

THE LATE SIR FREDERICK POLLOCK.

ing to atoms the elaborate structure which the ingenuity of counsel had built up as a support to a rotten cause, and exposing the position of the unhappy suitor in all its weakness and folly. Or again, if the trial was of deep importance, involving a serious and embarrassing conflict of evidence, and loaded with an abundance of testimony of various import, the Chief Baron would with patience, skill and care sift the chaff from the wheat, balance point against point, fact against fact, and lead the jury by an easy and faithful process to a sound conclusion. If the Chief Baron had a fault on the Bench it lay in his exceeding tenderness towards the accused. At times he almost forgot in the impulse of a heart of deep benevolence the stern dictates of justice, but it is presumptuous to say that he erred substantially in this tendency, and if he did err he can hardly be denied forgiveness.

The judicial career of Sir Frederick Pollock dates from the second day of Easter Term 1844. Lord Abinger had died on April 8th in that year at Bury St. Edmund's while on the Northern Circuit, and Sir Frederick, who was at that time Attorney-General, succeeded almost as matter of course to the office of Lord Chief Baron. According to custom, he was first called to the degree of Serjeant-at-law, and gave rings with the appropriate motto, '*Audaciter et strenue.*' Sir W. W. Follett was thereupon promoted to be Attorney-General, and Sir Frederick Thesiger to be Solicitor-General. The first reported judgment delivered by Sir Frederick as Lord Chief Baron was in the case of *King v. Phillips*, on a point of pleading; the last reported case in which he delivered judgment was *Bickford v. Davy*, upon the allowance of certain interrogatories; and the last reported case in which he took part was *The Attorney-General for the Prince of Wales v. Crossman*, on June 26, 1866. The period of twenty years and two months intervening between the first and the last of these cases embraced two epochs in legal history, and two of the cases named constitute signs of their respective times. It is a long stride, in a metaphysical sense, from the era of special demurrer to the era of discovery at common law, and it is worthy of note that the career of Sir Frederick was spread very equally over the old and the new order of things. The reports of his judgments commence with the middle of the twelfth volume of Meeson and Welsby. The four remaining volumes of that series, the eleven volumes of '*Exchequer Reports,*' the seven volumes of Hurlstone and Norman, and the volumes of Hurlstone and Coltman contain enduring records of his industry and learning. In the *Law Journal Reports* the record begins in the thirteenth volume of the new series, and continues to p. 215 of the thirty-fifth volume. What a mass of labour, what a variety of legal achievement finds witness in these ponderous pages! What uniformity of skill, of wisdom,

and of zeal is therein displayed. The vast fields of technical pleading, of legal and equitable principles, of statutory construction, of commercial, civil, criminal, and fiscal law, of practice, of the rules of evidence, over which his intellect and his energy travelled as therein mapped out for the guidance of future ages journeying in the same paths of noble learning. And what a roll of names is that of his paises on the bench, and what a number of them he outlives! In his first year of office he was aided by Parke, Alderson, Rolfe, and Gurney. In 1864 Gurney died, and Platt succeeded. Parke rose to the peerage as Lord Wensleydale, Rolfe became Lord Justice and Lord Chancellor as Lord Cranworth. Both lived to a good old age; both were outlived by Sir Frederick. Baron Watson, elevated to the bench some few years after him, died many years before him. Barons Martin, Bramwell, Channell, and Pigott have survived him; so also has Baron Wilde, now Lord Penzance. But these are men not of his own generation. Then again, what a host of notable lawyers has pleaded before him at the bar, and how many of these have also died before him! The genius of Sir W. W. Follett has become historical. Sir T. Wilde, who became Attorney-General on the fall of Sir Robert Peel, and who afterwards was Lord Chancellor Truro, Sir J. Jervis, who served as Solicitor-General under Sir T. Wilde, and who became Lord Chief Justice, Sir W. Atherton, Attorney-General, the Right Hon. Stewart Wortley, Solicitor-General—all of these have passed away before him. Lord St. Leonards alone has outlived him, of all the great lawyers who were his equals in age.

If we attempt to regard the life of Sir Frederick Pollock as a whole, we are almost overpowered by the contemplation of its success. 'There is a skeleton in every house,' was the reflection of not the least philosophic of novelists; and if we put before us any number of men who have been children of fortune, we find almost invariably some flaw in their lives, something wanting to complete happiness, something which they themselves longed for in vain. That imperfection is so constant as to bear analogy with the general system of nature. One man wins a title and wealth, but has no heir to inherit them; another has an heir to disgrace his name and tarnish his honour. One man has been stripped of the partner of his life at a period when the loss is beyond reparation; another is unfortunate in his domestic relations. One man wins wealth, but after such a life of self-denial and poverty as to find no real recompense in the reward. Another heaps up riches, but earns not the esteem of his fellows, nor even his own contentment. One man ascends to renown, but by means which his friends can only hope to forget, and which his enemies resolve to remember. Another achieves fame and money, but dwells not in the heart of a single being on earth. All these, and there is no limit to