

January 1933

A Clever Trial Lawyer

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Recommended Citation

F. L. Grant, A Clever Trial Lawyer, 10 Dicta 141 (1933).

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“more people than any other (man) in the Rocky Mountain region, and is the best beloved of any man who ever saw the Rockies.”

So great was the love that the people of this region had for Steck that elaborate funeral arrangements were made and places of business were closed during his burial. In respect to his memory, all courts in Denver were closed for one hour on November 18, and all courts in the state recessed for his funeral on the following day. His gift of three lots to the Denver school board in 1872 stands as a physical monument to the memory of Amos Steck; but the undying monument he left was erected in these words:

“The record of Mr. Steck’s achievements is not commensurate with his talents, but we do well to pause in commendation of his virtues which were largely conspicuous in his daily life. He was kind and affectionate, bluff and hearty, truthful and honest in all things. Such integrity as he lived and exemplified is worthy of a monument in these days.”¹⁹

¹⁹Supra note—12.

A CLEVER TRIAL LAWYER

By F. L. Grant, of the Denver Bar

IN the early nineties, while attending law school, I spent my summer vacations in the offices of Simonson, Gillette, and Courtright, a firm prominent for many years in the legal profession at Bay City, Michigan. The firm had been together for about twenty years, and its senior member, John E. Simonson, familiarly known as “Johnnie” Simonson, was noted throughout the state as an astute trial lawyer. His work grew so laborious and he gave it such conscientious attention that his health broke under it, and he was compelled to seek the climate of Colorado, and practiced in Denver for a few years, but had lost his capacity for hard work, his pep and resourcefulness, and was finally obliged to quit and is now living in Bedford, Virginia.

Among the members of the Bay City bar, at the time I speak of, was Judge Maxwell, a brother of the Maxwell on Code Pleading. He was the opposite physically of Mr. Simon-

son, standing well over six feet, and weighing easily in excess of two hundred pounds, while Simonson weighed about one hundred twenty-five, and was of slight build.

A story is authentically related wherein Judge Maxwell represented the plaintiff and Mr. Simonson the defendant in the trial of a case to a jury. I do not now recall the nature of the controversy, but Judge Maxwell in addressing the jury strode back and forth gesticulating vigorously and most emphatically and exhorting in stentorian tones so that the very walls seemed to vibrate with the oratorical reverberations. The very vociferousness of the address seemed to impress the jury and it didn't seem possible for Mr. Simonson to successfully meet so seemingly overwhelming an argument, but Johnnie was equal to the situation and displayed the shrewdness which had made him famous as a trial lawyer.

He waited patiently for the resounding echoes of his opponent's peroration to die away. Then rising slowly and deliberately from his chair he walked rather hesitatingly towards the jury and stood for a few moments apparently studying the faces of each juror, until they wondered why he did not speak. Suddenly he ripped off his collar, his necktie, pulled off his coat and vest, waived his arms frantically about, all the while uttering no word, then turned a hand-spring, and after again wildly swinging his arms about, resumed his clothes and then said to the jury in a very quiet, almost subdued voice: "Gentlemen of the jury, I have answered the argument of my worthy opponent," and sat down.

It so completely knocked the wind (literally speaking) out of Judge Maxwell's opening argument that the jury paid little or no attention to his closing, and after a few minutes deliberation brought in a verdict for the defendant.

Editor's Note: This reminds us of what might occur in case Charlie and R. H. might tangle in Denver District Court. (Supply your own names).

The firm of Fillius, Fillius and Winters, attorneys at law, Midland Savings Building, Denver, Colorado, has been dissolved. George P. Winters and Fritz A. Nagel have formed a partnership under the firm name of Winters and Nagel for the practice of law.