

## Philistines and Philosophes

James Boswell defends a sheep stealer

Paul Ruxin

“Philosophes” are people with broad visions and literary and philosophical turns of mind, like the 18th century Frenchmen to whom the word was first applied. Philistines, of course, are us; the drones of society, lawyers or doctors or engineers or advertising men, whose works and thoughts generally die when we do, if not before we do. The subject of this piece died nearly two hundred years ago, and is now remembered for his activities as philosophe, rather than for his day-to-day Philistine efforts. Today James Boswell is seldom thought of other than as the chronicler of Samuel Johnson’s life, and, of course, that reputation as master of the biographical genre is well deserved; in fact, more people probably now read Boswell on Johnson than read Johnson’s own remarkable writings.

On the other hand, there is much more to Boswell than that; his other literary works were also masterpieces of elegance, perception, and wit. But today I want to talk about the philistine Boswell, Boswell the lawyer, and lawyer he was, actively in practice in Edinburgh and then London between 1766 and 1795. I hope you will see how the philosophe and Philistine were truly one in this remarkable man. While I am

going to focus on one important case Bozzy handled, we had better begin with some relevant biographical points, a brief summary of the Scottish court system, and a few anecdotes before we get to the case of John Reid, sheep stealer.

James Boswell was born in 1740 in Edin-



James Boswell as painted by George Willison in 1765, the year before he first defended the butcher John Reid.

*A few years ago, Paul Ruxin gave me a copy of his book Friday Lunch, composed of talks he had given at the Rowfant Club in Cleveland. He said that if I ever found myself without a story for an issue, I was welcome to pick one of his talks and adapt it for the Caxtonian. I looked through the book after hearing of his tragic death on April 15. I was astounded at the way his calm voice and thoughtfulness came through on every page. If the Club ever had a member who lives on through his writing, it is Paul Ruxin. —Robert McCamant*

burgh. His father was Lord Auchinleck, of an ancient Scots family, and a judge in the highest courts of Scotland. Boswell studied the regular arts course at the College of Edinburgh from 1753 through 1758. Then he began the study of law at the University of Edinburgh, and would have finished there but for his growing infatuation with both theater in general and

an actress in particular. To save him from these evils, in 1759 his father sent him to study law at the University of Glasgow, where the strictest of Scottish Calvinists had condemned theater in general and, in 1753, closed Glasgow’s only theater in particular. Boswell stayed in Glasgow only briefly, studied, ran

away to London in 1760 where he converted to Roman Catholicism for a month, and finally passed his civil law exam at Edinburgh in 1762.

The Scottish legal system differed from the English in that it was based on Roman civil law rather than on English common law. The great scholars of Roman civil law, however, were the Dutch, and so in 1763, Boswell, like his father before him, went to Utrecht, Holland, to study civil law. He completed his studies, and then, after his “Grand Tour” of European capitals, was admitted to the Faculty of Advocates of Edinburgh in 1766.

The Scottish system did follow the English system in at least one important way; as the English distinguished (and still do) between solicitors and barristers, so did the Scots, only they called solicitors “writers,” and barristers “advocates.” Boswell, as an advocate throughout his practice, was thus usually working with a “writer” on every case.

The Scottish court system had three divisions, and Boswell practiced before all three. The first two divisions, the Court of Sessions and the High Court of Justiciary, both sat in Edinburgh and consisted of 15 judges who, as the Court of Sessions, heard civil cases, while six of them held dual appointments to the High Court of Justiciary, where they heard criminal cases. Boswell’s

See BOSWELL FOR THE DEFENSE, page 2



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*BOSWELL FOR THE DEFENSE, from page 1*

father, Lord Auchinleck, was one of the six judges holding dual seats during most of the years his son practiced in Edinburgh. Civil cases were heard without juries, and the simpler ones were heard by only a single, or “ordinary,” judge, whose decision could be appealed to the full Court of Sessions; from those decisions appeals lay only to the House of Lords in London. Criminal cases, however, were heard by the six judges of the High Court of Justiciary, and were decided by a jury of 15 members, who could return verdicts of guilty, not guilty, or “not proved,” another form of acquittal. There were no appeals from the decisions of the High Court of Justiciary, where, after the jury had decided guilt or innocence, the judges imposed sentence. However, the king could reverse or mitigate a decision or sentence, and executions were automatically stayed 30 days south of Edinburgh and 40 days north of Edinburgh to allow time for clemency appeals to the king.

After Boswell was admitted to practice as an advocate in 1766 the bulk of his work, as might be expected, was in civil matters. At this point, it’s worthwhile to ask what kind of lawyer, and what kind of person, Boswell was. To begin with, he passionately loved both being the center of attention and having a good time. He also thought he knew the difference between right and wrong, and while he believed that much of his personal conduct was morally wrong, for which he was always abjectly sorry, he was better at regret than he was at reform. He was also usually brutally honest about himself, and chief among the glories of English literature are Boswell’s journals and diaries, in which he describes with perception and brilliance his failures and successes, his weaknesses and strengths. Most of the rest of what I have to tell you has been taken directly from those works, in which Boswell wrote nearly every day of his adult life. They contain some of the most readable, informative, and entertaining prose produced in a century distinguished by such writing.

Boswell, as I mentioned, practiced much civil law, and as a result dealt often with questions of heredity, property, contracts, wills, and the like. How did he feel about it? He wrote in his journal for July 9, 1774:

The life of every man, take it day by day, is pretty much a series of uniformity; at least a series of repeated alterations. It is like a journal of the weather: rainy-fair-fair-rainy, etc. . . . An important part of my life should be my practice as a lawyer.

But was it? Judge from this. A client once came to Boswell and asked if a substantial legacy left to him in a will subscribed by two witnesses and one notary was good. Boswell advised him that some

law of parliament (Boswell didn’t remember which) required that all documents conveying significant amounts of property required two notaries and four witnesses to be valid. At the same time Boswell said he faintly remembered that there was some exception for wills, and told his client he’d “think on the subject.” What he did instead was talk about it. First, he asked his friend and fellow lawyer Murray, who told him the legacy was no good, two notaries being indispensable. Then he asked his frequent colleague, the writer Crosbie, who said the document was clearly no good, remembering too an express Act of Parliament, and suggesting such a law was necessary since there ought to be more checks on people’s actions when they were ill and dying than when they were well. Finally, Boswell asked MacQueen, a prominent lawyer of the day, who said frankly he didn’t know; like Boswell, he thought the legacy no good but also vaguely remembered that wills were privileged. Then, Boswell writes:

He desired me to look into the law books, and had I at first read instead of thinking and asking, I might at once have been made certain. Upon looking . . .

I found it to be clear that testaments to any extent were good with one notary and two witnesses.

Did Boswell subsequently take his practice more seriously and look more into the law books? Listen to this entry from a few weeks later, about the morning after one of his phenomenal drinking bouts:

I had been sick [last night] without being sensible of it. But I was so ill at seven [this morning] that I could not bid adieu to [my mother-in-law, who was leaving after a visit]. I however grew so well as to be able to get up and go to the [courthouse] at nine. I was still quite giddy with liquor, and, squeamishness having gone off, I was in a good, vigorous, sparkling frame, and did what was necessary to be done in several [cases], and was most entertaining amongst my brother lawyers.

In fact Boswell often drank quantities that seem inconceivable to us, and did so for almost any reason. For instance, Boswell bet four friends “that I should not catch the venereal disorder for three years, which bet I had most certainly lost.” How did he pay? He took his friends to supper, and Boswell tells us:

. . . then we grew very noisy and drunk, but very cordial as old friends. In short, we had a complete riot, which lasted until near twelve at night. We had thirty-three pints of claret, two bottles of old hock, and two of port, and drams of brandy and gin. . . . I sat after the rest were gone and took a large bowl of admirable soup, which did me much good for I was not sick; though after I was in bed my dear wife was

apprehensive that I might die.

None of this seemed to interfere with his practice; in fact his description of how busy he was and how little anything interfered with the practice of law is clear in a journal entry of August, 1774:

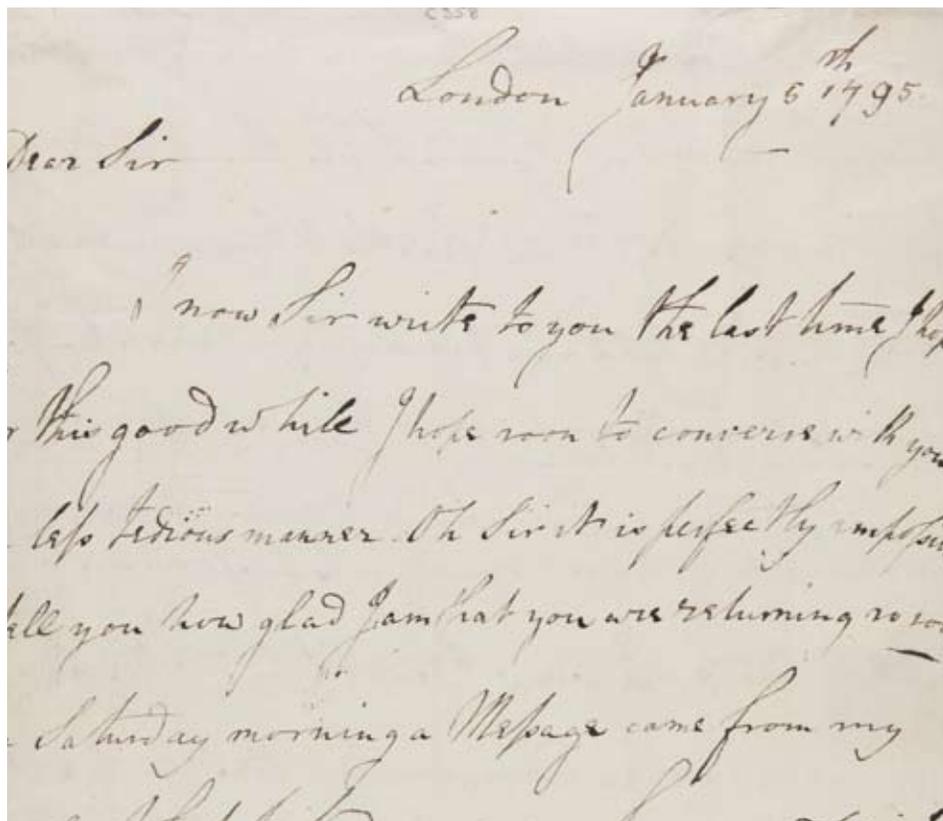
Death makes as little impression upon the minds of those who are occupied in the profession of the law as it does in an army. The survivors are busy, and share the employment of the deceased. A. McHarg, writer, died this session, and though he had a good deal of business, he was never missed. His death was only occasionally mentioned as an apology for delay in giving a paper. The succession in business is so quick that there is not time to perceive a blank.

Busy as he was with civil cases, he reserved his emotions for the criminal cases he handled before the High Court of Justiciary. Boswell was something of a one-man legal aid society, and quickly gained a reputation as an advocate who would take on, and ardently defend, the unfortunate, the poor, and even the clearly guilty. He valiantly defended a soldier ultimately hanged for drunken assault and theft of a watch, a forger, and miscellaneous murderers, burglars, and arsonists – common criminals who often had no defense but Boswell's eloquent pleas for mercy.

This growing reputation, however, did not help him in his profession. The judges of the Scottish courts, including his father, were interested in justice, not mercy, and Boswell the defender of lost causes was not as popular with his upper-class peers as was Boswell the raconteur and man-about-town. And Boswell did have quite a reputation as a raconteur. At a dinner party on July 29, 1774, he was asked . . .

if I ever studied beforehand the good things which I said in company. I told him I did not. Crosbie agreed that it was so, but said I spoke about them enough *afterwards*, a very just remark.

Boswell's reputation as lawyer for the damned had emerged from his very first criminal case in 1766. His client there was John Reid, and Boswell had been appointed by the court to defend him. John Reid was charged with stealing 120 sheep. In Scotland, stealing sheep was as serious a crime as any. The evidence was heavy indeed against Reid, and the judges were astonished and angered when the jury found the charge "not proved," and acquitted Reid. In fact the chief judge wrote in another decision a few months later, complaining about both juries and Boswell:



Boswell correspondence from the manuscript collections at Yale.

We have indeed seen cases where there was a moral impossibility of the prisoner's innocence, and yet we have seen juries acquit such a one. Such a case was that of Reid... A counsel at that bar, who likes to distinguish himself upon such occasions, patronized the prisoner's defence, and notwithstanding the clearest and most positive evidence... the jury acquitted the prisoner.

Imagine then Boswell's feelings eight years later in 1774 when the same John Reid was charged again with sheep stealing and Boswell was again to defend him, before the same six judges, including his father and the chief judge, who had been so angered by the acquittal Boswell had won in 1766.

Nevertheless, on July 15, 1774, Boswell went to the Edinburgh prison and once again undertook the defense of John Reid. This time the case was even more difficult, and Boswell knew it. To begin with, the charges against Reid – charges of both theft and reset of theft ("reset" being the name for knowingly receiving stolen goods) were buttressed by the claim in the indictment that these "are crimes of a heinous nature, and severely punishable, especially when committed by a person of bad fame, habit and repute." Boswell knew very well that John Reid was a thief by "habit and repute," and he knew that the very judges who were to

hear the case had made up their minds on that point in Reid's first trial. Boswell thus argued to the court as a preliminary matter that theft might be a capital offense, and since it had been "not proved" in 1766, Reid's prior trial should not be considered here as evidence of "habit and repute." Boswell's own father, Lord Auchinleck, in 1774 as in 1766 a member of the court, answered him, but without offering much comfort. Lord Auchinleck said that while "habit and repute" is not a crime in itself, and while a defendant can't be punished for bad character, it is fair that when there is proof of a crime and proof of bad character, "habit and repute" is "not only an aggravation but a strong circumstance of guilt." The judges restricted the "habit and repute" evidence to that since 1766, but Boswell understood that they better than anyone already knew what had happened in 1766.

Reid was a butcher whose family had lived in the same village near Edinburgh for over 300 years and whose father, grandfather, and generations more before had been butchers. He insisted to Boswell from the beginning that he was innocent. According to Reid, Gardiner, a man Reid knew well, had come to him ten days before the alleged crime and said he would be bringing Reid sheep to butcher and sell on the second Tuesday. That

Tuesday came and went, but then Thursday morning early a boy arrived with 19 sheep and gave them to Reid, telling him they were from Gardiner, who wanted them killed and sold as soon as possible, and that Gardiner himself would be by in a few days to collect the money. On Monday, however, Paterson, a shepherd in charge of sheep belonging to Alexander Gray at a farm about 16 miles away, appeared. The prior Wednesday 19 of Gray's sheep had been stolen, and Paterson, suspecting Reid, had come to look around. He recognized three of the sheep in Reid's field, and the carcasses of three more in Reid's killing room. Paterson and a neighbor of Reid's, Black, sent Reid's daughter to get him, but Reid, hearing they were looking for him, ran away and hid for two months.

Soon after Reid had returned to hide at home, Black saw and reported him, and constables came with an arrest warrant. Reid, caught, immediately asked the constables to arrest Gardiner as well, which they did, since they happened to have a warrant for Gardiner too, for housebreaking. Reid, however, never told his captors or jailors why he had wanted Gardiner arrested, and the two were soon separated and sent to different prisons.

Throughout the days before trial Reid maintained his innocence to Boswell. Boswell was at first not inclined to believe him. In preparation for trial, however, he subpoenaed 33 of Reid's neighbors and acquaintances to be called either as character witnesses or to testify that Reid had been at home every night for weeks before the theft and thus couldn't have gone the 16 miles and back to steal the sheep. Boswell began to interview these potential witnesses before the trial. The second one (in Boswell's words), "seemed so positive notwithstanding my earnest request to tell me nothing but truth, that I began to give credit to John's tale; but it afterwards appeared that great endeavors had been used to procure false evidence." Boswell in disgust then sent the rest of them home. He also decided that he had better not call Gardiner, who by that time had been convicted of housebreaking and sentenced to transportation to America. As a convict Gardiner would be "infamous and intestable" and hardly the most credible defense witness. Instead Boswell planned to call a man named Auld to testify that Gardiner had told him of his plan to take the sheep and then get Reid to kill and sell them. But, of course, before Boswell could do that the prosecution presented its case.

The first witness was the owner's shepherd, Paterson, who told his story, convincingly describing the markings that enabled him to identify the remaining sheep and carcasses in Reid's possession. Next the neighbor, Black, testified to Reid's reputation as a sheep stealer, to the sudden appearance of the sheep Thursday morning, to his belief that Reid had been gone Wednesday night, and to Reid's running off when he heard Paterson was looking for him. On cross-examination Boswell got Black to admit he hadn't actually seen Reid arrive with the sheep Thursday morning, but not much more. The next witnesses all testified to Reid's reputation as a sheep stealer. Finally, the prosecutor introduced Reid's own statement after his arrest that he had got the sheep from Gardiner, didn't know they were stolen, and wouldn't answer any questions about why he ran away.

Boswell had only his witness Auld to offer for the defense. Remember, the 33 exculpatory character witnesses had been sent home. Reid explained to Boswell that when he had convinced them to lie for him he had done nothing wrong, since the Ninth Commandment says only that one shall not bear false witness "against thy neighbor"; false witness for thy neighbor was acceptable, thought Reid. Reid apologized to Boswell for perhaps preventing him from pursuing a better defense strategy. But in any event all Boswell had now was Auld, and Auld's testimony was clearly hearsay. Two of the Lord Justices objected to it; Lord Kames said it would "wound the law" to accept hearsay. But the prosecutor was so sure of himself and his case that he said he had no objection, and the court reluctantly accepted the testimony. It was disappointing, however. Auld merely said that Gardiner had told him that he had made some bargain with Reid more than a year ago. Boswell couldn't get more out of him, and Boswell was now worried.

His last attempt was to remind the court that after Reid's first trial and acquittal the judges had so strongly expressed their disapproval of the verdict that much of the countryside believed him to have been guilty. Therefore, argued Boswell, the habit and repute testimony ought to be disregarded since it was based on the earlier remarks of the judges. The prosecutor said he was willing to stipulate that the judges had in fact criticized the prior verdict, and Boswell was left with nowhere else to go. His closing argument focused on challenging the habit and repute evidence, Boswell's theory being that without it, there wasn't enough evidence of the theft, and

hoping, perhaps, that a conviction on the reset of theft charge would carry a less severe punishment. Boswell went on to make an eloquent closing statement. The prosecutor closed convincingly too. Most interesting to me was the prosecutor's statement that the proof of actual theft was very strong. Then he said, "Perhaps it may appear stronger to me as I am connected with a sheep country." This is probably the first recorded use of the "I'm-just-a-poor-country-lawyer" ploy on record. The jury went out to deliberate.

How good was Boswell? Well, the newspaper report the next day said that "Boswell summed up the evidence in a very masterly and pathetic manner, which did him great honor both as a lawyer and as one who wished for a free and impartial trial by jury." But then, there is evidence that Boswell himself wrote the newspaper report. By five o'clock the word was out that the jury had decided; Reid was guilty on both counts.

Following the custom of the day, Boswell and the jury then went out and got drunk together. The Crown always paid for drinks for a jury after trials. Boswell's journal shows his surprising mood:

... being elated with the admirable appearance which I had made in the court, I was in such a frame as to think myself an Edmund Burke – and a man who united pleasantry in conversation with abilities in business and powers as an orator. I enjoyed the applause which several individuals of the jury now gave me and the general attention with which I was treated.... We parted about twelve. I was much in liquor and strolled in the streets a good while.

Next day he was not so chipper. He appeared in court at two o'clock, where he received "great applause for my spirited behavior yesterday." But he was truly concerned for Reid's life, and asked the court to delay sentencing so he could prepare to "show that capital punishment should not be inflicted." The court was not so inclined. Boswell's father said that theft is a capital crime, and if it weren't, especially where a "grex" – or flock – of sheep is involved, farmers would be in a miserable situation. Lord Kames said 19 sheep or nine, it doesn't matter, theft is a capital crime and has to be because theft is committed by "low people" who can't make reparation. Yet Kames said that since theft is capital only by practice, and not by statute, he'd give Boswell a few days to prepare an argument. The others were opposed to delay, although Lord Kennet said he wished to applaud Boswell's zeal. The chief judge said "it

would hurt my mind to think that a grex should not be capital." And Lord Coalston reasoned that an "act of theft is not always capital, as of a small thing, as one sheep. But it is also clear that one theft can be capital. . . . And so far as I know, there is no instance where when sheep were stolen it has not been capital." Therefore, Lord Coalston saw no point in delay. (By the way, one commentator has written of Lord Coalston that he "always gives the impression of a mind in search of a principle, but content enough if it does not find



Portrait of James Boswell in 1785 by Sir Joshua Reynolds.

one.") Sentence was imposed at once, and the sentence was death by hanging.

Boswell seems to have been truly moved by the sentence. From that moment his preoccupation with the case becomes apparent. The journal, which reflected no special attention to the case before, now becomes increasingly devoted to saving John Reid. As usual, Boswell's motives were not wholly altruistic. On September 5, he wrote "[the judges] really have a bias to severity. It should be checked. And now there is much at stake: the life of a man whom I think innocent, and my own fame."

Boswell now took every step he could think of to get the King to commute the sentence to transportation to America. He drafted petitions for the Crown, with considerable skill, arguing Reid's innocence, and observing that "the prerogative of dispensing mercy is the brightest jewel in the British Crown." Boswell sent the petitions to the powerful Lord Suffolk, the Secretary of State, and to the Earl of Pembroke, asking that they forward them to the King with recommendations of mercy. He requested Lord Erroll, who had been landlord of Reid's wife's father for many years, to intervene with the King. He wrote a powerful letter to the *London Chronicle*, criticizing the availability of the death penalty for minor offenses, the bias of the judges, and the circumstantial nature of the evidence. He took Reid's wife's affidavit that her husband had not left home for weeks before the appearance of the sheep, and sent it to the court and to others. He even, belatedly, attempted to find Gardiner and get a statement from him,

but Gardiner was by that time gone from England and on his way to America. While Boswell was busy doing what he could, he also found time to see Reid in prison almost daily. He berated Reid and badgered him, warning him over and over not to continue to claim his innocence if he was not, not to risk dying with a lie on his lips, not to risk incurring God's wrath. Boswell sat with Reid and prayed with Reid and read the Bible with Reid. And because he was Boswell, he also drank with Reid. This caused him an unexpected problem:

I called for a dram of whisky. I had not thought how I should drink to John till I had the glass in my hand, and I felt some embarrassment. I could not say, "Your good health;" and "Here's to you" was too much in the style of hearty fellowship. I said, "John, I wish you well."

Reid stayed firm. He insisted he had not taken the sheep and had not known they were stolen when he received them, although he admitted Gardiner had later told him they were. Reid himself seemed to accept the death sentence, especially since Boswell told him not to hold out much hope the King would grant a reprieve. In fact, Boswell wrote that "John expressed his willingness to submit to what was foreordained for him. People in his situation," Boswell then observed, "are very apt to become predestinarians."

And Boswell determined to have Reid's portrait sketched. Once he brought the artist into the prison, Boswell found himself in a sort of emotional dilemma about the pending

petitions for mercy. He wrote: "I was desirous to have his picture done while under sentence of death, and was therefore rather desirous that, in case a respite was to come, it should not arrive 'till [the sitting] was over." In the meantime, Boswell continued to tell Reid:

. . . not to sign [the petitions] if he was not innocent, and again pressed home upon him my conviction that his chance for life was hardly anything. I was wonderfully firm. I told him that I really thought it was happy for him that he was to die by a sentence of the law, as he had so much time to think seriously and prepare for death; whereas, if he was not stopped in that manner, his unhappy disposition to steal was such that it was to be feared he would have been cut off in the midst of his wickedness.

Reid was moved on several occasions by Boswell's harangues to admit to several other instances of sheep stealing both before and since 1766. But he never wavered in insisting that he had not stolen the grex of 19 sheep for which he was to die.

With things looking bleak Boswell hatched a scheme with some doctor friends to see if they could revive Reid after his hanging. A current theory had it that if the victim were cut down soon enough, although apparently dead, he could be revived by a skillful doctor. Boswell pursued this with several surgeons until the day before the scheduled execution, when one of the doctors finally convinced him it was a bad idea; Reid, said the doctor, might curse Boswell for bringing him back from the

# 2015-16 Grant Recipients Update

Checking in with some of our recent winners

Martha Chiplis

Since receiving their Caxton Club grants last November, some of our 2015-16 grant recipients obtained their degrees, and some successfully completed a year of graduate school. A few recently let us know how the grant helped them complete their projects.

In the midst of unpacking after moving to Florida, **Amy Richard**, MFA, University of Iowa Center for the Book, took the time to write:

With the support of a Caxton Club grant, I was able to produce a body of two- and three-dimensional works in handmade paper that constituted my final thesis project at the University of Iowa Center for the Book.

The Caxton grants are such an incredible opportunity for students.... In my case, funding provided the materials needed to produce a series of pulp prints on (my own) handmade Asian-style paper as well as a number of three-dimensional works. It also helped to support a 5-day private tutorial with Melissa Jay Craig, Chicago paper artist and sculptor. It was an amazing experience, allowing me to further develop my paper sculpture skills and learn about building the required forms and troubleshooting them.

The sample images represent some of the work done as part of my one-person thesis exhibition, "Drawing from the Book of Nature." The work is a response to the miraculous energy exhibited in nature — an invisible power that creates exquisite structures and designs around us, only to destroy them and begin anew. For me, the detritus or "natural relics" left behind in our woods and waters (maple tree seedlings, decaying leaves, or fragile egg casings awash on the beach) are tangible reminders that life is precious and fleeting, but also hopeful as that energy is always trans-



formed into something new.

It was also inspired by ideas posed by philosophers throughout history who considered nature an unbound book with its own narrative to be read, studied, and shared. Figures such as Aristotle, Galileo, Newton, and Boyle acknowledged the presence of an unseen force in the material objects they studied. In their writing, some of them referred to this presence as the Book of Nature—an enormous volume to be observed and revered so that one might become closer to the Creator.

I can't thank the Caxton Club enough for providing the support to do this work.

**Cathy Batliner**, a School of the Art Institute of Chicago (SAIC) undergraduate grant recipient, received her BFA in May. Her BFA installation, titled "Abberate (Mom Used to Paint Landscapes)," focused on handmade paper. It included a gorgeous handmade



paper sculpture in the form of bound paper pages, along with three paper pieces hung on the wall. Batliner's Caxton-funded book, *Weakened Sinew*, is a story about the effects of taxidermy and death on her emotional state. It was written, letterpress printed, and bound by Batliner in an edition of ten. She writes, "I'm so honored to have the support and valida-



**1** Amy Richard, *Spiritus* **2** Hannah Batsel, *MFA Thesis Installation, Out of the Dark, Into the Water* **3** Amy Richard, *MFA exhibition installation, Drawing from the Book of Nature* **4** Cathy Batliner, *BFA Installation, Abberate (Mom Used to Paint Landscapes)* **5** Mary Clare Butler, *Inland Sea* **6** Jose Resendiz, *The Harrison High School walkout of 1968: revisiting the past to inform the present.*

tion from the Caxton community. The grant allowed this endeavor to have high production values, including handmade paper and letterpress printing, which increased the meaning and impact of this artist's book."

**Jose Resendiz**, MFA candidate, SAIC, writes: "Thanks to the Caxton Club grant, I was able to supply the materials needed to continue working with high school students in efforts to expand my research. The financial assistance gave me the resources to complete my edition and present the final version of this artist book at the National Art Education Association and the Latino Art Now conference. The Caxton Club has truly made a difference in supporting book arts in a way that also builds community."



This spring the Joan Flasch Collection at SAIC acquired Resendiz's completed artist's book, *The Harrison High School walkout of 1968: revisiting the past to inform the present*. He also recently agreed to sell his books through Vamp & Tramp Booksellers, a book dealer specializing in artists' books.

**Hannah Batsel**, MFA, Columbia College Chicago, presented her thesis exhibit this spring. Batsel had the distinction of receiving a Caxton Club grant two years in a row. She writes:

Support from the Caxton Club has been integral to the development of my MFA

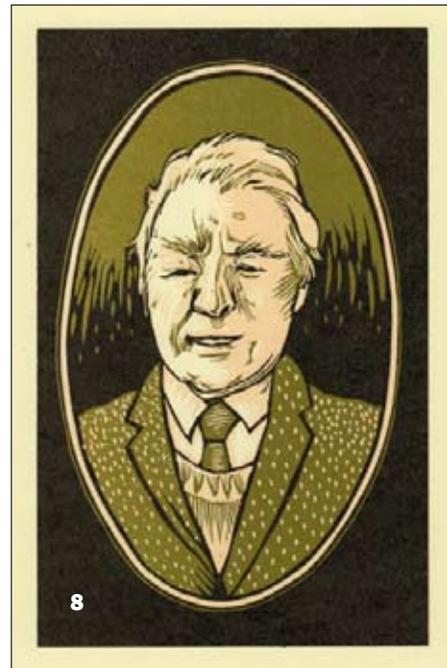
GRANT RECIPIENTS, from page 7

thesis show and to my career as an emerging book artist. Funding from the project grant not only made the exhibition possible, but also introduced me to a warm community of fellow book lovers, many of whom have offered their expertise, guidance, and friendship. I wanted this particular artist book project to be a marriage of research and invention. The Caxton grant allowed me to more fully explore both arenas: to both license copyrighted photographs and to fabricate new ones; to both restore the artifacts described in the book and to illustrate, through linoleum block prints, those artifacts that were lost or beyond restoration. In the later months of the project, it became clear that the studio hours offered at my institution would be insufficient to complete the linoleum-printing portion of the project, which required 12-16 hour shifts of alternating printing and block carving. Support from the grant allowed me to begin printing at a second shop, Spudnik Press, effectively saving the project from extensive downsizing. This is the most valuable resource that the Caxton Club's funding provides to book artists: the freedom of artistic intent, and the ability to produce uncompromised work on a whole new scale.

**Mary Clare Butler**, MFA, Columbia College Chicago, also presented her thesis exhibit this spring. Butler writes: "In May 2016, I completed the artist's book *Inland Sea* as part of my MFA thesis installation. With the Caxton Club's generous support, I was able to dedicate six months to designing, offset-printing, and binding the edition. The grant gave me the opportunity to carefully consider each component of the artists' book's construction, including limited edition handmade paper covers. The Caxton Club's generosity is incredibly valuable and the project would not have been possible without it."

**John Creighton Fifield**, an MA and Graduate Certificate Book Studies candidate at the University of Iowa, visited the Recoleta library in Arequipa, Peru, this past January and examined and documented 600 books in their collection. He is working on sifting and digesting the data he collected, and is looking forward to sharing it. Meanwhile, you can read the blog he set up for the project at <http://recoleta2015.tumblr.com/>

**Ian Huebert**, MFA candidate at University of Iowa Center for the Book, went to PBI (Paper & Book Intensive) in May and learned wood engraving from Gaylord Schanilac, of Midnight Paper Sales Press, and monoprinting from artist Georgia Deal, who's based in



**7, 8** Hannah Batsel, MFA Thesis Installation, Out of the Dark, Into the Water **9** Jose Resendiz, The Harrison High School walkout of 1968: revisiting the past to inform the present.

Washington, D.C.

In other Caxton grant recipient news, 2013-14 recipient **Heather Buechler** has been named the new Victor Hammer Fellow at Wells College in New York; and Caxtonian Steve Woodall curated an exhibit for the San Francisco Center for Book Arts, *20/20 Vision: Celebrating the Next Generation of Book Artists*, that includes recipients **Hannah Batsel**,

**Candida Pagan**, **Radha Pandey**, and **Matt Runkle**. The exhibition opened July 30 and continues until October 16.

We look forward to another year of Caxton Club Grants in 2016-17. Despite some financial headwinds, the Council has approved funding for the Club's next fiscal year.

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gates of heaven.

And then came a letter from Lord Pembroke. He had received the petitions, but since he was busy out of town and understood Lord Suffolk also to be away, he would order a two week stay of execution and a report about Reid for the King from the judges. Boswell was both cheered and discouraged. It was a chance, but he feared the judges' report. Boswell did what he could, writing more letters to Lord Pembroke and Lord Suffolk; circulating Mrs. Reid's statement, and whenever he could challenging the bias of the court and, in a typically Boswellian way, arguing that since a respite had been granted, it would now be unusually and unjustifiably cruel to kill Reid. Boswell appealed to both Lord Pembroke's ego and his kindness in a masterful letter to him:

I should be sorry to have it thought in this country that Lord Pembroke *strongly urged* a petition for mercy in the case of a simple theft, supposing the charge true, and failed in obtaining it. The cruelty of an execution after respite is equal to many deaths, and therefore there is rarely an instance of it. This poor wretch, even if guilty, does not merit such severity.

In fact, the respite did seem to affect Reid more strongly than the death sentence itself had. Boswell goes to the prison and finds Reid

... in a dreadful state. He was quite unhinged. His knees knocked. . . he trembled so, and he cried bitterly. . . I said, "You would make this application, though I told you I thought it would have no effect. If you suffer from it, it is owing to yourself." It was striking to see a man who had been quite composed when he thought his execution certain become so weak and so much agitated by a respite. . . I was quite agitated, partly by a feeling for Reid, whom I had seen in so miserable a condition, partly by a keenness for my own consequence, that I should not fail in what I had undertaken, but get a transportation pardon for my client, since a respite had come. . .

But all Boswell's efforts failed. As he feared, the judges' report was devastating. Lord Pembroke wrote to Boswell that the King had been disposed to transport, but that the judges'

report was so strong that he couldn't have done so without forcing the judges to resign to save face. Boswell told Reid the bad news, then went out and in his words "I grew monstrously drunk, and was in a state of mingled frenzy and stupefaction. I do not recollect what passed."

The day of the execution arrives. Reid is dressed all in white, and Boswell, deeply moved at the sight, begs Reid again to tell the truth; he warns him that he can't expect mercy from God if he "goes out of the world with a lie in your mouth. . . . I thus pressed him, and while he stood in his dead clothes, on the



High Street, Edinburgh in the 18th century.

very brink of the grave . . . he most solemnly averred that what he had told . . . was the truth."

This is almost the end of the story; Reid mounted the scaffold, but at the last moment

he made an attempt to speak. Somebody on the scaffold called, "Pull up his cap." The executioner did so. He then said, "Take warning, Mine is an unjust sentence." Then his cap was pulled down and he went off. . . To me it sounded as if he said "just sentence;" the people were divided, some crying "He says his sentence is just." Some: "No. He says *unjust*." Mr. Laing . . . put me out of doubt, by telling me he had asked the executioner, who said it was *unjust*.

Reid hung up on the gibbet for 45 minutes, and Boswell waited to see the body cut down and delivered to Mrs. Reid.

It was now about eight in the evening, and gloom came upon me. I went home and found my wife no comforter, as she thought I had carried my zeal for John too far, might hurt

my own character and interest by it, and as she thought him guilty. I was so affrighted that I stared every now and then and durst hardly rise from my chair at the fireside. . . . I got Dr. Webster, who came and supped, and he and I drank a bottle of claret. But still I was quite dismal.

While as a lawyer I might question Boswell's strategy and preparation, it seems likely nothing he might have done would have saved Reid, who, after all, confessed that he was a sheep stealer, if only of other sheep. Whatever else Boswell might have done, he earned Reid's gratitude for what he in fact did do. Reid's last statement dictated to the jailor concluded with these words:

I return my hearty thanks . . . in an especial manner to the honorable gentleman who has plead my cause once and again without fee or reward from me and has further ministered to my necessities and after all has taken every step to save my life at last. . . . I wish that all his lawful undertakings in behalf of unfortunate [defendants] may prosper, and that when he comes to leave the earthly bar, he may find a welcome reception from the righteous Advocate at the Father's

right hand, and then he will be fully rewarded for the services done to fellow men in their afflictions.

Of course, we cannot completely discount the possibility that Boswell himself helped write Reid's last statement.

As for Boswell, his dismal gloom following the execution was quickly dispelled. How? Let me leave you with his journal entry for September 22, 1774, the day after John Reid's execution:

I had passed the night much better than I expected and was easier in the morning. . . . Luckily for me [a client] had come to town anxious to get a bill of suspension drawn by me instantly. This diverted the gloom, for I kept him by me, and I wrote while both he and I dictated, and had it finished by dinner time. He drank tea with me. To touch a fee again was pleasant.

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## Book- and manuscript-related exhibitions: a selective list

Compiled by Lisa Pevtzow

(Note: on occasion an exhibit may be delayed or extended; it is always wise to call in advance of a visit.)

**Art Institute of Chicago**, 111 S. Michigan Avenue, Chicago, 312-443-3600:

**“Invisible Man: Gordon Parks and Ralph Ellison in Harlem”**

(1948 and 1952 collaborative projects), through August 28. **“The Shogun’s World: Japanese Maps from the 18th and 19th Centuries”** (a range of maps depicting both material and spiritual realms), through November 6.

**Chicago Botanic Garden, Lenhardt Library**, 1000 Lake Cook Road, Glencoe, 847-835-8202: **“Language of Flowers: Floral Art and Poetry”** (an assortment of small-sized books containing poetic floral lexicons), through August 7.

**Chicago Cultural Center**, 78 E. Washington Street, Chicago, 312-744-6630:

**“Stand Up for Landmarks! Protests, Posters & Pictures”** (images, artifacts and ephemera relating to saving Chicago landmarks), ongoing.

**Chicago History Museum**, 1601 N. Clark Street, Chicago, 312-266-2077: **“Chicago Authored”** (works by writers that define the character of Chicago), ongoing.

**DePaul University Museum**, 935 W. Fullerton, Chicago, 773-325-7506:

**“Birds”** (Tony Fitzpatrick draws and layers images, poetry and found materials onto the page), through August 21.

**Harold Washington Library Center**, 400 S. State Street, Chicago, 312-747-4300: **“Called to the Challenge: The Legacy of Harold Washington”** (an overview of Washington’s life and projects as mayor) Harold Washington Exhibit Hall, ninth floor, ongoing.

**Northern Illinois University Art Museum**, Altgeld Hall, NIU campus, DeKalb, 815-753-1936: **“Kaleidoscope of Burma”** (iconic pieces from the Burma Art Collection at NIU, plus paintings produced in Myanmar within the past decade from the Thukhuma Collection), opens August 23.

**Northwestern University Library**, 1970 Campus Drive, Evanston, 847-491-7658: **“Page & Stage: Shakespeare at Northwestern”** (including facsimiles of rare books, designs from student productions, archives of theatre faculty such as Frank Galati, and artifacts from the archive of Ireland’s Dublin Gate Theatre), through September 2. **“Dawes Delivers the Vote: A Libraries Exhibit”** (political correspondence, speeches, two original *Chicago Tribune* editorial cartoons, and ephemera from the presidential campaign trail of 1924 in an exhibit about Vice President and Evanston resident Charles Dawes), Deering Library, third floor through November 11.

**Pritzker Military Museum and Library**, 104 S. Michigan Ave., Chicago, 312-374-9333: **“SEAL The Unspoken Sacrifice”** (features photographs from Stephanie Freid-Perenchio and Jennifer Walton’s 2009 book and artifacts on loan from the Navy SEAL Museum), ongoing.

**University of Chicago, Joseph Regenstein Library Special Collections Research Center Exhibition Gallery**, 1100 E. 57th Street, Chicago, 773-702-8705: **“Cyrus Leroy Baldridge: Illustrator, Explorer, Activist”** (explores the range of Baldridge’s life and art, showcasing many of his illustrations for the first time), through September 9.

Send your listings to Lisa Pevtzow at [lisa.pevtzow@sbcglobal.net](mailto:lisa.pevtzow@sbcglobal.net)

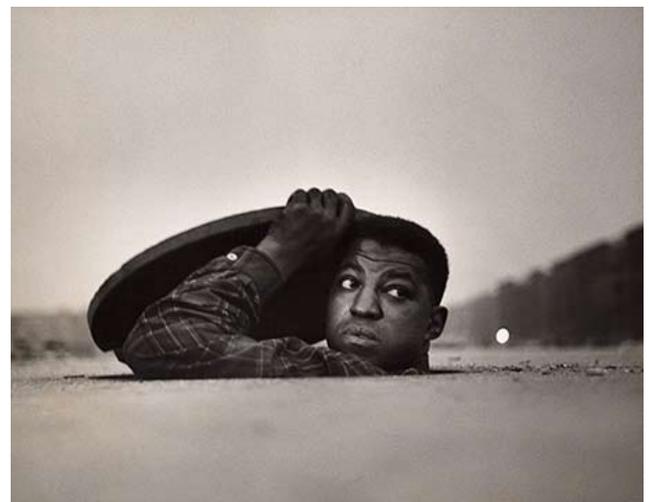
Northern Illinois University / Kaleidoscope of Burma

KINNARA (MALE MYTHICAL BIRD), BURMA/MYANMAR MANDALAY PERIOD, WOOD WITH GLASS INLAYS, GIFT OF KONRAD AND SARAH BEKKER, 1987.



Art Insitutute / Parks and Ellison

GORDON PARKS. THE INVISIBLE MAN (HARLEM, NEW YORK), 1952. ANONYMOUS GIFT. © THE GORDON PARKS FOUNDATION.



# Caxtonians Collect: Tad Boehmer

Interviewed by Robert McCamant

I crossed paths with Tad Boehmer at Rare Book School in Virginia, where I was a student the same week he was a “follower,” meaning a temporary staff member who (among other duties) assists the teacher/teachers of a class with pulling sample books and sharing them with students. The course he was assisting in was “Introduction to Paleography, 800-1500,” which was, as we shall see, right up his alley. The following week, he was going to be a student, in the course called “Reference Sources for Researching Printed Americana” taught by fellow Caxtonian Joel Silver. In real life, he is a graduate of University of Illinois-Urbana Champaign Graduate School of Library and Information Science, with a focus on rare books and manuscripts and works as a rare book cataloger at Illinois, on what’s known as the Cavagna project, which is currently processing a collection of tens of thousands of Italian imprints purchased by the University Library in 1921.

His given name is Thomas A.W. Boehmer, but Tad derives from his family’s love of Illinois history. It was the nickname of Abraham Lincoln’s youngest son, Thomas Lincoln, given to him by his father, who found him “as wiggly as a tadpole” when he was a baby.

Both of this Tad’s parents are lifelong Illinoisans. His mother is recently retired as an administrator at the Center for Advanced Study at the University of Illinois, so Boehmer met some interesting people early on, including the president of Iceland and Mahatma Gandhi’s grandson. His father taught prospective science educators at the U of I, Millikin University in Decatur, and Wesleyan in Bloomington – all close enough for the family to remain in Urbana. Since both parents are now retired, they enjoy coming to Chicago to the occasional Caxton Club meeting, to which their son can invite them.

Boehmer was born in Urbana, went to the excellent public high school it offered, and became immersed in the scholarly world. (“I

was an Anglophile by age ten,” he admits.) He befriended older faculty, and grew to love books and collecting by helping them pare their collections in retirement. Such faculty members talk among themselves, and word of his helpfulness passed between them. Among his treasured books are those given him by faculty in appreciation for his help. “I know enough about local academic history to know who the inscriptions are from,” he admits. “But



the books I collect related to local academics are actually more often ones I pick up at estate sales and library book sales.”

By his upper grades in high school, Boehmer had found a job cataloging in special collections at the university library. There he met Valerie Hotchkiss, who became a mentor. When he decided to take a “gap year” after high school graduation, he asked Hotchkiss where he could go to learn more about the field of rare books in Britain. To his surprise, she answered “Would you like Oxford, Cambridge, or London?” Though he picked Cambridge, it didn’t work out, so he went to London as the student assistant to the rare book cataloger at Bernard Quaritch Ltd. He stayed at the home of someone he and his

mother had met on an earlier P. G. Woodhouse tour of the UK, but the commute was so long and exhausting that he only managed a month and a half at Quaritch. Nonetheless it was a heady experience for a recent high school grad.

“At that point I felt that returning home to work at the Illinois Rare Book & Manuscript Library would be a good move, and indeed it was, for it allowed me to build on my experiences in London and delve deep into the daily workings of the library, particularly the cataloging side of things. This solidified my decision to start along the path to working with rare books and manuscripts as a career,” he concludes.

The next fall, he entered Grinnell College in Iowa, which had accepted him and then allowed him to defer entrance. He majored in both classics and art history. He followed that with the University of Illinois, where he is working on both an MLS and an MA in religious studies. He connected with the Caxton Club through Valerie Hotchkiss and the fact that Jackie Vossler recruited him to perform functions at the Club’s symposium held in Madison, Wisconsin.

Although he suffers from a student budget, that does not stop him from being a collector. He showed me some recent purchases from several Charlottesville book dealers, including English pictorial pamphlets and a copy of the *Realist* from the 60s. He also loves

books on books: on layout and design, on processes of reproduction, and “outsiders” of all kinds. Growing up, he always loved 60s music more than what was current.

It would be fair to say that Boehmer is a lover of the outmoded and decrepit. For additional recreation, he has started taking pictures of “ghost signs” on buildings in the Urbana-Champaign area. These are painted signs for long-departed businesses, sometimes barely readable. He shares them online, and is glad of the excuse to research the history of the business represented in county archives.

He joined the Club in 2014, nominated by Valerie Hotchkiss and seconded by Don Krummel.

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## Bookmarks...

### Luncheons on deck...

#### SEPTEMBER LUNCHEON

Agent Luigi Mondini of the FBI Art Crime Team will reveal the fascinating story of art and cultural property theft. He will draw on case files to explain how the FBI investigates these unique crimes to recover and repatriate stolen items. September 9, Union League.

#### OCTOBER LUNCHEON

Valerie Lester's new book *Giambattista Bodoni: His Life and His World* is the first substantive book about the ambitious Italian printer to be written in English. This talk sets Bodoni in his place, time, and relationships, and explores the impact these elements had on his elegant typefaces. September 21, Union League.

*The dinner program committee is pleased to announce:*

September 21, 2016,  
Union League Club  
**Valerie Lester**, independent scholar and author, on **Giambattista Bodoni: His Life, Times, and Work**. Plus, an opportunity to purchase Valerie's new book for signing.

October 19, 2016,  
Newberry Library  
**Jill Gage**, Newberry Custodian of the Wing Foundation on the history of printing and Bibliographer for British Literature, on **The Curator's Tour of the Newberry exhibition "Creating Shakespeare."** The story of Shakespeare's life and afterlife, from the 16th century through the 21st. Dinner will feature an English menu, the opportunity for a full bar and English session beer, and a treasure from the vault.

November 16, 2016,  
Union League Club  
**Mindy Dubansky**, Librarian at the Thomas J. Watson Library, Metropolitan Museum of Art, on **Books: The Art of Books that Aren't**. This evening also will announce 2016 Caxton Club grant recipients and host past winners.

December 14, 2016,  
Newberry Library  
**Revels**: the annual Caxton Club holiday dinner, fund-raiser, and auction.

January 18, 2017,  
Union League Club

**Sarah M. Pritchard**, Dean of Libraries and Charles Deering McCormick University Librarian, Northwestern University on **The Chicago Collections Consortium: Connecting Resources, Enhancing Access, and Preserving History**.

February 15, 2017,  
Union League Club  
Speaker to be announced

March 15, 2017,  
Union League Club  
**John Wilkin**, Dean of Libraries, University of Illinois at Urbana-Champaign, on **Beyond Caxton's Printing Press: From the Short Title Catalog to an Open-Access, High-Fidelity Online Collection of Early English Books**.

April 19, 2017,  
Union League Club  
**Richard P. Minsky**, founder of the Center for the Book Arts, New York City, on **American Decorated Publishers' Bindings**.

May 17, 2017,  
Union League Club  
Speaker to be announced

June 21, 2017,  
Union League Club.  
**Anna Chen**, curator of rare books and manuscripts, Rare Book and Manuscript Library, University of Illinois at Urbana-Champaign, and chair, Gwendolyn Brooks Centennial Planning Committee, on **Gwendolyn Brooks: A Year of Celebration**.