

# THE POPULARISATION OF TRIAL DISCOURSE IN 18<sup>th</sup> CENTURY PERIODICALS

## A corpus-based study of the *Old Bailey Trial Proceedings* and newspaper trial reports (1710-1779)

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**Abstract** – In this paper I examine the recounting of trials in the Old Bailey Trial Proceedings (henceforth OBPs) and in the weekly newspapers in the period from 1710 to 1779. The OBPs appeared in 1674 but became a specialised genre in the early 18<sup>th</sup> century, when their short and sensationalist accounts were replaced with more accurate renditions of all the phases of the trial. The weeklies were not a specialised trial genre *per se* but, insofar as they provided short trial accounts, they contributed to the popularisation of trial knowledge. In line with the principles of corpus-assisted discourse analysis, I shall combine the qualitative analysis of the text with the quantitative approach provided by Corpus Linguistics. The results will be investigated within the wider social context in which the two publications were produced and consumed, as well as within the immediate situational context, i.e. the proceedings and the weeklies as genres. In my comparative corpus-based analysis, I examine aspects related to the structuring of the information and the use of specialised vocabulary. The study suggests that by the end of the century, newspapers had the better of the OBPs in the print market, thanks to a skilful balance of specialised discourse and newsworthiness in a publication which was cheap, swift to produce and easy to be consumed.

**Keywords:** 18<sup>th</sup> century England; law and order; newspaper trial reports; Old Bailey Trial Proceedings; corpus-assisted discourse analysis.

## 1. Introduction

Early modern English print always played a crucial cultural role in shaping people's perceptions, knowledge and representations of reality, even more so after the failure to renew the Licensing Act in 1695. The collapse of censorship acted as a watershed in the history of the English press as it allowed greater scope and ambition among printers and publishers who were eager to satisfy their readership's demands by experimenting with new genres. In a period characterised by rising criminality, especially in the form of property offences, the issue of crime and justice became a major concern among the propertied middle and upper classes,<sup>1</sup> who showed an insatiable appetite for printed accounts of law and order. This prompted publishers to introduce new crime reporting genres, which were swift to replace the fictional character of previous criminal literature (e.g. criminal biographies, trial pamphlets and last dying speeches) by accomplishing a successful popularization of specialised legal discourse. In particular, three forms of crime reportage came to the fore in the 18<sup>th</sup> century: newspaper trial reports, the Old Bailey Proceedings and the Ordinary's Accounts of the executed offenders. The three genres differed from their predecessors in the more detailed and reliable description of the court case, with a focus on legal issues and aspects of justice administration. As Beattie argues, the emergence of the

<sup>1</sup> By the second quarter of the 18th century, around 500 defendants were tried each year at the Old Bailey Criminal Court in London for property offences (Ward 2014, p. 16).

Proceedings, the Accounts and newspapers marked a shift in crime publishing, from the heavily fictionalised tales of highwaymen intended as entertainment to something more approaching a source of public information (Beattie 2001, p. 3). To the well-off Londoner who wanted to be reassured about the certainty of punishment, the publishers offered thorough accounts of guilty verdicts which were meant to demonstrate the effectiveness of the justice system and the power of the authorities. Indeed, the message to be conveyed was that “crime was a significant problem but the courts did their best, while ensuring trials were conducted fairly, to punish the guilty” (Shoemaker 2008, p. 573). In this sense, both newspaper crime accounts and the Proceedings privileged a reporting style which tended to enhance trust in the legal apparatus and admiration for the Courts. At least throughout the 18<sup>th</sup> century, print was the medium through which perceptions of crime and justice were constructed in a way which was favourable to the Courts and which, as such, reflected, disseminated and supported the dominant discourses of the institutions and the government.

In this article my aim is to analyse the Old Bailey Proceedings and the newspaper trial reports in terms of discourse structure and specialised vocabulary. Similarities and differences in their style and its evolution during the course of the 18<sup>th</sup> century will testify to the fervent rhetorical experimentation of publishers in their quest for success in a highly competitive print market. The contrastive analysis of the two genres is consistent with the acknowledgement that contemporaries often consumed more than one single crime genre in their reading practice (Ward 2014, p.12) and as a result were very likely to be conscious of their inner dialogism.

## 2. Old Bailey Proceedings and Newspaper Trial Reports

The Old Bailey Proceedings were a series of pamphlets describing a number of trials conducted at the Old Bailey Criminal Court in London and published under the supervision of the Lord Mayor and – from 1775 – of the Chief Justice too, in order to guarantee the authenticity and reliability of the account.<sup>2</sup> They first appeared in 1674 but became a specialised genre only in the early 18<sup>th</sup> century, when their short and sensationalist accounts were replaced with more accurate renditions of all the phases of the trial – from the indictment to the jury's verdict, through the verbatim report of prosecution, witness examination and defence.

Published on a regular basis (8 times a year), the OBPs revolutionized the occasional rhythm of printed news about crime, thanks to the relentless activity of note takers and shorthand writers who attended the trial. In the face of competition from newspapers and rival compilations of trial accounts, the OBPs were subject to a number of changes after 1729 to make them more attractive to readers. Not only did they increase in length, shifting from 4-9 pages to 24 pages per Session, but they also showed signs of a more respectable and sober representation of crime in comparison with the more fictionalised character of the earlier reports. It was the printer who determined the final content of the account, motivated by two considerations: 1) to provide a mixture of public information and entertainment through a selection of murders, robberies and thefts and 2) to maintain respectability by the deletion of vulgar expressions. The other demanding master of the publisher was the readership, which needed to be sufficiently large to ensure a return on the publisher's investment. The

<sup>2</sup> The accounts were called *The Proceedings of the King's Commission of the Peace and Oyer and Terminer and Goal Delivery of Newgate held for the City of London and the County of Middlesex at Justice Hall in the Old Bailey*.

price of the OBPs suggests that they were aimed at an essentially middle and upper class audience, the cost shifting from 3-4 pence in the 1720s to 6 pence from the 1730s onwards.<sup>3</sup> It was the expectations of this readership, together with those of the City authorities and of the legal apparatus that constituted the dominant imperatives in the representation of the trial.

The monopoly of crime information, however, was not in the hands of OBPs' publishers only. Newspapers were the most widely consulted printed source of information on crime and justice in the 18<sup>th</sup> and 19<sup>th</sup> centuries and as such, they significantly contributed to shaping social perceptions of crime. For most of the century, they relied upon the OBPs for their own briefer accounts of the few trials they chose to report. All of this changed after 1775, when newspapers became voracious competitors of Old Bailey publishers, by hiring their own short-hand writers or paying free-lance court reporters. By the 1780s many newspapers obtained their own independent accounts from reporters who made a considerable income from their job (King 2007, p. 96). Both dailies and (tri)-weeklies<sup>4</sup> were very selective in terms of what crimes to report and had a strong preference for capital offences, not only on account of the sensationalism of the news but also in accordance with the readership's demands. As Baker (1998) notes, by the late 18<sup>th</sup> century newspapers were reaching an increasingly broad audience, which was no longer confined to the gentry and the middling sort but extended to the literate lower classes who could afford to part with 2-3 pence to be informed about a large variety of topics.

In terms of ideological positioning, newspapers were generally deferential to the Court, since authorities financed a supportive press that could legitimise their mandate to rule. For this reason, detailed trial reports boosted the role of lawyers and judges in the correct administration of law, and even shorter accounts offered explicit comments on the justice of the verdict by means of ideologically-laden expressions such as: "it was clearly proved", "the evidence against the prisoner was extremely clear and distinct" (King 2007, p. 97). The lack of critical reporting of the trial process and the obvious desire to be positive whenever possible have been interpreted as indicative of the news-writers' needs to keep on the right side of the judges, if they were to continue to make a living from their court work (King 2007; Lemmings 2012).

### 3. Data

For my inquiry into the popularization of trial discourse in the 18th century OBPs and in newspaper trial accounts, I have made use of two electronic archives: the *Old Bailey Proceedings Online* and the *British Newspaper Archive* (BNA). The *OBPs Online* archive represents a fully searchable digitised edition of almost 180,000 criminal trials held at London's central criminal court from 1674 to 1913. The *British Newspaper Archive* contains over 24 million newspaper pages covering more than two hundred years of history, from 1700 to the present. The utility of the archive for corpus based studies is that single or

<sup>3</sup> As Shoemaker observes, since 3 pence represented a few hours' wages for a labourer or the price of a few loaves of bread or quarts of beer, the OBPs were not beyond the reach of the literate lower class, but their purchase would have required a significant sacrifice (Shoemaker 2008, p. 8). For this reason, it is very likely that people made a collective effort to buy the product. At the time, it was not uncommon for news consumers to share the cost of the issue, read it and pass it on (Walsham 1999, p. 34).

<sup>4</sup> Tri-weeklies were periodicals which were published three times a week. They coexisted in the print market with dailies and weeklies. In 1770 there were at least five dailies, five or six tri-weeklies and four weeklies published in London (Black 2011, p. 9).

combined words can be searched in the text and, though the resource is not integrated with a corpus query system, it can still show the researcher how many times a word or a phrase appears in a single text or in different texts across a specific time span, and its context of occurrence. For the purpose of this analysis, I searched for the expression “Old Bailey” for the period from 1700 to 1778. The results showed that trial reports appear in newspapers not earlier than 1710 and that most of the “Old Bailey” occurrences are found in provincial weeklies.<sup>5</sup> From the *British Newspaper Archive*, I selected 90 newspaper trial reports (henceforth NTRs) for a total of 24,360 words and I grouped them into three sub-corpora of 30 trials each: NTRs 1 comprises the period from 1710 to 1733 (3,043), NTRs 2 stretches from 1734 to 1757 (6,015) and NTRs 3 ranges from 1758 to 1779 (15,302). In a similar fashion, from the *OBPs Online*, I selected 90 texts amounting to 60,886 words and covering the same time span as the NTRs database and I divided them into three sub-corpora of 30 trials each: OBPs1 ranges from 1710 to 1733 (13,174 words), OBPs 2 ranges from 1734 to 1757 (23,254 words) and OBPs 3 ranges from 1758 to 1779 (24,458). The different size of the OBPs and of the NTRs database is indicative of the discourse specificity of each genre.

#### 4. Methodology

In my analysis, I follow the principles of what is often referred to as corpus-assisted discourse studies (CADS), theorized among others by Stubbs (1996; 2001) and Partington (2004; 2008). This methodology envisages that the qualitative approach to the analysis of text is integrated with the quantitative approach provided by Corpus Linguistics in the attempt to discover previously unnoticed regular patterns and link them to specific societal discourse practices. More precisely, Haarman and Lombardo describe the characterising feature of CADS as “a constant movement back and forth between data in the form of concordances, collocations and clusters on the one hand and, on the other, the contextual information (i.e. the actual texts) retrievable by the software” (Haarman, Lombardo 2009, p. 8). However, since the information that is necessary for understanding *what* rhetorical structure has been used in a genre and *why* requires an analysis of contextual matters wider than the textual context (Brownlee 2015, p. 7), I adopt Pahta and Taavitsainen’s multi-layered notion of context described as involving “textual contexts as well as sociohistorical conditions of text production with its societal, situational, historical, ideological and material sides” (Pahta, Taavitsainen 2010, p. 551). This means that my corpus-assisted discourse approach to the text will be systematically integrated with considerations on the context of text production and reception (Raymond 2003; Lemmings 2012; Ward 2014), on the power of the political and legal institutions (Deveraux 2007; King 2007; Shoemaker 2008) and on the readers’ demands and expectations in 18<sup>th</sup> century England (Baker 1998; Gladfelder 2001). Insofar as my study attempts to map patterns of language use based on the socio-cultural perceptions of crime and justice in the 18<sup>th</sup> century, my research can be inserted within the wider European tradition of historical pragmatics (Taavitsainen, Jucker 2010, p. 5). The quantitative analysis is carried out with the aid of the computer program *Sketch Engine* in order to single out recurrent lexico-syntactic patterns of language use and relate them to their contextual factors. In particular, for each corpus (and its sub-corpora) the following tools have been applied:

<sup>5</sup> The provincial newspapers taken into account for the analysis are the *Ipswich Journal*, *Newcastle Courant*, *Derby Mercury*, *Leeds Intelligencer*, *Caledonian Mercury*, *Stamford Mercury*, *Salisbury and Winchester Journal*, *Kentish Gazette*, *Bath and Weekly Gazette*.

1. The WordList Tool. It simply provides a list of all the words in a (sub) corpus in order of frequency.
2. The “compare sub-corpora” function. Wordlists are compared quantitatively to identify the degree of language specificity of each sub-corpus in relation to the other. This function can also be used for calculating keywords of one sub-corpus against a reference corpus to determine which words occur statistically more often in the sub-corpus and constitute its specificity.
3. The Word Sketch function. It is a one-page summary of the word’s grammatical and collocational behaviour. It shows the word’s collocates categorised by grammatical relations, such as words that serve as an object of the verb, words that serve as a subject of the verb, words that modify the word. By clicking on the collocate, the program shows all the occurrences of the search-word in that particular pattern.

The most frequent words and the dominant clusters in the two genres will be compared across the century through a contrastive analysis of their sub-corpora.

## 5. Analysis

I shall start my analysis with quantitative data which reveal the increasing length of trial accounts in the OBPs and in the NTRs across the decades. As we can see in Table 1, the OBPs almost double their length in period 2, as a result of the authorities’ needs to provide more detailed and competitive trial accounts, and they maintain their size in period 3. NTRs, on the other hand, keep the length of trial reports to the minimum in period 1 and show just a partial increase in period 2. It is only in period 3 that the figures document a significant increase in the length of their reportage, presumably under the effect of a strong market competition with OBPs and of the readers’ increasing appetite for detailed trial news.

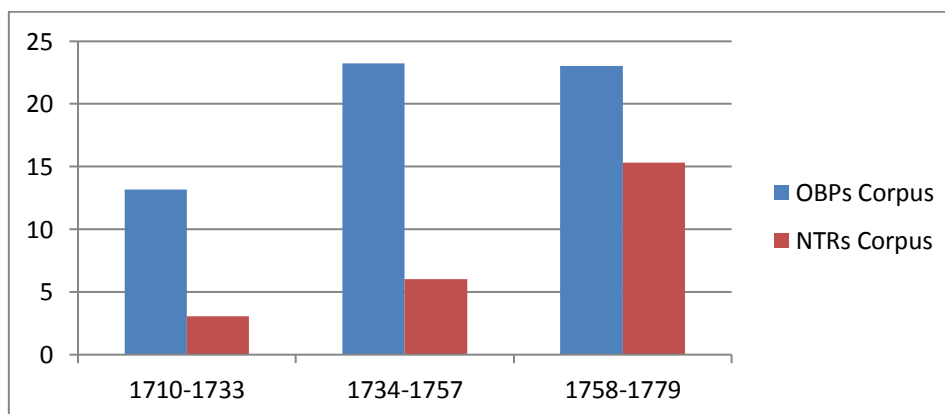


Table 1  
Length of trial accounts in the OBPs corpus and in the NTRs corpus from 1710 to 1779.

### 5.1 The Old Bailey Proceedings: quantitative and qualitative analysis

In order to inspect the discourse evolution in the OBPs across the decades, I shall apply the “compare sub-corpora” tool, which provides an interesting point of departure for my linguistic analysis (Table 2). Value 1.00 stands for identical sub-corpora: the higher the score, the greater the difference between the sub-corpora.

Sub-corpus similarity	OBPS 1(1710-1733)	OBPS 2 (1734-1757)	OBPS 3 (1758-1779)
OBPS 1 (1710-1733)	1.00	3.49	3.84
OBPS 2 (1734-1757)	3.49	1.00	2.92
OBPS 3 (1758-1779)	3.84	2.92	1.00

Table 2  
Sub-corpus similarity/difference in the OBPs (1710-1779).

As Table 2 reveals, the difference among the sub-corpora is not impressive. The highest score regards the comparison between OBPs 1 and OBPs 3 (3.84), though it is already in OBPs 2 that the tool records a turning point in the style of the genre, I shall now examine aspects of change and continuity, by comparing the wordlist of each sub-corpus.<sup>6</sup>

OBPs 1(1710-1733)	F	OBPs 2(1734-1757)	F	OBPs 3(1758-1779)	F
PRISONER/S	154	PRISONER/S	254	SAID	235
MR	70	SAID	179	PRISONER/S	195
SAID	70	WENT	160	Q.	179
DEPOS'D/ED	67	Q.	136	WENT	122
FOUND	64	CAME	129	CAME	119
WENT	63	TOOK	112	HOUSE	112
CAME	62	ONE	105	TOOK	106
HOUSE	55	MR	83	ONE	100
GOODS	49	TOLD	68	MAN	92
INDICTED	37	FOUND	59	MR	90
GENTLEMAN	34	SAW	55	VALUE	86
STEALING	31	KNOW	45	SAW	76
WATCH	30	HOUSE	44	FOUND	65
VALUE	29	GO	44	MONEY	60
TOOK	29	WATCH	43	GO	57

Table 3  
Wordlist comparison in the subcorpora of the OBPs database.

The most striking change from OBPs1 to OBPs 3 is the disappearance of the reporting verb “deposed” (in its spelling variants), which was common in OBPs1, and the introduction of the initial “Q.” which stands for “questioner” in OBPs 2 (Table 3). This documents an important evolution in the discourse style of the Old Bailey reports: from a 3<sup>rd</sup> person narrative with a predominance of indirect reported speech to the verbatim transcription of the words spoken in the trial and intended to guarantee the authenticity of unmediated discourse. Compare the discourse structure of a 1720 trial account with one dated 1758.

James Wilson and John Homer were indicted for Assaulting George Herbert on the High-Way, putting him in Fear, and taking from him 11 Guineas and Half and 2 s. 6 d. in Money, on the 30th of August last. **The Prosecutor deposed** that he had received his wages due on the Queenborough, and at Chatham met the Prisoners and another, who came up to London with him, and would have had him gone to drink with them, but he refused; that at the End of Warwick-Lane they clapt two Pistols to his Breast, and took 11 Guineas and Half from him; that one of them was taken in Newgate-Market; that he was sure the Prisoners were two of them, for he knew them well having been with them 3 Days. **Jonathan Wild deposed, that** the Prisoner Wilson, the same Morning he was taken sent for him to the Compter, and told him that himself John Homer and William Field had committed a Robbery, that if he would endeavour to take the others, he would turn Evidence to save his own Life. [...]. The Jury found them both Guilty. Death.

(7<sup>th</sup> September 1720)

<sup>6</sup> For the purpose of the analysis, I selected the first 15 content words in the wordlist of each subcorpus.

Edward Shackleton, was indicted for stealing one silk handkerchief, value 8 d. the property of Frederick Teise, May 5.

**Frederick Teise.** Last Friday Night, between the hours of nine and ten o'clock, I was coming from the Post-office, where I had been to carry a letter. In Cheapside, my coat being open, I felt something at my pocket, on my right side. I turned about, and saw my handkerchief in the prisoner's hand, I took it from him, and took hold of him (produced in court and deposed to).

**Q.** Where has it been since?

**Teise.** It has not been out of my custody since.

**Prisoner.** It was a little boy that took the handkerchief, and gave it to me.

**Q. to prosecutor.** Did you see a little boy near you at that time?

**Prosecutor.** No, I did not.

**Q.** Was any body nearer to you than the prisoner at that time?

**Prosecutor.** No, he was the nearest to me.

(10<sup>th</sup> May 1758)

Apart from the move from diegesis to mimesis, the OBPs follow a chronological order, starting with the indictment, followed by the prosecutor's examination and the defendant's cross-examination or defence and the verdict of the jury.

Most of the content words in the three sub-corpora are remarkably similar, suggesting a considerable degree of 'content repetition' in the selection of trials to be published. Frequent words such as "stealing", "watch", "money", "value", "goods" and "house" confirm that property offences were extremely common throughout the century and that the authorities were eager to make them public so as to reassure the readership about the efficiency of the justice system. The frequency of the title "Mr" in the sub-corpora, on the other hand, deserves special attention for its socio-linguistic meaning and function. Jucker and Taavitsainen define address terms in a way which is also relevant to referent terms: "address terms serve as subtle indicators of interpersonal relations, but they also reflect attitudes and concepts of prestige and politeness" (Jucker, Taavitsainen 2013, p.75). In my data, the honorific "Mr" is used to refer to witnesses and prosecutors and it is rarely applied to the defendant. This linguistic behaviour on the part of professionals and court reporters is indicative of a strong prejudice against the prisoner, who is presented as not being worthy of the title insofar as he has been indicted and he is standing at the bar. Interestingly, the only participants who occasionally refer to the accused by title with last name are his own witnesses. In the example below the prisoners are John Toon and Edward Blastock, both accused of assaulting and robbing Edward Seabrook. Toon's wife provides evidence in favour of her husband. Notice her use of the honorific "Mr" as opposed to the court reporter's use of the last name to refer to the prisoner.

The Prisoner. **Toon's** Wife: The Day after my Husband was taken, I saw Mr. Seabrook; he told me he was sorry **Mr. Toon** was taken; and as to Blastock, he said, he should not know him again.

(12th April 1738)

In this regard, even if the OBPs have been praised by contemporaries for their impartiality, data reveal that some kind of moral evaluation continues to be at work through the unequal distribution of honorification among the trial participants (Cecconi 2011).

The keyword analysis confirms the shift from the telling to the showing mode of trial presentation, as we can see in Table 4.<sup>7</sup>

<sup>7</sup> First, I compared OBPs 1 with OBPs 2 and 3 functioning as reference corpus, then I compared OBPs 3 with OBPs 1 and 2 as reference corpus. The aim is to identify the keyness of the late 18<sup>th</sup> century proceedings and discuss them in relation to the discourse specificity of the early ones.

OBP1 vs OBPs 2+3	score	OBP3 vs OBPs 1+2	score
DEPOS'D	25.8	I	163.8
ME	12.7	MY	86.6
LEAD	11.8	Q.	67.6
COACH	11.2	ME	67.6
S.	10.9	YOU	63.5
COFFIN	10.5	DO	22.2
PROSECUTOR'S	9.3	GOT	18.9
SAYS	9.1	DID	16.6
WILLIAMS	8.6	YOUR	15.1
VAULT	8.6	TOOK	14.2
PROSECUTOR	8.0	WE	13.0
TELLING	8.0	AWAY	12.9
CRY	8.0	LINEN	12.5

Table 4.  
Keywords in OBPs 1 and OBPs 3.

The keywords in OBPs1 contain speech verbs (“depos’d”, “says”, “telling”, “cry”) which report both the discourse taking place in the courtroom and the discourse taking place at an earlier time, outside the courtroom, and re-enacted by witnesses, prosecutors and defendants in their narratives in front of the jury:

The first Evidence called was Mary Dow, who depose’d that she living just by Mr Mottenx did about 5 of the Clock in the afternoon the 18<sup>th</sup> Day of February see a Lady in a coach.  
(23 April 1718)

See there, says she, how he lies dead drunk. I went to lift him up...I don’t know whether he is drunk or nor, says I, but I am sure he’s dead! Lord What shall I do? says she.  
(30 June 1725)

The examples show that testimonies reportage was part of the proceeding script from the early 18th century. By the 1760s, however, verbs of saying along with nouns referring to participants in the speech event (“prosecutor’s [servant]”, “prosecutor”, “Williams”) are no longer quantitatively significant. In period 3, the *I/you* and *we* pronouns, the initial *Q.* and the auxiliary *do/did* officialise the new verbatim transcription of the genre, consisting of questions and answers with a drastic reduction of reporting verbs.

## 5.2 Newspaper trial reports: quantitative and qualitative analysis

The compare sub-corpora function is now applied to NTRs, in order to detect the discourse specificity of each sub-corpus across the century.

The figures in Table 5 show a considerable amount of discourse variation from period 1 to period 3, which calls for a more detailed investigation of each sub-corpus through a quantitative analysis of its most frequent words and clusters. For each period, I selected the first 10 content words, I indicated their most frequent collocates via the word-sketch function and I quoted an example of the corresponding discourse structure used to frame the trial narrative (Table 6).



Sub-corpus similarity	NTRs 1 (1710-1733)	NTRs 2 (1734-1757)	NTRs 3 (1758-1779)
NTRs 1 (1710-1733)	1.00	5.15	5.11
NTRs 2 (1734-1757)	5.15	1.00	4.10
NTRs 3 (1758-1779)	5.11	4.10	1.00

Table 5  
Sub-corpus similarity/difference in NTRs (1710-1779).

NTRs 1 wordlist	F	Collocations	Discourse structure
OLD	28	At the Old Bailey	LAST NIGHT THE SESSIONS ENDED AT THE OLD BAILEY WHEN ONE KALLAM, A WATERMAN, RECEIVED SENTENCE OF DEATH FOR THE MURTHUR OF HIS WIFE (25 <sup>th</sup> January 1732, <i>Caledonian Mercury</i> )
BAILEY	28		
SESSIONS	23	Sessions ended	
RECEIVED	20	Persons received sentence of death	
MURTHUR	20	For the murthure of	
DEATH	19		
SENTENCE	16		
ENDED	16		
HIGHWAY	16	On the highway	
LAST	13	Last night	

Table 6  
Wordlist, collocations and discourse structure in NTRs 1.

In NTRs 1 the wordlist and the clusters highlight the importance of the outcome of the trial and a preference for capital punishment for homicide.<sup>8</sup> The discourse structure – which emerges by binding together the frequent collocations in column 2 – represents one of the most common discourse structures in NTRs in period 1.<sup>9</sup> After introducing contextual details referring to *when* and *where* the trial took place, the focus moves to the outcome of the trial with the punishment preceding the deed. This narrative pattern – which is also occasionally found in the proto-leads of 17<sup>th</sup> century pamphlets – anticipates the top-down structuring principle of modern journalism, according to which what is most important in the story is told at the very beginning of the text, while the details of the event and its causes are given in later paragraphs (Jucker 2005; Cecconi 2009). In the early 18<sup>th</sup> century, the newspaper narrative is still very short and its emphasis on the punishment is indicative of the priority ascribed to the didactic/moralizing function of the trial news over the informative one. Indeed, for more circumstantial details and legal aspects of the trial, the reader has to rely on the Old Bailey Proceedings as a form of specialised trial genre.

<sup>8</sup> The frequency of the word “murthure” (20) shows that newspapers’ editors and publishers still privileged homicides over property offences, which – however – come immediately afterwards (10 entries for “robbing”, 8 for “robbery/ies”).

<sup>9</sup> Another common discourse structure is *Time adverb + Old Bailey + ended/began + with + number of people + punishment + viz + proper names + deed*. In this pattern, the writer condenses several trials with the same punishment and deed in one single account. The syntactic closeness between the number of criminals found guilty and the punishment is intended to stress the power of the justice system.

NTRs 2 wordlist	F	Collocations	Discourse structure
OLD	61	At the Old Bailey	ON THURSDAY 29 PRISONERS WERE TRIED AT THE OLD BAILEY, ONE WHEREOF WAS CAPITALLY CONVICTED, VIZ JOHN RUGBY, FOR ASSAULTING JOHN EVANS AND PETER SMALT ON THE HIGHWAY AND ROBBING THE SAME MR EVANS OF A SILVER WATCH AND SOME MONEY (14 December 1738, Derby Mercury)
BAILEY	61		
TRIED	60	Number + Prisoners were tried	
TRANSPORTATION	53		
ACQUITTED	48	Number + was/were acquitted	
CONVICTED	46	Capitally convicted	
PRISONERS	42		
SESSIONS	42	Yesterday the Sessions ended	
CAST	36	Cast for transportation	
ROBBING	31	For robbing + Name	

Table 7  
Wordlist, collocations and discourse structure in NTRs 2.

The content words in period 2 document the presence of a more specialised legal lexicon by the introduction of the terms: “tried”, “acquitted”, “capitally convicted” and “cast for transportation” (Table 7). The words and their collocates confirm the focus on the punishment, though the occurrence of “acquitted” testifies to an impartiality, which is nonetheless bearer of ideology. Indeed, if, on the one hand, the reports of acquittals give a more exhaustive picture of a trial outcome, on the other hand, they show that judges are competent enough to distinguish the guilty from the not guilty and that a judicial system based on the power of the evidence is the only one capable of demonstrating the innocence or guilt of a person. Finally, in terms of crime committed, the wordlist reveals a shift of attention from murder to property offences (“robbing”), presumably in line with the property owners’ demands and with the OBPs property crime coverage.

The discourse structure maintains the punishment – deed order but it becomes more factual and informative, by including objective details such as the names of the people involved (criminal and victims), the place where the crime was committed and the goods which were stolen. The high frequency of the word “prisoners” – in the pattern “Number + *prisoners* + *were tried*” – testifies to a discourse framework which was already present in period 1.<sup>10</sup> News-writers borrowed this number-oriented discourse construction from the final summarising section of the OBPs, where the author recaps the number of people tried at the Sessions, the punishments given and the deeds committed. The choice of highlighting the quantity of people tried – both in the OBPs and in the NTRs – responds to a clear ideological message, i.e. to show that despite the high criminal rate, the justice system was doing its job properly, by ensuring punishment for the guilty.

<sup>10</sup> The frequent collocational set “*Number + prisoner + were/was + tried/acquitted*” did not emerge from the wordlist analysis in period 1, as at that time the word “prisoners” coexisted with “criminals” and “malefactors” and with the more generic descriptors “men” and “persons”. This lexical variation hindered the quantitative perception of the salience of the pattern.

NTRs 3 wordlist	F	Collocations	Discourse structure 1	Discourse structure 2
THAT <sup>11</sup>	268	Said/deposed/declared/ replied that	Yesterday 21 Prisoners	OLD BAILEY INTELLIGENCE
TRIED	67	tried at the Old Bailey	were tried at the Old Bailey,	Yesterday Morning the Reverend Ben Ruslen, [...] was tried before Mr Baron Eyre, Mr Justice Ashurst ... and several
ONE	63	One of whom	one of whom was capitally convicted, viz.	other justices in the Commission of Jail Delivery upon four different indictments[...]
OLD	63	1) At the old Bailey 2) Old Bailey Intelligence/ Sessions	Elizabeth Jones for stealing a quantity of Muslim in the shop of Mr Charles James.	The prosecutrix [...] <i>deposed that</i> he carried her with him in the coach[...] <i>that</i> after he had performed the duty, they returned in the same manner: <i>That</i> on their return He made several rude Proposals and Attempts; <i>that</i> she told him she was afraid to comply with his Request, as it was a very bad Action. (17 October 1777, Derby Mercury)
BAILEY	62		Nine were cast for Transportation and eleven Acquitted. (16 September 1763, Derby Mercury)	
CONVICTED	60	capitally convicted		
SAID	53	1) the said 2) as said 3) said that		
ACQUITTED	50	Number + was/were acquitted		
PRISONER	45	The prisoner		
CAPITALLY	42	capitally convicted		
STEALING	34	for stealing +noun phrase		

Table 8  
Wordlist, collocations and discourse structures in NTRs 3.

The wordlist in NTRs 3 presents the same middle-class oriented specialised lexicon as the one in NTRs 2, showing that property crimes continue to be on the top agenda of the justice authorities, who dispense acquittals and capital sentences with discernment (Table 8). The only new entry is the function word “that”, which has been included in the list for its unprecedented high frequency and its linguistic significance. Indeed, the word used as *that* complementizer shows the emergence of reported speech in newspaper trial narrative. Its occurrence is consistent with the publisher’s choice of reporting testimonies in the indirect mode, as we can see in discourse pattern 2. Table 8 documents the coexistence of two discourse structures in NTRs 3: the first one (column 3) is simply a continuation of the

<sup>11</sup> “That” is a function word and as such it should not appear in this content wordlist. However, since it has an unprecedented high frequency in this sub-corpus (268) in comparison with the previous ones (NTRs 1, 21; NTRs 2, 31), I decided to include it as indicative of an important change in the discourse structure of NTRs. Indeed, its presence as *that-complementizer* (73%) signals the introduction of the reportage of witness testimonies in the indirect mode (s/he said/depos’d/declar’d that).

discourse pattern which was found in period 2, whereas the second one (column 4) is definitely longer, as it includes reports of testimonies (consider the repetition of “that”) and is mostly used for sensational trials with a strong impact on public opinion. The cluster “Old Bailey Intelligence” appears as heading, thus according trial narratives the status of “news category”.

In order to investigate more thoroughly the evolution of newspaper trial discourse across the century, I calculated the keywords of NTRs 1 by comparing the sub-corpus against a reference corpus consisting of NTRs2 and NTRs 3. In a similar fashion, I calculated the keyness of NTRs 3 with NTRs 1 and NTRs 2 as reference corpus. Table 9 reports the findings.

NTRs 1 vs NTRs 2+ NTRs 3	score	NTRs 3 vs NTRs 1 + NTRs 2	score
CONDEMNED	17.3	PRISONER	25.8
DUNGEON	14.6	YOU	23.6
BURNT	11.7	DECEASED	13.1
PILLORY	10.5	WEIL	12.6
MALEFACTORS	8.2	LAZARUS	12.0
MRS	8.2	WITNESS	10.4
FELONY	6.8	EVIDENCE	9.7
ALIAS	6.7	MAN	9.3
PERSONS	6.3	YOUR	8.7
DEATH	6.2	FELONIOUSLY	7.6
MURTHUR	6.0	I	7.4
HIGHWAY	5.3	HE	7.3
SEVERAL	5.3	REPLIED	7.1
NIGHT	5.0	HEARD	7.1
HAND	4.6	INDICTMENT	6.5

Table 9  
Keywords comparison in NTRs 1 and NTRs 3.

In NTRs 1 the first keyword is “condemned” which – along with “burn”, “dungeon”, “pillory” and “death” – confirms the punishment-oriented character of the narrative and places it closer to the crime pamphlets of the previous century than to the chronological order of the Proceeding (Table 9). People’s familiarity with the word “condemned” comes from both crime literature and religious discourse featuring God as judge (e.g. Bible, Sermons and broadside ballads). In the following decades the word disappears in favour of the more specialised legal cluster “capitally convicted” (see Table 7). Scrolling down the list of keywords, another evaluative word is “malefactors” referring to the defendant. The descriptor reveals the author’s negative evaluation intended to put social blame on the accused. The lexical choice is again consistent with the moralizing purpose of the early trial narratives. In the next decades the word will be replaced with the more neutral “prisoner” (42 occurrences in NTRs 2) and “defendant” (8 occurrences in NTRs 2) borrowed from the OBPs.<sup>12</sup> Finally the words “felony” and “murther” document the crimes which mostly attracted people’s interest in the early 18<sup>th</sup> century.

The most striking keywords in NTRs 3, on the other hand, are the *I-you* interactive pronouns, which are indicative of the introduction of the examination phase reported in both

<sup>12</sup> The specialised term “defendant” appears for the first time in 1742 in my database. It is used for people belonging to the middle and upper class (esquire, artisan, tradesman) who in 3 out of 5 cases are acquitted. In this sense, the word either anticipates the positive outcome or it triggers a highly controversial trial with one session lasting “upwards of 6 hours” (20 January 1764, Derby Mercury) and another session with “a very long trial” (10 June 1742, Derby Mercury).

the indirect and direct mode. The appearance of reported speech is also signalled by the verb “replied” and “heard” as shown in the quotation below.

John Stone was next sworn, who deposed that [...]; that they waked him with stroke of a pistol on his breast, and on his crying out, “What's that for?” they replied, " Damn your eyes, *you* son of bitch, lie still, or we'll blow your brains out”.

(7<sup>th</sup> December 1771, *Kentish Gazette*)

Finally, the terms “deceased”, “witness”, “evidence”, “feloniously” and “indictment” document the increasing use of courtroom lexis in a progressively more specialised newspaper reportage, meant to reach the masses.

### 5.3 OBPs and NTRs: a comparison

In this final section the three sub-corpora of OBPs are compared with the corresponding NTRs.

OBPs 1 vs NTRs 1 (6.91) <sup>13</sup>		OBPs 2 vs NTRs 2 (7.88)		OBPs 3 vs NTRs 3 (4.91)	
Goods	(Old) Bailey	I	Old Bailey	Q.	(Old) Bailey
me	ended	my	Transportation	me	convicted
deposed	Sentence	me	convicted	s.	Acquitted
indicted	Highway	you	tried	l.	capitally
my	Sessions	Q.	capitally	did	Viz
I	Viz	Prisoner	Viz.	my	tried
Value	tried	we	Yesterday	Value	Prisoners
s.	received	What	cast	No	cast
you	ordered	know	Sessions	Linen	Transportation
took	Trial	could	Acquitted	Kennedy	Deceased
told	condemned	away	ended	Smith	Mr
Prosecutor	Malefactors	heard	Sentence	live	Weil
away	Dungeon	am	whereof	Blundell	Yesterday
Coach	stand	do	ordered	Key	Lazarus
says	Pillory	Value	executed	am	years

Table 10  
Sub-corpus comparison between OBPs and NTRs in period 1, 2 and 3.

The corpus similarity scores in Table 10 show that the gap between OBPs and NTRs reaches its peak in period 2 (7.88), as a result of the OBPs’ attempt to keep their distance from their competitors by introducing changes in the style, structure and length, while NTRs continue to limit their accounts to short 3<sup>rd</sup> person summaries. The gap between the two genres considerably shrinks in period 3, when newspapers provide their own independent accounts characterised by an increasing inclusion of details, testimonies and by the replacement of the punishment – deed structure with the chronological sequence of the trial, as has always been the case with the OBPs.

In period 1, the discourse specificity of the OBPs as opposed to NTRs relies on 1) *I/you* pronouns and reporting verbs (“told”, “says”, “deposed”) in the examination phase, which is still missing in the corresponding NTRs; 2) specialised lexis (“deposed”, “indicted”, “prosecutor”) and 3) words which pertain to property offences (“goods”, “value”, “s.”, standing for shilling). Regarding NTRs, their discourse specificity rests upon 1) the reference to the Old Bailey Sessions from which they derive their accounts; 2) the

<sup>13</sup> The score refers to the corpus similarity obtained from the compare corpus function of *Sketch-Engine*.

emphasis on the outcome of the trial (“ended”); 3) the punishment priority (“received Sentence”, “condemned”, “Dungeon”, “Pillory”) and 4) verbs in the past tense which are indicative of the 3<sup>rd</sup> person narrative. Specialised lexis is still kept to a minimum (“trial”, “tried”), whereas moral evaluation appears in the word “Malefactors” used to refer to the accused and in the generic “condemned”, which is replaced by the more specific “capitally convicted” in period 2.

In period 2, keywords in OBPs document important changes which lead to a predominance of interactive involved features – typical of spoken discourse – in a text written to be read. *I/you* and *we* pronouns, present tense verbs, generic vocabulary, *wh*-words, auxiliary *do* and the “Q” are all elements which presuppose a detailed verbatim transcription of the examination and cross-examination phase. The keywords in NTRs 2, on the other hand, show an increasing use of specialised words (i.e. “cast for Transportation”, “capitally convicted”, “acquitted”, “executed”) which insist on the outcome of the trial and on the priority ascribed to the punishment in the narrative. The inclusion of more specialised vocabulary in a non-specialised genre which is purported to reach a heterogeneous audience is indicative of the way in which trial knowledge progressively infiltrates into people’s everyday life. Terms such as “acquitted” and “capitally convicted” transit from the courtroom to streets, coffeehouses and taverns, as a result of public news reading and word re-usage in discussions and debates. In period 3 the OBPs maintain their verbatim report style with the “Q” appearing in first position, followed by pronouns, abbreviations referring to shilling and pounds used to indicate the exact value of the goods stolen, the direct answer to polar questions (“No”) and present tense verbs. Words referring to property offence continue to be a key feature of the OBPs across the entire century (“value”, “linen”, “s.”, “l.”). For the first time proper nouns appear as keywords in both genres, suggesting that NTRs too devoted detailed accounts to individual trials with the inclusion of testimonies and a consequential increase in length.

Table 11 shows two trial samples – one dated 1720 (period 1) and one dated 1778 (period 3). For each trial, I reported its account in the OBP and in the newspaper in order to document the discourse variations at work in the two genres.

OBP 15 September 1720	Stamford Mercury 15 September 1720
<p>James Wilson and John Homer; were indicted for Assaulting George Herbert on the High-Way, putting him in Fear, and taking from him 11 Guineas and Half and 2 s. 6 d. in Money, on the 30th of August last. The Prosecutor deposed that [...] Jonathan Wild deposed, that [...]. The Watchman deposed, that [...]. The Jury found them both Guilty. Death.</p> <p>Robert Jackson, of Paddington, was indicted for Assaulting John Andrews on the High Way, putting him in Fear, and taking from him a Silver Watch and Seal value 4 l. 10 s. and 1 s. in Money on the 15th of August last. The Prosecutor deposed that [...]. Mr. Bedcott deposed, that [...]. Mr. Glenister deposed, that [...]. Mr. Chasin deposed, that [...]. The Prisoner had nothing to say in his Defence but a bare denial of the Fact, which did not avail him against such positive Evidence. The Jury found him Guilty. Death.</p>	<p>On Wednesday the Sessions began at the Old Bailey, where one John Homer, and one James Wilson were condemn'd for robbing a Sailor on the Highway in St Paul's Church-Yard.</p> <p>One Robert Jackson was condemn'd at the same time for robbing a Gentleman on the Highway at Tyburn, where he will now atone for the Fact.</p>

Table 11  
A comparison between the OBP and the *Stamford Mercury* in their account of the trial of James Wilson and John Homer (September 1720).

In period 1 the difference between the two texts is clear from the start (Table 11). The narrative in the OBP is definitely longer as it reports the deposition phase which is completely omitted in the newspaper. It follows a chronological order, while the weekly opts for the top down structuring principle with the outcome of the trial appearing at the beginning of the account. Another less visible difference between the two samples regards the discourse encoding of the victim. The OBPs sample provides the full name of the victim without mentioning his/her social class or profession, whereas the news-writer of the *Stamford Mercury* refers to the victim in relation to his/her social position (sailor, gentleman). This common newspaper practice is presumably due to the assumption that the average reader belongs to the same social class as the victim and his/her interest in the article is expected to increase whenever s/he sees his/her class represented in discourse. Finally – at the ideological level – consumers who identify themselves with the victim can appreciate the authorities' job to safeguard honest owners. In the OBPs sample the fairness of the justice system is highlighted by means of expressions such as “such positive Evidence” or “the prisoner had nothing to say in his defence”. The equity of the legal system is represented as being so ineluctable that the innocence or guilt of a person cannot but clearly be proved through examination.

OLD BAILEY – GRAND LARCENY – 15 JULY 1778	LEEDS INTELLIGENCER 28 JULY 1778
<p>ALEXANDER LEITH, Baronet, was indicted for stealing a mahogany dining-table, value 40 s. two other mahogany tables, value 4 l. one mahogany dressing-stand, value 40 s. one mahogany dressing-box, value 21 s. two mahogany clothes presses, value 7 l. one harpsichord, value 66 l. one mahogany breakfast-table, value 31 s. three mahogany knife-cases, value 52 s. twelve silver handle knives; value 11 l. twelve silver three-prong forks, value 25 l. thirty-five silver tablespoons, value 21 l. four silver candlesticks, value 20 l. one flat silver candlestick, value 3 l. two silver salt-sellers, value 20 s. two silver salt-spoons, value 6 s. two silver coffee-pots, value 14 l. one silver teapurn, value 36 l. one silver argyle, value 3 l. one silver cross, value 6 l. one silver chafing-dish with a silver cover, lamp, and stand thereto belonging, value 20 l. four silver watches, value 10 l. one silver soup-spoon, value 34 s. one silver punch-ladle, value 17 s. one silver sugar-bason, value 50 s. one silver sugar-spoon, value 6 s. one silver cruet-stand with cruets therein, value 4 l. one silver handle bell, value 22 s. four silver bottle tickets, value 7 s. one silver punch-strainer, value 22 s. two hundred and forty-six printed books bound in leather, value 49 l. forty-four music-books, value 8 l. thirty-six ivory handled knives, value 2 d. Count. For stealing three geldings, value 70 l. the property of the said Benjamin Pope, Esq; April 30th. (The indictment was opened by Mr. Fielding.)</p> <p>Mr. Bearcroft. May it please your Lordship, and you Gentlemen of the Jury; I am of counsel for the prosecutor, against Sir Alexander Leith, who now stands at your bar charged with the offence of larceny, in stealing the several goods named in this indictment; among the rest three horses; these goods being the plate and furniture of a house laid to be the property of Benjamin Pope, Esq. [...]</p> <p>JOHN COVEY sworn. I am clerk to Mr. Woolafter, an attorney. I attended at Sir Alexander Leith 's, in Newman-street, to see Sir Alexander execute a bill of sale of all his household furniture, and also, an assignment of the equity of redemption of his house. I saw it executed; he gave Mr. Pope a tea-chest, in the name of all the goods in the house. This is the assignment of the equity of redemption, (producing it;) there is a bill of sale, and an inventory of all the goods annexed. It was executed on the 1st of April. (It was read in court.) Do you know the goods mentioned in the assignment? - No. Court. Did you see any money paid? - No. Cross Examination.</p>	<p><i>An Account of the Trial of Sir Alexander Leith. Bart. Before the Judges Nares and Buller at the Old Bailey on Saturday last.</i></p> <p>He was charged upon and Indictment consisting of two counts; the first for feloniously stealing, taking and carrying away, within the Parish of St Mary le Bon, household furniture and plate to a large amount the property of Benjamin Pope Esq. The second count for a capital offence, in feloniously leading away three geldings- the property of Mr Pope</p> <p>Mr Bearcroft followed Mr Fielding, who opened the Indictment, with a state of the fact which he was instructed to say could be fully proved; and he should submit to the court, that upon every principle of law, the Baronet at the Bar had, if the circumstances appeared beyond a refutation true, been guilty of the charge, and without any distinction to his rank in life the Jury were bound to pronounce their verdict accordingly [...]</p> <p>Mr Sylvester was the third Counsel for the prosecution. Mr Serjeant Davy, Mr Davenport, Mr Morgan and Mr Howarth were for the honourable Prisoner; and also Mr Dunning was retained but he could not attend.</p> <p>The first witness was Mr Covey, who on the 1<sup>st</sup> Day of April last waited, by appointment, on Sir Alexander Leith with a Bill of sale of the Household goods whilst the wagon waited to take the goods at the house of Sir Alexander's, in Oxford Street, was at the door, happened to come in and he asked whether any inventory had been taken? 'Yes (replied the witness). I am informed that Lady Leith has made an account of the things up stairs, and I have assisted the Cook to take an inventory of the Kitchen furniture'.</p>



<p>Do you know whether any body was put in possession by Mr. Pope? - I don't know.</p> <p>[There follows all other witnesses]</p> <p>Counsel for Sir Alexander Leith . Court. Mr. Bearcroft, How can you make this a felony? Mr. Bearcroft. I don't myself think, that when the question is asked me, it becomes me to say it is a felony. Court. There never was a more scandalous prosecution carried on in a court of justice. If this gentleman had been convicted, he would have been liable to be hanged; now you hear from the prosecutor himself, that he never thought of this prosecution till after the bill in Chancery was brought against him, and an action for usury. It was agreed upon, that Sir Alexander should have any part of the goods at an equitable price; and it appears, that a regular inventory was taken; and now the prosecutor confesses, that it ocured to him, that if he convicted this gentleman, there would be an end to the action in Chancery. NOT GUILTY.</p>	<p>This Mr Pope could not be brought to allow; he stately denied having received such information. [omissions of all the other testimonies]</p> <p>Judge Buller: Mr Bearcroft there is an end to this prosecution; you will not insist upon going on; though far be it from me to stop a Council, if there is the least pretence of supporting a criminal charge; but, in this case, ten thousand witnesses cannot make good the Indictment against Sir Alexander Leith</p> <p>Mr Bearcroft: My Lord I cannot certainly attempt to proceed further, after what I have heard.</p> <p>Judge Buller: Gentlemen of the Jury, the Counsel have behaved on this, as on all other Occasions, with candour; the charge against the prisoner is for a capital offence, and in all my life I never remember so shameful and abominable a prosecution. Mr Pope from his own words stands confessed of having in view to hang Sir Alexander, in order to screen himself from the consequence of the two Suits at Law. You will acquit the prisoner. [...] Serjeant Davy, after the jury brought in their verdict "NOT GUILTY", moved on a copy of the Indictment, which met with a little opposition from Mr Bearcroft, but it was granted. Judge Nares saying it was very proper Sir Alexander should have any means the Court could furnish him with to seek Redress.</p>
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Table 12  
A comparison between the OBP and the *Leeds Intelligencer* in their account of the trial of Sir Alexander Leith (July 1778).

In period 3 the two genres become closer in style and length, especially when reporting on trials with strong social impact, as is the case with Sir Leith, a respectable upper class member, accused of felony and tried for capital punishment (Table 12). The OBP follows its usual chronological order and provides the verbatim transcription of the trial with extreme care for details and technicalities. The trial account in the *Leeds Intelligencer* occupies an entire column and features a separate heading. The writer follows the chronological sequence of the trial and provides details about the indictment, the prosecutor's opening speech, the testimony of one witness and the final speech of the Judge. As happens in the OBP, the weekly too makes use of specialised vocabulary and indulges in a scrupulous report of the Judges' names. In the examination phase and in the Court's summing up of the evidence, there are instances of direct reported speech which make the account look closer to the verbatim transcript of the Proceeding. Although there is a considerable selection of information in the weekly for obvious space reasons, publishers and editors provide a more detailed trial account, with special emphasis on the decisive role of the judges in ensuring justice. As the two examples show, the similarities between the two genres increase in terms of content, chronological order, detailed reportage of all the phases of the trial and direct reported speech. According to some scholars, this growing similarity between OBPs 3 and NTRs 3 might have played an important role in the

progressive withdrawal of the former from the trial news market (Deveraux 2003, 2007). Indeed, if, on the one hand, the increasing specialised discourse character of the newspaper must have been appreciated by the middling and upper sorts as bearer of objectivity, the OBPs' profusion of legal technicalities might have been perceived by the common reader as rather tedious, and far more suitable to the interests of the legal professional. Suffice it to note in Table 12 the very long description of the stolen goods, where 234 words have been used in the OBP as opposed to the 13 words in the newspaper. In this regard, the newsworthiness principle of NTRs must have made the difference in the market, by ensuring better sales through a skilful mixture of factuality, gossip and interpretative guidance, as we can see in the following example.

A very entertaining Trial came on at the Old- Bailey on Thursday Morning, which overturned even the Gravity of the Judges, and set the whole Court in a continual Fit of Laughter; two ragged Females of Pleasure were indicted for inveigling a raw Irishman into their Lodging, and robbing him: "Arrah, my Lord, and we went upstairs, and she said she had eat and drank nothing that Day. I said, my Belly was full of good Victuals, so, says I, here's a Shilling, get something. So, arrah, they went out and got a Loaf and some Cheese." He then proceeded to give the Indelicate particulars of his amour, and said, "he was left as naked as he was born, with his Shirt on".

(15<sup>th</sup> June 1779, *Leeds Intelligencer*)

## 6. Conclusion

The OBPs and the NTRs document the public dissemination of trial discourse and knowledge in 18<sup>th</sup> century England. At the time, the relationship between crime and print was very close and trial publications had the task of shaping people's perceptions of crime and justice in a way which was favourable to institutional authorities and which could restore confidence between society and government in matters of law and order.

The corpus-assisted discourse analysis had a twofold purpose: to show the evolution and specialisation of trial discourse within each genre and to draw a comparison between the stylistic choices made by publishers and editors in order to bring trial knowledge to the masses. In the first decades of the century, the differences between the two genres were remarkable. The OBPs used a chronological structuring of the trial and offered a thorough reportage of its major phases. The weeklies, on the other hand, published highly condensed Old Bailey-derived accounts and privileged a top-down structuring of the information with the outcome of trial coming first and with almost no reference to the trial itself.

In the second half of the century, the difference between the two genres shrinks as a result of similar trends in discourse construction. For example, results showed a common shift from diegesis to mimesis in period 2 and 3 – though with different degrees of directness. Indeed, while the OBPs privileged a verbatim transcript of the trial with minimum authorial intervention, the NTRs maintained a mixture of reported speech and authorial presence, which guided the reader in the interpretation of the justice administration. Another common trend in the two genres was the increasing use of specialised vocabulary. In the case of the Proceeding, the specialising drift led to an all-inclusive reportage of legal technicalities, which boosted the length of the account and the time of production. In the weeklies, on the other hand, content selection ensured a swifter publication and an adequate fruition of specialised discourse also on the part of a non-professional readership, who constituted the bulk of the buyers.

Finally, the preference for property offences in both genres was reflective of a social community split into two well-defined groups: the honest middle and upper class property owners cast in the role of the victim (and potential readers of the trial report), and a separate criminal class, acting as perpetrator of offences. At the top was the legal apparatus, which supervised society and punished the guilty.

The use of corpus linguistics and in particular of CADS techniques allowed us to obtain an overview of the dialogism existing between the two trial genres, while at the same time providing indications of where to look for the most relevant details in their discourse evolution. The impression is that by the end of the century, newspapers had the better of the OBPs thanks to a skilful balance of diegesis and mimesis in a condensed account which was cheap, swift to produce and easy to be consumed.

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