

Book Review: Famous American Jury Speeches, Collected and Edited by Frederick C. Hicks

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BOOK REVIEWS

Famous American Jury Speeches. Collected and edited by
FREDERICK C. HICKS. St. Paul: West Publishing Co. 1925. pp. vii,
1180.

This is a valuable collection of twenty-four addresses delivered to juries and other fact finding tribunals in the United States within the last forty years. Twelve of these speeches are before juries. Six were delivered before courts sitting without a jury in admiralty, criminal law, equity and probate. Four were before legislative investigation committees and two in impeachment proceedings. They deal with such diverse matters as admiralty, boycott, clubs, conspiracy, corporations, finance, forgery, insurance, labor, larceny, libel, murder, perjury, politics, probate law, railroads, and socialism. In length they vary from three pages to 120 pages. In quality they show almost all the variations of which the human mind is capable, and some of them glitter and sparkle while others are inexpressibly dull and crude. Thus the supreme effort of Clarence S. Darrow in the Loeb-Leopold case of recent memory in which the orator, with nothing in his favor but the bare youth of the defendants, makes an extremely readable argument extending over nearly one hundred pages, is followed by the closing argument of Robert E. Crowe in which the defendants are repeatedly called "smart aleks," in which Dr. White, a defense witness, is repeatedly termed "old Doc Yak," and in which three of defendants' witnesses are repeatedly called "the three wise men from the East"—a simile as inappropriate as the wit of man could possibly devise. A person who has read Darrow's speech and who has attempted to read Crowe's efforts, ceases to wonder why Darrow carried his point though he was addressing a court and not a jury, and though the law and almost all the facts were with the prosecution.

From what has just been said the reader will perceive that the purpose of this collection is not to gather together such speeches of advocates as deserve a place in literary repositories of the country. While some of these speeches are unquestionably of a high caliber, others are anything but that. Taken as a whole, they vividly reflect the diverse actual conditions which the modern lawyer is called upon to meet, and exhibit the manner in which this has been done by leading advocates. The speeches themselves are thus human documents in the development of American life. Says the author in his preface:

In selecting them no one test of suitability has been used. Not only the reputation of the speaker, but the character of the cases, the prominence of the parties, diversity of subject matter, and the social, political, and economic aspects of the cases have been taken into consideration.

The value of these orations to the reader is increased by brief biographical notes and a statement of facts which precede each separate speech, by incorporating interruptions by court or counsel, thus allowing the reader more easily to visualize the conditions under which each speech was delivered, and by an index of some twelve pages covering both names and subject matters.

C. Z.