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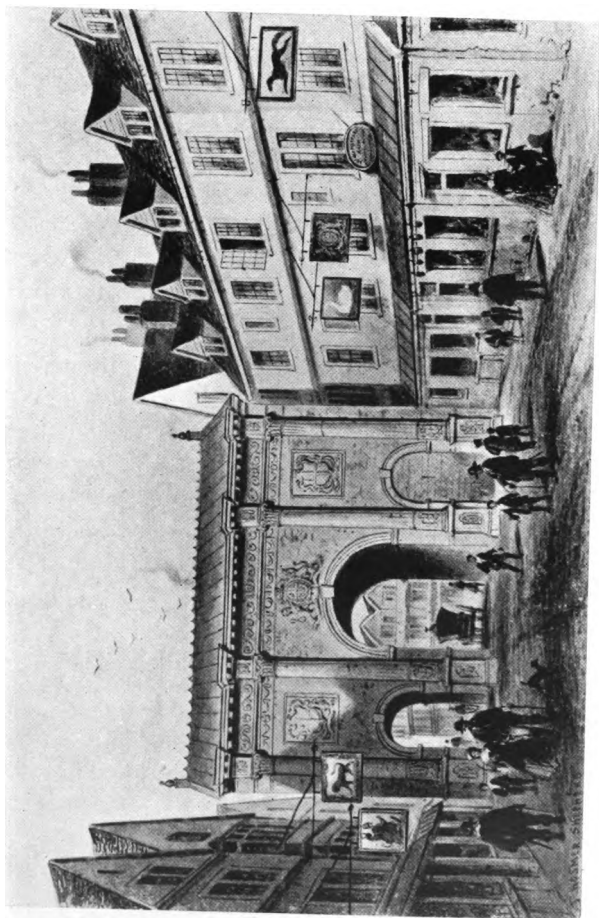
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October 1912

## THE INNER AND MIDDLE TEMPLE

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OLD TEMPLE BAR IN THE REIGN OF HENRY VIII



# THE INNER AND MIDDLE TEMPLE

LEGAL, LITERARY, AND HISTORIC  
ASSOCIATIONS

BY

HUGH H. L. BELLOT, M.A., B.C.L.

OF TRINITY COLLEGE, OXFORD  
AND OF THE INNER TEMPLE, BARRISTER-AT-LAW

WITH NINETY ILLUSTRATIONS

METHUEN & CO.  
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1902



*H. R. Mansell*

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TO  
MY SPECIAL FOUR**



## PREFACE

**A**LTHOUGH much has been written concerning the Temple, curiously enough the subject has never yet been exclusively treated as a whole. As the "Bibliography" in the Appendix shows, almost countless books are in existence dealing with different phases in the life of the Temple. To the histories of the Knights Templars, of the Church, of the Inns of Court, to books and periodicals in which some features of one or other of the two Honourable Societies which occupy the Temple have been dealt with, to the records of each Inn, some unfinished and some even unpublished, must be added the biographies of innumerable personages connected with this historic spot.

Without any pretensions to thoroughness or completeness, an attempt has been here made to bring within the covers of one volume, in a connected form, the more interesting facts gathered from these varied sources. This little book is intended to serve a double purpose. It has been designed as a popular account of the Temple and its inmates, and as a guide for those who are so fortunate as to



be able to visit these historic monuments of our national life.

In a work of this description it has been impossible to acknowledge my indebtedness to previous authorities, and I can only take this opportunity of saying that I have not hesitated to draw without reserve upon the books referred to in the "Bibliography," as well as upon other works containing passing allusions to my subject.

For much valuable assistance in the preparation of this "Bibliography" I hasten to express my obligation to Mr. Walter T. Rogers, sub-librarian to the Inner Temple.

I am fully sensible that the "illustrations" form the principal attraction to this volume. It is entirely owing to the kindness of several friends that I have been able to reproduce so many features in the past life of the Temple. To Sir Harry Poland, K.C., late Treasurer, and to the Masters of the Bench of the Inner Temple my thanks are especially due for permission to reproduce for the first time two paintings by Hogarth and a water colour of the old Hall. With unselfish generosity, my learned friend Mr. Charles A. Pope placed the whole of his valuable collection of engravings and prints of the Temple at my disposal, from which fifteen are here reproduced. To Mr. George H. Birch, F.S.A., I am indebted for the charming drawing of "Fountain Court."

The sketches of the buildings as they stand to-day are from the pencil of Miss Wylie, and I venture to

think that their simplicity and truthfulness will appeal strongly to all lovers of the Temple. The great majority are taken from my own photographs, but the following are drawn from photographs by Mr. Horatio Nelson King, viz. the Exterior of the Church, the Cloisters, the Master's House, and the Gateway to Temple Gardens.

The following illustrations have been reproduced from photographs by the same artist, viz. the Inner Temple Hall, East End; the Inner Temple Hall and Library; the Statues of the Knights Templars and Knights Hospitallers; the Middle Temple Hall, West End, and the Corridor to the Parliament Chambers in the Middle Temple. The illustration of "The King's Bench Walk" is from a photograph by "The Photographic Tourists' Association."

Finally, I here express my thanks to Mr. J. E. L. Pickering, Librarian to the Inner Temple, for some valuable advice and information.

H. H. L. B.

9, KING'S BENCH WALK

TEMPLE

*July, 1902*



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# THE INNER AND MIDDLE TEMPLE

## CHAPTER I

### EARLY HISTORY OF THE TEMPLE



INNER TEMPLE GATEWAY

**M**ANY no doubt of the daily throng which with endless ebb and flow surges up to the threshold of the ancient gateways of the Temple have some hazy idea that within these portals are to be found the gentlemen learned in the law. But few probably even of those who enter its chambers on business bent, or hurry through its narrow lanes and dingy courts on their way to Whitefriars—the home of the newspaper world—or to the Guildhall School of Music hard by the Embankment, realise the true significance of this historic spot. Within these precincts have lived and toiled many of our greatest statesmen and politicians, leading novelists and dramatists, historians and diarists, whose names are household words, to say nothing of a long, unbroken line of eminent lawyers, who in their turn succeeded the illustrious Order of the Knights Templars of mediæval fame. Thus the

## 2 THE INNER AND MIDDLE TEMPLE

very pavements within the Temple teem with reminiscences of some of our greatest leaders in literature, history, and law, and, through them, with many of the leading incidents in our national history.

Within the Temple precincts are now housed the two Honourable Societies of the "Inner" and "Middle" Temple, which form part of the four Inns of Court, a body corresponding to the Faculty of Advocates at Edinburgh and the King's Inns at Dublin.

These Inns of Court are survivals of a great legal university which flourished in mediæval times, moulded after the fashion of the prevailing monastic institutions and guilds—bodies formed to regulate their respective societies, to protect the interests of their members, and to train and educate their apprentices. Although the term *Apprenticius* was in the fifteenth century applied to the serjeants, it must originally have denoted the students who were attached to some recognised teacher of the law, who was perhaps in the first instance a serjeant, and later a barrister or reader who had received the diploma or degree, by virtue of which he had audience in the Courts.

Abundant evidence exists showing that the Inns of Court enjoyed, in common with the Universities of Oxford and Cambridge, the characteristic features of that great mediæval institution, the guild.

Like the colleges at the Universities, their members congregated in a hospice or inn, leased to one or more of the senior members, forming a voluntary fraternity or guild. Unlike the colleges, however, they remained unchartered and unendowed, making their own regulations and conferring upon their members the right to practise in the Courts subject to the approval of the judges.

This legal university comprised the Serjeants' Inns, from which alone the judges were selected; the Inns of

Court, who supplied the advocates who had not attained to the degree of serjeants, and the barristers who were not yet of sufficient standing to plead; and the Inns of Chancery, where dwelt the "clerks of Chancery" and attorneys, and where the embryo barrister learned the rudiments of his legal craft. These Inns of Chancery were, for the most part, affiliated to one or other of the Inns of Court. To the Inner Temple were attached Clifford's Inn, Lyon's Inn, and Clement's Inn; to the Middle, Strand Inn—originally the town house of the Bishop of Chester, and pulled down by Protector Somerset to make way for Somerset House—and New Inn in Wych Street. Inns of Chancery have now ceased to serve their original purpose, and such buildings as still survive are now chiefly used as offices.

Serjeants, together with their Inns, are now also institutions of the past, and the old university is now represented by the four Inns of Court, whose delegates, the Council of Legal Education, supply legal instruction to students of the Inns by lectures and classes, and upon whose certificates, after examination, members of the Inns are called to the Bar by the Benchers of their respective societies.

Chambers in the Temple are to-day chiefly occupied by practising barristers and their pupils, although representatives of almost every pursuit are still to be found. A few people also still make it their permanent residence, and here and there a set of chambers is to be found tenanted by a firm of solicitors. Barristers, as a class, have long ceased to reside in the Temple.

## THE KNIGHTS TEMPLARS

Of the three great military orders founded in the twelfth century, that of the Knights Templars or Red Cross Knights is perhaps the most renowned. Like most religious societies, its origin is to be traced to the vow of a single individual, in this case a Burgundian knight named Hugh de Paganis, who had greatly distinguished himself at the capture of Jerusalem in 1099. With eight companions this knight returned from Europe to the Holy Land under a self-imposed task of guarding the public roads leading to the Holy City for the protection of pilgrims, saintly virgins and matrons, grey-haired palmers, and boy priests, who were now thronging the mountain passes leading to the holy shrine. Lodged, in 1118, by Baldwin II., King of Jerusalem, in return for exceptional services, within the sacred enclosure of the Temple on Mount Moriah, these enthusiasts were enrolled as regular canons by the Patriarch of Jerusalem, and took the vows of perpetual chastity, obedience, and self-denial.

Their popular name of the Red Cross Knights was, of course, derived from their dress—a white mantle with a red cross—which distinguished them from the Hospitallers, who wore black mantles with a white cross, and from the Teutonic Knights, clothed in white mantles with a black cross.

Quarters within the palace of Baldwin were, as has been said, assigned to Paganis and his knights. This palace was formed partly of a building erected by the Emperor Justinian and partly of a mosque built by the Caliph Omâr out of, or at any rate upon the site of, Solomon's Temple; hence the latter part of the title of the Order—" *Pauperes commilitones Christi templique Solominici*." Under the patronage of St. Bernard the

Order was, in 1128, placed on a sound footing. Seventy-two statutes, defining the constitution of the new society, were drawn up at the Council of Troyes, which, confirmed by the Pope, Honorius II., and the Patriarch of Jerusalem, became the basis for the later and more elaborate "*Règle du Temple*."

In the same year Paganis returned to France, where he was received with much honour by Louis VII. at Paris, when the site of the Temple in that city was presented to the Order by the King. In Normandy he visited Henry I., who sent him laden with treasure to England and Scotland, where further grants of land and money were made by his subjects.

From this moment the Order spread rapidly throughout Europe, kings and princes, nobility and gentry vying with one another in heaping gifts and privileges upon the Order, which at this period was divided into three great classes of knights, priests, and serving brethren. The knights were all men of noble birth. None could become a knight templar who had not received the honour of knighthood—and so high stood the reputation of the Order, that the ranks of the Knights Templars soon became filled with the flower of European chivalry.

At the head of the Order was the Grand Master of the Temple, usually resident at the Temple in Jerusalem, the headquarters of the Order until the capture of the Holy City by Saladin in 1187, when they were transferred to Acre.

The organisation of the Order was perfect. The possessions in the East were divided into the three provinces, Palestine, Antioch, and Tripoli. Europe was distributed into nine provinces, viz. Apulia and Sicily, Upper and Central Italy, Portugal, Castile and Leon, Aragon, Germany and Hungary, Greece, France, and lastly England.

The French province included Holland and the Nether-



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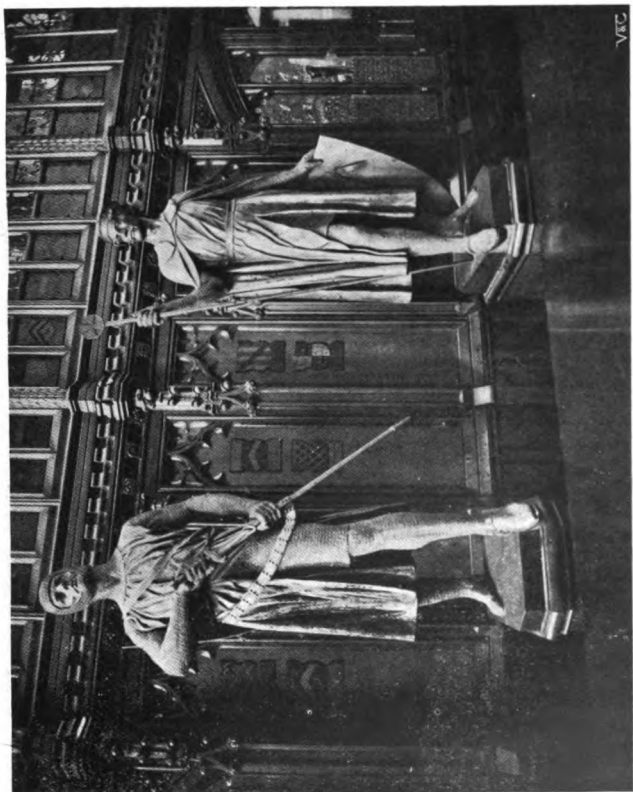
lands, and the whole was under the immediate jurisdiction of the Master of the Temple at Paris. Here Henry III. was entertained, with Robert de Sandford, Master of the Temple at London, by Louis IX. with great magnificence. Of such immense extent were these buildings, says Matthew Paris, that within their precincts could be housed an army. "Never," he writes, "was there at any bygone times so noble and so celebrated an entertainment. They feasted in the great hall of the Temple, where hang the shields on every side, as many as they can place along the four walls, according to the custom of the Order beyond sea."

Although styled Master by the provincials, the real title of the head of a province was at first Prior, and later Preceptor, and as such he was always addressed by the Grand Master. But in imitation of the head of the whole Order the head of a province was called a Grand Master, Grand Prior, or Grand Preceptor, in order to distinguish him from the Priors or Preceptors subject to his jurisdiction.

The earliest settlements in England were, as we have seen, due to Henry I., and most of these appear to have been confirmed by Stephen. The latter also presented to the Templars the manors of Cressing and Witham in Essex; whilst his queen, Matilda, made over to them the manor of Cowley, near Sandford, together with common of pasture in the forest of Shotover, all familiar names to Oxford men.

Much property was contributed by Henry II. His gifts comprised three churches in Lincolnshire, Kyngeswode in Kent, the manor of Strode, the church of St. Clement's outside the city of London, a house at Bristol, a market at Witham, land at Bergholte, a mill near the bridge of Pembroke Castle, and the village of Finchingfelde, near Temple Cressing.

Henry also confirmed the Templars in their possessions



STATUES OF KNIGHTS TEMPLAR AND HOSPITALLER: INNER TEMPLE HALL



at Bukland, and conceded to them a market at Temple Bruere, where they had an establishment. Upon the accession of Henry II., Richard de Hastings was Master of the Temple, and was employed by him in the negotiations for the marriage of Prince Henry to Princess Margaret of France. Hastings was also the friend and confidant of Thomas à Becket, and upon his knees urged the latter to submit to the Constitutions of Clarendon.

The date of the establishment of the Templars in London is unknown, but it probably took place early in the reign of Henry II. Their original home lay in Chancery Lane, between Southampton Buildings and Holborn Bars—a tradition sufficiently confirmed by the discovery in 1595 of the foundations of a round church, near the site of the present Southampton Buildings, by one Agaster Roper.

Known subsequently as "The Old Temple," this property probably embraced a considerable portion of the present site of Lincoln's Inn. One parcel is known to have been granted in 1227 by Henry III. to the Bishop of Lincoln for his town house, and another was afterwards leased direct to the Society of Lincoln's Inn. Towards the end of the twelfth century, then, the Knights Templars removed from Chancery Lane to their new home on the banks of the Thames. Here they built a vast monastery, extending from the Whitefriars on the east to Essex Street on the west, and from Fleet Street on the north to the river on the south. Just opposite, on the northern side of the Strand, upon the site of the present Law Courts, lay Fickett's Field, the tilting-ground of the Templars. Truly may we exclaim, "*Cedant arma togæ!*" In 1605 the Society of Lincoln's Inn attempted to purchase this field from a Mr. Harbert, of the Middle Temple.

It will be of interest to pause for a moment to reconstruct the immediate neighbourhood of the Temple prior to its occupation by the Templars. The river was then,

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as for many centuries afterwards, the great highway between the cities of London and Westminster. Fleet Street did not then exist. No bridge then spanned the Fleet Ditch, where Ludgate Circus now lies. The road out of the city passed, as in Roman times, through Newgate, crossing the Fleet in the hollow just below and ascending Holborn Hill, whence it made its way along a ridge which stretched from Holborn Bars, by Chancery Lane, to St. Mary-le-Strand, just south of which it rapidly descended to the river, passing on its way the Roman bath. The neighbourhood round Fleet Street was then a marsh, across which possibly a straggling footpath led to Ludgate, a mere postern, as its Saxon name implies, which gave access to the landing-stage on the bank of the Fleet.

Seventy years later these marshes were drained, Fleet Street constructed, and a bridge across the Fleet erected, thus giving a new main entrance to the City. The new highway was called the "Street of Fletebrigge," and retained this designation at least as late as the reign of Henry V. In these improvements the Templars were no doubt largely concerned.

In 1185 the dedication of the Round Church of the "New Temple," as it was long called, took place in the presence of Henry II. and his court. The ceremony was performed by Heraclius, Patriarch of Jerusalem, who, during a truce with the Saracens, was on a visit to England, in company with the Grand Master, Gerard de Riderfort, to induce the King to fulfil his vow. This dedication bears witness to the importance of the new house. Just as the Temple at Paris was the headquarters of the Order in France, Holland, and the Netherlands, so the numerous establishments of the Templars scattered throughout England, Scotland, and Ireland were tributary to the New Temple on the banks of the Thames.

Although the King was profuse in fair speeches and

liberal promises, Heraclius failed to induce him to lead his forces against the infidel, and returned in high dudgeon to Jerusalem, after frankly declaring his opinion of Henry, which was emphatic if not polite. The Patriarch himself, however, was not a very estimable person. His private life was not above suspicion, and at the bloody battle of Tiberias he showed the white feather by remaining at Jerusalem when he should have been leading the van with the holy cross in his charge. He perished of disease during the siege of Acre by the Crusaders in 1191.

In their new home the Order rapidly increased in power and wealth. In the year of the dedication of the church, for instance, the whole village of Templecombe in Somerset—a name well known to travellers on the London and South-Western Railway—was given to the Order by Serlo Fitz-Odo, which became a preceptory or commandery. Lopen Abbas or Lopen Temple, hard by, was also presented about the same time by Milo de Franca-Quercu; and amongst other benefactors of this early period occur the better-known names of Ferrers, Harcourt, Hastings, Lacy, Clare, Vere, Mowbray, Simon de Montfort, and Margaret, Countess of Warwick.

With the exploits of Richard in the Holy Land and his romantic struggle with Saladin we are not here concerned; but it is interesting to recall that upon the conclusion of hostilities the King, disguised in the habit of a Knight Templar, secretly embarked for one of the ports of the Adriatic, a disguise which availed naught against the vengeance of John of Austria, whom he had insulted at the siege of Acre by tearing his banner from its staff and flinging it into the ditch.

In the topmost chamber of the lofty tower of Greifenstein, on the banks of the Danube, may still be seen the place of his confinement prior to his incarceration at Dürnstein, higher up the river. From the roof of this tower, reached by a rickety outside wooden staircase,

the magnificent view which proved so wearisome to Richard may be obtained.

John was a liberal patron of the Templars, bestowing upon the Order several valuable manors in addition to numerous rights and privileges. His connection with the New Temple was very intimate. Here was stored the royal treasure, and here he lodged for weeks together, dating his writs therefrom. In his negotiations with that powerful and haughty pontiff, Innocent III., the Templars took an active part. It was in the preceptory of Temple Ewell, near Dover, that John was terrified into making the notorious resignation of his crown.

To the New Temple in London he was glad to betake himself for protection against the barons, and here he passed the night before he signed the Charter at Runnymede, upon the advice, so says Matthew Paris, of St. Maur, Master of the Temple.

Although at first the Templars appear to have been on bad terms with Henry III., the King proved an even far more liberal donor than his predecessors, presenting to the Order numerous manors scattered throughout the country, together with many valuable rights of chase and other privileges and immunities. Henry was present, with his court, at the consecration of the new choir in 1240, and designed that he and his queen, Eleanor, should be buried in the church, a design, however, which failed.

Amongst his grants was the important manor of Rotheley, which became known as Temple Rotheley, and is now so closely associated with the name of Macaulay.

The earliest extant charter granted by the Knights Templars in England is now in the possession of Mr. W. G. Thorpe, a member of the Middle Temple and the author of *Middle Temple Table Talk*. This was a grant made by Geoffrey FitzStephen, Master of the

Temple during the years 1180-1200. The deed is dated November 30th, 1182, and purports to be delivered in the presence of a full chapter of the Order in the Round Church at London. This ceremony therefore took place in the church of the Old Temple in Chancery Lane. The grant was to Henry Broc and his wife of land at Chesterton, in the county of Warwick, at an annual rent of twenty shillings and for a gift of one-third of their personal property to the Order, and "according to the custom of the house" the grantees were to compel all their tenants to make similar gifts. This land had been previously given to the Order by the lady's father. Photographs of this charter now hang in the library of each society.

Other establishments of the Order are mentioned by Stow at Cambridge, Canterbury, Dover, and Warwick.

The circular type, although usually found in the churches of the Order, was by no means peculiar to the Templars. The Holy Sepulchre at Jerusalem, which formed the model for this form of ecclesiastical architecture, was, of course, erected long prior to the foundation of the Order of the Knights Templars.

From the age of the few still existing Round Churches in this country it will be seen that several were originally in no way connected with the Templars. The Round Church in the Inner Court of Ludlow Castle, Shropshire, is one of the most ancient. It is said to have been built by Joce de Dinan in the reign of Henry I. or Stephen, but whether it was the property of the Templars is doubtful. As to the Round Church of St. Sepulchre at Cambridge, built by Pain Peverill, there can be no doubt, since it was consecrated in 1101, prior to the foundation of the Order.

The date of 1100 is assigned to the Round Church of St. Sepulchre, Northampton, which is said to have been built by Simon St. Luz, who died in 1105; but the style



of pointed architecture would place it at a much later period, and may well have been erected by the Templars, to whom it is assigned by tradition.

The Little Maplestead Round Church in Essex is known to have been built by the Knights Hospitallers in the reigns of John and Henry III. On the other hand, Temple Bruere, in Lincolnshire—or *Templum de la Bruere*, to give its full title—undoubtedly belonged to the Templars, and possessed a Round Church modelled upon that of the Holy Sepulchre at Jerusalem. This has long disappeared, and nothing remains but the square tower of the preceptory and some vaults. At Dover the foundations of a Round Church were discovered about forty years ago near the Castle.

The Templars, as we learn from Stow, acted very largely as bailees, or bankers, to whom were entrusted money, jewels, and other valuables for safe custody. In 1232, for instance, according to Matthew Paris, Hubert de Burgh, Earl of Kent, was a prisoner in the Tower, and King Henry, hearing that he had much treasure in the Temple in the custody of the Templars, sent for the Master of the Temple, who admitted the impeachment, but refused to deliver the treasure except by direction of the owner. This was easily obtained by the King, and thereupon the keys of the Treasure House were delivered to him. Upon an inventory being taken, besides ready money, vessels of gold and silver and many precious stones of a very considerable value were found.

Stow also relates how Edward I., in 1283, came to the Temple, and upon the pretence of looking at his mother's jewels, which were kept in the Treasure House, entered and broke open the coffers of persons who had deposited their money there, and went off with cash to the value of £1,000. Edward had, however, previously been a benefactor of the Order. From a document found amongst the Tower Records in 1855, it appears that when the King

was making preparations for his last campaign in Scotland, in 1306, Prince Edward of Wales was knighted by him at the Temple, in the presence of a large assemblage of nobles and gentry. This document was the petition of Walter le Marberer to Edward II. to pay for the timber supplied to the Templars on that occasion.

The great wealth and power of the Knights Templars naturally excited the avarice and jealousy of the authorities, and in 1312 the Order was abolished, its chief members being put to death by the cruel Philip le Bel in France, though rather more tenderly dealt with by the weak and vacillating Edward II. of England.

Having obtained the induction of a tool of his own in the Chair of St. Peter, Philip in 1307 struck the first blow at the Order. The Templars in France were ordered to be seized and brought before an inquisition empowered to try them, and, if necessary, employ torture. Such necessity was easily found, and out of one hundred and forty put to the torture, thirty-six died in the hands of their tormentors. Fifty-four perished at the stake under one decree alone in Paris, and by similar methods throughout the country the Order was deprived of its ablest and staunchest members.

James de Molay, Grand Master of the Order, who happened to be in residence at the Temple, had been induced by Clement to obey his summons to visit him at Poitiers, under the pretence of discussing the affairs of the Holy Land.

Received by the Pope in the Great Hall of the Palace of the Counts of Poitou, now the Palais de Justice, he was immediately afterwards arrested and sent, with his principal knights, a prisoner to Paris.

Having made certain admissions, Molay and three others were brought out upon a scaffold at Notre Dame to make their confession public. Two did whatever was required, but Molay refused, declaring that he abandoned life offered on such infamous terms without regret. His

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noble example was followed by the fourth Templar. Both were burnt to death by slow fires of charcoal the same evening. According to tradition, Molay summoned the Pontiff to meet him before the last tribunal within forty days and the King within twelve months. This summons was, curiously enough, obeyed.

Thus perished the last Grand Master of the Templars.

In his history of the Knights Templars, Mr. Baylis, K.C., mentions a fourteenth-century MS. in the British Museum entitled "On Virtues and Vices," with illustrations painted on vellum. Amongst them is one representing various subjects relating to the punishments inflicted upon the Templars. In the upper part Philip is depicted on horseback directing the scourging, torturing, and burning of the Templars outside the walls of Paris. In the lower part he is being dragged by the stirrup through the forest of Fontainebleau, having been attacked by a wild boar and thrown from his horse.

Meanwhile Philip had written to Edward, accusing the Templars of abominable heresies, and urging his son-in-law to take steps for their suppression. At first Edward was not to be tempted. In a letter dated from Westminster, October 30th, 1307, he replied diplomatically that he had communicated the charges to his prelates and barons, and that to them they appeared utterly incredible. Philip accordingly was once more obliged to make use of the Pope, who, on November 22nd following, despatched a Bull from Poitiers requesting the King to arrest, on the same day, all the Knights Templars within the kingdom, as Philip had done, and to cause their persons to be detained in reliable custody, and their goods, movable and immovable, to be committed to safe keeping. Their lands and vineyards were to continue to be cultivated, so that if found innocent everything might be restored intact, if guilty to swell the funds for the Holy Land!

Edward was still unconvinced. On November 26th we

find him ordering his seneschal of L'Aggenois to meet him at Christmas at Boulogne and bring him information of the Templars in his French dominions. Although on December 1st an ordinance is passed by the King in Council for the simultaneous seizure of the Templars by the sheriffs throughout England, three days later Edward writes to the Kings of Portugal, Castile, Sicily, and Aragon not to credit the charges levelled against the Templars—charges conceived in malice and covetousness—and not to molest their persons or seize their possessions until they had been legally tried and condemned in England. On the 10th of the same month he also writes warmly to the Pope, declaring his inability to credit those detestable accusations against men who everywhere throughout the country bore an honoured name. Upon the arrival of the Papal legates, however, Edward, in spite of his belief in their innocence, speedily made his submission, and on December 15th ordered the arrest of the Knights Templars to take place on the morrow of the Epiphany, and four days later that of those of the Order resident in Ireland, Scotland, and Wales, writing a few days afterwards to the Pope that he was desirous of carrying out his wishes in the matter of the Templars.

On August 12th, 1308, Clement sent a Bull to the Archbishop of Canterbury and his bishops, instructing them how to act in the matter of the Templars, detailing his own course of action and protesting that his dearest son in Christ, the illustrious Philip of France, so far from acting from avaricious motives, had not the slightest intention of touching or appropriating anything belonging to the Templars! This was followed in October by a Bull to the King commanding him not to part with the possessions of the Templars until his emissaries should arrive and relieve him of his charge!

In March, 1309, a valuation of the lands of the

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Templars is ordered by Edward, and in September an ordinance for their examination at London, Lincoln, and York is passed, with a request that the Pope's emissaries be treated with proper respect.

Up to this point nothing much seems to have taken place, but with the arrival of the Pope's agents the King was forced into activity. Orders were given for the arrest of all Templars still at large, who were to be sent to London, Lincoln, and York, and to be imprisoned in the Tower and in the castles of Lincoln and York respectively until their examination was concluded. Similar orders were made respecting the Templars in Scotland and Ireland.

The following year those Templars imprisoned in the Tower were removed to the four gates of the City, and transferred from the custody of John de Crumbewelle, Governor of the Tower, to that of the mayor and sheriffs, and preparations were made for the trial of the Templars throughout the country by a provincial council held in London.

Edward's measures were evidently but half-hearted. Many no doubt submitted themselves to the mercies of the Pope; others may have escaped and returned to their secular callings, since we find an order of the King commanding all Templars in secular dress to be arrested; others were left unmolested, as fresh writs issued in 1309, for the arrest of such vagabond Templars as might be found at large, go to show. In all, two hundred and twenty-nine only were seized and tried before the Papal inquisitors appointed by Clement, assisted by the civic authorities, who sat at St. Martin's Church, Ludgate, and St. Botolph's, Bishopsgate, and endeavoured, by their hellish means of persuasion, to extract confessions of their guilt from these unfortunate men. Amongst these was William de la More, Grand Master of the Order in England, who was one of the first to be arrested,

and who had been entrusted to the safe keeping of the Archbishop of Canterbury. He died in captivity in the Tower. Beyond the case of those who died during imprisonment or in the torture-chamber, there is no evidence of any more serious punishment than incarceration in a monastery, as we may infer from the orders of the King for provision to be made out of the Temple estates for the maintenance of those Templars doing penance in various monasteries.

That the majority escaped with their goods and chattels would also appear from the inventory prepared by the sheriffs of London, giving an account of expenses and receipts for the period from January 10th, 1307, to November 10th, 1308, and of the goods and chattels found in the cellar, storehouse, stable, brewery, ward-robes, chambers, and dormitories, and in the church and vestry. Beyond the personal effects of William de la More, of Brothers John de Stoke, Thomas de Burton, Richard de Herdewikes, and of the Prior, little of any great value is recorded. A certain amount of plate was found in the church and vestry; but articles of value, costly weapons and body armour, such as corresponded to the wealth of the Order, are conspicuously absent from the Temple inventory.

The truth concerning the charges against the Templars seems to be that the continental members of the Order, at any rate the French, were guilty of the more serious offences. In France and at Florence a large proportion of members confessed to the charge of indecent kissing (*oscula inhonesta*). The charge of *sputio super crucem* at initiation was admitted even by the English Templars, but whilst some declared they had regarded the ceremony as a joke, all maintained that they had spat, not on the cross, but only near it.

But although almost universally offences even the most loathsome were admitted under pressure, there is no

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evidence to show that outside France there was any reality in them. At the same time it is now generally accepted that the Knights Templars were members of a secret society combining, according to M. Loiseleur, the heretical teachings of the Bogomilians and the Luciferians. In dealing with the masonic construction of the church this question will be further discussed.

That some such practices were rife appears from the rivalry between Hugh de Peraud, visitor of France, and James de Molay, for the office of Grand Master. The latter had declared his intention of extirpating certain practices in the Order of which the former was the most strenuous initiator. This theory accounts to some extent for the confession of Molay and his subsequent denial, and for the general acquittal of the Templars at nearly all the inquisitions outside France.

Fifty years later the Templars were amply avenged when, on the plain beneath Poitiers, the little English army under the Black Prince shattered the flower of French chivalry.

And later still, in that same hall where Clement received Molay, stood Jeanne d'Arc, prior to her appointment as leader of the French forces. On the dais was seated an imposing array of doctors learned in law and theology, the Chancellors of the Universities of Paris and Poitiers, priests and Dominican friars. On a form below sat the peasant maid who by her simple faith and ready mother-wit put all these astute hair-splitters and holy casuists to utter confusion. The verdict then won was the signal for the downfall of the English power in France.

The architecture of the great hall is very similar to that of Westminster Hall and is little inferior in size.







## THE KNIGHTS HOSPITALLERS

By the decree of the Pope, confirmed by the Council of Vienne, near Lyons, in 1312, the Order of the Knights Templars was abolished and all their possessions were granted to their rivals, the Knights Hospitallers, or Order of St. John of Jerusalem. This grant was rather nominal than real, for not more than a twentieth of their vast wealth reached the hands of the Hospitallers, the remainder being appropriated by Clement, Philip and Edward, and their respective adherents. In England



THE SEAL OF BERENGAR, GRAND MASTER OF THE KNIGHTS HOSPITALLERS, 1365

the claims of the Hospitallers, or Johnnites, as they were popularly called, were at first entirely ignored, Edward expressly forbidding them to intermeddle with the possessions of the Templars. That portion of the Temple which lay outside the City boundaries was granted by the King to Walter de Stapleton, Bishop of Exeter, and thenceforth was known indifferently as Stapleton Inn, Exeter Inn, or the Outer Temple. From the successors of the Bishop of Exeter it passed successively into the hands of Lord Paget, the Duke of Norfolk, and the Earl of Leicester, from whose son, Sir Robert Dudley, it was

purchased by Robert Devereux, Earl of Essex. Then arose Essex House, which with its gardens covered the site now occupied by Essex Court, Devereux Court, Essex Street, and the buildings now abutting on the Strand.

The other portion was at first administered for the Crown by James le Botiller and William de Basing. Upon the suppression of the Order in 1312 it was granted by the King to Aymer de Valence, Earl of Pembroke, but was, under an arrangement, surrendered by him on October 3rd, 1315, to Thomas, Earl of Lancaster, the King's cousin and most powerful subject. Upon the attainder and execution of Thomas in 1322 the Temple reverted once more to the Crown, and was at once granted afresh to the Earl of Pembroke. The latter was shortly afterwards assassinated in Paris, and dying without heirs, it again reverted to the Crown. Thereupon Edward seized the opportunity to bestow it upon his new favourite, Hugh le Despencer, in spite of the statute of 1324, by which all the English possessions of the Templars passed to the Hospitallers.

Upon the attainder and execution of the new favourite, which coincided with the accession of the young Edward III., the claim of the Hospitallers was again ignored, the property remaining in the hands of the King's escheator, the Mayor of London, until 1333, when a lease for ten years was granted to "his beloved clerk," William de Langford, by Edward, at an annual rental of £24.

Four years later the Hospitallers complained to the King of this possession of consecrated property by a layman. An inquisition was held, and a division made between the consecrated and non-consecrated land of the Temple. Herein we find the origin of the division of the Temple into two societies. Langford was left in possession of the unconsecrated portion at a reduced rent. About the year 1340, in consideration of a contribution of £100 for the wars, Edward made an absolute grant of the

whole Temple, as distinct from the Outer Temple, to the Hospitallers.

An interesting relic from the occupation of the Temple by the Knights Hospitallers came to light in 1830, when excavating near the tombs of Knights Templars in the Round. This was a leaden seal, with a hole through it for the silken cord with which it was formerly attached to a deed. It proved to be the seal of Berengar, who succeeded De Pim as Grand Master of the Knights of St. John of Jerusalem in 1365, and who died in 1373. On the obverse the prior is represented on his knees before the patriarchal cross, on either side of which are the letters alpha and omega, and under the former a star. On the reverse appears the Holy Sepulchre at Jerusalem, with Christ in his tomb; at his head an elevated cross; and above a tabernacle or chapel, from the roof of which are suspended two censers.

This seal may be taken as a type of the seals of the Knights Hospitallers which prevailed throughout their existence. That of Raymond du Pay, who became Grand Master in 1113, found at Norwich Castle, is similar in general design, as is also that of Roger de Molins, attached to the Harleian Charter in the British Museum, which was executed in the very year of the foundation of the Round, and was witnessed by the patriarch Heraclius and by Henry II. at Dover on April 4th.

### THE THREE TEMPLES

At the time of the inquisition in 1337 there were two halls in the Temple, one upon the site of the present Inner Temple Hall, and the other lying between Pump Court and Elm Court, with the west end abutting on Middle Temple Lane. The former, standing on the consecrated portion, known as the priests' lands, appears to have been that occupied by the "apprentices of the law

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that came from Thavie's Inn." Langford's lease of the non-consecrated portion having expired in 1343, the whole property was leased by the Hospitallers about the year 1346 to "certain lawyers" in two separate parcels, with two reservations of two rentals at £10 apiece. We have here a natural explanation of the names of the two societies. The Temple had already been divided into an Outer and an Inner district, *i.e.* districts outside and inside the City boundaries. Next we have the division of the Inner Temple into consecrated and non-consecrated. The consecrated retaining the name of Inner, the natural name for the non-consecrated, lying between the Outer and the Inner, would be the Middle.

Beyond these names there is nothing to suggest three societies, and in fact what evidence there is negatives the suggestion of a third society. At a parliament held by the Antients of the Inner Temple on May 6th, 1517, we find that Thomas Denny was admitted to a chamber "in the Outer Temple," an admission which shows conclusively that at this period, at any rate, this was not a separate society. And Sir George Buc, writing about the year 1612, said, "And because the Utter Temple neither is nor was ever any colledge or society of students, and therefore not to be considered here."

### THE LAWYERS

If we may trust an ancient MS., formerly the property of Lord Somers and afterwards of Nicholls, the well-known antiquary, the lawyers first obtained a footing in the Temple in the year 1320 as lessees of the powerful Earl of Lancaster. Possession is said to be nine-tenths of the law, and once in, the lawyers appear to have stuck to the possession, whatever happened to the ownership. By virtue of the statute of 1324 the Knights Hospitallers, according to Dugdale, who, however, only relied upon

tradition, leased the property to "divers apprentices of the law that came from Thavie's Inn in Holborn" at an annual rental of £10.

In this instance tradition is probably correct, since four years later there is other evidence that at this date the lawyers were firmly established in their new home. The Temple was, as we have seen, in the hands of the Mayor as escheator for the King, and he took it upon himself to close the watergate at the Temple stairs. Complaint was therefore made by the lawyers to Edward III., who at once admonished the Mayor in the following letter:—

"Since we have been given to understand that there ought to be a free passage through the court of the New Temple at London to the river Thames for our justices, clerks, and others, who may wish to pass by water to Westminster to transact their business, and that you keep the gate of the Temple shut by day and so prevent those same justices and clerks of ours and other persons from passing through the midst of the said court to the water-side, whereby as well our own affairs as those of our people in general are oftentimes greatly delayed, we command you that you keep the gates of the said Temple open by day, so that our justices and clerks and other persons who wish to go by water to Westminster may be able so to do by the way to which they have hitherto been accustomed.

"Witness ourself at Kenilworth, the 2nd day of November and third year of our reign."

Whatever the exact date, it seems tolerably certain that the lawyers who then entered into the occupation of the Temple came from Thavie's Inn, which was subsequently granted on lease to the Benchers of Lincoln's Inn for the use of students, and ultimately became an Inn of Chancery affiliated to that society.

The will of John Thaive or Thavie, an armourer who died in 1348, throws some light upon the point. From

this will it appears that this hospice formed part of his property, and in leaving it to his wife Alice for life, and after her decease for the maintenance of a chaplain, who was to pray for their souls, the armourer describes his Inn as "*illud hospicium in quo apprenticii ad legem habitare solebant*," suggesting that at the date of his will the Inn no longer served its former purpose.

The connection between the lawyers to whom the non-consecrated portion of the Temple had been leased and the lawyers of St. George's Inn has been clearly traced by Mr. Pitt Lewis, K.C., a Bencher of the Middle Temple, which completely dispels the rival traditions of both societies relating to their origin. Since Coke's day the tradition has been maintained by members of the Inner Temple that their Inn was the parent society, and that the severance took place at the commencement of the reign of Henry VI., when, owing to the great increase in members and the smallness of the ancient Hall of the Templars, a certain number migrated and set up a separate establishment. On the other hand, members of the Middle Temple have contended that the Middle is to be regarded as the original society, relying upon the discovery, in 1735, of the foundations of the old Hall between Pump Court and Elm Court.

Master Worsley, who supported this view, submitted that this Hall must be older than that of the Inner Temple, of which neither the style nor strength was so antique, and that the separating party naturally erected their "Hall in such place where some remains of the mansion house of the Templars still stood as being the most convenient place, or probably to save expense, or for some other reason."

But, as we have seen, as early as 1337 at least there were already two Halls, one undoubtedly the original Hall of the Templars, in the occupation of the lawyers from Thavie's Inn, and the other occupied by Langford.

Moreover, other evidence is not wanting. In 1442

Lincoln's Inn is described as "the ancient ally and friend of the Middle Temple," and in the *Paston Letters* several references to the "Inner Temple" occur as early as 1440. That the Society of the Inner Temple made its new home in the Temple some quarter of a century prior to the Society of the Middle seems tolerably clear, but there is no evidence to show that one is superior to the other. Upon the evidence available, it appears to be practically certain that both societies are of equal antiquity as descendants from the old Fraternities or Guilds of Thavie's and St. George's Inns respectively.

From 1346 up to the Reformation the Temple was held of the Knights Hospitallers by the two societies, when in 1540 this Order was in turn dissolved and despoiled by Henry VIII. Thenceforth until the year 1608 the lawyers held direct of the Crown at a rental of £10 for each society, when they found that James I., having arrived at the conclusion that they were only tenants at will, was negotiating a sale of the freehold. The two societies immediately took steps to avert this danger, and upon presenting James with "a stately cup of pure gold, weighing 200 ozs. and of the value of 1,000 marks or thereabouts," filled with gold pieces, obtained the new charter granting them the Temple together with the church in fee farm for ever at the old rental. The reversion was eventually purchased from Charles II.

The cup, which was curiously engraved with "a church or Temple beautified with turrets and pinnacles" in relief on one side and an altar on the other, was "esteemed by James for one of his royalist and most richest jewell." Its cost was £666 13s. 4d., or in our money about £3,500.

In 1625 it was pawned by Charles I. when in difficulties with his first Parliament, together with other plate and jewels, with Parret van Schoenhoven, an Amsterdam merchant. It was apparently never returned, and all traces of it have disappeared.



Seated midway between the cities of London and Westminster, the lawyers became an important element in the mediæval life of both. With the removal of the Inns of Court and Chancery from the precincts of the City to the western suburb on the banks of the Thames, near Fleet Street, Chancery Lane, and Gray's Inn Fields, these colleges became the fashionable seminaries for the education of young noblemen and gentlemen. At this period the undergraduates of Oxford and Cambridge were for the most part the sons of yeomen, tenant-farmers, and artisans, and moreover mere boys. And the education at these Inns of Court and Chancery was not merely legal, nor even confined to the classics and other erudite learning, but was a general training for men of position, as we are told by Sir John Fortescue, who wrote about the year 1463 of these institutions: "There they learn to sing, to exercise themselves in all kinds of harmonye. There also they practise dannsing and other noblemen's pastimes, as they used to do which are brought up in the king's house."

And he adds that noblemen placed their children in these Inns, not to have them learned in the law nor to live by its practice, but to become accomplished and useful citizens.

And throughout the Renaissance, no less than during feudal times, the Inns of Court men continued to be rulers of society. Having no less intimate relations with the royal circle than with the commercial magnates of the City, and comprising a large proportion of men eminent for rank, wealth, learning, and wit, they laid down the law equally upon questions of politics as upon those of dress, taste, and art. And although in more modern times the gentlemen of the long robe have ceased to occupy such exclusive prominence, they still exercise a powerful influence in the manifold phases of the political and social life of the nation.

## THE TEMPLE CRESTS

The origin of the two crests or arms of the two societies is uncertain, and has given rise to much discussion. The original banner of the Knights Templars was made of two pieces of woollen stuff, one black, the other white, with the red cross of the Order in the midst. This banner was called "Le Beauséant," or, as it was originally spelt, "Bau-céant," which signified in old French "a piebald horse." Possibly this suggested the seal of two men on one horse, typical of the vow of poverty and humiliation sworn by *Pauperes commilitones Christi*—the poor fellow-soldiers of Christ—which it has been suggested at the hands of some mediæval craftsman developed into *Pegasus*, the horse with two wings, the present badge of the Inner Temple.

This suggestion is ingenious and highly probable, although on the other hand there is evidence that the Pegasus was adopted by the Inn in the year 1563, after the Christmas Revels held in honour of Lord Robert Dudley, at which twenty-four gentlemen of the Inn were dubbed Knights of the Order of Pegasus. Lord Robert as Palaphilos, Prince of Wisdom, was the chief performer, and Roger Manwood, afterwards Lord Chief Baron, and Christopher Hatton, afterwards Lord Chancellor, were his principal supporters. Gerald Legh is stated by the Hon. Daines Barrington to have suggested the device of a "Pegasus luna on a field argent." But the device has always been a Pegasus argent on a field azure. That Gerald Legh did suggest the device is not improbable, since in his *Accedence of Armorie*, published in the same year, he gives a detailed account of these revels, together with a woodcut of the arms.

That the device of two men on one horse was an emblem of poverty and humility Mr. Baylis agrees with Stow and Vincent in thinking ridiculous. According to these writers it was symbolic of love and charity, and was intended to

represent the rescue of a wounded fellow-Christian by a Templar on the field of battle. This idea might indeed be carried still further. Might it not represent a Templar assisting a travel-worn or wounded pilgrim on his way to the Holy City, signifying the object for which the society was founded?

A second seal of the Templars was the *Agnus Dei* with the flag, but this was only adopted at a much later date, the first instance of its use being in 1241, nearly a century and a half after the institution of the Order. As was only natural, this was appropriately adopted by the members of the Middle Temple as the badge of their society.

The Holy Lamb with *nimbus* and banner appears upon the seal to a deed dated 1273, whereby Guido de Forester, *magister militie Templi in Anglia et fratres ejusdem militie*, leased out certain lands at Pampesworth, Cambridgeshire, the rent to be paid *domino Templi* in Duxworth, in the same county, where a manor called the Temple Manor still exists. The legend of the seal consists of the cross and the words *Sigillum Templi*.

Many references to these heraldic signs of the "Lamb" and the "Winged Horse" are to be found in literature, especially in the works of Lamb and Thackeray. The following lines chalked on the Temple gate by a wit of the day, though often quoted, will bear repetition:—

"As by the Templars' hold you go,  
The horse and lamb display'd  
In emblematic figures show  
The merits of their trade.

"The clients may infer from thence  
How just is their profession;  
The lamb sets forth their innocence,  
The horse their expedition.

"Oh, happy Britons! happy Isle!  
Let foreign nations say,  
Where you get justice without guile  
And law without delay."

A reply was speedily forthcoming from the pen of a rival wit, whose retort courteous was found pinned alongside the above verses :—

“Deluded men, these holds forego,  
Nor trust such cunning elves ;  
These artful emblems tend to show  
Their *clients*—not *themselves*.

“’Tis all a trick ; these are all shams  
By which they mean to trick you ;  
But have a care, for *you’re* the *lambs*  
And they the *wolves* that eat you.

“Nor let the thoughts of ‘no delay’  
To these their courts misguide you ;  
’Tis *you’re* the showy *horse* and *they*  
The *jockeys* that will ride you.”

#### THE CONFLICT OF THE COMMON LAW WITH THE CIVIL LAW AND THE CANON LAW

Obscure as the origin of the Common Law undoubtedly is, its main characteristics are clearly traceable to that rude mass of Teutonic customs and institutions under which our Anglo-Saxon forbears lived and had their being. With the Norman Conquest a fresh impetus was given to the development of the law of the land. The old Anglo-Saxon laws and customs, so far from being abolished, were in the main only clothed with new forms. Although in an earlier stage than on the Continent, the feudal system was already in existence, and its natural development was forced by the more advanced French system to a larger and perhaps more intricate growth than it would otherwise have attained. One immediate result of this change was the necessity for the aid of skilled lawyers. Hitherto, and for some centuries yet, all suitors appeared in person, but with the introduction of Norman procedure and the French language, the assistance of a trained lawyer, if only to stand by and advise, became an absolute necessity for a Saxon litigant.

### 30 THE INNER AND MIDDLE TEMPLE

Professional lawyers and pleaders undoubtedly existed in pre-Conquest times, but whether the latter did more than stand by to prompt the litigant in person is unknown. For two centuries the English Common Law remained in a somewhat chaotic condition. Whilst the Crown was occupied in developing the feudal system in its own interests, the people were struggling with perpetual alternations of fortune in maintaining their ancient laws and customs.

To the citizens of London in particular at this early period belongs the credit of preserving undefiled the spirit of these ancient usages. From Henry I. they wrung the charter by which their old local courts or guilds developed into recognised courts of law, such as the Court of Hustings, the Hanse Court, and a Criminal Court at the Old Bailey (an ancient gate of the City), of which the Mayor's Court and the Central Criminal Courts are the lineal descendants.

With the discovery of the Pandects at the sack of Amalfi in 1135, a revival of the study of the Civil Law of Rome throughout the Continent took place. It is unnecessary to discuss here whether the revival was in consequence of this discovery, or whether it was due to ambitious designs on the part of the Church to increase its power by the control of the Civil Law, of which its members were the sole exponents. Whatever the cause, the revival of the Civil Law spread to this country, and its reception was also marked by the speedy introduction of the Canon Law, of which the Civil Law would have been the modest handmaid if the Popes of Rome could have had their way.

In those early days all lawyers were ecclesiastics ; but although all were Civilians, all were not Canonists as well. In fact, in the struggle which next ensued between the Common Law and the Canon Law, the Civilians began to be looked upon with suspicion by the Church.

Civilian judges and clerks had two sides. When they sat in the King's Courts they were lawyers first and ecclesiastics last, if at all.

"It is," write Pollock and Maitland, "by 'popish clergymen' that our English Common Law is converted from a rude mass of customs into an articulate system; and when the 'popish clergymen,' yielding at length to the Pope's command, no longer sit as the principal justices of the King's Court, the golden age of the Common Law is over." In this struggle Thomas à Becket was a notable exception. Having climbed into power as a King's man, he turned round and became the champion of the Church against Henry II. With Becket's fall and death the attempt to retain the Roman curia as the supreme tribunal was for the time ended, and the province of ecclesiastical jurisdiction determined.

The struggle was, however, shortly afterwards renewed, as we have seen, between Innocent III. and John, much to the latter's discomfiture; but the situation was saved at Runnymede, when the King, acting, as is said, upon the advice of the Master of the Temple, attached his seal to the Great Charter, and much against his will laid the foundations of English liberty, and equally unwittingly struck the second blow in the conflict between the rival systems of the Common Law and the Canon Law of Rome.

A churchman and, above all, a tool of the papal see, Henry III., with his Italian priests, proved no match for his opponents in the struggles which now recommenced. Although it was the barons who, by refusing to place upon the statute book legitimation *per subsequens matrimonium*, when in the Parliament of 1236 they cried "Nolumus leges Angliae mutari," it was William Raleigh, a canon of St. Paul's, who was the champion of the Common Law. The Civilian judges were still true to their trust as exponents of the law of the land, and

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with the first wave of the Reformation all that was best in the Church had thrown itself on the side of the reformers.

Before, however, the teaching of the Civil Law by the Church had begun, schools or guilds of law had arisen in the City, rendered necessary first by the institution of the City Courts, and later by the permanent establishment of the King's Court at Westminster. In the time of Stephen and Henry there were three such schools, and these were naturally connected with the Church. These were St. Paul's, with a hostel in Paternoster Row; St. Sepulchre's, with St. George's Inn; and St. Andrew's, with Thavie's Inn adjoining. In these hostels or schools of law we have the origin of the Inns of Court. Although thus closely associated with the Church, in consequence of the decree of 1218 forbidding the clergy to practise in the secular courts the advocates gradually ceased to be clerics, and their schools were protected from competition by proclamations, both by Henry II. and Henry III., forbidding the teaching of the Civil Law in the City of London.

With the accession of Edward I.—the English Justinian, as he is styled by Sir Matthew Hale—the real consolidation of the Common Law commenced, and for two centuries continued to develop upon the lines already established.

During this period its principles became more firmly embedded as the law of the land, and in the struggle between the Crown and the Baronage these were developed and extended at the expense of both. In the chaos which accompanied the final stage of the quarrel the law was naturally one of the first institutions to suffer. But we must not forget the immense influence of the *Corpus Juris* upon its growth and development, from the discovery of the Pandects at Amalfi, when nearly all our judges and lawyers became Civilians,

deeply saturated with Roman law. Nevertheless the spirit remained English if the form was sometimes Roman.

Times of stress, however, once more threatened the Common Law. With the Renaissance it was even in danger of utter extinction. Throughout the Continent codification was in the air. In France it was said that every time one changed one's post-horses one changed one's law, so numerous were the local customs under which the people lived. Upon the revival of classical learning, it was only natural that men should turn once more to the *Corpus Juris*, that masterpiece of ordered law which especially appealed to men distracted by innumerable local customs, royal ordinances, and ecclesiastical regulations. So to the age of the Renaissance and to the age of the Reformation must be added the age of the Reception, *i.e.* the reception of Roman law.

In England the Reception had been preached by Reginald de la Pole, cousin to Henry VIII., and his preaching was singularly opportune. It is true that Henry prohibited the academic study of the Canon Law, but he encouraged that of the Civil Law by the foundation of professorships at Oxford and Cambridge. The discontinuance of the Year Books—that great stream of law reports which had been flowing ever since the days of Edward I.—in the year 1535 was an ominous sign of the times. The Church was in subjection, the Baronage was decimated and powerless, and Parliament existed merely to register the royal edicts of the English *Lex Regia*, which gave the force of statutes to the King's proclamations. The King's Council, the Star Chamber, and the Court of Requests might easily have Romanised English procedure.

As late as Edward VI.'s reign the procedure in the Court of Requests, presided over by Dr. Thomas Smith, a Civilian, is described as being "altogether according



to the process of summary causes in civil law," and other courts with a similar procedure were also in existence.

To a monarch who wished to be supreme in Church as well as State, there was pleasanter reading in the Byzantine Code than in our venerable Year Books. In the days of the great divorce case and the subsequent quarrel with the Papacy, Henry found the jurists from the Universities of Oxford and Cambridge, Padua and Bourges, indispensable. By these jurists the barbarism of English law was denounced in strong terms, and to some extent deservedly so. It is therefore no matter for surprise that amongst the many contemplated reforms Henry should have formed the project of reforming the Inns of Court and instituting a great college of law, or legal university, such as had existed under the first three Edwards. Henry also conceived the project of an ecclesiastical code, of which a draft is extant, as well as in all probability that of a civil code. Throughout the Continent and in Scotland the Reception gained the day. Why did it fail to do so in England?

One difference, says Professor Maitland in his Rede Lecture for 1901, marked off England from the rest of the world. Mediæval England had schools of national law. These schools were distinctively English, and they appear to have existed nowhere else. Of these guilds or fraternities of lawyers we know next to nothing, but they evolved a scheme of legal education, embracing not only an academic scheme of the mediæval sort, oral and disputatious, but also a practical scheme by which their duly qualified members alone had audience in the Courts.

It was their successors, the Inns of Court, that in the opinion of Professor Maitland, whose authority in such matters is unrivalled, saved English law in the age of the Renaissance. That the case was desperate is clear. The results of Henry's inquiries addressed to Thomas Denton, Nicholas Bacon, and Robert Cary, relating to the reform

of the Inns of Court and a college of law, do not appear to have been such as the King anticipated. In neither is there any mention of the Civil Law, and the commissioners propose nothing more drastic than such reforms in legal education as might be expected from English barristers of their high standing. As the project was dropped, and as the Inns of Court were then not worth plundering, we may infer that Henry was not over-pleased with the report. Had the commissioners been more complaisant, Henry might have represented in his own person the three R's—Renaissance, Reformation, and Reception. As it was, the Common Law had a narrow escape. Shortly after Henry's death a wail went up in the form of a "Petition of divers students of the common law to the Lord Protector and the Privy Council." The Common Law, they cried, was being set aside by writs and decrees of Chancery grounded upon the Civil Law, and by the judgments of Civilian judges ignorant of the law of the land, to such an extent that few men were left in the profession. Ten years later, as we learn from Stow, there was so little business in Westminster Hall that both the judges and a handful of serjeants had nothing to do but look about them, and in criminal causes of any political importance we find the Court composed of two or three doctors of Civil Law, a course that threatened to become permanent. Once more, however, the peril was averted, and in the hands of Plowden, Coke, Selden, Prynne, and Hampden those cherished and hard-won principles of English liberty and freedom, constitutional law and order, were rescued and developed, and finally wrung by the iron hand of a Cromwell from a would-be despot.

Upon the foundation of that rock, so nearly submerged, a hundred legislatures, more or less, are now building. But there is still work to be done by the Inns of Court as important as that when they saved the English Common Law schools. As the foundation and centre of a great

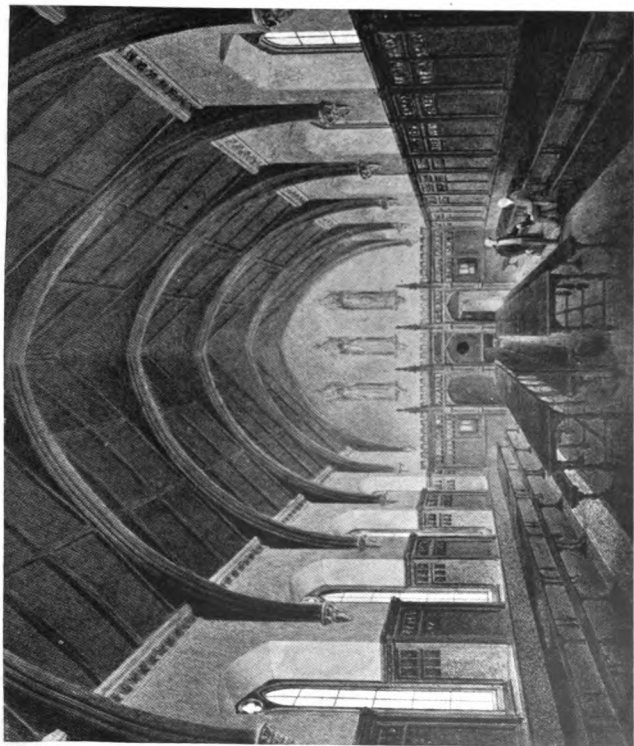
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legal university, with a past that is unique in the history of the world, and with institutions and traditions older even than those of Parliament, the Inns of Court, by the unification of English law, might weld together those innumerable sections of our British Commonwealth by a bond stronger even than blood.

Law schools make tough law, and One Law makes One People.

### THE CONSTITUTION OF AN INN OF COURT

The Inns of Court were modelled upon the old trade guilds, to which they owe their origin. The governing body consisted of the Benchers, whose numbers were unlimited, and who co-opted such members of the Utter Bar of twelve years' standing as they desired to add to their ranks. This procedure is still in operation. All the property of the Inn is vested in the Masters of the Bench. Their orders are binding upon all members of the society. By them members are called to the Bar, and subject to an appeal to the judges, they may refuse to call any member. Offenders against their orders may be punished by fine, by forfeiture of their chambers, by expulsion from the Hall, by putting out of commons, or by final expulsion from the precincts of the house. These punishments, curiously enough, closely resemble those inflicted upon the Knights Templars. For a slight offence an ancient Templar was withdrawn from the companionship of his fellows, and not allowed to eat with them at the same table. For graver affairs they were deprived of their lodgings and compelled to sleep outside in the open; and for the most heinous crimes they were imprisoned in the penitential cell in the church—frequently with fatal results—or expelled from the Order. This power of imprisonment was exercised by the Masters of the Bench of the Inner Temple as late as 1558, when eight gentlemen of the house “were committed to the Fleete for wilfull



OLD HALL, INNER TEMPLE



demenoure and disobedience to the Bench and were worthily expulsed the fellowship of the house, since which tyme upon their humble suite and submission unto the said Benchers of the said house, it is agreed that they shall be readmitted into the fellowship and into commons again, without paying any fine."

This similarity in regulations is probably a mere coincidence. Such punishments were general in societies such as those of the Templars and the old voluntary fraternities or guilds, both semi-ecclesiastic in origin.

At the head of the Masters of the Bench stood the Treasurer, who presided at the parliaments, and to whom certain definite duties in relation to the governance of the Inn and the maintenance of its buildings were assigned. He was elected yearly from the ranks of the Benchers.

To assist the Treasurer in the internal arrangement of the society, there were at the Inner Temple originally three Governors, but since 1566 such officers have ceased to be elected.

Next to the Governors in importance came the Lector or Reader, selected from the Utter Barristers, and entitled after the expiration of his term of office to be elected a Master of the Bench. During his term he had precedence over other Benchers, and enjoyed certain privileges in the admission of members. His duties were onerous. He was required to give a specified number of readings or lectures to the students both of the Inn and of the Inns of Chancery affiliated to the society, and to act as president at the moots, as the debates were and are still called, at which fictitious cases were put and argued by the students. He was also required to provide entertainments for all the members of the Inn, known as the Reader's Feasts, and which were of a very costly nature. Refusal to take up this office subjected the offender to a heavy fine and the liability to be disabled from ever becoming a Master of the Bench. In 1547 this fine was fixed at £40, and in

1624 we find John Selden being fined £20 and ordered to be for ever disabled from being called to the Bench or being a Reader of the Inner Temple.

Amongst the privileges of the Reader was that of hanging his coat-of-arms upon the walls of the Hall, a survival from Templar days, when the "poor chivalry of Christ" used to hang up their shields upon entering the Hall. The earliest of these is that of Thomas Lyttelton, a Reader in the reign of Henry VI., and whose celebrated *Essay on Tenures* had formed the subject of his lectures.

Double Readers were those who were called upon to read twice, and were consequently regarded with immense respect.

The remaining officials were the four Auditors, two selected from the Bench and two from the Bar, who audited the Treasurer's accounts, and a Pensioner, who collected the pensions or payments due from the members to the society.

These officers met for the ordinary business of the Inn at what was and is still known as the Bench Table. For matters of greater importance the Benchers met in parliament, whence arose the name of the Parliament Chamber.

The bar of the old Courts was not the imaginary one of to-day, but a substantial barrier of iron or wood, separating the judges and their officials from the litigants and their attorneys and advocates, as well as witnesses and the prisoners. Thus the pleader stood *at the bar* or *ouster the bar*, and gained the name of Apprenticius ad Barros, or Utter Barrister, and later of Barrister-at-Law. In court the order of precedence was Serjeants-at-Law, Benchers, and Utter Barristers, and so continued up to the seventeenth century. In later times the Utter Barrister was called within the Bar and became known as an Inner Barrister, and later still as "a silk," from the material of his gown, the junior barrister taking the cast-

off name of Utter or Outer Barrister, or the more colloquial term of "stuff gownsman."

Next to the junior barristers, who, although called, were not, at least in early days, entitled to plead in court, ranked the clerks-commoners, corresponding to the students of to-day. They were originally called *apprenticii ad legem*—another instance of the connection of the Inns of Court with the guilds—a term which was afterwards applied to a body of lawyers ranking next to the serjeants. These were called the great apprentices of the law, or *apprenticii nobiliores*, and in the fifteenth century the title was used to designate even serjeants and judges.

The above order was strictly observed in Hall. At the upper table on the dais sat the Benchers and such noblemen, judges, and serjeants as formerly belonged to the society and still retained their chambers. The second, third, and fourth tables were occupied respectively by the utter and junior barristers and the students, whilst behind the screen and under the minstrel gallery was the Yeomen's Table, for the use of the Benchers' clerks.



## CHAPTER II

### BUILDINGS IN THE INNER TEMPLE AND SOME OF THEIR INMATES



SEAL OF THE KNIGHTS TEMPLARS,  
1204.

#### THE HALL

WHATEVER the truth concerning the origin and separation of the two societies, that of the Inner undoubtedly succeeded to the ancient Hall or refectory of the Knights Templars. The date of this ancient building is only a matter of conjecture. Some authorities place the date of its erection as early as the eighth century, but however this may be, it was probably standing when the Round of the church was built by the Templars in 1185, the small Gothic windows on the north dating from the restoration or partial rebuilding which took place in the reign of Edward III.

In 1606 and 1629, owing to the then ruinous condition of the Hall, extensive repairs and restorations took place, and two centuries later its condition was still more dangerous, as we learn from a report made in 1816 by the Treasurer, Joseph Jekyll. But beyond patching up the old rubble walls with brickwork, and renewing the rotten timbers, nothing of a permanent kind was done.

After the restoration in 1816 we learn from the *Gentleman's Magazine* that at the western end were three canopied niches with statues of three early English lawgivers, viz. Alfred, Edward I., and Edward III., all executed by Rossi, the last two copied from their effigies in Westminster Abbey.

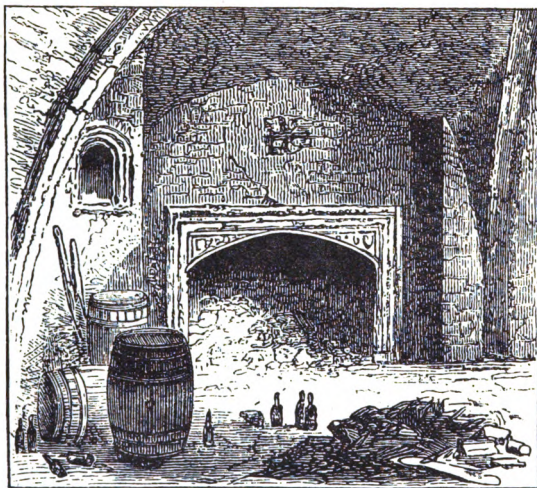
Thus the old Hall of the Knights Templars stood until its final demolition in 1866, being utterly inadequate for the use of the constantly increasing members of the house.

This was the old Hall where the Knights Templars partook of humble fare, sitting two by two, and where on feast days they entertained with sumptuous hospitality kings and princes, Papal legates, and foreign ambassadors. Here too the guilty expiated their offences by offering their naked backs to be scourged with leathern thongs, and this was the scene of those alleged idolatrous rites when the Novices of the Order were compelled to spit on the cross, kiss the idol with the black figure and shining eyes, and worship the golden head, which were kept secreted in the Treasury adjoining!

Here the members of the Inner Temple dined in their turn, eating their meat off wooden platters, and quaffing their strong ale out of ashen mugs, a practice continued till about 1560, when green-glazed earthenware pots and jugs replaced the latter. Several specimens of these have been recovered from the old wells. Wooden cups are of very ancient date. In the inventory of the Knights Templars "cups of maple wood with silver feet" are mentioned. These may be compared with the wooden peg-tankards of Saxon times. Here they sat at table in the order already indicated, almost exactly as they do to-day. Instead of a well-swept floor, they had a carpet of fresh rushes, and in place of the electric light, candles and flaring torches; whilst a wood or charcoal fire radiated its heat and smoke impartially from the centre of the Hall,

a certain proportion of the latter escaping through the smoke-louvre above, as was then customary.

Round this fire, after dinner, the Master of the Revels solemnly conducted the guest of the evening. One of the most splendid entertainments in the old Hall during the reign of Queen Victoria was the magnificent banquet given in the month of July, 1843, to the late King of Hanover, the Queen's uncle.



THE PRIESTS' HALL IN THE INNER TEMPLE.

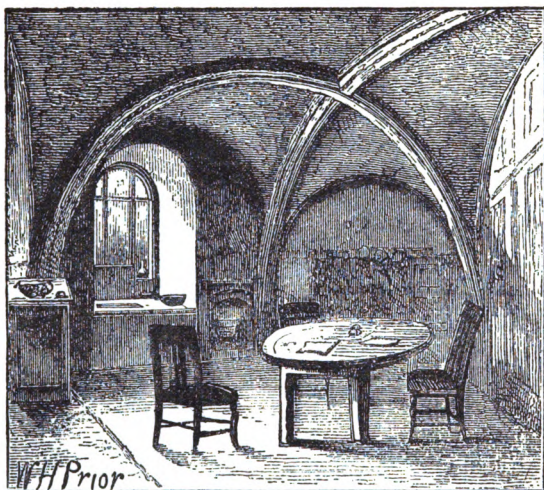
The south entrance to the old Hall was on the same site as to-day, and is the one referred to by Charles Lamb in 1821, when in his memorable essay on the *Old Benchers* he mourns over the changes which had taken place. "They have lately Gothicised the entrance to the Inner Temple Hall and the library front, to assimilate them, I suppose, to the body of the Hall, which they do not at all resemble." "What," he asks, "has become of the winged horse that stood over the former? a stately

arms!" The "library front" is probably the building at the east end of the Hall, pulled down in 1819, and rebuilt after the Pointed style.

Just outside the north door of the old Hall stood the chapel of St. Thomas, through which access was gained to the cloisters, and thence still under cover to the church, to which entrance was gained either through St. Anne's Chapel, or through a door on the south of the Round no longer in existence, or through the present main entrance. One section of these cloisters with groined arches and corbels still exists in a chamber at the west end of the present Hall. This chamber measures about 23 feet by 15, presenting the appearance, writes Mr. Inderwick, K.C., of a small refectory, and which the learned counsel thinks was probably the refectory of the priests, being described indifferently in our records as the "Hall of the Master of the Temple," or the "Hall of the Priests." The walls are of rubble and Kentish rag, similar to those of the old Hall. The ceiling is supported by groined arches in stone, and an open fireplace of later date stands at the northern end. Of the two stone recesses, one resembles a piscina, whilst the other was probably used as a cupboard. A window corresponding with that in the buttery above is now blocked up. The floor is on the same level as the ancient floor of the church and chapel of St. Anne.

Almost immediately above this chamber is the Buttery, "Promptuarium," with which it communicated by a flight of stone steps. Some of these have recently been removed and the staircase blocked up to make room for a huge safe for the Inn's plate. The ceiling of the buttery is also supported by stone groined arches. Adjoining the buttery on either side were other chambers, known by members of the Inn as "the Butteries." Upon scraping off the old plaster on the outside of the north wall in 1756, several very ancient doorways and windows were discovered. Above these chambers

again appear to have been others, called "the Hall Chambers" or "the chambers over the buttery"; whilst those on the ground floor, on a level with the Priests' Hall, were known as "the chambers under the Hall stairs," where we find the brilliant Sir William Webb Follett in 1825. To the west of these buildings, as in the days of the Knights Templars, stood the brewery,



THE INNER TEMPLE BUTTERY.

where the beer for the society was brewed until its removal to make way for the new Hall and kitchens.

The new buildings were erected, from the designs of Sir Sydney Smirke, partly upon the old foundations, and preserved as far as possible the old lines of construction, leaving intact the Priests' Hall and buttery. They were opened on May 14th, 1870, by Princess Louise on behalf of Queen Victoria, as may be seen from the Latin inscription over the south entrance to the Hall.

Upon this occasion the Princess, who was accompanied

by H.R.H. Prince Christian, was entertained at a *déjeuner* in the new Hall, which was gaily decorated with flowers. The Lord Chancellor, Lord Hatherley, appeared in his black velvet court suit ; the Chief Justice of the Common Pleas, Sir William Bovill, in his scarlet robe ; and the Chancellor of the Exchequer, Robert Lowe, in his blue and gold official dress ; whilst the Queen's Counsel wore their silk gowns, with long-bottomed wigs and knee-breeches ; the barristers their wigs, bands, and gowns ; and the students their gowns. After the Hall had been declared opened by the Princess, Prince Christian was enrolled a Bencher of the House.

The following week an inaugural banquet was given in the Hall, at which His Majesty, then Prince of Wales, was present, with Prince Christian. In addition to the Lord Chancellor, the company included Mr. W. E. Gladstone (Prime Minister), the Earl of Derby, Earl Grey, Lord John Manners, Lord Cairns, Dr. Thomson (Archbishop of York), the Duke of Richmond, Earl Granville, Lord Westbury, and Dr. Wilberforce (Bishop of Winchester), together with most of the judges, serjeants, and eminent counsel. The presence of Mr. Gladstone is alone sufficient to render this occasion memorable in the history of our society. Gladstone and Disraeli were both members of Lincoln's Inn, and by a singular coincidence both their names were withdrawn from the register on the same day in the month of November, 1831.

The exterior of the Hall does not prepare one for the noble proportions of this fine chamber. Mr. Loftie's assertion that Smirke, in common with many modern architects, has contrived to make his buildings appear smaller than they really are, seems to be well founded. It is ninety-four feet in length, forty-one in width, and forty to the springing of the hammer-beams.

At the east end, on the south, is a fine bay-window, decorated with heraldic glass. On the panelling which



runs round the Hall is a succession of coats-of-arms of Treasurers and Readers from the time of Sir John Skylling, who was Reader in 1506. Thus is perpetuated the custom of the Knights Templars, who used to hang their shields upon the walls when at meals. The two doors concealed in the panelling at the east end lead into the Parliament Chambers—a handsome set of rooms, the walls of which are covered with portraits and engravings of legal luminaries.

The two doors now at the north and south entrances to the Hall are probably survivals of “a great carved screen,” which Dugdale mentions as being erected in the Hall in 1574. They are very handsomely carved and both of the same pattern. The one at the southern entrance bears the date 1575; the other is undated, and in the upper portion is not quite finished by the carver. What became of this screen is unknown. The present one is quite modern.

The four bronze statues, two on either side of the central door in the screen, were designed by H. H. Armstead, R.A., in 1875. The two inner figures represent Knights Templars, and the two outer Knights Hospitallers. The Templar on the left of the central door is intended to represent William Mareschal, the powerful minister of Henry III. They originally stood in the gallery, being intended by the sculptor to be viewed at a distance, but so fine is the sculpture that a closer inspection is no detriment. At page 6 are shown the two figures on the right. The figure on the left in the illustration is a Knight Templar, and that on the right a Knight Hospitaller. Beneath the large painting of Pegasus hangs a perfect galaxy of portraits by Sir Godfrey Kneller: William III. and his queen Mary, Anne, George II. and Caroline. With these are hung the portraits of the Lord Chancellor and the Speaker of the House of Commons. On the north wall may be seen portraits of

Gabriel Neve, Esq., Sir Randolph Carew, Thomas Sherlock, for fifty years Master of the Temple, Sir Crosswell Levinz by Richardson, and John Herbert, Esq. Above the minstrel gallery hang Sir Edward Coke, the famous Chief Justice, and Sir Thomas Lyttelton. The south wall contains some even more important personages—Christopher Benson, Master of the Temple, Sir Simon Harcourt, the silver-tongued Chancellor, and Sir Matthew Hale, the famous Chief Justice from Lincoln's Inn.

Dr. Benson was the port wine drinker whom Sydney Smith liked better "in the bottle than in the wood."

#### THE LIBRARY AND PARLIAMENT CHAMBERS

At the east end of the old Hall formerly stood a little building with the eastern window of the Hall looking over its roof. According to Mr. Inderwick, K.C., this building was of one story only, but in the map of 1671 two tiers of windows are given. This was the old library, which was blown up with gunpowder in the fire of 1678 in order to save the Hall, and which was rebuilt, together with the end of the Hall, in the year 1680. Towards the cost of its rebuilding and wainscoting Sir George Jeffreys, then His Majesty's Serjeant-at-Law, contributed £40.

Long before the reign of Henry VI., writes Mr. Inderwick, K.C., the Inn had a library, a possession which placed the House far in advance of the other societies. Reference to this building, which was at the western end of the Hall and called the upper library, where the gentlemen of the House dined in term time, when the accommodation of the Hall did not suffice, and where during vacation they played hazard, appears in the records for 1505, for in that year we find that "Knyghtly and Baker are assigned a chamber newly made under the library."

A reference to the library at the east end of the Hall occurs in the records for 1530, when the Treasurer,



Thomas Audley, Speaker of the House of Commons, and afterwards Lord Chancellor, was allowed to make "a door out of his chamber into the library of this House," provided it were not "to the nuisance of the members of the same House."

Immediately behind the old library and attached to the Treasurer's house on the east stood an ancient tower built of chalk, rubble, and rag stone, surmounted by a wooden cupola with a bell. In this turret were sets of chambers. After undergoing similar repairs to those of the old Hall, it was pulled down in 1866 and replaced, though much further east, by the stone clock-tower which gives access to the new library.

East of the Treasurer's house, which included the Parliament Chambers and offices, stood Babington's Rents, erected about the year 1530, and in the intervening space between these chambers and the library a few years later chambers were built, known as Packington's Rents. In 1518 we find John Packington "admitted to a chamber at the door of the Hall."

Sir John Packington enjoyed the favour of Henry VIII. to such an extent that by an extraordinary grant he was allowed to wear his hat in the presence of the King and in that of his successors. He was Recorder of London, a Welsh judge, and Chancellor of the Exchequer. During his Treasurership the wall along the river was built and the ceiling of the Hall constructed, and for his "many and sundre payns" in these matters he was thanked by the Benchers in 1533.

North of Babington's Rents and parallel with the Cloisters, thus completing the old ecclesiastical quadrangle, were Bradshaw's Rents, probably erected about the year 1544, when Henry Bradshaw was elected Treasurer of the House.

All these buildings or their successors—for some had suffered in the various fires—were swept away to make





INNER TEMPLE COURT

room for the new Parliament Chambers and the library. The ground and first floors are given up to the Parliament Chambers, offices, and lecture-rooms, whilst the whole of the second floor is devoted to the library.

In consequence of the bequest by William Petyt, a former Treasurer of the House and Keeper of the Records at the Tower, of his MSS. and books, together with the sum of £150 towards a new library, a second room was in 1709 built or fitted up as a library, in which Petyt's MSS. remained under lock and key for many generations.

These MSS., consisting of original letters from kings and queens of this country, diplomatists, foreign agents, and other distinguished personages, are still of great value, notwithstanding the recent labours of the Record Office. Together with our own records, they now reside in the private room of the Treasurer, who is specially responsible for their safe custody.

Apart from a law library of some 26,000 volumes, the new library contains a collection of historical and literary works amounting to 36,000 volumes, especially rich in county histories and books on architecture and the fine arts.

The building itself is of very considerable dimensions, consisting of numerous divisions leading one into the other. For accommodation and comfort, and in the absolute freedom of access to the bookcases, this library is probably unequalled in London. The north wing, upon the site of No. 2, Tanfield Court, was opened in 1882.

Over the fireplace in the old library was a fine piece of woodcarving attributed to Grinling Gibbons, bearing the inscription, "T. Thoma Walker Arm. A.D. 1705," which was the result of a payment of £20 5s. made by Sylvester Petyt, Principal of Barnard's Inn and brother of William, as executor of the latter's will. It has now found a resting-place in the anteroom to the Parliament Chamber, where a portrait of William Petyt also hangs.

Formerly the chief butler combined the duties of librarian with those of his more humble office; but after the Petyt bequest a Mr. Samuel Carter, upon finding two sureties for £1,000, was appointed "library keeper" at a salary of £20 a year. The present librarian, Mr. J. E. L. Pickering, is a well-known expert in bibliography.

Amongst the objects of interest in the library is a case containing a collection of serjeants' rings, given by the following serjeants upon their creation, viz. William Fry Channell, 1840; Lord Campbell, 1850; Charles Crompton, 1852; William Ballantine, 1856; John Richard Quain, 1871; and William Field, 1875. Each ring bears its appropriate motto.

The Benchers' committee-room contains a fairly good collection of paintings and engravings relating to the Temple. The most interesting of these are undoubtedly two paintings said to have been executed by Hogarth in 1734, one of King's Bench Walk and the other of the Middle Temple Hall. Another painting which may be attributed to J. Maurer, and from which the engraving shown at page 68 was probably taken, was presented to the society by Mr. Lawson Walton, K.C., a Bencher of the Inn, and equally well known in the Courts and at Westminster.

#### CLOISTER COURT

The quadrangle formed by the church and the Master's house (originally said to be in a line with the church, on the site of the present garden) on the north, by Bradshaw's Rents on the east, by the Hall, Treasurer's house, library, Packington's and Babington's Rents on the south, was completed by the erection of chambers over the cloisters. When these were erected is unknown, but they were standing in 1526, for in that year we find a Mr. Grenfeld "admitted to a chamber over the cloisters." Only a portion, however, of these cloisters—that nearest the Hall—was built over.

The space thus enclosed was originally the burial-ground of the Knights Templars, as is evidenced by the discovery of some traces of their interments. It remained as an open space for recreation until the erection of Cæsar's Buildings in 1596, which were built at the chief charge of Sir Julius Cæsar, then Master of the Rolls and Treasurer of the House, a son of Cæsar Adelmare, the Italian physician to Queen Elizabeth. This site is now occupied by Lamb Building, the property of the Middle Temple. These buildings are described in our records for 1596 as "adjoining the upper end of the Hall," and three years later as "the new buildings adjoining to the north part of the Hall." It is difficult to assign any other site to them than that now occupied by Lamb Building, but I am free to confess that this site is open to doubt.

Abutting on the north-east corner of the cloisters formerly stood a row of small chambers and shops. These were built right up to the south wall of the church and reached nearly as far as the east end of the church, forming another quadrangle—*imperium in imperio*—known as Cloister Court. These buildings, which had been a constant source of danger to the church, were swept away early in the last century. This quadrangle then became known as Lamb Court, and later as Lamb Building, from the lamb painted over the door of the only building left.

#### TANFIELD COURT

With the erection of Cæsar's Buildings a second court was formed in the larger quadrangle, and Bradshaw's Rents becoming the residence of Sir Lawrence Tanfield, a great personage of the House, received the name of Tanfield Court. Henry Bradshaw, Chief Baron of the Exchequer in 1552, was one of the witnesses to the seal affixed by Edward VI. to the instrument settling the crown on Lady Jane Grey. His immediate successors at the Exchequer were David Brooke, Treasurer of the

House, Roger Manwood, one of the commissioners on the trial of Mary of Scotland, also a member of the House; and Lawrence Tanfield, one of the judges at the trial of the Countess of Somerset for the murder of Sir Thomas Overbury of the Middle Temple. For eighteen years Tanfield presided over the Court of Exchequer, with much credit for his independence, integrity, and learning. By some he is accused of being harsh, unjust, and even corrupt.

In Tanfield Court a cruel murder took place in 1733. For a few pounds a charwoman named Sarah Malcolm strangled an old lady, Mrs. Duncumbe, and cut the throat of her little maid, Anne Price. Malcolm was executed at the Fleet Street end of Mitre Court, after sitting for her portrait to Hogarth, with all the vanity engendered by her evil notoriety.

#### OLD BUILDINGS IN THE OUTER GARDEN

The Outer Garden, upon which from time to time chambers were erected, lay north of the church, and extended up to the houses in Fleet Street as far as Middle Temple Lane. We find in the records for the year 1567 an "order that the nuisance made by Woodye by building his house in the Outer Garden shall be abated and plucked down, or as much thereof as is upon Temple ground," and in a marginal note is the injunction, "The jettinge over of the building of Woodyy in the corner of the Utter Gardein to be pulled downe." And in 1565 occurs another order "for the plucking down of a study newly erected by the 'jakes' in the Outer Garden." Immediately north of the church, on the site of the present Goldsmith Building, a tower is marked on the map of 1671. This Mr. Inderwick, K.C., thinks is the Bastelle referred to in the records for 1510, when "a chamber where Edward Halys lay in 'le Bastelle' in the Outer Temple" was assigned to Pett and Audele. This would make the Outer Garden identical with the Outer Temple, which,

as we know, was certainly west of Middle Temple Lane. Other buildings probably in this neighbourhood were "le Barentyne" and "le Olyvaunte," names derived from the elephant, a well-known sign, and "le Talbott," meaning a white bloodhound, the crest of the Talbot family. On or about the site of Farrar's Building was, in 1338, the Bishop of Ely's town residence. Of all these, not even the names survive. With the exception, then, of the church and some portions of the Hall, all the mediæval buildings have disappeared. They have either been destroyed in the numerous fires which, with too great frequency, have occurred in the Temple, or have been pulled down to make room for more commodious dwellings. And indeed until some time subsequent to the building of the river wall in 1528, which was not far from the southernmost point of the present Paper Buildings, there does not appear to have been a single erection below the line drawn from Whitefriars Gate to Essex House. As to the dwellings above this line, the accommodation they appear to have afforded to lawyers and students alike can have been but scanty.

#### MITRE COURT BUILDINGS

Retracing our steps to the top of King's Bench Walk, or Exchequer Court, as the upper end of the walks was formerly called, we now find Mitre Court Buildings, the site of the old Fuller's Rents.

The first portion of these buildings was commenced in 1562, and in 1576 Francis Beaumont, afterwards a Justice of the Common Pleas, and father of Francis Beaumont the great dramatist, was admitted to a chamber in these buildings, and here probably his more famous son, who was admitted to the society on November 3rd, 1600, passed much of his time, if he did not actually share his father's room. The second part of Fuller's Rents, to the west, was not built till some years later, the first



tenant—a Mr. Raymond—being admitted to a chamber here in 1588.

The Middle Temple, about the commencement of Elizabeth's reign, attempted to deprive the Inner Temple of Lyon's Inn, one of the Inns of Chancery attached to the latter society. The Benchers of the Inner accordingly sought the good offices of Robert Dudley, afterwards Earl of Leicester, the then reigning favourite of Elizabeth. Whether the successful issue was due to the Earl's influence or not, the Benchers of the Inner Temple showed their gratitude by admitting Dudley, gratis, to a chamber at the south end of Fuller's Rents in 1576. In the next year they granted him a licence to extend the building, upon the site now occupied by No. 1, King's Bench Walk, for the purpose of an office, for he then held the post of Master of the Alienation Office.

Fuller's Rents had been built by John Fuller, Treasurer of our House in 1562. Master Fuller had previously in 1550, upon his refusal to take up the office of Reader, been expelled the House, and fined 100 marks. Upon his humble submission and promise two years later to read at the next vacation, he was pardoned and readmitted by the Bench.

Two other famous occupiers of Fuller's Rents were Sir Thomas Bromley and Sir Edward Coke. The former was a member of a distinguished legal family, and successively Recorder of London 1566, Solicitor-General 1569, and Keeper of the Great Seal and Lord Chancellor 1579. It was Sir Thomas who presided at Throckmorton's trial for his alleged participation in Wyatt's rebellion, and who joined with other judges in refusing to allow a witness produced by the prisoner to give evidence, and denying him the inspection of a statute upon which he relied. Bromley's summing up was so deficient, either from want of memory or good will, that Throckmorton "craved indifferency, and did help the judge's old memory with his own recital."



SIR EDWARD COKE



At the back of Fuller's Rents was a gate leading into Mitre Court and Ram Alley, and thence into The Street, as Fleet Street was called at that time.

So great was the nuisance caused by this entrance, owing to the disreputable houses in Ram Alley and Mitre Court, that in 1595 the gate was ordered by the Bench to be stopped up. This order was, however, apparently never really carried out, since we find in 1600 and 1602 regulations issued for its supervision, regulations which have been in force ever since. It was upon the complaint of Rowland Hinde and William Atkynson, in the former year, "that one Gibbes, dwelling in Ram Alley, late removed the posts which stood in the Temple ground, whereupon a door was wont to hang, and also built a staircase upon the ground of the Temple . . . and made two doors out of his kitchen opening into the Temple ground, and made forms for such as resort to his house upon the Temple ground to sit tippling and drinking, to the great annoy of the students and gentlemen of this House," that the Benchers ordered the nuisance to be abated, "or else Ram Alley door to be shut up." A house eventually effectually blocked up Ram Alley, which, subsequent to the year 1799, itself disappeared. But the passage which led from Mitre Court past Ram Alley into Serjeants' Inn still exists, and proceedings are now pending as to the right of the Benchers to close this gate. And although the gate between King's Bench Walk and Mitre Court is still religiously locked at eight o'clock, we may take it the tippling and drinking ceased, or no longer continued to shock the good breeding of the students and gentlemen of our House.

Sir Edward Coke was, perhaps, as Judge Willis says, the most illustrious member of our House. His "acute intellect, powerful memory, untiring industry, the variety of the offices he held, his courage in asserting the independence of the judges, his bold and daring efforts

to establish the rights and privileges of the citizen have made him the greatest figure this House presents."

A student of Clifford's Inn, he was entered of the Inner Temple in 1572, and in due course became Treasurer of the House. In 1588, at the request of the Earl of Warwick, he was admitted into the chambers in Fuller's Rents granted to the Earl of Leicester, which he retained until his death in 1634. The site of these chambers is now covered by Nos. 1 and 2, Mitre Court Buildings. Upon his elevation to the Bench, by the rules of the society, Sir Edward ceased to be one of the Fellows; but he, nevertheless, retained these rooms, from which he gained Serjeants' Inn by a private passage, still existing, past a small garden, and through a door now seldom, if ever, closed—the subject of the above-mentioned dispute.

It was by way of the Speakership in the House of Commons that Coke reached the Bench, like so many of his predecessors. His foulness of tongue is in singular contrast with his greatness of character, and not even the dignity of his high office appears to have restrained this unhappy blemish. In taking leave of the House he apologised for the unbecoming expressions into which his natural proclivities had too often led him.

Too independent for James I., he was, in 1616, removed from his office of Lord Chief Justice of the King's Bench, but appointed Treasurer of England in commission. In December, 1620, he was committed to the Tower, and his chambers searched and his papers taken away, "and yet nothing could be found in any of them to bring him into question." On August 8th, 1622, he was released, and subsequently sat in Parliament for Coventry, Norfolk, and Bucks. In July, 1634, a warrant was again issued to search his chambers in Fuller's Rents, and on the 3rd September following this true patriot and opponent of the royal prerogative, harassed to the last, died at Stoke Pogis, in the eighty-eighth year of his age.

His portrait by Van Somer, presented by his daughter, Mrs. Sadler, many years after, hangs in the Hall, and many of his books may be found on the shelves in our library.

The present building, which replaced the old chambers where Charles Lamb and his sister once lodged, was erected in 1830. In removing the foundations of these old chambers, a number of Irish labourers employed upon the work struck upon a hoard of guineas, which they proceeded to distribute amongst themselves, but falling out over the division of the spoil, they were discovered by Mr. Gurney, clerk of the works, and were all taken into custody and searched, when guineas of all the sovereigns from Charles II. to George II., to the number of sixty-seven, were found upon their persons.

It is of these chambers, in the attic story at No. 16, that Lamb writes to Manning. "Bring your glass," he cries exultantly, "and I will show you the Surrey Hills." His bed faced the river, so that without much wrying his neck he could see the white sails glide by the bottom of King's Bench Walk as he lay abed. "The best room," he adds, "has an excellent tip-toe prospect, casement windows with small panes—to look more like a cottage."

#### KING'S BENCH WALK

In the earliest known map of London, dated 1543, and made by Antonio van den Wyngaerde, houses along the site of King's Bench Walk are shown, with the garden and trees down to the waterside, and a pathway running along the river bank from Bridewell on the east to the Savoy on the west, which was left untouched by the wall built in the reign of Henry VIII.

The earliest erections on the east side of the Walk of which we have mention are Black Buildings, erected in the same year as Fuller's Rents by Benham, Bouchier, and Williams near the Alienation Office. These were

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pulled down in 1663 for the enlargement of the walks. In the accounts for 1646 there is an item of £18 10s. 10d. for their repair, and again in 1659 a sum of £37 11s. for a similar purpose.

In 1577 licence was granted to a Mr. Harrison "to build next Friars' Wall." This was the wall dividing Whitefriars from the Temple, and these buildings are described as "standing up or near the White Friars' Wall there," and were the last buildings in the row. They probably occupied the site of No. 11 or 12, King's Bench Walk. The old garden of the Alienation Office still lies between No. 3, King's Bench Walk, and Serjeants' Inn.

After the destruction of these buildings in the Great Fire the Bench resumed possession of the garden, which became known indifferently as the "Benchers' garden," the "privy garden," or the "little garden." It was laid out after the Dutch style with walks and grass plats, and a fountain, with a lion's head and a copper scallop shell to catch the water, was erected in the centre. Orange trees in tubs were placed along the walks, and tulip beds of fantastic designs cut out in the grass plats.

In later years, as fresh buildings arose around it, this little pleasaunce was entirely neglected, and is now given up to sheds for the machinery used for supplying the Hall and library with electric light, and to a lecture-room where students may imbibe the first principles of law, where the Hardwicke Society holds its debates, and where the Templar entitled to a vote in respect of his chambers may exercise the franchise in parliamentary and municipal elections.

To the annual dinner held by the Hardwicke Society—a function attended by many of the judges and leading counsel—it is customary to invite as the guest of the evening some distinguished lawyer.

The last occasion, on June 5th, 1901, was exceptionally interesting from the presence of that brilliant advocate of

the French Bar, Maître Labori, as the guest of the evening. The enthusiastic reception accorded was not merely a note of admiration for a distinguished advocate, nor was it merely an expression of good feeling on the part of the English Bar towards the Bar of France, but it signified the outspoken assertion of the paramount right of an advocate to discharge without fear or favour his duty to his client. "It had been said," exclaimed M. Labori, "that without independence there was no Bar. It was no less true to add that without a Bar there was no independence for the nation."

In the Great Fire of 1666 the whole of the buildings in the King's Bench Walk appear to have been destroyed. Scarcely had these, or some of them, been rebuilt, when, in October, 1677, a second fire broke out, and the new buildings were likewise burned down. That this fire did not prove so disastrous to the Inn as the Great Fire was due in a large measure to the precautions taken by the Masters of the Bench, who had availed themselves of the latest methods, such as they were, of extinguishing fires. In the previous October a committee had sat "to consider all necessary means to prevent any accidental fire in this society, *and to view the engine*, and to report what further number of buckets will be necessary to be added to the former, now hung up in the Hall."

Exactly how much suffered in the second fire is not known, but a very considerable proportion must have been destroyed. The King's Bench Office at the bottom of the walks, we know, was burnt down. No. 4 was rebuilt in 1678, as the stone tablet over the door testifies; and No. 5, a particularly fine example of a Jacobean town mansion, in 1684. From the petitions of persons burnt out, it is clear that houses on either side of the Whitefriars Gate suffered. Hampson's Buildings, "the southernmost staircase in the King's Bench Buildings," and Robinson's Buildings adjoining, were both destroyed. In the

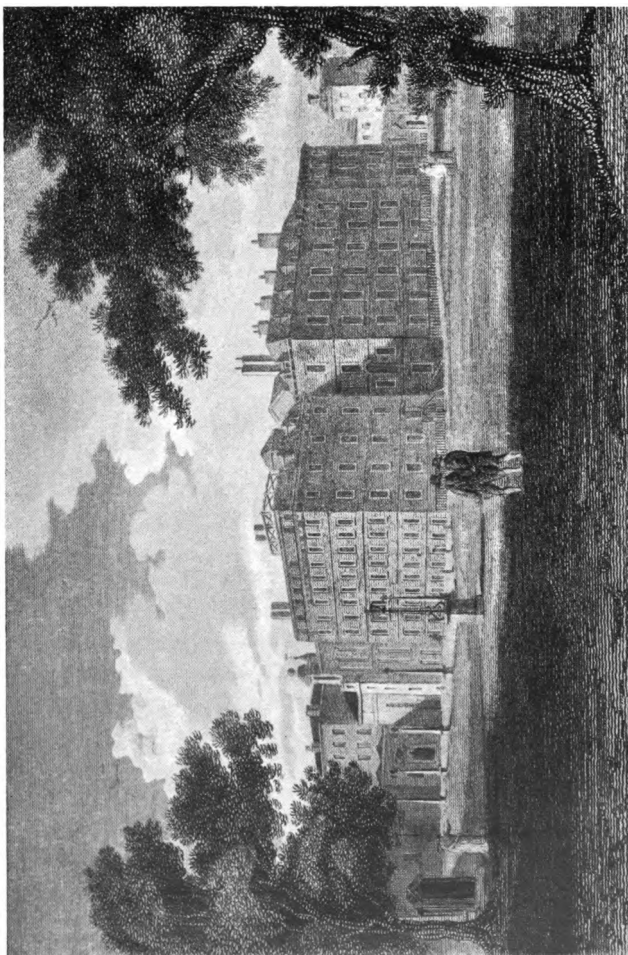


latter a fire broke out in the long vacation of 1683, in which Sir Thomas Robinson lost his life.

At No. 1 was to be found in 1819 James Scarlett, afterwards Baron Abinger of Abinger in Surrey. In early years a Whig, Scarlett became Attorney-General in Canning's ministry of 1827. He continued to hold this office under the Duke of Wellington, but on this minister's downfall he resigned, and threw in his lot with the Tories. In the debate on the second reading of the Reform Bill in 1831, he declared that if the Bill passed it would "begin by destroying the House, and end in destroying the other branches of the constitution"—a gloomy foreboding happily still unfulfilled.

When at the Bar, Scarlett was himself defendant in an action for slandering the plaintiff's attorney in a case tried at the Lancaster Assizes in 1817, in which he had appeared for the defendant. He certainly had attacked the unfortunate attorney in no measured terms, describing him as "a fraudulent and wicked attorney," terms, however, which appear to have been fully warranted by the facts of the case. It was held by the Court (Lord Ellenborough, C.J., presiding) that the words were spoken in the cause, were relevant and pertinent to it, and consequently the action could not be maintained. *Hodgson v. Scarlett* thus became the leading case upon the privilege of counsel in conducting a cause. As a stuff-gownsmen Scarlett earned the sobriquet of "Verdict-getter," so successful was he with juries, and upon his elevation to the Bench in 1834, as Chief Baron of the Exchequer, his income amounted to £17,000 a year. Upon his creation as Baron Abinger, he became known in his family as "Bingie." An indifferent sportsman, he was once staying at his brother's for the shooting. The day wore on without the Chief Baron having ruffled a feather. At last one of the beaters, as a bird got up, cried out, "Let little Bingie 'ave a shot; 'e can't 'it a barn-door!" This was too much for the Chief





OLD HALL, LIBRARY AND OTHER OLD BUILDINGS, INNER TEMPLE

Baron, who, with a muttered oath and "I can't stand this," beat a hasty and ignominious retreat.

In 1824 Mr. Scarlett was Treasurer of our House.

During the latter part of his career at the Bar Scarlett occupied chambers at No. 2, King's Bench Walk, where is now to be found His Honour Judge William Willis, K.C., one of the most popular men in the Temple, and the present Treasurer of the Inner Temple. Mr. Willis is the author of *The Society and Fellowship of the Inner Temple*, a brochure dealing with the distinguished members of our House. His chambers are shared by Mr. Bargrave Deane, K.C., a well-known advocate in the Divorce Court, and son of the late Sir James Parker Deane, the great ecclesiastical lawyer. Both father and son were Masters of the Bench of our House together for many years—a unique experience. It was at No. 5 that William Murray, afterwards the celebrated Lord Mansfield, occupied the chambers referred to by Colley Cibber in his parody of the well-known lines by Pope:—

"Persuasion tips his tongue whene'er he talks,  
And he has chambers in the King's Bench Walks."

Coming somewhat late to the Bar, Murray delighted in mixing with the great intellects of the day. With other well-known men, Pope was a constant visitor at No. 5, and the intimacy which sprang up between them was never broken, as some of Pope's other friendships were. Early in Murray's career the poet predicted for his pupil in the art of elocution a great career. In his *Epistle to Mr. Murray*, dated 1737, Pope asks:—

"And what is fame? The meanest have their day;  
The greatest can but blaze and pass away.  
Graced as thou art, with all the power of words,  
So known, so honoured, at the House of Lords."

Murray's first great case was the defence of the Provost and Councillors of Edinburgh for their share in the Porteous Riots, and the reference by Pope to the House

of Lords is in allusion to Murray's successful appearance in a large number of appeals to that House. The lines immediately following contain an exquisite compliment and a prophecy singularly fulfilled more than half a century afterwards :—

“Conspicuous scene! another yet is nigh,  
 (More silent far) where kings and poets lie;  
 Where Murray (long enough his country's pride)  
 Shall be no more than Tully or than Hyde.”

In the statesmen's aisle in Westminster Abbey may be seen the statue raised to the memory of this great man, “a character above all praise, the oracle of law, the standard of eloquence, and the pattern of all virtue both in public and private life.”

This statue was designed by Flaxman from the portrait by Sir Joshua Reynolds, reproduced here.

At No. 5 also Murray was pestered with visits from Sarah, the famous Duchess of Marlborough, who had sent him a general retaining fee of one thousand guineas, which, however, he promptly returned. At the trial of Horne Tooke in 1777 for libel, Lord Mansfield was the presiding judge, and he no doubt used his persuasive powers with the jury, as he did with the Benchers of the Inner Temple when they refused, two years later, to call Horne Tooke to the Bar—a man who would have been an ornament to the profession. His rejection—ostensibly because he was still a clergyman—was as much due to the mean jealousy of certain practising Benchers as to the political bias of the great judge. When put on his trial for high treason, Horne Tooke conducted his defence so ably as to baffle both the Bench and the Bar, and his usual good-humour never forsook him. One cold night, on returning from the Old Bailey to Newgate, a lady came up and put a silk handkerchief round his neck, when he exclaimed, “Pray, madam, be careful; I am rather ticklish at present about that particular place!”

Another notable inmate of No. 5 was Frederick Thesiger, who commenced life as a midshipman, and was present in 1807 on board the *Cambrian* at the second bombardment of Copenhagen. Becoming heir to his father's West India estates, he left the navy and entered Gray's Inn, by which society he was called in 1818.



NO 5 KING'S BENCH WALK

Amongst his early cases was an action of ejectment against his client, a lord of a manor, tried at Chelmsford, which brought him into such repute that, when raised to the peerage, he chose the title of Chelmsford in remembrance of his first great success.

Of his *causes célèbres* perhaps the most remarkable was that in which he exposed the fraudulent pretensions

of the plaintiff to be the son of Sir Hugh Smyth, and as such entitled to large estates in Gloucestershire and other counties. This case no doubt formed the basis for Samuel Warren's *Ten Thousand a Year*. He was also junior counsel with John Campbell and Talfourd in the celebrated *crim. con.* suit by Mr. Norton against Lord Melbourne. He followed Sir William Webb Follett, both as Solicitor and Attorney-General, and in 1852 received the Great Seal at the hands of Lord Derby. When Lord Chancellor he was sued by Mrs. Swinfen for alleged negligence as her counsel in the case of *Swinfen v. Swinfen*.

In 1832 Thesiger occupied chambers at 5, Brick Court, and from 1839 to 1842 in Twisden Buildings.

Other notable tenants of chambers in King's Bench Walk were: Serjeant Parry, a member of the Middle Temple, at No. 8, erected in 1782; Mr. Justice Manisty, at No. 9, who occupied the room in which these lines were penned until his elevation to the Bench; Sir William Webb Follett, and Mr. Justice Bucknill, who delights to be known to his friends in the Temple (and they are legion) as "plain Tommy Bucknill," at No. 10; and Colin Blackburn (eventually one of the Lords of Appeal), at No. 5, in 1840, a man of immense legal capacity and mental power, whose judgments in the House of Lords are distinguished for their knowledge and for their grasp of legal principles. At No. 12, the last house but one at the bottom of the Walk, was to be found, in 1850, Samuel Warren, q.c., a member of a long line of lawyers, himself a lawyer, politician, and novelist, and Treasurer of our House.

His *Ten Thousand a Year* had an enormous sale. Mr. Quicksilver, counsel for Titmouse in *Doe D. Titmouse v. Aubrey*, was an open caricature of Lord Brougham, whilst the immaculate Aubrey's counsel was inspired, I fancy, by Frederick Thesiger. The original of the famous firm of "Quirk, Gammon, and Snap," is said to have been "Harmer, Flower, and Steele."



WILLIAM MURRAY, EARL OF MANSFIELD





One of the great objects in this book was to hold up to ridicule the absurd old action of ejectment, a production designed to rival in legal absurdity the case of *Bardell v. Pickwick*, in Dickens's immortal work, but a production somewhat marred by the learned author's too pronounced



LOWER KING'S BENCH WALK.

political opinions. These are the chambers which he describes in his novel as "this green old solitude, where I am writing, pleasantly recalling long past scenes of the bustling professional life."

His literary vanity was colossal. Appointed to a Mastership in Lunacy by Lord Chelmsford (Frederick Thesiger), he arranged for a dramatic farewell to the

House of Commons ; but the moment was unpropitious, and the attempt was a fiasco. The House does not tolerate such demonstrations, except at the hands of its greatest. Upon the report that Warren had refused this appointment, Disraeli remarked that "a writ *de lunatico inquirendo* would have to be issued for Mr. Warren."

He seemed to imagine, writes Serjeant Robinson, that society in general spent all its spare time in thinking of him and admiring his productions.

In chambers he was to be found with a huge pile of papers before him, as if engaged in getting up some great case. Whilst thus occupied he received one day a call from his friend Sir Henry Davison, upon whom he endeavoured to impress the extent of his practice and the select circle in which he moved.

"In fact, we ought to dine," he said, "to-night with Lord and Lady Lyndhurst, but I have been obliged to refuse on conscientious grounds."

"Oh," said Davison, "I am invited too. I will mention that I have found you overwhelmed with work."

"I would rather you did not name the subject," said Warren; "my wife has already sent an excuse to Lady Lyndhurst."

"Nonsense," said Davison; "I shall be able to confirm her statement of your inability to attend."

"You will oblige me by saying nothing about it," replied Warren. "Your statement might clash with the excuse my wife has given, and I am not aware of what she wrote."

Finding Davison not to be diverted, Warren at last confessed that he had only been joking, and had not received any invitation at all.

"Neither have I," said Davison. "I was joking too!"

In spite of these little weaknesses, Warren was a lovable character and a distinguished ornament of our House.

## PAPER BUILDINGS

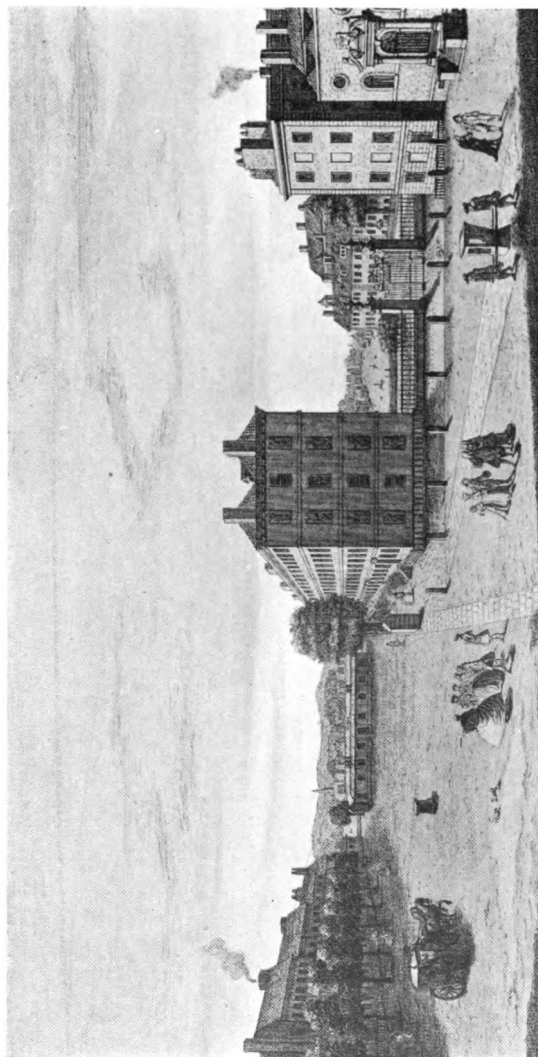
Heyward's Buildings, on the western side of the Walks, were erected about the year 1610 by one Edward Heyward, who had for his chamber-fellow here the great John Selden, perhaps the most celebrated lawyer of his own time. Upon their site now stand Paper Buildings, and on the very spot where Selden lodged and wrote his great treatise, *Mare Clausum*, at No. 1, are the chambers occupied by Mr. Asquith, K.C., M.P., Home Secretary in the last Gladstonian Ministry. By returning to his practice at the Bar, Mr. Asquith has destroyed the old tradition that an ex-Home Secretary must not appear before the judges whose decisions he may have had to review. These buildings were four stories high. The topmost had an open gallery, and in one of these rooms overlooking the gardens Selden lived. In 1620, upon the "dis-admittance" of Heyward, Selden was admitted, upon a fine of 40s., to the whole set, since the double chamber was "but little, and had but one bed-chamber."

Selden took a prominent part in affairs of State in those stirring times. Although trusted and consulted by James, he suffered imprisonment at his hands in 1621. He was one of the managers of Buckingham's impeachment in 1626, and in the following year defended Hampden. He also assisted to hold down the Speaker in the chair on that memorable occasion when Holles read the "Protest," for which action he was arrested, and stood again in danger of imprisonment. He died in 1654 at the mansion of the Earls of Kent in Whitefriars, where he had rooms for many years, and where his famous library of 8,000 volumes was lodged. He left the large fortune of £40,000, his executors being Sir Matthew Hale, Sir John Vaughan, his old friend Heyward, and Roland Jewkes. He was magnificently buried in the Temple Church, "near the steps where the saints' bell

hangeth," at night, after the primitive custom of the early Christians, his funeral being attended by all the great men of the day. In an old print, dated 1755, a small belfry is shown over the west gable of the south aisle. His refusal to perform the office of Reader to Lyon's Inn brought him into collision with the Bench. He was fined £20, and disqualified to be called to the Bench or to be Reader of the House. Having made his peace, he was, eight years later, reinstated, and the following year called to the Bench.

Edward Law, the celebrated Lord Ellenborough, after being called to the Bar by Lincoln's Inn, became a member of our House in 1783, and in 1785 we find him at No. 6, Paper Buildings. He was leading counsel for the defence of Warren Hastings, and in 1802 he was created Chief Justice of the King's Bench, the last holder of that office to sit in the Cabinet. He was one of the greatest of our Common Law judges. His son Edward became Governor-General of India and first Earl of Ellenborough. He married for his second wife a lady of great beauty and accomplishments, from whom he obtained a divorce in 1830 for misconduct with Prince Schwarzenburg. Lady Ellenborough is said to have been the mistress of the King of Bavaria, although married to one of his barons. After a career of adventure in Europe the lady married at Damascus the Sheikh Mijwal, and lived for many years in the desert.

Another distinguished member of our House is Stephen Lushington, who, called to the Bar in 1806, was to be found the following year at No. 14, Paper Buildings. Returned for Great Yarmouth in the Whig interest, Lushington, an ardent reformer, took an active and leading part in the great political questions of the day. His ability as counsel was evidenced by his masterly speech in the defence of Queen Caroline. As Judge of the High Court of Admiralty, and as Dean of Arches in



A PERSPECTIVE VIEW OF THE TEMPLE NEXT THE RIVERSIDE



• matters ecclesiastical, he attained the highest eminence. He died in the ninety-second year of his age at Ockham Park, still one of Surrey's beauty spots.

Edward Hall Alderson, called in 1811 by the Inner Temple, a few years later also had chambers at No. 14. After a most distinguished career at Cambridge—he was Senior Wrangler, first Smith's prizeman, and first Chancellor's medallist, a treble event only once equalled, and never excelled—he became a pupil of the great Chitty, and ultimately Baron Alderson, of the Court of Exchequer. By lawyers he is remembered as the author of *Barnewall and Alderson's Reports*, but by the public as the father of the late talented Marchioness of Salisbury, whose romantic marriage with Lord Robert Cecil, now Prime Minister, is matter of history. Their second son, Lord Robert Cecil, K.C., occupies chambers at 4, Paper Buildings, not very far from the site of his grandfather's rooms.

Two other eminent men, not lawyers, George Canning, the statesman, and Samuel Rogers, the poet, lived in these buildings in 1792, when the latter published his *Pleasures of Memory*, a production which appealed so strongly to the taste of the day. Rogers was an intimate of Fox, Sheridan, and Horne Tooke, and spent some time with Byron and Shelley at Pisa.

It was to these chambers that Rogers relates how Mackintosh and Richard Sharpe used to resort and stay for hours arguing metaphysics, to such extent indeed that Rogers used to leave them to it and go out, pay his visits, transact his business, and return only to find them still at it, and quite oblivious of his absence.

Rogers was a great talker himself, and in company would brook no rival. He used to tell an amusing story of a duel between an Englishman and a Frenchman, the latter of whom had insisted upon fighting in a dark room. The Englishman, unwilling to hurt his antagonist, when



his turn came to shoot fired up the chimney, when to his astonishment down came the Frenchman, who had taken refuge there. "But," added Rogers, with a sly wink, "when I tell that story in Paris, it is the Englishman who gets up the chimney."

Two new buildings, said by contemporary writers to be "very elegant," were added in 1830 to the south-east wing.

At the time of their destruction by fire in 1838, John Campbell, afterwards the famous Lord Chancellor, and Sir John Maule were inmates. In fact, the story goes that the latter, before retiring to rest after a convivial evening, carefully placed his lighted candle under his bed! At any rate the fire broke out in Maule's room, but perhaps it would be more charitable to accept Campbell's version, that "he had gone to bed, leaving a candle burning by his bedside."

These were the buildings referred to by Charles Lamb when he demanded, in his essay on *The Old Benchers*, "Who has removed those frescoes of the Virtues, which Italianised the end of Paper Buildings?—my first hint of allegory!" In the illustration at page 6 these frescoes or sculptures, the removal of which so roused Lamb's ire, may be faintly discerned.

At No. 2 the late Sir Frank Lockwood, Q.C., had chambers. His cheery, genial presence and unfailing wit and humour will not readily be forgotten in the Temple or in the Courts. He was Solicitor-General in the last Liberal Administration.

A very characteristic story is told of Maule, which is said to have been the immediate cause of the Divorce Act. Addressing a hawker convicted of bigamy, he said: "You have broken the laws of your country. You had a drunken, unfaithful wife, the curse of your existence and her own. You knew the remedy the law gave you, to bring an action against the seducer, recover

damages from him, then go to the House of Lords and get a divorce. It would have cost you altogether £1,000. You may say you never had a tenth of that sum : that is no defence in law. Sitting here as an English judge, it is my duty to tell you that this is not a country in which there is one law for the rich and another for the poor. Your sentence is one day's imprisonment."

#### CROWN OFFICE ROW

It was at No. 2, Crown Office Row, in a back room, that Charles Lamb was born, and here he spent the first twenty years of his life. These buildings were erected in 1737, partly replacing the row of chambers rebuilt in 1628, described by Dugdale as "the Great Brick Buildings over against the Garden." Upon the terrace hard by paced the lawyers whom Lamb has depicted so delightfully in *The Old Benchers of the Inner Temple*.

Here walked to and fro Jekyll with the roguish eye, ever ready to be delivered of a jest ; Thomas Coventry, of elephantine step, "the scarecrow of inferiors, the brow-beater of equals and superiors, the terror of children wherever he came, for they fled his insufferable presence as they would have shunned an Elisha bear" ; Peter Pierson, benevolent but ugly ; Daines Barrington, "another oddity" ; old Barton, "a jolly negation" ; Read and Twopenny, the one good-humoured and personable, the other thin and felicitous ; Wharry, with the "singular gait," which did not seem to advance him faster than other people ; the omniscient Jackson, the Friar Bacon of the less literate portion of the Temple ; Mingay, with the iron hand ; and last, but not least, the genial Salt, the life-long benefactor of John Lamb and his children, who had acquired a great reputation for learning, but who was wont to hand over any perplexing opinion to Lovell (Lamb's father), his clerk and factotum, to be elucidated

by the light of nature, or by such common sense as the worthy Lovell possessed.

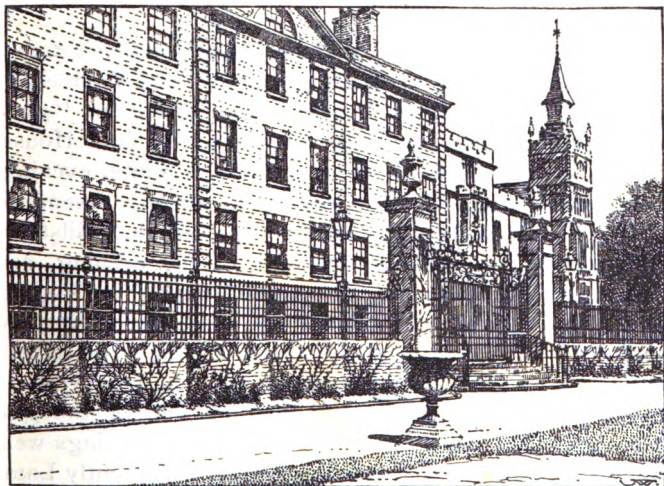
After living elsewhere, Lamb returned with his sister, in the year 1800, to his beloved Temple, residing for the first eight years at No. 16, Mitre Court Buildings, and for the last nine years on the third and fourth floors of No. 4, Inner Temple Lane, looking from the back windows into Hare Court, with its pump, and trees rustling against the window-pane. The three trees are still there, but the old pump has vanished.

“Do you know it?” Lamb wrote to Manning. “I was born near it, and used to drink at that pump when I was a Rechabite of six years old. Here I hope to set up my rest, and not to quit till Mr. Powell, the undertaker, gives me notice that I may have possession of my last lodging.” This hope was, however, not realised, for he left the Temple for good and died at Edmonton in 1834.

Few would accuse Lamb of intemperance. Still, the following letter to his physician at Enfield shows that the best of us sometimes fall from grace :—

“DEAR SIR,—It is an observation of a wise man that ‘moderation is best in all things.’ I cannot agree with him ‘in liquor.’ There is a smoothness and oiliness in wine that makes it go down by a natural channel which I am positive was made for that descending. Else, why does not wine choke us? Could Nature have made that sloping lane, not to facilitate the downgoing? She does nothing in vain. You know that better than I. You know how often she has helped you at a dead lift, and how much better entitled she is to a fee than yourself sometimes when you carry off the credit. Still, there is something due to manners and customs, and I should apologise to you and Mrs. A. for being absolutely carried home upon a man’s shoulders through Silver Street, up Parson’s Lane, by the Chapels (which might have taught me better), and then to be deposited like a dead log at Gaffar Westwood’s, who, it seems, does not ‘insure’ against intoxication. Not that the mode of conveyance

is objectionable. On the contrary, it is more easy than a one-horse chaise. . . . I protest I thought myself in a palanquin, and never felt myself so grandly carried. It was a slave under me. There was I, all but my reason. And what is reason? And what is the loss of it? And how often in a day do we do without it just as well? Reason is only counting two and two makes four. And if on my passage home I thought it made five, what matter? Two and two will just make four, as it always did before I took the finishing glass that did my business. My sister has begged me to write an apology to Mrs. A. and you for disgracing your party. Now, it does seem to me that I rather honoured your party, for everyone that was not drunk (and one or two of the ladies, I am sure, were not) must have been set off greatly in the contrast to me. I was the scapegoat. The soberer they seemed. By the way, is magnesia good on these occasions? Three ounces of pol med sum ante noct in rub can. I am no licentiate,



Nº 2 · CROWN OFFICE ROW ·

but know enough of simples to beg you to send me a draught after this model. But still you will say (or the men and maids at your house will say) that it is not a seemly sight for an old gentleman to go home pick-a-back. Well, maybe it is not. But I never studied grace. I take it to be a mere superficial accomplishment. I regard more the internal acquisitions. The great object after supper is to get home, and whether that is obtained in a horizontal posture or perpendicular (as foolish men and apes affect for dignity) I think is little to the purpose. The end is always greater than the means. Here I am, able to compose a sensible, rational apology, and what signifies how I got here? I have just sense enough to remember I was very happy last night, and to thank our kind host and hostess, and that's sense enough, I hope.

“CHARLES LAMB.”

I should add that a copy of this letter was handed to me for publication by the daughter of Mr. A—, at whose house, during the years 1829–32, Lamb was a constant visitor.

Serjeant Talfourd, the intimate friend and biographer of Lamb, has left us a graphic picture of those Wednesday nights at No. 4, Inner Temple Lane, which for “good talk” he compares with the dinners at Holland House. In No. 4, at ten o'clock of an autumn or winter evening, the sedater part of the company is already assembled round a blazing fire and clean-swept hearth, whilst the whist-tables suggest the business of the evening, and the stragglers from the play are beginning to drop in. “The furniture is old-fashioned and worn, the ceiling low and not wholly unstained by traces of ‘the great plant,’ though now virtuously forborne; but the Hogarths, in narrow black frames, abounding in infinite thought, humour, and pathos, enrich the walls; and all things wear an air of comfort and English welcome.” Presently Lamb himself, yet unrelaxed by the glass, may be seen sitting with a sort of Quaker primness at the whist-table, the





*Finds ratherish unwell*  
*W<sup>m</sup> Lamb*

gentleness of his melancholy smile half lost in his intentness on the game, with Godwin, the author of *Political Justice*, as his partner. Their opponents are Admiral Burney, a pupil of Eugene Aram and stout-hearted voyager with Captain Cook in his voyage round the world, and H. C. Rickman, the sturdiest of jovial companions, severe in the discipline of whist as at the table of the House of Commons, where he was the principal clerk.

At another table, just outside the fireside circle, John Lamb, the burly, jovial brother, confronts the stately but courteous Alsager, while Procter, his few hairs bristling at gentle oburgation, watches his partner M. Burney dealing, with "soul more white" than the hands of which Lamb once said, "Martin, if dirt was trumps, what hands you would hold."

In one corner you may listen to Charles Lloyd debating the theory of "free-will" with Leigh Hunt, or to Basil Montague, who is pouring into the outstretched ear of George Dyer some tale of legalised injustice. The room fills up: in slouches William Hazlitt from the theatre, where his stubborn anger for Napoleon's defeat at Waterloo has been softened by Miss Stephen's angelic notes; whilst Kenny, with tremulous pleasure, announces a crowded house to the ninth representation of his new comedy, of which Lamb lays down his cards to inquire, or Ayrton, mildly radiant, whispers the continual triumph of *Don Giovanni*. Later Liston looks in, or Miss Kelly, the rage of the town, or Charles Kemble, fresh from the play.

"Meanwhile Becky lays the cloth on the side-table, under the direction of the most quiet, sensible, and kind of women—who soon compels the younger and more hungry of the guests to partake largely of the cold roast lamb or boiled beef, the heaps of smoking roasted potatoes and the vast jug of porter, often replenished from the foaming pots, which the best tap of Fleet Street supplies. . . . As the hot water and its accompaniments appear,



and the severities of whist relax, the light of conversation thickens. . . . Lamb stammers out puns suggestive of wisdom for happy Barron Field to admire and echo ; the various dribblets of talk combine into a stream, while Miss Lamb moves gently about to see that each modest stranger is duly served, turning, now and then, an anxious, loving eye on Charles, which is softened into a half-humorous expression of resignation to inevitable fate, as he mixes his second tumbler!" What, then, if Lamb did occasionally conform to the custom of his time? Who are we moderns to cast a stone at the noblest and most generous of mankind?

And here, too, though but rarely, came Samuel Taylor Coleridge, and when he talked a hush fell on that little circle. Critics, philosophers, and poets were content to listen ; toil-worn lawyers, clerks from the India House, and members of the Stock Exchange grew romantic as he lavishly outpoured the riches of a master mind.

"Gone ; all are gone, the old familiar faces," and yet at the bidding of the learned Serjeant that Temple attic, now but a shade, is thronged once more with that brilliant little crowd.

The Daines Barrington whose eccentricities attracted Lamb's attention cut a very poor figure at the English Bar, though he was successively promoted to be one of the King's Counsel and a Welsh judge. These judge-ships during the eighteenth century were given to briefless barristers for political services.

The Hon. Daines was Treasurer of the Inner, and had chambers at No. 5, King's Bench Walk. When the accounts of his treasurership came to be audited, the following singular charge was unanimously disallowed by the Bench, viz. "Item disbursed : Mr. Allen, the gardener, twenty shillings for stuff to poison the sparrows by my orders."

Such reputation as he had was literary rather than

legal, and he has incurred the wrath of Serjeant Pulling for his attempt to belittle the noble and ancient Order of the Coif.

Whether he was made a Welsh judge for his *Account of some Fish in Wales*, or whether his treatise on Welsh fish was due to his experiences as a Welsh judge, is a question too delicate to be discussed here. Nevertheless, he was regarded by his contemporaries as a sound lawyer; but possessed of an ample fortune, he preferred to devote his energies rather to the study of archæology and natural history than the practice of the law. Held in the highest respect for his integrity, and loved by all for a charming personality, he died at No. 5 in 1800, and was buried in the Temple Church.

Joseph Jekyll, K.C., M.P. for Calne, and Solicitor-General to the Prince of Wales, occupied chambers in 1805 at No. 6, King's Bench Walk. It was the small pocket borough of Calne which returned Charles Townshend, and subsequently sent T. B. Macaulay to the House. After this incident the following lines appeared:—

“Jekyll, the wag of law, the scribbler's pride,  
Calne to the Senate sent when Townshend died;  
So Lansdowne willed the hoarse old rook to rest,  
A jackdaw phoenix chatters from his nest.”

Of him, Lord Colchester, his connection, said: “First-rate for convivial wit and pleasantry, and admired by all. A frequent speaker in Parliament, but absolutely without weight even in his own party. Rancorous in language, feeble in argument, and empty of ideas, few people applaud his rising, and everybody is glad when he sits down.” The latter sentiment might be expressed with equal truth upon the performances of some of our legislators of to-day.

At No. 4, James Mingay, Recorder of Aldborough, was to be found in the year 1783.

John Reade (not Read) lived at 16, Mitre Court

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Buildings, in 1805, and in the same year we find J. B. Barton at the same address, and, perhaps, sharing the same chambers, but the "old Barton" referred to by Lamb was more probably Thomas Barton, the Bencher, who had chambers in King's Bench Walk.

Randle Jackson, in 1810, resided at 14, Paper Buildings, and William Jackson at 2, Garden Court, though the former is more probably the one referred to by Lamb. Randle, by the way, was a Bencher of the Middle Temple, and died, as a tablet to his memory in the triforium testifies, in 1837. The names of Coventry, Pierson, Twopenny, and Wharry, however, do not appear in the Law Lists of the period, but a monumental tablet in the triforium describes Peter Pierson as a Bencher of the Inner Temple. He died in 1808. There is also a similar memorial to John Wharry, described as a Bencher of the same society. He died in 1812.

On the same staircase with the witty Jekyll, the favourite adviser of Prince George, lived the younger Colman. His chambers have been described as "furnished with a tent-bedstead, two tables, half a dozen chairs, and a carpet as much too scanty for the boards as Sheridan's 'rivulet of rhyme' for its 'meadow of margin.'" Here his father left him with £10 worth of old law books, and no sooner had the elder Colman turned his back on the Temple than the youngster set off to Gretna Green with Miss Catherine Morris, an actress of the Haymarket. He was a student of Lincoln's Inn.

The Thomas Coventry referred to by Lamb was a descendant of Lord Keeper Coventry, a Bencher of the Inner, 1614.

Baron Maseres, who lived near Lamb in Mitre Court, is also mentioned by him for his eccentricity in walking about in the costume of George II.

Although no mean lawyer, Maseres was better known as an antiquary of some distinction.

Another famous writer intimately associated with the Temple is William Makepeace Thackeray. Born at Calcutta in 1811, little Thackeray came to England after the death of his father, in 1817, and in due course went to Charterhouse, where he somewhat belied his second name by his celebrated fight with Venables on the Lower Green. This singular name, according to the family tradition, is derived from some ancestor who had figured as a Protestant martyr in the reign of Philip and Mary.

In 1831 young Thackeray became a member of the Middle Temple, and commenced his legal studies by reading with Mr. William Taprell, a special pleader, whose chambers were at 1, Hare Court.

Special pleading in those days was a branch quite distinct from advocacy, and its study had no attraction for Thackeray, who denounced this part of a barrister's education "as one of the most cold-blooded, prejudiced pieces of invention that ever man was slave to." So disgusted was Thackeray that within a twelvemonth he threw up all idea of entering the legal profession and devoted himself to literary pursuits. That his genius took a direction other than the law is fortunate for us, since he has bequeathed to posterity some of the most delightful pictures of life in the Temple to be found throughout English literature. Of these pictures many indeed are as faithful representations of Temple life as when they were drawn, for lawyers are everywhere a conservative class, and perhaps nowhere more so than in the Temple, within whose precincts old customs and bygone manners survive in all their pristine strength to remind us of the "long ago." It may still be said, for instance, of dining in the Middle Temple Hall, as when Thackeray sat at mess in his student's gown, "that with some trifling improvements and anachronisms, which have been introduced into the practice there, a man may sit

down and fancy that he joins in a meal of the seventeenth century."

It was soon after the publication of *Vanity Fair* that Thackeray's friend and patron, Monckton Milnes, conceived the idea of obtaining for the novelist a London magistracy, and with a view to this appointment Thackeray returned to the Temple, and was called to the Bar by the Middle Temple on May 26th, 1848. Both Milnes and Thackeray, however, had overlooked the necessary qualification, viz. seven years' standing at the Bar, and the project accordingly fell to the ground. Nevertheless, Thackeray took chambers at 10, Crown Office Row. These chambers, Mr. Loftie asserts, he shared with Tom Taylor, the dramatist and subsequent editor of *Punch*, with which Thackeray was then connected. For this allegation I can find no direct confirmation. On the contrary, Tom Taylor's chambers were at this period at 3, Fig Tree Court. Thackeray occupied the chambers at 10, Crown Office Row, till the year 1850-1, and for the following two years he had no address in the Temple. In 1853, however, he migrated to No. 2, Brick Court, which address appears in the Law Lists up to 1859, and till his death, in 1863, his name still appeared, an indication of his affection for the Temple he loved so well.

From a poem by Tom Taylor, published in W. G. Thornbury's *Two Centuries of Song*, entitled "Ten Crown Office Row: a Templar's Tribute to his Old Chambers and his Old Chum," it is clear that these chambers formed part of the block of old houses standing between the archway and No. 3, Crown Office Row. These houses, erected in 1628, as already mentioned, were pulled down and rebuilt two years before Thackeray's death. It is also tolerably certain from intrinsic evidence that Tom Taylor shared chambers here with a fellow-barrister, and that here both of them enter-

tained their future wives. In his ode to his "Cane-bottomed Chair," Thackeray probably alludes to these rooms, where "Fanny" used to sit in the shabby old cane-bottomed chair.

"In tattered old slippers that toast at the bars,  
And a ragged old jacket perfumed with cigars,  
Away from the world and its toils and its cares,  
I've a snug little kingdom up four pair of stairs."

Although Taylor had chambers in Fig Tree Court for business purposes, he may well have shared these residential chambers with Thackeray, with whom he was undoubtedly on intimate terms. But whether these verses were addressed to the novelist seems doubtful, since Thackeray had been married twelve years before he came to Crown Office Row, and Tom Taylor was only called by the Inner Temple in 1846. The description, however, agrees with Thackeray's, and is worthy of reproduction here :—

"They were fusty, they were musty, they were grimy, dull, and dim,  
The paint scaled off the paneling, the stairs were all untrim ;  
The flooring creaked, the windows gaped, the doorposts stood  
    awry,  
The wind whipt round the corner with a wild and wailing cry.  
In a dingier set of chambers no man need wish to stow  
Than those, old friend, wherein we denned at Ten Crown Office  
    Row.

"Some of those tuneful voices will never sound again,  
And some will read these lines far o'er the Indian main ;  
And smiles will come to some wan lips, tears to some sunken eyes,  
To think of all these lines recall of Temple memories ;  
And they will sigh, as we have sighed, to learn the bringing low  
Of those old chambers, dear old friend, at Ten Crown Office Row.

"Good-bye, old rooms, where we chummed years without a single  
fight :

Far statelier sets of chambers will arise upon your site ;  
More airy bedrooms, wider panes, our followers will see,  
And wealthier, wiser tenants the Inn may find than we,  
But lighter hearts or truer, I'll defy the Bench to show  
Than yours, old friend, and his who penned this Ten Crown Office  
    Row."

G

Although 10, Crown Office Row, has disappeared, and even its number lost, two buildings connected with Thackeray's own life still survive, viz. No. 1, Hare Court, and No. 2, Brick Court, the latter sacred also to the memory of Goldsmith and Mackworth Praed.

Upon the same staircase with Thackeray in Crown Office Row, and about the same time, lived John Barnard Byles, now commonly remembered as "Byles on Bills," the author of a well-known standard textbook on the law of bills of exchange. Whilst Byles was still at the Bar he was the proud possessor of a horse, or rather pony, which, in allusion to his book, was nicknamed "Bills" by the young Templars. This animal, whose sorry appearance caused endless amusement in the Temple, used to arrive at the entrance to 10, Crown Office Row, every afternoon at three o'clock, and whatever his engagements, Byles always contrived to go for a ride upon "Bills."

Once in a case upon the seventeenth section of the Statute of Frauds, Mr. Justice Byles, as he had become, said to counsel, "Suppose I were to agree to sell you my horse, do you mean to say that I could not recover the price unless," etc., etc. "My lord," replied counsel, "the section only applies to things of the value of £10," a retort which all who had ever seen the judge's steed keenly appreciated.

Although a supporter of the "Corn Laws," Byles was in advance of his age upon the question of "Usury." His ideas upon this question have only been partially realised by the Money Lending Act of 1900. Byles was appointed a Justice of the Common Pleas by Lord Cranworth, taking the seat of Sir Cresswell Cresswell, whose chambers were at 1, Mitre Court Buildings, in 1819. Cresswell used to tell a story of a lady who was being carried to a reception at Northumberland House in a sedan-chair, when the bottom fell out. Failing to

make the bearers acquainted with her situation and unable to get out, the good lady was compelled to travel at her best pace on foot through the mire the rest of the way, arriving at her destination in an exhausted and deplorable condition.

Next door to Byles a little later, at No. 9, Crown Office Row, was to be found George W. Bramwell, a member of the Inner Temple, and like Taprell, Chitty, Byles, and Warren, in his earlier years one of that little band of special pleaders so heartily detested by Thackeray.

For nearly thirty years Bramwell was the most widely known of the English Bench. His judgments were read in America with almost as much respect as in this country, which time has only intensified. An American visitor, explaining the object of his visit, said, "I wish to see Westminster Hall and Lord Bramwell." But Bramwell could be brief when occasion required. A prisoner was before him charged with stealing a ham. The day was hot, counsel were loquacious, the audience perspired, and so did the ham, which made its presence felt as the day wore on. At last, everyone being weary, the judge's turn came. "There, gentlemen," he said, "is the prisoner and there is the ham. Gentlemen, consider your verdict." He was raised to the peerage in 1882, upon Gladstone's nomination.

The old Crown Office is described as lying between Fig Tree Court and the Watergate on the east side of Middle Temple Lane. This would place it north of Harcourt Buildings, on the site of the present No. 7, Crown Office Row, over the archway, which was rebuilt in 1806. In 1542 it was ordered that "the Clerk of the Crown of the Kynges Bench" should pay twenty shillings a year for his office.

This officer was in 1523 Thomas Blake, and in 1613 Fanshawe was charged an annual rent of £3 6s. 8d. These buildings were pulled down in 1628 and rebuilt.



Just below were, perhaps, the chambers erected by Edward Savage and Edward Hancock, who had licence in 1591 to build in the lower part of the garden next to Ledsome's Chambers. The latter in 1594 was allowed to prop up his chambers by the erection of "three ranks of studies against his buildings, which, by reason of a false foundation, had shrunk a foot and a half towards the Thames," showing that even in those good old days the jerry builder was sometimes at work.

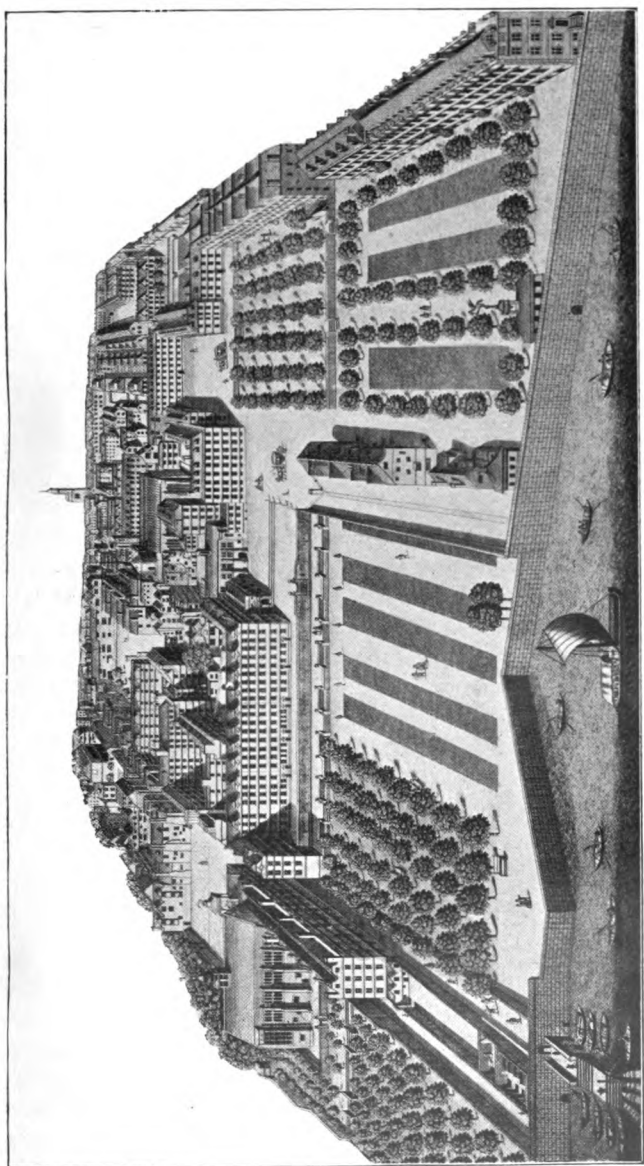
From the *Bird's Eye View* of 1671, these three ranks of studies would appear to have been still standing at that date.

In 1621 the Crown Office was removed to No. 2, King's Bench Walk. This building was erected at a cost to the society of £1,802 6s., towards which the Marquis of Buckingham, who was Master of the office, contributed £400. The building was entrusted to the Treasurer, Sir Thomas Coventry, and the first tenants of "the many fair chambers over the office" were the Solicitor-General, Sir John Walter, and Mr. Bridgman. Sir John Walter was the counsel who, on being briefed for the Crown in the prosecution against Sir Edward Coke, courageously refused to accept the brief, saying, "Let my tongue cleave to the roof of my mouth when I open it against Sir Edward Coke."

For the use of this office the Crown paid an annual rent of £5 to the Inn.

The Clerk of the Crown had his office in the Temple from the reign of Henry VII. until the removal of the Crown Office in 1882 to the Royal Courts of Justice.

On the opposite side, abutting on Mitre Court Buildings, was the office of the Exchequer, which was rebuilt in 1830, and is now used as the Inner Temple Reading Room. At the bottom of King's Bench Walk, close to the river wall and half-way between the buildings on either side, a small building, surmounted by a weathercock of the winged horse, is shown in the



BIRD'S EYE VIEW OF THE TEMPLE AS IT APPEARED IN 1671



*Bird's Eye View* of 1671. This may be the office of the Chirographer of the Fines of the Court of Common Pleas, which, according to Stow, was destroyed in the Great Fire. He tells us that "the Records were re-engrossed and a new office built in a wide open court of the Temple, near the waterside, not adjacent to any other buildings for the better security."

Whether this be so or not, this building was replaced in 1678 by the row of chambers shown in the *Bird's Eye View* of 1755, and marked on the map of 1799 as the King's Bench Office. They were still standing within the memory of old practitioners in the Temple. At the latter date the Court of Common Pleas had two other offices elsewhere.

The Alienation Office, which in the Earl of Leicester's day stood on the site of No. 1, King's Bench Walk, is marked on the map of 1799 at No. 3 North.

One of the early occupants of the new buildings in Crown Office Row, at No. 5, to wit, was Montagu Williams, q.c., the distinguished criminal advocate. An Eton boy, young Williams commenced an eventful career as a schoolmaster at Ipswich Grammar School. Upon the outbreak of the Crimean War, tired of the dull life at Ipswich, Williams obtained a commission in the Royal South Lincoln Militia, from which he was shortly afterwards gazetted to the 96th regiment of the line. Determined to see active service, Williams exchanged into the 41st, which was then at the front; but his hopes were disappointed by the capture of Sebastopol and the return of his regiment.

Whilst in the service young Williams joined in all the fun that was going on, and in consequence became involved in several unpleasant escapades, being locked up at Bow Street for assaulting the police, of which he was entirely innocent, and being arrested for debt by a notorious money-lender named Cook, by whom he

had been entrapped. Upon the latter, however, in after life he had his revenge when, as prosecuting counsel, he succeeded in getting him twelve months.

Upon his regiment being ordered out to the West Indies, Williams sent in his papers and went on the stage, where he met his fate in the talented Miss Keeley, daughter of the well-known Mr. and Mrs. Robert Keeley, with whom he made a runaway match.

From the stage to Bar is a short step for one born of a legal family, and, having entered as a student at the Inner Temple, Williams filled up his spare time by collaborating with Frank Burnand in various dramatic pieces, which proved financially successful. Called to the Bar in 1862, Williams read with Mr. Holl at 5, Paper Buildings, and devoting his attention to the criminal law, soon picked up a practice at the Old Bailey, where for many years he held such a commanding position.

From 1863 to 1870 Williams occupied chambers at No. 6, King's Bench Walk, when he removed to Crown Office Row.

One of the most curious cases in which Williams appeared was as counsel for Lord Brampton, then Mr. Hawkins, *q.c.*, in prosecuting an unsuccessful litigant who had threatened the learned silk's life, and by his molestation made his very existence a burden.

"Never," writes Williams, "was I ever so nervous in examining a witness, and never had a worse witness than Hawkins!"

Another link with the stage Williams had in the person of Charles Willie Mathews, son of his friend Charles James Mathews, the celebrated comedian. He became a pupil of Williams in 1868, and remained as his "devil" till 1879, sharing chambers with him in Crown Office Row. For him his master predicted a great future. He is now senior counsel to the Treasury at the Old Bailey. Mr. Mathews is a member of the Middle Temple.

Visited by an affection of the throat, Williams was obliged, in 1886, to retire from the Bar. Created a Queen's Counsel by his old friend and antagonist, Lord Halsbury, he was appointed a Metropolitan magistrate, in which capacity he earned the title of "the poor man's magistrate." It was during this period that he wrote his reminiscences, *Leaves of a Life* and *Later Leaves*, books reminding us of the peculiar charm of this versatile man, and full of interest to the lawyer and literary man alike. He died at Ramsgate in 1892.

An anecdote related by Williams typical of his humour is too good to be omitted. In a murder case on circuit a certain Welsh advocate, who afterwards became a judge, appeared for the prisoner upon the instruction of the leading local solicitor. In the course of his cross-examination the counsel declined to put a question, as repeatedly requested by his client.

"Well, sir," exclaimed the solicitor at last, "there are my instructions, and mine is the responsibility. Therefore I insist upon your putting the question."

"Very well, sir," exclaimed the barrister; "I'll put the question, but remember, as you say, yours is the responsibility."

The question was accordingly put and resulted very materially in hanging the prisoner. Sentence having been pronounced, the counsel turned round in a fearful rage to the solicitor and exclaimed—

"When you meet your client in hell, which you undoubtedly will, you will be kind enough to tell him that it was your question and not mine."

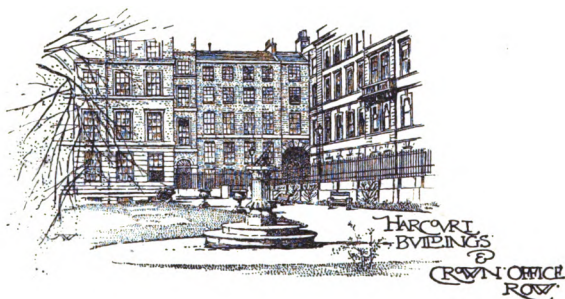
#### HARCOURT BUILDINGS

Between the old Crown Office and the site of Harcourt Buildings on the south side of Crown Office Row, a small building was erected in the year 1703 by John Banks, a haberdasher in the City. It had a ten-foot frontage, and

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the first story or ground floor opened out into the garden under the paved walk or terrace, whilst the second story or first floor appears to have been on a level with the terrace. With the ground floor was connected a summer house, and the whole was to be for such use as the society might appoint.

Below this building, on the west of the garden, the same John Banks was licensed to build three staircases, with a frontage of fifty feet apiece and a depth of twenty-seven feet, of three stories each. The front windows were "to be all sash frames and sashes glazed with



crown glass." These buildings were erected during the Treasurership of Sir Simon Harcourt, and instead of being named after the worthy Banks, were called Harcourt Buildings, after the silver-tongued Chancellor. In the course of their construction the gardener's house, which stood at the lower end of the site, was pulled down.

The present buildings were commenced in the Treasurership of Robert Baker, in 1832, and completed in that of John Wyatt the following year. They are not remarkable for the style of their architecture, which, in fact, could scarcely be more unsightly.

## FIG TREE COURT

The original chambers in Fig Tree Court would appear to be some of the oldest in the Temple. In 1515 we read of "the chambers next the fig tree," showing that the name was not altogether mythical at that date. In the accounts for 1610 there is an entry of a payment to the gardener for a fig tree, which may have survived, at any rate, till 1654, when an item of 2s. 6d. is recorded as paid "to the joiner for mending the pales about the fig tree."

In 1573 Edward Bulstrode and Thomas Gawen were admitted into the chamber of Robert Kellewaie, a Bencher in "the Fig Tree Courte," wherein John Croke the younger had been admitted in 1570, provided they repaired the chamber, which was in "great ruin and decay." Three years later Henry Croke was also admitted to the same chamber, and George Croke, brother of John, to an "under chamber."

John Croke became successively Recorder of London (1595), Treasurer (1597), Speaker of the House of Commons (1601), Serjeant (1603), and a Justice of the King's Bench (1607). He it was who established the rule that the Speaker has only a casting vote when the numbers are equal. In a division on a Bill to enforce attendance at church, the Ayes were 106, the Noes 105. The minority claimed the Speaker's vote to make the numbers equal and thus defeat the measure. Against this attempt Sir Walter Raleigh raised his voice, and Sir John, upon consideration, acquiesced in Raleigh's view, that the Speaker has only a casting vote. The precedent thus established still prevails, and the Speaker has no right, except in committees of the whole House, to enter the voting lobby.

In a speech before Elizabeth, Sir John was speaking of the defeat of Essex's insurrection "by the mighty arm of our dread and sacred Queen," when Elizabeth rebuked



him with the interruption, "No ; but by the mighty hand of God, Mr. Speaker."

George Croke, created a serjeant in 1623, appointed a Justice of the Common Pleas in 1623, and promoted to the King's Bench three years later, is perhaps better known to lawyers as the author of *The Reports*, as they are still styled. He figured, however, no less largely than his brother John in the public view. He sat as one of the commissioners at the trial of the Countess of Somerset for the murder of Sir Thomas Overbury, and was one of the twelve judges who, in 1637, delivered judgment in the Exchequer Chamber in favour of Hampden, in the great case of the ship money tax, boldly denying the alleged claims of the King. Sir Edward Lyttelton, Treasurer of the Inner, appeared for the Crown as Solicitor-General.

Sir George is said by Whitelocke to have at first favoured the King's cause, and to have prepared his argument accordingly, but to have been dissuaded by his wife, who said she "hoped he would do nothing against conscience, and that she would rather suffer any want or misery with him rather than that." This story is a good instance of the immense influence a strong and an upright woman may wield in public affairs. It is also related to Croke's credit that he refused to give the customary bribe of £600 upon his creation as serjeant, an incident which shows up the vitiated public morality of the age.

In 1622 Radcliffe's and Dyott's chambers in Fig Tree Court were ordered to be rebuilt by the Treasurer, Sir Thomas Coventry, at the expense of the society, and new tenants to be admitted upon payment of fines. Further alterations were commenced in 1628, by the removal of various old chambers and the erection of a new building next to the Hall, which necessitated the reconstruction of the Hall stairs and the offices of the House, and by the

rebuilding of the western end of the court towards the Watergate. Evidence was given in the Chancery suit between the two societies in 1636 that the court was separated from the Middle Temple by a stone wall on the west side, and in the same year occurs an item in the accounts "for raising a part of a wall in Fig Tree Court by the Temple Lane," which shows that at this date there were still some open spaces in the lane. In 1584, however, licence had been given to Mr. Coomes, of the Middle Temple, to build a study "within the stone wall in Fig Tree Court," for which he was to pay 10s. down or 6*d.* a year rent. At this period there was a door into Elm Court, which was supposed to be kept locked, though presumably only at night. In 1610 a new lock and key were ordered, and again in 1638 we find another new lock provided.

Another occupant of Fig Tree Court and member of our House was Sir Thomas Wroth, M.P. for Bridgwater, one of the judges at the trial of Charles I., but who refused to take part in the actual proceedings.

Against the assessment of £100 a week upon the two societies of the Temple made by the Commissioners in 1653, Sir Thomas made a long speech in the House, declaring "the long-robe men" to be as good swordsmen as they were bookmen, a declaration which appealed successfully to Cromwell's military following.

His nephews, John and Anthony, sons of Sir Peter Wroth, were in 1641 admitted to his chambers upon the payment of £100 fine, but the elder being only sixteen and about to go to the University, and the younger only fourteen, it was ordered "that it be referred to the table to consider what allowance should be given of this great antiquity gained to these two gentlemen, and how the chamber should be disposed of till they came to use it."

In Fig Tree Court, too, lived Edward Thurlow, the famous Lord Chancellor. He and William Cowper, the

poet, were pupils together of Mr. Chapman, an eminent solicitor in Lincoln's Inn. They were both called to the Bar by the Inner Temple in 1754.

It was in the trial of Horne Tooke for libel that Thurlow, then Attorney-General, prosecuted for the



**FIG·TREE  
COURT·**

Crown, and used his utmost power in aggravation of the punishment, urging that the prisoner deserved nothing less than the pillory. After much vacillation, Thurlow had thrown in his lot with the Tories, and in the House he attacked the rights of juries in cases of libel, the liberty of the Press, defended the expulsion of Wilkes, and wished to treat the charters of the American

Colonies as so much waste paper, thus powerfully helping to widen the breach which resulted in the loss of our American cousins. He is perhaps best remembered for his celebrated speech in the Lords, for, although often violent and rude, he could be dignified when it suited his purpose. Taunted with his plebeian birth by the Duke of Grafton, he replied, "I am amazed at his Grace's speech. The noble Duke cannot look before him, behind him, or on either side of him, without seeing some noble peer who owes his seat in this House to his successful exertions in the profession to which I belong. Does he not feel that it is as honourable to owe it to these as to being the accident of an accident?" His attitude to attorneys, and even to the Bar, was not always so dignified. On one occasion an attorney stated that a certain person named in an affidavit was dead. "How do I know that?" said Lord Thurlow. "My lord," replied the attorney, "I attended the funeral; he was my client." "Why, sir," said the Chancellor, "did not you mention that at first? A great deal of time and trouble might have been saved. That he was your client is some evidence that he may be dead; nothing was so likely to kill him." Another characteristic story is the following: One day, before the Court rose for the Long Vacation, Lord Thurlow left the Bench without making the then usual valedictory address to the Bar. He had nearly reached the door of his room, when a young counsel exclaimed to a friend in a loud whisper, "He might at least have said, 'Damn you!'"

That the Chancellor could use strong language on occasion is attested by the following story: A clergyman desirous of a living went to the Bishop of London to ask him for an introduction to the Lord Chancellor Thurlow. The Bishop said, "I should be willing to give it, but an introduction from me would defeat the very end you have in view." However, the clergyman persisted in his

request, and the introduction was given. The Lord Chancellor received him with fury. "So that damned scoundrel, the Bishop of London, has given you an introduction; as it is he who has introduced you, you will certainly not get the living." "Well, so the Bishop said, my lord," said the clergyman. "Did the Bishop say so?" thundered Lord Thurlow. "Then he's a damned liar, and I'll prove him so: you *shall* have the living." And the man got it.

Thurlow never overcame his aversion to his old school-master, the Rev. Joseph Brett, and when the latter in after days claimed acquaintance with his distinguished pupil, Thurlow turned savagely upon him, exclaiming, "I am not bound to recognise every scoundrel that recognises me." Strong language was, however, by no means a monopoly of Thurlow's. Speaking one day in the House of Lords upon the King's illness, he said, with tears in his eyes, "My debt of gratitude to His Majesty is ample for the many favours which he has conferred upon me, and when I forget it may God forget me." When Wilkes, who was sitting on the steps of the throne, heard this, he muttered in an audible whisper, "Forget you! He'll see you damned first."

Few would suspect this rugged lawyer of writing poetry. Who would expect an owl to sing like a thrush? And yet in his *Song to May* we find this great judge, who was said to look wiser than any man ever was, writing some light and graceful lines.

Thurlow died in 1806, and was buried with great pomp in the south aisle of the Temple Church. His portrait hangs in the Parliament Chamber.

Cowper at first occupied chambers in Pump Court, but in 1759 he removed to the Inner, where he purchased a set of chambers for £250, and here it was that he attempted suicide by hanging himself from the top of his doorway. Constitutionally of a morbid

temperament, his mind became unhinged, partly perhaps from his unsuccessful love affair with his cousin Theodora, and partly from nervousness at the prospect of an examination as to his fitness for the post of Clerk of the Journals of the House of Lords, a post which his cousin, Major Cowper, had secured for him. After buying a bottle of laudanum, and wanting courage to swallow its contents, he went down to the river to drown himself, but turned back at the sight of a porter waiting on the bank. The day before the examination he made a more determined effort, and but for his garter breaking after a third attempt, he would have lost his life.

Appointed a Commissioner in Bankruptcy, after his attempted suicide he resigned this post, feeling with morbid diffidence that his knowledge of law was unequal to the position.

#### HARE COURT

A member of our House who has left an indelible memory within the Temple precincts is Nicholas Hare, nephew of the better-known Sir Nicholas Hare, whom we find in the year 1520 in the occupation of Denny's chamber in the Outer Temple. The elder Hare was Reader, Bencher, and one of the three Governors of the House until his death. In the proceedings against Wolsey in 1530 he was retained for the defence, and in 1540 was elected Speaker of the House of Commons which submissively passed all the measures Henry VIII. chose to present for its consideration, including the "whip with six strings" (whereby it was burning to deny transubstantiation and hanging to express twice a preference for married priests), the suppression of the monasteries, and the divorce of Queen Anne. From this Parliament Sir Nicholas was absent part of the time in consequence of his imprisonment in the Tower for having advised Sir John Skelton how to evade the Statute of Uses, which

was declared to be an offence against the royal prerogative cognisable in the Star Chamber.

He was, however, one of those who in the Parliament of 1553 opposed the Queen's marriage with Philip. Having made his peace with the Court, he was the same year appointed Master of the Rolls, and as such sat as one of the commissioners to try Sir Nicholas Throckmorton for his alleged participation in Wyatt's abortive rising.

In his zeal for the Crown, or in revenge for the



prisoner's retort, "I confess I did mislike the Queen's marriage with Spain, and then methought I had reason so to do, for I did learn the reasons of my dislike of you, Master Hare," Sir Nicholas used his utmost endeavours to secure Throckmorton's conviction. In spite, however, of Hare's refusal to allow one of Throckmorton's witnesses to be examined, and to permit the statute of Edward VI., which required two witnesses for high treason, to be read, the prisoner was acquitted. As was not unusual in those days, the jury was promptly committed to prison for delivering such a strange verdict! Here they lay until

they had submitted themselves to the Court and paid outrageous fines, ranging from threescore pounds to £2,000 apiece.

One immediate result of this gross interference with the rights of juries was the conviction of Sir John Throckmorton upon the same evidence on which his brother, Sir Nicholas, had been acquitted.

Although never Lord Chancellor, Sir Nicholas Hare was sole Commissioner of the Great Seal during the short period between the death of Bishop Gardiner and the appointment of Archbishop Heath.

He died in Chancery Lane on October 31st, 1557, and was buried in the Temple Church, as a brass plate upon a large monument of grey marble testifies.

Specially admitted in 1547, Nicholas Hare the younger, after holding various offices in the House, in which he was to play such a leading part, was in 1567 admitted to the chamber of James Ryvett, a Bencher, upon condition of rebuilding it, together with others. The reversion of these chambers was granted to his brothers, Ralph and Hugh, and here for generations we find members of the Hare family. These chambers formed the south side of Hare Court. In 1590, for instance, John Hare, brother of Nicholas, described as Chief Clerk of the Court of Wards and Liveries, petitioned the Bench for leave to pull down certain chambers in Fine Office Court, and to build there a room for his office and chambers for himself. The petition was granted. At this date Fine Office Court formed part of the present Hare Court. In 1619, the House being greatly in debt, a general levy was made upon the tenants, and in addition those having offices were charged extra. John Hare accordingly had to pay £5 "for his office of the Wards."

In feudal times *inquests of office* were held concerning any matter entitling the Crown to the possession of lands or tenements, goods or chattels. So long as military



tenures continued those inquiries were held upon the death of any of the King's tenants, in order to ascertain the extent and nature of his holding, who was his heir, and of what age, so that the King might have his marriage, wardship, relief, *primer-seisin*, or other advantages.

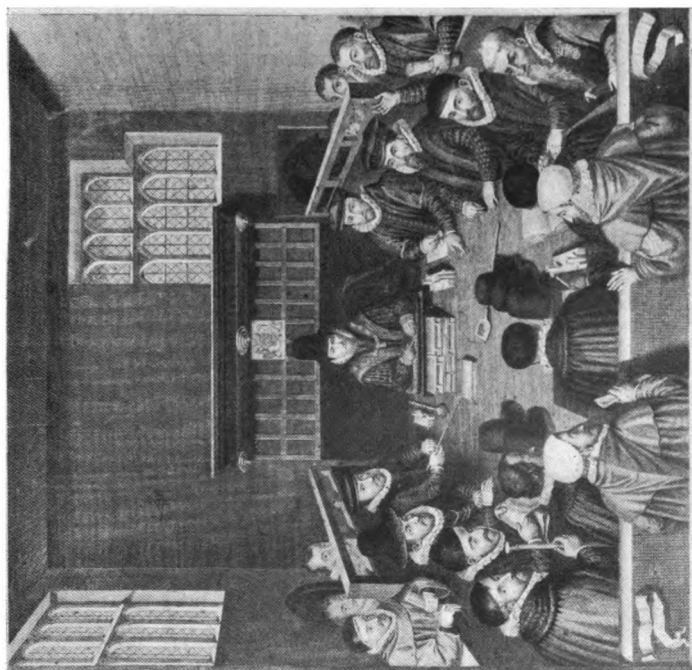
It was to regulate these inquiries that the Court of Wards and Liveries was constituted by 32 Hen. VIII. c. 46, under the title of The Court of King's Wards. Its institution, however, failed to relieve the hardships of these oppressive tenures, and, after an attempt by James I. to get rid of the Court by agreement, it was abolished by Charles II., together with the tenures upon which it was founded.

The Court stood in Old Palace Yard, between the back of Westminster Hall and the ancient building known as Edward the Confessor's Hall. It was connected by a passage with the Court of Chancery, so that the Chancellor might pass directly into the Court, either from his private room in Westminster Hall or from the Chancery Court.

The Lord Treasurer presided, and was entitled to call to his assistance the two Chief Justices and the Chief Baron.

An engraving by Vertue, after a painting by an unknown artist of the time of Queen Elizabeth, gives an exceedingly interesting view of the Court. Without the Bar stand two serjeants in their robes and coifs. The one on the left wears a parti-coloured gown, which was worn for one year after taking that degree. According to Vertue, Thomas Gent was created serjeant in 1585, and this fact, together with the aged countenances of most of the officers of the Court, fixes the date of the painting about that time.

In a list of Readers and Chief Barristers of the Inns of Court, Gent, a member of the Middle Temple, is described as "well practised."



COURT OF WARDS AND LIVARIES



Taking 1586 as the approximate date of the painting, the President or Master, as he was termed, would be William Cecil, Lord Burleigh, who is said to have presided from the beginning of Elizabeth's reign till his death in 1598. Those on either side of him are robed as judges, and would be Sir Christopher Wray, L.C.J. of the Queen's Bench, and Sir Edmund Anderson, C.J. of the Common Pleas, the well-known Benchers of our House, and one of the most distinguished judges of his day.

The second on the right, with his hat on and wearing a gold chain, is probably the Surveyor, who ranked next to the Master. Thomas Seckford held this office from 1580 to 1589. In 1591 Paul Salmon, one of the Attorneys of the Court, was specially admitted to the Inner Temple. Opposite to him, in the dress of a lawyer and also capped, sits the Attorney of the Court, who was next in office to the Surveyor. This official, from 1572 to 1589, was Richard Kingsmill, of Lincoln's Inn, who had chambers in the old Gate-house in Chancery Lane. Next to the Surveyor is the Receiver-General, reading a scroll. This office, from 1583 to 1593, was filled by George Goring. Opposite to him, with an open book, may be the Auditor. William Tooke held this office from 1551 till his death in 1588. The three at the bottom of the table answer to the number of Clerks. At the right-hand side, at the bottom of the table, stands the Usher, with a red rod tipped with silver in his hand. In 1578 Marmaduke Servant held this office. Opposite to him stands the Messenger, wearing the Royal Arms crowned on his left side. Leonard Taylor served as Messenger for nearly thirty years from 1565. Without the Court on the right, with a scroll in his hand, stands the Queen's Serjeant, and opposite to him a Counsellor; and beyond these other lawyers on each side.

Sir Walter Pye, Treasurer of the Middle Temple in

1626, was Attorney of the Court at that date. The Court of Common Pleas also had offices in the Temple. One of these was in 1792 in Hare Court, and the other in Elm Court. They were occupied by the Filager, an official of the Court, who filed the writs on which process was issued. In 1544 it was ordered that the "Philoser of London," i.e. the Filager of the Common Pleas, should pay to the Inn a yearly rent of 20s. for his office.

In the north-west corner of Hare Court stood until quite recently "Dick's Coffee House," one of the oldest establishments of the kind in town. It was a great haunt of the young Templars, and in George II.'s time was kept by a Mrs. Yarrow and two fair daughters, who perhaps were as great an attraction to the habitués as the fragrant berry. Anyway, upon the production of *The Coffee House*, an adaptation from Rousseau, in which some innuendoes touching Mrs. Yarrow and her daughters were introduced, the young Templars proved their constancy by going in a body to the theatre and hissing the play off the boards.

It was here that Cowper at the commencement of his mental derangement, reading a letter in a news-sheet, was prompted to go home and hang himself.

The west and south sides of Hare Court were swept away in the disastrous fire of 1678. The Thames being frozen, the fire-engine was fed with beer from the brewery of John Crosse at the western end of the Hall, to the tune of £20; "but the chief way of stopping the fire," says Luttrell, "was by blowing up houses, in doing which many were hurt, particularly the Earl of Faversham, whose skull was almost broken" by a falling beam, and who narrowly escaped being blown up with the records of the Fine Office. Amongst the earl's party rendering assistance were the Earl of Craven, the Duke of Monmouth, and several officers of the Guards.

On May 31st, 1679, the order for rebuilding the west

side of Hare Court, abutting on Middle Temple Lane, was confirmed. This building consisted of four staircases of three stories each, and was erected at the expense of the Treasurer, Sir Thomas Hanmer, and the several persons who, before the fire, had chambers there. Amongst these we find the name of "Mr. Jefferies."

George Jeffreys, the grandson of a Welsh judge, was admitted a member of the Inn in 1663, and for five years lived the usual racketing life of a student in those days in an obscure chamber which I am unable to identify. There is probably no man, however vile, without some good qualities, and Jeffreys forms no exception to this rule. We are prepared to go even further than his biographer, Serjeant Woolrych, and admit that he was endowed with many good points, but we find it difficult, after making all possible allowances for the brutal viciousness of the age, to follow his latest panegyrist, Mr. H. B. Irving. It is impossible to forget the brutality of his conduct on the Bench, his cruelty and his hypocrisy. To plead that he was no worse than others of his day is a poor defence. That he was one of the foremost offenders of the ascendant party which represented all the most vicious in the nation is surely no justification, but a further discredit. His career was truly remarkable. Within three years of his call to the Bar, at the early age of twenty-three, he was appointed Common Serjeant of London, a post he owed to the assiduous court he paid to the City magnates, and of whose support he continued to avail himself until his promotion to the Recordship in 1678. With all his sins Jeffreys was at least generous, as the following incident shows.

Having failed in his attempt to secure a lady of wealth as his wife, he generously married the go-between, a poor relation who was turned adrift by the lady's family. Upon her death in 1678 he was more successful in marrying money, which he did within three months of his first

wife's death. The lady, however, was brought to bed of a son much too early for a common calculator to say otherwise than that there had been a mistake somewhere. In a cause shortly after this interesting event, a lady under cross-examination by Jeffreys was giving her evidence pretty sharply. "Madam," cried Jeffreys, "you are very quick in your answers." "Quick as I am, Sir George," retorted the witness, "I am not so quick as your lady," and for once in his life the brazen Jeffreys was completely nonplussed.

At the early age of thirty-five Jeffreys became Chief Justice of the King's Bench, and two years later Lord Chancellor—the reward for his disgusting and ignoble services on the Bloody Assize. It was on this occasion that Jeffreys forced the jury to convict Alice, the widow of John L'Isle, the regicide, for harbouring John Hicks, a dissenting preacher, after they had twice brought in a verdict of "not guilty." L'Isle had fled to Vevey, and subsequently settled at Lausanne, where in 1664, on his way to church, he was shot by an Irishman who was indignant at the respect shown to a regicide.

Shortly after his elevation to the woolsack Jeffreys received a unique distinction at the hands of the Bench. Sir Godfrey Kneller was commissioned to paint his portrait for the fee of £50. This picture was hung in the Hall, but apparently after the Chancellor's disgrace removed to the chambers of a Mr. Holloway, when in 1693, at the request of Jeffreys' son, also a member of the Inn and occupying his father's chambers in Hare Court, it was handed over to him. It is now in the possession of Mr. Philip Yorke, of Errig Park, Wrexham. Three other portraits of Jeffreys are extant, and in all he is represented as an extremely handsome man. We look in vain for the repulsive and terrifying countenance and features distorted by drunken debauchery portrayed by a succession of historians and novelists. Jeffreys died in

the Tower, and by a strange irony of fate his remains were at first laid next those of his victim, Monmouth.

Jeffreys' chambers in Hare Court were at No. 3, on the second floor, which were only pulled down a few years ago and rebuilt, and correspond with the present No. 2, Hare Court. A fourth portrait by Sir Peter Lely, presented to the Inn by Sir Harry Bodkin Poland, K.C., late Treasurer, represents him at a later period of his life, when his good looks had given way to his vicious life. Sir Harry Poland himself is inclined to doubt the authenticity of this painting.

One of Jeffreys' companions on the Bloody Assize was Robert Wright—another disgrace to our House. He was described by Lord North as “a dunce and no lawyer, of no truth or honesty, and not worth a groat, having spent all his estate in debauchery.” Upon his return from his bloody work in the West, he was raised to the King's Bench and presided at the trial of the seven bishops. In 1687 he was promoted as Chief Justice of the Common Pleas, and five days later supplanted Sir Edward Herbert, who had given an opinion adverse to the Crown, as Chief Justice of the King's Bench.

Wright was one of the commissioners on the famous visitation of Magdalen College, Oxford. Impeached by William of Orange for judicial corruption, for taking bribes “to that degree of corruption as is a shame to any court of justice,” he went into hiding near the Old Bailey, where he was discovered by Sir William Waller, and committed by the Lord Mayor, Sir John Chapman, to Newgate. Here he caught the gaol fever and died a few months afterwards.

The pump referred to by Lamb stood on the north side of the court, and is the one mentioned by Daines Barrington as unlike most of the others, since it never failed in summer and was consequently the most frequented by the inhabitants of the Temple.



The unfailing supply probably suggested the comparison in Garth's lines—

"Sooner shall glow-worms vie with Titan's beams,  
Or Hare Court pump with Aganippe's streams,"

lines supposed by Barrington to contain a sly hit at the lawyers for conceiving that the Temple could produce poets, as suggested by Sir James Thornhill's famous painting of Pegasus creating the fountain of Hippocrene by striking his hoof upon the rock, emblematical of lawyers developing into poets.

#### INNER TEMPLE LANE

From the earliest times buildings had been erected on either side of the lane leading from the gate to the church porch. In 1657 some timber and rough-cast structures on the west side were replaced by more substantial brick buildings, which became known as Nos. 1 to 5, Inner Temple Lane.

Upon the library stairs is to be seen a tablet commemorating the foundation of this structure. It is dated 1657, and bears a shield with the arms of the Inn and the initials "E. P.", standing for Edmund Prideaux, the Treasurer for that year.

One of the first victims of that infamous scoundrel Titus Oates was Richard Langhorne, a member of the Inner Temple, who carried on his practice at chambers in Inner Temple Lane. He was a Papist, and in the excited religious frenzy of the moment the evidence of Oates and Bedloe, the rotten inconsistency of which the prisoner even then exposed, was greedily swallowed by both Court and jury. The trial took place at the old Sessions House in the Old Bailey on June 14th, 1679, before Scroggs, L.C.J. of the King's Bench; North, L.C.J. of the Common Pleas; Pemberton, J.; Atkins, J.; Dolben, J., and the Recorder, Jeffreys. The counsel for



**DR. JOHNSON'S STAIRCASE, NO. 1 INNER TEMPLE LANE**



the Crown were Roger Belwood and Serjeant Cresswell Levinz.

The suggestion by Langhorne that this was "a put-up job" was indignantly scouted by the Court. Such, however, when too late it was eventually proved to be.

Upon the verdict of guilty the five Jesuits convicted the previous day were brought in, and after a fulsome and hypocritical harangue the usual barbarous sentence was pronounced by Jeffreys. There was nothing illegal on the part of the judges in this trial, but their religious bias made them unfair and prejudiced, Scroggs going so far as to direct the jury that the evidence of Langhorne's witnesses, being Papists, had not the same weight as that of the witnesses for the Crown.

Four days after the execution Sir George Wakeman, who had been indicted with Langhorne, was tried before Scroggs and North and acquitted by the jury, suspicion of Oates and his witnesses having set in. Langhorne's widow was consequently allowed by the Benchers to sell his chambers for £50, and subsequently received £25 out of the society's funds.

In 1760 Dr. Johnson removed from Staple Inn to No. 1, Inner Temple Lane, and three years later Boswell followed him to the bottom of the lane "in order to be nearer the object of his devotion." Boswell's chambers were in Farrar's Building, which stood on the site of the old chambers or town house of the Bishop of Ely, and which was last rebuilt in 1876.

In 1786 Boswell was at length called to the Bar by the Benchers of the Inner Temple.

It was, perhaps, at No. 1 that Johnson had the long discussion with a smart attorney, who was having rather the best of the argument, when he happened to say, "I don't understand you, sir." Upon which Johnson retorted, "Sir, I have found you an argument, but I am not obliged to find you an understanding." Although

living in the very midst of the lawyers, Johnson does not seem to have concealed his bad opinion of them. Being asked why he so hated lawyers, he replied, "I don't hate 'em, sir ; neither do I hate frogs, but I don't like to have either hopping about my chamber."

For Thurlow, however, Johnson had the greatest admiration, considering him to be one of the ablest and most learned men of the day, an admiration reciprocated by the Chancellor, who frequently sought the advice of the great lexicographer.

A description of these chambers is given by Ozias Humphrey, R.A., who visited Johnson here. "The day after I wrote my last letter to you," he writes, "I was introduced to Mr. Johnson by a friend. We passed through three very dirty rooms to a little one that looked like an old counting-house, where this great man sat at breakfast. The furniture of the room was a very large deal writing-desk, an old walnut-tree table, and five ragged chairs of four different sets. I was very much struck with Mr. Johnson's appearance, and could hardly help thinking him a madman for some time, as he sat raving over his breakfast like a lunatic. He is a very large man, and was dressed in a dirty brown coat and waistcoat, with breeches that were brown also (although they had been crimson), and an old black wig ; his shirt collar and sleeves were unbuttoned, his stockings well down about his feet, which had on them, by way of slippers, an old pair of shoes. He had not been up long when we called on him, which was near one o'clock. He seldom goes to bed before two in the morning ; and Mr. Reynolds tells me he generally drinks tea about an hour after he has supper. We had been some time with him before he began to talk, but at length he began, and, faith, to some purpose ; everything he says is as *correct as a second edition* ; 'tis impossible to argue with him, he is so sententious and so knowing."

A very similar description of the Doctor's personal appearance is given by his faithful biographer on his first visit on May 24th, 1763.

"He received me very courteously," writes Boswell, "but it must be confessed that his apartment and furniture and morning dress were sufficiently uncouth. His brown suit of clothes looked very rusty; he had on a little, old, shrivelled, unpowdered wig, which was too small for his head; his shirt neck and knees of his breeches were loose; his black worsted stockings ill drawn up, and he had a pair of unbuckled shoes by way of slippers. But all these slovenly peculiarities were forgotten the moment he began to talk. He told me that he generally went abroad at four in the afternoon, and seldom came home till two in the morning. I took the liberty to ask if he did not think it wrong to live thus, and not make more of his great talents. He owned it was a bad habit."

His library, Boswell tells us, was contained in two garrets over his chambers, where Lintot, son of the celebrated bookseller, formerly had his warehouse. Here he used to retire when he did not wish to be disturbed. With characteristic honesty Johnson hated conventional lies, and safe in his den upstairs, his servant could truthfully say he was not "at home." "I found," says Boswell, "a number of good books, but very dusty and in great confusion. The floor was strewn with manuscript leaves in Johnson's own handwriting, which I beheld with a degree of veneration, supposing they might perhaps contain portions of the *Rambler* or of *Rasselas*. I observed an apparatus for chemical experiments, of which Johnson was all his life fond. The place seemed to be very favourable for retirement and meditation."

It was whilst Dr. Johnson lived in this house that the association which afterwards became so famous as the Literary Club was formed. Its original members were

Joshua Reynolds, Johnson, Goldsmith, Burke, Dr. Nugent, Langton, Topham Beauclerk, Chamier, and Hawkins. It was during this period also that the adventure described by Boswell occurred, when the accomplished but dissipated Beauclerk, returning one night from supper with Langton, roused up the worthy Doctor at three in the morning, and challenged him to a ramble. "What, is it you, ye dogs?" he cried. "Then, faith, I'll have a frisk with you!" And so out they sallied, first to Covent Garden, and then to Billingsgate, and had what Washington Irving, in allusion to this adventure, called "a mad-cap freak."

Other notable inmates of these buildings were Charles Lamb and Serjeant Ballantine, that master of the art of a type of cross-examination now happily obsolete, both in No. 4, and James Shaw Willes, a member of the Middle Temple, at No. 3. Sir James was tubman in the Court of Exchequer from 1851 until his elevation to the Bench four years later as a judge of the Court of Common Pleas.

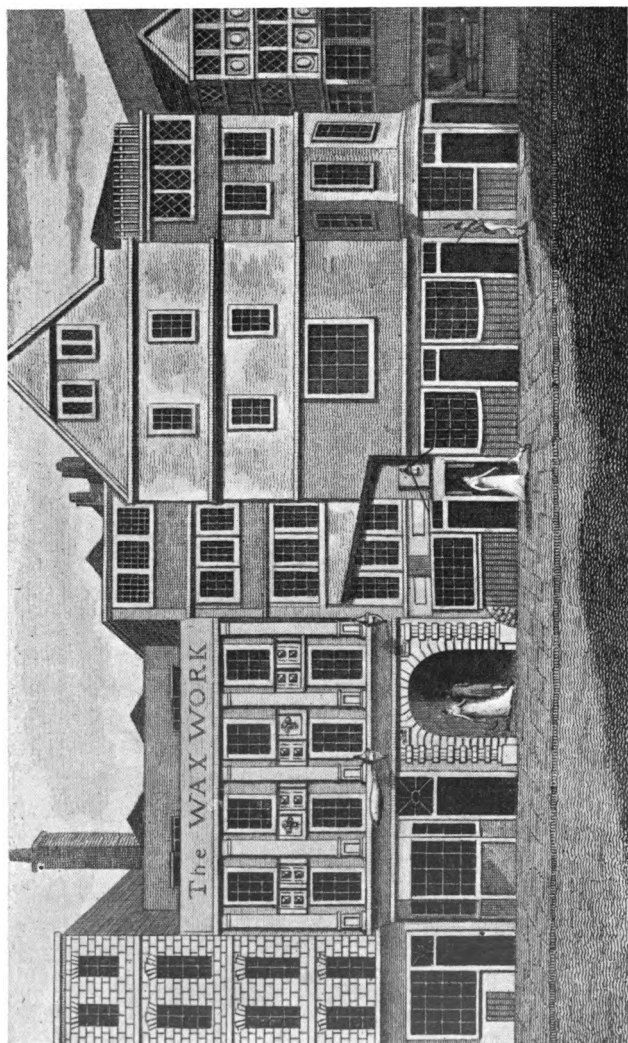
The offices of tubman and postman of the Exchequer are now no longer in existence, and their very origin is absolutely lost. They were in the gift of the chief Baron, and were originally bestowed upon two of the most experienced barristers attending the Court. These occupied two enclosed seats at either end of the front row of the Outer Bar. The postman in all Common Law business had pre-audience even over the Attorney-General, and the tubman had a similar privilege in all Equity business.

Willes was the first judge to live out of town, and consequently the Court of Common Pleas could not be formed till 10.30, instead of 10 as formerly. The other Courts at Westminster followed suit, and when law and equity were fused, the Common Law, contrary to all precedent, prevailed, and now all Courts sit at 10.30.

Sir James was one of the promoters of the Inns of







INNER TEMPLE GATEWAY

Court Volunteer Corps formed in 1859, and in whose ranks he served. From overwork he became a victim to insomnia, and was found with a revolver by his side, and the blood trickling from a wound in his heart—a sad termination to a life nobly spent.

These old buildings, which had fallen into a ruinous condition, were in 1857 pulled down, and replaced by the present unsightly Dr. Johnson's Buildings, so named after their most celebrated inmate.

At No. 3 the present Solicitor-General, Sir Edward Carson, has chambers. Sir Edward has had a remarkably rapid career in this country. His powers of cross-examination are deservedly held in respect.

#### CHURCHYARD COURT

This court together with its name has long since vanished. The first mention in our records occurs in the year 1612. It appears to have consisted of a row of chambers running from the church porch, upon which the south end abutted, almost up to the present Goldsmith Building, and stood upon the site of the present churchyard, thus blocking the view of the west end of the church. Indeed, these chambers extended east upon the churchyard, abutting upon the north side of the Round, and fronting the site of Goldsmith Building. This block was separated from the buildings fronting the lane by a narrow passage called in Ogilby's Plan Pissing Alley.

These buildings were rebuilt in 1717, the foundation of which is recorded by a tablet erected in that year by the Treasurer of the Inner Temple, John Holloway. This tablet is now on the library stairs.

Both blocks were removed in 1828.

The court appears originally to have extended to the north end of the cloisters, and to have included some shops or chambers erected against the south-west side

of the Round. This part was in 1700 cut off by a house built right across the lane and over the church porch itself, thus creating another small court, which became known as Temple Court. This court is shown in the illustration at page 49, the house on the left being the old Farrar's Building, erected on the site of the Bishop of Ely's town house.

Churchyard Court South, which is given as an address in the early *Law Lists*, was probably the block of buildings first described as fronting the lane in order to distinguish them from the other block further east. Or possibly the name may have been used as an alternative for Temple Court.

#### PARSON'S COURT

The very memory of Parson's Court is half-forgotten, and even its site undetermined. It is described as lying at the east end of the church, but it may possibly have consisted of the row of houses shown in Ogilby's *Plan* to the north of the churchyard, covering the pavement where Goldsmith now lies.

Almost the earliest mention of this court appears in a MS. in the possession of the Inner Temple of about the year 1638, describing certain chambers in Parson's Court as belonging to the Master of the Temple, and let by him at a rental of £36 11s. 4d. In the same MS. certain chambers in the churchyard are also described as belonging to the Master, and let by him at a rental of £18.

Prior to the grant of James I. to the two societies in 1608 there appears to have been a passage from Fleet Street, by which access was gained to the churchyard. This became a resort of outlaws and disorderly persons, who here sought sanctuary from the sheriffs and disturbed the seclusion of the Temple by their brawls. Here also clothes were washed and dried, which added to the unsightly and unsavoury character of a spot supposed to be consecrated to the dead. The Benchers of the two

societies accordingly, in 1609, took counsel together and walled up the passage, put a stop to the washing and drying of clothes, and pulled down a shed erected against the north wall of the church by Middleton, the clerk. Amongst other improvements, they purchased a lanthorn to be hung at the church door going into Parson's Court. This would place Parson's Court in the east end of the churchyard, between the Master's house and the present Goldsmith Building, as I have suggested.

In the quarrel between Dr. Micklethwaite, the Master of the Temple, and the two societies, the latter contended that Parson's Buildings were the property of the societies, and did not belong to the Master. In the appeal to the King in 1638, the Master was held to be entitled to twenty chambers in Parson's Court and in the churchyard. He was, however, ordered to deliver them up to the two houses upon receipt for them and for his tithes and oblations of £200 every term.

In 1657 new buildings were erected by the Society of the Inner Temple in Parson's Court at a cost of £1,450. The fines for admissions to these chambers varied from £120 for a first-floor chamber to £60 for one on the third floor.

If these buildings stood where I have indicated, they all perished in the Great Fire.

These are probably the brick buildings referred to by Dugdale as erected in 1662 in Parson's Court near the east end of the church.

#### THE INNER TEMPLE GATEWAY

No. 17, Fleet Street, or the Inner Temple Gate-house as it is sometimes called, was rebuilt by leave of the Society of the Inner Temple by one Bennett, in 1610. In consideration of his expenditure, Bennett was allowed to rebuild his house, then known as the "Prince's Arms," and to extend it "over and beside the gateway and the

lane." That there was a gateway here previously is clear from the licence granted to Bennett, set forth in the Inner Temple Records the 10th of June, 1610, whereby in consideration of making new gates Bennett was "allowed the old gates." In the plan published by Agas, 1563, an entrance is shown, without any gates, nearly opposite Chancery Lane.

Bennett was a King's Sergeant-at-Arms, and had, so far as is known, no connection with the law. His will was proved on August 10th, 1631, but contains no mention of No. 17, Fleet Street, which may be explained by the fact that he had in the meantime parted with the property.

In this house John Bennett perhaps kept his prisoners in confinement. The house is now popularly known, from the inscription on the front, as the palace of Henry VIII. and Cardinal Wolsey. The suggestion that the present building was occupied by either Henry or the Cardinal is thus entirely without foundation. Cardinal Wolsey's palace or town house was, we know, in Chancery Lane, but it is quite possible, and indeed probable, that the original house was occupied by royalty. The name of the "Prince's Arms," by which it was known prior to the rebuilding by Bennett, is some evidence, and the occupation by the Prince of Wales of the large room on the first floor as his Council Chamber for the Duchy of Cornwall is very strong evidence of its close association with the Court. This chamber, now used as a barber's room, is twenty-three feet in length by twenty feet in breadth, extending along the whole front of the house. Its chief claim to attention, however, is its elaborately decorated plaster ceiling, said to be the finest of its kind *in situ* in London. The ribs are richly ornamented and the panels and spaces filled in with emblems, conventional foliage, armorial bearings and devices in high relief, whilst in the centre, enclosed by a star-shaped border, are the Prince of Wales' feathers, with the motto, "Ich

dien," on a scroll beneath, and the initials "P. H.," standing for Prince Henry, eldest son of James I. The whole is now elaborately coloured, but the delicacy of the original tracery has been much damaged by frequent coats of paint. That this room was the Prince's Council Chamber has been placed beyond dispute by documentary evidence. At the Record Office several State Papers have been found referring to this house between the years 1618 and 1641. One is headed "The Prince's Council Chamber in Fleet Street," and another refers to "a house in Fleet Street where the King's Commissioners for his revenue when he was Prince of Wales usually met." This is dated 1635, and also shows that Charles I., when Prince of Wales, or at any rate when Duke of Cornwall, attended here.

The walls of the chamber are panelled from floor to ceiling, and that portion of the panelling which is surmounted by a frieze is undoubtedly early Jacobean. The upper floors are reached by a wide staircase protected by a heavy oak balustrade, which appears to be of a later period, although certainly not later than the reign of George I. This staircase is still *in situ*, and it is satisfactory to find that in rebuilding the back premises it has been allowed to remain.

The design of the house is generally attributed to Inigo Jones. As he was in 1610 surveyor-general to Prince Henry, and as the Prince's arms and initials appear on the ceiling of the new Council Chamber, which, I take it, only succeeded an older one, it is more than probable that Jones was the architect, in spite of the fact that the house was built for John Bennett. With the Civil War its use by the Crown probably ceased entirely, and we next hear of it in 1693 as the Fountain Tavern, carried on by one Edward Dixon, who had serious disputes with the Benchers of the Inn about his "lights" in the lane. Dixon was obliged to capitulate,

and the Inn has since maintained its rights on the question of "ancient lights."

Here in 1709 the Society of Antiquaries, or rather the original founders, used to meet until the removal of their quarters to the "Mitre," near Serjeants' Inn, about the year 1739. The house appears to have continued as a tavern until 1795, when Mrs. Clarke, widow of a surgeon in Chancery Lane, removed here with her waxwork figures from No. 189 over the way, afterwards occupied by Praed's Bank. This collection of figures had been purchased by Mr. Clarke from Mrs. Salmon, the original proprietor, in 1760, and are thus described in a handbill: "140 figures as big as life, all made by Mrs. Salmon, who sells all sorts of moulds and glass eyes and teaches the full art." Mrs. Salmon died at the great age of ninety, her exhibition, the forerunner of Madame Tussaud's, being on view in the reign of Queen Anne at "The Golden Salmon" in St. Martin's, near Aldersgate.

During this period, from entries in the Inner Temple Records, the tenancy of the house seems to have been divided, and the business of the tavern to have been carried on simultaneously. By 1842 Tom Skelton, the hairdresser, had become the occupier, and six years later this business was carried on by the firm of Honey and Skelton. The present occupier, who succeeded to the business, is Mr. Carter, to whom I am indebted for the permission to reproduce the accompanying illustration of the ceiling of the Council Chamber.

Many writers of weight have identified No. 17 with Nando's Coffee House. Mr. Philip Norman, to whom I am indebted for some information relating to this interesting building, has given this theory its quietus. In his paper entitled *No. 17, Fleet Street*, he quotes the following passage from Hughson's *History of London* (1807), which appears to settle the question:—

"We are told," he says, "that James Farr, a barber,



CEILING IN THE COUNCIL CHAMBER OVER THE INNER TEMPLE GATEWAY





who kept the coffee-house, now the 'Rainbow,' or Nando's Coffee House, by the Inner Temple Gate, one of the first in England, was in the year 1667 presented by the inquest of St. Dunstan's in the West, for making and selling a sort of liquor called coffee, as a great nuisance and prejudice to the neighbourhood." This opposition to the consumption of the fragrant berry will be readily appreciated by all friends of "the Trade."

After all these vicissitudes of fortune, No. 17 has been purchased by the London County Council from Mr. Sotheby, the freeholder, for £20,000, to be restored as far as possible to its original state. The present front is, fortunately, only a false one, and much of the original carved woodwork lies behind. The Council Chamber is to share in this restoration and to be opened to the public. In rebuilding the back, great taste has been shown.

By other authorities the "Rainbow" is said to have been one of the earliest coffee-houses in town, and to have started business in 1679. And if the above quotation, identifying it with Nando's, can be relied upon, it is certainly the oldest. Although the entrance is at No. 15, its windows look out into the lane. It was at Nando's that Thurlow, the future Chancellor, got his first brief in the famous Douglas case, through conversation with the solicitor who had the conduct of it. The "Rainbow" is still a well-known legal resort. At No. 16, west of the gateway, with the sign of the "Pope's Head," was the shop of Bernard Lintot, the publisher of Pope's *Homer*, and the rival of Tonson, the great publisher of Queen Anne's reign, and afterwards of Jacob Robinson, book-seller and publisher, with whom lodged Edmund Burke, the future statesman, when eating his dinners as a student of the Middle Temple. Burke commenced to keep regular terms in 1750. Upon its site has arisen another coffee-house, where young Templars delight to congregate to play chess or dominoes over the fragrant cup which invigorates without intoxication.

## THE INNER TEMPLE PLATE

Like so many of the colleges at Oxford and Cambridge, the Societies of the Inns of Court can boast of a goodly show of plate, a considerable amount of which has survived the Civil Wars. In the possession of interesting pieces of ancient date the Society of the Inner Temple is well endowed. The first reference in the records relating to the plate of the Inn occurs in 1534, when the Treasurer acknowledges the receipt of a cup presented by Master Sutton. Two years later reference is made to a silver-gilt cup then in the hands of the late Treasurer's executors, and in 1539 it was agreed "that a standynge pote of sylver which ys Master Sacviles, and also the stondynge cup of sylver shalbe put yn toe the cover yn the Parlyament howse." From the Privy Council Registers, under date June 17th, 1552, we learn that Sir Robert Bowes, Master of the Rolls, was directed to deliver to the Treasurer, Sir John Baker, for the use of the Inner Temple, "a cuppe of sylver and gilt and graven with a cover." The next entry in our records, under date May 16th, 1563, appears to refer to the standing silver-gilt cup shaped like a melon, with a cover, and with feet formed of the tendrils of the melon. The hall-mark of this beautiful piece is pronounced by Mr. Cripps to be of the year 1563. It is now one of the treasured possessions of the House. From an inventory made in February, 1594, there were at that date "eight silver bowls and four silver salts, with a cover for a trencher salt, and two dozen of silver spoons."

By his will, proved in 1597, Nicholas Hare bequeathed three silver-gilt salt-cellars and a trencher salt-cellar to the Inn for the use of the Bench table. The large trencher salt with cover was used to denote the dividing line between the upper and lower members of the household in olden times.

During the earlier years of the seventeenth century numerous additions were made to the plate-chest. In 1606 two high silver candlesticks were purchased from Francis Glandville, goldsmith, and the following year five silver bowls and four spoons. From Thomas Turner a new silver salt-cellar was bought in the year 1610, and in 1619 six slip silver spoons were purchased at a cost of £2 8s.

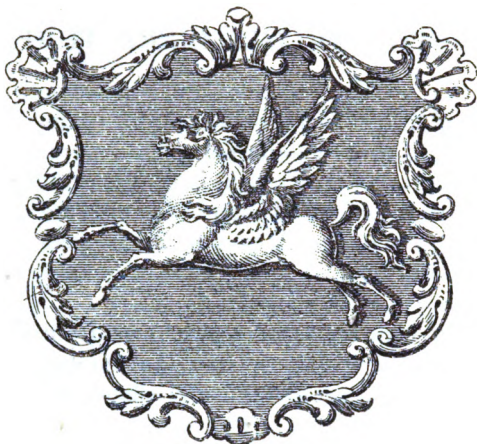
In 1628 two wine bowls were purchased from T. Turner, but in 1643-4 the "house plate" was stolen, and £36 12s. 6d. expended in prosecuting the offenders—with what result is unknown.

From the accounts for the year 1699-1700 we learn that payment for two silver cups was made to Hoare, the goldsmith, the predecessor of the modern banking-house; and from an inventory of goods in the Buttery, dated January 1st, 1703, the Inn appears to have then possessed one basin and ewer, one gilt cup with cover (presumably the melon cup), five large salts, ten great cups, twelve little cups, and twenty-three spoons.

In the accounts for 1707-8 is a payment of £25 15s. for twelve silver spoons and a silver cup and cover.

Since this date numerous additions have been made, and in spite of thefts and mysterious losses the side-board behind the Bench table makes a magnificent display on Grand Night.

Amongst these additions attention must be called to a very beautiful silver-gilt *nef*, or model of a man-of-war, with the castellated poop and forecastle of the period.



### CHAPTER III

#### HISTORICAL SKETCH OF THE INNER TEMPLE

**I**T is not easy to give any account of the domestic history of the Inn prior to the year 1505. Whatever records existed dealing with the occupation of the Temple by the lawyers up to 1381 were entirely destroyed by the peasant followers of Wat the Tyler, who, ascribing all their ills to the chicanery of the lawyers, burned their chambers, together with their papers, in much the same spirit as the French Jacquerie destroyed the title-deeds of their seigneurs.

That other records existed from the period of this disaster to the year 1505, when the present registers commence, is shown by the order in 1507 that a convenient chest be made and set in the Parliament House with divers locks for the reception of "all the olde presidentes, roullis and other wrytynges perteyning unto the company." This chest, with all its contents,

mysteriously disappeared; and as the registers of the Middle Temple commence about the same date as those of the Inner, it is probable that, kept in the hutches of the Temple Church as they were up to the middle of the seventeenth century, they both suffered a common fate.

It is now tolerably certain that Geoffrey Chaucer, the poet, was a Fellow of our House.

In his *Canterbury Tales* he gives us a sketch of the Temple manciple, or chief cook, which, although often quoted, must not be omitted here.

“A gentil manciple was there of [a] *the* Temple  
Of whom achatours mighten take ensample,  
For to ben wise in bying of vitaille;  
For, whether that he paid or toke by taille,  
Algate he waited so in his achate  
That he was aye before in good estate.  
Now is not that of God a full fayre grace  
That swiche a lewèd mannès wit shall face  
The wisdom of an hepe of lerned men?”

“Of maisters had he more than thries ten  
That were of law expert and curious;  
Of which there were a dosein in that hous  
Worthy to ben stewardes of leat and land  
Of any lord that is in Engleland;  
To maken him live by his propre good  
In honour detteles; but if were wood,  
Or live as scarsly as him list desirc,  
And able for to helpen all a shire,  
In any cos that mighte fallen or happe  
And yet this manciple sett ‘his aller cappe.’”

It was upon the supposition that originally only one Inn existed in the Temple, and that the Middle Temple constituted such Inn, that the latter society claimed as its members such men as Chaucer and Gower. From the fact that Chaucer himself in his writings referred only to *the* Temple (although in most of the MSS. it is “a Temple”), it was inferred that only one Inn existed

within the precincts of the Temple. But, according to tradition, Chaucer was a member of the Inner, and the tradition was supported by a passage from the second edition of Speght's *Works of Chaucer*, published in 1574, to which an introduction, written in 1597 by Francis Beaumont, a Justice of the Common Pleas and father of the poet, was added in 1602, which reads as follows :—

“About the latter end of K. Richard's the Second's daies he florished in Fraunce, and got himself great commendation there by his diligent exercise in learning. After his return home he frequented the Court at London and the Colledges of the Lawiers, which there interpret the lawes of the land, and among them he had a familiar friend called John Gower. It seemeth that Chaucer was of the Inner Temple, for not many years since Master Buckley did see a Record in the same house, where Geoffrey Chaucer was fined two shillings for beating a Franciscan friar in Fleet street.”

From the Records of the Inner Temple it now appears that Master Buckley, or “Bulkeley,” was in 1564 the chief butler of the House, and as such librarian.

In 1572 William Buckley, late chief butler, was admitted a Fellow of the House without any payment. That the old records existed is clear, as we have seen from the order of 1507 relating to the chest. To this Buckley would have access, and his identification as a librarian and a Fellow of the society is sufficient circumstantial evidence to set this dispute at rest. It also proves the existence of a separate society of the Inner Temple at least as early as the reign of Richard II.

When Chaucer was appointed ambassador to Bernard Visconti, Lord of Milan, he nominated John Gower, one of his trustees, to appear for him in the Courts during his absence. Gower may well have been a member of the Middle Temple. It is almost certain that he was a lawyer.

The *Paston Letters*, which commence in the year 1421, and in which the terms "l'ostel du Templebar en la cité de Londres," "The Inner Temple," and "The Inner In in the Temple att London," occur indifferently, establish the fact that at this date at any rate the division between the two societies had taken place, and the inference from this indifferent use may be fairly drawn that no reliance can be placed upon the phrase "The Temple," if such was really Chaucer's.

John Paston, the writer and recipient of this correspondence, had chambers in the Inner Temple, where he carried on his study of the law. He was the son of William Paston, a Justice of the Common Pleas, who died in 1444. It is not known to which Inn he belonged, but as he had inherited his property in Norfolk from the Chaucer family, and as his son was a Fellow of our House, the probabilities are that he also was a member of the Inner Temple.

About this time, too, in the year 1430, according to tradition, took place the celebrated scene immortalised by Shakespeare, which is said to have been the origin of the Wars of the Roses. In the Inner Temple Hall met Richard, Duke of York, and the Earls of Somerset, Suffolk, and Warwick. The dispute arose out of "the putting of a case," as the custom then was, for Shakespeare makes Richard say—

"Great lords and gentlemen, what means this silence?  
Dare no man answer in a case of truth?"

This silence was soon broken, and high words passed, when on Suffolk's suggestion they adjourned into the garden.

"*Suffolk*: Within the Temple Hall we were too loud;  
The garden here is more convenient.

. . . . .



*Plantagenet*: Let him that is a true-born gentleman,  
And stands upon the honour of his birth,  
If he supposes that I have pleaded truth,  
From off this briar pluck a white rose with me.

*Somerset:* Let him that is no coward nor no flatterer,  
But dare maintain the party of the truth,  
Pluck a red rose from off this thorn with me.

***Plantagenet***: Hath not thy rose a canker, Somerset?

**Somerset:** Hath not thy rose a thorn, Plantagenet?

*Warwick:*                      This brawl to-day,  
Grown to this faction in the Temple garden,  
Shall send, between the red rose and the white,  
A thousand souls to death and deadly night."

The Temple Gardens were for centuries famous for their red and white roses, the Old Provence, the Cabbage, and the Maiden's Blush.

According to the poet, Richard was an inmate of the Temple, for when Mortimer, dying in the Tower, asks for him, he is told by the keeper that—

**“Richard Plantagenet, my lord, will come ;  
We sent unto the Temple to his chamber.”**

In the seventh year of Edward IV. each Inn was ordered to supply four men-at-arms for the King's guard at the tournament held in Smithfield, when Anthony Wydeville, Lord de Scales, met in combat the bastard son of the Duke of Burgundy. We learn from the Black Books of Lincoln's Inn that this command met with little favour from the lawyers, for "it was hastily agreed to by both Temples against our wish, but after agreed to by us."

A distinguished member of our House at this period was Sir Thomas Lyttelton, the author of the famous treatise on *Tenures*, who became a Justice of the Common Pleas in 1466, and from whom a long line of

famous lawyers trace descent, as well as no less than three noble families whose names are to be found in *Burke's Peerage*. His Reader's shield hangs in the Hall.

Although specially favoured by Henry VII., the Templars did not recover sufficient confidence to set their houses in order until the latter part of his reign. Naturally anxious to strengthen his position, Henry showed special attention to the lawyers. He visited their Inns, was present at the serjeants' feasts, and conferred on the two Chief Justices and the Chief Baron the privilege of wearing the collar of "SS" during their occupancy of the Bench.

The first recorded creation of serjeants from our House, when Humfray Coningsby and Thomas Frewyk were called to that degree, took place in November, 1496. The feast was held at Ely House. At the second creation in 1503 the festival was at Lambeth Palace, and on both occasions the King and his consort were present.

The precedent set by Edward IV. was followed and further developed by Henry VIII., for upon his accession each member of our House was assessed 16*d.* for the cost of stands at the Westminster tournament, in which the lawyers themselves were obliged to take part.

The first serjeants' feast recorded in our registers took place in the year 1521, when William Rudhall, John Poorte, and William Shelley were created serjeants by the King's express wish. They took leave of the society after vespers on June 28th, and

"Then those three serjeants proceeded to the house of the Bishop of Ely in Holbourne, the society following from the seniors to the juniors to the number of almost one hundred and sixty, and so they came to a certain parlour on the north side of the Hall, where the rest of the serjeants of the other Inns had assembled. . . . And after all the serjeants had come into the hall there and sat at the chief table and the elders of the Inn with them,

they had spices and many comfits with wine of every sort. And on Saturday they remained there, and on Sunday the Chief Justice gave them a goodly exhortation in the great chamber at the end of the Hall, and then he told them their pleas before delivered by the chief prothonotaries."

Upon his departure from our House Rudhall left a silver spoon for the Bench table in remembrance. The great hall of the Palace was a magnificent Gothic chamber, with ornamental timber roof and carved oak screen. One of the most memorable of these feasts was that given in 1531, upon the creation of eleven serjeants, when Henry and Catherine were both present, and the menu of which is duly set forth by Stow with great particularity. The festivities lasted five days, and the amount of food and drink consumed was prodigious.

But no less than now royalty was exclusive. Although the Court was said to dine with the serjeants, the former sat in one chamber, and the latter with their wives in another. In the great hall itself were the Lord Mayor and Aldermen, the Justices and the Barons of the Exchequer, the Master of the Rolls, the Masters in Chancery, and citizens of distinction.

In this reign, as we have seen, building was commenced upon a larger scale. A stricter discipline over members of the House was enforced, gambling was forbidden, and sumptuary regulations were passed. In 1523 occurs the first reference to the players, for whom a payment of 20s. is allowed.

At this period, too, "the great plague of sweating sickness"—that scourge of mediæval cities—made its appearance in the Inn, when the deaths of students and officers of the House on several occasions caused the dispersal of its members.

Cardinal Wolsey is connected with our House in the person of William Fitz-William, treasurer and chamberlain of the great Chancellor. He was a member of the

King's Council, and was admitted to our House at the instance of Sir John Baker, afterwards Speaker of the House of Commons. After his master's fall Fitz-William entertained him at his manor of Milton in Northamptonshire. Sir John was also Recorder of London and Attorney-General, and was elected Treasurer of the Inn in 1533.

Whilst Wolsey, however, was still Chancellor, the Benchers of the Inns of Court and the Principals of the Inns of Chancery were placed in the ignominious position of standing as defendants at the bar of the Star Chamber, when they were lectured by the Cardinal, and cautioned not to suffer their gentlemen students in the future to be out of their houses after six o'clock in the evening without very great and necessary causes, nor to allow them to carry any manner of weapons.

The first member of our House to whom the Great Seal was entrusted was Thomas Audley. He became Lord Keeper on May 30th, 1532, and afterwards Lord Chancellor. During his term of office momentous events happened. To satisfy the conscience, forsooth, of our much-married King, Catherine of Aragon was divorced after twenty years of faithful wifehood. Anne Boleyn and Catherine Howard, her successors, perished on the scaffold. Fisher and More suffered a similar fate rather than admit the political supremacy of the State over the Church, and the wealth of the monasteries fell into the hands of the sycophants of the Court.

In this reign, too, a member of our House first held the office of Master of the Rolls. This was John Beaumont, Treasurer in 1547. Appointed to the Rolls three years later, he soon brought disgrace upon the society. He was imprisoned for forging a deed in a suit heard before him, purporting to be executed by Charles Brandon, Duke of Suffolk. He was also charged with peculations to a large amount in his office.

During this reign of Edward VI. the membership of the House had so increased that a fourth butler was engaged, "on account of the great multitude of the company," and in the interests of morality it was ordered "that no woman shall have recourse to the gentlemen's chambers for any cause, except it be as suitors to 'experyencors' in term time, openly without evil suspect, upon pain of forfeiture of 3*s.* 4*d.*" for each offence.

Although the waves of the Reformation passed lightly over the heads of the Templars, owing to their acquiescence in the various creeds as they in turn gained the ascendant, our House furnished in due course its quota to "the noble army of martyrs." John Bradford, who was present as paymaster at the siege of Montreuil in 1544, was three years later admitted as a member. Two years afterwards he took Holy Orders, and became Chaplain-in-Ordinary to Edward VI. He perished in the fires at Smithfield in July, 1555.

Another zealous reformer, a member of our House, was Humphrey Burton, who suffered persecution at the hands of Mary, and died from excess of joy on hearing Shrewsbury bells ring in the accession of Elizabeth.

With the reformed religion in the ascendant, it was only natural that some of our House should suffer for their old faith. In 1581 Nicholas Roscarrock was committed to the Tower as a "Popish recusant," where he remained for five years, until, upon the petition of the Governor, Sir Hugh Hopton, to whom he owed money, he was allowed out upon his bond.

Mary's reign is also memorable for the only instance on record of the imprisonment of members by the Bench. In 1556 certain barristers having contemptuously defied the Benchers, eight of them were committed to the Fleet and expelled the House.

The following year an order greatly affecting the profession was promulgated, providing that no attorney

should be admitted to the Inn, from which time the dividing line between counsel and solicitors, so far as our House is concerned, has been strictly observed.

The Middle Temple did not follow this innovation till much later.

At the creation of seven serjeants in 1555 the feast was held in the Inner Temple Hall, when the judges presented the new serjeants with their coifs.

Amongst the sumptuary regulations of this period was an order of May 5th, 1555, made apparently by the judges and promulgated by the Benchers of the Inner Temple and Lincoln's Inn, forbidding beards of more than three weeks' growth.

The growth of membership which had commenced under Edward was still further increased during the reign of Elizabeth. As in mediæval times, so once again it became the fashion for men of rank and wealth to enter the Inns of Court without any idea of following the profession of the law, a practice still followed, and especially so in the Society of the Inner Temple.

In this way our House became closely associated with the Court and with the leading political events of the day.

With the rising in the North of 1569 our House was connected in the person of Charles Neville, Earl of Westmorland. This was the attempt to force Elizabeth to acknowledge Mary as her heiress and to withdraw her support from the reformed faith. Flying with the Earl of Northumberland, Neville escaped to the Netherlands, where he reached an advanced age, living "meanly and miserably."

Entering Durham Cathedral at the head of the northern gentry and yeomen, the two earls had torn in pieces the Bible and Prayer-book, and had then knelt whilst mass was heard for the last time in any of the old cathedrals in England.

Michael Tempest, a student of our House, was also

engaged in this affair, and was attainted, but, escaping to Flanders, he took service with the Spaniards and died in exile.

In several of the numerous plots to assassinate Elizabeth our House was directly concerned. Through the summer of 1582 Parsons and Allen had been plotting with Philip and the Duke of Guise the assassination of the Queen. If successful Guise was to land an army on our shores in co-operation with James.

To this plot Francis Throckmorton, eldest son of Sir John Throckmorton, Chief Justice of Chester, and both members of our House, was a party. Arrested on suspicion, he confessed on the rack the whole story. He was executed in 1584. His son John was also a student of the Inner.

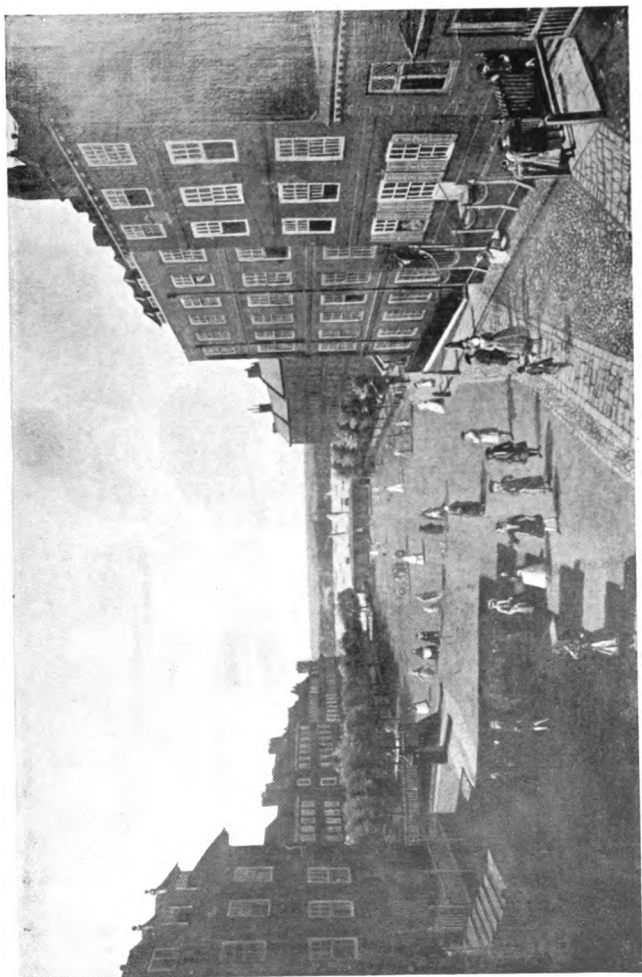
Another member of our House engaged in this conspiracy was William Shelley, who was convicted, but was sufficiently fortunate to obtain a reprieve.

Thomas Salusbury was not so lucky. Condemned for participation in the intrigues to release Mary from imprisonment in 1586, he was executed.

Another student attainted for participation in this rebellion was Marmaduke Blakiston.

Philip Howard, Earl of Arundel, was admitted to our society in 1579, prior to which he had led a life of frivolity. Withdrawing from the Court, he became involved in intrigues against the Crown. Attainted in 1589, he was committed to the Tower, where he died in 1595.

For the trial of Mary Queen of Scots Sir Edmund Anderson, one of our most famous members, was selected by Elizabeth to sit as one of the judges. He was admitted in 1550, and upon the death of Sir Thomas Dyer appointed Chief Justice of the Common Pleas. He presided too at the trial of Davison in the Star Chamber, who was made the scapegoat for Mary's execution upon the ground of having improperly signed the death warrant. The Queen was entertained by Sir Edmund



EXCHEQUER COURT AND KING'S BENCH WALK





at his seat at Harefield. He died in 1605. His portrait hangs at the head of the stairs leading to the Parliament Chambers.

Other great worthies of "the spacious times of Elizabeth" members of our House were Sir William Pole, the antiquary, who left a large collection of MSS. for the history and antiquities of Devonshire, the bulk of which perished in the Civil Wars, and who was elected Treasurer in 1565; Nicholas Wadham, the founder of Wadham College, Oxford; Sir Henry Unton, ambassador to the Court of France, who challenged the Duke of Guise for speaking disrespectfully of the Virgin Queen; Lord Howard of Effingham, Lord High Admiral, the hero of the Great Armada and the first English ambassador to Russia; and Robert Devereux, Earl of Essex, the ill-fated favourite of a capricious mistress.

To our House alone belongs the distinction of being even remotely connected with the Gunpowder Plot. The Treshams had for several generations been members of the Inn. Francis Tresham, one of the conspirators, was not a member of our House, but his father, Sir Thomas Tresham, had chambers here during the reign of Queen Elizabeth, and his two younger brothers, Lewis and William, were both members of the society. The Treshams were active Catholics, and had been engaged in intrigues for many years. They were cousins of Catesby and the two Winters. To what extent Francis participated in the plot is undetermined, but according to Professor S. R. Gardiner it was Francis who sent the celebrated letter to Lord Monteagle, his brother-in-law. Francis died in the Tower, before the trial, on December 22nd, 1605. For many generations the anniversary of the King's deliverance was observed by a bonfire at the Inn gate.

The trial of the other conspirators took place at Westminster on January 27th, 1606. Amongst the commis-

sioners were the Earl of Northampton, a member of our House ; Sir John Popham, of the Middle Temple ; Sir Thomas Fleming, Lord Chief Baron of the Exchequer, of Lincoln's Inn ; and Sir Peter Waberton, a Judge of the Common Pleas, of the same society. Sir Edward Phelips, serjeant, opened for the Crown, followed by Sir Edward Coke, Attorney-General, in a speech of great length, full of moralising, religious sentiments, extracts from Spanish and French history, Latin quotations, and strong language. After verdict and sentence there was little delay. Sir Everard Digby, Robert Winter, Grant, and Bates were executed on the 30th at the west end of St. Paul's, and the rest the following Friday in Old Palace Yard, Westminster.

Garnet, the Jesuit priest, was tried two months later at the Guildhall, for his participation in the plot. At the trial Sir Edward Coke was led by Sir John Croke. Although Garnet was sentenced to be drawn, hanged, and quartered at the west end of St. Paul's, he was allowed to remain on the gallows until dead.

Two other members of our House appear by the records to have been implicated, but how or to what extent I am unable to determine. Oliver Manners, son of the Earl of Rutland of Belvoir, M.P. for Grantham, and Clerk of the Council, was obliged to flee the country. Henry Huddleston, son of Sir Edmund Huddleston, of Paswick, Essex, was not so fortunate. He was seized and imprisoned and his lands confiscated.

Upon the creation of Prince Henry as Prince of Wales in 1609 the barriers, or sham tournament, were revived. On this occasion the combatants wore plate armour and wielded sword and pike. Henry was himself an accomplished exponent of both weapons, and in his portrait is represented with a pike.

A similar entertainment was given on November 4th, 1616, in the Banqueting Hall, at Whitehall, by the Inns

of Court, each society sending ten members. Of the ten gentlemen selected to sustain the honour of our House are some well-known names. George Vernon, who became a Baron of the Exchequer and a Justice of the Common Pleas; Master Wilde, afterwards Lord Keeper; Edward Lyttelton, who attained the same office; and Thomas Trevor, a Baron of the Exchequer in 1625.

Nichols, in his *Progress of King James*, gives the following account of these proceedings:—

“At night to crowne it with more heroicall honour fortie worthie gentlemen of the noble societies of innes of Court, being tenne of each house, every one appoynted in way of honourable combate to breake three staves, three swords, and exchange ten blowes apiece (whose names for their worthinesse I commend to fame), begunne thus each to encounter the other.”

Other witnesses, however, are not so complimentary. Chamberlain, in a letter to Sir Dudley Carleton, writes:—

“I had almost forgot that our inns of court gentlemen carried themselves but indifferently at the barrier the night of the Prince’s creation, but especially in their compliments, wherein they were not so graceful as was to be wished and expected, but in requital they played the man at the banquet.”

John Hawarde, the author of the well-known *Reportes del Cases in Camera Stellata*, belongs to this period. Called in 1598, he became a Bencher in 1613 and Reader in 1625. His two sons, John and William, were both members of our House. The latter was knighted by Charles I. on September 9th, 1643, for his defence of Sudeley Castle. His widow, in 1652, refused to take the oath of abjuration, and in consequence two-thirds of her jointure was sequestered. Lady Martha was buried in the west cloister at Westminster Abbey. Their son, also William, was admitted in 1663.

The family of Coventry has played a leading part in the domestic affairs of our House, and Sir Thomas Coventry, as Lord Keeper of the Great Seal from 1625 till his death in 1639, connects the society with many of the great events of the day. Favourably noticed by Sir Edward Coke, he incurred the hostility of Bacon, who, upon his application for the Recordership of the City, wrote to James that "the man upon whom the choice is like to fall, which is Coventry, I hold doubtful for your service; not but what he is well learned and an honest man, but he hath been, as it were, bred by Lord Coke and seasoned in his ways."

That Coventry was a sound and able lawyer is well-established, but he was not made of the same stuff as Coke. Although he held his own with Buckingham and other Court favourites, he was a strong, though not an extreme, supporter of Charles.

In June, 1635, he delivered in the Council a powerful speech in favour of Noy's scheme for levying ship-money. "The dominion of the sea," he said, "as it is an ancient and undoubted right of the Crown of England, so it is the best security of the land. The wooden walls are the best walls of this kingdom."

But in the great case against Hampden he took no part. He was Treasurer of the Inn from 1617 to 1625, when he was succeeded by Sir Robert Heath. In 1618 we find Heath in the occupation of chambers in Fuller's Rents, looking out into Ram Alley. He became successively Recorder of London, Solicitor- and Attorney-General, and Chief Justice of the Common Pleas, from which office he was discharged without any cause being assigned, and resumed his practice at the Bar as junior serjeant. In 1641 he was made a Judge of the King's Bench, and joined the King at York the following year. He was subsequently appointed Chief Justice, but never sat as such in Westminster Hall. Upon his impeachment in

1644 he fled to France, and died five years later at Calais. Heath was one of the chief advocates of the Crown, and with great learning and ingenuity assisted Charles in his foolish and high-handed encroachments upon the liberty of the subject.

A career singularly like that of Heath was Sir Edward Lyttelton's, whom we find also in Fuller's Rents, in Coke's old chambers, in 1634. He became successively Chief Justice of North Wales, Recorder of London, Solicitor-General, Chief Justice of the Common Pleas, and finally in 1641 Lord Keeper of the Great Seal. A fellow-student with Selden, he appeared for his old friend upon his imprisonment for the tonnage and poundage affair in 1629. Although a moderate man, Lyttelton delivered an elaborate argument against Hampden in the ship-money case, occupying three days. With the acceptance of the Great Seal his troubles commenced. In the absence of the King he became the sport of both parties and equally distrusted by both, a position so embarrassing as to cause him a serious illness. He finally solved the difficulty by secretly flying from London and carrying the Seal with him to the King at York. On the outbreak of the Civil War he was commissioned by Charles to raise a regiment of foot from the Inns of Court and Chancery, of which he became colonel. It was when drilling these recruits at Oxford that he contracted a cold from which he died.

Lyttelton, although a timid politician, was one of the first swordsmen of his day and of approved valour in the field. He was succeeded in the command of his regiment by Heath.

Two of Lyttelton's brothers, James, Chancellor of Worcester and a Master in Chancery, and Timothy, a Baron of the Exchequer, were both of our House. So, too, was Thomas Lyttelton, who married the Lord Keeper's daughter and heiress.

John Hampden had been admitted a member of our

House in 1613. His name is indelibly imprinted upon the constitutional history of our country, and will ever live in the grateful remembrance of our race.

“A Hampden, too, is thine illustrious House,  
Wise, strenuous, firm, of unsubmitting soul,  
Who stemmed the torrent of a downward age,  
To slavery prone.”

He lost his life in a petty skirmish on Chalgrove Field in 1643. His father, William Hampden, of Clifford's Inn, was specially admitted a member of our House in 1588 upon payment of a fine of £3 6s. 8*d*. He married Elizabeth, daughter of Sir Henry Cromwell, of Hinchinbrook. He died in 1597, leaving John, an infant of three years old, to be brought up by his mother.

John Hutton, a student of our House, another Hampden, was imprisoned for his refusal to pay ship-money, and, upon his release, was elected by the popular party a member of the Long Parliament; but, fearing his colleagues were going too far, he went over to the Royalists and joined the King at Oxford.

Sir John Croke's son, also called John, joined the King with a troop of horse, and ruined his estate in the Royal cause. Others of the Croke family, members of our House, were Serjeant Unton Croke, who enjoyed the favour of Cromwell, and his son, Unton, a captain in the Parliamentary forces, who defeated and captured the unfortunate Colonel Penruddock.

Penruddock, a student of Gray's Inn, having in March, 1655, raised a small force with Sir Joseph Wagstaffe, occupied Salisbury, and seizing the judges, Rolle and Nicholas, who were there on circuit, proclaimed Charles II. Wagstaffe wished to hang the judges, but was prevented by Penruddock. Failing to raise the country, they were retiring into Cornwall when they were surprised by Unton Croke at South Molton in North Devon.

Penruddock was tried and executed at Exeter, Serjeant

Glynne presiding at the trial, the other commissioners being Rolle, Nicholas, and Serjeant Steele. Both Rolle and Nicholas were members of the Inner, the former a staunch supporter of Cromwell. In 1648 he was appointed Chief Justice of the King's Bench, and after the execution of Charles he accepted a new commission as Chief Justice of the Upper Bench. He was the author of Rolle's *Abrüdgment des plusieurs Cases et Resolutions del Commun Ley*. Nicholas, just before his elevation to the Upper Bench, was one of the counsel for the Commonwealth against Lilburne, Prynne, and others.

Many other members and students of the Inner, too numerous to mention, were actively engaged in the field on one side or the other. To cull a few names from the Roll of Admittances at this period: Sir Robert Pye, called 1595, M.P. for Bath and Woodstock, Auditor of the Exchequer under James I. and the first Charles, defended his seat, Faringdon House, which he had purchased from the Unton family, for the King against the Parliamentary forces commanded by his second son!

This appears to be the Robert Pye who in 1601 was "disgraded from the degree and place at the Bar," and "also expelled and put out of this House and fellowship of the same for a most foul and treacherous practice of his in the wrongful and malicious persecution against Christopher Merricke, gentleman, one also of the outter Barristers of this House, to the endangering of the life and loss of lands and goods of the said Mr. Merricke."

Pye was brought before the Star Chamber and condemned in a fine of 1,000 marks, to stand in the pillory at Westminster Hall and there to lose one ear, to ride thence with his face to the horse's tail to Temple Gate, and there to be pilloried and lose the other ear, and to suffer perpetual imprisonment.

The House was scolded for admitting such a man, who should have followed his father's trade, who was but a



butcher. This allegation of low birth was a pure invention, for Pye was the second son of Sir William Pye, of Mynde Park, Hereford. Robert Pye was successively Member of Parliament for Bath, Ludgershall, Westminster, Grampound, Woodstock, and the county of Berks. He died in 1662.

His elder brother, Sir Walter Pye, was chosen Treasurer of the Middle Temple in 1626. He was Attorney of the Court of Wards and Liveries.

Robert Pye the younger married Anne, daughter of John Hampden, which sufficiently accounts for his taking sides with Parliament. He saw much service under Essex, for whom he had raised a troop of horse. He was among those who joined the Prince of Orange on his march on London in December, 1688. His son Edmund was grandfather of Henry James Pye, the poet laureate.

Basil, Lord Fielding, admitted 1628, who became one of the most eminent of the Parliamentary generals, opposed his father, the Earl of Denbigh, in the field.

Mark Trevor, admitted 1634, was the colonel in the Royal army "who wounded the tyrant Cromwell in the face," and for this and other services he was created (1662) Viscount Dungannon and Baron Rostrevor.

Thomas Wentworth, admitted 1607, was created Earl of Strafford 1640, and fell on the scaffold the following year.

Francis, Lord Cottington, admitted 1631, afterwards Chancellor of the Exchequer and Lord Treasurer, fled into exile with Charles II., and dying at Valladolid, 1653, was subsequently buried in Westminster Abbey. He was Master of the Court of Wards and Liveries in 1640.

A younger student, admitted 1637, was Robert Phelips, grandson of the famous Sir Edward Phelips, Master of the Rolls. He assisted Charles to escape to France after the battle of Worcester, and is no doubt the young Colonel Lee of Scott's *Woodstock*. Contemporary with

these two is Thomas Blount, admitted two years later, an eminent antiquary, and the author of *Boscobel*, a personal narrative of the King's adventures after the disaster at Worcester. He was an intimate friend of Selden, Sir William Dugdale, and other literary men of the time. Another student, a member of this coterie, was William Browne, author of *Britannia's Pastorals*, *The Shepherd's Pipe*, and other pieces. Blount's uncle, Sir Walter, and his four sons, two at least of whom were members of our House, fought for the King.

Other Royalist members were Colonel Edward Slaughter, of Cheyne Court, Hereford, admitted 1619; Sir Henry Newton, of Chulton, Kent, admitted in 1632, who held a command at Edge Hill; and Major Anthony Dyott, son of a Benchman, who was called in 1652, and held a commission in the King's forces. The Dyotts' chambers were in Fig Tree Court.

In 1648, the same year in which Thomas Blount was called to the Bar, Sir Roger Mostyn's chambers were sequestered. He is said to have expended £60,000 in the service of the King. Sir Roger was captured at Conway by Colonel Carter. He appears to have made his peace with the Inn, for he was called to the Bar in 1655.

Two prominent members on the other side were Robert Devereux, Earl of Essex, the great Parliamentary general, and Sir Robert Rich, a Master in Chancery, afterwards Earl of Warwick, both specially admitted together in 1605, with the Earls of Arundel, Oxford, and Northampton, and other men of rank. Robert Devereux, son of the ill-fated favourite of Elizabeth, was married to Lady Frances Howard, daughter of the Earl of Suffolk, both being mere children, fourteen years of age. After eight years of married life, Lady Frances, having formed an attachment for Sir Robert Carr, afterwards Earl of Somerset, the first favourite of James I., brought the

famous nullity suit against her husband, and, upon its successful termination, immediately married Carr. The action was tried before the Archbishop of Canterbury, half a dozen bishops, and two medical men, James taking the utmost personal interest in the evidence and using all his influence to secure the verdict. This trial was regarded even in those days as a gross scandal.

Sir Richard Onslow, a strong adherent of the popular party, raised a regiment for the Parliament. He was a grandson of Richard Onslow, Speaker of the House of Commons in the reign of Elizabeth, who by marriage acquired the Knoll Estate in Surrey. Both were members of our House. Sir Richard was present in a command at the siege of Basing House. He died unmolested at Knoll in 1664.

After Lord Keeper Lyttelton's death in 1645, the Great Seal was entrusted to Sir Richard Lane, a Bencher of the Middle Temple and Attorney-General to the Prince of Wales in 1688. In Strafford's impeachment he distinguished himself by his brilliant argument, which showed that the charges preferred did not amount to treason in point of law.

Meanwhile Parliament, having declared the proceedings under the Great Seal at Oxford invalid, put the Seal of Parliament in commission and appointed Serjeant Wilde, a member of our House, as one of the commissioners with the powers of Lord Chancellor. Wilde was chairman of the committee appointed to draw up the impeachment of the bishops. In 1648 he was created Chief Baron of the Exchequer.

Of the twelve judges appointed by the Commonwealth, Chief Justices Rolle and Nicholas have already been mentioned. Aske, of the Upper Bench, and Baron Gates, of the Exchequer, were both of our House. Aske was junior counsel, with Cooke Solicitor-General, for the Commonwealth at the trial of Charles. He occupied

chambers in Churchyard Court South. He died in 1656.

A number of the regicides were members of our Inn. Thomas Challoner escaped to Zeeland, and died there in 1667. Simon Mayne, member of Parliament for Aylesbury, died in the Tower, and was buried in the Temple Church. William Cawley, Recorder of Chichester, and Gabriel Ludlow, a Bencher, both escaped to Vevey, where they died. Henry Marten, son of Sir Henry Marten, Dean of Arches and Judge of the Court of Admiralty, died in confinement at Chepstow Castle in 1681. Daniel Blagrove fled to Aachen, where he died in 1668. Anthony Stapley, member of Parliament for Arundel, died before the Restoration, as also did Sir William Constable, who had taken a very active part in the field for the Commonwealth. John Downes, a member of Parliament, pleaded guilty, and being recommended to mercy was reprieved. John Carew, relying upon the proclamation, surrendered. He was tried at the Old Bailey and executed. He was thus the only member to suffer the extreme penalty for treason. Andrew Broughton, who, as Chief Clerk of the Crown, read the indictment and called on the King to plead, and read the sentence, was also of our House. He escaped to Switzerland, where he died. All these were men of good family.

During the exile of Charles II. in France the Great Seal was placed in the hands of Sir Edward Herbert, who had been Attorney-General to the Queen, 1637, Solicitor-General, 1640, and Attorney-General, 1642. Associated with Selden, he was chosen to represent our House in the management of the great masque given at Christmastide, 1633-4, to Charles and Henrietta.

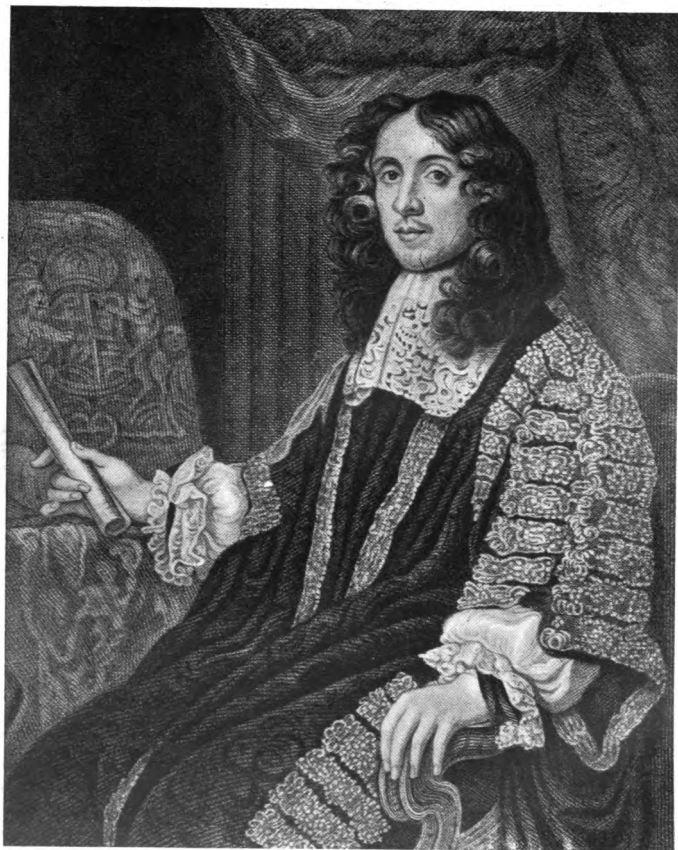
The government of our House during the Civil War naturally fell into the hands of the supporters of the Parliament, but at the Restoration there were no reprisals, the Royalists quietly taking possession.

Orlando Bridgeman was immediately elected a Benchers of our House, and became in quick succession Chief Baron of the Exchequer, Chief Justice of the Common Pleas, and finally successor of Lord Clarendon as Lord Keeper in 1667. But he was not a success in the Court of Chancery. One of the greatest masters of the principles of Equity and Chancery procedure was Heneage Finch, son of Serjeant Finch, Recorder of London and Speaker of the House of Commons, both Benchers of our House. The elder Finch owned Kensington Palace, which was sold by his grandson to William III. In due course Solicitor-General and Attorney-General, young Heneage became Lord Keeper in 1673, and Lord Chancellor two years later. In 1681 he was created Earl of Nottingham. He was styled by Cudworth the Oracle of Impartial Justice, and was regarded by all as a pattern of virtue and honour—a remarkable exception to the general corruption of his times. He died at his house in Great Queen Street, Lincoln's Inn Fields, in 1682. His cousin, Sir John Finch, of Gray's Inn, succeeded the elder Finch as Speaker of the House of Commons, and will go down to posterity in the undignified attitude of being held down in the chair on that memorable occasion when Sir John Eliot moved his resolution against tonnage and poundage. With tears he protested, "I will not say I will not put the question, but I say I dare not."

Introduced by Clarendon, Finch had early secured the favour of Charles, and upon his appointment as Autumn Reader in 1661 he gave one of the most magnificent entertainments ever recorded in the Inner Temple Hall. The feast lasted several days, and was honoured on the last day by the presence of the King in person, accompanied by the Duke of York.

The King came from Whitehall in his state barge, and was received by Sir Heneage Finch and the Chief Justice of the Common Pleas at the Temple Stairs, passing thence





HENEAGE FINCH, EARL OF NOTTINGHAM

through a double file of the Reader's servants clothed in scarlet cloaks and white doublets, whence, taking his way through a breach made expressly for the occasion in the garden wall, he passed through a lane formed of Benchers, Utter Barristers, and Students of the Inn, till he arrived at the Hall, when the wind instruments that had been sounding ever since he landed gave place to a band of twenty violins, which played throughout dinner. So pleased was the Duke of York that he was admitted there and then, and ultimately became a Barrister and Bencher of the society. Prince Rupert and other noblemen of distinction were also admitted as members. His son, also Heneage, called by our House, became Solicitor-General from 1679 to 1686, and was one of the principal counsel for the defence in the trial of the Seven Bishops. He was called to the Upper House by the title of Baron Guernsey by Anne, and created Earl of Aylesford by George I.

Robert Foster, a member of our House, was the first Chief Justice of England to be appointed after the Restoration. He was one of the judges who tried Sir Harry Vane for treason. By declaring Charles II. *de facto* as well as *de jure* King on his father's death, these judges were able to avail themselves of a legal quibble to support their verdict of high treason. Vane and Lambert had been included in a proclamation of indemnity. The King violated his promise by the execution of Vane as much as the judges—time-serving tools—strained the law by his conviction.

John Keelyng, called to Bar by the Inner in 1632, became Chief Justice of the King's Bench in 1665. He was one of the counsel for the Crown at the trial of Sir Harry Vane. Keelyng had chambers in Dupont's Buildings, which appear to have been behind Fuller's Rents, probably in or abutting upon Ram Alley.

William Wycherley, the clever and licentious dramatist



of a corrupt age, the son of Daniel Wycherley, a member of our House, was admitted to the Inner Temple in 1659, and for some years lived as an inmate of the Temple, leading a gay and profligate life. According to tradition, it was at his chambers here that he received the notorious Duchess of Cleveland, one of the gay monarch's mistresses, who, moved by his comely person, introduced herself to him in the Mall, in the coarse language of the period. She is said to have stolen from the Court to her lover's chambers in the Temple "disguised as a country girl, with a straw hat on her head, pattens on her feet, and a basket in her hand." Before this event, however, Wycherley had probably left the Temple.

The third scene in *The Plain Dealer* is laid in Westminster Hall, and if Wycherley's characters are faithful representations of the barristers of the day, the less said about them the better.

Although a rival with Charles and Buckingham for the favours of the royal mistress, he was visited by that monarch, when struck down by illness and living in Cross Street, and was sent to France for the benefit of his health, at the expense of the royal purse.

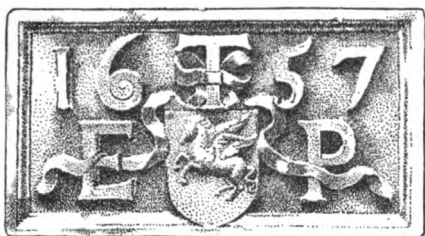
On his marriage with the Countess of Drogheda he incurred the displeasure of the Court, and he fared no better than Addison in this unequal match. So jealous was the Countess, that when he visited the Cock Tavern, opposite his house in Bow, he was obliged to leave the window open and show himself from time to time. A more serious result, however, was his imprisonment for debt in the Fleet Prison for several years. However, he survived this and the Countess, and married again, only to die eleven days after the ceremony.

## CHAPTER IV

### HISTORICAL SKETCH OF THE INNER TEMPLE

*(continued)*

**I**N two public misfortunes which befell the City during the reign of Charles II. the Inner Temple shared largely. The summers of 1665 and 1666 found both Temples deserted in consequence of the plague, which then raged with such virulence, and scarcely had this



WALL TABLET FORMERLY IN INNER TEMPLE LANE.

abated when, on September 2nd, 1666, the Great Fire broke out, reaching the Temple on the 4th.

Only by a free use of gunpowder, under the direction of the Duke of York, and a timely dropping of the wind was the Temple saved from complete destruction. As it was, the damage was enormous. The whole of King's Bench Walk, with the Alienation Office, Fuller's Rents, and the houses in Ram Alley, the Exchequer Office,

Tanfield Court, Cæsar's Buildings, and most of the buildings east of the Hall, were swept away. The Master's house also perished, the flames even licking the east end of the church. An irregular line drawn on Ogilby's *Plan* shows the extent to which the fire extended to the west. A day or two afterwards the fire broke out in Fig Tree Court, which was partially blown up in order to save the Hall. During the next five years these buildings were all rebuilt, but in October, 1677, another fire broke out in King's Bench Walk, destroying nearly the whole of the new structures there.

A stone tablet on No. 4 commemorates this conflagration :—

“Conflagratam Anº 1677. Fabricatam Anº 1678.  
Richardo Powell, Armiger, Thesaurar.”

This doorway, and also the more elaborate one with Corinthian brick columns at No. 5, are supposed to be the work of Sir Christopher Wren, who was largely employed in building operations in the Temple.

With the Rye House Plot our House was connected in the person of John Ayloff, a member of the society and one of the conspirators. He fled to Scotland, where he was captured in the act of attempting suicide. He was brought back, tried, convicted, and hanged in front of the Inner Temple Gate on Friday, October 30th, 1685.

A most extraordinary career is that of Francis Pemberton. Called to the Bar in 1654 by the Inner, his early years were spent in dissipation, ending in imprisonment for debt. Whilst in durance vile, to assist his companions in misfortune, he applied himself closely to the study of the law, and came out, as some say, a sharper at the law, according to others, one of the ablest men at the Bar. Appearing as counsel at the House of Lords in a case in which the Commons asserted the Upper House had no jurisdiction, he was ordered into custody. Released by

the Lords, he was retaken in the middle of Westminster Hall by the Speaker himself. Raised to the King's Bench in 1679 by the influence of the infamous Scroggs, he was removed from that office the following year, when he returned to his practice at the Bar. A year later he superseded Scroggs himself as Chief Justice of the King's Bench. Appointed Chief Justice of the Common Pleas in 1683, he presided at the trial of Lord William Russell. He was shortly afterwards dismissed, and his removal is said to have been occasioned by the honourable way he then conducted himself, or as Kennet euphoniously put it, by his not being able "to go into all the new Measures of the court." Returning once more to the Bar, he resumed a successful practice as a serjeant, and with Sir Robert Sawyer led for the defence in the trial of the Seven Bishops. He died in 1697.

For a judge to return to his practice at the Bar was in those days by no means uncommon. In this they suffered no loss of dignity, since all judges were members of the Order of the Coif, and a serjeant was always treated by a judge as an equal, and addressed from the Bench as "Brother." Other examples are Sir Cresswell Levinz, Sir Edward Lutwyche, and Sir Edward Herbert, who after sitting on the Bench all returned to the Bar.

On June 29th, 1688, in Westminster Hall took place one of the most memorable events in our history—the trial of the Seven Bishops for seditious libel, an event with which members of the Temple were intimately connected.

Jeffreys of our House advised the prosecution, although when too late he would gladly have taken back his advice.

Sir Robert Wright, as we have said, presided at the trial, his colleagues on the Bench being Sir Richard Allybone, a Papist of Gray's Inn, who, as Macaulay rightly says, "showed such gross ignorance of law and

history as brought on him the contempt of all who heard him," and Sir Richard Holloway, hitherto a serviceable tool of the Court. A member of the Inner Temple, Holloway had practised locally at Oxford, and lived opposite the "Blue Boar" in St. Aldgate's. In spite of his judgment in favour of the bishops, and his consequent immediate dismissal from the Bench, Holloway was excepted by William out of the Bill of Indemnity.

Sir John Powell, the fourth occupant of the Bench, was a member of Gray's Inn, and by his honourable conduct on this occasion restored a reputation for honesty somewhat damaged. For this he was dismissed with Holloway, but restored to the Bench by William, after having declined the office of Lord Keeper of the Great Seal.

The counsel for the Crown were Sir Thomas Powis, of Lincoln's Inn, Attorney-General, a third-rate lawyer, who was raised to the Queen's Bench in 1713, but removed the following year for incapacity upon the advice of Lord Chancellor Cowper; Sir William Williams, the life-long rival of Sir Robert Sawyer, who led for the defence, and who had been Speaker of the House of Commons for a few days in 1678.

Sawyer shared with Jeffreys and North the guilt of Sir Thomas Armstrong's blood, and he conducted the cases against Lord William Russell and Sir P. Sidney. Attacked in the House, he was accused by Williams of "wilful murder" in a speech which persuaded the House to expel him by 131 votes to 71.

In many of these State trials Williams appeared for the defence. He had been Speaker of the House of Commons in the last two Parliaments of Charles II. In pronouncing the expulsion of Sir Richard Peyton, he said: "This Parliament nauseates such members as you are; you are no longer a part of this noble body."

After the dissolution for this language he was challenged

by Sir Richard, who, upon Williams's complaint to the authorities, was committed to the Tower, a truly proper mode of settling a duel for a lawyer to adopt! Shortly after this incident Sawyer had his revenge. In the Parliament of 1681 Williams was charged with libel upon the ground that Dangerfield's narrative of the Meal Tub Plot, the printing of which it had been his duty as Speaker to license, implicated the Duke of York. In this business Sawyer assumed the noble character of "informer," with the result that Williams was fined £10,000, of which the Duke rebated £2,000 for cash down.

Instead of resenting such treatment at the hands of the Court, Williams was thenceforth a zealous and ardent supporter of James, and so became Sir William Williams and Solicitor-General, with a promise of the Woolsack if he secured a verdict against the bishops. It was Sawyer who largely contributed to his defeat. In the course of the trial they both constantly made bitter personal attacks upon one another. For once, however, they acted together in the great debate on the abdication of James. Sawyer asserted that James was no longer King, and the unblushing forehead and voluble tongue of Sir William Williams were found on the same side, together with the voices of Wharton, the aged Serjeant Maynard, and the rising young Somers.

"How men like Williams live through such infamy," says Macaulay, "it is not easy to understand. He had been deeply concerned in the excesses both of the worst of Oppositions and the worst of Governments. He had persecuted innocent Papists and innocent Protestants. He had been the patron of Oates and the tool of Petre. But even such infamy was not enough for Williams. He was not ashamed to attack the fallen tyrant to whom he had hired himself out for work which no honest man in the Inns of Court would undertake."

Sawyer was Treasurer of our House, and was Attorney-General 1681-7. He sat for Cambridge University from 1689 till his death in 1692. At Cambridge, where he had a brilliant career, he was chamber-fellow of Samuel Pepys at Magdalene.

With Powis and Williams were Serjeant Trinder, a Papist, of the Inner, and Sir Bartholomew Shower, of the Middle, Recorder of London, and author of some well-known *Reports*, "but whose fulsome apologies and endless repetitions," says Macaulay, were the jest of Westminster Hall. One of the junior counsel for the Crown was Nathan Wright of our House, afterwards Lord Keeper under William III.

On the other side with Sawyer were Serjeant Pemberton, whose acute intellect and skilful conduct of the case proved too much for the prosecution; Heneage Finch, afterwards Earl of Aylesford, who nearly lost the case for the bishops by his anxiety to make a fine speech; and Henry Pollexfen, leader of the Western Circuit, where he had been selected by Jeffreys to prosecute in many of the cases at the Bloody Assize. All these were members of our House. Pollexfen was a Whig, and had been leading counsel for Lord William Russell, and had appeared for the City in defence of its charters. The greatest blot on his character was his appearance as prosecuting counsel against Alice L'Isle. In 1689 he became Attorney-General, and a few months later Chief Justice of the Common Pleas. He is the author of some *Reports*.

Serjeant Cresswell Levinz, also the author of *Reports* bearing his name, appeared for the bishops, though sadly against his will. Although a man of great learning and experience, he was of weak character, and it was only upon the threat of the whole body of attorneys never to brief him again that he accepted a brief. He was a member of the Middle Temple.

Sir George Treby, also a member of the Middle Temple,

was counsel on the same side. He had succeeded Jeffreys as Recorder of London, but was dismissed in consequence of holding briefs for defendants obnoxious to the Court. Upon the landing of the Prince of Orange he was reinstated, and headed the procession of welcome to William, delivering the address. He subsequently became Attorney-General and Chief Justice of the Common Pleas. He frequently sat as Speaker of the House of Lords during the illnesses of Somers.

Sir John Holt, of the Middle Temple, was not retained for the bishops owing to some prejudice of Sancroft's, but he acted as adviser to the Bishop of London.

The junior counsel was John Somers, who obtained his brief through the influence of Johnstone and Pollexfen, the latter of whom declared that no man in Westminster Hall was so well qualified to treat a historical and constitutional question as Somers. Somers was a member of the Middle Temple. His chambers were in Elm Court.

With all this talent opposed to them, the counsel for the Crown were hard put to. It was not until they had put Blathwayt, Clerk of the Privy Council, in the box that they were able to prove the handwriting of the defendants, and when they had at last established this they were met with the necessity of proving that the libel was written in Middlesex, as alleged in the indictment. Shifting their ground, they then attempted to prove its publication in this county, and after completely failing to do this closed their case. Wright began to charge the jury, when Finch, foolishly as was thought at the moment, claimed to be heard. "If you will be heard," said the Chief Justice, "you shall be heard, but you do not understand your own interests." In the meantime a messenger arrived who announced that Lord Sunderland was coming to prove the publication.

The evidence of the Lord President of the Council was



held to be sufficient to allow the case to go to the jury, and after a long legal argument upon the prerogative of the King, Wright summed up, trimming as best he could, and holding the petition to be a libel in point of law. Perhaps he was prescient of his coming fate, for he looked, as a bystander remarked, as if all the peers present had halters in their pockets.

Allybone, who supported him, exhibited such ignorance as to incur the open contempt of that vast concourse. Holloway declared the petition to be no libel, and Powell was even more courageous, avowing that the Declaration of Indulgence was a nullity and the dispensing power utterly inconsistent in law.

The jury were locked up all night, and the solicitor for the bishops sat too outside their door to prevent any tampering by the Court party. At first the jury were nine to three for an acquittal. Two of the latter soon gave way, but Arnold, the King's brewer, held out. "Whatever I do," he bitterly complained, "I shall be half-ruined. If I say *Not guilty*, I shall brew no more for the King; and if I say *Guilty*, I shall brew no more for anybody else."

His dogged resolution was broken down by Austin, a country gentleman of high position. "Look at me," he cried. "I am the largest and strongest of the twelve, and before I find such a petition as this a libel, here I will stay till I am no bigger than a tobacco pipe."

Arnold gave in at six o'clock next morning, and at ten, amidst the frenzied shouts of thousands of persons in Westminster Hall, the verdict of "Not Guilty" was pronounced, shouts that were taken up by the dense crowds outside, and heard as far as Temple Bar.

Thus ended this momentous struggle for civil and religious liberty.

A few months later James fled the country, and upon the accession of William, Sir John Trevor was appointed

one of the Commissioners of the Great Seal. Sir John had been Treasurer of our House, Attorney-General, and the Master of the Rolls. To the latter post he was now reappointed. In 1695 he became Speaker of the House of Commons, and by virtue of a statute recently passed, he walked at the funeral of Queen Mary as the First Commoner of the realm. A week later he had to put the question from the chair: "That Sir John Trevor, Speaker of this House, receiving a gratuity of one thousand guineas from the City of London after passing of the Orphans Bill, is guilty of a high crime and misdemeanour."

In spite of this signal disgrace he had still the effrontery to retain the Mastership of the Rolls. He had an unfortunate squint, and it was no uncommon occurrence for two members each to claim to have caught the Speaker's eye at the same moment.

In his early days Trevor had been a boon companion of Jeffreys, and when he no longer required the latter's support, he frequently turned upon his old friend, proving himself as great a master of coarse invective as the Chancellor himself. He married a daughter of Sir Roger Mostyn, and from his own daughter was descended the great Duke of Wellington.

The reign of William and Mary is not remarkable in the annals of our society, which was mainly occupied with the reorganisation of its internal economy. From 1691 the Treasurer was elected for one year only from the Masters of the Bench in order of seniority, and £100 was voted for the expenses of his office. In 1693 the portraits of the King and Queen were painted by Sir Godfrey Kneller, and now hang in the Hall, together with that of Anne by the same artist, the commission for which was left in the hands of the Treasurer, Sir Simon Harcourt.

The large picture of Pegasus surrounded by Neptune and the Muses springing from Mount Helicon was

painted by Sir James Thornhill, then in high favour at Court, in 1709. This painting used to hang at the east end of the old Hall, a position which it occupies in the new, and which shows us the extent of the enlargement of the present building.

Simon Harcourt perhaps, of all our members, cut the finest figure during the reign of Queen Anne. A scion of an ancient family seated at Stanton Harcourt, he was immediately upon his call to the Bar in 1683 appointed Recorder of Abingdon, for which borough he was returned as Tory member in 1690. Eight years later he was selected by the House to manage the impeachment of Lord Somers for his share in the Partition Treaty, and in 1702 he was appointed Solicitor-General and elected a Bencher of his Inn. At the Old Bailey he appeared for De Foe, and in the House took a leading part in the debate on the case of *Ashby v. White*. As a reward for his services in the union with Scotland, he received the office of Attorney-General.

He next appeared for Dr. Sacheverell at the Bar of the House of Lords, and the silver salver presented by his grateful client is still to be seen at Nuneham, an estate which he purchased when Lord Keeper from the Weymes family.

At Cokethorpe, near Stanton Harcourt, his other seat, he entertained Anne, and here in the uppermost chamber of the tower Pope had his study, in which he wrote his *Homer*. In 1713 Harcourt was created Lord Chancellor, as a reward for his zeal in the Treaty of Utrecht.

Reappointed Chancellor on the death of Anne, he was dismissed by George upon his arrival in London, and retired to Cokethorpe, where Pope, Gay, Prior, and Swift were his constant visitors. Harcourt was styled by the Dean the "Trimmer," a name which stuck, but which perhaps was somewhat too severe. Amongst his contemporaries his reputation as a speaker stood very high.

Speaker Onslow said of him that he "had the greatest skill and power of speech of any man I ever knew in a public assembly."

In the *London Post*, dated June 1st, 1700, it is related how "two days ago a lawyer of the Temple coming to town in his coach was robbed by two highwaymen on Hounslow Heath of £50, his watch, and whatever they could find valuable about him." This "lawyer" was Simon Harcourt. The men were caught on the ferry-boat at Kew and all the valuables recovered.

Harcourt's town house was Arundel House, in the Strand, but his name is perpetuated in the Temple by Harcourt Buildings.

His portrait hangs in the Hall. He married for his third wife a daughter of Sir Thomas Trevor, and granddaughter of the great John Hampden. Sir Thomas Trevor was also Treasurer of our House. After filling the offices of Solicitor- and Attorney-General, Trevor became in 1701 Chief Justice of the Common Pleas. In 1711, in order to secure a majority in the Lords for the peace, Harley and St. John exercised the prerogative of the Crown by the creation of twelve new peers. Trevor was one of these, and he was the first Chief Justice of the Common Pleas to be raised to the peerage whilst still holding this office. His wife was Ruth, daughter of Hampden. A fellow-student with Trevor was Sir John Pratt, Chief Justice of the King's Bench in 1718, and father of the celebrated Lord Camden.

In December, 1692, the Temple was the scene of a tragedy. Mr. Graham, an attorney, was killed by one Young in the Temple Walks, and two years later a Mr. Mansell, whose name occurs in our records, "being somewhat melancholy, having had considerable losses, threw himself out of a window three story high in the Temple, of which fall he soon died."

The most important event in the legal world during the

reign of George I. was disastrous to the honour of our House.

Thomas Parker, Earl of Macclesfield, had obtained the highest honours of the profession by his own splendid attainments and remarkable abilities. Called to the Bar by the Inner Temple in 1691, he soon took the lead in public affairs, and as a reward for his exertions in the impeachment of Dr. Sacheverell, was appointed Chief Justice of the Queen's Bench in 1710. On May 12th, 1718, Parker started from the terrace outside the Hall, accompanied by a long train of Benchers and members of the Inn, to be sworn in as Lord Chancellor at Westminster. For seven years his star was in the ascendant. He was courted as one of the greatest men in the kingdom. In the dedication to a life of Jeffreys his incorruptible integrity and splendid career were contrasted with the corruption and degradation of his predecessor. Suddenly, without warning, he resigned, and within three weeks was impeached for the sale of offices and receiving payment with the knowledge that it was provided out of the suitors' fund. He was found guilty, fined £30,000, and his name struck off the list of the Privy Council.

There can be no question that Parker had grossly abused his high position, but he should not be judged too harshly. His greed had only outrun the usual practice of his predecessors. The office of a Master in Chancery was a most profitable one, not only from the fees legitimately paid, but from the use he was enabled to make of suitors' money which was paid into Court. Each Master occupied the position now held by the Bank over funds in Court. Upon resignation a Master received £6,000 and the Chancellor 1,500 guineas for the admission. When a Master died Macclesfield received 5,000 guineas for the new appointment. It was a vicious system, and matters were brought to a climax owing to a Master "plunging" in the South Sea Bubble. The result of Macclesfield's condemnation was

that all moneys were ordered to be deposited with the Bank of England. Even after the delinquent Masters had parted with all their personal effects there was still a deficiency in the funds of more than £51,000. Macclesfield's portrait hangs on the staircase leading to the Parliament Chambers.

Upon the resignation of Macclesfield, Peter King, a member of our House, but who had been called to the Bar by the Middle Temple in 1694, was appointed Speaker of the House of Lords, and presiding at the trial, pronounced the judgment on the fallen Chancellor. A strong supporter of the Whigs, upon the accession of George I. King had been rewarded with the post of Chief Justice of the Common Pleas.

When Lord Chancellor he was created Baron King of Ockham, his beautiful country seat in Surrey, now well known to cyclists who frequent the Ripley Road. In the Court of Chancery King proved a failure from his inexperience of Chancery procedure and ignorance of the principles of equity. It was in connection with these defects that the Queen said of him, "He was just in the law what he had been in the gospel—making creeds upon the one without any steady belief and judgment, in the other without any settled opinions."

It was in the reign of George I. that some houses were erected stretching from the church porch to the present pavement opposite Goldsmith Building. Upon the library stairs is a tablet commemorating their foundation, bearing the date 1717 and the initials of the then Treasurer, John Holloway, who died in 1720 and was buried in the church.

Another ornament of our House was Robert Henley, who, becoming Attorney-General in 1756, was the following year nominated Lord Keeper of the Great Seal. An adherent of the Leicester House party, he was not very acceptable to George II., who only created him a peer

that he might preside at the trial of the Earl of Ferrers for the murder of his steward. Upon the accession of George III. he was made Lord Chancellor, when the title of Lord Keeper, which for a century had legally lost all meaning, was finally dropped. A few years later he was created Earl of Northington. He also presided as Lord High Steward at the trial of Lord Byron for the death of Mr. Chaworth in a duel. He died a victim to the gout, the result of intemperance, the prevailing vice of his age. According to Lord Eldon he was a great lawyer.

Charles Pratt, the son of Chief Justice Pratt, was called by the Inner Temple in 1738, and was one of that numerous band of successful men whose early professional prospects were so dark that they nearly abandoned the Bar. His chance was given him by Sir Robert Henley, who, having contrived to get him retained as his junior in a case, feigned illness at the hearing and left young Pratt to conduct the case. So successfully did he do so that his fortunes were then laid. As early as 1752, in defending William Owen for libel, he succeeded in persuading the jury to adopt his view that they were judges both of law and fact. As Chief Justice of the Common Pleas his independence in the trials connected with Wilkes and the *North Briton* secured him immense popular favour. Reynolds painted his portrait for the City, which hangs in the Guildhall, and Johnson provided the Latin inscription, which describes him as "the zealous supporter of English liberty by law."

An amusing story is told of Pratt when on a visit to Lord Dacre in Essex. Passing the village stocks with a gentleman notorious for absence of mind, Pratt asked his friend to open them that he might see for himself what they were like. The friend complied with this request, and then sauntering on forgot all about Pratt, who, upon asking a villager to release him, was scoffingly told he "wasn't set there for nothing."

In the House of Lords Pratt, now Lord Camden, resisted strenuously the taxation of the American colonies, and urged the repeal of the Stamp Act. Upon the resignation of his old friend Lord Northington, he was appointed Lord Chancellor by the Earl of Chatham.

The reign of George II. was notable for a momentous change in legal procedure. English was substituted for Latin in all Common Law pleadings and in all proceedings in Court—a change which was violently opposed by the special pleaders, who predicted all sorts of evils from the use of what they described as the substitution of loose English for precise Latin. This change had been made under the Commonwealth, and abandoned at the Restoration.

The following extract from Dyer's *Reports* is a good example of the extraordinary jargon of bad Latin and worse French, eked out with a little English, which, during the seventeenth century, did duty for legal language:—

“Richardson ch. Just. de C. Banc. al Assises at Salisbury in summer 1631. first assault per prisoner la condemne pur felony que puis son condemnation ject un Brickbat a le dit Justice que narrowly mist and pur ces immediately fuit indictment drawn per Noy envers le prisoner and son dexter manus amputi and fix al Gibbet sur que luy mesme immediatment hange in presence de Court.”

Upon the elevation of Charles Talbot to the Woolsack in 1734 the ancient revels were revived in the Hall on Candlemas Day. After a banquet, Congreve's comedy, *Love for Love*, was performed, followed by Coffey's farce, *The Devil to Pay*. The actors came ready dressed from the Haymarket.

After the plays followed the revels, when the old custom of walking round the fire was carried out, the Master of the Revels taking the Chancellor and other Benchers by the hand. On this occasion the Prince of Wales was



present, but retired after the conclusion of this performance.

On the night of January 4th, 1736, a great fire broke out in the Inn, by which more than thirty chambers adjoining the Hall were destroyed, together with many writings of great value, according to the authority of Nichols, the antiquary.

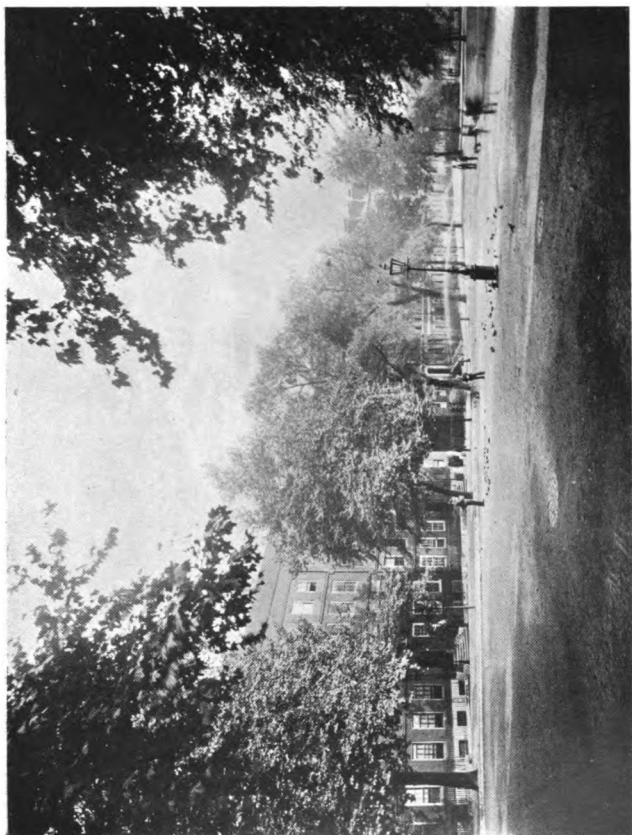
Another accomplished member of our House was Alexander Wedderburn, Lord Loughborough and Earl of Rosslyn.

At first an advocate at the Scotch Bar, he was promoter and editor of the first *Edinburgh Review*. Having attacked Lockhart, he was called upon to apologise by the Court, but refusing, threw down his gown and abandoned the Scotch for the English Courts. He was called in 1757, and, taking silk, soon forced his way into a leading position on the Northern Circuit, in spite of his unprofessional conduct. But it was through politics that he reached the Woolsack. At first he assumed the character of a "patriot" by supporting Wilkes and the American colonies, and then suddenly turned, and was appointed Solicitor-General by his former opponent, Lord North.

In 1774, by his invective against Franklin before the Privy Council, he directly incited the outbreak of the War of Independence. This action has been thus described :—

"Sarcastic Sawney, full of spite and hate,  
On modest Franklin pour'd his venal prate;  
The calm philosopher, without reply,  
Withdrew—and gave his country liberty."

As Attorney-General he appeared for the Crown against the Duchess of Kingston, and his first appearance as Lord Chief Justice of the Common Pleas was on the trial of the Gordon rioters. Upon Lord Thurlow's dismissal Wedderburn's great ambition was realised. But



KING'S BENCH WALK



he had again to change sides before he could become Lord Chancellor.

Of him Junius wrote: "As for Wedderburn, there is something about him which even treachery cannot trust"; and upon his death, in 1805, the King exclaimed: "Then he has not left a greater knave behind him in my dominions."

The son of a wigmaker of Canterbury, Charles Abbott, although he entered the Middle Temple in 1787, was called by the Inner in 1793.

Commencing as a special pleader, he acquired such a reputation that, upon assuming the barrister's gown, he at once sprang into a great practice, which was materially increased by his book on *Merchant Ships and Seamen*, still the leading text-book on maritime law.

In 1818 he became Lord Chief Justice of the King's Bench, and in 1827 Baron Tenterden of Hendon. He is said to have been one of the ablest and most impartial judges who ever sat on the Bench.

Henry Hallam, the great constitutional historian, was a member of our House. Called to the Bar, he practised for some years in the Oxford Circuit, when, on the death of his father, in 1812, he abandoned the profession of which he had become independent and devoted himself to the study of history. He was a Bencher of the Inn, and his arms may be seen in a window of the library, near those of Daines Barrington.

His son, Arthur Henry Hallam, the subject of Tennyson's masterpiece, *In Memoriam*, was also a member of our House, having entered in 1832.

The great poet himself was, as we learn from Canon Ainger, a frequent sojourner in the Temple during the period 1842 to 1847, when he lodged at No. 2, Mitre Court Buildings, as the guest of his friends, Henry Lushington and George Stovin Venables. It is also on record that once in Mr. Tom Taylor's rooms in Crown

Office Row Tennyson took part in a Shakespeare reading, and read Florizel to the Perdita of the late Professor Blackburn, of Glasgow.

John Austin, the celebrated jurist and legal philosopher, was called to the Bar by our House in 1818. He practised for a time as an equity draftsman, and had chambers at 2, Old Square, Lincoln's Inn. In 1820 he married Miss Sarah Taylor, and the young couple lived in Queen's Square, Westminster, close to James Mill, their windows overlooking Jeremy Bentham's garden. Their only child, the playmate of John Stuart Mill, who became Lady Duff Gordon, was born here. A failure at the Bar, and unappreciated as a jurist in his lifetime, Austin died a disappointed man.

"If John Austin," Lord Brougham once remarked, "had had health, neither Lyndhurst nor I should have been Chancellor."

Baron Parke, a member of our House, is famous, not only as a judge and a lawyer, but also as affording a subject for a great constitutional controversy. Upon Lord Abinger's death he was created a life peer as Baron Wensleydale, with the right to sit and vote. This raised the ire of the Tory peers, who disputed this right in such ephemeral creations. To put an end to the dispute his title was made hereditary, but he died without heirs male. The title has been revived in the person of Sir Matthew White Ridley, late Home Secretary, who married his daughter.

A great verdict-winner, although no orator, from his elevation to the Exchequer till the end of his twenty-two years' service on the Bench James Parke enjoyed unrivalled supremacy. In order to distinguish him from Sir James Allan Parke, the one was called "St. James's Parke," and the other "Green Parke." Once on circuit a member slipped off to bed before the rest of the mess, so the latter determined to rout him out. Unfortunately they mistook the room, and having stripped off the bed-

clothes, to their horror was disclosed the venerable form of Baron Parke.

Serjeant Goulburn endeavoured next morning to put the matter straight.

"No, no, Brother Goulburn, it was no mistake," said the Baron, "for I heard my brother Adams say, 'Let us unearth the old fox.'"

Parke's chambers were at No. 3, King's Bench Walk.

A good story, probably apocryphal, is told of William Fry Channell when at the Bar. Engaged in a shipping case, confusion was created by Channell referring to a certain ship as the *Anna*, and by his opponent as the *Hannah*. "Which is it," asked the perplexed judge, "the *Anna* or the *Hannah*?" "It was," replied Channell's opponent, "the *Hannah*, but the 'h' has unfortunately been lost in the chops of the channel."

Channell was called in 1827, and was created one of the Barons of the Courts of Exchequer in 1857. "He was," says Judge Willis, "a sound lawyer, and I never passed a day in his presence without receiving instruction, which I trust fitted me for the better discharge of the duties of my profession." Channell's chambers were in Farrar's Building, now occupied by his son, Mr. Justice Channell.

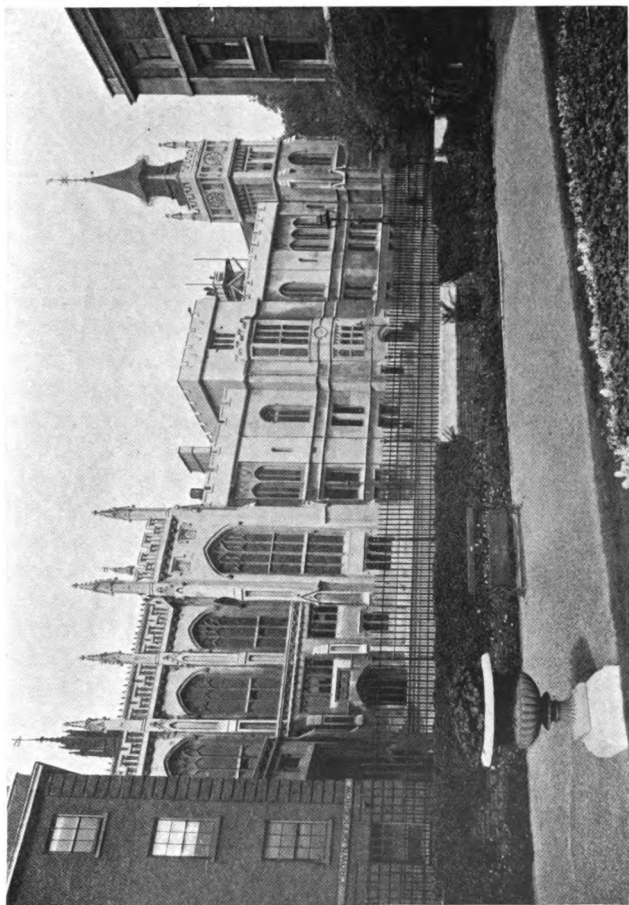
Commencing life as an attorney in his father's office, Thomas Wilde, after twelve years' practice there, entered the Inner Temple, by which society he was called in 1817. Three years after his call he was selected as one of the counsel for the defence of Queen Caroline. In the Court of Common Pleas he soon established the lead. He is described by Lord Tenterden as having "industry enough to succeed without talent, and talent enough to succeed without industry."

As a Whig he steadily supported the Liberal side in the House, and became successively Solicitor- and Attorney-General, becoming Lord Chief Justice of the

Common Pleas in 1846. Four years later he received the Great Seal, with the title of Baron Truro of Bowes. His chambers were at No. 7, King's Bench Walk.

A most remarkable career is that of Alfred Henry Thesiger, son of Lord Chelmsford. Called to the Bar by our House in 1862, he became "postman" of the Court of Exchequer, and took silk in 1872. Five years later, upon the recommendation of Earl Cairns, he was appointed a Lord Justice of the Court of Appeal, at the early age of thirty-nine. At college he distinguished himself as a cricketer and an oarsman. He had chambers at No. 1, Brick Court.

Another member of our House of a similar type, whose untimely death we are now mourning, was Sir Archibald Levin Smith, the late Master of the Rolls. Like Alfred Thesiger, he brought to the Bench those qualities of endurance and resource which bring men to the front on the river and the cricket field. In the Oxford and Cambridge Boat Race of 1859 young Smith rowed "No. 3" in the Light Blue ship. The race started in a snowstorm, and the Cambridge boat eventually sank. The future Master of the Rolls was the only man in the boat unable to swim, and he owed his life to a stranger who threw him a lifebuoy. As an exhibition of pluck there has been nothing finer in the great annual race. Hopelessly behind, Cambridge rowed grimly on, gunwale deep, and none harder than Smith, knowing that the boat must sink and that he could not swim. Called to the Bar in 1860, Smith was raised to the Bench whilst still a stuff-gownsmen. In the profession Sir Archibald Smith was familiarly known as "A. L." By the public he is best remembered as one of the judges on the Parnell Commission, when it was said that throughout the sittings Sir Archibald never spoke once, and Mr. Justice Day only made one remark. In 1892 Sir Archibald was promoted to be a Lord Justice of Appeal, and at the end of 1900 he



INNER TEMPLE HALL, LIBRARY AND PARLIAMENT CHAMBERS





succeeded Lord Alverstone as Master of the Rolls. To great legal knowledge was added shrewdness and sound judgment. His stereotyped interruption to counsel spinning over-ingenious arguments, "That won't do, you know," was somewhat disconcerting, but it was said in such a kindly manner that none could take offence.

#### THE MASTERS OF THE BENCH

Of the present Masters of the Bench, Hardinge Stanley Giffard, Lord Halsbury, as Lord Chancellor holds the leading position. Called in 1850, he came to the front at the Old Bailey, the Middlesex Sessions, and the South Wales Circuit, and became Disraeli's Solicitor-General in 1875. Appointed Lord Chancellor in 1885, he now holds the record, having held this office under four administrations. His able and lucid judgments will bear comparison with most of those of his predecessors, and prove that a Common Law practice is no bar to the Chancellorship. In politics Lord Halsbury is a Tory of the Tories, and except upon land registration reform nothing is too old-fashioned for him. He has been severely attacked for his legal appointments, but in recent years at any rate undeservedly so, for he has promoted many of his political opponents. His chambers were at 5, Paper Buildings. His portrait now hangs in the Hall.

Another distinguished Bencher is the Right Hon. William Court Gully, called in 1860, and now Speaker of the House of Commons for the third time. He was a contemporary with Lord Russell and Lord Herschell on the Northern Circuit, and in their early days so dismal were their prospects that Gully and Herschell determined to seek their fortunes abroad. Gully had chambers at 13, King's Bench Walk. His portrait may be seen in the Hall near that of his contemporary, Lord Halsbury.

Eight years later was called that brilliant scholar and

distinguished judge, the Right Hon. Sir Francis Jeune, now President of the Probate, Divorce, and Admiralty Division of the High Court, whilst the other judge of this division, Sir J. Gorell Barnes, was called in 1876.

Amongst other occupants of the Bench, Benchers of our House, are Sir William Grantham, Sir A. M. Channell, son of William Fry Channell; Sir Robert Wright, Sir T. T. Bucknill, Sir C. J. Darling, and Sir Edward Ridley. Sir Ford North, late a judge of the Chancery Division, is also a Bencher of our House.

To this list of distinguished Benchers who have attained judicial rank must now be added Mr. Justice Jelf and Mr. Justice Swinfen Eady. Called in 1863, Sir Arthur Jelf has succeeded Mr. Justice Day as a judge of the King's Bench. His chambers are at No. 9, King's Bench Walk. He will long be remembered at the Bar as one of the most pertinacious advocates who ever pleaded in the Courts. His knowledge of law is profound. Sir Charles Swinfen Eady, who now occupies the position lately held by Lord Justice Cozens-Hardy as a judge of the Chancery Division, has had a remarkable career. Owing entirely to his own natural abilities he has forced his way to the front. Taking silk in 1893, he became a "special" only two or three years ago, and is now the youngest judge on the Bench. He carried on his practice from chambers in New Square, Lincoln's Inn.

Other well-known Benchers who have not attained High Court rank are Judge William Willis, K.C., the present Treasurer, to whom I have already referred; Mr. F. A. Inderwick, K.C., the *doyen* of the Divorce Court, author of *The King's Peace*, and editor of the *Calendar of the Inner Temple Records*, to which he has added some masterly introductions; T. Henry Baylis, K.C., author of *The Temple Church*, and judge of the Court of Passage, Liverpool; Judge Lumley Smith, recently appointed to the City of London Court; Mr. Fred.

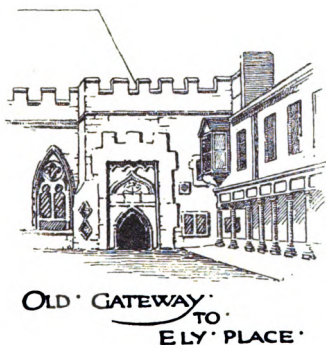
Albert Bosanquet, K.C., the new Common Serjeant of the City; and Mr. Henry Fielding Dickens, K.C., a well-known "silk," and son of Charles Dickens the novelist. Charles Dickens, although not an inmate of the Temple, was an *habitué* and a lover of its peculiar charms, leaving us, like his great contemporary Thackeray, some pictures of the Temple that will live with English literature.



SEAL OF THE KNIGHTS TEMPLARS, 1304.

## CHAPTER V

### THE ORDER OF THE COIF



THE origin of the Order of the Coif cannot be traced with any certainty, but it probably arose with the necessity of even the most primitive governments for wise men, learned in the laws and customs of the community, to give their advice to the ruling powers. Although no doubt closely identified with the ecclesias-

tics, who monopolised all learning, the conteurs or narrotores, who became serjeant countors or narratores banci, or Brothers of the Coif, were above all followers of the Common Law. Summoned by writ to attend the King in Council, they gradually became a recognised order styled *Servientes Regis ad Legem*, and their appointments were made by writ, the earliest of which extant occurs in the reign of Richard II. From their ranks were selected the judges and the itinerant justices.

Their connection with the Church is seen in the long, priest-like robe, with cape furred with lambskin and a hood with two lapels. These robes varied from time to time and on different occasions. There was the scarlet gown

for State functions, the purple for saints' days and holidays, the blue-brown and later the silk gown for levees, drawing-rooms, and sittings at Nisi Prius, and a mustard and murrey, later a violet gown, to be worn in Court during Term time.

The parti-coloured gown was the livery of the royal or some noble house, given as a general retainer to a serjeant, and was specially excepted in the statutes from Richard II. to Henry VIII. against *giving liveries and retainers*. In Elizabeth's time it was only worn by a serjeant for one year after his creation.

The colour of their robes gave an opening for the witty Jekyll when a dull serjeant was wearying the Court with a prosy argument :—

“The serjeants are a grateful race,  
Their dress and language show it;  
Their purple garments come from Tyre,  
Their arguments go to it.”

There appears to be a very close connection between the initiation of serjeant with that of a Knight Templar. The white linen thrown over the head of a serjeant on his creation is evidently the white lawn of the Templars. Later, it was drawn together into the shape of a skull-cap, and later still it was made of silk. With the introduction of wigs a round black patch, with a white border, covering the round hole on the top of the wig, represented the coif and the black silk skull-cap worn by the serjeants.

The black cap, or sentence cap, must not be confused with the coif. It was specially designed to cover the coif in token of grief when passing sentence of death, and this was the only occasion when the coif might be covered in Court.

A further link with the Templars is their common worship of St. Thomas of Acre. “On St. Peter's even,” writes Grafton in his *Chronicle*, “was kept the Serjeauntes’

feast at Saint Thomas, with all plentie of vittayle. At which feast were made ten Serjeauntes, three out of Gray's Inn and three out of Lincoln's Inn, and of every of the Templars two. At which were present all the Lords and Commons of the Parliament, beside the Mayor and Aldermen, and a great number of the Commons of the citie of London."

This St. Thomas was Thomas à Becket.

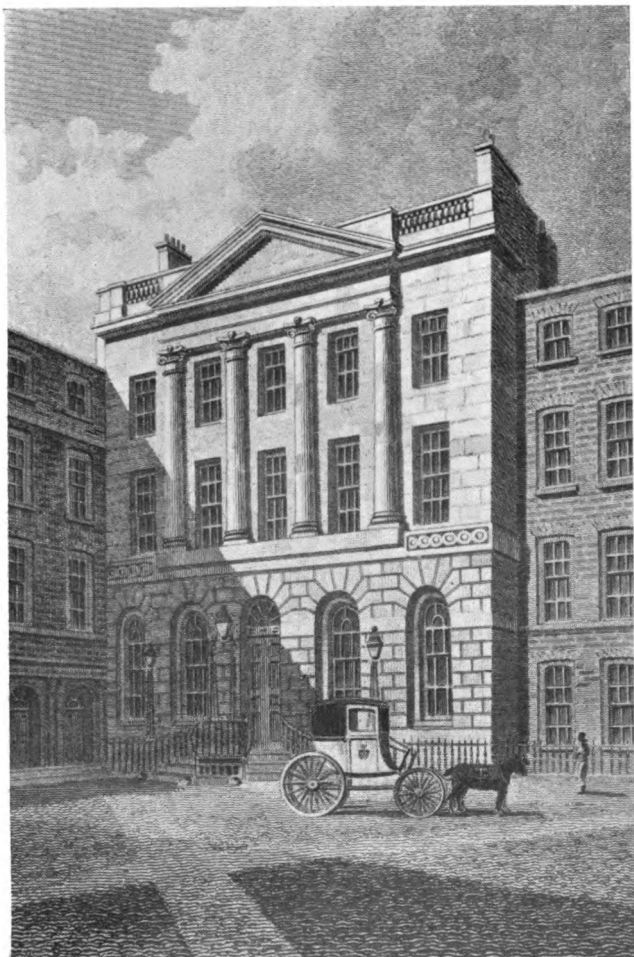
When the feasts were held in the Temple Halls the serjeants, in the middle of the feast, went to the Chapel of St. Thomas of Acre in Cheapside, built by Thomas à Becket's sister after his canonisation, and there offered; and then to St. Paul's, where they offered at St. Erkenwald's shrine; then into the body of the church, and were there appointed to their pillars by the steward of the feast, to which they then returned.

Although none but priests could offer this rite, it continued to be performed by the serjeants up to the Reformation. This practice of allotting pillars continued till old St. Paul's was burnt.

Now the Knights of St. Thomas in Palestine were placed at Acre, or Accre, under the Templars in the Holy Land, and a chapel dedicated to St. Thomas of Acre built for them. At the south end of the cloisters, near the Hall door, once stood a chapel dedicated to the same saint.

When chambers, in addition to pillars, became necessary, the first Inn to be instituted was Scroope's Inn, or Serjeants' Place, opposite St. Andrew's Church, Holborn. This was deserted as the lawyers spread westwards for Faryndon Inn, afterwards Serjeants' Inn, Chancery Lane, and Serjeants' Inn, Fleet Street.

The theory that the coif was invented to cover the tonsure of the clerical serjeant who had been forbidden to appear in the secular Courts is ingenious, but altogether improbable.



SERJEANTS' INN, FLEET STREET





The presentation of gold rings, inscribed with suitable mottoes, by the new serjeants to the Sovereign, the Lord Chancellor, the judges, and others *fidei symbolo*, was a very ancient custom retained to the last.

The Serjeants' Feast was an expensive business for the serjeants. One held in our Hall on October 16th, 1555, cost £667 7s. 7d.—a large sum in those days. It was of a sumptuous and remarkable character, one item on the menu being "a standing dish of wax, representing the Court of Common Pleas artificially made, the charge whereof £4."

Whether Philip and Mary were present does not appear; but they were presented with a ring apiece by each of the seven new serjeants, weighing £3 6s. 8d. each.

The grand feasts, when largely attended, were held at Ely Place, Lambeth Palace, or St. John's Priory at Clerkenwell, but these began to give way early in the sixteenth century to masques and revels in the halls of the Inns.

By the operation of the Judicature Acts, which no longer required the judges to be of the degree of the Coif, the serjeants were, in 1877, as a corporate body wound up and their property sold, and unless there is some remedial legislation the Order will cease to exist with the death of the few surviving members of the Brotherhood.

One reason urged for the retention of the Order is that King's Counsel must obtain special leave to appear against the Crown. No such permission was required in the case of a serjeant, who thus held an independent position of great importance.

#### SERJEANTS' INN, FLEET STREET

To the east of Fuller's Rents was a garden, once in the occupation of Sir Edward Coke, and subsequently known

as the "Benchers' Garden." Due north of this garden lay Serjeants' Inn, Fleet Street, one of the three hostels occupied by the judges and serjeants. The entrance made by Coke from the Temple has been already mentioned; but the principal entrance is from Fleet Street, through a pair of handsome iron gates, in which are wrought the arms of the Inn, a dove and a serpent, the latter twisted into a kind of true lover's knot.

This spot became the residence of the serjeants at least as early as the reign of Henry VI., and probably much earlier, as the following description in the lease granted by the Dean and Chapter of York in the year 1442 to one William Anstrous, citizen and taylor of London, appears to show:—"Unum messuagium cum gardino, in parochia S. Dunstani in Fleet Street, in suburbio civitatis Lond. quod nuper fuit Johannis Rote et in quo Joh. Ellerkos, et alii servientes ad legem nuper inhabitaverunt." Anstrous is supposed to have acted as steward for the judges, and to have occupied some part of the Inn himself. The lease was for eighty years at a rent of ten marks. A second lease for the same term and at the same rent was granted in 1474 to John Wykes, who is stated to have lived in the Inn, and is supposed to have held a similar position to that of Anstrous.

In 1523 the Inn was leased direct to Sir Lewis Pollard, a Justice of the Common Pleas; Robert Norwich and Thomas Inglefield, the King's serjeants; John Newdigate, William Rudhale, Humphrey Brown, William Shelley, and Thomas Willoughby, serjeants; and William Walwyn, the King's Auditor in the South for the Duchy of Lancaster, for a term of thirty-one years at a rent of 53s.

Pollard, Rudhale, and Shelley were members of the Inner Temple, Inglefield and Brown of the Middle, and Norwich and Willoughby of Lincoln's Inn. It was Rudhale who "at hys departure lafte a silvour spone for the borde of the benchers for a remembraunz in

custodia of the chief butler" of the Inner Temple on his call to the degree of serjeant.

The whole of the Inn was destroyed in the Great Fire, and entirely rebuilt at the expense of the judges and serjeants.

At a serjeants' feast held in the Middle Temple Hall in 1669 each of the seventeen newly created serjeants contributed £100 to the restoration funds, £400 being deducted for the expenses of the feast.

In 1670 a fresh lease was granted to the serjeants for a term of sixty years. The new buildings consisted of a very fine chapel, hall, and tall brick houses round the court. Upon the termination of this lease in 1730 the Inn was abandoned by the serjeants, its members uniting with their brethren at Serjeants' Inn, Chancery Lane.

The following entry from the Records of the Inner Temple for November 3rd, 1602, shows the position of the serjeants' garden on the south side of the court:—"Whereas the Judges do request for their better prospect from Serjeants' Inn Garden that certain trees near the chambers of Mr. Anthony Dyot and Mr. Stapleton, Benchers of this House, should be lopped in a reasonable manner; namely, such taken away only as are offensive to the prospect of my Lords the Judges from their said garden of Serjeants' Inn." This view was finally blocked by the erection of No. 3, North, King's Bench Walk, which united the back of No. 2 with the original No. 3 against the Friars' Wall.

Shortly after the departure of the serjeants the Inn was again rebuilt, from the designs of Adam, the architect of the Adelphi. Upon the site of the old Hall were erected the offices of the Amicable Assurance Society, the building shown in the illustration, and still standing. This society in 1865 transferred its business to the Economic, which in its turn was supplanted by the Norwich Union Assurance Company. The building is now occupied by the Church of England Sunday School Institute.

Attached to the railings in front of two of the oldest houses may still be seen two early eighteenth-century iron extinguishers for the links.

#### SERJEANTS' INN, CHANCERY LANE

Although the serjeants appear to have had lodgings in Faryndon's Inn in Chancellor's Lane as early as 1411, this spot was not called Serjeants' Inn until about the year 1484. In 1425 it was leased to three judges, J. Martin, Jacob Strangwig, and T. Rolf; in 1440 to John Hody and other serjeants; and in 1474 to Sir Robert Danby, Chief Justice of the Common Pleas.

Two years later a lease was granted to Sir Thomas Grey at a rent of £4 a year, and in 1484 it was again leased to the same lessee at the same rent. In the latter deed it is described for the first time as "*Hospicium vocatum Serjeants Inne in Chancelors Lane.*"

The freehold was in the possession of the Bishop of Ely, and although both prior to 1484 and subsequently the lawyers were usually the tenants, frequent intermissions of their tenancy occurred. After one of these intermissions the Inn was demised in 1508 to John Mor-daunt and Humphrey Coningsby, the King's Serjeants.

By Charles II.'s time the Hall and buildings had fallen into decay, and were rebuilt by Lord Keeper Guilford, who had succeeded the Earl of Clarendon in the great brick building in Serjeants' Inn, near the corner of Chancery Lane. Here, we learn from his brother, Roger North, he lived "before his lady began to want her health," and here he enjoyed "all the felicity his nature was capable of." Having obtained leave for a door to be made from his house into Serjeants' Inn Garden, "he passed daily with ease to his chambers dedicated to business and study. His friends he enjoyed at home, and politic ones often found him out at his chambers."

When Herbert wrote, in 1804, the Inn consisted of two



SERJEANTS' INN, CHANCERY LANE



small courts with the principal entrance in Chancery Lane, as now, and an entrance in the second court from Clifford's Inn. The buildings are described by this writer as modern, and the work of the eighteenth century. The Inn was again rebuilt, as we now know it, in 1837, by Sir Robert Smirke, with the exception of the old Hall.

Upon the sale of the Inn in 1877 the portraits and engravings which decorated the walls of the Hall and dining-room were presented to the nation by the society, and now hang in the National Portrait Gallery. These portraits, many by distinguished artists, are twenty-five in number, and of exceptional interest. They comprise Sir Edward Coke, painted by Cornelius van Ceulen, and reproduced in this volume; Sir Edward Lyttelton, Charles I.'s Lord Keeper; Sir Matthew Hale; Sir John Maynard, the Protector's Serjeant; Sir John Pratt, Lord Chief Justice of the King's Bench, and father of Lord Chancellor Camden; Lord Chancellor King, by Daniel de Coning, in 1720; William Murray, Earl of Mansfield, by Richardson; Lord Chancellor Camden, by Sir Joshua Reynolds; Lord Eldon, by Sir Thomas Lawrence; Lord Chief Justice Denman, and Lords Chancellors Lyndhurst and Campbell.

The Inn was purchased for £60,000 by Serjeant Cox, who removed the beautiful old stained glass windows of the Hall and Chapel to his residence at Millhill, where he built a chamber, a facsimile of the Hall, for their reception.



## CHAPTER VI

### THE REVELS. THE INNER TEMPLE



A CORNER OF KING'S BENCH WALK.

THE earliest reference to the revels in the Records of the Inner Temple occurs in the year 1505, when orders were made by the Bench relating to the Master of the Revels, the butler, marshal, and steward.

In the middle of the sixteenth century similar entertainments were in

vogue at both Oxford and Cambridge, and were evidently of ancient standing at that date. Whether these were copied from those of the Inns of Court, or whether the latter imitated the former, it is now impossible to determine. Probably both had a common origin in those customs and rites which survived in the English village community from prehistoric times. The statutes of Trinity College, Cambridge, founded in 1546, contain a chapter entitled "De Praefecto Ludorum qui Imperator dicitur." It was under the authority of this officer that Latin comedies and tragedies were directed to be exhibited in the Hall at Christmas, as well as the *Six Spectacula* and dialogues.

The Emperor was selected from the Masters of Art, and he was placed in authority over the junior members of the college, to regulate the games and diversions at Christmas; his sovereignty lasted for twelve days. He was also appointed to perform similar duties on Candlemas Day. In the audit-book of my own college, Trinity College, Oxford, under date 1559, appears a disbursement, "Pro prandio Principis Natalicii." This Christmas Prince, or Lord of Misrule, corresponds to the Emperor of Cambridge, and was a common feature in the colleges at Oxford until the Reformation, when, as we learn from the *Athenae Oxonienses* of Wood, "such laudable and ingenious customs" were regarded as "popish, diabolical, and antichristian."

The earliest revels of which we have any account took place at Christmas, 1561, in honour of Robert Dudley, Earl of Leicester, in recognition of his successful mediation in the dispute with the Middle Temple over Lyon's Inn, already mentioned. Long and detailed descriptions of these festivities are given by Gerald Legh, in his *Accedence of Armorie*, published in 1562, and by Dugdale, in his *Origines Juridiciales*, published in 1666. The former work is dedicated "To the honorable assemblie of gentlemen in the Inns of Court and Chancery," and forms the basis of Dugdale's account of these revels. Leicester himself was the chief performer, as the mighty Palaphilos, Prince of Sophie, High Constable, Marshal of the Knights Templars. Mr. Onslow was his Lord Chancellor; Anthony Stapleton, the Lord Treasurer; Robert Kelway, Lord Privy Seal; John Fuller, Chief Justice of the King's Bench; William Pole, Chief Justice of the Common Pleas; Roger Manwood, Chief Baron of the Exchequer. There was also a Steward of the Household, a Marshal of the same, and a Chief Butler.

Christopher Hatton was Master of the Game, and under him were four Masters of the Revels, the Lieutenant

of the Tower, a Carver, a Ranger of the Forest, and a Sewer.

Many of these persons are well-known characters in the history of the Inn, and some in the wider sphere. Roger Manwood seventeen years later became in fact Lord Chief Baron, and Christopher Hatton Lord Chancellor.

Gerald Legh describes how he arrived in the Thames from the East about half a league from the Temple, in the month of December, 1561, and how as he landed he was amazed to hear the report of cannons. Upon inquiry he found it was a warning shot to the Constable Marshal of the Inner Temple to prepare for dinner. Interested by the report of these doings, Legh determined to see for himself their truth. Betaking himself next day to the Temple, and passing through the gates, he found the building "nothing costly, but many comly gentlemen of face and person," and passing on entered "a Church of auncient building, wherein were many monumentes of noble personnages armed in Knightly habits, with their cotes depainted in auncient shieldes," whereat, as a herald, he took pleasure to behold.

Recognised by the Herald as a "lover of honour," Legh was invited to become his guest for the night, and so was conducted to the Prince's Office of Arms, where lay sundry choice books relating to the business of the day. And so to the sound of the drum he passed to the gallery in the Hall, whence he saw the Prince sit at table with the ambassadors of divers princes. "Before him stood the Carver, Sewer, and Cup-bearer, with great number of gentlemen wayters attending his person." At a table on the right were seated the Lords Steward, Treasurer, and Keeper of the Seal of Pallas, with the nobility; and at a table on the left the Treasurer of the Household, the Secretary, the Prince's Serjeants-at-Law, the four Masters of the Revels, the King of Arms, the

Dean of the Chapel, and other gentlemen pensioners. Lower down sat the Lieutenant of the Tower, with his captains of "foot-bands and shot"; whilst lower still were seated the Chief Butler, the Panter, Clerks of the Kitchen, Master-Cook of the Privy Kitchen, and fourscore guards of the Prince.

At every course the trumpeters blew "a couragious blast, with drum and fyfe," and between whiles "sweet harmony of viollens, shakbuts, recorders, and cornettes, with other instruments of musicke," prevailed. After the first course the Herald enters, and standing before the high table demands a largesse, and the Prince, with many compliments, presents him with a gold chain of the value of a hundred talents. Supper ended, the tables were removed, and the Prince held his court, and upon the second entrance of the Herald, ordered him to select twenty-four gentlemen for the honour of knighthood. The Herald, in obedience to this command, retires, and re-enters with the gentlemen of his choice, "apparelled in long white vestures, with eche man a scarfe of Pallas colours," and presents them to the Prince in the order of their "ancienty," and then discourses at large on the virtues of the Order of Pallas.

Of the subsequent proceedings we have no knowledge, but doubtless the fun was kept up with feasting and revels till New Year's Day.

In the work already referred to Dugdale gives some particulars of these feasts and pastimes. On Christmas Day, after service in the church, breakfast was served in the Hall, with brawn, mustard, and malmsey.

At dinner the first course consisted of "a fair and large bore's head upon a silver platter, with minstrulsye." Napkins and trenchers, with spoons and knives, were supplied to every table. The dinner ticket was 12*d.*, which, if the subsequent course were equal to the first, seems extremely moderate.

After evening service in the church, supper similar to the dinner was served in the Hall. On St. Stephen's Day the younger members of the House wait at dinner upon the seniors, and then dine themselves.

"After the first course served in," writes Dugdale, "the Constable-Marshall cometh into the Hall, arrayed with a fair, rich, compleat harneys, white and bright, and gilt, with a nest of feathers of all colours upon his crest or helm, and a gilt pole-axe in his hand; to whom is associate the Lieutenant of the Tower, armed with a fair white armour, a nest of feathers in his helm, and a like pole-axe in his hand; and with them sixteen trumpeters, four drums and fifes going in rank before them; and with them attendeth four men in white harneys, from the middle upwards, and halberds in their hands, bearing on their shoulders the Tower: which persons, with the drums, trumpets, and musick, go three times about the fire. Then the Constable-Marshall, after two or three curtesies made, kneeleth down before the Lord Chancellor, behind him the Lieutenant; and they kneeling, the Constable-Marshall pronounceth an oration of a quarter of an hour's length, thereby declaring the purpose of his coming, and that his purpose is to be admitted to his lordship's service." To which the Lord Chancellor answered that he would take further advice thereon.

"Then the Constable-Marshall standing up, in submissive manner delivered his naked sword to the Steward, who giveth it to the Lord Chancellor, and thereupon the Lord Chancellor willeth the Marshall to place the Constable-Marshall in his seat; and so he doth, with the Lieutenant also in his seat or place. During this ceremony the Tower is placed beneath the fire."

How this is accomplished is not very apparent.

"Then cometh the Master of the Game apparelled in green velvet, and the Ranger of the Forest also, in a green suit of satten, bearing in his hand a green bow

and divers arrows, with either of them a hunting horn about their necks; blowing together three blasts of ventry, they pace round the fire three times. Then the Master of the Game maketh three curtsies as aforesaid; and desireth to be admitted into his service, etc. All this time the Ranger of the Forest standeth directly behind him. Then the Master of the Game standeth up."

At the conclusion of this ceremony a huntsman entered the Hall "with a fox and a purse-net; with a cat, both bound at the end of a staff; and with them nine or ten hounds, with the blowing of hunting horns." The fox and the cat were then hunted by the dogs "and killed beneath the fire." How this extraordinary execution was performed does not appear.

The "huntinge night," held annually in Lincoln's Inn and mentioned in the *Black Book* in the reign of Elizabeth, was evidently the occasion for a similar performance. When the second course had been served, the Common Serjeant delivered "a plausible speech" to the Lord Chancellor and his company, showing how necessary it was to have such officers for the "better honor and reputation of the commonwealth."

He was supported in this by the King's Serjeant-at-Law, and then "the ancientest of the masters of the revels" sang a song with the assistance of all present.

The following lines from Hone's *Year Book* may be taken as the type of the "ancientest's" song:—

"Bring hither the bowle,  
The brimming brown bowle,  
And quaff the rich juice right merrilie;  
Let the wine cup go round  
Till the solid ground  
Shall quake at the noise of our revelrie.

"Let wassail and wine  
Their pleasures combine,  
While we quaff the rich juice right merrilie;  
Let us drink till we die,  
When the saints we relie  
Will mingle their songs with our revelrie."

After supper, which was served with like solemnity as on Christmas Day, the Constable Marshal again presented himself with drums before him, mounted on a scaffold borne by four men, and going thrice round the hearth he shouted, "A lord, a lord"; then descending from his elevation, and having danced awhile, he called his court severally by name in this manner:—

"Sir Francis Flatterer, of Fowleshurst, in the county of Buckingham.

"Sir Randle Backabite, of Rascall Hall, in the county of Rabchell.

"Sir Morgan Mumchance, of Much Monckery, in the county of Mad Popery," and others. This done, the lord of misrule "addressed" himself to the banquet, which, when ended, with some "minstralsye," mirth, and dancing, every man departed to rest. "At every mess, a pot of wine allowed: every repast was *vi<sup>d</sup>*."

On St. John's Day (upon the morrow) the Lord of Misrule was abroad by seven o'clock in the morning, and if any of his officers were missing he repaired to their chambers and compelled them to attend him to a breakfast of brawn, mustard, and malmsey.

"After breakfast ended, his lordship's power was in suspense until his personal presence at night, and then his power was most potent." At dinner and supper was observed the "diet and service" performed on St. Stephen's Day. After the second course was served, the King's Serjeant, "orator like," declared the disorder of the Constable Marshal and Common Serjeant, the latter of whom "defended" himself and his companion "with words of great efficacy." To these the King's Serjeant replied, they rejoined, and whoso was found faulty was sent to the Tower.

On the Thursday following the Chancellor and company partook of dinner of roast beef and venison pasties, and at supper of "mutton and hens roasted."

On New Year's Day breakfast and dinner were served with the same solemnities as on Christmas Eve, and to the great banquet were invited all the members of the Inns of Court and Chancery to see a play and a masque, the ladies being accommodated with seats in extemporised galleries and partaking of the banquet in the library.

To the Christmas revels at Gray's Inn in 1594 an ambassador from the Temple had been invited. On Holy Innocents' Day he arrived and presented his credentials. But "there arose such a disordered tumult and crowd upon the stage that there was no opportunity to effect what was intended: there came so great a number of worshipful personages upon the stage that might not be displaced" that the performance had to be abandoned, and the Temple ambassador retired in a huff. Nevertheless a *Comedy of Errors* was performed by the players "after dancing and revelling with gentlewomen." On a subsequent evening the masque was held in the presence of Elizabeth, and peace was made with the Temple ambassador.

Revels were also held on other occasions. In 1605 we find payments in the accounts of 4s. for four staff torches for the revels on the Saturday before Candlemas Day, and of £5 for a play on the latter day. Similar items for torches for the revels on St. Thomas's Eve, Candlemas Day, and Saturday nights, the 5th of November, and William III.'s birthday appear as late as 1697. But the taste for gross feeding and childish burlesque had been gradually undermined, and early in the reign of Charles I. the revels began to give way to the masque, although they survived with diminished glory and at lengthy intervals till the commencement of the eighteenth century. In 1687, for instance, they were ordered by the Bench to be discontinued, since they had "for many years past degenerated into licentiousness and disorder."



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In 1708, however, the Bench ordered the revels to be revived.

### THE MIDDLE TEMPLE

The revels at the Middle Temple were very similar to those at the sister Inn. Those which took place at Christmas, 1629, when Bulstrode Whitelocke was chosen Master of the Revels, have been described by Mr. R. H. Whitelocke in his *Memoirs of Bulstrode Whitelocke*.

In the reign of Charles I. these festivities commenced at All-Hallow-Tide, which was considered the beginning of Christmas. In preparation for the business of the season, the younger Templars used to meet at St. Dunstan's Tavern to elect the officers and to arrange all the details of the proceedings.

On All-Hallow's Day the master, young Whitelocke, then four-and-twenty, entered the Hall at the head of sixteen revellers. All were proper, handsome young gentlemen, clad in rich suits, shoes and stockings, and hats with great feathers. The master led them in his bar gown, with a white staff in his hand, the musicians playing before them. The entertainment was opened with the old masques, after which they danced the *Brawls*, and then the master took his seat, while the revellers flaunted through galliards, corantos, French and country dances till a late hour. As might be expected, this spectacle drew a great company of ladies and gentlemen of quality, and when the dancing came to an end an adjournment was made to Sir Sidney Montague's chamber, lent for the purpose to the Master of the Revels.

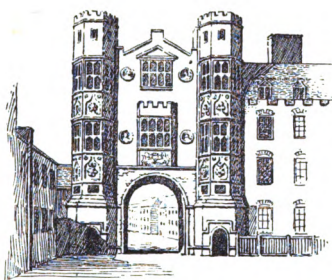
A short descriptive account of the master at the Christmas revels in 1635 is given by Warton in his *History of English Poetry*. A Christmas Prince or Master of the Revels having been appointed, he was attended by his Lord Keeper, Lord Treasurer, with eight white staves, the Captains of his Band of Pensioners and of his Guard,

and two Chaplains. The latter had been so seriously impressed with an idea of his regal dignity, that when they preached before him on the preceding Sunday, on ascending the pulpit they saluted him with three low bows. He dined both in Hall and in his privy chamber under a cloth of estate. The poleaxes for his Gentlemen Pensioners were borrowed from Lord Salisbury. Lord Holland, his temporary Justice in Eyre, supplied him with venison on demand ; and the Lord Mayor and Sheriffs of London with wine. On Twelfth Day, at going to church, he received many petitions which he gave to his Master of Requests ; and like other kings he had a favourite, whom, with other gentlemen of high quality, he knighted on returning from church. His expenses, all from his own purse, amounted to £2,000.

After his deposition from this mock dignity he was knighted by the King at Whitehall.

## CHAPTER VII

### THE MASQUE



OLD WHITEHALL GATE

IN social functions, dear to the heart of London society, the Temple has for centuries held a distinguished position.

The masque, an entertainment of great antiquity, attained its highest phase during the late Tudor and earlier Stuart reigns. With few exceptions, it was a spectacular rather than a dramatic exhibition. Milton's *Comus* stands almost alone. Literary excellence was not a strong feature of the masque. Gorgeous costumes, graceful dancing, songs, and music were the principal characteristics, and so it was only princes and rich societies who could indulge in the extravagance of a masque.

When the taste for the rude and boisterous festivities of Christmas began to pall with the gentlemen of the Inns of Court, the masque readily supplanted them. The first of such entertainments in the Temple appears to have taken place at Christmas, 1605-6.

One of the most interesting took place upon the marriage of Princess Elizabeth to the Count Palatine of the Rhine on St. Valentine's Day, 1612. The Inns of Court were not behind in the general rejoicings. Lincoln's Inn and

the Middle Temple joined in the presentation of one masque, and the Inner Temple and Gray's Inn in that of another. The masque of the latter is of the greater interest from the fact that it was written by a member of our House, Francis Beaumont the dramatist.

The members of the two societies met at Ely Place, and thence the procession started, crossing London Bridge, and taking boat at Winchester House in Southwark for Whitehall. As they passed the Temple Stairs in the royal barge they were received with a salute of cannon. They were accompanied by illuminated barges and boats, some of which held bands of music. Owing to some mistake or to the caprice of James, the masque was not performed that night, but postponed to the following Saturday, when it took place with great éclat. As was customary, the masquers invited the ladies of the Court to participate in the dances, thus lending grace, colour, and piquancy to the display. The gentlemen of the Inns afterwards supped with the King.

This masque was dedicated by Beaumont to Sir Francis Bacon, who represented Gray's Inn in its preparation. Beaumont was then living with his friend and collaborator Fletcher on the Bankside near the Globe Theatre.

From the Black Books of Lincoln's Inn we learn that the ordering of the masque given by the Middle Temple and Lincoln's Inn was entrusted to Inigo Jones, and £100 paid by Sir Edward Phelips, M.R., on behalf of the Middle Temple, to him. The following lines are the concluding song of the masque:—

“Peace and silence be the guide  
To the man and to the bride!  
If there be a joy yet new  
In marriage, let it fall on you,  
That all the world may wonder!  
If we stay, we should do worse,  
And turn our blessing to a curse,  
By keeping you asunder.”

The next performance of which we have any record was that of *The Inner Temple Masque*, from the pen of William Browne, already referred to as the author of *Britannia's Pastorals*, and the friend of Selden. So great was the crowd to witness this graceful piece that some damage was done to the buildings outside, as we learn from the petition of the chief cook for compensation for his chamber in the cloisters, by reason that "a great part thereof and the chimney therein was, at Christmas was a twelvemonth, broken down by such as climbed up at the windows of the Hall." This would be Christmas 1614-15. Browne's dedication to his Inn, cited by Mr. Inderwick, is interesting.

"Gentlemen,

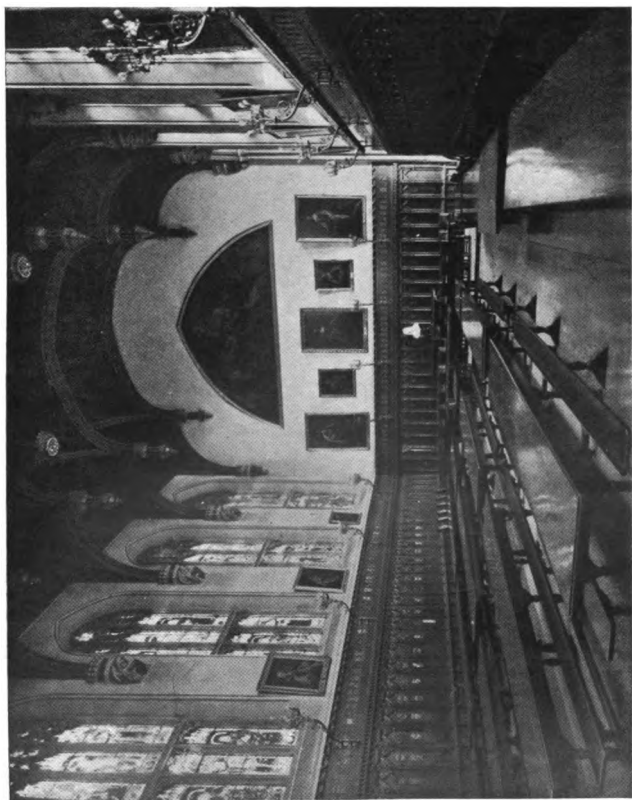
"I give you but your owne. If you refuse to foster it, I knowe not who will. By your meanes it may live. If it degenerate in kinde from those other the Society has produced, blame yourselves for not seeking a happier muse. I knowe it is not without faultes, yet such as your loves, or at least *Poetica Licentia* (the common salve), will make tolerable. What is good in it, that is yours; what bad, myne; what indifferent, both; and that will suffice, since it was done to please ourselves in private by him that is

"All yours,

"W. BROWNE."

At Christmas, 1618-19, *The Masque of Heroes*, by Thomas Middleton, was performed by nine of the gentlemen of the House, assisted by Joseph Taylor and William Rowley, and others from Alleyne's company at the Fortune Theatre. Both Taylor and Rowley had formerly acted with Shakespeare and Burbage in the Globe and Blackfriars companies.

It was from Ely Place, too, that the still more celebrated masque and anti-masque, given in 1633 by the Four Inns of Courts, was arranged, and hence it started past Holborn Bars, down Chancery Lane, and



INNER TEMPLE HALL; EAST END



along the Strand to Whitehall. Two members from each Inn formed the committee of management. The Inner was represented by Sir Edward Herbert and John Selden, just released from prison; the Middle by Bulstrode Whitelocke, a Bencher, afterwards Lord Keeper and ambassador to Sweden under the Commonwealth, a man who through all the changes of government retained the respect of all parties. Amongst other valuable records of more momentous events, Whitelocke has left a detailed account of this particular affair; his colleague was Edward Hyde, Lord Chancellor and historian. Mr. Attorney-General Noy, of ship-money fame, and Mr. Gerling represented Lincoln's Inn, and Sir John Finch and another unknown member, Gray's Inn. Whitelocke had the direction of the musical part of the entertainment. "I made choice," he says, "of Mr. Simon Ivy, an honest and able musician, of excellent skill in his art, and of Mr. Lawes, to compose the airs, lessons, and songs for the masque, and to be master of all the music under me." Each of these gentlemen received the substantial fee of £100.

Ivy was a well-known composer, and William Lawes an accomplished musician, called by Charles "the father of musick." He was shot during the siege of Chester. It was his brother Henry who wrote the music for Milton's *Comus* and for Davenant's entertainment at Rutland House in 1656.

The music appears to have been on a large scale, for Whitelocke speaks of "English, French, Italians, Germans, and other masters of music; forty lutes at one time, beside other instruments in concert."

On the night of Candlemas Day, *The Triumph of Peace* (such was the title of the masque) was presented to the Court. About 120 members of the four societies, mounted on richly caparisoned steeds and attended by over 300 servants, took part in the procession.

With the aid of Whitelocke's *Memorials* we may take



our places in the crowd which lined the streets from Ely Place to the old Gatehouse at Whitehall, and view the spectacle :—

“The first that marched were twenty footmen in scarlet liveries, with silver lace, each one having his sword by his side, a bâton in one hand and a lighted torch in the other. These were the marshal’s men, who made way, and were about the marshal waiting his commands. After them, and sometimes in the midst of them, came the marshal, then Mr. Darrel, afterwards knighted by the King. He was of Lincoln’s Inn, an extraordinary proper gentleman. He was mounted on one of the King’s best horses and richest saddles, and his own habit was exceeding rich and glorious; his horsemanship very gallant; and besides his marshal’s men he had two lackeys, who carried torches by him, and a page in livery that went by him carrying his cloak. After him followed one hundred gentlemen of the Inns of Court, twenty-five chosen out of each House, of the most proper and handsome young gentlemen of the societies, every one of them mounted on the best horses and with best furniture that the King’s stables and the stables of all the noblemen in town would afford, and they were forward on this occasion to lend them to the Inns of Court. Every one of these gentlemen was in very rich clothes, scarce anything but gold and silver lace to be seen of them; and each gentleman had a page and two lackeys waiting on him in his livery by his horse’s side. The lackeys carried torches and the page his master’s cloak. The richness of their apparel and furniture, glittering by the light of a multitude of torches attending on them, with motion and stirring of their mettled horses, and the many and various gay liveries of their servants, but especially the personal beauty and gallantry of the handsome young gentlemen, made the most glorious and splendid show that was ever beheld in England.

“After the horsemen came the anti-masquers, and as the horsemen had their music—about a dozen of the best trumpeters proper for them and in their livery sounding before them—so the first anti-masque, being of cripples and beggars on horseback, had their music of keys and

tongs and the like, snapping and yet playing in concert before them.

“These beggars were also mounted, but on the poorest, leanest jades that could be gotten out of the dirt carts or elsewhere, and the variety and change from such noble music and gallant horses as went before them, unto their proper music and pitiful horses, made both of them more pleasing. . . . After the beggars’ anti-masque came men on horseback playing upon pipes, whistles, and instruments, sounding notes like those of birds of all sorts and in excellent concert, and were followed by the anti-masque birds. This was an owl in an ivy-bush, with many several sorts of other birds in a cluster about the owl, gazing as it were upon her. These were little boys put into covers of the shapes of those birds, rarely filled, and sitting on small horses, with footmen going by them with torches in their hands, and there were some besides to look after the children, and this was very pleasant to the beholders. After this anti-masque came other musicians on horseback, playing upon bagpipes, horn-pipes, and such kind of northern music, speaking the following anti-masque of projectors to be of the Scotch and northern quarters; and these, as all the rest, had many footmen with torches waiting upon them. First in this anti-masque rode a fellow upon a little horse with a great bit in his mouth, and upon the man’s head was a bit with headstall and reins fastened, and signified a projector, who begged a patent that none in the kingdom might ride their horses but with such bits as they should buy of him. Then came another fellow with a bunch of carrots upon his head and a capon upon his fist, describing a projector, a patent of monopoly, as the first inventor of the art to feed capons fat with carrots, and that none but himself might make use of that invention and have the privilege for fourteen years, according to the statute. Several other projectors were in like manner personated in the anti-masque, and it pleased the spectators the more because by it an information was covertly given to the King of the unfitness and ridiculousness of those projects against the law, and the Attorney Noy, who had most knowledge of them, had a great hand in this anti-masque of projectors.”

Next followed chariots with musicians, chariots with heathen gods and goddesses, and lastly four smaller chariots containing the grand masquers, four from each Inn. Gray's Inn led the way with its chariot of silver and crimson, "painted richly with these colours, even the wheels of it, most artificially laid on, and the carved work of it as curious for that art, and it made a stately show. It was drawn with four horses, all on breast, and they were covered to their heels all over with cloth of tissue of the colours of crimson and silver, huge plumes of red and white feathers on their heads and buttocks; the coachman's cap and feather, his long coat, and his very whip and cushion of the same stuff and colour. In this chariot sat the four grand masquers of Gray's Inn, their habits, doublets, trunk-hose and caps of most rich cloth of tissue, and wrought as thick with silver spangles as they could be placed, large white silk stockings up to their trunk hose, and rich sprigs in their caps, themselves proper and beautiful young gentlemen. On each side of the chariot were four footmen in liveries of the colour of the chariot, carrying huge flambeaux in their hands, which with the torches gave such a lustre to the paintings, the spangles and habits, that hardly anything could be invented to appear more glorious."

The chariots of the other Inns each sported their respective colours. Those of the Middle Temple were silver and blue, but those of the Inner and Lincoln's Inn are not mentioned.

After struggling with difficulty through the crowded streets the procession reached Whitehall. So crowded too was the banqueting hall that the King and Queen could scarce get to their window to view the spectacle in the street, and so delighted were they "with the noble bravery of it, they sent to the Marshall to desire that the whole show might fetch a turn about in the tiltyard."

Then the masque, the great event of the day, com-

menced, and was, says Whitelocke, "incomparably performed in the dancing, speeches, music, and scenes."

Next the Queen and great Court ladies were led out to dance by the chief masquers, and the fun was kept up till morning, when royalty retired, and the gentlemen of the Inn sat down to a stately banquet.

So delighted was the Queen that she must needs see the show and masque over again, and so the Lord Mayor invited the Court and the Inns of Court masquers to the City, where he entertained them with great magnificence at Merchant Taylors' Hall.

In fact, Henrietta is reported to have said that she took the masque "as a particular respect to herself," alluding, no doubt, to its being a demonstration against Prynne's *Histrion Mastix*, in which he had inveighed against her.

The total cost to the four societies exceeded £21,000.

Dramatic plays had, however, been gaining in favour, and at the Restoration had entirely supplanted the masque. In 1887 the Masque of Flowers was successfully revived, both at Gray's Inn and in our own Hall, and it is the only instance since the seventeenth century. This was first produced at Whitehall by the gentlemen of Gray's Inn in honour of the marriage of the Earl of Somerset and Lady Francis in 1613, and was dedicated to Sir Francis Bacon.

## CHAPTER VIII

### STAGE PLAYS

“**O**N Twelfth Night of 1560, or 1561,” writes Mr. Inderwick, K.C., “the first dramatic performance of one of the earliest dramas of our country took place in the Inner Temple Hall.” The title-page of the first edition of this play is worth reproducing :—

“The Tragedie of Gorboduc whereof Thre Actes were  
wrytten by Thomas Nortone, and the two laste by Thomas  
Sackville Sett forth as the same was shewed before the  
Queenes most excellent Maiestie in her highness Court of  
Whitehall the viii day of January Anno Domini 1561  
—By the gentlemen of Chynner Temple in London.  
Imprynted at the Signe of the faucon by William Griffith  
& are to be solde at the shop in Saint Dunstane's Church-  
garde in the West of London Anno 1565. Septemb: 22.”

Thomas Norton became a distinguished jurist and writer, as well as a well-known public man. Thomas Sackville, afterwards Lord Buckhurst, and ultimately Earl of Dorset, was also a notable figure in public affairs. Both were members of the Inner Temple.

In 1572 Sackville sat as one of the peers on the trial of Thomas Howard, Duke of Norfolk, whose daughter, Lady Margaret, afterwards married Robert, his eldest son. It fell to Sackville's lot to convey to Mary Queen of Scots the sentence of her death, when Mary, as a token of gratitude for the feeling manner in which he





discharged this distressing duty, presented him with a piece of furniture from her chapel. Upon this is a carving of the Procession to Calvary. It is still preserved at Knoles.

Sackville also became Chancellor of Oxford University, his unsuccessful competitor being Robert Devereux, Earl of Essex, at whose trial he subsequently presided as Lord High Steward. The introduction to that curious poem, the *Mirroure of Magistrates*, was written by Sackville. To him Spenser dedicated his *Faery Queen*, eulogising his patron in the following lines :—

“Whose learned muse hath writ her own record  
In golden verse, worthy immortal fame.”

Two of Sackville's sons were admitted together in 1585. Both became soldiers of fortune. Thomas, the elder, distinguished himself in the field against the Turks, and lived to a green old age, whilst William lost his life, in 1589, in the service of Henry IV. of France.

Thomas Norton, the son of a London citizen, was successively member of Parliament for Gattos, Berwick-on-Tweed, and the City. He was counsel to the Stationers' Company, and in 1571 became Remembrancer of London. In 1584 he was committed to the Tower on a charge of treason, and died the same year at his country seat, Sharpenhoe, in Bedfordshire. Early in life he had been tutor to the children of his patron, the Protector Somerset. He married Margery, third daughter of Archbishop Cranmer.

Upon the first performance of Norton's and Sackville's play Christopher Hatton was Master of the Revels, and it was ordered by the Bench that “Master Hatton should have a special admission, without payment, in respect of his charges as the master of the game.”

At the second performance, held at Whitehall, he appears to have taken a leading part, since he attracted



the attention of Queen Elizabeth by his graceful dancing and became her prime favourite, some say even her paramour. In 1577 he was appointed Vice-Chamberlain, and in 1587 Lord Keeper of the Great Seal, and from thenceforth became known as "the Dancing Chancellor."

Of him, in his manor-house at Stoke Pogis, Gray wrote the following lines :—

"Full oft within the spacious walls  
When he had fifty summers o'er him,  
The grave Lord Keeper led the brawls,  
The seal and maces danc'd before him.

"His bushy beard and shoe-strings green,  
His high-crown'd hat and satin doublet,  
Moved the stout heart of England's Queen,  
Though Pope and Spaniard could not trouble it."

In the House of Commons Hatton was Elizabeth's mouthpiece, and on one occasion expressed her disapproval of an apparent contempt committed by the House in appointing a public fast to be held in the Temple Church without taking her pleasure.

There can be little doubt that Hatton was one of the joint authors of *Tancred and Gismund*, produced in the Inner Temple Hall in 1568, and at which Elizabeth was almost certainly present. When Lord Chancellor, we find Hatton dating his letters "Ffrom Ely Place in Holborne" in 1590.

This was the famous Palace of the Bishops of Ely, already mentioned, with its still more famous garden. Bishop Cox having been forced to grant a lease of a portion of it to Sir Christopher Hatton, stipulated for the right of walking therein and of gathering twenty bushels of roses annually. This was not a large amount for rent, but once in Hatton laid out large sums in repairs and building—sums chiefly borrowed from his royal mistress. Having thus expended his money, or rather the Queen's, on another's property, he induced the latter to command

the Bishop to demise the lands to her until the money so expended should be repaid. The good Bishop replied that "in his conscience he could not do it, being a piece of sacrilige."

But conscience or no conscience, he had to yield to the inevitable.

His successor, Dr. Heton, was equally unwilling to carry on the arrangement, but was soon brought to book by the following very characteristic letter from the Queen :—

"Proud Prelate!—I understand you are backward in complying with your agreement: but I would have you know that I, who made you what you are, can unmake you; and if you do not forthwith fulfil your engagement, by God I will immediately unfrock you.

"ELIZABETH."

The "famous garden" is now represented by Hatton Garden, the resort of dealers in diamonds and precious stones, and the Palace by Ely Place now covered with lawyers' offices, in one of which may be found the well-known society solicitor, Sir George Lewis.

Whether Shakespeare ever actually took any part in the representation of his plays in our Hall, or that of the Middle Temple, is unknown, though not improbable. One undoubted link, however, there is with our House. William Underhill, admitted a student to our Inn in 1551, purchased New Place, Stratford-on-Avon, and this was sold by his eldest son to William Shakespeare upon his retirement from London.

With the other great songster of our race, John Milton, our House had a stronger link in the person of Sir Christopher Milton, brother of the poet. He was called in 1640, became a Bencher, Baron of the Exchequer, 1686, and a Justice of the Common Pleas, 1687. In one of the stained glass windows in the Hall there is a portrait of Sir Christopher, to remind us not so much of the successful lawyer as of the blind poet.

From 1605 to 1640 plays were performed in our Hall twice a year, at Allhallows and Candlemas, with the exception of a short interval, when "Anticks or puppets" were substituted on account of the "great disorder and scurrility brought into this House by lewd and lascivious plays." In September, 1642, stage plays were banned by the Government.

Of the names of these plays we have no record, but we know that they were performed by "The King's Majesty's Servants," "The Cockpit Players," and "The Blackfryars Players." Shakespeare, Burbage, Hemming, and Condell belonged to the first, but there is no mention of this company till the play on All Saints' Day, 1614, a year and a half before Shakespeare's death. The only play referred to by name is the *Oxford Tragedye*, in mistake, thinks Mr. Inderwick, for *The Yorkshire Tragedy*, which had just been produced at the Globe, and was at one time wrongly attributed to Shakespeare.

After the Restoration the taste for the Shakespearean drama entirely died away, owing to the fact, according to Mr. Inderwick, that Shakespeare, being comparatively without liberal education, and not having had the advantage of mixing from his youth with gentlemen and gentlemen's sons, had not acquired the art of writing to the taste of the class from which the Inns of Court were drawn. A more probable reason appears to be the reaction in favour of a lower standard of thought in art as in everything else.

Whatever the cause, the fact remains that out of the twenty plays produced in our Hall from the accession of Charles II. to the flight of his brother not one can claim Shakespeare as its author.

Beaumont and Fletcher are responsible for *The Night Walker*, or *The Little Thief*, played in 1664; *The Little French Lawyer*, in 1668; the *Philaster*, or *Love Lyes a Bleeding*, in 1671; *The Spanish Curate*, in 1675 and 1686;

*The Scornful Lady*, in 1675; and *Rule a Wife and Have a Wife*, in 1682.

One only, the *Epicene, or The Silent Woman*, is by Ben Jonson. This favourite comedy was produced at Candlemas, 1663.

*The Brothers*, by James Shirley, appeared in 1663, and *Changes, or Love in a Maze*, by the same writer, the following year.

Sir George Etheridge is the author of *The Comical Revenge, or Love in a Tub*, produced in 1667, and described by Pepys as a "silly play."

In 1669 *Secret Love, or The Maiden Queen*, by John Dryden, was acted by the King's players, of whom sweet Nell Gwynne, then about nineteen years of age, and living in Maypole Alley, out of Drury Lane, was the chief attraction. She also appeared on Twelfth Night, 1682, in *Rule a Wife and Have a Wife*. In our accounts is an item of £1 "for sweetmeats for Madam Gwinn."

Other plays by the same author were *Sir Martin Mar-All*, played on Allhallows Eve, 1670, and *The Spanish Friar* in 1687.

On two occasions, in 1670 and in 1685, appeared *The Committee*, by Sir Robert Howard, whose sister, Lady Elizabeth Howard, married John Dryden. This appears to have been a favourite play, and it is interesting to learn that on its appearance in 1663 Cromwell's daughter, then Lady Fauconbridge, was present in her box. At the first performance, on Candlemas Day, 1670, Charles and the Duke of York were present. At the second Lord Chancellor Jeffreys was the guest of the evening.

On Candlemas Day, 1681, before the Lord Chancellor and the judges was given the *London Cuckold*, a licentious play by Edward Ravenscroft, a member of the Middle Temple. It has been described as "the most rank play that ever succeeded."

*The Plain Dealer*, by William Wycherley in 1683, was

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followed by *The Fond Husband*, by T. Durfey, in 1684; and Thomas Otway is responsible for *The Soldier's Fortune* in 1685 and *The Cheats of Scapin* in 1687.

Such plays continued to be given with great regularity for many years.

The last revel held in any of the Inns of Court of which we have any detailed account was that given in honour of Mr. Talbot in the Inner Temple Hall, upon his elevation to the Woolsack. It took place on February 2nd, 1733, and the following account is given by an eye-witness :—

“The Lord Chancellor came into the Hall about two of the clock, preceded by the Master of the Revels, Mr. Wollaston, and followed by the Master of the Temple, Dr. Sherlock, then Bishop of Bangor, and by the Judges and Serjeants who were members of the House. There was a very elegant dinner provided for them and the Lord Chancellor's officers; but the barristers and students of the House had no other dinner got for them than what is usual on all grand days; but each mess had a flask of claret, besides the common allowance of port and sack. Fourteen students waited at the Bench table, among whom was Mr. Talbot, the Lord Chancellor's eldest son; and by their means any sort of provision was easily obtained from the upper table by those at the rest. A large gallery was built over the screen, and was filled with ladies, who came, for the most part, a considerable time before dinner began; and the music was placed in the little gallery at the upper end of the hall and played all dinner time.

“As soon as dinner was ended, the play began, which was *Love for Love*, with the farce *The Devil to Pay*. The actors who performed in them all came from the Hay-market in chairs, ready dressed; and, as it was said, refused any gratuity for their trouble, looking upon the honour of distinguishing themselves on this occasion as sufficient.

“After the play the Lord Chancellor, the Master of the Temple, the Judges, and Benchers retired to the parliament chamber, and in about half an hour afterwards came into

the hall again, and a large ring was formed round the fireplace (but no fire nor embers were on it); then the Master of the Revels, who went first, took the Lord Chancellor by the right hand, and he with his left took Mr. J. Page, who, joined to the other Judges, Serjeants, and Benchers present, danced, or rather walked, round about the coal fire according to the old ceremony three times, during which they were aided in the figure of the dance by Mr. George Cooke, the Prothonotary, then upwards of sixty; and all the time of the dance the ancient song, accompanied by music, was sung by one Toby Aston, dressed in a bar-gown, whose father had been formerly Master of the Plea Office in the King's Bench.

“When this was over the ladies came down from the gallery, went into the parliament chamber, and stayed about a quarter of an hour while the hall was putting in order; then they went into the hall and danced a few minuets. Country dances began about ten, and at twelve a fine collation was provided for the whole company, from which they returned to dancing, which they continued as long as they pleased; and the day's entertainment was generally thought to be very genteelly and liberally conducted. The Prince of Wales honoured the performance with his company part of the time; he came into the music gallery incog. about the middle of the play, and went away as soon as the farce of walking round the coal fire was over.”

This dance was satirised in the *Rehearsal*, and was also ridiculed by Dr. Donne in his *Satires*, by Prior in his *Alma*, and by Pope in his *Dunciad*, where he refers to this custom in the line—

“The Judge to dance his brother Serjeant calls.”

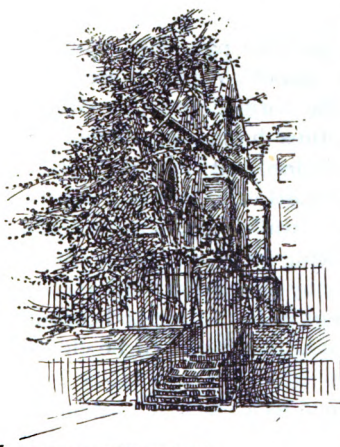
Balls, concerts, garden-parties, and debates, in which ladies have been known to take part, have for the most part supplanted the plays, and the Royal Horticultural Society's annual exhibition of flowers and fruits, held in May in the garden, is the finest of its kind in the country,

and is one of the most popular items in the programme of London society.

Plays, however, are still occasionally performed in the Temple. On February 7th and 8th last the Hall of the Inner Temple was the scene of two performances of Robert Browning's historical tragedy *Strafford*, previously produced at Oxford in 1890. The cast was composed entirely of amateurs, with the exception of Miss Sybil Carlisle, who sustained the character of Lucy Percy, Countess of Carlisle. The majority of the players were members of the Bar, or connected with the legal profession by birth or marriage. Of these may be mentioned Mr. W. W. Grantham, son of Mr. Justice Grantham; the Hon. Arthur Webster, son of the Lord Chief Justice; Mr. H. E. Alderson, Mr. Hugh Childers, Mr. Harold Whitaker, Mrs. W. W. Grantham, Mrs. Woodfall, and Miss M. Muir-Mackenzie. The performance was given in aid of the funds of the Inns of Court Mission, a society founded and supported by members of the Bar.

## CHAPTER IX

### RIGHT OF SANCTUARY



East End of Church...  
and Gate to Master's  
Garden

**R**IGHT of sanctuary was one of the privileges of the Knights Templars, and existed in the Temple from their occupation to comparatively modern times, proving a constant source of trouble and annoyance to the Masters of the Bench. Up to the time of the Reformation we hear little or no complaint against this privilege, but with the dissolution of the monasteries the ecclesiastical control over these asylums almost disappeared, which thus became disorderly centres for the scum of the cities and towns.

By a statute of Henry VIII. all sanctuaries, except in parish churches, their churchyards and cemeteries, were declared illegal, but in spite of this Act, other places to which the privilege of sanctuary had been attached were still recognised as affording similar protection.

Access to the Temple Church and churchyard was gained through the houses fronting on Fleet Street. The chief



entrance was through a shop in Falcón Court, occupied by one Davies, a tailor, and through this house passed such "a disorderly crew of outlawed persons which dared not show themselves abroad in the streets" that Henry Styrrell, of the Middle Temple, who had chambers here, petitioned both societies, "for the honor of God and the church, to take order that the churchyard be not, as now it is, made a common and most noisome lestal." Three months later "the tailor's shop was ordered to be pulled down, and the door from the churchyard into the street be mured up." This was in 1610.

Ram Alley and Mitre Court, parallel passages connecting Fleet Street and King's Bench Walk, were also claimed as sanctuaries. In the former the Inn owned five or more shops, and was thus hampered in dealing with the nuisance. In 1577 indeed, at the request of Mr. John Dudley, acting on the Earl of Leicester's behalf, this entrance was ordered to be walled up, but this was not carried out, since the following year an arrangement with Mr. Dudley was arrived at by which Ram Alley Gate was to be shut at all times except in term time and certain days after, and finally in 1596 it was ordered to be closed altogether.

Fuller's Rents were also claimed as a place of sanctuary, and in 1604, upon the joint petition of members of the House residing there, and of the inhabitants of Ram Alley, a new and strong door was allowed to be placed at their charges, to be opened only during term time and to be kept locked by a porter, and if any further annoyance should arise, it was to "remain dammed up for ever."

And this in spite of the fact that the House had been "greatly grieved and exceedingly disquieted by many beggars, vagabonds, and sundry idle and lewd persons who daily pass out of all parts of the City into the gardens through the same door, and there have stayed and kept

all the whole day as their place of refuge and sanctuary ; and by sundry sick persons visited with infectious diseases who have thither repaired for the taking of the open air, by whose being there the whole House hath been greatly endangered to be likewise infected ; and further, the same House hath been greatly grieved and disquieted by divers sundry persons as well abiding in Fleet Street as in the same Ram Alley by having recourse through the same door into the garden unto their houses of office there, and by their continual carrying of water, as well from their pump there as from the Thames side."

Ram Alley is shown as existing on the map of 1799, but the entrance into Mitre Court was effectually and finally "dammed up" by the erection of a house there. Ram Alley has now entirely vanished, but Mitre Court Gate still survives, and, as in the days of Elizabeth, is locked from eight in the evening till five in the morning.

The right of sanctuary in the Temple was confirmed by the patent granted by James in 1608.

Just outside was the sanctuary of Whitefriars, the home of the Carmelite Friars, consisting of a large church with a lofty spire, destroyed about 1540, with the usual offices and extensive gardens, and a mansion of the Greys, formerly Earls of Kent.

These precincts had before the Reformation afforded an asylum for criminals, and in the reign of Charles II. still retained the privilege of protecting debtors from arrest. This district was known as *Alsatia*, in reference to Alsace, the buffer state between France and Germany. It has formed a theme for numerous plays and novels, notably Shadwell's *Squire of Alsatia*, Mrs. Aphra Behn's *Lucky Chance*, and Sir Walter Scott's *Fortunes of Nigel*.

This right, which could be pleaded in bar to most indictments for felonies and misdemeanours, was so abused that by an Act of 21 James I. "no sanctuary or privilege of sanctuary" was to be allowed. But although, writes

Lord Macaulay, "the immunities legally belonging to the place extended only to cases of debt, cheats, false witnesses, forgers, and highwaymen found refuge there. For amidst a rabble so dangerous no peace officer's life was in safety. At the cry of 'Rescue,' bullies with swords and cudgels, and termagant hags with spits and broomsticks, poured forth by hundreds; and the intruder was fortunate if he escaped back into Fleet Street hustled, stripped, and jumped upon. Even the warrant of the Chief Justice of England could not be executed without the help of a company of musketeers. Such relics of the barbarism of the darkest ages were to be found within a short walk of the chambers where Somers was studying history and law, of the chapel where Tillotson was preaching, of the coffee-house where Dryden was passing judgment on poems and plays, and of the hall where the Royal Society was examining the astronomical system of Isaac Newton."

Luttrell relates how, when the Benchers in 1691 attempted to brick up the little gate into Whitefriars, the Alsatians assembled and pulled down the bricks as fast as the workmen laid them. Thereupon the sheriffs and their officers attended, but were attacked and knocked down, shots were fired, and many on both sides were killed and wounded. Eventually the Alsatians were reduced and many of them imprisoned, but it took troops to do it. One of the sheriffs was Sir Francis Child, who lost part of his gold chain.

This affray and Shadwell's *Squire of Alsatia*—which gives a realistic picture of Alsatian life, made up of "copper captains," degraded clergymen, broken lawyers, skulking bankrupts, thievish money-lenders, and gaudy courtesans—led to the legislation at the end of the seventeenth century abolishing privilege of sanctuary in Whitefriars.

In 1693 a Captain Winter, who had headed a mob of

Alsations, was found guilty of murder, and although reprieved, was eventually executed in Fleet Street, opposite to White Fryars, the scene of his misdeeds, when, according to Luttrell, he "died very penitently."

And even in the Temple itself this abolition of the right of sanctuary was disregarded by the young Templars, for as late as 1697 they rescued from custody a person arrested for debt, and it was not until the reign of George I. that the last of these pretended places of sanctuary was effectually stamped out.

## CHAPTER X

### THE TEMPLE CHURCH

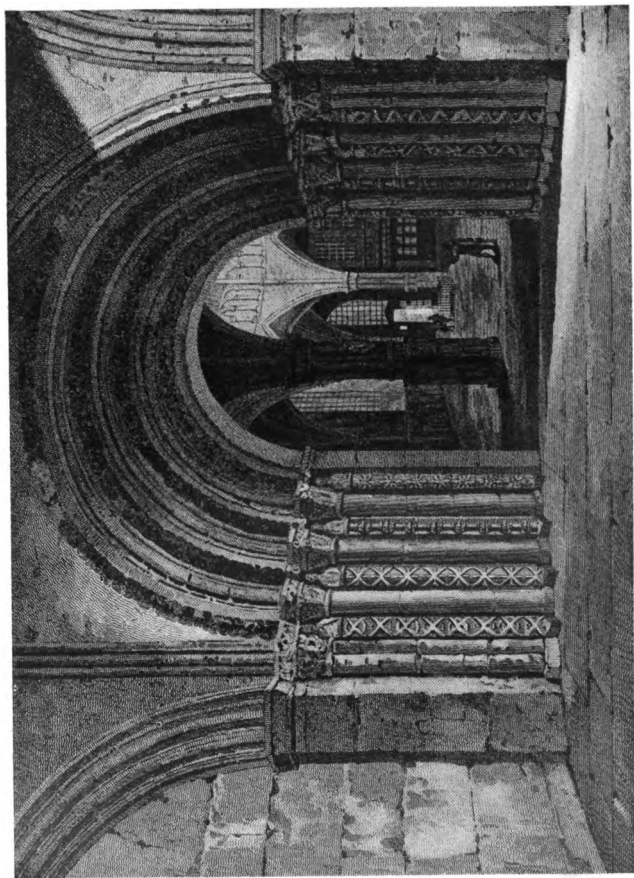
WHATEVER differences may from time to time have existed between the two societies of the Inner and Middle Temple—and these differences sometimes reached the breaking point—they were never allowed to interfere with the common love and veneration for that ancient building which they had jointly inherited from the Knights Templars.

And although their care and solicitude for this national monument of an early chapter in our history has not always been such as it might have been, still, allowing for some slight laches and some misguided zeal, the Benchers of the two societies have earned our gratitude by preserving and handing down to posterity that building so closely bound up with some of the most momentous incidents in our national life in much the same state as when the poor fellow-soldiers of Christ knelt upon its flags to take the vows of poverty and purity.

### THE ROUND

In the year 1185 the Round was built after the model of that erected over the Holy Sepulchre at Jerusalem, and dedicated to the Virgin Mary by Heraclius, Patriarch of the Church of the Holy Resurrection in Jerusalem, in the presence of Henry II. and his Court.

On Ascension Day, 1240, a second dedication took place

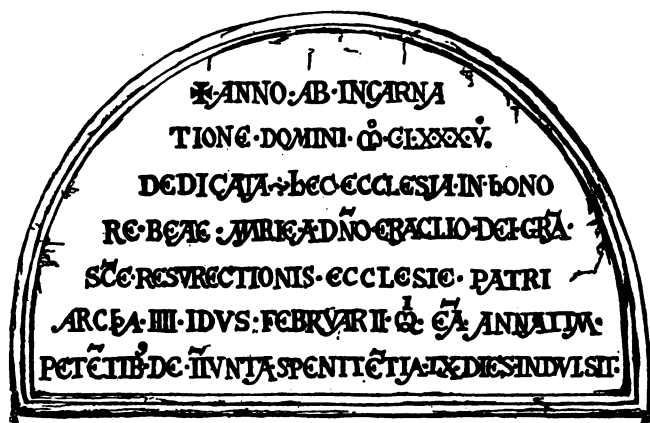


PORCH AND DOORWAY, TEMPLE CHURCH



before Henry III. and his barons, when, according to the best authorities, the rectangular portion of the church, as we now know it, was added.

There was, however, a chancel or choir attached to the Round, prior to 1240, extending some fifty feet in length,



ANCIENT INSCRIPTION FORMERLY OVER THE DOOR OF THE ROUND LEADING INTO THE CLOISTERS.

as the foundations still existing under the present pavement prove, but whether this building was earlier or later than the Round is uncertain. It is considered by some to date from Saxon times.

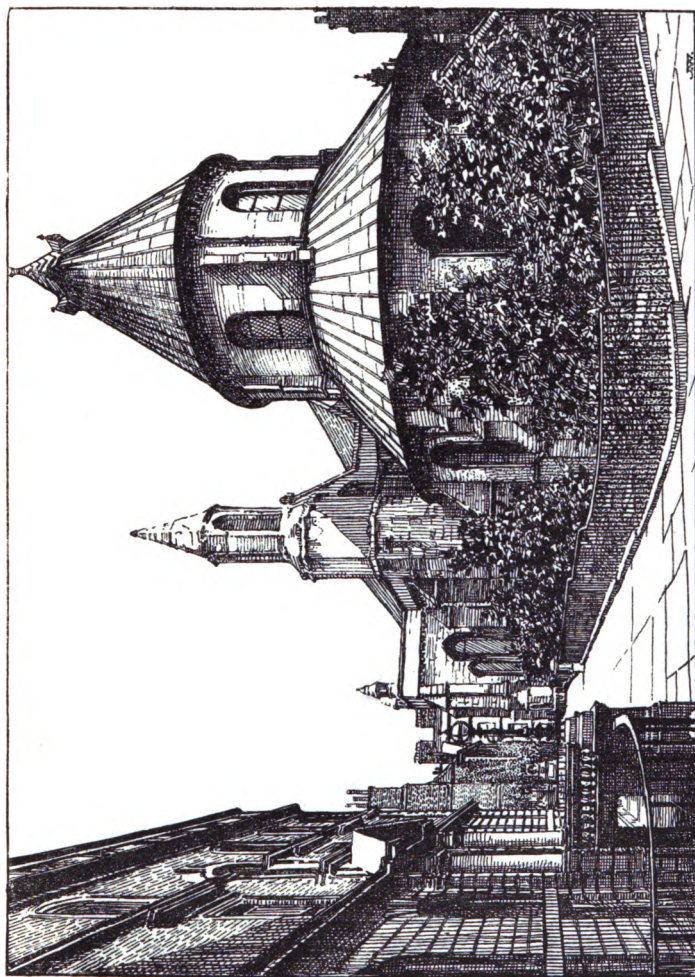
#### THE KNIGHTS TEMPLARS AND SECRET SOCIETIES

It now appears to be a well-established historical fact that the Order of the Knights Templars was one of the five great secret societies of the Middle Ages, all of which indulged in Masonic symbols and mysteries. That the Eastern Order of the Assassins and that of the Knights Templars were identical is open to grave question, but the eminent Egyptologist, Mr. Edward Clarkson, does come to the conclusion that a large proportion of the



Templars were imbued with the Gnostic and Manichee heresies ; that they had adopted the initiations of a corrupted and mingled Freemasonry, such as was used by the latter, and that they were closely related with the Assassins, who occupied strongholds in the immediate neighbourhood of their fortresses in Syria. The chief of the Assassins had adopted the initiations of a secret Freemasonry similarly corrupted, in order to train his fanatical followers for the ambitious purposes at which he unscrupulously aimed. Mr. Clarkson also agrees with Von Hammer that the charges levelled against the Templars by Philip le Bel were mainly true, and that under the mask of poverty the Templars did follow idolatrous doctrines and indulge in idolatrous practices. Such a theory seems naturally entirely inconsistent with the militant Christianity and professed faith of the Templars, the avowed champions of the Christian doctrines, but it must not be forgotten that the protection of the pilgrims on their way to the Holy Sepulchre was a highly lucrative business. The faith of the Templars, or at least of their leaders, may have been but a cloak for the purpose of amassing wealth.

In support of these views Mr. Clarkson traces the architecture of the Temple Church through the Temple of Solomon and the Mosaic Ark to the Great Pyramid, the first great lodge of Egyptian Freemasonry. The six columns in the Round, consisting of four pillars each, and connected with the twelve columns of the exterior circle by arches which produce exact triangles ; the four doorways and the eight windows, are the geometric and numerical symbols, which the Gnostics received from the later Platonists, who owned that they derived them from the secret Freemasonry of the Egyptian initiations. The resemblance of these two circular ranges of pillars to the Druidical circles of stones cannot be a mere coincidence. Three primary symbols—the circle representing the sun,



TEMPLE CHURCH AND GOLDSMITH BUILDING

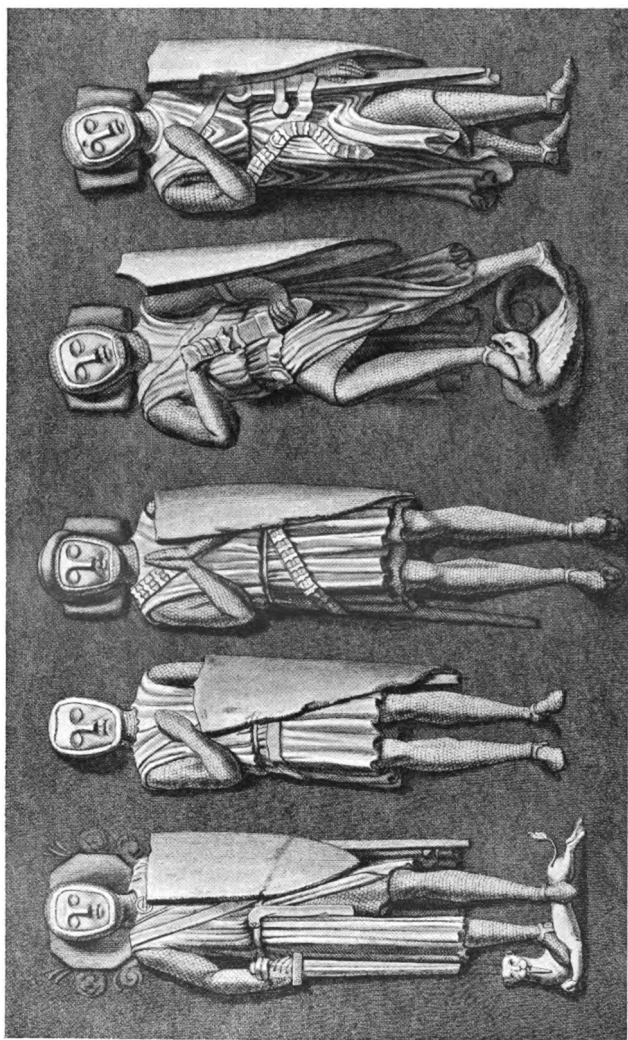
the tau or T-shaped cross eternal life, and the triangle joy—together with the oval representing the ovum or fecundity, and the square or cube divine truth and justice, are all reproduced in the Temple Church.

At the same time, however, these may be nothing more than survivals of that sun-worship from which have evolved all the great religions of the world. Mr. W. J. Loftie indeed, in his usual superior manner, dismisses poor Clarkson's theory with the "loftiest" scorn!

Turning to the decorations, many of the tiles are reproductions of those found when the pavement was lowered some sixteen inches, thus bringing to light the bases of the beautiful Purbeck marble columns of the inner circle.

#### THE MONUMENTAL EFFIGIES

Of the nine mail-clad effigies it is impossible to speak with certainty. That they do not represent Knights Templars is clear, since the Templars were always buried in the habit of their Order, and are represented in it on their tombs. This habit was a long white mantle, with the red cross over the left breast; it had a short cape and hood, and fell down to the feet unconfined by any girdle. As an example Mr. Addison cites the monument of Knight Templar Brother Jean de Dreux, in the church of St. Yvod de Braine, near Soissons, clothed in a long mantle with the cross of the Order carved upon it, as described above. Yet, although not monuments of Knights Templars, these cross-legged effigies are intimately connected with the Order. They represent a class of men termed "Associates of the Temple," men who, unwilling to become full-fledged Templars by taking the vows, were yet desirous of participating in the spiritual privileges of the society without entirely abandoning the pleasures of the world. Thus connected, they enjoyed when living the prestige of membership, and when dead



TEMPLE EFFIGIES



the inestimable privilege of resting within these sacred precincts. And so in return for these advantages they devoted a portion of their wealth to the use of the Order, and offered their persons for the protection of its property. In the year 1209 we find William, Count of Forcalquier, dedicating himself "to the house of the chivalry of the Temple," bequeathing his own horse, with two other saddle horses, all his equipage and armour complete, and a hundred silver marks, and undertaking as long as he leads a secular life to pay a hundred pennies a year, and to take under his safeguard and protection all the property of the house wherever situate.

William of Asheby, in Lincolnshire, is another example. In consideration of being received "into confraternity" with the Knights Templars, William makes a grant to the house out of his estates.

Standing in front of the group on the north side, the Sussex marble effigy at the top left hand is said, and probably with truth, to represent Geoffrey de Magnaville, Earl of Essex and Constable of the Tower. Rebelling against Stephen, he became one of the most violent disturbers of law and order during that troublous period. Excommunicated for the sack of Ramsey Abbey, he was in 1144 struck down when laying siege to the royal castle of Burwell. Although duly penitent for his misdeeds, some Knights Templars alone could be found willing to render him spiritual assistance on his death-bed. For this assistance he appears to have rendered an adequate return, and the Templars, throwing over him the habit of their Order, carried his dead body to the Old Temple in Chancery Lane. In 1182 it was transferred to the cemetery in the New Temple, and finally, on the dedication of the church, buried in the porch before the west door.

The charge on his shield is that of a Mandeville, and is said by Gough to be the earliest instance in England of sculptured armorial bearings on a monumental effigy.

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Next on the right (No. 2) is a Purbeck marble figure in low relief, which is said to be the most ancient, and which cannot be identified.

No. 3 is also of Purbeck marble, dating from the latter end of the twelfth century. The feet rest upon grotesque heads, probably representing conventional Saracens. This monument also is unappropriated, as is the case with its companion (No. 4), a remarkably fine specimen, also in Purbeck marble, which differs from all the others, as it is the only one with the mouth covered by the *chapelle de fer*, leaving the forehead, eyes, and nose alone exposed.

The coped stone coffin-lid (No. 5) on the extreme north side is also of Purbeck marble, and is said to be the tomb of William Plantagenet, the fifth son of Henry III., who, according to Weever, was buried in the Round in 1256. There appears to be little authority for this statement.

The group on the southern side are all of later date. No. 6, a fine example in Sussex marble, is generally supposed to represent William Mareschal, the great Earl of Pembroke, guardian of Henry III. But Mr. Baylis, k.c., relying upon a statement in the Petyt MSS. to the effect that the effigy of the Earl is cross-legged, throws doubt upon this supposition, and considers its companion, No. 7, a specimen of Reigate stone, to be that of William Mareschal, in which opinion he has the support of Pennant. No. 7 is thought by some to be the effigy of William Mareschal the younger, and No. 8, also of Reigate stone, is said to be that of Gilbert, another son of William the elder, who was killed in a tournament at Hertford. No. 9 is considered by others to represent either William the younger or Gilbert, which in either case leaves one of the four unappropriated.

The monument (No. 10) of Roche Abbey stone, on the south side, is possibly that of Sir Robert Rosse, who, according to Stow, became a Templar in 1245, and was buried here. Others assert that an effigy of a De Ros

was brought from York and placed in the church about the year 1682. The shield, which has three water bougets, the arms of the De Ros family, supports either view, but De Ros was certainly not a Templar, though probably an associate.

The question whether cross-legged effigies represented Crusaders, or at any rate those who had taken the cross without actually going to the East, is still a matter of controversy. Whatever the reason for this posture, numerous instances of Knights Templars thus represented are to be found in other churches in England and Ireland, although none are known on the Continent.

The font near the southern group of effigies is modern. It is a copy of an ancient one at Alphington, near Exeter, of about the twelfth century.

#### CHAPEL OF ST. ANNE

At the junction of the Round with the choir on the south side stood the Chapel of St. Anne, destroyed by gunpowder in the fire of 1678 to check its spreading to the church.

This building consisted of two floors, and both floors were oblong, forming double cubes. In the symbolic language of Freemasonry the cube represents divine truth and justice. Viewed from any point the cube is always equal, always based upon itself, and invariably just in its proportions. Between the two floors was a flight of fourteen steps. The initiatory Freemasonry of Eleusis was conducted by means of two floors, one over the other, communicating by seven steps, but at Denderah and elsewhere the steps are fourteen. Here, then, according to Mr. Clarkson, the novice was initiated into the Order of the Knights Templars. This novitiate bore a strong resemblance to the exterior initiation practised in the Isisian and Eleusinian mysteries.



"After undergoing certain trials as a novice, the reception of the candidate took place in one of the chapels of the order in presence of the assembled chapter. The aspirant, if no objection was taken, was led into an ante-chamber, near the chapter room, and two of the oldest knights were sent to instruct him in all it was requisite to know. He was then brought back between the two, each holding a drawn sword over his head, to the grand master or his vice-regent, the grand prior, and kneeling with folded hands before the preceptor, he took a solemn vow to be for ever the faithful slave of the order. Again, after having first vowed perfect secrecy and perfect chastity—having sworn to 'kiss no woman, not even his sister, and to hold no child over the baptismal font'—the initiation was declared to be closed; the white mantle with the red badge was thrown over his shoulders, and he was pronounced amidst the congratulations of the chapter a free, equal, elected, and admitted brother."

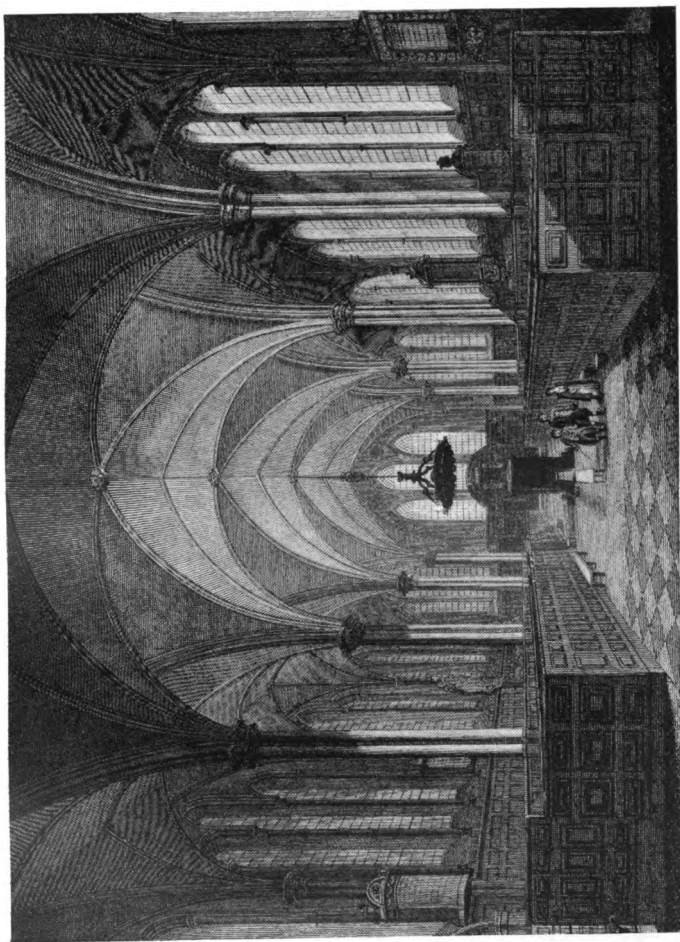
And these rites appear to have partially survived in the creation of serjeants. Connected with the Chapel of St. Anne by the Cloisters was the Chapel of St. Thomas, near the Hall door, the patron saint of the serjeants, at whose shrine they prayed before going to St. Paul's to select their pillars.

In the Chapel of St. Anne were kept the judicial records and writs, which were burnt in the fire of 1678. The remains of the building may be visited by descending through an iron grating, the whole being covered by seven large flagstones.

This chapel was the resort of childless women, who came here to intercede with the saint.

#### THE PORCH

The present porch is a survival of the ancient cloisters, to which the magnificent Norman arch owes its preservation from the elements. Upon its roof once rested a house of three stories, and the northern arch was also



CHOIR, TEMPLE CHURCH



blocked up by an adjoining building ; whilst inside the porch against this stood a stationer's shop, belonging in 1677 to the firm of J. Penn and O. Lloyd, as we learn from the chief butler's accounts delivered to the Treasurer of the Inner Temple for that year. Rather more than a century later, to wit in the year 1784, a shop-bill showing the shop *in situ*, with the firm's name "O. Lloyd and S. Gibbons, Stationers," is given in the *Gentleman's Magazine*.

The half-length figures beneath the capitals of the columns of the arch are said by a writer in the *Gentleman's Magazine* for 1783 to be those of Henry II. holding the roll containing the grant to the Templars to erect their church, and of his queen, Eleanor, on the opposite side. Next to the King are three Knights Templars, one of whom holds a roll signifying the possession of the royal grant. At the Queen's side is the figure of Heraclius with his hands raised in prayer, whilst those adjacent seem to be priests in the same devout attitude.

In the illustration at page 206 the arch appears to be too wide for the height. This is due to the fact that when this view was taken the pavement had not been lowered to its original and present level. Through the doorway may be discerned the screen, which at that time divided the Round from the Choir, and above the screen Father Smith's famous organ.

### THE CHOIR

The body of the church, consecrated, as has been said, on Ascension Day, 1240, consists of a middle and two side aisles, and is eighty-two feet in length, fifty-three in breadth, and thirty-seven in height. The roof is supported by clustered columns of highly polished Purbeck marble, with richly moulded capitals, from which springs the groined vaulting of the middle and two aisles with central bosses. The spandrels of the middle are decorated

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with ornamental foliage, in which the arms of the two societies occur alternately, whilst those of the aisles have also in circles the triangle with three vesicae, the Latin and Greek crosses, the Beaucéant banner, the crescent under the cross, and a quadruple vesica.

The first monument on entering the choir to the right is a bust of the learned divine John Hooker, a Master of the Temple in the sixteenth century. Just below is the grave of Selden, whose mural tablet, which for some unexplained reason was formerly in the north-east corner of the choir, has now been restored to its original position.

We come next to a recess behind the south-east stalls, occupied by a handsome effigy of a bishop under a canopy. It is attributed to Silvester de Everden, Bishop of Carlisle from 1247 to 1255, and formerly stood out against the south wall.

Near the south-east corner is a double piscina of Purbeck marble and an aumbry. In the north-east corner is another aumbry, or cupboard for the holy vessels and utensils.

Under the communion table is an old oak chest, containing the charter-deeds of the two societies. There are two keys to this chest, which are kept by the Treasurers, in the presence of whom alone can it be opened.

The stained glass in the choir, as in the Round, is all modern. In the east windows of the aisles the Knights Templars are well represented with their banners, the Beaucéant, the Red Cross, and the Cross triumphant over the Crescent.

The frescoes on the west wall of the choir represent Henry I. bearing the Beaucéant banner; Stephen with the device of St. George on a silver field; Henry II. holding a model of the Round; Richard I., also carrying a model of the church; Henry, the eldest son of Henry II.;

John with a model of the church as in his time ; and Henry III., also with a model of the church as restored in 1240.

At the east end are two small doors, which form the private entrance for the Benchers of the two societies.

#### THE PENITENTIAL CELL

At the north-west corner of the choir is a small Norman door opening upon a dark winding staircase leading to the triforium.

On the left of the stairs in the thickness of the wall is the Penitential Cell, four feet six inches long and two feet six inches wide, so constructed as to render it impossible for a grown man to lie down. "In this miserable cell," writes Addison, "were confined the refractory and disobedient brethren of the Temple, and those who were enjoined severe penance with solitary confinement. Its dark secrets have long since been buried in the tomb, but one sad tale of misery and horror connected with it has been brought to light."

From the witnesses who were examined by the Papal inquisitors at St. Martin's Church and St. Botolph's we learn that a Knight Templar, Brother Walter le Bachelier, Grand Preceptor of Ireland, was imprisoned here in chains for disobedience to the Master of the Temple, and here died from the severity of his confinement. His body was carried at early dawn from this solitary cell by Brothers John de Stoke and Radulph de Barton to the old churchyard between the church and the Hall, and there consigned to the grave. Two small windows admit light and air, one looking eastward into the choir, so that the prisoner might see and hear the offices carried on at the high altar, and the other looking southward into the Round. At the bottom of the staircase is a stone recess where bread and water for the prisoner were placed.

## THE TRIFORIUM

Ascending the narrow winding stairs, the triforium is reached through a small doorway. This is a covered gallery built over the outer aisle of the Round. To this spot have been removed the greater part of the monuments and mural tablets which once decorated the walls and columns of the church below.

Immediately to the left is the kneeling figure of Richard Martin, Recorder of London and a member of the Middle Temple, who died in 1615, whilst nearly opposite is a mural tablet recording the death of William Petyt, Treasurer of the Inner Temple, in October, 1707. Beyond, within a canopy, lies the recumbent figure of Edmund Plowden, the famous jurist, who died in 1584. Passing under a small arch, we come to a tablet in memory of Anne, wife of Edward Lyttelton, and granddaughter of Lord Chancellor Bromley; whilst further still are the memorial to Jacob Howley, royal historian, 1666, and the tablet to Oliver Goldsmith, erected by the Benchers of the Inner Temple in 1837. On the north-west side is the monument to the beautiful and accomplished Miss Mary Gaudy, who died a victim to small-pox at the early age of twenty-two, in the year 1671. The family of Gaudy had for generations been connected with the Inner Temple. Upon this monument is the following epitaph:—

“ This faire young virgin, for a nuptiall bed  
More fitt, is lodg'd (sad fate !) amongst the dead ;  
Stormed by rough windes, soe falls in all her pride  
The full blowne rose design'd to addorne a bride.”

Hard by is a tablet to Richard Jewkes, one of the four executors of Selden.

Other well-known names here are those of Clement Coke, the youngest son of the great Chief Justice ; John Wharry, Daines Barrington, Peter Pierson, and Randle Jackson, all immortalised by Charles Lamb, and Henry

Blackstone, son of Sir William. One cannot but regret the wholesale removal of these memorials from the body of the church. These numerous examples of heraldry would, if judiciously placed on the walls of the choir, add very materially to the effect, as well as to the interest which their names inspire.

All interested in the study of heraldry will find ample material here in the many-quartered arms and ancient devices.

This gallery was originally open to the sky, the conical roof only covering the inner circle. Possibly this was for purposes of defence, and would correspond with the Norman fortified churches, of which so many survive in the Auvergne. Here people used to walk, which explains the references to persons taking the air on the leads of the Temple Church.

Upon the suppression of the Templars, as has been said, their lands in England were granted by the Council of Vienne in 1324 to the Knights Hospitallers of St. John the Baptist. They, however, did not obtain immediate possession, and it was not until 1329 that, upon complaint to the King, "the church and places sanctified and dedicated to God" were ordered to be surrendered to them. At the time of the suppression in 1307 there were in residence a master, William de la More, twelve brethren, a preceptor, a treasurer, six chaplains, and five clerks, besides servants. When the Knights Hospitallers leased to the lawyers they reserved to themselves the consecrated places and such tenements as they required for their own use, and appointed as *custos* or *magister* an official who, assuming the old title of the Master of the Templars, was known as "the Master of the New Temple," and who was responsible to the Prior of St. John of Clerkenwell not only for the maintenance of the ecclesiastical buildings, but also for the due performance of the services in the church. In the year



1378 the clerical staff consisted of the Master, Brother John Bartylby, and four chaplains, Sir Robert Kirkeby, Sir Thomas Weston, Sir William Eversam, and Sir Barnard Barton.

The exact territory retained for the Master and his priests is defined by the inquisition held in 1338. This area was comprised within a line drawn from the western side of the cloisters to the ancient gate into Fleet Street, Fleet Street itself the northern boundary, King's Bench Walk the eastern, and a line from the latter to the Cloisters, including St. Thomas's Chapel and excluding the Hall, on the south.

For the maintenance of the priests the Hospitallers alone were responsible right up to the Reformation, the lawyers contributing nothing except upon the eighteen offering days, so that each Fellow paid 18*d.* per annum.

After the dissolution of the Order of St. John the Master, the Rev. William Ermsted, and four stipendiary priests, with a clerk, were left undisturbed, and their stipends ordered to be paid out of the possessions and revenues of the late Order.

In 1542 William Ermsted leased the Master's mansion, with the exception of "two honest chambers" for the four priests, to Sir John Baker, a Bencher of our House and Speaker of the House of Commons. In the reign of Mary the Prior of St. John was reinstated, but Master Ermsted, like the Vicar of Bray, was able to accommodate himself to the Queen's religious views, as he was able subsequently to do upon the accession of Elizabeth. Ermsted was succeeded by Dr. Alvey, a distinguished divine who had suffered under Mary, and from this time both societies began to act jointly in the ecclesiastic affairs of the Temple.

The reversion in the Master's mansion and grounds having passed to a Mr. Roper, was purchased by the two Inns in 1585 for the Master's residence. Owing to

the sickness of Canon Alvey, Mr. Walter Travers was appointed to supply his place as preacher, but upon the death of the former Dr. Hooker was nominated by Elizabeth, and the strange spectacle was witnessed of the Master and the Reader preaching against each other in the same church; as it was said, "The forenoon sermon spake Canterbury, and the afternoon Geneva." The situation created much dissension in the Temple, which continued in spite of the departure of Travers, and until Hooker, "weary of the noise and opposition of the place," resigned in 1591.

Under the patent of James I. the two societies bound themselves to maintain and support the church, and to provide the Master with a convenient mansion, and to pay him a yearly stipend of £17 6s. 8d., the ecclesiastical buildings finally vesting in the two societies. By this time the church was in a ruinous and dilapidated condition, and as much as £2,300 in our money was spent in three years by the two societies in repairs. In the reign of Elizabeth rules had been passed for compulsory attendance at church, and partaking at least once a quarter of the Holy Communion. Dr. Masters, appointed Master in 1601, gave great offence by administering the sacrament to members of the Inner Temple before those of the Middle. The matter was referred to a joint committee of both Houses, which found that there was no distinction between the two Houses, and the bread and wine were ordered to be administered alternately on alternate Sundays to the members of each society respectively.

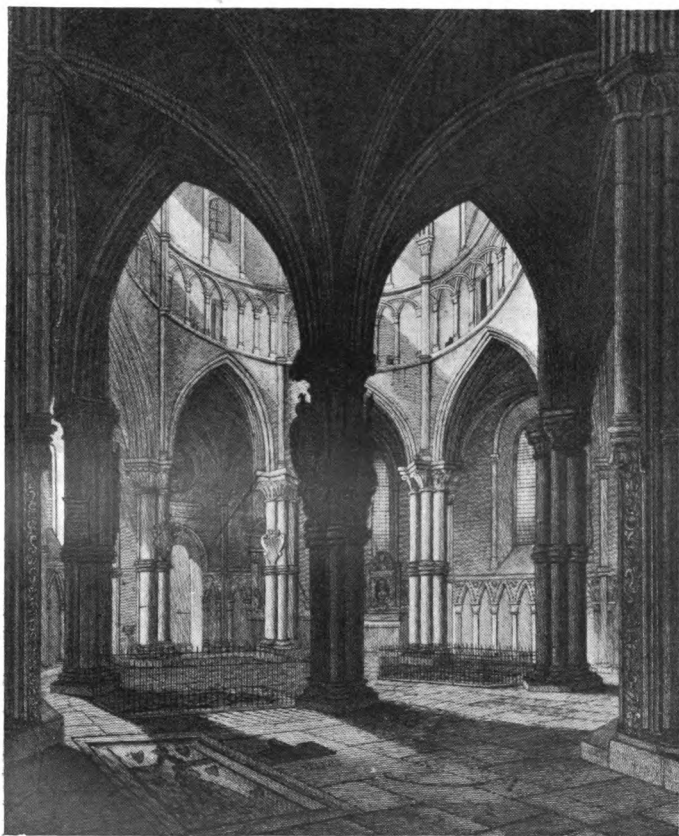
In 1634 an attempt was made to clear away the small buildings, which clung as excrescences to the church, but the Middle Temple declining to demolish those chambers belonging to them, the only result was the removal of a sempstress' shop, the property of the Inner Temple.

Upon the death of Dr. Masters in 1628, Dr. Mickle-

thwaite was appointed Master of the Temple, with unfortunate consequences. A High Churchman and follower of Laud, he soon came into conflict with the Puritan element in the Temple. He refused to be bound by the compromise on the Communion, and claimed precedence at the Bench table. When Lord Keeper Coventry and the judges dined with the Bench on one occasion, Dr. Micklethwaite usurped the Lord Keeper's seat, and removed the gold-embroidered purse. He was in consequence bidden "to forbear the hall till he was sent for."

Dr. Micklethwaite, however, was not to be put upon, and in his petition to the King he explains how the church "has ever been a church of eminency, and a choir church exempt from episcopal jurisdiction." He complains of the position of the pulpit and altar, and of the appropriation by the Fine Office of the Chapel of St. Anne. As a result the pulpit was removed to the side, the altar replaced on the raised platform at the east end, and an iron-bound oak chest purchased for the church plate and ornaments. St. Anne's Chapel, however, was not cleared. The altar or table had no doubt previously stood in the body of the choir, in accordance with Puritan custom. A claim by the Doctor of a tithe or ten per cent. of all the lawyers' fees as part of his stipend was very naturally strongly resented. He retaliated by keeping the church doors locked, and not allowing the conferences of the two Houses to take place in the Round, which had also been a resort of persons bent on business or pleasure, like the parvis of St. Paul's. Micklethwaite's successor was Dr. John Lyttelton, a member of the distinguished family of lawyers and divines.

The choir was divided between the two societies, the south side being assigned to the Inner Temple and the north to the Middle. A great number of members and



ROUND TEMPLE CHURCH



others are buried in the choir itself and in the vaults under the Master's garden.

The Round appears to have been used by both Houses in common, and continued after Micklethwaite's time to be one of the customary places where rents could be paid, mortgages discharged, and other contracts completed, and to be used as a place for lounge and conversation, for conferences between the two Houses, and for the burial of servants and others not members of the Inns.

In Ben Jonson's *Alchemist* several allusions to this practice occur. Partinax Surley, the gamester, agrees to meet Captain Face here "upon earnest business," but fails to keep his appointment, whereupon the latter exclaims—

"I have walk'd the Round  
Till now, and no such thing."

The following reference to the Round from Butler's *Hudibras* is, however, better known :—

"Retain all sorts of witnesses  
That ply i' the Temple under trees,  
Or walk the Round with Knights o' the Posts  
About the cross-legged Knights their hosts ;  
Or wait for customers between  
The pillar rows in Lincoln's Inn."

Dr. Lyttelton, upon the outbreak of the Civil War, followed the King, and the Temple was for two years without a Master.

For a year or two the celebrated John Tombs, the great scholar and a rival of Richard Baxter, was Master.

Under the Commonwealth of course the arrangements in the church were again changed, and much damage and loss suffered, but very considerable repairs, nevertheless, amounting to £3,000 in present value, were carried out. Dr. Ralph Brownrigg was Master during this period, and by his moderation became very popular.

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He was buried in the church and a monument erected to his memory.

His successor was Dr. John Gauden, who claimed to be the author of the *Eikon Basilike*. He became Bishop of Exeter.

The church, which had been kept in good repair by the Benchers of the Commonwealth, was much neglected during the early years of Charles II., owing no doubt to other heavy calls for rebuilding the houses destroyed in the Great Fire.

From the petition of John Playford, clerk of the church, presented to the Benchers of both societies in 1675, we find several matters in the church which required speedy repair :—

“First, the doors in the screen which parts the church are at this time much decayed and broken, as they are no security to the church, wherein now standeth the chest with your communion plate and also the several vestments and books belonging to the church.

“Second, the pulpit is so rotten at this time and decayed as it is in great danger of falling ; also the velvet before the pulpit and the cushion thereto belonging are both so much decayed and worn out, having been so often mended, as much longer they cannot be serviceable.

“Third, there is at this time great want of a good bell in the steeple, which want may soon be supplied if your masterhips shall please to give order that those two bells now in the steeple, which are both cracked and useless, be cast into one ; it will make an excellent bell that will be heard into all the courts belonging to both societies.

“Fourth, the two surplices at this time belonging to the church are both worn out, one of which is allowed by the honourable society.”

A committee was immediately appointed, and repairs estimated at £300 were under consideration, when the disastrous fires of 1677 and 1678 put a stop for the time to all ideas of restoration.

That Playford's suggestion of recasting the two bells was eventually carried out is shown by the inscription borne by the present bell:—

“Sir R. Sawyer A. G. t. Inner Temple, Sir Henry Chauncy t. Middle Temple, John Bartlet made me 1686.”

In 1682 the restoration, including the repairs recommended by Playford, was commenced under the direction of Sir Christopher Wren. The church was entirely repaved with alternate squares of black and white marble, and the walls wainscoted up to the bottom of the windows. The altar was reconstructed, the carved background, the work of Grinling Gibbons, reaching several feet above the bottom of the east central window. The whole church was repewed, and a new pulpit provided. At the opening on February 11th, 1682, the Bishop of Rochester preached, and was entertained at a dinner given by the Benchers of the two Inns at the Master's house.

Soon after the restoration took place the great historic contest between two rival organ makers, Bernard Schmidt, known as “Father Smith,” and Harris, to supply the church with a new organ. The trials lasted for a twelve-month, and finally Jeffreys was called in to act as arbitrator in the dispute.

Jeffreys is said to have been a splendid musician, and to have acted in the capacity of a musical expert, but it seems more probable that he was invited to intervene as Lord Chancellor, to whom it was usual to refer all matters of controversy which arose in the Inns of Court.

According to Burney, Jeffreys was selected as arbitrator when he was still Lord Chief Justice, in June, 1685, just before he set out for the notorious “Bloody Assize.” He only received the Great Seal in the following October, as his reward for his share in this ghastly business. He appears, however, to have been only officially appointed arbitrator in February, 1686.



Whatever the reason of Jeffreys' appointment, he settled the business by selecting Smith's organ, which was placed in the gallery under the central arch between the Round and the choir, thus effectually blocking the beautiful effect of the view from end to end of the interior.

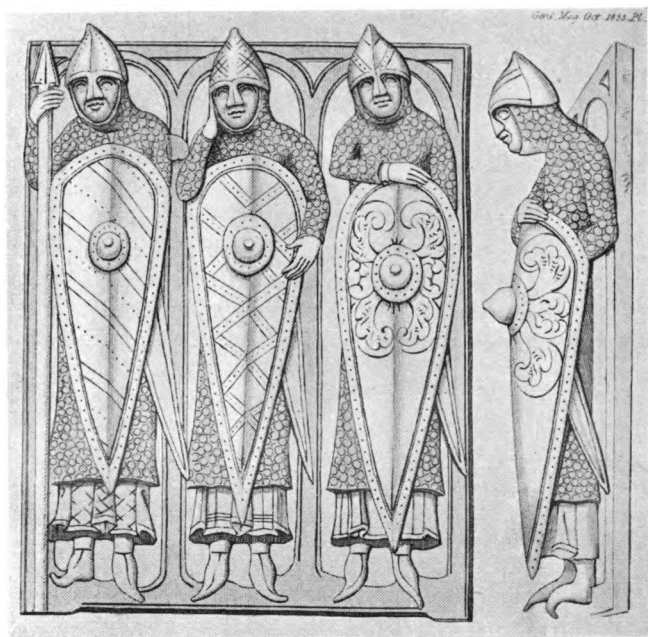
According to Luttrell this organ cost £1,500, and he relates how, in 1696, the pipes being foul, "a scaffold was erected for the cleaning thereof, and the pipes being laid thereon, the scaffold fell down, much bruised the men and broke most of the pipes."

These pipes were apparently very roughly finished externally, and when remonstrances were made to Smith upon the matter he is reported to have replied, "I do not care if ze pipe looks like von teufel; I shall make him schpeak like von engel." According to experts their beauty and sweetness of tone have never been excelled.

In 1691 the south-west front was "new built with stone," and the ancient inscription, dated 1185, recording the dedication of the Round, destroyed by a careless workman.

This inscription was over the door under the second window from the porch, which formerly led into the cloisters on the south-west side of the Round. It has been thus translated by Addison :—

"On the 10th of February  
in  
the year From the Incarnation of our Lord 1185,  
this Church was consecrated in Honour of  
the Blessed Mary  
By the Lord Heraclius  
By  
the Grace of God Patriarch of the Church  
of the Resurrection,  
Who  
Hath Indulged all those annually visiting it with sixty  
Days of Penance enjoined them."



THE FYX



Three years later considerable repairs were carried out under the direction of the Treasurers of the two societies at a cost of £230. On the south-west exterior, where the door leading to the cloisters formerly stood, the following inscription recorded this restoration :—

“ Vetustate Consumptum : Impensis  
Utriusque Societatis Restitutum.

Nich. C[ourtney] } Arm. Thesaur.”  
Roger Gillingham }

At the beginning of the eighteenth century the church was whitewashed, gilt, and painted within, the pillars of the Round wainscoted, the effigies of the Knights Templars repaired and painted, and the exterior east and north walls restored. In 1736 these latter were again repaired more extensively, and the interior redecorated.

During this period, from 1704 to 1753, Thomas Sherlock, Bishop of London, was Master of the Temple, when the following epigram was penned :—

“ At the Temple one day Sherlock, taking a boat,  
The waterman asked him, ‘ Which way will you float ?’  
‘ Which way ?’ says the Doctor. ‘ Why, fool, with the stream.’  
To St. Paul’s or to Lambeth was all one to him.”

Upon his resignation, Sherlock took leave of the two societies in terms very flattering to their members. “ I esteem my relation to the two societies,” he writes, “ to have been the great happiness of my life, as it introduced me to the acquaintance of some of the greatest men of the age, and afforded me the opportunities of improvement by living and conversing with gentlemen of a liberal education and of great learning and experience.”

Another famous Master was Dr. Thomas Thurlow, afterwards Bishop of Durham, and brother of the still more famous Lord Chancellor.

From 1798 to 1826 Thomas Rennell, Dean of Westminster, was Master. His wife was a daughter of Sir

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William Blackstone, and it was during his term of office that, in 1811, the church underwent a general repair. The real restoration, however, only commenced in 1825, when Sir Robert Smirke restored the whole south side and the lower portion of the Round.

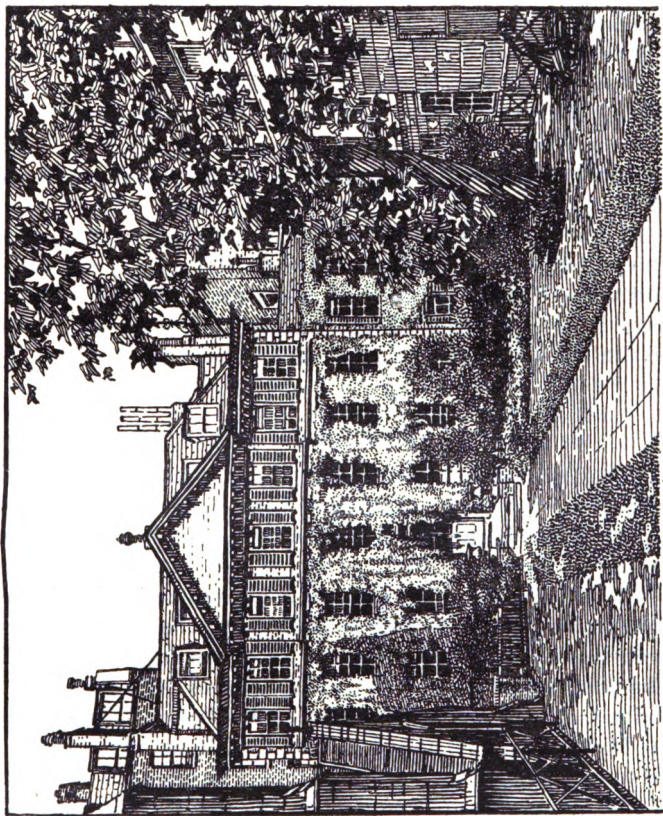
Under the first window, south of the porch, a tablet has recently been erected recording this restoration, which was completed in 1827, when the remains of St. Anne's Chapel still above ground were swept away. Meanwhile, in 1819, the houses and shops against the church had been removed.

These repairs cost the two societies nearly £23,000.

During some excavations near the Templars' tombs in the Round in 1830 a portion of a pyx, or small shrine, was discovered. The original shrine was probably oblong in shape, and this brasswork attached to one of its ends. It consists of three mail-clad figures in high relief, supposed to be Roman soldiers watching, with bowed heads, the body of Christ. They are in the costume of Norman soldiers of the early part of the twelfth century, similar to those in the Bayeux Tapestry. The relic is therefore of earlier date than the present church, and was probably brought by the Templars from their first establishment in Chancery Lane. It passed into the possession of General Pitt Rivers.

The seal of Berengar was also found here at the same time. He succeeded De Pim as Custos, or Grand Master, of the Knights Hospitallers in 1365.

In 1840 the restoration was renewed, with the results that we now see. A conical roof was added to the tower, thereby restoring it to its original form. The thirteenth-century preceptory seal of Ferreby North, in Yorkshire, exhibits a round church with a conical roof. The marigold west window, blocked up when the house was built over the porch about the year 1700, was restored, the floor was lowered and retiled, the accumulations



THE Master's  
House.

of plaster and paint removed from the marble columns, and the whole building restored, as far as possible, to its original state. The marigold or wheel window is thought by some antiquaries to be a copy of the Roman chariot wheel.

The Chapel of St. Anne still remains to be rebuilt, and, in view of its past history and associations, it is to be hoped that this work will eventually be undertaken. Commencing with an estimate of between £3,000 and £4,000, these repairs ultimately cost the enormous sum of £53,000.

At the completion of the restoration, in 1845, the Queen Dowager visited the church, the only queen who had entered the Temple since good Queen Bess. A few days later the Duke of Cambridge and other members of the Royal Family attended a full choral service here.

#### THE COMMUNION PLATE

The plate belonging to the church contains many pieces of greater age than might have been expected, considering how closely the two societies were connected with the events of the Civil War.

Mr. Bayliss, K.C., has given a list, from which it will be seen that all but one piece is anterior to the troubles, and even this is dated with the year of the King's execution. The communion plate then consists of two chalices, one inscribed with the name of "Nicholas Overburye, Treasurer of the Middle Temple" (the father of Sir Thomas Overburye, poisoned by the Somersets), and "George Croke, Treasurer of the Inner Temple," and dated 1610. The second chalice bears the name of "Nicholas Overburye" and the same date. Two small patens, dated 1610, and two larger patens with coat of arms with two chevrons, dated 1627. Three flagons bearing similar coats of arms, dated 1637, and one flagon dated 1648.

## THE MASTER'S HOUSE

The present Master's House is a beautiful Georgian building dating from 1764. It stands upon the site of a former house erected in 1700, which succeeded the building destroyed in the Great Fire. The latter is said to have stood in a line with the church in the present garden, but I can find no reliable authority for this statement. It was built by Dr. Ball, the Master of the Temple, in 1664, the Inner Temple contributing £200 towards its cost. The Master had been in occupation little more than a year when it perished in the conflagration of 1666. The present house is only one room deep, and the principal windows face south. The rooms, however, are spacious and handsome. It is the joint property of the two societies. The old wall and high wooden door shown in eighteenth-century prints have given way to the present iron railings and gate. In the Bench Table Orders for 1708 it was ordered that Dr. Sherlock, Master of the Temple, should be allowed "to take down the brick wall and set up pallisadoes between his garden and Tanfield Court." Whether Dr. Sherlock availed himself of this permission does not appear.

This was the Thomas Sherlock who had succeeded his father William. The latter was appointed to succeed Dr. Ball. He enjoyed a great reputation as a preacher, and was presented in 1688 with a pair of silver candlesticks bearing the arms of the Inner Temple.



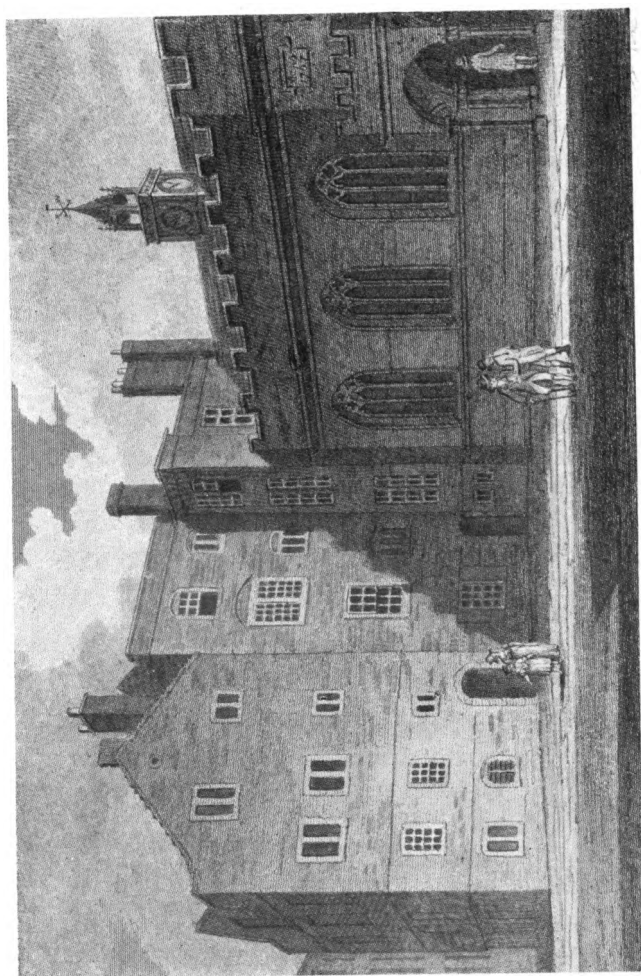
## CHAPTER XI

### THE INNS OF CHANCERY



STAPLE INN GATEWAY.

WHILST it is probable that Inns of Lawyers, or Law Guilds, existed even prior to the reign of John, it is certain that by the time of Edward I. they were well established. The first reference to an Inn of Chancery occurs in the reign of Edward III., when Lady Isabel Clifford demised her house near Fleet Street at a rental of £10 to the *apprenticii de banco*, that is, to the lawyers assigned to the Court of Common Bench. Whether these lawyers were the attorneys appointed by John de Metingham, Lord Chief Justice of the Common Pleas, in the twentieth year of Edward I., to attend his Court from every county, is not clear, but at any rate, in course of time the four Inns of Court were reserved for the *apprenticii nobiliores*, or lawyers of good birth, whilst the writ clerks, both of the Court of Chancery and of the Court of Common Pleas, and other minor officials were relegated to the Inns of Chancery. These Inns also became preparatory schools for younger students, as we learn from Fortescue, who wrote of them in the reign of Henry VI., "because the students in them are for the greater part young men learning the first elements of the law; and becoming



CLIFFORD'S INN



good proficient therein, as they grow up, are taken into the greater hostels, which are called Inns of Court."

At this period, says Fortescue, there were ten lesser Inns (*Hospitia cancellaria*), and sometimes more, and in each at least a hundred students and in some a far greater number, though not constantly in residence.

All of these contributed members to the Inner Temple, except Staple Inn, but as in the sixteenth century the customary admission fee of £5 was remitted to those from the three affiliated societies of Clifford's, Clement's, and Lyon's Inns, the majority came from these. In the seventeenth century a fee of £1 was exacted.

Each Inn of Court appointed Readers for its own Inns of Chancery, admitted members gratis or at reduced fees, and entertained their antients at Grand Nights and feasts. Each Inn of Chancery had its own hall, where banquets similar to those of the greater Inns, moots, readings, and festivals took place. None of them appear to have had any chapel, and their members probably attended the nearest parish church, as the chapels of their respective Inns would scarcely have afforded sufficient accommodation for such numbers.

In 1557 attorneys and solicitors were denied admission to the Inner Temple and ordered to repair to their Inns of Chancery, and in 1574 such as remained were ordered to be expelled the House. This practice was followed some years later by the Middle.

For the remainder of this century the Inns of Chancery continued to be the resort of barristers, attorneys, solicitors, and students of both branches of the profession, but at the commencement of the seventeenth century the decay set in. Students flocked more eagerly to the more fashionable Inns of Court, and the membership of the Inns of Chancery fell off to such a degree that men like Selden thought it beneath their dignity to become Readers.

With reduced numbers and loss of prestige the discipline and administration also deteriorated, until by the middle of the eighteenth century they ceased to exercise their functions and lost their very *raison d'être*. At the present moment only two, Clifford's Inn and New Inn, retain their corporate existence, and the latter will soon be swept away by the Strand to Holborn improvements.

#### THE INNS OF CHANCERY AFFILIATED TO THE INNER TEMPLE

To the Inner Temple then were attached Clifford's, Clement's, and Lyon's Inns. The first named is still in being, and lies between St. Dunstan's Church and Serjeants' Inn, Chancery Lane. It consists of three small courts with three entrances leading from Serjeants' Inn, Fetter Lane, and Fleet Street. In the midst is a moderate-sized hall, where Sir Matthew Hale presided at the Commission which sat to adjust the differences which arose between landlord and tenant and adjoining owners after the Great Fire. In gratitude for the services then rendered by the Commissioners, their portraits were ordered by the City to be painted, and these now hang in the Guildhall.

Formerly an old oak folding screen, dating from the reign of Henry VIII., used to stand in the hall, upon which were inscribed the forty-seven rules of the Inn.

The garden is described by Maitland as an "airy place and neatly kept . . . enclosed with a palisado paling and adorned with rows of lime trees." This society is still governed by a Principal and twelve rulers, who adopted the old arms of the Clifford family, "chequée or and azure, a fess gules," to which they added "a bordure, bezantée of the third."

Harrison, the regicide, was clerk to an attorney here when the Civil War broke out, and hence he rode off to join the Puritan troopers. It was formerly the practice

for attorneys to be attached to certain of the inferior Courts. For instance, four attorneys were attached to the Mayor's Court. To the Marshalsea, commonly known as the Palace Court, six attorneys were attached, and all these had chambers in Clifford's Inn.

Here, too, lived Mr. Dyer, the scholar and bookworm, whose chambers were frequented by Sir Walter Scott, Southey, Coleridge, Lamb, Serjeant Talfourd, and other literary celebrities of the day. Another inmate of Clifford's Inn was Robert Pultock, the author of *Peter Wilkins*, a curious but little-known work, which, however, suggested to Southey *The Curse of Kehama*.

Just north of the church of St. Clement Danes, and at the bottom of Clement's Lane, was an ancient and holy well, dedicated, like the church, to the Roman pontiff, St. Clement. West of Clement's Lane we find an Inn of Chancery, called St. Clement's Inn, as early as the reign of Edward IV., and a little later, in 1486, this property was demised for eighty years to William Elyot and John Elyot in trust, presumably, for the students of the law.

Of the ancient buildings none survive, those in existence in 1800 being described by Herbert as modern, and even these have now given place to palatial offices.

There were originally three small courts, with a well-proportioned hall of the genuine Queen Anne style, in which hung a portrait of Sir Matthew Hale, now in the Hall of the Inner Temple. In the garden adjoining New Inn stood the sundial of the Black Boy, to-day a conspicuous feature of the Inner Temple Garden. The arms of this society were those of its patron saint, St. Clement, a silver anchor (with a stock) in pale proper, and a "C" sable passing through the middle.

Chief Justice Saunders of the Middle Temple picked up his early knowledge of law from an attorney's clerk here.

This was the "Shepherd's Inn" of Thackeray's *Pen-*

*dennis*, where Captain Costigan was to be found trailing about the court in his carpet slippers and dressing-gown, next door to whom, at No. 3, lodged Captain Strong, with the adventurer Colonel Altremont, agent to the Nawaub of Lucknow. When Thackeray wrote, the Inn had long ceased to be occupied by the lawyers with the exception of a Mr. Somerset Campion, whose west-end offices were in Curzon Street, Mayfair, and who came in his cab twice or thrice a week to his chambers here, the lustre of his gorgeous equipage making sunshine in the dingy court.

"In a mangy little grass-plat," writes Thackeray, "in the centre rises up the statue of Shepherd, defended by iron railings from the assaults of boys." The "Shepherd" was of course the "Black Boy."

This was the Inn too of that immortal creation of Shakespeare, "Master Shallow," when he studied law in town. "I was of Clement's once myself," he cries with self-importance, "where they talk of mad Shallow still."

West of New Inn, on the site of the late Globe Theatre, stood Lyon's Inn. The earliest record of this society occurs in the steward's accounts in the reign of Henry V. It consisted of one court only, with a hall and two ranges of chambers. The hall formed the west side, the old houses in Holywell Street the south, and on the east was a row of chambers with the windows looking into the court, whilst the other row of chambers on the north abutted on Wych Street.

In 1561, as we have seen, the Middle Temple attempted to gain possession of Lyon's Inn, an attempt frustrated owing to the influence of the Earl of Leicester. The freehold was purchased by Nicholas Hare the younger from Edmund Bokenham, of Great Thorneham, in the county of Suffolk, in the year 1582, and is described in the indenture of sale as consisting of "one capital messuage or tenement, with all the buildings, room, back-

sides, orchards, yards, and gardens, unto the same belonging, with all and singular appurtenances called or known by the name of Lyon's Inn, situate and being in the parish of St. Clement Danes without the bars of the New Temple, London."

The following year the Inn was conveyed by Nicholas Hare to the Benchers of the Inner Temple, for the sum of £143 4s. 8d. Other premises adjoining the Inn were also purchased at the same time by Hugh, brother of Nicholas Hare and a member of the Inner, and were conveyed by him to the Benchers of his Inn for the sum of £107 18s. 9d., to be paid at Easter then following, "at the font stone in the Temple Church or at the place where the font stone now standeth."

By the end of the eighteenth century the Inn had fallen into disrepute as the haunt of card-sharpers and swindlers. Here lived Mr. Weare, who was murdered by Thurstell in 1824, who pleaded in mitigation that Weare had won £300 from him at cards.

The Hall, which was pulled down in 1863, was erected in 1700, and is described by Herbert as "a commodious, handsome room, but now appropriated to indifferent purposes." When visited by Ireland about the same period these "purposes" are indicated. He found it used as a fowl-run, with nothing but filth to recommend it.

The arms, a lion rampant, in *alto relievo*, appeared above the door of the Hall.

The Inner Temple at any rate seems to have done its best to stop the rot which had set in. Upon the presentation of a petition by the fellows of Clifford's Inn against their principal, who had neglected to give any satisfactory account of the funds which for over forty years had passed through his hands, the principal was ordered to attend the Bench table and explain his conduct.

From time to time we find our House exercising its ancient jurisdiction over its Inns of Chancery. In 1690



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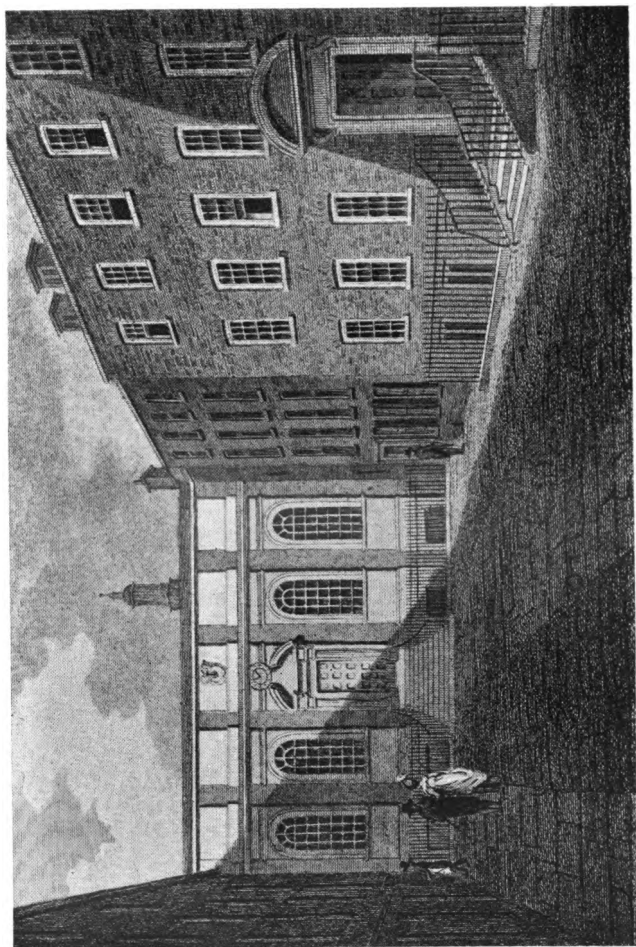
the authorities of Clifford's Inn were called upon to explain why they did not elect a reader, and were ordered to do so forthwith. In 1689 the principal and antients of Clement's Inn were summoned to show cause why they were not in commons, and in the following year Edward Gerrard, formerly principal, upon the petition of the members, was ordered to bring in his accounts to be audited, and if found in default to be dealt with as the Bench should direct.

On November 18th, 1693, the treasurer of Lyon's Inn was ordered to attend the Bench table to explain why the society did not receive Robert Payne, who had been appointed reader by the Bench, and in the following year the treasurer and antients were required to make a return of such reputed papists, or "non jurats," as resided, or had chambers, in their society.

### THE INNS OF CHANCERY AFFILIATED TO THE MIDDLE TEMPLE

Upon the destruction of Chester's Inn, or Strand Inn, by Protector Somerset, New Inn was the only Inn of Chancery left to the Middle Temple, since St. George's Inn, by the Fleet Ditch in Farringdon Street, the alleged original home of the Middle Templars, had long been deserted for New Inn. Strand Inn, which stood just opposite the Church of St. Mary-le-Strand, is said to have been the Bishop of Chester's town residence; but, according to Stow, the latter was known as "Litchfield and Coventrees Inn, or London Lodgings." However this may be, Strand Inn occupied land belonging to the Bishop of Chester, and hence the name Chester's Inn.

Just opposite stood an ancient stone cross at which the judges occasionally sat to administer justice outside the City walls, one of those long-lived survivals of the archaic village community customs to which the London Stone and other ancient market crosses still bear silent witness.



CLEMENT'S INN



Although Somerset is accused of laying his hands on the property of his neighbours, regardless of that blessed word "compensation," we learn from the Inner Temple Records that he endeavoured to square matters with the Middle Temple for depriving them of their Inn by inducing the Inner Temple to relinquish the Readership of one of their own Inns of Chancery to the society which he had robbed.

This transaction led to a pretty quarrel between the Inner and Middle Temples in the reign of Elizabeth, when the latter society tried to annex Lyon's Inn, a proceeding which might have proved successful but for Leicester's powerful intervention.

New Inn, in Wych Street, a narrow thoroughfare similar to Holywell Street, was only separated from Clement's Inn by a gate and iron railing on the north-easterly side of the square, placed here in 1723. Both Inns, says Herbert, contained a number of spacious and handsome chambers, which were in general inhabited by the more respectable part of the profession. The garden, which was a fine, large plot of ground surrounded by an iron railing, was laid out in pleasant walks, and was common to both societies. The hall in the south-east corner is a fine brick building, with the usual clock over the entrance. This site, about the year 1485, was occupied by an inn or hostel for travellers, called, from its sign of the Virgin Mary, "Our Ladye Inn," and upon the removal of the members of St. George's Inn from Seacole Lane, this hostel was leased from Sir John Fincox, at the rent of £6 per annum. This account is confirmed by Stow, who writes: "In St. George's Lane (near St. Sepulchre's Church), on the north side thereof, remaineth yet an olde wall of stone inclosing a piece of ground by Seacole Lane, wherein (by report) sometime stood an inne of chancery; which house being greatly decayed, and standing remote from other houses of that profession, the company re-

moved to a common hostelry called of the signe, *Our Lady Inne*, not far from Clement's Inne, which they procured from Sir John Fincox, Lord Chief Justice of the King's Bench, and since have held it of the owners by the name of the New Inne, paying therefore sixe pound rent by the yeere as tenants at their owne will ; for more (as is said) cannot be gotten of them, and much lesse will they be put from it." Above the archway in Wych Street may still be seen the arms of this society, a bunch of lilies in a flower-pot argent, field vert, emblematic of Our Lady.

One of its most illustrious members was Sir Thomas More, the courageous Chancellor of Henry VIII., afterwards Reader of Lincoln's Inn.

#### THE INNS OF CHANCERY AFFILIATED TO LINCOLN'S INN

Of the Inns of Chancery attached to Lincoln's Inn we have already mentioned Thavie's Inn, which passed into their possession in the reign of Edward VI., and was constituted an Inn of Chancery under a principal and fellows, paying as an acknowledgment to the mother House the annual rent of £3 6s. 4d.

Furnival's Inn, in Holborn, the other limb of Lincoln's Inn, derives its name from Sir William Furnival, whose family in the male line became extinct in the reign of Richard II. Previous to this event, it had been demised to the students of the law, and in the first year of the reign of Edward VI. the freehold was sold to Lincoln's Inn for £120, when a lease was granted to the principal and twelve antients upon the same terms as those given to Thavie's Inn.

Furnival's Inn consisted of two courts of very considerable extent. The street front, erected about the time of Charles II., was a very fine brick building, adorned with pilasters, mouldings, and various other ornaments, and

was attributed to Inigo Jones. This was pulled down and rebuilt in 1820, and it was in this new building that Charles Dickens was living when the *Pickwick Papers* were published. Except for this incident, few will regret the recent destruction of the "new building." The Gothic Hall, a still older structure than the front, was a plain brick building, with a small turret and two large projecting bow windows at the west end.

"The inner court," writes Herbert, "contained a small range of old chambers, whose fronts were plastered in the cottage style, having a singularly rustic appearance, and bearing a much greater resemblance to a country village than a London inn of chancery."

The interior of the Hall was very similar to that of the Middle Temple, on a smaller scale—the fire-place in the midst; the same disposition of tables and benches; the high wainscoting, and the armorial bearings in the windows.

The arms of the society were, Argent, a bend between six martlets, gules, within a border of the second.

#### THE INNS OF CHANCERY AFFILIATED TO GRAY'S INN

Gray's Inn was the old town house of the Lords Grey, or Gray de Wilton, who only parted with it in the reign of Henry VII. In 1505 Edmund, Lord Gray of Wilton, by indenture of bargain and sale, granted to Hugh Denny and Mary, his wife, the manor of Portpoole, otherwise Gray's Inn, consisting of four messuages, four gardens, the site of a windmill, eight acres of land, ten shillings of feu rent, and the advowson of the Chantry of Portpoole.

Eight years later this property passed into the possession of the Priory of Shene, and was demised to the students of the law at the annual rent of £6 13s. 4d., at which rent it was held until the dissolution of the monastery in 1540, when it was held direct of the Crown.

This date for the origin of this society is confirmed by Dugdale, who commences his list of Readers with John Spelman, and of Treasurers with William Walsynham, elected in Michaelmas Term, 1516.

Gray's Inn, like Lincoln's Inn, could boast of only two Inns of Chancery—Staple Inn and Barnard's Inn. The former, originally known as Staple Hall, the wool-stapler's exchange, still faces Gray's Inn Road from the south side of Holborn, although it was partially blocked by Middle Row, which, until 1867, filled the middle of the present Holborn.

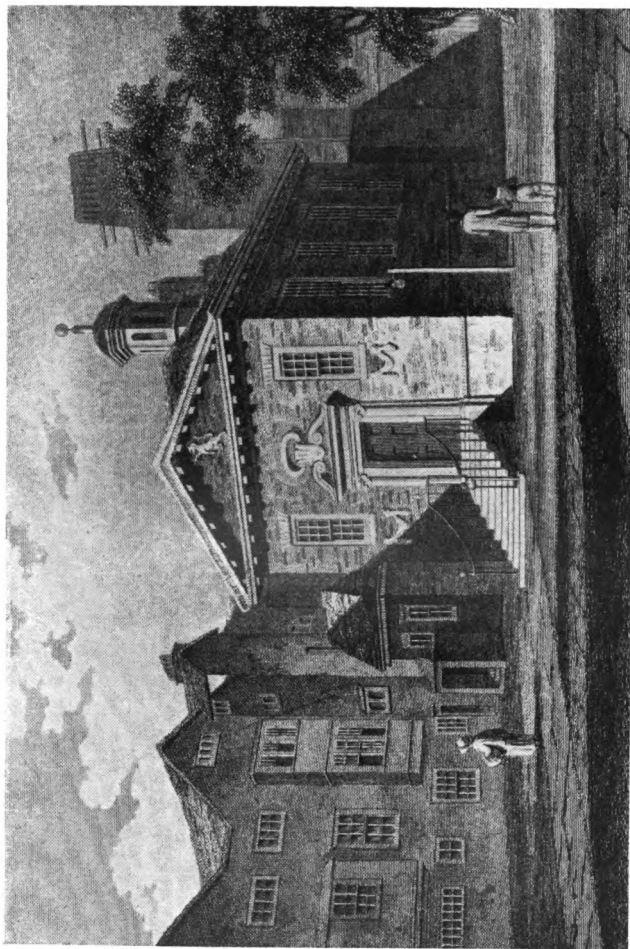
The front of Staple Inn—one of the most picturesque structures in London—of timber, with overhanging stories and numerous gables, may date from times even earlier than the reign of Elizabeth.

The greater part of the inner court was built in the first half of the eighteenth century, some portions being dated 1720 and 1750.

The Hall may possibly be Elizabethan, as it is mentioned by Sir George Bere in 1631, but part is later, the beautiful Gothic door on the garden front bearing the date 1753. There is the usual clock and a small turret—"the most perfect," says Mr. Loftie, "in London"—and in the windows are a few armorial bearings.

It is said to have been an Inn of Chancery as early as the reign of Henry V. The first grant of the inheritance to Gray's Inn took place in the twentieth year of Henry VIII.

The arms of the Inn are, Azure, a woolpack, argent, showing its connection with the wool merchants. In 1884, when the Inn was put up for sale by the antients, the Prudential Assurance Company, with great public spirit, invested a part of its earnings—£68,000 to wit—on its purchase, with the intention not of utilising a grand building site, but of maintaining the property in its ancient form, although by so doing they were forced



LYON'S INN



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to be content with but a moderate return on their outlay. The charming old Hall has been put into thorough repair, and tenants for it were readily found in the Society of Actuaries.

To Staple Inn in 1758 came Dr. Johnson with the honours of his great dictionary fresh upon him, and here it was that he wrote his *Rasselas*. Hence he removed the following year to Gray's Inn, and from the latter in due course to No. 1, Inner Temple Lane.

Barnard's, or Bernard's, Inn lies but a little east of Staple Inn on the same side of Holborn, adjoining Fetter Lane. It was originally known as Mackworth's Inn, and was the property of John Mackworth, Dean of Lincoln, a member of the powerful family of Mackworth of Mackworth in the county of Derby. Dean Mackworth died in 1451, devising by his will "one messuage in Holborn called Mackworth's Inne" to the cathedral church of Lincoln for the masses for the repose of his soul.

It was shortly after the death of the dean that Mackworth's Inn passed into the hands of the lawyers, for in the Records of the Chapter House at Lincoln occurs an entry of the receipt of £3 13s. 4d., as the annual rent, from Thomas Chambre, then principal of the Inn. A passage in the Harleian Manuscripts confirms this. During the life of the dean the Inn appears to have been let to Lionel Bernard, and was probably used by him as his private residence, since he is described as having dwelt there "lastly next before the conversion thereof into an Inn of Chancery."

From this gentleman no doubt is derived the present name of the Inn. In the Inquisition of 1454 occurs the name of Barnard's Inn, and it seems clear that immediately after the dean's death the society of Barnard's Inn, whatever the duration of its existence, was then housed here, for Stow relates how, in 1451, "a tumult betwixt the

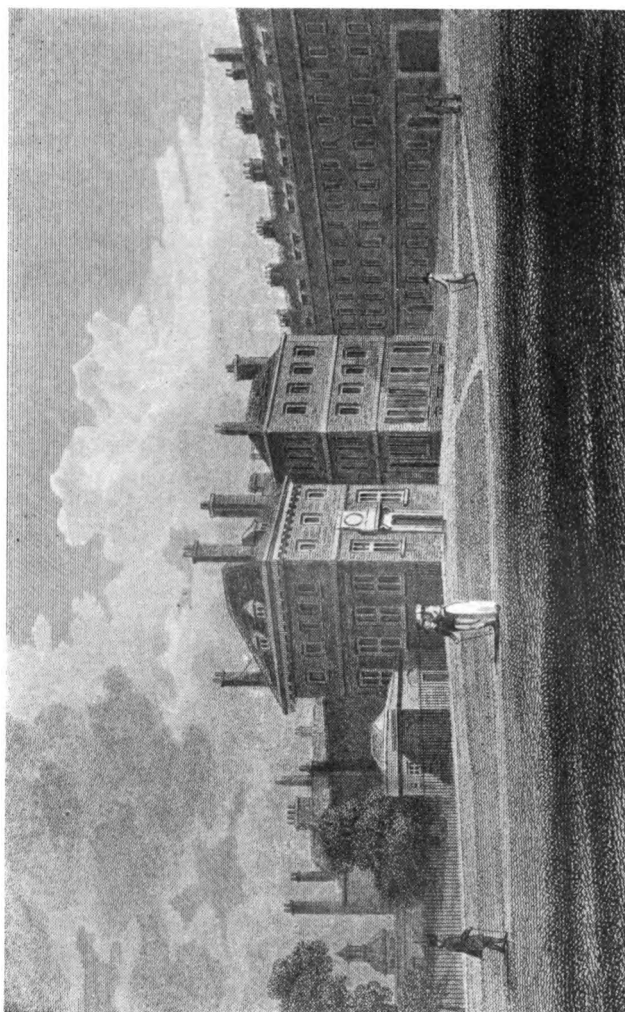
gentlemen of the innes of court and chancery and the citizens of London, hapning in Fleet Street in which some mischief was done; the principals of Clifford's Inne, Furnival's Inne and Barnard's Inne were sent prisoners to Hartford Castle."

The following description of the Inn as it appeared in 1888 may be cited from the *Times* of that year :—

"Passing along Holborn on the south side, a few doors west of Fetter Lane, one may notice an old-fashioned doorway standing guard over a narrow passage. A few steps down this passage, and, in the words of a recent historian of London, one finds oneself 'transported into another century, and sees what might be the actual scenery of one of Dr. Hooghe's pictures.' A small courtyard made bright by a tree or two is surrounded on three sides by sober-looking brick houses, and on the fourth by a building which stained glass windows, high-pitched roof, and picturesque fifteenth-century louvre unmistakably declare to be the hall of the Inn. The way passes by the door of the hall into another small court, upon one side of which is the library, and on the other the kitchen. Beyond are other houses facing a small railed enclosure with a few trees, and then the passage loses itself in a considerable gravelled area, from which spring some planes and limes of fair size. This is the garden of the Inn, and several favoured sets of chambers look upon it. On the south it is separated by a wall from the old inn yard of the White Horse Tavern, and on the east a passage leads between gabled and timbered houses into Fetter Lane."

The Hall is one of the most ancient in London. It was in existence in 1451, and was originally a black and white structure like the Cheshire timbered houses, which in the eighteenth century was cased in brick, and its character, externally at least, destroyed. It boasts an open timber roof, and some of the armorial glass in the windows dates from the year 1500.

Although the smallest of the halls, it is perhaps the



NEW INN



most interesting. Here formerly hung portraits of Lord Burleigh, Francis Bacon, and Sir Thomas Coventry, together with a full-length representation of Chief Justice Holt, presented by his clerk, Sylvester Petyt, a principal of the Inn. There were also portraits of Petyt himself, of William III., of Sir William Daniel, a Justice of the Common Pleas, and of other legal celebrities connected with the society.

In the Gordon Riots of 1780 the Inn narrowly escaped total destruction. Adjoining the Inn was a distillery owned by Langdale, a papist; and the rioters, upon their return from ransacking Lord Mansfield's mansion in Lincoln's Inn Fields, attacked the distillery and set fire to it, when, owing to the immense quantities of spirits, the whole place became a roaring furnace. A block of chambers belonging to the Inn, now represented by Nos. 6 and 7, was burned to the ground, and the flames licked the walls of the Hall.

A graphic description of this riotous scene, with the mob fighting in the gutters for the spirits as they poured from the distillery, is given by Charles Dickens in *Barnaby Rudge* :—

“ But there was a worse spectacle than this—worse by far than fire or smoke or even the rabble's unappeasable and frantic rage. The gutters of Holborn and every crack and fissure of the stones ran with scorching spirit, which, being dammed up by busy hands, overflowed the road and pavement and formed a great pool, in which people dropped down dead by dozens. They lay in heaps all round the fearful pool, husbands and wives, fathers and sons, mothers and daughters, women with children in their arms and babies at their breasts, and drank until they died. While some stooped with their lips to the brink and never raised their heads again, others sprang up from their fiery draught and danced in a mad triumph and half in the agony of suffocation until they fell and steeped their corpses in the liquor which had killed them. Nor was even that the worst or most appalling kind of

death that happened on this fatal night. From the burning cellars, where they drank out of hats, pails, buckets, tubs, and shoes, some men were drawn alive, but all alight from head to foot, who in their unendurable anguish and suffering, making for anything that had the look of water, rolled hissing into this hideous lake, and splashed up liquid fire, which lapped in all it met as it ran along the surface, and neither spared the living nor dead. On this last night of the riots—for the last night it was—the wretched victims of a senseless outcry became themselves the dust and ashes of the flames they had kindled, and strewed the public streets of London.”

The Inn consists of two courts, and from the old garden in the inner quadrangle was once a thoroughfare into Fetter Lane.

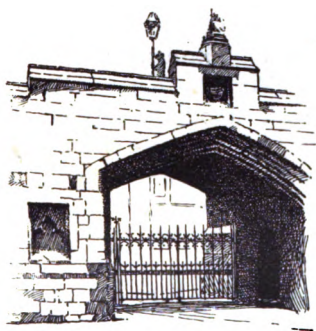
In chambers here lodged William Hayley, the poet and biographer of Cowper ; and here too early in the nineteenth century dwelt Peter Woulfe, F.R.S., said to have been “the last true believer in alchemy.” The floors of his chambers were littered with every imaginable utensil for the exercise of his art, and the walls were inscribed with prayers in aid of his experiments. The constant failure of these in discovering the elixir of life the eccentric Woulfe attributed to the insufficiency of his supplications.

The arms of the society, which was governed by a principal, a gubernator, and twelve antients, were those of the Mackworths of Mackworth in Derbyshire, viz., Party per pale indented, ermine and sable, a chevron frettee, or and gules.

The Inn is now the property of the Mercers’ Company, and is used as a school.

## CHAPTER XII

### THE TEMPLE GARDENS



MIDDLE TEMPLE GARDEN  
GATE UNDER THE LIBRARY  
STAIRS

THE gardens are very different to-day from what they were when the respective champions of the Houses of York and Lancaster plucked the red and the white roses in angry defiance.

In 1528 the new river wall was built under the auspices of Treasurer Packington, before which date there was nothing to protect the gardens and buildings from an extra high tide.

This wall started from the Friars' Wall, at about the site of the present No. 10 or 11, King's Bench Walk, and ran due west to the southernmost end of the present Paper Buildings, in digging the foundations for which the remains of the old wall were discovered.

Continuing slightly south, it struck the Temple Stairs, consisting of arches forming a causeway, with steps leading down to the water. This bridge or pier existed as early as 1311.

From the stairs the wall turned slightly northwards,



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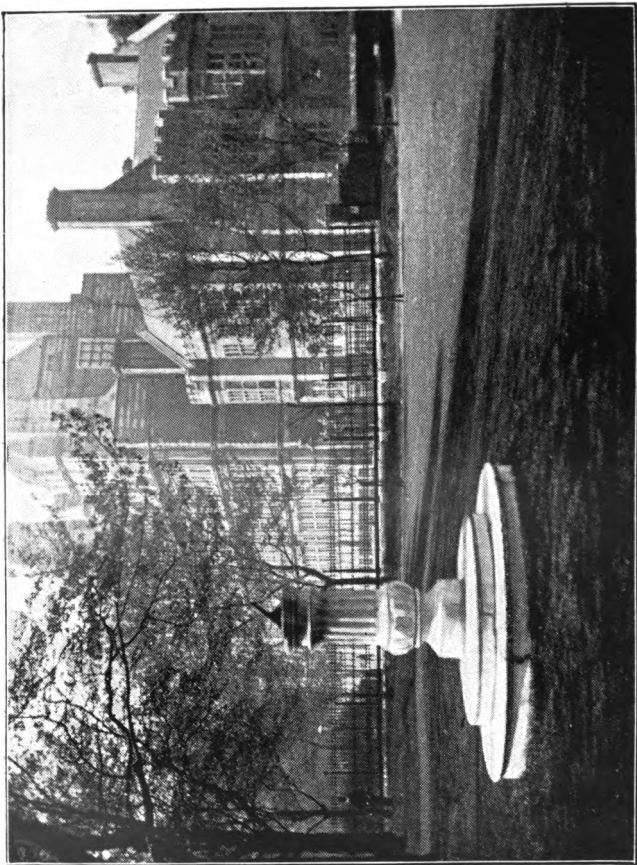
ending on a line with the old Essex House Stairs, near the foot of the present watergate, at the bottom of Essex Street. Outside the wall along the bank ran a pathway from Bridewell to the Savoy.

Since the construction of this wall, by successive embankments, and finally by the Thames Embankment, both the gardens have been more than doubled in extent. The Inner Temple garden, known as the Great Garden, which lay between the Hall and the river wall and Whitefriars and Middle Temple Lane, has changed least. From the earliest times it seems to have been well planted with trees and carefully cultivated, with lawns and walks and borders filled with roses and flowering shrubs.

Approximately on the site of No. 10, King's Bench Walk, against the old river wall, stood the gardener's house and garden. In 1545 the gardener was ejected for having sickness and the plague in his house, keeping ill rule, and cutting down the trees; and in 1580, apparently upon the principle that the poacher makes the best game-keeper, the gardener's ancient rent of £4 a year was to be remitted provided he kept the House free from all "rogues and beggars, which be found very dangerous both in respect of health as for robbing of chambers."

With the erection of buildings upon the site of Paper Buildings the Great Garden was cut in two, and the smaller portion became parcel of the Great Walk or Bencher's Walk, now known as King's Bench Walk.

In the reign of James I. new seats were provided for the Great Garden, a new pump erected, and a pond, which has long since disappeared, was excavated and enclosed by a railing at a total cost of £28 10s. Periodical payments for "wire to nail up the rose trees in the garden" occur in the accounts, in which also figure 15s. for a sundial for the garden purchased in 1619; 6s. 6d. for ten young elm trees for the garden walks, and £1 9s. 6d. for the purchase in 1621 of a new stone roller in an iron



SUNDIAL, MIDDLE TEMPLE GARDENS



frame. In 1606 we find the gardener again in trouble, for an inquiry is directed "as to the under-cook's horse, supposed to be killed by the gardener in the yard next the garden."

Every well-ordered garden contains a summer-house, so it is not surprising to find in the accounts for 1631 a payment to William Newman, the plasterer, of 10s. for "work done about the summer-house in the garden."

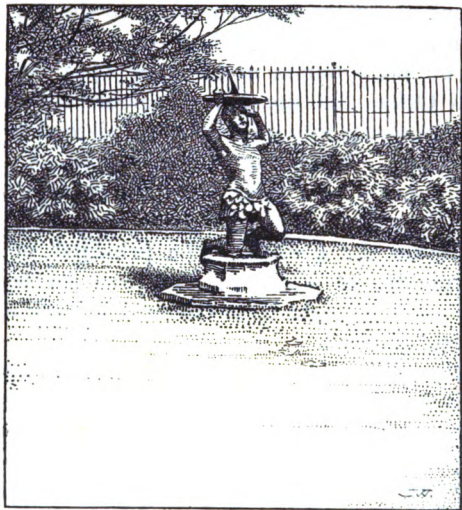
This summer-house was perhaps on the site of the new one built by John Banks in the year 1703, between the old Crown Office and the new Harcourt Buildings. In 1693 the *greenhouse* was ordered to be re-roofed with lead and wainscoted. This was evidently used as a place of recreation, for in 1710 a table and sconces were provided.

During the Commonwealth considerable sums were expended upon the garden. The principal item in the garden accounts of £429 14s. 5d. was for laying new turf, which was brought from Greenwich Park in lighters in the spring of 1651.

From the time of the Commonwealth the garden appears to have been much neglected, but in the year 1670 the large sum of £203 10s. was expended in new gravelling the walks. The gardener at this period had a house in Middle Temple Lane, part of which he let out as chambers to members of the Inn, and part of which he used as an alehouse. In 1690 an order was made by the Bench "that the gardener no longer keep an alehouse or sell drink, and that the door out of the gardener's lodge towards the watergate be bricked up."

This house was demolished in 1703 to make way for Harcourt Buildings. In the accounts for 1700 we find payments for thirty elms, two standard laurels, four "perimic," six junipers, four hollies, and two perimic box trees. "Perimic" here no doubt stands for "perimetric," that is, the box trees were cut in the prevailing symmetrical fashion.

In 1703 fifteen yew trees were ordered for the garden, two hundred "junquiles," two hundred tulips, one hundred yellow Dutch crocus, fifty armathagalum, and four more box trees for the grass plots; £11 for box edging is spent in 1708, and in the accounts throughout this period are payments for cherry, nectarine, orange, peach, plum, and



THE ° BLACK ° BOY °

lime trees, and for jessamine and cockle shells for the walks.

The sundial now opposite Crown Office Row was purchased in 1707, and in 1730 the great gate, a beautiful specimen of eighteenth-century wrought-iron work, was erected. It bears, in addition to the device of the winged horse, the arms of Gray's Inn, in compliment to its ancient ally, a compliment returned by the latter society, which

introduced the arms of the Inner Temple in the gate to Gray's Inn Gardens.

In that part of the garden near the bottom of King's Bench Walk is to be found a kneeling black figure supporting a sundial. This was brought comparatively recently from Clement's Inn. It is said by Ireland to have been presented to the latter society by Lord Clare, who brought it from Italy about the year 1700. According to Ireland the figure is bronze, but some ingenious persons, having determined on making it a blackamoor, painted it black. Mr. Loftie, on the contrary, assumes it to be lead, and says that numbers of similar leaden statues were made at a "statuary's" in Piccadilly a century and a half ago.

The following lines were one day found attached to this statue :—

"In vain, poor sable son of woe,  
Thou seek'st the tender tear ;  
From thee in vain with pangs they flow,  
For mercy dwells not here.  
From cannibals thou fled'st in vain ;  
Lawyers less quarter give ;  
The first won't eat you till you're slain,  
The last will do't alive."

Here and in the Middle Temple Garden in the eighteenth century the Court ladies, in hoops and patches, took the air with the young bloods about town. And here one may also picture the good knight, Sir Roger de Coverley, and Mr. Spectator, with his short face, pacing the green together, with groups of City merchants with their wives and children sauntering along the broad gravel walk by the river wall. Later still, on a certain Sunday evening, Arthur Pendennis was to be found in the summer-house, and here, of course quite by accident, he tumbled across pretty Fanny Bolton, when he ought to have been engaged in solitary meditation.

Undoubtedly it would be hard to find in this great city a more ideal spot for meditation upon the centuries rolling down the broadening stream of time. Here with closed eyes and fancy free we may wander to the far-off time when, through the forest glade, a British youth and maiden, on love's errand bound, pass hand in hand, unmindful of the Roman city within its walls, across the marsh. Next may we picture a sloping mead, which from the Saxon homestead drops to meet the flowing tide ; or, later still, in Norman times, when those proud Templars—half priests, half warriors—from orchard and vineyard gathered their rich store of fruit. And with their fall, as seems befitting, for many years we gaze upon an unkempt waste, until the lawyers, having reduced the law to order out of chaos, make it once more a flowery oasis. Now memories less shadowy begin to crowd upon us. In some graceful lines Mr. John Hutchinson, Librarian to the Middle Temple, has given expression to some such thoughts as these, with which the spirit of the place affects us all alike :—

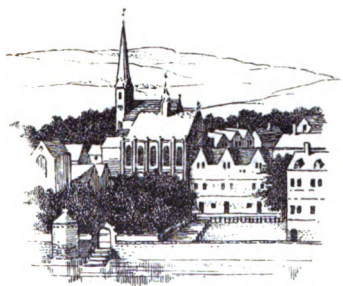
“ Here as I sit, where rolls the river by,  
 Or where the fountain, as it falls and springs,  
 Brings to the vacant mind the memory  
 Of streams and rills and woodland murmurings,  
 And dreams of far-off drowsy country things.  
 Here as I sit or walk dim paths along,  
 The shadows of the past around me flit and throng.

“ The shadows of the Past—the mighty Dead,  
 Whose names are oracles, whose words were law ;  
 Whose wisdom lives in tomes, if little read,  
 The objects yet of reverence and awe,  
 Whence smaller wits, as from a mine, may draw  
 Material, which skilfully outspread  
 May gain them fair renown, and class them with the dead.”<sup>1</sup>

<sup>1</sup> *Anglo-Saxon Review*, vol. x., Sep., 1901.

## CHAPTER XIII

### THE TEMPLE STAIRS



TEMPLE IN THE REIGN OF JAMES I.

THE earliest reference to the Temple Stairs, or Temple Bridge, as it was called up to the eighteenth century, occurs, as we have seen, in the letter of Edward III., in the third year of his reign, to the Mayor. It is said, and probably with truth, to have been built by the Knights Templars, and it was restored by order of Edward III. in 1331.

Another reference to the "Pons Novi Templi" occurs in a subsequent letter of the same monarch, in which he commands the Templars to repair the bridge, so that his lords and others who attended the Parliament at Westminster might not be inconvenienced. In some excavations in the Strand, east of St. Clement's Church, in 1802, a stone bridge of a single arch, covered with soil to some depth, was discovered. This would imply a stream or ditch between the New Temple and Fickett's Field, and possibly this is the bridge referred to, by which those coming from the City would cross to the Temple and so to the stairs at the bottom of Middle Temple Lane.

Here in 1441, as we learn from Stow, landed Dame



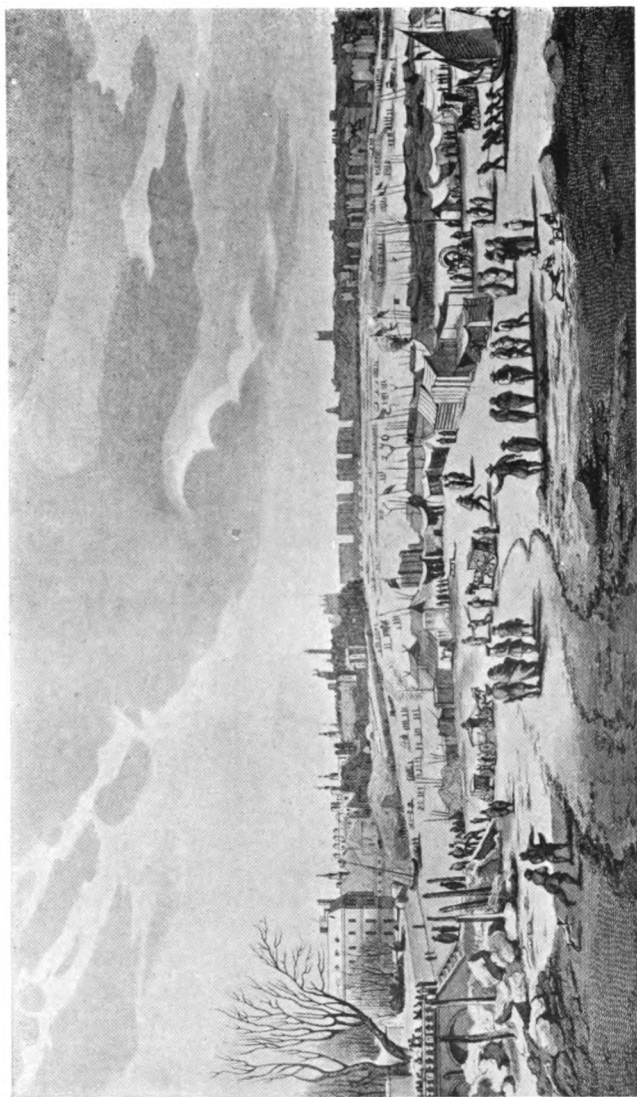
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Eleanor Cobham, Duchess of Gloucester, robed in a white sheet, with lighted taper in hand, on her way through Fleet Street to fulfil her appointed penance at old St. Paul's. Her confederates in the alleged acts of witchcraft against the young King Henry suffered the extreme penalty of the law, but Dame Eleanor was allowed to retire to the Isle of Man, where in Peel Castle her ghost is said still to roam.

We next hear of the Temple Bridge when, in 1541, there was a conference between the two societies relating to its repair. What came of the conference is unknown, but in 1584 the bridge was repaired with the aid of a subscription from the Queen herself.

In 1620, however, "a new bridge and stairs" were ordered to be built, and the Treasurer was admonished "to take care that the bargain be made for the best of both Houses." That the Treasurer, who was Sir Thomas Coventry, was not entirely successful appears from the accounts, where numerous heavy charges for the new bridge occur for many years. An order was passed in 1703 for the repair of the bridge, "at the equal charge of both Temples," and three years later the stairs were ordered to be "amended."

In the great frost of 1683 the Temple stairs played an important part. This frost commenced early in December, and lasted continuously up to the 8th of February. On January 1st, as we learn from Evelyn, booths were set up on the ice, and coaches, carts, and horses passed to and fro. The frost becoming more severe, the booths were arranged in formal streets, "all sorts of trades and shops furnished and full of commodities, even to a printing press where ye people and ladyes tooke a fancy to have their names printed, and the day and yeare set down when printed on the Thames." Coaches, he adds, "plied from Westminster to the Temple, and from several other staires to and fro, as in the streets, sleds, sliding



GREAT FROST FAIR OF 1683-4 ON THE THAMES OPPOSITE THE TEMPLE



with skeetes, a bull-baiting, horse and coach races, puppet plays and interludes, cookes, tipling, and other lewd places, so that it seem'd to be a bacchanalian triumph or carnival on the water, whilst it was a severe judgment on the land, the trees not only splitting as if lightening struck, but men and cattle perishing in divers places, and the very seas so locked up with ice that no vessells could stirr out or come in."

As late as February 5th Evelyn tells us he crossed the river in his coach from Lambeth to the Horseferry.

The illustration of this scene here given was taken on February 4th, the day before the first thaw, and is supposed to be the work of Thomas Wyck, a well-known artist of the seventeenth century. It gives a good view of the stairs and of the lower buildings in King's Bench Walk. The street of booths just opposite, stretching across the river, was known as "Temple Street." Charles II. was a frequent visitor to the "Frost Fair," as this ice carnival was called, and a card commemorating one of his visits, printed by G. Groom on the ice, on January 31st, 1684, is still in existence. He and the Queen are said to have been present when an ox was roasted whole on the ice, and even to have eaten a portion of it.

It is to these stairs that we are introduced by Addison in his account of Sir Roger de Coverley in the *Spectator* for 1712 :—

"We were no sooner come to the Temple stairs but we were surrounded with a crowd of watermen offering us their respective services. Sir Roger, after having looked about him very attentively, spied one with a wooden leg, and immediately gave orders to get his boat ready."

When the steamboats had destroyed the watermen's business, the stairs were abandoned, the pier at Essex Stairs being used, and from 1840 the gates at the Temple Stairs were kept locked, on account of the disorderly persons who began to frequent the spot. Upon the

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construction of the Embankment in 1865 the old Temple Stairs were removed, and the present Temple Pier built as a substitute for the use of the members of the two societies, but the Thames watermen and their wherries have long succumbed to the "Underground" and the penny "bus."

## CHAPTER XIV

### THE DEVIL'S OWN



BADGE OF THE  
"DEVIL'S OWN."

THE pen is mightier than the sword, but the Templars have ever been ready at times of national emergencies to exchange their more innocent-looking, but none the less deadly, quills for martial weapons. Centuries before the lawyers made their home in the Temple many of the judges had engaged in military enterprises. William FitzOsborne, Odo of Bayeux, Geoffrey of Constance, William de Warren, Robert, Earl of Morton, and Richard Fitzgerald, all afterwards judges, played leading parts at the Battle of Hastings.

And in later years the judges did not hesitate to leave the bench for the saddle. In 1138 Walter Espec, Justiciar, commanded at the Battle of the Standard. Several of the justices fought in the wars of King John, and it was Hubert de Burgh, Chief Justiciary, and William Marechal, Justiciar, who defeated the French at the battles of Dover and Lincoln in 1216. On the disastrous field below Stirling Castle the English forces were led to defeat by Hugh de Cressingham, Justice Itinerant.

A few years later, on the 22nd May, 1305, just before the dissolution of the Order of the Knights Templars, the Temple Gardens were the scene of one of the most

brilliant military spectacles ever held. Tidings of the rising of Robert Bruce having reached London, Edward I. decided to knight his son and other young men of birth before sending them to put down the insurrection. Tents for the candidates were raised in the gardens, and so numerous were the aspirants for knighthood, some 270, that the trees had to be cut down to give place for their temporary abodes. In the Temple Church, as was customary, they kept vigil with their arms through the night, and were knighted by the King on the following morning, and entertained to a banquet later in the day. At Crecy the judges were represented by Robert Bouchier, Chief Justice of the King's Bench in Ireland, and Richard le Scrope, afterwards Chancellor, the latter of whom also fought at Neville's Cross and in the great sea fight at Rye. John de Delves, afterwards Keeper of the Great Seal, distinguished himself at Poitiers, and Chancellor Beaufort held high command at Agincourt.

We have already alluded to the attack on the Temple in 1381 by Wat the Tyler, and the loss of their papers would seem to show that the Templars made no organised effort at defence. Nor is there any evidence of organised factions during the Wars of the Roses, beyond the tradition immortalised by Shakespeare of the plucking of the red and white roses in the Temple Garden by the leaders of the rival houses of York and Lancaster.

But numerous lawyers took part individually on one side or the other. John Fortescue, Chief Justice, was at the battles of Towton and Tewkesbury; Richard Neville, Chancellor to Henry VI. and father of the king-maker, was taken prisoner at Wakefield and beheaded the following day; and Thomas Thorpe, a Baron of the Exchequer, met with the same fate at the Battle of Northampton.

Thomas Weswyke, Recorder of the City and afterwards Chief Baron of the Exchequer, assisted in re-

elling the assault of the Lancastrians upon the City in 1467.

There is a record of an encounter in the following century—to be precise, on June 12th, 1554—between the Lord Warden of Kent's servants and the members of the Inns of Court, in which some were "sleyn and hurt"; but whether this was a mere faction fight, or whether the lawyers took up arms in defence of their privileges, does not appear.

The first recorded embodiment then of the members of the Inns of Court and Chancery took place at the time of the Spanish Armada. In 1584 local associations were formed to resist the threatened invasion, and the lawyers were not behindhand in giving proof of their loyalty. The original deed of association relating to Lincoln's Inn is still in existence and amongst the Egerton Papers now in the possession of the Earl of Ellesmere, whose ancestor, Thomas Egerton, then Solicitor-General and afterwards Chancellor, was the first to sign it. A reproduction of this document now hangs in the Drill Hall.

A similar association was formed on November 3rd in the same year in the Inner Temple, and an oath taken by the Fellows "to serve and protect her from all who may harm her person."

Towards the end of James I.'s reign a scare as to military efficiency sprang up, and it was proposed to establish riding schools throughout the country. In consequence one of the first acts of Charles I. upon his accession was to address a circular to the Benchers of the Inns of Court, calling upon them to require their students to exercise themselves in arms, and particularly in horsemanship, in which the English nation was said to be very deficient. An immediate result was the appearance of the mounted gentlemen of the Inns of Court, properly armed and equipped, in the celebrated masque of 1633 already described.



Their next appearance was upon a more serious occasion. Upon the attempted arrest of the Five Members in January, 1642, they marched down to Westminster, 500 strong, and expressed in no uncertain terms their determination to protect their sovereign from insult, offering themselves as a bodyguard. This offer was graciously accepted, and at Westminster they remained for some days; their threat to bring up their tenants from the country created somewhat of a panic in the House, and four members were sent off in haste to ascertain from the Benchers their intentions.

The reply of the four Inns was reassuring: "That they had only an intent to defend the King's person, and would likewise to their utmost also defend the Parliament, being not able to make any distinction between King and Parliament, and that they would ever express all true affection to the House of Commons in particular."

Upon the outbreak of the Civil War Charles, who had already formed a highly favourable opinion of the gentlemen of the Inns of Court, commissioned Lord Lyttelton, Keeper of the Great Seal, to raise a regiment of foot from their ranks "for the security of the Universitie and Cittie of Oxford."

Lyttelton died of a chill contracted whilst drilling his recruits, and was succeeded in command, as already related, by Chief Justice Heath.

A cavalry regiment was also raised, as we learn from a letter of the Countess of Sussex at St. Albans to Sir R. Verney, in which she writes: "The Inns of Court Gentlemen to guard my Lord's person is come too, they say very fine and well horsed."

The Royalists, as we have seen, were far from commanding the allegiance of all members of the Inns of Court. Oliver Cromwell, a member of Lincoln's Inn, when Captain of the 67th or Slepe Troop of the Essex Association, is said to have occupied chambers in the

old gateway of Lincoln's Inn, in Chancery Lane, and thence corresponded with Oliver St. John, his fellow-member, and John Hampden, of the Inner.

In the Revolution of 1688 the Inns of Court do not appear to have taken any official part, but individual members were actively engaged.

On one of the columns in the Temple Church was a tablet to William Cock, Esq., of Newcastle-upon-Tyne, a volunteer at the Battle of La Hogue, 1692, in which he so distinguished himself that, through the patronage of the Hon. George Churchill, brother of the great Duke of Marlborough, he obtained the command of several ships of war in the reigns of William, Anne, and George I. He died 1724, aged forty-nine.

Upon the rising of the Young Pretender in 1745, a regiment of volunteers was raised in the Inns of Court by Chief Justice Willes for the defence of the King's person. Willes was to have been colonel, but with the retreat of the rebels the danger passed, and his commission was never signed.

After the French Revolution the fear of an invasion by our neighbours across the Channel excited the martial ardour of the whole people, and none were more active in encouraging the volunteer movement than the gentlemen of the Inns of Court. Embodied in 1803, they took part in the great review of some 27,000 volunteers, held on October 26th and 28th in Hyde Park before George III. As the Temple companies marched past, the King inquired of Erskine, their lieutenant-colonel, what was the composition of that corps. "They are all lawyers, sire," replied Erskine. "What! what!" exclaimed the King, "all lawyers—all lawyers? Call them the Devil's Own, call them the Devil's Own"; and the "Devil's Own" they are called to this day. The Lincoln's Inn corps was commanded by Sir William Grant, then Master of the Rolls, who had seen active service in Canada, when in

1775 he commanded a body of volunteers at the siege of Quebec, against the attack of the Americans under General Montgomery and Colonel Arnold. At the time of the review there appear to have been two corps, one the Bloomsbury and Inns of Court Association, and the other the Legal Association. When the Government of the day subsequently endeavoured to deprive the volunteers of their right to resign, Erskine argued in their defence, and the judges supported his view by deciding that the service was entirely voluntary.

Lord Erskine served both in the army and the navy. In 1764 he joined the *Tartar* as a midshipman, and after four years' service he left the navy and entered the army as an ensign in the Royals, or First Regiment of Foot. Abandoning the profession of arms in 1775, he was admitted to Lincoln's Inn to commence a career which led him to the Woolsack.

In 1859, owing to a threatened war with France, the volunteer movement again came to the front, and a petition was presented to the Benchers of the Middle Temple, praying for the use of the Hall in which to discuss the formation of a volunteer corps. Amongst the signatories are some well-known names—Adolphus Liddell, Staveley Hill, William Vernon Harcourt, John Duke Coleridge, and Joseph Kaye.

The outcome of the meeting was the formation of "The Inns of Court Volunteer Corps," which was enrolled on January 12th, 1860, as the 23rd Middlesex, a number since changed to the 14th Middlesex. In the same year this corps took part in a great review before the Queen. Prominent members of this corps were, and in a few instances still are, Lord Campbell, son of the Chancellor; Lord Herschell, Lords Justices Cotton, Thesiger, Lopes, Baggallay, Chitty, Sir William Grantham, Sir Edward Clarke, and Mr. Justice Willes. Of the latter the sergeant-major, Dod, once remarked with

soldierly bluntness that Willes might be "a damned good judge, but he was a damned bad drill."

For the South African War some forty men were selected from the Inns of Court for service with the specially raised City Imperial Volunteers, popularly known as the C.I.V. The whole of this corps was entertained before embarking for the front to banquets, one in the Inner Temple Hall, and the other in the Middle Temple Hall. At the former Sir William Grantham presided, and bid them godspeed.

Amongst other military members of the Inns of Court who have distinguished themselves must be mentioned Mr. Kenyon-Parker, a Treasurer of Lincoln's Inn, who served as a lieutenant of Marines in the well-known action between the *Monarch* and some French frigates in 1806, in the Walcheren expedition in 1809, and in the attack and destruction of the batteries on the island of Ragnosniza. Sir Henry Havelock, of Indian Mutiny fame, we have already mentioned; but the names of General Herbert Stewart, who died of wounds received at Abu Klea, and of Sir Evelyn Wood, v.c., must not be omitted.

## CHAPTER XV

### TEMPLE BAR



TEMPLE BAR, although not within the Temple, is too closely associated with its history to be passed unnoticed. "Anciently," says Strype, "there were only posts, rails, and a chain, such as are now in Holborn, Smithfield, and Whitechapel bars. Afterwards there was a house of timber erected across the street, with a narrow gateway and an entry on the south side of it under the house."

This building was certainly there in the reign of Henry VIII., and the stone gate-house, as many of us remember it, was erected in the years 1670-2. It marked not the boundary of the City proper, but the later extension known as the Liberty of the City, which it separated from the Liberty of the City of Westminster, and became the scene of many historical pageants. The latest was the reception of Her late Majesty Queen Victoria by the Lord Mayor in the Diamond Jubilee progress through the City, when the keys were here presented to the Queen, and duly restored by Her Majesty to the City's representative. Temple Bar has figured in many a pageant and many a

tragedy. Here came Bloody Mary on her way into the City to be proclaimed, and here the Lord Mayor delivered up the City sword to good Queen Bess when she rode to St. Paul's to return thanks for the glorious victory over the mighty galleons of Spain. On this occasion, as we learn from an entry in the Black Books of Lincoln's Inn, the gentlemen of the Inns of Court were present in a stand specially allotted to them. This entry consists of an item of £3 11s. paid to Philip Cole, under-Treasurer of the Middle Temple, being one quarter of the charges for the rails and cloth used in the stand. Stow relates how the City companies "stoode in their rayles covered with blew cloth," and doubtless the stand of the Inns of Court was similar.

At Temple Bar the same scene was enacted in honour of Charles the Martyr, Cromwell the Protector, and Charles the Selfish Idler.

Here Evelyn, in his eighty-fourth year, stood and witnessed the same ceremonial when Queen Anne was received at Temple Bar by the Mayor, and presented with the sword which she returned. The Queen "rode in a coach with eight horses, none with her but the Duchess of Marlborough in a very plain garment, the Queen full of jewels."

And from his day the old gateway has cast its shadow over the head of every sovereign and every popular hero.

At Temple Bar, too, mobs have burned in effigy Popes and every other obnoxious personage. Guilty and innocent alike have suffered the ignominy and outrage of the pillory. In 1679 the infamous Titus Oates expiated here a portion of his outrageous crimes, and later still De Foe stood in his place.

In delivering sentence upon Oates, Mr. Justice Withers said: "I never pronounce sentence but with some compassion; but you are such a villain and hardened sinner that I can find no sentiment of compassion for you."

A strong Whig and supporter of William, with the return to power of the Tories upon the accession of Anne, Daniel De Foe was sufficiently indiscreet to reprint his *Shortest Way with the Dissenters*, which was ordered by Parliament to be burnt by the hangman in New Palace Yard.

De Foe had fought for Monmouth and opposed James ; he had been the favourite and panegyrist of William ; he had vindicated the principles of the Revolution and defended the rights of the people. When the wheel of fortune brought back the outraged Tories whom he had bitterly attacked, De Foe was put in the pillory at Temple Bar, but the good citizens of London, remembering his labours in their cause, instead of pelting him with brick-bats and rotten eggs, smothered him with bouquets of flowers. "Thus," he says, "I was a second time ruined, for by this affair I lost above £3,500."

Pope makes allusion to this "affair" in the following lines :—

"Earless on high stood unabashed De Foe  
And Tutchin flagrant from the scenes below."

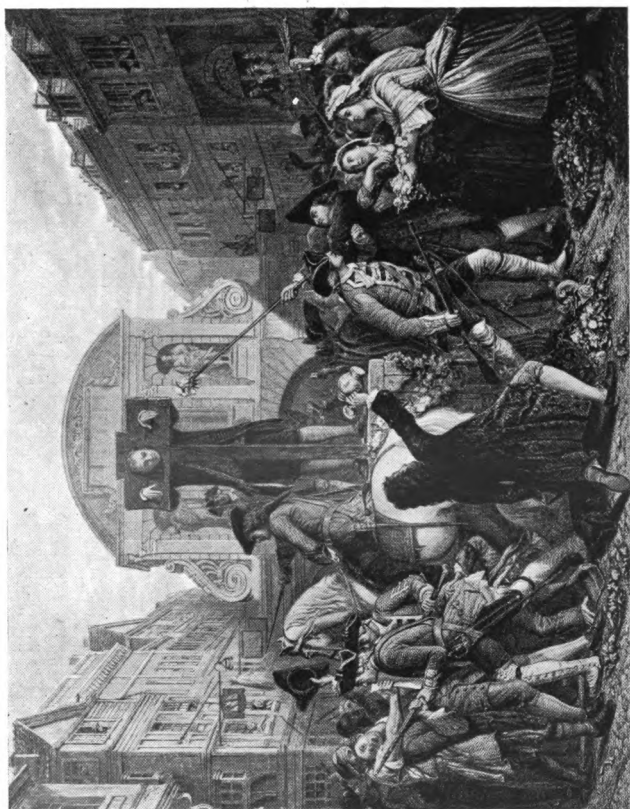
And De Foe himself, in his *Hymn to the Pillory*, thus describes his position on that occasion :—

"Exalted on thy stool of state,  
What prospect do I see of future fate?  
How the inscrutables of Providence  
Differ from our contracted sense ;  
Hereby the errors of the town  
That fools look out and knaves look on."

As at London Bridge and Westminster Hall, the heads of traitors grinned their ghastly warning to the passers by.

The heads of the rebels of '45 were still rotting there when Dr. Johnson passed the gateway on his way to his chambers in Inner Temple Lane.

In the room over the archway were stored the ledgers from Child's Bank.



DANIEL DE FOE IN THE PILLORY AT TEMPLE BAR

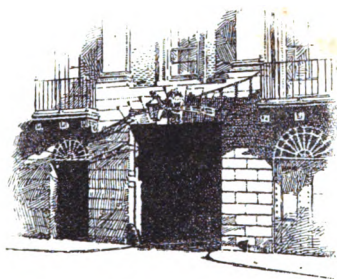




Upon the widening of the Strand and the erection of the Law Courts, Temple Bar was pulled down and removed to Meux Park, near Enfield, where it has been rebuilt, and may still be seen. Its place has been marked by the present Temple Bar memorial, erected in 1880, consisting of a column surmounted by a bronze figure of a griffin, representing the City arms. In one of the niches is a statue of Her late Majesty Queen Victoria, wearing her crown and carrying the orb and sceptre. This monument is vulgarly known as "The Griffin."

## CHAPTER XVI

### BUILDINGS IN THE MIDDLE TEMPLE AND SOME OF THEIR INMATES.

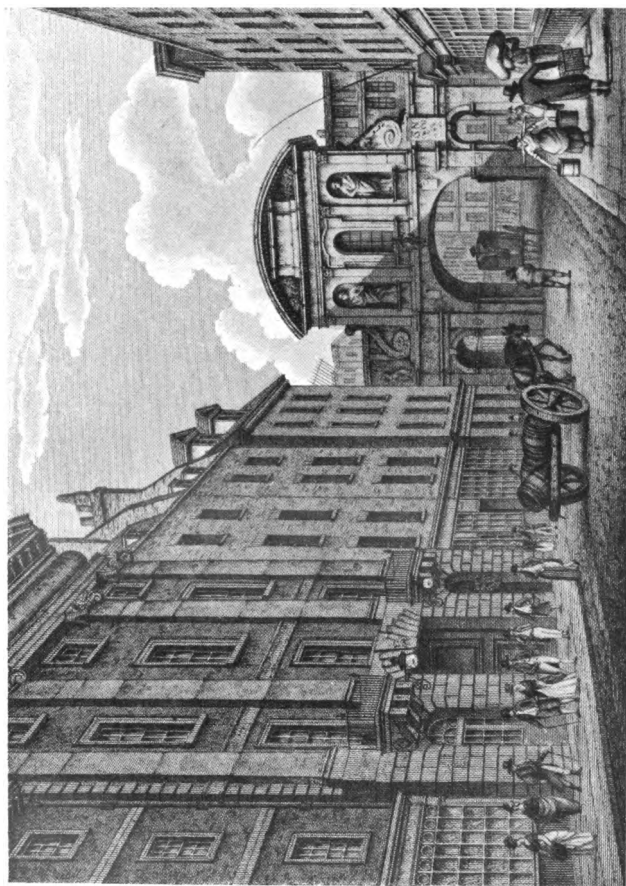


MIDDLE TEMPLE GATEWAY

A WRITER in *Blackwood*, quoting the old proverb, "The Inner Temple for the rich, the Middle for the poor," says few great men have come from the Middle Temple. Although it is true that the list of great men belonging to this society is not so long as that of the

sister House, nevertheless the Society of the Middle Temple has every reason to be proud of its members, whose names are enrolled in the annals of history, law, and letters. This society, indeed, as stated, until quite recently claimed to be the parent body, and in support of this contention pointed to the discovery of the foundations of an ancient hall discovered in 1735, between Pump Court and Elm Court, when digging for a well.

Whatever attempts may have been made by the Society of the Middle Temple to assert its seniority over that of the Inner and its title to precedence were settled once for all at a meeting held on May 18th, 1620, before four of the judges, viz. Sir Henry Montague (Lord Chief



MIDDLE TEMPLE GATEHOUSE AND TEMPLE BAR



Justice) and Mr. Justice Dodridge of the Middle, and Lord Chief Baron Tanfield and Baron Bromley of the Inner, when it was decided that all the Societies of Court stood upon an equal footing, "no one having right to precedence before the other."

#### THE GATE-HOUSE

Before entering the Middle Temple one may well pause to admire from Fleet Street the splendid gate-house, erected by Wren in 1684 to replace an earlier one said to have been designed and built by Sir Amias Pawlet. The story goes that, about the year 1501, the worthy knight had been so wanting in foresight as to put Cardinal Wolsey, then the parson of Lymington, in the village stocks. The Cardinal seems to have retained a lively recollection of this indignity, and, sending for him in 1515, commanded him not to quit town until further orders. "In consequence he lodged five or six years in this gateway, which he rebuilt, and to pacify his eminence adorned the front with the Cardinal's cap, badges, cognizances, and other devices," together with his own. Mr. Loftie states that Sir Amias built the gateway in payment of a fine laid upon him by Wolsey, but how this would benefit the Cardinal it is difficult to conceive.

I find, however, that in 1520 a Sir Amisius Pawlett was chosen Treasurer of the Middle, who is evidently the Sir Amias of the above story, and there can be little doubt that the gateway was built by the Inn in the ordinary way. Pawlett's own arms would be accounted for by the custom of inserting, in new buildings erected by the Inn, the arms of the Treasurer for the time being, whilst those of Wolsey might naturally be added as a compliment to the reigning minister. Some writers say that this gateway was burned down in the Great Fire, whilst Mr. Loftie states that the stonework was so

mouldering that the whole edifice had to be taken down. The latter opinion is probably correct, since there is evidence that the Great Fire did not spread even so far west as the Inner Temple gateway, or the fire of 1678 further north than Hare Court and the northern portion of Brick Court.

James Shirley, the poet, a member of Gray's Inn, was, in 1666, living in a house close to the Inner Temple gateway. This was one of the last destroyed, but Shirley only survived the loss of his property and the horrors of the conflagration twenty-four hours. He was the author of the *Triumph of Peace* and other pieces, some of which appeared on the boards in the Inner Temple Hall, as we have seen.

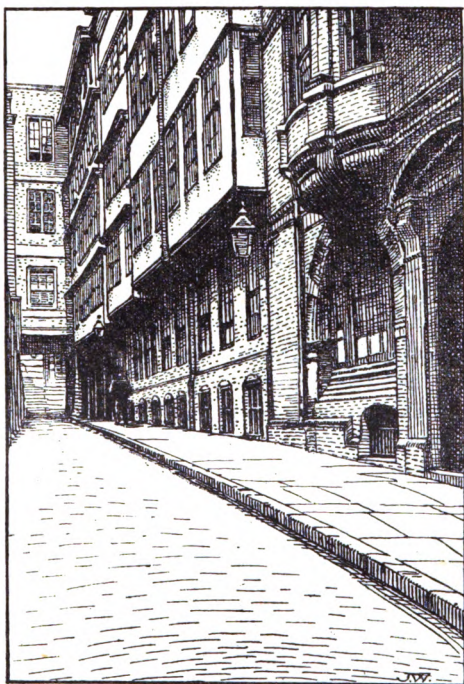
#### THE OLD POST HOUSE

Passing under the archway, we observe a quaint old building, the ground floor occupied by a stationer; and on referring to Master Worseley's *Observations on the Constitution, Customs, and Usage of the Honourable Society of the Middle Temple*, written in 1733 and only recently published, we find that in that year there were "two shops on the east side of the lane near the Great Gate, the one occupied by a stationer, the other by a shoemaker." The latter, however, has disappeared, although one was until lately to be found outside the west entrance, in Devereux Court.

This building was formerly known as the "Old Post House," and was built in the reign of Elizabeth, if not earlier, being then occupied, according to tradition, by the Queen's printers. From the days of George I. to the institution of the penny postal system in 1840 it was also used as a post office; hence its name. Two quaint staircases give access to the upper rooms, those on each floor forming a complete set of chambers.

Here in the eighteenth century numerous well-known

works were published, such as Rowe's edition of Shakespeare; *The Devout Christian's Companion*, by Archbishop Tillotson (1709); La Bruyère's *Theophrastus* (1709); Swift's



MIDDLE • TEMPLE • LANE  
NORTH •

*Tale of a Tub* (1739); Whitelocke's *Memorials of English Affairs*; the works of the Earls of Rochester and Roscommon, and Sir Roger L'Estrange's *Josephus*.



The old business of law stationers, printers, and publishers is still carried on by Messrs. Abram and Sons, in whose family it has now been since 1774. In the course of centuries the firm has accumulated a large store of ancient MSS., consisting of old rolls, records, royal grants, and deeds, dating from the reign of Elizabeth, Irish army rolls of the Commonwealth, numerous letters of historic interest, many relating to the naval war with France at the end of the eighteenth century. Amongst the books are two folio volumes in manuscript, illustrated with most beautiful drawings by hand, containing a description of the castles, churches, and abbeys of England.

The drawings are dated 1772, and were executed by Lieutenant Bond, whose son entered the service of the firm when fourteen, and died whilst still in their employment aged eighty-four.

The present head of the firm is Mr. Ernest Abram, who is always delighted to show his treasures to strangers who appreciate such things.

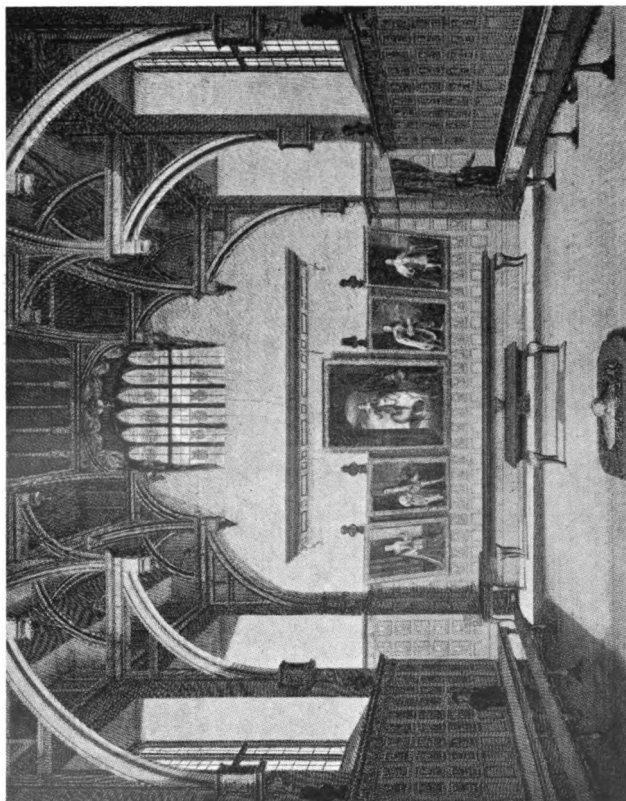
The iron pillars upon which the house partly rests are said to be those which Johnson, with that eccentricity not always confined to genius, religiously touched on his way through the Lane.

Nos. 2 and 3, Middle Temple Lane, were also standing in 1733, and were probably in existence, together with the Old Post House, at the time of Pawlet's gate-house.

#### CHILD'S PLACE

Immediately opposite, on the site of a modern extension of Child's Bank, stood a row of small houses known as Child's Place, so called after the wealthy goldsmith of Charles II.'s time, whose premises with the sign of "Ye Marygold" in Fleet Street adjoined the Temple. Entrance was gained by a narrow passage from Fleet Street.

In 1739 F. Child is charged 10s. for a drain running from the Palgrave's Head Court, now the site of Lloyd's Bank.



MIDDLE TEMPLE HALL ; WEST END



At Child's Bank, then "Blanchard and Child, Goldsmiths," Charles himself banked, and Nell Gwynne, Samuel Pepys, and Prince Rupert, whose valuable jewels were disposed of by Francis Child in a lottery, the King himself distributing the tickets amongst the lords and ladies of the Court. In the old ledgers may still be read the items of the sums paid to Charles for the sale of Dunkirk to the French.

Here too Roger North took the Lord Keeper Guilford's fees, which were kept in his skull caps, the gold in one, the silver crowns, half-crowns, and smaller coins in others.

In his *Tale of Two Cities* Dickens has described Child's Bank under the name of "Telson's":—

"Thus it had come to pass that Telson's was the triumphant perfection of inconvenience. After bursting open a door of idiotic obstinacy with a weak rattle in its throat, you fell into Telson's down two steps, and came to your senses in a miserable little shop with two little counters, where the oldest of men made your cheque shake as if the wind rustled it, while they examined the signature by the dingiest of windows, which were always under a shower bath of mud from Fleet Street, and which were made dingier by their own iron bars and the heavy shadow of Temple Bar. If your business necessitated your seeing 'the House,' you were put into a species of condemned hold at the back, where you meditated on a misspent life until the House came with hands in its pockets, and you could hardly blink at it in the dismal twilight."

#### THE DEVIL'S TAVERN

Child's Place was on part of the site of the ancient Devil's Tavern, which had stood next to Child's on the east since the days of James I., and here the firm erected the row of houses mentioned above.

The Devil's Tavern, or No. 2, Fleet Street, flaunted the sign of St. Dunstan tweaking the devil's nose. Here Ben

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Jonson presided over the Apollo Club, one of the first institutions of the kind in London, and here with Shakespeare, Fletcher, and Beaumont and other kindred spirits, must have spent many a merry evening.

In Charles II.'s days the "Devil" became the haunt of the lawyers and doctors. Here Steele and Bickerstaff used to meet. Here Swift dined with Addison and Garth, and here Colley Cibber, the poet laureate, used to recite his verses.

Nearly a century later the Royal Society held its annual dinner here, and in 1751, at the invitation of Dr. Johnson, a supper was given by the club to Mrs. Lennox, in celebration of her first novel, *The Life of Harriet Stuart*. In 1788 the old tavern was pulled down and absorbed by the bank.

On the east side of the Temple Gate was a shop said to have been once occupied by the famous printer and publisher, Wynkyn de Worde, recently rebuilt, and now the premises of Messrs. Clowes and Sons, the well-known law publishers. This statement, for which Pennant is responsible, seems more than doubtful. In 1491 Wynkyn, who succeeded Caxton in his business at Westminster, removed to two houses next to St. Bride's Church, Fleet Street, in one of which he carried on his printing business. It was known by the sign of the "Sun." Shortly after he opened another shop in St. Paul's Churchyard, at the sign of "Divae Marie Pietatis." Even there his business increased so much that he was obliged to give out much of his work, so that it is quite possible that some of his works were printed, if not published, at the shop next to the Temple gateway.

### FOUNTAIN COURT

Perhaps the most effective entrance into the Middle Temple is through the little wrought-iron gate out of Devereux Court in Essex Street into New Court, when

turning to the right we have at our feet Fountain Court, with its fountain immortalised by Charles Dickens in *Martin Chuzzlewit*, where John Westlock met Ruth Pinch: "Brilliantly the Temple Fountain sparkled in the sun, and laughingly its liquid music played, and merrily the idle drops of water danced and danced, and,



THE LITTLE GATE OF THE MIDDLE TEMPLE IN NEW COURT.

peeping out in sport among the trees, plunged lightly down to hide themselves, as little Ruth and her companion came towards it." And as we stand with our minds full of such recollections, we are recalled to the stern realities of life by the sight of the tired faces of men and women seated on the benches beneath the trees, who come to this little oasis of old-world peace, to escape, for but a brief

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moment, the noise and turmoil of the vast city outside its walls.

Upon this scene Godfrey Turner has written in his "Temple Fountain," published in W. G. Thornbury's *Two Centuries of Song*—

"And—when others fled from town to lake and moor and mountain—  
I have laid my trouble beside the Temple Fountain.

Pledge me straight the Benchers all, and pledge them in a brimmer.  
May their lives be gladdened by the Fountain's pleasant shimmer,  
May their shadows not be less while hereabouts they linger,  
Holding friendly button with communicative finger ;  
May the Fountain ages hence keep babbling still their praises ;  
Babbling, too, of pastures green, lambs, lovers' walks, and daisies."

And beyond them all the terrace with its ancient Hall, where Queen Elizabeth danced and Shakespeare played ; the green garden slope, decked here and there with gay flower-beds ; the spot where Goldsmith wrote his *Good-Natured Man*, the stately library, the home of learning ; and further still the Embankment and the river, once the highway between Westminster and the City.

Here is a beauty all its own ; no other place rivals its peculiar charm.

### BRICK COURT

Retracing our steps and continuing down the lane, we come on our right to Brick Court, formerly known as Brick Buildings, so called, it is said, from being the first erections in brick in the Temple, and to which Spenser is supposed to allude in the lines from the *Prothalamion*, when, speaking of the wedding retinue of the Ladies Somerset, they reached at last—

"Those bricky towers,  
The which on Themmes brode aged back doe ride,  
Where now the studious lawyers have their bowers,  
There whilome went the Temple Knights to bide,  
Till they decayed through pride."

If this be so, then Brick Buildings, said to have been erected in the eleventh year of Elizabeth, rival the "Old Post House" in antiquity, and here Goldsmith wrote his immortal works and revelled, whilst the learned Blackstone toiled below, and next door, a century later, Mr.



Nos 1 & 2.  
BRICK COURT.

Charles Russell "got up" his briefs, the greatest advocate of modern times, destined to be known as one of the greatest of a long line of eminent Chief Justices.

Goldsmith's first chambers in the Temple were on the old library staircase, the present site of 2, Garden Court, which he is said by Prior to have shared with Jeffs, the butler of the Inn. He then appears to have removed to



Gray's Inn in 1764, and shortly after, according to both Prior and Mitford, took chambers for a short period at 3, King's Bench Walk. In 1765, however, he was permanently established in chambers at 2, Brick Court, up "two pair right." Flush with the proceeds of the *Good-Natured Man*, he had purchased these chambers for £400, and furnished them extravagantly with furniture upholstered in blue velvet, showy carpets, and gilt mirrors. Here he spent his money faster than he made it, in dinners to Johnson, Percy Reynolds, Bickerstaff, Francis, Dr. Arne, and other literary celebrities, and in supper parties to young people of both sexes, much to the discomfiture of the studious Blackstone, whose chambers were then just below, and who, then hard at work on the fourth volume of his famous *Commentaries*, complained bitterly of the racket made "by his revelling neighbour." Blackstone's successor, Mr. Children, made a similar complaint.

Goldsmith describes how from his window he used to watch the rooks. "I have often," he writes, "amused myself with observing their plan of policy from my window in the Temple that looks upon a grove where they have made a colony in the midst of a city." The elms in Elm Court were the "grove," long since cut down.

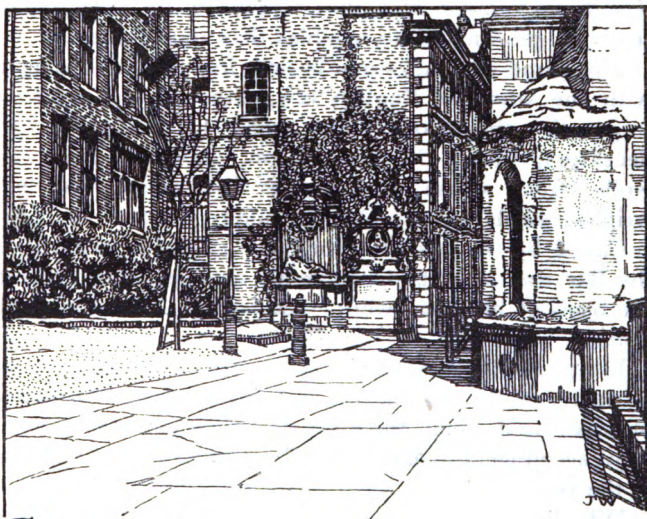
In these chambers Goldsmith died in 1774, to the grief of all those in the Temple, to whom he had endeared himself, and was carried to his last resting-place in Churchyard Court through groups of weeping women. So little did the Benchers value him that all trace of his tomb disappeared, and the low tombstone now in position only approximately covers his remains.

In these chambers twenty years later a Miss Broderick shot her lover, Mr. Eddington, who had deserted her.

The sundials are a special feature of the Temple, with their quaint moral precepts.

"Swift flew the busy hours and swift  
Their quiet shadows round the dials moved,  
That in the Temple courtyards faced the sun."

Here in Brick Court the passer-by is informed that "Time and tide tarry for no man," and from this time-piece Goldsmith must often have taken the hour. This sundial replaced an older one which perished in the fire



**GOLDSMITH'S  
TOMB**

at the beginning of the eighteenth century, a fire commemorated by the following inscription: "Phoenicis instar revivisco: Martino Ryder, Thesaurario, 1704." The earlier dial bore the odd motto, "Begone about your business," said to have been addressed by an absent-minded Treasurer of the day to the lad from the dial-maker, who had come for an appropriate inscription.

This explanation is ingenious, but highly improbable.

This motto is one well known to archæologists, and is characteristic of such reminders of the flight of time and the necessity of punctuality. It may be seen to-day on the sundial upon a buttress of the church of St. James at Bury St. Edmunds, as well as elsewhere.

Goldsmith, like Johnson, although living in the midst of the law, does not appear to have held a very high opinion of the lawyers of his day, for we find him saying in *The Good-Natured Man* that "lawyers are always more ready to get a man into troubles than out of them."

The name of Blackstone is now inseparably connected with the study of English law, although we must not forget the obligations under which he lies to his predecessors, Viner, Comyns, Bacon, Hawkins, Hale, and Rolle, from whose works, after the manner of legal writers, whole paragraphs are bodily lifted.

Called by the Middle Temple in 1746, his progress at the Bar was slow, and it was his lectures, which formed the basis of his great work, that brought him into public notice.

In 1763 he became Solicitor-General to the Queen and a Master of the Bench. Returned in the new Parliament of 1768, he declined the office of Solicitor-General, but in 1770 accepted a judgeship. His *Commentaries* appeared in the years 1768-9.

Whether driven away by his roistering neighbour or for some other reason, Blackstone left Brick Court and occupied the ground floor left at 3, Pump Court, the window of his room looking out into Elm Court.

Though a sober man, Blackstone is said by Lord Stowell to have composed his *Commentaries* with a bottle of port before him, and to have had his mind invigorated and supported in the fatigue of his great work by a moderate use of it. Other days, other manners. Few modern physicians would prescribe this medicine for a tired brain.

At Oxford Blackstone became the first Vinerian Professor, an office founded upon the bequest of the copy-right of Viner's *Abridgment* to the University by the author.

Another distinguished occupant of Brick Court a century later was Sir William Reynell Anson, Bart., M.P., a successor of Blackstone in the Vinerian Chair, a well-known figure in modern Oxford, whose book on *Contract* is indispensable to law students. Sir William was called to the Bar in 1869 by the Inner Temple. He occupied chambers at No. 1, rendered famous by the names of Coleridge and Bowen.

#### THE HALL

Below the terrace lies the noble Hall of the Middle Temple. It was commenced in 1562, completed ten years later during the Treasurership of Plowden, the famous jurist, and opened in 1576 by Elizabeth in person. In 1757 the exterior was "improved" in wretched taste by a casing of stone, and its original red-brick character thus destroyed. But even so it remains a fine building. The interior, fortunately, has escaped the "improver's" sacrilegious hand. The hammer-beam roof is considered by competent architects to be "the best Elizabethan roof in London," and the oak screen, erected 1574, is a magnificent piece of Renaissance workmanship. Its cost must have been something very considerable, and for many years the Benchers were hard put to in finding the wherewithal to discharge their liabilities. But in this instance we may well pardon such reckless extravagance. In the assessment for the screen "the common attorneys" are included in the list, and are assessed at 10s. a head, which would seem to show that the rule of the Inner Temple excluding attorneys from the fellowship of their House had not yet been adopted.

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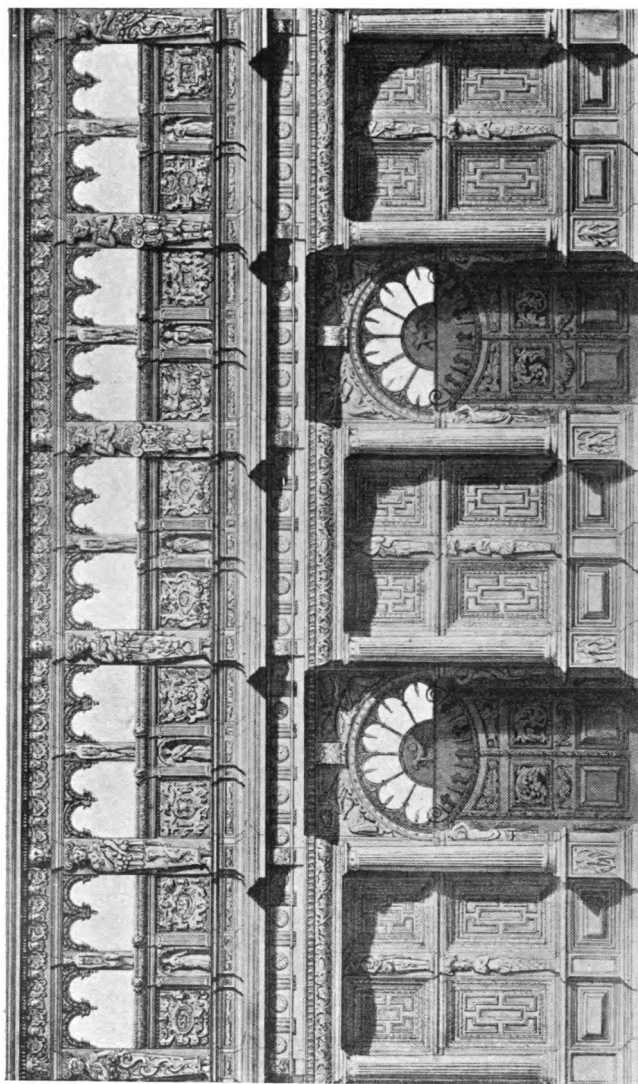
The following doggerel certainly hits off the chief physical characteristics of each society :—

“Gray's Inn for walks,  
Lincoln's Inn for a wall,  
The Inner Temple for a garden,  
And the Middle for a hall.”

This fine chamber measures 100 feet in length and 42 in breadth, whilst from the floor to the spring of the louvre is 50 feet. The entrance tower is a comparatively recent addition. It was erected from the designs of James Savage the architect, in 1831. Below the windows formerly stood bronze busts of the twelve Cæsars, but these have been replaced by sets of body armour and weapons dating from the seventeenth century, and perhaps forming part of the armoury of the military companies attached to the Inn. In the middle of the Hall below the daïs is a serving table, made from the timbers of Drake's ship, the celebrated *Golden Hind*.

The walls are wainscoted up to the window-sills, and, as in the sister Hall, the arms and names of the Readers are painted upon the panelling, commencing with Richard Swain, Reader in 1597.

The Hall was refloored in 1730, and when the old boards were removed nearly one hundred pairs of small dice, yellow with age, which had dropped through the chinks, were discovered. The present tables and forms were provided at the same time. The ancient louvre or lantern in the roof, to give vent to the smoke from the great pile of charcoal beneath, gave place in 1732 to “a new cupola with a vane,” which is represented in the engravings in the works of Ireland and Herbert, but which in its turn has been displaced in favour of the present louvre by Hakewill, a restoration to be highly commended. The ancient hearth and louvre were, as we learn from the *Gentleman's Magazine*, still in use in the year 1812. In



THE SCREEN, MIDDLE TEMPLE HALL



the two bay windows flanking either side of the west end are some fine examples of ancient heraldry, one at least dating back to 1540, probably a relic from the old Hall. Amongst others are the arms of Chancellors Cowper, Somers, and Hardwicke, Lord Chief Justice Kenyon, John Dunning, Lord Ashburton, Sir Richard Pepper Arden, William Scott, Lord Stowell and his brother, Lord Chancellor Eldon. Plowden's arms are to be found in the middle of the top lights, beneath which is an inscription in a pair of hexameters, with the date 1573, commemorating his zealous attention in the erection of the Hall: "*Hoc perfecit opus legum cultoribus hujus maxima cura viri; sit honos hiis omne per aevum.*"

In the south bay is a large leaden coffer with the lid made from the timber from the old Temple Bridge or Stairs, first erected, as the inscription asserts, by the Knights Templars, restored by order of Edward III. in 1331, and repaired with the aid of Elizabeth in 1584. The arms of His Majesty King Edward VII. will be found in the middle window on the south, set there when he was Prince of Wales, whilst adjoining are those of the late Duke of Clarence, who, like his father, was also a Bencher of the Middle.

Above the Bench table hangs the celebrated portrait of Charles I. by Van Dyck. The attendant in this painting holding the King's helmet is thought by some to be the Duke d'Epéron, but it is more probably Mons. de St. Antoine, equerry to the King of France, who was sent to England by Louis XIII. with six horses as a present to Charles. Other portraits are those of Charles II., by Sir Godfrey Kneller, and of his brother James, Duke of York, of William III., of Anne, by Murray, of Elizabeth, and of the first two Georges.

Above these paintings hang two colours, one belonging to an old Inns of Court corps, and the other an old Jack prior to the Union in 1801. A recent addition is the



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electric light in the form of groups of flambeaux stuck on the walls in the ancient fashion.

The esteem in which this historic chamber was held soon after its erection is shown by the fact that in 1610 the Fellows of Trinity College, Cambridge, modelled their beautiful Hall after that of the Middle Temple, following in its erection almost precisely the same scale of measurement.

From the floor of the Minstrel Gallery is suspended a handsome brass lantern, said to be of equal antiquity to the Hall, the glass lights bearing the arms of Elizabeth, Raleigh, Drake, and the two crests of the Knights Templars, the two men on one horse and the *Agnus Dei*.

A curious discovery was made in the Hall in the autumn of 1894, during the process of installing the electric light. When the wires were being carried up the structural walls of the Hall a box was found concealed in a recess of the wall near the roof, containing a skeleton in a state of perfect preservation. From its appearance, it is surmised that it must have been hidden here for upwards of 200 years. Whether it had been used to illustrate anatomical lectures or was the victim of some tragedy will probably never be determined.

In connection with dining in Hall a curious old custom still survives in the Middle Temple. The panyer-man was the official whose duty it was to fetch the bread from Westminster, and then sound his horn in all the courts to call members to dinner from their chambers. To this day at 5.30 p.m. the panyer-man in full uniform, with his silver-mounted ox-horn, solemnly summons the members to dinner. The waiters in the Inner Temple are still called panyer-men.

On the outside, at the west end of the Hall, formerly stood a row of shops or sheds, six in number. In 1731 these were in the occupation of two persons, a barber

and a stocking-weaver. These shops are shown in the early eighteenth-century prints, but do not appear in Ireland's engraving of the Hall in 1800.

#### THE PARLIAMENT CHAMBERS

The Benchers' chambers are gained through a pair of ancient carved oak doors, relics of the old Hall in Pump Court. A long corridor leads to the Parliament Chamber, a fine room where hang portraits of Edward Hyde, Earl of Clarendon, the great historian; Sir Walter Raleigh; John Scott, Lord Eldon; Lord Chancellor Somers; Richard Bethell, Lord Westbury; Lord Chancellor Hardwicke; Earl Cowper, Lord Chancellor; Frederick, Prince of Wales, father of George III., who expended £21,000 on a Readers' Feast, lasting over a week; and Francis North, Baron Guildford. Here also hangs a full-length portrait of His Majesty King Edward VII. from the brush of Mr. Frank Holl, R.A., painted in 1884. The walls of the corridor are hung with ancient armour and weapons, and lined with engravings of eminent lawyers connected with the Inn. There are also numerous engravings and prints of the Temple Church and old buildings and courts in the Temple. Here, too, is the original oil painting of Fountain Court by Nichols.

Just outside the door of the Parliament Chamber stands a pedestal covered with ancient tiles taken from the floor of the church. Upon this pedestal rests a Greek sepulchral monument, which was brought to light during the excavations about the church at the restoration in 1842. It belongs to the third century, as is shown by the formation of the letters, by the sign of ✠ for the Roman Denarii, and by the penalty for violating the tomb to be given partly to the Imperial Treasury. The inscription in Greek, so far as it has been deciphered, runs as follows:—

“I have erected this monument to my husband, M. Curtius Theseus, and I will not allow any other to be

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placed herein—and if any shall do so, let him pay to the (Imperial) Treasury 2,500 Denarii and to the city of Histioea 2,500 more.

“A Thracian I was of noble birth, named M. Curtius Theseus, and I married a daughter of Seia of Orea, a girl innocent and rich.”

Histioea was a city in Bœotia, and Orea was a neighbouring town. The stone is evidently a relic of the Roman occupation of Britain, but how it came upon the Temple land remains a mystery.

Another object of interest is a cabinet made from the wood of a catalpa tree, said to have been planted by Sir Matthew Hale, which formerly grew on the site of the modern buildings known as Temple Gardens.

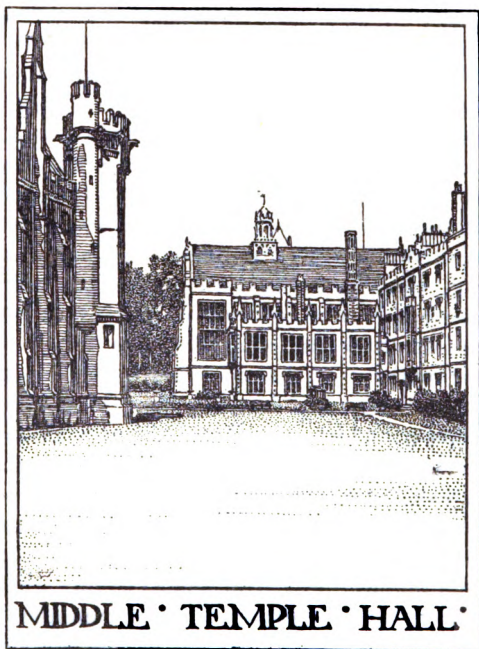
In one of the rooms is a painting known as “The Judgment of Solomon,” an early Venetian work said to be by Palma Vecchio.

A fresh interest was added to this historic building by the discovery in 1828, among the Harleian Manuscripts at the British Museum, of the diary of a student of the Inn, John Manningham. On the 2nd February, 1602, he writes : “At our feast we had a play called *Twelve Night, or What You Will*, much like the *Comedy of Errors*, or *Menæchmi* in Plautus ; but most like and neere to that in Italian called *Inganni*.” This performance formed part of the Post Revels, which immediately followed the Christmas Revels.

John Manningham was the adopted son of Richard Manningham, a City merchant, of Bradbourne, near Maidstone. Richard was twice married, first to a Dutch lady, a connection of Lady Palavicini, wife of Sir Oliver Cromwell, uncle of the Protector, and secondly to a Kentish widow, by neither of whom had he any issue. John, his heir, was admitted as member of the Middle in 1597. He married Anne, the sister of his chamber-fellow, Edward Curle, a protégé of Sir Robert Cecil, through whom he

became auditor of the Court of Wards. Their son Richard, upon his succession to the family estate of Bradbourne, sold it in 1656 to Mr. Justice Twisden, of the Inner.

A fellow-student with John Manningham was John Pym, the famous statesman and orator. He was admitted in 1602, and Manningham in his diary gives the



following description of him at this period:—"I was in Mr. Nich. Hare's companie at the King's Head. A gallant young gentleman like to be heir to much land: he is of a sweet behaviour, a good spirit, and a pleasing discourse."

"After dinner," says Charles Knight, the Shakespearian enthusiast, "a play, and that play Shakespere's *Twelfth*

*Night.* And the actual roof under which the happy company of benchers, barristers, and students first listened to that joyous and exhilarating play, full of the truest and most beautiful humanities, especially fitted for a season of cordial mirthfulness, is still standing. Here Shakespere's *Twelfth Night* was acted in the Christmas of 1601; and here its exquisite poetry first fell upon the ear of some secluded scholar, and was to him as a fragrant flower blooming amidst the arid sands of his Bracton and his *Fleta*; and here its gentle satire upon the vain and the foolish penetrated into the natural heart of some grave and formal dispenser of justice, and made him look with tolerance, if not with sympathy, upon the mistakes of less grave and formal fellow-men; and here its ever-gushing spirit of enjoyment—of fun without malice, of wit without grossness, of humour without extravagance—taught the swaggering, roaring, overgrown boy, miscalled student, that there were higher sources of mirth than affrays in Fleet Street or drunkenness in Whitefriars."

That Shakespere on this occasion took an active part is not improbable, since he was then a member of the Globe company, which alone was capable of producing his plays. In any case, he may well have been present. And here, too, Elizabeth must have come, accompanied by her Court, to witness the plays, or to lead the dance with Christopher Hatton or some equally comely courtier. We can well picture the Virgin Queen in this stately Hall, the centre of a brilliant group of statesmen and lawyers, soldiers and sailors, poets and courtiers. The figures are before us of the prudent and wise Burleigh, and the grave Lord Chancellor Hatton; the skilful Cecil, first Earl of Salisbury, the one-time friend of Raleigh; Raleigh himself, statesman, soldier by land and sea, scholar, poet, historian, philosopher, and courtier; Francis Drake, the gallant seaman; the chivalrous Sidney; Thomas Sackville, Chancellor of Oxford; William Howard, Lord High

Admiral, and a host of others of greater or less renown. Under what different circumstances had many of these previously met and were yet to meet again !

In Westminster Hall, on the 19th February, 1600, sat Thomas Sackville, Lord Buckhurst, as High Steward of England, for the trial of Essex and Southampton for high treason, and with him sat Lord Chief Justice Popham, who succeeded Plowden as Treasurer of the Middle, and Lord Chief Justice Anderson, a former Treasurer of the Inner, other puisne judges, and Raleigh amongst the Commissioners. For the Crown appeared Serjeant Yelverton and Sir Edward Coke, Attorney-General, and among their witnesses were Robert Cecil and Walter Raleigh.

A few years later, and the scene shifts to the Commission of Oyer and Terminer holden at Winton, on the 17th November, 1603, and the prisoner at the bar is Sir Walter Raleigh. Amongst the Commissioners sat Robert Cecil, now Earl of Salisbury, who had made his peace with James, Popham, and Anderson; and in the jury-box an obsequious jury. Serjeant Heale and Sir Edward Coke were for the Crown, but so weak was the case for the prosecution that Coke had to eke out the poverty of his cause by the vilest personal abuse ever used, I trust, by any counsel, not even excepting the foul-mouthed Jeffreys. Raleigh's conduct, on the contrary, was dignified and refined, and his ready wit never deserted him. Amongst other choice epithets used by Coke were "monster," "foul viper," and "spider of hell."

"Thou Viper, I thou thee, thou Traitor !" cried Coke.

To which Raleigh replied with a dignity that the Bench, as a whole, sadly lacked, "It becometh not a man of Quality and Virtue to call me so; but I take comfort in it, it is all you can do."

The trial was a mere judicial farce, the evidence was of the flimsiest, and Sir John Popham seems to have thought

so too when, in delivering the judgment of the Court, he said, "I never saw the like Tryal, and hope I shall never see the like again."

Raleigh took the objection that two witnesses were necessary to prove a charge of high treason, and that they must both be produced in Court, but the objection was overruled by Popham. This had been enacted by 5 and 6 Edw. VI. c. xi., but was supposed to have been repealed by 1 and 2 Ph. and M. c. 10. Raleigh's contention was confirmed by 7 and 8 Wm. III. c. 3.

And so he passed to the Tower, for fourteen weary years a State prisoner. Then came his expedition to Guiana, destined from the first to failure by the treachery of the pusillanimous James, and on the 29th October, 1618, in Old Palace Yard at Westminster, he fell a victim to the undying vengeance of a cowardly and avaricious king, for James never forgave Raleigh's share in obtaining the conviction of Essex.

And the Benchers recognised his greatness, for Raleigh was a Middle Templar, by holding a banquet in his honour. How the students must have made the old Hall ring again with cheers for the guest of the evening!

Raleigh actually resided in chambers in the Temple in the year 1576, as appears from the dedication of a satire inscribed to him by George Gascoyne.

#### THE LIBRARY

The new library lies at the foot of the slope southwest of the Hall. It is a Gothic structure, and was designed by Mr. H. R. Abraham. Viewed from Fountain Court, its proportions appear perfectly symmetrical, but from the gardens its height is so out of proportion to its size as to be positively unsightly. The library itself forms the second floor, the ground and first floors being used as offices, chambers, and lecture rooms.

Crossing a bridge, the archway of which gives access

to the garden, and ascending a winding staircase in an octagonal tower, the visitor enters somewhat unexpectedly a remarkably fine chamber, with an open hammer-beam roof, the principal ribs of which rest on massive stone corbels, very similar in design to those in Westminster Hall. This apartment measures 85 feet in length by 42 in width, and 63 feet to the apex of the roof. At the south end is a fine oriel window projecting 10 feet. This is decorated with heraldic glass containing the arms of the royal princes from Richard Cœur de Lion to his present Majesty when Prince of Wales. The windows at the north end and at the sides are similarly enriched. The new building was opened by His Majesty when Prince of Wales on October 31st, 1861, when the Duke of Cambridge, Lord Brougham, Lord Westbury, and other distinguished men were present.

Of the original library we have not much knowledge. It was probably only a room in a set of chambers.

That there was such a library prior to the reign of Henry VIII. we learn from the Cotton MSS., which contain the following reference :—

“They have now no library, so that they cannot attaine to the knowledge of divers learnings, but to their great charges by the buying of such bookes as they lust to study. They had a simple library, in which were not many bookes besides the law, and that the library by meanes that it stood alwayes open, and that the learners had not each of them a key unto it, it was at last robbed and spoiled of all the bookes of it.”

This reproach, however, was wiped out in the reign of Charles I. by the generosity of Robert Ashley, a collateral ancestor of the late Earl of Shaftesbury, and for upwards of fifty years a Fellow of the Middle. Dying in 1641, he bequeathed his library to the Inn, together with £300, “by the interest whereof some able student being chosen by the Bench to be the Governour or Keeper of the said



Library might be better maintained." Another benefactor was William Petyt, of the Inner, who bequeathed £50.

A library had already been erected in the year 1625, on the site of the present buildings in Garden Court, where, as we have seen, Goldsmith first lived. It is described by Worsley as being over the kitchen at No. 2, Garden Court. This building probably owed its existence to Sir Robert Ashley's exertions. A portrait, said by Sir William Musgrave to be that of Sir Robert, used to hang in this building, and is now in the new library.

At this period the space below the old library was a mere piece of waste, but in the year that the "Martyr King" perished on the scaffold it was laid out at the expense of the younger members of the Inn as a garden.

An account of the condition of the library in 1717 is given by Henry Carey, a member of Lincoln's Inn, in a letter of complaint to his patron, the Earl of Oxford. Carey had been appointed Clerk to the Chapel of Lincoln's Inn, and at the same time Keeper of the Library of the Middle Temple. Apparently for political reasons he was dismissed from those appointments; *hinc illae lacrimae*. In the library, he says, "I employed myself in regulating and reducing to decency and order a place which, through long neglect, was become a perfect chaos of paper and a wilderness of books, which were mixed and misplaced to such a degree that it was next to an impossibility to find out any particular book without tumbling over the whole. This undertaking cost me above twelve months' hard labour and pains, besides money out of my own pocket to transcribers. However, I went forward with the greater alacrity, because Mr. Ludlow, then Treasurer, encouraged me by repeated promises (which I now may call specious and empty) of reward when completed, as now it is, I having made a new catalogue in five alphabets with columns (all of my own invention) of all the tracts contained in the library, which catalogue



CORRIDOR TO PARLIAMENT CHAMBERS, MIDDLE TEMPLE



is in 100 sheets in folio, and the books are now so regularly ranged and the catalogue so plain, easy, and exact, that anybody may go directly from it to any required book or pamphlet without any difficulty or hesitation; so that not only the catalogue but even the library itself are evident demonstrations of my labour and instances of their ingratitude to me, who egged me on to this work without rewarding me for it."

In this sad case, so far as I know, virtue was the sole reward.

At the commencement of the last century John Herbert, author of the *Antiquities of the Inns of Court and Chancery*, was librarian.

The library now consists of 40,000 to 50,000 volumes, but neither in extent nor in comfort and seclusion can it compare with that of the Inner Temple. As a piece of architecture, however, the Middle easily carries away the palm. The present librarian is Mr. John Hutchinson, who may fittingly lay claim to the title of the "Temple Bard."

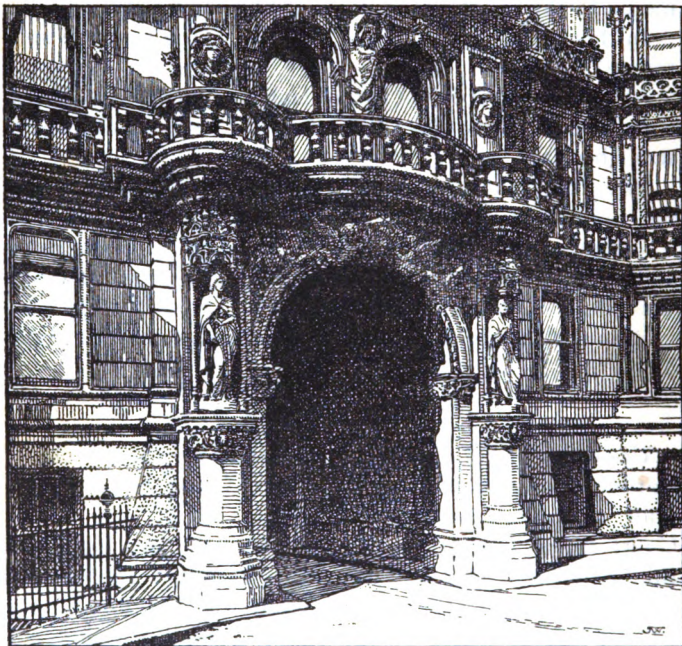
#### GARDEN COURT

Upon the site of the present fountain lay the Benchers' Garden, the remainder of Fountain Court between the Hall and the chambers in Essex Court and Brick Court being known as the Hall Court. Just south of the Benchers' Garden stretched another garden, as shown in Ogilby's *Plan*, and upon this buildings were subsequently erected. Here the old library was lodged, and here Goldsmith lived, as we have seen, with Jeffs, the butler.

In 1830 all these old buildings east of the garden were swept away and new edifices erected in their stead. The latter, in their turn, were displaced in 1883 by the present buildings, which are in pleasing harmony with their surroundings.

## TEMPLE GARDENS

At the foot of Middle Temple Lane, almost upon the site of the old Temple Stairs, rises an enormous pile of buildings, erected in 1861 at the joint expense of the two societies. Through the archway over which it stands access is gained to the Embankment. In its



erection a great opportunity was lost. A finer site could not be conceived. In the place of a Renaissance building more in touch with the *genius loci* we have a structure only vulgar in its ornateness, and entirely out of place. Contrast this with such buildings as the Bishop's Palace at Evreux, the Palais de Justice at

Châteauroux, the Hôtel de Ville at Compiègne, the early Renaissance portion of the Château of Blois, the Château of Azay le Rideau, the beautiful façade of Hôtel Jacques Cœur at Bourges, and a score of other equally beautiful types, with this vulgar monstrosity, and one is appalled at the utter lack of taste shown by the Benchers of the day.

Of the so-called Outer Temple I have already spoken. Some of it now forms an integral portion of the Middle. This locality appears to have derived its name from the fact that it stood outside the City boundaries, beyond Temple Bar.

We learn from Stow's *Annals* that the Outward Temple was got by Stapleton, Bishop of Exeter, in the reign of Edward II., and was then called Exeter Inn. From Stapleton it passed to Lord Paget, from whom it was purchased by the Duke of Norfolk, who conveyed it to the Earl of Leicester, the "Sweet Robin" of Queen Bess, from whom it passed by devise to Sir Robert Dudley, who in turn sold it to the Earl of Essex.

Then arose Essex House, fronting the Strand on the north, with its water-gate on the south, still standing at the bottom of the new Essex Street, and with its garden running down through Essex Court, Fountain Court, and Garden Court. Here the Earl took measures for raising London against the Queen, and here, on the failure of his plans, he shut himself up, and here he surrendered, and hence was led away to his trial and execution.

It was of this mansion that Spenser wrote the lines :—

"Near to the Temple stands a stately place,  
Where I gayned giftes and the goodly grace  
Of that great lord who there was wont to dwell,  
Whose want too well now feels my friendless case ;  
But, ah ! here fits not well  
Old woes."

Upon the attainder of Essex it reverted to the Crown, but was restored by James I. to his son, on whose death without issue it passed to his sister, the Duchess of Somerset, and to his other sister's son, Sir Robert Shirley. Partition was made of the Essex estates, and Essex House fell to the Duchess, who by will devised it to Thomas Thynn, Viscount Sidmouth, by whom it was sold to Dr. Barbon, brother of "Praise God Barebones." In 1676 Barbon sold a portion of it to the Middle Temple, viz. the site of the west buildings in Garden Court, the whole of New Court, and a strip of Essex Court. Upon the other portion he built Essex Street in 1680. The water-gate at the bottom is said to be that belonging to Essex House, but its appearance is more in consonance with the later date of 1680.

Part of Essex House was standing in 1777, and here Essex, the great Parliamentary general, was born and also died; and here Sir Orlando Bridgman lived when holding the Great Seal.

Thus has perished an historic house, with many another along the river's side. Well may we join in Gay's lament:—

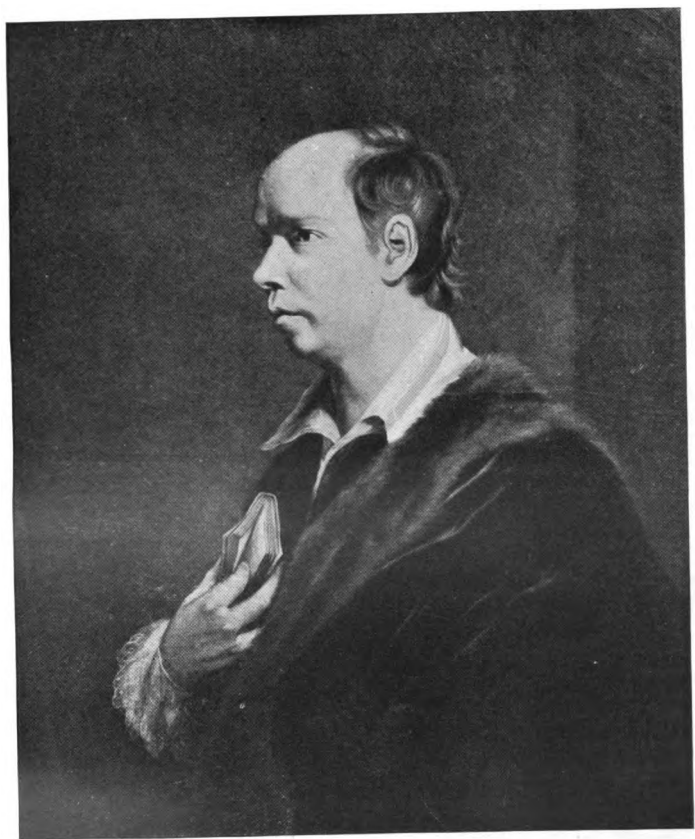
"Here Arundel's famed structure reared its frame;  
The street alone retains an empty name.

. . . . .

There Essex's stately pile adorned the shore;  
There Cecil's, Bedford's, Villiers'—now no more."

#### MIDDLE TEMPLE LANE

Barbon's Buildings, as we learn from a letter dated October 9th, 1689, from Ralph Palmer to Richard Verney, Esq., stood by the water-gate at the bottom of Middle Temple Lane on the western side. Palmer, who writes from "No. 3 up the steps and one pair of stairs, in Barbon's Buildings," relates how there were many false pressmen about, one of whom he saw "pumped last



OLIVER GOLDSMITH





night in the Temple," from which it would appear that the Temple pumps were not always used for their natural and legitimate purposes. This would place these buildings just below the present No. 3, Plowden Buildings, the water-gate standing much higher up the lane than the



MIDDLE TEMPLE LANE 'South'

present archway. Barbon's Buildings may have been the "good fair fabrick" erected in 1653.

The first half of the seventeenth century was a busy one for building operations by the Middle Temple in the lane. In 1611 a brick building on the east side was erected at the joint expense of Sir Walter Cope and Sir Arthur Gorge, but so flimsy was its construction that in 1629 it was ordered to be rebuilt.

## ELM COURT

The new building thus erected would appear to have been the west side of Elm Court, in which more chambers were built in 1630, together with those over the church porch.

The brothers North had chambers in here. By the year 1879 all these buildings were so dilapidated as to be in danger of falling by their own weight. They were accordingly pulled down, and the present chambers erected in the following year. Serjeant Talfourd, the intimate friend of Lamb, had chambers at No. 2.

## LUTHER BUILDING

A brick building, called Luther Building, was erected in 1631 near the Middle Temple Gate by one Anthony Luther, an Utter barrister of the House. It seems to have vanished in the fire of 1678, and I am unable to identify its site.

## PLOWDEN BUILDINGS

In the first year of Charles I. the brick buildings adjoining the Hall were constructed. These represent the present Nos. 1, 2, and 3, Plowden Buildings. They probably replaced earlier structures. The present buildings, in which the offices of the treasury of the society are situated, were erected in 1831, after the designs of Henry Hakewill, the architect.

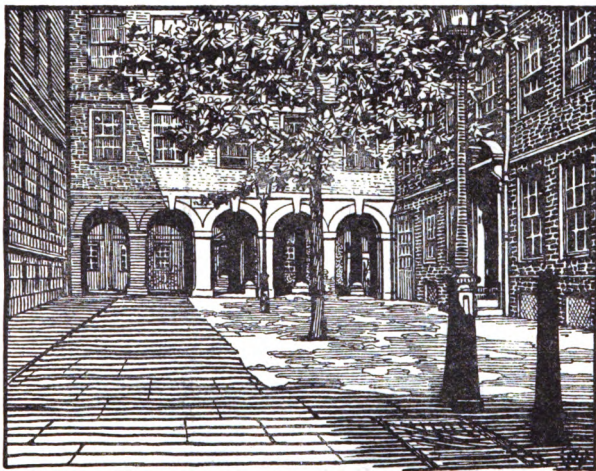
## VINE COURT

Between Fig Tree Court and the Cloisters, with a passage leading into Pump Court, lay Vine Court. Chambers were erected here in 1630 over the Cloisters, three stories in height, by Francis Tate, a member of the Middle, described as "of great learning in the laws, and eminent for his knowledge in antiquities." Here in

1675 was the shop of Henry Twyford, the publisher of Brownlow and Goldesborough's *Reports*. Vine Court disappeared for ever in the fire of 1678.

### PUMP COURT

One of the oldest courts in the Temple is said to be Pump Court. Its name and the fact that the old Hall of the Middle formed one side lend considerable weight to this tradition.

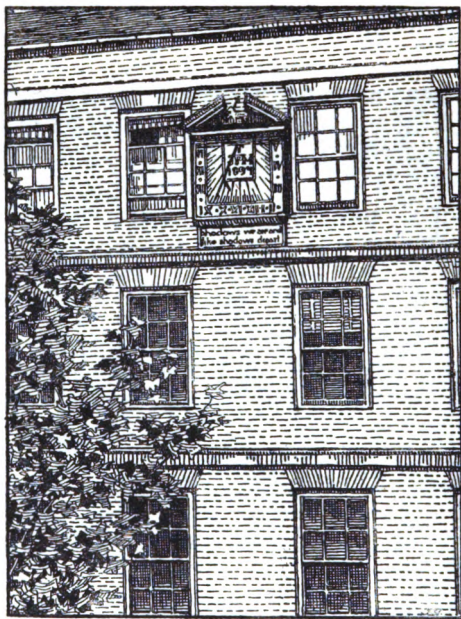


PMP Court.  
© the Cloisters.

In 1630 a brick building completing the western side abutting on the lane was erected, and seven years later the remaining buildings in Pump Court and between Vine Court and Elm Court, and between Pump Court and the lane, were finished, thus completing the courts as we now know them, though some portions were afterwards destroyed by fire and rebuilt.

The total cost of these buildings was £4,668 11s. 9d. Each gentleman deposited £80 for a whole chamber and £40 for a half share. The balance came out of the Inn treasury, which put the House much in debt.

Many celebrities have lived in Pump Court, amongst whom may be mentioned Cowper, Fielding, Blackstone,



SUNDIAL IN PUMP COURT.

Lord Russell of Killowen, and his successor, the present Lord Chief Justice.

Nor must the sundial here be forgotten, with its motto, "Shadows we are and like shadows depart," to remind the residents of Pump Court of the ephemeral character of their occupancy.

## ESSEX COURT

The earliest record of Essex Court occurs in the diary of John Evelyn, who with his brother was admitted a member of the Middle Temple about the year 1640. "I repaired," he writes, "with my brother to the Tearme to go into the new lodging (that was formerly in Essex Court), being a very handsome apartment just over



### WIG MAKER'S SHOP IN ESSEX COURT

against the Hall Court, but four payre of stayres high w'ch gave us the advantage of the fairer prospect." This building was replaced in 1656 by "a very large, high, spacious brick building," the present No. 1 or No. 2, Essex Court.

The remaining buildings were erected in 1677, after the purchase of the site from Dr. Barbon. In 1883, however, the block of buildings on the north, which also

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forms part of Brick Court, was rebuilt. On the north still stands a little shop where Albin the wigmaker carries on his business, one of the two survivors in the Temple of the barbers' shops.

### NEW COURT

New Court consists of only one building, erected by Wren after the purchase of the land from Barbon. It is chiefly remarkable for the view obtained from here of the Middle Temple, a view unique in London, and for its gateway into Devereux Passage.

### THE CLOISTERS

The old Cloisters were destroyed in the fire of 1678. These were "low mean buildings," about half the present width, and were not built over except at the end nearest the Hall.

At the rebuilding after the fire the Benchers of the Middle wished to utilise the Cloisters themselves for ground-floor chambers, but this was prevented by Chancellor Finch, "who would," as Roger North relates, "by no means give way to it, and reproved the Middle Templars very wittily and eloquently upon the subject of students walking in evenings there, and putting cases, which he said was done in his time as mean and low as the buildings were then, however it comes, said he, that such a benefit to students is now made so little account of."

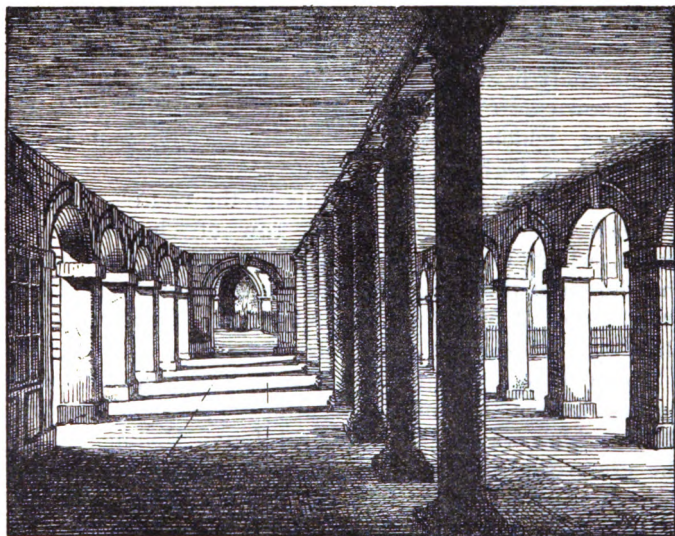
The Cloisters, as they now stand, are the work of Sir Christopher Wren. In Pump Court the following inscription may be seen:—

"*Vetustissima Templariorum Porticu Igne consumpta*  
An<sup>o</sup>. 1678. *Nova haec sumptibus medij Templi extructa*  
An<sup>o</sup>. 1681. *Guilelmo Whitelocke: Arm. Thesaur<sup>o</sup>.*"

Next to the staircase of No. 1, with a window looking into Pump Court, is the shop of another wigmaker, a



successor to Dick Danby, the barber, a well-known character and gossip of the time of Lord Chancellor Campbell, who refers to him in his *Lives of the Chief Justices*. He it was who cut the future Lord Chancellor's hair and made his wigs, and, as Campbell adds, "aided him at all times with his valuable advice."



## THE CLOISTERS

### GOLDSMITH BUILDING

Like Lamb Building, Goldsmith Building, for some unexplained reason, although well within the Inner Temple territory, is the property of the sister society. It has no connection with the poet beyond its proximity to his grave, and occupies the site of chambers which formed part of Churchyard Court. The present building was erected in 1861. Here Mr. Justice Bigham, when the leading "silk" in commercial cases, had chambers.



## LAMB BUILDING

The origin of Lamb Building has already been referred to. Situated well within the boundaries of the Inner Temple, according to tradition, it became the property of the Middle Temple by purchase from the sister society, owing to the latter being short of ready cash. This change probably took place after the Great Fire, when Cæsar's Buildings, which it replaced, were burned down.

The court in which Lamb Building stands was originally known as Cloister Court from its proximity to the Cloisters, which formed the western side, and is so described in Ogilby's *Plan* of 1677.

To the north against the walls of the church, built in between the buttresses, was a row of chambers and shops, which were swept away in the improvements to the church in 1827, whilst on the south, against the Hall, stood a row of one-storied chambers known as Twisden's Buildings, belonging to the Inner Temple.

About this time apparently, if not before, the court became known as Lamb Court, after the principal building there, which was popularly called Lamb Building, from the crest of the Agnus Dei over the entrance. It is a fine example of Jacobean architecture. Its principal feature is the doorway, reached by a flight of steps, guarded by plain iron railings. Above rests a wooden hood supported on brackets, ornamented with lions' heads, and on the pediment figures a gilded lamb and flag.

Here that brilliant Oriental scholar, Sir William Jones, was an inmate after his call to the Bar by the Middle Temple in 1774. From here we find him dating his letters to Burke in the years 1779 to 1783, when he left for India upon his appointment as judge of the High Court at Calcutta. He was regarded by his contemporaries as a prodigy of learning.

A college friend and chamber-fellow of Sir William, Thomas Day was called by the Middle Temple in 1775, but although he became a good lawyer he never sought to practise. He was the gentle and eccentric author of that well-known book of our boyhood, *Sandford and*



**LAMB**  
Building.

*Merton.* Of his eccentricities not the least amusing was his method of building after a serious study of architecture. He astonished his builder by having the walls built first and the windows knocked out afterwards !

His last residence was at Anningsley Park, near Addlestone, in Surrey, where he was regarded with anything but favour by the local gentry and farmers. Yet Day

was no prig. At Charterhouse he was a good boxer, and there fought William Seward, author of the *Anecdotes*. Discovering his antagonist to be no match for him, Day at once stopped the fight and shook hands with him.

His ideas upon matrimony were as eccentric as those upon building. Whilst still in early manhood he conceived the remarkable project for providing himself with a wife. Selecting a blonde beauty, aged twelve, from an orphan asylum at Shrewsbury, and a corresponding brunette from the Foundling Hospital in London, he undertook to maintain and educate both, to marry one and provide for the other. Lucretia, the brunette, turned out invincibly stupid, so she was apprenticed to a milliner, and eventually married to a linendraper. The flaxen-haired Sabrina's career was less commonplace. To test her nerve, her eccentric guardian used to fire blank charges at her pretty ankles, and to drop melting sealing-wax on her bare arms. Of course Sabrina screamed, and was thus adjudged unequal to the high honour designed for her. She married Day's intimate friend Bicknell, and Day not only paid the forfeit—a dot of £500—but after her husband's death settled an annuity upon her of £30.

A member of Lincoln's Inn, Judah Philip Benjamin carried on his practice from the Temple. His chambers, too, were in Lamb Building, ground floor north. Called to the Bar at New Orleans in 1832, he was in high repute as a lawyer and an advocate. Later he did a leading business, chiefly at Washington, becoming Senator for Louisiana and Attorney-General of the Confederate States under President Davis. Escaping with difficulty after the break-up of the Confederacy, he came to England, and in 1866 was called to the Bar by Lincoln's Inn, the usual three years' probation as a student being waived. He was a pupil for a time of the late Baron Pollock, at 5, Child's Place. Subsequently this relationship was altered, Pollock frequently finding his way to Lamb

Building to obtain instruction on points of Anglo-American jurisprudence.

On one occasion Benjamin gave Pollock the whole of the law and practice upon a new system in the export trade from New York to Liverpool. Shortly after, in a case dealing with this very system, Pollock and Benjamin were on opposite sides, and judgment was given in favour of the former, who had used the arguments of the latter!

Benjamin's success at the Bar was phenomenal under the circumstances, and it speaks well for the members of the profession that not a single trace of jealousy ever appeared. In 1875 Benjamin became a Queen's Counsel, and there is little doubt he would have been raised to the Bench but for fear of offending American susceptibilities.

On his retirement from practice through ill-health, a banquet in his honour was given in 1883 in the Inner Temple Hall.

His *magnum opus*, known familiarly as *Benjamin on Sale*, will keep his memory alive for many generations of lawyers yet.

No truer picture of Temple life has been penned than by Thackeray in *Pendennis*. It was in Lamb Building that Pen and Warrington occupied a set in the attics over the chambers of old Grump, of the Norfolk Circuit, whom they awakened every morning with the roar of their shower-baths, part of the contents of which used to trickle through the ceiling upon the unwashed Grump, who daily cursed such new-fangled, dandified folly. There is, it is true, a Pump Court and a Fountain Court, but no one ever heard of a Bencher disporting in the latter. "Nevertheless," writes Thackeray, "those venerable Inns, which have the lamb and flag and the winged horse for their ensigns, have attractions for persons who inhabit them, and a share of rough comforts and freedom which men always remember with pleasure. I don't know whether the student permits himself the refreshment of

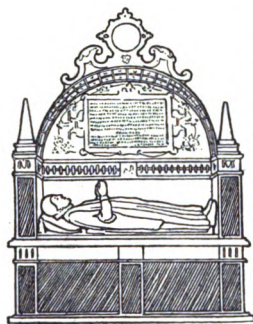
enthusiasm, or indulges in poetical reminiscences as he passes by historical chambers, and says: 'Yonder Eldon lived; upon this site Coke mused upon Lyttelton; here Chitty toiled; here Barnewall and Alderson joined in their famous labours; here Byles composed his great work upon bills, and Smith compiled his immortal leading cases; here Gustavus still toils, with Solomon to aid him'; but the man of letters can't but love the place which has been inhabited by so many of his brethren or peopled by their creations, as real to us at this day as the authors whose children they were; and Sir Roger de Coverley walking in the Temple Garden and discoursing with Mr. Spectator about the beauties in hoops and patches who are sauntering over the grass is just as lively a figure to me as old Samuel Johnson rolling through the fog with the Scotch gentlemen at his heels on their way to Dr. Goldsmith's chambers in Brick Court; or Harry Fielding, with inked ruffles and a wet towel round his head, dashing off articles at midnight for the *Covent Garden Journal*, while the printer's boy is asleep in the passage." It was to these chambers, three pair up "a nasty black staircase," that Major Pendennis groped his way one foggy day. Set down by the conductor of a City omnibus at the Temple Gate, "he was directed by a civil personage with a badge and a white apron through some dark alleys and under various melancholy archways into courts each more dismal than the other, until finally he reached Lamb Court." Several of these "dismal courts" have disappeared, but "the civil personage with a badge and a white apron" may still be found to guide the stranger who so easily loses his way in the maze of the Temple courts.

The original of George Warrington is said to have been George Stovin Venables, one of the greatest anonymous journalists of his day. Thackeray and Venables were together at Charterhouse, and on one occasion were the

principals in a "mill" on the Lower Green, when the latter broke Thackeray's nose, causing a permanent disfigurement. The injury might have been remedied had the doctor been summoned in time, but, like a boy of pluck, Thackeray made light of the incident. In after life he used to point to a statuette of himself, which his mother had had made before her boy went to Charterhouse, as proof of what he would have been but for Venables' fatal blow. But for this defect, Thackeray would have been the handsome man nature intended. It is quite possible that Venables, who was called to the Bar by the Inner Temple in 1836, occupied chambers in Lamb Building, since his first address in the *Law List* is No. 2, Mitre Court Buildings, in the year 1840. In due course Venables took "silk." In spite of the fine character given to George Warrington, Thackeray and Venables do not appear ever to have been very intimate.

## CHAPTER XVII

### HISTORICAL SKETCH OF THE MIDDLE TEMPLE



PLOWDEN'S TOMB.

OWING to the lack of printed records relating to the Middle Temple, I have been unable to deal with the buildings and their inmates with the same detail as with those of the sister society. From the biographies, however, of its great men, some knowledge of the life of the Inn may be gathered.

If the Inner had a Selden, the Middle could boast of a Plowden.

These two great men were singularly alike, both in the fulness of knowledge and strength of character. Edmund Plowden was admitted in 1538, and in 1553 was returned as M.P. for Wallingford. Staunch Catholic as he was, he with thirty-eight other members withdrew from the House in 1554 rather than support the extreme measure of Mary and her priests. For this proceeding information for contempt was filed against him, but more prudent counsels prevailing, nothing was done. The offer by Elizabeth of the Woolsack if he would renounce his faith met with a dignified refusal. In 1561 he was chosen Treasurer of his Inn. Standing apart from the Court party, he was frequently employed in cases to oppose the authorities, and he gained the

reputation of the greatest and most honest lawyer of his time.

The Hall and Plowden Buildings still keep his memory green in the Temple.

John Popham, like many other great men, is said to have commenced his life in the Middle Temple by consorting with the wild young bloods of the town, and even to have played the part of a footpad—a pastime corresponding to the wrenching off of door-knockers and boxing the jarvies in later times. When Solicitor-General he was elected Speaker of the House of Commons, and his ready wit is shown by his reply when the Queen asked him what had passed in the Lower House. "If it please your Majesty," he answered, "seven weeks." "Let the Commons work more and speak less, or they shall hear of it," was her imperious Majesty's warning comment.

As Attorney-General he took part in all the great criminal trials, in which he does not appear to have exceeded the licence of those days.

Upon the rising of Essex, Popham, then Chief Justice, was sent with Lord Keeper Egerton to remonstrate, and, being admitted, they were surrounded by armed men, who, after hearing the Queen's message, wished to kill them. Essex, however, took them into a back chamber, and locked them in, telling them he was going to see the Lord Mayor, and would return in half an hour.

Here they were detained from ten of the morning till four in the afternoon, when they were released by Sir Fernando Gorges, who saw that the game was up. Popham had refused to leave without his companions, declaring that, "as they came together, so would they go together or die together." Essex returned from his abortive expedition to the City by water, only to find his house surrounded by troops under Sir Robert Sidney. Upon the arrival of battering-rams from the Tower,



Essex, with his fellow-conspirator, the Earl of Southampton, Shakespeare's friend and patron, submitted to "unconditional surrender."

Popham sat at Essex's trial in the combined character of judge and witness. He also presided at the trial of the conspirators in the Gunpowder Plot, and of the Jesuit priest, Garnett, dying shortly after the execution of the latter.

John Ford, the dramatist, was admitted a member of the Middle Temple in 1602. His mother was sister to Lord Chief Justice Popham. His best-known play is *The Lover's Melancholy*, "acted at the Private House in the Blacke Friers, and publikely at the Globe by the King's maiesties servants."

Fellow-members with Plowden were Edward Montague and Richard Rich.

Edward Montague of the Middle was one of the serjeants who gave the splendid feast at Ely House, described in the Survey of Henry VIII. In 1537 he was appointed Chief Justice of the King's Bench, and in 1545 transferred as Chief Justice of the Common Pleas. He, together with Mr. Justice Bromley and the Attorney- and Solicitor-General, were obliged to attest the will of Edward VI. nominating Lady Jane Grey as his successor. For this Montague suffered imprisonment and lost his office. His grandson, Sir Henry Montague, became the first Earl of Manchester.

The name of Richard Rich—Lord Rich—brings little credit to the Society of the Middle Temple. Upon his perjured evidence Bishop Fisher and Sir Thomas More were done to death. As Speaker of the House of Commons, he distinguished himself by his fulsome flatteries of Henry VIII. Through the influence of the Protector, Somerset, he attained the Woolsack, and when the fall of his patron became imminent he at once joined his opponents and attested Edward's will nominating

Lady Jane Grey. By a timely profession of the Catholic faith he made his peace with Mary, and was actually nominated as one of the commissioners to try the Duke of Northumberland for the offence to which he himself had been a party.

Truly a despicable character. As he had made his peace with his Queen, so he attempted to do with his God, by founding and endowing schools and almshouses in his parish of Felstead.

From the Black Books of Lincoln's Inn we learn that many gentlemen of the Middle Temple, in the year 1568, went to dance the Post Revels with the gentlemen of their ancient ally, and that the sum paid to Mr. Hickee for their "victuals" amounted to £3 6s. 8d.

Such was the increase of members at this period that the Government thought it necessary to restrict it for the future. In an Order of the Privy Council and Justices of the Queen's Bench and Common Pleas, promulgated in Easter Term, 1574, and dealing with the government of the Inns of Court, it was ordered that no more chambers should be built, "saving that in the Middle Temple they maie converte theire olde Halle into chambres not exceedinge the nombre of tenne chambres." The new Hall, it will be remembered, was commenced in 1562, and was now nearing completion. The first serjeants' feast to be held in the new Hall was apparently that held in Michaelmas Term, 1587, of which Dugdale gives a full description, with the speeches by Sir Nicholas Bacon, Sir James Dyer, and Sir Christopher Wray.

Instead of the customary ring from each serjeant, Elizabeth received one "for them all in common," weighing £6 13s. 4d.

In 1581 the gentlemen of the Middle Temple were entertained at a banquet in Lincoln's Inn on the Eve of the Purification, which was apparently one of the days set apart for the revels.

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It is interesting to note the number of members at this period. From a return of 1586, it appears that the Middle Temple possessed 138 chambers, occupied by 200 members. The Inner Temple and Lincoln's Inn had then each the same number, whereas Gray's Inn with 356 easily led the way as the most popular and fashionable society. The total number of members belonging to the four Inns and Inns of Chancery amounted to 1,703.

Whilst the Benchers and members were sitting at dinner on February 9th, 1597, John Davies, a member of the Inn, entered the Hall with his hat on, and, going up to the barristers' table, struck one Richard Martin so violently with a cudgel as to break it in pieces on his head. For this outrage he was expelled the House, but upon his humble submission four years later he was restored, became Attorney-General for Ireland, and would have been Chief Justice of the King's Bench in Westminster Hall but for his death.

Sir John was the author of *Nosce te ipsum*, a fine poem on the immortality of the soul. Martin became a learned lawyer, Recorder of London, member of Parliament, and a friend of Selden. His monument is now in the Triforium in the Round. To him Ben Jonson dedicated his play *The Poetaster*.

In the same year, on November 29th, a "compotacion" between the gentlemen of the Inn and those of Lincoln's Inn "was ordered to be kept as usual" in the Hall of the latter society. This drinking bout appears to have been an annual affair, the earliest mention in the Black Books occurring in 1441.

Other notable members of the Middle Temple in the sixteenth century were Sir Robert Broke, who in 1554 was Speaker of the House of Commons which sanctioned the marriage of Philip and Mary. He then became Chief Justice of the Common Pleas, and presided at the trial of Lord Stourton for the murder of the Hartgills, being



SIR WALTER RALEIGH



obliged to threaten the prisoner with the terrible punishment of *peine et forte* if he did not plead.

Broke is best known as the author of *La Graunde Abridgement*, published in 1568, which was based on a similar work by Fitzherbert. He was a zealous Catholic.

The others were Serjeant William Fleetwood, who may be described as the Progressive M.P. for London, the author of a scheme for housing the poor and maintaining open spaces ; Sir Francis Moore, politician and member of Parliament in the reigns of Elizabeth and James, serjeant-at-law, and reporter ; Sir James Dyer, the famous Chief Justice of the Queen's Bench ; and last, but not least, Sir Francis Drake, one of the founders of our colonial empire. He is claimed by both societies.

Upon January 28th, 1581, Drake was specially admitted a Fellow of the Inner. He had but recently returned from his voyage round the world, and the *Golden Hind* was then lying in the Thames, from the timbers of which an oak table in the Middle Temple Hall is said to have been made. On board this vessel he was knighted by Elizabeth a few months later. Descended from John Drake, of Otterton, Devon, and Agnes Kelloway, through the latter family he was connected with our House, for the Kelloways had been Fellows and Benchers of the Inn for generations. And the Drakes of Ashe, in Devonshire, who were also members, were probably related. Sir Francis was with Raleigh in 1586 entertained to banquets in the Halls of both societies. In the corridor leading to the Parliament Chamber hangs his portrait, with a copy of the order of the Bench for this entertainment.

In 1597, sad to relate, one Blomer, described as a "counsellor del Middell Temple," was by order of the Star Chamber committed to the Fleet for suborning witnesses. He was reported by the Lord Keeper to be

a man of no learning and of no honesty, but having great volubility of speech, great audacity, and "impudencye." He is only mentioned here to throw into greater relief his fellow-members. But perhaps the Star Chamber was mistaken. Its reputation for justice does not stand very high.

The Templars were too intimately connected with the Court to escape the prevailing extravagance in dress. Against the Middle Templars then sumptuary statutes were passed under Philip and Mary, forbidding any member to "thenceforth wear any great bryches in their hose made after Dutch, Spanish, or Almon fashion, or lawnde upon their capps, or cut doublets, upon pain of 3s. 4d. for first default, and for second expulsion from the House."

By Elizabeth white in doublets or hose, and velvet facings on gowns, were forbidden, and all students were ordered to walk abroad in sad-coloured gowns!

From 1604 to 1611 Sir Edward Phelips, of the Middle Temple, was Speaker of the House of Commons, and rivalled the King in the ponderous quality and inordinate length of his orations. He assisted in the prosecution of Sir Walter Raleigh, and opened for the Crown in the Gunpowder Plot trial. He became Master of the Rolls, and built the celebrated Montacute House in Somerset. He it was who took a leading part in the masque given at Whitehall by the Middle Temple and Lincoln's Inn, upon the marriage of Princess Elizabeth with the Count Palatine of the Rhine.

This masque was celebrated on February 15th, 1612. It was composed by George Chapman, and the properties prepared under the direction of Inigo Jones. The masquers went in procession from the Rolls House in Chancery Lane to Whitehall.

Henry Montague, first Earl of Manchester, was, like his grandfather, the Chief Justice, a member of the

Middle Temple. Like Scarlett, two centuries later, he was defendant in a suit for words spoken by him as counsel, when it was held that such words, when pertinent to the issue, were privileged.

He succeeded Coke as Chief Justice of the King's Bench in 1616, and in 1618 he had the painful duty of pronouncing execution upon Sir Walter Raleigh, in an affecting address. "Fear not death too much," he said, "nor fear not death too little: not too much, lest you fail in your hopes; not too little, lest you die presumptuously."

Notwithstanding his reputation for piety, he did not scruple to offer £10,000 for the lucrative post of Lord Treasurer. He had, however, to pay Buckingham double that sum. He was a staunch supporter of Charles I., but died before the troubles.

In 1636 a serjeants' feast took place in the Middle Temple Hall. Only two general calls were held during the reign of Charles.

The Parliament Chamber of the Middle Temple was used in the reign of James I. by the House of Commons for the sittings of committees.

Mr. Bagshawe, Lent Reader in 1639, who was thought to touch too much on politics, was commanded by the King not to proceed with his reading. He seems to have been a person of considerable position, for he shortly after left town with a retinue of forty to fifty horse. A member for Southwark in the Long Parliament, he joined the King at Oxford. Being subsequently captured, he was imprisoned and expelled the House.

With the great ship-money case the Middle Temple was connected in the persons of John Bramston and Robert Berkeley. Bramston, chamber-fellow of Edward Hyde, after a brilliant career at the Bar, was appointed Chief Justice of the King's Bench in 1635. He supported the opinion in favour of the King, but ruled against him



on the technical point that by the record it did not appear to whom the money assessed was due. Although impeached, together with Berkeley and four other judges, by the Long Parliament and held to bail for £10,000, he escaped punishment, since he appears to have signed the opinion only for the sake of uniformity. Dismissed by the King for refusing to join him at York, he also rejected all appointments offered by Parliament.

Berkeley was not so fortunate. He was fined £10,000 and for ever disabled from holding office. In his case his opinion in favour of the King was the result of conviction. His house at Spetchley was seized and occupied by Cromwell, and subsequently burned to the ground by his old enemies, the Presbyterians. Berkeley had succeeded Sir James Whitelocke, father of the better-known Bulstrode Whitelocke, both members of the Middle Temple.

It was Sir James who, in the first years of Charles I., adjourned the Court to Reading on account of the great plague which was then raging. Arriving early in the morning at Hyde Park Corner, "he and his retinue dined on the ground with such meat and drink as they had brought in the coach with them, and afterwards he drove fast through the streets, which were empty of people and overgrown with grass, to Westminster Hall, where the officers were ready, and the judge and his company went straight to the King's Bench, adjourned the court, returned to his coach, and drove away presently out of town." He was one of the judges who refused to bail the five members. But though a conscientious supporter of the King's prerogative, he was a strenuous advocate of the rights of the people.

Nicholas Hyde, Treasurer of the Middle in 1625, was two years later appointed Chief Justice of the King's Bench. He also was one of the judges who refused to bail the Five Knights who declined to pay the forced

loan of 1627. He died of gaol fever caught on circuit in 1631. He was uncle to Edward, the famous historian. When the Chief Justice rode the Norfolk Circuit in the summer of 1628 he took his nephew with him, partly on account of the small-pox, which was then raging furiously in town. Young Hyde, however, fell sick at Cambridge, and was moved out of Trinity College, where the judges were lodged, to the Sun Inn. Whether the disease was small-pox is not clear, but it "had so far prevailed over him that for some hours both his friends and physician consulted of nothing but of the place and manner of his burial."

Talbot Pepys and Richard, his nephew, were both Treasurers of the Middle Temple. The latter became Chief Justice of the Upper Bench in Ireland. Their family is best known as the stock from which Samuel Pepys, the diarist and Secretary to the Admiralty in the reigns of the last two Stuarts, was descended.

Under the Commonwealth the lawyers were at first very unpopular, so many having sided with the King. All, whether judges or students, who had been against the Parliament were ordered to be removed from their chambers. Shortly after this order, says Whitelocke, "there was a great peek against the lawyers, inasmuch as it was again said, as it had been formerly, 'that it was not fit for lawyers, who were members of Parliament, to plead or practise as lawyers during the time that they sit as members of Parliament.'"

A highly beneficial innovation, however, was carried out, viz. the substitution of English for Latin in pleadings and in all proceedings in Court. The business Latin of the Middle Ages had degenerated into bad Latin and worse French, together with a mixture of English. But with the Restoration the old practice was resumed.

Bulstrode Whitelocke has already been referred to as representing with Edward Hyde the Middle Temple in

the famous masque given by the four Inns at Whitehall. Whitelocke was born at the house of his uncle, Sir George Croke, in Fleet Street, and was called to the Bar in 1626. It is interesting to learn that at the commencement of his legal career Whitelocke was elected chairman of the Quarter Sessions at Oxford in 1635, although, as he says, he was "in coloured clothes, a sword by his side, and a falling band, which was unusual for lawyers in those days."

Returned for Marlow, he made a spirited defence of his father for his share in refusing to bail the Five Knights, and succeeded in vindicating his memory. Chairman of the committee of management for the impeachment of Strafford, he was complimented by the Earl for having used him like a gentleman. Whitelocke took a very active part in public, and always on the side of peace. In 1645 he was appointed governor of Henley-on-Thames and the fort of Phillis Court, with a garrison of 300 foot and a troop of horse. Upon the conclusion of hostilities he resumed his practice at the Bar, which became very large.

In 1648 he became one of the Commissioners of the Great Seal. Owing to the disturbances at Westminster, these commissioners transacted their judicial business in the Middle Temple Hall. Until his advice to Cromwell to restore the crown to Charles II., with strict limitations, Whitelocke had been a prime favourite with the Protector, who did little of importance without his advice. It was into Whitelocke's ear that Cromwell dropped the ever-memorable question, "What if a man should take upon him to be King?" He was accordingly sent as ambassador to Sweden, and his *Journal*, published a century after his death, gives an interesting account of the condition of the country and the customs of the period. He was accompanied by his cousin, Charles Croke, a member of the Inner, who held a commission

in his brother Unton Croke's troop of horse, and who was the author of *Youth's Vanities*, published in 1667.

Upon his return he found he had been again named one of the Commissioners of the Great Seal. So popular, however, did Whitelocke become, not only in the House, but in the country, that Cromwell's jealous temperament found it necessary to find a pretext for his dismissal. In the rapidly changing politics till the accession of Charles, Whitelocke played an equally shifty part, changing sides whenever his party was in danger.

He owed his preservation at the Restoration partly to his own moderation when in positions of power, and partly to his long friendship with Edward Hyde. Whitelocke's *Memorials of English Affairs* is indispensable for the study of this eventful period.

A contemporary of Whitelocke at the Middle Temple was Henry Ireton, the celebrated Cromwellian general, of whom Anthony Wood said that "he learned some grounds of the common law at the Middle Temple, and became a man of working and laborious brain." Another well-known Middle Templar of this period was Sir Simonds d'Ewes, who in his autobiography gives an account of the condition of education at the Inns of Court and Chancery in the reign of Charles I.

With the trial of Colonel Lilburne in October, 1649, the Middle Temple is connected in the person of Philip Jermyn, a Justice of the King's Bench, and one of the commissioners. He took a prominent and violent part against the prisoner. The prosecution was conducted by Edmund Prideaux, Attorney-General, a member of a family which for generations was connected with distinction with the Inner Temple. He was M.P. for Lyme Regis and Postmaster-General under the Commonwealth.

On January 15th, 1641, Evelyn was present at the trial of Strafford in Westminster Hall, and on May 12th "beheld on Tower Hill the fatal stroke which severed the

wisest head in England from the shoulders of the Earl of Strafford." In July he went to Leagure, in Holland, where he joined the army as a volunteer in Colonel Goring's regiment. His military career, however, was very brief, for, as he naively puts it, the "service was too hot for a young drinker as I then was." On his way home he met at Amsterdam the exiled Lord Keeper, John Finch. Landing at Arundel Stairs, he retired to his lodgings in the Temple, and the following Christmas was appointed one of the comptrollers of the Middle Temple Revels.

In 1642 we hear of him again in the Temple, "studying a little, but dancing and fooling more."

On the morning of October 17th, 1660—the day of the execution of the regicides at Charing Cross—Evelyn relates how on his way to the Temple he was disgusted to "meet their quarters, mangled and cut and reeking, as they were brought from the gallows in baskets on the hurdle."

Although present at the Christmas Revels as late as 1668, Evelyn was losing his taste for such pastimes, for he describes them as "an old but riotous costome which has no relation to virtue or polity."

An intimate friend of Evelyn was the founder of the Ashmolean Museum at Oxford. He describes being present at a great feast given by Ashmole at Lambeth, other guests being Lady Clarendon, the Bishop of St. Asaph, and Dr. Tenison.

Ashmole was originally a solicitor of Clement's Inn, with an "indifferent good practice." In the Civil War he took the side of the Royalists, was at Oxford in 1645, and subsequently Commissioner of Excise at Worcester and captain of horse and ordnance.

Admitted to the Middle Temple in 1657, his chambers in Middle Temple Lane, between Pump Court and Elm Court, were broken into by the soldiers on pretence of searching for Charles II. In 1660 he was called to the

Bar, and in 1668 married as his third wife, in Lincoln's Inn Chapel, Elizabeth, daughter of Sir William Dugdale, the celebrated antiquary.

The bulk of his collection of antiquities came from John Tradescant, the botanist and antiquary, who by deed of gift dated December 15th, 1659, presented Ashmole with his house and physic garden in South Lambeth, together with his collection. His own collection of medals and coins, which were at his chambers in the Temple, suffered in the great fire of 1678, but Evelyn, writing ten years later, was unable to say whether any had escaped.

Ashmole presented his collection to the University in 1682, when it was removed to Oxford in twelve wagons.

Evelyn is also a link with another famous collection, the original of the British Museum. He relates how, on December 16th, 1686, he carried his patroness, the Countess of Sunderland, to see the rarities of one Mr. Charleton in the Middle Temple. This collection, which he describes as the best he had ever seen in all his travels abroad, was afterwards purchased by Sir Hans Sloane, and, together with additions made by the latter, formed the nucleus of the British Museum, being offered to the nation at a certain price under Sir Hans' will, the Government in 1754 raising the sum of £100,000 by lottery for its purchase, together with the Cottonian Library, then housed at Montague House. To this George III. added his "King's Library," which was eventually graciously presented to the nation by George IV., after he had secretly sold it to the Government and received his price.

To Evelyn may be ascribed the credit of discovering Grinling Gibbons. Chancing to see him at work, he was so struck with his productions that he introduced him to Charles II. and to Sir Christopher Wren, by whom he was largely employed.

Evelyn's was not an altogether estimable character.

Like most diarists, his nature was somewhat small and petty. He was, moreover, inclined to sycophancy. When Jeffreys was at the height of his power he assiduously cultivated his acquaintance, and is careful to relate how on June 14th, 1688, he actually dined with the great Chancellor. It is only fair, however, to mention that Jeffreys when Chief Justice had dined with Evelyn.

On May 2nd, 1672, Evelyn's son, John, was specially admitted a student of the Middle Temple, his father's intention being that he should make a serious business of the law, an intention, however, which does not appear to have been fulfilled.

In 1668 the City once more claimed jurisdiction over the Temple. The garrulous Pepys tells us how when the Lord Mayor, Sir William Peake, was invited by Christopher Goodfellowe to his Reader's feast in the Inner Temple Hall, he came "endeavouring to carry his sword up. The students pulled it down and forced him to go and stay all day in a private Councillor's chambers until the Reader himself could get the young gentlemen to dinner, and then the Lord Mayor did retreat out of the Temple by stealth with his sword up."

The City then complained to the King in Council whether the Temple was within the City or no, but the King, unwilling to lose the favour of either party, gave no decision, and the only result of the suit was the direction to the Chamberlain to pay the Town Clerk £23 14s. 6d., disbursed by him for counsel.

But although the lawyers so far had the best of it, the dispute was to cost them dear shortly afterwards. In 1678 a fire broke out in the chambers of one Thornbury, in Pump Court, and was far more disastrous even than the Great Fire. Breaking out at midnight, it continued until noon next day, destroying the whole of Pump Court, Elm Court, Vine Court, the greater part of Hare Court and Brick Court across the lane, the Cloisters, and part







of the Inner Temple Hall. The Thames was frozen and the water supply stopped by the frost, so that the engines had to be fed with beer from the Temple cellars. This liquid was soon exhausted, and the church and remaining buildings to the east were only saved by blowing up the intervening houses with gunpowder.

During the fire Sir William Turner, Lord Mayor, arrived with assistance, but could not lose so good an opportunity of assisting the City's claim by endeavouring to have his sword borne up before him. Distracted as the lawyers were, they would have none of it, and beating it down, the Lord Mayor departed in wrath, and wreaked his vengeance by turning back a fire engine on its way from the City, and then soothed his outraged dignity by getting right royally drunk at a neighbouring tavern.

The original Cloisters which were then burnt were on a level with St. Anne's Chapel, with which a door at the west end communicated. At the south end they passed through the Chapel of St. Thomas to the Hall door, thus enabling the Templars to pass from the refectory into the church under cover. By the lawyers they had been used as a meeting-place for the students to argue "cases." After the fire the Middle Temple, thinking to gain more chambers, wished to rebuild from the ground, but were strongly opposed by Heneage Finch, Attorney-General, of the Inner Temple, who "reproved the Middle Templars very bitterly and eloquently upon the subject of students walking there and putting 'cases,' which, he said, was done in his time, mean and low as the buildings were then."

The Cloisters were in consequence rebuilt as we now see them, by Sir Christopher Wren, in the Treasurership of William Whitelocke, eldest son of Bulstrode, who also superintended the construction of the fountain in 1681. William entertained the Prince of Orange on his march to London and was knighted by him on April 10th,

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1689. Vine Court, at the south end of the Cloisters, now finally disappeared.

Chaloner Chute, chosen Treasurer of the Middle Temple in 1655, enjoyed great reputation at the Bar. He defended Sir Edward Herbert, Archbishop Laud, and the eleven members charged by Fairfax as delinquents. Retained for the defence of the Bishops in 1641, when impeached for making canons, only he and Serjeant Jermyn appeared at the trial. Asked by the Lords whether he would plead for them, he answered, "Yea, so long as I have a tongue to plead with."

He is described by Whitelocke as "an excellent orator and man of great parts and generosity, whom many doubted that he would not join with the Protector's party, but he did heartily." In fact, so heartily did he join that he was elected Speaker of Richard's Parliament, which met on January 27th, 1659. On March 9th he obtained leave of absence on the ground of ill-health, dying on April 15th following.

According to his nephew, Roger North, Chute was a man of great wit and stately carriage. He was singularly independent in his profession. If he had a fancy, says North, not to have the fatigue of business, he would say to his clerk, "Tell the people I will not practise this term." And when he returned to his practice he was as busy as ever.

Edward Hyde, Earl of Clarendon, will be remembered rather as a politician and historian than as a lawyer, although even at the Bar he made a respectable figure, due, no doubt, to a large extent to his family influence. An adherent of Charles I., he was the faithful minister of his exiled son, receiving from him the Great Seal in 1654.

At the Restoration he became practically Prime Minister, and, in spite of the jealousy of the Queen-Dowager, Henrietta, continued for seven years the ruling power.

The first attempt to bring about his downfall was made upon the discovery of the secret connection between his daughter Anne and the Duke of York, which failed upon the publication of the marriage, and resulted in his further advancement. A second attempt, in 1663, by charging him with high treason, met with no better success. But Charles gradually wearied of Clarendon's constant reproaches and ill-timed lectures, and his enemies were not slow to take advantage of the situation, and in 1667 he was commanded to surrender the Great Seal. Impeachment and banishment followed, and even in France refuge was at first refused, and when passing through the old cathedral town of Evreux he was assaulted and wounded by a party of English sailors, though what the latter were doing so far from the coast does not appear. He died at Rouen in 1674.

Clarendon's cousin, Robert Hyde, was also a member of the Middle Temple, and through the influence of his illustrious kinsman he became a Justice of the Common Pleas. He sat as one of the commissioners of the regicides, and in the following year condemned a mother and her two sons to be hanged for the murder of William Harrison, although the body had not been found. Some years after the execution Harrison returned from the plantations to which he had been carried.

George Bradbury, a member of the Middle Temple and Cursitor Baron of the Exchequer under William, will be best remembered in connection with Lady Ivy's case before Jeffreys. Complimented by the Chancellor for the ingenuity of a point he had made, he repeated it later in the case. "Lord, sir," exclaimed Jeffreys, "you must be cackling too; we told you your objection was very ingenious, but that must not make you troublesome; you cannot lay an egg but you must be cackling over it."

William Montague, called to the Bar by the Middle

Temple in 1641, was appointed Lord Chief Baron of the Exchequer in 1676, and accompanied Jeffreys on the Bloody Assizes. There is no evidence that he took any personal share in the brutalities of his colleague. He was removed by James for refusing to support the abolition of the Test Act. If he had endeavoured to restrain even in the smallest degree the outrageous conduct of Jeffreys on the bench, he would be more entitled to our respect.

In dismissing Montague James was only continuing the policy adopted by Charles II. in the middle of his reign, of endeavouring to destroy the independence of the Bench. Of the judges appointed by James, they were, as Jeffreys truly once said to Clarendon, "mostly rogues."

Francis North, Lord Guilford, was admitted a member of the Middle Temple in 1655, and occupied the moiety of a petit chamber, purchased by his father, Lord North. His uncle, Chaloner Chute, Speaker of the House of Commons under Protector Richard, was then Treasurer of the Inn, and swept the admission fee into the student's hat, saying, "Let this be a beginning of your getting money here."

He commenced his practice in a chamber in Elm Court, and it was soon a lucrative one. His first appearance to attract public notice was in the House of Lords, on a writ of error by the five members who had been convicted of a breach of the peace in holding down Speaker Finch on that memorable occasion when Sir John Eliot moved his resolution.

Upon his appointment as Reader, the expense of his Reader's feast was so extravagant—costing him at least £1,000—that this practice of public reading was abolished. Passing through the usual grades of Solicitor- and Attorney-General, he fulfilled the duties of Chief Justice of the Common Pleas with marked ability and

discretion. His conduct, however, at the trial of Stephen Colledge, when he refused to restore the papers provided for the prisoner's defence, cannot be defended.

In 1682 he received the Great Seal from Charles with the words, "Here, take it, my lord; you will find it heavy"—a prophecy which he afterwards acknowledged by saying that since he had held it he had not enjoyed one easy or contented minute.

In spite of Jeffreys' assiduous endeavours to supplant him, North retained the confidence of both Charles and James. Fortunately perhaps for him, he died before the latter had been on the throne a year, and before he had commenced his more extreme unconstitutional measures.

Without any special genius or talent, North may be favourably contrasted with the bulk of his contemporaries with respect to his character. If, as his biographer, Roscoe, says, he "never rose above the prejudices and feelings of the age, he did not, like many of his contemporaries, sink without shame into those corrupt practices with which the higher ranks of society were infected." The panegyrics of his brother Roger may be equally dismissed with the vituperations of Lord Campbell, by whom he is styled "one of the most odious men who ever held the Great Seal."

Upon his marriage he took "the great brick house near Serjeants' Inn, in Chancery Lane, which was formerly Lord Chief Justice Hyde's."

Roger North is known rather as a biographer and historian than as a lawyer. But he was no mean lawyer, and as he tells us himself, his income at the Bar was over £4,000 a year. Called in 1675, the year his brother Francis became Chief Justice of the Common Pleas, he soon acquired a large practice, and was elected Treasurer of the Inn in 1683. It is pleasing to find Roger North singled out. Of him the second Earl of Clarendon wrote on January 18th, 1689: "I was at the Temple with

Mr. Roger North and Sir Charles Porter, who are the only two honest lawyers I have met with."

With the accession of James and the rise to power of Jeffreys, North's chances of further legal promotion vanished. He retired to the country, where he combined the life of a country squire and a man of letters. His *Lives of the Norths* is a classic, not only for its authority upon the period, but for its intrinsic charm. His adulation of his brother must, of course, be taken *cum grano*. He shared his brother's chambers in Elm Court.

Of the elder North, Evelyn had the highest opinion. Upon his accession to the Woolsack, the diarist went to congratulate him, and under date January 23rd, 1683, he writes of the object of his admiration: "He is a most knowing, learned, and ingenious person, and besides having an excellent person, is of an ingenuous and sweet disposition, very skillful in music, painting, the new philosophy, and political studies."

A member of the Middle Temple who took a prominent part in the Civil Wars was Nicholas Lechmere, of Hanley Castle, Worcestershire. He was present at the surrender of Worcester in 1646, and in 1648 he became a member of the Long Parliament.

When Charles II. seized Worcester in 1651, Hanley Castle was occupied by Scotch troopers, and in the battle that followed Lechmere had his revenge. A staunch supporter of Cromwell and his son, Lechmere took a leading part in all public affairs, but he managed nevertheless to make his peace with Charles II., and upon the accession of William was made a Baron of the Exchequer, where he sat for eleven years.

John Somers, who gained his first step in the legal world at the trial of the Seven Bishops, was the son of an attorney practising at Worcester, who had commanded a troop of Cromwell's horse up to the battle of Worcester. Six months before the battle young Somers was born, and

was carried by his mother for safety to the house of the White Ladies, an ancient nunnery outside the city, and here Charles II. lay after the battle just before his escape.

Somers was called to the Bar by the Middle Temple in 1669, and appears to have soon acquired a considerable practice. As chairman of the committee to which the Declaration of Rights was referred, it is said that this charter of our country's liberties owes much of its value to him.

Somers rose rapidly to office. As Attorney-General he conducted the prosecution of Lord Mohun for the murder of Mountford, the actor, by whom the prologue of Shadwell's play *The Squire of Alsatia* was spoken. A Captain Hill was paying his addresses to Mrs. Bracegirdle, the celebrated actress, and he believed Mountford enjoyed her favours. Accordingly he and Mohun, after failing to carry off Mrs. Bracegirdle in a coach from Drury Lane, waited in Norfolk Street by the latter's lodgings, and upon Mountford's appearance Hill ran him through the body. Mohun was acquitted, but fell in a duel with the Duke of Hamilton shortly afterwards, killing the Duke with his last effort.

In 1693 Somers received the Great Seal, and four years later became Lord Chancellor and Baron Somers of Evesham.

In spite of his high reputation and judicial impartiality he was driven from office by Tory faction, and subsequently impeached for that "by advising His Majesty in the year 1698 to the Treaty of Partition of the Spanish Monarchy, whereby large territories were to be delivered up to France." This impeachment fell through owing to disagreement between the two Houses.

Personally obnoxious to Anne, Somers was, however, eventually admitted into the Ministry of 1708 as Lord President of the Council, which office he held for two years. Although dismissed with the rest of the Whigs,



he seems to have gained the confidence of Anne, who declared she could always trust Somers, for he had never deceived her.

His learning was only equalled by his eloquence, and his judgment by his honesty, and he was withal modest and singularly sweet-tempered. He was the patron of Sir Isaac Newton, Locke, Addison, and Boyle. Rymer's *Fœdera* and *The History of the Exchequer*, by Madox, were published under his patronage. It is interesting also to recall that Addison, in recognition of the part he played in the trial of the Seven Bishops, dedicated to him the *Spectator*.

Bartholomew Shower has already been mentioned in connection with the trial of the Seven Bishops. He was an adherent of the Court party, and made an unseemly attack on Lord William Russell's dying vindication. After the Revolution he became a rancorous opponent of William. He is described by Garth as—

“Vasellius, one reputed long  
For strength of lungs and pliancy of tongue.”

He died in Middle Temple Lane.

A contemporary and fellow-student of Shower, but of very different calibre, was Thomas Vernon, Treasurer of the Inn in 1717. He practised chiefly in the Chancery Courts, and his *Reports of Cases Decided in Chancery, 1681-1718*, are still recognised as authoritative. He was considered the ablest man at the Bar. In politics he was a Whig, and sat in the House of Commons as member for the county of Worcester, where he had an estate.

Richard Wallop, of the Middle Temple, was retained in numerous State trials during the reigns of the last two Stuarts against the Government, but he will be chiefly remembered for the courageous manner in which he stood up to Jeffreys.

Perhaps one of the most famous lawyers of the Middle Temple was John Maynard, who, admitted in 1619, was returned as M.P. for Chippenham in 1625 whilst still a student.

As a young man he was an enthusiastic patriot, but gradually crystallised into the mere lawyer. He was engaged in the impeachment of Strafford and the prosecution of Laud, and was constantly consulted by Cromwell. His knowledge of law was undoubtedly profound. Once when arguing before Jeffreys the judge coarsely told him "he had grown so old as to forget his law."

"'Tis true, Sir George," he retorted, "I have forgotten more law than ever you knew."

Created a serjeant by Cromwell, he followed in his funeral procession a few months later. At the Restoration he so conducted himself that he was confirmed in this degree, and rode in the coronation procession of Charles. Although a member of Parliament throughout the reigns of Charles and James, he was not very active until the extreme encroachments by the latter monarch commenced. Upon the arrival of William, Maynard headed the lawyers who crowded to pay their court to the new king. To the Prince's observation that "he had outlived all the men of law of his time," he wittily replied he "had like to have outlived the law itself if His Highness had not come over." Although in his eighty-eighth year, Sir John Maynard was appointed First Commissioner of the Great Seal. He died the following year, maintaining his physical and mental vigour to the end.

Quite a group of dramatists became members of the Middle during the latter part of the seventeenth century. Thomas Southorne, admitted in 1678, brought with him *The Loyal Brother*, with which he sought to gain the favour of the Duke of York. He obtained a commission

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in Princess Anne's Regiment (8th Foot), and had gained his company when the Revolution destroyed his prospects at Court. Driven back to the drama, he produced *The Fatal Marriage* and *The Oroonko; or, The Royal Slave*, the most successful play of the day, which held the boards at Drury Lane for nearly three years. Southorne was a protégé of Dryden.

The son of Serjeant Rowe, a member of the Middle Temple, Nicholas was called by his father's Inn about the year 1688, and was favourably noticed by Sir George Treby, then Lord Chief Justice. Becoming independent by the death of his father, he devoted himself to letters, especially to the drama, without, however, forsaking his residence in the Temple. His tragedy *The Ambitious Stepmother* was played at Lincoln's Inn Fields, and, according to Cibber, young Rowe fell in love with Mrs. Bracegirdle, who had contributed to its success. After a highly successful career as a dramatist, Rowe in 1715 was appointed Poet Laureate.

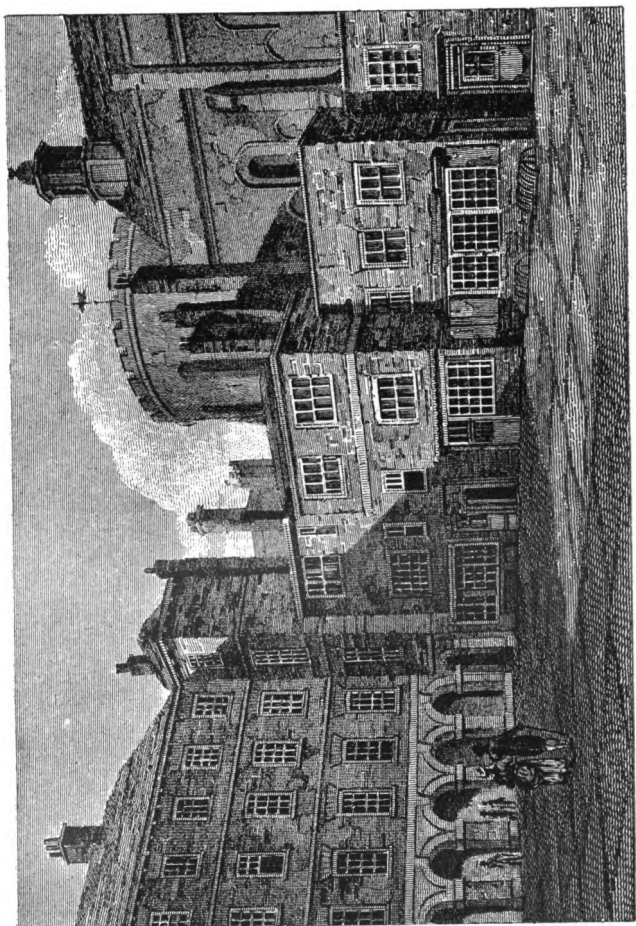
Thomas Shadwell, dramatist, succeeded Dryden as Poet Laureate at the Revolution. He was the son of John Shadwell, also a member of the Middle Temple, who had lost heavily in the Civil War.

Shadwell's play *The Squire of Alsatia* was published in 1688.

William Congreve, the dramatist, admitted a member of the Middle Temple in 1691, was schoolfellow of Swift at Kilkenny, and with him at college, where a more enduring friendship was cemented.

Congreve soon deserted the study of law for the pursuit of literature, but maintained his connection with the Temple, as we have seen.

In 1744 the Masters of the Bench resolved not to allow the use of the Hall for any public entertainments unconnected with the profession of the law, following apparently the example of the Inner Temple. From this date, there-



CLOISTER COURT



fore, until modern times we hear no more of stage plays being acted in the Hall, which accounts to some extent for the falling off of dramatic authorship amongst the members of the Inn.

Of the more strictly professional entertainments, Evelyn relates how on August 3rd, 1668, he was invited by Mr. Bramston, son of the judge, his old fellow-traveller and then Reader at the Middle Temple, to his Reader's feast, "which was so very extravagant and greate as the like had not been seene at any time. There were the Dukes of Ormond, Privy Seal, Bedford, Belasys, Halifax, and a world more of earls and lords." The following year Evelyn was again present at a Reader's feast as the guest of Sir Henry Peckham, the new Reader, which he describes as "a pompous entertainment," perhaps owing to the presence of the Archbishop of Canterbury. Lord Winchelsea was there, "a prodigious talker," and the Venetian Ambassador, with both of whom the diarist had "much discourse."

On the first day of Michaelmas Term the Courts at Westminster Hall were formally opened by the judges, and they and the serjeants used to attend in regular procession, and the ceremony is kept up to this day by the judges and "silks" breakfasting with the Lord Chancellor at the House of Lords, and driving thence in carriages to the Law Courts, where they form a procession and walk up the Great Hall, before separating to their respective Courts. Up to the middle of the sixteenth century the judges appear to have ridden mules, a survival, doubtless, of the times when all lawyers were ecclesiastics. There is an old print of Cardinal Wolsey riding down Chancery Lane on a white mule to the Courts at Westminster on a similar occasion. Although the mule was typical alike of clerical humility and clerical tenacity of purpose, the proud Cardinal overshadowed the former by the more than regal appearance of his ostentatious progress.

Seated on a saddle furnished with housings of crimson velvet and gilded stirrups; clad in crimson robes surmounted by a tippet of sumptuous sables, and holding in his hand the doctored orange which served him for a vinaigrette, the delicate and haughty ecclesiastic delighted the populace and infuriated his enemies by the magnificence of his openings of term. Unable to equal such displays, the judges made one alteration in this ancient practice. In 1546 Sir John Whiddon, of the Inner Temple, a Justice of the King's Bench, persuaded the judges to go to Westminster on horseback. In Elizabeth's reign Hatton, and in the days of James I. Francis Bacon, in this fashion proceeded to Westminster, gladdening the lawyers and the sightseers by the gallant state with which they opened term. The latter Chancellor wore a suit of purple satin, and was attended by Prince Charles, the Lord Treasurer, the Lord Privy Seal, and a host of noblemen, knights, judges, and counsel.

In the more civilised days of the seventeenth century, however, another innovation took place, and the lawyers went in coaches—lumbering vehicles drawn by four or six horses. In fact, during the Commonwealth the judges and leading counsel were so seldom seen in mounted processions that they were represented by lampoonists as having lost the equestrian art, and the following account lends some colour to this representation.

In 1672 that gay minister of Charles II., Anthony Ashley Cooper, Earl of Shaftesbury, on obtaining the Great Seal, sought to restore the ancient ceremony to its pristine splendour. We are told by Roger North that a sudden freak seized him to make this procession on horseback, and accordingly the judges and counsel were told to get the necessary horses and garments. Notice having been given, all the town was there to see. At first all went well with the stately cavalcade. "But when they came to straights and interruption, for want of

gravity in the beasts, and too much in the riders, there happened some curvetting which made no little disorder. Judge Twisden, to his great affright and the consternation of his grave brethren, was laid along in the dirt." "This accident," concludes North, "was enough to divert the like frolic for the future, and the very next term after they fell to their coaches as before," and so they have continued till the present day.

In the old days the Lord Chancellor, as the supreme chief of the legal profession, was received upon his arrival at St. Stephen's by the serjeants, who stood at the north-west end of the Hall, with their backs to their Court of Common Pleas. Thus standing in single file, they awaited the Chancellor and the judges, each of whom shook each serjeant by the hand, saying, "How d'ye do, brother? I wish you a good term."

Twisden, who was one of the shining lights of the Inner Temple, never heard the last of his unlucky tumble. His chambers were under the north windows of the Inner Temple Hall, in a small, low building, named Twisden Buildings in his honour. He was one of the judges who sat at the trial of the twenty-nine regicides in 1660. His portrait hangs in the Parliament Chamber of his Inn.

In the year following the disastrous fire in the Middle Temple of 1678 the gentlemen of Lincoln's Inn showed their sympathy with their ancient ally by deciding not to hold the Revels on the Feast of the Purification.

With the accession of William the independence of the Bench was secured, the statute 12 and 13 Will. III. c. 2 finally settling that their commissions should be held "*Quamdiu se bene gesserint*," and that only upon an address by both Houses of Parliament could they be removed. In this reign too it was provided that in cases of treason prisoners should be allowed counsel.

William was entertained at a banquet in the Hall, followed by a masque under the management of Beau



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Nash, a student of the Inn. Upon the King offering in return to make the latter a knight he respectfully refused, saying, "Please, your Majesty, if you intend to make me knight, I wish it may be one of your Poor Knights of Windsor, and then I shall have a fortune at least to support my title."

With the plot to assassinate the King in the Fulham Road on his return from the chase in Richmond Park the Temple is connected in the person of Sir William Perkins, one of the conspirators, who was the same evening arrested within the Temple precincts and committed to Newgate. Sir William was tried and convicted at the Old Bailey, and executed at Tyburn.

William Cowper became a student of the Middle Temple in 1681. Bred to Liberal principles and to a hatred of Popery, he joined the Prince of Orange on his march to London "with a band of thirty chosen men," but upon the cessation of the troubles returned to the more peaceful pursuits at Westminster Hall.

In the State trial of Lord Mohun for the murder of Richard Coote young Cowper established his reputation as an advocate, and in Parliament he at once took a leading position. Returned for Hertford, where his family influence lay, his position was for a time endangered by an unfounded charge against his brother Spencer of the murder of a young Quakeress named Sarah Stout, who had clearly committed suicide upon the rejection of her advances.

Cowper inaugurated his appointment as Lord Keeper by refusing to accept the customary New Year's gifts presented by the officers of the Court and the members of the Bar, amounting, it is said, to £1,500.

As a reward for his labours in the union with Scotland he became Lord Chancellor in 1707.

With the fall of the Whigs upon the useless impeachment of Dr. Sacheverell, Cowper followed his party into

opposition, but upon the accession of George I. was reinstated in the office of Lord Chancellor. At the trial of the rebels of '15 he presided as Lord High Steward, and sustained his reputation for impartiality.

A striking instance of his courtesy and good feeling occurred when he rebuked counsel for making harsh personal remarks against Richard Cromwell in a cause to which the latter was a party, and invited the old Protector to a seat beside him on the bench.

Joseph Jekyll, called by the Middle Temple in 1687, is described by Pope as an

"Odd old Whig  
Who never changed his principles or wig,"

for during a period of forty years of political life he steadfastly adhered to his party, an exceptional occurrence in those days. As a reward for those services, and for his zeal in prosecuting the rebels of '15, notably the Earl of Wintoun and Francis Francia, he was appointed Master of the Rolls.

In Parliament he took a leading part in exposing the South Sea Bubble and in prosecuting the fraudulent speculators. Having introduced a measure for the taxation of spirits, he was attacked by the mob in Lincoln's Inn Fields, an attack which nearly terminated fatally. It had one useful result, however, as this open space was railed in and laid out as a garden.

He married a sister of his friend Somers.

In the trial of the aged Lord Lovat for high treason arising out of the troubles of '45 the Society of the Middle Temple was well represented. Philip Yorke, Lord Chancellor, presided as Lord High Steward at the trial in Westminster Hall, which commenced on March 9th, 1746, and lasted seven days. The Attorney-General, who conducted the case for the Crown, was Dudley Ryder, another member of the Middle Temple, assisted by the Solicitor-General, William Murray, of Lincoln's Inn, the celebrated

Lord Mansfield, and Sir John Strange, of the Middle. Other counsel for the Crown were Charles Yorke, the Chancellor's second son, afterwards himself Lord Chancellor, Lyttelton, and Legge.

The counsel assigned to Lovat were Starkie, Forrester, Ford, Wilmot, and Hamilton Gordon; but as these could only speak on questions of law, and as only one or two such points were raised, they had little to do.

The case was briefly opened by two of the managers for the House of Commons, and then Sir Dudley Ryder opened for the Crown, and Sir John Strange summed up the evidence. Lovat's written defence was allowed to be read by the clerk, to which Murray replied, followed by Ryder.

The peers brought in a unanimous verdict of guilty, and the prisoner was sentenced, in the barbarous language of the time, to be drawn, hanged, disembowelled, and quartered. Although thus sentenced, Lovat was merely beheaded on Tower Hill, meeting his death with fortitude and spirit, jesting up to the last. He complained bitterly that his conviction should have been obtained upon the evidence of his own immediate personal attendants.

This trial was conducted with conspicuous fairness by all concerned, and not least by the great Chancellor, who allowed the prisoner every latitude in his power.

Philip Yorke was called in 1715, and had chambers in Pump Court. He became in due course Solicitor-General, Bench, Treasurer, and Autumn Reader of the Middle Temple. So phenomenal was his rise, that within nine years from his call he was appointed Attorney-General, in which office he amassed a large fortune, out of which he purchased the Hardwicke estate in Gloucestershire.

When Attorney-General it fell to his lot to prosecute Lord Chancellor Macclesfield, to whose son he had been tutor, and to whom he owed his rapid advancement. Torn by the conflicting sentiments of personal gratitude



PHILIP YORKE, EARL OF HARDWICKE



and public duty, he was, with reluctance, excused by the House from this ungracious task.

Upon the resignation of Lord Chancellor King in 1733, public opinion and the ordinary usage of professional promotion pointed to him as the successor. The Government, however, left this important matter to be settled between him and Sir Charles Talbot, the Solicitor-General. Sir Philip Yorke accordingly waived his superior claim and accepted in lieu of the higher office that of the Chief Justiceship of the King's Bench, and upon Talbot's death, four years later, he was appointed Lord Chancellor upon the nomination of Sir Robert Walpole.

During his nearly twenty years' occupation of the Wool-sack Lord Hardwicke applied himself so assiduously to the business of his Court that he succeeded in moulding equitable principles into such a consistent body of doctrine as to earn for this period the appellation of the golden age of the Court of Chancery. As a proof of his transcendent judgment, only three of his decrees during the whole of this time were appealed from, and even those were affirmed by the House of Lords.

This remarkable testimony to the correctness of his decisions is discounted by his detractor Lord Campbell, who asserts that Hardwicke always managed to arrange that he should be the only law lord sitting.

By his contemporaries, with the solitary exception of Horace Walpole, he was naturally regarded as the ablest lawyer of his day, and as a judge he still ranks *primus inter pares*. It is interesting to observe that the principles laid down by him in the leading case of *Chesterfield v. Janssen* have been adopted in the Money-lenders Act, 1900, as applying to all money-lending transactions.

He married Mary, a niece of Lord Somers. She was the daughter of Mr. Cocks, a Worcestershire squire, and when young Yorke asked for her hand the old gentleman demanded his rent roll. It consists, replied the

suitor, of "a perch of ground in Westminster Hall," a reply characteristic of his ready wit and assurance.

Hardwicke also presided at the trials of Lords Kilmarnock, Cromarty, and Balmerino.

His second son, Charles, was in his turn appointed Lord Chancellor, an office, however, which he did not live to enjoy.

Dudley Ryder became Lord Chief Justice of the King's Bench in 1754, and died two years later.

Sir John Strange was called to the Bar in 1718, and in 1725 made an able defence in the impeachment of the Earl of Macclesfield. He succeeded Ryder as Solicitor-General, but resigned on account of his health in 1742, William Murray taking his place. In 1750 he was appointed Master of the Rolls. After holding this office with distinction for four years, he died and was buried in the Rolls Chapel. Sir John is the author of some well-known *Reports*. Upon his tombstone in Lowlayton Church, in Essex, the following epitaph is indicative of his sterling character :—

"Here lies an honest lawyer, that is Strange!"

## CHAPTER XVIII

### HISTORICAL SKETCH OF THE MIDDLE TEMPLE

(continued)



ANOTHER member of the Middle Temple who became Lord Chancellor of Ireland was James Hewitt, who as Serjeant Hewitt so bored the House of Commons with his dry and lengthy oratory. On one occasion as Charles Townshend was leaving the House he was asked whether the House was up. "No," replied Townshend, "but the Serjeant is."

Thomas Clarke, also a member of this society, succeeded Strange as Master of the Rolls. He was an intimate of the second Earl of Macclesfield, and a protégé of Lord Hardwicke.

In the *Causidicade* he is thus described as a candidate for the Solicitor-Generalship:—

"Then Cl—ke, who sat snug all this while in his place,  
Rose up, and put forward his ebony face.  
'I have reason,' quo' he, 'now to take it amiss,  
That your Lordship ha'n't call'd to me long before this.'"

Called to the Bar by the Middle Temple in 1713, Arthur Onslow was in 1728 unanimously elected Speaker of the House of Commons, an office to which he was re-elected four times, retiring in 1761, when a unanimous vote was



accorded him "for his constant and unwearied attendance in the chair during the course of above thirty-three years in five successive parliaments."

Sir Fletcher Norton was called to the Bar in 1739 by the Middle Temple, making his way to the front as much by his want of principle as by his undoubted natural abilities. A great advocate, he was yet said to take money from both sides, and earned for himself the title of Sir Bull-face Double-Fee. Elected M.P. for Appleby, his election was declared void by the House.

As Solicitor-General he exhibited the information against Wilkes for publishing the notorious "No. 45" of the *North Briton*. In the following year he became Attorney-General, and appeared against William, Lord Byron, for the murder of William Chaworth. He was also concerned in the famous Douglas case in 1769.

In the House he on one occasion accused Pitt of sounding the trumpet to rebellion, exclaiming, "He has chilled my blood at the idea." Pitt's reply was rather an *argumentum ad hominem* than an answer to this accusation. "The gentleman says I have chilled his blood. I shall be glad to meet him in any place with the same opinions, when his blood is warmer." Sir Fletcher was too discreet to take any notice of this pointed invitation.

In 1770 Norton was elected Speaker of the House of Commons. His ten years' occupancy of the chair was remarkable for two incidents widely differing in approbation. When the King's revenue in 1777 was increased by £100,000, Sir Fletcher, in presenting the Bill to George III., said:—

"Your faithful Commons have, in a time of public distress, full of difficulty and danger and labouring under burdens almost too heavy to be borne, granted you a supply and great additional revenue, great beyond example, great beyond your Majesty's highest wants, but hoping that what we have contributed so liberally will be employed wisely."

Three years later, in a debate in Committee, he complained that the Duke of Grafton had promised him the Great Seal upon the next vacancy, and that Lord North had been privy to this bargain, and yet had broken it by offering a large pecuniary bribe to Lord Chief Justice de Grey to quit that post in favour of Wedderburn. After some debate, says Horace Walpole, "the dialogue degenerated into Billingsgate between Lord North and Sir Fletcher Norton."

Norton was created a peer by a side-wind. Mr. Dunning having been raised to the peerage on the recommendation of Lord Shelburne, a mere Secretary of State, Lord Rockingham, Prime Minister, insisted upon the King bestowing a similar favour on a nominee of his own. Such a dearth was there just then of gentlemen proper to be peers, that the choice fell almost of necessity upon Sir Fletcher Norton. He died at his house in Lincoln's Inn Fields in 1789.

William de Grey, a member of a very ancient family, was called by the Middle Temple in 1742.

In 1766 he succeeded the Hon. Charles Yorke as Attorney-General, and in 1770 he spoke in the House against the legality of the return of Wilkes for Middlesex. As law officer he conducted the proceedings against Wilkes after his conviction in 1768. His wife was a daughter of William Cowper, M.P. for Hertford, and first cousin of the poet.

For nearly ten years he presided over the Court of Common Pleas, and upon his retirement in 1780 he was created Lord Walsingham.

On September 23rd, 1768, the Temple was honoured by a visit from the half-imbecile King of Denmark, Christian VII., on his way to a banquet at the Mansion House. Taking boat at Whitehall, the King landed at a platform specially constructed for the occasion and "matted on purpose" at the Temple Stairs, where he

was received by the Benchers of both societies and conducted to the Middle Temple Hall, where "an elegant collation" was awaiting him. Christian had recently married Princess Caroline, sister of George III. Owing to his mental condition, which bordered on imbecility, he had been sent on a tour through England and France, and was accompanied by Struensee, who, obtaining complete influence over him, and becoming the paramour of Caroline, usurped the supreme authority in the kingdom. Having aroused all classes against him by his energetic measures of reform, Struensee fell from power, was cast into prison and executed. Caroline was also placed in confinement in the Castle of Cronsberg, and, confessing her guilt, was divorced and conveyed to Celle in Hanover, where she shortly afterwards died.

Richard Pepper Arden, Lord Alvanley, was called by the Middle Temple in 1769. He joined the Chancery Bar, and occupied chambers in Stone Buildings, Lincoln's Inn, upon the same staircase upon which those of William Pitt are said to have been. Becoming an intimate friend of the great statesman, in spite of the enmity of Lord Thurlow, Arden advanced rapidly in the profession. He became successively Solicitor- and Attorney-General, Chief Justice of Chester, and Master of the Rolls. Upon Lord Eldon accepting the Great Seal, he was appointed Lord Chief Justice of the Common Pleas.

In his early career he was constituted one of the judges on the South Wales Circuit in conjunction with Daines Barrington.

In a case before Thurlow the age of a lady was in question, and Arden, in his excitement, said to his opponent, "I'll lay you a bottle of wine she is more than forty-five." Recognising his impropriety, he hastened to apologise to the Chancellor, declaring that he had forgotten where he was. "I suppose," growled Thurlow, "you thought you were in your own Court."

It was Lord Alvanley who decided the famous Thellusson will case, by which an absurd accumulation of property contemplated by an eccentric testator was declared invalid.

A document which, in spite of its rhythmic form, met with a better fate, was the last will and testament of one John Hedges, who died in 1737. It is as follows :—

“The fifth day of May  
Being airy and gay,  
And to hyp not inclined,  
But of vigorous mind  
And my body in health,  
I'll dispose of my wealth  
And all I'm to leave  
On this side the grave  
To some one or other,  
And I think to my brother,  
Because I foresaw  
That my brethren-in-law,  
If I did not take care,  
Would come in for their share,  
Which I no wise intended  
Till their manners are mended,  
And of that, God knows, there's no sign ;  
I do therefore enjoin,  
And do strictly command,  
As witness my hand,  
That nought I have got  
Shall go into hotch-pot.  
But I give and devise,  
As much as in me lies,  
To the son of my mother,  
My own dear brother,  
To have and to hold  
All my silver and gold,  
As the affectionate pledges  
Of his brother,

John Hedges.”

This extraordinary will was duly proved, and passed a very considerable personal estate.

Another inmate of Brick Court was Lloyd Kenyon, who was called by the Middle Temple in 1756. His slender means obliged him to practise the strictest economy, which hardened into a parsimony lasting all his life. In later years he frequently boasted of dining with Dunning and Horne Tooke at a small eating-house near Chancery Lane for 7½*d.* a head.

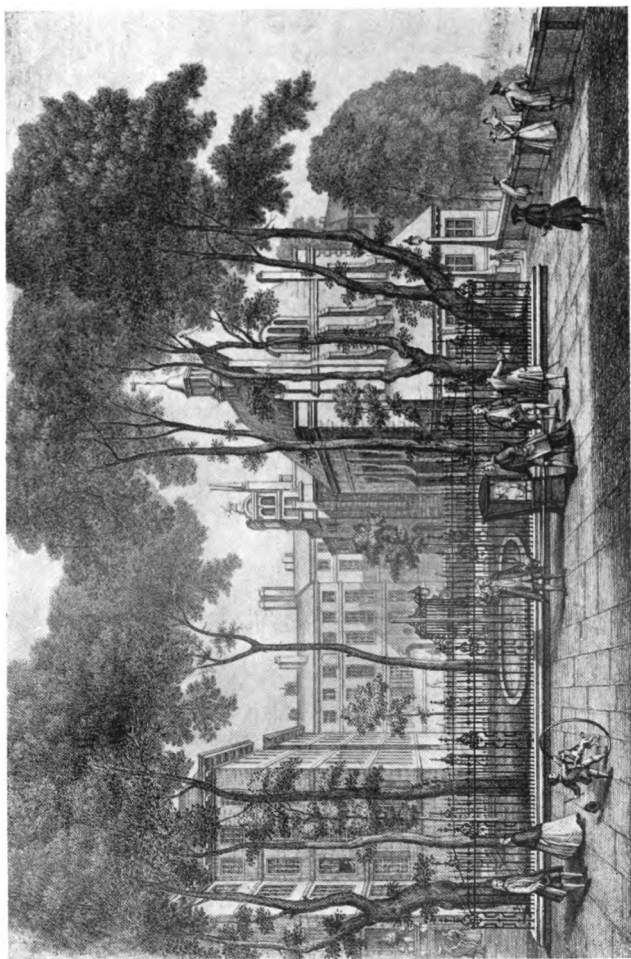
After devilling for Thurlow, when the latter became Chancellor he was appointed Chief Justice of Chester, and within the next eight years became member of Parliament, Attorney-General, Master of the Rolls, Chief Justice of the King's Bench, and a peer. He defended Lord George Gordon at the Old Bailey, with Erskine as his junior; but although a great lawyer, he could not compare with the latter as an advocate. He succeeded Lord Mansfield as head of the Court of King's Bench.

Like Thurlow, he was not very even-tempered.

"Pray, Mr. Kenyon," said Lord Mansfield, "keep your temper." "Your lordship," interposed Mr. Cowper, who was seated near, "had better recommend Mr. Kenyon to part with it altogether."

John Dunning was elected Treasurer of the Middle Temple in 1779. As we have seen, as a student he was not overburdened with cash, but less thrifty than Kenyon, for, as Tooke adds to the story of their dinners, "As to Dunning and myself, we were generous, for we gave the girl who waited upon us a penny apiece, but Kenyon, who always knew the value of money, sometimes rewarded her with a halfpenny and sometimes with a promise."

Called in 1756, Dunning at first met with little success. It is an ill wind that does no one any good, and Serjeant Glynn, placed *hors de combat* by the gout on circuit, left all his cases to Dunning, who, making the most of his opportunity, rose rapidly in the profession. As a Whig, he took a prominent part in the political questions of



FOUNTAIN COURT



the day, and was rewarded by his party with the post of Solicitor-General. Upon his resignation he was succeeded by Thurlow. In opposition, he strenuously and continuously resisted the mad policy of the Government which lost us the New England colonies, and in 1780 moved his famous resolution that "the influence of the Crown has increased, is increasing, and ought to be diminished," which he carried, and in 1782 he supported Conway's motion against the further prosecution of the American War. His subsequent acceptance of office with Fox and Burke was accompanied by a patent in the peerage as Baron Ashburton. But for the King's obstinate retention of Thurlow, Dunning would have ascended the Woolsack. The joint authorship of *Junius's Letters* has been attributed to him. Dunning lived in Pump Court, "two pair up."

Treasurer of the Middle Temple in 1785, James Mansfield was connected with two notable cases. In 1768 he was one of the counsel for John Wilkes, and in 1776 defended the Duchess of Kingston in the bigamy trial.

As Solicitor-General he appeared for the Crown in the prosecution of Lord George Gordon, and had the disadvantage of replying to Erskine's splendid speech, which procured the acquittal of the prisoner. Mansfield succeeded Lord Alvanley as Chief Justice of the Common Pleas.

The Middle Temple may well be proud of having produced such a man as Robert Gifford. The son of a grocer and linendraper, he was, like Lord King, an entirely self-made man. Called in 1808, Gifford became Solicitor-General in 1817, and after distinguishing himself in the prosecution of James Watson for high treason, and in the trials of the Luddites at Derby, he was appointed Attorney-General two years later, in which capacity he conducted the prosecution of Arthur Thistlewood and the other Cato Street conspirators. He also opened the charges against Queen Caroline.



After holding the post of Lord Chief Justice of the Common Pleas for a few months, he was removed to the Rolls. But for his premature death at the age of forty-seven he would undoubtedly have succeeded Lord Eldon as Chancellor. His chambers were at 6, Stone Buildings, Lincoln's Inn.

William Draper Best was called by the Middle Temple in 1784, and after a busy professional and political life, was appointed Chief Justice of the Common Pleas in 1824. In politics at first a Whig, he turned and became a zealous supporter of the Tories, and through his friendship with the Prince Regent and his conversion to Toryism was, a few years later, raised to the Bench. He was regarded as an indifferent judge, and allowed his political sentiments to bias his judicial conduct.

No man more distinguished than John Scott has graced the history of either Inn. A pupil of his elder brother, William, then fellow and tutor of University College, young Scott soon made his way to the front at Oxford, but sacrificed his prospects there to a runaway match with Bessie Surtees, daughter of a banker at Newcastle, his native town, by placing a ladder to her window, down which Bessie descended into his arms "with an unthrift love."

Leaving Oxford, he entered the Middle Temple. Called in 1776, he moved with his wife and child into Carey Street. It was from this house that John Scott escorted his lovely young wife through the Gordon rioters for safety to the Temple. Before they reached the Middle Temple gateway her dress was torn, her hat lost, and her ringlets hanging in confusion down her shoulders.

"The scoundrels have got your hat, Bessie," cried her husband, "but never mind—they have left you your hair."

He was on the point of leaving town, so slow was his progress, when by a lucky decision in his favour in a case in which he was engaged, briefs began to pour in.

Elected M.P. for Weobly on Thurlow's recommendation, he made his presence powerfully felt in the House, and became an indispensable supporter of Pitt's ministry.

As Attorney-General he conducted the prosecution of Hardy, Horne Tooke, and Thelwall. After his acquittal Tooke declared that if it should be his misfortune to be tried again for high treason he would plead guilty rather than listen to the long speeches of Sir John Scott!

It was during these trials that Lord Eldon was again in danger from a London mob. "The mob," he says, "kept thickening round me till I came to Fleet Street, one of the worst parts that I had to pass through, and the cries began to be threatening. 'Down with him! Now is the time, lads; do for him!' and various others horrible enough; but I stood up and spoke as loud as I could: 'You may do for me if you like, but remember, there will be another Attorney-General before eight o'clock to-morrow morning, and the King will not allow the trials to be stopped!' Upon this one man shouted out, 'Say you so? You are right to tell us. Let us give him three cheers, my lads!' So they actually cheered me, and I got safe to my own door."

After holding the office of Lord Chief Justice of the Common Pleas for two years, in 1801 Lord Eldon received the Great Seal, which he held till 1806, when he resigned it into the hands of Lord Erskine. Reappointed the following year, Lord Eldon retained the Seal for no less than twenty years, a period full of political and national trouble and anxiety.

In the Corn Law riots of 1816, the mob broke into Lord Eldon's house in Bedford Square, from which, with the assistance of four constables, he afterwards drove them, capturing two with his own hands.

As a judge he was declared, even by his bitterest political opponents such as Brougham and Romilly, to be one of the greatest. As a politician his conservative

apprehensions of political reforms have, as usual, proved to be groundless.

In 1783, Scott had chambers at No. 9, Holborn Court, Gray's Inn.

His brother William, the eccentric and learned Lord Stowell, was an intimate friend of Dr. Johnson, a friendship formed at Oxford, and lasting until the Doctor's death.

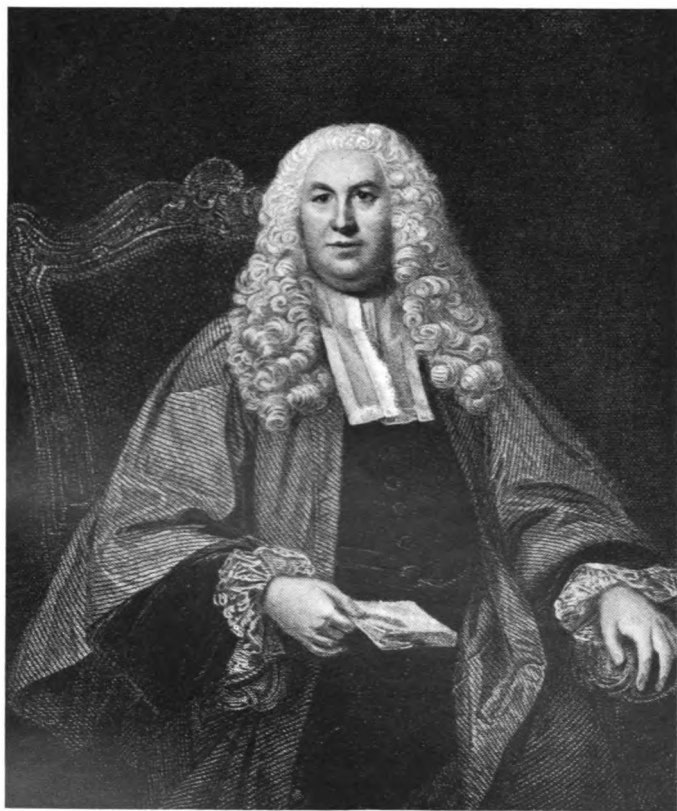
Like Blackstone, a University lecturer, William Scott took chambers at 3, King's Bench Walk. After obtaining in 1779 his D.C.L., he was admitted an advocate at Doctors' Commons, and called to the Bar by the Middle Temple the following year. His profound knowledge of history and civil law acquired at Oxford soon brought him business in abundance, and he became Judge of the Consistory Court of London, and later Judge of the High Court of Admiralty, a post which he held from 1790 to 1828, and in which he gained his great renown as a jurist.

At the time of his resignation Sir Walter Scott writes : "Met my old and much esteemed friend, Lord Stowell, looking very frail and even comatose. Quantum mutatus! He was one of the pleasantest men I ever knew."

Although convivial and fond of mixing in good society, which to a wit and scholar such as Dr. Scott was always open to him, he was singularly parsimonious.

His second marriage with the Dowager Lady Sligo was not wanting in dramatic interest. It fell to Sir William Scott to pronounce sentence upon her son, the Marquis, convicted of enticing two man-of-war's men to join the crew of his yacht at Malta. Upon the marriage Sir William removed to her house in Grafton Street, taking his own door-plate with him and placing it under his wife's.

Jekyll thereupon condoled with Sir William for having "to knock under," so the plates were transposed, when Jekyll observed, "You don't knock under now?"



SIR WILLIAM BLACKSTONE



"Not now," said Sir William. "Now you knock up."

Upon Sir Henry Halford, the well-known physician, asserting that at forty every man was either a fool or a physician, Lord Stowell with an arch smile retorted, "May he not be both, Sir Henry?"

Henry Fielding, the novelist, became a student of the Middle Temple in 1737, and three years later, upon his call to the Bar, "chambers were assigned to him in Pump Court." He was connected with the law in the person of his grandfather, Sir Henry Gould, a Justice of the King's Bench, and was descended from William Fielding, first Earl of Denbigh.

Up to his entrance to the Temple Fielding had been a playwright of doubtful character, and when the Act of 1737 to restrict the licence of the stage was passed he found his occupation gone.

Joining the Western Circuit, he assiduously attended sessions, but without success. Whilst a student he had contributed to periodical literature, and upon the appearance of Richardson's *Pamela* Fielding parodied the book, to the great disgust of the author.

Appointed a police magistrate for Westminster in 1748, Fielding, after a hard struggle, in which he had lost his wife and child, gained timely relief from pecuniary embarrassment, and the opportunity to show his real capabilities.

The immediate result was *Tom Jones*, that immortal work, in which the original of "Sophia" was his first wife, Miss Craddock.

In 1749 Fielding was elected Chairman of Quarter Sessions held at Hicks's Hall, now Clerkenwell Sessions House.

He died at Lisbon, where he had gone for his health, in 1754.

On the 6th of April, 1773, Richard Brinsley Sheridan became a member of the Middle Temple, and a week

later married Miss Linley, whom he had previously rescued from an unworthy admirer, and for whose sake he had fought two duels.

Statesman and advocate as he was, he will be best remembered as the author of *The Rivals* and *The School for Scandal*. Already an Under-Secretary of State, Sheridan's speech upon the charges against Warren Hastings relating to the begums occupied five hours and forty minutes, and was regarded as one of the most memorable in the annals of Parliament.

His speech as one of the managers of the impeachment before the Lords in Westminster Hall was the topic of the day. As a politician of wide and liberal views, as a supporter of all social measures of reform, as a dramatist unrivalled since Shakespeare, as an orator in the first flight in the age of Burke, Pitt, and Fox, and as a man of unstinted generosity and sturdy independence, he is a member of whom any society might well be proud.

In 1799, when twenty years of age, Thomas Moore entered himself at the Middle Temple, taking with him his *Anacreon*, which was published the following year, but he does not appear ever to have occupied chambers here.

That strange literary curiosity Thomas de Quincey began to keep his terms at the Middle Temple in 1808, apparently without any idea of practising.

In 1821 he returned to London, and formed an intimacy with Lamb and Talfourd, whose acquaintance he had formerly made in the Temple.

The principal events affecting the legal profession during the short reign of William IV. were an increase in the number of the judges, and the abolition of the office of a Welsh judge.

Many of these latter appointments were held by briefless barristers, and the title of a "Welsh judge" had become a term of reproach.

The Hon. Mrs. George Chapple Norton was doubly connected with the Middle Temple. Herself the granddaughter of Sheridan, her father being Tom Sheridan, the eldest son, she married Norton, himself a member of this society, and brother of Lord Grantley, a descendant of Sir Fletcher Norton, also a Middle Templar.

The Nortons came of an ancient race. Richard Norton and his brothers, Christopher, Marmaduke, and Thomas, joined the rising in the North of 1569, were convicted of high treason and attainted. This event is recorded by Wordsworth in his *White Doe of Rylstone; or, The Fate of the Nortons*.

The Hon. George was M.P. for Guildford from 1826 to 1830. His chambers were at 1, Garden Court. In 1827 he married "Carry" Sheridan. The latter and her two sisters were celebrated society beauties of their day, like the three Miss Wyndhams of our own time, but Carry was specially known as the wit. "You see," said Helen, the eldest, afterwards Lady Dufferin, "Georgy's the beauty and Carry's the wit, and I ought to be the good one, but I am not"—a modest disclaimer which was far from the truth, for Lady Dufferin was as good as she was beautiful. Georgy became Lady Seymour.

Through the influence of his wife, who was a connection of Lord Melbourne, Mr. Norton was appointed police magistrate for Whitechapel, from which he was subsequently transferred to Lambeth. Mrs. Norton contributed largely to periodical literature, and attained some reputation as a novelist. Her earnings with the pen, at any rate, formed the larger portion of their joint income, but her husband continued to feel aggrieved that she had not used her influence with Lord Melbourne to better effect. The latter was a constant visitor at their house in George Street, Westminster. In fact, in addition to frequently dining with the young couple, he was sufficiently indiscreet to pay almost daily visits to Mrs. Norton in her



husband's absence. Whether Mr. Norton really believed in the charges he presently made against his wife or not, he allowed himself to be made the tool of the political enemies of the Prime Minister, amongst whom not the least violent was his brother, Lord Grantley.

These charges culminated in an action for *crim. con.* against Lord Melbourne. The case came on for trial on June 22nd, 1836, in Westminster Hall, before Lord Chief Justice Tindal and a Middlesex special jury. Sir William Follett led for Mr. Norton, and Sir John Campbell, Attorney-General (afterwards Lord Chancellor), Serjeant Talfourd, and Frederick Thesiger appeared for the defence. The trial commenced at 9.30 a.m., and Campbell finished his reply of three hours and a half at 10.30 p.m. Then the judge summed up at some length, and the jury in a few seconds found for the defendant amid tumultuous bursts of applause. Lord Grantley occupied a seat on the bench, but was not called. He was severely trounced by Campbell, and must have passed a most unpleasant *quart d'heure*. The Court rose at 11.30.

Trials in those days were truly trials to all besides the parties more immediately concerned.

The weak attack by Follett is said to have suggested to Dickens, who was then writing the *Pickwick Papers*, the character of Serjeant Buzfuz. The evidence against Mrs. Norton was of the weakest. At the same time, judging merely from the report of the case, it is doubtful whether in a petition for a divorce under modern conditions the result might not have been otherwise. The relationship between the parties was, to say the least, indiscreet. Mrs. Norton is the original of Diana Warwick in George Meredith's powerful novel *Diana of the Crossways*. Mr. Warwick is, of course, Norton, and Lord Dannisburgh the Prime Minister Melbourne. Norton is said to have ill-treated his beautiful wife, and he certainly appears to have been a jealous, bad-tempered,

vindictive fellow. As Meredith puts into the mouth of Diana: "He took what I could get for him, and then turned and drubbed me for getting it."

Indolent and inattentive to the duties of his post, he had only himself to thank for not obtaining the promotion he sought from Lord Melbourne, and the refusal by the latter to further assist him may have been one of the motives in his attempt to pillory his wife and the Prime Minister to the public gaze.

There is no foundation whatever for connecting the name of Mrs. Norton with the sale of the secret of Sir Robert Peel's intended abolition of the Corn Laws to the editor of the *Times*. Mr. Meredith has made dramatic use of this incident, but in recent editions has withdrawn the insinuation.

After the death of her husband Mrs. Norton married Sir William Stirling Maxwell in 1876, and died within a few months of her marriage.

Her second son, Thomas Brinsley, succeeded as fourth Lord Grantley.

It was in Mrs. Norton's drawing-room in George Street, as her nephew, the late Lord Dufferin, has often recounted, that Disraeli met Lord Melbourne for the first time. This was the moment when Disraeli, consumed with ambition, had just returned from an unsuccessful attempt to enter Parliament. Lord Melbourne, after listening to the young politician's story of frustrated schemes, good-naturedly asked, "Well, now, tell me, what do you want to be?" "I want to be Prime Minister," came the unabashed reply.

We have already referred to Talfourd as the friend and biographer of Lamb. A member of the Middle Temple, Serjeant Thomas Noon Talfourd was not only distinguished as a powerful advocate, but as a successful politician, dramatic author, and writer.

In the House he materially helped to carry two great

measures: one securing to a mother the right of access to her children as long as her character is unchallenged, and the other securing to an author for an extended period the results of his labours. Appointed to the Court of Common Pleas in 1849, he died on the Bench of apoplexy at the Stafford Assizes in 1854.

Talfourd's chambers were at 2, Elm Court, but when he made Lamb's acquaintance he was living in Inner Temple Lane.

He was still a serjeant when in 1840 his last play, *Glencoe*, was produced by Macready. To his Honour Judge Parry, a Bencher of the Middle, appears to belong the distinction of being the first to produce a dramatic work whilst still holding judicial office.

Winthrop Mackworth Praed, the poet, was a younger son of Serjeant William Mackworth Praed. After a brilliant career at Cambridge, where he read classics with Macaulay, he was called to the Bar by the Middle Temple in 1829, and joined the Norfolk Circuit. He entered Parliament in 1830 as the purchaser of a rotten borough, abolished by the Reform Act, to which he was opposed.

Whilst without a seat he contributed both prose and verse to the *Morning Post*, which became—it is said in consequence of his contributions—the leading Conservative paper.

It is strange to-day to find the Duke of Wellington furnishing Praed with materials wherewith to defend him in the *Morning Post* against the attacks of the *Times*! Returned at the General Election of 1834 for Great Yarmouth, Praed's subsequent political career was not conspicuous. He died of consumption in 1839. His chambers were at 2, Brick Court.

That famous soldier Sir Henry Havelock became a member of the Middle Temple in 1813, and was a pupil of Joseph Chitty, whose chambers were at 6, Pump

Court, and a fellow-student of Talfourd. The following year, owing to a misunderstanding with his father, he was obliged to abandon the law, and entered the service as second lieutenant in the 95th Regiment, his captain being Sir Harry Smith, of South African fame. What was lost to the law was gained to the service. The capture of Cawnpore and the relief of Lucknow link Havelock's name indissolubly with some of the most notable events in our national history.

With chambers at 5, Essex Court, but a member of the Inner Temple, Serjeant Alexander Pulling will go down to posterity rather as the author of *The Order of the Coif* than as a lawyer. He also wrote numerous other treatises, the most notable of which is *The Laws, Customs, and Regulations of the City and Port of London*. Called in 1843, he went the Western Circuit, where he eventually became leader. He died in 1895.

Upon the death of Lord Abinger in 1844, Sir Frederick Pollock, a member of a family highly distinguished both in arms and in law, succeeded him as Lord Chief Baron of the Exchequer. Called by the Middle Temple in 1807, after a brilliant career at Cambridge, where he was Senior Wrangler, he at once forced himself to the front as an advocate, and in 1834 was appointed Attorney-General by Sir Robert Peel. Sir Frederick's chambers were at 18, Serjeants' Inn, Fleet Street.

Sir John Jervis, chosen Treasurer of the Middle Temple in 1846, commenced life with a commission in the Carabineers, but, leaving the service, was called to the Bar in 1824. He was a member of the first Reformed Parliament and a constant supporter of the Liberal party. As Solicitor- and Attorney-General, he was concerned in the numerous political prosecutions of the "forties." His conduct in the Chartist trials was so moderate as to earn for him the respect of all parties, and in 1850 he was deservedly raised to the position

of Lord Chief Justice of the Common Pleas, where his judgments were said to be "models at once of legal learning, accurate reasoning, masculine sense, and almost faultless language." Jervis had chambers in New Court and at 3, Essex Court.

Called to the Bar in 1819 by the Middle Temple, Sir William Erle, ten years senior to Sir Alexander Cockburn, succeeded the latter as Lord Chief Justice of the Common Pleas in 1859. For seven years Erle occupied this position with the greatest distinction and dignity, earning the well-deserved title of the best judge who ever sat on the Bench. Few men were more beloved, either in Court or in his own home, than Chief Justice Erle. Lord Coleridge declared him to be the finest advocate of his time.

Erle's chambers were at 14, Paper Buildings.

A member of the Middle Temple who figured unhappily in the Parliament of 1858 was Edward Auchmuty Glover, who was accused of having made a false declaration of his property qualification as member of the House of Commons. This declaration had become a mere formality, but someone had to be the scapegoat, and the lot fell on the unfortunate Glover, whose election was declared void, and who was prosecuted, convicted, and sent to Newgate. This incident led to the immediate abolition of the property qualification.

Glover's chambers were at 1, Plowden Buildings.

Sir William Erle's successor, William Bovill, was also a member, and at that moment Treasurer, of the Middle Temple. He is best remembered by the public as the judge who tried the first Tichborne case, when he directed the prosecution of the plaintiff for perjury. As an advocate at *Nisi Prius* he was said to be second to none, and although not a great judge, he scarcely deserves the ill-natured comment made by Lord Westbury, who, on looking in at the Tichborne trial, remarked, "Ah,

poor Bovill, if he only knew a little law, he'd be the very worst judge on the bench."

Bovill had chambers at 3, Essex Court.

Sir Alexander Cockburn was called to the Bar by the Middle Temple in 1829, and had chambers at 3, Harcourt Buildings. A strong supporter of the Liberal party in the House, he was selected to succeed Sir John Romilly as Solicitor-General in 1850, and upon the latter's promotion to the Rolls took his place as Attorney-General. From 1856 he presided in the Court of Common Pleas for nearly three years, and upon Lord Campbell accepting the Great Seal succeeded him as Lord Chief Justice of the Queen's Bench.

It was said of him by Serjeant Shee, that in high legal attainments Cockburn was surpassed by none of his predecessors, that he owed his distinction not to backstairs influence, not to political intrigue, not to political subservience, but to his endowments, superior talents, and strength of character.

A story is related by Croker of going with young Cockburn to visit Sir Robert (then Mr.) Peel. On being told that Mr. Peel was out of town Cockburn, said, "Oh, no, I know he came to town this morning." This reply altered the porter's demeanour, and most respectfully he asked, "Sir, are you the Lord Chancellor?" "Why, no—not yet," replied Cockburn, "but I hope to be soon." "Oh, sir," said the porter, "in that case my master has desired that you should be admitted," and admitted he was, to the great astonishment of Peel and amusement of Croker.

As an advocate he first came into public notice for his eloquent defence of McNaghten, the mad murderer of Drummond, Peel's private secretary. In the House he made his reputation by the brilliant speech defending Palmerston's spirited demand of compensation for Don Pacifico, a British subject resident at Athens, whose

house had been wrecked in an anti-Semite riot. Although an advocate rather than a lawyer, Cockburn, once on the Bench, became a great judge. His award on the *Alabama* case entitles him to a high place as a jurist. Amongst the *causes célèbres* tried before Cockburn, the Tichborne case stands first. After summing up, a judgment which fills two volumes of eight hundred pages each, he administered a well-deserved rebuke to the defendant's counsel, Dr. Kenealy.

At a banquet given by the Bar in 1864 to M. Berryer, the great French advocate, Lord Brougham had said that "the first great quality of an advocate is to reckon everything subordinate to the interests of his clients." In replying to the toast of "The Judges," Cockburn's speech is the best index to his character.

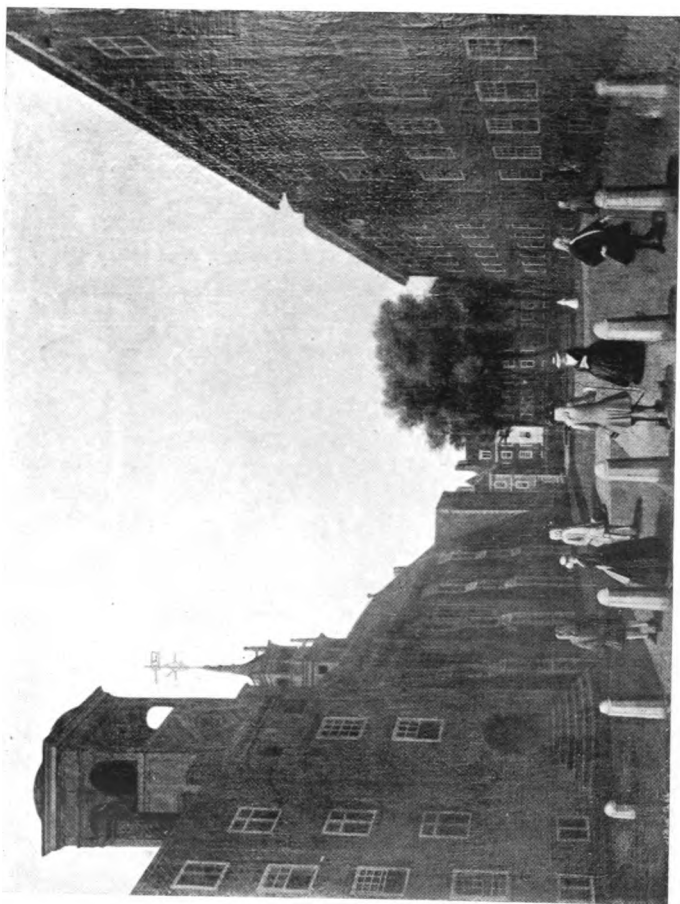
"Much as I admire," he said, "the great abilities of M. Berryer, to my mind his crowning virtue—as it ought to be that of every advocate—is that he has throughout his career conducted his cases with untarnished honour. The arms which an advocate wields he ought to use as a warrior, not as an assassin. He ought to uphold the interests of his client *per fas* and not *per nefas*. He ought to know how to reconcile the interests of his client with the eternal interests of truth and justice."

At the banquet were also present Sir Roundell Palmer, the then Attorney-General, afterwards Lord Chancellor, in the chair; Mr. Gladstone, then Chancellor of the Exchequer; Sir Fitzroy Kelly, Lord Bramwell, and Lord Hatherley.

Cockburn's chambers were at 3, Harcourt Buildings.

Richard Bethell for a time followed closely in the footsteps of his fellow-Templar, Sir Alexander Cockburn, being Solicitor-General with him and taking his place as Attorney-General, when he was promoted to the chiefship of the Common Pleas in 1856.

Upon the death of Lord Campbell in 1861, Sir Richard



HALL COURT (FOUNTAIN COURT)





Bethell succeeded to his high office, which he held with the greatest distinction as a judge till 1865, when he felt bound to resign owing to some scandal connected with his patronage, in which there does not appear to be anything affecting his honour beyond culpable looseness in its administration. As an advocate Bethell's success was phenomenal, his annual income amounting to as much as £24,000. His wit was sparkling, and his powers of repartee such as to render him dreaded as an opponent. But these powers bordered on the rude, and showed a lack of nice feeling and good taste. Unlike most men of great assurance at the Bar, Bethell was also a great lawyer. A member of the Liberal party, he promoted several great measures of reform, and laboured strenuously in the cause of statute law revision and legal education.

When Chief Justice Erle had retired from the Bench Bethell once remarked to him, "I wish, Erle, you would sometimes come in to the Privy Council and relieve me from my onerous duties there, for we can't get on without three, and there is no one else I can apply to." Erle replied that as he was getting a little deaf he feared he would be of no use. "Not at all, my dear fellow," said Bethell. "Of my two usual colleagues — is as deaf as a post and hears nothing, — is so stupid that he can understand nothing he hears, and yet we three together make an admirable Court."

Bethell occupied chambers at No. 9, New Square, Lincoln's Inn.

The Middle Temple was amply represented in the Tichborne case. The proceedings commenced with an ejectment suit in Chancery, and then came before the Court of Common Pleas in the shape of an issue as to whether the claimant was or was not the heir to Sir John Tichborne. In this case, besides Bovill on the bench, the Solicitor-General, Sir John Duke Coleridge, Henry

Hawkins, q.c., Sir George Honeyman, q.c., and Charles Synge Christopher Bowen, who appeared for the defence, were all members of the Middle Temple. Henry Matthews, q.c., of Lincoln's Inn, now Viscount Llandaff, held a watching brief. For the claimant were Serjeant Ballantine and Hardinge Stanley Giffard, q.c., now Lord Chancellor, with Pollard and Francis Jeune as juniors.

In the trial at Bar on the criminal charge of perjury before Cockburn, Mellor, and Lush, the Crown was represented by Hawkins, q.c., Serjeant Parry, Chapman Barber, J. C. Mathew, and Charles Bowen.

For the defence appeared Dr. Kenealy, q.c., and Patrick McMahon, both of Gray's Inn, and Cooper Wyld, of the Inner Temple.

John Duke Coleridge, like Simon Harcourt and Heneage Finch, was deservedly styled the "silver-tongued," for with the exception of Cockburn, Gladstone, Sir Robert Peel, and Father Burke, according to the late Lord Russell, he had no superior in beauty of voice and power of rhetoric.

From Oxford he brought with him to the Temple a great reputation. Of him Principal Shairp penned these lines in his *Balliol Scholars*, 1840-3 :—

"Fair-haired and tall, slim, but of stately mien,  
Another in the bright bloom of nineteen  
Fresh from the fields of Eton came.  
Whate'er of beautiful or poet sung,  
Or statesman uttered, round his memory clung,  
Before him shone resplendent heights of fame,  
With friends around to bind ; no wit so fine  
To wing the jest, the sparkling tale to tell."

It was not until he took silk and became a Bencher that Coleridge appeared prominently in the Courts at Westminster, but from that time his services were eagerly sought in all the *causes célèbres* of the day.

It is with the Tichborne case that the name of Coleridge will be best remembered. In the opinion of that master

of the art of cross-examination, Lord Russell, his cross-examination was the best piece of work Coleridge ever did, although not of the brilliant character of Hawkins' effort with the witness Baigent. Its full effect was discovered when the facts as they ultimately appeared in the defendant's case were fully disclosed.

This cross-examination of "Tichborne" lasted twenty-one days, and of the speech Lord Russell says, "A more masterly exposition of complicated facts, combined with a searching criticism of the claimant's evidence, has rarely, if ever, been delivered."

On the death of Bovill in 1873 Coleridge was appointed Chief Justice of the Common Pleas, and in 1880 he succeeded Cockburn as the first Lord Chief Justice of England.

In the libel action brought by Mr. Adams, his son-in-law, son of Serjeant Adams, against him and his son Bernard, the present Lord Coleridge, it was curious to see him enter the witness-box and offer himself for examination in his own Court.

By his visit to the United States with Hannen, Bowen, and Russell, he easily gained the heart of the American public. As a conversationalist Lord Coleridge was unsurpassed.

In the House of Commons he was a better speaker than a debater. On one occasion he had made a graceful and impressive speech in favour of Women's Rights, of which that humorous Irishman, Serjeant Dowse, speedily destroyed the effect. "My honourable and learned colleague," said he, "seems to think that because some judges are old women, all old women are qualified to be judges."

As a judge his only defect was that he did not make the most of his high office; but this was perhaps due to loss of physical energy, for when he took the pains, none of the qualities essential to a great judge were lacking.

His chambers were at 1, Brick Court, which Bowen shared with him, the entrance to which is shown in the accompanying sketch in the building to the right.

But for the loss of his sight, "Handsome Jack" Karslake would have risen to the highest office in the



PASSAGE BETWEEN ESSEX COURT AND BRICK COURT.

profession. As it was, he became Solicitor- and Attorney-General and one of the leading advocates of the day.

He was the one-time rival of John Duke Coleridge. Born in the same year, called to the Bar by the Middle Temple in the same year, they began to practise together at the Devon Sessions and were made Queen's Counsel in the same year. In politics they differed, and opposed each other in contesting Exeter.

His chambers were at 2, Essex Court.

An amusing story is told of Karslake, who stood six feet four in his stockings. Mr. Sam Joyce was as remarkably short as Karslake was tall, and when he rose to address the Court, Lord Campbell said :—

“ Mr. Joyce, when counsel address the Court it is usual for counsel to stand up.”

“ My lord,” protested Mr. Joyce, “ I am standing up.”

A little later Mr. Karslake rose from a bench at the back of the Court, which, sloping upwards, gave him even greater apparent height. Thereupon Lord Campbell remarked :—

“ Mr. Karslake, although it is usual for counsel to stand up when they address the Court, it is not necessary for them to stand on the benches.”

One result of Bowen's almost superhuman efforts in this case, the ramifications of which he had at his fingertips, was his appointment by Sir John Coleridge as Attorney-General's devil, a sure stepping-stone to professional advancement. Another result was the sowing of the seeds of ill-health produced by the enormous strain of three years' incessant labour in this case. In 1879 he was raised to the Queen's Bench, and in 1882 succeeded Lord Justice Holker in the Court of Appeal. Here he was more in his element. His mind was too subtle for the rough and tumble of the Common Law Courts. He regarded law not as a collection of mere rules, but as the embodiment of the conscience of the nation, to be modified to meet the developments in a growing people. Lord Bowen died on the 10th of April, 1894, a few months before his old friend and leader, Lord Coleridge.

Sir Henry Hawkins, now Lord Brampton, was popularly known as “ the hanging judge,” but this merely represented the general feeling that no really guilty person ever “ got off ” before him, for he is by nature one of the kindest of men.

Serjeant Robinson relates an amusing story of rowing down the river from Guildford and coming upon Hawkins and Edwin James in a most undignified position. They were standing on the middle of the lock gates, the one a fat, fussy figure, the colour of a lobster, with nothing but his hat on, and the other thin and spare, of a pale blue tint, with only a pair of boots in his hand. They had just undressed preparatory to a bathe when they were attacked by a bull, which proceeded to mutilate the clothes they had been unable to save.

Sir Henry's chambers were at 1, Crown Office Row.

Serjeant Parry had already made his name before the Tichborne case, in the trials of Manning in 1849, of Müller in 1864, and in the Overend and Gurney prosecution of 1869. His chambers were at 8, King's Bench Walk.

Like his great predecessor Lord Mansfield, Lord Russell of Killowen was a member of Lincoln's Inn, and, like him, occupied chambers for the greater part of his professional life in the Temple. Called in 1859, he was till 1866 at 5, Pump Court, when he moved to 3, Brick Court, where he remained until his migration to 10, New Court, Carey Street, in 1885.

Russell commenced life as a solicitor. He was articled to Mr. Cornelius Denvir, of the firm of Hamill and Denvir, of Newry, and finished his articles with Mr. O'Rourke, at 14, Donegal Street, Belfast. Upon the termination of his articles he took two rooms at 73, Donegal Street, where he commenced to practise, and soon came into public notice for his successful conduct of the Cashendall disturbances cases during the years 1854-6.

Married to Miss Ellen Mulholland in August, 1858, Russell settled in London, and soon got together a practice at the Bar, which steadily increased. Going the Northern Circuit, the story is told that when dining



VIEW OF MIDDLE TEMPLE FROM NEW COURT





with Herschell, afterwards Lord Chancellor, and Gully, the present Speaker, all three resolved to seek their fortunes in the colonies, so disheartening were their prospects at the English Bar. This story, though long accepted, is not wholly true, as we now know from Russell himself, who disclaims any intention of leaving this country. "Gully and Herschell," says Russell, "were in a desponding mood. They almost despaired of success in England. Gully—I think it was Gully—proposed going to the Straits Settlements, and Herschell to the Indian Bar."

In Russell's first year his fees amounted to £117, in his second to £261, in his third £441, and in his fourth £1,016. In 1870 his income rose to £4,230, and ultimately to £20,000.

The statement that Russell was in his earlier years a reporter in the House of Commons is entirely unfounded. Russell wrote regularly for several papers and used to resort to the gallery for journalistic purposes.

Taking silk in 1872, Russell, in spite of such powerful opponents as Holker, Benjamin, and Herschell, became the head of his circuit, and in town his services were soon retained in almost every important case. His great speech in the Parnell Commission is regarded as a masterpiece of eloquence, such as to place him upon a level with Erskine and Berryer.

In the true sense of the term Russell was not an orator, but he was a great speaker upon facts. His motto was, "Thoughts, thoughts, thoughts," not merely "Words, words, words." He truly applied the ancient Greek aphorism—

"Words without thought to heaven never fly."

As he used to say, "The words will come if you have the thoughts in you." So keenly did Russell throw himself heart and soul into his cases that when a great trial, like

the Maybrick case, went against him, his spirit was for the moment almost broken.

For a brief period a Lord of Appeal, on the death of Lord Coleridge he succeeded him as Lord Chief Justice of England, and of him we may truly say that a greater judge never adorned the Bench. His power of getting at the truth of the case was phenomenal, and in *causes célèbres*, such as the Jameson trial at Bar, where he presided with the late Baron Pollock and Hawkins, J., he was seen at his best. In dignity, in abstention from all vain personal intrusion, in prompt and firm grasp of facts, he was at least the equal, some say the superior, of his brilliant predecessor Cockburn.

No one who saw him will forget how he rose to the magnitude of the occasion. A weaker man might, by acquiescing with the scarcely concealed wish of the Government and of the public to shield the defendants, have shattered at one blow the independence of the Bench and the fair name of England for justice.

The acknowledged advocate of his time, the master of the art of cross-examination, a great judge, he is also known on the Continent and in the United States, through his services as counsel at the Behring Sea Arbitration, and as an arbitrator at the Venezuelan Arbitration, as a leading English jurist.

Russell, too, had a ready wit, and once only have I seen him worsted. It was a breach of promise case, before Denman, J., just after the Parnell Commission, and Kemp, K.C., was his opponent. Russell, producing a copy of the *Times*, proceeded to read some extract in his client's favour, when Mr. Kemp interposed with the innocent remark, "I suppose, Sir Charles, you do not rely upon the *accuracy* of the *Times*?" The effect was electrical; the whole Court, including the judge, laughed till it could laugh no more, whilst Russell, throwing his brief on the desk, sat down and bore the laughter with

every sign of irritation and discomposure. As an instance of Russell's ready wit the following may be quoted. Asked by a junior what was the penalty for bigamy, the famous lawyer promptly replied, "Two mothers-in-law."

He was, as his friend William Court Gully says, a many-sided man, and "had he inherited an income such as the exercise of his abilities at the Bar enabled him to command, we should never have known his capabilities as an advocate or a judge, and his ambition would have been to lead a party in the House of Commons and to win the Derby; and so great was his force of character that possibly he would have done both."

Of him Lord Coleridge once said, "He is the biggest advocate of the century." But he was even more than this. He was a man of exceptional force of character. A lover of truth, he hated all that was mean and paltry. To a clear head and sound judgment were added a strong will, an imperious temper, and an independent spirit, which nothing could daunt. Whether he worked or whether he played, he did it with all his soul. He loathed idleness as he loathed deceit.

To his imperious temper may be attributed his brusqueness and even rudeness to his clients, and many are the stories told of this failing. "Sit down, you old fool," he once cried to his client, a venerable, white-haired solicitor, the *doyen* of an assize town, who persisted in interrupting him in his conduct of a case. Like most Irishmen, however, Russell failed to see the humour of such situations. He had no intention of being rude, and never appeared to recognise the brusqueness of his language or manner. A kinder-hearted man never breathed. In Russell we have prematurely lost not only a great judge but a great man.

Lord Russell, curiously enough, has been succeeded by Sir Richard Webster, now Lord Alverstone, like Russell himself and Mansfield a member of Lincoln's Inn and an

inmate of the Temple. Lord Alverstone's name still appears on the door of 2, Pump Court, ground floor left. Like Lord Esher, Sir A. L. Smith, and Sir Joseph Chitty, Richard Webster was a great athlete, winning the two miles in the Oxford and Cambridge sports of 1865 in 10 min. 38½ sec., beating the Dark Blue representative by forty yards.

It was as an advocate at Doctors' Commons that Robert J. Phillimore started on his brilliant career. As successor to Dr. Lushington and Lord Stowell, Sir Robert Phillimore added to the reputation of his Court by his learning and dignity. A master of ecclesiastical law, he was equally at home in maritime law, but it is as a jurist in international law that his services not only to this country, but to the world at large, will be best remembered. He was the last judge of the old Admiralty Court, the lineal descendant of the Court of the Lord High Admiral of England, first held on board ship in the reign of Edward I., and more permanently established on the riverside by Edward III.

Phillimore was elected Treasurer of the Middle Temple in 1869. His chambers were in the College at Doctors' Commons.

Called in 1848, James Hannen soon acquired an extensive commercial practice, and became known to the public through his successful appearance for the claimant in the House of Lords in the celebrated Shrewsbury case. Raised to the Queen's Bench in 1868, he succeeded Lord Penzance as Judge of the old Court of Probate and Divorce. He will be best remembered as President of the Parnell Commission of Inquiry. His chambers were at 2, Essex Court.

With Hannen and A. L. Smith on the Parnell Commission sat Sir John Day, who was called in 1849. A story is told that when going the Northern Circuit he wished to try the effect of the treadmill, and that the warder,

either for the humour of the thing or for some other reason, after setting the machine in motion, affected not to hear the learned judge's request to be set free, with the result that he had to complete his fifteen minutes' turn bathed in perspiration. Day was particularly fond of proceeding from one assize town to another on horseback, and in order to have more time for his journeys frequently sat late in Court.

On one occasion, the dinner-hour having passed and Mr. Justice Day having shown no signs of rising, a member of the Bar wrote the following lines, which quickly reached the bench :—

“Try men by night ! My lord, forbear :  
Think what the wicked world will say !  
Methinks I hear the rogues declare  
That justice was not done by Day !”

The judge's name naturally gave scope to puns of this character. In Liverpool he was known as “Judgment Day,” and now that he has retired he has been re-christened “Day of Rest.”

A distinguished member of the Middle, of whom many good stories are related, was His Honour Judge Digby Seymour, q.c. When at the Bar he was one day conversing in very audible tones in Court, much to the annoyance of an Irish barrister, endowed with a rich brogue, who was addressing the jury. “Be quiet, Mr. Saymour!” exclaimed the irate Irishman. “My name is Seymour, sir,” replied that gentleman. “Well, then, see more and say less,” came the witty retort.

#### MASTERS OF THE BENCH

At the head of the list of the Masters of the Bench stands the name of His Majesty King Edward VII. As Prince of Wales, on October 31st, 1861, he opened the new library—a Gothic building of rather unwieldy pro-

portions—was called to the Bar, and elected a Bencher of the Inn.

After the library had been declared opened, a service was held in the church, followed by a magnificent banquet in the Hall, at which the Prince gave the toast, to a distinguished assembly, of "Domus," amidst great applause.

On more than one public occasion, when Prince of Wales, His Majesty appeared in the Inn as a Bencher of the Society.

After the opening of the Royal Courts of Justice by Queen Victoria on December 4th, 1882, a brilliant company was entertained to luncheon in the Hall. Amongst other distinguished guests were the Duke of Cambridge, the Duke and Duchess of Teck, and Mr. Gladstone, Prime Minister. A marquee, capable of accommodating 1,100 persons, had been erected in the garden, and here the lesser members of the Inn received their relations and friends to a similar repast.

Other distinguished Benchers are the Right Hon. Lord Young, one of the judges of the Court of Session, Scotland; the Right Hon. Lord Brampton, better known as Sir Henry Hawkins; the Right Hon. Lord James of Hereford, called in 1852, Postman of the Court of Exchequer, Solicitor- and Attorney-General under Gladstone, who, when the Great Seal was within his grasp, went over to the Unionists; the Right Hon. Baron Lindley, called in 1850, now a Lord of Appeal in Ordinary, one of our greatest living masters of equity jurisprudence; and the Right Hon. Sir R. Henn Collins, called in 1867, the new Master of the Rolls, who had an enormous practice as a "silk." A man of immense legal attainments, he is regarded as one of our leading lawyers. He represented Great Britain at the Venezuela and British Guiana Arbitration of 1897.

When at the Bar, Hawkins occupied chambers at

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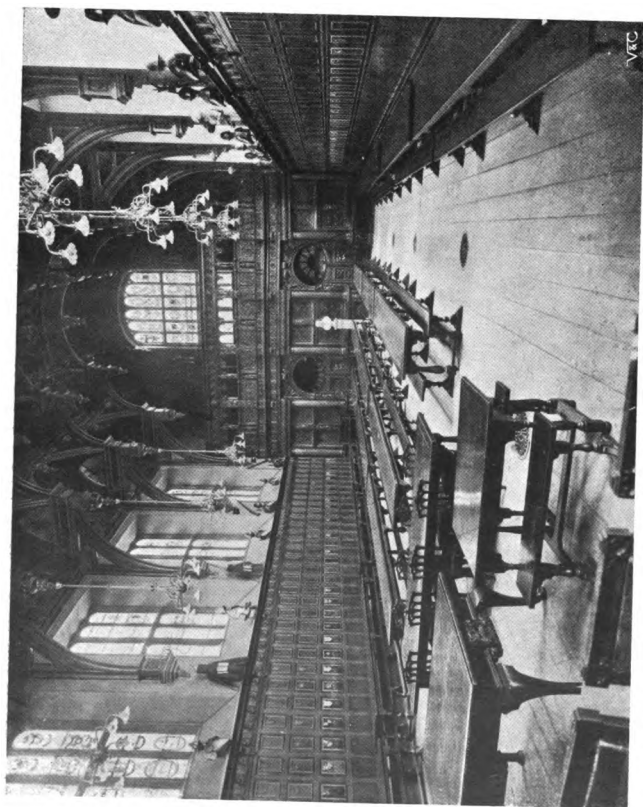
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MIDDLE TEMPLE HALL; EAST END

Crown Office Row; James at 1, New Court; Lindley at 16, Old Square, Lincoln's Inn; whilst the name of Sir Richard Henn Collins may still be found on the door-post of 4, Brick Court, in company with that of Mr. Montague Lush, the well-known advocate and Treasurer of Gray's Inn, son of Sir Robert Lush, a Lord Justice of Appeal.

Others who occupy seats on the Bench are Sir Alfred Wills, called in 1851 and appointed a judge of the Queen's Bench in 1884, Sir John C. Bigham, called in 1870, and Sir Walter G. F. Phillimore, called two years earlier, the son of the well-known ecclesiastical and Admiralty judge, Sir Robert Phillimore, both raised to the Bench in 1897.

Amongst the counsel marked out for promotion are the present Attorney-General, Sir Robert B. Finlay, and J. Fletcher Moulton, K.C., the leading authority in patent cases and an ardent politician.

Amongst other names to be mentioned are those of Sir Richard Couch, a well-known Indian judge; Lord Coleridge, K.C., eldest son of Lord Chief Justice Coleridge, who occupies chambers with his fellow-Bencher, Mr. Robert Wallace, K.C., M.P., at No. 3, King's Bench Walk; Sir Forrest Fulton, K.C., Recorder of the City; and Sir E. H. Carson, K.C., the Solicitor-General.

## CHAPTER XIX

### CONCLUSION



PORCH OF  
THE CHVRCH

**E**VEN these rough sketches bear witness to the closeness of the bond which unites the Temple and all its name implies with the life of the nation. From its heart has pulsed the life-blood of the people. Here the men who built up our constitution and the laws under which we live and have our being, worked and died; here those who interpreted

and administered these laws on the Bench or in the Cabinet received their training; and here, too, toiled those who contributed to our pleasure on the stage, or earned a bare subsistence in the study, that our recreations might be enlarged and our labours lessened.

As we pace the well-worn pavements by the hoary walls and dingy chambers, what memories crowd upon memories of the dead past which lives again! Once more in the Round we see the novitiate kneel before the patriarch as he casts the veil of purity upon his head, and his two sponsors, the mailclad Templar Knights in their

white cloaks stamped with the red cross of the Order, stand on either side with uplifted swords. Or we watch the procession of new-created serjeants in their white lawn coifs and parti-coloured gowns wending their way from the Temple Hall to make their offering at the shrine of St. Thomas of Acre in Cheapside. Anon we see the form of Coke hurrying along the narrow passage in Ram Alley to Serjeants' Inn, from his chambers in Fuller's Rents; or we stand with Plowden as he superintends the building of the great Hall, where Christopher Hatton led out the Queen to head the dancers, and Shakespeare saw staged his immortal plays. We see Lyttelton with the Great Seal, and many another Cavalier, flying to join the King at Oxford, whilst a Prideaux and a Whitelocke remain behind to carry on the business of the Inns and to assist in legalising the Commonwealth. We may follow Sawyer, Pollexfen, and Somers to Westminster Hall and witness, in the trial of the Seven Bishops, the great struggle for civil and religious liberty. The features of the terrified Jeffreys, disguised as a coal porter, peeping through the dingy windows of a riverside tavern, recall to us the Bloody Assize and sweet Alice L'Isle, and the pusillanimous James, as with petty spite he casts the Great Seal into the Thames. Harcourt Buildings remind us of the silver-tongued advocate and Lord Chancellor who defended De Foe at the Old Bailey, and at Cokethorpe was the patron and host of Pope and Gay, Prior and Swift.

In the Middle Temple Hall we may see Beau Nash making his bow to William of Orange, and declining the honour of knighthood. The fall of Macclesfield recalls the bursting of the South Sea Bubble and the trial of Lord Lovat, with Hardwicke as Lord High Steward and Mansfield as prosecuting counsel, the memories of '45. With the names of Burke, Sheridan, and Edward Law are associated the famous trial of Warren Hastings and

the comedy of *The School for Scandal*. Eldon, the great Lord Chancellor, reminds us of the Gordon rioters, and of all the leading political events of the early part of the nineteenth century. From a window in Crown Office Row we may with Lamb once more look down upon the old Benchers as they gravely pace the terrace below, and in Lamb Building we may visit the chambers tenanted by Thackeray's immortal creations. Brick Court is once more peopled by that famous group of whom the leaders were Goldsmith, Fielding, and Reynolds, which a century later is replaced by a group of men equally distinguished in another direction, led by Coleridge, Bowen, and Russell.

By such memories as these the dullest must be stirred, the idlest and most frivolous must be stimulated to emulate the actions of those great men.

As Judge Willis truly says, "Every man who means to live well in the present must know the past, and every great man has sought to inspire men by unrolling the names of the illustrious dead."

This thought cannot be more beautifully expressed than by Longfellow's lines in his *Psalm of Life* :—

"Lives of great men all remind us  
We can make our own sublime,  
And departing leave behind us  
Footprints in the sands of Time."

Surrounded by such associations—legal, literary, and historic—saturated in these time-honoured traditions, no one can be a member of either of these two Honourable Societies without becoming a fuller and a better man.

To us a great trust has been handed down. For us a roll of names, stretching through the centuries, has been unfolded—names imperishable in law, in literature, in history—names cherished by the whole English-speaking race throughout the world. Shall we then be unfaithful to this trust? Shall we not rather, inspired by such

recollections, be the more zealous in upholding the honour of our House and in maintaining the honourable traditions of our profession? We cannot all achieve fame, but even the least distinguished amongst us can so direct his course that though through him no glory shall accrue, yet through him at any rate no stain is cast upon the honour of his House.

FINIS



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## ABBREVIATIONS

G.I. = Gray's Inn.  
H.C. = House of Commons.  
I.T. = Inner Temple.  
L.C. = Lord Chancellor.  
L.C.B. = Lord Chief Baron.  
L.C.J. = Lord Chief Justice.  
L.I. = Lincoln's Inn.

L.J. = Lord Justice.  
M.R. = Master of the Rolls.  
M.T. = Middle Temple.  
T.G.I. = Treasurer Gray's Inn.  
T.I.T. = „ Inner Temple.  
T.L.I. = „ Lincoln's Inn.  
T.M.T. = „ Middle Temple.

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