

is no reason to doubt the general accuracy of that report although some of the statements in it should be received with much allowance. The trial as reported gives evidence of great learning, research and skill on the part of the prisoner's counsel, but some of the discussions which relate to mere questions of abstract law are here omitted.⁵

Judge Gerard, American Ambassador at Berlin from 1913 to 1917, is quoted as saying that it will be hard to find a punishment to fit the case of the kaiser and his pals who have been convicted in the Court of the World of the greatest crime in history. Perhaps the ancient sentence for High Treason which was passed upon Colonel Bayard (p. 539) might well be revived for their benefit, until something better is thought of.

For what small gain a man will commit murder, the trial of *Orrin DeWolf* (p. 540) shows. His victim was of even less value to society than he; and for this reason the Governor's Council thought he was not worth hanging. The case is reported here, not for its importance as a contribution to criminology, but to preserve the charge (which would otherwise be lost) of Massachusetts' great Chief Justice, Lemuel Shaw.

The case of the black coachman, *Alexander Whistelo* (p. 567) is a companion one to that of *Maurice v. Judd* where the grave question submitted to the same court was Is a whale a fish? See 3 Am. St. Tr. A more amusing trial is not to be found in the Judicial reports and again we meet our old friend Counselor Sampson⁶ of New York, and with him again that great expert and fountain of knowledge, Dr. Mitchill.⁷ The

⁵ 2 Chandler's American Trials.

⁶ 3 Am. St. Tr., 627.

⁷ *Id.*, 613.