

FOSS AND HIS "BIOGRAPHIA JURIDICA."

Justice Pratt. While on a visit to the Lord Dacre, in Essex, accompanied in a walk by a gentleman notorious for his absence of mind, he came to the parish stocks.

"Having a wish to know the nature of the punishment, the chief justice begged his companion to open them so that he might try. This being done, his friend sauntered on and totally forgot him. The imprisoned chief tried in vain to release himself, and on asking a peasant who was passing by to let him out, was laughed at and told he 'wasn't set there for nothing.' He was soon set at liberty by the servants of his host. Afterwards, on the trial of an action for false imprisonment against a magistrate by some fellow whom he had set in the stocks, on the counsel for the defendant ridiculing the charge and declaring that it was no punishment at all, his lordship leaned over and whispered, 'Brother, were you ever in the stocks?' The counsel indignantly replied, 'Never, my lord.' 'Then I have been,' said the chief justice, 'and I can assure you it is not the trifle you represent it.'"

Of the private character, social status, and legal and public reputation of the many learned individuals referred to, the volume abounds in description. Painful as some of the cases which have attracted notice of late, there were, among the ranks of the bar in days gone by, struggles equally formidable, and, no doubt, great learning was obscured and buried for want of opportunity of bringing out. The tide of fortune had not been taken at the ebb. Persevering industry appears to have been the order of the day among our forefathers. At the latter end of the eighteenth century and the beginning of the present, debating societies were thought more of, and many of our greatest judges owed their success in the profession in no small measure to the experience and reputation they gained in discussing questions of law in these places. Lord Kenyon, during his years of pupilage, occupied every instant of his time in study:—

'He lived in a small set of chambers in Brick-court in the Temple, and was constant in his attendance in Westminster Hall, where he began taking notes of the cases he heard there so early as 1753. The small means which his father could

allow him obliged him to live with the greatest economy, by which he contracted a habit of parsimony which stuck to him to the last day of his life; and he was proud even in his prosperity of pointing out the eating-house near Chancery Lane in which he and Dunning and Horne Tooke used to dine together at a cost of 7½d. a head.'

An anecdote is told of the late Sir Frederick Pollock when a pupil at St. Paul's school under Dr. Roberts:—

"Fancying that he was wasting time there as he intended to go to the bar, he intimated to the head master that he should not stay; and that the doctor, who was desirous of keeping so promising a lad, thereupon became so cross and disagreeable that one day the youth wrote him a note, saying he should not return. The doctor, ignorant of the cordial terms on which the father and son lived together, sent the note to the father, who called on him to express his regret at his son's determination, adding that he had advised him not to send the note. Upon which the doctor broke out, 'Ah! sir, you'll live to see that boy *hanged*.' The doctor, on meeting Mrs. Pollock some years after his pupil had obtained university honours and professional success, congratulated her on her son's good fortune, adding, quite unconscious of the humorous contrast, 'Ah! madam, I always said he'd fill an *elevated* situation.'"

Francis North (Lord Guildford), whose uncle was treasurer of the Inn at which he was called, swept the admission fee into the new student's hat, saying, 'Let this be a beginning of your gathering money here.' But in order to make ends meet he had to relinquish the acquaintance of many of his fellows, whose habits were too extravagant for him, and took for relaxation his violin and practiced music, of which he was passionately fond.

Chief Justice Saunders commenced his career in the deepest poverty, his associates being of the lowest class. Having learnt to write he qualified for an attorney's clerk, and afterwards read for the bar.

Great and learned lawyers have existed in all ages, and we owe the basis of some of the greatest modern legal text-books to the learning of our ancestors. Speaking of Lyttleton our biographer says:—