

FOSS AND HIS "BIOGRAPHIA JURIDICA."

and other family Papers, the Black Book of Lincoln's Inn, County Histories, Local Histories, Wood's Fasti, the Gentleman's Magazine, the Camden, the Chetham, and other Societies' publications, are some of the sources from which Mr. Foss collects his information. Accordingly the result is a mass of learning which, besides exhibiting multiplied points of interest to genealogists, antiquarians, and historians, not seldom throws light on questions of law, and especially questions of constitutional law. But it is principally as a companion to the Year-books and earlier reports, and abridgments and treatises, that the book will be found useful for the studies, and in the practice, of the bar.

The present notice, besides a short account of the life of the author, has reference only to Mr. Foss's biographical dictionary.* This work, which is of the ordinary octavo size and printed in double columns, contains 800 pages, and no less than 1600 biographical sketches of judges. It is an abridgment of the larger work, being limited to the biographical portion only, but it comprehends every name therein introduced, with corrections, to which has been added the judges who have been appointed since 1864. The author in his preface gives a short account of the various alterations in the respective reigns, caused by the many changes in the administration of justice and the arrangement of the courts. This statement, though brief, explains the various designations given to the different judges at different periods; but in the larger work there is a full historical account of the courts, judges terms, counsel, the Inns, &c., with other interesting details.

To prepare such a volume as this must have been a task of no little magnitude. The names are arranged alphabetically, both as to family name and title. It is, therefore, easy of reference by either. The plan of the work is to trace, first, the pedigree of each person, then the professional character and appointments, and thirdly, the declining years and decease. In this way the result of a great deal of antiquarian research has, in each

case, been brought together in a few words, and no pains have been spared to make the work a trustworthy guide to legal history.

Among the many details of the characteristics of the Bench is here and there a good joke, which the proceedings of the Court often occasioned. Baron Alderson, a great favourite with juries, and in his reasoning deep, solid and acute, had a great taste for witticism. Once a counsel on applying for a *nolle prosequi* pronounced the penultimate syllable long. 'Stop, sir,' said the baron; 'consider that this is the last day of the term, and don't make things unnecessarily long.' At an assize town a jurymen said to the clerk who was administering the oath to him, 'Speak up, I cannot hear what you say.' The baron asked him if he was deaf, and on the jurymen answering, 'Yes, with one ear,' he replied, 'Well then,' said the baron, 'you may leave the box, for it is necessary that a jurymen should hear both sides.'

Justice Hayes, one of the three additional judges made on the passing of the Act remitting the trial of election petitions to the judges, joined with an amiable disposition a rare power of amusing his companions at the bar. His judicial career was lamentably short, dying almost in the exercise of his judicial duties in fifteen months. It is said of him—"He was, in fact, a man of 'infinite jest,' and if there had been an album kept in Westminster Hall, to recall the witticisms of the bar, many would have been the pages devoted to his witty pleasantries and whimsical pieces."

Justice Powell, Junior, was a profound lawyer, and much respected in private life. Dean Swift represented him—

"As the merriest old gentleman he ever saw, speaking pleasant things and chuckling till he cried again. When Jane Wenham was tried for witchcraft before him, and charged with being able to fly, he asked her if she could fly, and on her answering in the affirmative he said, 'Well, then, you may; there is no law against flying.' The poor woman was saved from the effects of her own faith, and received the Queen's pardon."

Going back above a century and a half, many stories are told of the quaint sayings of the administrators of the law, among which may be mentioned an anecdote

* A Biographical Dictionary of the Judges of England, from the Conquest to the present time, 1066 to 1870. By Edward Foss, F.S.A., of the Inner Temple. London: John Murray. 1870.