

ATROCIOUS JUDGES.

LIVES OF JUDGES

INFAMOUS

AS

TOOLS OF TYRANTS AND INSTRUMENTS OF OPPRESSION.

COMPILED FROM THE JUDICIAL BIOGRAPHIES OF
JOHN LORD CAMPBELL,
LORD CHIEF JUSTICE OF ENGLAND.

WITH AN APPENDIX,
CONTAINING THE
CASE OF PASSMORE WILLIAMSON.

Edited, with an Introduction and Notes,

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any time. A Nottingham does not arise above once in a century.

Guilford had as much law as he could contain, but he was incapable of taking an enlarged and commanding view of any subject. In equity, he did nothing to rear up the system of which the foundations had been so admirably laid by his predecessor. His industry was commendable; and I think he may be fairly acquitted of corruption, notwithstanding his indiscreet acceptance of a present of one thousand pounds from the six clerks, when they had a dispute with the sixty, on which he was to adjudicate. Where he was not under the apprehension of personal responsibility, there was nothing which he would not say or do to exalt the prerogative and please his patrons. I shall add only one instance. Sir Thomas Armstrong was outlawed for high treason while beyond the seas unless he surrendered within a year. Being sent over a prisoner from Holland within a year, he insisted that he was entitled to a writ of error to reverse the outlawry and to be admitted to make his defence; but the lord keeper refused him his writ of error, first, on the pretence that there was no fiat for it by the attorney general, and then, that he had no right to reverse his outlawry, as he was present by compulsion. Thus the unhappy victim was sent to instant execution without trial.

So zealous a conservative was Guilford, that "he thought the taking away of the tenures" (*i. e.* the abolition of wardship and the other oppressive feudal burdens introduced at the conquest) "a desperate wound to the liberties of the people."

The court wags made great sport of him, the Earl of Sunderland taking the lead, and giving out the signal, while

Jeffreys was always ready to join in the laugh. I may offer us an example "the story of the rhinoceros." My lord keeper went one day into the city, accompanied by his brother Sir Dudley, to see a rhinoceros of enormous size lately imported, and about to be exhibited as a show.* Next morning, at Whitehall, a rumor was industriously spread that the lord keeper had been riding on the rhinoceros, "and soon after dinner some lords and others came to his lordship to know the truth from himself; for the setters of the lie affirmed it positively, as of their own knowledge. That did not give his lordship much disturbance, for he expected no better from his adversaries. But that his friends, intelligent persons, who must know him to be far from guilty of any childish levity, should believe it, was what *roiled* him extremely, and much more when they had the face to come to him to know if it were true. So it passed; and the Earl of Sunderland, with Jeffreys and others of that crew, never blushed at the lie of their own making, but valued themselves upon it as a very good jest."

To try how far his compliance with the humors of the court would go, they next persuaded his own brother-in-law (that he might not suspect the hoax) to wait upon him, and in strict confidence, and with great seriousness, to advise him to keep a mistress, "otherwise he would lose all his interest with the king; for it was well understood that he was ill looked upon for want of doing so, because he seemed continually to reprehend them by not falling in with the general custom; and the messenger added, that if his lordship pleased

* Evelyn tells us that this was the first rhinoceros ever introduced into England, and that it sold for two thousand pounds.

he would help him to one." He declined the offer — with much politeness, however, lest he should give offence. But with his familiar friends "he made wonderfully merry with this state policy, especially the procuring part, and said, that if he were to entertain a maudlin, it would be one of his own choosing, and not one of their stale trumpery."

Although he never aimed at oratory, it is said that he meditated a "history of his own times." He might have transmitted to us many curious anecdotes, but the performance must have been without literary merit; for some of his notes which he had written as materials are in the most wretched style, and show that he was unacquainted with the first principles of English composition, and even with the common rules of grammar. He did publish two or three short tracts "on music" and other subjects, which were soon forgotten. He was well versed in music, conversed with Sir Peter Lely about painting, speculated with natural philosophers on the use of the bladder of fishes, and learned several of the continental languages; but he seems never to have looked into a classical writer after he left college, and to have had the same taste for the *belles lettres* as his brother Roger, who, placing them all in the same category, talks with equal contempt of "departed quacks, poets, and almanack makers." Although his two immediate predecessors were libelled and lauded by popular verses in the mouths of every one, I can find no allusion in any fine writer either of the court or country party to North; and it may be doubtful whether he knew anything of the works of Butler, of Dryden, of Waller, or of Cowley, beyond the snatches of them he may have heard repeated in the merry circle at Whitehall.

He lived very hospitably, receiving those who retailed the

gossip of the day in his house in Great Queen Street, Lincoln's Inn Fields, then the fashionable quarter of the town for the great nobility as well as for eminent lawyers. The nobility and chief gentry coming to London frequently dined with him. The dinner was at a very early hour, and did not last long. "After a solemn service of tea in a withdrawing room, the company usually left him." He had a court room fitted up on the ground floor, which he then entered, and there he continued hearing causes and exceptions, sometimes to what was considered a late hour. About eight o'clock came supper, which he took with a few private friends, and relished as the most agreeable and refreshing meal of the day.

In the vacations, when he could be spared from London, he retired to his seat at Wroxton. For some years he likewise rented a villa at Hammersmith, but this he gave up soon after his wife's death. He had the misfortune to lose her after they had been married only a few years. She seems to have been a very amiable person. She found out when her husband had any trouble upon his spirits, and she would say, "Come, Sir Francis, (as she always styled him,) you shall not think; we must talk and be merry, and you shall not look on the fire as you do. I know something troubles you; and I will not have it so." He would never marry again, which in his last illness he repented, for "he fancied that in the night human heat was friendly."

He was extremely amiable in all the relations of domestic life. Nothing can be more touching than the account we have of the warm and steady affection subsisting between him and his brother, who survived to be his biographer.

The lord keeper was a little but handsome man, and is said to have had "an ingenuous aspect."