

*Journal* says :—" He had never had, as his biographer suspects, that constant practice in everyday business by which alone he could have 'acquired the practical instinct which qualifies a man for the ordinary work of the Law Courts,' although he appears to have had between his call in 1854 and the time when he took silk in 1868 a good deal of business on circuit and at sessions, and both then and after his return from India to have been occasionally employed in a big case. 'The steady gale never blew.' Blackstone declares that not less than twenty years' constant work at the Bar will qualify an advocate for judicial service, and in Stephen's case the twenty-five years of intermittent employment, interrupted by many other absorbing occupations, were not sufficient to give him the easy and confident touch which enables an experienced barrister of no extraordinary ability to discharge judicial functions with regular and competent success. His confident habit of mind, too, and even his strongly-held opinion that the State ought to act as guardian and teacher of morality, to be 'the organ of the moral indignation of mankind,' as he said, were probably hindrances rather than aids to him when he came to sit as a judge. He had grown accustomed, in his abundant journalistic labours, to express his opinion dogmatically and as forcibly as possible, to choose rather than avoid the manner of expression least agreeable to his opponents; and often to speak with contempt of opponents with whose arguments he did not agree; and when he found himself in a position of authority he could not always restrain the inclinations fostered by his old habits, and not infrequently he met what he deemed to be undue persistency by a manner which was certainly overbearing. He was too much like a school-master on the Bench, and the fault was more unfortunate because, from the causes suggested above, his knowledge, if upon some subjects, and especially criminal law, extensive and perhaps unparalleled, was deficient upon some other matters falling within the competency of even an undistinguished junior. He could not always control the indignation which his theory of criminal jurisprudence directed him to express in sentencing a criminal until the verdict had been given, and the complaint of his conduct in the unfortunate *Maybrick Case*, made, not by reckless and ignorant scribblers in the Press, but by persons who were aware of the facts and entitled to form an opinion upon them, was that he dwelt so much on the offence of adultery,