

4-1-1930

For the Defence: The Life of Sir Edward Marshall Hall, by Edward Marjoribanks (1929)

Bernard Freyd

Follow this and additional works at: <https://digitalcommons.law.uw.edu/wlr>



Part of the [Legal Biography Commons](#)

Recommended Citation

Bernard Freyd, Book Review, *For the Defence: The Life of Sir Edward Marshall Hall*, by Edward Marjoribanks (1929), 5 Wash. L. & Rev. 84 (1930).

Available at: <https://digitalcommons.law.uw.edu/wlr/vol5/iss2/9>

This Book Review is brought to you for free and open access by the Law Reviews and Journals at UW Law Digital Commons. It has been accepted for inclusion in Washington Law Review by an authorized editor of UW Law Digital Commons. For more information, please contact cnyberg@uw.edu.

fairly be doubted whether or not a satisfactory method of legal adjustment can be formulated for such situations, and particularly whether the one which is proposed by the authors will not result in robbing Peter to pay Paul. Thus, while the book is excellently written and is to be regarded as a marked contribution to the materials dealing with labor law litigation, it is at least open to the objection that the reader is not entirely convinced that the injunction has had a fair day in court. However, it expertly presents a seriously considered point of view and can be recommended as well worth while the study of all who have an interest in the subject.

F. L. M. and R. H. N.

COSTIGAN'S CASES ON WILLS, 2nd Ed. St. Paul: West Publishing Company, pp. xxi, 888.

The first edition of this work, published in 1910, was an excellent selection of illustrative cases, and was used by the writer many years with great satisfaction. This second edition, however, is a marked improvement on the first, presenting many recent opinions and adding a number of valuable cases on the subjects of interpretation and construction. While considerable space in the first edition was devoted to descent and administration, less is given in the present collection, for the excellent reason that individual "teachers are inclined to use local material—both statutory and cases—not possible of insertion in a general casebook."

An excellent and somewhat prominent feature is found in the many "references to valuable articles and other material in the law reviews, as well as to various other monographic notes. "

The material presented covers too many pages to be entirely used in a three-hour one-quarter course or a two-hour one-semester course, thus giving the instructor an opportunity to select the cases for the daily assignments.

The growing tendency of law schools to include probate practice courts in the curriculum, and the well nigh universal practice of laying emphasis upon the local practice acts, make it highly desirable to use local material where available. Professor Costigan, recognizing this fact, has, apparently, made an effort to present cases from a wide range of states.

This second edition contains 888 pages, of which all but about 200 are devoted to wills proper, their interpretation and construction, decrees of distribution, payment of legacies, etc.

The publication is well bound in buckram and printed in clear type, well spaced, on thin paper, resulting in an easily handled book, in marked contrast to the unwieldy, cumbersome volumes of ten years ago.

IVAN W. GOODNER.

FOR THE DEFENCE: THE LIFE OF SIR EDWARD MARSHALL HALL. By Edward Marjoribanks. New York: The Macmillan Co., 1929, pp. xiv, 471.

For some thirty years Marshall Hall was the world's leading criminal's advocate. As an addition to the stock of legal biographies this work is highly welcome.

He was born in 1858 of a middle-class family of professional folk, and died in 1927. As a boy of fourteen he saw something of the trial of Christiana Edmunds and his life's work was determined. From Rugby he went to Cambridge and then to the bar.

The fourth chapter tells us of his first marriage, a tragedy that would have destroyed any weaker man at once. After this he forgot happiness in his work. His life was an alternation of failures and successes. Like many another great lawyer he failed to shine in parliament. His collisions with the bench, after the fashion of Erskine, threw off many sparks but did no lasting damage.

The sixth chapter tells of the defence of Bennett (1901). Hopeless as the case was, he rose to his full stature. It was excellent tactics on his part to concentrate on the question of Mrs. Bennett's chain, but if the jury had allowed itself to be persuaded that this was a crucial point there

would surely have been a miscarriage of justice. Hall never gave up his belief in Bennett's innocence.

In Chapter viii we have a full account of the pitiful case of Robert Wood (1907), which was perhaps the greatest of Hall's triumphs and may be taken as a model of advocacy. Hall's theory as to Crippen is more than ingenious, though it is difficult to romanticize that medical quack into a martyr.

In the next chapters there are the well-known trials of Seddon and G. J. Smith, the only cases apparently in which Hall himself believed his clients to be guilty.

Chapter xi includes two highly interesting acquittals of 1920, those of Light and Greenwood. In the former, it is not clear why Hall insisted that the bullet found six yards from the body had nothing to do with the case. As to the latter, we may remark that if Hall had not been quite so successful, in all probability Major Armstrong would never have ventured to poison his wife.

There is in this fascinating book much more than can be summarized. Without straining for effect the style is effective. The reader will find little of the law, but much of the facts as sifted through the brain of one who was "not merely counsel, but also detective, showman, rhapsodist, actor, friend, and even father confessor."

BERNARD FREYD.

OUTLINE OF LEGAL HISTORY. By Franklin Russell. New York, 1929, pp. xii, 152.

Some familiarity with the history of English law is essential to a complete understanding and appreciation of the present legal system. Knowing full well that the average student lacks this familiarity, the author has presented this outline in order to make available in condensed form the outstanding facts in English legal history.

The work is based on the lectures of Professor Holdsworth and follows his order of approach to the subject. The first four chapters deal with the general history of the law from the Anglo-Saxon period down to the present. The last three chapters are devoted to the history of particular doctrines of the law under the heading of contract, tort, and land law. Each chapter has references to Professor Holdsworth's nine-volume "History of the English Law."

Possessed of the weaknesses of all outline presentation, the work, nevertheless, accomplished the purpose of the author. It has the merit of serving as a convenient reference for the high points of the history of the law and might be useful as a guide to more detailed study of the subject.

RUDOLPH H. NOTTMANN.