

(intro Son of a Son of a Sailor):

31106

(voice of John Hughes Cooper):

Good morning to Captain and crew alike and welcome to the Admiralty Docket. This is John Hughes Cooper with a glimpse into your rights and responsibilities at sea and upon the navigable waters.

Bobo Legare from Edisto Island writes, "Dear Lawyer Cooper, why is the outcome of a civil trial so unpredictable?"

Thank you Bobo, good question. One reason for the unpredictability of civil trials is the unpredictability of testimony from the witnesses. Even if sworn depositions are taken to determine a witnesses' knowledge beforehand, answers at trial may be unanticipated. Listen to the transcript of this witness under cross examination and watch as he surprizes this experienced trial lawyer:

The big man sits in the witness stand:

Q. How tall are you Capt?

A. Six feet, five inches.

Q. Weight?

A. Two hundred forty pounds.

Q. You heard the Defendant testify that he is 5' 4" and weighs
135 lbs?

A. Yes.

Q. As far as you know, are those measurements correct?

A. Far as I know.

Q. You are a lot bigger than the Defendant, aren't you?

A. Yes, it's true.

Q. Now, the Defendant approached you before your testimony here in this case?

A. Yes.

Q. Where did he approach you?

A. He came up to me down by the waterfront.

Q. What did the Defendant do when he approached you?

A. He threatened me with physical harm if I testified against him.

Q. He threatened you with physical harm?

A. He sure did.

Q. Well, well, well; Were you scared?

A. Yes, I was scared.

Q. Come on now. You are over a foot taller than the Defendant. You're over a hundred pounds heavier than he is. Do you really expect these jurors to believe that he physically threatened you?

A. "Yes sir. I was in the funeral home business for ten years. Let me tell you how this works. When guns are involved, little tiny men are turnin' big men into dead men all the time. The smaller the snake, the stronger the poison."

Q. Oh. . . well, no further questions, your Honor.

More next week on the admiralty docket. Until then remember, your rights and responsibilities may change as you approach the shore and may God Almighty grant you pleasant sailing.

(second voice with Send Lawyers, Guns and Money):

The Admiralty Docket is written and narrated by John Hughes Cooper