

only too painfully evident, however, that the unequal struggle could not be long maintained, and a well-timed resignation might perhaps have secured him many more years of life. He was born in 1815 according to Dod, and in 1817 according to his obituarist in the *Times*, and passed to the bar from Trinity College, Dublin, after a short employment as a schoolmaster at Worcester, in 1839, being a member of Gray's Inn, of which society he afterwards became a bencher. He joined the Oxford Circuit, practising at Worcester and Stafford sessions, and became Queen's Counsel in 1857. He sat in the House of Commons for Canterbury and Norwich successively as a Conservative, but, when he had once gained a seat, rather avoided than courted distinction as a Parliamentary man. In 1872 he married Lady Diana Beauclerk. In January, 1875, he was appointed a judge of the Court of Common Pleas on the death of Sir George Honeyman. In the May following a vacancy occurred in the Court of Exchequer by the death of Baron Pigott. Two surprises for the profession ensued. Mr. Lindley, a Chancery barrister, was appointed to the common law Court of Common Pleas, and Mr. Justice Huddleston succeeded to Baron Pigott's vacancy, and became the 'last of the Barons.'

"Tested by the every-day work of the bar, few were his equals." This is what we wrote of the late judge on his first appointment, and we ventured to look forward to a successful career for him on the bench. Sufficiently successful, as long as his full powers lasted, no doubt his career on the bench was. His great grasp of facts, his indomitable energy, his unequalled knowledge of *Nisi Prius* practice made him a good all-round judge in ordinary cases. In cases extraordinary it is somewhat unfortunate for his judicial reputation that his name should be almost inseparably connected with *Belt v. Lawes*, in which (see 53 Law J. Rep. Q. B. 249), after his summing-up had won the way to £5,000 damages for the plaintiff, the High Court, and afterwards the Court of Appeal, with the consent of the plaintiff, but against the will of the defendant, who contended that more than nominal damages would be against the weight of evidence, reduced the damages to

£500. As an advocate, on the other hand, his career was marked by more than one conspicuous success, notably by the defence of the person charged with the Greenwich murder, and common juries would return verdicts in favour of his clients with an almost unbroken regularity. With special juries he was not so fortunate.

An occasional note in the *Pall Mall Gazette* of Tuesday, written from information by "One Who Knows," states as "things not generally known," that his father was a non-commissioned officer in the Royal Artillery, and that the success of the late Serjeant Allen, who, after figuring as a schoolmaster and afterwards on the stage, rose to the leadership of the Oxford Circuit, first encouraged him to try his fortunes in a more ambitious career than that of usher at a school at Worcester.

Cremation, which was substituted for burial by the directions of the late Baron himself, was carried into effect on Thursday, Dec. 11.—*Law Journal* (London.)

THE LATE SIR BARNES PEACOCK.

Sir Barnes Peacock, the last acting paid member of the Judicial Committee of the Privy Council appointed under the statute of 1871, died at 1 o'clock on the morning of December 3, at Kensington, from failure of the heart, the final sign of the wearing out of a vigorous constitution which had resisted Bengal summers and London winters since 1810. Sir Barnes Peacock had an hereditary connection with the law. He was the third son of Mr. Lewis H. Peacock, of Lincoln's-inn-Fields, solicitor, and entered at the Inner Temple at the age of eighteen. He was not immediately called to the bar, but practised for five or six years as a certificated special pleader, a mode of preparation for the career of an advocate which was then very often adopted. Admitted to the degree of barrister-at-law in 1836 he joined the Home Circuit, when Lord Bramwell was among his contemporaries, and had chambers in Harcourt Buildings. As might have been expected from his physique and training, Mr. Peacock's speciality was in raising and arguing refined points of law rather than in imposing his will upon common juries, and it was by