

PREFACE TO VOLUME TEN

Though the trial of *Edward D. Worrell* (p. 1) is full of striking and interesting features, it is the great speeches to the jury, of Wright and Bay that entitles it to over 150 pages of this volume. And this suggests the question, how comes it that the speeches to the jury in great criminal trials are no longer given space in the columns of our daily newspapers or preserved to the public in some permanent form as soon as delivered? When Rufus Choate or Daniel Webster spoke in Massachusetts or Prentiss or Marshall in Kentucky or Wright in Missouri or Sampson or Brady in New York, they spoke not only to the crowd in the courtroom but to the American public. Their orations appeared almost verbatim in the press and were later reported in pamphlet form and were as eagerly purchased in the book-stores as the best selling works of fiction are today. When, for example, Daniel Webster made his great speech for the Commonwealth on the trial of the Knapps for murder in the little town of Salem (see 7 Am. St. Tr.), not only did it appear in full in the local papers, but it was reported in book form in Massachusetts and in New York by at least half a dozen different publishers. And this continued to be the practice until about the close of the civil war. It still exists in England; a speech to the jury by a leader of the bar in an important criminal trial will appear the next day in the newspapers almost word for word. What is the reason for this neglect by our press of the oratory of our bar? Is it that commercialism has killed eloquence and that it has become extinct like the dodo? that our modern advocate has