conceal her sorrows. Her delicacy forbade the exposure of her misfortune in the public streets; indeed, had she done so, she must have been [58] callous to the feelings of a woman. Overcome with horror at the transactions of the night, with shame at the involuntary loss of what was dearer to her than life, her fears and alarms reduced this miserable girl to a desponding situation. She knew the violence of her father's temper; afraid, lest his impetuosity should punish her severely unheard, she wished first to disclose her misfortunes to her mother. This accounts for her behavior---for her retirement to solitude, to ruminate on her sad situation, and to devise the fittest means of obtaining redress for her injured innocence. She then proceeds to her aunt's; here, full of grief, and dejected, she stays the afternoon, but the indelicacy of telling her story without a question, prevents her revealing what had passed. She goes home, sees her friends and relations, no questions that night are asked her. Her mother is in a passion, and her cousin, Mrs. Harper, takes her home; and seeing the anguish of the girl, prudently sends her to bed, without enquiring the cause.

But before she returns home, a circumstance appears from the evidence of Mrs. Carey and Mrs. McFall, which has been laid great stress on by the counsel for the Prisoner; the Prosecutrix going to the house of Mrs. Carey the second night. The source from which this testimony is drawn, is of itself sufficient to make it of no weight, had it not been contradicted by respectable witnesses. The character of Mrs. Carey, and her temptation to perjury, has been sufficiently discussed; indeed, it needs no discussion; but it is said that Mrs. McFall ought to be believed; who is this woman? A relation of Mrs. Carey, dependent on her for the support of her child; if she is not an abandoned woman, still her connection renders her testimony suspicious. It is a never failing rule, that character is to be determined from company; for bad people will naturally associate with the bad, as will the good with the good. But respectable witnesses have proved that Miss Sawyer was at her aunt's, at near seven [59] o'clock; and that about seven, she was in Great George street, at Miss Pine's; so that from the nearness of time when she was at these two places, her calling at Mrs. Carey's must have been impossible. This shows the

complexion of that woman's testimony. When it was necessary for her to be deaf, she became so; she hears no noise or outcries. When it was necessary for her to have more than usual degree of eye-sight; she sees Miss Sawyer in her house when she was not there. In short, she was a mere tool, ready to sacrifice or use all her senses, as the Prisoner may require.

The counsel for the Prisoner then ask why this prosecution was delayed. But reflect on the important consequences of it to Miss Sawyer: She was going to disclose an unfortunate occurrence to the world; poor and unknown, she was going to oppose a man of rich family and connections, who might through influence and art, or the quibbles of law, obtain an acquittal; from the character of the people in the house where she was decoyed, she probably expected a flat denial of her story. It behoved her therefore to be cautious; to proceed with deliberation. But her story is told almost immediately after her return home, and her father goes with her to Mrs. Carey's to search into the truth of it so that though the Prisoner was not pursued, she did not conceal the fact; from which no inference can be drawn to impeach her testimony. Her early disclosure of the fact, strongly confirms its truth.

The Prisoner's remaining in the city after the affair, is set up as another mark on his innocence. It has been said, if he had been guilty he would have flown. This is a proof, gentlemen, of the Prisoner's matchless assurance, and not of his innocence. A man not hackneyed in the ways of vice, would probably through the influence of fear have fled. But the Prisoner hardened, conscious that his flight would operate against him, braved the terrors of the prosecution. Imagining himself secure under shelter of riches, influence, and the perjury of his witnesses, he defied the charge; this is the reason that he did not fly.

I believe gentlemen, little further need be said in support of the prosecution; the Prisoner's guilt is by this time too apparent. His counsel have made several attempts to influence your passions in his favor, from the reflection that the effect of your verdict against him deprives him of life. Though I acknowledge that this dreadful consequence ought to endue you with caution; yet when once you perceive the truth and justice of the charge, no consideration of this kind can be of any weight in your determination. You are solemnly sworn to give a verdict according to evidence; and the facts are, I am sorry to say, too plain against the Prisoner. If indeed you believe Mrs. Carey and her creatures, you must acquit him. But if you do your duty, and believe respectable testimony, you can do no otherwise than find him guilty.

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THE Attorney General then observed, that as the night was so far advanced, and the cause of the prosecution so ably advocated by the preceding counsel, he would not trouble the

Court and Jury with any further observations, convinced that the Prosecutrix would obtain justice for her wrongs.

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The prosecution and defense thus being closed, the Jury were charged by his Honor

THE *RECORDER*.

Gentlemen of the Jury,

THE evidence has been so fully stated by the different Counsel on each side, that it is unnecessary for me to recapitulate. The principles of law, quoted by Lord HALE are extremely just, and ought to govern you, gentlemen, in determining the weight of evidence. With respect to the character of the Prosecutrix, it has been [61] proved to be pure and unblemished; but the strong interest she had in the event; revenge for even the injury of seduction; the threats & reproaches of her friends, might influence her in the present prosecution. Besides, her testimony is flatly contradicted by three witnesses, the *fame* of whom, however, is clearly impeachable. All these are circumstances you are to examine, and from the whole of the evidence, you must discover the probability of the story; the degree of credit to be given to the Prosecutrix, to the Prisoner's witnesses, and from the result, to acquit or condemn. With the respect to the outcries, they rest merely on the same ground; the Prosecutrix has sworn to them; three witnesses in the same house, who must have heard them, had they been made, have sworn they did not hear any screams; this opposition in testimony cannot be reconciled; you can only consider which side is most worthy of belief. The want of the two next circumstances in support of the Prosecutrix's testimony, laid down by Lord HALE, appear from the evidence on both sides. No pursuit was immediately made after the Prisoner, nor complaint made of the offense; six days were suffered to elapse before the warrant was obtained for the Prisoner's apprehension. A discovery, indeed, was made by the girl two days after, to her relations, but even this, if done in time, is not sufficient in law. The complaint spoken of by Lord HALE, is a formal one, before a public officer, and not a mere discovery to friends. It has been likewise shown, that the Prisoner did not fly; on the contrary, that after a warrant was issued against him, he went to the Mayor of the city who had issued it, and was there taken.

From revolving all these circumstances in mind, you, Gentlemen of the Jury, are to determine whether the Prisoner is guilty, or not. If you are of opinion that the Prisoner's witnesses have sworn the truth; that no outcries were made; that no complaint was made to a [62] magistrate in a reasonable time, and no legal reason assigned for the delay, and that the Prisoner's not flying is a mark of his innocence, you will undoubtedly acquit him. But if you should be of opinion that the testimony of the Prosecutrix is true, you will find him guilty.

After a Trial, which lasted 15 hours, the Jury retired, and in the space of 15 minutes, returned, finding a verdict of ----NOT GUILTY.

☞ IN judging from appearances, the Reporter has a right to believe that a detail of the preceding trial will be gratifying to the Public. It was so numerous attended as to evince that degree of curiosity which the most interesting cases only have the power to excite. The subject of a trial before a crowded auditory----the topic of conversation in private company----a fair and unbiased statement, reported by a Spectator unconnected with either party, cannot but afford data whereon to exercise the general judgment, and serve as a means of developing the true principles of the Verdict. The Report requests the indulgence of a candid public for any inaccuracies which may appear therein. His crowded situation in the court, prevented him from taking notes, and obliged him to have recourse to memory. But he trusts that no material parts of the evidence or arguments of the Counsel on either side have been omitted. He is confident none have been wilfully misrepresented and the errors which must naturally arise from the imperfection of memory, he has no doubt, will be kindly excused. Should this humble specimen of a Report be deemed by the profession in particular, deserving of patronage, it may possible actuate the Reporter, at some future day, to extend his labors in order to furnish a desideratum in the forensic science of this State, a report of the principle cases decided in our courts of justice.

About the editor



Photo by Jafar Fallahi

John Wood Sweet is a Professor of History at the University of North Carolina at Chapel Hill and the author a book on Lanah Sawyer, based in part on this trial record: *The Sewing Girl's Tale: A Story of Crime and Consequences in Revolutionary America* (New York: Henry Holt & Co., 2022). For more information visit www.johnwoodsweet.com.