Wellmann: Success in Court

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BOOK REVIEW


The author has adopted an unusual pattern for this book. It is divided into two parts, the first part is written by Wellman himself; the second part is divided into nine chapters each of which is written by some prominent member of the legal profession. The result is an extremely interesting and profitable work.

This volume really has a "double barreled" worth, for it has appeal both for the layman and the lawyer. To the layman this volume presents the lawyer in his most glamorous light, as he engages in a contest of wits and skill with his adversary. As far as the lawyer is concerned it really could be considered an outline of trial procedure spiced with anecdotes illustrating the points to be made.

For the young lawyer who contemplates engaging in trial work this work could be freely recommended. It is the next best thing to actual experience itself, this study of the methods of trial procedure employed by specialists in that field. A look at the list of contributors to this book shows, in addition to Wellman, such legal lights as a former United States Solicitor General, a former Chief Justice of the Supreme Court of Illinois, District Attorneys, a United States Ambassador, etc.

Part one of this volume concerns itself with Wellman's ideas on the importance of various phases of trial work; the opening statement, cross-examination of witnesses, argument to the jury, etc. As a basis for a discussion of such topics Wellman draws examples from his own considerable trial experiences and also from the experiences of such famous trial advocates as Rufus Choate, Abraham Lincoln, William F. Howe, Joseph Choate and many others. These illustrations from the lives of famous lawyers serve to emphasize the underlying theme of part one, that is, constant study of the lives, speeches and experiences of the masters of trial work for those who hope to make a success of this phase of the profession of law.

As has been indicated, part two of this book is devoted to more specific details of trial procedure, seen through the eyes of some advocate who has perhaps specialized in that field. To the reviewer the chapter contributed by the Hon. John W. Davis on the argument of an appeal was particularly instructive. He sets down ten rules by which the argument of an appeal should be governed which really could be considered the ten commandments of appellate argument. There is also a chapter on international law, a phase of the law which perhaps more than any other, has been taken over by specialists. This chapter by Frederic R. Coudert sets forth his hope and belief that in the future every American lawyer will be grounded in at least the rudiments of international law. These two contributions in the second part of this book are specially cited to show the variety of subjects which make up this half of the work. All nine of the chapters have something of value and interest to the reader.

It is the reviewer's opinion that this book compares favorably with Wellman's earlier efforts and is certainly one that may be read with profit and enjoyment by either the lawyer or the layman. It is not a dry stuffy text but rather a light, informative work which perhaps serves its purpose better than the ordinary text because it instructs while it entertains.

ROBERT T. McGRAW.