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STUDENT REVIEWS

HATRED, RIDICULE, OR CONTEMPT. *A Book of Libel Cases.*

Joseph Dean. Reprinted with a new introduction by the author. Baltimore: Penguin Books, Inc., 1964. 272 pp. Paper, \$1.25.

Although many bizarre activities have occurred in the courtroom, one would hardly expect to find a judge consenting to pose for a bust to be sculptured before a jury, or a supernatural power addressing the court through the body of a female plaintiff. But these events happened in two of the trials discussed in this lively account of English libel cases.

When Richard Belt, a popular Victorian sculptor sought damages from the writer of an article which declared that he was a fraud, it was necessary for the court to decide whether Belt's works were his own or were executed by others. During the trial the courtroom was cluttered with pieces of sculpture and, although the judge decided later in the trial not to offer himself as a model, Belt was allowed to prove his skill to the jury behind closed doors.

Mrs. Meurig Morris was a frail and modestly educated woman who fell into trances at spiritualist services and who, claiming to be under the control of a spirit named *Power*, delivered tempestuous sermons in highly philosophical language. After reporting a series of these services held in 1931, a London newspaper printed a placard and article which allegedly meant that Mrs. Morris was a deliberate fraud. At various times during the ensuing trial, Mrs. Morris pointed to and described to the court assorted spirits which she claimed to see but which were invisible to everyone else. She was finally assisted out of the courtroom when she arose and began to speak to the judge in the deep voice of her controlling spirit, *Power*.

The author, a practicing English barrister educated at Oxford, has chosen to discuss forty cases which "range in quality from the momentous to the absurd, covering many fields of activity and exhibiting human nature in all manner of posture and disguise." He narrates each case dramatically, and, placing each trial in its historic setting, explains the specific facts which brought about the litigation. Contemporary newspaper reports, adequate quotations from the allegedly libelous material, and often humorous courtroom dialogue give to each case a vitality which is not usually conveyed by the reported decision.

The role of the judges is especially interesting, and the author, without comment, often exposes their prejudices and perhaps shortcomings. *Rex v. Billing*, a 1918 prosecution for a libel against the leading actress in Oscar Wilde's *Salomé*, was heard by Mr. Justice Darling over the defendant's objection that his Lordship's administration of justice had frequently been conducted in an "atmosphere of levity." During the trial Darling was constantly interrupted by the defendant, and, to the cheers of the spectators, called a "damned liar" by one of the witnesses. The author notes that Darling later remarked in court: "I am quite content with what a learned Judge said by way of consolation to a prisoner sentenced for a long period. He said, 'We must all be somewhere.' That is my view of my own position."

In his introduction the author summarizes in non-technical terms the elements of an action for libel and explains the functions of the judge and jury. In presenting each case he relates the procedural steps involved but is careful to make them understandable to the layman. Simplicity is maintained without sacrificing accuracy.

The author neither defends nor condemns the outcome of the cases presented. Although the book does not purport to be a history or a treatise, it cannot fail to stimulate the reader to question the justice and effectiveness of the law of libel: Some actions are obviously motivated by a desire for profit rather than by any genuine grievance. In many instances it may seem that damages, awarded after a long and expensive jury trial, are superfluous when a public apology would rectify the harm done. And many cases appear to be decided on matters of taste rather than law or fact.

JOSEPH D. LOGAN, III

SARAH & THE SENATOR. Robert H. Kroninger. Berkeley, California: Howell-North Books, 1964. 253 pp., \$5.95.

On September 8, 1883, the American public was shocked when William Sharon, former United States Senator from Nevada, was arrested on a criminal charge of adultery. This adultery charge was the beginning of a controversy which was to expand into almost unreal size and to develop into a number of suits lasting almost a decade. This charge and the cases arising out of it were not to end until after the death of the Senator and the commitment of Sarah Althea Hill, his opponent in these legal proceedings, to a mental institution. These proceedings between Sarah and the Senator and the vast number of