

## LORD CRANWORTH.

eral under Lord Melbourne's Government—a post which he resumed after the short administration of Sir Robert Peel, and held until he was made a Baron of the Court of Exchequer in 1839. Although his practice had been confined to the Courts of Chancery, Baron Rolfe acquired a high reputation as a common law judge, and the manner in which he conducted the famous trial of Rush has been remembered ever since as a signal proof of his judicial ability. Upon the resignation of Lord Cottenham, in June 1850, he was one of the commissioners of the Great Seal, and in the same year succeeded Sir Lancelot Shadwell as Vice-Chancellor, and was raised to the peerage. In Oct. 1851 he became one of the Lords Justices of Appeal in Chancery, and at the end of 1855 he accepted the Chancellorship, vacated by Lord St. Leonards. This office he retained for more than five years, under Lord Aberdeen and Lord Palmerston successively; nor was it until Feb. 1858, that he gave place to Lord Chelmsford. During this period it was Lord Cranworth's misfortune to be unequally yoked, for many official purposes, with an Attorney-General whose rare intellectual vigour and zealous advocacy of Law Reform contrasted with his own slower and more cautious temperament. His patience, however, his honesty of purpose, and his conciliatory disposition here stood him in good stead, and he carried with him the goodwill of the Chancery Bar when he quitted the woosack. Upon the return of Lord Palmerston to power in 1859, Lord Campbell was made Lord Chancellor, and was followed by Lord Westbury; but after the memorable fall of the latter, about this time last year, Lord Palmerston, who could ill spare the services of Sir Roundell Palmer in the House of Commons, again offered the Chancellorship to Lord Cranworth, who has filled it with credit ever since.

No one would venture to claim for the retiring Chancellor such fame as has been won by some of his predecessors, two of whom, and not the least illustrious, are still living at a very advanced age. In depth of learning he cannot be compared with Lord St. Leonards, nor in versatility of genius with Lord Brougham. Neither learning nor versatility, however, nor both combined, are sufficient to constitute a model Lord Chancellor, and Lord Cranworth has manifested some other qualifications, less remarkable, indeed, but hardly less essential. In the first place, he possesses a sound and adequate knowledge of both our legal systems—that is, of common law and equity. This is no small or ordinary attainment for an English lawyer. Lord Brougham when he was intrusted with the Great Seal by Lord Grey, was chiefly known as an eloquent advocate at Nisi Prius and a powerful debater in the House of Commons; and though his marvellous talents and industry enabled him to master the principles of equity, and even to apply them as no other man could with so little experience, yet his judgments could not

and do not command the same authority as those of less gifted Chancellors. On the other hand, Lord St. Leonards, though profoundly versed in the mysteries of real property law had little, if any, practical acquaintance with common law. Lord Cranworth before he became Lord Chancellor, had occupied a seat for some years on both judicial benches, and earned the confidence of both branches of the legal Profession. It is to this circumstance, too, as well as to his unblemished personal character, that he owes his influence in the House of Lords. Since his accession to office he seems to have experienced no difficulty in presiding over that Assembly which Lord Westbury sometimes found so unruly. The secret of this, no doubt, is that Lord Cranworth has made no enemies; but his opinion on certain questions, such as those affecting criminal justice, is naturally received with the greater attention because he is known to be familiar with the duties of a common law judge.

The weak point in Lord Cranworth's public life is his want of sympathy with reforms of law. It is by no means an uncommon failing with those who are plunged early into the details of business, with the prospect of success and wealth if they will but make the best of the existing system, with the risk, approaching to a certainty, of failure if they insist on broaching "crotchets" in the hope of amending it. The reason why so few successful lawyers are reformers is, that until they have succeeded no one cares to listen to their suggestions, and after they have succeeded their own interests are concerned in keeping things as they are; while, had they managed to gain a hearing sooner, they would probably not have succeeded at all. The only two men of our own times who have conspicuously risen superior to these anti-reforming tendencies, or retained energy enough to use the vantage ground of a great position for the sake of initiating organic changes, are Lord Brougham and Lord Westbury; and this a merit which in the eyes of posterity, will cover a multitude of sins. It would be ungrateful not to recognize the leading part which Lord Cranworth took in passing the Charitable Trusts Act, whence an important reform in the management of these vast endowment may hereafter be dated. On most other proposals for improving our legal system he has adopted what is called "the safe side," and has done little to realize the vast designs bequeathed to him by Lord Westbury in his valedictory address to the House of Lords. Those designs, involving the formation of a complete digest as the proper basis for a future code, yet remain to be carried out. It would be too much to expect of the new Lord Chancellor that he should devote himself to the execution of a project which originated with a political opponent, and the honour of accomplishing it will probably be still reserved, as it should be, for a Liberal Government.—*The Times*.