

a lawyer of deep and versatile learning, and, when he was appointed a judge of the Queen's Bench Division in 1879, passing straight from the junior Bar to the Bench at the early age of forty-three, his qualifications for the honour were universally acknowledged. His success at Nisi Prius, however, was not great. The trivial facts of ordinary disputes were not worthy of his intellectual strength, and his summings-up were frequently above the heads of the jury. But whenever he allowed free play to his powers of irony, his addresses to the jury were most entertaining. While on circuit, he tried a burglar who had entered the house from the roof and left his boots on the tiles, and who alleged, by way of defence, that he was accustomed to take midnight strolls on the roofs of dwellings, and that he had simply been led by a feeling of curiosity to descend into one of the houses. "If, gentlemen," said Lord Bowen to the jury, "you think it probable that the prisoner considered the roofs of houses a salubrious place for an evening walk—if you suppose that the temptation to inspect the interior of the houses beneath him was the outcome of a natural and pardonable curiosity—in that case, of course, you will acquit him, and regard him as a thoughtful and considerate man, who would naturally remove his boots before entering the house, and take every precaution not to disturb his neighbours." He found his true sphere in 1882, when he was promoted to the Court of Appeal, in succession to Lord Justice Holker. During the eleven years he sat as a Lord Justice, he delivered a series of judgments remarkable for the accuracy of their law and the elegance of their diction. No judge has delivered so many brilliant judgments at so early an age. To read them is to learn how closely it is possible to join legal erudition and literary grace. He was equally at ease in hearing common law appeals with Lord Esher, and determining Chancery appeals with Lord Justice Lindley; in whichever branch of the Court of Appeal he sat, his judgments were marked by the same depth of learning, the same knowledge of the evolution of the law, the same lucidity and felicity of phrase. He possessed, too, a firm independence of judgment, which not infrequently caused him to disagree with the conclusions of his learned brethren. Among his most notable judgments were those he delivered in *The North Central Waggon Company v. The Manchester, Sheffield, and Lincolnshire Railway Company*; *Thomas v. Quartermaine*; *Scott v. Morley*; *Boston Deep Sea Company v. Ansell*; *Vagliano*