

Book Review

of

Oscar F. G. Day, *A Crown of Shame* (1893),
Chicago, Morrill, Higgins & Co. paper, 50 cents.

This review was published in the *Minneapolis Sunday Tribune* on May 7, 1893, at page 22. The name of the reviewer was not printed. Oscar Fayette Gaines Day (1860-1949), a journalist, musical composer, playwright and novelist, lived in Minneapolis.

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### Another Volume by a Well-Known Minneapolis Writer.

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The Evils of the Judicial System  
Taken Up and Exposed.

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"A Crown of Shame"  
by Oscar F. G. Day.

In the above named venture Mr. Day leaves the lowlands of criticism and mystery to reach the higher ground of purposive fiction. And in a sense his success cannot be gainsaid, for he has kept in view a worthy object and has discussed it fairly.

Right here let it be said that a mistake has been made—one that does not improve a casual opinion of the novel—and that is, its name. The book is better than its title, which latter is remarked the same steadfast tendency to pander to the catchpenny intellect that

will by no means be drawn by the purpose or narrative in the novel, but will decidedly be struck and held by the misleading name, "A Crown of Shame," suggests "A Mistaken Identity," and it is to be sincerely hoped that Mr. Day will not perpetrate such a vulgarity again.

On first sight, the buyer who selects such literature as is suggested by the title, will be taken, but he will be disappointed while the discriminator will pass it by as a thing distasteful. Here Mr. Day has overstepped his object, for barring its title, the novel is by no means offensive.

Mr. Day has been long employed in a capacity, well intended to fit him for a demonstration of the evils of the American judicial system. His intercourse, in a reportorial capacity, with the official and court circles are well calculated to prepare his mind and pen for the work just completed, so that in following the trend of his narrative one comes to respect his remarks. He neither theorizes nor moralizes to any great extent, but is content to put his facts in such shape as to speak for themselves. He arraigns, by setting forth actual occurrences and mistakes of that body, the entire grand jury system as at present inflicted upon a patient bar and public. He cites the unintelligent juror and the slipshod methods of certain attorneys; he shows how the present plan of intermediate imprisonment does much towards propagating criminality, how an innocent man though free in the eyes of the law can yet be held to be passed upon by the asininity of a grand jury and how if a man be convicted, imprisoned in states prison and is subsequently found to be innocent and wrongfully punished, he has no redress either legal or moral.

The "professional juror" gets a taste of his deserts but is not flayed sufficiently. He is depicted as he is, the shiftless, unlettered, bigoted, egotistic government leech. The writer has a case in mind that bears out Mr. Day's story of the Doe trial, where a man's guilt was actually determined by the flipping of a penny.

The jury system has become prostituted to ignorance and is but a legalized method of living upon the public, as scores of cases in a year will attest. The case of the Thompson Company for damages

against the Star Elevator people, tried last fall, here, before Judge Lochren, is cited and will bear repetition, although at the time the entire milling community learned the facts to their disgust. Two hundred and fifty thousand dollars was involved in all.

The elevator was insecurely built, and collapsed, carrying with it Thompson's adjoining feed mill. Eight days were consumed in the damage suit and the "twelve good men and true" were instructed to find for one of the defendants and decide as to the others. They filed into the jury room and in a short time sent in a requisition to the court for a banquet

at the West, which was peremptorily refused. Thirty six hours more elapsed, when the foreman desired to put a query to the court. Thereupon court solemnly assembled and the 12 solons actually wanted to know who was the defendant and who the plaintiff! They were informed, and on going out the second time there was suggested a compromise verdict but one juror explained that such a move would be contempt of court and was liable. With common consent they balked, and after another 12 hours, failing to hand in even the verdict instructed by the court, they were discharged, and the time and expense were things to be repeated.

Another citation is of a sitting under Judge Hooker. A man—his name is given in a note subjoined—was convicted of shooting. The jury handed in a verdict of simple assault, which was refused, and another

came to the court advocating leniency. The judge sentenced his prisoner to six months or a large fine, which was paid and the criminal liberated. Not quite three months later the same judge was trying another case, "and the end man on the front row of his jury," says the author, "was that same criminal." These are facts, and common throughout the country. Mr. Day pleads for a more just code, one that at least has the virtue of intelligence. His plea will find an echo in many a mind.

These instances will show the purpose of the novel a few words as to its literary value will be pertinent. This is the author's first attempt in the reformative field, and since he calls the result a novel, let it be considered as such.

But, on the contrary, the whole book is so broadly objective that the story, pretty though it is, maybe lost sight of entirely. There are some remarkable touches of nature in it, particularly Vosse's attempt to blacken Forbes in Eunice Allen's estimation. At the same time the deftness of the novelist is not apparent in the handling of this really good piece of incident. The device taken to illustrate the weakness is not strong enough it is too conventional smacks of expediency. Nothing could be more natural then that Vosse should hate Forbes, but he would not do so clumsy a knavery.

It is a difficult matter nowadays to find a really good novel with a pointed purpose, since the enthusiasm of the reformer will spoil the finish of the novelist's style, and the blunt earnestness of the former is apt to obliterate the delicate grace of the latter which suggests a thought and leaves it lingering rather than drives it home and leaves it festering.

"A Crown of Shame" is an example. Mr. Day should rather have kept his force unrestrained and in made of his experience and observation a calm and debative treatise, for if he desire literary finish in conjunction with his judicial unmasking, he has paid too little attention to the nice detail that makes the striking novel. There is a wide difference between the ambition and desire to write, and the perfecting; the same as there is between feeling a keen sympathy with one's own creations and possessing that subtlety of presentation that puts a reader on rapport with the writer's mood. Natures frequently the most fluent in feeling and most raucous in expression.

This book will be read, and widely no doubt, but it will be longest remembered, and highest appreciated for its manly presentation of the official evil.



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