

Contents

Series Foreword	ix
Introduction	xi
Significant Events in the History of Fair Trial Rights	xxxv
PART I: Trial Rights in America's Founding Era	1
Document 1: Magna Carta (1215)	1
Document 2: Petition of Right (1628)	3
Document 3: Bill of Rights (1689)	6
Document 4: Massachusetts Body of Liberties (1641)	11
Document 5: Concessions and Agreements of West New Jersey (1677)	15
Document 6: Pennsylvania Frame of Government (1682)	19
Document 7: New York Charter of Libertyes and Priviledges (1683)	23
Document 8: Pennsylvania Charter of Privileges (1701)	25
Document 9: Address to the Inhabitants of Quebec (1774)	28
Document 10: Virginia Declaration of Rights (1776)	31
Document 11: New Jersey Constitution (1776)	34
Document 12: Massachusetts Declaration of Rights (1780)	37
Document 13: Northwest Ordinance (1787)	40

Document 14:	U.S. Constitution, Article III, Section 2 (1787)	43
Document 15:	The Federalist No. 83 (1788)	43
Document 16:	U.S. Constitution, Amendments Five and Six (1791)	46
PART II: Early Nineteenth-Century Trial Rights		49
Document 17:	<i>Barron v. Mayor & City Council of Baltimore</i> (1833)	49
Document 18:	An Act Relating to Habeas Corpus, and Regulating Judicial Proceedings in Certain Cases (1863)	52
Document 19:	<i>Ex Parte Milligan</i> (1866)	56
Document 20:	Amendment Fourteen to the U.S. Constitution (1868)	60
PART III: The Fourteenth Amendment, Due Process, and Trial Rights		63
Document 21:	<i>Hurtado v. California</i> (1884)	63
Document 22:	<i>Ex Parte Wilson</i> (1885)	66
Document 23:	<i>Ball v. United States</i> (1896)	68
Document 24:	<i>Chicago, B. & Q. R. Co. v. City of Chicago</i> (1897)	70
Document 25:	<i>Bram v. United States</i> (1897)	74
Document 26:	<i>Twining v. State of New Jersey</i> (1908)	77
Document 27:	<i>Powell v. Alabama</i> (1932)	82
Document 28:	<i>Norris v. Alabama</i> (1935)	86
Document 29:	<i>Brown v. Mississippi</i> (1936)	89
Document 30:	<i>Palko v. Connecticut</i> (1937)	93
Document 31:	<i>Betts v. Brady</i> (1942)	97
Document 32:	<i>Adamson v. California</i> (1947)	101
Document 33:	<i>Cole v. Arkansas</i> (1948)	106
Document 34:	<i>In Re Oliver</i> (1948)	109
Document 35:	<i>Bute v. People of State of Illinois</i> (1948)	111

PART IV: Due Process Revolution	119
Document 36: <i>Griffin v. Illinois</i> (1956)	119
Document 37: <i>Gideon v. Wainwright</i> (1963)	122
Document 38: <i>Douglas v. California</i> (1963)	124
Document 39: <i>Massiah v. United States</i> (1964)	126
Document 40: <i>Malloy v. Hogan</i> (1964)	129
Document 41: <i>Murphy v. Waterfront Commission</i> (1964)	132
Document 42: <i>Escobedo v. Illinois</i> (1964)	134
Document 43: <i>Pointer v. Texas</i> (1965)	138
Document 44: <i>Griffin v. California</i> (1965)	141
Document 45: <i>Sheppard v. Maxwell</i> (1966)	143
Document 46: <i>Miranda v. Arizona</i> (1966)	149
Document 47: <i>Parker v. Gladden</i> (1966)	157
Document 48: <i>Klopfer v. North Carolina</i> (1967)	158
Document 49: <i>In Re Gault</i> (1967)	160
Document 50: <i>Washington v. Texas</i> (1967)	164
Document 51: <i>Bruton v. United States</i> (1968)	166
Document 52: <i>Duncan v. Louisiana</i> (1968)	169
Document 53: <i>Benton v. Maryland</i> (1969)	172
 PART V: Sustaining the Due Process Revolution	 175
Document 54: <i>Williams v. Florida</i> (1970)	175
Document 55: <i>Johnson v. Louisiana</i> (1972)	178
Document 56: <i>Kastigar v. United States</i> (1972)	181
Document 57: <i>Argersinger v. Hamlin</i> (1972)	184
Document 58: <i>Barker v. Wingo</i> (1972)	187
Document 59: Speedy Trial Act of 1974	191
Document 60: <i>Edwards v. Arizona</i> (1981)	196
Document 61: <i>Strickland v. Washington</i> (1984)	199
Document 62: <i>Doggett v. United States</i> (1992)	203

Document 63: <i>Lewis v. United States</i> (1996)	206
Document 64: <i>Dickerson v. United States</i> (2000)	208
Bibliography	211
Index	213