

eighth wrangler, and was called to the Bar at the Inner Temple in 1838. Mr. Blackburn established a reputation for legal learning by the publication, in 1845, of his well-known book on "Sales," which held its own as the leading text-book on the subject until the appearance, a quarter of a century later, of the late Mr. Benjamin's treatise. Like several of the present occupants of the Bench, and the Chancellor to whom he subsequently owed his appointment, Mr. Blackburn spent several years of his life in law reporting. In conjunction with Mr. T. F. Ellis, he was engaged in the preparation of "Ellis and Blackburn's Reports." The series was carried on for eight volumes, and was followed by the single volume of Ellis, Blackburn, and Ellis, published in 1858. On the promotion of Erle to the Chief Justiceship of the Common Pleas in 1859, Lord Campbell appointed his fellow-countryman to a puisné judgeship in the Queen's Bench. It is related that Lord Campbell consulted Blackburn as to whom he should appoint. Blackburn mentioned several names, whereupon the Chancellor replied, "I do not think, Mr. Blackburn, that any of these gentlemen would make so good a judge as yourself." Mr. Blackburn was practically unknown to the public and his appointment was disapproved of by the profession. In Lord Campbell's life an extract is given from his diary of July 3, 1859, in which he says: "I have already got into great disgrace by disposing of my judicial patronage on the principle *detur digniori*." He goes on to say that Lord Lyndhurst and others had gallantly defended him in the House of Lords. Objection was taken that the new judge was not a Q. C. But in the short debate in the House of Lords it was pointed out that neither Willes nor Lord Tenterden had ever worn a silk gown, and the Lord Chancellor said: "I knew nothing of Mr. Blackburn except what I knew from having seen him practise in the Court over which I presided. I have no private intimacy, and I declare on my word of honour I don't know of what side he is in politics. But I have known him as a sound, good, and able lawyer—one of the ablest in Westminster Hall." The opinion of Lord Campbell was amply borne out by the subsequent career of the judge. During his occupancy, from 1859 to 1876, of a seat in the Queen's Bench, Blackburn, who had learnt more from reporting than others do from practice, proved himself to be a learned and capable judge. His career is identified with several most important criminal and civil trials. In 1863 he presided over the trial at