

LIFE & CORRESPONDENCE  
LORD COLERIDGE

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LIFE & CORRESPONDENCE OF  
JOHN DUKE LORD COLERIDGE  
LORD CHIEF JUSTICE OF ENGLAND







*Portrait of Lord Coleridge aet 56*  
*From a crayon drawing by (Jane Fortescue) Lady Coleridge 1878.*

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LIFE & CORRESPONDENCE OF  
JOHN DUKE LORD COLERIDGE  
LORD CHIEF JUSTICE OF ENGLAND



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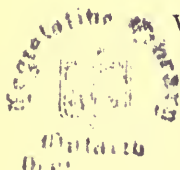
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BY

ERNEST HARTLEY COLERIDGE

IN TWO VOLUMES

VOLUME II



WITH ILLUSTRATIONS




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## CHAPTER I

### THE AMERICAN CIVIL WAR

Amicus Plato, sed magis amica veritas.

#### *Letters to AMERICAN FRIENDS during the War.*

IN the struggle for national life or death between the North and South, which was fought out in the American Civil War, John Duke Coleridge, for reasons good or bad, was not an out-and-out Northerner. He had thrown himself, heart and soul, into the anti-slavery crusade, and he knew and admitted that the North had been driven into war, that her cause was the cause of freedom, and, as he afterwards maintained, "he never had a shadow of doubt on which side the right lay," but he questioned the single-mindedness of the North, and was revolted by the ruthlessness of her warfare. He shared with Mr. Gladstone and the majority of his countrymen a want of faith in the power of the North to hold out and to hold on until she won, and, like Mr. Gladstone,<sup>1</sup> he distinguished between the question whether "the Southern ideas of slavery were right, and the question whether they can be justifiably put down by war from the North." Mr. Yarnall thought that he was misinformed and unduly influenced by the letters "from our own

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<sup>1</sup> *Life of Gladstone*, 1903, ii. 71.

correspondent" (Charles Mackay) in the *Times*, and by its leading articles, and by the tone of the English press as a whole—by the *Daily Telegraph* and the *Saturday Review*.

No doubt the *Times* had something to do with it. The letter of August 26, 1861 (the first of this series), may have been inspired by a Leader of August 21, which enlarged on the advantages of Free Trade, and quoted extracts from a paper read by M. Michel Chevalier at the Social Science Meeting at Dublin, which contained a strongly worded attack on the "Morrill Tariff"<sup>1</sup> A few days later, August 27, the *Times* Leader forecasts the result of the war, and advises the Northern States "to accept the situation as we did eighty years ago upon their own soil." Again, September 19, it is maintained that "Slavery counts for little in the quarrel, commercial antagonism for much. The watchword of the South is Independence, that of the North 'Union—Union being another name for Empire.'" These were the theories and sentiments of the governing and middle classes of this country during the earlier years of the war.

Their almost universal acceptance is a matter of history. Few there were whose courage and whose prescience enabled them to understand the meaning and to trust the issue of the struggle.

Questions with regard to the origin or conduct of the American Civil War need not, of course, be argued or discussed in these pages, but the answer

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<sup>1</sup> "The Morrill Tariff is the child of discord. It will not live. The atmosphere of the nineteenth century will stifle it. The Morrill Tariff is like one of those ugly beasts, such as the Anoplotherium or the Plesiosaurus, should one attempt to rear them upon the earth, such as it is at the present day. Vain attempt! Powerless effort!"

or answers which Coleridge made to some of these questions demand consideration. For he was not a man to take his opinions upon trust ; he had no objection to being on the unpopular side, and he had every opportunity from private and public sources (e.g., Mr. Yarnall's letters to the *Guardian*), of forming an independent judgment. And, yet, he went against his own predilections, in criticizing the motives and acts of the Federal Government, and, to his regret and disappointment, he was obliged to confess that he shared and sympathized with the doubts and indignation of the British public.

The burden of his remonstrance with his correspondents is twofold, that the Northerners had begun to fight for Protection, and only incidentally against slavery, that they went on fighting with little or no hope of victory, but for fighting's sake, that they might conquer their antagonists, and not be conquered by them. Patriotism, he seems to argue, would justify war to the bitter end, as it had justified the War of Independence against the British, or of the British against Napoleon, but, when the struggle lay between parts of a nation, it was partisanship not patriotism which inspired the contest. It is enough to say that he seems to have been mistaken about Protection, that the South did not secede, or the North withstand secession on the arbitrament of a Tariff, that if the North were not fighting for slavery, they were fighting to prevent the formation of a slave-holding confederacy, and that if patriotism sanctioned warfare, in fighting against disunion they were fighting for their country and helping it to fulfil its predestined ideal. "Con-

stitutions," says the author of *Division and Reunion*,<sup>1</sup> "are not mere legal documents, they are the skeleton frame of a living organism." The living organism was there, the potentiality of Empire, but it was being fashioned in secret, and men who loved liberty and were observant of justice were repelled by the spirit which animated the North, the grim resolve to suffer any loss, to inflict any injury in the path of conquest. The patriotic plea or sanction was wanting. The war, it seemed, was being waged for the predominance and aggrandisement of a party or section, a people who were not a people.

There were, however, lesser and lower reasons why Coleridge withdrew his sympathy from the men though never from the cause of the North. Their self-glorification in their despatches and proclamations, their Hellenic ingratitude towards their generals, were *contra bonos mores*—deflections from the standard of Eton and of Oxford. But, on these points, though he may have had something to learn, he may also have had something to teach.

To make his words my own, "I do not pretend to give opinions of things gone before,"<sup>2</sup> but I have endeavoured to explain and to illustrate his point of view. Mr. Morley, on summing up the attitude taken by Mr. Gladstone, in "that mighty struggle" the American Civil War, pleads,<sup>3</sup> that "if and when it differed from that of the majority of his countrymen, it did not differ for the worse." Of John Duke Coleridge's attitude to the struggle it might be

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<sup>1</sup> *Division and Reunion*, by Wodrow Wilson, Ph.LL.D., 1893, p. 211.

<sup>2</sup> Speech to the Union League Club, October 25, 1883.

<sup>3</sup> *Life of Gladstone*, 1903, ii. 74.

said that if and when it differed from that of the majority of his countrymen it differed for the better. He loved and honoured Americans long before better acquaintance and a change of fashion made them acceptable and popular in this country, and as host and guest, and host again, he honoured himself and them by the warmth of his affection and the sincerity of his goodwill.

JOHN DUKE COLERIDGE to ELLIS YARNALL.

HEATH'S COURT, *August 28, 1861.*

MY DEAR YARNALL,

I should have written to you earlier and oftener, had I not rather shrunk from it, owing to the difficulty I feel in going, as I could wish, with you, in what must be now the one absorbing topic of talking and writing, and indeed, I suppose, of thinking too. On the whole, in the interests of true civilization and humanity, I cannot doubt that the North should have all English sympathy, and no Christian man but must wish the war to be put an end to—*yet* the North has really done all it can to prevent an Englishman of whatever opinion from having a hearty sympathy with it. The utterly unreasonable abuse of England, and the foolish threats against her, are not, at all, the worst part of the matter. The extravagant self-laudation, for which at least as yet there seems no great reason, is, as you know, thoroughly disagreeable to our notions, and the denunciation and fierce feeling against the South seem to us far beyond what there was occasion for. It may *become* a struggle between slavery and abolition, but as long as the South submitted to the thoroughly retrograde and selfish tariffs<sup>1</sup> of the North, not a word was said by public men

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<sup>1</sup> A *Letter to Horace Binney, junior, dated March 20, 1861*, is to the same effect: "If I comprehend it at all this matter of the tariff is very disgusting, and the forcing it through at a time when the South had seceded is in singularly ill taste. There is no disguising that it has, in English society, at least, in *my* English society, made a good deal of difference in the feeling with which the struggle is regarded. It turns it, much more, into a commonplace struggle of interest, instead of one of principles. And, in England, all educated and intelligent men are so thoroughly agreed about free trade, that we have a real and true difficulty in believing in the honesty of a



against slavery; and there has never been, as far as I know, any large-hearted charity towards the Southerners as to persons, by no fault of their own, entangled in a horrible system, no effort to help them in their difficulty, still less any idea of the smallest *sacrifice* on the part of the North to redeem the slaves or to induce the South to emancipate them, either at once or by degrees. And, as to the South being *rebels*, my dear Yarnall, it is strange and saddening to see how little men are advanced since the days of Lord North. You broke off, in my opinion, quite rightly from a monarchy of 800 years, because it was being administered in a sense oppressive to you. Well, the South breaks off from a proper constitution eighty years old, and language is used to them that would have been extreme in the mouth of Lord North or his cabinet. It is nothing to prove, as Mr. Everett has done, quite conclusively, that the constitution did not provide for its own dissolution—of course it did not. But, surely, in common sense, so large a body as the South has the right to set up for itself, if, in a long course of years, it found, or thought it found, the whole federation formed in a sense commercially hostile to them, and for the benefit of the other great division of the country—in particular for the benefit of Pennsylvania. If we persisted in making every Irishman pay more for every knife and nail and every set of cotton or linen he used, to benefit Liverpool and Manchester and Sheffield, I, for one, should say that Ireland would be perfectly justified in setting up for herself, if she was really strong enough to stand alone. And sure I am that no very warm sympathy would be felt for England in an attempt to coerce her to submission. It is very well for you and Binney to assure me that we who think the selfishness of the North had something to do with the secession of the South are quite wrong, but

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protectionist, or in thinking that he is really caring for anything but his own pocket. It seems perfectly plain that the whole country, and every man in it, is being made to pay for the benefit of the Northern manufacturer, and that, as matter of justice as well as matter of wisdom, the South is perfectly right in its opposition to this." Binney replied, May 6, 1861: "The Tariff has been a standing subject of struggle between the North and South, but the South has generally had its way since 1842. I need not say to you, however, that the present Tariff had nothing to do with our present terrible strife. . . . No! Slavery, 'our weakness and our shame,' as the Bishop of Oxford truly terms it, is the wedge that splits us asunder."



the facts remain, and I suppose human nature is the same with you as with us, and it is *not* in human nature to like to be the victim of Protectionist tariffs. We don't like it here, and I suppose the South don't like it there.

I write all this because I see from the *Guardian* that even you are disposed to do us injustice here, and to complain of our course a little unreasonably. We can't help giving belligerent rights to the South. The law of nations gives it them, a law which I hope the President is not really going to try to break in the matter of port dues collected by armed force at sea. But no reasonable Englishman can desire anything but the conclusion of the war and the prosperity of America both North and South. If the war continues, the chances are we shall be drawn into it in some way, and if it continues, it must be with the loss and distress and weakening of a great civilized people, our natural allies, to whom every feeling, low and lofty alike, binds us, and whose prosperity is our prosperity.

To me, personally, the conduct of the North has come with something like a personal wound. The dominant class in England, whom I thoroughly dislike, point, with a sort of smug satisfaction, to the mistakes and boasting of the North, and draw the moral against a wider infusion of the popular element and the absence of caste to which they attribute American mistakes, and I have to hang my head and speak in bated tones of my favourites. Moreover, I confess to having received a real shock of opinion. Nevertheless, I most certainly believe the North must and will win in the end. I mean that they will be the great and leading people, and I heartily desire it for the sake of human nature.

I see by the paper that Motley has a diplomatic appointment, which, personally, I regret, as I had hoped to be fortunate enough to come across him somehow while he stayed in England. I have not read a word of his books, except in extracts, but every one tells me they are admirably good and throw a flood of light upon our own politics, and, especially, on the character of Queen Elizabeth and her statesmen. But, the truth is, I read very little now except in the Long Vacation, and that little is, almost exclusively, books of older men which I can take up and lay down as I like, and out of which I seem to gather freshness and comfort every time I touch them. I go on with old Wordsworth, liking him better and better every day, if that be possible, and I am now reading Frere's *Aristophanes* and the *Odyssey* with some Cicero. I fancy if a

man has an absorbing profession he had best make up his mind to be audaciously ignorant of *knowledge* of other kinds and stick to literature proper, the great poets, philosophers, orators and historians (only so far as historians are *not* concerned with *facts*). Nevertheless, I have been reading several of Dr. Holmes's books with great pleasure. I don't like him and I don't like his opinions, but he is very clever and writes well and thoroughly *interests* me, and his poetry is very tender and beautiful—most of it at least.

Your affectionate friend,

J. D. COLERIDGE.

ELLIS YARNALL to JOHN DUKE COLERIDGE.

PHILADELPHIA, *September 19, 1861.*

MY DEAR COLERIDGE,

Your letter gives us pain. I cannot but feel sad at the thought that private friendship seems scarcely secure at a time of such grievous public trial as this. You say you have delayed writing because you could not go with us here in our struggle. You add then that the North ought to have all English sympathy, qualifying your remark, however, by the further words that no Christian man but must wish the war "put an end to." Later in your letter you again express the wish for the "conclusion of the war and the prosperity of America both North and South." You do at last add that you expect the North will win in the end, and that you heartily desire that such may be the result "for the sake of human nature." I might rest content with this concluding sentence, but that it is the only expression of what I might call your old feeling towards America and, further, that it is difficult to reconcile it with the strong censure of matters here, which your letter somehow is full of. You really have disheartened me a good deal. For while the *Times* and the *Saturday Review* and Lord Shaftesbury, the *Christian Observer*, the *Daily Telegraph*, and, in fact, almost the whole of the English press, went against us, I had the hope that persons like yourself, with large knowledge of American matters, would uphold our cause in private circles, and that, at length, the truth would be vindicated. But you, too, are against us, and what hope can I have that a good cause, if there ever was one on earth, will in the hour of its great necessity find any favour or support in England? Of course I speak strongly,

as I would in talking with you, not expecting to be held literally to what I say. Surely, however, the main facts are that the long strife about negro slavery has resulted in this country in open war, that the Free North, rather than submit longer to the encroachments of the slavery propagandists, have thrown their prosperity to the winds and have resolved that the old laws shall stand. Nay, they have in their hearts gone further, they have come to the conclusion that they are no longer bound to give slavery that protection which hitherto it has had, and that it must now cease from among us. No intelligent observer of what is passing here can fail to discern these plain facts, and all true-hearted Americans have from the first rejoiced deeply, counted the sacrifices we are called to make as nothing, seeing that what had so long been our national sin would probably be removed, and that the one dark stain on our character as a people was about to disappear. . . .

The Tariff which you speak of had long ceased to be a grievance. Southern votes with those of Northern men were sufficient, again and again, to effect reductions in the rates of duty on foreign merchandise. We were living under a Revenue Law arranged by the Southerners themselves when South Carolina and the Cotton States seceded. The Congress which assembled last winter found itself able in consequence of the absence of Southern Members, to pass a bill, which had *been introduced the previous year and had passed the lower or popular House*, for moderate protection. It is honestly believed by every one who supports that measure that it is *for the good of the whole country*. It benefits Pennsylvania, certainly, but it is also for the common good. *And it does not injure the South*. The consumption of foreign products at the South is scarcely more than *five per cent.* of the entire importation of the country. The Morrill Tariff is not a high protective tariff. It was before Congress, and was passed by the House of Representatives a year before Secession was thought of. It passed the Senate only when the Southern men left their posts. It does not injure the South, for they share in the common prosperity; it scarcely falls on the South, for their consumption of foreign goods is as nothing. But the Tariff is scarcely alleged by the South as a grievance—slavery is their one thought and conquest for the extension of slavery their chief desire. You in England really are putting in their mouths complaints they do not make themselves. The rebellion is simply against Northern preponderance in the Government. Hitherto the South has had almost absolute

control of affairs. You saw this, my dear Coleridge, plainly ; for your letters to me show it.

Now as to our calling these men rebels—certainly they are such unless they succeed. They break away from the bonds of the constitution, the established order of things, and they are wholly without justification. Of course if they overcome us, they form their own government or confederacy, and the world will acquiesce. We say that they have not right on their side, but, even if they had, we can never consent to their separating from us and becoming a rival power. We know, however, that it is our duty to hand on to those who are to come after us an undivided country. We know, too, that for us there would be no peace or security with such neighbours as they would be ; that unceasing war would be the employment of men here should the Southern confederacy establish itself.

You say with vehemence that you are *neutral*, that you desire the prosperity of America both North and South—we ought to part peaceably. Pardon me, my dear friend, England is no longer England if she is so careless for truth and justice when they are sore beset. What most troubles me in your letter is your saying you feel our conduct here as in some sort a personal wound. Have you no admiration then for a people more than any other interested in works of every-day ability and comfort, giving up all rather than allow their Government to be broken up ? Or, to take another view of it, declaring they will accept any sacrifice rather than bring upon their consciences the sin of negro slavery ? Had we opened the territories to slavery—given congressional protection to it, there need have been no war, but a burden would have been upon the souls of us all.

“Other men may yield this,” said Mr. Binney to me, “I never will.” “You accept then the alternative ?” I inquired. “Certainly,” said he, “any alternative. I know what sacrifices were made to form this Government. I can count nothing too great that may be required of this generation to hand it on.” Indeed, Coleridge, you should have more faith in us. I recall a remark of your father’s in one of his letters to this city at the time of the Russian war, “that it was honestly undertaken, believed by every one to be just and necessary, but that it was a war to keep the Turks in Europe, as one might, perhaps, view it.” England and France, each, spent a hundred millions sterling in carrying it on, and the loss of life in it, while it lasted, was, I believe, a thousand a day. *Our* war is for the in-



tegrity of our Government, for our national existence, and against a people whose one aim it is to make slavery perpetual. It is a war in which old and young, rich and poor, men and women, are alike united under the deepest conviction that we are fulfilling the most sacred duty. I am sure if you would simply present to your mind the dignity of our contest as a struggle for constitutional law, and if you would not permit yourselves to be influenced by the perpetual sneers of the *Times*, you would be able heartily to defend us against the men who you admit are rejoicing in our troubles.

Your friends here are well. Binney is still away, however. I met Mr. Clay at the Catskills, on the top of the mountain. He loves that wild region, and goes there for his summer holiday. What an agreeable man he is! . . . He, too, Coleridge, is heart and soul for the North and the good cause.

Always yours affectionately,

ELLIS YARNALL.

JOHN DUKE COLERIDGE to ELLIS YARNALL.

[The affair of the *Trent*.]

6 SOUTHWICK CRESCENT, W.,

December 3, 1861.

MY DEAR YARNALL,

It seems so highly probable that in a few weeks time we shall be at war, that I seize a sort of half-holiday (which I have taken on my fortieth birthday), to begin, at least, to bring my Amercian friends into my debt. It will be some satisfaction if our correspondence is interrupted that I should be on the right side.

I must unlearn Lord Stowell and burn Wheaton, if there is one word of defence for the American Lieutenant. But I don't suppose that will make the least difference, for the conduct of the general at Panama seems to me even worse, and, I see, the papers as reported in the *Times* this morning, justify both acts, and speak of them as brave and bold. What particular bravery there was in either case I am quite unable to discover, and how a great and gallant nation can *en masse* confound safe swaggering over unarmed and weak foes with true valour, I cannot understand, and I repeat to you with soreness of heart that this kind of thing comes to me with a sense of personal pain from America. I have always upheld you, defended you, fought your battles, admired you, wished to imitate you, shut

my eyes to the unpleasant things which now and then lay on your surface, being sure that they did not represent the real true life and feeling of the great American people. Furthermore, in spite of Mr. Seward's insolence, I have gone for the North, not quite like you, perhaps, not prepared to do anything but keep neutral—still, in the main, for the cause of the North as distinguished from the men of the North, and most heartily in feeling and prayer *against* the South, both men and cause. I had hoped that Seward's Canadian manifesto and his circulars about fortifications were mere bits of political capital (bunkum, you call it, don't you?). But all that is now taking place is grievously discouraging, and the best and tenderest way of dealing with a subject so unpleasant is to hold one's tongue about it, which I do now whenever I hear you discussed. It is terrible to think that such a man as Seward has shown himself to be should be able to bring about a war between England and America, but I suppose it will be so. It is one of the mysteries of this life that men are able to bring about results so momentous, for the injury to all the best interests of mankind of such a war no one can overrate. Here, however, I think the feeling is more unanimous than ever I recollect it, of earnest desire to avoid war if it may be with honour, of resolution to fight to our last man and spend our last shilling sooner than submit to an utterly unprovoked outrage.

I read you weekly with great interest in the *Guardian*. You might read me last week in a review of a curious and interesting book on the Mormons; and I have sent them also a review of Olmsted's last book. It is one of the many pleasant things I owe to your friendship that I have known Olmsted's books. They are thoroughly delightful to me from their sense, good temper, and large array of facts. I seem to feel him to be really a genuine and truth-loving man, and I *believe* him, which is a pleasant sensation when you are reading. I sent you by book post a little sketch<sup>1</sup> of my poor cousin, Herbert, whom I knew and loved well, and who left me his executor. I think you knew him and

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<sup>1</sup> "The late Herbert Coleridge," *Macmillan's Magazine*, November 1861. Herbert Coleridge, b. October 7, 1830, d. April 23, 1861, was the son of Henry Nelson and Sara Coleridge. He was scholar of Balliol, and obtained a double first-class in classics and mathematics. He was the "first general editor" of the *New English Dictionary* (see "The Preface," i. v.). He wrote, *inter alia*, a *Glossarial Index to the Printed English Literature of the Thirteenth Century*, 1859.

his mother, and I thought for many reasons it would interest you. I hope you received it. I will send you also a small photograph of myself as a sort of recollection in case this horrid war prevents our ever meeting any more. It will last a good many years, I fear, when once it begins. Send me a *carte de visite* of yourself, if you can, when you write next from the same cause. We are all, thank God, pretty well. My father just now is with me for the sittings of the Privy Council, and I dare say will be here a fortnight longer. He and old Mr. Binney keep up a pretty brisk fire of letters, and I sent to the *Guardian* a fortnight ago a letter of old Mr. Binney's to him, which seemed to me too striking a paper not to be published.

I was very much interested with your friend Forster's speech on American affairs. I knew it would please you; I wish I knew him. We have called on each other, but have never met. Next session of Parliament I dare say I shall be more fortunate. He is a thorough fine fellow as ever lived, and though I don't know him personally, I have the truest respect for him.

Always sincerely and affectionately yours,

J. D. COLERIDGE.

JOHN DUKE COLERIDGE to HORACE BINNEY, JUNIOR.

6 SOUTHWICK CRESCENT, W.

S. *John Evangelist*, 1861.

[December 27.]

MY DEAR BINNEY,

I thank you heartily for the copies of your father's books, which you have so kindly sent me, and which complete my collection of the works of "that old man eloquent." I wish it could be said of him also that he "wielded the fierce democracy," for I feel very sure that if he, and men like him, were at the head of you, instead of a man like Seward, there would be no war, and America, without losing strength, would gain incalculably in true *greatness*, which is a very different thing. I will not say one word about the war, for I have been so amazed at the line my dear friend Yarnall has taken in the *Guardian*, about the *Trent* affair, that I feel sure of the opinions of no one, and I won't have a private war with an American brother, although Seward forces me into a public one with his country.

We are all, I thank God, very well. My father and mother

wonderfully so, and he has gone through his Privy Council sittings this time with very little fatigue. . . . My wife and children flourish, and, for myself, except weariness from work and a certain deadness of spirit which, I find, the exclusive pursuit of the profession engenders, I have nothing to complain of. It's a much harder thing than people think, till they try to keep the heart and mind fresh without literature or nature, and I suppose that a man in his forty-first year is no longer young. I must stop. I had hoped to write at length, but my Christmas is spoiled by a lunacy inquiry,<sup>1</sup> in which I am engaged, and which takes up the few days I hoped to give to pleasanter matters. God bless you and yours always.

Your affectionate and faithful friend,

J. D. COLERIDGE.

JOHN DUKE COLERIDGE to ELLIS YARNALL.

6 SOUTHWICK CRESCENT, W.

*Holy Innocents*, 1861.

MY DEAR YARNALL,

Having the opportunity of a private hand, I send you a photograph from Boxall's picture, which you will remember at Heath's Court, and which will remind you of our delightful time there together before all these wars and rumours of wars came upon us. I will not say a word about the war, for I wrote you before I had seen your first letter in the *Guardian* since the seizure of the prisoners from the *Trent*, and you will have seen that I utterly disagree with your law and general views on that matter. Indeed, I understand even the *judges* in America now say that feeling and not law, that is might not right, is to be the arbiter in these questions. Well, so it must be, I suppose, but I pray God with all my heart that this awful calamity may be overruled by Him for His own good ends, or may serve in its result to bring about a better understanding and a lasting peace. At any rate, as I have told my dear Horace Binney, I do not mean to undertake a series of duels with my American friends because our countries are forced into war by Seward, and so I drop the subject, and will hope that something or other will happen to let us keep up our correspondence, or at any rate, before long to resume it. Let me know if you do not let Sharp know

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<sup>1</sup> The Windham Lunacy case. See *Times*, February 28, 1862.



(if you do don't trouble yourself as I can find out from him) how best to get at you in case of war, as I take for granted communications of some sort through France or in some other way will still be possible. . . .

All the best wishes of this blessed time be with you and yours, my dear Yarnall. I wish Lincoln and Seward would read Milton's Ode on the Nativity before they send their answer—read it, that is, with an understanding heart. How grand it is! I read it again to-day with ever new delight.

Your affectionate friend,

JOHN DUKE COLERIDGE.

HORACE BINNEY, SENIOR<sup>1</sup> to JOHN DUKE COLERIDGE.

PHILADELPHIA, February 27, 1862.

MY DEAR SIR,

By some casualty . . . your letter dated the day after Christmas, came to me from my son yesterday, and your paper on the late Herbert Coleridge. . . .

I had previously read the memoir of your kinsman, in an American publication, which selects the best papers from English journals. It interested me much; and it has again interested me in the copy you have sent to me. . . . I have learned from my son that he has also sent you by Mr. Rawle, who left yesterday by the *Asia*, a pamphlet recently written by me on the privilege of the writ of Habeas Corpus under the Constitution of the United States. I shall be glad if it receives your approbation; but I am not sure that the lawyers of England will readily approve my interpretation of the Habeas Corpus clause in the Constitution, unless they are as familiar, as we are here, with the great principle of limitation which restricts that Constitution. The power of the Union is limited by what the Constitution *grants*. When it is not *granted*, it does not exist. If the power of suspending is not *granted* by the Habeas

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<sup>1</sup> Horace Binney, 1780–1875, of Philadelphia, a distinguished advocate and compiler of *Reports of Cases adjudged in the Supreme Court of Pennsylvania*, in six volumes. The pamphlet to which he alludes—*The Privilege of the Writ of Habeas Corpus under the Constitution*, 1862—was one of three written in support of President Lincoln's claim to suspend the writ of Habeas Corpus. He was the friend and correspondent of Sir John Taylor Coleridge. To his son's friend, John Duke Coleridge, he was indeed *clarum et venerabile nomen*!

Corpus clause, it does not exist in any department of the National Government. The concession here is, therefore, general, that the power of suspending the privilege flows from that clause ; and the only question upon it is to what department it flows. Chief Justice Taney,<sup>1</sup> in his opinion against the President's power, assumes that construction of the clause *expressly*, as others do who sustain him. This being conceded, you may find my reasoning more intelligible from that point.

I do not know why, at my age, I troubled myself with the question, unless it was from some uneasiness lest the best judges in the world should think that the President's action at the outset of our Rebellion was an indefensible usurpation. That seems to have been to some extent the impression in England. C. J. Taney has learning and ability, and great subtlety : but I have not the least confidence whatever in his judgment upon any point which has strong connection with politics. His opinion in the Dred Scott case has been, more than any single cause, the parent of this Rebellion ; for by it he turned the whole South, to contempt of all that every preceding administration and Congress had done for seventy years, on the subject of slavery in the Territories. He was an *excessive*—worse than an *extreme* federalist, when he was young and in middle life ; but he turned right about to Jackson in 1832, and, since that, has been an *extreme* democrat, which is worse than *excessive*. He owes his office to it. But it is Southern democracy—politic and affected, and insincere.

I hope your first letter to me will not be your last, as you apprehended. The ground of that apprehension is, I thank God, removed for the present, and I pray it may not recur. I wrote to your father, that I *hoped* we were right in the *Trent* affair ; my *fears* on that occasion, and some others which come up to me at times since that, I suppressed and suppress, and will suppress—trusting that in a cause which I believe to be righteous, God will protect us to the end, preserve to us the amity of Foreign nations, England

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<sup>1</sup> Roger Brooke Taney. 1777–1864, was nominated Chief Justice of the United States, December 1835. On March 13, 1861, Chief Justice Taney affirmed the right of Kentucky to demand the person of a fugitive, a free man of colour, named Willis Lago, and the obligation of Ohio to render him up, yet denied the jurisdiction of the United States Court in the case.—*Dict. of Amer. Biog.*, Art. "Taney."

especially, and restore to us the amity of our revolted States.

I beg you to present my respectful and affectionate regards to your father, by me the most honoured and venerated of the fathers of your country, and to

Believe me, very respectfully and truly,

Your obedient servant,

HORACE BINNEY.

JOHN DUKE COLERIDGE, ESQ.

*London.*

JOHN DUKE COLERIDGE to HORACE BINNEY, JUNIOR.

HEATH'S COURT, OTTERY ST. MARY,

*September 5, 1862.*

MY DEAR BINNEY,

. . . We have restored to you Mr. Reynolds, with whom we were much taken. . . . For his own sake I am glad he has gone home. For he was a man of mark and power, and, in this country and at this time in particular, his being an American would have very unfairly weighted him in the race. He passed two or three evenings with me, and will be able to keep you "posted up," as you call it, with the latest state of our family affairs—affairs, my dear Binney, which alone it is comfortable to me to think of or write about. Much as I detest the barbaric South, and admit their treason and gross provocation to the North, and heartily as I sympathize with the *cause* of the North, the time has come, as it seems to me, when the South has established its claim to stand alone. It is strong enough and determined enough, and I can't follow or admire the Northern spirit any more. I don't expect you to agree. I shouldn't think so myself, most likely, in your situation. But I am not in your situation, and I naturally take a different view. And as far as I can judge myself, I have no blinding or selfish motives to sway my judgment, which, of course, may be quite wrong, but is, I think, quite unbiased.

Meanwhile, with much misgiving, I believe I am about myself to embark on the sea of home politics. I have been asked to stand for Exeter at the next election, and I have almost made up my mind to do so. It is an honour to be asked to stand for a great city, the capital of my county, and I suppose if I am to go into Parliament at all the time has come. You good Americans are all of you such high Tories, that I am afraid I shall hardly, as a strong Liberal, have your good wishes for success. But I admire and respect

America. My faith in her is not a bit shaken by this war, and if anything could deepen my detestation of the English aristocracy, it is the undisguised carnival they keep over what they think the breakdown of democratical institutions in America. So I hope still for the good wishes of an American aristocrat.

There is one thing, by the way, which I will mention without plunging into the abysses of the war. It is that the love of real liberty seems to have gone to sleep and to have died out. The arrest of citizens on false pretexts, or none, the suspension of the Habeas Corpus, and the cry for "strong measures" are indications to our minds here, that true freedom has ceased to be regarded as the first object either by the Governors or the people. And there is, to me, no more fearful or crushing despotism than that of an irresponsible government elected by popular suffrage. . . . It is one of the most detestable inventions of that odious profligate in France, the despotism founded upon universal suffrage, which he has there succeeded in establishing. I know that there are times when vigorous measures are essential, and the substance and not the forms of freedom should be regarded. I only hope that there is more care for the substance than the utter carelessness about the forms seems to show now amongst you. I say this because I think it is the only *fair* point of attack which the American people have presented. . . . You will be glad to know that my dear father, now in his seventy-third year, is wonderfully well and active for him. He takes a considerable share in all good county works. . . . This and the Privy Council keep him from rusting. My wife and children, thank God, are very well. The rest of this place is doing me good, for I needed it, but as it is now my duty to do nothing, I do it very thoroughly. Kind regards to my unseen friends, your wife and children. I beg my best respects to your father.

Yours most respectfully,

J. D. COLERIDGE.

JOHN DUKE COLERIDGE to ELLIS YARNALL.

CHANCERY LIBRARY, *May 13, 1863.*

MY DEAR YARNALL,

While I am waiting here for a consultation, I will at any rate begin a letter to you. I have been long in your debt, and should have paid you some time ago, but I am only slowly and with many drawbacks getting back into work again from the worst attack of a most painful



and disabling complaint I have ever had. I had to leave court in the middle of a case at Exeter on the circuit, and for a month I was laid up at my father's, mostly in bed and always in my room, in such pain as I cannot bear even now to think of.

I do not know what to say to you about the war. It is, naturally, the subject which engrosses all your interests—and I see what you think and say about it, week by week, in the *Guardian*. It is of no use to disguise that I cannot go along with your thick and thin defence of the Government, and that I am somewhat disappointed at not getting a more independent view of measures and men than you give us there. The favourite of the hour, McClellan, Burnside, Pope, Hooker, is your favourite, and then you turn round upon them too sharply for my slow English mind to follow you at all. But, I dare say, if I lived in the tumult you live in, my philosophy and powers of judgment would be disturbed, as much as yours seem to be. I want very much either the materials or the guide for a really candid judgment. I do not doubt that the noble and high-minded men I know and have heard of in America are still noble and high-minded as ever, but, it seems, the failure of the country, that which forces itself to the surface, is neither noble nor dignified. The Government and the army seem to me sadly deficient in *personnel*. There is scarcely a man except McClellan who has behaved like a gentleman in word and act amongst them. Whatever his military and political defects may be, McClellan seems to me at least to know better than any one else how to behave, and I am always thinking with what deep melancholy De Tocqueville would have looked on the lawlessness of the Government, and the apparent loss in the great body of the people of any care whatever for liberty, so only they can burn and lay devastate the Southern States. To me, I do assure you, my dear Yarnall, American affairs are matters of the profoundest sadness. Of course I do not *per se* wish for the South's triumph, and I believe in the inner and under barbarism of Slave States whatever their outward seeming. Of course, too, I know right well how ill they behaved in the beginning, and how the North could not in honour and in wisdom but go to war. But I cannot go with them now. It is now conquest and extermination, and the South are large enough and strong enough and determined enough to stand alone. I shrink back with horror from the Northern spirit now, and that this should be the end of an experiment which I admired,

and of a people with whom I so much sympathized, and that I should be unable to say a word against the gibes and pleased sneers of the English aristocracy is very mournful to me. You will not ever see me saying a bitter or hostile word of you in public, but I am reluctantly forced to hold my tongue when I hear you assailed.

I won't discuss the *Alabama* with you, although I have read the pamphlet you have sent me. I think, in spite of Roundell Palmer,<sup>1</sup> our Government *was* remiss, but your people seem, to me, on their side quite extravagant in the tone they take about it; though I admit the mischief the ship has done and is doing to be most irritating.

Our theological troubles here are in another kind of way very distressing to many men. I deprecate the persecution of men for their opinions in the abstract, but I think Colenso and others are cutting at the very foundations of morality by claiming to hold and teach what seems manifestly inconsistent with documents they have deliberately signed, and on the strength of this signature of which they hold preferments. In time I believe we shall have the *Essays* and *Reviews* discussed again before the Privy Council. Colenso I believe to be safe in this country from prosecution, as he is responsible, primarily, to his immediate Metropolitan, the Bishop of Cape Town. God bless you and keep us both true and sound. Don't let politics interfere with private friendships. It is very hard to be in earnest and to be tolerant, but it is not impossible if we try.

Yours affectionately,

J. D. COLERIDGE.

JOHN DUKE COLERIDGE to ELLIS YARNALL.

WESTERN CIRCUIT, EXETER,

July 28, 1862.

MY DEAR YARNALL,

I followed with the greatest interest your letters in the *Guardian*, although, I think, they sometimes mutilate

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<sup>1</sup> 'Even Lord Russell, after many years of obdurate self-defence, at last confessed in manly words: 'I assent entirely to the opinion of the Lord Chief Justice that the *Alabama* ought to have been detained during the four days I was waiting for the opinion of the law officers. But I think that the fault was not that of the Commissioners of Customs; it was my fault as Secretary of State for Foreign Affairs.'"—Walpole's *Russell*, ii. 373, n. See Morley's *Life of Gladstone*, ii. 395.

them, and occasionally, no doubt, Bernard pretty strongly intimates his dissent. In the main I sympathize with you and, as you know, go heartily for your *cause*. It is very natural that you should not see the acts and sayings of your *men* as we see them, and natural, too, that you should be somewhat vexed at the cold and critical temper which even the most friendly Englishmen display. But your *men* have so repelled and alienated the staunchest Americans in this country, and me, I own, among the number, that it requires a strong effort of reason and principle to recollect that after all they are on the right side, and that the bragging and insolence of a few persons whom a crisis has tossed to the top, ought not, in reason, to put one from one's faith in a great people, and make one careless about a great cause. But, though I know you are a little dissatisfied with me, I assure you the North has no stronger and heartier champion than I, and so far as I can, I protest against the miserable cant in favour of the barbaric slaveholders with which society in this country rings. I admire, in common with all the world, their resolute pluck and their clever and even brilliant military movements, but I hate slavery with so determined a hatred, and it seems to me so awfully wicked and so debasing to the heart and temper in its effects that, as I say, my allegiance to your *cause* has never wavered. One thing only I confess the past year has convinced me of, *i.e.*, that, sooner or later, in some shape or other disunion is inevitable, and that "Reunion as it was" is all nonsense. Either the South is really much more unanimous than we believed, or the power and genius of the leaders is much greater; for, as yet, there seems literally no trace of a *union* sentiment in the seceded states, and, without this, what hope is there of a permanent reunion? That you may *conquer* I still do not permit myself to doubt, but what then?

I dare say the tone and temper of leading Englishmen has disappointed many good Americans who believed the truth and sincerity of the platitudes about our American brethren and so forth, which used to form the staple of post-prandial oratory here. Many of you, I dare say, really fancied the English aristocracy could *like* a country which was a standing reproach to their own profligate and wasteful ways, and the unbroken success and good fortune of what was, in truth, a most ominous fact for them and their dominion. I never believed anything of the sort; and, if anything *could* deepen the detestation I feel for the character and influence of our English aristocrats,

it would be the shameless manner in which they have rejoiced at the misfortunes of America as a whole (in private), and the sympathy (so far as they have any for either side), they have shown for the South, generally, on the ground of their better breeding and manners! But I am apt to lose my temper and my judgment when I think of this magnificent country and this grand people dominated by squires and peers who can be and are daily guilty of just so much insolence to us all as they think it safe to exhibit.

You will say that all this shows me to be a terribly *unsafe* politician, and, just now, the good people of Exeter are wishing me to come forward to fill a vacancy which one of the members is about to create. But, of course, all this vehement democracy is for home consumption (where, by the way, it sometimes rather disconcerts my dear, good old father), and will not be put forward in public. I don't know yet whether I shall come forward at all or not, but, if I do, my difficulty will be to speak what shall be the truth without giving a false impression upon the whole. I am in two minds about the matter, for I find the work of a Queen's Counsel so much more physically exhausting, and my own powers of every kind so much less than I expected, that I am often very much out of heart as to my future.

One great drawback there is to all successful life in this country, *i.e.*, in professions or politics which I feel daily more keenly as my life grows shorter. I mean the practical impossibility of reading largely, and so as to keep the mind fresh and cultivated by the thoughts of other men. In this, I think, you in America and in a line of life like yours, perhaps everywhere, have a great advantage. There is nothing to compensate a man of heart and intelligence for the dulness and narrowness which he finds the absorbing pursuit of a profession gradually inducing upon heart and brain, and it is depressing to think of the quantity of great and noble writing which it is morally certain never now can be read at all. Old Wordsworth, who I always maintain is the true busy man's poet, does something to keep us fresh, and there is a little Latin and Greek, but we become a dusty, grubby, narrow set of chaps, I am afraid, and as S. T. C. said, practice "sharpens but thins the blade." I think I told you how much struck I was, last Long Vacation, with the works of Dr. Holmes. Reeve wanted me to notice him in the *Edinburgh Review*, but this would have destroyed my Xmas holiday, and now



the time for any but grave political writing on America has passed away. I shall see what I can do, however, for he is a very remarkable man, and deserves more notice than he has hitherto had (at least in England). I have been reading since Circuit began Mrs. Stowe's last book, *The Pearl of Orr's Island*. How good she is the moment she touches the American soil. "Her foot's on her native heath and her name's Macgregor." *Agnes of Sorrento* in the *Cornhill* was very poor stuff, I thought. Have you read the *Pearl*? It is a touching and beautiful book with a good deal, too, of her pretty and playful writing—one of the best sides of her literary character. But how *can* the sun go *down* into the sea on the Coast of Maine? On this side of the Pond the sun certainly as a rule sets in the West. To be sure Babbacombe, a sea place on the south coast of Devonshire, faces due north—so there may be similar freaks of coast in Maine, but it is curious.

I don't know whether you were much interested in the *Essay and Review* question. Dr. Lushington's judgment, given the other day [June 25, 1862], has satisfied neither party, and strikes me as by far the most mischievous judgment any English ecclesiastical Judge ever delivered, and I am vexed that the Bishop has acquiesced in it. He ought either never to have begun, or, having begun, and got such a judgment as that, to have done his best to the end of it by appealing to the Privy Council. As it is, the whole effect of the book and of this judgment must be to revolutionise our theology. No bad thing, some people would say, but it shouldn't be done, I think, in this way. If it is wrong to fetter the mind of the nineteenth century by the formulæ of the sixteenth and seventeenth centuries (and I by no means say it is right), the way to correct the wrong surely is to abolish the formulæ, not to encourage a clearly disingenuous laxity in their interpretation, because an honest reading of them might prove inconvenient.

Always yours,

J. D. COLERIDGE.

ELLIS YARNALL to JOHN DUKE COLERIDGE.

PHILADELPHIA, May 16, 1863.

MY DEAR COLERIDGE,

I have just learned from a letter of your father's to Binney that you have again been ill. I trust that rest and care have brought you up, and that you will not work so hard hereafter. For a too great pressure of occupation

has doubtless had to do with your seizure. Take care of yourself for the sake of those who love you both in England and elsewhere. I grieve that I have allowed so long a time to slip by without writing to you. Thus I have deprived myself of a letter from you, which is always a great treat to me. I am quite shocked, indeed, to see the date of your last letter (July 28) which lies before me. You have probably forgotten what you wrote, so I will mention that you assured me of your strong sympathy with the *cause* of the North, though you took exception to our leading men, and gave it as your opinion that in some shape or other disunion was inevitable. You condemned in a way acceptable to my feelings the cause of the bulk of the English Aristocracy on the American question, and altogether, your letter was satisfactory to myself and to my near friends. As you know, the judgment of those Americans who in the past have been the strongest lovers of England, is that your best people have failed us in our hour of trial. We value then all the more the rare utterances of friendly feeling from voices like yours.

I can hardly expect to say much that will be new to you with regard to matters here. We are all getting used to a state of war, and such is the prosperity the North is enjoying that we feel ourselves abundantly able to continue the contest until final triumph is reached. Disunion we regard as an impossibility, and we have no fears as to the acquiescence of the people of the South in Northern preponderance if we could only overthrow their armies. We do not propose, remember, to subjugate them. We say they shall not exclude us from possession in common with themselves a great space of our country. Were we to acquiesce in their setting up for themselves, it would simply be to allow a bitterly hostile nation to establish itself on our border. Our strength would thenceforth be exhausted in preparation for war, if not in almost unceasing hostilities. Whatever difficulties there are to follow the overthrow of the Confederacy, supposing that to be possible, far greater would attend its establishment. Such, at all events, is the conviction of the bulk of our people, and as the North is numerically superior to the South, it is a reasonable supposition that we shall win in the end.

But these general statements will seem trite to you. The failure of Hooper, too, you will say is a final answer to predictions on the part of the North—a conclusive evidence of the military superiority of the men of the South. I am perplexed, I admit, by this latest disappointment,

and I must grant the prodigious superiority which Lee has shewn both as a general and as a gentleman to our leader. Stonewall Jackson, too, whose cruel fate we of the North even are in a sense mourning, was a nobler specimen of a soldier than any one who has achieved fame on our side. At the moment I am not to say discouraged, but I cannot quite account for the sturdy confidence of men around me in the success, sooner or later, of the Northern arms. It is wonderful to see the readiness with which people are offering their money daily in loan to the Government. Somehow we have a belief in each other, and while we are conscious of shortcoming on the part of our leaders, we see in the ability of a vast multitude of persons all over the land who are supporting them, an earnest of ultimate success. Take our friend Binney, who gives to the support of the Union every faculty, and who has sent his eldest son into the field—this man, so exactly just and conscientious, is but a representative of patriotism existing here, in large measure, and in which any land might glory.

You must forget most of the men who are in office if you would judge rightly the Americans of the North. Yet Mr. Chase as a finance minister is a man of mark, and Mr. Adams in London is entitled to respect. J. W. Seward has quite as much high principle as Lord Palmerston.

The rebellion has the great advantage that its chief instigator and present head is a man of conspicuous ability. A subtle intellect, a towering ambition, large military knowledge and experience—these are united in Jefferson Davis, and make him the power he is. It seems a part of the subtlety of slavery that it gives the lead at this critical time to the best and wisest of its adherents. Kingsley said to me, I remember, that a bad cause would always put forth the noblest among its supporters when the world was hunting it hard, and he instanced Charles of blessed memory and Louis XVI. So, now, the slaveholders of the South in their extremity have as their chiefs men who are in a sense noble. Your Beresford Hopes and such like bow down to them, shewing utter insensibility to the wickedness of the cause which these chiefs are really upholding. But it is in the fact that right is in the main on the side of the North that our strength lies. Herein is our advantage and the promise of our success.

18th. I thought to add to my letter to-day, but my time is up. Our military successes in the South-west are most encouraging, yet we rejoice with trembling. The

rebels will make a desperate effort to resist Grant. If Vicksburg falls the confederacy is impossible.

Believe me, my dear Coleridge,  
Always yours faithfully,

ELLIS YARNALL.

JOHN DUKE COLERIDGE to HORACE BINNEY, JUNIOR.

6 SOUTHWICK CRESCENT, W.,

May 17, 1863.

MY DEAR BINNEY,

. . . I rejoiced to get your letter, and I will do anything I can for Mr. Reynolds. He has come, as I have told him, at a peculiarly bad time for an American to settle in England; for though Mr. Peabody is popular no other American is popular just now, and Mr. Adams, I believe perfectly unintentionally, has put our backs up with his "permit" in a way I don't like to see. Sir William Heathcote and people like him, friends of America, who deprecate the follies and insolences of Robert Cecil and Roebuck, look very grave on poor Mr. Adams, and begin to feel very uneasy. And yet, I believe, he meant nothing that the most sensitive nation need really be offended at. I have had a great deal of very interesting talk on all these matters with a Mr. Evarts,<sup>1</sup> a New York barrister of considerable eminence, who has been sent over here by Mr. Seward upon the affair of the Peterhoff and other like matters, and who was introduced to me by the Danas. He strikes me as a very able man, full of good sense and moderation, and, yet, capable of putting the American case in a very strong and cogent way to our Government. He has seen Roundell Palmer, the *real* law officer now (for the Attorney-General is nobody), and I gather they understand and respect each other as two such men should. It certainly speaks very well for Mr. Seward that he should pick out and employ such an agent as Mr. Evarts, and I hope for the best efforts from the *sensible* men on both sides of the water coming *en rapport*. . . . I have also read with mingled feelings, but

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<sup>1</sup> William Maxwell Evarts, b. February 6, 1818, Attorney-General (U.S.) July 15, 1860; in 1872 Counsel for the U.S. before the tribunal of arbitrators on the *Alabama* claims at Geneva. The decisions favourable to the U.S. were to a large extent based on arguments brought forward by Mr. Evarts.



with great interest, too, Mr. William Reed's paper, to which the *Guardian* gave great prominence, and which has had a good deal of effect here. That my father and I can believe something of it you will not be surprised; for, I think, I told you of his letter to Wharton being returned by the American Post Office to our own, *unopened*, and, therefore, I presume simply on the ground that your Government would not allow *any* English letters to reach him. Gentle and candid as I know you to be, you will not wonder that this kind of thing, and the apparent carelessness for real liberty of speech and action which the people are displaying, together with the savage devastating character the war has assumed, produce on our minds a very painful impression. It is not, as I have tried to explain to Yarnall, that we sympathize with the South (except [with their splendid gallantry, which I have no doubt the North sympathizes with just as much]), but that we cannot go with the North and uphold them publicly and privately as we should wish to do. In fact, it makes me sad and sick at heart, for no man admired you more than I did, and it is to me the destruction of a cherished vision. . . .

Always affectionately yours,

J. D. COLERIDGE.

JOHN DUKE COLERIDGE to ELLIS YARNALL.

HEATH'S COURT, OTTERY ST. MARY,

*St. Matthew*, 1863 [September 21].

MY DEAR YARNALL,

Since I have been ill and have been obliged to lie down a great deal, I have at least gained the advantage of reading more than I did before. And amongst other books I have taken up Whittier's Poems which you gave me in 1858, and which have stood well-nigh unread on my shelves ever since. I have now nearly finished them, and I am thoroughly pleased and struck with them. An occasional shallowness and bigotry offends, or, rather, I should say gives me sorrow in so good and true-hearted a man, but, in the main, it is fine, simple, manly writing, and he is, to me, most interesting from his feelings and his scenery being so thoroughly national and American—not put together out of books with deft plagiarism like Longfellow, nor being a pale reflex, at secondhand, of European thought and description, like some others I could name. Some of his things have the right ring and

the true savour about them, and must last if only they can get properly known. But he wants art, and does not take pains to be *perfect* and compressed. *Almost* all his things are too long and have imperfect rhymes and bad rhythm. Do you recollect a very nice and fine saying of old Wordsworth's when, on his asking Crabbe why he did not with his great powers make his things more *perfect*, Crabbe answered, "It is not worth while"? "If," he said, "Crabbe meant that he had higher duties and could not spare the time from them, I have nothing to say; but if he meant that it was not worth while to do *everything* in the best possible way and, especially, that it was not the duty of a literary man to use and cultivate the gifts God gives him to the utmost extent, then I think him entirely wrong."<sup>1</sup> You will find it much better put than this in Wordsworth, but this is the sum of it. I think I should like to know Mr. Whittier and to talk over some of his poems with him, though I am afraid he would think me a poor bigot for feeling helped by a grand service and a noble architecture to say my prayers more heartily, and to live better, and for thinking that it is a great, yes, and a very *narrowing* mistake to make religion *unhistorical* as he does. I am looking forward to reading Hawthorne's new book which, I suppose, is out by this time in America. He is a *great* writer, indeed, on the whole, I think, the man of highest genius in all your literature.

We have all been reading with the greatest interest Mrs. Butler's Georgian Journal.<sup>2</sup> A curious book, certainly, for a young wife to write to an unmarried Philadelphian lady, but very instructive and very useful here just now.

And now I must stop. I have said nothing of the war because, frankly, I cannot write of it so as to please you. You know how I hate the South and slavery. But eight millions of devils have a right to justice and freedom I think, and you are *now* denying both to them. You are

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<sup>1</sup> "I happened once to speak of pains as necessary to produce merit of a certain kind, which I highly valued; his observation was: 'It is not worth while.' You are quite right, thought I, if the labour encroaches upon the time due to teach truth as a steward of the mysteries of God: if there be cause to fear *that*, write less: but, if poetry is to be produced at all, make what you do produce as good as you can."—"Fenwick Note" to extempore effusion on the death of James Hogg. *Poetical Works* of W. Wordsworth, 1886, viii. 23.

<sup>2</sup> *Journal of a Resident on a Georgian Plantation*, 1838-1839.

waging a devastating and most cruel and barbaric war to *conquer* men, bad, and brutal, and traitorous, if you please, in the beginning, but who have shown power enough and resolution enough to entitle them according to my notions of the "rights of man" to refuse allegiance to Mr. Lincoln, and you seem, in the *Guardian*, to have two sets of eyes and two sets of words, according as the very same things are done by North and South. We have a right to say this, because when, under great provocation, our soldiers in India did brutal and barbarous things, there was no disposition here to defend them or to refuse to call things by their right names. Cutting dykes, devastating provinces, raining naphtha upon cities, seem to me as bad as things you call "fiendish" when the South does them. Not, mind you, that I defend what you so describe if it really happened, but I want to see an honest, manly indignation at the horrible devastation wreaked upon the South by the Northern armies; or word of rebuke for such speeches as those of the two Senators of Maine and (I think) Illinois, or separating yourself and other good men from such mere tyranny as the conscription enforced by *cannon* and *armies* in which, strange to say, a free American seems to see no oppression. This *grieves* me heartily, and makes me hold my tongue and hang down my head when I hear the common English talk to which I have now no answer.

Always your affectionate friend,

J. D. COLERIDGE.

ELLIS YARNALL to JOHN DUKE COLERIDGE.

PHILADELPHIA, February 11, 1864.

MY DEAR COLERIDGE,

I must tell you what Mr. Binney the elder said of your last letter, which Horace, to whom I had showed it, sent to him. "If I were to answer that letter I think I should say that I liked the first part of the letter much, but that I differed from the writer in thinking that eight millions of devils were entitled to *freedom*, they might be entitled to *justice*, but that would not give them what they wanted."

I get, you see, upon the great subject at once, for it is next to impossible for an American to avoid it let him write to whom he will. Carlyle, in that noble and most Christian paper of his in *Macmillan*, stated that the miserably insignificant question of—Slavery, was that over which

the Americans were fighting, and, in effect, that he hoped the slave-masters would win. No marvel this, seeing that T. C. does not even, as I have good authority for saying, believe in the Christian virtues. But that you, John Coleridge, a Christian gentleman, should be beguiled from your support of the men of the North, from Whittier, from Bryant, from Binney, that is indeed surprising. Again I say to myself it is but for a time. Can any one doubt that history will give honour to those who helped forward the cause of Freedom, and that the men in any country who put obstacles in its way will receive condemnation. As to England, the list will be, on the one side, Cairns and Cobden, and Mill, and Bright, and Milner Gibson, and Cornewall Lewis and Dean Trench and Neale; and, on the other, Laird, and Lindsay, and Roebuck, and Beresford Hope. It does look as if to mere brains the strength was with the North, and, then, there is that most comforting fact that the poor have been with us from the first. I recall what dear Mr. Keble said to me, in 1852, that the power of the Church was not in her eminent men. "There are poor people in my parish, please God, with whom the real life of the Church is rather to be found." So it would seem as to the large question of Morals which the American contest involves. The poor workpeople of Lancashire, on whom the suffering which England has had to endure from the war has chiefly fallen, have been steadfast in their refusal of support to the South. I hear from Sharp of the *Guardian* that one of the new Archbishops declared he would not suffer that journal to enter his doors so long as the letters of the American Correspondent appeared. Now I know that, however meagre those letters may have been, they have upheld in their measure the cause of truth and righteousness, and therefore the anathema of the prelate in question perplexes me. What Sharp writes me is doubtless the clerical judgment as it reaches his ears; it is plainly sympathy with the South. Yet I will not doubt there are many in quiet places who are meditating upon the acts of slavery, see clearly its wickedness and acknowledge God's great goodness in bringing it now to an end. That good man your brother-in-law, the Vicar of Honiton,<sup>1</sup> can one conceive of such as he, after reading Mrs. Kemble's journal, entertaining a doubt as to the cause of the North being just? You, I know, have read that book, and I am sure your whole nature was stirred by it.

<sup>1</sup> John Fielder Mackarness, afterwards Bishop of Oxford.



I have just read the foregoing to my wife, and it is evident she thinks I have gone a little beyond the limit of propriety in writing to even a very near friend. She <sup>c</sup>fears I am too pertinacious in urging my opinions. Moreover, I have found your last letter, and I perceive how strongly you express your hatred of slavery. I am half inclined to throw what I have written in the fire, as I have already done with unfinished letters to you. But I will let this epistle take its chance.

I must speak of an especial advantage enjoyed by the cause of the North so eminent as to be counted a peculiar blessing of Divine Providence. The President is a wise and an upright and a single-hearted man. His popularity has become something surprising, so that in crowded assemblies every mention of his name sets people wild with delight. Surely it shows progress in the right direction that the man the Americans now delight to honour is such as Lincoln, whereas forty years ago Jackson was the idol of the multitude. One somehow thinks of the difference between Prince Albert and George IV.

Ever yours faithfully,

ELLIS YARNALL.

JOHN DUKE COLERIDGE *to* HORACE BINNEY, JUNIOR.

WESTERN CIRCUIT, DORCHESTER,

*March 5, 1864.*

MY DEAR BINNEY,

. . . I cannot, indeed, expect till this war is over that you will have as much time to think of England, or in which to remember your English friends, as before you were engaged in this struggle. But, for us, every day that it goes on makes us think of you more and more, and if I cannot altogether go with *you*, yet the Southern treachery, in which the war began, and the hateful and barbaric ends (as I think them) for which the South are struggling, utterly prevents my wishing success to them, however much such men as Longstreet and Lee and Jackson command my sympathies, in spite of their cause. My difficulty remains what it always has been, to see on what principle a man who maintains that the 2,000,000 Americans were justified in casting off the yoke of George III. and Lord North, is to maintain that the 4,000,000 of the Southerners were *not* justified in casting off the yoke of

Mr. Lincoln and his ministry. The treachery of Floyd<sup>1</sup> and others is as hateful to me as it is to you, and slavery is perhaps, if that be possible, more hateful; but I cannot see that either of these things touches the real question, which, as I conceive, is now whether 4,000,000 of men, resolute and determined to stand alone, have not on any ground, most certainly on American ground, the right to stand alone. It seems to me that the war has been for some time past, on your part, a simple war of conquest, and with wars of conquest and coercion, whether waged by despots or by republics, I have no manner of sympathy. . . .

Your affectionate friend,

J. D. COLERIDGE.

JOHN DUKE COLERIDGE to HORACE BINNEY, JUNIOR.

HEATH'S COURT, OTTERY ST. MARY,

*October 23, 1864.*

MY DEAR BINNEY,

. . . It turns out to be rather a misfortune that I did not win, for I believe if I had won a seat in the House I should probably be Solicitor-General before very long. . . . If ever I do go into Parliament I shall be more in my place as a member of the new and real Liberal Party, of which, I suppose, Gladstone will be the leader in the House of Commons. Enough of all this—you will think Exeter has bewitched me; but I read Homer, Virgil, and Wordsworth, constantly, so I hope I may continue sane.

The prospects of the Confederates look gloomy enough just now, but, if so many millions of men are resolute they cannot be conquered, except at an expense which no country will ever pay. You wonder at our Southern sympathies. Why, if Ireland revolted and fought our whole power for years and had such noble fellows as Lee, Jackson, Longstreet and others among her generals, and showed such magnificent determination, do you suppose *you* would not sympathize with her whatever your notion of the cause of the quarrel might be, and however little you might like Irish character and Irish institutions?

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<sup>1</sup> John<sup>a</sup>. Buchanan Floyd, 1807–1863, was indicted in Washington on the charge of having secretly aided secession leaders and for transferring from Northern to Southern arsenals 113,000 muskets, &c. He was acquitted of the charge, but afterwards became a brigadier-general in the Confederate Army.—*Dict. of Amer. Biog.*, Art. Floyd.

Of course you would, and so would every manly and high-spirited man in the world. You are stronger, and you are trying to do to the South what George III. tried to do to you *and* the South, and which you were too brave and we were too miserably governed to allow us to do. I accept your analogies, and I say that if Ireland or India were as fit in all respects to stand alone *and had shown it*, as the South have, in my opinion, we should not deserve the sympathy of brave and just men if we tried to coerce them. As to rebels, you are so much stronger and so much richer than the South, that you may possibly *conquer* them; but it is simply a strong brave man thrashing a weak brave man, and though the strong man may win, he can't expect much cheering from the bystanders on the occasion. I assure you, as far as I am concerned, you mistake sympathy with the gallantry of the army and the heroism of the generals for agreement in the *cause* (originally) of quarrel, or admiration for the treachery of many of the Statesmen in the South.

Your affectionate friend,

J. D. COLERIDGE.

JOHN DUKE COLERIDGE to HORACE BINNEY, JUNIOR.

HEATH'S COURT, OTTERY ST. MARY,

*April 11, 1866.*

MY DEAR BINNEY,

You will have forgotten my handwriting, and I really have deserved that both you and Yarnall should give me up. . . . Sorrow has come upon you since I last wrote, and, now, I can never hope to see that charming old lady of whom all your friends have always spoken so as to make me long to see her. Your father's letters which I have seen are most beautiful and consoling, and make one see the picture of that lovely old age, by the side of which it must have been a comfort and a privilege to live. You remember those exquisite and pathetic lines which I always think of when I see two good and loving hearts together in old age—Wordsworth to his wife when they were both near eighty.

Morn into noon did pass, noon into eve,  
And the old day was welcome as the young,  
As welcome, and as beautiful—in sooth  
*More* beautiful, as being a thing more holy.

. . . Meanwhile, it must be a great blessing that your father still bears up, and is, still, equal to so much exertion of mind and body as his letters bear witness to. How much I should like to see him, for though his miniature, and his letters, together, give some idea of him, yet "*aspectu colloquioque frui*" would be so much better. His letters always make me wish at once to ask him questions upon them, and get more from him than is ever possible from mere correspondence. And to see and hear such a man, at this time of your country's history, would be worth a journey. But it is useless to think of it. . . .

Mr. Keble's death is a great loss to us all, and it has been widely and deeply felt. From the Archbishop of Canterbury down to the youngest curate men of all shades of opinion have striven to show honour to his memory. Stanley was very anxious to do all he could, and was quite ready to have opened the Abbey to him if his relations had desired it. To some of us men living in the world and trying in a dim, half-hearted sort of way (I speak of myself at least) to live in the spirit of his own verses on St. Matthew, there would have been some pleasure in seeing him recognised as a great English name and a great national benefactor. But, no doubt, this is not the true feeling about Keble. Hursley Churchyard, which he trod so many years, and Hursley Church, which he offered to God, in whose love and whose service he spent his whole life, have a kind of right to the consideration which the presence of his remains will give them to all Christian hearts for ages to come. . . .

Your politics are *most* interesting to me. I regret Lincoln more and more. This man seems, to me, a very able and resolute man, but of a very far inferior nature to Lincoln's. But the war has done you good in God's own way. . . .

My best respects to your father, and kind regards to your wife.

Ever affectionately yours,

J. D. COLERIDGE.



## CHAPTER II

### PARLIAMENT

To break every yoke.

THERE could be no doubt that sooner or later Coleridge would go into Parliament. In 1850, three years after he had been called to the Bar, Lord Campbell offered him his marshalship and associate-ship, on the understanding that he should devote himself from the first to a Parliamentary career. This, of course, was out of the question, but as time went on, now and again the goal appeared in view. Once (March 26, 1854), when he was on circuit at Liskeard, and three candidates were contesting the borough, he wishes that he was in Parliament, but quickly reminds himself that, though he is rising in the Profession, ten years must go by before that dream could come true. At other times he was less hopeful. A year later, July 31, 1855, when Collier (then member for Plymouth) "talked of Parliament," he feared his fate too much. "No! No!" he writes in his diary, "I have no vocation." But he was a likely man, and was approached by the wire-pullers of more than one constituency. For instance, in November 1858, he had an offer to stand for Honiton, as a Conservative, but he "gave a discouraging reply," and was soon rejected, and there were other overtures (*e.g.*, Plymouth

and Portsmouth), which came to nothing. At length, in February 1860, Mr. Edward Divett of Bystock, who had sat for Exeter City since the election of 1833, and was now in failing health, "suggested Exeter as an avenue to Parliament." "I hardly know," he writes, "how it would do. I should like it, of course, beyond all other seats, but I don't expect such luck"; and, again, (February 16), "Wrote to Divett in the matter of Exeter, which if I could compass *sublimi feriam sidera vertice* ['and my proud head should strike upon the sky.'] There is nothing I would not do in reason and honour to compass such a seat."

Many years went by, and there were ups and downs of the electioneering see-saw before the decisive moment arrived. His father's name and the Acland interest may have secured the support of a few wavering Conservatives, but, on the other hand, some of his own party, especially the dissenters, were afraid of him. The *Western Times*, afterwards his firm friend and staunch supporter, let fly an arrow at the "eloquent Tractarian" whom the Liberal party were running for Exeter; and there were "narrow-minded fellows" who got together deputations, and asked troublesome questions about Church rates. He had been before the constituency for several months, and made several speeches, when the death (July 26) of the sitting member necessitated a by-election. There were two candidates for the vacancy, Lord Courtenay (afterwards thirteenth Earl of Devon), and John Duke Coleridge, Q.C. The "fighting point" (to borrow a phrase of Mr. Morley's) was the abolition of Church rates. Both candidates were unwilling

to give up Church rates, and both candidates were anxious to conciliate the Dissenters. "My Lord Courtenay," as Coleridge was particular to call him, proposed, by some undefined method, to make things easier for the Nonconformist conscience, and Coleridge, while he insisted that Churchmen should still be rated for the upkeep of their own churches, would exempt Dissenters from any payment at all, and that, in some mysterious way, without compelling them to "ticket" themselves as Dissenters. The issue of this nice discrimination was that "my Lord Courtenay" with Powderham at his back, scraped in with a majority of twenty-six, and that Coleridge, for all his eloquence, lost the election. The Dissenters turned a deaf ear to his enticements.

There was nothing very remarkable about the election, but the record in Coleridge's diary, though brief, is vivid :

1864. *Exeter, July 25.*—Went to the Clarence and made a little speech. There the impression is greatly against my success. We shall see after a canvass. If it be so, I shall not spend time or money in vain. Divett dying, I fear.

*July 26.*—Heard of poor Divett's death, which brings on the horrid canvass and contest.

*July 27.*—What a bore speaking is, and how I do wish I was out of it all ! I feel as if I was playing a part ; yet I really try to speak the truth.

*August 1.*—Exeter, started early this morning after breakfast for this place. Got here about 11 and, very soon afterwards, began my canvass : worked very hard but rather irregularly—went to the Rooms where we had a great meeting and I made a speech which was well received.

*August 2.*—A very hard day going all about the city and picking up a few votes. It has been impossible to make the canvass systematic, but we did what we could. In the evening I had three open-air meetings, at which I made speeches—my first attempt at mob speaking—not successful as far as I could judge, but I hardly know.



*August 2.*—Nomination—very hot and noisy. "I tore myself to pieces in trying to be heard, and I hope made some way. We had the show of hands, but that is nothing.

*August 4.*—A most exciting day with me! The polling began at 8. I am a little ahead at first, sank to eighty in the middle of the day, then revived and got, at one time, very near (within nine), then fell back again, but, finally, closed barely twenty-six behind, and having polled 1070, which is more than a 100 more than ever Divett polled.

*August 5.*—Got up early this morning and left Exeter very happy at the result, and [having] very nearly achieved a success. Young Divett came to help me. But we have done our work with very little aid from the gentlemen, except Bullar.

And, with that, he went on his way to Wells, and took up his circuit work with unabated vigour. Work, indeed, was necessary, for when he came to settle the account with his election agent, Flood, it was worse than he had any idea of—eleven hundred pounds, and, perhaps, a larger sum. In the following July there was a general election, and on the retirement of the senior sitting member, Richard Sommers Gard, Lord Courtenay and J. D. Coleridge were returned without a contest. Of course there were speeches. One of the questions of the day to be decided in the next Parliament was the Ballot. Nothing can be more skilful, more attractive, than the persuasive frankness with which he assumes and proves its necessity.

It was all very well to say that all men ought to be able to express their convictions openly without dread and concealment. So they ought, and if they lived in a perfect state of society wherein every man could do as he liked without fear or favour, we should have no necessity for the Ballot. But we don't live in a perfect state of things, but in a state in which men use influence over their fellow men, sometimes fair, sometimes a little unfair, and it was against this unfair influence often brought to bear on men who could not, and could not be expected, to resist it—that they were

entitled to have a system of voting that was necessary to protect them.—*Western Times*, Exeter, July 14, 1865.

At the close of the speech he strikes a personal note. Speaking of the Universities, to one of which he was proud to belong, "he hoped she would not disgrace herself by rejecting Mr. Gladstone, who for twenty years represented her; and that there (at Oxford) and elsewhere, every man would help to educate the people, recollecting that education had been wisely called the 'cheap defence of the nation.' " It was a proud day for him when he was returned for the "capital of his county." It was the fulfilment of a cherished ambition, but it was, also, an opportunity for faithful and liberal service. "God give me strength," he writes, "and temper to use the trust for His glory and the benefit of others." Again, as after defeat, so, now, after victory he was compelled to return to his professional work. At Salisbury a brief awaited him, which he read with painful interest :

1865. *July 20.*—Saw Miss Kent, the sister, and William Kent, and, then, sat up till near three, getting up my speech which, after all, I shall not deliver.

*July 21.*—Poor Constance Kent pleaded guilty. I said a few words and *there* an end. It was very solemn.

[For letters to and from Constance Kent, *vide post*, *Appendices.*]

Two more entries complete the story of the election :

*July 24.*—To church this morning. . . . Very nice service, but conceited ass of a cleric. How angry they make me, and what harm they do ! The like of this man cost Gladstone Oxford.

*July 25.*—Got here [Heath's Court] at six and had a most kind reception—bells ringing—drawn into the town, in short something I could not have expected, and which was altogether overwhelming. God give me grace to take all these things as I ought.

Greater honours awaited him in the future, but

I doubt if anything which the world could give, anything which lay outside the sphere of his affections, gave him greater pleasure, more entire satisfaction, than his first election for the city of Exeter. His wife was with him, and his father and mother were at home to receive him, and to share his honours. This time the "sweet bells of St. Mary Ottery" rang a welcome peal.

Before he had taken his seat in Parliament, Coleridge was invited or, rather, solicited to take charge of the Bill for the Abolition of Tests in the University of Oxford. The Bill dated from 1864, when the second reading of a Bill "to provide for the abolition of certain tests in connection with academical degrees in the University of Oxford," which had been moved by Mr. J. G. Dodgson, member for East Sussex, was carried by a majority of twenty-two, and only lost in its final stage by a majority of two in a full House. The following year (June 14, 1865) the second reading of a similar but enlarged Bill was moved in a long and eloquent speech by Mr. Goschen, and carried by a majority of sixteen, and now, for the third time, a Tests Bill was once more before Parliament. Mr. Goschen, it was understood, had declined to introduce the Bill again, and, for many reasons, some of the principal advocates for reform were anxious that the new member for Exeter should take charge of the measure. There was no question as to his Liberalism, and no question as to his churchmanship, and, moreover, from the days of the Oxford Union and onwards he had won his mark as a speaker of the first order. There was, too, an hereditary claim to legislate for Oxford. Sir John Taylor Coleridge had served on the Oxford

Commission which had followed Lord John Russell's "Oxford University Bill" of 1854, and it was felt that no one could complete the work of throwing open the University to Nonconformists with less friction and less offence than the High Church son of a High Church father.

*More suo* (as he used to say), he disclaimed the honour. It would be unbecoming in so young a lawyer to begin his parliamentary career by taking charge of so important a measure; it would shock and alienate such old and respected friends as Sir William Heathcote, and it would put him in an awkward position with Mr. Grant Duff, and others, who had already come before the House as champions of University Reforms. One by one his scruples were overruled. George Brodrick and Jowett brought him up to the starting-post, and his father and Sir William Heathcote assured him that if the race was to be won at all it would be well that it should be won by him. Whilst he was on circuit and between, and in spite of briefs, *multa reluctans* he prepared his speech for the second reading. It was necessary to master the contents of Mr. Goschen's speech of the year before, and, as he read, he was filled with surprise and admiration, which for his own sake "deepened into despair." But it was too late to retract, and when the day came he hurried up from Bodmin, moved the second reading of the Bill, and, as every one had predicted, scored a success. The Opposition paid him compliments—Lord Cranborne began by saying that the "supporters of this measure were enjoying a piece of good fortune in having secured so valuable a recruit in the honourable and learned member for Exeter—

a gentleman having an eloquence such as is rarely heard within the walls of this House, and, also, who possesses the additional advantage of one whose churchmanship is undoubted and whose good-will to his University is equally free from all possibility of doubt." Sir Stafford Northcote spoke to the effect that much had been expected by Mr. Coleridge's friends, but all expectations had been exceeded; and even Mr. Gathorne Hardy, who was not an old friend, but, rather, a new antagonist, confessed to being lulled by the voice and carried away by the "fair aspect" which "it," presumably the speech, "presented." The press, too, on the whole, was laudatory. "If," according to the *Times*, "a fault was to be found with Mr. Coleridge's eloquent speech, it was that it was too eloquent for its proposed object," and the *Guardian*, whilst unreservedly blessing and praising the speaker for his oratory, and for the display of higher qualities—the tone and temper of his argument—registered a *caveat* against a workable alliance between free inquiry and definite religion. The essential difference between the legislation of 1854, 1856, and the Bills of 1866 did not consist in the measure of liberty to be applied but in the principle of application. It was all very well to allure Dissenters, as a voluntary concession, to matriculate without signing the thirty-nine articles, and to proceed to the B.A. degree, but to admit them to higher degrees, which would confer a vote in convocation, was to secularise the Universities, and to give proof that they were national institutions, and, *ipso facto*, open to the use and subject to the control of the nation and its citizens at large. The Universities were auxiliary



to the Established (now the Anglican Church), and the safety and sanctity of the Handmaiden were not only unspeakably precious, but essential to the well-being of the Mistress and the Mother. Apart, too, from any lower considerations of social or ecclesiastical predominance, there was the genuine alarm that the maintenance of existing tests was a barrier against infidelity, and that if the teachers and guardians of the University might be of all shades of unbelief and misbelief, the contagion would spread downwards to the undergraduates. It was little or no consolation and, perhaps, it was hardly realised by "archbishops as well as bishops" (as the Bidding Prayer has it) that the mischief, if mischief it were, was already afoot. Now the agitation for the total abolition of tests proceeded, in part, from the growing forces of Nonconformity throughout the country, and, in part, from the spread of liberal and latitudinarian opinions among the resident fellows and tutors of the Universities, but it was also in some degree a legacy of the Tractarian revolt of 1840-1845. Church-of-Englandism was no longer unassailable by Churchmen themselves, and, to loose the grip of the Establishment on her *peculium*, was no longer to be guilty of sacrilege. The University of Oxford, as a University, had shown no mercy on religious enthusiasm, and her sudden alarms for the orthodoxy of her pupilage might be disregarded by those who had no sympathy with neologian laxity or the narrowness and rigidity of Protestant dissent.

A speech which was delivered nearly forty years ago on a question which, even then, was a foregone conclusion, and only waited a final decision when



the game of party politics has been played out, will be read, if read at all, for its style and diction, and not for its matter or general significance. I do not think that Coleridge's first speech on the Abolition of Tests has lost its savour. Imagination, enthusiasm, scholarship in alliance with mother-wit are excellent preservatives. The tall, somewhat ascetic, figure, the statuesque features, the silver tones, the harmony of nature and of art—these are passing from memory into tradition, but the speech itself remains and justifies contemporary applause. I believe that he never spoke without careful preparation, and that he took infinite pains with the form of his discourse, but the source of his inspiration was a consuming zeal. There was, no doubt, an undercurrent of irony which ran beneath his oratory, and an occasional prick or sting of malice in the apparently innocent suggestion of unwelcome conclusions, but the driving power was a passionate desire to impart knowledge and to advocate truth.

He was, indeed, profoundly indifferent to the prejudices, if not the tastes of his audience. He would say what he meant to say in the manner which satisfied himself, in defiance of the criticisms of the general. He was perfectly aware that it was unusual to illustrate his arguments with quotations from Bishop Butler and Wordsworth, but quote them he would, and the House might digest these foreign delicacies at its leisure. He knew that he was running the risk of being set down as too clever by half, but, though ready enough, too ready, indeed, to disclaim authority and depreciate himself, he would "go on refining" and compel attention to his refinements.

His argument in favour of the final removal of tests was, necessarily, a restatement of Mr. Goschen's threefold contention that the universities were essentially and legally lay corporations,<sup>1</sup> that they were neither more nor less clerical seminaries than the great public schools, and that the imposition of any test, the erection of any barrier against Non-conformists was an unjust and intolerable humiliation. His plea was of a personal character, and derived its origin from different ideals and aspirations. His loyalty to his own University, his inward conviction that Oxford was the inspirer and nurturer of intellectual gifts and graces, impelled him to extend these privileges to a wider circle. It would do the dissenters a deal of good if they could come under the influences and share the associations of a University career. Nor was he afraid that, if Churchmen were to be stripped of the chain armour of the thirty-nine articles, they would go in peril of their lives. As a Churchman he was persuaded that the Church could more than hold her own against schismatics and rationalists. Moreover, and he was treading upon dangerous ground, the day of "free inquiry" both within and without the pale of the Church was at hand, and as the time had come, a determination of place was neither possible nor desirable. It is hard to say with what purport or at what mark this bolt from the blue was launched. The swift and unexpected

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<sup>1</sup> The argument had been employed by Mr. Goldwin Smith: "Legally the Universities are lay corporations. They are represented by Burgesses in the National Legislation, they are visited by the Crown in the Court of the Queen's Bench; the Chancellor may be, and in modern times always has been, a layman."—*A Plea for the Abolition of Tests in the University of Oxford*, by Goldwin Smith, 1864, p. 30.

transition from an *eirenicon* to a challenge recalls one of those prophetic hints which John Henry Newman dropped, as it were by accident, in a "Parochial Sermon." Or was it "the shadow of a handwriting on the wall"—a writing, but not in a Roman hand?

In the concluding paragraphs of his speech on the Second Reading of the University of Oxford Tests Bill (March 21, 1866), he makes his appeal, and it is of one who bears witness for the truth.

I frankly avow that my great object is to make the University of Oxford once more, what it once was, a great national institution, to which all subjects of the Queen can resort at their pleasure. I ardently desire that large numbers of the Nonconformists of England may be attracted there, in order that they may be subject to the refining, the ennobling, and, I believe I may add, the sanctifying influences of that most reverend place. I desire this for the Nonconformists themselves, for the Church of England, and for what is greater and wider, and ought to be dearer to us than either, the great English nation. Sir, not being a Nonconformist myself, I should not venture to say that Nonconformists would be better for an University education, if some of the most leading members of the Nonconformist body had not said so themselves. If they say so, I hope I may be permitted to state that I entirely agree with them. There is great goodness among them, much high principle and earnest zeal, and I have the best reason for knowing that they are animated by great generosity and forbearance, but not having amongst them the highest education as a body, their views on political subjects, if I may be permitted to say so, are somewhat narrow, and their religious toleration somewhat confined. We have heard contemptuous observations on Nonconformists because, as it is asserted, their education is imperfect; whether this is true I do not know, but I know that it is not very generous to taunt them with not possessing that which you who taunt them prevent them from acquiring. I may, perhaps, overrate the importance of those studies which have been the delight of my own life and a relief from the labours of a

profession which, it is said, to a great extent deadens the heart and narrows the intellect. It may be that I exaggerate the effect of the wonderful and glorious associations of the University of Oxford on an ardent and sensitive mind. For my own part, I do not much envy the feelings of those who are insensible to these associations and to the memories of the illustrious dead. I do not think much of the man who could pass—

Through the same gateways, sleep where they have slept,  
Wake where they waked, range that enclosure old,  
The garden of great intellects,

without being much the better for it. It is because I think Nonconformists would be much the better for it that I desire them there. . . .

Nothing tends more to liberalise the feeling, and to smooth the acerbities of religious controversy, than bringing men of honest and independent minds together, and causing them to do justice to the characters and motives of their opponents, however diverse may be some of the opinions in question between them, and however varying their views of truth. We live in an age of which De Tocqueville has traced the spirit, and which has seen the rise and progress of the great American Republic. We live, in a democratic age, in an aristocratic country. We cannot afford, therefore, to minimise those conservative influences which ought to be brought to bear on those who have so great an influence in moulding those institutions under which we live, and which we all so much admire. As you increase the opportunities of University education so do you widen the influences which tend to progress, but still more, undoubtedly, those which tend to moderation and order. It is, besides, essential that free inquiry should be conducted somewhere ; and it should be conducted where it can be conducted safely. And the University is just the place where inquiry may be conducted under the most softening and healing influences. I will not ask how far it is wise to stop free inquiry even among our clergy, but free inquiry you must and will have ; nay, I will say you ought to have, as the only right foundation of reasonable belief and intelligent conviction. You must have it ; if you try to shut it out, it will break in upon the University from without ; and the best way will be to deal with it in the most open and avowed manner. You can no more bar it out than you can prevent the sun from shining in the sky because you may shut your eyes and refuse to see it. There has been too much fear of inquiry ;



too much of that which was described in a noble passage written about the University of Cambridge some seventy or eighty years ago, and true in the main of Oxford, as I knew it—

Murmuring submission and bald government,  
The idol weak as the idolater,  
And Decency and Custom starving Truth,  
And blind Authority beating with her staff  
The Child who might have led him.

This inquiry, no doubt, like every other good thing, is, unquestionably, liable to abuse. *Corruptio optimi est pessima*; and the rash exercise of this privilege has sometimes degenerated into infidelity. There is no ground of dread on behalf of religion or the Church from free and fair inquiry. When have religion and the Church been found unequal to the conflict when fairly matched with foes? Was what Gibbon called the giant spear of Horsley unable to pierce the shield of his able but still inferior antagonist Priestley? Was the profound and religious intellect of the illustrious Butler unequal to deal with the various forms of infidelity that surrounded him? The fear of free and sound inquiry is a baseless one, it is one in which I cannot share, and as a believer and a Churchman I protest against it. I suppose that no hon. gentleman who sits upon either side of the House entertains in his heart the slightest shadow of a doubt that this or a like measure must, sooner or later, become the law of the land. Well, if that be so, I ask you why should we delay its passing? Why should we wait until those angry feelings, which are now being allayed and repressed, become embittered and strengthened by time and disappointed hopes? Why put off the passing of a simple measure of justice, when by doing so we may deprive it of its character of a gracious concession, and give it that of a tardy and hard-wrung extortion of right? Surely, you may trust something to the good sense and right feeling of men in earnest; something to the innate and invincible strength of that religion which is, and which I hope may long remain, enshrined in the University of Oxford. Mr. Wyndham said in this House many years ago:

Magnanimity in politics is not seldom the truest wisdom, and a great Empire and little minds go ill together.

That sentence seems to me as wise as it is eloquent, and in the spirit of that sentence, and thanking the House for the patience with which they have listened to what I have

inflicted upon them, I beg leave to move that this Bill be now read a second time."

The second reading was carried by 217 to 103, but after the change of Ministry the measure was dropped. All that was accomplished by Coleridge's maiden speech was that a majority of the House of Commons approved of the admission of Nonconformists to the M.A. degree, and a consequent vote in Convocation in the University of Oxford.

In the same session of parliament a cognate bill to enable Nonconformists to become fellows of colleges was moved by Mr. Bouverie, member for Kilmarnock, and carried by 208 to 186. This measure was also hung up, but the delay proved fortunate in the long run.

In the following year, March 6, 1867, the member for Exeter again moved the second reading of the same Bill. In his speech he addressed himself to the "danger to religious teaching" which would accrue from a Nonconformist element in Convocation. It was that which had rent the heart of Sir William Heathcote and the political garments of Mr. Gathorne Hardy. Coleridge made short work of this ghostly agitation. There was no religious teaching at Oxford which could be endangered or impaired and there never had been: "The prevailing temper of the Governors of Oxford has been steadily set against earnestness from whatever quarter it may come. Witness the material persecution of Wesley who was pelted with physical dirt and mud and stones"—and witness the treatment, as injurious as the times allowed, of John Henry Newman. "There was a man in my time of admirable genius, of rare eloquence, of saintly life, of singular humility



and self-denial, who taught us not any peculiar theological dogma, but simple religious truth; whose example kept a lofty standard before our eyes; who led us by his life and by his teaching to all things 'lovely and of good report'; to whom many in Church and State owe it that their sense of responsibility was awakened, and that they are now, in their degree, doing, in some poor and imperfect way, their duty both to God and man." And, yet, he was assailed by protests of Four Tutors, and by wretched censures by Hebdomadal Boards. The "religious teaching" of such a prophesying institution as this was was neither here nor there, and deserved neither protection nor preservation. It was a bold thing to say, but, doubtless, highly enjoyable as a liberation of the spirit after many years, and, for a speaker on the winning side, provocative with safety.

Once again, subject to an "instruction" including Cambridge in the operation of the Bill, the second reading was carried without a division.

This year, 1867, the Bill reached the Lords, where it was thrown out by a majority of thirty.

The next year (1868) witnessed a fresh departure. Not only had the "Oxford Tests Bill" grown into the "Oxford and Cambridge Universities Bill," but the cognate Bill permitting the colleges if they pleased to elect non-Anglican fellows had been incorporated with its twin.

The new Bill as completed was more formidable than the half measure, but the cry of danger to the Church and orthodoxy had to be met by the same arguments. The legislation of 1854 had already exposed undergraduates to the risk of a rationalistic

propaganda at the hands of Nonconformist professors and private tutors, while the new Bill neither weakened nor dispelled the security and the antidote, the restraining and hallowing influences of the chapel services, and the church "atmosphere." The Universities could remain, as hitherto, seats of learning and of religion, the "haunt and main region" of religious associations. The existence and supremacy of "tests" had not barred out the influence of Newman or of Arnold, the abolition of tests would neither diminish nor increase the influence of Mr. Jowett or of Mr. Liddon. He would appeal from ignorance and prejudice to facts, and yet again from a consideration of facts to the sanction of principle and of conscience :

I am sometimes told [he confesses] by good men, with honest horror, that in the Universities at the present moment there is a large amount of almost professed infidelity, and that every religious belief, even the most elementary, is considered there as an open question. I hope, I believe, there is exaggeration in the statement, but, if it be true, and so far as it is true, it proves incontestably that your system of religious protection is an utter failure ; that it keeps out, perhaps, good and honest and devout Christians, but does not quench doubts, nor extinguish disputes, nor banish infidelity. And, for my own part, I would far rather have fierce but honest and open conflict about religion than a system which, if the statements of its own advocates are to be believed, stifles inquiry without producing conviction, and has an inevitable tendency to create the self-deceit which, to use the memorable words of the illustrious Butler : "Undermines the whole principle of good, darkens the light which is to direct our steps, and corrupts the conscience, which is the guide of life."

. . . That these great institutions will continue to work as they have worked hitherto, for the advance of true religion and of real morality, I have as little doubt as I have of my own existence. How they will work I do not pretend to foretell ; I leave the future where Homer left it, and where all men must leave it, on the knees of the Gods.

But I know that there are a thousand ways in which good may be done or religion be maintained ; and I do not believe—you must excuse me for saying it is childish vanity and folly to believe—that a few English statutes are the one set of provisions in the world on which Christian truth reposes, and that when they are altered or repealed they involve in their repeal or alteration the destruction of Christian truth. There is much more wisdom, much more real religion, much more Christian faith in the noble words of Mr. Tennyson's *King Arthur*, with which, and with the thought contained in which, I will end what I have to say :

The old order changeth, yielding place to new,  
And God fulfils Himself in many ways,  
Lest one good custom should corrupt the world.

I need not apologise for quoting these passages at length. They are worth reading and studying for their eloquence and intrinsic worth ; but they are noticeable on other grounds.

One may suppose that the rapid interchange of plain speaking and a persuasive candour with passionate and exalted sentiment was, to some extent, conscious and intentional. But, if that was so, the secret spring of his rhetoric, when he let himself go, was an intense and ardent faith in his own convictions. In dealing with men and their motives he was ironical, satirical, subject to moods and fancies—too sensitive, too imperious ; and, with the result that outside the circle of his intimate friends, in middle life, at least, he was unpopular, at once admired and disliked. So difficult is it to believe that intellectual subtlety and a sincere passion for truth can go together. On the other hand, on public and formal occasions, the moods and fancies were controlled, and the whole man is presented to our view.

Once again a Tests Bill passed the House of Commons, but owing to the state of public business,

that is, the Bill for the Disestablishment of the Irish Church, it was hung up and did not reach the House of Lords.

In 1870 the fate of the Bill was somewhat different. Coleridge, now Solicitor-General, was again entrusted with the Bill, not in his individual capacity, but as a member of the Government. As Mr. Morley points out,<sup>1</sup> Mr. Gladstone was a tardy and reluctant convert to the complete emancipation of the Universities from the Overlordship of the Church of England. It was one thing to disestablish the Church in Ireland, and another to establish a tender growth of Nonconformity in the hallowed precincts of Oxford. Even in 1866, when he was absolved from his "solemn and sacred trust" as member for the University, he would not support the Tests Bill, and (so Sir J. T. Coleridge notes) was not in his place in the House when the introducer moved the second reading. Earl Russell, who had undertaken to introduce the measure in the House of Lords, was in frequent communication with Coleridge, and on several occasions pressed him to visit him at Pembroke Lodge, but it was long before Mr. Gladstone could be induced to unsay his *non possum*. At length the Bill was included in the Queen's Speech of 1870, and on May 23 the Solicitor-General, as a member of the Government, moved the second reading of the Bill. As usual it passed the House of Commons, but when it reached the House of Lords, it fell into the hands of Lord

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<sup>1</sup> See, too, for a detailed account of Mr. Gladstone's "gradual change" from direct hostility to the abolition of tests to open advocacy of the completed and all but exhaustive measure of 1870, *The Naturalisation of the Universities*, by Lewis Campbell, M.A., LL.D., 1901, pp. 141-143

Salisbury, who, not seeing his way to inflict a crushing defeat, procured the appointment of a Select Committee, and, by this means, postponed settlement to the following session.

Towards the close of 1870, Mr. Gladstone began to address himself in earnest to the Tests Bill, and whilst declining to go into a new controversy on the basis of what would be taken and alleged to be an absolute secularisation of the colleges, he was anxious to pass the Bill as it then stood. He urged the Solicitor-General, as from himself, to take counsel with Lord Salisbury, and, if possible, arrive at a *concordat*. His advice was taken, and early in 1871 Coleridge visited Lord Salisbury at Hatfield, but, so I gather, neither melted nor was melted by his host. When the Tests Bill was brought forward for the seventh time, another link had been added to the ever-lengthening chain of amendments. "The Bill had incorporated with it the substance of the amendment" made in 1870 by Mr. Fawcett, the effect of which was to make abolition of tests in the Colleges as well as the Universities not permissive but compulsory. In this final shape the Bill was introduced by Sir J. D. Coleridge, May 23, 1871, and carried by a large majority. When it reached the Lords many Tories and some Bishops were anxious to agree with their adversary whilst he was in the way with them, but there was still a last ditch and the chance of a *last* stand for Lord Salisbury. A new test protecting "the divine authority of the Holy Scriptures" against the assaults of tutors, assistant tutors, dean, censor, or lecturer in divinity, was carried by a majority of five. I will not emulate the freedom of speech



of the learned Editor of the *Annual Register*, who comments on the "vigorous recklessness" of Lord Salisbury, but I will record the futility of the device. Thrown out by the House of Commons, the new test was also rejected by a majority of the House of Lords, including such prelates as the Bishops of Manchester (James Fraser) and Carlisle (Harvey Goodwin), and, in due course, the Bill received the royal assent.

The abolition of tests and the consequent opening of the Universities to laymen of any or no creed, may be regarded as Coleridge's one great parliamentary achievement. The Bill as it first stood was none of his, and the several amendments and additions accrued from other sources, but there can be little doubt that his scholarly eloquence, his intimate knowledge of the conditions of University life, and the acute perceptions of the merits of the question at issue, sped the measure on its way through Parliament, and largely contributed to a successful issue. Whatever Oxford had to give Coleridge possessed, and, if any one could sympathize with the genuine alarm of the past, and, at the same time, share the hopes and aspirations of the future, he was the man.

Oxford somewhat tardily appreciated his services. At the commemoration of 1877 he was made a D.C.L.<sup>1</sup> The Bishop of Winchester, Harold Brown, Lord Crosse, and Sir John Evans bore him company. Coleridge became his pink and scarlet gown. From my seat in the gallery I saw him shake hands with the Vice-Chancellor and take

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<sup>1</sup> In 1882 Lord Coleridge was elected to an Honorary Fellowship of Exeter College.

his seat, by his brother-in-law, the Bishop of Oxford.

The following letters illustrate Coleridge's first attempt to pass an Oxford Tests Bill through Parliament.

B. JOWETT to JOHN DUKE COLERIDGE.

COLL DE BALL, OXON, 1865.

MY DEAR COLERIDGE,

I am glad that you have not forgotten the *Clouds*, as you may perhaps remember the *ἄδικος λόγος* which makes the worse appear the better cause. Are you not more like that than I am like Socrates?

The truth is that, in the Republic of Plato, legislators would not have been allowed to go circuit, and I was thinking only of an ideal state of things. and came in vain to look for my dinner (which however I got at a neighbour's house very satisfactorily—thank you). . . . May I suggest to you three or four topics to be used or not as you find convenient? First, *à propos* of Gladstone; it is an error to suppose that your Bill in any way destroys the distinctive religious teaching of the place. How would it do this? The large majority of Masters and Fellows, (if Mr. Bouverie's Bill is carried), will be members of the Church of England as long as the Church of England lasts, and will teach according to their individual opinions. Coercive teaching of Dissenters even now is what no one dreams of. I observe that Gladstone rested his opposition to the Bill, last time, chiefly on this, which is really an error of fact. This view also shows a want of faith in the religious future of the Universities and indicates an inclination to look at them through the spectacles of Sir R. Inglis, who was an excellent man, but rather out of date now. (2) Neither your Bill (nor the other) propose in any way to alter the Church of England, as by law established in the University, just as it is in parishes. The University is like a parish which is a parish, all the same, even if a dissenting chapel be opened in it. (3) But it does propose to make the University national, and, when there are so many deeper divisions among ourselves, how can we with any justice insist on the exclusion of Dissenters and Roman Catholics, by the accidents of history of three hundred years ago? (4) Please to consider the right way of putting the question towards Dissenters as well as

towards the Church. We don't want to convert them or make them Churchmen ; but we want to remove from them a "Social" exclusion—we want to let them have the benefits of the higher education without compelling them to go to church. Can any one suppose that the Established Church will be the stronger ten years hence for excluding them (if that is the question)?

It is of some consequence to soothe the old-fashioned High Churchman who thinks that the Palladium is being taken. But it is of much greater consequence to gain the confidence of the Dissenters who require also to be treated generously. Their ministers are naturally afraid that young Dissenters will be caught and turned into Churchmen. But this is not the object ; the real object is to reunite classes and get rid of theological and social antipathies, at the only place where different parties and classes would naturally meet, and on the common ground of education—and that seems to be an object worthy of Gladstone, or any other statesman.

I send you these few hasty remarks ; please not to mention my writing to you to any one, as neither shall I, and believe me,

Ever yours,

B. JOWETT.

JOHN DUKE COLERIDGE *to his* FATHER.

*January 23, 1866.*

You must please take as a *Datum* that I am thoroughly in favour of the Bill which affects the *University* only, *not* the Colleges or Schools in any way, and that I shall certainly vote, and if need be, speak in favour of it. Now starting from that, *ought* I to refuse to move it? I believe I can do it more tenderly and inoffensively than many men could, or would, and I should approach it in a friendly and respectful spirit to the University and to my opponents. My *real* reason—I mean the one which is the strongest, for I have many—against it is that I shrink from giving pain to dear old friends such as Heathcote, *e.g.* But is this a proper ground, if I *shall* vote, or, if *necessary*, speak, and speak, perhaps, and vote after a harsh hostile speech from some one more radical and less Christian than I should try to be?

The impropriety of a young lawyer doing it at all, no one feels so strongly as I do—but as to this I dare say a few words of disclaimer, which all who heard there would or might know to be true and sincere, might set this right. I don't *think* I am moved at all by what Brodrick says from

W. E. Forster as to myself, for all this was pressed on me before, and I positively and peremptorily declined. What does move me, I *think*, is that Lowe refuses. Acland doubts—Goschen can't, nor Dodson. . . . At the same time I know how apt one is to be self-deceived, and to act upon selfish and bad motives, very often unconsciously.

JOHN DUKE COLERIDGE to SIR WILLIAM HEATHCOTE, BART.

THE ATHENÆUM,

January 23, 1866.

MY DEAR SIR WILLIAM,

I am really in some trouble of mind about this Prayer Book matter. I do not want Parliament to be meddling with our forms—*nor* to increase by one jot the power of the Bishops. But I have a *very* strong sense of the mischief of this silly vestment and incense movement, and a horror of the notion that in ritual a parish priest has simply to consult his own *notions* of the law without the smallest reference to the feelings and opinions of his congregation. The insolent imperiousness, for instance, of a man like Stuart is both provoking to me and saddening too, as being very injurious to truths of religion which I do care for very deeply. So that while I do not like the mode of putting these fellows down, I should not be sorry to see them put down in some way—and the result is that I see my way much less clearly than I could wish in the matter. Shall you be in London before the third, and could I see you? Perhaps, in a little talk with you, you could tell me things about the Bill proposed and almost the persons with whom Lord Carnarvon is associated, which would determine me. I will not answer you positively one way or the other if there is a chance of seeing you.

Lord Campbell (who did little more, I believe, than reprint a paper of a literary attorney at Newcastle without any acknowledgment,) has no notion of the passage in the *Taming of the Shrew* which you refer to. I don't think on looking at it that I do agree with you. There is certainly the confusion you point out—but it seems to me there is an *indication* (it is not more) that it was intentional.

She is my goods, my chattels, she is my house,  
My household stuff, my field, my barn,  
My house, my ox, my ass, my *anything*.

This may be supposed to be said very fast, mingling up all sorts of things together, and finishing with the humorous



platitude "my anything"—as if his vocabulary could supply nothing more. You observe that the verse halts, as if he were in too great a hurry to finish it.

"Make an *extent upon his house and lands*," in *As You Like It*, whereas a *fieri facias* would be the writ to affect *personal* property (besides many other passages), is conclusive to show that Shakespeare did know quite well the difference between realty and personalty. I should like to have seen the *Taming of the Shrew* very much. Petruchio is the only great comic character (of those he played) in which I never saw Macready. If you ever do go to the play, do go and see *Rip Van Winkle* when you come to London. It is one of the greatest and most finished pieces of acting I ever saw.

(*Private.*)

I want very much to ask your advice about the University Tests Bill, which I am being very much pressed to take up, and which, at present, I have positively declined. I think the thing inevitable and *on the whole* desirable, and, so thinking, would have it done soon and by friendly and reverent hands. And my hands would, certainly, be friendly in intention, and I should feel and express true respect and even sympathy for those who opposed it. But I have so keen a sense of the "d—d lawyer" spirit of the House of Commons, and also a real feeling that it would be and would be felt to be such unbecoming presumption on my part to take up such a measure in my first session, that I have, at present, resisted all importunity. Taking as a datum that I should on the whole support the Bill, and that considerable people in and out of Parliament have applied to me, would you if you were me take it up or not? Don't trouble yourself to write if you are likely to be in London, as conversation is so much more satisfactory. Best regards to Lady Heathcote.

Always very affectionately yours,

J. D. COLERIDGE.

Thank you, I am better, but I am not well and cannot get so. I believe I have too much to do.

B. JOWETT to JOHN DUKE COLERIDGE.

COLL DE BALL, OXON,  
March 1866.

MY DEAR COLERIDGE,

Many thanks indeed for your speech which I find the people here quite appreciate. Though I won't pay you



the compliment of saying that I agree with every word which you said I, certainly, think that every word, as honestly spoken by you, was extremely well calculated to influence the audience.

I agree with Lord Cranborne that we were very fortunate in having your help. Lowe did good service really, though there will always be the practical doubt whether a comprehensive measure or a narrow measure is likely to succeed.

In the present instance I think the result has clearly shown that the narrower course was the right one. I wish Neate could be pacified, who is honest and clever, but the most mercurial of men and liable to turn round at a moment's notice. Also I feel strongly the importance of Bouverie's bill. When a body of the members of the Church of England, mostly clergymen, come to the Legislature and ask for the power of setting aside their own restrictions, it appears to me monstrous that the Legislature, representing the whole country, should refuse them. Will you think of this a little?

I hope to accept your kind invitation after Easter. In haste,

Ever yours,

B. JOWETT.

JOHN DUKE COLERIDGE *to* SIR W. HEATHCOTE, BART.

TAUNTON, *March 24, 1866.*

Only a line to thank you for your very kind letter. You know how I value your judgment, but even you are human, and I am afraid there are subjects on which your affections mislead you. However, it is none the less pleasant to be one of those subjects.

MATTHEW ARNOLD *to* JOHN DUKE COLERIDGE.

THE ATHENÆUM,

*March 29, 1866.*

MY DEAR COLERIDGE,

I crossed the park on Sunday to see you, but found you were away on circuit, and to remain away for a fortnight to come. But I will not wait all that time without giving you a sign of life. I was under the gallery while you spoke, and you may imagine with what pleasure I heard you; and with like pleasure I now hear the chorus of approbation which goes on swelling still, instead of dying away. I was perfectly certain you would succeed, but I was hardly pre-

pared for the amount of favour you would conciliate even among the roughs of Radicalism. . . . Since I heard you at Oxford you have gained immensely, as was likely, in ease of manner and attitude in speaking; the voice was always, as it is, most agreeable, and the constant use of the natural tone—so generally dropped when a man gets on his legs—charming: now and then, however, this made you a trifle too low, and thence indistinct; you may as well be on your guard against this. I was greatly pleased at hearing Grant Duff . . . talk of your speech; but still more I was pleased that you said what you did about him. . . . But it is in these cases that the amiable spirit engendered by a truly liberal education tells. I must say I thought the Oxford tone, as manifested in you and in Butler Johnstone also, contrasted most favourably with the Cambridge. . . . Dear old Shairp is a candidate for the Moral Philosophy Chair at Glasgow, and in writing to him yesterday about this, I had the pleasure of giving him an account of your speech and success. It is a blessing you avoided rocks on the Church rate question, and pray avoid them on Bouverie's question also.

And now I return to the obscure toils of my garret.

Yours ever affectionately,

M. A.

## CHAPTER III

### PARLIAMENT—*continued*

Soon shalt thou thrill the Senate with thy voice ;  
With gradual Dawn bid Error's phantoms flit,  
Or wither with the lightning's flash of Wit.

S. T. COLERIDGE.

DURING his first session, and while Mr. Gladstone still led the House of Commons, Coleridge made two other speeches which attracted notice and applause. The first, delivered April 20, 1866, was on the Second Reading of the Representation of the People Bill, a half-hearted measure of reform which proposed to substitute a £7 and £14 limit for the £10 and £50 of the great Reform Bill of 1834. "Is it not a little one?" is the burden of Coleridge's argument, and with the exception of an interlude on the "English Aristocracy," there is little in the speech worth transferring from the pages of Hansard. The *dramatis personæ* are John Bright and Lord Burghley :

I do not pretend to agree with the hon. Member for Birmingham in everything which has fallen from his lips ; indeed, this being a free country, I take the liberty of saying that I dislike and differ from many things which he has uttered, while I still more decidedly disapprove the tone in which he has occasionally expressed himself. I should have said that he is, in my opinion, at times unfair to the English aristocracy. But my noble friend the Member for Stamford favoured us the other day with a statement

which is somewhat humbling to the plebeian mind, for he told us that he never had any means of knowing what the feelings and opinions of the aristocracy were. If, however, a noble Lord, who is the heir to one of the great branches of the house of Cecil, and who is not altogether unknown to another great branch of that family which has, I suppose, something or other to do with

Burleigh-house, by Stamford town,

knows nothing of the views of the aristocracy, what can I know? It may very well be said, therefore, that I am not in a position to judge whether the hon. Member for Birmingham is or is not sometimes unfair towards the aristocracy; but if my noble friend should in, time to come, succeed in arriving at any dim and imperfect knowledge of their opinions, and would be good enough, as a matter of private friendship, to communicate that knowledge to me, I should then be better able to form a judgment in the matter. This I may, however, say—that if the term “English aristocracy” is meant to indicate English gentlemen of noble birth, of ancient family, with large possessions, and great wealth, expressions have, I think, now and then fallen from the hon. Member for Birmingham which are not quite fair towards such persons. At the same time, Sir, we are a practical people, and we are accustomed to deal with practical matters. We are, in the present case, dealing with a matter which affects the feelings and interests of the people; and if, therefore, the Government went straight to the hon. Member for Birmingham, who is one of the greatest leaders of the people, to consult him on a question which has immediate relevancy to the people, I, for one, should imagine that they were only taking a course which they were, as sensible and honourable men, fully justified in adopting.

There is an echo of Burke in the peroration :

Guard, if you please, the grace of freedom with the majesty of law. But you are the true revolutionaries and not we; you who reject these moderate demands of popular advance; you, who instead of deepening the channel and widening the banks as the stream grows broader and deeper, strive to hem it in and pond it back until at last the accumulated weight of waters bursts the puny barriers you have erected, and bears with it destruction instead of fertility.

The second speech, delivered May 2, 1866, was on an alteration of the law to which, as Sir Mountstuart Grant Duff remarks (*Notes from a Diary*, 1904, ii. 118), Coleridge retained a "curious objection" to the last, viz., Marriage with a Deceased Wife's Sister. It was not a "curious objection" at this period of his career, for it was a crucial test of Churchmanship, which presented no difficulty to his reason or his conscience. In this one respect, at least, he could vote as he wished and give pleasure instead of pain to his father and Sir William Heathcote and the friends and guides of his youth. The speech contained two or three sentences which at the time and since have been held up for praise or ridicule :

It was an observation not sentimental, but practical, and made by a much wiser man than myself, that unpassionate affection is one of the great educators and civilisers of mankind. . . . Change these relations—suffer brothers-in-law and sisters-in-law to marry—and besides destroying these influences, you lower at once the whole idea of Christian marriage. Now, the husband's relations are the wife's relations, and the wife's the husband's; for they are no more twain, but one flesh. But pass this law, and you make them twain at once—or rather half twain; for you propose to keep the wife tied to your relations, but to set yourself free from hers. There are a multitude of other social considerations on which at this period of the debate I refrain from insisting; but one thing I must point out—that if this law be changed, no modest marriageable woman can henceforth ever treat her brother-in-law as a brother.

He spoke against the measure again and again, first in the House of Commons and, afterwards, in the House of Lords, whenever, indeed, Knatchbull Hugessen (Lord Brabourne) did not, until, as Lord Beaconsfield once told him, it "was rapidly becoming a monopoly." There is, or was, a saying



which S. T. Coleridge greatly resented, "Once a Jacobin, always a Jacobin." A similar "sentence," "Once a Tractarian, always a Tractarian," might be found to contain the same trace or modicum of truth.

Early in July, 1866, the Liberals went out of office, and in the spring of 1867 Disraeli, the new Chancellor of the Exchequer, brought in his Reform Bill. There were, of course, numerous safeguards, but, practically, it was Household Suffrage subject to long residence and the personal payment of rates. Mr. Gladstone thought that a measure, so limited and so hampered, was to keep the promise to the ear, but to break it to the hope, and by way of putting "a gentle pressure" on the Government, suggested Household Suffrage tempered by the exclusion of the poorest of the poor, those whose rental did not reach five pounds a year. Every householder, whether he paid his rates, directly or through his landlord, was to have a vote, but the submerged or gulphed residuum was to be excused rates and be left unfranchised. To put things in train, he summoned for Wednesday, April 3, a meeting of the Liberal Party, enlarged upon his proposals, and detailed his plan of campaign, "to move an Instruction to the Committee." "It is," he said in conclusion, "important to consider who is to be the mover of the instruction, and, I hope, it will have your approval that having taken advice in several quarters I have ventured to ask Mr. Coleridge to undertake the duty. I think there is no man who enjoys better favour with both sides of the House. There is no man who propounds his views with more refined delicacy and high

principles than Mr. Coleridge, and, lastly, Mr. Coleridge's professional position enables him to deal with a question requiring some professional knowledge in the most satisfactory manner." Here is the Instruction. It is printed in the report of the meeting, *Times*, April 7, 1867, but I transcribe it from a memorandum in Mr. Gladstone's handwriting :

(*Secret.*)

That it be an instruction to the Committee that they have powers to alter the laws of Rating, and to provide, that in every Parliamentary Borough, the occupiers of tenements below a given rateable value be relieved from liability to personal Rating ; with a view to fix a line for the Borough Franchise at and above which all occupiers shall be entered on the Ratebook, and shall have equal facilities for the enjoyment of such Franchise as a Residential Occupation Franchise.

The meeting was not unanimous. Mr. James Clay, M.P. for Southwark, gave it as his opinion that the instruction would be "fatal to the Bill," and suggested that only the first line as to rating should be retained. But Mr. Gladstone would have the instruction and the whole instruction. "It was," he said, "totally impossible for me under any circumstances and any conditions, whatever, to accept the suggestion made by Mr. Clay" ; and, for the time, Mr. Clay and others were effectually silenced. But, as events proved, a formidable minority "went away in a rage."

Coleridge, half flattered and half reluctant, paid a short and hurried visit to Heath's Court, to get his speech together, and returned to town on Sunday afternoon. Fully prepared to move the Instruction, he went down to the House on Monday (April 9), and was met by the announcement that forty-eight

members of the Liberal Party had informed Mr. Gladstone that they were resolved to vote against the Instruction, and that Mr. Gladstone had given way, and consented to postpone his manipulation of the Government Bill to a later stage of the proceedings in Committee.

This was the tea-room schism, planned and carried out by a group of dissentient Whigs who met in the tea-room of the House of Commons to "devise *illiberal* things."

It was an awkward situation for Coleridge, who had (Saturday, April 7), vicariously, given notice of the Instruction, and, as he says, he had to get out of it the best way he could. In lieu of the suppressed Instruction, Mr. Gladstone made a series of amendments, and, on Thursday (April 11), Coleridge spoke, at some length, on the question of a five pound limit. Something had been said by Disraeli as to "*clever nisi prius*," and Coleridge saw the chance of a rejoinder. "If," he asked, "*clever nisi prius* is to meet one, point by point, to travel over the argument, and destroy one's points, and show a man, upon his own ground, that he was wrong, what point had the sneer of the right honourable gentleman? But if *clever nisi prius* consists in evading the point at issue, turning the laugh against one's antagonist with extreme adroitness, so as to keep a delighted audience borne along by a current of eloquence made up of brilliant epigrams—then, undoubtedly, the Chancellor of the Exchequer was the greatest master of *nisi prius* in the House."

None the less, the Chancellor of the Exchequer won hands down, and all along the line. The

next night, Friday, April 12, Mr. Gladstone spoke in reply, and, thanks to the defection of forty-three Liberals and the absence of twenty more, the amendment was lost by twenty-one votes, "a smash perhaps without example," as his diary records.

The "tea-room" episode, which counts for little in the political life of Mr. Gladstone, assumes different proportions in the history of Coleridge's Parliamentary career. He submitted to be "moved back" with a good grace, and made light of his own discomfiture, but his father, who knew him better than he knew himself, was vexed and perturbed on his account.

The entries in the son's diary are brief, but vivid; the father is more diffuse, but as a looker-on, he saw more of the game.

#### JOURNAL OF J. D. COLERIDGE.

1867. *Wednesday, April 3.* 6 *Southwick Crescent*.—To Gladstone's. There I agreed to do what I can for the party on Monday.

*April 5. Heath's Court*.—Tried to get speech together.

*April 6*.—Set to work vigorously on speech, which I must try to make good, but which I quake at, horribly.

*April 7 (Sunday)*.—Stayed at home this morning from Church, and finished my speech. Came alone with special to Sarum. There H. D. Seymour [M.P. for Poole] joined me, and we had much gossip to London. He thinks badly of this move, and I fear there will be cross-divisions.

*April 8. London. (Monday)*.—To work on speech to make it clearer. Note from Cranborne [urging him to point out that the instruction was in harmony with Clay's proposal as to omitting all but the first line]. Such a damaging evening to us! Forty-eight seceders made Gladstone give way at the last moment, and I had to get out of it the best way I could. [John] Locke [M.P. for Southwark] behaved ill. Then some damaging speeches from Osborne and Lowe.

*April 9.*—To the House, and was kept very late over an Irish debate. [W.] Monsell [M.P. for Limerick County] spoke well, and so did Gladstone. Dizzy rather poor and commonplace.

*April 10.* To the House, where I wrote letter and saw divers people, till the University Bill came on. Fawcett weighted it with an Instruction to apply to Cambridge. Foolish, I thought, but we pulled it through.

*April 11.*—To the House. An attempt of Elcho's and Grosvenor's to put off the Debate failed. Then went on to the Athenæum, returned and made a poor speech to an inattentive house. Must take more pains.

*April 12.*—Went down to the House—very exciting debate both on the Bill itself and as to Osborne's questions. At last, about half past two, we divided, and were beaten by twenty-one. So ends our chance, and, perhaps, the party.

#### JOURNAL OF SIR J. T. COLERIDGE.

1867. *April 14.*—John came, yesterday, after the defeat of the Opposition. It has been a time of struggle and intrigue. The defeat is expressly owing to a secession of Opposition Members from Gladstone to the Government, on this question. Some questionable points, perhaps, in Gladstone's scheme, the threat of a dissolution and a want of due confidence in and loyalty to the Leader of the Party occasioned this. And it was done in an unhandsome way, with no due regard to his feelings or John's, who did not know of it until he entered the House, prepared to move his instruction. Then he was told that Gladstone had yielded, and he was desired not to make his motion, and, yet, the Government knew all about it.

However, in Committee, Gladstone wished him to move another amendment on which the decisive division was taken. He properly declined. The defeat was more marked than unexpected. Above forty Liberals voted against Gladstone, or gave no vote at all, and only six Government men voted for him. Among them, however, were Cranborne and Heathcote—a great comfort to me.

*May 12.*—The Reform Bill advances by the help of seceding Liberals, and it seems now as if it would pass the Commons certainly. . . . Meanwhile the power and union of the Conservatives increase with confidence in Disraeli. John thinks they are safe for three or four years. I can



hardly believe it, and certainly am, in some degree, disappointed. This is a personal rather than a party feeling, but I had hoped to see him in Office. I am a good deal weaker about this and less wise than he is himself. He professes a reluctance to undertaking the slavery of it, and doubts his bodily strength.

However, I do not believe that the reign of the Conservatives will be prolonged beyond the passing of the Bill. It seems to me that the desire to pass this measure explains the support they are now receiving, and that when that is accomplished it will be withdrawn.

*May 19.*—The Reform Bill in the hands of a Conservative ministry is gradually becoming more Radical than the Radicals could have hoped for. I suspect more so than many Liberals desire. In the Boroughs we seem likely to have pure Household Suffrage. How S. Northcote can put up with that astonishes me—if, indeed, he can, for, as yet, it seems possible that Disraeli has taken a jump of his own head, without waiting for the consent of his Cabinet. To-morrow night will enlighten us.

As it turned out, stalwart Liberals and dissentient Whigs were left to console each other, and Household Suffrage, unsafeguarded and unweighted, became the law of the land.

For the rest of the Session Coleridge's parliamentary labours were confined to his own measure, the Tests Bill, and it was not till the following Session, the Tories being still in office, with Disraeli, in the place of Lord Derby, as Prime Minister, that he broke silence. The occasion was Mr. Gladstone's motion of March 30, 1868, "That this House do immediately resolve itself into a Committee to consider the Acts relating to the Established Church of Ireland." On April 2, at Mr. Gladstone's request, he adjourned the Debate. "I am rather bored," he writes in his diary, "for I prefer speaking hot to cold." On the next night he contrived "to get rid of his speech." "Every one," he adds,

"was most kind about it, and made me vain, if I had not known better how poor it really was. We beat the Government by sixty, and then by fifty-six. Three o'clock home."

This first speech on Disestablishment was, perhaps, Coleridge's most successful deliverance in the House of Commons. In the matter of the Irish Church there had been no cause or room for "development." Thirty years before (*vide ante*, vol. i. p. 70) he had written to his father (August 30, 1839), "I can never get over the fact of 900,000 getting the tithes of 8,000,000," and he rejoiced that it fell to his lot to take part in a tardy reversal of this great iniquity.

He felt, too, that, however reluctant to lay hands on the temporalities of any church, his elders and betters, as he dutifully regards them, were not averse from a drastic reform of the *Irish* Church. Sir John Coleridge, though his surmise had not then been confirmed by Dr. Newman,<sup>1</sup> was conscious that "Mr. Keble now agreed with Mr. Gladstone in the principle" of disestablishment, and one may suppose that so consolatory a sanction had been imparted to his son.

In his speech (afterwards published by the Liberation Society), he approaches the question from the

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<sup>1</sup> "Mr. Gladstone's rejection at Oxford was talked of, and I said that I really thought that had I been still a member of the University, I must have voted against him, because he was giving up the Irish Establishment. On this Keble gave me one of his remarkable looks, so earnest and so sweet, came close to me, and whispered in my ear (I cannot recollect the exact words, but I took them to be), 'And is not that just?' It left the impression on my mind that he had no great sympathy with the Establishment in Ireland as an Establishment, and was favourable to the Church of the Irish."—Letter from J. H. Newman to Sir J. T. Coleridge, September 17, 1868. *Memoirs*, &c., 1874, p. 533.

point of view of a lawyer, pointing out that the Statutes of Mortmain, which belong to the "infancy of our Parliaments," were, "from the earliest times, notices to all mankind that the Statutes of England, and the Parliament of England, claimed to have this matter of endowments in their own hands"; that Church Property is subject to public law. He proceeds to argue that there is no principle in Church Establishments, and that the union between the Irish and the English Church, in so far as it existed at all, existed in virtue of the fifth section of the Act of Union, and that "what an Act of Parliament had done, an Act of Parliament could undo."

There was, of course, to relieve the strain, a discharge of raillery at the Prime Minister with some side-shots at "my noble friend," Lord Cranborne. It is generally believed that "he whom they call Dizzy" passed sentence on Coleridge as a "silver-tongued mediocrity." The invective, unlike Lord Cranborne's, does not "want finish," but it does, perhaps, want scientific accuracy. There was, however, from time to time, an interchange of courtesies between the two, and, politics apart, on both sides a measure of esteem and of goodwill.

SELECTIONS FROM A SPEECH ON THE IRISH CHURCH  
ESTABLISHMENT, HOUSE OF COMMONS, APRIL 30,  
1867.

*No Principle in Establishments.*

As to the principle of Establishments being attacked, I deny it altogether; because I don't admit, in the sense, in the only sense, in which the words can be used so as to be any argument in a discussion of this description, that there is any such thing as a principle of Establishments at all. One can understand the principle of justice or the principle of love of your neighbour; or, taking a lower

example, the principle of free trade, or the principle that taxation and representation ought to be correlative. These are things which are true in themselves—true in the abstract. They do not depend on time, or place, or circumstance; they are principles which ought to be observed everywhere and always. But in respect of Establishments, time, place, and circumstances are of the very essence of the question. What is fit here may be unfit there; what is tolerable here may be intolerable there; what is fit in one age may be unfit in another; what may, perhaps, be particularly suited to the condition of things in England may be particularly unsuited to the condition of things in Ireland.

*Mr. Disraeli's Letter to Lord Dartmouth.*

The right hon. gentleman (Mr. Disraeli) writes a letter upon this subject—a letter which, says my noble friend opposite (Lord Cranborne), greatly reassured him. . . . I remember that long ago, in 1852 or 1853, in the days of the Papal aggression, the noble lord then at the head of the Government wrote a letter which was called the Durham letter, and I well recollect that the right hon. gentleman now at the head of the Government alluded to it. I suppose he had then gone from below the gangway and had ceased to use “heedless rhetoric,” but he had taken to epigram. At any rate, I remember as a mere outsider being excessively tickled and amused by the vigorous and epigrammatic onslaught which he made upon that letter. He said of the Government of the noble lord—and if he was here I am sure his “historic conscience” would bear out my quotation—that they were about to collapse “from a union of epistolary rashness and financial imbecility.” These were memorable words. The right hon. gentleman does himself great injustice in saying that he is heedless. Heedless is the very last thing that he ever was or could be; and I cannot help thinking that this letter which reassures my noble friend so much, was not a rash epistle, was not carelessly, but carefully written for an object—namely, for publication and as a manifesto. Now, will you find one single word from the beginning to the end about the Irish Church? . . . There is not a word, not a letter, to justify any gentleman on either side in accusing the Prime Minister of a breach of faith if he brought in a Bill to disestablish the Irish Church to-morrow. I do not say that the right hon. gentleman is going to do

this. All I can say is that I think my noble friend is a little too easily reassured.

What may be the direct and immediate effect of the measure, he would be a very much bolder man than I pretend to be who would undertake to predict in anything like detail. I should think, in all probability, nothing very marked, decided or striking, because I don't pretend to put this matter forward to the House as by any means a panacea. Though not yet exactly an old man, I have lived long enough and have had experience enough of life to doubt as to the merits of what is called a political panacea. . . . It is the vice of political controversy that measures which become the subjects of it are exceedingly apt to have their immediate value and practical importance extravagantly exaggerated, both by those who resist and by those who recommend them. And it is one of the commonest mistakes of youth and inexperience to expect to see the results of our labours—a mistake which a few added years and a wider acquaintance with affairs sternly but inevitably correct. We learn in time, sorrowfully but surely, how little good can be effected by the highest genius and the greatest virtue in the lapse of even the longest life which is commonly accorded to mankind. But this ought to be no reason to us for a dull and stupid acquiescence in a state of things which is admitted to be bad; still less is it a reason for our doubting as to the ultimate triumph of truth and right, or any slackening in our own efforts to advance them. To us who believe in the Divine Original of Christianity, and who remember how mysteriously small a part of the habitable globe it has as yet affected, and how inadequate a proportion of the population of even Christian countries it has directly and practically converted—to us it is and can be no kind of argument at all against the truth and justice of any system that in itself, and by itself, it fails to work any sudden miracle of change. Rather, surely, if we rightly consider it, this ought to be a motive to us for unceasing energy and untiring effort, for going on—as I believe the great German phrased it—“unhasting, unresting,” in the path of what we know or believe to be equity and uprightness; keeping fresh—if we can keep them fresh—that earnestness and enthusiasm without which nothing really great was ever yet wrought upon the stage of human affairs; keeping them fresh and tempering, but not quenching them, with common sense and reasonable



judgment ; and being content to cast the good seed into the ground in faith, and to leave to a far higher than any human power to fix the season for the ripening of the grain, and the time for reaping and gathering into barns.

His father's hymn of praise, and a protest or apology which Coleridge addressed to Sir William Heathcote, form a fitting conclusion to his Parliamentary record as a private member of the House of Commons.

SIR J. T. COLERIDGE'S JOURNAL.

1868. *April 7.* — John arrived here on Saturday, having delivered a speech in support of Gladstone's Resolutions for disestablishing the Irish Church, which seems to have been excellent in matter and manner, and to which remarkable testimonies have been borne. Thanks and commendations flowed in upon him from the most distinguished members on his own side ; but men came to him from the other side to congratulate and thank him. The Bishop of Limerick [Dr. Griffin], who was among the audience, came to introduce himself to him, and to applaud his speech. The report in the *Times* enables me to understand all this.

JOHN DUKE COLERIDGE to SIR WILLIAM HEATHCOTE, BART.

WESTMINSTER HALL,

*April 18, 1868.*

. . . I do not regard politics or social matters as having an absolute right and wrong in them like morals and religion. They are of the earth earthy, and are, essentially, in my view, matters of balance and compromise. And, therefore, if I am sometimes at destroying what you would preserve it is not (I think and hope) that I cannot see what you see in such institutions, or fail to appreciate the positive good and beauty which they do and display to us ; but that I see more strongly, perhaps, than you do the *relative* merits of something else which, by *comparison* and *on the whole*, is superior, and for which, therefore, it seems my duty to strive—not forgetting that I destroy what is, perhaps still, what certainly, *has been*, good, but hoping (not vainly, I trust) to substitute something better. Surely there has been greatness and nobility in nations,

and happiness and goodness in individuals under all sorts of external forms of government and religion ; and it does not seem to me we have any right to sit down and despair, because a particular form (under which it may be there has been much of greatness and goodness) is not, according to God's Providence, to last for ever. It would be much *pleasanter* for me to sit by your side than by Bright's, (though he is a fine fellow, too), but I should not be honest or honourable if I did. As to the Irish Church, I have thought as I do now about it, ever since I could think at all, and I do sincerely wish I knew where to look for any reasonable defence of its establishment or history. As far as I know history, I know of nothing like it—the least like it—since Adam. I wish anybody would tell me if there is. . . .

In May 1868, Mr. Disraeli announced his intention of dissolving Parliament at the end of the session, and of going to the country. In the following November there was a general election. Coleridge, who had taken for the first half of the Long Vacation, Buckland Court near Holne Chase, was obliged to give up a part of his well-earned repose to an exhaustive canvass of his constituency. Lord Courtenay was not to stand again, and there were four candidates in the field for the two seats. The Tories brought forward, or were directed to bring forward, the Attorney-General (Sir John Karslake) and Mr. Arthur Mills. The Liberals were faithful to Coleridge but on their side started a second candidate, Edgar Alfred Bowring, C.B., known to some as the translator of Heine, the son of Sir John Bowring (1792–1872), traveller, diplomatist, and translator of Slavonic and other anthologies. Karslake was a formidable antagonist. He was as well known at Exeter as Coleridge. He was already in office, and, though he lacked Coleridge's eloquence, he was a strong speaker, and other things being equal, he

might have surpassed him at the hustings, as he had often outrivalled him in Court. But Coleridge had won the hearts of the electors, and though he professed to regard the contest as a "bore," he did not even pretend to himself that he was in danger of losing his seat.

I select a few paragraphs from a mass of election literature which recall the occasion, and are not without point and interest of their own :

FROM A SPEECH DELIVERED AT A LIBERAL  
MEETING, AUGUST 19, 1868.

. . . An attack has been made by the Attorney-General upon Mr. Gladstone, whose conversion has been suggested as being recent. I say I must be permitted to mention what is within my own knowledge and experience with regard to that illustrious man. In 1847, when I was but a boy, having just left Oxford and been called to the bar but a few months, I had the great honour to be Secretary to Mr. Gladstone's first Committee for promoting his election for the University of Oxford. And I well recollect that on that occasion some older and more moderate supporters were extensively anxious—this was in 1847, remember—to draw from him some pledge that he would stand by the Irish Establishment. I myself was one of three or four who waited upon him for the purpose of ascertaining his sentiments on that occasion, and we came away with his distinct refusal to pledge himself to anything of the kind. Some of our good friends, excellent and good men, but old and temperate and moderate, and not prepared for advances to that extent, were extremely discontented. But I, being a younger man, and hotter in blood, was uncommonly glad to find that such was the mind of Mr. Gladstone.

FROM A SPEECH DELIVERED NOVEMBER 13, 1868.

. . . I was somewhat amused the other day by having a paper sent me, containing a comparison between what they were pleased to call "the greater Coleridge and the lesser." It is a great pride and honour to me to be compared in any way with Samuel Taylor Coleridge. It was intended in the

article, . . . to prove that he would probably have supported the establishment of the Irish Church. I doubt it. . . . The whole article put me in mind of what I once heard Mr. Mill say in the House of Commons. Mr. Mill was inclined, at one time, to have his vanity flattered by finding particular passages from his works quoted by orators, speaking on the Tory side of the House. But his vanity underwent a considerable rebuff when he found that those passages were the only passages that the honourable gentlemen had read. I leave you to make the application of that story. But I recommend the Tory article writers to read through the writings of the uncle—they will find it a much harder business than abusing the nephew.

The contest was fought out in grand style. Karslake and Coleridge were public men; Mr. Bowring was the son of a distinguished father, a member of a well-known Devonshire family, and Mr. Mills was standing for Parliament for the sixth time. Huge caricatures, somewhat in the style of H. B.'s drawings, were issued by the local press. In one, a coloured print, Coleridge figures as Mephistopheles. With his right hand he fingers a paper ticketed "Papal Ascendency" which is half-concealed in his wallet. The fore-finger of his left hand is touching his lips. A poniard labelled "Destruction of the Church" is fastened to his girdle. The heading is "Smooth runs the water where the brook is deep." It is pleasanter to sit in than to stand before the seat of the scornful, and, in a speech delivered at his nomination, Coleridge solemnly repudiated this "Tory pleasantry." But the caricatures proved ineffectual. This is the record of voting day :

*November 17, 1868.*—At first we went ahead. Fell back about 12. Then picked up again. Headed the Poll at 2, and, after that, gave Bowring my split votes, and, with these and other efforts, were both returned at 4. This is a triumph. But I am very sorry for J. B. K. I told him how it would

be, though. Then to Guildhall—spoke—Globe—spoke in the air. Dined at the Queen's.

He returned to Heath's Court on Saturday, November 21. The horses were taken out of the carriage, and there was immense enthusiasm. "It really was very touching," he writes, "pelting rain, yet half the town out to welcome me in the dark." On December 2 he dined at the Clothworkers' Hall and sat next to the Solicitor-General, who told him that "Dizzy was really out." This meant that Mr. Gladstone was Prime Minister of a Liberal Government, and, on December 4, on returning home from "a Rossini evening, Stabat Mater and Mozart's Requiem and Dead March in Saul," he found "Gladstone's messenger waiting with an offer of the S.-G.; Collier to be A.-G." It was no secret that he "declined it absolutely."

I need not dwell at length on an unwise decision, which was almost immediately overruled. It was hinted that he would not serve under Sir Robert Collier, that he had expected to be made Attorney-General or Lord Chancellor *per saltum*, and that his refusal was due to pique, or that, like a young lady who has been asked to sing, he said "no," only to be pressed and coaxed into compliance. Mr. Gladstone thought it worth his while to play his fish a little longer, and asked him to call upon him. "So I had to go to him," he writes (Dec. 5), "He was most kind and urged me to accept. So did Cardwell and Bright, and afterwards Willes and Bruce and others." On Sunday he had a "talk with Bowen, who also advised acceptance," and went to Palmer, who advised him "strongly to take the place." Of course it ended as every one



but himself must have foreseen. On Monday (Dec. 7) he writes, "So the deed is done, and, I suppose, in a few days I shall be a Minister."

As they say in Westmoreland, "There's nout so queer as folk." It was true that, in bygone days, professional rubs with Collier had made him sore and uncomfortable, and that he dreaded the clash of wills and tempers, under conditions which would make the public a spectator of the duello. But the secret of his hasty refusal was that, when the goal of his ambition was in reach, he lacked nerve or heart to take the last stride. It is not an heroic frame of mind, but it is intelligible. The letters to and from Mr. Gladstone, and his letter of explanation and apology to the new Attorney-General, are of more interest than the exciting cause.

(*Most private.*)

11 CARLTON HOUSE TERRACE, S.W.,

December 4, 1868.

MY DEAR MR. COLERIDGE,

I hope you will be disposed to give your aid in the arduous task in which I am engaged, and become one of the *par nobile* of the legal champions of the Government in the House of Commons, by accepting the Office of Her Majesty's Solicitor-General.

You will, I daresay, have anticipated what I have now to confirm; we cannot have the services of Sir Roundell Palmer in connection with the Executive Government. Lord Justice Page Wood will be Chancellor, and Sir R. Collier, who played his part under a former Government to the satisfaction of all (I believe) who had relations with him, will be Attorney-General.

What I have said proceeds on the assumption, which is safest, that no judicial vacancy is likely to occur which might give occasion to another upward move.

I need not spend words in assuring you that I anticipate great advantage to the new Government from your most valuable aid, and that I look forward with great pleasure

to the relations which will, I hope, be established between us.

I remain, sincerely yours,

W. E. GLADSTONE.

I hope you duly received from me a copy of a "Chapter of Autobiography."

(*Secret.*)

1 SUSSEX SQUARE, W.,

December 4, 1868.

MY DEAR MR. GLADSTONE,

For the kindness of your letter and for the too great honour you intend for me, I can only thank you from the bottom of my heart. It would be the pride of my life to serve under you, and if I could render the very smallest assistance to your Government, I should rejoice in doing so. But under present circumstances it is impossible for me to do so in office. . . . I know well that a man who once puts office by, puts it by probably for ever, and you will not suppose that I send this answer without great regret and a considerable struggle. But I am sure it is my duty to do it. Your letter is an absolute secret, and will remain so, and if I may ask such a thing, I should prefer that this answer should be a secret also. It will make not the slightest difference in my hearty and constant support of my old and honoured political chief.

I did not receive a copy of your "Chapter" or I should have long since acknowledged it and thanked you for it. I shall read it with interest and delight.

Always, my dear Mr. Gladstone,

Yours most truly and gratefully,

J. D. COLERIDGE.

Pray excuse the haste of this letter. I have been out all the evening and do not like to keep your messenger waiting, while I more carefully mould my language. You, I hope, will understand and forgive me.

(*Private.*)

11 CARLTON HOUSE TERRACE, S.W.,

December 4, 1868.

MY DEAR MR. COLERIDGE,

I hope you will not think I presume, if, after thanking you for the kind tone of your letter, and assuring you that

I entirely rely on its frank assurances, I entreat you to call on me before you come to a final decision, that I may bring before you in very few words the exact state of the case as far as I am concerned, and submit to you a request which I am confident you will think reasonable.

Sincerely yours,

W. E. GLADSTONE.

*(Private.)*

WESTMINSTER HALL,

*December 7, 1868.*

MY DEAR MR. GLADSTONE,

I did as you desired me and consulted Palmer yesterday. He told me, as you did and as Cardwell did, that I had no choice but to accept the office and not to think about my own personal wishes. And several other men for whom I have the greatest respect said the same thing, my refusal having got into the papers. It would be presumptuous and impracticable of me to put my own wishes and feelings in opposition to the judgment of such men. I do not pretend to deny or conceal my repugnance to office, but I yield to such authority, to yours above all; and if you really think I can be of any use, I will try to be so, in any office you may put me into. I think you quite overrate the importance of the matter, but, if you think otherwise, and are still of the same mind you were on Saturday, I will do my best. Should you have changed your mind, I shall be very glad. But in any event, your kindness and consideration will never be forgotten by me as long as I live.

Yours always sincerely and gratefully,

J. D. COLERIDGE.

THE RT. HON. W. E. GLADSTONE.

*(Private.)*

WESTMINSTER HALL,

*December 7, 1868.*

MY DEAR COLLIER,

After what has appeared in the papers, you may, naturally, expect a word from me, and I should have said it to you, but that it is perhaps better to put it on record so that there may be no mistake about it. I wish you to distinctly understand two things which I should be very sorry remained in doubt. (1) That I have not and never had the least preference for one office over another, and

that I had not the least desire to be Attorney-General rather than Solicitor. I wished to be allowed to take neither office. (2) That I never doubted, nor as far as my strong and uniform language for more than a twelve-month could go, allowed others to doubt, that your claims to the office of Attorney-General were such no Minister could overlook. No other Attorney-General was possible, and I always said so.

What was it, however, you may say, which made me absolutely decline Gladstone's offer? Partly a great wish to keep my independence and remain in a position in the Profession and in the House which satisfies all my wishes, and is very far indeed beyond any merits or even day dreams of my own. Partly that, looking back to Circuit days, when I was thrown more with you than has been my fortune of late, it seemed to me very likely that we might not get on well and pleasantly together as colleagues, and that my place could be very easily filled by some one else who had no such fear. And I thought I might, the more allowably, act on this feeling because we had never had a quarrel: on the contrary, I had much to thank you for, and our relations for many years past had been perfectly friendly.

Such were my reasons. I now believe that I was wrong in permitting them to influence me in such a matter. So far as you are concerned in these reasons, I think I had no right to indulge such feelings, and that I was unjust to you in doing so. And I ask your pardon for having indulged them. Gladstone has made of the matter more than it deserves, and has so urged my accepting office that I consented to put myself in Roundell Palmer's hands. He says I have no *right* to refuse office, and I have therefore told Gladstone that, if he still wishes it, I will do my best, though I would very much rather be excused.

If I do become a Law Officer, I think I can promise that you shall never have occasion to complain of me, at least in any personal relation. What use I shall be is quite another matter.

Believe me to be, yours very truly,

J. D. COLERIDGE.

## CHAPTER IV

### OFFICE

Much he spake and learnedly.

SHAKESPEARE.

HAVING escaped, with better luck than he deserved, from the gloomy precincts of Doubting Castle, Coleridge entered upon the duties and not unwelcome dignities of his new position, with an accession of energy and a keen sense of satisfaction. On Wednesday, December 7, he went to Guildhall, and had "a long talk with J. B. K. about work and office." On Saturday (December 10), "after settling a case with Giffard," he went "to Windsor, with a lot of Ministers going in and coming out, and had luncheon, and then saw the Queen, and was knighted." "I could not help it," he adds, in half-humorous confession. On the twenty-first (St. Thomas's Day, as he may have bethought him) he was re-elected for Exeter, unopposed, and delivered himself of his speech, he hoped, "with some effect." "It is not for me," he said, "a very humble member of the Government," to eulogize "the men in whose company I have now the honour of serving the country. Their names are well known to you, and especially well known to you are the names of Mr. Gladstone and Mr. Bright. Their characters are known to you also. . . . I go back to work for those [great and



sacred] principles [of Liberalism] with a strong administration, under an illustrious leader, and, above all, with ardent, steadfast faith in our cause, which, it has been said, is not only a star but a sun—not only a star to guide us on our path, but a sun to give warmth to the heart and strength to the will.”

His father, who had counselled a reconsideration of his first answer to the Prime Minister, was, naturally, delighted at the issue. He begins (December 13), with an expression of triumph that he had finished the “last chapter of Keble,”<sup>1</sup> contrary to the expectations of his family, and in defiance of their admonitions (he was in his seventy-ninth year), and, then, turns to the far more absorbing question of his son’s present honours and future well-being. If one may say so with all reverence, “He had seen of the travail of his soul, and been satisfied.” From those far-away days in Hadlow Street, when the three-year-old child had sat by his father and kept him company, till now that he was in his fiftieth year, he had stayed, and guided, and brought him through the struggle of youth and manhood, and, now that he was “fairly launched,” his father could take a sober pride in his assured success.

No man [he writes, December 13, 1868] can have put his foot into the stirrup more honourably than you have ; in this respect we and all, who are dear to you, and to whom you are dear, have more to be thankful for than for your mere advance in rank or wealth. And I will tell you, fairly, that I think you have to be thankful for something like an escape, in that you did not persist in your refusal. Office so gained and at this time of your life, and under the circumstances of the country, is your proper lot, and you would

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<sup>1</sup> *The Memoirs of the Reverend John Keble, M.A.*, by the Right Hon. Sir. J. T. Coleridge, D.C.L., 1868.

have damaged yourself, in the opinions of more than unreasoning persons, if you had persisted.

Coleridge's tenure of office, first as Solicitor-General from December 12, 1868, to November 10, 1871, and as Attorney-General from November 1871 to October 1873, was almost coeval with the duration of the Parliament of 1868-1874. The average duration of office from the accession of William IV. to the year 1872 was, as he told the House of Commons, "a little more than two years," and to hold the two offices, consecutively, for five years, though not unprecedented was most unusual. Apart from his own Bill for the Abolition of Tests in the Universities, as a rule, Coleridge took but little part in the debates, except as Law Officer, or when Bills of a strictly legal character were before the House. Once (March 22, 1869) he spoke with considerable effect on the Second Reading of the Irish Church Bill. Coleridge followed Sir Roundell Palmer, and after eulogizing the speaker and pulverizing his "ingenious, striking, clever, but utterly unpractical speech," he replied to the speeches of Dr. Ball and Mr. Disraeli, and paid tribute to the eloquence of Mr. Bright. A few sentences may be rescued from oblivion :

*Force is no Remedy.*

The English Army, for the duties it has to perform, is singularly small. A handful of men suffice for the needs of most of our colonies, a few men are enough for England, a few for Scotland; but, in Ireland, around the slumbering ashes of a people's discontent, which a breath might in a moment kindle into flame, you keep watch and ward with a formidable force, lest at any time they burst into conflagration. Force is, indeed, the usual solution of Irish difficulty—the usual reply to Irish complaint. We are too apt to answer Irish argument by English guns, and to turn

a deaf ear to remonstrances which we can silence, and resistance which we can overcome in this simple and primitive fashion. Our notions of Irish right and wrong are pretty accurately described by the Pirate of antiquity—

Hæc quærant alii : toto meliora Platone  
Argumenta, manu qui gerit arma, tenet.

*The Capitalisation of Endowments.*

With the example of Chalmers and his great associates before their eyes—while the sacrifices asked of them are nothing to compare to the sacrifices which the Scotchmen underwent—I cannot believe and do not believe that they will be wanting to themselves and the occasion. When Innocent IV., according to the old story, showed the great Dominican the treasures of the Vatican, he told him that the Church could no longer say, “Silver and gold have I none.” “True,” said Aquinas, “neither can she say ‘Arise and walk;’” and it is certain that if, for the first time in history, the Church in Ireland is to be a real religious influence and a great moral regenerator, it will be from the joint effect of being disestablished by Parliament and endowed by its own efforts and its own munificence.

*John Bright the Pioneer.*

Sir, I will not be guilty of the folly of trying to imitate the magnificent description of the future prospect of the two countries with which the President of the Board of Trade [John Bright] wound up his speech :

Multa Dirceum levat aura cygnum  
(Hor. Od. iv. 11. 25);

and I will not try to follow him in his flight. But, at least, in common with all who heard or read that description, I can heartily admire it, and earnestly hope for its fulfilment. Certainly, it is a great and glorious prospect ; great beyond belief, glorious beyond imagination, ravishing us out of the present state of things and making us dwell in another—a sight, if one could but live to see it, to make an old man young, and in the hope of seeing but the very beginning of which, though no longer a young man, I claim it as a privilege to indulge.

With the delivery of this second speech on the Irish Church his career as a politician may be said

to have come to an end. Henceforward his public utterances, in the House of Commons, were confined to matters which came before him as Law Officer, and to the law generally. The subject matter of these motions or resolutions, on which he addressed the House, and of the Bills which he introduced, is of a highly technical character, uninteresting if intelligible to the general reader, but to all, or almost all, these "chips from a workshop," the familiar "*Nihil tetigit quod non ornavit*," applies too closely to be withheld.

More than this, he continued to make them the vehicles of convictions and aspirations which were dear to him, and to let fall some pregnant hint of future developments. Take, for instance, as a specimen of his lighter vein, a fragment of a speech which belongs to the debate on the Second Reading of the Married Woman's Property Act (April 14, 1869).

A member had cited, in the course of his arguments, "the Laws of the Ten Tables," and this gave Coleridge an opportunity to relieve a dry debate with a little by-play :

When I was at school [he remarked] there were Twelve Tables ; but, perhaps, my honourable and learned friend was thinking of the Ten Commandments, in the tenth of which, no doubt, a wife was treated as an article of property, and formed part of a list of things, with a man's house at one end and his ass at the other. But I must say that, in my opinion, if a wrong is admitted, it is in the duty of the House to, at once, proceed, and apply a remedy co-extensive with that wrong. I decline to treat this as "a poor woman's question." It is a "woman's question." I cannot see why a woman's property should not be protected as much as a man's is.

The Bill was passed in 1870, amended in 1874, and again amended in 1877, in accordance with the terms

of a Bill brought forward by Lord Coleridge in the House of Lords.

His last two years of office, 1872 and 1873, were devoted to legal reforms.

For instance, in opposing a Resolution of Sir Roundell Palmer's for the establishment of "General Schools of Law" (March 1, 1872), he looks forward to a time when law might be taught as a science, and not only by means of practice in the Courts of Common Law and Equity. "I hope," he says, "to live to see an English Code." Another reform with which he professes himself in sympathy was "the bringing together the two branches of the legal profession"—a modification, in short, of the system in vogue in the United States. He is careful not to enter into particulars, but he is of opinion that "in this country the two branches of the profession are further removed from each other than there is any necessity for them to be." This was "miching mallecho," and, no doubt, there were some, both within and without his profession, who "hated him for his dreams and his words."

But, as in religion, so, in law, he was at once rigidly conservative and provokingly unorthodox. He clings to the letter, to names, to forms, to old traditions, but he would transform the spirit in obedience to reason and in the cause of liberty. A speech which he delivered, May 3, 1872, on a motion of the Member for Brighton (Mr. H. Fawcett) as to the "Position of the Law Officers of the Crown," is a striking instance of his dislike to change when, as he believed, the dignities and privileges of his profession were to be sacrificed to utilitarian curtailment. The proposal was to pay the Solicitor-



General and the Attorney-General an inclusive salary and to debar them from private practice, on the ground that the public service required their undivided attention so long as they were in office. This proposal in an amended and modified form has, long since, passed into law, and the sole interest in Coleridge's opposition attaches to the style of his address, and to his line of argument. He would not, he explains, be touched in pocket, for the "Government had been kind enough in consulting him to tell him that, as he had taken office on other terms," the new regulations would not apply in his case ; but he felt that the post of Law Officer would be lessened and lowered in dignity, and that the motion implied that the manner in which he had discharged the duties of Solicitor-General had brought matters to a head, and suggested the necessity of reform. Not only had Mr. Fawcett alluded to the Overend and Gurney Case, which had overlapped the first weeks of office, to the "trial, utterly unparalleled in length," which had just come to an end, and to the Government prosecution of the ex-Claimant, which loomed ahead, but another prominent member of the House<sup>1</sup> had made a "striking speech in the provinces, in which he had stated that the Law Officers of the Crown were accustomed to 'pack away' the public business of the country into the nooks and corners of time which a large or moderate private practice may leave undisposed of." He would show that since he had been a Law Officer of the Crown it was his own private practice, not the business of the country, which had suffered, and he would argue that if Law Officers were to

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<sup>1</sup> The late Sir William V. Harcourt.

be the pick of the profession they would, naturally, be men with a large private practice, and that, unless this practice, with whatever proper and necessary diminution, were carried on throughout their term of office, the sacrifice of fortune to place would rarely, if ever, be made :

You want the very best and most eminent men in the profession who can obtain a seat in the House of Commons. I am stating the question in the abstract ; and it will be no answer to me to say that in this, that, and the other case, you have not got what you desire. I know that well enough. But this is what you aim at. And you want not merely a clever man ; you want a man of ascertained position and considerable experience. I know if office had been offered me on terms like those I should have positively declined it. As it was (will the House forgive me these personalities ?) I lost between a third and a half of my private practice by taking office ; and I am confident that men much fitter than I for office would absolutely decline it on such terms as these.

Law Reform was, indeed, a subject to which he devoted the closest thought of the best years of his life. He accomplished less than he had hoped, less than he might have done if the condition of party politics had been more favourable, if his energies had not been somewhat impaired by the protracted labours of the Tichborne Trial, or if his promotion to the Bench had been delayed. In an address on *Jurisprudence and Amendment of the Law* which he delivered at the Social Science Congress, held at Plymouth and Devonport in September 1872, he lays down the principles on which the Law should be amended, and comments on the Report of the Judicature Commission on Appellate Jurisdiction.

This is the bill of fare :

A minister of justice ; a code ; if not a code a codifica-

tion of certain portions of the law ; a system of procedure ; a complete jury system ; a court of appeal ; a reconstruction of our tribunals ; a simplification (on the Australian plan, which we owe to Sir Robert Torrens) of land transfer—these are all measures to which I am quite content to be considered pledged—pledged in this sense, that I have for years thought them desirable ; that, as to some of them, I am now ready ; as to others, if I saw any chance of success, I could get ready to bring them forward.

There was, too, a vivid picture of appellate jurisdiction as it then was :

Once it was the rule in all Common Law appeals to summon the judges. . . . Now the House of Lords does not summon the judges as a rule, and, often, overrules them when it does. And who thus overrules them ? The only Common lawyer in the House of Lords who takes part in the decision of appeals is the ex-Chancellor, whom many of us remember at the Bar as Sir Frederic Thesiger. Some little time since, and the example I give by no means stands alone, the law laid down by Sir James Willes, Sir Henry Keating, and Sir Montague Smith, and repeated in terms upon appeal by Sir Colin Blackburn, Sir William Channell, Sir Robert Lush, and others, was questioned and reversed in the House of Lords (the judges not being summoned) by Lord Chelmsford alone, the Chancery Law Lords being careful to decide the case upon fact ;

and a companion picture (*Americané*, “match-piece”) of the new court reconstructed by a Select Committee of the House of Lords. “All the members,” said the report, “should be Privy Councillors and Peers” :

But what sort of Peers—Peers for life ? No ; only while they remain members of the Committee. Peers of Parliament ? No ; they may sit and vote in the Committee, but not even sit, still less vote, “in any legislative or other proceedings of the House.” The House is to keep its jurisdiction, and to exercise it through men not worthy to share its dignities and functions. These are to be preserved for the noble and learned Lords upon whose minds it has at last been forced that they can no longer, with satisfaction to the public, discharge one of the most im-

portant of them all. To be sure, there is a precedent for reducing Chief Justices and Barons and Lords Justices, and such inferior dignitaries, to dimensions fit for the attendants upon superior powers. Change for a moment my poor prose for Milton's glorious poetry:

The signal given,  
Behold a wonder! They but now who seemed  
In bigness to surpass earth's greatest sons,  
Now less than smallest dwarfs in narrow room  
Throng numberless, like that pygmean race  
Beyond the Indian mount, or fairy elves.

But far within  
And in their own dimensions, like themselves,  
The great seraphic Lords and Cherubim  
In close recess and secret conclave sat

on golden seats  
Frequent and full.

"C'est magnifique," but, as was remarked at the time,<sup>1</sup> "a prudent adviser would have recommended the Attorney-General to suppress his eloquent sneers on the Law Lords who had the power to approve or to reject his future measures." He was not, indeed, in a conciliatory mood. He had been described, so he says (but I presume that he is paraphrasing the "newspaper criticisms" to which he alludes), as "a lethargic amateur, knowing nothing about the law, and, if possible, caring less, etc. etc.," and, thanks to the recess, being, partly, "unmuzzled," he spoke his mind. Of his Juries Bill, introduced May 13, 1872, and again brought on in an amended shape, February 17, 1873, or of his speech on the Second Reading of Lord Selborne's Supreme Court of Judicature Bill, June 9, 1873, little need be said. The Bill, which had been drafted by Mr. T. W. Erle, at that time an Associate of

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<sup>1</sup> *Saturday Review*, September 21, 1872.

the Court of Common Pleas, reduced the number of jurors in all cases, murder only excepted, from twelve to seven, and substituted for unanimity the verdict of a majority. The Time Spirit was obdurate, and this and other Jury Bills were brought forward, and ultimately withdrawn. *Punch* had a picture of the Lord Chancellor and the Attorney-General attempting to steal the Palladium of British Liberty. Well, as it happened, there was no alarm, and the Palladium, a little the worse for wear, rests securely in its shrine.

As a jurist and law reformer, Coleridge did good work as Attorney-General, but he did not escape the temptation, or, perhaps, the inevitable condition of office, to "leave it alone," if *it* makes trouble for the Government. Like other Attorney-Generals, before and since his time, he could seldom see his way to the immediate redressal of a grievance or injustice. Perhaps he spoke as he was instructed to speak, but he, certainly, did not err in the direction of a dangerous radicalism. For instance, in the matter of Epping Forest (February 14, 1870), when Mr. Fawcett moved that the Crown should be petitioned to defend its rights over the Forest, with a view to the recreation of the public, he was opposed to "ineffectual legislation." One of the clauses of the petition urged that there should be "browse for the deer." "There are no deer," wrote the Chancellor of the Exchequer (Mr. Lowe); "we must oppose the motion." There must have been some danger, when the motion came on, for, after Coleridge had spoken, Mr. Gladstone plunged into the fray and carried off the Solicitor-General in a mist of words. "It appears to me," he said, "that it is absolutely



the duty of the Government, and a duty performed with great ability, and a singular absence of all legal pedantry, by my learned friend, to state to the House the legal aspect of the question." The sentence recalls the voice, the manner, the accent of the great leader—"great in council, great in war!"

Again, in 1873, his decisions as Attorney-General on several matters of temporary interest and importance, which have melted into thin air, were, distinctly, on the side of privilege and the powers that be. On April 3, a question came up as to breach of privilege on the part of the *Pall Mall Gazette*, which had, indirectly, accused certain Irish Ultramontane members of "venal agitation," and "a traffic in noisy disloyalty." The charge, said the Attorney-General, was not brought against "the members in their capacity as members"—a nice distinction which, as he was promptly reminded, "sounded like *Nisi Prius*."

A word, too, must be said with regard to the Attorney-General's reply to a motion of Mr. Vernon Harcourt's, that the law of conspiracy should be amended. Trouble had arisen concerning some gas stokers who had received twelve months' imprisonment for breach of contract, consequent on the dismissal of a comrade. Twenty-nine had been sentenced to six weeks' imprisonment, but, in the case of five, who were prosecuted under the Common Law of Conspiracy, the sentence was a whole year.

The Attorney-General had been consulted with regard to these sentences, and had disagreed with and condemned the judge who had passed them, but he was indignant with the mover for throwing

the blame on Parliament and the Acts. Next year, perhaps, Mr. Harcourt might be Attorney-General himself, and could bring forward a bill to amend the law. No doubt there was good and substantial reason for some, if not all, of these replies, but they do not violate the conventions. *Dulce et decorum est pro patriâ*—morari.

Two other questions of great importance, of a mixed character, partly legal, partly political, came before the Attorney-General during his last years of office—the first a question of international, the second of electoral law. The Treaty of Washington, which was signed May 8, 1872, embodied “Three Rules” relating to the conduct of neutrals towards belligerents. The final award, in respect of the *Alabama* claims, delivered by the five arbitrators at Geneva, September 1872, included certain dicta with regard to these Rules, which interpreted, or seemed to interpret, them in a sense at variance with the principles of International Law, as hitherto and generally recognised.

Accordingly, March 21, 1873, Mr. Gathorne Hardy moved that an Address be presented to the Queen, “humbly praying Her Majesty in bringing these Rules to the knowledge of other maritime powers . . . to declare to them, and, also, to the Government of the United States, H.M.’s dissent from the principles set forth by the tribunal, as the basis of their award.” There was a debate. The Tories and some Liberals scented danger in the interpretation of the Rules, and were in favour of a protest. The award had created a feeling of soreness, and a show of remonstrance, a hint of repudiation would tend to heal the rub, and might anticipate mis-

understanding and complications in the future. The Government felt that this would never do, that it would be tantamount to a vote of censure on the Arbitrators, and it fell to the Attorney-General to withstand the motion *vi et armis*, and at the same time to assure the recalcitrants that their objections to the Rules, as interpreted in the recitals of the award, were appreciated, and would, on occasion, be dealt with by the Government. This was the kernel of his speech :

The Lord Chief Justice, in whose hands no one denied that the honour of this country was perfectly safe, laid it down, distinctly, that the duties of a neutral Government involved three things : first, that the laws of the neutral should be sufficient to enable the executive to prevent breaches of its duties as a neutral ; secondly, that when the application of the law was called for, it should be put in force honestly ; and, thirdly, that all proper and legitimate means should be used to detect any intended violation of the law. He ventured to say that their best course, as far as the mere arbitration was concerned, was to hold their tongues—to pay the money and submit.

The Arbitrators were not judges, and they were not legislators. If they were legislators, and if they had laid down principles of international law we should be bound by them ; and, if they were judges, we should be bound by their *rationes decidendi*. But they had no authority beyond that given them by the Treaty of deciding this particular point according to the Rules of international law ; and, as far as they had gone beyond this, we were not bound by their decision.

Nevertheless, although we were not bound by the strict letter of the law, still, in matters between nation and nation, and in questions so important as this, which had been brought forward as the *ratio decidendi*, and still more which had been embodied in the Award by way of Recital, however little binding force it might have, might raise a state of things which might require on the part of the Government of the United States, or this Government, some distinct and definite declaration of opinion, how far they considered themselves bound and how far not.

Rule I. required a neutral to exercise “ due diligence ”

in preventing the fitting out, arming, or equipping, within its jurisdiction, of any vessel which, there was reasonable ground for believing, was intended to exercise or carry on war against a Power with which it was at peace—as, also, in preventing the departure of such vessel adapted wholly or partly within its jurisdiction for warlike purposes.

Rule II. said that a neutral should not permit either belligerent to make use of its ports as a basis of operation.

Rule III.—due diligence should be observed to carry Rule I. into effect.

He now came to the interpretation of the Rules, and he had no doubt that the arbitrators in the discharge of their functions took a somewhat erroneous view of the duties imposed upon them.

He could not help thinking that all they had to decide was a very definite question—namely, whether there was liability with respect to six or seven cases placed before them, and, if so, to what extent. Having done this, their duty was discharged.

There was a good deal in the judgments which, he agreed in thinking, might be discarded, and, as far as the Recitals were concerned, there were some which he thought untenable, though he could but admit they had all been dealt with with a perfect fairness. What should they do? Nothing.

He was quite sure that his right honourable friend did not intend to do a far more serious thing—namely, to commit the country to an unworthy course, exhibiting herself to the civilised world as a country that barked and did not bite, that grumbled but paid, that murmured but submitted.

His word prevailed. Mr. Disraeli intervened, and the motion was withdrawn.

The second question turned on electoral law.

Mr. Morley, in his *Life of Gladstone*, apologises for devoting even a few pages to so tedious and technical a subject as the retention or vacancy of the Prime Minister's seat for Greenwich. I can only reiterate his apology and follow in his steps, or, at least, in some of them. In August 1873, Mr. Gladstone, who had been re-elected for Greenwich

on becoming First Lord of the Treasury, kissed hands on his acceptance of the additional office of Chancellor of the Exchequer. Did the assumption of this second office entail a second re-election? Down to the year 1867 a Minister who passed from one paid office to another was bound to offer himself for re-election. A section of the "Representation of the People's Act" of 1867 declared this to be unnecessary. Henceforth a member who passed from one office to another "in lieu of and in immediate succession, the one to the other," retained his seat. Mr. Gladstone had accepted the paid office of Chancellor of the Exchequer without resigning the paid office of First Lord of the Treasury, and a doubt was intimated, not by him, but to him, that the Act of 1867 did not exempt him from the necessity of offering himself for re-election.

Without venturing to enter upon the merits of the question, it might be opined that the solution lay in the comparative authority of the exact reading of the statute, and of the precedents. The precedents, Perceval's retention of his seat in 1809, and Lord North's in 1770, seem to point to a possible exemption from re-election, whilst the *ipsissima verba* of the Act of 1867 look to a different contingency, and leave the former enactment unrepealed. The precedents were for, the new statute neither for nor against the seat being full. Be that as it may, the authorities differed. Mr. Gladstone believed there was no occasion for re-election. The Solicitor-General (Sir G. Jessel), whom he first consulted, had no doubt that he was "so protected." "I advised," he writes, August 20, 1873, "that the seat was not vacated. I thought it clearly within



the spirit and sufficiently within the wording of the Act of 1867." And the Attorney-General (Sir J. D. Coleridge) came clearly and without doubt to the same conclusion as Jessel. Lord Selborne (the Lord Chancellor) thought the seat was vacant. The Lord Advocate (Lord Young) clave to the letter of the clause, while Baron Bramwell volunteered the opinion that Mr. Gladstone's case "was neither within the letter nor the spirit of the statute." Sir Henry James and Sir William Harcourt, the new Law Officers in immediate succession to Coleridge and Jessel, could not make up their minds, either where or what was truth. There was much to be said on both sides. The sole surviving interest in this *vexata questio* is the "personal equation." It was, perhaps, to be expected that Lord Selborne would take a somewhat rigid, and that Coleridge might lean to an imaginative or sporting interpretation of the statute, but that Sir George Jessel and Baron Bramwell should take the words of a clause of an Act of Parliament in a "non-natural sense" is somewhat surprising. Nothing came of the controversy. In November 1873 Coleridge was appointed Lord Chief Justice of the Common Pleas, and was never called upon to defend his decision in the House of Commons, but it is to be noted that after he had taken his seat on the Bench, he was again consulted by Mr. Gladstone, who was eager to retain the weight of his authority on his side.

Mr. Morley, on the authority of Mr. Gladstone himself, asserts (*Life*, etc., ii. 472) that the "determining cause" of the dissolution of 1874 was not the Greenwich seat, but "something wholly remote from it." Mr. Goldwin Smith (*My Memory of*



*Gladstone*, 1904, pp. 49, 50) appears to think that the Prime Minister was caught in a snare, and that he could neither deliver himself nor be delivered by art or artifice—that dissolution was a necessity. No such difficulty or dilemma had confronted the Attorney-General when he was first consulted or after he had been raised to the Bench.

On January 23, 1874, Lord Coleridge (so he writes in his Diary) “went to Lord Granville’s to celebrate the Duke of Edinburgh’s marriage. A tremendous swell party! I enjoyed myself greatly between Enfield and Forster. Gladstone very kind”; and, the next day (January 24), “To Court of Criminal Appeal, where I had a very pleasant day, ending at three. Amphlett sworn in as Serjeant. Then to the Club. The great surprise this morning, was the announcement of the dissolution, which has taken every one by surprise—at least, it seems so. Not a word breathed of it to me last night.”

The following letters form part of the story of the “Greenwich Seat.”

W. E. GLADSTONE to SIR JOHN DUKE COLERIDGE.

BALMORAL CASTLE,  
*August 21, 1873.*

MY DEAR ATTORNEY-GENERAL,

Behold the limited state of my local resources in stationery! they go far to insure brevity.

I shall be very thankful for all attention you can give to the case of the seat. It is a very curious one, and the collateral matter reveals a most confused state of the law. As I understand my position, the Act requires me to declare a certain matter: which matter I must believe; so I think, to make the Act work, must other M.P.s who are to certify what I am to notify. So the Tables are turned and the great legal authorities are a kind of assessors, or experts, in the case.

Pray consider the cases:

(1) Of Perceval in 1810 (or end of 9?).

(2) Of Disraeli in 1868.

(An Act having in the interval declared the First Lordship an office.)

(3) Of Childers, in 1872.

Mr. Lambert (a barrister, I think) has kindly got up the matter, and you will find him of use.

Wishing you a happy holiday, and with kind regards to the senior Sir John,

Sincerely yours,

W. E. GLADSTONE.

Remember Hawarden

W. E. GLADSTONE to SIR JOHN DUKE COLERIDGE.

NAWORTH CASTLE, BRAMPTON,  
CUMBERLAND, *Sept. 3, 1873.*

MY DEAR ATTORNEY-GENERAL,

Many thanks for your letter. I saw Sir G. Jessel on Saturday, at Balmoral, and found him very decided in his opinion. The addition of your judgment upon the papers is a great fact in the case: for, of course, what I wish is that whatever I do, I should do it with a great weight of authority. Had I found the earliest opinion taken by me to be an adverse one I should have been tempted to act on it. What would be most puzzling would be a great conflict among those to whom I materially look for assistance. New points are continually turning up, and, with good handling, the case might last as long as Tichborne. Meantime please do consider this. I, unhappily, am to decide in the first resort, but who in the last? A Court of Law or the motion of some informer? . . .

All my reflections thus far about your suggestions as to the A.-G. ship and the P.C. are much in its favour. Of course as it is to be an official not a personal change, it requires much consideration. Sir G. Grey started a point to me yesterday. How can the A.-G. if a P.C. argue in cases like that of the Collins Act, and other matters referred to the Privy Council? Is the rule a very sound one which precludes a Privy Councillor from pleading?

Ever yours sincerely,

W. E. GLADSTONE.

28 MORAY PLACE, EDINBURGH.

Nov. 3, 1873.

MY DEAR COLERIDGE,

I read your Exeter speech with much pleasure, especially your defence of Forster and his measure against Bright's attack. The government is hard enough pressed from without, and, if we are to stick together at all, concert within seems a necessary condition.

I have been much exercised in spirit (as our old covenanters would have expressed it) on the subject of Gladstone's seat ; for it is as sure as fate that the question will be raised immediately on the meeting of Parliament, whether it has not been vacated by his acceptance of office ; and a question in Parliament as to the right of the Head of the Government to his seat will be very awkward. If I were to rely on my own unaided reason, I should say that the seat was vacated, but report and the newspapers said that the Law Officers thought otherwise, and so, I suppose, I must be wrong in thinking so, although on the best consideration which I have been able to give to the subject I have been unable to see my error. Will you kindly enlighten me ?

The sense or policy of the law which makes the acceptance of an office of profit under the Crown vacate a seat in Parliament is of course not the question. So stands the law. Neither is it material that the exception made to it by the Act of 1867 was more limited than it ought in reason to have been. It is in fact very limited, for it applies only to the case of a holder of a scheduled office subsequently accepting another scheduled office or offices, "in *lieu* of and in immediate succession the *one* to the other." I cannot construe these unusually precise words to include the case of accepting a new office *in addition to* and to be held along with that previously held.

The newspapers say that the new office has been taken without salary, and that it is, therefore, not an office of profit to the taker. This argument is, of course, apart from the Act of 1867, and assumes that the case is within the rule (if the office be one of profit) and not within the exception. On referring to the estimates, I find that Parliament has attached a salary of £5000 a year to the office of Chancellor of the Exchequer, and voted the money to pay it for the current year. This was the footing on which it stood when Gladstone accepted it, and although Parliament may, hereafter, put it on another footing either temporarily or permanently, it occurs to me that the present question must

be determined with reference to the footing on which it stood at the date of acceptance. Are you quite clear that the operation of the rule may be avoided by simply declining the salary which Parliament has attached to an office by voting the money? I confess that I should have thought this doubtful in any case and especially so in the case of the Head of the Government who has no superior to dictate the terms of his acceptance. If you are of another opinion, I shall not presume to think you are wrong, but I cannot free myself from apprehensions regarding the judgment of Parliament. It is not a conclusive or, even, perhaps, a strong argument, that the office is scheduled in the Act of 1867 as an office of profit, but it is, nevertheless, likely to count for something.

I regard the question as of the most serious and pressing interest, and it would be a great relief to me to have my impression that we are in the wrong, and likely to come to grief, removed. The present silence of the enemy on the subject is ominous. I think they mean mischief.

I shall, probably, be in London next week.

Believe me, very sincerely yours,

R. YOUNG.

LORD YOUNG to SIR JOHN DUKE COLERIDGE.

28 MORAY PLACE, EDINBURGH,

Nov. 8, 1873.

MY DEAR COLERIDGE,

Thanks for your letter. I am sincerely glad to know that G.'s matter is to be fully considered now by men so competent to deal with it. It would be idle for me to speculate about a fact which can be certainly ascertained. But I confess that I am not confident of a solution such as you contemplate as possible. *First*, I am persuaded it will appear that G. accepted the office of C. of E. by receiving the seals from the Queen as usual and taking the customary oaths before H.M. in Council. *Second*, the office of First Lord and C. of E. are in the Act of 1867 scheduled as distinct offices, and although by section 52 the acceptance of "any *other* office or *offices* described in such schedule" is declared not to vacate a seat, no provision is made for the case of taking and holding more than *one* of these at a time, but only one in *lieu* of another and "in immediate succession *the one* to the other." Therefore, assuming the fact to be that G. resigned one scheduled office, and immediately there-



after took it back *conjoined* with another scheduled office, I should, as at present advised, think that the case is not within the Act. I suppose that it is not doubtful that an office once resigned can't be re-accepted without creating a vacancy—for that is not acceptance of "another office" in lieu of and in immediate succession to the one resigned. When the Ministry resigned last spring a doubt was started whether the members of the Government did not require re-election on being reinstated in their places. The answer, however, was that there was in fact no resignation—the seals never having been delivered up, but only an intention expressed which, in the result, was never carried out. But if it be clear, as I think it is, that a member who has once completely divested himself of his office, cannot be re-appointed to the same office without vacating his seat, it seems impossible that the circumstance of his receiving it back in combination with another should save the vacancy. The Act of 1867 provides only for *the common case* of a person resigning an office and accepting another in lieu of it and in immediate succession to it, and no ingenuity, of which I am capable, will make it apply to the *very uncommon case* which you have now to deal with. I shall, probably, see you next week, but I think the question you have to consider and answer is so important to the Government that I don't hesitate to express now and before you give your opinion, the views that have occurred to me.

Very sincerely yours,

G. YOUNG.

MR. GLADSTONE to SIR JOHN DUKE COLERIDGE.

10 DOWNING STREET,

Dec. 3, 1873.

MY DEAR CHIEF JUSTICE,

I had hoped and expected to meet you at Windsor to-day, but the Council which we had thought would be held stands over to next week. There are various matters on which I wished and was, indeed, bound to speak to you.

First, to tell you that your Peerage is arranged. I think it may go forward, in form, next week.

Secondly, you will in due course be made Privy Councillor at the Council which will, I believe, be on the 11th.

Thirdly, as to the perplexed matter of the Greenwich seat, no definitive decision of any kind is likely to be taken before the second week in January, when the Cabinet will probably reassemble. New views and precedents have

come up since you saw the papers. I understand that your opinion has been partially modified. At present the Speaker is in possession of the fact that you had agreed with Jessel. You will, I dare say, kindly communicate with me before the Session comes, if you wish anything further to be said. And, probably, if you have such a wish you would like to see all that the present Law Officers have had before them.

Ever sincerely yours,

W. E. GLADSTONE.

THE LORD CHIEF JUSTICE

OF THE COMMON PLEAS.

Whatever hesitation Coleridge may have felt or displayed on becoming a Minister of the Crown, he left his mark on the legislation of his years of office. In his speech on the "Position of Law Officers," May 3, 1872, he mentions some of the measures which had been passed since he took office in 1868, and to which "he can look back with some degree of satisfaction"—the Bankruptcy Bill, the Law of Naturalisation, the Foreign Enlistment Act, the Law of Master and Servant.

Before there was any immediate likelihood of his appointment to the Common Pleas, he received from Mr. Gladstone (October 19, 1873) an announcement that he was to be a "Privy Councillor *as* Attorney-General." "I am very glad," he adds, "of this—something for myself, much more for the English Bar." He had fairly won for himself, and, through himself, for his office, an additional and peculiar mark of honour.

The theory or belief that he was, more or less, a brilliant advocate, a writer of occasional papers on literary subjects, a teller of good stories—this and nothing more—has met with some acceptance, but it is based on a misconception or disregard of the facts of his career.

## CHAPTER V

### ESSAYS AND REVIEWS

All but God is changing day by day,  
C. KINGSLEY.

(*Correspondence*, 1861-1866.)

IF, as Cardinal Newman believed, Keble's sermon on "National Apostacy," preached before the University of Oxford, June 14, 1833, was the start or set-off of the Catholic Revival, the publication of *Essays and Reviews* may be regarded as the introduction to a second Oxford Movement in the direction of free thought. The work itself is, or was, too well known to stand in need of description or general criticism. "It was," writes Mr. Morley, "on the whole, mildly rationalistic, and the negations, such as they were, exhibited none of the fierceness or aggression that marked the old controversies about Hampden, or Tract Ninety, or Ward's *Ideal*." Mild though it may have been, the conflict which raged round the book and its author was angry and stubborn, and the strife, as strife will, made work for the lawyers. One of the essayists, the Reverend Rowland Williams, Vice-Principal and Hebrew Lecturer of St. David's College, Lampeter, had, recently, been inducted into the living of Broad Chalke, and in consequence of this preferment

had come under the jurisdiction of Dr. Walter Kerr Hamilton, Bishop of Salisbury. As some maintain, under pressure from the leaders of the High Church party, but contrary to his own wish, contrary, certainly, to the repeated advice of counsel, the Bishop determined to prosecute Dr. Williams for heresy. The case was heard before Dr. Lushington, Dean of Arches, December 19-21, 1861, and, again, January 7-16, 1862. Judgment was delivered in respect of three out of twenty-two articles (inspiration of the Scriptures, propitiation, and justification), and, on a further hearing with regard to these admitted articles, December 15, 1862, sentence of suspension for one year with costs was pronounced by the Court. There was an appeal to the Queen in Council, which was heard June 19-26, 1873, and, on this occasion, two of the Articles which Dr. Lushington had admitted were thrown out. The reversing judgment was delivered by the Lord Chancellor, Lord Westbury, and, as one of the counsel scribbled on the margin of his brief, "Hell was dismissed with costs!"

At the first hearing in the Arches (December to January, 1861-1862), the prosecuting counsel for the Bishop were Dr. Phillimore and Mr. Coleridge, Q.C.; Dr. Deane and Mr. Fitzjames Stephen appeared for the defendant. The line which the defence had taken was that Dr. Williams' Essay, a review of Baron Bunsen's *Biblical Researches* (contained in such works as *Bibel-werke für die Gemeinde, Gott in der Geschichte, Hippolytus und seine Zeit*) was not so heretical as the Bishop feared, and that Dr. Williams was a great scholar and an admirable clergyman, and that to extend the limits of doctrine

and exegesis within the pale of the Established Church was desirable and praiseworthy.

The gist of Coleridge's speech, an elaborate and learned harangue, was that Dr. Williams, in respect of the inspiration of the Bible and other doctrines of the Church, had violated the express requirements of the Articles of Religion (*i.e.*, the Thirty-nine Articles), and that he not only held but taught opinions which, as a clergyman of the Church of England, it was illegal to promote, and that whether the plea was or was not before the Court, the promulgation of such opinions was *pessimi exempli*, a danger and a snare. It was not a question of the genuineness of isolated texts, or the authorship of an epistle, but the Essay openly avowed that more than one book of the Scriptures was not a genuine work, and, consequently, not inspired. A clergyman might rationalise the miracle of the "Sun standing still in Gibeon," or might take the Epistle to the Hebrews from St. Paul and give it to Apollos, but he must not, whatever might be the facts of the case, declare that the Book of Daniel was written in the reign of Antiochus Epiphanes, or avow his belief that the Second Epistle of St. Peter bore the name but not the mark or sign manual of the Apostle. This was *ultra vires*. Private judgment was *nihil ad rem*. The old Roman limits indeed were shifted, but, beyond the limits as defined by the letter of the law, there was no place for private judgment within the Church of England. Infallible as a Church she was not, but over her own members she was authoritative. Other doctrines of a profounder and more sacred character were also at stake. Vicarious sacrifice, the incarnation, justifi-



cation by faith were thrown into the crucible, and transfused into vapour of smoke. It was idle to quote in defence of the essay this or that relaxation of orthodoxy to be detected in the writings of latitudinarian divines. One and all, ancient and modern, the Reformers themselves—Bishop Butler, Dr. Arnold—would have held up their hands in horror at this implied unsaying of the Creed. A few grains of salt savoured this mess of potage. Dr. Williams was an old Etonian (he was Newcastle Medallist in 1835), and, though some years his senior, must have been well known to the clever Fifth Form boy who was now his assailant and critic. In his letters and diaries Coleridge always speaks of him as “Taffy,” probably an Eton nickname. Early recollections of “Taffy” may have inspired this historical allusion to the *Argumentum ad aures*: “He apprehends that whatever might have been the freedom which accompanied the Reformation . . . most of the propositions now put forward by Dr. Williams, if put forward at that time, would, to use a sarcasm of the late Lord Macaulay, have been confuted by the sharpest argument ever addressed to human ears.” There were, too, a few personal touches with regard to Coleridge’s *Confessions of an Inquiring Spirit*, a book which he had a pious reason for admiring; to a mistranslation of Origen’s Greek; to the full and intelligent exposition of St. Augustine’s sermon, *De Baptismo parvulorum*. The conclusion of his speech, adverted to by Dr. Deane as “a story told by the tongue of a ready speaker—a sketch drawn by a master hand,” runs thus :

My lord, it is always very ill-bred, and, generally, very impolitic and unwise to attempt to force on a man ultimate

conclusions to which his opinions may appear to you to lead, when he has not himself arrived at those conclusions, and does not entertain them ; therefore I shrink with unfeigned sincerity from even suggesting that Dr. Williams himself is anything but a devout believer, or from aspersing, in the slightest degree, his character and motives ; but I must be permitted firmly though respectfully to say, that it seems to me to be abundantly clear that most of his readers, if they should unfortunately follow in the pathway which he has traced out for them, will arrive, not merely at the dreary country of doubt and infidelity, but, eventually, as one among his fellow Essayists seems to have arrived already, at the bourne and hopeless strand of a despairing Atheism.

Elaborate arguments with regard to the orthodoxy or legality of such minor questions, as the authenticity or genuineness of the Book of Daniel, or the Second Epistle of St. Peter, will sound, to modern ears, like a " tale of little meaning though the words are strong." But some of the " negations " were sufficiently startling. Two sentences will indicate the tone and temper of the Essay :

The recognition of Christ as the moral Saviour of mankind may seem, to some, Bunsen's most obvious claims to the name of Christian.

The divine attributes are consubstantial with the divine essence. He who abides in love abides in God, and God in him. Thus the incarnation becomes, with our author, as purely spiritual as it is with St. Paul. The son of David, by birth is the Son of God by the Spirit of Holiness. What is flesh is born of flesh, and what is spirit is born of the Spirit.

" Tout passe—tout lasse," and a general impression is left on the consciousness of the public that the prosecution of the Essayists was as meaningless as it was ill-advised. But there is documentary proof to the contrary.

There is nothing to show, in letter or diary, what, if any, effect the study of *Essays and Reviews* produced on Coleridge's churchmanship. It is evident that on

certain minor points of criticism he was persuaded that Williams was right. But, with regard to graver matters, he was profoundly moved, and, at the time and afterwards, maintained that the judgment struck at the root of "authority," and reduced the Church of England to the level of a sect. In youth and early manhood he was, as letter by letter testifies, a convinced High Churchman. Little by little his opinions changed. Eight years after the prosecution of Dr. Williams his point of view was that of an advanced Broad Churchman. It would have been impossible for his father, or Mr. Keble, or Mr. Dyson to write in this strain :

It is not latitudinarian, it is Christian, to point out, and to delight in finding, how holy men of all times and of all Churches have agreed in the elements of faith, in the principles of practice, in the foundations of religion. Surely, when all is done, when the Church militant has become the Church triumphant, when warfare has ended in victory, and desire is swallowed up in fruition, we shall wonder at the simplicity of the truth, at the plainness of the one thing needful ; and shall marvel how the breadth of God's law failed to strike the narrowness of man's eyesight. "I see that all things come to an end, but Thy commandment is exceeding broad."<sup>1</sup>

A time came, when at the touch of "higher criticism," or the Spirit of the Age, or, as it seems to some, the Spirit of God, the Vision of the Church, as a material unity,—"Foursquare: the length is as large as the breadth, the length and the breadth and the height of it are equal. All is exact, and uniform and regular. Gate answers to gate, wall to wall, foundation to foundation"—had melted into unsubstantial air. "On these subjects [theological and

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<sup>1</sup> *The Freedom of Opinion Necessary in an Established Church in a Free Country.* A paper read at Sion College on Thursday, January 20, 1870.

religious] he writes in 1889, "few men can write what their readers differ from, without creating irritation and offence"; but, neither, the prestige of eminent position, nor the charm of exquisite language troubled, or excited an indifferent public, when, in his *In Memoriam* notice of Matthew Arnold,<sup>1</sup> he made his confession, or recantation, as others think, of religious faith:

Surely the travesty of Christianity which surrounds us, the severance of doctrine from practice, of creed from conduct, the substitution, even in precept, of outward ceremony for softening of the temper and purifying of the heart, the divorce probably never before so complete between good works and definite belief, the reproduction, with curious fidelity, of the state of things in which it was "an agreed point, amongst all people of discernment, that Christianity is at length discovered to be fictitious"; the blindness of the clergy and of religious men to the fact that the edifice which is so fair, and seems so strong, is undermined in all directions; the awful consequences which would follow from an open revolt against religion which the bigotry of Churchmen is but too likely to bring about: thoughts of these things might well lead a man of lofty character and keen mind to try to point out to his contemporaries what was the Christian verity which, in his judgment, fable and superstition had joined together to conceal, and piercing through, or tearing off the human incrustations of so many centuries, to display, once more, the Divine kernel of unspeakably precious truth which lies hid beneath them. . . .

"Truth's secretary," says Fuller, "must use a set hand in writing important points of Divinity. Ill dancing for nimble wits on the precipices of dangerous doctrines." The sense of this Mr. Arnold sometimes forgot; but to the truths which are the centre of Christianity, to the person and teaching of our Lord there was never in his language, there was never in his mind the faintest trace of irreverence. The time will come, if it has not come already, when it will be seen that his influence has been on the whole for good, and that there is in the minds of many men a profounder

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<sup>1</sup> "Matthew Arnold." Part I. By the Lord Chief Justice of England. *The New Review*, August 1889, pp. 228, 229.

appreciation of the Hebrew Scriptures, a deeper and more reverent belief in our Lord than if he had never written.

As the wording of this public declaration of his attitude towards religious belief betrays, Lord Coleridge clung to what he regarded as the substantial verities of the Christian Faith, but his spiritual home and shelter was no longer circumscribed by Protestant Article or Catholic *Symbolum Fidei*.

DR. TEMPLE to LORD COLERIDGE

RUGBY, November 5, 1861.

DEAR COLERIDGE,

Many thanks for your letter. I enclose you my photograph. There are others to be had in Oxford. I wonder what your judgment of it will be ; for there is nothing, I observe, about which people differ so much.

You have not quite caught the word that I wrote in asking for the autograph. The lady is collecting rather widely ; but I think she could get your father's ; only she found a difficulty in getting (what I suppose must now be rare) the Poet's, S. T. C. And it was for that, that I asked. But do not make a business of it.

I have seen (not read much of) the *Autocrat of the Breakfast Table*. Have you read *Elsie Venner*, a tale by the same Author ? It is very clever and develops the same theory in a very singular way.

Yours ever,

F. TEMPLE.

THE REVEREND B. JOWETT to JOHN DUKE COLERIDGE.

COLL DE BALL, OXON,

November 12, 1861.

MY DEAR COLERIDGE,

I write to thank you for your kind note and the memoir of Herbert Coleridge that accompanied it. I was glad that he spoke of me and that you yourself have not forgotten old times. Do you never come to Oxford ? I shall try and see you in London some day. It is positively twenty years since we were abroad together. I am very glad to see you have risen so high at the Bar, and are, no doubt, destined to rise higher. Of all positions in life I



think a successful barrister's the most enviable, because it is the most independent.

Remember me to your wife. I have become very familiar with the house at which she passed the earlier years of her life, from often visiting Tennyson.

Yours very sincerely,

B. JOWETT.

JOHN DUKE COLERIDGE to his FATHER.

6 SOUTHWICK CRESCENT, W.,

January 5, 1862.

. . . The cause still drags its length along, and, to every one but the jury, it should seem that it has utterly broken down. We have some low church Pharisees on the jury, however, and they have made up their minds, I fear, to find a verdict against Windham<sup>1</sup> whatever the evidence for him may be. Warren, instead of being of any use, lets the Jury go their own way and ostentatiously defers to them and encourages them in their unfairness. . . . Nothing but sharpness has any effect with him, and Jack and I try our hands upon him, from time to time, with nothing but temporary effect. What a case it is! I hope you read Cairns. It was too minute and elaborate, but it was very complete and clear and the conclusion, though not

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<sup>1</sup> The Windham case, in which the petitioners sought to establish the lunacy of Mr. W. F. Windham of Fellrigg, on a general survey of character extending over the whole of his life. Sir Hugh Cairns and Sir John Karslake appeared for Mr. Windham, Coleridge for Mrs. Windham, and Mr. Montagu Chambers and Mr. Field for the petitioners. On January 30 the jury agreed in finding Mr. Windham sane. Coleridge took a strong view with regard to the expert evidence which entirely failed to convince him of the *bona fides* of some of the witnesses. "The scandal," said the *Times*, February 28, 1862, "caused by the late trial has decided the Lord Chancellor to bring in a Bill for the revision of the law of lunacy."

Lord Russell in his article on "The Late Lord Chief Justice of England" (*North American Review*, September 1894), writes: "If Sir Hugh Cairns's speech was the greatest, and Mr. Montagu Chambers's the most vigorous, Mr. Coleridge's was certainly the most graceful and eloquent delivered on that occasion." His peroration ran thus: "It is neither my duty nor my inclination to say a single word in favour of profligacy or of vice. 'Stolen waters are sweet and bread eaten in secret is pleasant. But he knoweth not that the dead are there, and that her guests are in the depths of hell.' Far be it from

sufficiently blended with the preceding matter, was, in itself, very striking and even beautiful.

This case and *Essays and Reviews* jostle one another, rather, in my mind, and I shall be heartily glad when they are over. . . .

I found Arthur Stanley quite *hot* upon the subject . . . so I dropped it, but in his view the Church of England shuts up shop if Lushington decides for us. I can't help thinking if *he* is right that *she* *will* shut up shop. I have been looking to-night at Butler, Cudsworth, Hooker, Horsley, Leighton, Davison, Arnold and S. T. C., all to my mind *conclusive* against "Taffy" in the points of influence, inspiration and prophecy.

3 KING'S BENCH WALK, E.C.,

May 16, 1862.

I return you with many thanks Roundell Palmer's most kind and handsome letter. It did not need that letter to convince me of his real and great friendship. He is too sincere a man to feign feelings, and the way he has always treated me shows me that he feels very kindly towards me. You will, perhaps, think me perverse if I say at the same time that, beyond the passing pleasure which a man must be more or less than human not to feel from reading such a letter as R. P.'s, it has by no means had the effect which you desired. I know well enough that people greatly overrate me, and, if mere praise were any pleasure, I must be a glutton,

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me to cast a shadow of doubt upon the truth of those sublime and tremendous words, but nothing can be more absurd, and even cruel, than to take a sanctimonious view of Mr. and Mrs. Windham's life, to confound sin and vice with insanity, and to accept immorality and irreligion as proofs of legal incapacity. If religion is to be invoked by the other side, I have no hesitation in saying that I would far rather be the Magdalene who washed her Divine Master's feet with her tears and wiped them with the hairs of her head, than the self-complacent Pharisee who condemned the woman because she was a sinner, and who tried to plume himself before Almighty God upon the outer regularity of his decorous life. Under any other circumstances, I would ask your verdict for Mr. Windham with the utmost confidence and with absolute certainty of success; and even, in this case, in spite of the mountain of prejudice which has been excited, I appeal to you, with all the earnestness and energy which I can command, and in the name of law, honour, and justice, to acquit Mr. Windham and his wife of the filthy and infamous charges which have been so cruelly, so ruthlessly, and so basely pressed against them."

indeed, if I desired more than I have often had. But I know myself better than other people, and I know on what false pretences much of the result which I at present obtain is founded. I will not say false pretences in the sense of conscious and wilful deception, for I am not really conscious of that at any time; but in the sense of extravagant over estimate and of undue credit given, and of failure to detect ignorance and inefficiency. And, without pretending to the religious view implied in Keble's beautiful saying as to "praise being our penance here," I can truly say that these things make me wince because *I* know they are undeserved, and I *believe* that others will inevitably some day know it too.

DORCHESTER, July 16, 1862.

. . . I did *fairly* well but not more, at Winchester and Salisbury. Karslake is now *the* man on circuit, M. Smith the second, and, perhaps, I am the third, but I don't suppose Collier would admit this. If and when Smith goes I think it is very likely to fall to Karslake and me. . . .

3 KING'S BENCH WALK, E.C.,  
*All Saints' Day* [November 1], 1862.

. . . I will read *Yardley Oak*,<sup>1</sup> but I am not a great admirer of Cowper. In grace and perfect ease and felicity of expression I do not know any poet, hardly excepting Shakespeare, to be compared to him. But, generally speaking, the *vis viva*, the creative thought, is wanting—at least so it strikes me. . . .

3 KING'S BENCH WALK, E.C.,  
*December 16, 1862.*

. . . It's all very well for Byles<sup>2</sup> and for other judges to say kind things about me to you—most of the judges *are* very kind to me, always, themselves, and, perhaps, like

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<sup>1</sup> Cowper's Poem, *Yardley Oak*, was written in 1791, but not published till after his death. It appeared first in Hayley's edition, 1803-1804, 3 vols. (vol. 3, 1804, p. 409). It was locally known as the Judith Oak, according to tradition planted by, or one of a grove belonging to, Judith, daughter of William the Conqueror. A drawing of the oak forms the frontispiece in Hayley's *Supplementary Pages of Cowper's Life*, published in 1806.

<sup>2</sup> Sir John Barnard Byles (1801-1884) was Judge of the Common Pleas, 1858-1873. He was the writer of the great work on "Bills."

my way of doing business—but they do not make a man at the Bar. . . . You know what I have always told you of my chances as against John Karlake, and you will see him in Bovill's position in three or four years' time, while, if I am alive, I shall be in Macaulay's<sup>1</sup> or Pigott's.<sup>2</sup> . . . Bowen is a man of real power and great good sense and judgment, and very considerable *legal* power and acquirement too. . . . Lushington gave "Taffy" a year's suspension and the costs yesterday. We were very near arranging it on his (Taffy's) offer, but his pride revolted at the last moment, so the cause proceeded to judgment, and appeals were at once lodged in both his and Wilson's cases. I knew this would happen, and it confirms my opinion of the absolute infatuation of the Bishop in not appealing himself. With Phillimore's leave I lightly perstringed Lushington for his absurd judgment. The *Times* doesn't give it, but I sent my notes to the *Guardian*, which, perhaps, may have it. . . .

3 KING'S BENCH WALK, E.C.,

April 21, 1863.

. . . Rather an interesting and striking thing has just happened to me. Charles Reade (*It is Never too Late to Mend*) desired to attend a consultation here, and I, rather ungraciously, assented. He came and I treated him civilly, not more, all through. At the end he begged to see me alone. He then said he had been much moved by the Buckle business, that it led him to inquire about his own attack on you; that he found how wrong he had been; that he did not know, till long after the book was out, what Judge he had been attacking; that he was very sorry; that, for two years, he had sold the book; that at the end of two years he got it back, broke up the stereotypes, at some expense, and, if the book ever came out again, it would come out with the whole of that passage entirely suppressed. . . . I thought altogether this was rather nice and handsome, and I told him you had certainly been very unjustly treated by him, that I had felt very indignant, but thought it best to say nothing. . . . He repeated that he was very sorry, that he felt he

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<sup>1</sup> Kenneth Macaulay, a cousin of the historian and statesman, was called to the Bar 1839, took silk in 1850, and was returned for the borough of Cambridge in 1852, and, again, in 1857. He married Harriet Woollcombe, sister of the Rev. E. C. Woollcombe, Fellow and Tutor of Balliol College.

<sup>2</sup> S. F. Pigott was called to the Bar November 21, 1817.

had done you a great injustice and had done harm to a good cause by ignorant and passionate writing, and that it had been and would be a lesson to him. So we parted very good friends, and he really behaved very much like a gentleman. Curious is it not?

CHANCERY LIBRARY, WESTMINSTER,

May 6, 1863.

. . . I am glad you don't like Guizot. He is one of my favourite aversions—an "austere intriguer," really a low-minded vulgar man in the guise of a venerable stoical orator. The man who made the Spanish marriages must have been a ruthless beast. It was the worst and most disgusting intrigue of our time.

6 SOUTHWICK CRESCENT, W.,

Ascension Day (May 14), 1863.

. . . I have been looking at the *Codex Sinaiticus*. I do not like the absence of those important passages, especially St. Mark's evidence to the Ascension. It is true the faith does not *depend* on these things, but a man's religion is built up of small things, and it gives one an uneasy feeling to be told that this brick is faulty, that stone must come out, and so forth. Perhaps I feel this more from being naturally *indisposed* to faith, and religion being with me an affair of the will; and I have long seen that twenty centuries make faith harder.

6 SOUTHWICK CRESCENT, W.,

May 17, 1863.

. . . I had Mr. Evarts<sup>1</sup> here last night and liked him much. He is a little hard perhaps, but very clever, reasonable, and a gentleman. . . . I found him singularly calm and

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<sup>1</sup> In 1862 Mr. Evarts conducted the case of his Government with regard to their claim to treat captured vessels as maritime prizes according to international law. In 1872 he was counsel for the United States before the arbitration at Geneva, and presented the arguments on which the award was based. There was a further exchange of civilities in 1872 and in 1881. Mr. Evarts writes under date June 3, 1881: "I remember, quite as well and pleasantly as you, our first acquaintance, I was indebted to you, when you were Atty.-Genl. for a chance to see comfortably the Tichborne Trial." He took part in the reception given to Lord Coleridge by the New York State Bar Association on October 11, 1883. He died February, 28, 1891.



sensible, and moderate in talking over American affairs, both as regards England and the South. There would not be much difficulty if he represented the American government, I think. Like all Americans, he deplores the influence of the mob on them, and says it complicates all matters and makes all administration difficult. . . .

6 SOUTHWICK CRESCENT, W.,

June 2, 1863.

. . . I cannot help being very indignant about *Essays and Reviews*, although, personally, I feel relieved, both because each of us, being somewhat conspicuous in these things, and being known to live much together, people *might* talk, and also because when you are there I cannot fight freely with such a creature as Cranworth, and insult him *comfortably*, as a Christian should. . . . I am about £500 in arrear of the 1st of June, 1862, and I have no doubt the sense of my feebler state keeps a good deal away.

Bowen and other men are at me perpetually to go and beg for a seat at once, to save time as they say, and you would laugh to hear the things they say.

I don't laugh—I feel more inclined to cry, because the kindness is so utterly undeserved, and the estimate so absurdly extravagant. At the same time it is difficult not to feel pleased, and, I suppose, I do feel pleased by repeating it even to you. . . .

6 SOUTHWICK CRESCENT, W.,

St. Barnabas (June 11), 1863.

. . . I am better, considerably, though my speech for Colonel Calthorpe brought on a good deal of pain, and I had to go at once into a Land Drainage Committee, where, also, I had to make a long speech, though of a very different kind. Cockburn was really extremely handsome to me both in and out of court, so I hope it was not very bad. And old Miles,<sup>1</sup> who was the Chairman of the Committee, was uncommonly kind. He waited more than two hours for me, and when I apologized and thanked him he said with a smile "they were always very glad to wait for me." So I returned home very tired, but cheered in heart. . . .

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<sup>1</sup> Sir William Miles, Bart., b. 1797, was elected, in 1834, member for Somerset East. He died June 17, 1878.

JOHN DUKE COLERIDGE *to* SIR W. HEATHCOTE, BART.

HEATH'S COURT, OTTERY ST. MARY,

*September 23, 1863.*

. . . It's a great blessing to see my father so well, though he *is* aged a little. But this is to be expected at seventy-three. My brother's visit did him great good. We had not been all together for many years, and my brother was so gentle and good and so carefully avoided anything which could give pain that, save for its shortness, the visit had really no drawbacks. The more I see and hear of the Jesuits the more I am struck with their general superiority and freedom from nonsense. I always did rejoice that if my brother must be a R.C., and must be in an Order, he chose the Jesuit order rather than any more modern one. . . .

JOHN DUKE COLERIDGE *to his* FATHER.

THE ATHENÆUM,

*November 14, 1863.*

. . . Every one seems charmed with the two ecclesiastical appointments. The Queen has the credit of Stanley's, right or wrong; but Trench is equally good. I say that the Government were perfectly right for *Dublin* to appoint an Englishman and, as they appointed an Englishman, to appoint an Irishman—a dictum I hope you will think peculiarly appropriate to the subject matter. . . .

There is to be no judgment, as I hear, in the *Essays and Reviews* before February. And I gather that there is a division, but that the majority is for reversing. I gather this from the story that Reeve and the Chancellor (I pray you observe the collocation of these names) are urging on the two Primates that the judgment must be supposed to be the judgment of the whole court, and *that if* they do not agree they must yet not say that they differ. Phillimore told me this last night at our Bench, from which, if it be true, I argue that London has ratted, and that the Primates are standing out against the laymen. I know if I was a Primate *no* rule or etiquette should seal my mouth in such a matter as this, to which it is the veriest pedantry to apply a rule which may be all very well as to ordinary law cases between party and party. . . .

MATTHEW ARNOLD to JOHN DUKE COLERIDGE.

THE ATHENÆUM,

November 20, 1863.

MY DEAR COLERIDGE,

Very good ; whenever I see a passage turned so well as this is turned I am more than ever convinced of the superior adequacy of the hexameter for giving one a sense of Homer.<sup>1</sup>

I will make two criticisms. The right rhythm of the second line does not sufficiently show itself at a first reading, and, in the last line but one, *stretched prone* seems to me hardly a close enough rendering for *ταλαινόμενος*, though it, certainly, well expresses the attitude which Sisyphus in his straining must have taken.

I hope and trust you are all right again. It was sad to see you looking so blanched.

Ever affectionately yours,

MATTHEW ARNOLD.

JOHN DUKE COLERIDGE to *his* FATHER.

3 KING'S BENCH WALK, E.C.,

December 15, 1863.

. . . Blackburn told me there was no doubt Shee<sup>2</sup> was to be the new Judge, and that he was told of it on Saturday. . . . I can't help being very glad over the defeat of Exeter Hall though, as you know, I do not rate Shee so highly as some men do. Still he will adorn the Bench, in

<sup>1</sup> *Odyssey*, xi. 591 :

Sisyphus then saw I stand with his grievous task tormented,  
Striving with both hands high to uplift his monstrous boulder,  
One while struggling strong, with hands, with feet stretched stiffly,  
Upwards still to the crest would he drive his rock, but the instant  
Just when the steep seemed gained, some huge force hurling it  
backward,

Down to the plain, rolling over and over it recklessly thundered,  
Then stretched prone once more he shoved up the mass, and his  
labour

Bathed his limbs with sweat, and his head with the dust went  
reeking.—1863.

*Verses during Forty Years*, 1879, p. 167.

<sup>2</sup> Sir William Shee (1804–1868), was appointed Judge of the Queen's Bench, December 19, 1863—"being the first Roman Catholic raised to the Bench since the Revolution."

many ways; and nothing but bigotry, not a belief in his want of merit, has kept him off it so long. I look forward with pain and sorrow to my own indefinite future, but it is no good repining.

3 KING'S BENCH WALK,

December 17, 1863.

. . . As to work you cannot really compare your situation with mine, because in addition to your much higher reputation you *know* you were a really good lawyer which I am not, and never shall be; and in the ordinary way of the Profession I see no reasonable access for me to the Bench. Through politics, if I succeed in them, it is, I know, possible; but, first, I don't think I shall get in; next, if I do, it is at least doubtful if I shall make anything at it; and, lastly, my health is pretty sure to break down. All which being considered may be some justification of my tone, though at present I make a very good income and can pay my way and save money. . . .

6 SOUTHWICK CRESCENT, W.,

*The Epiphany*, 1864.

. . . I have no doubt you are quite right about French, and I mean to read some French at once—those books of De Champagny<sup>1</sup> of which Henry spoke so highly, and some of Souvestre's which are modern and amusing. Corneille I have been beginning, and I shall try to get a sermon of Bourdaloue each Sunday. But Homer, and Butler, and Montaigne spoil one for second-rate writers, in whatever language, and I find myself looking down the row of new books at the Athenæum without even the wish to open one of them. I believe it pays in true cultivation—it certainly does in contentment; for ambition is daily becoming more and more extinguished in me. I wish I had the courage to write to Exeter and let them look out elsewhere. . . .

I should be very glad to do something about dear old Wightman,<sup>2</sup> who was a real character and ought not to pass away unheeded.

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<sup>1</sup> François Joseph Marie Thérèse, Comte de Champagny (1804–1882), was author of *Les Césars*, which first appeared as a series of articles in the *Revue des Deux Mondes*.

<sup>2</sup> Mr. Justice Wightman, *d.* December 10, 1863, was the father of Mrs. Matthew Arnold.

7 BRICK COURT, TEMPLE,

February 27, 1864.

. . . Nothing ever was kinder than the Chancellor was to me last Saturday. He agreed to appoint on *my nomination* and desired me to communicate this to my Exeter Liberals "in order, my dear fellow, that they may see that you have influence with the Lord Chancellor." He told me, in terms, that what Lowe had said was true, and that they were most anxious to have me in the House, with a view to my being S.-G. All this you will take, as I take it, for what it is worth, and what that is it is difficult to say.

I don't think it makes my pulse go one beat quicker or kindles the smouldering fires of ambition afresh. I wish, with all my heart, I were out of it all, for I am not strong enough for it, I am sure, and I care much more for other things. But it is no use wishing and the wheel must go on. . . .

THE ATHENÆUM,

July 21, 1864.

I have had a pleasant little day in committee—Lords St. Germans, Romney, Nelson, Amhurst and Churston—a very good committee and wonderfully civil to me. They would scarcely hear my opponents, and kept referring to me, and we got a heavy bill which took near three weeks in the Commons through, in very little more than as many hours. *On the whole* these Lords do their work very well. I was before the old Speaker [Lord Eversley] as Chairman last week and he was *excellent*, and I quite understood why he was so good in the chair of the Commons. But I don't find them so superior to the Commons as I heard say they were—there, to be sure, I have been chiefly before two first-rate men, Lord Stanley and Hassard.<sup>1</sup> . . .

JOHN DUKE COLERIDGE to SIR W. HEATHCOTE, BART.

HEATH'S COURT, OTTERY ST. MARY,

September 8, 1864.

. . . It seems odd that when, as I believe, we should almost always do the same in public life we should not almost always think the same. But I suppose it must be so: on one point alone I enter a protest. My respect and

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<sup>1</sup> Michael Dobbryn Hassard, Member for Waterford City.



affection for such men as my father and Keble and you is not qualified in the smallest degree by my thinking you "very wrong." Nor does that expression at all convey my feelings. I have read and re-read De Tocqueville, and he, more than any one I know, is my political master. As I understand him, he puts forth, with a grand and yet not cold impartiality, the two theories of politics, the aristocratic and the democratic, and he shows the advantages and disadvantages of each. I *believe* (but I may deceive myself) that I see the advantages of aristocratic institutions as plainly as any man—I am quite sure that I love and honour individual aristocrats (so to call them), as dearly and as heartily as it is in me to love and honour anything human. But, *on the whole*, it being a question of *balance*, I prefer democracy with its evils, neither few nor small I admit, and, many of them, peculiarly grating to my *taste* and *feeling*, to aristocracy with *its* evils, which (again *on the whole*) seem, to me, more and greater. But I admit, nay, I always earnestly assert it to be a matter of *balance*, and, therefore, I am not so foolish or presumptuous as to condemn men who take the other side of the balance, except, of course, so far as not agreeing with them may be considered a sort of condemnation. . . .

MATTHEW ARNOLD to JOHN DUKE COLERIDGE.

FOX HOW, AMBLESIDE,

September 9, 1864.

MY DEAR COLERIDGE,

Many thanks for the newspaper—the report is fuller there, so I am glad to have it, but I had followed your course at Exeter in the other papers, and had satisfied myself as to the excellent fight you fought, and the excellent prospects you have for next time. One gets fidgeted when one has an indefinite time to wait for something one has got greatly interested about, so I am glad the new election comes, inevitably, next year, without waiting for the chapter of accidents. From my hermitage I shall watch your ascent with affectionate interest.

Ever yours,

M. A.

P.S.—I thought your father's notice of the Judge [Wightman] done with all his delicacy and happiness. My very kind remembrances to him and to all at Heath's Court.

You will agree with me, I feel nearly sure, in thinking

*Enoch Arden* one of the two or three very best things Tennyson has done.

JOHN DUKE COLERIDGE to SIR W. HEATHCOTE, BART.

HEATH'S COURT, OTTERY ST. MARY,  
September 28, 1864.

. . . I cannot give up so easily the thought of some-time or other going up a Tor with you. It did Boxall great good who could hardly stir when we started, and, I am sure, you *do* know what great and true pleasure your society always gives me. I suppose, that at forty no less than at sixty, what the Greeks called the "irony" of life makes itself keenly felt to any man of ordinary reflection and religious feeling. Those two lovely poems of Wordsworth's, on Old Matthew, which I can hardly read even to myself *siccis oculis*, are profoundly true as well as beautiful. You would like them I think if you do not know them—for their pathos has a balm with it—the *κάθαρσις παθημάτων δι' ἐλέου* of Aristotle. But, at last, life must be a sad thing to all serious people. In my own case, at least, if success ever comes to me it will come terribly alloyed with sadness and, probably, deprived of half its value by the vanishing away of those for whose sakes it is precious. I do not know that I am comforting you much, but, at any rate, in my inner man I should not be an utterly unmeet companion. . . .

JOHN HENRY NEWMAN to JOHN DUKE COLERIDGE.

THE ORATORY, BIRMINGHAM,  
October 12, 1864.

MY DEAR MR. COLERIDGE,

I do not know in what words to express my feeling of the kindness of the letter which I have just received from you. It has been the great mercy of God towards me, that a season of especial trial has had its especial compensation in the extreme personal sympathy shown towards me, by so many men, of such various characters of mind and shades of opinion. I have, indeed, had most equitable and lenient judges.

You seem surprised that I should have been so much moved by Mr. Kingsley<sup>1</sup>—I will tell you how it came about.

I took him as representing large classes of men, who

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<sup>1</sup> Kingsley had asserted, (*Macmillan's Magazine*, Jan. 1860), the "Truth for its own sake, had never been a virtue with the Roman Catholic Clergy." Hence the controversy.

habitually thought as he spoke ; and I found the effect of his pamphlet as authenticating a floating tradition, the tradition of thirty years. A sort of arraignment of me was made before the public, of a formal notion, and that, after ample opportunity, from a long lapse of time, for the termination of the first misunderstanding which encompassed the movement.

Slanders had not, as might have been hoped, died away—there was so much life in them, that Mr. Kingsley, without an effort, was able to rekindle them. He brought them all together, with separate counts and a show of evidence. Such a formal trial of a man sometimes occurs on, or after, his death—sometimes in his life-time—generally only once. I felt that it might be now or never with me, and that I could not afford to be the last.

What I found in Birmingham seemed to me a sample of what probably was going on elsewhere. The Liberal Paper of the place, which had hitherto been fairly good-natured to me, turned round, on the publication of Mr. Kingsley's pamphlet, and spoke of me as if I were, in point of reputation, irrecoverably damaged, or lost. The idea which it took of me was of a sharp clever writer, who might be expected to retort on Mr. Kingsley with extreme adroitness, and run him through, perhaps. But this was a question of talent ; as to high honour and conscience, I was nowhere.

I had, for some years, had a sort of tacit understanding with myself, that, if ever I was publicly and formally confronted with those charges which from time to time, and in so many different ways, had drifted to my door, I would accept the challenge. I did not think I should ever have the opportunity ; and the idea of it was so distasteful to me that I had not taken any step whatever—not so much as writing a line, or noting down one memorandum, or tying together any letters or papers—with a view to the chance of its occurring ; so that I was absolutely unprepared for it, when it came. Therefore, when it did come, my actual method of reply arose out of the circumstances of the case, out of the provocation, and through the channel of those feelings, which the provocation excited.

Indeed, I felt that, unless I wrote with the keen feeling which I really had, though it is ordinarily one's duty not to show it, people would not believe me ; they would say that my book was written for me, or corrected by revisers, or that I was not in earnest, but exerting myself in an intellectual fence. So that I might as well not write at all, if I didn't give out, as my thought, so my feelings.

And, besides, if I was making a manifestation, as I professed to do, I should not be doing this fully and consistently, if I did not manifest the deep sense, which possessed me, of that injustice which lay at the root of those charges, of which Mr. Kingsley was the accidental spokesman.

Moreover, sensitive as I was of the misery of such a manifestation of myself as I was making, I felt it to be some excuse to myself, and some apology to the world for it, to bring out forcibly the gravity of the provocation which I had received, and the indignation which it was adapted to rouse in me.

If I do not apologize to you for all this egotism, it is from a hope that, in explaining myself to you, I am showing best the interest and grateful feeling with which I read your corroboration, from your own recollection, of what I had related of myself in my narrative; and with which, especially, I read your kind testimony to such good effects as had followed my preaching at St. Mary's. I am often led to call my life a history of failures. It is a great consolation to me to receive evidence, as I do from time to time, that all was not lost, when so much time and anxiety was expended.

I am, my dear Mr. Coleridge,  
Very sincerely yours,

JOHN H. NEWMAN.

J. D. COLERIDGE, Esq.

P.S.—Thank you, I am very well—so well that I have not left home this year.

THE ORATORY, BIRMINGHAM,  
October 16, 1864.

MY DEAR MR. COLERIDGE,

In reply to your questions, I have to tell you, first, that my article on Cicero is re-published in a volume of which the following is the title: *History of Roman Literature, With an Introduction, Dissertation on, etc.* Edited by the Rev. H. Thompson, M.A., etc., etc. London, Griffin and Company, 1852. The contents of the volume are by "the Rev. H. Thompson, the Rev. J. M. Neal, John Henry Newman, the late Rev. Edward Smedley, the late Thomas Arnold, and the Rev. J. B. Ottley."

As to your second question, it puzzles me to put myself in the position of those who ask it. I never defended No. 90, though I didn't withdraw it. This seemed mysterious.

People could not make out whether I thought it untenable or not. The open frank way is, to say out what you have to say, to show fight or to give in. Again, my *friends* defended it, and they gave opposite interpretations. Pusey almost said that the Catholic interpretation of the Articles was the only true interpretation. Ward said that it was a non-natural interpretation. I kept silence; till now, I have never given the reason why I kept silence; now I have given it. It was part of an understanding between myself, and one who had a right to know what the Bishops meant to do or wished, and to speak for them. "If I kept silence, they would not condemn it." This was a compromise; and, in the belief of saving it from condemnation, I did keep silence. All that is necessary for the appositeness of the explanation is the fact that I did so understand what was said to me from authority—and this the contemporary letters of mine which I have published sufficiently show.

I cannot conceive why it is necessary to say who told me. I am willing to be considered credulous and dull—though I don't think I was—I think I had the best reason for believing what I believed; but whether I had sufficient reason or not, believe it I did, and that belief accounts for my silence.

As to the objection you offer about your own Bishop, the words on which I relied expressly said "That perhaps *one* or two Bishops would charge, but that would be all—it would not be a general charging." The Bishops contemplated I conceive to be John B. Summer and H. Phillpotts.

I am, my dear Mr. Coleridge, sincerely yours,

JOHN H. NEWMAN.

JOHN DUKE COLERIDGE *to his* FATHER.

QUEEN'S HOTEL, SOUTHSEA,

October 28, 1864.

The Chancellor [Lord Westbury] kept me so long discouraging of himself and his projects that I had only just time to get to Chambers to some consultations and come on hither. I had much ado to keep grave with the Ch. and, I believe, I was base enough to "assent with civil leer" to a quantity of stuff about the law and codes, and digests which was as crude and shallow as need be, but beautifully expressed. I



believe the man is the dupe of the exceeding beauty and ingenuity of his own language, at least for the time. . . .

On the subject of Gladstone the Chancellor was very explicit, and treated it as *absurd* that he could ever lead the party or govern the country. He said I was a good writer—"would I, to oblige him, write him a commentary on the words of Scripture 'a man full of words shall not prosper in the earth; evil shall hunt (*i.e.*, said B, *par parenthèse* shall 'hound on or excite') the wicked person to overthrow him'"? "Make special reference," he added, "to the cases of Demosthenes and Cicero, and, greater than either, Edmund Burke, and if you please, Gladstone—though there is no man for whom I have such a strong *personal* regard!"

I BRICK COURT, TEMPLE,

November 3, 1864.

I thank you much for the sight of the American letters which are very interesting, and, to me, very instructive. I hope to live to see public executions, at any rate, done away with; in these ages there does not occur to me a single real argument in their favour. The dying out of the feeling against capital punishment is a very remarkable fact, and seems to be too well authenticated to be doubtful. You will not agree with me, perhaps, but the tone of all these letters and the facts and state of society they disclose seem to me highly creditable to the Great Republic, and satisfy me, more and more, of the substantial portrait of it (on the whole) drawn by De Tocqueville. I do not at all wonder at the English aristocracy sympathizing with the South. The North is a very awkward fact for them. . . .

THE ATHENÆUM,

November 11, 1864.

Tuesday night was a great night in the old Hall. It was bitterly cold and you would have suffered, so I am glad you stayed away; but the meeting would have interested you very much. Palmer was quite equal to the occasion, and that is saying a great deal; so was Gladstone, whose speech, of the English ones, was, certainly, the best; so was Cockburn, though he made capital, as usual, for himself, out of a slip of poor old Brougham's whom he might have spared. . . .

But in the *art* of speaking the three Frenchmen gave us

all a lesson, and Desmarest,<sup>1</sup> the present Batonnier, was a perfect model of clearness. I don't think one syllable could have been lost, and his French was so clear that every one almost understood every word. He was very clever and playful and genial, and, at times, very fine, but he had not the consummate grace and beauty of diction and manner which old Berryer<sup>2</sup> had. It was a very striking thing to see Berryer, past seventy, a simple, sweet-looking old man, and in manner and action absolute perfection. The papers don't even feebly give him. His energy and pathos, too, were something altogether splendid. The future he drew of England and France—in our country the bar being but one of many careers which men of independence and dignity might pursue—in France the *only one* in which men of self-respect and honour could take refuge—was a very grand oratorical thing in its conception and expression; and when he stopped, overcome in saying that he valued our reception for his posterity more than for himself, it was inexpressibly touching. I do wish you could have heard and seen him. He is a fine old *gentleman* as ever was. Gladstone asked me to walk home with him, and he was very cordial and pleasant all the way. He had never seen the Hall except empty, and was much impressed. Then he talked politics and religion, and was very moderate and sensible as to both. One striking thing he said, which I think is true, that all really good things are, on the whole, gaining ground in the western world, except Christianity. Moral and intellectual good is, certainly, advancing, while the *religion* of Christianity is daily decaying. Of more sublimary politics he talked *very* moderately, and seemed to think all would be quiet while Palmerston could hold on, but agreed with Bethell that there is no future for the party. . . .

6 SOUTHWICK CRESCENT.

November 21, 1864.

. . . I suppose I must have written very obscurely about Gladstone. . . . What he said, and, as I thought, I said, was that he thought all things good were, on the

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<sup>1</sup> Ernest Léon Joseph Desmarest (b. 1815), French advocate, was, after the revolution of September 4, 1870, named Councillor of State in the Provincial Commission appointed to replace the Imperial Council.

<sup>2</sup> Antoine Pierre Berryer (1790–1868), French advocate and political orator. He was elected a member of the Academy in 1852.

whole, on the increase in the world—morals, almsgiving, sense of responsibility and all the ethereal parts of religion, but that *Christianity* as a system of *doctrine* was not growing stronger, but rather weaker day by day. It seems to me this is perfectly true; and as *doctrine* requires a certain amount of intelligence, and he sees as many intelligent men of all ranks as any man in England, he, certainly, has the opportunity of forming a tolerable judgment. The age, therefore, speaking shortly, and in this sense, may be said to grow better and less Christian together, and this is a new and great trial to faith. . . .

6 SOUTHWICK CRESCENT, W.,  
Christmas Eve, 1864.

As to your capital punishment questions—first, I don't think *I* should put the question on a *single text* however strong, certainly not where there *could be* a doubt. I should put it on the general consent of mankind, and on the assumption which runs through the whole Bible that for *some* causes, and under *some* circumstances, it is lawful to take away man's life. There are, if I remember, some very good remarks on the *principle* of State power in Arnold's *Church and State*, which, perhaps, with some of the commission might have weight. You terribly diminish the *sacredness* of the State and of *authority*, in general, if you allow the *right* to be questioned. When and how it should be exercised is of course quite another matter. Secondly, I hope, heartily, you will not allow infanticide to be distinguished in *principle* from murder. I fully allow that, as matter of feeling, a poor girl who strangles her first child in delivery, and Müller, and Courvoisier, and Palmer do not seem guilty of the same offence (and one hopes that in the eye of God they are not so), but, I think, to remove the state protest against taking human life *intentionally*, and to make it anything but murder, is in the highest degree dangerous, and I would not do it. The two things which strike one as needing absolution are, first, public executions, and, secondly, Sir George Grey. . . .

JOHN DUKE COLERIDGE to SIR W. HEATHCOTE, BART.

6 SOUTHWICK CRESCENT, W.,  
January 29, 1865.

. . . I must not try your reading powers farther, though I have plenty more tediousness to bestow on your

worship. But I know you like a good story, so I will end with one which Wood, V.C., told me the other day. Two Miss *Catts* had a large legacy left them on condition of changing their name to Wilmot. They objected to the change very strongly, and Wood held that under the words of the will they might keep their name and the money too. One of them said to him afterwards, when he met her and observed he, rather, wondered at their objection to the name of Wilmot, (as he put it) that she and her sister didn't so much mind, but it was their dear brother *Tom*. . . .

JOHN DUKE COLERIDGE to *his* FATHER,

THE ATHENÆUM,

February 24, 1865.

I ever had and have been very lucky in verdicts on the whole. You saw Cockburn's puff the other day. It was very kind, as indeed he always is to me, and I daresay will be useful. I don't think it was at all deserved, however, but the world won't know that.

The circuit looks very heavy in its prospect, and my retainers are now over forty, and within two or three of J. B. K.

Oh, such a Nobody's! I am *sure* full *half* the time was taken up by Kenyon<sup>1</sup> reading his confounded notes (which have added a new terror to *jokes*), and making his stupid speeches. I am quite serious. I cannot understand it, and, if it goes on, I must resign; for it bores me to death, and spoils what might be a pleasant and useful evening. I was next Ely, and very pleasant he was. S. O. was there, and his blandishments were charming. Every one was very kind about *you*, and would not hear of your acting on your hint of resignation.

THE ATHENÆUM,

March 3, 1865.

. . . I don't hold with you about the duty of circuit. If the attorneys felt that when retained you were entitled to a brief I could understand it, and there would be some reciprocity, but they retain you, enter the cause, settle it, and never give you a brief, growling exceedingly if, though they do this, you choose not to come. I never can

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<sup>1</sup> John Kenyon (1784-1856), poet, friend of poets, and philanthropist. He was the author of *A Rhymed Plea for Tolerance*, 1833.



admit that a *gua* binds you to go down a hundred miles, to be offered a brief if they choose to offer it, and not otherwise. . . .

THE ATHENÆUM,

May 5, 1865.

. . . It seems, even yet, not quite certain that Hardy will venture, and this quiet Budget makes it perhaps rather less likely. However knowing the men, their bitter hatred and strong desire to re-annex Oxford<sup>1</sup> as a Carlton province, I think they will venture, and the only thing which makes me really apprehensive is the total uncertainty how the polling paper may work. It is certain the new system will do us no *good*. I wish I could think it would certainly do us no harm. Between Horner, however, and a 4*d.* income tax I still feel sanguine.

You will see the *Times* and the censure on Bethell as soon as you get this ; also you will have seen Lowe's very clear, but very insolent and cynical attacks on his own party, and, indeed, as Osborne showed, on his own antecedents. Both, I believe, will be a nine days' wonder. Bethell's resignation will be of the Christian and moral sort, and not of the temporal, and not fifty Lowes can keep back a considerable infusion of democracy the moment Lord Palmerston dies, physically and politically.

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<sup>1</sup> "I am chairman to Gladstone's London Committee with the Dean of Chichester and Mr. Calvert, a Q.C., as my vice-chairmen. . . . I am afraid I am engaged in a losing cause. The learning and ability of the University will be for the most part with us, and all the Liberals and Broad Church men ; and this is pretty well true of the non-residents also. But against will be all the old Tories, and the country clergy, whom the system of polling on paper will very materially swell in number. And it cannot be doubted that Gladstone has given them a good case, apparently, by his outspokenness almost rough at times, by his frankness as to what may be his measures hereafter. . . . The dissenters help them, too, by their bitterness and violence, and claiming, strange to say, Gladstone as the man who will help them to pull down the Church. I believe the Hardy men are mistaken, and that it will be found the Church suffers more if their principles and measures prevail than by anything which Gladstone will do or countenance."—*MS. Journal of Sir J. T. Coleridge*, May 14, 1865.



THE ATHENÆUM,

May 18, 1865.

. . . I am not sure that I exactly understand the whole scope of the paper on Insanity,<sup>1</sup> nor how you propose to alter the present law.

The subject is in its nature excessively difficult and impossible, perhaps, to settle by the definitions of a law. The practical evil of the existing state of things is, at least, one evil is, its extreme uncertainty. Judges swing to and fro like pendulums in their charges to Juries, and, if a man is tried after some very scandalous acquittal, he gets no fair justice. . . . There is something very shocking in putting a man to death whose responsibility as a moral agent is at all doubtful. . . .

JOHN DUKE COLERIDGE to JOHN HENRY NEWMAN.

THE ATHENÆUM,

June 5, 1865.

MY DEAR DR. NEWMAN,

I cannot enough thank you for the honour and pleasure I have had from your present. I have not been able to write to you before to-day, and now I really cannot write as I ought. For I owe you more than any man in the world, except, perhaps, my own father, and I hope I have never been undutiful and ungrateful to you in word or even thought since I first know you as a teacher when I went to Oxford in 1839. You can readily understand, therefore, what pleasure any kindness of yours gives me, and how the expression of what I really feel might seem exaggerated. I wish indeed I had any chance of being able to repay you otherwise than in words, and by an affectionate reverence for you which will last, D.V., as long as I live.

Always, my dear Dr. Newman,

Your faithful and grateful friend and servant,

JOHN D. COLERIDGE.

DR. NEWMAN.

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<sup>1</sup> With reference to this "paper" on the Secretary of State's office, Sir J. T. Coleridge writes (May 19, 1865): "I am against a Court of Review, and for the maintenance, substantially, of the present system. . . . You will see I recommend no alternative as to the manner in which the defence of insanity is to be tried—I think we have the right principle now, and that the doctors are extravagant in theirs. . . . In practice many more sane men

JOHN DUKE COLERIDGE to *his* FATHER.

THE ATHENÆUM, November 12, 1865.

. . . As to Boxall, of course, I was only giving you my own opinion, but, I think, if you were to ask Eastlake, or Landseer, or old Gibson they would tell you the same thing ; and, as to his finish, Gibson once said to me, looking at one of his heads, "That is what I call true finish, I should like to see any Pre-Raphaelite finish like *that*." That he leaves his accessories *slight* is quite true, but he does this, not from feebleness or carelessness (I should think no man is *near* so careful), but on a theory which, right or wrong, Sir Joshua, and Gainsborough, and Rembrandt, and Titian all held and acted on. But, as I said before, don't trust me a bit, for, in the first place, I know nothing about it, and, in the next, I can't be fair about a man I admire and like. . . .

WESTMINSTER HALL, January 8, 1866.

. . . I went up and down again from Winchfield to London on Saturday, with Lord Eversley, who was more than civil. He introduced himself to me, and pressed me very much to go and stay with him, which, of course, I declined. He asked also after you very warmly ; and was (for him) quite enthusiastic over Butterfield's merits and the glories he had created in St. Cross. He was much set on restoring a Norman Apse to Romsey with colour, and gilding, and painted glass, and, below, a *recumbent statue of poor old Pam* ! The revival certainly takes odd shapes, and affects odd people. . . .

6 SOUTHWICK CRESCENT, W.,

February 18, 1866.

. . . Yesterday's debate was very fine. I did not hear the whole of it but came in soon after Bright begun, and stayed till the end. *Me judice* Bright is a much greater orator than Gladstone, more dignified, broader, stronger, more manly—of course less cultivated and of narrower range. But Gladstone is doing his *work* very well although, somehow, the Government seems to have no hold of the House at all. Mill I am afraid will be a failure. He is too self-conscious and *lectures* us too much. . . .

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escape on the plea of insanity than insane men suffer as sane. This I know is not a strict argument, but it is a consolation in case of mistakes."

I BRICK COURT, *February 23, 1866.*

. . . As to going to great people I think a man must do what he feels to be natural and to become him. I am out of my element with them, and do not at all wish to know them. In business I always get on well enough with them, and the less I see of them out of business the better. If every one acted as I do the world would be much more independent, and because other men like waiting on landing-places and catching distant gleams of great men's smiles, there is really no reason why I should follow their example. It is not bad temper I assure you, for every one is very civil. . . .

JOHN DUKE COLERIDGE to SIR WILLIAM HEATHCOTE.

6 SOUTHWICK CRESCENT,

*March 4, 1866.*

. . . What fine fellows after all in their wide range of accomplishments some of our Statesmen are! Gladstone, not finding the construction of a great financial and political scheme enough for him, fills up his time by reviewing Tennyson's *Idylls* in the *Quarterly*, and translating a long chivalric poem of Grossi (the author of *Marco Visconti*) into English verse, in *Fraser's Magazine*, and Cornewall Lewis sends a long and elaborate discussion to *Notes and Queries* on the subject whether there were lions in Northern Greece in the time of Herodotus. Dear old Latin and Greek still lead us, you see, and I cannot think of any very eminent men, except Bright and Cobden, who are not men of some education.

I am finishing this letter at Exeter, where I have come on our Spring Circuit; and am just fresh from reading *Esmond*, thanks to the leisure which the journeys between our Circuit Towns afford. Did you ever read it? If not, do. It is the best thing of Thackeray's I ever read. I mean there is a depth and tenderness of feeling in it which he seldom displays, and some bits of the writing are quite splendid. There is a character of the Duke of Marlborough (I am afraid too true) which in point of power would not discredit Clarendon or even Tacitus. I am looking forward to the new novel of Hawthorne's, a writer to my taste of the very highest order, thoroughly original, and, almost, unrivalled, in the present day, for a certain ringing melody of language and refinement of style. I suppose he is an odd, quiet sort of man in himself, for he made but little *personal* impression here; though no American, I think,

is more highly appreciated by our best men as a writer. I hope you delight in *Adam Bede*. I am going to say what may strike you as a Gladstonian exaggeration, but I deliberately think it the finest work of fiction in our language since the *Vicar of Wakefield*. If I had time I could try to say why. As it is you must be content with my oracular *ipse dixit*. "Show me why it is not, if you have read it and don't agree." . . .

*From the Journal of SIR J. T. COLERIDGE.*

#### THE DEATH OF KEBLE

*Easter Eve, March 31, 1866.*

Very early, on Thursday morning, the 29th, my most dear John Keble died at Bournemouth.

The most pure and simple Saint I have ever known. God gave him to me, as a friend, for more than thirty years. Oh! what a gift to be answerable for!

*Easter Day, April 1. Heath's Court.*

My thoughts, at present, are constantly turning on my dear Keble—it might seem to have been a sad termination to his happy life—away from home, for so many weeks watching by the gradual decline of his dear wife. His vicarage, his own Church and Church Bells—all the familiar faces—these were wanting. But how much has he been spared! . . . His wife's death he had not the pain of witnessing, and he passed away in a sweet unconsciousness. Not unprepared—how could that be? Speaking after the manner of men, I verily believe his life has been but a long, a conscious preparation. He was, indeed, a holy man, a Saint! Our Church—*no* church has any one more entitled to the name.

And, now, I have lost him, and Dyson. Scarcely one friend, one intimate brother-like friend of my youth remains . . . and it is difficult to transfer those feelings to John, to Coley—whom I, yet, love so dearly, and, yet, from whom such great disparity of age makes, *in this respect*, so great a separation of entire intimacy.

Oh, that I had strength remaining to write J. Keble's life worthily; but it is a strength not to be seriously listened to, for a moment.

My dear Coley's birthday—God bless him! I will, I hope, begin a letter to him to-day. I shall never see him again, in the flesh.

A. P. STANLEY to JOHN DUKE COLERIDGE.

DEANERY, WESTMINSTER,

April 7, 1866.

MY DEAR COLERIDGE,

Will you excuse my troubling you with a few lines which ought more, properly, to be addressed to your father—but which—at this moment—especially observing that he is indisposed—he and you will understand that I can more easily address to yourself.

I know not whether there was any thought, at any moment, of the funeral which I see is just over at Hursley, having taken place anywhere else. But you will, I trust, have been assured that, had any proposal been made for the interment of “the author of the *Christian Year*” in Westminster Abbey, no one would have more cordially welcomed his ashes than myself. On such occasions I am precluded from making the offer. My duty, I conceive, is simply that of Guardian of the Abbey, to admit or refuse. But I take for granted that, had such a wish existed, I should have been informed of it—and I was fully prepared for carrying it into execution.

You know, I dare say, that I asked him on my first entrance into office to preach in the Abbey. It was the only official recognition I was ever able to make—I think the only one he ever received from our walls. And this would have made me the more willing to have rendered one last service, had it been possible.

I doubt whether any writer of our time has quoted him so persistently as I have. It is a pleasure to me to think that on Good Friday—not knowing of his end—I referred to the *Lyra Innocentium* in a Sermon in the Chapel Royal.

Yours sincerely,

A. P. STANLEY.

JOHN DUKE COLERIDGE to his FATHER.

THE ATHENÆUM,

April 21, 1866.

. . . On Thursday Gladstone wrote to me to speak, and I didn't very well see how I could refuse. So I did what I could, and you will see it in the *Times*. . . But the House were very patient and Bright and Bulwer very kind and complimentary to me afterwards. I don't think it was a failure, but as you will see there was nothing in it.



I think we shall be beaten or be in an ignominious majority. The truth is Gladstone is sadly failing as a leader . . . he puts his foot into it, as last night with Dizzy, whose five minutes was one of the best things I ever heard. . . . It is a great bore, for no other leader is possible while he lives, and, yet, I feel certain we shall get into a succession of scrapes with him. . . .

WESTMINSTER HALL,

April 27, 1866.

One line . . . to thank you for the letters, . . . They are very kind, and I have had a great deal of similar honours from other people. *Inter alios* from Page Wood whose good opinion I much value. Nothing, whatever, from Gladstone. Perhaps he thought me too independent for him, but, as they say it was a good speech, for the first, he might as well have said a word in passing, or sent me a message. But he doesn't understand men a bit. Lowe made a very clever speech last night, but it was all out of De Tocqueville and might have been easily answered out of De Tocqueville, if I had the chance. But it was very clever, well put together, witty, hard-hitting and had a fine peroration—the best thing against us by far, as he himself, probably, says in the *Times* this morning. I am glad you liked what I said. . . .

THE ATHENEÆUM,

May 12, 1866.

I will not trouble you with the account of the Lambeth meeting, for I am sure you would think me hard and prejudiced. It seems to me like a bad dream. Anything so heartless, dreary and mechanical, I think I never listened to. About seventy people and the regular resolutions—no discussion, nothing that was not dead commonplace. . . . Don't put too much stress on what I have said, but, upon my honour, when they put my Lord of Winchester, who has neglected him for forty years, to move the *first resolution* for whitening his sepulchre, my gorge *did* rise.

6 SOUTHWICK CRESCENT, W.,

May 17, 1866.

. . . I daresay I was cross on Saturday about the Keble meeting. But Richard Cavendish told me he felt just the same, and I think any one would have felt wet-

blanketed by the utter commonplaceness of the whole affair. However, Lord Beauchamp said he would give £5000, which entitled him to make a speech, I must admit. R. Cavendish told me he had met Stanley, who expressed himself as much hurt that he had not been asked. Others have said to me, why were not he and Milman there? To which I can only reply, as I do, that I really don't know, but that it was managed from Oxford. I, certainly, can't conceive why not Stanley if Sumner. But I am less and less drawn to Pusey and his school. Rome I understand, but why Pusey's view of some passages in some of the fathers is to be my limit of allowable belief I do not understand. . . .

HOUSE OF COMMONS,

June 6, 1866.

. . . Isn't Newman good on *Ecce Homo*? It makes me want, however, to read the book, which I hear is cleverly called "a very insidious attack on infidelity." Have you read it? Gladstone and Palmer both express great admiration—G., of course, exaggerated, P. more qualified and judicial. . . .

PRINCIPAL SHAIRP to JOHN DUKE COLERIDGE.

ST. ANDREWS,

September 13, 1866.

MY DEAR COLERIDGE,

Some time since I saw in the *Guardian* that you had been seized with sudden illness in Court. I have heard nothing since, but now write hoping you will be able to give a good account of yourself and say that you have recovered. In common with many others of your old friends, I rejoiced in your Parliamentary reputation last Session. Great as your success was it was not greater than I always anticipated, if you got a fair field. Though grudging to see you fighting on the same side with . . . I did not find any things in your speech that jarred on my Conservative leanings. And the way they were said I greatly relished. Often, I fancied, I could call up the very tone and manner in which they would be uttered. I was not able to make out my visit to London last summer. Part of the summer I was engaged in writing a paper on Keble in the *North British*. I took freely from your father's sketch in the *Guardian*—not too freely I hope. If you see the paper it will recall old

days when, of a Sunday afternoon, you used to come in late for Hall dinner at Balliol, having been to St. Mary's. Perhaps all this, at the beginning, had not much to do with Keble, but I wished to give the whole thing as it came on me, and so preserve τὸ ἴδιον instead of at once going to τὸ κοινόν. Though not any more of a High Churchman than I was, I appreciate, more than I once did, the service they have done, and the dangerous tendencies from which they made the recoil. What Newman in his *Apologia* calls the "Liberals" in Theology, what would now be called the "Rationalists," I believe that all who value the deeper life of Christianity must resist. More and more it seems clear to me that their one aim is, to pare down religion so as to make it simply commensurate with man's understanding; to reject all mystery, all that is transcendent, to explain away the supernatural. And all the aids of science and criticism are being turned to this one end. And, if they attained their object, Christianity would be reduced to a mere morality, a *σοφία* which can be accounted for on merely human principles, without any directly divine intervention. Though I cannot accept the weapons with which High Churchmen have done battle against this Rationalism, yet I honour them for having done battle against it so manfully. What I do long to see is the rise of men who will allow to science free play and to honest, healthy (and not sceptically destructive) criticism free play; but will yet preserve, as the life of their life, the superhuman, Divine, Redemptive element in Revelation. Without this I believe that Christianity would be shorn of all its power. And the dream of making it into a merely spiritual morality, or highest means of culture, is a vain dream which shall not be at all. In saying this I am obliged to part company with some of my old friends whom I greatly esteem. But this is one of the offences that must needs come.

Have you seen M. Arnold lately? How interesting his essays are, even where one cannot go along with them! Some of his lately on Celtic Literature, in the *Cornhill*, struck me as very good—not that I suppose he knows a great deal about Celtic lore. But he has hit the right points, wonderfully. The last on the magic way of handling nature is wonderfully good. Write to me when you can, and let me hear how you are. Commend me very sincerely to Mrs. Coleridge.

Believe me, ever your affectionate

J. C. SHAIRP.

JOHN DUKE COLERIDGE to his FATHER.

WESTMINSTER HALL,

November 6, 1866.

. . . Westbury is sitting there (Judicial Committee of the Privy Council) and making as you may suppose great fun. I have to argue a case there to-morrow about the Personality of the Devil from a Baptist synod at the Cape ! Only think of Bethell on such a subject.

I didn't much care for what I saw of Conington. Dryden is hard enough, but, at least, he has the stateliness and, now and then, the grandeur of Virgil, though none of his refinement and very little of his beauty. It seems to me a mistake of principle, and to show bad taste, to choose a ballad metre for a poet the most unballadlike in the world. Milton could have done it, perhaps, in his own grand and stately melody but scarce any one else. S. T. C., perhaps, but he was too lazy and didn't care for Virgil. . . .

6 SOUTHWICK CRESCENT,

December 30, 1866.

. . . I shall not be able to go to S.P.C.K. I am not sorry for this, as I cannot quite take your view of the *Christian Year* question. The reluctance and the slowness with which the alteration was made proves (as who can possibly deny ?) the alteration<sup>1</sup> to be a very important one. It may be considered to make a direct assertion of *bodily* Presence. I do not say it does, necessarily, mean this, but I do say that nine-tenths of the ordinary readers of the *Christian Year* will take it to mean that. It is entirely inconsistent with the whole view and sequence of the Poem, which is a careful contrasting of our *soberer* theology with the extravagance of Rome, and, in the very point and climax of the whole, it leaves out the contrast and makes nonsense of the stanza. . . . I own so very grave and important

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<sup>1</sup> In the earlier editions of the *Christian Year*, one of the verses of the poem on the Fifth of November (Gunpowder Treason) runs thus :

"O come to our Communion Feast :  
There present in the heart,  
Not in the hands, the eternal Priest  
Will His true self impart."

In later editions (e.g., 1890) the third line has become :

"As in the hands," &c.

an alteration does seem to me fairly to permit, nay, even to call on, S.P.C.K. to consider whether they will still circulate a book which, now, has put into it, after the death of the author, a strong statement of a doctrine, which is at the root and foundation of all extreme ritualism and the Puseyite view of the Priesthood—against which I, for one, have the strongest possible dislike. . . . There may be a *Literary* edition, if you will, containing the Poem, but why force on S.P.C.K. a book containing a hymn on a day, not now in the Prayer Book, and altered in a *most important particular*, since the Society adopted it ? . . .



## CHAPTER VI

### TWO GREAT CASES

Tantane Religio potuit suadere Malorum.

(*Correspondence, 1867-1870.*)

ONE of Coleridge's most important cases, which established his great position at the Bar, or, as his father, with pardonable exaggeration, notes in his journal, "placed him on the very pinnacle of reputation as an advocate, both for thought and comprehensive grasp, and for language and manner," was the famous "convent case," *Saurin v. Starr*, which was tried before Lord Chief Justice Cockburn, February 3 to February 26, 1869. The Solicitor-General, with Mr. Digby Seymour, Q.C., and Mr. Wills as juniors, led for the plaintiff, Miss Saurin, known in religion, as Sister Mary Scholastica; and Mr. Hawkins, Q.C., Mr. Mellish, Q.C., and Mr. Charles Russell were counsel for the defendants, a former Mother Superior, Mrs. Starr, and her successor, Mrs. Kennedy. The case was followed with peculiar interest by the non-Catholic public, in the hope and expectation that to lift off the roof from a convent, and to peep inside, would be interesting, amusing, and, agreeably, unedifying and shocking. As it turned out, the "revelations" were not very amusing, and disclosed little or nothing beyond

the open secret that the four walls which *do* make a convent shut in a deal of human nature. Miss Saurin was said to lack a "vocation," she was troublesome, broke little rules, got on to the Mother Superior's nerves, and, in turn, was treated with exceptional severity, sent to a kind of ecclesiastical Coventry, and, finally, expelled from the convent. The plaintiff claimed £5000 damages.

The case was a difficult one. Technicalities of all sorts with regard to the domestic regulations of convents; the relation of nuns to externs—that is, persons other than nuns; the authority of "visiting Bishop over Reverend Mother," required a certain correspondency on the part of counsel to fathom or appreciate. Two of the plaintiff's witnesses, the Librarian of Maynooth, who was a friend of her family, and her brother, who was also a Roman Catholic priest, could not be found, or were not forthcoming. Moreover, as cases went, it was of *almost* unprecedented length. The Solicitor-General, says Lord Russell of Killowen, who was junior counsel for the defendants, and who could have had no manner of sympathy with the argument or its inferences, delivered "a powerful and impressive speech." His mode of influencing the jury was not to attack the authorities of the convent as Roman Catholics, but as bad Roman Catholics, and, at the same time, to prejudice them in favour of one who was a victim to a system which at its best, as well as its worst, was one of temptation to the weakness, and inimical to the charities of human nature.

Here are a few purple patches :

"In older and rougher times superstition gained its end by the more direct and ready means of actual torture.

They burned, they drowned, they hung, they stretched upon the rack, or broke upon the wheel; and drew forth, by hideous torments worse than death, not the truth, but the answers they desired, true or false, right or wrong, just or unjust. Even Cardinal Camillo in *Beatrice Cenci*, Shelley's noble tragedy, might have been tempted to exclaim, "I confess anything." . . .

These things have passed away, but the spirit remains, and it seems that by ingenious tortures of another sort, by playing upon the religious feelings, and wounding the sensitive consciences of unhappy women, you can extort from them confessions of unreal sins, and descriptions of states of mind and feeling wholly fictitious. . . .

Gentlemen, with the essence, the substance, the reality of a religious life, no Christian man, to whatever sect or body of Christians he may belong, can have any serious objection. To feed the hungry, to clothe the naked, to teach the ignorant, to watch by the sick, to comfort the mourners, to pray night and day to Almighty God, to live simply and by rule, and, in short, to use this world as not abusing it—these are things, happily, which both Catholics and Protestants alike think right: alike are bound by the precepts of their religion to practise, and, if they do not practise them themselves, they are at least bound to respect and reverence those who do. . . .

The greatest of living Roman Catholics, a man whom neither here, nor elsewhere, can I ever mention without affectionate respect and veneration, Dr. Newman, has said in one of his most beautiful poems:

Nature 'mid the spheres hath sway,  
Ladies rule where hearts obey!

But I think that, like most general propositions, that cannot be converted simply, and you cannot say that hearts obey where ladies rule. I believe you will feel that the mean personalities and the wretched little bits of spite and hatred which are to be seen throughout the case, become doubly detestable when wreaked by women upon a woman, and heightened by all those small acts of torture with which women are so profoundly and so peculiarly acquainted. And, gentlemen, give me leave to say—when you recollect that all this was done towards Miss Saurin in the name of God, and possibly, let us hope, disguised from those who did it under the names and sanctities of religion and devotion—you have a proof, if proof were needed, of the awful truth of

those two sublime passages in the great book of Bunyan, where he tells us that he saw there was a by-way to Hell from the very gates of Paradise."

Coleridge won the case and obtained a verdict of £500 damages for Miss Saurin, but, ultimately, "a rule for setting aside the verdict was obtained, and the litigation was then dropped."<sup>1</sup>

Another great case, into which he threw his heart and soul, was the defence of the partners in Messrs. Overend and Gurney's great banking and bill-broking concerns, who were being prosecuted on a charge of fraudulent conspiracy. There had been a partial failure and a re-formation of the Company, and then, again, entire failure, and the question was whether the defendants had, knowingly and wilfully, held back or misrepresented their liabilities in appealing to the public to take shares in the new venture. There was no question that they had risked their own fortune, and, that in the ruin of the second Company, their own ruin was involved, but it rested with the jury to say whether they were guilty of "negligence and ignorance," or of deliberate fraud. The case was opened on December 13, and ended on December 22, 1869. The case was heard in the Court of Queen's Bench, Guildhall; the Judge was Lord Chief Justice Cockburn. Counsel for the prosecution were Dr. Kenealy, Mr. Macrae Moir and Mr. Dawson Yelverton; for the defence, the Solicitor-General, Mr. Hawkins, Mr. Mellish, and others. It was in this case that Coleridge first encountered Dr. Kenealy, who, afterwards, defended the "Claimant" or, rather, the prisoner in the Trial at Bar. There were passages

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<sup>1</sup> *The Late Lord Chief Justice, etc., The North American Review*, vol. clix. p. 260.

of arms between counsel, in which Kenealy was not as victorious as he could have wished. There is little doubt that the animus which he displayed in the pages of the *Englishman*, and elsewhere, was inspired by recollections of this trial. At the close of his speech for the defence Coleridge takes Dr. Kenealy in hand :

Allusions to Lucius Brutus and the South Sea Bubble, such as have been made by the Counsel for the Prosecution, are but flimsy disguises for rude and daring assaults upon you, through the medium of prejudice. And, when he talks of having "courage" enough to seize the glorious opportunity of doing justice, by convicting these gentlemen of fraud and guilt—it is mere trash and stuff. . . . If I were disposed to quote, I should quote one nobler than Virgil, greater than Brutus—I should say, "Whatever ye would that men should do to you, do ye even so to them." Judge others as you would yourselves be judged. If you do so they will be contented.

The Lord Chief Justice, in his summing up, administered some excellent advice with regard to wild speculation and rash investments. "If," he said, "this case shall teach those who are so ready to follow the *ignes fatui* of such vain delusions, that you cannot gain extravagant profits without extreme risk, the result may be rejoiced at." The verdict was "Not Guilty." "Peal after peal of applause succeeded, and the scene was one of the wildest enthusiasm. Some seemed overwhelmed with emotion, and more than one burst into tears. . . . The leading counsel present, the Solicitor-General and Sir J. Karlake, had their hands seized and warmly pressed by their grateful clients."

The trial lasted nine days. It took the Solicitor-General over a day and a half to deliver his speech, but the entries in his diary are brief and to the point :



*December 13 (Monday).*—Went off this morning to Guildhall. Kenealy's opening in the Gurney case. It was very bad and very weak. He does not understand the strength of his case. Perhaps he may before it is over.

*December 14.*—Spent the day in Court in the Gurney case. Kenealy called an attorney as an attesting witness to a deed—a wonderful piece of ignorance; but it did us good.

*December 15.*—To Guildhall again. There I worked away with tolerable success. I *hope* we shall win.

*December 20.*—To Guildhall. Kenealy went on till eleven o'clock, and then I began. I spoke till near five; not well and not effectively as I think, but my clients seem better pleased than I am.

*December 21.*—To Guildhall, and there finished what I had to say. Complimented, but to my mind it was poor. Mellish, who followed me, was excellent; so was what I heard of J. B. K. and Giffard.

*December 22.*—Sat through all the Chief's summing-up, which, except for some fireworks at the end, was exceedingly good—one of his very best.

*December 24.*—Wrote a number of letters in answer to very grateful ones from my clients.

The day before (December 23) he gathers up the results of his first year of office: "To consultation at Collier's, which was very pleasant. And so ends the legal year—a very great one. I shall have gone over £19,000, and, I think, not fallen much from where I was last year."

Once again, "dearest is dearest." The great prize was won at a great expenditure of physical and mental strength.

His father, who had been reading the *Memoirs of Francis Horner*, was constrained, in spite of himself, to draw a parallel between his son and the great financier who died in the prime of life.

Somehow, as I read all the latter part, the thought of my own boy has hung on me. There are many differences between the two.

John has a far higher position at the Bar—as powerful, and more quick, intellectual powers, less knowledge and less sustained application. He is more eloquent and has risen to eminence in the House much more rapidly, yet he has not, and, probably, never will have, the same solid and general influence there. . . .

John is equally fond of society, and as much, perhaps more, admired for brilliancy and power of entertainment. Finally, to the three—his profession, Parliament, and Society—he devotes as much time and strength as Horner did. Altogether, I suppose, he is more worn, and this is the thought which has hung on me.

J. C. SHAIRP to JOHN DUKE COLERIDGE.

February 7, 1867.

MY DEAR COLERIDGE,

Thank you very much for sending me *Rhoda*.<sup>1</sup> On my return home after some days' absence I found it here, and read it with great interest and pleasure. I have but one fault to find with it—it is too short. . . . I am glad that you have not, amid all your busy life, forsaken the Muse. It must refresh you much when you can steal a leisure day for her company. Let me write out one verse of my great favourite Burns. It is not so Scotch but you will easily understand it.

The muse na poet ever fand,  
Till by himsel he learned to wander,  
Adoun some trotting burn's meander  
An no think lang;  
O sweet to stray and pensive ponder  
The heart-felt sang.<sup>2</sup>

JOHN DUKE COLERIDGE to his FATHER.

6 SOUTHWICK CRESCENT,

April 11, 1867.

. . . I did not really leave the men in doubt as to my opinion of the way they had behaved to me and to Gladstone.<sup>2</sup> But it is of no use showing *personal* mortification. And of this I felt none, because I looked at it as

<sup>1</sup> "Rhoda, A Devonshire Eclogue," (*Verses during Forty Years*, pp. 117-120,) was first published in *The Month*, 1866.

<sup>2</sup> The reference is to the tea-room schism.

so purely a matter directed at Gladstone, and with which I, as an individual, had and could have nothing to do.

I *entirely* agree with you as to what Gladstone ought to do and why he ought to do it. And he is now resolute. He said to me and Forster yesterday that he would stand it no more, and that, if the Party do not follow him as a party to-night, he shall wash his hands of the whole concern, and decline to be leader any more. Heathcote says it is the worst Parliament he ever was in, and Forster said to me that he had seen more meanness and dishonesty in the last three weeks than he thought it possible for human nature to show. . . .

JOHN HENRY NEWMAN *to* JOHN DUKE COLERIDGE.

THE ORATORY, BIRMINGHAM,

*Easter Monday [April 22], 1867.*

MY DEAR MR. COLERIDGE,

I read your speech in the Papers, upon its delivery, and recognised in the portion of it which related to me an extreme kindness, which was the explanation of language about me which I felt was far above my merits.

And, as to your saying that my teaching did not include theological dogma, which some persons criticized, I understood you to mean, not that dogma was not the basis of my sermons, but that the staple and substance of them was of an ethical character, so that persons who did not agree with my religious tenets might listen without taking offence at what was said.

And now I have to thank you for your additional consideration in sending me the proof of what I suppose is the authoritative report of your speech, and to assure you that, though I have not the happiness of feeling that our religious sentiments are in unison, still you have said nothing which it is not free for *you* to state, or unbecoming in *me* to receive.

I am, my dear Mr. Coleridge,

Sincerely yours,

JOHN H. NEWMAN.

JOHN DUKE COLERIDGE *to his* FATHER.

HOUSE OF COMMONS,

*June 14, 1867.*

. . . The Ritual commission will be very interesting. I go to it with no prepossessions except one, that if I am

manipulated by Sam it shall be because I *don't* know it. You saw, I suppose, that most characteristic passage between him and dear, simple-minded Tom Carter about the Madonna. . . .

You see we had the nominal judgment, after all, in *Slade v. Slade*. It is a great triumph and quite unexpected by me.

THE ATHENÆUM,

May 20, 1867.

. . . We are in a curious state in the House. Dizzy's party are just slowly awakening to the state of things to which he has induced them, and Lowe, who made his first good speech this Session to-night, was much cheered in his attack upon him. Cranborne, with whom I dined here, says that he (D.) has no policy, but only floats on the top of the wave, making believe that he directs it. . . .

JOHN DUKE COLERIDGE *to his FATHER.*

6 SOUTHWICK CRESCENT, W.,

November 24, 1867.

. . . I had a very pleasant dinner with Lord John on Wednesday. We were but seven—Lowe, Bruce, Lord Granville, Baines, Jowett, Lord R. himself, and I. He sat me beside him, and was most courteous and a great deal more kindly and genial than I expected to find him. After dinner he made us a little speech about education which he (rightly I think) considers *the* question of the day, and explaining and recommending some resolutions of his which he purposes to move in the House of Lords. I was more struck with his simplicity and a certain nobility of thought about him than with his cleverness. His ideas were commonplace enough, but when Lord Granville said "he feared that forcing some point on might break up the party," Lord R. said, quite simply, that nothing would ever be done if people were afraid of such consequences, and that a great party could not fail more nobly than in trying for the attainment of such an object. I don't think he was *self-seeking*, but I saw quite enough to be sure that he was very *self-willed*, which, perhaps, is almost as bad in a party leader. Gladstone's absence from such a meeting was as curious as Lowe's presence, but, I suppose, Lord R. had settled both on mature consideration. I was rather sorry to see that he looked upon himself as beyond doubt still our

leader, for I don't think the party in general could bear him again as Prime Minister. . . .

6 SOUTHWICK CRESCENT, W.,  
*Christmas Eve, 1867.*

. . . The year has ended very well with me. I am within a little of £12,200, and, I dare say, I shall touch it before the 31st. It is an immense income to make in the courts without office or Parliamentary business or *much* compensation work. I am sure I do not know how I get through it or how I can expect to keep it. Charles Bowen and Bere (especially the former) are invaluable to me. I could *not* do my work without their aid. . . . I hope I am thankful for it all. I am sure I ought to be, and I try constantly to remember how entirely underserved it is and how precarious it must needs be. . . .

THE ATHENÆUM,  
*January 18, 1868.*

. . . As for my speech in the St. Alban's case, I believe it is thought well of, but I am no judge of it myself. I didn't say all that nonsense about Stephens, and, as for "greedy clergy," I can't conceive how anybody should suppose I said it. I never said anything the least like it, and the whole idea never came into my head or into the scope of my argument. On the contrary, whenever I speak of the clergy, in public or in private, I always say that whatever faults they may have, as a class they are the most generous and unworldly set of men in the country. I think they are fond of power and like incense, physical and mental, and externals rather too much; but *greedy* is the very last word I should ever think of using of them. . . .

6 SOUTHWICK CRESCENT, W.,  
*February 13, 1868.*

. . . Will you give me a line of advice as to the Bishop's [offer]<sup>1</sup>; I incline to try if I can do it. It is so far to his credit that I have never flattered him or shown any liking for him, though he flatters me; and I don't quite

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<sup>1</sup> The Bishop of Oxford (Dr. Wilberforce) offered to make J. D. Coleridge Chancellor of his Diocese. Coleridge accepted the offer, on what he felt to be stringent and impossible conditions of non-attendance on ceremonial occasions.



see what his object can be, except a kind one—unless, indeed, he hopes to subjugate me on nearer intimacy. . . .

THE ATHENÆUM,

*February 18, 1868.*

I enclose you the Bishop's last letter. I think he has decided quite rightly. It is a great relief to me that he has made up his mind, in this way, and I am glad that he has done it and not I. It is plain that he would have been discontented if I had not given him much more of my time than I possibly could do. We part very good friends, which, perhaps, we might not have done after a year or two of unsatisfactory connexion. . . .

HOUSE OF COMMONS,

*The Annunciation [March 20], 1868.*

. . . My Bill [Universities Tests Bill] has gone off till May. I am not sorry, for though I was ready I shall be glad to turn it over again, and I think that, in talking with you, I can show you that Liddon and Co. have been guilty of a good deal of actual misrepresentation and much gross exaggeration.

It would amuse you to see the fierce anonymous letters I get. As far as I see, men who stand for the Church and for religion are a coarser and lower lot than we who are supposed to be enemies of both. I doubt if Heathcote or Hardy are the butts of Nonconformist libellers. . . .

CRANFORD, EXMOUTH,

*March 22, 1868.*

I must write you one line to say that I have read through the Keble with the greatest pleasure. I will not say with more than I expected but with quite as much. It will, I feel sure, be a success if only you can finish it as you have begun. All I venture to say is that I hope you won't make it all rose pink in colour, and will not forget that Keble had a fierce and intolerant side to him and would have delivered Hymenæus and Alexander to Satan without the smallest hesitation. Your portrait will be weak and untrue if you leave this out, or try to water it down or explain it away. . . .

LORD CRANBORNE<sup>1</sup> to JOHN DUKE COLERIDGE.

1 MANSFIELD STREET,

*April 18, 1868.*

MY DEAR COLERIDGE,

I have been far from well this week, or I would have thanked you before for your very kind letter. I fear it is only your kind partiality that would have led you to think that my continuing in the House of Commons could be of any public utility. My opinions belong to the past; and it is better that the new principles in politics should be worked by those who sympathize with them heartily. But as to matters deeper and more momentous than the politics of the day, I do cling to the belief that we are, in essentials, agreed, and wish for the same ends, by the same agencies. Events move now so rapidly, that, before long, the controversies which now make up what is called politics seem likely to disappear, and men will be marshalled according to their views on principles of far more importance.

My change of position would be doubly painful to me if I thought that, with a seat in the House of Commons, I must also lose the friendship of those I have learned to admire and value there. I cherish the hope that I have no reason to fear such a loss as that. You, at all events, I hope, will not forget that our friendship is of earlier date than your election there. Again thanking you for your kind letter,

Believe me, yours very truly,

CRANBORNE.

## JOHN DUKE COLERIDGE to his FATHER.

6 SOUTHWICK CRESCENT, W.,

*April 19, 1868.*

. . . You may like to see the letter I enclose. It is very manly and touching, I think, and shows the fine and tender side of Cranborne's nature which I have always found he had, but which he is so chary of showing in public. . . .

6 SOUTHWICK CRESCENT, W.,

*April 24, 1868.*

. . . Cranborne's *was* a very interesting letter. I have registered no vow of not being his friend any more,

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<sup>1</sup> The late Marquis of Salisbury.

but I maintain that friendship between *persons of the same sex* cannot exist, except on a footing of equality, not mathematically but reasonably measured. Nor ought it, I think; and, therefore, without our intending it, it will come naturally to our drifting away from each other. Where the sexes are not the same it is altogether different. That is my belief on the subject.

Lord Charles Russell sent me a most handsome note about my Irish speech from himself and Johnnie, but I have lost it somehow. They want me to print it cheap, but I know better. . . .

THE ATHENÆUM,

*St. Philip and St. James* [May 1], 1868.

. . . You see we beat Dizzy again last night—by a still larger majority than before. He spoke badly like a beaten man and almost humbly. To-day there are threats of a *dissolution* and stories of the Queen's aversion to Gladstone, and refusal to accept Dizzy's resignation. . . . My belief is that they will try to go on to huddle up the Session and dissolve in January. . . .

The longer they stay in the better I shall be pleased. I can't easily be better off than I am. I do not want office. . . .

1 SUSSEX SQUARE, W.,

July 5, 1868.

. . . John [Mackarness] will give you an account of us and of our new room, which I like more and more. It really does make a great difference to me when I come down at 5.30 [A.M.] to come into a bright large airy room instead of my old little den which, however dear, was certainly rather contracted. . . .

I send you a circuit paper, and J. B. K.'s letter. Very characteristic, I think. It will, of course, lead to a contest, and as he has intruded on me, I shall certainly not shrink from doing my best to turn him out, though I would never willingly have crossed his path. . . .

HOUSE OF COMMONS,

July 10, 1868.

. . . I dined last night at the Langham Hotel—a great dinner given to Longfellow, who is a nice-looking, simple old man. I came away at eleven when they had not reached *pudding*. There was to be no speaking because Longfellow hates it, but I see the irrepressible

Gladstone talked of that "magnificent poet" some time after I went away.

14 WELBECK STREET, W.,

August 14, 1868.

. . . The house in Sussex Square will be very beautiful and convenient when it is all done. Butterfield is pushing it all on, and a great deal, really, is done already. I feel sure that we shall all exceedingly like what is being done, and, so, I see we shall have to put up with the "worms,"<sup>1</sup> which in time, I dare say, we shall get to endure, perhaps even to like. . . .

BUCKLAND COURT, ASHBURTON,

September 10, 1868.

. . . I am sick of Exeter, and, every hour I spend here, makes me regret I ever went into politics at all. I have even less vocation for them than Karslake, and that is saying a great deal. But I will fight this one battle through at any cost of time and money, and, then, *che sara sara*. . . .

I think from old habit and association you do not see that a Tory always imputes *moral* and *personal* obliquity to a Liberal quite as a matter of course, and you still seem to think it all fair that the fight should be conducted on these lines.

BUCKLAND COURT, ASHBURTON,

St. Matthew [September 21], 1868.

I return Newman's letter. It is like all he writes and has to me a singular and indescribable charm about it. . . .

It is very refreshing to me to read that about the Irish Church<sup>2</sup> as it is to remember what he [Keble] said in one

<sup>1</sup> A fantastic Butterfieldian wall-paper, which those who were familiar with the dining-room at Sussex Square will, perhaps, be able to call to mind—to "visualise," as the saying, now, is.

<sup>2</sup> "Mr. Gladstone's rejection at Oxford was talked of; and I said I really thought that, had I been still a member of the University, I must have voted against him, because he was giving up the Irish Establishment. On this Keble gave me one of his own remarkable looks, so earnest and so sweet, came close to me and whispered in my ear (I cannot recollect the exact words, but I took them to be) 'And is not that just?' It left me the impression on my mind that he had no great sympathy with the Establishment in Ireland as an Establishment, and was favourable to the Church of the Irish."—

of his last letters as to opening the Universities.<sup>1</sup> I hope you will print that too. *Then* I can refer to it, which, of course, I cannot now.

I am very glad you are not going to the meeting. What possible good can you do there, and it would pain me, inexpressibly, to find you supporting Disraeli? I daresay my politics are too personal, but I do think England never was so degraded before, and I feel as Gray felt when he urged a man not to go to see Voltaire—"Sir, *every* tribute to *such* a man signifies." . . .

MATTHEW ARNOLD to JOHN DUKE COLERIDGE.

HARROW,

September 25, 1868.

MY DEAR COLERIDGE,

On my return here I find your address,<sup>2</sup> which I had already borrowed from your cousin Derwent Coleridge, and read. I like it very much—the praise of Reynolds

John H. Newman to Sir J. T. Coleridge, September 17, 1868: *Memoirs of John Keble*, 1874, p. 533.

<sup>1</sup> "I . . . thank you . . . for the very interesting report of dear John and his proceedings; which seem so amiable and dutiful that I cannot but think he will have a blessing on his work, and, perhaps, with others like-minded, on his cause also—such as may in good measure neutralise the harm you and I might expect from it. For myself, I am a little sanguine about the Reform; if it leaves the Colleges alone, and if the present leaven of No. 90, so marvellously reviving, go on and prosper."—J. Keble to Sir J. T. Coleridge, Jan. 31, 1866.

<sup>2</sup> "Take, again, George Herbert, and Henry Vaughan, and Cowley. These men were mannerists and affected; and their really noble powers have scarcely saved them from oblivion. They show by example, which is clearer and more intelligible than definition, the wide difference between style and manner. Every writer has a style, as every man has a countenance; and a good style, like a fine countenance, is always natural. But style, if it is unnatural, degenerates into manner, which is probably easy to be imitated, and which, if the writer be powerful, generally is imitated by disciples who cannot imitate his power. Of course, as in all subjects of this kind, the line of division cannot be drawn with hard exactness. The great writers, except perhaps Shakespeare, have some manner which may be caught: the greatest mannerists are not always and exclusively mannered. But in the main what I have said is true."—*Address at the Meeting of the Devonshire Association for the Advancement of Science, &c.*, July 28, 1868.



and the dispraise of those who cannot or will not distinguish between the principal and the accessory in a work of art, being alike to my taste. I do not think there is anything I disagree with, except that I should be inclined to put George Herbert—perhaps because I have read him within this last year—in another category from Vaughan and Cowley, to use many qualifications in calling him “a mannerist and affected,” and to attribute to him more hold on men and more prospect of keeping it than you do. The passage from Aristotle I have heard you quote, and it is, indeed, a splendid one. As for Sir Joshua, your mention of his lectures recalls to my mind the admiration with which I read them and the debt I owe them. I turned to my shelves to take them down and read again after you had refreshed my memory and interest about them—and recollected with dismay that I had given my copy away to my eldest sister. Suppose you look in your stately Vatican of a library to see if you have not half a dozen copies, the least valuable of which you may give me : your Butler has just come back from Rivière in a theological whole calf which does it due honour.

I meant to have gone to Scotland, but an accident to poor little Tom, from which he is now getting better, brought me back here, where, till my holidays end, I read Pindar and his Scholia, and take long walks over this really untouched and impressive country. I hear nothing is to disturb our peaceful fruition of Labouchere and Lord Enfield as our members—so my ardour for the Liberal Party and its politics has to sleep unroused for the present.

Affectionately yours,

MATTHEW ARNOLD.

JOHN DUKE COLERIDGE *to his* FATHER.

THE ATHENÆUM,

December 5, 1868.

I wish I could get at you and have a long talk with you, for I really much want advice. Last night, when I came home from hearing Rossini, and Mozart, and was little inclined for such things, I found a letter from Gladstone offering me the *Solicitor-Generalship*. . . .

I, at once, declined in a final and peremptory way, saying that under present circumstances to help him in office was *impossible*. . . . I told him I should consider his letter an absolute secret, and begged him to consider my answer

also ; and that I should support him all the same. Then I went to bed, feeling I had put office away for good, and slept soundly.

This morning came another letter which reached me in Court, so that men saw it, and begging me to come and see *him* before I decided. I have just been, and his kindness and *empressement* were very great. He would take no denial, said a vast many things very handsome and flattering, and handed me over to Cardwell, who was still more kind, and then G. came again and made me promise to take advice, and that I might have an indefinite time (in reason), for that he would *not* have any one else if he could help it. And he spoke again of the *claim* the country had on a man in Parliament who was distinguished and so forth. He begged me to see Page-Wood, who is to be Chancellor, or Palmer, or both, and I have promised to do so. And he said he *could not* keep his offer to me secret, for that it must be known, and that he should be furiously blamed by the party if he did not offer it to me. . . .

What shall I do ? One line by Monday morning, for indeed I am much troubled, and having slept well last night I shan't have much sleep this. . . .

WESTMINSTER HALL,

December 7, 1868.

I have, I think, made up my mind to accept the office. As I told you (I believe), I would much rather take a series of black doses, but all the men I have consulted tell me *unâ voce* that I have no choice, and it would be presumptuous and impracticable of me to set my own judgment against the unanimous opinion of all men from you and R. Palmer downwards, for whom I am bound to have respect. So I shall write to-night to Gladstone to accept. My repugnance is all but invincible, but still it must be overcome, I suppose. . . .

1 SUSSEX SQUARE, W.,

December 30, 1868.

. . . Office, I find, interferes terribly with the enjoyment of any holiday ; indeed, I get none. And, it seems to me, all the different departments, when they don't know exactly what to do, no matter whether law is involved or not, shy a case at the head of the law affairs. . . .

SIR JOHN DUKE COLERIDGE *to his* FATHER.

THE ATHENÆUM,

February 1, 1869.

. . . I don't know what to say about the case. I am never sanguine, and I think the Nuns' story, on the whole, probably true, and I have been a good deal impressed by the sincerity and probability of the story which they tell thus far. So, I think, is Cockburn, who, strong on one side when he has only heard that, is apt to get equally strong on the other when he hears *that*. It will be a great weight off my mind when I can get rid of it.

Gladstone has desired me to form one of his *caucus*, as he calls it, on the Irish Church to the exclusion of Collier, a great bore, in many ways, chiefly for the stress it will lay on me throughout the measure; whereas I had hoped to content myself with one brief let off on second reading and, there, an end. However, the end will come, and what lies between me and it must be traversed.

W. E. GLADSTONE *to* SIR JOHN DUKE COLERIDGE.

February 10, 1869.

MY DEAR SOLICITOR-GENERAL,

I want to obtain your assistance in a stiff business, the revision of the Irish Church Bill, which is now being drafted in Ireland. To begin this work a meeting will be held at No. 10 Downing Street, on Wednesday, 17th, at two, consisting of some members of the Cabinet with the Irish Att.-Gen., and, although I know it is a serious demand on you which I am making, I trust you will kindly attend. This and such other meetings as may be necessary will be the prelude to the Committee on the Bill, in which I shall hope to be side by side with you all through.

In the difficult case of the Succession Duty Bill we pursued this method of close examination in *caucus*, and its effect was excellent.

I have mentioned to the Attorney-General my intention to write to you. He will have much other Government business on his hands.

Believe me, sincerely yours,

W. E. GLADSTONE.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

HOUSE OF COMMONS,

*February 16, 1869.*

We had an interesting dinner at Gladstone's last night and a grand reception afterwards. People were all very kind, but it seemed to me (perhaps I am too sensitive) that the lawyers are not supposed to rank amongst statesmen. Well, we have our revenge in another way, no doubt.

The Saurin trial is really interminable. I don't think either Mellish or I are very long, but the amount of detail is overwhelming, and Cockburn enjoys the situation and goes on making things longer and longer. . . .

I think you will like the Queen's speech. It is very clear and explicit, and, what is unusual, grammatical. Gladstone read it *ore rotundo*, very much as if he were delivering a sermon last night, but so that we could all follow him.

A. P. STANLEY, *Dean of Westminster*, to SIR JOHN DUKE COLERIDGE.

DEANERY, WESTMINSTER,

*March 1, 1869.*

MY DEAR COLERIDGE,

I venture to enclose for your perusal, and begging that you will forward it to your father, a copy of an article on Keble, which I have had struck off from *Macmillan's Magazine*, where it was printed.

You and he may not agree with it, but you will, I hope, see that it is written with the wish to be fair and with the truest admiration. I have read, at your advice, Matthew Arnold's Lecture. I think that it contains some of the wisest matter, and most "necessary for these times" that I have read for many a long day. I forget whether I sent you a copy of my Lecture on the Irish Churches; if not, remind me the next time you see me and I will do so.

Yours sincerely,

A. P. STANLEY.

I congratulate you on Scholastica's escape from the nunnery, and on your escape from Scholastica.

J. D. SHAIRP to SIR JOHN DUKE COLERIDGE

March 3, 1869.

It must be a great joy to you that your father has been able to write such a book, one which he alone of living men could have written, and one such as Keble would have liked to have written about him, if his life was to be written at all. On reading it over I could not but often think how different an atmosphere is that which you are compelled, at present, to breathe in the Law Courts and the House. However, of these and such books you may say like Cicero, "*suppeditat nobis, ubi et animus ex hoc forensi strepitu reficiatur, et aures convicio defessæ conquiescant*"; or that other word of Spenser's, I think it is, occurred to me,

Happy is the state  
In which thou, Father, here dost dwell at ease,  
Leading a life so free and fortunate  
From all the tempests of these worldly seas.

Will you thank your father very heartily from me for the delight his book has given me? I am sure there is no one this side Tweed to whom it has been a greater delight. . . . I am greatly pleased with that little spice of the original man in J. H. N. coming out in his remark to Keble about Gladstone and the Irish Church.

SIR JOHN DUKE COLERIDGE to his FATHER.

BONCHURCH, ISLE OF WIGHT,

May 22, 1869.

. . . Thus far we have had a very successful outing, on the whole, though it has been cold and wretched enough when the sun was not shining. . . .

Thursday, however, was a glorious day, and we were out from morning till night—the Needles, the Down and Alum Bay in the morning; in the afternoon a round of visits to old friends and beautiful old places which time has made more lovely, and, after dinner, Farringford inside and out, even to the top of the roof, and a stage built there for a view, under the guidance of the Poet himself, who was wonderfully gracious. He threw aside his pipe and went everywhere with us, keeping us to tea, and going out again and walking half way home with us. The place is *lovely*—a little overgrown, but very much improved, and in all ways now a most beautiful place. . . .



July 19, 1869.

You would be grieved to hear of our friend C. E. Prichard's last illness. He must have been very nearly removed by it. And, even now, the thread of life with him must be very slender. Certainly this world has not turned its sunny side on him. What between health, and means, and afflictions never long absent, he has been sorely tried. I think you and I will agree that we have known no better man, and not many really abler, yet how little has the world heard of him!

1 SUSSEX SQUARE, W.,

July 26, 1869.

. . . So the Irish Church is at an end as an Establishment. Trench feels most bitterly the way the Lords have behaved. I could not have said stronger things as to the mingled swagger and cowardice of the whole transaction. It is becoming very serious. No secondary liberal measure has a chance of passing, and no primary measure till we are on the brink of a *coup d'état*, and, then, they give way all at once. Reform of the House of Lords is the next great cry to be taken up.

Well, these and other things will keep till our next Sunday's stroll.

LIVERPOOL, ADELPHI HOTEL,

August 26, 1869.

. . . I have never been here since 1846, when I dined in this very Inn with old Hugo Hill—Watson in the chair and Knowles making fun on the right; and, now, most of them are *Quo pius Æneas, Numa quo devenit et Ancus*—and I am S.-G.

W. E. GLADSTONE to SIR JOHN DUKE COLERIDGE.

(Secret.)

HAWARDEN, October 2, 1869.

MY DEAR COLERIDGE,

I wish *myself* to have the pleasure of telling you that your brother-in-law, Mr. Mackarness, is to be the new Bishop of Oxford<sup>1</sup> (*ergo*, that S. O. goes to Winchester).

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<sup>1</sup> John Fielder Mackarness (1820–1889) was educated at Eton and Merton College, Oxford. He was Vicar of Tardebigge, 1845–1855, and Rector of Honiton, 1855–1870. He was elected Proctor in Convocation in 1865, but, in 1869, lost his seat, on account of

I need not tell you that this is not a family arrangement : you would be the first to despise me if it were. It is honour, charge, and responsibility won by character, talent, and service. His relation to you and to your venerated father can only be admitted to do what, however, it does effectually—I mean to heighten the satisfaction which the occasion suggests. May his work prosper in his hands.

Yours sincerely,

W. E. GLADSTONE.

THE SOLICITOR-GENERAL.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

THE ATHENÆUM,

November 13, 1869.

. . . I did not see the *Pall Mall* article you refer to. There is, no doubt, much anti-dogmatism in the world, perhaps some anti-Christianity, but I think that the latter feeling is not on the increase, and that, although we are becoming anti-sacerdotal, we are not becoming irreligious. The clergy have done on the whole more harm than good, I think—vast and incalculable as the good they did was for many centuries. Now the evil they do is *very* great. They do not seek to spiritualise and elevate intelligence, which they might do and be the saviours of us all ; but, being themselves, for the most part, second-rate and effeminate-minded men, they set themselves against it and denounce it and cling not to old truths, but to old dogmas, which is a very different thing, and go about denouncing and hectoring in a scolding-woman sort of style which is not edifying. Much of the distaste to religion, outward and dogmatic religion, which I admit to exist, comes from them ; and because the Pagan world persecuted the Apostles, the present clergy put on a “doctor and martyr” sort of air, and say or assume that the Christian laity now rebels against them and their pretensions because they are like the Apostles. I am sure I do not know how far

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his support of the disestablishment of the Irish Church. He married August 7, 1849, Alethea Buchanan, younger daughter of Sir John Taylor Coleridge. He was nominated by Mr. Gladstone to the See of Oxford, January 25, 1870. A Memoir of the Bishop has been written by his son the Venerable Charles Coleridge Mackarness, Archdeacon of the East Riding. He was a staunch Liberal, a good Bishop, and a good man.

all this may go. What our Church wants is men who will really believe in her as a possible thing of the future with a great and glorious career before her, and, because they believe, in her future, are not afraid vigorously to reform her now. Our clergy in their hearts don't believe in her future, and cling to the worn-out forms.

Keble will never grow old or your book go out of fashion, because, though he was a man of forms, no doubt, yet he was so much more—as great as true, as real as an old Apostle. . . .

I SUSSEX SQUARE, W.,

*Christmas Eve, 1869.*

. . . I have been at work early and late, and am glad it is over, or I think the vessel would have got "fearfully hogged," as I had to argue in a P.C. case the other day. However, I am in comparatively calm waters now, and can write at home. The Overend Gurney case, however, has left a terrible arrear of work, which must be cleared off somehow, and I shall not get much holiday. I am glad of the result of the trial, and people are civil enough about my conduct of it—as always now, it seems to me, men have ceased to know what real ability and power mean—for, I do assure you, nothing could well be feebler than my grasp of the case or less satisfactory to my own idea than my dealing with it. I think honestly I had the negative merit of not doing mischief, and, as the case was a good one, we succeeded. The clients are extremely grateful. Cockburn tried it very well, with much less interference than usual, and his summing-up, except for some crackers at the end, was *very* good, dignified and judicial. Then, just at the end of a really fine and masterly performance, his cursed vanity led him into fireworks for ten minutes, which, to my thinking, spoiled the whole. I daresay he thought the passage fine, but, apart from gesture, voice, and occasional diction, it was flat, commonplace in conception and execution. The rest, which I daresay he did not think fine, was Cockburn at his *very best*, and that is, you know, very good indeed.

I SUSSEX SQUARE, W.,

*Innocents' Day, 1869.*

I enclose you some of the letters I have had which happen to be lying before me; I have had several more, but

I have either burnt them or torn them up. It's all nonsense. I *know* what a good speech is, at any rate, if I can't make one, and I know this was not good. It would seem like affectation if I were to tell you how very little time I *could* give to it; but sitting in court all day one takes the thing in like a sponge; and, without being conscious of the effort, the case<sup>1</sup> gradually works itself clear and shapes itself as it were in one's mind. As to national incense, I am sure I don't know what A. means. Except Cockburn's common form, which he used quite as emphatically of Kenealy (to save one from being fool enough to believe it), nobody that I know of said anything about it.

I made them laugh over one of your dear words, and it may make you smile perhaps. You said to Jane you hoped "your dear boy was *now at rest!*" I said it reminded me of a favourite story of Stanley's from the American papers. When President Harrison died it was stated in the papers thus: "The Secretary of State came forward and announced to the crowd 'The President is in Heaven.'" This intelligence diffused *universal consternation* throughout the United States.

LIVERPOOL, *Quinquagesima*, 1870.

February 27.

. . . This place is a wonderful one, and has become, since I was here last, . . . a very magnificent Town. There are noble buildings in every direction, some of them really grand and fine in their effect; and though there is a certain *regni novitas* about it, there is no *res dura*. The landing stage, half a mile long and seventy or eighty feet broad, which floats along the docks, is itself a wonder, and I walked up and down in the sunset yesterday, and, really, enjoyed the air and light after London. . . . I have just finished the *Memoir of Miss Austen*—very nicely done, indeed, I think. Schumann, you know, said of Mendelssohn that having nothing to say he said it elegantly; Mr. Austen Leigh has said very elegantly the very little he had to say. What a pity her letters were not kept, and how sweet the few given us are!—and how much I should like to see the fragments of other tales, which I gather still exist in MS.!

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<sup>1</sup> The Overend and Gurney case.

LIVERPOOL, ADELPHI HOTEL,

*Quinquagesima, 1870.**February 27.*

. . . I *think* you need not be under the least apprehension about me, *i.e.*, as far as my work is concerned. It is hard, certainly, and at the end of such a week as last week the vessel creaks a little, and a bad headache and recourse to bed were the consequences. . . . The physical labour strains the body, which is not strong, but a day or two of rest rights that completely, and I do not work my mind and brain. . . . Dear Henry Bullar told me once lately that he hoped I was not like Mirabeau in anything else, but that I did seem to be like him in the unlimited use I could make of other men. I don't know whether it is true, but I believe to some extent I *can* take hints and use other men's knowledge now better than some men, and, so far, to my own relief. . . . Do not fear for me as far as human foresight goes. I may be taken before you, but it will be by some disease or accident . . . not by any folly of my own, as far as want of care and overwork is folly. It saddens and disturbs me when men talk of my hard work. I am many hours engaged over work, but I am one of the idlest men living. No one but myself knows how very little I really do.

1 SUSSEX SQUARE, W.,

*March 8, 1870.*

. . . I agree with you if *such* a church as ours is to go on there must be articles. I only say I think there is an incompatibility between a democratic country and an Establishment unless the Establishment is the outward expression of the general religious sentiment of the country and no more. I think St. Paul would have stared at the Thirty-nine Articles, and I see nothing impossible in fact or wrong in thought in wishing for such a perfect simplicity of creed as I believe St. Paul, St. Peter, and St. John would all have said was enough.

SIR JOHN DUKE COLERIDGE *to* JOHN HENRY NEWMAN.

HOUSE OF COMMONS,

*March 14, 1870.*

MY DEAR DR. NEWMAN,

I cannot enough thank you for your great kindness in sending me a copy of your new book. I have so often,



in public and in private, laboured to express the great debt I owe you, and the affectionate reverence in which I have held you for more than thirty years, that I have nothing new to say to you and no new way of saying the old things. Perhaps there is a sort of liberty in expressing myself about you in public, but, indeed, if you knew the sort of relief it is to say out what is in my heart, I think you would excuse me.

You can hardly understand the pleasure and pride I feel in thinking that you remember my existence and think of me kindly.

Always believe me,  
Most sincerely and gratefully yours,  
J. D. COLERIDGE.

JOHN HENRY NEWMAN *to* SIR JOHN DUKE COLERIDGE.

THE ORATORY,  
March 16, 1870.

MY DEAR SIR JOHN,

It was a great pleasure to me to offer you my book, and a great pleasure to find how kindly you received it.

I have few means of showing my gratitude to those who do me a service. To ask you to accept what has given me much trouble and pains, and, so far, is a worthy gift, was meant by me as an acknowledgment of various kind words you have used of me on public occasions.

Most sincerely yours,  
JOHN H. NEWMAN.

SIR J. D. COLERIDGE.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

1 SUSSEX SQUARE, W.  
March 16, 1870.

... My view in writing it [the Lecture on the *Limits of Free Thought*, etc.] was to take stock of the subject as it was. Lord Bacon says, somewhere, that no time is ever wasted in "stating the case," and, I believe, we must face the alternative of a church, teaching us what it calls and believes to be truth, (like the Roman) as a sect, *or* an establishment, which shall be, as far as *teaching with authority* goes, very little more than a department of public worship, and comprehending almost every one who calls himself a Christian, and is prepared to say that he *worships* Jesus

Christ. No mere modification is in my opinion possible, and, I think, democracy *has* a great deal to do with it. Monarchy, *i.e.*, real monarchy, or oligarchy, can maintain a church *for* the people and over them, but when the people at large has to be consulted it seems to me to follow that a church cannot be maintained unless in some broad and general way the people can belong to it and think with it ; and I do think that Modern Europe and America show that a dogmatic Establishment<sup>1</sup> is not possible where the people have real power. As to how I have done it that is another matter. . . .

REFORM CLUB, *April 27, 1870.*

I do not think you can have enjoyed my visit more thoroughly than I did. As I told you, in my note yesterday, the peace and rest of it were delightful to me and the seeing so much of you and your being so well was a very great satisfaction. . . . I agree with you, in theory, about going to foreign parts, but two things, in practice, keep me at home—one my own personal laziness (I do hate the labour and trouble of travelling with all my heart, and, if I can get to some lovely country where I can be quiet, I am content); the other is my intense delight in lovely country. I always want to stay or to live in it, and even Buckland, though, I dare say, moderate, only, in its beauty to eyes which have seen Italy and the Alps, always, for the time, rather

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<sup>1</sup> "An Established Church in a free country must take note of and represent, as I have said, the religion of that country ; and if the religious opinion of the country is various, the Church must contain a variety of religious opinions. . . . There is a nobility in the system of theology ; there is a grandeur in the idea of a divinely authoritative Church, which impresses the imagination, and powerfully affects, if it does not convince, the judgment. There are, no doubt, great and saintly men to whom the law, if it enforced such wide toleration in the Church, would seem sinful and odious, and a religious body, which accepted temporal advantages on such terms, disloyal and profane. Such men would, I believe, go out into the wilderness sooner than sit at Gentile feasts, and assist at heathen sacrifices. Well, all honour to them ; I do not presume to censure or condemn them, I only say that I believe, in a country where democracy is advancing, the Church will have to choose between Establishment without its present code of tests, and Disestablishment with them."—*The Freedom of Opinion Necessary in an Established Church in a Free Country*, a paper read at Sion College, Jan. 20, 1870, p. 7.

discontents me with Ottery, and makes me wish for a *lovelier* home. But I have made up my mind to stay where my father and grandfather stayed, and I do not want to be made to repine. However, some day Rome and the Alps and those glorious Lakes I hope to see, and, if I live, Niagara and New York too. . . .

COURT OF PROBATE, *July 13, 1870.*

. . . I fear war is *very* probable. Gladstone read me yesterday a telegram from Lord Lyons dated two o'clock P.M., in which Lord L. said that the King of Prussia had demanded time on the ground that the Prince of Hohen-zollern was *not to be found!!* The French answered that the delay must not be long, and Lord Lyons added that he feared war was likely within a week. The horrible wickedness of Napoleon seems to me as bad as anything of his Uncle's. . . .

THE ATHENÆUM, *August 23, 1870.*

. . . I declined Bristol,<sup>1</sup> anticipating only by a few days a most kind note of Bruce's rather urging me to take it. I could do nothing else, but I am vexed with Collier (as to *this* matter) not because I personally want it, but I think it is a post very proper for a Law Officer, and one which for the sake of his successors he should not have so hastily foregone.

I had a pleasant journey, yesterday, in the rain, and a most lovely and enjoyable expedition over the town. The half of the beauty of Lydford cascade had never been told me. I think it *quite as fine* as anything in the Lakes, and, they say, there's a fall higher up still finer, which from the great beauty and wildness of the river at the Bridge (of which I *never* heard) may well be . . .

Yes, the collapse of the Empire is tremendous. I have no pity for the melodramatic villain who ends, if he does end, as he begun in causeless and wanton blood. . . . I wish J. F. O. would write—if Bishops do write—a sermon on the longanimity of God. It is an awful and yet a consoling thought. . . .

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<sup>1</sup> Recordership.

JOHN DUKE COLERIDGE *to his WIFE.*

MORAY PLACE, EDINBURGH,

*November 3, 1870.*

. . . I don't think, till you went to Bordighera, that we have ever been so far apart since we were made one that sunny day in 1846, and the post is two *full* days. . . .

Well, I came most comfortably and punctually yesterday by the Great Northern. It was a sunny warm day though misty, and if there had been any beauty I should have seen it. But I think up to Newcastle, which has a grim magnificence of its own, it is almost the dullest and most uninteresting piece of country I ever came through. I am sure we don't properly appreciate Devonshire till we see other parts of England. There is not a single natural feature worth looking at from London to Newcastle, though there are a few fine houses to be seen, and, of course, Peterborough and York have a beauty of their own in their cathedrals and churches. After Newcastle the light failed, but, as far as I could judge, the country improved and Berwick *seemed* very beautifully situated. But I couldn't see much.

This place is really grand and splendid beyond anything I could have believed, far finer than I expected. It is quite as finely situated as Heidelberg, with much greater size and grandeur of buildings, and great *crags* brought right into the city, or, rather, the city nestling down at their very foot.

The Lord Advocate's<sup>1</sup> house is splendid in itself, as large or larger than ours, with an immense deal of wood-carving and plaster modelling and such-like about it, all very solid and handsome. . . .

THE LORD ADVOCATE'S, EDINBURGH,

*November 4, 1870.*

. . . I really think there never was such a place as this for grandeur and beauty. . . .

I walked down from the Castle through some of the old town, saw Knox's house, the wynds with houses twelve and fourteen stories high, past Holyrood (which I keep to see with Shairp to-day), and went right up to the very top of Arthur's Seat. I shall rave about this. It is a regular little mountain, with a perfectly bare rocky top of trap shining and slippery, and with the Salisbury crags

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<sup>1</sup> Lord Young.

as a great buttress to it. A most delicious air was blowing, the sun was shining, but there was a haze which glorified and magnified everything. . . . It was, really, wonderfully impressive. As I went back into Edinburgh the sun was going down, and the whole of the mountain glowed and looked like a huge couchant lion.

You must come and see it. You can't think how fine it is! I don't wonder the Scotch are proud of it.

In the evening there was a dinner-party, and most agreeable it was. The Lord President Inglis, The Lord Justice Clerk Moncrieff, Dean Ramsay, Dr. Christian, a wonderful old man of eighty looking about fifty (the greatest authority in the world on Poisons), Adam, Anstruther, Shairp, Dalgleish and a lot of others. It was very agreeable. Shairp and I sat up till near two fighting over France and Prussia, and agreeing over Wordsworth and Virgil.

I SUSSEX SQUARE, W.,

November 6, 1870.

. . . My last letter from Edinburgh was written just before I started out with Shairp on a pilgrimage through the City. Friday was a grey, ugly day, so I was glad I kept the inside things for last day. I went over all the scenes of the Heart of Midlothian with him, and most interesting it was. The Grass market and the sanctified bends of the bow in the Dundee Ballad, the place where they hung Porteous, the Grey Friars churchyard where the Covenanters are buried, the Cowgate, a dark steep street where the nobles used to live—just outside the town till Flodden, and then brought into the town by the Flodden wall, built for fear of an English siege of the capital. We ended with Holyrood, a place to make your flesh creep. The old part, which is carefully preserved, is just as it was in the time of Mary Queen of Scots. Such little dark rooms, miserable staircases, and the whole thing so wonderfully small and poor. The staircase up which the conspirators came into her bedroom was almost the breadth of the one leading up to the room over the vestry in Ottery Church, her bedroom nothing like as large as ours in this house, and the room where she was sitting at supper with Rizzio and her ladies hardly so large as my dressing-room! She had only *one* grate in all her suite of rooms. Her looking-glass, her scent-bottle, her various little things for working, and her workbox are all preserved. Except the workbox, which must have been very beautiful and rich, you would



have turned up your nose at them all in their best days. The church, now a ruin, is a great contrast to all this, for it must have been a very beautiful and splendid building about the size of Ottery, as near as possible, but higher, and of very rich transition architecture between Early English and Decorated. The *situation* of all the buildings, palace as well as church, is very fine. The palace looks straight up the long steep High Street to the Castle at the top, and, one side, are the remains of fine gardens, the other the little mountains of Arthur's Seat and Salisbury Crag within five minutes' walk. I couldn't help thinking how ill-suited the beautiful, gracious, pleasure-loving woman from sunny France must have been to the dark, stern, grim buildings and climate and poor fierce country she came to govern.

Well, Edinburgh is a very fine place, the old town most interesting, the new town perfectly magnificent. . . . In the evening I went to the Music Hall, and there they were all very kind, and the lecture went off better than I expected. . . . It was most generously received. Yesterday I started directly after breakfast and took the whole day in travelling. Whether he is like Roundell Palmer or not, a kinder, more hospitable, generous man than the Lord Advocate I never met, and his wife was full of kindness and hearty hospitality. He is immensely respected, and he had a set of very nice people to meet me. We must go together, for you really must see it. . . .

DEANERY, WESTMINSTER,

*November 9, 1870.*

MY DEAR COLERIDGE,

Many thanks for your Address, which I have read with much pleasure, with the more pleasure because, as I read, I seemed to hear the well-known silvery tones which I have never heard since the . . . in defence of monastic institutions, delivered at the Oxford Union—how many long years ago!

The foolish saying which you rebuke about the Ilissus and the St. Laurence was certainly uttered (if by no one else) by Sir Francis Head in his *Bubbles*.

I have been vainly endeavouring to follow in your footsteps, at Edinburgh, by delivering three Lectures on the Scottish Church, but I cannot yet find a spare week in which to deliver them.

I had my article on the Ath. Creed struck off separately, because it has put all the pleas on that subject together.

Yours very sincerely,

A. P. STANLEY.

I will some day tell you a remark of another great person on a similar subject.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

WESTMINSTER HALL,

*November 18, 1870.*

. . . I have sometimes thought of a volume to be called *A Lawyer's Contributions to Literature*, but I must be Attorney-General first, if ever I am, and, even then, they will probably say, and with some justice, that my papers are not literature, and that the author is not a lawyer. But there are a few things of mine which I should be glad were in a book such as might go into the Libraries and not "*dis-credit*" me a hundred years hence, as Philpotts said to Barrington. . . .

W. E. GLADSTONE *to* SIR JOHN DUKE COLERIDGE.

HAWARDEN CASTLE, CHESTER,

*December 4, 1870.*

MY DEAR COLERIDGE,

Many thanks for your letter.

I gathered from my two friends on Thursday that they had little expectation of support from the Cambridge Univ. Liberals for their new proposition.

If you have already had communication with Salisbury on the subject of your Bill, could not you, as from yourself, discuss the matter with him in its present phase?

In 1854 I was most anxious to cut off non-resident fellows, but could not get one human being in the University to support me. I think the proposal will be a skilful counter-stroke.

For me, individually, it would be beyond anything odious, I am almost tempted to say it would be impossible, after my long connection with Oxford, to go into a new controversy on the basis of what will be taken and alleged to be an absolute secularisation of the Colleges: as well as a revival of what was deliberately considered and sanctioned in the Parliamentary legislation of 1854 and of 1856. I

incline to think that that work is work for others, not for me.

I think, also, that the proceeding is much too abrupt and violent as regards the House of Lords, which cannot be said yet to have had even one perfectly fair opportunity of considering the measure of last year.

I am, with you, not *certain* that the measure would be inadmissible with the rider you think Salisbury will attach (and if he attaches he will carry it), but should wish to consider this further.

My confidence in Salisbury's honour is such that I should not be in the least afraid of discussing the matter with him personally, if any good should seem likely to come of it.

But I am certain the Cabinet will be most reluctant to open a new controversy on the subject.

Yours sincerely,

W. E. GLADSTONE.

THE SOLICITOR-GENERAL, ETC. ETC.

I shall read your inclosure with much interest.

## CHAPTER VII

### THE TICHBORNE TRIAL

The famous orators have shone.

MATTHEW ARNOLD.

THE Tichborne Trial, or rather Trials, the civil case in the Court of Common Pleas (May 11, 1871–March 6, 1872), and the Trial at Bar in the Court of Queen's Bench (April, 1873–February 28, 1874), with the possible exception of the Trial of Queen Caroline in 1820, was the most celebrated cause of the nineteenth century. Just as, in the Queen's trial, a particular document came to be known as "The Book," and the repeated answers of one of the Italian witnesses, *Non mi ricordo*, has become proverbial, so, dating from the Tichborne Trial a technical legal term, "the Claimant," has become identified with one particular Claimant, the *soi-disant* Sir Roger, and the reiterated "Would you be surprised to hear?" of one of the leading Counsel, has outlived the occasion, and has passed into common speech.

The story with which, at one time, every one was more or less familiar, belongs to and forms part of the life of Lord Coleridge, and must be, however briefly, here and now retold.

Roger Charles Tichborne, born January 5, 1829, was the eldest son of Sir James Doughty Tichborne,



*Portrait of Sir John Duke Coleridge aet 48*

*From a crayon drawing by Anne Fortescue Lady Coleridge, engraved by J. Cousins.*





tenth Baronet, of Tichborne Park, Alresford, Hants, and Upton House, Dorsetshire, and of his wife, Henriette Félicité, a natural daughter of Henry Seymour of Knoyle. His father could not afford to live at either of his seats, and his heir was brought up by his mother, who was half a Frenchwoman, and lived in Paris. When he was sixteen years old, he was sent to the Roman Catholic College of Stonyhurst in Lancashire, and, about three years later, he obtained a commission in the 6th Dragoon Guards (the Carabineers), in Dublin. In 1852 he sold out of the army and went to Valparaiso and other places in South America; and, finally, April 20, 1854, embarked from the port of Rio de Janeiro, for New York, and thenceforth was heard of no more. It was regarded as an undoubted fact that the *Bella* was wrecked, and that her crew and passengers had been drowned. Roger's will was proved; and when his father, Sir James, died, his brother, Sir Alfred Joseph, reigned in his stead. Sir Alfred married, and died in 1866, leaving a posthumous heir, Sir Henry Alfred Joseph Tichborne, born May 26, 1866. Sir James's widow, Lady Tichborne, who had always hoped against hope that Roger had escaped the wreck, caused inquiries to be made, and advertised for the long-lost heir; and, in 1865, before the death of her son Alfred, or the birth of her grandson, was informed that her elder son had not been drowned, but was earning his living at Wagga-Wagga in Gippsland, New South Wales. His story was, that when the *Bella* went down, he put to sea with others in one of the ship's boats, and was picked up by a ship named the *Osprey*, and landed at Melbourne. Some time elapsed before he could obtain funds for the

passage home; but, before he sailed from Australia, he had the good fortune to come across two old servants of Sir Henry Doughty, a gardener named Michael Guilfoyle, and his valet, a "man of colour," named Andrew Noble, who recognised him as Roger Tichborne. Up to this time he had been known as Thomas Castro, the name of a Chilian friend, Don Tomas Castro, which he had assumed a few days after he landed at Melbourne. At length he borrowed the money for his passage and reached Victoria Docks, Limehouse, on Christmas Day, 1866, and, after spending a night at Wapping, paid a hurried visit to his "ancestral property" at Alresford; and then, and not till then, made his way to Paris, where he was received and recognised as her son by the Dowager Lady Tichborne. The result of this interview was that an allowance of £1000 a year was settled upon him, and that his mother placed in his hands what she believed to be his own letters and diaries. Relations, friends, and dependants of the Tichborne family were, speedily or gradually, convinced of his identity. He was in possession of facts which only Roger Charles Tichborne could have known, and, though the monster of 1866 was not very like the slim youth of 1852, still time works wonders, and he was like enough for faith which could and did remove the mountain of flesh, and trace the old features in and through the altered size.

An affidavit rehearsing the newly found Sir Roger's claim was sworn to July 3, 1867; and a suit, *Tichborne v. Mostyn*, was instituted in Chancery, July 2, 1867. Then there was a series of reverses. On July 30, 1867, the Claimant was cross-examined

on his affidavit by Charles Morris Roupell, Esq., Barrister-at-Law, afterwards Official Referee, and broke down in some important particulars. And an inquiry, which he declined to attend, instituted at Melipilla in Chili, disproved facts to which he had sworn; and, more disastrous still, Charles Orton, of Wapping, professed to recognise him as his brother Arthur, and communicated this fact to the trustees. Moreover, in April 1868, Lady Tichborne died, and the allowance stopped. The issue of the famous "Tichborne Bonds" saved the situation, and litigation proceeded. The case entitled *Tichborne v. Lushington* (the trustees had let Tichborne Park to Colonel Franklin Lushington) was postponed more than once; but, at length, May 11, 1871, the trial began. The scene was the Sessions House, Westminster. The presiding Judge was Lord Chief Justice Bovill. The Counsel for the plaintiff (*i.e.*, the Claimant) were Mr. Serjeant Ballantine, Mr. Hardinge Giffard, Q.C., Mr. Pollard, Mr. Jeune, and Mr. W. B. Rose; the Counsel for the defendants (*i.e.*, nominally the tenant of Tichborne Park, but, really the infant Sir Alfred Joseph Tichborne, his guardians and trustees) were the Solicitor-General (Sir J. D. Coleridge), Mr. Henry Hawkins, Q.C., Sir George Honyman, Q.C., Mr. Chapman Barber, and Mr. Charles Bowen. The trustees were represented by Mr. H. Matthews, Q.C., and Mr. Purcell. Six of this group of rising or risen lawyers, Mr. Giffard, Mr. Jeune, Mr. Hawkins, Sir J. D. Coleridge, Sir G. Honyman, and Mr. Bowen were, subsequently, raised to the Bench, and Mr. H. Matthews, afterwards Home Secretary, was raised to the peerage (1898) as Viscount Llandaff.

The first stage of the civil trial, which was begun

May 12, ended August 10, 1871, when the case was adjourned till November, partly on the score of the exhaustion and impaired health of the Chief Justice. Coleridge's cross-examination of the Claimant had occupied twenty-two days between June 2 and July 6. The case was resumed November 7, and again adjourned, December 21.

The third and last stage began January 15, and ended March 6, 1872, when the plaintiff was nonsuited, and arrested on a charge of perjury. Coleridge's address to the jury occupied twenty-six days. He began January 15, and ended February 23. The object of this protracted cross-examination was to disprove each and every assertion of the Claimant, and to show that he did not know what Roger Tichborne must have known, and, secondly, by a comprehensive recapitulation of these falsehoods and incriminating mis-statements, to destroy his case piecemeal, "limb by limb, feature by feature," by an aggregation of refutations and exposures.

The cross-examination was criticized unfavourably at the time, and has not been overpraised by recent biographers and memorialists. Lord Russell of Killowen, who could speak with authority, in an article on "The late Lord Chief Justice of England," contributed to the *North American Review* (Sept. 1894), bears testimony "to the widely divergent opinions of the Bar," on this part of the case :

"For my own part [he adds] I thought it, and still think it, the best thing he ever did. It was not a cross-examination calculated, nor should I think even intended, for immediate effect. It was not like the brilliant cross-examination of the witness Baigent by Mr. Hawkins . . . in which the observer could follow the point and object, question by question ; but it was one the full force and effect of which could only be appreciated when the facts,



as they ultimately appeared in the defendant's case, were finally disclosed. When, indeed, the subsequent prosecution for perjury took place, it was then seen how thorough and searching that cross-examination had been; how, in effect, if I may use a fox-hunting metaphor, all the earths had been effectually stopped. I am glad to find that my opinion of that cross-examination has recently been corroborated by so eminent an authority as the Master of the Rolls, Lord Esher. I must not be understood in what I have said to depreciate his great speech in the Tichborne Case. A more masterly exposition of complicated facts combined with a searching criticism of the claimant's evidence has rarely, if ever, been delivered."

It would be a waste of words, on my part, to enlarge on Lord Russell's advocacy, or to attempt to hold the scales between the "widely divergent opinion of the Bar," to which he alludes. Everything which is, or would be, great challenges comparison, and by a process natural, and, perhaps, congenial, to the heart of man suggests derogation. It is true that, from first to last, Coleridge received great and invaluable assistance. He acknowledges this at the opening of his address; and the notes, now published for the first time, record the days and hours spent in collaboration with Charles Bowen, with Mr. Chapman Barber, and with the second leading Counsel, Mr. Hawkins. It is also true, as the notes testify, and as, no doubt, lookers on observed, that on some days he was weary and exhausted, and, it may be, that nerve and temper sagged. It is possible that Cicero, "*In Verrem*," did not always sustain his invective, and that there were "scenes" and interruptions and remonstrances. But no one can seriously believe that Coleridge did not in the full sense of the word compose as well as deliver his own speech—his personality was never in abeyance; and, as the diary brings out, if he ever

flagged or showed "punishment" on one day, his spirits revived and his strength was renewed by the next.

Apart, however, from the merits or demerits of the cross-examination as an exercise of legal ingenuity, or of the address as an example of legal exposition, a question arises as to scale and proportion. Would not the half have been better than the whole?

The case was a many-sided one. The scene was laid in many places, the determining events extended over a period of more than twenty years. There was the acknowledged history of the lost heir, and the acknowledged history of the recently discovered Claimant. Then came the disputed facts which the Claimant put forward to prove that the two were one. There was the history of the search, the discovery, the return, the recognition of the remote and the immediate past. But it was not the nature of the case so much as the constitution of the Court which necessitated an elaboration of detail, and an apparent "slaying of the slain." The Lord Chief Justice was out of health, and overworn, and the jury, who were masters of the situation, reflected the sentiments and the prejudices of the British public who were trying the case out of doors. It was a case in which every one took sides, and the interesting, the popular, the pleasant side to be on was that which favoured the cause of the Claimant. Superior persons of a narrow and ungenerous temperament might hold their judgment; but, though he was not as yet so named, the "man in the street," the average practical Englishman, was inclined to believe, and wished to believe, that the *ci-devant* slaughterman

of Wagga-Wagga was heir to an ancient Baronetcy and to vast estates. By some process of unreason, not only the masses but a large section of the classes persuaded themselves that to support the Claimant was to be on the side of the defrauded and oppressed.

It was scarcely fair, they felt, that so clear, so cultivated an advocate as the Solicitor-General should be pitted against a plain blunt man who was fighting for what might be his lawful inheritance. Latin, and Greek, and Euclid should have been "barred."

If the case had been tried *in camera* it is quite possible that the plaintiff would have been nonsuited on the third instead of the hundred and third day of the trial; but the jury, with every intention of doing their duty, could not escape and did not escape the contagion of a wide-spread delusion.

The task which Coleridge set himself was to convince the jury, and, through the jury, the British public, that not only on a balance of probabilities, but by an unbroken series of certainties, in each and every particular the facts were for the defendants and against the plaintiff. It was a long and arduous task, but it was accomplished. The prejudice was overcome, the delusion was dispelled.<sup>1</sup>

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<sup>1</sup> A letter from Sir Alexander Cockburn to the Solicitor-General, endorsed January 1872, refers to the effect of "the address" on the public. "The photograph of the monster is *first-rate*. I congratulate you on having turned the tide of general opinion. I find people in the world are everywhere giving up the Claimant." At last, too, the jury gave up the Claimant and stopped the case.

I am permitted to state that Mr. Pollard (junior counsel for the plaintiff in *Tichborne v. Lushington*), who has been kind enough to glance over a portion of this chapter, agrees with the contention that the extreme length of Coleridge's cross-examination and address to the jury was necessitated and justified by the nature of the case. He is not, however, prepared to admit that the jury were influenced

There were certain notorious incidents or episodes in the cross-examination which must be recorded, even in the briefest *résumé* of the Tichborne Trial.

The Solicitor-General took an especial delight in exposing the vulgarity of the slaughterman's words and phrases. One of the "real Sir Roger's" cousins, a Mr. Anthony Biddulph, had given evidence in favour of the Claimant and was being taken by the hand, and, courteously, led down an incline.

[May 15.]

THE SOLICITOR-GENERAL. "You spell your name Biddulph?"

WITNESS. "Yes."

THE S.-G. "To spell it *Biddup* would be wrong?"

W. "Yes, but I have hundreds of letters with my name spelt that way."

THE S.-G. "What? from gentlemen?"

W. "I can't say that."

THE S.-G. "From your cousins?"

W. "Perhaps not. The Claimant knew that I was his cousin. He talked about our mutual relations. He seemed glad to see me."

THE S.-G. "Would you be surprised to find that he described you a 'nice kind of gentleman,' and that he had desired to be better acquainted with you?"

W. "I would feel much honoured."

THE S.-G. "I would not interfere with that sensation for the world. Does he speak inaccurately?"

W. "I heard him making (*sic*) false grammar often."

THE S.-G. "Does he say 'howsomdever'?"

The "cousin," who was an honourable man, at once admitted this, but did not corroborate "busted," a Wapping preterite, which the Claimant makes use of in a letter to the Dowager.

On another occasion when this dutiful son of the

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by public opinion, or that public opinion, on the whole, was in favour of the Claimant. As he was himself an actor upon this "memorable scene," his words have great weight, and merit a respectful consideration.

Church had occasion to refer to his confessor he described him as a "Clerk in Holy *Horders*"; and this, too, was turned to good account after many days.

The misuse of "Catholic" phrases and the violation of "Catholic" tone crossed and recrossed in Mr. Solicitor's web of entanglement. It was some artful questioning with regard to "frocks," and an "order," and his mother's keeping him dressed as a "female," which goaded the Claimant into the ill-advised retort, "You appear to be very innocent, considering that your brother is a Jesuit." "I can answer for my sins," was the indignant reply. "I do not know that I am to be subjected to this kind of thing, not that I have not the highest love and regard and veneration for my brother."<sup>1</sup> There was a scene. The Chief Justice stumbled and faltered, but, at last, was understood to say that "it was a most improper observation." Ballantine apologised

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111 MOUNT STREET,  
June 13 [1871].

<sup>1</sup> MY DEAREST JOHN,

A lady came here last night, when I was out with Père Lefebvre, to tell me of the scene in court yesterday. Of course neither you nor I think much of the man's blackguardism, and, perhaps, it will not, on the whole, have done any harm either to this cause or to your general position. The only thing that I think of is that the world should have to be informed of the tender love that there is between us and which, I trust, will go on deepening always, and which is one of the greatest blessings and happinesses of my life—and as I fear I shall not be put in my turn into the box to testify to this, I must write a little line to tell you what you know so well, . . .

Our good little Padre has gone to the court to-day. . . . I wish you could hear him "causer" about his adventure in Paris. It was only by a strange accident that he was not one of the victims. The men who carried off Pere Poulevoy and P. Gaubert left them "pour garder la maison!"

Ever your most affectionate brother,

H. J. COLERIDGE.



to his learned friend, and "rowed" his man for showing the cloven hoof.

The incident pleased the public and helped Coleridge, who referred to it, at some length, in his address. "Do you, for a moment," he asked, "believe that Roger Charles Tichborne, the *young gentleman*, would have made that answer to me? Of course he would not. I do not complain of its being a black-guard answer. That is nothing. One stands here to do one's duty, not to mind an insult that is not an insult; because I say here, as I said then, that it is a pride and a pleasure to me to have a brother like my brother. But do you suppose that a Roman Catholic gentleman would have attempted to insult a man, in cross-examination, by calling his brother a Jesuit?" A stream can rise no higher than its source—Wapping, or Wagga-Wagga.

Then there were the recollections of an old Stonyhurstian. There was Cæsar, *De Bello Gallico*, a Greek author, put in the hands of beginners, it may be, before you got to the "alphabet"; there was the "Wonderland" "quadrangle" which looked like a staircase, and there was the "seminary" laid out or laid down as a "cemetery"! And there was the Hebrew (written from left to right) which was never taught at Stonyhurst, but which the Claimant, in his zeal for knowledge had begun to learn.

But in vain was the "monster" tempted to trust his weight to the *Pons Asinorum*. He could not be induced to say how far it was from Stonyhurst, though he had probably tried to cross it.

I have heard Lord Coleridge say that, and, indeed, he confessed as much to the jury, that before the net had closed, the Court tittered, and the Claimant

was put on his guard. "I should advise you," he said, "to joke a little less over this." C'était un grand dommage. As with the Lovers in Browning's "Youth and Art":

"This could but have happened once,  
And we missed it; lost it for ever!"

So much for the Solicitor-General's "ineffective cross-examination," for which he was taken to task by certain members of his own profession, and by a section of the Press.

There was, indeed, one important error of judgment on the part of Counsel for the defence. Among the letters which were put in, and on which the Claimant was cross-examined, were certain letters to and from a Mrs. Pittendreigh, the wife of a copying clerk in the office of Messrs. Dobinson and Geare, attorneys for the infant Sir Henry Tichborne. The letters pointed to an unmistakable knowledge of the Orton family on the part of the Claimant, and, if genuine, were of value and importance. It could not be proved that all the letters were in the Claimant's handwriting, and it was discovered that Mrs. Pittendreigh's letters were copies or rather originals of letters which had never been sent or received, but were concocted to correspond with the Claimant's replies. In his address to the jury Coleridge withdrew the whole of the correspondence as coming from "a tainted source." In April 1875, a year after the Trial at Bar had come to an end, when the Claimant was "languishing in prison," Dr. Kenealy not only attacked Lord Coleridge in the pages of *The Englishman* with regard to the use he had made of these letters, but moved for a Royal Commission "To inquire into the matters complained of with respect

to the Government Prosecution of the Queen *v.* Castro, &c.," and, in the course of his observations, intimated that the Solicitor-General "had put forward documents—false and forged documents—which he knew to be false and forged, and asked the jury to act upon them;" and, moreover, that he had made a written confession to the effect that he had known these documents to be forgeries at the time when he used them. Accordingly, in a speech delivered in the House of Lords, April 26, 1875, Lord Coleridge was at pains to exonerate himself from this odious charge, on the ground that it was not an anonymous slander, but had been made by a Member of Parliament, in the House of Commons. His defence was a recital of the facts of the case, and it was something more. Once, when he had been appealed to with regard to the merits of "*Lao-damia*," or some favourite lines of Wordsworth, "a competent judge," writes the author of *Collections and Recollections* (1888, p. 177), was prompted to say, "that he should enjoy listening to Coleridge if he only read out a page of Bradshaw." But it was not only the charm of his voice and manner, he could throw himself into the arid recital of a squalid incident, and make these bones live. This was his *apologia* :

"I forbear from comment, I will not stoop to retort. I leave it to your lordships, and to my profession—among whom I have practised long and largely, and, I hope, with unstained honour—to say whether I have done anything which ought to cause my friends to blush for me, or my foes, if I have them, to rejoice. My lords, I thank you very much for being kind enough to listen to what I

had to say. I am perfectly aware—no man knows it better—that so far as claim of ancient descent or lofty rank is concerned, I a man of the people, and sprung from them, have no claim to stand among your lordships as an English nobleman; but I do claim, in point of honour and integrity, to be the perfect equal of the proudest Peer in your Lordships' House."

On the twenty-fifth day of his address, when he was drawing to a close of his labours, Coleridge admitted to himself that there were some "effective bits" in his speech; but "ah me!" he exclaims, "when I think of the great and glorious occasion wasted, partly from indolence, partly from weakness, it almost makes me cry."

The better the workman, the higher the standard. There was an ideal which had presented itself to "the inward eye" which he had failed to reach, and, like all artists, he suffered in the reaction from effort and excitement.

A speech which, of necessity, included the recital of page after page of cross-examination is not, unless the reader has the story at his fingers' ends, of burning interest from start to finish. Portions of this enormous harangue are of the nature of a "report," and do not rank as literature. But, as I have said, the speaker's personality is never long in abeyance, and the speaker is a scholar, a man of letters and an orator. The "effective bits," embedded in their matrix of valuable but duller substance, are gems of the first water.

In one of these brilliant interludes he relates the imaginary story of the wreck of the *Bella*, of the imaginary three days in an open boat, of the imaginary

rescue by the *Osprey*. This work of fiction recalls to his mind the shipwreck in *Don Juan*, but, strange to say, it did not recall (or, perhaps, the parallel was not close enough for a jury) the records of "Shipwrecks and Disasters by sea," which are, generally, printed as footnotes to "Shipwreck Stanzas" of the second canto of *Don Juan*. The narrative as sworn to by the Claimant in the affidavit of July 30, 1867, is a blurred reflection of the narrative of the wreck of the *Centaur*, and the *Sidney*, and of the *Bounty*, which Byron turned by the force of his genius into poetry. There are the "pumps," and the "long boat," and the rescue of provisions, and the "exhaustion" of the shipwrecked mariner, and the other familiar "properties." No doubt one wreck does very greatly resemble another, but between the affidavit and the notes there is a coincidence of facts and of style which is remarkably suspicious. Perhaps if the Solicitor-General had been as familiar with his *Don Juan* as he was with the *Excursion* or the *Prelude* he might have enlarged on this plagiarism to some effect.

The climax of the speech was, no doubt, the triumphant refutation of the charge brought against Mrs. Radcliffe. Mankind, he says in effect, are credulous as to evil. Unless the shame comes to them in the form of sister or wife, shame has the benefit of the doubt. "Human nature, my dear sir, being what it is, there must be some truth in the story. Mrs. Candour, and Joseph Surface, and Sir Benjamin Backbite, and Lady Sneerwell are as true to nature now as they were when Sheridan drew them. . . . It is not for me [and his voice faltered, and his eyes filled with tears] it is not for me to sing her praises ;



but I know that all my life long when I want to point to an example of how a woman can be modest and courageous, and can mingle gentleness with firmness, I shall point to the conduct of Mrs. Radcliffe in the Sessions House at Westminster."

The critics were understood to say that his attitude towards this and other issues of the case was unprofessional and failed in detachment. Perhaps they were right, but he was a man who had the courage of his feelings as well as of his opinions.

TICHBORNE *v.* LUSHINGTON.

*Opening of the Attorney-General's Address.*

[Monday, January 15, 1872.]

Gentlemen of the jury,—The time has at last come round when, with the assistance of my learned friends—assistance, let me say once for all, invaluable and most generously rendered to me—I am to lay before you as well as I can the case on behalf of the defendant. . . . The statement made by the plaintiff is so long, so strange, here and there asking for explanation, and yet not in itself suggesting what the explanation is to be, containing now and then in itself coincidences which, if they were true, would, no doubt, be startling, and which would be far more startling if they could—as they cannot—be woven into anything like an argumentative connection, that I could not wonder if some of you were to be by this time brought to think that the case, maintained on the part of the plaintiff, had been established before you in point of fact, and that the Roger Charles Tichborne of 1854, and the slaughterman of Wagga-Wagga, were indeed one and the same man. My duty is to show you—at all events to try to show you—that this is not, and cannot be so; that the estates and all the hopes of the great family of Tichborne centre in the little child who is my client, and that the noble lady, his mother and guardian, has, indeed, full right to the ancient title which she honours by bearing it; and that she is not to be cast down from her dignity, and to see her child bereft of his inheritance, by the cunning and odious scheme of a conspirator, a perjurer, a forger, an impostor—a villain.

† Gentlemen, those are strong words I admit, and they

should be followed, if I could find them in the English language, by stronger still ; and, yet, I am satisfied that long before I have done with the observations which it is my duty to lay before you, you will agree with me that they are weak compared to those which the undoubted and proved facts in this case would well warrant one in employing ; because it is not—I presume to say so now—it is not a matter of argument or opinion, but of fact and demonstration. I shall be able to lay before you hundreds of facts, each undisputed, each conclusive, each inconsistent with the story told by the plaintiff ; each convicting him of a fraud, of a lie, of a crime, on a scale of depth and wickedness—as far as I know the annals of the Law Courts—hitherto altogether unexampled.

And yet, gentlemen, although I say it, I approach you to-day with feelings of humility and self-distrust, which are altogether unfeigned ; and I will tell you why.

When the matter seems to me so clear—so absolutely and undoubtedly unanswerable—I cannot help feeling that I have allowed my judgment to be led astray—that something there is which I have overlooked—something that I have mis-estimated, or no man could dare to stand up and maintain the case which I see was maintained ; and further, where the materials are so excellent, and so abundant, if there is any fault in the result it must be in the workman ; and I feel utterly uneasy lest the case of this little child should fail to be established before you even in the minutest point, because I know it can only be because of my incapacity to present it before you as it deserves to be presented.

Next, gentlemen, I wish to show to you, not at all by way of apology, but as a mere matter of obvious common sense, that in this case I must needs be long, and that although my case is absolutely overwhelming from the number and strength of the facts which make it, it is a common but an exceedingly transparent fallacy to say that a case must needs be weak if it takes a long time to state it. Gentlemen, it is much easier to tell a lie than to confute it ; and in this case there are seventy days of evidence, and, as far as the plaintiff himself is concerned, there are nearly a thousand pages of cross-examination, and in every one of those thousand pages, speaking by the card, there are some three or four falsehoods to be confuted. There are thousands of mis-statements, as, if I were to go into every one of them, I should be able to satisfy you to demonstration. It would be an easy matter, no doubt, to make a speech to you of a

quarter of an hour or twenty minutes long, telling you the whole story on the part of the plaintiff was a tissue of falsehood, and then to throw my witnesses at your heads without the slightest attempt, on my part, to make the story clear ; but I desire, if I can, if I am strong enough either in mind or in body—I desire once for all to unmask and expose this detestable imposture, and I desire to do it so thoroughly that it shall require no second doing.

CHIDIOCK TICHBORNE.

*Twenty-fifth Day of Address [February 20, 1872].*

Now, gentlemen, so ends the life of Roger Tichborne. A few days after that he started in the *Bella*, and went down as we know. It is a melancholy life ; it is an ill-starred life ; it is the life of an affectionate, perhaps ill-educated, but still honourable, kindly, warm-hearted, interesting person—and I cannot do better, I think, than read you a few lines about another young Tichborne. In the time of Queen Elizabeth there was another Tichborne, an ill-fated Tichborne, a very honourable man, a very good man, and a very loyal man, but he got entangled in the conspiracy of Babington, and he was beheaded on Tower Hill. In the old books of that time you will find a very beautiful composition—so beautiful that it was for a long time attributed to the pen of the great Sir Walter Raleigh ; but in the excellent book of the illustrious father of a still more illustrious son—I mean the elder Disraeli—you will find that poem assigned to its true author ; and I will read you the last words of Chidiock Tichborne as the character and epitaph of Roger Tichborne. Now, this is what he wrote before he died, and with this I will end what I have to say of Roger :

My prime of youth is but a frost of cares,  
My pearl of joy is but a dish of pain,  
My crop of corn is but a field of tares,  
And all my goodes is but vain hope of gain.  
The day is fled, and yet I saw no sun,  
And now I live, and now my life is done !

My spring is past, and yet it hath not sprung,  
The fruit is dead, and yet the leaves are green.  
My youth is past, and yet I am but young,  
I saw the world, and yet I was not seen.  
My thread is cut, and yet it is not spun,  
And now I live, and now my life is done !

I sought for death, and found it in the womb,  
I looked for life, and yet it was a shade,  
I trode the ground, and knew it was my tomb,  
And now I die, and now I am but made.  
The glass is full, and yet my glass is run,  
And now I live, and now my life is done !

*Twenty-sixth Day of Address [February 21, 1872]. The  
Conclusion of the Whole Matter.*

Such, gentlemen, is the case which I have to present to you. . . . The learned Serjeant, at the conclusion of the address which he made to you, was pleased to sneer at perorations, and to say that he did not make them. Gentlemen, I do not make them either, but I very much wish I could ; because, if ever there was a case which deserves one, it is this. He told you also, and here I heartily agree with him, that fine language, even if you can get it, is of no value in a case of this sort compared with a few plain and important facts. Gentlemen, it is of no value. Fine language is worthless, unless it is the clothing of fine thought ; and fine thought is worthless, unless it is founded upon substantial fact, and is the crown and keystone of honest and conclusive argument. Gentlemen, throughout this long and weary address to you, I have endeavoured to keep close to fact, to found myself on fact ; to make every statement upon evidence ; and to base every argument upon the ground of proof. And now, at the conclusion of it, to address exhortations to gentlemen in your position would be an idle waste of time. You know your duty. You have done it in a way to win the respect and admiration of all of us . . . and an old and honourable family await your verdict. On you and you only it depends, whether a young and noble lady, of spotless character, and a young child—too young indeed for certainty, but of whom all good things may reasonably be hoped—shall enjoy this estate, and represent this family ; crippled, indeed, by the ruinous expense of this lawsuit, and aspersed by the falsehoods of the Claimant ; yet still an old and honourable family, and still of great estate. Or, whether the estate is to be wasted, and the family is to be degraded by a man whom I have described before in words I do not repent, in words I have made good, in words I now repeat—a conspirator, a perjurer, a forger, a slanderer, and a villain. Gentlemen, the hopes of a great and ancient house are centred in the little child I have spoken of. For him, whom I most inadequately



represent, I ask your verdict. I ask for no favour, I sue for no indulgence. I ask you only to do that which you think just and right according to the strictest principles of law and the clearest rules of reason. I know you will do what you think right, because I have the most absolute trust and faith in the honour, the justice, the integrity of a set of English gentlemen. English justice, cannot, indeed, through you, wield the sword which is to smite down craft and crime; but English justice does commit to your hands those equal scales in which truth will always outweigh falsehood. And, gentlemen, I trust in no foolish or braggart spirit, but yet in no unseemly and yet complete confidence, I accept the issue, for my cause is right, and you are just.

Congratulations from friends, thanks from members of the Tichborne family poured in upon him. I find among his papers letters from Lady Tichborne, Lady Doughty, from Mr. and Mrs. Radcliffe, and others acknowledging his great services in their cause. His friends, he said, were kinder than the papers. The *Times*, indeed, spoke handsomely of "the masterly and exhaustive speech of the Attorney General, the unparalleled length of which has been redeemed by his complete success." The *Guardian*, his old paper, of which once he had been *pars magna*, defended him from the aspersions of his critics, impartially and a little coldly. *Punch*, however, was enthusiastic. There is a sketch of the Solicitor-General (in the *Looking Glass*,) and some verses. One stanza I quote from memory :

And hast thou slain the Wagga-Wok ?  
Come to my arms, my beamish boy !  
O Coleridge, J. ! Hooray ! hooray !  
Punch chortled in his joy.

But these were not the sentiments of the populace, who cheered the Claimant after he was non-suited, or of the more educated mob who were forced to accept



the issue of the trial, but were not prepared to applaud the man who had brought it to pass.

At first he accepted the conduct of the prosecution, "which had been ordered by the Lord Chief Justice under an Act of Parliament," but, afterwards, (May 22, 1872,) finally determined not to have anything to do with "leading the Tichborne case in the prosecution." "That is matter for another tale," which will, no doubt, be fully told in the "Reminiscences" of the great advocate, who was junior Counsel in the Civil Trial, and leading Counsel in the Trial at Bar (*The Queen v. Castro*)—Lord Brampton, who lives to tell the tale himself.

## CHAPTER VIII

LETTERS, 1871-1873

And the Hour, I think, is come.

SHAKESPEARE.

SIR JOHN DUKE COLERIDGE *to his FATHER.*

1 SUSSEX SQUARE, W.,  
*January 7, 1871.*

. . . I am beginning to look with eagerness to the siege of Paris for personal reasons. *Five* of our best witnesses in the Tichborne case are shut up there. The other side don't know this; and don't you mention it, but we can't go to trial without them. Yet now I would rather have it over.

SIR JOHN DUKE COLERIDGE *to JOHN BRIGHT.*

1 SUSSEX SQUARE, W.,  
*January 7, 1871.*

MY DEAR MR. BRIGHT,

I have sent you a little paper of mine not worth sending except as a token of my great and constant respect and admiration for you. There is a sentence about yourself in it which, I hope, you will forgive me. There is, I admit, a certain impertinence in praise.

My position hardly entitles me to call myself a colleague, but, as a member of the party, I do from my heart deplore the necessity of your leaving the Ministry. I do not the least doubt that you were right, and it must have been a comfort to you to know the perfectly unbroken concert of respect and regret with which your retirement has been greeted. I hope you are improving, and that many years of usefulness on one bench or other of the House are still in store for you. No doubt you have lived to see the fulfilment of many of your ardent hopes—a fulfilment which

more than any other man you have brought about. But there are a host of things yet which we shall need your uncompromising and entirely unconventional mode of treating to force us to do, and your speeches, as from your great position they have become more weighty, so need not be so many nor so laborious as when you had so much dead resistance to overcome.

I hope and trust you are better. But it will do you no good to trouble you farther, and, so, with many and grateful thanks for your constant kindness,

Believe me always,

Yours most truly,

J. D. COLERIDGE.

SIR JOHN DUKE COLERIDGE to JOHN BRIGHT.

HOUSE OF COMMONS,

*March 15, 1871.*

MY DEAR BRIGHT,

I hope you will forgive my addressing you so familiarly. I am so glad you are good enough so to address me. Thank you very much for your kind letter, which it is a great pleasure to receive, because it shows not only that you are as kind as of old, but that you are regaining power to show your kindness. It has honestly been one of the great honours and pleasures of my life to have become known to you.

I have sent you a copy of a speech I made about the War, in some of which I hope you may agree. I quite understand your feeling about these estimates. If I thought they would continue I should entirely agree with you. But I suppose that purchase eats out the efficiency of the army, and that whenever it came to be abolished *in peace* (and it would be too late to abolish it in war) it must needs be, for the time, a most costly and unpleasant operation for the country. I try to see and believe I see in Cardwell's bill the beginning of a really national and cheap and effective army of defence; if I did not I should be very unhappy about the state of affairs. But it is out of my line, and I can't affect to have an independent judgment upon it. I think our other measures are honest and good, and will liberalise us a little, and I hope you will not be displeased with the Trade Unions Bill, in which I have had a finger. But we are not so strong as we were. Partly the natural dissatisfaction of a party like ours when one end will not

move as fast as the other wishes, but, still more, that such losses as you and Lord Clarendon and Childers cannot be replaced in a hurry, if ever. But I hope and trust to see you amongst us again. We miss you sadly every day. And you are much too fine a folio to be laid upon the shelf permanently. Your binding may need what I think the bookbinders call "nourishing," in consequence of wear and tear, but I hope to see you re-gilt and re-lettered on your old shelf again, in time, in working order.

I have been buying books at poor Simeon's sale, and hence you see my metaphors are bookish.

I do wish you and Mrs. Bright would let us try to show you Dartmoor in the Autumn. I go to a house<sup>1</sup> there, every year, belonging to my old friend Bastard, 1000 feet above the sea, most comfortable, and within half a mile of the loveliest scenery I know in England except the Lakes, and superior to the Lakes in colour. There is a trout river in our grounds, not to be despised even by a great fish Nimrod like you.

Yours most truly,

J. D. COLERIDGE.

We are always on Dartmoor from the middle of August till October.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

1 SUSSEX SQUARE, W.,

June 17, 1871.

. . . I wish you could have seen the Père Lefebvre. He came here for a few hours on Wednesday and went away with the hearts of every man, woman and child in his pocket. . . . I never saw or heard a man who impressed me so much at one interview—his appearance and his manners and what he said were *perfect*—and, yet, as simple as a child's. The Communists mistook another man for him and shot the other man, and Lefebvre said to Harry (not to us) quite simply that he was very sorry, for that he was now old and that he had perhaps missed Heaven by the mistake. Do you remember Manzoni's description of Cardinal Federigo in the *Promessi Sposi*? Except that, I suppose, Borromeo was grander and statelier (Lefebvre is a small man) it would have done for our little priest.

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<sup>1</sup> Buckland Court.

You will think me foolish perhaps. But I don't know when I have been so struck.

WESTMINSTER HALL,

July 19, 1871.

. . . We shall abolish purchase by Prerogative. The warrant will be out in a day or two, and the money will be put into the Appropriation Bill; the heaviest slap in the face the Lords have ever had, and, as I think, well deserved. . . .

1 SUSSEX SQUARE, W.,

August 18, 1871.

. . . As for me, I am *quite right* about the Warrant. I am not often confident of myself in law matters, but I took trouble and looked into it, and am as Bramwell said when Williams asked him, "Are you *sure*, Mr. Bramwell?" "*Cock*, my Lord," he said. Come and see us, dear father, soon. I do delight in being with you, and neither you nor I can reckon on many years, I think. I have not time to tell you all that passed in and out, but, in result, I *believe* Collier will go. Whether I shall be A.-G. is another matter. I don't want to be, and yet, with the glorious inconsistency of human nature, I shall resign if I am not. . . .

BUCKLAND COURT, ASHBURTON,

September 24, 1871.

. . . I am slowly (not very, however, for I read a book yesterday) reading Lucretius *through*. You know my methodical habit, and I am sure it pays. It is a book perfectly unique. The closeness of reasoning and the extreme ingenuity in explaining the phenomena so as to agree with a *false* theory are most remarkable. The bursts of poetry are more splendid and more natural than I expected from the *Eclogæ*, which alone I knew. I have finished the *Aids*,<sup>1</sup> a very grand book, indeed. What a pity he didn't write better! Sometimes it is hard to be finer than he is. . . .

HEATH'S COURT, OTTERY S. MARY,

October 10, 1871.

. . . I agree in all you say about politics, and it makes me very sad. In such a case as this the *causa causans*

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<sup>1</sup> *Aids to Reflection*. By S. T. Coleridge.



and the *causa sine quâ non* are really the same. And though, of course, in strictness, the want of *dignity* and *weight* in Gladstone and Dizzy does not *make* the House what it is, yet, if they had weight and dignity, it is difficult to say how much of the wretched exhibition of last session might have been avoided. Personally, I think most of it might. My feelings of affection and admiration for Gladstone deepen with every week of added knowledge of him, but the curious flaws which run through his character come out more and more. I *don't* think temper is one of them, *nor* dictatorialness (if there is such a word); I think his impulsiveness, and his ignorance of the world *practically*, strange to say, and his want of *dignity* are the great defects; and yet, *sometimes*, he reads men's characters with a perfectly marvellous intuition. . .

W. E. GLADSTONE to SIR JOHN DUKE COLERIDGE.

(*Private and Confidential.*)

10 DOWNING STREET, WHITEHALL,

October 28, 1871.

MY DEAR SOLICITOR-GENERAL,

We are likely to lose our Attorney-General, who pleads his title to repose. I hope you will allow me to submit your name to the Queen as his successor. If you doubt your title to this onward movement—I mean your moral as well as official title—I think you will be the only sceptic on the subject.

Yours sincerely,

W. E. GLADSTONE.

SIR JOHN DUKE COLERIDGE to *his* FATHER.

WESTMINSTER HALL,

November 11, 1871.

. . . I do not think you seem to have got at all a fair account of the Tichborne trial. I never look at the papers, and cannot tell therefore what you may have seen. But I am quite sure that no one who sees the trial itself would accuse me of irritability. I do not want to boast, but men of all sides wonder at my impassiveness under provocation constant, and, I think, on Ballantine's part systematic. Bovill is like the iron shavings under magnetic influence I have just been reading about in Lucretius. He can't keep still, either mind or body, for five minutes

but I said nothing at all till he used the words "not true." Then I said I was sorry he used the words "not true," and I begged leave to repeat and insist on what I had said. Nothing more passed from me. In the afternoon *he* apologised, which, I suppose, was *not* in the papers. . . .

WESTMINSTER HALL,

November 23, 1871.

. . . The Tichborne case is going on the whole very well. No doubt the Australian evidence is awkward and the article in the *Times* to-day is still more awkward, as showing the one link which is necessary to be supplied, and which that article will, I daresay, help to supply. However, we have an answer, and I think a conclusive one, even apart from the great improbabilities of the story in itself. Yesterday we got rid almost entirely of one of the most formidable of the witnesses against us, Bulpitt. He was perfectly cowed and humiliated by the end of the day, and Ballantine's helplessness in re-examination is really quite curious. To-day, I think, we have shown the way the case was got up, at least, at Alresford, and how the witnesses were dealt with and what rubbish nine-tenths of the evidence really is. . . .

#### THE DEATH OF BISHOP COLERIDGE PATTESON.

WESTMINSTER HALL,

December 5, 1871.

I have not really had a moment to write. The work of the A.-G. is *much* more than that of S.-G., and, though I hoped to get a line to you on Sunday, I could not. It is, night and morning, this dreary feeling of a noble life thrown away as far as this world and this world's work goes, and the sad feeling that I shall never again see his beautiful, sweet, face, and hear his gentle, modest, wise words. I know it is not what some people teach us is right, but I do not believe and I find nothing in my heart answering to the common topics of consolation. They seem to me either very unreal or not a little presumptuous and amusing. And if Our Lord's tears are like every other action of His a teaching and an example, they seem to reprove the easy way in which the ordinary topics are handled by us, even in the case of every good man. At any rate, it is a deep and keen sorrow to think of our dear cousin lying there,

and I long to hear more details, for which it seems we must wait till near Xmas. . . .

ATHENÆUM CLUB, PALL MALL,  
St. Thomas, 1871.

The case for the Plaintiff ended this morning quite early, and now I have to get up my speech by the fifteenth of next month. I do not feel at all well or up to the work, but it must be done. Saturday, Sunday and Monday I mean not to look at a paper, and one day, I believe, I shall give to Stonyhurst, going there with Henry, but, except that, I shall not leave London nor have a moment's rest. Still I am glad that the matter is so near the end, as I cannot but believe it is. I half hoped that the Jury might have interfered at the end of the case. But, I suppose, a *primâ facie* case is made, and that they could not properly say he was not the man till some respectable person had known that he was not. I *shall* be much disappointed if the case is fought to the end. Nothing ever was worse done than the case of the Plaintiff. And it has ended in the most ineffective manner. The medical evidence to my thinking *utterly* broke down. Do read Sutherland and see if I am not right. And the two artists last night were childish work. As for the photographs, it was necessary to go at some little length into the matter, because of this supposed *thumb*, in one of the Santiago Daguerreotypes, of the real man. We never heard of his thumb, nor did any one else, till ten days ago, and, in my opinion, it is all rubbish. Still, we were obliged to follow it out a little. But the endless length of this part of the case is due to Bovill exclusively. I think he was near *two hours* by the clock the other day by himself over the photographs. I said—I hope loud enough for him to hear—that there was no objection whatever to Judges learning photography if they didn't learn it, in court, at an expense to the suitors before them of £200; for it was really that, at least. Well, enough of this, of which I shall have too much by-and-by. I wish I were fitter for the great occasion, which it undoubtedly is. . . .

1 SUSSEX SQUARE, W.,  
Christmas Day, 1871.

. . . I don't know whether you followed the cross-examination of the doctors. I ought not to say so because I was the operator, but it seems to me all the marks were

simply *destroyed*. I said the monster and his marks, to my eye, were on the face of them either inconsistent with his story or, manifestly, made to suit it and botched in the making. . . .

THE RIGHT HON. B. DISRAELI *to* SIR JOHN DUKE COLERIDGE.

GROSVENOR GATE,

February 10, 1872.

DEAR MR. ATTORNEY,

I am greatly obliged to you for the two photographs, equally admirable, though on subjects so strangely different!

The portrait of the most infamous impostor since Titus Oates I have presented in your name to Lady Beaconsfield, as she takes so keen an interest in the question.

I have retained the other for my own special portfolio, for I feel it conveys a characteristic impression of your interesting and illustrious relative.

Believe me,

Dear Mr. Attorney,

Yours truly obliged,

B. DISRAELI.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

HOUSE OF COMMONS,

February 20, 1872.

I have time only for a line to say that I am now really on the *decursus*, and shall, I hope, come to an end to-morrow. I am terribly tired to-day—22nd. . . . I am glad you liked the speech. I believe it was successful, thus far, that it did make clear the history of the cases and show how the villain made his story up. As to its being a success in any other sense I can't feel that it was so. I have no powers of compression unless I take great pains on regular composition, and the speech is, I know, weak and diffuse. The little bits, here and there, which were written are not up to the mark either. But, then, I felt all along that it was too large for a speech. Five or six hours is the utmost that a composition should be. It gets unwieldy beyond that. *De his satis*. . . .

THE ARCHBISHOP OF WESTMINSTER *to* SIR JOHN DUKE  
COLERIDGE.

8 YORK PLACE, W.,  
*February 25, 1872.*

MY DEAR SIR JOHN COLERIDGE,

You probably have no need that I should suggest anything to you; but it has just been stated to me that Serjeant Ballantine was instructed to ask Mrs. Radcliffe about the visit to F. Guidez's house for the purpose of putting up the notion of a private marriage in his presence.

You are aware that it would have been felony in the Priest, and you have it in evidence that they all know the marriage of first cousins, without dispensation, would be *null*. Therefore they would have been unmarried, and F. Guidez guilty of sacrilege.

Let me give you joy of your defence.

Believe me,

Always yours faithfully,

HENRY E., ARCHBISHOP OF WESTMINSTER.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

1 SUSSEX SQUARE, W.,  
*February 26, 1872.*

I enclose you dear Matt's letter. . . . It is a most bitter and heavy blow.<sup>1</sup> Forster told me he was terribly cut up by it, but that his behaviour was admirable. He had to be at an examination of pupil-teachers, and Mr. Forster found him there with his poor eyes full of tears, yet keeping order and doing his duty till he could be relieved. . . .

I did not go to St. Paul's to-day, nor have I been, to-night, to meet the Duke of Edinburgh at the Admiralty; I have stayed quite quiet and done nothing. But we drove down to Richmond to the Star and Garter and had luncheon and strolled about for a couple of hours, and then drove home again. I had never been at Richmond, and the view was more lovely than I expected. Turner has not at all exaggerated it. The Park was delightful, and as we had a bright day I believe we *all* enjoyed it very much. I did certainly. . . .

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<sup>1</sup> The death of a son, the third he had lost.



SIR JOHN DUKE COLERIDGE *to his* FATHER.

1 SUSSEX SQUARE, W.,

March 3, 1872.

. . . I hear rumours, I believe well authenticated, but I cannot be certain that the Jury are really going to interfere. It is not before it was needed, but on Friday we had a great day, and I believe we shall have a very good one to-morrow, and I really do hope that this week will see us relieved from it. "Words are too weak," as the Queen says, to express the relief which it will be. . . .

1 SUSSEX SQUARE, W.,

March 6, 1872.

Just come home from a very exciting but, on the whole, satisfactory morning. . . . I telegraphed you the general result. It is an enormous comfort to have got rid of such a load. The public prosecution, even if I conduct it, will be of very little trouble or weight, comparatively speaking.

I must do Ballantine the justice to say that this morning he behaved well and like a gentleman. Bovill, with the best intentions, smirked and jabbered and brought a great case down to the level of a twopenny pothouse squabble, as far as he could. However, it is over and I am free. I thank God from the bottom of my heart, for I am really better in all ways than I was when I came back in November, though I am very tired. Dear old Lady Doughty and Lady Tichborne were very overflowing, and Lady T. was delighted with your message and request. She will take care you have some trees, and seemed much pleased that we should think of commemorating the trial in that way. The men I have met in the House on both sides are *most* kind and warm, and I think are really pleased at my success. I daresay J. . . . has told you of Dizzy's extravagant laudation.<sup>1</sup> However, he was very cordial, and has praised me to so many people that I suppose I must consider it as sincere as anything from him ever is. . . .

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<sup>1</sup> "The poem [on the death of Chidiock Tichborne] as quoted by the elder Disraeli in his *Curiosities of Literature*, and a complaint with reference to that fact paid to father and son by Coleridge during the legal proceedings connected with the person known as the 'Claimant,' mightily pleased Disraeli the younger." *Notes from a Diary*. By the Right Hon. Sir Mountstuart Grant Duff. 1904. Vol. i. p. 4.

THE ARCHBISHOP OF WESTMINSTER to SIR JOHN  
DUKE COLERIDGE.

8 YORK PLACE, W.,  
March 7, 1872.

MY DEAR SIR JOHN COLERIDGE,

I thank you much for your gift,<sup>1</sup> both for its own sake and for the kind memorial of our old acquaintance. It is of more than a quarter of a century; and I am very glad to renew it.

Mr. Newdegate would think our traffic to be in equivalents, but equally impious, *pro Monacho Diabolum*. You will, however, accept it, I hope, as an acknowledgment that you have made a better use of your leisure. And I thank you, especially, for setting that good example to our Public Men.

Believe me, always,

Very truly yours,

HENRY E., ARCHBISHOP OF WESTMINSTER.

JOHN DUKE COLERIDGE to his FATHER.

THE ATHENÆUM CLUB, PALL MALL,  
March 11, 1872.

. . . Dear Bowen is, I fear, really ill with an over-worked brain. He is in bed, forbidden to do anything or to see anybody. My work in court was no doubt physically greater than his, but he has been the mainstay of the case all through. He has worked like a horse, and without him I could have done nothing. . . .

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<sup>1</sup> In 1872 Lord Coleridge edited and distributed to his friends, *A Mirror for Monks* [Written by Lewis Bosius, Abbot of St. Benets' Order, printed at Paris MDCLXXVI., reprinted for private circulation. London, 1871.] In his preface to this re-issue of an "English translation published in Paris in 1676," Lord Coleridge writes: "Bosius, it is true, was a Roman Catholic Abbot of the sixteenth century. But it may soften prejudice and enlarge sympathy to find, as in the much higher example of the *Imitation of Christ*, how pure, how simple, how devout, how intensely and essentially Christian was the religion taught and preached by such a man at such a time. The *Mirror for Monks* is really a looking-glass for Christians, and to Christian readers I commend it."

A letter from Doctor Newman, dated The Oratory, May 26, 1871, acknowledges a copy of the work "As to the book, it is the work

ATHENÆUM CLUB,

*April 15, 1872.*

. . . The Session is, already, very wearisome, and, somehow, the Ballot Bill does not do us much credit. Neither Forster nor Jessel are at their best in it, and I keep out of it, content with my Corrupt Practices and my Juries and the *Alabama* looming in the future. Still, I think we shall go on, with diminishing force and credit, but, yet, we shall get through this year, I expect. It's a very curious thing this gradual decay of all Ministries. I remember even Peel, after three or four years of his great administration, visibly and unmistakably declined in influence and strength, though, I suppose, he and his colleagues kept their own powers absolutely fresh and undiminished. Well, personally, I shall have been A.-G., and I hope I shall have put together enough to make it matter of indifference whether I am in or out of office. I wish the Tichborne prosecution were over, for till that is done that great incubus cannot be wholly thrown aside. The curious hatred which that case has brought out is interesting to me. I believe many fellows really wish him to succeed that I may fail. . . .

WESTMINSTER HALL,

*April 23, 1872.*

. . . Fawcett and I are now very good friends, and, I believe, he intends altogether to dis sever personal considerations from his motion.<sup>1</sup> I am not at all sorry that he makes it, as it gives me the opportunity, I might in vain have sought, of saying many things which I shall be glad to say. I so seldom trouble the House that I am not afraid of being badly heard, and I think the feeling of the House is entirely with me. Bright, for instance, laughed the motion to scorn, and said no one of sense would put it forward. I think myself that it would be ruin to the

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of a beautiful writer, and I trust it may do all the good, you wish for it. Why have you not published it? Moreover, the gift is choicer, since the book will be scarce. It will be in my room, while I live, and after that, will be transferred to our Community Library in witness (I trust for a long time) of your kind thoughts of me.

"Most sincerely yours,

"JOHN H. NEWMAN."

<sup>1</sup> As to the "Position of the Law Officers of the Crown," May 3, 1872.

offices, and a great mischief to the Profession, to separate the holders of them from practice, and it is wholly untrue to say that we give up our whole time to private practice. As you say, private practice always suffers, and no man of character, or of the least sensitiveness, will fail to do his duty by his colleagues to the best of his ability. He would be uncomfortable, directly, if he did not. I am not afraid, myself, but what with the House and with the best part of the Profession, I shall stand well enough. I cannot deal with personal hatreds, of which, it seems, I provoke a great many, sometimes by faults I daresay, but, often, I really think, by conduct which I pursue deliberately and on principle.

1 SUSSEX SQUARE, W.,

May 6, 1872.

. . . The speech came off, at last, on Friday night, but it was so late (I did not sit down till near one) that of course it was given—at least in the *Times*—very shortly. It however was, for me, a success. The House remained fairly full, and was very enthusiastic for that time in the morning. I think the proposition was brained; but as it is an important question and I took some pains about it, I think I shall print my speech. . . . Then, on Thursday, I hope to get my Juries Bill to a second Reading and refer it to a select committee. I think it is a good Bill, but I have had but little to do with it except in the way of direction. It is really young Willie Erle's Bill, a very nice fellow, and who has been most kind about it all. I suppose he and Henry Pollock alone in England *could* draw the Bill. . .

SIR JOHN DUKE COLERIDGE to SIR W. HEATHCOTE, BART.

1 SUSSEX SQUARE, W.,

Whit Monday (May 20), 1872.

. . . By the way, just as I was going in at the door of the Grand Jury building I met *Bulpitt* coming out, but no breach of the peace ensued. "He glared upon me and went surly by," as the lion did by Casca, in Julius Cæsar. . . . N.B. I pray you observe my paper.<sup>1</sup> It is heartbreaking to think that my little bits of Toryism pass unregarded.

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<sup>1</sup> The paper is stamped with the crest (in blue), surrounded with the motto (which he, afterwards, rejected), TIME · DEUM · COLE : REGEM.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

BUCKLAND COURT, ASHBURTON,

*September 1, 1872.*

. . . The more I read of Persius the more he seems to me like Gray, quite original in total impression, but choosing to take phrases from old poets, which, he shows, he was quite poet enough to have done without. The versions you send me are very fine each in its way. On the whole, I like Dryden best, but Gifford is good too. Will you at your leisure tell me what *fidelia* is? I am like dear Henry Erskine, who read Sophocles with his feet on his grate, and used to ask his friends when they came in to look out words for him, being too indolent to go to the table and use his lexicon himself. . . .

J. C. SHAIRP *to* SIR JOHN DUKE COLERIDGE.

*September 3, 1872.*

I must send you, when I find time to write it out, a poem I wrote this spring, after a hurried glimpse at Balliol, which I had not seen for more than fifteen years.

It is "Balliol Scholars."<sup>1</sup>

(A Remembrance of 1840-43.)

I think it may interest you.

*October 9, 1872.*

"BALLIOL SCHOLARS."

On reading it over again it seems to have almost too sad a tone. But it could hardly be otherwise, when one thinks of the fact alluded to in the 27th stanza.<sup>2</sup> But, however this be, there is no one now whom these remembrances are likely to interest so much as yourself. Therefore to you I send them.

J. C. SHAIRP *to* SIR JOHN DUKE COLERIDGE.

CUILALUINN, ABERFELDY, PERTHSHIRE,

*October 18, 1872.*

MY DEAR COLERIDGE,

I sent you the lines, not without misgiving, and it is a great pleasure to know that you and yours liked

<sup>1</sup> "Balliol Scholars, 1840-1843," is published in *Glen Dessaray, And Other Poems*. By John Campbell Shairp. 1888. Pp. 209-220.

<sup>2</sup> Stanza 27 refers to James Riddell, Fellow of Balliol, who died in 1866.



them. Two or three things you allude to in your letter.

(1) The two stanzas about you were no after-thought, but composed in their own place, third; that is, in the order of those I knew well. This, my notebook which contains the rough copy, will prove. Somehow, in writing them out, two or three stanzas at odd times, I omitted them and had to put them in as you see. But they are no after-thought, but of the warp and woof of the piece.

(2) I did not mean to speak as if C. E. Prichard were a Fellow of Oriel, but, only, to allude to the great intimacy he, as an undergraduate, had with Charles Marriott, and, through him, with Church and the Oriel Fellows. But, probably, as you have read it otherwise, I have not made it clear.

(3) As to "cumbrous rhythm" and rough lines, if you at your leisure will '*funge vice cotis*,'<sup>1</sup> I will gladly submit to the operation. I never allow a line to pass that does not satisfy myself. But, then, one gets into one's own peculiar way of chanting which may slur over many roughnesses that jar on readers who don't know one's peculiar tune. In order to produce variety of cadence I often take the accent off words on which it usually falls, shortening here and throwing the accent on other words. This, to my ear, often produces fine effects, *e.g.* :

" But sorrow returned at the dawning of morn,  
And the voice in my dreaming ear melted away ! "

Here " ear " is naturally long, but in this verse it is shortened, made the last syllable of a dactyl, and, to me, the effect is very melodious. Again, take Wordsworth's lines :—

Time, the old Saturnian seer,  
Sighed on the wing as her foot *pressed* the strand,  
With step prelude to a long array  
Of woes and degradations hand in hand—  
Weeping captivity, and shuddering fear,  
Stilled by the ensanguined block of Fotheringhay.<sup>2</sup>

Now the second line here has always struck me as exceedingly fine ! " foot," which is naturally long, is passed over lightly and great weight thrown on " pressed." Ordinary readers would mar the line utterly. But the moment you have caught the rhythm a very fine cadence is the result. So much for the peculiarities of rhythm. But do, when you

<sup>1</sup> *Ergo fungar vice cotis.* Hord *Epist. Ad. Pisones*, l. 304.

<sup>2</sup> " Mary Queen of Scots." *Works of Wordsworth.* 1888. P. 713.

have leisure, tell me my faults in this, or in diction, or in anything. I will consider them, and do my best to improve them. It is so seldom I get a critic for my lines whose judgment I can respect, that you will do me a favour by giving me all your mind. . . .

Thank your venerable father for his kind words about the lines. I am so glad that he approved. . . .

Ever your affectionate,

J. C. SHAIRP.

CHARLES BOWEN *to* SIR JOHN DUKE COLERIDGE.

33 ALFRED PLACE WEST,  
SOUTH KENSINGTON,  
[*Undated.*]

MY DEAR COLERIDGE,

I am very much obliged to you for your great generosity to me, and will come over and fetch the cast myself, and put it up in my drawing-room, with pleasure, in remembrance of you. There is a passage in the *Ethics* of Aristotle which describes your munificence to your friends, which I will not quote, and which probably you have forgotten.

I am more indebted to yourself in every way than to anybody else I know. Apart from your great personal kindness, the way in which during the last year you have let me use your chambers has been of incalculable use to me, and I seriously believe I owe the recovery of complete health to the occupation I have been able to find in them. I, therefore, have to thank you not merely for legal education, but for mental and bodily restoration, in addition to the pleasure of being your friend.

Roundell I have seen and heard from since I saw you, and he is waiting to see you to-day. The Oxford "Revolution," as I felt sure, is quite determined to be loyal to yourself, to whom it owes so much.

Yours very affectionately,

CHARLES BOWEN.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

1 SUSSEX SQUARE, W.,  
November 11, 1872.

. . . Hannen's appointment<sup>1</sup> is quite true, and I had a good deal to do with it. Palmer talked the matter over

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<sup>1</sup> Sir James Hannen was appointed Judge of Probate, &c., November 20, 1872.

with me before Gladstone's letter came to me, on the supposition that I should, as I did, decline. . . .

I have not time, dear father, to go at length into all the matter raised by your most dear letters on the subject of my promotion. I think I *could* not, after Gladstone's letter, have taken the place, without definitely and permanently shelving myself upon the post, possibly even without being a P.C. It is just one of those cases in which, whatever a man does, he is sure to regret it, and I own I turn back with a sigh to a post, for the duties of which I feel every day more and more unfit. But it is idle to repine, and I must make the best of it. . . .

I BRICK COURT, TEMPLE, E.C.

December 14, 1872.

. . . Several things have happened to depress and vex me—the *Times* declining to act on a general Retainer because the Plaintiff was a man connected with the Claimant—as if I really had become incompetent, or was fairly open to the charge of having done that case badly. It did not make it pleasanter that I was *chasséed* for Karslake, for it makes me think the excuse was a mere pretext.

Next, the language of Onslow and Whalley at S. James's Hall, is such that, with an utter hatred and detestation of the thing, several cool and wise friends think I *must* move for a criminal information against them. I am afraid I must, and think of the bore, and trouble, and mud, in which this will involve me.

Then the difficulty and almost uncertainty of getting paid my Tichborne fees—and I can very ill afford to lose £4000—in a case, too, which has almost annihilated me professionally. When you talk of being surrounded with successes, there are heavy things *per contra*. . . .

I have no time to answer you now (for I am just starting, after a very hard day, to meet Jane at King's Cross to go to Hatfield), as I should wish about the serious part of your letter. I have always said that I am sure prayers are answered—but whether that shows that the Thirty-nine Article view of Christianity is correct is quite another story, and, I confess, I see no particular moral virtue in taking things for granted. That we are all children in speculation, of this sort, is Butler's saying. I know no particular reason why a particular set of children should dictate to another particular set of children in matters of religion. The supremacy of conscience is the great truth of all, and when a man has

really done his best with his conscience I think he should follow its leading without hesitation, and with a firm belief that the Infinite God, in His mercy and wisdom, will accept all his children, according to their lights. While I hold with all my soul to God and Christ, I must say most Christian theology, properly so-called, seems to me the most audacious and insolent presumption.

HATFIELD HOUSE, HATFIELD, HANTS,

December 15, 1872.

. . . We are here in miserable weather, but it is a noble house, and they are kindness itself, in the perfect liberty they leave us. It is pleasant to see such fine natures as the lord and lady of this place in such a position, and discharging all its duties so well and worthily. I am not at all well myself, which rather takes off from the pleasure, but the exceeding *grandeur* of the house, not its *display* of wealth or luxury, but its real noble greatness of conception, make being here a pleasure.

Palmer is here, and we have had much talk. He again suggested the Rolls to me, but, I am sure, you will think me right in putting aside the temptation. It is a temptation, but I am utterly unfit for it, and, come what may, I should not like to feel I had clutched at what I had no honest right to. Channell is going before the Circuit, but that, again, I suppose I must pass by. Indeed, after refusing the Probate, this is *à fortiori*. Cockburn has again positively declined a *Viscounty*, but does not seem the very least inclined to go. This puts all *my* notions to flight. . . . Well, "we are such stuff as dreams are made of, and our little life is rounded with a sleep." What will it signify in 1900?

I BRICK COURT, TEMPLE, E.C.,

December 17, 1872.

. . . I do not, certainly, perceive in the conduct of the Bar to me, not in what I *hear* is said, any decay of reputation. Rather the contrary; but there is the fact—one case at Westminster, and five at Guildhall, where I used to have, at Westminster, perhaps thirty, and at Guildhall twenty. I never had a great *many*, but I always had large and lucrative briefs and such a share as placed me not *primus* but *inter primos*. I cannot help feeling depressed at the present state of things.

I am rather worried about the Rolls. Guildhall expect me

to take it. . . . If I knew a little more Equity I should be sore tempted. For it is *the* prize of the Profession, I think; but it is useless to think of it. . . .

Cockburn sent for me after my case yesterday. . . . He was very frank about the Peerage, and, on my saying that he must let me say I thought him quite wrong, and that "because he didn't like Gladstone he ought not to deprive the Common Law of having a nobleman at its head," he said, catching hold of my hand, "Ah! my dear boy, you shall set that straight as well as other things when you succeed me." Well, that was very kind, but it does not butter parsnips, and, though I believe it shows that he would do nothing ill-natured to me, it means, of course, nothing more.

THE REV. B. JOWETT *to* SIR JOHN DUKE COLERIDGE.

ADDRESS, OXFORD,

*January 2, 1873.*

MY DEAR COLERIDGE,

I look forward to the pleasure of coming to you on Thursday, Jan. 4, by the train which leaves Exeter at 5.10. I think you may remember my sister playing Beethoven nearly forty years ago at Teignmouth. She was taken from us about a fortnight ago. She was a Roman Catholic: she used to say, "When I can make others happy then I am happy," and that was the spirit of her life. During the last two years and a half of her life she was partially deprived of speech by paralysis, so that she did not wish to live. I know that it is better she should be taken, but it makes a great difference to me.

Ever yours,

B. JOWETT.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

THE ATHENÆUM CLUB,

*July 2, 1873.*

. . . My chance of the Juries Bill grows less and less. . . . If I am A.-G. and this Session, I will pass it then; if not, some one else will. I have my speech on evidence to make, and, then, my work for the Session is fairly over. How small and unimportant all these things seem while Westbury and S. Winton are lying cold in their shrouds! There is something like Greek fate in their dying within a





few hours of one another, and there is a grim and ghastly humour, very real and very terrible, in Lord Granville, of all men, sitting on the grass with Wilberforce's head on his lap and his horse held by the rein, and Tom Farrer's wheelbarrow coming and carting the body to the house. Henry told me of it last night, and it seemed too terrible to be true. Now is not the time to speak the truth about him, and it is no use speaking anything else. Intellectually he was not so considerable a man as old Philpotts, but he did more, and there is no doubt that he will have left his mark behind him. The other man will have a singular and well-nigh unique reputation. For mastery over language I suppose he was unequalled, and as an advocate he was consummate. But how little he has left that any one will remember! Gladstone told me that of six chancellors with whom he had sat in the Cabinet, far the most "useless" (it was his own word) was Westbury, and (what surprised me) Campbell the next. He was speaking apart from law, on which, he said, Campbell always appeared to him a master. He spoke very highly of Lyndhurst, but, he said, probably from indolence he was not so useful a man in council as Hatherley. Lyndhurst, he told me, was the great solvent. If there was any difficulty and difference amongst the Ministers, they all deferred to Lyndhurst, and he made it up. . . .

WESTMINSTER HALL,

July 8, 1873.

From the bottom of my heart I wish you joy of your eighty-third birthday, and I do earnestly hope that you may have at *least* seventeen more of them. I know that you must lie down in the earth at last, but I hope and pray that before that, like St. Paul, "I may be somewhat filled with your company," which I am not yet. . . . You are dearer than ever now, dearer every year you live, and, when it pleases God to take you to Himself, half the interest and pleasure and sunshine of my life will go with you. . . .

WESTMINSTER HALL,

July 16, 1873.

. . . My own personal position seems to me to have much improved this Session, but as to this, one is apt to deceive oneself, and the bitter hostility of the whole press, especially the Liberal press, gives out of doors a constant impression of failure. I long to get away, but unless I take

the Rolls I see no chance for me. The judicial vivacity of both Cockburn and Kelly was never greater, and Cockburn, I have no doubt, will stretch a point, and, very naturally, to remain C.J., so as to initiate the new system of Judicature of which he is to be one of the main heads. However, I have done good service I am sure. I have saved the great offices, and, indeed have had my own way pretty well all through the Bill. Selborne is much pleased, and, I believe, Gladstone is too. . . .

DR. JOHN BROWN<sup>1</sup> to SIR JOHN DUKE COLERIDGE.

23 RUTLAND STREET, EDINBURGH.

July 31 [1873].

MY DEAR SIR JOHN COLERIDGE,

You have yourself to blame for the trouble of reading this note. I cannot but thank you for this noble tribute to Wordsworth in *Macmillan*—it has gone to my heart. It is so thorough, so true, so seasonable. Our friend Prin. Shairp will rejoice over it with singing; but I wish you had not said such hard words against Jeffrey<sup>2</sup>—so hard as to be in a measure unjust. You would not have said them had you known him. He was not big, not roomy, but he *was* true; and had genuine poetic sensibility, as witness his relish not only for Shakespeare, but for the other great and terrible dramatists of his time. His sense of the ludicrous interfered with his sense of what was noble and lovely in Wordsworth, whose own want of that sense is one of the queerest defects in his nature—the possession of which would have enabled him to make “Peter Bell” perfect, which even *it* is not.

Now, forgive me. You will hardly remember seeing me, but I shall not forget seeing you, at Ld. Advocate Young’s.

I am truly, and with great regard, yours

J. BROWN.

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<sup>1</sup> The author *inter alia* of *Rab and His Friends*.

<sup>2</sup> “Fastening upon a few obvious defects, the critics of the *Edinburgh Review* poured out on Wordsworth, abuse, invective, malignant personality, which deterred the unreflecting mass of men from reading for themselves and finding out, as they must have found out, the worthlessness of the criticism. They destroyed his popularity and blighted his reputation, though they have had no power whatever over his fame. Lord Jeffrey was the chief offender in this matter.”

*Wordsworth.* A Lecture delivered before the Literary Society of Exeter in April, 1873.

SIR JOHN DUKE COLERIDGE *to his* FATHER.

HOUSE OF COMMONS,

*August 4, 1873.*

Gladstone has just now offered me the Mastership of the Rolls, and he wishes me to take a day or two to consider the offer, and not answer him in a hurry. He coupled it with very kind words (no doubt, of course) as to his regret if I should take it. I should like to see you about it very much, not that I really doubt what, in sense and in honour, ought to be my answer; but because it is a very serious matter for me, in the present state of the political horizon, to refuse *again* a certain and honourable position. I still very much regret that I refused Hannen's place. It would have suited me in all ways, and I think I was a *great* fool not to take it. But that is past, and in truth that is no reason at all for accepting this. That place, I believe, I could have filled with credit. This I am sure I could not. I should have everything to learn, and, for years, I should exhibit the spectacle of a Judge inferior to his Bar, and to a great extent and often in their hands. I might, by going to school again, in time learn my trade, so as to be a not wholly incompetent Judge, but no one would think so, and I should not have, probably, even the little credit I deserve. And I fear that all my friends would have to blush for me, not, only, as having taken what I am not fit for, but as having taken it for money when I knew I was not fit. . . . I will not promise to take it, for honour is the first thing in a public man, and, after all, no other man can judge of honour so well as a man's self. But I should much like to have your counsel. . . .

DR. NEWMAN *to* SIR JOHN DUKE COLERIDGE.

THE ORATORY,

*September 17, 1873.*

MY DEAR SIR JOHN,

It is very kind in you to send me your Lecture. I have read it with much interest. Of course I am pleased at your introducing a passage from one of my volumes.

I have never forgotten your offer to receive me at your house, if I go to London; but I never do go, or scarcely ever. Since you were so good as to propose it, I have been in London only one whole day. It was last year, in my way to my dear friend Hope Scott at Abbotsford, where I was lodged by Dean Church.

As I have mentioned Hope Scott's name, I will venture, in return for your Lecture, to send you the Sermon I preached at his funeral.

Yours most truly,

JOHN H. NEWMAN.

P.S.—On reading over my letter, I feel I have used what seems a cold word in saying your Lecture interested me. But I meant a great deal by the word. I meant that it really did open new thoughts upon me, which it was very pleasant to dwell upon. Alas! I know little of Wordsworth, though some poems he has written seem to me as fine as anything in the language. I wish you had mentioned "The Happy Warrior."

SIR JOHN DUKE COLERIDGE *to* DR. NEWMAN.

BUCKLAND COURT, ASHBURTON,

*September 19, 1873.*

MY DEAR DR. NEWMAN,

Thank you very much, indeed, for the copy of your sermon on the death of Hope Scott which you promise me and which will doubtless find its way hither. I have read it with great interest and sympathy. He was too much before me at Eton and Oxford, and my path in the Profession lay too far apart from his for me to know him at all intimately. But I knew him as an acquaintance for many years, and quite well enough to be sure that your words are quite true, and not at all too strong. Such men as he are the salt of a profession which needs salt more than most.

You are very good to remember your thought of coming to us in London. I am afraid to say what a pleasure and honour we should deem it. I will say that I think I could show you some things that would interest you, and that we would do our best to make you quite free and comfortable. I wish I had mentioned the "Happy Warrior," and many other noble and beautiful works, but my paper was written against time and would never have been finished, but that I was asked for it very earnestly, not, I am afraid, for any merits it had or was thought to have, but only because the writer happened to be Attorney-General.

Always gratefully and sincerely yours,

J. D. COLERIDGE.

J. C. SHAIRP to SIR JOHN DUKE COLERIDGE.

October 10, 1873.

Almost the one book I have read has been Mrs. Sara Coleridge's Letters. I cannot tell you how I have enjoyed them. They read like the prolonged echo of S. T. C., yet no imitation. How wise they are, what an almost perfect balance of qualities! I should like to talk to you about them, though, when I saw you, you seemed not to expect so much. No letters I have read for many a day are half so worth reading. . . .

Your Wordsworth Lecture has been liked by people whose judgment is most to be prized. By-the-bye, Mrs. Sara is excellent in her Wordsworthian Criticism. She lays special emphasis on the pre-eminence of his chief Poems up to 1865 or thereabouts, over all that followed. I have always held this. But she quite emphasizes how it is to be desired that there were an edition of his work, in chronological order.

MATTHEW ARNOLD to SIR JOHN DUKE COLERIDGE.

[*The death of Mrs. Arnold*]

COBHAM, SURREY,

October 11, 1873.

MY DEAR COLERIDGE,

I should in any case, surely, have written a line to thank you for your kind and affectionate note, but it has been particularly on my mind to say to you, how truly feeling and affectionate he [Lake] has always shown himself about my mother. Walrond was saying to me, only last night, that whenever Lake spoke of her he seemed like another man: the little notice in the *Guardian* is by him, and a sermon he preached in Rydal Church about her last Sunday, and which will be printed, was, really, most beautiful. This charming and tender side he has, and has always had, so far as my mother was concerned, and I feel moved to bear witness to it at this moment, and to you.

I must copy for you a few words from a letter I have just had from Stanley: "What, to me, was so impressive in your mother was not, merely, that she rose instead of sinking under the blow which, we all feared, would crush her, but that she retained the life-long reverence for your father's greatness, without a blind attempt to rest in the



form and letter of his words." This is admirably true, and how often, besides having to miss all that the rest of her children miss in losing her, shall *I* miss the largeness and indulgence of her judgments.

My love and respect to your dear father : may he long be spared to you !

Ever affectionately yours,

MATTHEW ARNOLD.

W. E. GLADSTONE *to* SIR JOHN DUKE COLERIDGE.

HAWARDEN CASTLE, CHESTER,

*October 25, 1873.*

MY DEAR ATTORNEY-GENERAL,

Let me thank you in advance for the Biography of Sara Coleridge : a work, I may add, which I had already determined to acquire at a venture. I never saw her but once. It was at a dinner given by old Mr. Murray—I should say over thirty years ago. With her I there had my first Homeric conversation. She could not endure those who fail to see the unity of conception and execution of the great characters of the Poems. And this is, after all, the strongest of arguments.

I will cap your story about the Claimant. At a foundry two miles off there is a workman who is so clever that he spends all his evening and leisure hours in repairing clocks and watches, for which he has plenty of custom. He is a firm, undoubting, believer in the huge vagabond.

Yours very sincerely,

W. E. GLADSTONE.

W. E. GLADSTONE *to* SIR JOHN DUKE COLERIDGE.

HAWARDEN CASTLE, CHESTER,

*November 3, 1873.*

MY DEAR ATTORNEY-GENERAL,

I have learned to-day with regret the death of Chief Justice Bovill, unexpected, I think, at this time.

It is my duty not to lose a moment in proposing to you that you should accept the fitting sequel of your distinguished position and great services in the office thus made vacant.

In a selfish view, and on the part of the Government, it is with a sense of embarrassment and of heavy loss that I make this proposal. Never again can I expect to see the public interests in some important particulars guarded

as they were, last Session, by the vigilance and determination of the Law Officers. At least, I may say that, while you and the Master of the Rolls surpassed all before you in these particulars, I trust you have set an example, and fixed a standard, for all who may come after you. But taking a wider view and embracing the whole scope of your duties, I feel acutely how much the House of Commons will have suffered in losing you so soon after Jessel, and both so soon after Palmer. A distinct and deep regret I feel in parting from your close neighbourhood as a man and a friend. But I earnestly hope that this new and great dignity may bring to you, to Lady Coleridge, to Sir John and to your whole family, all the satisfaction you or they could desire from it. So forgive me if I am almost tempted to put my letter in black borders. I need not say that I have as yet made no submission to the Queen; hence the mark [private and confidential] upon this letter.

On Thursday and Friday mornings my address will be Keile, Newcastle-under-Lyme, Staffordshire, whence I go to Althorp.

Believe me, with much mixture of other feelings, but a very unmingled friendship and regard,

Sincerely yours,

W. E. GLADSTONE.

THE ATTORNEY-GENERAL.

SIR JOHN DUKE COLERIDGE *to* JOHN BRIGHT.

1 SUSSEX SQUARE, W.,

*November 5, 1873.*

MY DEAR BRIGHT,

I will not trouble you with a long argument and, indeed, I am thankful to say there is not the slightest occasion for it. For though I might not perhaps express myself exactly as you have done, there is an absolute agreement between you and me in all substantial points. So absolute that I, in my own parish, have been *urging* the creation of a School Board and have, to the limit of my power, tried to persuade all my friends, churchmen and otherwise, that they ought to come to it. It was my fault, I have no doubt—for you are, generally, the clearest of speakers—but I read you as contending not for School Boards as against denominational schools, with a conscience clause (which I agree with you is worthless for practice), but for School Boards not having the power to say, for

example, that a Hymn should be sung, or the Bible read, in the schools under them. If I can manage to put into a short and clear sentence or two what I now understand you to say, I will write a line to the papers to set myself right. I do not want to stand in antagonism to you about anything, least of all when no antagonism really exists. I should not perhaps rate quite so low as you do the purely *educational* zeal of the parsons and their friends; but I am not fond of the parsonic spirit, and do not measure my language much either in private or public about it; as, if I was really reported in the *Times*, that very speech would show. The sacerdotal spirit is and always has been my horror and aversion.

Thank you very much for the end of your letter (I don't mean to distinguish between beginning and end). If I could do without my profession, nothing would delight me more than to stay in the House of Commons and go in for politics proper. But I can't—and if I neglected this chance of being Judge, I might, and, probably should, find the Profession desert me, and my power of doing any good in Parliament lost by professional decline. There is, to be sure, the House of Lords, but Gladstone does not offer that, and, if he did, I am not sure that the very little present good I could do would counteract in my mind the mischiefs of a "family" and hereditary succession. My taking the Common Pleas is, simply, with me, a matter of moral necessity, and not at all of desire, still less of rejoicing. I shall not let you forget me, however, whatever happens. It is one of the things I most value and delight in, connected with Parliament, that I may call you friend through it. It is a great bore leaving the House just when I might have sat by your side in many a sharp fight, for which, I expect, we must be prepared this next Session.

Yours always most truly,

J. D. COLERIDGE.

W. E. GLADSTONE to SIR JOHN DUKE COLERIDGE.

10 DOWNING STREET, WHITEHALL,

November 10, 1873.

MY DEAR ATTORNEY-GENERAL,

Moncrieff has accepted the offer of a Peerage. We wish for a new English Law Peer. Your advancement has been, as you know, unexpected as far as the moment is concerned. But, as it has occurred, I cannot hesitate to

say that you would be the best English Law Peer we could have.

If you agree to meet my wish, I will at once, on hearing from you, submit your name to Her Majesty.

Believe me, sincerely yours,

W. E. GLADSTONE.

ARCHBISHOP OF WESTMINSTER *to* SIR JOHN DUKE COLERIDGE.

ARCHBISHOP'S HOUSE,

WESTMINSTER, S.W.,

*November 17, 1873.*

MY DEAR SIR JOHN COLERIDGE,

I send you two Pamphlets, one because you are an Editor of *Blosius*: and the other because you may not know that I am a heretic.

And now let me wish you *multos annos* on your Canonization. I hope you will kneel down and ask your Father's blessing, as Sir Thomas More used to do to Mr. Justice More.

Believe me always, yours very truly,

HENRY E., ARCHBP. OF W<sup>R</sup>.

J. C. SHAIRP *to* SIR JOHN DUKE COLERIDGE.

*November 18, 1873.*

If you go to the House of Peers I shall be amused—not that you won't be quite in the proper place—but I remember that even in Balliol days, and ever since, you have been somewhat impatient of "Lords." But, perhaps, this was of hereditary Lordlings, not of Law Lords, or those who achieved it for themselves.

HENRY HAWKINS, Q.C., *to* SIR JOHN DUKE COLERIDGE.

12 CLEVELAND ROW, ST. JAMES'S,

*November 18, 1873.*

MY DEAR COLERIDGE,

I cannot add to the warmth of the congratulations which I personally offered you when we met at the Bench a few evenings ago, but, before you are finally invested with the Honours, and burdened with the cares of the high office which awaits you, let me once again with all my heart express to you my sincerest wishes that, in the new life you are about to enter, you may find all the happi-

ness which your dearest and best friends can desire for you.

We shall neither of us ever forget the hundred and odd days we spent before poor Bovill. Upon those days, during which I sat by your side, I shall ever look back with unmingled pleasure. I cannot promise myself that I shall have the same gratification when, hereafter, I remember the present Trial. *Nobody but myself* can know the feelings with which I strive patiently and with temper to endure it. In one thing only does it resemble the last—I have Colleagues who have won from me gratitude, admiration and esteem.

Believe me, my dear Coleridge,

Ever sincerely yours,

H. HAWKINS.

SIR EDWARD VAUGHAN WILLIAMS to LADY COLERIDGE,  
*mother of LORD COLERIDGE.*

1 PARK STREET, WESTMINSTER,

November 19, 1873.

MY DEAR LADY COLERIDGE,

I cannot forbear writing a line to congratulate you very sincerely on the elevation of your son John to the high post of Lord Chief Justice of the Common Pleas. I am tempted to write another line to remind you of the very interesting conversation which you honoured me by holding with me, several years ago at Heath's Court, when you requested me to give you my advice whether he should accept the then vacant office of Clerk of Assize of the Midland circuit. I then told you that I felt most confident that, if he continued at the Bar, he would rise to its highest honours, and strongly dissuaded his acceptance of the office of Clerkship of Assize. I am proud that my anticipation has been so signally verified, and I hope you may live, for many years, to witness his performance of the duties of his exalted post.

I will further trouble you to present my warmest congratulations, on this occasion, to my excellent old Friend your Husband. With my kindest regards,

I remain, my dear Lady Coleridge,

Yours faithfully,

EDWARD VAUGHAN WILLIAMS.



SIR JOHN DUKE COLERIDGE *to his* FATHER.

THE ATHENÆUM CLUB,

November 29, 1873.

Just a few lines, this afternoon, as I have got away, earlier than usual, from the Court of Error. We have finished our list, and I have been President all through the sittings. It has been hard and anxious work, but, upon the whole, I have enjoyed it very much more than I expect to do the *Nisi Prius*, at which work I throw off on Monday, and where, in spite of my familiarity with some sorts of causes, I expect in other sorts of causes to be a good deal at sea. Nothing *can* have been kinder to me than the Judges were. Keating is a most perfect gentleman and a thorough good fellow, and I cannot say enough for Bramwell. He has behaved to me like an angel, so as to make my sitting next him a positive enjoyment. . . . At the end of a long and troublesome case yesterday we gave judgment at once, and both Keating and Bramwell said "That was a *capital* judgment, Chief Justice," of which, you may be sure, I was not a little proud. I find the habit of speaking very useful as enabling me to call up the hints and helps of better men, and to turn my thoughts into what at any rate *looks* like order and coherency, but I find myself, as I knew I should, woefully ignorant of *cases*, and on some subjects, mercantile chiefly, of the necessary technical knowledge. However, I hope I shall improve. . . .

MATTHEW ARNOLD *to* SIR JOHN DUKE COLERIDGE.

ATHENÆUM CLUB, PALL MALL, S.W.,

December 6, 1873.

MY DEAR COLERIDGE,

The Fates are against me. On getting home I found that Gertrude Russell, Lord Charles's daughter, had written to fix Tuesday next for coming to dine and sleep at our house, and I must be at home. Yet before I go abroad I must come and dine with you ; for, in a very few years, if you go on rising, and I stagnating, my only right place when I visit you will be, in spite of all your kindness, the servants' hall.

Then I shall sign *Yours respectfully*, but now I still venture to say

Yours affectionately,

M. A.

SIR JOHN DUKE COLERIDGE *to his FATHER.*

1 SUSSEX SQUARE, W.,

*December 11, 1873.*

. . . I have finished my Westminster sittings with a long three-day case, in which Fowler the engineer, an old client and acquaintance, was Defendant; and I had to sum up at great length and with much elaboration. I meant to leave it quite to the Jury, giving them only the materials of judgment. I can't say how I succeeded, but I fancy it was fairly good. I am getting easier at Nisi Prius, and after I have gone through Guildhall and tried a few insurance cases I shall get more comfortable. Banco and Error will always remain formidable to me, but I don't think I shall mind the circuit.

My law-room is getting into order, and I hope by Xmas time to have all my books and papers from Chambers up there, and to be settled in for so much of the fifteen years as God sees fit to give me. It is a comfort to have done with fighting, though you will see from Salisbury's pleasant note, which I enclose you, what *he* thinks on the subject. Of course I do not hear the truth, but the profession must be great liars if they do not generally very much approve of my Peerage, for I get unsolicited and most hearty expressions of rejoicing at it. I hope my poor family are getting reconciled. They will come to it in time. The Garter, whoever he is, desired to know whether I kept my own name, and added "of Ottery St. Mary" with your consent, and I ventured to say "yes." I hope you do not object to "Coleridge of Ottery St. Mary." Tell me if you do.

## CHAPTER IX

### LORD CHIEF JUSTICE OF THE COMMON PLEAS

A man busied about decrees.  
Condemning some to death and some to exile.  
Ransoming one or pitying, threatening the other.

SHAKESPEARE.

*(Correspondence, 1874-1879.)*

ON October 30, 1873, at the very close of the Long Vacation, the Attorney-General addressed a huge meeting of his constituents in the Victoria Hall, Exeter. At the close of his speech he makes answer to some real or imaginary accusers, discontented Liberals, who murmured at the Government, and at himself as a member of the Government. "I rejoice," he says, "to hold and am proud of the seat for Exeter. I am proud of the honour of being your representative, and I long to continue your representative. But no power on earth shall ever make me your deputy." On November 1 he learnt that "Bovill was dead," and the next day, Sunday, he writes, "It is confirmed. . . . To be sure, if I had been asked what my chances of succeeding *him* were, I should have set them down as nothing. He was a good, kind, generous friend." But it was hardly a matter of "chance," and when he came up to town, on Tuesday, November 4, he found a "most handsome letter from Gladstone, offering me the Chief Justiceship." The diary gives further details of his

last days at the Bar, and his first days on the Bench :

*November 7.*—Much talk about my peerage. Monsell told me my speeches at Exeter and Oxford were very good, and urged me to apply. Of course I can't do anything of the sort. Hannen, also, spoke most warmly, and Archibald and Keating and a number of them. It is all very kind but very embarrassing, as I am sure to disappoint people much. Dined in Hall [Middle Temple] after Parliament—J. B. K. very pleasant, again.

*November 9 (Sunday).*—Gloomy, blowing day. Sat in and did work all the morning and read W. W. and S. T. C., and did my farewell address to Exeter.<sup>1</sup> So ends my dream of distinction there. . . . Then read and meditated on my coming life. . . . Read some Boethius, which is very fine, and went to bed early.

*November 10.*—Went to dine in Hall. It seems almost certain, I fear, that I must leave the Inn. I don't much care for this, except that I shall just miss being Treasurer, which I do regret. Home to find that Gladstone has offered me a Peerage.

*November 14.*—My really last appearance in Court, for the Queen's pleasure is taken to-day, and I must not show afterwards.

*November 18.*—My last day as A.-G. Did a great lot of work, settled everything which had to be settled for to-morrow, and spent the afternoon in two patent hearings. Then to dine for the last time in Hall. Every one very kind and pleasant, and Peel proposed my health very handsomely.

*November 19.*—Went through the ceremony [of taking his seat], sat all day and gave judgment in some difficult cases.

*November 20.*—All day again in Court. I shall never be able without real work to do my duty. But I will, please God, try to do it. Nothing can be kinder than my judges, but it is difficult to keep my place with them.

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<sup>1</sup> "I will not," he wrote, "affect to deny that I quit political life reluctantly, and resign the seat for Exeter with great regret. It has been the pride and honour of my life to represent the capital of my county; and my political principles are as strong as ever, and my political sympathies as keen as ever; though henceforward I can allow them, as a judge, neither influence nor expression."—*To the Electors of the City of Exeter*, November 18, 1873.

*November 21.*—In Court till three. I hope I am getting on, but I am, certainly, not yet the Chief of the Court. I am careful and civil, however, and hope to get on.

*November 26.*—Went this morning down to sit in the Court of Errors. Sat between Keating and Bramwell. What gentlemen they both are! They were very kind to me and helped me through the duty very much. I do not think I did so badly as I expected. Pleasure taken as to Peerage.

*November 27.*—Once more to the Court of Errors, where we heard a long argument from Manisty. It is so strange to sit up there and see these men arguing. Nothing can be pleasanter than they are. Then home and to dine with [Sir H.] Taylor, and there we met Carlyle and Brookfield, with whom I had a good deal of talk.

*December 3.*—A Railway case to-day in which I tried to do justice, but, I think, failed. . . . Then home to a quiet dinner. My birthday and John's (J. F. Mackarness). Ah me! how old we get, and here am I, at the head of things, all but one, and to be a Peer. *Eheu fugaces!*

His father, now in his eighty-fourth year, could not but rejoice at the fulfilment of all, and more than all, that he had hoped for, and he thus bears record:

1873. *November 19.*—It is now very near the time at which, I believe, my most dear boy is being sworn in Chief Justice of the Common Pleas. Most humbly and most heartily do I thank God for this great honour and blessing, conferred on him, and me, and my family. May He continue to guide and strengthen him in the discharge of his duties. He has given him great qualifications—quickness and clearness, a powerful memory, remarkable powers of arrangement and delivery, much dignity of person and manner, quickness of perception and a full grasp of facts and arguments. I cannot but hope *very highly* with God's blessing on these. . . .

. . . I am full of the scene now being enacted, and yet, though I am much better, am glad I did not consent to go up. Beside my own want of strength I was right not to leave Mary here alone. Soon I may hear and see him in his high place. My own inferior elevation is of course now much remembered, and it adds somewhat to the interest, and that I am alive to witness his elevation.



I rather think from his expressions that he will, after all, accept the Peerage.<sup>1</sup>

W. E. G. gives him to Saturday to decide. I hope he may. If he conducts himself wisely, as a member of the House of Lords, he may be very useful and add much to his reputation.

Lord Coleridge enjoyed his new dignities. On the whole the fire of life was warm and pleasant. His diary for 1874 is full of new experiences, the pleasant incidents of great position.

There was his first circuit as Judge of Assize:—

1874, *March* 4. Oxford.—Charged the grand jury. Had the University and the Mayor and Corporation, each with their gloves. Went in state to St. Mary, the first time, I think, I have been there since Newman's time. How changed, and how strange it is, to be sure ! . . .

Worked hard in Court, and had the Dons to dinner. Sat between Christ Church and Oriel (Dean Liddell and Dr. Hawkins).

*March* 6.—It is very curious being at Oxford after so many years, and to feel the difference through others rather than in oneself. I quite wonder at the kindness at Exeter last night. (R. Cowley) Powles came to breakfast this morning. I went with him to Cuddesdon.

*March* 11. Worcester.—A very busy day, not getting out of court till near nine. Thus far I have got on capitally with the Bar, and the juries have in all cases done what I wanted. I *should* like to know how it "strikes a contemporary" [title of one of Browning's Poems], but that I never shall.

*April* 23.—Off early, leaving my two lords [his supporters, Lord Blachford and Lord Clifford] behind, . . . went to the House of Lords and took my seat. It was a curious and rather grotesque ceremony, but, I suppose, an old one.

*May* 24. Whitsun Day.—At home all the morning, as I had to go in state to St. Paul's. Only three judges attended.

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<sup>1</sup> Sir John Taylor Coleridge had been offered a peerage by Mr. Gladstone, but, for his son's sake, and, partly, at his instance, had declined an honour to which he was fully entitled. It was obvious to the Lord Chief Justice that, in some measure, the same arguments might be urged in his own case, and there was consideration rather than hesitation as to the propriety of accepting an hereditary title.

It has greatly fallen off from my time as a boy when I went with dear father. Lightfoot preached a noble sermon on Liberty, in which he touched very well on the Czar and Livingstone, and the North and South of America. What a noble building it is, and how fine Wren's work in it is ! Home to dinner. Boxall came and was in unusual force. Dear Harry came, and we had much talk over Jane's noble drawing of J. H. N.<sup>1</sup>

Of public utterances, during his tenure of the Chief Justiceship of Common Pleas, perhaps the most remarkable was a speech delivered, at Bradford, to the "Yorkshire Union of Mechanics' Institutes," May 23, 1877. He was the guest of W. E. Forster, member for Bradford, who had invited him for the occasion. Two extracts from his diary describing his hosts and their surroundings my serve as introduction to a few sentences of his speech.

1877, May 23. Burley-in-Wharfedale.—Up early this morning, and after breakfast finished up my speech and went with Forster to Bradford. The drive was pleasant, and he is a most interesting man. More and more loveable and admirable the more one sees of him. Then, when we got to Bradford, a grand splendid new town with fine buildings, and looking bright because no chimnies were smoking. I went in and attended a conference, and then dined with the Mayor in a beautiful room. To the Institute at seven : got my speech off my mind, heard some speaking of very good quality from Forster, Hodgson, Pratt, and others.

May 24. 1 Sussex Square.—Thank God that's over ! Spent the morning early in going over Forster's mill, which is close by his house, and the necessary weir for which makes a fine broad reach of the Wharfe right over which, some twenty-five feet above it, the house stands—a modest but well-built and handsome place. He and his wife are really delightful, and their conduct to their adoptive children tender and touching. We made out some connexion through Mrs. Norris and General Hodgson's wife. Bid adieu to them all with regret, and came up in time for dinner. A

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<sup>1</sup> The portrait of Cardinal Newman by Lady Coleridge, was engraved by Samuel Cousins.

quiet evening with all my dear ones. . . . So glad to be home again.

SELECTION FROM ADDRESS (May 23, 1877).

*Education.*

You may say, and you may say with truth, *Quis vituperat?*—Who finds any fault with us? Well, no one does find any fault, and I thank God that so it is. Men nowadays are ashamed to say, even if they think, that knowledge and cultivation are bad things for any man in any calling, on any stage of life. There may lurk some unfortunate beings, here and there, who may think so, but, at all events, no one is bold enough to come forward and say so, openly, in public, in the face of the country. These things—knowledge in its widest sense, the cultivation of the powers of the mind in its deepest meaning—these things are now admitted to be, as they have always been in fact, the universal heritage of the race of man, and you and I, and all of us, have a perfect, absolute, indefeasible right to what any of us can get for ourselves of these good things. I venture to deny, with all the energy that I have, that the mistakes and faults of the working classes—and, being men and women, I presume they have plenty of faults, and have made plenty of mistakes—I deny, altogether, that they come from the spread of knowledge, or the increase of cultivation amongst them. I abstain from saying—although the epigram is undoubtedly somewhat tempting—to what sources the faults and mistakes of the higher classes may be owing, for they, too, being men and women, I suppose have plenty of faults and have made plenty of mistakes. I content myself with asserting that it is my intimate and profound belief that the working men of England—perhaps a large body of whom I now see before me, and whom I respect too much to flatter them by telling them they are perfect—that the working men of England, in proportion as they reflect, and read, and gather knowledge, so, they become not dangerous, but safe—dangerous, perhaps, as they ought to be, to such part and parcel of our institutions as don't admit of intelligent defence, but safe—absolutely safe—to the State at large; because the more they read, and reflect, and gather knowledge, the more they will realise that now in fact, as it long has been in theory, the ultimate power in England is with the English people, and that whatsoever the English people steadily

and peaceably demand they will certainly and speedily obtain.

*Brains.*

Let me enforce what I have to say by an illustration, perhaps familiar to some of you. There is a story told of Sir Joshua Reynolds. I know not whether it is true of him or not, but, however that may be, it is a good story. Some man, admiring his paintings, said to him, "What do you mix your colours with, Sir Joshua? What do you use to make them look so beautiful upon your canvas?" "Brains, sir," he said, "brains is what I mix them with." I leave the moral of that story to your careful attention.

*To know is to know all,  
And, above all, to know thyself.*

Never forget—this is to the pupils of your institutes—that in order to obtain the full advantage of cultivation you must regard knowledge as a whole; you must not suppose you know it all because you know a part; but recollect that everything is to be taken as part of a system, and to be viewed in its proportion with other things.

For beauty, good, and knowledge are three sisters  
Who dote upon each other; friends to man,  
Living together under the same roof,  
And never can be sundered without tears.

Next—and this is the last I have to say—let me give this piece of advice to all working men: I give it in the words of the same great writer, as I first knew them when I was a boy, and before—if he should ever see this I hope he will forgive me for saying—he altered and, as I think, weakened them—

Self-reverence, self-knowledge, self-control,  
Are the three hinges of the gate of life.

Perhaps the most important, certainly the most interesting, case which came before Lord Coleridge as Chief Justice of the Common Pleas was that of the Duke of Norfolk *v.* Arbuthnot. History and the Church of Rome were on one side, Architecture and the Church of England were on the other. There

was an appeal to law to decide the issue. The case was heard before Lord Coleridge, March 25, and judgment was delivered May 17, 1879. This was the case. The parish church of St. Nicholas, Arundel, is cruciform; nave and south transept belong to the parish; the "parish" chancel, or Fitzalan Chapel (the "choir of the *college* of the Holy Trinity of Arundel") and the north transept, or Lady Chapel, belong to the Dukes of Norfolk. An "iron lattice-work or grille," filling the chancel aisle, and coeval with the church, divides the parochial, from the ducal portions of the fabric as a whole. Five years before the suit began, the Duke had built a wall to the east of the grille, and, after waiting five years, the Vicar of Arundel had pulled down and destroyed the wall. The question was, Did the Fitzalan Chapel and the Lady Chapel belong to the Duke, as immemorial right, custom and occupation dating from times long before the Reformation seemed to determine—or, to the parish, as the design and construction of the church as a whole would indicate.

The Lord Chief Justice was plied with historical arguments by the great historian, E. A. Freeman. "If," he asks, in a letter dated March 31, 1879, "you can judicially tell me what the Reformation was, and when it happened, you will have outdone every judge from Bishop Roger onwards." Mr. Butterfield pointed out to Mr. Freeman that "the altar in the south transept is never called a 'high' altar, but only the 'parochial' altar (*vulgariter nuncupatur*)," and this, of course, would point to a dormant claim to the great chancel, where a "high" altar should be. But Freeman did not



believe "in Butterfield a bit," and, *pro hac vice*, and with many apologies, neither did the Lord Chief Justice. He had no doubt, in his own mind, what the issue would be, but he took some time and infinite pains before he put his decision into words.

The judgment, which gives the Fitzalan Chapel to the Duke, is a masterpiece of close and, yet, easy narrative, and, also, of lucid exposition. It must be read as a whole, but there is one passage which may be detached from the context, in which, as he might have said, he "lightly perstrings" the great family, whose claim he was admitting, for their former neglect of their ancient and sacred heritage.

The utter neglect of this beautiful and interesting building by the same line of owners is almost equal proof of the absolute character of their ownership. It is, no doubt, the privilege of an owner to let his property fall into decay; a privilege of which former Dukes of Norfolk have availed themselves in respect of this building to the utmost extent. A hundred years ago, as a print of that date shows, there was a rich carved roof which, whether it was removed or fell down, at any rate no longer exists. There are costly and noble monuments of the Fitzalans, amongst them a singularly rich and splendid alabaster altar tomb with two recumbent figures on it, all in a state of dirt, neglect, and mutilation, which families far less illustrious than those of Howard and Fitzalan seldom allow to exist in the monuments of their ancestors. It was proved also that the building had been used as a lumber-room, and as a workshop, and that the access to it which was denied to the vicar and parishioners was freely granted to the owls and the bats. There may have been reasons why this state of squalor and ruin was permitted, of the weight of which I am no judge, for I do not know them; but, certainly, a stronger assertion of an absolute right of property in a patron of an ecclesiastical building than to exclude every one from it, to treat it as a store-place for tools and ladders, and to suffer it to become almost a ruin, can hardly be conceived.

LORD COLERIDGE *to his FATHER.*

1 SUSSEX SQUARE, W.,  
*January 4, 1874.*

. . . That very august person "Garter" informs me that I must have two *Barons* to support me when I take my seat, and I have asked Lord Clifford and Lord Blachford, as two Devonshire magnates, to stand sponsors for me, and I hope they will. . . .

ATHENÆUM CLUB, *January 28, 1874.*

I have left myself no time to speak of politics. I think the simplest solution is the best—that Gladstone was resolved not to be humiliated any more, that he found he had a great programme to announce, that it was at least doubtful whether he could announce it, orally, in the House, because while a man's seat is under discussion (as his would have been) he is obliged by custom to remain out of the House itself, and, so, he dissolved. I think the resolution was suddenly taken, and the secret was well kept. On Friday night I had a long talk with him at Lord Granville's, in which, amongst other things, he was full of admiration of Aunt Sara. I sat between Kimberley and Hartington, had much talk with Aberdare, and *settled the time of taking my seat with Palmer*, and, on Saturday morning, there was Gladstone's address to Greenwich in the papers! He speaks this afternoon on Blackheath, and *here* it is raining, which is a pity. A great deal will depend on how he speaks and what he does with his audience. I *expect* a great success. I confess to a feeble flicker of satisfaction that I am not in for a contest, and, yet, my fingers do itch a little. I am so sorry you have had rather worse days again, but the year has turned, and, please God, in April we will stand once more upon the Beacon—not on the first day of Term now, however—such "pleasant vices" are out of the question for a C. J.

ATHENÆUM CLUB, *February 9, 1874.*

. . . Manning I asked to meet Lord Clifford, who *was* coming to me on the ninth, and I didn't like to put him off when Lord Clifford gave up coming; so I asked a man or two to meet him. He and Matt hit it off capitally, and I must say the Archbishop drinks much less than the Archdeacon, and eats nothing or very little. . . .

I SUSSEX SQUARE, W.,  
*Quinquagesima (February 15), 1874.*

. . . The defeat<sup>1</sup> is crushing. . . . What I care for, much more than the defeat itself, is the want of sense and political capacity and education which the whole thing shows. The reverse is too great and too universal to be explained by honest and legitimate change of conviction. Now we shall see what there really is in Disraeli. He has it all his own way now and can do really as he pleases. . . . You wonder that I dislike Guildhall and the circuit. But, the truth is, mine is a receptive and assimilative mind, and, by natural quickness and a fair legal apprehension, I can deal with materials fairly well, if I have them given me, and can pick them up from what others say. But, when I am alone, I then feel my want of knowledge painfully. Evidence I know pretty well, by a long and large practice, but other matters I do not know as I ought, and it frets and disturbs me very much. I daresay I shall get on in time, but I dislike it, at present, and am heartily glad when it is over. . . .

LORD COLERIDGE to SIR W. HEATHCOTE, BART.

ATHENÆUM CLUB, *February 26, 1874.*

. . . Yes, you had told me of that passage in your life before. Sometimes I wish you had succeeded, for Gladstone is in many things still a Tory, and out of harmony with the Party he leads, and if he had been accepted as Tory leader he would have liberalised, to an indefinite extent, and in the legitimate way, the policy of that Party. He is, to me, Peel over again with an enormously greater power, and an almost equally lesser sense and prudence. I can see his faults, and I think *wince* under his want of dignity, not of manner only, but of character, as much as any man can. But I do admire him on the whole with all my heart. I reverence the purity and nobility of his intentions and motives; and, when I see such a man flung aside for such a man as Disraeli, I find it hard to be temperate in language or feeling.

Yes, I like and respect Hardy, and I do both to and admire, also, Salisbury; but, in the public life of both of them, there is, what I should call, a "savage" element in the real sense—which, as a matter of *public* feeling, I intensely dislike. However, it will, I dare say, not be as bad as I fear.

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<sup>1</sup> "In England and Wales the Tory Majority [in the new Parliament of 1874] stood at 105; in Great Britain at 83."—*Life of Gladstone*, ii. 491.

LORD COLERIDGE *to his* FATHER.

OXFORD CIRCUIT, READING,  
*March 3, 1874.*

. . . It is inexpressibly funny to me to be trumpeted about in a coach and four, and to have my tail carried in state by old Sexton. Let it be your son's modest satisfaction that, trying back to the parent monkey, he has a real tail, whereas his father was inferior to him in having but the rudiments of that interesting appendage. I see Vance<sup>1</sup> now, catching up the corner of the gown, and rather revealing his Lordship's legs more than was always proper. I hope I comport myself with proper dignity under it all, but it tries my muscles sorely at present. . . .

COURT OF COMMON PLEAS,  
*April 24, 1874.*

. . . Yes, what you say about my discontent is in one sense true enough. I have high rank and large salary for work which is not excessive and which, as to some portion of it, at any rate, is very interesting. But I speak the truth when I say that I am not up to it, and no one likes to do what he knows he does not do well. However, I mean to do my best and leave self-censure or self-estimate alone, if I can, and as much as I can.

We had a very interesting evening with my two noble friends. They were *most* kind, and in their way were each of them very delightful. I had a great deal of talk with Lord Clifford about Rome and the Council and Manning, and very striking his views were. He said he would not touch the Church, that he regarded it as *invaluable*, for that abroad there was nothing for moderate men to belong to; that it was either the Council or infidelity; but he thought, in England, the use of the Church as a bulwark and a refuge for moderate men was not to be told. Very much, you know, what Newman has said, too. I took my seat yesterday, and am going there for the first time to-day. I am rather shy of it, but I had better get it over. . . .

C. P., *St. Mark, April 25, 1874.*

. . . I went for the first time to the House last night, and came in upon a very brilliant and in some parts

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<sup>1</sup> Sir John Coleridge's butler, whom he had made an usher of the Court.

moving speech of the Duke of Argyll about the modern farmer.

There was a good speech, too, of Salisbury's, and then Lawrence and Lord Napier spoke, but I thought them clearly wrong in wanting us to forbid exports and to give a guarantee to the Indian loan. . . .

HOUSE OF LORDS, *April 27, 1874.*

You shall have the first letter I write from the library of the House, which I think is the best part of it. It is a beautiful room full of noble books and as quiet and still as if one was a hundred miles off. . . .

1 SUSSEX SQUARE, W.,  
*May 11, 1874.*

. . . A word only as to not speaking. I am, perhaps, sensitive overmuch, but I do not want, *as a Judge*, to seem eager for display in the Lords, and, as yet, I do not *the least know my audience*. . . .

I think I *am* finding the ground firmer under me in my court, and I hear, in indirect ways, that, at present, I give great satisfaction. I would rather not seem in a hurry, and this subject is *very* difficult to handle for me from the circumstance that the Arch[bishop] spoke to me *about* the Bill<sup>1</sup> but never showed it me, and I must say that, though I think some Bill is wanted, this Bill is far too strong and one-sided. I found also that Selborne and Hatherley were both going to speak, and, of course, Cairns will, so that I thought there would be lawyers enough. Perhaps I am wrong, but I reserve myself for *juries* which I do understand, and which I hope to make my own when the Bill comes up. . . .

LORD COLERIDGE *to* DR. NEWMAN.

1 SUSSEX SQUARE, W.,  
*Whit Monday, May 25, 1874.*

MY DEAR DR. NEWMAN,

You have once at least held out a faint hope that it might be possible for us to see you under this roof, for a

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<sup>1</sup> On May 11, 1874, Archbishop Tait moved the second reading of the Public Worship Regulation Act in the House of Lords. "A division had been anticipated, but though Lord Salisbury, Lord Shaftesbury, Lord Nelson, and others, took exception to the measure from different points of view, they declined at the last moment to divide the House against it, and, after a debate of seven hours, it was read a second time."—*Life of Archibald Campbell Tait*, 1891, ii. 205, 206.



night or two. Perhaps I, even thus, overstate the matter in my own favour, but I, at least, have hoped it might be so. I do not know whether you have ever seen or heard of any of Lady Coleridge's drawings of which it does not become me to speak, but I think Church and Blachford would tell you that they are not common things. And she has done large heads of three or four persons for whom we have great love or respect, and they are thought successful. She has begun from a photograph a head of you, which to me and to her and to all of us will be a possession of great value, in any case, but it would be a very great favour if you could let her finish it from you. A couple of sittings at the very outside would be all she would want, and I really do not like to say how much obliged I should feel if you would give them to her. Any day convenient to yourself, between now and the ninth or tenth of July, we would make convenient to us, and you shall have all that the heartiest and most affectionate respect can do to make you welcome and to suit your convenience as to hours of church, and in all other ways. I do not know what to say in excuse for this petition. I am afraid you will think me endowed with all a lawyer's assurance; but, indeed, if you knew or could realise what you have been to me, since I went to Oxford in 1839, you would not wonder at any wish to have a permanent record of you in my house, and would at least forgive me.

Believe me always,

Most truly and gratefully yours,

COLERIDGE.

DR. NEWMAN *to* LORD COLERIDGE.

THE ORATORY, *July 3, 1874.*

MY DEAR LORD COLERIDGE,

Your beautiful books have come safely, and I thank you for them. I thank you more for the inscription you have put in the first volume, which you must not think I did not feel, when you showed it me, because I did not show I felt it. In time the volumes will be transferred to our Oratory Library, and will there remain in token of the kind thoughts which the first Lord Coleridge had of me. Of course there is just one thing more that I should covet, as would your brother too.

I shall be quite ready to attend the summons of Lady Coleridge, whenever she sends for me.

Very sincerely yours,

JOHN H. NEWMAN.

## LORD COLERIDGE to his FATHER.

CLIFTON HOTEL, CLIFTON,  
August 9, 1874.

I am here at the utmost bourne of the Circuit, and, thus far, it has gone very pleasantly and well. I have got on very fairly with my colleague. I daresay he would say more than very fairly, but he is not my sort of man and I never *should* like the kind of fellow he is. But he is a great judge, a very helpful colleague, and the time has passed without the slightest difference between us. As for the rest, it has been very interesting to go the old circuit and the men have been very kind and cordial, but I do not like the work more nor feel fitter to do it than when I began. But the die is cast: it cannot be uncast now, and it is no use to fret and to repine. One has but to go on and do one's best.

I had to pass my first sentence of death at Wells and it was very trying. But I think it always will be. I do not doubt the right of the State to take life, and if ever it was right it was so in the case before me. But it makes the blood curdle to think of a poor creature, like me, really cutting short the life of another being equally made by God to live, till *He* calls him away. I have only had one verdict since I came on to the Bench which I could really call *perverse*, and that was the other day in Cornwall. I think if they trust you they generally *mean* to do what is right.

Dear old [Canon] Beadon<sup>1</sup> asked most kindly after you at Wells. He is in his ninety-eighth year, and he, really, has not one trace of an old man about him. He dined with us and afterwards with the Bishop, and was as lively as any man there. He is quick in all his faculties, full of intelligence and interests of all sorts, a sportsman, a botanist, a very good naturalist, a good deal of literary anecdote in him, and has *just taken to spectacles*. If he does not go down all at once he seems good for 120. One hears every day of wonderful men but he trumps them all. "Don't coddle and don't worry" is his recipe for longevity. He was born in 1777, *thirteen years before you*.

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<sup>1</sup> The Reverend Frederick Beadon, Canon of Wells, was born December 6, 1777, and died June 10, 1879, in his hundred and second year.

LORD COLERIDGE *to* SIR W. HEATHCOTE, BART.HEATH'S COURT, OTTERY ST. MARY,  
*St. Luke* [October 18], 1874.

The mighty *Times*<sup>1</sup> in commenting on my few words at Exeter said that I didn't define sacerdotalism, but that we all know well enough what it meant. I am not quite sure that, in one sense, I agree with the *Times*. I think I have a clear notion in my own head of what I mean, by the thing, but a lucid and exact definition of the term is another affair, and I am not at all sure that I can give it. If I were to say that the sacerdotal principle is that which turns ministers into priests, and that I wish the clergy of the Church of England to be ministers, and do not wish them to be priests, I shall, perhaps, have done something towards clearing the matter; for I suppose every one can feel the difference which is implied in the respective use of the two words. The Roman priesthood is almost a perfect specimen of what I call sacerdotalism put into action. A separate caste with transcendental powers, and some mysterious right of interfering between man and God, and of declaring how man stands to God; powers exercised sacramentally, and which it is religious to submit to; powers conferred on an order of men, and not dependent on this man's or that man's qualifications for exercising them—this is sacerdotalism. "Receive ye the Holy Ghost:" "I absolve thee from all thy sins!" "Let him come to me that he may receive the benefit of absolution," etc.; are all bits of sacerdotalism intelligible, no doubt, in a "non-natural sense," so as to let one stay comfortably in a church which uses them; but, in their obvious and natural sense, leading, in my judgment, to every kind of folly and mischief. Then our clergy, having, as I always say and contend, an undoubted *legal* defence for themselves, found upon this a system hardly to be distinguished from the Roman—mischievous, emasculating, false, which I do not think them the least *dishonest* for trying to maintain, but which I, for one, should be glad to take away from them the means of honestly maintaining. "Do I," as Knight Bruce used to say, "make myself intelligible?"

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<sup>1</sup> At a meeting of the S. P. G. held at Exeter, October 14, 1874, Lord Coleridge, while denouncing the "sacerdotal principle" enforced by extreme High Churchmen, admitted that this principle can claim the authority of some important portions of the Prayer-book.

I think, however, I was open to the charge of speaking on a subject which could not be fully handled at such a place and time, and which, therefore, ought not to have been handled at all. One can show but a corner of one's mind at such a meeting, and in fifteen minutes or less, and I ought to have remembered this. But Gladstone's omission to say what I wished he would say moved me, and I was determined, somehow, that my people down here should not suppose I had any leanings to ritualism. I ought to have remembered that it was the Long Vacation, when the snapping of a cur is heard farther than the roaring of a lion in May and June. . . .

LORD COLERIDGE *to his FATHER.*

1 SUSSEX SQUARE, W.

November 22, 1874.

. . . I had a very interesting day at the Middle Temple on Thursday, where every one was very kind, and an allusion to you was very warmly received. Cockburn was there, and I pleased him by refusing to go before or sit above him, and I made him make the speech for the Judges. If I had known I doubt if I *should* have done this last. He made a flaming oration, almost bursting with wrath and passion about himself and Kenealy, ending in a savage attack on Cairns (who was to have been there but did not come), for not taking away Kenealy's silk gown, and a very fierce one on the Attorney-General, who was not there either, for not attacking him, by way of *Ex Officio* information. . . . I think the Government are wrong and feeble, but Cockburn has mistaken his man in thinking he can lecture and drive Cairns to do what he wants. . . .

I had a most interesting and touching meeting at the Temple with John Karslake. He was in great spirits; but quite or nearly quite blind. He did not know me, nor even my voice, till I told him who I was, and I saw that close as I was to him he could only discern that there was *something* there, but not the least who or what it was. Then I said, "You ought to know my voice, for I am sure you have heard enough of it." And he replied that it was very curious before he was *blind*, (and he used the word which went through me), he thought, he knew every one's voice, but that now he knew no one's, but, he supposed, he should learn in time. We had a long and intimate talk; I think men left us alone rather on purpose, and we had to wait near an hour

for Cairns, who never came. Nothing could be nicer or finer than his spirit. . . .

HATFIELD HOUSE, HATFIELD,  
December 20, 1874.

. . . They are very good, simple, noble people my host and hostess here, but I should not like this kind of life at all, and, whenever I come into it, I feel what a mistake I have made. Nobody *can* be kinder than they are or more comfortable than the house ; but I live out of it all, and our orbits impinge on one another for so slight a passage of both that I feel altogether out of my element. Nor, though these two people are very fine and noble persons, does the sort of society arride me. The interests, the topics of talk, *all* are not only so foreign, but so distasteful and uninteresting to me that I have no desire whatever to see more of this sort of society.

To me a great house is very interesting, indeed, as a bit of history, but I think if I had one it would be, personally, humiliating rather than exulting. The sense of being a mere passenger through these great rooms, one in a long line of inevitable possessors, would be, I fancy, anything but gratifying to pride and self-sufficiency. *Haeres haeredem velut unda supervenit undam* (that's not right, by the way) would be borne in on my mind, I think, with crushing force.

1 SUSSEX SQUARE, W.,  
Septuagesima [January 24], 1875.

. . . You will see the great calamity which has befallen my court and me, and, I think, the whole profession, in Keating's resignation. A good and learned lawyer, a man of excellent sense and judgment, and one of the most perfect gentlemen I ever met. . . .

I cannot and do not want to defend either Greville or Reeve. . . .

I read the *Quarterly*, which, *as far as it goes*, makes out a case, but, at last, the *specific instances* of mistakes or lies are not very many, if you take into account that they are picked out of three thick columns closely printed, and crammed full of small facts. And the general observations, on both writer and editor, are not to my mind half strong enough or in a high tone enough. Then I carry my feelings on this subject a good way, and I am glad to find you agree, which I should not have expected. *The point seems to me to be the publication of private letters and private thoughts while they are*



warm so to say. . . . It seems to me sickly sugar-candy sort of charity to publish all that is laudatory, and to condemn publishing all that is the reverse. My objection is to the whole thing till these things are history. . . .

I went last night with a party to see *Hamlet*. Irving<sup>1</sup> is very fine, indeed. I went, I own, with a prejudice against him, but he completely overcame me. In the scene with the Queen, and, in the grave-scene, Macready was *much* finer, and I missed Macready's subtle, intellectual delineation of the changing phases of Hamlet's complex character. But it was a *very* fine performance, and the Play-scene rose into absolute grandeur. But what a play it is! Not only the profoundest thoughts and the most magnificent poetry, but such splendid situations.

Gladstone's article [in the *Quarterly Review* for January, 1875], I must say, somewhat diminishes my intense sorrow at his withdrawal. If he really *must* write such things he is plainly disqualified from leading the Party. Surely the true value and significance of the Pope's speeches is measured, correctly enough, by the contemptuous indifference of the Italian Government. The article is unjudicial and unbalanced all through.

J. H. N.'s pamphlet [letter to the Duke of Norfolk] is worthy of himself. Not only is it most beautiful and masterly, but there is not a word of anger or unkindness to Gladstone all through. He does hit very hard blows upon Ward and Manning, not by name, of course. Yet, I hear, the great Roman Catholic body are thoroughly pleased with it.

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<sup>1</sup> In the course of a speech delivered at a complimentary banquet to Mr. [Sir] Henry Irving July 4, 1883, Lord Coleridge gave judgment to the same effect. "It does not become me now—I have not the skill or power—to analyze critically Mr. Irving's genius, to weigh it in the balance of opinion, or to say that in this or in that it is deficient. To me it is sufficient, to be sure, that he has the extraordinary, and unusual power of conveying the conception of the part which he acts, that he has the power of expressing to me and to others, and making us comprehend what is in his own mind, and what is his own distinct intellectual conviction. It does not become me, where so much is good, and where so much is more than good, is excellent—it does not become me, being a mere amateur, a mere occasional, and very occasional playgoer, to pick out for praise this particular thing or that particular thing, but if I may be permitted to say in what, in my judgment, the genius of Mr. Irving has culminated I should say for myself that it would be seen in *Hamlet*, and in the intense—I had almost said the extreme—malignity of the villain in the *Lyons Mail*."

1 SUSSEX SQUARE, W.,  
February 2, 1875.

I have not written to you for some days, for while Dr. Newman was here I could not write of an evening, as we had two or three people every night, and all day I was at Guildhall. I thoroughly enjoyed his visit in every way. He was very frank and open with me, and, I think, he was happy too. The fascination of the man, personally, is far the greatest I ever felt. He never talks controversy, hardly alludes to difference, and you feel, all the while, that you are talking to a great and holy Christian unto whom dogma and opinion may, indeed, have importance, but who recognises the fact that men differ on these matters, and who clearly thinks that *conduct* and devotion are *the* things, and is in sympathy with goodness wherever he finds it. As to the controversy now raging it is curious the amount of adhesion there has been to him. Bishop Clifford, Bishops Ullathorne and Cullen in Ireland, have openly, the latter most emphatically, adhered to his view. . . .

J. H. N. like Burke always makes a pamphlet a thing of permanent value, and it seems to me the section on conscience is admirable and in his very best style. . . .

1 SUSSEX SQUARE, W.,  
February 20, 1875.

. . . I found *Vaticanism* waiting for me, from Gladstone. I have not read it through, but I have a good deal of it. It is powerful and hard hitting, but, yet, in a most beautiful spirit. The tribute to Newman is splendid. It is not one word too much, but it must give a pang, one would think, to those whose coldness and hostility were one among many causes of a loss so disastrous, not to the Church of England only—that is of very small importance—but to the cause of religious philosophy itself, which is of infinite importance. . . .

LORD COLERIDGE to THE RIGHT HONOURABLE JOHN BRIGHT.

1 SUSSEX SQUARE, W.,  
April 30, 1875.

MY DEAR BRIGHT,

If you call me Lord Coleridge I don't know that I will do anything you ask, however small; at least on a repetition of such conduct. But, as it is, of course your man shall have the small distinction he covets. But he

must apply in form in the ordinary way, as a record of all these things is kept in an office.

Thank you much for the Tichborne speech. It will be most valuable. To me the *demonstration* was the Chilian correspondence and evidence, but, then, it was difficult, if not impossible, to get that into compass for a popular assembly. But the case is not argument but actual demonstration.

Ever yours most truly,

COLERIDGE.

How well the House behaved! Perhaps the Germans might have behaved as well. Else there is no other assembly in the world which would have carried itself with such unbroken self-restraint and dignity.

LORD COLERIDGE to his FATHER.

1 SUSSEX SQUARE, W.,

May 30, 1875.

I am in the midst of earthly and heavenly pomp. Yesterday Queen's birthday and full fig, and Home Secretary's dinner. To-day to St. Paul's. I shall be glad when it is over, as these State services are supreme bores, though I make a point of going while they are kept up, as, I suppose, example and outward homage by persons of station does go for something still, and may do some good when better reasons fail of effect. . . . We had a pleasant dinner at the Home Secretary's. He gave it at the great hotel just opposite to Buckingham Palace, and there was a very pretty room for it and the thing was done well. Prince Christian, who is said to like lawyers, came to the dinner, and was very gracious to me. I insisted upon being put below the little Chief, which gave him great pleasure, and I hope, for the short time we shall be together on the Welsh Circuit, we shall be very good friends. The Prince, who has no London house, had to catch a Windsor train, so we got away about half-past ten, and, then, I went for a few minutes to Salisbury's new house for the first time. A most magnificent affair it is, indeed, built on a curious piece of ground *very* deep but not at all wide, so that you have long stately passages and the *whole* width of the house is given to two drawing-rooms; and very stately and splendid they are. It is not the least like a common London house, and, though I can see that Butterfield would have made a finer thing of it,

yet it is an interesting and ingenious "treatment" as he would say of a London show-room. As we had a meeting of the eighteen judges, I thought, yesterday, I might shirk, and I went to a breakfast of the Philobiblon Society at Henry Gibbs's in the Regent's Park. What a lovely house that is, to be sure, and how lucky he is to have got it for a long lease! As I saw it yesterday with the American plants in full flower I could hardly believe we were in or near London. I shall be glad, however, when the season is over, as though I do not deny that, at the time, I enjoy these things, I find they take it out of me, and I am very weary when Saturday night comes round. . . .

I SUSSEX SQUARE, W.,  
July 8, 1875.

. . . Things are drawing up here—and to-day I have sat I suppose for the last time in the *Court* of Common Pleas at Guildhall. I go to Westminster to-morrow to deliver a lot of judgments, and I suppose there, too, the *Court* comes to an end. It is quite useless to have done this, and I now very much regret I did not make more of a fight for the Courts as well as their *names* which I did preserve. However, all things come to an end, and so the Queen's Bench, Common Pleas, and Exchequer are fated to disappear. . . .

LORD BLACHFORD to LORD COLERIDGE.

BLACHFORD, IVY BRIDGE,  
October 21, 1875.

MY DEAR COLERIDGE,

Thank you very much for your seeds, and *Phantasmion*.<sup>1</sup> I will sow the seeds and have read the Fairy Tale, very greedily; that is, I have done it at two long sittings, very much wrapped up in what I read, and impatient of interruption. The poetry is charming—some pieces quite beautiful; and there is, on the whole, a rich, exuberant glow which is very remarkable. But I feel, a good deal, the want of some coherent thread by way of plot or moral conception, to hold together the bewildering mass of images, among which I lose myself. The relationships and alliance, and qualities, and functions of all the men and

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<sup>1</sup> *Phantasmion*. A Fairy Tale. By Sara Coleridge. Second edition. 1874. The Preface is by Lord Coleridge.

fairies, and beetles and flowers, and silver pitchers and wings, and subterranean and superterrestrial operations, are, at present, in my mind in such a zig-zag, upside-down, nohow-at-all, and every-way-at-once state of confusion, that I feel almost exhausted to think of them ; or rather, perhaps, in such a state of repletion as belongs to a man who has been feeding for a few hours on noyau and meringues. Perhaps, however, this feeling may go off as digestion goes on. Meantime I feel greatly the beauty of imagery in the prose, and the touching grace of language and sentiments in the poetry. I am much beholden to you for causing me to know the book.

I am afraid I cannot help you in the matter of Newman's bust. I should be afraid that no casts at present existed. The original, as you probably know, was given to Keble.

With kindest regards to all at Heath's Court,

Believe me, ever yours,

BLACHFORD.

LORD ACTON to LORD COLERIDGE.

ALDENHAM PARK, BRIDGENORTH,

November 4, 1875.

MY DEAR COLERIDGE,

I am flattered and delighted to distract you from the cares of broken promises and broken hearts ; but I had fondly hoped that my lectures were only remembered by the enlightened audience that heard them. As soon as I have time I will revise them carefully, and make a little volume of them for judges and other idle persons.

Meantime I am looking out for May's *History of Democracy*, which I have been asked to review, and which ought to yield good material.

If I have the luck to see you when I come up at the end of the week, I should like to be advised by you on a matter of great public interest. Sir J. Philipps' Library of MSS., the largest next to the British Museum, might be secured for the nation if Parliament will vote the money and *annul the will*, which makes it a trust and condemns the family to forego a hundred thousand pounds, and to keep this white elephant in a dwelling-house, exposed to robbers, exposed to fire, inaccessible to the public—a damnable inheritance, in short, all round.

I daresay we could not get the money. But the first point is the legal one. . . . The learned world is all but debarred



from the use of some of the greatest literary treasures : and the only danger provided against is damp, but, otherwise, there is very little security that the MSS. will be preserved.

Would it be quite out of the question, assuming Ministers are agreeable, that Parliament should deal with such a case ?

It would add about 60 per cent. to the British Museum Collection, making it the second in the world.

I am so glad you agree with Argyll ; one sometimes thinks there are no Whigs left, what with enlightened Toryism and Utilitarian Radicals !

Believe me, yours very truly,

ACTON.

LORD COLERIDGE to his FATHER.

ATHENÆUM CLUB, November 6, 1875.

I had a very interesting dinner last night at Russell Gurney's. Little Stanley was there, and, as usual, when he got upon Keble he was genial and delightful. He told me how sad and troubled he had been of late, and how he had found comfort in no book after the Bible like the *Christian Year*. He likes the *Lyra* very much, but he is quite idolatrous about the *C. Y.*, and he said the insight into human nature—the wonderful depth and beauty and holiness of it were quite unlike anything else. He always reads it every day, Sundays and Saints' Days, and he says, sometimes with Lady Augusta, he can hardly get on with it for his feeling. (She has been in great danger, and is hardly any better now.) He wants some one before it is too late to give an edition of it with some of the various readings, but, above all, if they are known, with the personal allusions, and, if possible, the scenery of the particular poems. Could you help, he asked me ; and I promised if I lived to go down to you at Xmas to see if anything could be done in the matter. Do you think you have the means ? I would gladly write for you from your dictation, or make notes of your recollections. Stanley seemed to think it would be a great delight to many hearts. . . .

Early in 1876 a great, almost the greatest sorrow of his life befell Lord Coleridge. His father, whose bodily powers had suffered a general decay, died (February 11) full of years, loved and honoured by

all who knew him in private or in public, honoured and regarded by a still wider circle, who knew him only by name. Two years before (March 8, 1874), he had lost his wife, the object of his care and devotion for more than fifty-five years, but after a while, he had recovered a measure of strength and some powers of enjoyment. He had come to London and sat beside his son on the Bench, remembering, no doubt, a scene which had taken place some forty years before, when his father and mother came to Exeter, to see him on the Bench, and to hear his charge. But, at length, the end had come, and, within a few months of completing his eighty-sixth year, after a few days' illness, he quietly passed away. Two sentences in a letter from Sir Laurence Peel (*Times*, February 13, 1876) describe him in his old age. "His mind seemed to purify itself, and to be incapable of holding a prejudice or a hate; . . . the friend and counsellor of Arnold, the companion of Wordsworth, the biographer of Keble was one inferior to no one of the three in virtue, and who could desire higher praise?" There is a suggestion, in the same letter, that the description of old age, in the ninth book of the *Excursion*, recalls the *mitis sapientia* of Sir John Coleridge. I venture to quote some lines from the passage to which Sir Laurence Peel alludes:

Rightly it is said  
That man descends into the vale of years;  
Yet have I thought that we might speak,  
And not presumptuously, I trust, of age,  
As of a final eminence: . . .  
. . . For on that superior height  
Who sits, is disencumbered from the press  
Of near obstructions, and is privileged  
To breathe in solitude, above the host



THE WEST FRONT OF THE COLLEGIATE CHURCH, OTTERY ST. MARY



Of ever-humming insects, 'mid thin air  
That suits not them. The murmur of the leaves,  
Many and idle, visits not his ear: . . .  
And may it not be hoped, that, placed by age,  
In like removal, tranquil though severe,  
We are not so removed for utter loss;  
But for some favour, suited to our need?  
What more than that the severing should confer  
Fresh power to commune with the invisible world?

It is unnecessary to dwell on his son's grief. The love which he bore to his father is shown in his own words in the sketch or memoir which is appended to the first chapter of this work, and in the letters of half a century.

A few lines selected from many pages of his diary sum up the whole matter.

Dear father! I would not call him back again. I know that he is at rest, and the flesh had become a sore burden too heavy for him to bear. I do not think he suffered much actual pain, but most touching entries in his journal show that he was longing for rest and that he was weak and weary. Now God has called him home and he has gone. What a loss to *us*. To me the whole world seems as if it never could be the same.

SIR STAFFORD H. NORTHCOTE, BART., *to* LORD COLERIDGE.

86 HARLEY STREET, *February 12, 1876.*

MY DEAR JOHN,

I must write you one line to say how much I feel the loss of perhaps the oldest and kindest of my friends. I ought not to have said "perhaps." It seems like the cutting off of nearly the last link with the past. Your father has for very many years been to me a sort of representative of my own grandfather and father; and with him they seem to pass away from me once again. Of course, I share in the more public and general feeling which his death has awakened, and I cannot but rejoice that his great worth is so freely acknowledged. But the private sorrow takes precedence with me. I can scarcely bring myself to realise his being actually gone from among us, and that he will be



no longer there to turn to for sympathy. I should very much have wished to be allowed to attend his funeral, if I could by any means have managed to have been in London ; but, just now, I am peculiarly busy, and it is quite out of my power. I am sure you will believe that nothing but this would have kept me away, if I might have been allowed to come.

Believe me, affectionately yours,

STAFFORD H. NORTHCOTE.

THE DEAN OF WESTMINSTER *to* LORD COLERIDGE.

DEANERY, WESTMINSTER,

*February 12, 1876.*

MY DEAR COLERIDGE,

One word you must have from me. From 1842 to the last time that I saw him, your dear father was always to me the same kind gracious friend—in those early days bearing with my youthful presumption ; in these latter days always ready with sympathy in joy or sorrow. Truly may they say that his letter was one of the most interesting chapters in my *Life of Arnold*. When I first received it I could not read it without tears. It still seems to me one of the most perfect of compositions. I recollect his saying to me many years ago, "I have arrived at that age when my friends in the other world outnumber my friends in this." How much more true now of him!

Alas ! how much more true of all of us ! My dear sufferer still lingers ; the end uncertain, but the distress and weakness ever increasing.

Ever yours most sincerely,

A. P. STANLEY.

MATTHEW ARNOLD *to* LORD COLERIDGE.

PAINS HILL COTTAGE, COBHAM, SURREY,

*February 13, 1876.*

MY DEAR COLERIDGE,

It was inevitable that this loss should soon come, and the last time I saw your dear father I could not but feel that life had indeed become, in a great degree, labour and sorrow to him—but the loss, when it actually happens, is not the less a great and heavy one. I feel it so myself—and what, then, must be the case with you ? But both I and my wife (who joins with me in the most affectionate

sympathy for you), had known your father all our lives ; from the first time I, as a child, saw him I liked him, which was not the case at all with me so far as all my father's friends were concerned—but his sweet, benevolent face and manners could not but inspire in a child liking and confidence. Then there was my father's deep affection for him, and value of his approval, a greater affection than he had for, I think, any one of his friends except Bunsen, and a more tender feeling than his affection for Bunsen, going more into the past. His death cuts the last link which bound us to that past—that historic past as it has now become ; a past to which we owe so much, the present generation of Englishmen in general, and you and I, I am sure, in particular ; and that past was made by a group of men amongst whom your father will always stand as a prominent and admirable figure. Though not by vocation a preacher and author, he was one of the most influential people in his group ; and, though he was a Tory, he shared its freshness of mind and of mental altitude, by which it did so much to accomplish in England the transition from the old to the new, and to create the atmosphere, healthy, I do believe, upon the whole, in which we are all living.

You and I, my dear Coleridge, are now very old friends, and our friendship has, I hope, a pretty strong independent basis of its own ; but it will always be a pleasure to think that it has such hereditary sanctions.

How delightful for your father to have lived to see your great success in your and his great profession !

Always affectionately yours,

MATTHEW ARNOLD.

Say everything on my part that is kind to your brother Henry and to your sisters.

LORD COLERIDGE to SIR W. HEATHCOTE, BART.

JUDGES' LODGINGS, IPSWICH,  
*April 6, 1876.*

. . . I am drawing to the end of a very painful circuit. I do not know when I have felt myself so low and depressed altogether. The work has been sufficient in quantity, but not too much, but I have had a succession of cases very painful to deal with—three sentences of death to pass, and, for the first time, two of them at least will be carried into effect—indeed, one has been : and the loss of my father weighs on me more and more. Not that I would have him

back, God forbid that for my sake he should come back here, but the inexpressible loneliness which follows his loss is what I expected indeed, but had not and could not realise. It is not only that his "love for me was wonderful, passing the love of woman," but that the sweetest, tenderest, cleverest woman in the world *cannot* be to a public and professional man what a man can be. Wrong, you will say, to have accustomed yourself to lean so much on human love and sympathy, and that of a very old man. Possibly, probably—but that confession does not mend matters. It is not good to dwell on these thoughts, and, indeed, I try to do my duty, and to take the consequences of my errors and sins whatever they may be, but if you find me changed and saddened you will forgive it and perhaps understand it. . . . How interesting Cambridge is, and how very beautiful the buildings are! I saw for the first time in the Master's house at Sidney I suppose the finest Cromwell in existence—a grand, powerful, *pathetic* head—drawn by Cooper in crayons after he was Protector. If ever you are at Cambridge again don't omit seeing it. I came away feeling that the two Universities are *disparēs magis quam impares*, a confession, I hope, creditable to the candour, if not the judgment, of an Oxford man.

DR. NEWMAN *to* LORD COLERIDGE.

THE ORATORY, *June* 11, 1876.

MY DEAR LORD COLERIDGE,

Your list and letters puzzle me. (1) Because you have so many of my books that I can't supply what is wanting without *lapping over*, *i.e.*, without imposing on your library some things you have already.

Of course, if you are good enough to accept any volumes from me, I wish to do it in the most perfect way. Will you let me wait a little while, and think about it? It was an extreme pleasure to me to be with you, but I have not yet got reconciled to you taking me to St. Pancras, including all it involved—Lady Coleridge scolding her mouth with the tea, etc. etc.

Cambridge was looking most beautiful. The trees are finer now than, as I think, Oxford can boast. One phenomenon seemed to have a bearing on what you were saying about Cambridge not being *au courant* of events. Three times in forty-four years have I been there, and each time have found no better hotel than the strangely old-fashioned

Black Bull, with its stuffy atmosphere, the coffee-rooms redolent of onions, with the windows all shut, and the bedrooms (without fire-place) of roast meat. The passages dark, with perilous descents of steps, and the tea-pots, once plated, with the baser material showing itself stronger now. There are, I believe, at Oxford, hotels up to the day. Does not this contrast show that Cambridge is somehow out of the world?

The very name of Black Bull is eloquent of the contrast : when Oxford has, or has had, the Angel, the Star, and the Mitre, Cambridge has not even the King's Arms.

Yours affectionately,  
JOHN H. NEWMAN.

P.S.—I must ask you whether your copies are in purple or in red, but there is no hurry.

LORD COLERIDGE to SIR W. HEATHCOTE, BART.

1 SUSSEX SQUARE, W.  
August 2, 1876.

. . . I wish Lady Heathcote could get me beyond my great grandfather on the paternal side. Through the Dukes we are of respectable antiquity, and my mother's family is very old, but the Coleridges, as far as I know, end in the Rev. John, who was Schoolmaster and Vicar of Ottery. . . . Who his father was, (I presume he had one), I have not the least idea, nor, strange to say, had *my* father.

I *distinguish* about Radicalism. I do believe there is a vein of Toryism in every man, and I don't deny that it is very strong in me in spite of myself. But I am only a Tory in legal matters, as to some things. The whole system of pleading and the old state of things, of which Parke was the crown and flower, was, at once, absurd and iniquitous, and I think so more and more. In many things this fusion is quite right. But why we should have destroyed the Courts, and should now be trying to destroy the grand old sensible, flexible, and yet stable Common Law, which was the result of centuries of decisions of Courts in Banc I am quite at a loss to see, and so I mean to say as strongly as I can. . . .

LORD COLERIDGE to SIR W. HEATHCOTE, BART.

HEATH'S COURT, OTTERY ST. MARY,  
August 30, 1876.

Macaulay was never a man who interested me at all—a very clever man, no doubt, but with an essentially narrow

and commonplace mind. He seems as far as I can judge to have been deaf and blind to the outburst of splendour and music all round him,<sup>1</sup> in the great men of genius he lived with, and I never, for a moment, believed in any historical view of his. I always felt repelled and made suspicious by the perpetual glitter and antitheses of his descriptions. Life does not glitter, and men are not huge rhetorical antitheses—at least none that I meet.

I remember Cornwall Lewis saying to me that Macaulay never was decently fair in his whole life but twice, and those times were in his essays on Clive and Hastings. And this, he said, was because he was under the influence, in these cases, of counter-*prejudices*. His Whig prejudices made him see the bad side much too blackly. His *Indian* prejudices (having been himself in India) made him overrate their greatness; and, so, in a sort of "pull lawyer, pull devil" sort of fashion, he was accidentally brought to a reasonable state of equilibrium. But Cornwall Lewis, "justissimus unus Qui fuit in Teucris et servantissimus aequi," held Macaulay's judgment and historical character in absolute *contempt*.

So did my friend Pat Cumin, a very clever fellow, and a very good fellow (now in the Education Department) who was M.'s secretary for two years. He said he never would *look* at anything which contradicted his view, and if he brought anything out of the British Museum where he used to send him to make researches he wouldn't look at it, or, if he did, put it aside unless it was *Whig*. I think I told you my own instance of his hating Croker, *inter alia*, because he discovered Miss Burney's imposture about her age when she wrote *Evelina*. This always seemed to me crucial as to his love and care for truth. I confess I can't read him except in essays—his style tires me to death. It is not merely that it is artificial—perhaps it is not so artificial as Gibbon who never tires me—but it rings so thoroughly *false*.

At the same time he seems to have been a very nice fellow to his friends and relations—manly, honourable, kind, affectionate, and even self-denying. So that the book has raised the man with me, though I care no more than I did for the

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<sup>1</sup> Lord Macaulay admired, at least, *one* of Wordsworth's poems—"The Song at the Feast of Brougham Castle." That, and nothing more, remains with me of a conversation to which I was privileged to listen, at his rooms in the Albany. There is "music," however, if not "splendour of music," in the *Lays of Ancient Rome*.



writer, which is mighty little. I could prose on about Macaulay much more, for he is a favourite aversion of mine—a reason you will say for distrusting my judgment. Possibly, but my aversion is founded on my judgment of his writings, for I never was in his company but twice, and never spoke to him. . . .

LORD COLERIDGE *to* SIR W. HEATHCOTE, BART.

HEATH'S COURT, OTTERY ST. MARY,  
St. Simon and St. Jude, 1876,  
[October 20].

. . . I am afraid I don't agree with you about my old chief. As I said, I never felt quite safe behind him at any time, and I admit that "bag and baggage," "crimes at which hell itself would blush," and a good deal more of that sort is out of taste, and gives occasion to the enemy to blaspheme—*fair* occasion I admit. But, after all, murders are murders, rapes are rapes, and tortures are tortures; and a *Government* which perpetrates, according to the most favourable witness, *twelve thousand* of these on its subjects is, to my thinking, a hideous anachronism and to be gotten rid of somehow. *Our Government* is to say *how*—not *I*—but the thing is to be done. And a Government which sniffs, and sneers, and jokes, and disbelieves, and criticises, for months, and at last does some "scolding to order" as Blachford says, is, to my mind, *as a Government* (in spite of Carnarvon and Salisbury) simply hateful to me and does not deserve to succeed anywhere and in anything. My Eastern politics don't at present go much further or more into detail than this. . . .

THE BISHOP OF EXETER *to* LORD COLERIDGE.

EXETER, October 29, 1876.

MY DEAR COLERIDGE,

I cannot help writing to tell you how repeatedly I have heard from members of our Conference<sup>1</sup> (on both sides)

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<sup>1</sup> At the Exeter Diocesan Conference, October 26, 1876, there was a discussion in favour of the proposal to sanction the burial of Dissenters in parochial churchyards. Dr. Temple approved of the Bill. Lord Coleridge, also, spoke in its favour. "It may be said," he argued, "it has been said, that there is no truth and no substance in this grievance. I desire to ask whether those who say so ever considered how they would feel in a like case if they lived in a Catholic country or in a country

expressions of gratitude for your speech on Tuesday. It did real service, both in helping the cause that you advocated—which of course all would not think a service—but in promoting moderation and gentleness.

We shall never get the majority to take the inevitable changes with pleasure. But we may get them to submit to it with a good grace. And such speeches do much for that object.

I hope this will not be the last time that you will come to my aid in this way.

Yours affectionately,

F. EXON.

THE DEAN OF WESTMINSTER *to* LORD COLERIDGE.

(*Private.*)

DEANERY, WESTMINSTER,

*November 24, 1876.*

MY DEAR LORD CHIEF JUSTICE,

I had thought this year of repeating in a somewhat different form my experiment of the missionary address of Max Müller last year—but with the variation of inviting not a layman, but the most distinguished minister, theologian, or preacher of the Established Church of Scotland—Caïd, Principal of the University of Glasgow. Might I ask you two questions?

(1) Do you think that any part of your opinion on which I acted last year would be modified by his being not a layman but a Presbyterian minister?

(2) If you thought that under the same general conditions

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where some form of ultra-Protestantism was established by law, and they were told that if they and their nearest and dearest kinsfolk were to be buried with religion at all, it could only be according to the forms of a Church which they conscientiously believed to be erroneous, by a clergyman whose ministrations they repudiated, and with ceremonies which they utterly disliked? I venture to think that if the situations were reversed in this country—if Churchmen became Dissenters and Dissenters became Churchmen—the views of Churchmen would be somewhat changed. I do not think Churchmen have sufficiently considered whether they would, in that case, be satisfied with what Dissenters are now told to be satisfied with. I do not think they would, in that case, very much like to be told, in a tone of severe rebuke, that they really are not sincere when they put forward that they have a grievance, and that if they attempted to get the state of the law altered they turned themselves into political agitators. I don't think Churchmen would like it, if the positions were reversed."

there would be no illegality in his delivering an address, would it be necessary to conform to the limitation of his preaching to the lectern?

I should, if possible, prefer the *pulpit*. But this is not material, only I should like to know.

Yours sincerely,

A. P. STANLEY.

As the mission is on November 30 I should be glad of an early answer.

You may have heard what great anxiety I have had about my dear wife—a long detention at Paris from an attack of fever, a difficult and hazardous journey here, and the announcement of a sad domestic calamity on our arrival. However, thank God, she is now slowly recovering. Had I anticipated all this I should hardly have ventured to embark on this Presbyterian afterpiece.

LORD COLERIDGE to SIR W. HEATHCOTE, BART.

JUDGES' LODGINGS, LEEDS,

March 9, 1877.

. . . As to the other matter which has roused the ire of all the Tories and the country gentlemen and sportsmen,<sup>1</sup> without distinction of party, against me, I can quite understand even a fair-minded man like you thinking that I was wrong. In this and the matter of special jurors, as to which I am always giving offence, of course, if I consulted my own comfort, only, I should hold my tongue. And I know that the class amongst whom I live are, well nigh, to a man against me, while the ratepayers and common jurors are

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<sup>1</sup> At the Durham Assizes (*see Times*, February 26, 1877) three men were charged with night poaching, armed with bludgeons, on land near Darlington. There was a fight between the keeper, and assistants, and the poachers, who were taken. Lord Chief Justice Coleridge sentenced them each to six weeks' imprisonment with hard labour, and, upon an application for the costs of the prosecution, he remarked that it was the first occasion any such application had been made to him, and he hoped it would be the last; for he certainly never should order the costs in any such case. He wished it to be distinctly understood that he was only following the *dicta* of eminent judges. The law ought undoubtedly to be enforced, but, as the law protected the amusements of rich people, they must pay for its enforcement.

See, too, a letter to the *Times*, March 1, 1877, signed "Justice."

people of whom I know nothing, and who know nothing and care nothing about me. But I should be untrue to all that is good in me, if, indeed, there is anything, if I hesitated to say plainly, as occasions rise, what I think and feel about unjust laws. Personally, I have at least two defences, one, that in both these matters I speak and act, exactly as my father always spoke and acted; and, second, that in days when reasonable love for my father and, perhaps, unreasonable dislike of Lord John made me a sort of Tory, the Game Laws and Charles I. were subjects as to which I was always a Radical. I do not, myself, rate that mere persistence in opinions, which many people dignify with the name of consistency very high; but I made speeches on these subjects in the Union at Oxford, saying just what I should say now. Apart, however, from the personal question I think the game laws stand on peculiar grounds, and that there is no analogy between them and any other. Parliament will not, has always refused to, call hares and pheasants *property*. By law I may shoot your pheasant or your hare, if it flies or runs over my ground. It is a fallacy to say, as Bramwell did, that by law a man may rear what he chooses, fowls or pheasants, and, as (*pace tuâ*) you say, sheep—that is, if you mean that the same consequences follow. Certainly you may rear them, and it is perfectly lawful to rear them, but, by law, fowls and sheep when you have reared them are *yours*; by the same law pheasants are *not*. In the same way, it is a fallacy to say that poor men raise common flowers, or rich men rare exotics, and that the law equally protects them both. Certainly it does, but it does not protect the rich exotic any more than it protects the poor cabbage rose, or the blue iris. But game can be preserved only by rich men. The “game laws,” as their very name shows, are peculiar laws, are class laws, are laws to which no poor man can, by possibility, ever appeal; the nature of which, their *class* character, is expressed by the honesty with which Parliament has confined the administration of them, (though the offences created by them are, for the most part, misdemeanours only), to the Judges only, and has excluded country gentlemen from taking any part in administering them.

I cannot help saying that the cruel temptation held out to poor fellows by high preserving—such, for instance, as old Lord Normanton's, near whose house I myself saw the fields and *high roads full* of pheasants, and the constant and, in my view, just heart-burning and complaint, occasioned by the use of policemen, in part, to supply deficient game-keepers (very serious, I assure you, in Devonshire, which is



by no means a high-preserving county)—these considerations, and others like them, make me detest the game laws which yet I must, of course, enforce while they exist.

I will not meet your personal instance by the technical answer that, in the case of sheep, the law makes them property, and the stealing of them felony, and, therefore, that, in the case supposed, Lord C. *could not* refuse his friends even if he wished it. I will meet it boldly and say this : *If* the culture of sheep and barn-door fowls led, in fact, to the evils and amount of crime to which the preserving of game leads, and *if* these things were raised only for sport, I should not for a single instant hesitate to say that the sport of the few must be prohibited and put down, in the interests of the country at large. Where is the moral and political right (I pass by religion) of one set of the subjects of the Queen to pursue their pleasures at the known and certain cost of the utter demoralization of another ? In Alfred's time, the tale goes, that purses of gold could be hung upon the hedges and no man stole them. What could be thought of a class of men who tempted others, so, in these days, and what of a set of laws which specially legalised the temptation, and specially punished the tempted when they fell ?

Dear, dear, good, kind, old friend,—These things are part of my nature now—these thoughts, which I learned in their elements from the dearest and wisest friend I ever had, are my most intimate and cherished convictions. Whether I do any good by letting the world know them is, certainly, I admit, very doubtful. It is not doubtful that I do myself nothing but harm. But I should be unworthy of the affection of the few men I care for, if such considerations as the last, at least, could have place, for an instant, in my mind. . . .

LORD COLERIDGE to SIR W. HEATHCOTE, BART.

HEATH'S COURT, OTTERY ST. MARY,  
March 24, 1877.

. . . The weather at Leeds was, really, for that place very fine. It is a grand, grim, smoky capital with a deal of public spirit in it, and some very great interesting institutions. Its situation would be very beautiful, if only one could see it ; for there are fine hills all round it, but being high over the town at the lodgings I only *once* saw across the valley to the opposite outline, the whole three weeks (or nearly) that I was there. Here we have



An ampler ether, a diviner air,  
And fields invested with purpureal gleams—

and the perfect stillness which brings back to me an expression, which we boys used to laugh at, when Dr. Keate used it—"he would not go on till he *heard silence*"—here I seem, really, to hear the silence, and after the roar and rush of Leeds going on all night long it is infinitely refreshing. . . .

LORD COLERIDGE *to* THE RIGHT HON. JOHN BRIGHT.

HOUSE OF LORDS, *April* 26, 1877.

MY DEAR BRIGHT,

You don't go to the Derby, do you? At any rate, whether you do or not, will you come and dine with me on Wednesday, May 30, at 7.45. Lord Granville told me it was the Derby day, but I have no independent knowledge. Come if you can, as I never see you.

Ever yours,

COLERIDGE.

DR. NEWMAN *to* LORD COLERIDGE.

THE ORATORY, *May* 17, 1877.

MY DEAR LORD COLERIDGE,

I will not let an hour pass without thanking you and Lady Coleridge for your wonderfully kind and beautiful present, which has come quite safely.

I hope she understands already, without my written words, how deeply I have felt her bountiful bestowal on me of her time and pains, her zeal and her genius—and, now, she has put the crown on her munificence by sending to us here its result. Why has she not let me read her name on it in her own writing? This is the only defect in her work. I hope I may ask for it in some shape.

Our fathers have not yet seen it, and I shall not speak in their stead, but I know how they will be touched and gratified at such a memorial of your, and her, loving regard for me.

I am, my dear Lord Coleridge (asking you to tell her all this),

Yours affectionately,

JOHN H. NEWMAN.

P.S.—Since this was written Lady Coleridge's letter has come. I will answer it to-morrow.

LORD BEACONSFIELD to LORD COLERIDGE.

HUGHENDEN MANOR, May 31, 1877.

MY DEAR LORD,

As a general rule, I am obliged to discourage hereditary pensions, the practical effect of which would be to diminish the too modest sum annually entrusted to the discriminating distribution of the Queen. The high qualities of Southey<sup>1</sup>—his virtues as well as his eminent abilities—however, are such, that you may rely upon it that I will give to your letter a kind and attentive consideration.

Believe me, with sincere regards,

Faithfully yours,

BEACONSFIELD.

T.O.—The Pension List for this year closes with this month.

LORD COLERIDGE to THE RIGHT HON. JOHN BRIGHT.

1 SUSSEX SQUARE, June 3, 1877.

MY DEAR BRIGHT,

I have left for you, at the Athenæum, a little parcel with *Love is Enough* in it, which I think a very beautiful and pathetic thing, in a difficult metre for any one without a very delicate ear to manage, but which Morris has managed very successfully.

I send you also a fairy tale, *Phantasmion*, which better judges than I (I loved the author too well to be a critic) have thought beautiful. Certainly the poetry in it seems, to me, exceedingly lovely—some of it at least. If you don't care for it hand it on to any young friend who may; and, at any rate, believe that I should not have sent it to you, if you had not encouraged me to feel as much personal regard, as I always had public admiration.

Ever yours,

COLERIDGE.

LORD COLERIDGE to SIR W. HEATHCOTE, BART.

COURT OF APPEAL, LINCOLN'S INN,

June 8, 1877.

. . . The House of Lords is a great study to me every day. The intense "feudalism" of our great Liberal chiefs, such

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<sup>1</sup> A Civil List Pension of £100 a year was conferred on the poet's only surviving son, the Reverend Charles Cuthbert Southey.

as the Duke of Argyll, combined with very free opinions on all things which *don't* touch themselves, is curious. Granville, who represents them very well, is, I think, very careless about *what* is done, so long as *they*, the great Nobles, have the doing of it ; and he is firmly resolved, I think, that they *shall* have the doing of it from that proud yet perfectly natural and unaffected belief in themselves and their power, as a fact in the country, which strikes me, more and more, every day I live. . .

Before the second anniversary of his father's death, Lord Coleridge was brought face to face with a second and still more grievous calamity. On the last night (Thursday) of January, 1878, Lady Coleridge was seized with inflammation of the larynx, and after severe sufferings died on the morning of the following Wednesday (February 5, 1878). The best and truest memorial of her husband's prolonged sorrow and desolation is to be found in the concluding pages of his *Verses During Forty Years*, which are headed "Extremus Labor." They have never been published, but a few lines have their appropriate place among the memorials of one who felt what others feel—none the less, because he had both the power and the will to express his feelings in beautiful words.

Men say

That grief has ceased to grieve, if written down,  
Described, tricked out in verse. It may be so ;  
I will not put it to the proof. I know  
That Hope hath perished, sweet, sad Memory  
Lives on, and by her side I live alone  
With sorrow, with past years, and with the Dead.  
The air, the fields, the walks, the day, the night  
Are full of thee, my wife ; I cannot move,  
I cannot think or sleep, but thou art with me.  
The dumb, drear void of heart yearns to be filled  
With thee, with thee, yearns after thee to breaking.  
With prayers, with a man's tears, I cry to God ;

No answer breaks the silence—all is still :  
No voice comes through the darkness. Yet sometimes,  
When the winds whisper, when the waters smile,  
When thine own flowers unveil their patient beauty,  
When sunbeams glint through shade of waving trees,  
When golden clouds go softly through the sky,  
Or lie enisled amid green seas of light  
In the sad splendour of the sinking sun.  
When through the night break the "bewildered chimes,"  
And their pathetic cadence on the heart  
Unlocks the fountain of slow-dropping tears,  
It seems thou must be near. Ah ! is it so ?

"Lady Coleridge," writes Mr. Yarnall, "was distinctly of genius as an artist." "Her delight," I quote from an obituary notice by Dean Church, "in what was great and beautiful was fresh and intense. Her sense of perspective was delicate and serene. What she could do herself, the world had some opportunities of knowing on the walls of the Royal Academy." Her three portraits, in crayon, of Cardinal Newman, of which one was engraved by Samuel Cousins, of Sir W. Boxall, of Butterfield, of Sir John Taylor Coleridge, and of her husband are remarkable for accuracy of likeness, both of feature and expression, for perfection of form and perception of character.

"She could not," [adds Dean Church,] "but be conscious of excellence ; but her enthusiasm and eagerness in working were curiously mixed with a contrasting calmness and even shyness, and with a persevering, unsatisfied faithfulness in all that she took in hand. And in her conversation there was the same combination of qualities, naturally and spontaneously checking and relieving one another ; great quickness and shrewdness of observation, great clearness and decision of judgment, great warmth of feeling, with an almost timid and self-retiring humility, half afraid of having spoken too boldly or too much. To have known her will be to many one of the most prized recollections of their lives. She was one of those who helped to teach the difficult lesson to live

in the world, and, yet, not be of the world."—R. W. C. *Guardian*, February 13, 1878.

She lies in Ottery Churchyard, in the same grave with her husband, his brother, his father, and mother.

In 1879 Lord Coleridge placed a recumbent effigy of his wife, designed by Frederick Thrupp, in the South Transept of the Church which he had recently restored, from designs by Butterfield, in memory of his parents. At the base is this inscription :

"To the Fair and Holy Memory of Jane Fortescue, Baroness Coleridge, her Husband dedicates this Marble, Thankful for his Happiness, Sorrowing for his loss, Hoping steadfastly, through God's mercy, to meet her when the Night is passed, in the perfect and unending Day."

DR. NEWMAN to LORD COLERIDGE.

THE ORATORY, February 7, 1878.

MY DEAR LORD COLERIDGE,

What a deep grief you tell me of—it is too personal to me for me to be able to say any words of comfort to you, except that sympathy is comfort.

That the last time I was to see her was when you all so kindly took me to the railroad for Cambridge ! And I recollect, so vividly, the drive up to Hampstead on a former day, and your conversation. She was so good to me, and words passed between us which gave me so easily and naturally to see glimpses of her beautiful mind.

You have a thousand times more to bear than any one else, but old people are too weak to be able to bear even the lighter burdens.

But it comes from Heaven and must turn to good. This is your great stay, and may God give you strength to keep hold of it. Do not let it go. . . . He never will forsake you. I can do nothing but pray for you. He alone can carry you through the suffering who has inflicted it.

With great love and distress,

Yours most affectionately,

JOHN H. NEWMAN.



LORD BLACHFORD *to* LORD COLERIDGE.

BLACHFORD, IVY BRIDGE,  
*February 7, 1878.*

MY DEAR COLERIDGE,

I must say how deeply shocked and distressed we are, here, at your irreparable loss. All of us who had the happiness of knowing your wife must feel the taking away of one so bright, and good, and refreshing to see and think of. But to all of you, and, most of all, to yourself, the daily deprivation of her soft and enlivening character must be very grievous. The combination in her of calm kindness with quick, intelligent alacrity, was most charming to everybody, and, in the mother of a family, an ever present blessing. It is, indeed, a terrible blow. But it is God's will, and, as we get on in life, we have to make up our minds to be going ourselves, or to be left behind.

We shall think, much, of all of you.

Ever yours affectionately,

BLACHFORD.

LORD COLERIDGE *to* SIR W. HEATHCOTE, BART.

JUDGES' LODGINGS, BRECON,  
*July 19, 1878.*

. . . I know well enough my wife's loss would teach me, if I wanted teaching, that the younger and the seeming stronger may be called away first, but I pray God you may yet be spared to us, and that I may once more have the joy of seeing you. But it may be otherwise. If it is, let me say one word of loving gratitude to you for all the years of kindness and forbearance I have had from you. God bless you for it all. It has been very precious to me, and if, as is too likely, I may often, in haste, or petulance, or conceit, have grieved or displeased you, believe that never, all my life, have my love and reverence for you ever changed—except indeed that they have deepened and strengthened with every year which has been added to me. It is little, even nothing, I have done or could do for you, but the debt I owe you is one which must remain unpaid, and which it is no burden to owe. . . .

DR. NEWMAN *to* LORD COLERIDGE.

THE ORATORY, *November 9, 1878.*

DEAR LORD COLERIDGE,

Thank you for sending your most interesting and touching Memoir of Mary Anne Dyson.<sup>1</sup> So I have heard her called for above forty years, and, though I never saw her but once (in 1839, as I think), yet, as a friend of Keble's and H. Wilberforce's, I seem to have known her familiarly. I can quite understand such good people not becoming Catholics, from the *home* feeling which was so strong in Keble, and is so very sweet. Yet alas, alas! that we should be so divided, and that a long separation has created such a divergence between the religious *ἥθος* of English people, and that of foreign Catholicism.

I am now hard at my last volume, my translation of St. Athanasius. It will take me a year. I shall have to send you four volumes when it is done.

Of course you received, months ago, a letter of mine directed to Sussex Square, including a letter from my sister.

Ever yours affectionately,

JOHN H. NEWMAN.

<sup>1</sup> "On the 4th October, in the churchyard of Crookham, near Farnham, was interred all that was mortal of Mary Ann Dyson. She was the sister of Charles Dyson, the friend of Keble and of Arnold, the last survivor of three persons, who, for nearly thirty years, made the rectory of Dogmersfield the centre of a loving influence, animated by intelligence and guided by wisdom; the effect of which is now felt by numbers, who are totally unacquainted with its source. . . . She published without her name a story called *Ivo and Verena*, with a flavour in it of *La Motte Fouqué* (one of her great favourites), which was popular in its day, and deserved its popularity. Besides this, a short 'Companion' to portions of the Sunday and Saints' Day services, with which Charles Dyson had a good deal to do, and a few little tales, all published anonymously, were her contributions to literature.

"The stories are pretty, and the 'Companion' is useful; but it is not by her writings that Miss Dyson will be remembered. She will be remembered for herself; for the rare union in her of a commanding mind and a tender heart: above all, for a wonderful power of sympathy, which seemed as if it could take in all the world, without ceasing to be discriminating and personal and individual to her chosen friends."—*Monthly Packet*, December, 1878.

DR. NEWMAN *to* LORD COLERIDGE.THE ORATORY, *December 28, 1878.*

MY DEAR LORD COLERIDGE,

No one can relieve your bitter pain but He who has wounded you. Others can but look on, but pray Him to be merciful. And, though it is so difficult to realise it, and we use the words as words of course, still, it is true, that, specially, when He takes away the desire of our eyes with a stroke, He is then most merciful to us. The seemingly most cruel providences are the most loving.

What is the good of ~~my~~ saying this? It shows my impotence, but it is all that I can do. . . .

Ever yours affectionately,

JOHN H. NEWMAN.

THE MASTER OF BALLIOL *to* LORD COLERIDGE.MALVERN, *January 16, 1879.*

MY DEAR COLERIDGE,

I have not forgotten the sermon for which you kindly ask. I shall have an opportunity of getting it copied next week, and will send it to you.

I am afraid that the new year comes round sadly to you. The great blessings of life are, necessarily, accompanied by great sorrows. As the interests of the world fade before us they may, perhaps, also revive in some higher form in the increasing desire to do good to others, or in some public object.

It pleases me to think that, if I have lost some other early friendships, I have preserved or regained yours.

Ever yours affectionately,

B. JOWETT.

THE MASTER OF BALLIOL *to* LORD COLERIDGE.

[1879.]

MY DEAR COLERIDGE,

Accept my best thanks for your little book. It reminds me of persons whose memory I am very glad to recall—J. B. Seymour, divided from us now by thirty-six years, and your dear wife. I quite remember the smaller volume. One of the poems in it addressed to a child was intended for a little sister of your wife whom I went to see at Paris in 1844. I cannot wonder at your living in the past, and in the thought of those who are gone. No one can wish that sorrow or love should be less. But we may wish

that though with pain to ourselves, the sorrows of life should raise and not depress the character and give us the power of acting and thinking in a high spirit.

We talked about your being here during the Whitsun holidays. Would you like to come and lounge about with me? I am away on Sunday, June 1, to preach in London but should be very glad to see you indeed on Whit Monday.

Ever yours affectionately,

B. JOWETT.

RICHARD H. DANA to LORD COLERIDGE.

10 RUE KEPFLER, PARIS,

February 2, 1879.

MY DEAR LORD COLERIDGE,

A telegram from my son announces the death of my father<sup>1</sup> in Boston yesterday, at the age of ninety years. It was Presentation Sunday, among the words of which are "Now Lord, lettest thou thy servant depart in peace, according to thy word." I know no particulars except that my son, whose house was only two or three doors off, was with his grandfather constantly, and that the Holy Sacrament was administered in his sick room some days before. Such is the miracle of the telegram that now, while I am writing, his body is lying on his bed, and the funeral will be to-morrow, and in the old family tomb at Cambridge, where the Danas have lain for many generations.

It is a dreadful thing for me to be absent. I am haunted by the vision of his noble, pathetic countenance, resting on his pillow, his faithful dog at his feet, his only son absent. But my sister, his constant attendant, and my son and his devoted wife, and many, many friends must be there.

Yours faithfully,

RICH. H. DANA.

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<sup>1</sup> Richard Dana, the elder, 1787-1879, critic, novelist, and poet. He could remember the death of Washington, and was one of the last survivors of the heroic days of the Republic. He was one of the founders of the *North American Review*. He was the author of the *Idle Man*, a miscellany of stories, essays, criticisms, and poems. He published *Poems*, 1827, which were favourably noticed by Christopher North (John Wilson). He wrote *Lectures on Shakespeare*—1829-1840—Tom Thornton, and other prose stories. His still more famous son, R. H. Dana (1815-1882), the writer of this letter, was the author of *Two Years Before the Mast*.

## THE DEAN OF WESTMINSTER to LORD COLERIDGE.

DEANERY, WESTMINSTER,

*April 19, 1879.*

MY DEAR COLERIDGE,

I welcome your beautiful little book, *Verses During Forty Years*, with an emotion which you will understand. I thank you from the bottom of my heart for taking me into your confidence. Some day I had thought that I might do something of the same kind for my own lost treasure, but in my case this must not be yet, except in the form of what in a week or two I still hope to send you. You must let me come and see you when you return to town. There is much that I should like to ask you or say to you. The reminiscences of Southey at Keswick are very interesting to me. I never before had explored Greta Hall. It is now a girls' school. But the identification of every room with its appropriation during the joint Southey and Coleridge occupation is preserved. It occurred to me whether it would not be well, before this fleeting, traditionary knowledge dies out, to have some small enduring inscription or tablet placed on each spot indicating the former inhabitants.

Ever yours most sincerely,

A. P. STANLEY.

What an exact likeness of my own expectations ?

"How bright the future seemed to be.

How firm, how safe our strange felicity!"<sup>1</sup>

Remind me, when we meet, to tell you of what old David Morier said to me.

## MATTHEW ARNOLD to LORD COLERIDGE.

PAINS HILL COTTAGE, COBHAM, SURREY,

*April 23, 1879.*

MY DEAR COLERIDGE,

I got your letter and book when I returned home late yesterday evening ; but I was jaded and tired, and, I thought, I would keep the book for this afternoon, which was to be a free one, and that I would then look at the book and write to you about it. And now I have been reading on and on, and it is getting dark, and post time is coming, but, still, I will write this evening, while the impression is fresh, to say how deeply I have been moved by the poems at the end

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<sup>1</sup> From *L'Envoy* to "Memorials of Love and Death."



of the volume—particularly by the poem in blank verse, “*Extremus Labor*.” But the earlier poem, “*Sursum Corda*,” I read with almost as much emotion as those which follow at the end. It is some comfort in a great loss to succeed, at any rate, in making people understand how much you have lost; and I can truly say that the sense of purity, the beauty, the elevation, the inward consecration of your dear wife’s spirit, comes fully out, in my mind for the first time, as I read and re-read your lines. How seldom do lines succeed in accomplishing this!

The translations are very good, several of them, but I am, at present, entirely under the spell of the personal poems. I shall not even say anything about your praise of my *Essays*, except that you will know how it gratifies and helps me—and that I am, now and always,

Most affectionately yours,

MATTHEW ARNOLD.

AUBREY DE VERE<sup>1</sup> to LORD COLERIDGE.

CURRAGH CHASE, ADARE,

May 19, 1879.

MY DEAR COLERIDGE,

I had to wait a few days before your book reached me, and then I did not wish to write till I had had time to read it. And now I must beg you to accept my most cordial thanks for the very great pleasure which I have had, both in the book itself, and in your thus including me in the number of those friends for whom such a record would, as you felt sure, have a real interest. I cannot doubt that I had a good claim to be thus included, when I remember the deep regret with which I heard of the deplorable loss with which it had pleased God to afflict you.

I have now read all of those poems which have a biographical interest, and shall soon have read all the others. In the meantime, I find that I have marked, in the table of Contents, as having especially pleased me, on a first reading, the following, viz.: “*To a little Child*,” “*She walked along the way of life alone*,” *Evening Hymn* (page 138), “*Sursum Corda*,” and the last paragraph of “*Rhoda*,” which brought vividly before me the lovely scenery I enjoyed, a few years ago, with Henry Taylor at Blachford. But, far

<sup>1</sup> As this letter has recently been published in Mr. Wilfrid Ward’s *Memoirs of Aubrey de Vere*, I have not printed it in full.

before all those poems, I place the one entitled "Extremus Labor." To me that poem seems quite one of the most beautiful elegiac poems in our language. My brother, Sir Stephen de Vere, Bart., whom you may have known when he was in Parliament, exclaimed, when he had finished his perusal of it yesterday : "This is not only a poem of extraordinary beauty and pathos, but it is a most finished work of art ; and, both in metre and diction, is far better than what is given to us by most of our professed poets now living." I cannot express my own opinion of it better than in his words ; and I cannot but hope you will, one day, allow this poem to be published. I rejoice in the thought of the pleasure it would have given to my dear friend, your aunt, Sara Coleridge. She would have thought, with me, that real good might be done by that poem if known. *Thus* to illustrate the affections is to prove that they were made for immortality, and that, all the more, because they cost us so much. Among the "Evidences of Christianity" I would place poems which show what great things the human ties are, when they bloom from the stock of, what Wordsworth calls, "Christianized humanity." To have seen her, by whom such a poem was inspired, must ever remain a real gratification to me.

Most sincerely yours,

AUBREY DE VERE.

THE RIGHT HON. W. E. GLADSTONE *to* LORD COLERIDGE.

HOLMBURY, DORKING, *June 6, 1879.*

MY DEAR COLERIDGE,

I put by the volume which you so kindly sent me, and on which you have expended so much thought and love, until a moment of comparative rest, for the perusal of it did not well assort with the whirl of London in the season.

I have here had an opportunity which I have not neglected. I have been, as every one must be, deeply touched by its feeling, and have marked many special passages. It is a monument such as does not fall to the lot of many.

Pray do not take the trouble to acknowledge, as you kindly did before, another couple of my little volumes, which I only send because I still think the constitutional argument on the Supremacy, set out in one of them, is worth preserving.

Always sincerely yours,

W. E. GLADSTONE.

JOHN H. CARDINAL NEWMAN *to* LORD COLERIDGE.

THE ORATORY, *July 2, 1879.*

MY DEAR LORD COLERIDGE,

I cannot recollect whether I opened, or thanked you for, your beautiful volume before I left England, April 16, for my illness has hurt my memory; but, now, it is the first book I have taken up, beginning at the end and reading backwards, and have to thank you with deep gratitude for sending it to me.

I got here yesterday, and am still very weak. I am not allowed to exert myself in any way for three weeks, when I suppose I shall go to London to receive Addresses, &c. Is it not very wonderful? I keep saying to myself, what is left for me but to die?

Ever yours affectionately,

JOHN H. CARD. NEWMAN.

MATTHEW ARNOLD *to* LORD COLERIDGE.

FAIRY HILL, REYNOLDSTONE, SWANSEA,  
*August 27, 1879.*

MY DEAR COLERIDGE,

I have just heard that one or two copies of the Wordsworth are ready, though the book is not actually published. I am writing to Macmillan to send one of them to you, and one to Wordsworth's only surviving son. These are the first copies I send, and they could not be better addressed.

I am annoyed to find that they have stuck my name on the back of the book, but I hope to be able to get it taken off. Otherwise the book is a very pretty one, I think, and the vignette from Haydon is tolerably successful. Haydon's picture always seems to me out of drawing, but it gives more of the real Wordsworth than any other picture I know.

Tell me of any omission that you really *feel*, and I will try and get it remedied. But see p. xxv.<sup>1</sup> of the Preface for the object of the volume—an object not to be lost sight of.

My stay at Heath's Court was very pleasant, and will live

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<sup>1</sup> "To disengage the poems which show his powers, and to present them to the English-speaking public and to the world, is the object of this volume." *Poems of Wordsworth*. Chosen and edited by Matthew Arnold, 1879, p. xxv.

long in my mind. I have seen nothing since which has given me quite so much pleasure as that line of coast at Sidmouth in the misty afternoon light. But what gave me most pleasure was to be with you in your own home, and amidst all the surroundings of which I had so often heard, and which will now, no longer, be mere names to me.

Always affectionately yours,

MATTHEW ARNOLD.

P.S.—We go to Fox How on Friday. It cannot rain even there more than it rains here.

THE DEAN OF WESTMINSTER *to* LORD COLERIDGE.

MEGGINCH CASTLE, ERROL, N.B.,

*August 27, 1879.*

MY DEAR COLERIDGE,

Your letter about S.T.C.<sup>1</sup> was, though undesigned, the most delightful response to my (perhaps too sensitive) note about the Prince Imperial, which needed no answer.

No doubt there ought to be a monument of one whose influence on the poetry, philosophy, and theology of England, has been almost, if not altogether, unique. The place which I should propose, as he is not buried in the Abbey, is in that second Poets' Corner which I have created,

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<sup>1</sup> The Bust of S. T. Coleridge, which is now affixed to a column in Poets' Corner, was the gift of an American lady, Mrs. Pell, widow of Governor Pell, of Rhode Island. She had inherited the fortune of an American clergyman, Dr. Mercer, and loyally carried out his wishes and intentions with regard to this and other schemes of a public or benevolent character. The Bust was unveiled May 7, 1885, by the American Minister, James Russell Lowell. Mr. Lowell, Lord Houghton, Sir Francis Doyle, Dean Farrar, and Lord Coleridge addressed a large gathering of statesmen, poets, and men of letters, which was held in the Chapter House, to commemorate the occasion. Robert Browning was present, but could not be induced to make a speech. American generosity anticipated Lord Coleridge's intention to place a bust of his great uncle, at his own expense, in the Abbey, but the final choice of the actual site, was in great measure, due to his intervention and that of Matthew Arnold, Aubrey de Vere, the present Master of Trinity College, Cambridge, and Principal Shairp. When their wishes were made known, Dean Bradley no longer felt himself bound by Dean Stanley's suggestion that Coleridge's bust should be placed in the "second Poets' Corner."

or, rather, which the statue of Wordsworth inaugurated before I came, and which contains Wordsworth, Keble, Maurice, Kingsley, and, of earlier times, George Herbert and Cowper. It was only the other day that I got from Shairp those lines, and the first four lines of the fourth sonnet on Personal Talk—"Blessings be with them"—inscribed on the pedestal of his statue (strange to say till this time vacant), which I am sure you will approve, and which are intended to sanctify the whole corner.

The fee, which is for the Chapter, not for the Dean—and the Chapter, regarding it as their only constitutional check on his vagaries, are very tenacious—is somewhat heavy—£200. (It goes entirely to the fabric.) In the case of Keble I paid it myself, till such time as Sir Edward Twisleton, who put up the bust, was able to repay it; and I would gladly do the same by you, if there was any convenience in doing so.

Pray give me the inscription at your leisure.

The weather here is what we used to call Scotch, but it is more depressing now that it has assumed this catholic character.

Yours ever sincerely,

A. P. STANLEY.

LORD COLERIDGE *to* CARDINAL NEWMAN.

COURT OF COMMON PLEAS, GUILDHALL,

*December 3, 1879.*

MY DEAR CARDINAL NEWMAN,

Church has shown me your last letter,<sup>1</sup> and we had a little talk over it. Both of us think with you that there should be your arms and hat quietly blazoned, somewhere, on the brougham. It should be done small, and so as not to make a blaze of colour, but, no doubt, it should be there. Will you send me either an heraldic description of them, from which, I believe, any one accustomed to blazon arms can do it quite easily, or, if you have such a thing, a painted copy of them.

I hope the carriage may reach you by Christmas at latest, and be a little remembrance of the love and reverence of a few men, who owe you more than ever they can pay.

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<sup>1</sup> He had written to accept a brougham which some old friends and admirers wished to give him on becoming a Cardinal. It need not be, so he intimates, a very large carriage. He was not "a fat man" himself, nor had he wife and children.



I am fifty-eight to-day, and it seems but yesterday that I first heard you in St. Mary's—I, then, being an Eton boy standing for the scholarship at Balliol, and my life has been a different one ever since, as indeed, I fear, I have too often told you. But now, as the light fails and the shadows lengthen, and earthly hope is dead, it is very delightful to live in the past, and among memories which are very sweet. I hope you are well.

Believe me, always, your affectionate and grateful,

COLERIDGE.

JOHN H. CARDINAL NEWMAN *to* LORD COLERIDGE.

THE ORATORY, *December 4, 1879.*

MY DEAR LORD COLERIDGE,

Let me thank you with all my heart for your affectionate letter, as well as for the special kindness which is the occasion of your writing—and also let me send you and yours, in such sense as I can, the blessings and the consolations of the happy season now close upon us.

I enclose a copy of an old book-plate, and I seal with the seal I brought from Rome. I believe the strings, etc., hanging from the Hat are of obligation.

Yours very affectionately,

JOHN H. CARD. NEWMAN.

THE LORD COLERIDGE.

P.S.—The motto is made by me for the occasion, and need not be on the brougham. They said at Rome I must have a motto, and I had always heard that few people had a right to a motto—so, if others invented one for themselves, I thought I might.

LORD COLERIDGE *to* CARDINAL NEWMAN.

1 SUSSEX SQUARE, W.,  
*December 11, 1879.*

MY DEAR CARDINAL NEWMAN.

Only a line in addition to my last note to say that you may expect the carriage in the early part of next week. I have ordered it to go to the Oratory, so will you give orders that when it arrives it is housed somewhere.

By the way, I differ from you even in heraldry with much

hesitation, but I *think* any one may have a motto,<sup>1</sup> and, more than that, may take what motto he likes. I know I acted on it, without objection from the Heralds, when I was made a Peer, for our motto had been given us fifty years ago—*Time Deum Cole Regem*, and I thought it bad Latin, and, what was worse, bad politics : so I reverted to the old Duke motto, *Qualis Vita Finis Ita*, which, if no better Latin, is finer thought : and, I think, really, every one is at full liberty as to mottoes. Think of the Courtneys having given up the fine old historical motto of their house (consecrated, too, if the word may be allowed, by Gibbon's famous digression), *Ubi lapsus Quid feci?*

Your grateful and affectionate always,

COLERIDGE.

CARDINAL NEWMAN to LORD COLERIDGE.

THE ORATORY, December 20, 1879.

MY DEAR LORD COLERIDGE.

The brougham came all right yesterday, and is the admiration of all who have seen it. I was amused at my (acting) coachman praising it for being so quiet and in good taste. Would you have expected this in this Beotian air?

I am ashamed that you should have given it to me, but it will be a most useful gift.

Of course you know about arms and mottoes far better than I do. I only pick up what people say. I took my arms from my father's seal and book-plate, and there was no motto there. I am glad to find I have taken no indefensible liberty.

Yours ever affectionately,

JOHN H. CARDINAL NEWMAN.

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<sup>1</sup> Lord Coleridge's motto as sergeant-at-law was "*Audiat Rex quod præcipit Lex.*" This at least was neither bad Latin nor bad politics. The presuming motto *Time Deum Cole Regem* was assumed by William Hart Coleridge, when he was appointed Bishop of Barbadoes and the Leeward Islands, in 1824, and was conferred, at the same time, on all the descendants of the Rev. John Coleridge, the Vicar of Ottery, who was not an armigerous person.

## CHAPTER X

### THE LORD CHIEF JUSTICE OF ENGLAND

The Majesty and Power of Law.

SHAKESPEARE.

*(Correspondence, 1880-1883)*

THE sudden death of Sir Alexander Cockburn (November 20, 1880) placed Lord Coleridge on what he once called "the highest permanent—the highest unpolitical seat in the judicial hierarchy." The title Lord Chief Justice of England, which, from time to time, had been assumed by Lord Chief Justices of the King's or Queen's Bench was, certainly, formally conferred on Lord Coleridge. On November 24, he speaks of himself as "Chief Justice of England." On November 29 "there was," he writes, "a council of judges, when we finished our deliberations, and concluded by a large majority to abolish the three divisions, or, rather, reduce them to one, and to bring down the three chiefs, also, to one." His patent of office,<sup>1</sup> which is dated

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<sup>1</sup> VICTORIA BY THE GRACE OF GOD of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith. To all to whom these presents shall come greeting, know ye that we of our especial Grace have given and granted and by these Presents do give and grant to our right trusty and well-beloved councillor John Duke Lord Coleridge the office of LORD CHIEF JUSTICE OF ENGLAND. To hold the same so long as he shall well behave himself therein with all usages, profits and advantages due and of right belonging thereto. In witness whereof we have caused these our letters to be

November 29, 1880 (but "Entered, Exchequer and Audit Department, Feb. 1, 1881), grants to him "the office of Lord Chief Justice of England."

Henceforth the Lord Chief Justice of the Queen's Bench, as President of the Queen's Bench Division of the Supreme Court of Judicature, legally, and not by custom or courtesy, was entitled Lord Chief Justice of England.

On December 1 he took his seat at Westminster in the Queen's Bench. A fortnight later (December 14) he went to Guildhall for the first time. "I sat," he writes, "in Lord Mansfield's seat. Then the real dignity and grandeur of what I had to fill first came upon me to overcoming."

Of himself as the "filler" of the post he thought but little, underrating his own powers, not only in public but to himself and in secret. His great office he did his utmost to magnify and exalt. It has been remarked that no one could have "looked the part" better or as well. He discharged the ceremonial functions of Chief Justice or Judge of Assize, with the utmost dignity, distinction, and grace. Nature had favoured him, and the "shaping power of the imagination" enabled him to make the most of nature. When everyone in Court rose as he took his seat on the Bench, in the procession of judges at the re-opening of the Courts, when he went

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made Patent. Witness ourself at Westminster the twenty-ninth day of November in the forty-ninth year of our Reign.

BY THE QUEEN HERSELF.

The document is engrossed on thin parchment surmounted by the Royal Arms, and flanked by a "vignette-border" (of, apparently, an early nineteenth-century design). The ornamental portions are lithographed. A faint and imperfect impression of the Great Seal in canary-colour wax, and enclosed in a round tin box, is attached. As a work of art the Patent lacks distinction.

"in state" to St. Paul's, or on circuit, to hear the "Assize Sermon," he was, as it has been well put, "as near as possible an ideal Chief Justice."<sup>1</sup> His bearing and demeanour, the turn and sweep of his hand, the winning smile, the air and aspect of supreme authority, impressed and charmed the spectator, sometimes against his will.

It is, no doubt, *ultra vires* for a layman to pass sentence on the merit or the quality of a lawyer. He can only acquaint himself with the opinions of others and offer some kind of explanation if these opinions disagree. It has never been denied that John Duke Coleridge was a brilliant and successful advocate. On circuit he got all, or nearly all, the business there was to get, and at Westminster he was in the first flight of his contemporaries. At Guildhall, so he says himself, he was successful, but not pre-eminently successful. His parliamentary practice was very considerable, but not extraordinary. I have heard him say that when he was a law officer he never quite made twenty thousand pounds a year. This is not a *succès d'estime*, and his legal endowments must have been sufficient to enable him to win verdicts. His clients would not have stuck to him if his scholarship or refinement had left him and them on the losing side. But in his lifetime and since his death, according to the general view of his profession, he was not "a great lawyer."

A "great lawyer" is, no doubt, a figurative expression "thrown out" at an indefinable idea. It may be compared with such formulæ as a "poet's poet," or a "man of letters," which are full of

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<sup>1</sup> *Grain or Chaff?* The Autobiography of a Police Magistrate, by Alfred Chichele Plowden, 1903, p. 160.



meaning to the initiated. But it passes current, and the question must be put : How and why was Lord Coleridge *not* "a great lawyer" ? He would have been the last man to attribute this mark against his name to the fact that he stood for the spirit rather than the letter of the law, that he was on the side of simplicity and reform. Nor, I think, could the charge be substantiated that he failed in the logical co-ordination or the lucid exposition of the points of his arguments. The fact is that his conversance with the authorities was great, but not great enough ; that his memory, remarkably tenacious of matter germane to his tastes and predilections, was not very retentive of "cases," "decisions," "reports" ; and that ingenuity was sometimes called in when knowledge of instances was to seek. He charges himself, not once but a hundred times, with "ignorance of the law." He would remind himself, by way of a sop to Nemesis, that sooner or later he would be found out, and that his reputation was greater than he deserved. If a "great lawyer" is necessarily a very widely read lawyer, with all, or almost all, that can be known and remembered at his fingers' ends, then it must be admitted that Coleridge fell short of the highest eminence. In this respect—I take the instances supplied by Lord Russell—he was not the equal of Mr. Justice Willes or Lord Bramwell or Lord Blackburn, or of his successor as Solicitor-General, Sir George Jessel. But his "ignorance of the law" was not the penalty of negligence or indolence. During the whole of his career at the Bar he worked, in spite of more or less serious ailments, with unflagging energy. No doubt he had other tastes and diversions—*studies* they were not—

but the long hours of a long day were given up to the drudgery of the law. If he read a book, novel, or poem to be reviewed in the *Guardian*, it was in the railway, or late at night, when the day's work was done, and the review itself was written *currente calamo*, and was generally interspersed with numerous quotations. He was interested, indeed, in other things besides the law. He would discourse to his brethren and companions on circuit on church architecture, and stained-glass windows, and Catholic ceremonial. They nicknamed him "Mediæval John," but they never doubted that he would lead the Circuit, and lead the Bar. He and they, or some of them, knew that all these things were *parerga*, and that the law was the business of the whole man. A time came, no doubt, when he could not get through the whole of the work which poured in upon him, and he was obliged to trust to the brains of others, but it was solid work, and not ingenuity or scholarly refinement, which brought him into this enviable plight. It is true that he did not like hard work, but he straightened himself and bowed to the yoke.

He might have said, as his friend said :

With aching hand and bleeding feet  
We dig and heap, lay stone on stone ;  
We bear the burden and the heat  
Of the long day, and wish 'twere done.<sup>1</sup>

For an estimate of Lord Coleridge's judicial career I must refer the reader to critiques by Lord Lindley and by Lord Justice Mathew (*vide* Appendices I. and II.), who can speak from knowledge and with authority. During his lifetime and at the time of his death opinions

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<sup>1</sup> *Morality*, by Matthew Arnold. Poems, 1853, p. 231.

were divided, or, rather, the trend of opinion was towards depreciation. So, at least, I gather from a collation of a sheaf of obituary notices. But voices were raised to the contrary. Lord Esher, in his Address to the Bar, described him "as a great judge, not surpassed by any judge who sat with him." Lord Russell, in the *North American Review*, wrote : "He is undoubtedly to be described as a strong judge ; and, when the case was sufficiently important to prompt him to take pains, his judgments show a broad, masterful grasp of the principles of the law he elucidated." It may be said that both speech and article were of the nature of formal eulogies, but the words stand, and they can scarcely be explained away. Great authorities, contemporaries and equals, and, again, the public at large, did not and could not withhold that admiration which was due to a man of genius, who constantly displays genius in the performance of tasks, and the discharge of functions which may be, and often are, gone through with and accomplished, as ably and as thoroughly, by ordinary talent and unaided wit.

A man may be a great lawyer without culture and without imagination, but the converse proposition does not hold good—that culture and imagination choke the good seed of the law and prevent it from bearing fruit. For reasons good and bad, Lord Coleridge was, at one time, an unpopular man, and the tradition of unpopularity outlasted the fact. Critics of public performances of any kind have a right to their opinions, but it is difficult to repress the feeling that there was a tendency, in this particular case, perhaps an unconscious tendency, to detract from unwelcome merits and to

belittle a great reputation. In plain language, he was a greater lawyer than it was the fashion to admit.

A great deal was said, and with truth, about his sleeping upon the bench. It was provoking to men engaged in serious business, and it did not look well. It was due, no doubt, to the approach of disease, but, if necessary, the habit could be and was controlled. The "Chief" was wide awake enough for all practical purposes, and it was impossible to say that justice suffered to the extent of one jot or one tittle. It was a warning; but it is difficult for a man whose mental vigour is unabated to realise what others perceive—that his bodily powers have begun to fail.

With regard, however, to the literary quality of his written and printed judgments, their perspicuity, their indefinable charm, there can be no dispute. Even when the subject-matter is of an abstruse and technical character, the point at issue is so presented that the "wayfaring man cannot err therein"; and, always, sooner or later, there is some "islet of the blest," some illustration or quotation, some one appeal from the aridities of the law to the ordinary intelligence.

Three judgments which have, I believe, been accepted as authoritative may be instanced as typical specimens of Lord Coleridge's contribution to the law.

The first, *Bradlaugh v. Newdegate*, turns, partly, on old definitions of "maintenance," partly on comparatively recent actions in which a charge of maintenance has been sustained. "Maintenance," says *Story on Contract*, "is the officious assistance,

by money or otherwise, proffered by a third person to either party to a suit, in which he himself has no legal interest, to enable them to prosecute or defend it." That is, one may suppose, if A and B go to law in their own interests, and C, who has no concern in these interests, backs either A or B, he is guilty of maintenance. Now Mr. Bradlaugh had, without taking the oath, voted in Parliament, and had, thereby, incurred a penalty of £500. Mr. C. N. Newdegate, M.P. for North Warwickshire, expecting that this would occur, had suggested to a Mr. Clarke, "a man of straw," that *he* should bring the action, and be held harmless for the whole of his expenses and costs, and had given a bond to that effect. Mr. Clarke did bring his action, and though, on appeal to the House of Lords, the penalty had been remitted, there was a heavy sum to pay for costs. Clarke could not be sued, even if Clarke could have paid these costs, and the question was whether the money out of pocket could be recovered from Mr. Newdegate. Lord Coleridge, relying on similar cases, and especially that of *Pechell v. Watson*, which was decided in 1841, held that it could. That, subject to correction, is the story.

Mr. Newdegate, it must be remembered, was an extreme Evangelical, and though his "character was entitled to great and true respect," the transaction, as a whole, seemed to have been inspired by religious bigotry. The judgment was an important one, but an *obiter dictum* of the Lord Chief Justice is, perhaps, in a sense more important still, and it merits a more public if not a more permanent record :



Pechell *v.* Watson, tried in 1841, is an express authority in favour of this kind of action. It is my fortune to have to support it in an action in which the defendant is a man whose character is entitled to great and true respect, and in favour of a plaintiff with whose opinions, openly enough avowed, I have no kind of sympathy. Yet I will not call it an ill-fortune, for many of the most precious judgments which these Courts have ever heard pronounced have been pronounced in favour of persons who, if English justice could ever be swayed by personal feeling, or could for a moment "hedge aside from the direct forthright," would, assuredly, have failed to command success. It is an ill-fortune perhaps that to many men, though not to me, the cause of true religion seems to be concerned with the legal success or the legal defeat of a particular person, whose legal success or legal defeat is, really, to the cause of true religion a matter of supreme indifference, yet in regard to whom (I speak only of what has been proved before me), recourse has been had to proceedings which, with regard to any other accused person, would have been sternly and universally condemned, and of which unhappily, in the minds of many men, the cause of true religion is burdened with the discredit. My duty, however, is very simple; to decide the case according to the best opinion I can form of the law which I am sitting to dispense, a duty which the elements of Christian teaching make, if not pleasant, at least plain and clear.

More important still is Lord Coleridge's exposition of the law of blasphemous libel. The question at issue was whether certain "publications," articles and cartoons, which appeared in the pages of the *Freethinker*, were or were not blasphemous, according to the law. These "publications" were, undoubtedly, "strong and coarse," and, as the law had been interpreted in former times, might, or certainly would, have been held to be blasphemous; but, as times change, and thought and feeling change, so, too, should the interpretation of the law of the land follow, if it cannot keep pace with, the greater law of change and progress. It is evident from the summing up to the jury in the case of *Regina v.*

Foote and Others, that the Chief Justice held that these publications were not of a kind from which, irrespective of religious truth or error, it was right and proper that society should be protected. The jury disagreed, but Lord Coleridge's interpretation of the law has been accepted as satisfactory and conclusive.

It is no longer true in the sense in which it was true [according to the old law] that Christianity is part of the law of the land. In the times when these dicta were uttered, Jews, Roman Catholics, Nonconformists of all sorts were under heavy disabilities for religion, were regarded as hardly having civil rights. Jews, it is true, were excluded from Parliament in a sense by accident, for the oath which excluded them was not pointed at them; but no one can doubt that, at that time, if it had occurred to any one that they were not excluded, a law would have been forthwith passed to exclude them. . . . But now, so far as I know the law, a Jew might be Lord Chancellor, most certainly he might be Master of the Rolls. The great and illustrious lawyer (Sir George Jessel) whose loss the whole profession is deploring, and in whom his friends know that they lost a warm friend and a loyal colleague; he but for the accident of taking his office before the Judicature Act came into operation, might have had to go circuit, might have sat in a criminal court to try such a case as this, might have been called upon, if the law really be that "Christianity is part of the law of the land," in the sense contended for, to lay it down as law to a jury, amongst whom might have been Jews,—that it was an offence against the law, as blasphemy, to deny that Jesus Christ was the Messiah, a thing which he himself did deny, which Parliament had allowed him to deny, and which it is just as much part of the law that any one may deny, as it is your right and mine, if we believe it, to assert. Therefore, to base the prosecution of a bare denial of the truth of Christianity, *simpliciter* and *per se* on the ground that Christianity is part of the law of the land, in the sense in which it was said to be so by Lord Hale, and Lord Raymond, and Lord Tenterden, is, in my judgment, a mistake. It is to forget that law grows; and that though the principles of law remain unchanged, yet (and it is one of the advantages of the common law) their application is to be changed with the changing circumstances of the times. Some persons

may call this retrogression, I call it progression of human opinion.

It is also true, that persecution is a very easy form of virtue. A difficult form of virtue is to try in your own life to obey what you believe to be God's will. It is not easy to do, and if you do it, you make but little noise in the world. But it is easy to turn on some one who differs from you in opinion, and in the guise of zeal for God's honour, to attack a man whose life perhaps may be much more pleasing to God than is your own. When it is done by men full of profession and pretension, who choose that particular form of zeal for God which consists in putting the criminal law in force against some one else, many quiet people come to sympathize, not with the prosecutor but with the defendant. That will be so as human nature goes, and, all the more, if the prosecutors should by chance be men who enjoy the wit of Voltaire, who are not repelled by the sneer of Gibbon, and who rather relish the irony of Hume. It is still worse if the prosecutor acts not from the strange but often genuine feeling that God wants his help and that he can give it by a prosecution, but from partizan or political motives. Nothing can be more foreign from one's notions of what is highminded, noble, or religious; and one must visit a man who would so act, not for God's honour, but using God's honour for his own purposes, with the most disdainful disapprobation that the human mind can form.

A third case (the Mogul Steamship Company *v.* MacGregor, Gow and Others) turned on a question of mercantile law. A group—I presume that I must not describe them as a “ring”—of shipowners had undertaken to allow a rebate of 5 per cent. to all merchants and shippers in China who sent their freight of tea home by their vessels and by none other. The Mogul Steamship Company, who had once been admitted within this magic circle, had, afterwards, been excluded and accordingly claimed damages for a “conspiracy” against the defendant firms. Lord Coleridge held that the combination came within the limit of “reasonable and legitimate selfishness,” and was not wrongful or malicious.

Within certain limits, he says, the law permits us to look after number one.

It must be remembered that all trade is and must be in a sense selfish ; trade not being infinite, nay, the trade of a particular place or district being possibly very limited, what one man gains another loses. In the hand to hand war of commerce, as in the conflicts of public life, whether at the bar, in Parliament, in medicine, in engineering (I give examples only), men fight on without much thought of others, except a desire to excel or to defeat them. Very lofty minds, like Sir Philip Sidney with his cup of water, will not stoop to take an advantage, if they think another wants it more. Our age, in spite of high authority to the contrary, is not without its Sir Philip Sidneys ; but these are counsels of perfection which it would be silly indeed to make the measure of the rough business of the world as pursued by ordinary men of business.

There were, too, *causes célèbres*, interesting to the public as well as to the legal profession. There was the *World* libel case (Lonsdale *v.* Yates), April 2, 1884 ; the *Mignonette* case, in which the captain and the mate, Dudley and Stephens, were tried and convicted for killing and eating, under stress of starvation, in an open boat, the youngest of the crew ; O'Donnell *v.* Walter, July 6, 1888 ; the great sporting case, Wood *v.* Cox, July 7, 1888 ; and, most famous of all, the Baccarat case, which was tried in June 1891. Some of these cases belong to the more recent history of our times, and others are on the way to being forgotten. Important or otherwise, they do not fall within the scope of these volumes, and must await, for their rehearsal or recital, another memorialist. The last case which Lord Coleridge tried was that of Anderson *v.* Cook, May 4, 1894. I was in Court during the greater part of the trial, and, certainly, on that occasion there was no trace of exhaustion or decay,

no hint in voice, or look, or bearing that the end was close at hand.

MATTHEW ARNOLD to LORD COLERIDGE.

WOODHOUSE, LOUGHBOROUGH,  
January 13, 1880.

MY DEAR COLERIDGE,

I was just going to send you the *Saturday Review* when I found . . . that you had seen it. It is Venables whose eyes glistened, as I told you, when he talked to me, on the stairs at the Athenæum, of the *good* which he felt Wordsworth do him. On the whole, the August Shades may well be satisfied by the depth of attachment which he inspires, and by the quality of those in whom he inspires it, however the public may choose to take him. I thought the *Saturday* article important, because it is the first time, so far as I know, that an accredited literary organ, of the highest authority, has fairly given Wordsworth his place as the greatest English poet of the last two centuries. I have had to speak of Chaucer and Burns in the preface I have just been writing for Ward's collection of English poets; and it has very much impressed itself upon my mind what a glorious set of five these two, with Wordsworth, Milton and Shakespeare, make for our English poetry. If we add Spenser, Gray, and Keats, we shall have a set of eight, and where is it to be matched outside of the Greeks?

Ever yours affectionately,

MATTHEW ARNOLD.

All would send their love if they knew I was writing.

LORD COLERIDGE to C. M. ROUPPELL.

HEATH'S COURT, OTTERY ST. MARY,  
September 11, 1880.

MY DEAR CHARLIE,

I grieve over your gout and your pain and solitude. It may, however, in the end do you good, and, I am sure, I hope with all my heart that it will. We resent with due indignation the suggestion that that wholesomest of extremets, a Devonshire junket, has anything whatever to do with your gout! It is nothing but the approach of age in a man of ancient descent. Rheumatism, according to Sydney Smith, was good enough for Henry Reeve, but Charles Roupell aspires successfully to gout.

I know very little of Aix myself, but I *was* impressed with



the Dom—and with the marble bath they show you, in which the legs of Charlemagne were found when some Otho or other disinterred him, and found him sitting in all his robes in the vault. There was always to me something excessively impressive in *that* story. When it comes to Christian relics the matter is different, but as to the fact of a relic it always seems to me there is a *primâ facie* probability in its favour. Supposing, as I do suppose, that Christ lived and founded His religion, and supposing the Gospels and Acts to be *early*, which I suppose at any rate they were, I think the probability of keeping relics very great. This in general. As to any relic in particular, it would be with me a matter of pedigree and evidence; and the fact that there are a great many false relics, as no doubt there are, would make the existence of true ones not less but more likely. Whether this or that *is* a true one is, of course, quite another story. . . .

I will get Mark Twain's *Tramp Abroad*. If there are many specimens as good as the one you send of American humour the book must be worth whatever it costs.

All here send you very kind regards.

Yours always,

COLERIDGE.

CARDINAL NEWMAN to LORD COLERIDGE.

THE ORATORY, September 16, 1880.

MY DEAR LORD COLERIDGE,

I have sent the *Pincerna* to Stewart—Father Mills misunderstood. I have no intention of publishing it, though my mind may change. At present, it seems bumpitious to go so far out of my own line as to be practising on Plautus and Terence.

Terence I have been intensely fond of from a boy—perhaps more even than Virgil and Cicero; far more than of any Greek classic.

My first edition of the *Pincerna*<sup>1</sup> is out of print. We found this out, only ten days before the performance in July, and had to print in a great hurry.

They say you have had a fine August in your parts; here we have had some brilliant days, but, with cold winds, these.

Yours affectionately,

J. H. CARD. NEWMAN.

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<sup>1</sup> *Pincerna ex Terentio* [i.e., the Eunuchus], 1866.

CARDINAL NEWMAN *to* LORD COLERIDGE.THE ORATORY, *October 10, 1880.*

MY DEAR LORD COLERIDGE,

I have been wishing to write to you ever since your letter, but I have been tired and indolent.

I don't know how to express myself, but I never meant to say that Terence was a greater poet than Virgil, which would be an extravagance, but that, as an originator of style, I liked him more. There is an ease, a grace, a sweetness, and a melody, and a simplicity and absence of art, which betokens the "*mitis sapientia Læli*," and has captivated me from a boy. And I won't hear of his being called a *dimidiatus Menander*. Horace seems to have hit on his special excellence when he says "*Terentius arte*." Compare him with Plautus, and one sees his superiority, at least that is so as regards four plays.

No one can praise Virgil too much for me; and his rhythm is most musical and always delightful, but I cannot deny that there is something of mannerism in him. Of course, as a poet no one comes up to Virgil, but there are still beautiful poetical passages, full of nature and truth, in Terence.

I hope you have been enjoying your vacation, and have had fine weather.

Ever yours affectionately,

JOHN H. CARD. NEWMAN.

LORD COLERIDGE *to* CARDINAL NEWMAN.

1 SUSSEX SQUARE, W.,

*November 19, 1880.*

MY DEAR CARDINAL NEWMAN,

I think I did mention to you the great wish my dear wife had that her head of you might be perpetuated by Cousins the engraver. He has made a very fine plate of it, which, of course, I keep in my own hand. Should you very much mind sending me a signature, as you sign on somewhat formal occasions, that I may have it engraved beneath the head?

I hope the engraving will please you. I need not say I will take care that you have one. It is the last thing, *i.e.*, the last outward thing, I can do for the memory of her who made my life what it can never be again.

I hope you are better. The Dean does not give a very famous account of you. . . .

Always your grateful and affectionate,

COLERIDGE.

CARDINAL NEWMAN *to* LORD COLERIDGE.THE ORATORY, *November 22, 1880.*

MY DEAR LORD COLERIDGE,

I enclose what you are kind enough to ask. It will be a great pleasure to me to receive from you the memorial of an act and a time, which, while I am here, I shall look back upon with deep gratitude and loving sorrow.

I say "while I am here," because a diminution of strength, of which I am conscious, gives opportunity to those tendencies to disorder to develop themselves, which I suppose no one is free from.

I hope in a month or two to have finished my revision of my volumes, when that time comes I shall have to borrow one of your set for a pattern of binding. I have to send you five volumes.

So the poor Chief Justice is dead. I have noted the announcements of his declining health for some time past with more interest than common, as recollecting the time of anguish in which I had some connection with him. The anguish was in the anticipation of the unknown; for, I think, in the event I was very kindly treated.

Ever yours affectionately,

JOHN H. CARDINAL NEWMAN.

W. E. GLADSTONE *to* LORD COLERIDGE.*(Secret and immediate.)*

10 DOWNING STREET, WHITEHALL,

*November 24, 1880.*

MY DEAR COLERIDGE,

I heard of the lamented death of the Chief Justice, at Sandringham on Sunday, and returned to town on Monday.

I have now to propose to you that you should allow me to name you to the Queen as his successor.

It will be a worthy acknowledgment of your distinctions, and crown to your career.

Please to take every precaution for absolute secrecy, till the Queen's pleasure is taken.

Sincerely yours,

W. E. GLADSTONE.

HENRY HAWKINS, Q.C., to LORD COLERIDGE.

CENTRAL CRIMINAL COURT, CITY OF LONDON, E.C.,

*Saturday Morning, 9 o'clock!! November 27, 1880.*

MY DEAR LORD COLERIDGE,

I have, but this moment, seen the announcement of your appointment as Lord Chief Justice of England, an appointment which has given me *real joy*. I hasten to offer you my most sincere and cordial congratulations. As such I know you will accept them, for you have known me long enough to know that I am not given to flattery, and am in the habit of speaking, in few words, what I feel.

With all my heart I wish you many a long year of health and happiness in your high office.

I am here in the middle of a long case, but I hope to have the pleasure of renewing my congratulations in person at the Council to-day.

Believe me,

My dear Lord Coleridge,

Ever sincerely yours,

H. HAWKINS.

CARDINAL NEWMAN to LORD COLERIDGE.

THE ORATORY, *December 2, 1880.*

MY DEAR LORD COLERIDGE,

I was just about to write to you to congratulate you on your new position, when your letter came. My sincere congratulations were coupled, of course, with the sorrowful thought to which you refer, and which is one of those mementoes given us all, in one way or another, as life goes on, what a *Vanitas Vanitatis* is all here below.

It is a very affectionate act of yours towards me to associate in such a way, with me, what is to you so sacred a memorial of the past.

Thank you for the promise of sending it to me. I hope you will not refuse those five volumes. I have always considered them a portion of the series which you had accepted if I lived to finish it. It is not finished yet, and, in the true sense of the word, "finished" cannot be. The translation and notes to Athanasius are anything but what I meant them to be; I have been thwarted by the inherent difficulty of the task, by my declining strength of body and mind, and by the great unsettlement and want of leisure, which has been the

necessary consequence of the marvellous honour which had been accorded to me at Rome.

Ever yours affectionately,

J. H. CARD. NEWMAN.

LORD COLERIDGE to SIR MOUNTSTUART E. GRANT DUFF.

COURT OF QUEEN'S BENCH,  
December 6, 1880.

MY DEAR GRANT DUFF,

You are always kind and too generous to me, but I cannot help liking, though I feel ashamed of, your good opinion. I hope I may not live long enough entirely to discredit you. Cockburn had great gifts of nature, but also great and glaring defects. "Who peppered most highly was surest to please," was a true description of him, in later life. I have been struck with the curious infelicity of most of what has been said of him in the Press. But he studied the Press and the public his whole life long, and they were, certainly, not ungrateful to him when he came to die. Personally I owed him much, for he was kind to me from a boy. . . . So, too, no doubt, he made one great speech, the one on *Pacifico*, which deserved *all* its fame. I read it some time ago and it seemed to me *very* good. But he never made another good one all through, and his great displays, in later years, were marred by vanity and excessive length. I do *not* feel oppressed at having to succeed *him*; but when I think of Mansfield, Ellenborough, and, even, old Campbell, it is a very different story.

It is a great delight to get near Charles Bowen, who, by the way, I fear is in a *most* unsatisfactory state of health. . . .

Ever affectionately yours,

C.

W. E. GLADSTONE to LORD COLERIDGE.

HAWARDEN CASTLE, CHESTER,  
December 20, 1880.

MY DEAR COLERIDGE,

I thank you, cordially, for sending me the print from Lady Coleridge's beautiful and sympathetic drawing, which has not yet been seen by me, as it reached Downing Street just after I left it, but which I can, in some degree, appreciate, from my recollection of the original. I should say of



that original that it is one of the works which give, in some sense, a portrait of the artist, as well as of the subject.

You can owe no thanks to me for merely recognising the qualities that marked you for your present high office. But if you think you owe any, I would beg you to pay these by coming, (if such a duty can now fall to you,) on a North Wales Circuit, when we are at Hawarden, and giving us the pleasure of your company over a Sunday, or in any other way you can. We are called five miles from Mold, seven from Chester.

Believe me, sincerely yours,

W. E. GLADSTONE.

CARDINAL NEWMAN *to* LORD COLERIDGE.

THE ORATORY, *January 6, 1881.*

MY DEAR LORD COLERIDGE,

We have been eating your Spanish ham to-day with great satisfaction, and thank you truly for it. You do not keep account of your good deeds, for it is not the first time that you have introduced us to this Grandee of the First Class *in familiâ pernarum*.

As to my signature, I am quite ready, feeling the compliment, but have some misgiving lest I should spoil one or other copy by bad writing; for my hand is very uncertain—sometimes very feeble or tremulous, sometimes fairly steady. All I can say is that I will do my best, but I am not without anxiety about it.

A happy New Year I pray with all my heart. . . .

Yours affectionately,

J. H. CARD. NEWMAN.

CARDINAL NEWMAN *to* LORD COLERIDGE.

*February 23, 1881.*

MY DEAR LORD COLERIDGE,

I knew how kindly you would think of me on Monday, but, considering your occupations, it is too much that a Lord Chief Justice should be expected to write notes of congratulation.

At the same time the pleasure of receiving them is great in proportion to their being more than one could claim.

Ever yours affectionately,

JOHN H. CARD. NEWMAN.

R. H. DANA *to* LORD COLERIDGE.FLORENCE, *March 23, 1881.*

MY DEAR LORD COLERIDGE,

I greatly respect Mr. Gladstone's course. I did not entirely approve the Liberal campaign, but he is determined to do full justice to Ireland, and remove all just and reasonable causes of complaint by themselves, and of sympathy for other nations; and I know the sense and courage with which he has faced down his Manchester allies in the matter of insisting on civil government in Ireland, with blood if necessary. But I hope he does not build on satisfying the Irish leaders and masses. They do not care for justice; they look for independence there they do not deserve, and must not have. There is a necessity for their being a part of the British Empire. All you can do is to hope for the slow effects of justice, in depriving them of sympathy and leaving them to themselves, when they will, sooner or later, fall apart. For England I am an Imperialist. I mean I am in favour of the British Empire. That is your mission. India, Africa, Australia, North America, and spots the whole world over are necessary to your Empire. Your glory and your praise will be in having established civil liberty, firm government, political, religious, and literary habits in all these regions. I have no more patience with your pin-head Manchester politicians than I should with a school, in my country, who should advise New England to form a nice, safe little republic, and let the Continent, with its negroes, and Indians, and vast complications, and stupendous future, look out for itself!

What is a great race made for but to solve great problems, do vast works, organize, construct, rule (when rule is necessary), and civilize! But forgive my habit of political preaching.

Ever gratefully yours,

RICHARD H. DANA.

CARDINAL NEWMAN *to* LORD COLERIDGE.THE ORATORY, *April 3, 1881.*

MY DEAR LORD COLERIDGE,

While I write, or, rather, just as I am writing, I receive your brother's letter, dated from Devonshire, where I grieve to find him on account of his health. As he says he is returning, at once, to London, thank him from me for it, and

tell him the Jesuits work too hard and shame us here, easy-going priests, who enjoy quiet—in spite of our St. Philip's saying, "Paradise was not made for sluggards."

I was touched by extracts in the papers from what Anthony Froude has been writing about me, as showing an affection which took me by surprise, though I find he has also said other things which I cannot think exact in matter of fact; but he has trusted too much to his memory of times too far back for it.

The ghost of Orton, or, rather, of Tichborne, is, I suppose, at last laid.

Yours affectionately,

JOHN H. CARD. NEWMAN.

LORD COLERIDGE *to* CECIL CLAY.

1 SUSSEX SQUARE, W.,

*April 23, 1881.*

MY DEAR SIR,

Your letter of the 11th, which I have just received, gives me a shock of painful and sorrowful surprise which I hardly know how to describe to you. It is true that my acquaintance with your father was but slight, if measured by the time we spent in one another's company. And the overwhelming amount of professional and Parliamentary business into which I was plunged, soon after I first knew him, made me a more infrequent correspondent than I could have wished. But I had a true and warm respect and regard for him, and I was very sorry that the last time he was in England his health prevented his coming to see me on Dartmoor, whither he had promised to come and was prevented at the last moment.

I knew him through the introduction of a very dear and honoured friend, Horace Binney, the eldest son of that venerable and great man who long survived him. I remember Horace Binney telling me in his letter of introduction that your father had every quality for a great career, but that he was kept back by two great obstacles, "modesty and merit." That he had, what my friend called, "obstacles," in most charming proportions, I can testify, and I treasure, amongst my pleasantest recollections, a stay he made with my father in Devonshire, and a walk I took with him over our hills. It was a glorious day, and our Devonshire hills and valleys, ending, at many points, in the blue sea, were lighted up with that soft splendour of afternoon sunlight,

which makes one think of Tennyson's Lotus land. The breast of the hill was blazing with gorse and heath, and I showed your father one large bush of gorse, which, for scent and glory of colour, was unusually fine. He had, somehow, never heard of the story of Linnæus falling on his knees when he first saw an English gorse bush, and thanking God that he had been allowed to live to see anything so beautiful. Your father had never seen one either, and, when I told him the story, I see now his eyes filling with tears, and hear his voice saying, "If you were not here, Mr. Coleridge, I should do as Linnæus did." Other things of the same sort I could tell you, and my heart swells and my eyes grow dim when I think that he is gone. I had hoped, if ever it was permitted me to cross the water, that his hand would have clasped mine and his voice given me a welcome. It has pleased God to order otherwise. But I shall never forget your father, or cease to be proud that I could call him friend. I can well believe that if he lost his wife his years would soon end, and that he would have no wish that they should be many. Indeed, when the light of one's life goes out, there can be no reason why the life should stay.

I will not affect to tell you that, if you loved him as he deserved, you can be comforted for his loss. I did not lose my father till I was almost an old man, and I feel his loss (I think I feel it *more*) every day I live. But you will find, I do not doubt, in the doing of your duty the best, as it is the only, consolation. To do the work that is appointed us is the only opiate of sorrow—the only one and the best, because it is followed by no reaction.

I have written more than I intended. More than I ought to one whom, personally, I believe, I do not know. But your father was my friend; he deserved every word which his brother barristers have said of him, and I hope you will forgive me. If you come to England pray remember, not only that the son of an American lawyer can never be a stranger to the Chief Justice of England, but that your father's son will be always welcome as a friend.

Believe me to be,

Your faithful and obliged servant,

COLERIDGE.

CARDINAL NEWMAN *to* LORD COLERIDGE.

REDNALL, BROMSGROVE,

*May 3, 1881.*

MY DEAR LORD COLERIDGE,

I came home to find spring, but spring has not got so far north. I caught cold the first hour I was here, the first cold I have had this winter (except two days at Christmas), and it won't go, and the rain won't fall.

I am grieved you should write so sadly, but I understand it in my own measure and way, and have expressed, in print, the oppression of circumambient brightness when the spirit is low. I there include, in that oppressiveness, even "the voice of friends," which makes me feel how useless and helpless I am to succour you now, or to give you anything but true sympathy, which I do.

Don't you see that by your allowing me to give you my volumes I am perpetuating in the simplest and most sure way, when you, as well as I am gone, how much I feel and value the wonderfully warm attachment and affection which you have shown towards one who has no claim to it?

Ever yours affectionately,

JOHN H. CARD. NEWMAN.

LORD COLERIDGE *to* SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W,

*July 30, 1881.*

MY DEAR GRANT DUFF,

I have been waiting in the vain hope of coming across you, somewhere, to tender you my congratulations. And, yet, when I write that word in the driest and coldest way, my heart tells me that I am playing you and myself false. I do *not* congratulate you or any one else on your going away from England and leaving a blank in your friends' lives which, if they care for you, as I do, will be felt as long as you stay away. . . . I shall miss you sorely. I can never forget your constant and true friendship both in joy and sorrow, and what delight and help and interest your society has been to me! No man's political talk interests me as yours does, for no one that I know has the same breadth and accuracy of knowledge, and no one brings a judgment to affairs and men, at once, so just and so generous.



No doubt it is a great office,<sup>1</sup> and you will do it well, and be useful, and do good, and I know you will not go to India, either with an ignorant mind or a cold and uninterested heart, as so many Englishmen do. And so, my dear friend, go and come back to us as soon as you can.

Ever affectionately yours,

COLERIDGE.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

FOXGHYLL, AMBLESIDE, WESTMORELAND,

September 27, 1881.

. . . This year has laid waste the circle, growing thinner and thinner, of my intimate friends. Stanley and Sir William Heathcote have each taken a bit of my life with them into the grave; and when I remember my own age and that I have to draw on five years more of life before I shall see you again I can feel no confidence, at all, that the draft will be honoured. However, I will hope that we may often meet again, and, certainly, if I can pluck up courage for it, I will, as I told you, come and see you in India. . . .

I have thought of you often of late, both when I was wandering about Scotland, and since I have been anchored here. I know that mere beauty of scenery does not much interest you, but, the *admonitūs locorum* would; and if you never *did* Yarrow and Moffatdale do it, some day, when you come back. I was determined to do it for Wordsworth's sake and Scott's and Hogg's and Carlyle's. It teems with recollections, and I have seldom been more entirely charmed and interested by a long day's ramble than I was with that, although St. Mary's Lake was *not* "still," and there was no swan on it, at least that I could see.<sup>2</sup>

You have a hundred things to do and will be glad to be released. Once more, good-bye from the bottom of my heart.

COBHAM, October 12, 1881.

MY DEAR COLERIDGE,

All the time I was in Ireland I was meaning to write to you, and, now, here I am back at Cobham, without ever having written. But several things have come within the last day or two to revive my intention—first of all your letter

<sup>1</sup> The Governorship of the Presidency of Madras.

<sup>2</sup> "The swan on still St. Mary's Lake  
Floats double, swan and shadow."

*Yarrow Unvisited.*

about poor Sir John Karslake,<sup>1</sup> which touched and pleased me very much, and must, I should think, please everybody. Secondly, I have Macmillan's account up to Midsummer, and find that, up to that time, 7000 copies of the little Wordsworth had been printed, and all of them sold but about 600, which are probably sold by this time. This I know you will be glad to hear, as it means a considerably extended public for the dear old man. Then, thirdly, as to Ireland. The Irish press was a new thing to me : it is like the Jacobin press in the heat of the French Revolution. I don't see how Ireland is to settle down while such stimulants to the people's hatred and disaffection are applied every day. But our English pedants will continue to believe in the divine and saving effect, under all circumstances, of right of meeting, right of speaking, right of printing. As long as it is a game of words between Gladstone and Parnell, the English constituencies may be delighted, but the temper of Ireland will be neither cowed nor improved.

Ever affectionately yours,

MATTHEW ARNOLD.

RICHARD H. DANA to LORD COLERIDGE.

FLORENCE, *October 25, 1881.*

I am glad to read what you say about President Garfield. His was the best possible case to present to the European mind and was impressed, in the most effectual manner, by the circumstances. It may help to give the thinking European some new idea of what that New England and Western "working class" is, from which he sprung, and which has no parallel in Europe ; and it helped to show what our best type of self-made man is. It is men who find by their labour the means of getting an education ; but that which they do get is the best. The College at which Garfield was taught was one of our best. Its President, Rev. Dr. Hopkins, was the best teacher of metaphysics in New England. And it was in the metaphysical branch that Garfield excelled. At the end of the third year he was offered the post of master of a school in Ohio—a great thing for his mother and family, but he refused it, because he was determined to get the *whole benefit* of the college, and the fourth year was that in which Dr. Hopkins gave his chief

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<sup>1</sup> Lord Coleridge's letter to the *Times* on the death of Sir John Karslake is dated October 10, 1881.

instructions, and, in that year, Garfield came out first in rank. Then he was diligent in Latin and Greek. How different is this from the education Bright thinks sufficient, and all beyond which he thinks a loss of time ! Cobbett was a self-taught man, and so, I suppose, is Bright, but one might as well call Dr. Johnson, or Lord Tenterden, "self-made" men as Garfield. He had dignified manners, more soft and considerate than Mr. Forster (Sec. for Ireland), though he reminds me of him *in force*.

All America bows to the Queen ; and her last letter to Mrs. Garfield and her wreath on the coffin won all hearts, and we all felt that the tribute from all England was genuine. I hope England will recognise the salute at York House. It was well meant.

I have said that we have no lower class corresponding to that in Europe. In our great cities we have, but nine-tenths are emigrants, and nine-tenths of *those*, Irish, but on the land, in the small towns and among the natives, the lowest class is made up of mechanics, yeomen, and what a man of genius in your country, one D'Israeli, once called "a territorial democracy." It is an excellent substratum. It gives us what we have of popular security, but it could not govern alone ; it needs the constant presence and influence of the educated, thinking, responsible class, and of the class of those whose great stake in the public honour and welfare makes them considerate and conservative, though with a tendency to selfishness, no doubt.

Mrs. Garfield was a daughter of poor peasants, but [? not] of low class people. Her parents belonged to a class extinct in England, the yeomen class. Her father owned his farm, tilled it himself, could read and write, read the Bible daily, voted conscientiously, drank no strong drinks, had a small collection of useful books, subscribed for a monthly magazine, a religious weekly, etc., read family prayers, dreaded debt, but must see all his children well educated, and let Lucretia stop on at school to read Latin and Greek, and French and German, that she might be equal to any teachership she might apply for. Which sort of *lower class* people are they ? Perhaps Jeannie Deans's father was like it. But Mrs. Garfield rose slowly, was at Washington with her husband seventeen winters, was a lady in all respects, and was relied upon to talk French and German with the Diplomacy. The feeling of the people of Garfield's district for him was like that of Nelson's crew for him. I do wish to see you in England and to talk.

LORD COLERIDGE *to* SIR MOUNTSTUART GRANT DUFF.CUDDESDON PALACE, *December 27, 1881.*

. . . Gladstone is in wonderful vigour but spoke to me rather despondingly of the Bradlaugh row which he sees impending, and of the reform of procedure which the Tories mean to oppose, and which, I imagine, if they like they can prevent. I do not think much of his *literary* judgment, in general, but he sent me to John Inglesant (the successor in his mind to Sister Dora), with which I have been very much struck indeed, and which, if you have time, I think would interest you. . . . We had a very interesting meeting over dear Arthur Stanley, in the Westminster Chapter House. The Prince asked all the speakers, and, himself, made the best speech I ever heard him make—a speech which, really, did him credit both for feeling and composition. Jowett also was very good, and so was Granville. The working man was *excellent*.

MATTHEW ARNOLD *to* LORD COLERIDGE.COBHAM, *January 10, 1882.*

MY DEAR COLERIDGE,

I am so stupefied with examination papers that I have forgotten that there is such a thing as poetry in the world, and I have not seen my poem on A. P. S[tanley] since I corrected the proofs a month ago. If it is inferior to Thyrsis, that may be because the scene of Thyrsis is laid in that Cumnor country which moves my affections so much, not because I was less fond of A. P. S. than of Clough. I was quite as fond of him, though, of course, he was not so impressive and deep-reaching a personage. It was always before my mind to treat this present subject as A. P. S. himself would have liked, and I have a strong feeling that I have done so, though, alas, he can never tell me whether I am right in this feeling or no. Hugh Pearson, who was very near to him, seems greatly pleased. As for the great public, I may truly say with Gray that they are never disposed to take me cordially, at first, but always with a little astonishment and remonstrance. But the great thing is to produce, as Gray did, what will wear, and will not come to look ridiculous as time goes on. The Installation Ode has a shocking subject, and is not one of Gray's best things, but the Installation Ode is sound, and how it wears, compared with the Messiah and the Temple of Fame, which the

public of Gray's time sucked in with such avidity and delight!

Your always affectionate,

MATTHEW ARNOLD.

MATTHEW ARNOLD to LORD COLERIDGE.

ATHENÆUM CLUB, PALL MALL,  
March 6, 1882.

MY DEAR COLERIDGE,

I have been reading you<sup>1</sup> with great pleasure and agreement, though the subject is one from which I shrink. The "venerable" Owen is particularly well hit off. People talk of the merits and demerits of a literary as opposed to a scientific training; what is certain is, that you can hardly ever read a page of a scientific man's writing, on general subjects, without feeling that the man has somehow a sense missing.

I send you a volume—positively the last—of essays of mine which have appeared in the last year or two. One or two promises I have still to fulfil, but then I mean to keep silence, and endeavour to collect myself a little before my final disappearance.

I am quite sure I can recognise your good offices in my election to *The Club*, an election which has taken me wholly by surprise and gives me great pleasure.

Ever affectionately yours,

MATTHEW ARNOLD.

<sup>1</sup> Some one had quoted the "Venerable Owen" as his authority for the statement that "one of our highest law officers *purposely* obstructs the best mode of admitting the light, which the law looks for in cases of suspected poison." "Mr. Owen," wrote the Chief Justice, "is an old man, but I am no longer young; and I take leave to say that no age is venerable if a man has not learned to abstain from unmannerly imputations of motive, and from indulgence in mere scolding and abuse of opponents of whom (I do not speak of myself) he can know nothing but what is to their credit, and who, at least, at no time of their lives, have ever been accused of endeavouring to crush a scientific adversary by means at once ungenerous and unfair. *Testa servat odorem*; but this is by the way."—See "The Lord Chief Justice of England on Vivisection,"



LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

JUDGES' LODGINGS, READING,

April 20, 1882.

. . . I came here not only for this "state trial," but also to follow to the grave one of the oldest and dearest of my friends. You must have known him well by name, at any rate, Hugh Pearson<sup>1</sup>. . . It has hit me, my dear fellow, very hard. I have known him since 1838, and our friendship has deepened and strengthened ever since with every day it lasted. He was a man of infinite accomplishment, and tenderness of nature; a perfect companion, always gentle and forbearing, yet, really, without one atom of weakness; and *most* amusing though never (I really think *never*) ill-natured. His funeral was most touching, a large church and churchyard *full* of parishioners and friends from a distance—every one seeming to feel a real, special, individual loss. He was very broad and liberal in his views, yet he was a true Christian too. Perhaps my love for him blinds me, but he seems to me a very beautiful and very remarkable character. . . .

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W.,

June 19, 1882.

However, after all, politics will go on as they will go, and I can't help it. I have been reading Spedding's *Evenings with a Reviewer*. Did I tell you about this—I almost think I did? So I will only say that he *convicts* Macaulay of so many and utterly unscrupulous falsehoods that I shall never again believe a word he says, because he says it; and he does it so very well and in so masterly a manner that the mystery of the Spedding *cultus* is, in a good manner, at last solved for me. . . .

You won't come across Robinson Ellis' *Ibis*. Such a book!—worthy, as a poor amateur scholar, thinks of the Bentley and Heyne days—a most wonderful union of acuteness, learning, taste, and industry. Did you ever try the *Ibis*? As a rule,

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<sup>1</sup> Hugh Pearson, 1817–1882, Vicar of Sonning, Canon of Windsor, Deputy Clerk of the Closet. He was the friend and contemporary, at Balliol, of Stanley and Jowett.—See *Memorials of the Church . . . of Sonning*. By W. R. W. Stephens. 1890.

Ovid is easy ; this is impregnably difficult. As a rule, he is sweet and full. This is fierce and trenchant and terse, and full of stern hate and passion. There, is a passage very like the curse in *Kehama*, one of the finest bits in Southey, and worthy, as I still think, of a great poet. There that is bore and rubbish enough with a bad pen, and in a handwriting that you will be too hot to be at pains to decipher.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

HOUSE OF LORDS, *August 11, 1882.*

. . . You will see by the papers that the crisis is over, and that Salisbury has had to confess that his party would not follow him. It was a curious scene. He was evidently very angry, too angry to try to make the best of a difficulty which his swagger and Hardy's had brought the party into. . . . I have had at times great kindness from him, and never any unkindness ; but he seems, to me, a strong example of the corruption which ambition breeds. . . .

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

HEATH'S COURT, OTTERY ST. MARY,  
*September 5, 1882.*

. . . In literature you know I am always behind the world. My work in Court and the conduct of the great Division of the Queen's Bench, which comes on me, takes up so much of my time, and I am now so tired at the end of a day's work, and have grown so indolent and careless, that I read but little. The last little thing I have read with interest is Gosse's account of Gray in John Morley's series. . . . I knew what exquisite Latin he wrote, and how learned he was, and what a letter writer. I knew, too, he was *very* learned ; but the *immense* amount of ground he covered I did not know. What letters ! Cowper and Gray and Southey are our best, I think—for Horace Walpole and Pope, very good in their way, are too artificial. Of course one never knows about one's contemporaries ; there may be some perfect letter writers amongst us whose letters will astonish and delight the next century ; but it seems a lost art, that power of writing something to a friend, perfect in its way, full of life and spirit, and, sometimes learning, and yet with no effort—high kind of talk—a sort of <sup>1</sup> *ἄκρον ἄωρον* of his mind, given

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<sup>1</sup> [The choicest flower, the finest essence.]

off in its ordinary workings. Gray's letters are as near perfection as is possible.

LORD COLERIDGE *to* C. M. ROUPELL.

HEATH'S COURT, OTTERY ST. MARY, DEVON,

*September 4, 1882.*

MY DEAR ROUPELL,

I wanted much to have seen you before you left London, where I was kept some days after the Courts rose by a set of turbulent Peers and other matters, but I found you had flown. . . . You will have seen how the Archbishop [Tait] is dying slowly. I imagine his recovery to be quite out of sight. He was my tutor at Balliol, and has been kind to me always ; so that it is a real loss to me. And Mountague Bernard—did you know him?—is dying, too ; one of my oldest and most intimate friends. When I was a young fellow, having known him well at Oxford, I lived a great deal with him, and wrote for him and with him. A long and happy chapter of my life will be shut up. These same crosses spoil me, as King Lear says. Of course one knows, as a matter of the intellect, that life is uncertain—is at the best but so many years long ; but that is a very different thing from the practical sense of it which comes when one has reached sixty, and is beginning to be left behind by all those with whom we have run the race.

Yours always most truly,

COLERIDGE

LORD COLERIDGE *to* SIR MOUNTSTUART GRANT DUFF.

HEATH'S COURT, OTTERY ST. MARY,

*September 12, 1882.*

. . . Have you come across *Mozley*? It is a strangely disappointing book, and yet a book one is obliged to read if you take it up. It would not have, to you, quite the same sort of interest that it has to me. I was brought up in the midst of the Oxford movement, and my father's great intimacy with Keble and Arnold led me to hear all about it, and, if possible, to exaggerate its importance. It is in a certain sense dead now, but still it *was* important. One could have said that Newman and Mozley were utterly incompatible natures, and, in a sense, they were ; but Newman fairly dominated Mozley, and he remains, even now, to Mozley unequalled, unrivalled. Most wonderful man certainly. I cannot analyze

it or explain it, but to this hour he interests and awes me like no other man I ever saw. He is as simple and humble and playful as a child, and, yet, I am with a being unlike any one else. He lifts me up for the time, and subdues me—if I said frightens me it would be hardly too strong; and if he does this to a commonplace old lawyer, what must he be to men who can really enter into him and feel with him!

. . . You, who know everybody, of course, knew about Thoreau. To me he is a revelation, and I am very much impressed with him. A maimed existence, no doubt, but with noble aims and a character far out of the common way. . . .

LORD COLERIDGE to CARDINAL NEWMAN.

HEATH'S COURT, OTTERY ST. MARY,  
September 16, 1882.

MY DEAR CARDINAL NEWMAN,

You will have felt the dying state of Dr. Pusey, I have no doubt, very much. My own acquaintance with him was of the slightest, so that, except as a great man falling in Israel, his death does not come home to me as Mountague Bernard's has, and Canon Pearson's. But "the night wanes and the shadows fall," and I know that it cannot be for very long that I am left behind. Meantime the rebuilding of her house is an interest, and, of course, from day to day an office like mine fills up much of one's time. You never come to Devonshire, do you? I should so like to show you this old church and what we have been doing, and to feel that you had slept under her roof. Is it possible at any time or in any way? If not, is there any likelihood of your desiring to be in London? You know our resources in Sussex Square, and how gladly, such as they are, they will be at your disposal at any time. I do not go back till the second of November, but that month and December, till close upon Xmas, I shall be there. Do you ever look at Morley's *English Men of Letters*? I am just fresh from *Gray*, who seems to rise, in every way, the more one knows of him.

Do you see, by the way, Tennyson's burst of enthusiasm about Virgil? It delighted me, you may be sure.

Always your very grateful and affectionate,

COLERIDGE.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

POWDERHAM CASTLE, EXETER,  
September 28, 1882.

. . . This is a fine house, finely situated. Much of it is old, but much is new, and what has been done has been added in good taste. There is a noble music and drawing-room, with a mantelpiece to make your mouth water, of Italian sculpture really very fine, the supports being two finely moulded figures almost disengaged (the relief is so high), in white marble, and a fine frieze. The room is grand in proportions, and very good, indeed, in decoration—built in 1797, and by the much decried *Wyatt*, who, after all, must have had something in him, as Windsor Castle shows. Lord Devon is *supposed* to be tremendously in debt, but he is an honourable, good man, and lives here in state and splendour in a grand house, and entertains freely. I suppose these grandees move under their hundred thousands as we might under hundreds. One *hears* of ruin and *sees* comfort and magnificence. How unhistorical they are! Lord Devon, I think, would have known, for he is an Oxford first class, of the old days, but one of the party was evidently puzzled, last night, when I asked whether Gibbon had ever been here or no! And they have changed their beautiful motto! . . .

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

HEATH'S COURT, OTTERY ST. MARY,  
October 26, 1882.

I have just done dear old Shairp's last book on poetry. For the first time in my life I have found it rather a toil. . . . He seems incapable of perceiving that you must take states of things as *wholes*, and that alongside with his primitive poets who could neither read nor write, but who composed poetry, certainly beautiful, but, to my thinking, overrated, there were bad Lord Lonsdales and fierce, cruel, profligate chiefs, who are now, D. G., out of date. He seems to think that his poets were poets *because* they couldn't read—as Lord Malmesbury once argued that Lord Clive was a great general *because* he couldn't spell. . . .

. . . But, altogether, criticism is rather a bore. People now say, with an air of defiance and discovery, what I have heard said all my life long, and have often said myself, without thinking either profoundly wise or startlingly new. How is



one the richer or the better for this very critical spirit? This, however, I admit Shairp does not need to have said to *him*. He is very genial and appreciative, and is not always finding fault. . . .

I do *not* hope with you that Gladstone will take a peerage. Far better that he should live and die Mr. Gladstone. So did Pitt, and so would Peel, but that he inherited a title; and these are the only two men with whom you can compare Gladstone. I own I should regret to see him made an Earl, or, even, a K.G., though that might be endured. I do not think you quite realise what a hopeless assembly the Lords have become. If we were reported it would be worth while to address the nation through the medium of twenty peers, but we are not, and, I suppose, because no one really cares to know what we say. Once a year Salisbury threatens a crisis, and then has to give way. . . .

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W.,  
November 13, 1882.

You are very good about me always and, as usual, you over-rate me, but I *should* like to try my hand at a history of the Oxford movement. If ever I do anything, as I suppose some day to do, with my father's papers, it will be natural to make a contribution, at least, to this history. He had, from circumstances, a peculiar knowledge of some parts of it, but his was, of course, the knowledge of a layman and an outsider. He was brought up as all men of his time and school were, with a hatred of Popery, and this, in spite of his love for my brother, he never really overcame. It was amusing when I was abroad with him in 1856 to see the air of steady, gentle protest with which he went into Catholic buildings: still more when present at any Catholic ceremonies. And though, no doubt, in a sense he was a High Churchman, he was a Protestant to the core.

Being upstairs and alone, I laid hold of a book which happened to be in my bedroom and which I had long meant to read—Lord Hervey's memoirs. I have just finished them, and am simply delighted. His subjects are odious, no doubt, but his style is brilliant. The epigrams sparkle, the characters live, and I really do not think he was a bad fellow at all—certainly not, the least, the sort of "puny whipster" that Pope makes out. His views of men in general are cynical

enough, but he loved good men, the few he came across, and he was a high gentleman. The Queen seems to have been a wonderful woman, almost great. But the *morals*! Like the snakes in Ireland there are none. The poor dear middle class, with its dulness and its honesty and its good sense, kept us alive at that time.

I am just finishing Symonds' *Shelley*. I never saw Symonds, but I think I should *hate* him. I declare I prefer the coarse, cynical, blackguard, *manly* uncleanness of Lord Hervey's people to the puling, hermaphrodite, sickly, sensual selfishness of Symonds. The literary part seems to me great stuff too. It is hard on Shelley, who should have a *man* to write about him.

### THE MASTER OF BALLIOL to LORD COLERIDGE.

OXFORD, *November 22, 1882.*

MY DEAR COLERIDGE,

I am very sorry to hear of your troublesome and painful illness. I do not know that any better advice can be given to you than what our friend M. Arnold fished up out of John Hunter: "Don't think, and be patient."

This evening we have been electing Balliol scholars. How well I remember that day forty-five years ago, and you remember the same day three years later. Of you Tait said, at the time, "Not so likely to distinguish himself at the University as [in] after life." When you came up for the scholarship, I had the pleasure of first making your acquaintance, and you talked of Pope Julius the Second to my admiration, for I knew nothing of such a personage. Odd bits of life seem accidentally to be fixed in the memory for ever.

The accident of trying for the scholarship at Ball Coll. has been everything to me. I do not think that I could have succeeded anywhere else, certainly not at the Bar. I feel thankful, more and more, for this home which has been provided for me.

I shall look forward to spending a day or two with you at Christmas. I hope that you do not allow yourself to be depressed by this illness, which will soon pass away. There is no one who seems to me more vigorous after all the hard work which you must have gone through. And there is a great deal remaining for you to do, if you will only believe this.

Ever yours affectionately,

B. JOWETT.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W.,

November 24, 1882.

. . . The week after next we have our grand opening of the New Courts, and, after Christmas, the Hall of Rufus will know us no more. I cannot help being impressed and rather saddened by this. The very long and noble traditions, on the whole, of Westminster Hall cannot, for many a long year, cluster round the new building, and the dissociation of the Courts from Parliament is an evil—inevitable, no doubt, yet I could have wished the change had come after my time. I do not like to be the last Chief Justice who ever sat in Westminster Hall. The Queen is coming, herself, and we shall have a great function and at Christmas we shall die out of Westminster.

The Archbishop is worse again. This time, Sir William Gull tells a person who tells me, it is really quite hopeless. He may last a little while, but, I suspect, it is weeks, not months, by which his life is now measured. I am *very* sorry. I think, apart from the personal feeling which I have, very strongly, for my old Tutor, his loss just now will be very great. There is but one man to my mind *clearly* fit to replace him, Lightfoot—and him I do not, the least, expect Gladstone to make. You know how I admire and venerate Gladstone, but I confess I would rather Dizzy had the making of an Archbishop than he. He will make, I expect, some good but wholly inadequate man. He does not like a really able man—still less, as a rule, does he like a man of any original or independent views. Yet, now, there is a real opportunity for a great Archbishop to do something—a man, I mean, great enough to look things in the face and (kindly of course) to defy the clergy. Tait never rose above the notion of making things pleasant—of what would do—and the consequence is that all real questions have stood over. Did I tell you that a high church Tory judge told me the other day that he quite agreed with me the clergy were living in a dream, and added that the N.T. was difficult enough, but that, as for the O.T., we might as well be asked to believe *Æsop's Fables*? Yet this was a very good and steady sort of man, one who would have voted for the *Establishment* as a matter of property, through thick and thin; and this was his belief. But the Bishops go on sticking their heads in the sand and refusing to see the circle of the hunters closing round them. . .

LORD COLERIDGE to MR. GOLDWIN SMITH.

1 SUSSEX SQUARE, W.,  
November 24, 1882.

MY DEAR SMITH,

I was delighted to see your handwriting—a letter from you is always a real pleasure. I wish the answer could be made in kind. The matter, however, which was the origin of your letter settled itself, without any interference on my part, in the sense which you desire. Indeed, except on the score of nationality, I cannot conceive there being a question as to Longfellow's right to a niche in Westminster Abbey. I do not myself think him as original a poet as either Bryant or Poe, but he was a beautiful, graceful, musical writer; just level to the capacities of the average reader of poetry; and, with an *English* popularity, I believe, in excess even of that which he enjoyed in America; and, on the score of country just when Americans are subscribing to the statue of Stanley, it would have been indeed ungracious to raise a question.

No doubt you are absolutely right about America. I felt exactly, as you describe, at the time of the Civil War, when, indeed, they had much to bear from what is called "Society," here, which let out, as it thought *safely*, its intense hatred of freedom and independence, its detestation of "the people"—no matter where. It is not quite safe now to indulge in open hatred *here*, but, in America, "Society" thought they had a safe pass to hate openly, and behaved accordingly. I used to hear that Cornewall Lewis, the Duke of Argyll, and Lord John on our side, and, I am bound to say, Dizzy and Stafford Northcote on the other, kept the House of Commons quiet.

You may, perhaps, have seen by the English papers that I have had a sharp and painful illness, which has, happily, passed away. It has left me very weak, but I hope with no permanent bad effect. I shall see how I am by-and-by, but, if I am pretty well, I really hope to come to America next Long Vacation, if I live so long. I was asked some years ago when I was in fresh sorrow and when Cockburn was alive. Then I put it off, but the invitation has been renewed now in a kindly and generous spirit; and so much has been made of it both by Americans and Englishmen that I do not like to refuse. It is a bore of an ultra-Erymanthian magnitude; and, at my age, to lose a quiet summer of the hills and vales of Devonshire is something which implies some self-denial to acquiesce in. But, after all, the end is near,



and, if it pleases any one else, what does it signify to me ? Only that I could wish some younger and happier man with more of the spring of life in him, and more hope for the future, was going in my place. *De meipso nimis*. But, you may depend, if I come I will offer to invade you ; and if we could see Niagara together it would be a very great pleasure. You and my dear old friend the Bishop of Fredericton<sup>1</sup> are the only two persons I care to see out of the States. Philadelphia and Boston contain many friends—New York a few. Elsewhere, in America, I am not conscious of a personal acquaintance. I do not think I had read your book through when we parted at Oxford. I cannot tell you how it interests me and how much I admire it. You spoke, perhaps, of publishing it. I wish you would. There is no book I so constantly want to give away ; and I cannot but believe it would have a very great sale here. No one who has seen it but agrees with me both in my opinion and my wish. How I wish too I could write such style as yours ! but that is less attainable than to get you to publish.

Tait is going after all. He will be a loss in many ways, a great one to those who knew him as I did, for he was a warm-hearted, simple man and a steady friend. But he will be a public loss, too. For, though he let every real question drift, and though, in public, he thought only of what would *do*, i.e., *do* for Society and Parliament, yet he was, in some ways, a Statesman. I don't think I liked Dizzy better than you, but I own I would rather he had had the making of an Archbishop. My very kind regards to Mrs. Smith.

Yours most truly,  
COLERIDGE.

THE ARCHBISHOP OF CANTERBURY (DR. BENSON)  
to LORD COLERIDGE.

LAMBETH PALACE, S.E.,  
May 2, 1883.

MY DEAR LORD,

I do not know how to thank you for so delightful a gift. It is more beautiful than I had thought it on a less

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<sup>1</sup> John Medley, Bishop of Fredericton, a valued friend, and visitor, and frequent correspondent. Lord Coleridge could reckon a numerous band of Bishops among his friends and acquaintances, but for none—not even his brother-in-law, Dr. Mackarness, or his old college friend, Dr. Temple.—had he greater regard or affection than for the Bishop of Fredericton.



close examination. And I find that my glasses bring it out—which is not often the case—into more beautiful expressions still.

I say *expressions* advisedly, for Newman has in Lady Coleridge's drawing, just as he has in life, a singular interlacing of delicate expressions—and not one only.

It is, and always will be, a very dearly prized treasure, for its own sake and the cunning hand-and-mind's sake which pencilled it, and for its most truly kind donor's sake.

Thank you once more, and believe me,

My dear Lord,

Yours most sincerely,

THE LORD COLERIDGE.

EDW. CANTUAR.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

HEATH'S COURT, OTTERY ST. MARY,

Easter Monday, 1883.

. . . Do you manage to get on even with your *Chief Justice*? I daresay you heard the story, but it was new to me, of a gentleman taking out a Colonial Governor's wife and opening the conversation with some sympathetic remarks on the detestable character of the Chief Justice of whom he had never even heard, and finding that it opened the heart and set loose the tongue of the lady at once!

Upon my honour, I don't think that this is worth five-pence, but it shall go. Oh, there is a new Browning, with two lovely lyrics of a few lines, one fine poem of a few pages, and the rest absolutely unintelligible, to me, at least. *But then, you know, he once told me that if a reader of my calibre could make out 10 per cent. it was very well.*

LORD COLERIDGE to CARDINAL NEWMAN.

ROYAL COURTS OF JUSTICE,

May 8, 1883.

MY DEAR CARDINAL NEWMAN,

I cannot refrain from troubling you with a cry of delight over your note in the *Spectator*. I suppose it was utterly irrational and perhaps inexcusable, but I never could bear *that* Palmer.<sup>1</sup> The other one<sup>2</sup> I used to delight in; but this one always seemed to me a dry stick, and quite unworthy of a place amongst the Oxford fathers. His very

<sup>1</sup> The Reverend William Palmer, of Worcester College, author of *Origines Liturgicæ*.

<sup>2</sup> The Reverend William Palmer, of Magdalen College, Oxford.

walk used to fret me, and he turned his toes out (a thing I never could do) with an excessive and provoking propriety. I suppose the temptation to follow Froude's example and Mozley's had proved irresistible. Froude's papers made me so angry that I was half tempted to rush into print myself, but my better genius plucked my ear and restrained me. But I rejoice over your note. There are men who seem to think it quite of course to believe, and to repeat of others whom they have treated as friends, and of whom they can know no evil, what *they* at least think, and wish others to think, full of discredit and dishonour. Happy, indeed, as you say, when it is done at a time which allows of instant and absolute denial.

The last time you wrote you put out, only to withdraw it, a sort of faint hope of coming once more to Sussex Square. Is it any way possible? I shall be going to America for the Long Vacation, and who knows whether I may come back? Is it possible for you to come to London? If not, and if we survive till Xmas, would you let me come and see you once more?

Neville, or any one else you like, of course, is included in any invitation to you.

Your grateful and affectionate

COLERIDGE.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W., August 13, 1883.

Yes, I think you did well to go. Parliament is miserable work. . . . I gather that the successes of the Session have been Dilke and Trevelyan. I gather, also, that Gladstone is, at last, showing signs of uneasiness. No one really is an *irreparable* loss. On the day of his disappearance, I suppose, the Speaker will take the chair as usual, and questions and speeches will go on the same as ever; but, to me, it is difficult to think of politics without him. It is not only that he is such a big fellow, but he has lifted politics up out of intrigues into principles, at least, on our side; and, I suppose, there never was a time when drawing-rooms, and snobberies of all kinds, had less practical influence than now, and chiefly owing to Gladstone. I don't think that the Party is sensibly weak. No doubt an increase, which is pretty sure, of the Irish Parnellites will make any Government more difficult than ours. But Irish affairs altogether beat me. I can see no way out of them—no way even to mend them—except Home Rule, which, as yet, is out of sight.

## CHAPTER XI

### VISIT TO AMERICA

'Tis not the clod beneath our feet we name  
Our country. Each heaven-sanctioned tie the same,  
Law, manners, language, faith, ancestral blood,  
Domestic honour, awe of womanhood :—  
With kindling pride thou wilt rejoice to see  
Britain with elbow room, and doubly free !

S. T. COLERIDGE.

(*Correspondence*, 1883-1884)

LORD COLERIDGE sailed for America, in the White Star steamer *Celtic*, and landed in New York Harbour August 24, 1883. He went as guest of the New York Bar Association, and was accompanied by <sup>1</sup> "his youngest son, Hon. Gilbert J. D. Coleridge; Right Hon. Sir James Hannen, and his son, James Chitty Hannen, Esq.; Charles Russell, Esq., Q.C., M.P., and Patrick Martin, Esq., Q.C., M.P." He had been invited the year before by Mr. Frelinghuysen, and had been urged by the American Minister, Mr. James Russell Lowell, to accept the invitation. "It would be a great help to that cordial understanding between our two countries which both of us have at heart." That year it was impossible. "I am engaged," he writes (July 27, 1882), "in the negotiation with the Ecclesiastical

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<sup>1</sup> "History of Lord Coleridge's Tour," *New York State Bar Association Reports*, vol. vii., 1884, p. 53.

Commissioners as to the creation of a district and the endowment and consecration of a church [Alphington] in my parish in Devonshire, which is in full progress, and which no one but myself can conduct. . . . I hope," he adds, "that the deferring of my visit till next year (if the Bar are still willing to have me then), will not be thought to show, either that I am disinclined to accept the invitation, or that I undervalue its singular and interesting international significance." The Long Vacation of 1883 had come round, and the deferred visit was now to take place. The Lord Chief Justice was, in the first instance, the guest of the New York Bar, but he was also, though informally, the guest of the nation at large.

A tour in the United States was not without its element of danger and personal risk. At the summer sittings of the Central Criminal Court he had tried and sentenced the Fenian dynamitards, Thomas Gallagher and others, to penal servitude for life. It was not impossible that these sentences would endanger the life of the judge, and, accordingly, special precautions for Lord Coleridge's safety were offered to Lord Granville on behalf of the Government of the United States. A cypher telegram to this effect was sent to Mr. Lowell, and a translation forwarded to the Chief Justice. "The Government of the United States," says the "Report" (p. 54), "desiring to show our guest every mark of attention and respect, directed Lieutenant John McClellan, of the Army, to assist in escorting him through the country as its representative."<sup>1</sup> "He was met

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<sup>1</sup> A letter from John McClellan (October 27, 1883), 1st Lieut. 5th Arty., has been preserved. "While I never believed," he writes, "that I was necessary to you, I have often experienced much

in the beautiful Bay of New York, and taken on board the steam-yacht *Pastime*," and, for the next two months, was entertained and *fêted* at an endless succession of receptions, luncheons, and banquets, until he was obliged to explain that it was only the Lord Mayor who was able to dine eight or nine times in one week. He was the guest of the Bar Associations of Cumberland, of Suffolk, of Cincinnati; of Louisville, of New York. He addressed the students of the University of Pennsylvania, of Haverford College, of Yale. There was a municipal banquet at Boston, there was the Chicago banquet, there was the "Storr's" banquet at the Leland House. He was the guest of the Knickerbocker Club, and, *pour un comble*, on one occasion, he dined with Mr. William H. Vanderbilt. At Washington, October 18, he was granted an audience by the President at the White House, and, the same evening, the Secretary of State, Mr. Frelinghuysen, gave him a large reception at his residence. "On the following day the Lord Chief Justice sat with the United States Supreme Court *in banc*." The records of the Court show that he was the first person not a member of the Court ever so honoured.

Speech followed speech, compliment echoed compliment, anecdote made way for anecdote—*Uno avulso, non deficit alter*. His hosts alluded to Plymouth Rock and the *Mayflower*, and claimed joint-ownership in Shakespeare and Walter Scott.

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anxiety, and I am now very happy to assure you, that you might have safely accomplished your journey, had you travelled just as an American gentleman usually travels. . . . I have benefited by my acquaintance with you, for I know that I shall long keep in mind the many good and noble thoughts which I have heard you express."



Lord Coleridge reminded them that he was not altogether a stranger, that he was the close and intimate friend of Mr. Ellis Yarnall, of Mr. Welsh, of Joseph A. Clay, of Henry Reed, of Horace Binney the younger. He would acknowledge his debt to American literature, to Daniel Webster, whose speeches he had learnt by heart in his boyhood; "to Hawthorne, your foremost man of letters; to Longfellow, the delight and darling of two hemispheres; to Holmes, the Autocrat of the Breakfast-Table—the Autocrat, if he chose, of every dinner-table, too; Emerson, as broad and as strong as one of your own rivers and as pure; Lowell, my own honoured friend." He recommended the students of Haverford College "to read Milton and Wordsworth, Gray and Keats, and to study and learn by heart the great classic writers, Homer first and Virgil next; then Euripides, then Catullus, then Horace." "Read," he says, "only the best books, and never read bad books. Good books will nerve you for the work—the serious and earnest work—which is the lot of all good and true men; for, to quote a great writer, Dr. Young, not from his 'Night Thoughts,' but from his 'Satires,' a work much less known,

"This is the scene of combat, not of rest;  
Man's is laborious happiness at best;  
On this side death, his labours never cease;  
His joys are joys of conquest, not of peace."

I find among his papers, carefully preserved, but unsorted, and, perhaps, forgotten, tributes of all kinds—pencil sketches, the proffer of some leaves of the "Trailing Arbutus," which the Pilgrims christened the Mayflower; gorgeous cards of invitation; the *menu* of the Chicago banquet, beribanded

with white satin fillets. To linger over such memorials of the past is, to

“ feel like one  
Who treads alone  
Some banquet-hall deserted,  
Whose lights are fled,  
Whose garlands dead,  
And all but he departed ! ”

Perhaps the most important, certainly the most amusing, speech which Lord Coleridge made in America was his response to Mr. Evart's address, at a special meeting of the New York State Bar Association, on Thursday evening, October 11, 1883. I select the following passages for quotation :

*American and English Lawyers.*

It is, of course, chiefly as an English lawyer that I have come to this country. . . .

I have been received, by association after association, in a manner that has beggared my poor powers of expression adequately to give thanks for ; and it is delightful to find that as we familiarly quote your great men, Kent, Story, Parsons, Duer, Philips and Greenleaf—so you, on your side, are familiar not only with our old great men, with Sir William Blackstone and with Lord Hale and with Lord Coke, but with our modern men, with Lindley, with Pollock, with Benjamin, the common honour of both Bars, of England and of America.

*Size of America.*

The first question which has almost always been put to me, by my kind American friends, when I come to a new place, is whether I am not amazingly struck with the vast size of this country. Now, at the risk of offending my good friends here . . . it is not the vast size of this country which particularly impresses me. Men are, in human affairs, the great factors of results ; and men are great, not in proportion to the largeness, but in proportion to the smallness, of their natural advantages. Size seems, to me, to be a commonplace incident in the history of a nation ; Athens, Rome, Holland, England—all these are places and powers



which have affected the destinies of mankind, but every one of them began from very small beginnings, and every one of them has but a little bit of the earth's surface to stand upon. Nay, one of them had to conquer for herself from the earth's surface something upon which to put her foot!

I don't know whether Mr. Cobden ever did say—but if he did I cannot agree with him—that the St. Lawrence and the Mississippi and the Amazon were better worth knowing about than the Tiber or the Orontes, or the Ilyssus, because they pour into the sea, I don't know how many hundreds of thousands, or how many millions, of imperial gallons of water every hour more than the smaller rivers. I don't know that he ever did say it, but if he did, with all respect for so great a man, I venture to think he said a very foolish thing. I am quite sure that my noble friend, Lord Sherbrook, did once say that the battle of Marathon was not worth knowing about or thinking about, because the slaughter there hardly reached the proportions of what he called a respectable railway accident. But the battle of Marathon stayed the tide of the Persian War, and rolled back the waves of barbarian invasion; if the battle of Marathon preserved for us, for you, ladies and gentlemen, and for me, the art, the poetry, the philosophy, the history, the oratory, the intellect, the freedom of the Greek nation, I say that it was far more worth knowing about than all the fearful slaughters (which rise to the proportion of many more than a hundred railway accidents) of Genghiz Khan, Attila, Julius Cæsar, the First Napoleon, the four greatest slaughterers and butchers that a merciful God ever suffered to sweep over and devastate His earth.

*Result rather than Size.*

Then, after all, let me say about this matter of size—you did not make it. You were as large when the wild Indian roamed your woods, fished your rivers, hunted your prairies; you were as large when that strange and mysterious people, who were before the Indian, ruled over this land, with a great civilisation, which has left remarkable evidences, all the way from Lake Superior down to North Carolina; you were as great and as large before that time, when your huge lakes glittered in the sun or roared in the wind, with nothing but a chance mammoth or bison to look upon their glory or their strength. For my part, as I said before, it is not the size of a nation, but

it is the products of a nation that are to be looked at when you consider whether a nation is admirable or not. When you come to size, Russia, I believe, is bigger than you are; Africa is bigger than you are. I speak under correction, but I have some considerable doubt whether the British North American possessions are any smaller.

*American Wealth.*

Now let me be equally frank about your wealth. "Those despise riches who despair of them," says Lord Bacon. "*Aude, hospes,*" says Virgil, on the other hand, "*contemnere opes, et te quoque dignum Finge deo*"—grand words indeed! and of which Dryden says: "I contemn the world when I think of them, and myself when I translate them." It is not your colossal fortunes, your vast estates, your piles of gold and silver that have interested me. I can see them at home. What I do admire, what I long to see, and never shall see in my own dear England, is what may be called your upper and lower middle classes. I have seen hundreds, thousands, and, perhaps, tens of thousands of comfortable, solid houses, more or less large, lived in and occupied by the owners of them; and their possession of them, as I understand, is pretty general. I am told—of course there are such things as leases—but I am told that your intelligent farmers own their farms, your cultivated and educated gentlemen own their houses, your artisans and poor people own their cottages. They are their own houses, and they are therefore precious to them. If they improve them they improve them for themselves. If, in Scripture language, they "plant a vineyard," they or their children eat the fruits thereof. If the lands and the houses rise in value, the unearned increment, which has so much exercised English politicians, goes to the owners, who are the occupiers of the houses and the lands. What a state of satisfaction and content this produces in times of peace! What an irresistible force it would give you, nay, I say, *did* give you, when the war broke out!

This is your great glory; this is your real greatness; this is your happiness—keep it—guard it, cling to it, never let it go, never be betrayed into the pursuit of the false glitter, but real misery and discontent, which always have followed, which always will follow, in the train of feudalism.

*England and America.*

It is no rhetorical exaggeration, it is simple truth, to say that, joined together as allies, as friends, or comrades, England and America are absolutely irresistible in the world. I most earnestly hope that the present happy state of feeling between us may long continue. Believe me, there is not in the mind of any honest Englishman a trace of jealousy, a shade of grudge when he thinks of the magnificence of your future and your present grand development. I am not foolish enough to think that anything I have said or done could in any way increase it. All I hope is that no word, no act of mine, has in any degree tended to make it less.

Now there is but one word, and that I am loath to say. This is the last time that I shall ever stand here, or ever see this audience. I thank you from my heart. I have kept a distinguished New York audience listening to my rude words too long. I say now from the bottom of my heart, Farewell !

Lord Coleridge sailed for England in the White Star steamer *Britannic*, October 27, 1883, and it was on the homeward voyage that he made the acquaintance of his second wife, Amy Augusta Jackson, daughter of Henry Baring Lawford, of the Bengal Civil Service (the youngest son, by his first marriage, of Edward Lawford, of Drapers' Hall and Eden Park, Kent, of the firm of Lawford and Waterhouse, solicitors to the East India Company, and Georgina Frances, daughter of Captain John Harrison, R.N.).

The Lord Chief Justice and his future wife met as strangers, but there had been, as I gather from his father's diaries and his own, a friendly acquaintance between his family and hers for more than thirty years. He had been at Eton with her uncle, Charles Lawford (afterwards Vicar of Winterbourne, Stoke), and between him and another uncle, Edward



Melville Lawford, the schoolfellow and school-friend of Frederick William Coleridge (*d.* April 25, 1843) there had been a closer and more intimate tie. Her father, who came to Eton long after Lord Coleridge's time, and who passed the greater part of his life in India, he never met.

The acquaintance begun on board ship ripened into an ardent attachment, and, in due course, the marriage was celebrated in London, August 13, 1885.

Of the lady who then became his wife, and who survives him, it would be unbecoming to say more than this, that all who enjoyed the intimacy and confidence of Lord Coleridge in his later years were witnesses of the abundant happiness which the marriage brought with it, and of the fact that difference of age was powerless to affect the mutual confidence and esteem which grew and strengthened till the day of his death.

LORD COLERIDGE to MR. GOLDWIN SMITH.

2 W. 52ND STREET, NEW YORK,

August 25, 1883.

MY DEAR SMITH,

I do not know that I ever in my life wrote a letter with such a sense of *bitter* disappointment as I feel in writing this. I enclose you a telegraph message sent in cypher to our Consul-General here, and, by him, sent to me yesterday. There was a good deal of doubt whether I could safely come *here* before I left England, as very ominous threats<sup>1</sup> reached the police offices; but Lord Granville, through Lowell, received from Mr. Frelinghuysen the very kindest and most generous dispatch possible, and I thought it would be craven to mind about one's wretched life, if the

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<sup>1</sup> A New York paper says that the Irish Brotherhood had sentenced Lord Chief Justice Coleridge to death, for the part he took in the trial of the dynamite conspirators.

two Governments thought my visit of sufficient importance to undertake, of their own accord, to protect me, and I never thought about the Dominion for a moment. But, yesterday, this telegram arrived; and our Consul here, who seems a very sensible man, told me he believed he knew the source from which the Home Government had derived the information which inspired the message, and that it was not a source to be despised or neglected. So, after speaking confidentially to Hannen and Charles Russell, they both agreed with me (and spoke very strongly about it), that I ought not and could not properly refuse to do what the English Cabinet through the Foreign Secretary expressed a wish that I should do. All this ends, my dear Smith, in my being obliged to give up Canada, altogether, and Toronto, and the Grange, in particular. I am more vexed than I can say. I had so fully looked forward to a few happy quiet days with you and Mrs. Smith; and all I have done is to try these wretched Dynamite conspirators, I am very sure, in no fierce or hostile spirit, with Brett on one side and Grove on the other, and pass such a sentence on them as the law and not I dictated. It is a serious thing to be face to face with such a state of things; but, while for many reasons I have no wish to prolong my life by an hour, and do not, in my own judgment, believe in the dangers, yet I have no right to be foolhardy; and to go to Canada in the face of Lord Granville's message would be foolhardy. Can't Mahomet and the Mountain meet nevertheless somewhere and somehow? (I don't know which is Mahomet, by the way.) They are all most kind here, and what a grand place it is, to be sure!—far more original and with more distinct character of its own than I expected.

Yours always,

J. D. COLERIDGE.

*Copy of Telegram from Earl Granville, August 22, 1883.*

TO CONSUL-GENERAL BOOKER, New York.

*Private.* Tell the Chief Justice we are of opinion that he should avoid if possible the going to Canada; if there is any risk, we think it greater there than in the United States!

GRANVILLE.

LORD COLERIDGE *to* SIR M. E. GRANT DUFF.

NEW YORK,

October 26, 1883.

. . . I have been now near ten weeks in America, and I have seen, I suppose, as much as in that time was possible. . . .

On the whole, I am greatly pleased with the States. It is impossible not to be pleased with the people, those of them at least that I have seen. They have been chiefly but not exclusively lawyers, whom De Tocqueville called fifty years ago, and Goldwin Smith, about five weeks ago, the aristocracy of the country. But these men whom I have seen are a real aristocracy. From the absence of a capital, in our sense of the word, the good and able men are much more diffused than they are with us. I have been in twenty of the States, and, in every one of the towns where I have been, I have found five or six men quite first rate, and yet content to live in these secondary cities, to lead them and to pass their lives as centres of a pleasant cultivated society, with not much desire, apparently, of ever going any farther or aiming any higher. I have no reason, of course, to think that the people I saw were the only people of the same sort in these cities; and, if so, this is certainly a feature, and a very good and healthy one, in which they differ from and, I think, are better than we are. As for the other classes, I have been struck profoundly by the diffused wealth, comfort, and content of thousands upon thousands of artisans and labourers, living in their own cottages, with gardens and grassplots, and with all the interest in them which ownership alone can give. I have tried to bring this out a little in a speech which in its amended form I will send you. Washington and the Government very favourably impressed me. I fell in love with the President [Arthur], a very nice-looking, well-read, well-mannered courteous gentleman, looking and acting the President to perfection. Of course I saw only his outside, but I hear that he has most favourably impressed the country on the whole, and yet there is no chance of his being allowed to *run* a second time. I worshipped at the shrine of Mount Vernon, a very nice old house of some state and pretension, large and handsome for the time, and on a lovely site over the Potomac, looking up and down the river, which there is a fine sheet of water more than a mile wide. . . .

Far the most beautiful city in America, as far as I have seen, is Boston, and the State House is the most beautiful building in the country. At Washington, at Albany, at Chicago, and elsewhere, you see much grander and more costly structures; but this is in perfect taste and proportion: every interspace the right size, every moulding right, every decoration refined—a sort of Adams architecture of noblest type. . . . The situation is noble, and has been made the best of.

Niagara it is no use to write about. The sight was worth coming from England to see. It is the very sublimity of motion as the Alps are the sublimity of repose, and, what struck me, perhaps, most of all was its awful *dignity* and *slowness*. At a little distance it looks like a green curtain with white fringes. I speak of the Canadian side; the American side is distinctly disappointing.

I have left myself no space, nor have I time, to speak of persons. I will write again. All I will say is, the two most remarkable people I have seen are Butler, the famous General Butler, the Governor of Massachusetts, and Evarts—the last a *very* fine specimen of the American gentleman and lawyer.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

R.M.S. "BRITANNIC,"

*All Saints' Day, 1883.*

I wrote you a hasty and scrambling letter just before I left New York, which, I hope, may reach you, and I begin once more at my ease . . . but, in spite of the glory of the sky and Atlantic waves, very much in the condition of Lord Dorset's mariners in that, really justly, famous song,

Our paper, pens and ink and we  
Roll up and down our ship at sea,  
With a Fa la la.

I won't bore you with any more of my American reflections which are stupid and must need be superficial. . . . Oh yes, one other thing I will tell you. My *impresario*, so to call him, was Vanderbilt's son-in-law, and accordingly the richest man in the world asked me to dine and I went. The house is fabulously splendid, very magnificent, but no repose anywhere. It streams money down the walls, up the staircase—"silver was nothing accounted of in the days of Solomon." "Yes, Mr. Vanderbilt," I said, "there

has been nothing like it since Aladdin's Palace. It only wants the *Roc's* egg." You should have seen his face. He had not the least notion what I was talking about, and I shouldn't wonder if, by this time, he has given a commission for a dozen. . . . In consequence of my not being able to go to Goldwin, Goldwin came to me in Buffalo. We were three days together, and I saw Niagara in his company. He was, as always, most interesting and delightful.

. . . Yes! I have been coming back *à mes premiers amours*. While on my travels I read nothing but Lord Bacon, Wordsworth, Shakespeare, and a novel or two . . . and *Virgil*. I am reading the "Aeneid" right through once more with increased and increasing admiration. The perfectly amazing and exquisite beauty of the style grows on me—the most beautiful *instrument* surely that ever musician played on—but the story, the characters, the narrative all are of the very highest order; just here and there I think we detect the sutures, but how seldom! Dido—surely the finest love-story in the world, and the Sixth Book so very superior, *me judice*, to the *Necyomantia* (a late edition, by the way, in the opinion of the Alexandrians) and oh; what music! It is like Mozart at his very best. Do read the Sixth Book once again. The boat race in the Fifth is like a bit of Eton or Oxford. Virgil must have seen one, though I suppose, as a free Roman, he can never have pulled in a racing trireme.

Grant he does make Æneas uncommonly contemptible in the Dido episode, but, then, he does not seem ever to have had an imaginative passion or to have known the next best discipline for "a noble masculine nature," "the affectionate bitterness of a love refused." I have read (as you ask me) four plays of Euripides on my outward and homeward voyage, but the book was too big to take with me on my journeys. He *does* paint women, the only one of the Greeks who does, and what exquisite, pure, lovely women his are! Iphigenia, Alcestis, Macaria, Helen, Megara, I should say, even, Phædra, and certainly Andromache, and in the same sort of pure, beautiful sunny light, Ion and Achilles and Hippolytus. Schlegel, indeed, made the very wonderful discovery that he was not Sophocles, but who discovered that he hated women? There are no such lovely women as his in antiquity, and as, dear old friend, I am near sixty-two, and, the few years that are left, I shall go back more and more to these old fellows. They refresh me more, and give, I hope, a sort of glint of sunshine



to me . . . which nothing else can give. Bacon! what a fellow he was! His Essays are incomparable! Yet I have now read him again slowly, *pedetentim*, letting them soak in, and I cannot think of one really high self-sacrificing precept, one word that shows he could ever *appreciate* self-denial or the "*summum crede nefas*" of Juvenal. He characteristically puts martyrdom among *miracles*.

What does he suppose my eyes and mind are made of, I hear you say? What indeed? And as the sun is bright, and the sea blue, and the crests of the waves snow white, I will go out of my room and bask, yes, *bask* on the first of November.

W. E. GLADSTONE to LORD COLERIDGE.

10 DOWNING STREET, WHITEHALL,

November 15, 1883.

MY DEAR COLERIDGE,

I thank you very late for reporting your return, the truth being that I vaguely hoped you might be caught at the Temple Dinner last night. But I think you are entitled to a solid and long holiday from holidaying. Let me say, or say again, that I think you have rendered a public service by your excursion to America, while I sincerely hope your health may in no way have suffered from it. I wish the two countries to be married at all points, and you have married them at one important and vital point, namely, in their legal profession—I should have liked to ask you, was it not after all tremendous? And, have you done or thought anything, or do you see your way, as to getting some competent person to study and then write upon the social state of America? which is almost a sealed book to us, while even of its material condition we are but roughly and loosely informed.

Sincerely yours,

W. E. GLADSTONE.

THE LORD CHIEF JUSTICE OF ENGLAND, &c.

W. E. GLADSTONE to LORD COLERIDGE.

10 DOWNING STREET, WHITEHALL,

January 2, 1884.

MY DEAR COLERIDGE,

A letter, this, of sincere thanks for your kindness. Yet it must begin with protest, or dissent. There is no

person in London, save one, who thinks that the Lord Chief Justice shines with a derivative light.

In other respects I heartily accept your friendly wishes, yet subject to this reservation that the most friendly wish of all is that I may be permitted, soon, to escape the strain, and rid myself of the excess which inheres in the labours of my present office, or in the attempt to pursue them at my time of life.

I read Lyndhurst's *Life* at once: it was the life of a colleague in Sir R. Peel's Cabinet. It seems to catch Campbell a good deal. Otherwise it is too eulogistic, and, at the same time, too apologetic. It shows Lyndhurst in a delightful way as to the great point of domestic affections.

A superior piece of workmanship to this is, I think, on the eve of appearing, the *Life of Hope Scott* by Mr. Ormsby, himself a seceder. Unhappily my name appears in it, much oftener and more seriously than I could have wished.

When you have written (active voice or *middle*—caused somebody to write) a great work on the social condition and movement of America, I have another subject to commend to you, for which I could like to see a real author forthcoming. It is the transformation of Oxford during the last half-century, and the manner in which the throes of that University have acted on England and the world.

Ever sincerely yours,

W. E. GLADSTONE.

THE LORD CHIEF JUSTICE OF ENGLAND.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W.,

January 11, 1884.

. . . I am afraid I don't agree with you about letters. I waive discussion of my own, which seem to me dull and commonplace when I look at them, so that I sometimes hesitate to send them; but when I look back on the letters I used to see when I was young, Keble's, Arnold's, Provost Hawkers', others even of my own family, it seems to me to have become one of the extinct *arts*. I am not a bit a *laudator temporis acti* *Me puero* in Horace's bad sense, and I believe men are just as clever and as good and as kind as ever they were; but life is led at higher pressure, and the sense of finish and the desire for it in everything

we do is much less than it used to be. However, after all, the great thing in a letter is that the man who gets it should like to read it, and certainly you are the best judge. You will say, perhaps, that there is a previous matter—that he should be able to read it—as to which I am bound to say also that your judgment is the general one as to *my* performance in that kind.

LORD COLERIDGE to SIR M. E. GRANT DUFF.

ROYAL COURTS OF JUSTICE,

February 7, 1884.

. . . You will see, before you get this, that Hayward has gone at last. I am told he had long been failing, and, latterly, was kept alive by sips of brandy for days or even weeks. For many years past I have not known him. I thought he took unpardonable liberties, and I disliked the sort of man, and so broke off from what was never more than the merest speaking acquaintance. To me he was uninteresting in writing—always excepting his translation of *Faust*, which (but I don't read German) always appeared, to me, to give a non-German more of Goethe than any other version I ever read. They have, as they always do, in any view of him, extravagantly overpraised him in the papers. In one paper I saw they put him at the head of story-tellers, "not excepting Mr. Grant Duff," or some such expression. I most certainly *should* except you; but that in my mouth would be *in itself* a very inadequate expression of my pleasure in your talk; for I should except many others also. However, I know, very well, that in judging of men I am very *personal*; and if I don't like a *man* I don't like what he is and does. For no doubt this poor fellow had fast friends (Kinglake, *e.g.*), who clung to him and were patiently and constantly attentive to him all through his illness, and a man who draws out affection must I suppose draw it out by affection.

You don't mind a piece of literature now and then, so I will ask you if you ever read the *Culex* and *Ciris*. I read the *Culex* as a boy, but I never read the *Ciris* till a few days ago. There is very good classical authority for attributing both of them to Virgil, and I think the *Ciris* is not unworthy of him, and it may have been a very early and imperfect attempt. There are two or three very lovely passages in the *Culex*, but the Poem is hopelessly corrupt and is absolutely wanting in that exquisite sense of *pro-*

*portion* which never fails Virgil in his better-known pieces. It is more like (I don't mean it is near so fine) Catullus in the *Nuptiale of Peleus and Thetis*, where a description of a piece of Tapestry takes up much more than half the Poem. But if even you do look at Latin now and don't mind difficulty, for they are *very* hard, I advise you to look at them. There are a few such beautiful lines that if Virgil did not write them some young fellow did who had the making of a poet in him. . . .

LORD COLERIDGE *to the* RIGHT HON. JOHN BRIGHT.

ROYAL COURTS OF JUSTICE,

*February 13, 1884.*

MY DEAR BRIGHT,

It is always a pleasure and an honour to hear from you, and I thank you very much for your letter. I have already written to decline the kind offer of the Mayor to Mr. Chamberlain; but I do very much wish to do what such men as you and he ask me. And, if I may delay my final answer for a few days, I will reconsider my objections.

With all you say about Birmingham and its people I of course heartily agree.

As to yourself, I do not know what words of mine in America got across the great Water, but I never speak of you, anywhere, except with affectionate respect and admiration.

Ever sincerely yours,

COLERIDGE.

THE BISHOP OF EXETER, TEMPLE, *to* LORD COLERIDGE.

THE PALACE, EXETER,

*June 5, 1884.*

MY DEAR COLERIDGE,

Our dear old friend Hawker died at five o'clock this morning. I went down to see him yesterday afternoon. It was the first spare afternoon I had since he was taken ill. He was still quite conscious, but could only speak very little and in a whisper. He mentioned your name particularly, and begged me to give you his love. I think he knew he had not many hours to live.

He seemed quite resigned, and inexpressibly sweet and peaceful; but very weary.

He is a great loss to us. So true, so loyal, so sensible, so pure, so high-minded. We cannot easily match him. You will feel it as much as I do ; for he loved you dearly.

Your most affectionate,

F. EXON.

LORD COLERIDGE *to* SIR M. E. GRANT DUFF.

1 SUSSEX SQUARE, W.,

September 28, 1884.

. . . In the face of your letters I don't like to say that the art of letter-writing has perished, but I have been going for a day past through some old letters of my father's, and men of his generation, written to me twenty-five or thirty years ago. Certainly the thing was more conceived on a whole ; subjects were *treated* much more formally and regularly than any one dreams of now, and the *style* was so good. The only man now who writes me polished and perfect letters is the great Cardinal, to whom it seems impossible to do anything hastily or imperfectly. My wife had an artist feeling in her writing too, and I disinterred some letters thirty-seven years old the other day in Devonshire, the whole subject and occasion of which had passed out of my mind long since, and it, really, was like reading about a former generation—such a different point of view of life from what is natural to me now and would be to her, if she were here, that it is hard to think the personality the same. “Bundles of impressions, nothing more,” says my Brother Grove. “What do you make of *character* ?” said I to him. “Nothing but the physical result of each man's ancestry,” says he. But I don't know. I think, at present, that I am the same *person* whom Keate flogged for a copy of verses unreasonably full of false quantities and concords.

W. E. GLADSTONE *to* LORD COLERIDGE.

CLIVEDEN, MAIDENHEAD,

November 1, 1884.

MY DEAR COLERIDGE,

It required a moment's breathing-time to answer your most interesting inquiry, and no such breathing-time have I had, since receiving it, until I got down here to spend my Sunday.

I am truly glad that with your great qualifications to



handle such topics in relation to the Greek race, you are turning your mind to them. It is not in my power to do more than jot down a few disjointed reflections.

(1) I am of opinion that the religious picture presented by Homer was inferior, at certain points, to that which you may find drawn by Greek philosophers and poets of a much later age. But then it was real, popular and national; whereas the other was, as far as I can judge, speculative, isolated, and piecemeal. Aristophanes is an authority on the religion of the Greek people—Euripides hardly. In Plato we find what soars far above Homer with regard to the doctrine of futurity and retribution, but I am totally at a loss to estimate the ethical value of his speculations, and in great doubt about it.

(2) The Achaian Greeks were what I should call Low Churchmen in this remarkable respect, that they seem to have had no Priests, while the institution of Priesthood was in contemporary use, and, for some reasons, may be surmised to have been known to Pelasgian or pre-Achaian society, even within the Greek Peninsula.

(3) In the same manner they seem to me to have had little capacity for assimilating the idea of a future state. To estimate their disposition in this respect we must ask ourselves how far they had had it presented to them. The answer, I think, is that they were very considerably acquainted with Egypt and Egyptian ideas; and among Egyptian ideas of the pre-historic time there was none, I suppose, so prominent as that of the future life.

(4) Accordingly we find that the Hades of the *Odyssey* is based upon the Egyptian. But the ideas of retribution, so living and stringent in the Egyptian system, are exceedingly attenuated in the *Odyssey*. The persons punished in the *Odyssey* are, I think (I have no books at hand) exclusively those who have committed offences in the nature of profanation against the gods. Menelaus, certainly one of the best heroes ethically, is alone marked out for reward, but the ground is that by his marriage he was the son-in-law of Zeus. The mass of mankind are, quite apart from any defect of moral desert, destined to an inane and joyless life which draws from Achilles the famous burst in *Od. xi.* [489].—*βουλοίμην κ' ἑπάρουρος ἔων κ.τ.λ.*

The pale picture drawn by Homer had, in the classical times, as I believe for the average Greek mind, grown paler still; in a word, it was drawn as with invisible ink not under the fire.

(5) All this appears to me extremely curious. A kind

of sufficiency of the present life was to become the governing idea of the average Greek mind and life (I do not say in the village): and it looks as if this enfeebling process, which we see at work in Homer, was analogically needful to take out of the way "him that letteth," namely, a set of conceptions quite at variance with the *ἀντάρκεια*.

Such is the slovenly reply I can make to your letter. The rather, because I have carelessly left it behind in London.

That you may have the power of testing a little what I have said about Greek relations with Egypt, I send a copy of my *Homeric Synchronism*. It has a chapter on the subject, which, with leisure, I think I could more enlarge.

Ever very sincerely yours,

W. E. GLADSTONE.



*Lord Coleridge aet 70*  
*From a photograph by Whitlock, Birmingham.*



## CHAPTER XII

CORRESPONDENCE OF 1885-1895

His letters bear his mind.

SHAKESPEARE.

CHARLES BOWEN *to* LORD COLERIDGE.

GLEN HEADON, TOTLAND BAY, ISLE OF WIGHT,  
*Thursday, undated (circ. 1883-1884).*

MY DEAR LORD CHIEF JUSTICE,

Thank you for your welcome and delightful letter, though it wandered after me as if I was Ulysses. I am so very grieved from time to time when I think of all your trouble, but I don't quite believe in your "old age." It does not, in the ordinary and conventional meaning of the term, begin at yours. And when it does you will have it "mild"—like Charon.

*Jam senior, sed cruda deo viridisque senectus.*

Jowett was with us for a day or two—wise, as usual, like one of Athene's owls. And we have had glorious weather, a sunlit summer more perfect than any I recollect, worthy of Spenser's poetry, the only place, almost, where English summer, since I have been a boy, has existed. But I do not know whether you feel as if the Long Vacation, lopped as it is, is *long* enough. Every day I regret every inch that our excellent Chancellor made us cut off. Such is the influence of a good man. The Chancellor preaching to the Judges is very like St. Anthony with the fishes—he can do what he likes with us. Only one thing, I never will believe that the paths of virtue are *pleasant*. Wouldn't it be delicious, when October ends, instead of going back to Westminster, to follow the flying sun, and to go like Montague Smith to Cannes and be an octogenarian butterfly?

The literary event of the Long Vacation has been, to me,



F. Harrison's disavowal of Comtist High Churchism and Congreve, and his final acquiescence in the secular view of Comte contained in the September number of the *Nineteenth Century*. I have no doubt that the English Comtists see that the attempt to make a Pseudo-Catholic ritual out of Comtism might, possibly, have been worth making, if Catholicism was the order of the day ; but that, in a secular agnostic age, they must cut adrift from the ecclesiasticism of Comte, or they will be nowhere. But it is a curious change. One feels inclined to ask, what in the name of fortune they have been making such a confounded pother over, if it was not that they wanted to spell Humanity with a big H. They need not have gone out into the wilderness, and made such a wind among the reeds, if all they had got to tell us was that Comte was no more infallible than Littré or Mill. F. Harrison might have gone into Parliament, Bridges into practice, Congreve still been an Oxford tutor. *Trojaque nunc stares, Priamique arx alta maneres.*

About politics, I am glad that the G. O. M. has taken to a broader platform than mere Midlothian. It is absurd to fight an electioneering crisis with one hand tied behind your back. But I should have expected the Lords *not* to give in in October. How can they ? They must have the courage of their opinions. And, for that reason, I should almost have thought that in prolonging a dissolution *too* long, the Liberals ran a risk. What may not happen ? Foreign complications, or indeed Mr. Gladstone's own life and health, introduce an element of uncertainty into the game. How fast intelligence begins to travel ! Common sense is laid down in a rough way across country, almost as fast as a new railway would be. And, in the last two years, the hereditary principle of Government has received a blow, the results of which will not disappear, though we may not live to see them completed. How kind of you to ask my wife and myself to come and see you ! I should like to come, however, and shall consider that if I have not seen Ottery I have lost a year. I have a great desire to see your Library and what you have done with it. The rain has come since I began to write. It is the end, I suppose, of summer. *Finis Poloniae*. I wish I had seen all your American young beauties. They are certainly a very charming people. Do you recollect what Dryden calls the English ?

Generous, gay, and gallant nation.

I don't call the English exactly any of the three, unless it

be the first or last, but not the second. But the Americans *are* the second; French, only divested of the monkey element that spoils the French. And, as you say, their women are so pretty and graceful, in mind as well as in body.

I do not know who is with you at Ottery, or I might be able to inquire after them. Meanwhile with best wishes for yourself, believe me,

Always your affectionate friend,

CHARLES BOWEN.

LORD COLERIDGE *to* CARDINAL NEWMAN.

HEATH'S COURT, OTTERY ST. MARY,

*April 8, 1885.*

MY DEAR CARDINAL NEWMAN,

Thank you from my heart for remembering me; I am very glad indeed that you have come to terms which you think satisfactory with a house so solvent and honourable as Longman's.

If I have to come to Birmingham, as Judge, I shall venture to sponge on you for a mutton chop some day during the Assizes. But I go no Circuit, now, till 1886, and that is a long way off.

I wish I had anything pleasant to tell you about myself, but my troubles<sup>1</sup> seem to thicken. However, they will come to a head, and an end, of some sort, before very long. I wish, my dear, dear, honoured friend, they had as little foundation as your complaints of your handwriting and spelling!

Always your most affectionate and grateful,

COLERIDGE.

LORD COLERIDGE *to* SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W.,

*July 13, 1885.*

I did not write to you on the political explosion. You were sure, I thought, to hear about it from persons more mixed up in the transaction than I was. . . . My

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<sup>1</sup> In telling the story of Lord Coleridge's life, I pass over, with this single reference, a painful question which arose between himself and a member of his family, and which became public knowledge owing to a libel action in the year 1884. The subject was, naturally,

feeling was one of almost unmixed sorrow at even five months of Tory rule. With such a man as Salisbury at the head of affairs, dominated (he is always dominated by some one) by such a Flibbertigibbet as Randolph Churchill, we may wake some morning at war with half the world, without any man amongst the Ministers having one atom of capacity for real affairs. Dizzy had a sort of capacity ; Cairns had real capacity though of a narrow kind ; Stafford Northcote has real capacity though he wants devil ; but those men are dead, two physically, and the last politically, and I look with horror on the men who have come into the places of the last men. I am afraid you will not agree with me, but I think the one thing they deserved to fall for, and to fall with ignominy, was their treatment of Gordon. For the first and last time in my life I refused to vote with them, and I think their conduct utterly discreditable. But then they *didn't* fall for that. They fell for a Budget in which they were quite right, and were beaten, really, by their own people. Well, let us hope they will be followed by safer men than I take these fellows to be.

LORD COLERIDGE *to* GOLDWIN SMITH.

LYNDHURST, *August 25, 1885.*

MY DEAR SMITH,

I do not like you to know of my re-marriage only from the papers, and have done what Robert Southey said was either the wisest or the most foolish thing a man can do—re-marry at sixty-three. I hope the former of the two alternatives may prove true of me. . . . Now I have a sweet and good woman who has undertaken to try to cheer the few years which remain of a life which cannot, in the nature of things, last many more years. You will judge me as gently as you can, as you always have. If ever you come to England, again, you will, I hope, judge for yourself as to the wisdom of my conduct.

We are, as you well know, in the midst really of a long-contested election. It brings back to me the year 1868, like this a year of tremendous heat and drought, when I

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most distressing to him, and I know that, in thus putting it aside, I am doing what he would himself have wished.

This is the less difficult for me because, with a severe mental effort, he did not allow what had taken place to affect, in any way, the course of his life in public or in society.

had to contest Exeter for three long months. What will happen is uncertain. To me it seems impossible that the Liberals should not have a majority. But it is uncertain, and, no doubt, if the country really cared about Egypt and Gordon we might be hard hit. Not that the other fellows would have done better or so well, but we have failed, and the death of Gordon, as far as I can see, might have been and ought to have been prevented. True, he had fifty policies, changed them from day to day, and was equally sure of the divine correctness of every one of them, but knowing that he was and *would be* insubordinate, from very recent experience at the Cape, they sent him out, and having sent him they should have sent after him long before they did. I daresay he was half mad—he was, certainly, a *most* awkward fellow to employ. Still, he was a hero and a saint, and I don't think men like Granville and Lord Derby ever realised what they had got in him. As to Gladstone, I am told he never saw him. It is a curious literary and personal fact that Gordon delighted in the *Dream of Gerontius*, and gave his own copy, deeply marked all through, with a touching inscription, to Colonel Stewart before he left Khartoum. I like to think of the great Puritan and the great Catholic sympathizing in this way. Newman was immensely touched, and, at once, told Church to subscribe for him what was right to the best of the memorials. . . .

I am here with Lady Coleridge. Twenty-seven years ago I was here as a Commissioner—a quiet, little, old-world village, and, now, it is the centre of a New Forest cultus, and has a great fresco of Leighton's in a fine new church.

My very kind regards to Mrs. Smith.

Always gratefully and affectionately yours,

COLERIDGE.

B. JOWETT to LORD COLERIDGE.

FARRINGFORD, FRESHWATER,

January 8, 1886.

MY DEAR COLERIDGE,

I hear from home this morning that a dozen of Noyau has been sent by you. Many thanks for your kind present. I feel rather like Mr. So-and-so, who praised Mr. So-and-so's horse, that he might give it him. But I am sure that my praise of the Noyau (I am not quite sure how to spell the word) was disinterested, and that it will

give to me and my friends many sweet sensations which will remind me of the giver.

I send you, though late, best wishes for the New Year. I think that last year was better, to you, than the one which preceded, and *that* better than the one which went before; and I hope that the years of life may brighten, and clear up to you in the like degree. With kind regards to Lady Coleridge,

Ever yours,

B. JOWETT.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W.,

March 26, 1886.

. . . I can't help being glad that you are coming back; and back after a really most successful Proconsulate. Few men, I should think, have more thoroughly earned rest, if you like it, or important work and place if you prefer that. Few men have kept their interests so fresh, their friendships so true and strong, or will come back after five years so little forgotten and with so little, himself, to learn. You will just come back after a sort of *intermezzo*, and will take up your part in the play again, either in the Commons or in that dull and dreary and (to use an epithet of old Wetherell's) "about-to-be-extinguished assembly," which is the only place open to a Judge who does not want quite to let slip his hold on politics altogether. But, as you say, our innings is nearly over, and with me, at least, the effect is to make everything look smaller and smaller, and the possibility of really doing anything worthy to be remembered less and less. My wife gives *me* twenty years—that would give *you* twenty-five—but, then, a loving heart persuades itself of the probability or possibility of what it wishes for those whom it loves. My father and mother lived on to eighty-six, but, then, I think, longevity, generally, like other evils, skips a generation. So that, perhaps, I may, after all, be bowled out or caught out first. I do not think I shall be *run* out; for my life is now too happy for me to run consciously any risques [*sic*] with it. *Sed de his satis.*

I do not know what to say of politics. But for Ireland, I think, the G.O.M.'s sun would go down in glory; but Ireland is an awful *but*. I think I said to you before that I am like a baby on this question, seeing, as I think, the



fatal objections to any of the schemes proposed on one ground or another; and yet totally unable to suggest any solution myself. . . .

The Tory appointments deserve all and worse than all you say of them. They are disgraceful, but my good kind Cynic, the Master of Balliol, smiles benignly and says that it is these things which make the Tories so popular. . . .

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

HEATH'S COURT, OTTERY ST. MARY,

May 3, 1886.

: : : As to Ireland, my dear friend, I get credit for a prudence, which does not belong to me, in holding my peace and speaking doubtfully on the subject. The truth is, I don't know enough to make up my mind, and I am supposed to be reserved when I am only very ignorant. I *want* to support Gladstone; but, I own, I don't like his bill at all, or, rather, the two bills. . . .

Taylor and Trench are losses—but, except to their friends, I think, not heavy ones. Taylor, far the greater man of the two, had said his say, and given us his best, and Trench I never thought very much of except as a poet. I believe that, by translating and adapting German books, he filtered into the English mind a number of liberal thoughts which would not have been accepted if they had simply been poured into it from the original sources. Some of Trench's lyrics I used to think very fine, and his *Justin Martyr* used to remind me of the *Prisoner of Chillon*, which is, I think, Byron at his best. Forster is to me a much greater loss. He was a most loveable man when you knew him, and the relations between him and his wife were *very* beautiful. She was of *infinite* service to him socially and of very great service intellectually, and he worshipped her as she deserved. I don't think much could have been expected from him publicly—even if he had lived on it would have been as a man broken in health, but, privately, and to those who knew the sterling, noble qualities of the man, the loss is great indeed.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

JUDGES' LODGINGS, WORCESTER,

July 9, 1886.

. . . As to literature I agree very much with all you say of Taylor's book. . . . He, certainly, was a great

writer; *Philip Van Artevelde*, *Edwin the Friar*, parts of *Isaac Commenus* and some of his poems, could not have been written except by a very considerable man; and his prose writings have great manliness and dignity and much real observation of the world about them. But he was a disappointing man, in private, very kind and generous, and, in a way, interesting, no doubt, but certainly pompous, fond of repeating himself—not, I think, very assimilative of new ideas or forms, and terribly given to pay you his pound sterling in coppers. I mean if he gave you a thought or a memory worth having, it was in such a prodigious number of words not poured out but dropped down, deliberately, one by one. He was a magnificent *looking* fellow, and a most perfect and kindly gentleman. He certainly had “distinction,” and distinction is rare nowadays.

I hope you will see and have read to you, if the small print tires you, Selborne’s farewell address to the Wordsworth Society. It is very interesting as coming from such a man, and contains a number of things well put. He is a very singular man, with much real feeling for the fine and true things of poetry, with the very warmest heart—affection sometimes quite passionate in its intensity. God has given him an ordered artificial diction in which he expresses everything, and the manner of a cold professor. To me he has been like a brother, and the years during which, of late, I have had much to do with him, have deepened every day my admiration for his noble character, his stainless, unbending integrity, and his wonderful capacity for serious business. . . . His worship of Wordsworth satisfies even me. . . .

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

1 SUSSEX SQUARE, W.,

August 22, 1886.

. . . I saw the great John Henry at Birmingham, very weak in body, yet with no real ailment on him, and in mind as fresh as he was fifty years ago. He was full of Greek plays and music, and Gladstone, and was delightful on them all—fresh in interest, delicate in criticism, very charitable and kindly in judgment. I suppose I shall never see him again, and therefore I was determined to see him once more if I could. . . .

LORD COLERIDGE *to* SIR M. E. GRANT DUFF.ST. VINCENT'S ROCK'S HOTEL,  
CLIFTON, BRISTOL,*September 17, 1886.*

There are few things, not purely evil, of which we can say, without some emotion of uneasiness, *This is the last!* So says dear old Johnson, or to this effect, and, like many of his sayings, I think he is right. At least I feel it always in leaving any place where I have been happy or even comfortable, and I feel it most truly in writing my last letter to the Governor of Madras. It really seems yesterday that you left us, and that I could *not* attend that Richmond dinner of which I have so often since heard, that I, sometimes, feel tempted to emulate George IV. and declare that I was there. Whatever regrets you may have had in leaving England, and whatever natural regret you may have in leaving Madras, I am quite sure you will never seriously regret the five years you have spent in most interesting and important work, and in seeing countries and a civilization of which we here can have but dim and faint notions, if, indeed, we care to have any notions at all. . . . I used to think that no Englishman who had been in India ever seemed to care about it. It is less uncommon now than it used to be to meet men with Indian interests; but, I suppose, the very hopelessness of our position there except as a foreign possession takes with most men all interest out of the future. It never can be English as with all their differences the United States are. England can never be Indian now that Dizzy is gone somewhere else; and I suppose our rule there must be infected with the evils of a temporary and transitional state of things, though you and I will never see the transition. I long to see you again and hear you on these subjects. . . .

LORD COLERIDGE *to* C. M. ROUPELL.

HEATH'S COURT, OTTERY ST. MARY,

*October 16, 1886.*

MY DEAR CHARLIE,

Your quiet statement that you had heard nothing of me since we parted rather cut me to the quick, because it is true. But it is not a form to say that you have been often in my mind, for you have been often on my tongue, which is some proof, I hope, of recollection—unless, indeed,

my talking were of the sort described by Bishop Butler as of that sort, "wherein the mental faculty hath no part"!

Your description of your bath greatly tickled us, but the results are what I expected. I should try the warm *douche* at Bath, if I were you, and, if that does you no good, I should give it up, and accept the wretched thing as a life-long companion. Your lot then will be happier than if you had an unsuitable wife, such as Mr. Phelps was telling us of here the other day—a woman from whom her husband, at last, got a divorce, on the ground (good in Vermont) of *her* "intolerable severity." . . . We have had a very idle but, on the whole, a very lovely and delightful time here, since the first few days of September when we came down. I don't think, for myself, I have ever been so idle. A few hundred lines of Lucan and a little Marcus Aurelius is all that I have done. I have made one speech<sup>1</sup> which got into the *Times* and which, therefore, just possibly, you saw. In case you didn't I send you a copy. Amy went with me and it was a great success. . . .

Ever affectionately yours,

COLERIDGE.

LORD ACTON to LORD COLERIDGE.

CANNES, November 7, 1886.

MY DEAR COLERIDGE,

I only discovered from Brandl's book that you had made preparations for a work on S. T. C. and had generously made them over to his Austrian devotee. We are now told that his book is being translated. No doubt it is a great advance on his English predecessors; and one learns from it much about the derivation of Coleridge's ideas, and the influences that made him. But there is very little in the book about anything beyond poetry. The ancient craving of mankind for an exposition of Coleridge's thought, of his services to religion and philosophy, of his place in the

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<sup>1</sup> "As to Art, it is not in this county, that I need speak of its claims and its merits. This is the county of the Gandys, and of the great, perhaps the greatest of English artists—Sir Joshua Reynolds—of Northcote, of Eastlake, of Haydon, of Cook too soon removed from the world of Art; and of the—may I say?—too little valued and too much neglected Cosway."—Speech delivered at opening of Bazaar in aid of Tiverton Science and Arts School, September 29, 1886.

history of the English mind, a craving so often and so regularly disappointed by everybody who has written about him, remains unsatisfied. Please add a chapter of your own to the English translation of Brandl, and don't forget that several of your relations are among the disappointing commentators.

And will you consider whether the dead men at the ropes were suggested by Wordsworth, as he tells us, or by St. Paulinus,<sup>1</sup> as Brandl believes?

Ever sincerely yours,

ACTON.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

ROYAL COURTS OF JUSTICE,

November 16, 1886.

. . . One need not live to my age to see the rise and fall of many a reputation, but you will come back to a state of things unlike, in many most important matters, the state of things you left. I hope that amid new men, strange faces, other minds, you will not find that like Sir Bedivere the days *darken* round you and the years. Your old friends will, most certainly, not have forgotten you, and, unless I am very much mistaken, you will soon, if you like it, have a chance of plunging again into the sea of politics. That sea is, to my vision as yet, "a waste of waters and without a coast." I do not see how it is possible for the Party to reunite under Gladstone, and, while he lives and is in Parliament, it will never reunite under any one else. Your "sympathies" and his were always, like Lamb's and Scotchmen's "imperfect." So, to a great degree, were mine—less and less perfect, I will own, as

<sup>1</sup> See "Paulinus Macario," Epist. xlv. *Patrologiæ Cursus Completus*. J. P. Migne, Tom. lxi., pp. 399, 407. The letter addressed by the Bishop of Nola to Macarius, the Vice-prefect of Rome, tells the miraculous story of a mariner, the sole survivor of the ship's crew, whose vessel was navigated by angels and steered by the "Pilot of the World." The most remarkable parallel is in the words "*vacua omnia, mare undique, et undique cœlum, vidit,*" which may, certainly, have suggested to Coleridge his great word-picture of "the sky and the sea, and the sea and the sky." A writer in the *Gentleman's Magazine* (October 1853, N.S. vol. 40, pp. 371-374) was the first to translate *Paulinus* and track the Ancient Mariner to one of these "sources."



years have rolled away, and I have become so very broad a churchman that, I suppose, most churchmen would say I was not one at all. But then, more than you, I owe him a great debt of gratitude. He did nothing for me till I entered Parliament, but he did everything for me afterwards. . . . There was no occasion whatever for him to give me my present great office when Cockburn died, but he did it, at once and most handsomely, and I can't quite look at him with "candid" eyes. Yet you and I have too often talked about him, and have agreed so much as to his character that it would be idle to deny, to you, that I can see, and always have seen, great faults and flaws running through him, which make him, always, an unsafe, sometimes, a very dangerous, leader. In this last change of his, so disastrous both as to time and circumstances, I think the Party has every right to complain. Even if he is right *in re* (and I think him more right than you do), I think he is wrong *in modo*, and I can't help sympathizing very much with the indignation I heard some men feel at having their Chief change front with no warning, and, then, pour hot fire into them for not at once changing too. They say that his last performances in Parliament were weak, though his fighting of his beaten bill was as powerful and resourceful as in his best days. I am glad to be old. The break-up of my party is a very sad thing; and I cannot be sorry that I have not very long to lament it in. . . .

LORD COLERIDGE to C. M. ROUPELL.

HEATH'S COURT, OTTERY ST. MARY, DEVON,

December 30, 1886.

MY DEAR CHARLIE,

. . . Your brother has died certainly in a ripe old age, and, as far as appears, till lately he must have had a happy and an enjoyable life of it. If he had died twenty-five years ago his death would have made more noise, but, after all, how little any man is remembered after twenty-five years, except by his own intimate friends, unless he is either a great man of genius, or has, politically or socially, really affected the history of his time. As the end draws nearer and nearer, and the countless majority of the unknown increases, how small it all looks and how certain that oblivion will cover us all!

I do not agree, however, in your view that you would have been out of place here. We have had, except for one

a afternoon and evening, a succession of lovely days, with bright sun and blue sky, and no *sharp* frost, though it has gone now and then a few degrees below thirty-two. And inside this house you could have been thoroughly warm and comfortable, and sociable or sulky just at your own will, certain that your presence was giving both of us pleasure. Do not say and do not think *ever* that you can be in the way. Our friendship is not of yesterday, though its end cannot be very far off. You must come if we live till Easter, and if, as I hope, we come here then. Best wishes, dear old friend, from both of us for 1887—near at hand now, and pregnant, apparently, with change and strife.

Ever affectionately yours,  
COLERIDGE.

THE DUKE OF BEDFORD<sup>1</sup> to LORD COLERIDGE.

81 EATON SQUARE, S.W.,

July 10, 1887.

DEAR LORD COLERIDGE,

I have read your address with delight.

The only "Principle" attaching to Property, that I can detect, is the Right of the Strongest: all else is "modification," suggested by the expediency (more or less expedient). *Dominus dedit, Dominus abstulit, Sit nomen Domini benedictum!* is my religion, applied to Property. Man has no cause for complaint. He can always "mitigate the melancholy of life."

The gods have made all things difficult, excepting leaving life. The Lord Chief Justice himself cannot punish after death.

Believe me very sensible to the honour you have done me in sending me your address.

BEDFORD.

P.S.—*Vae vobis legis peritis!* (Woe unto you lawyers!)

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<sup>1</sup> Lord Coleridge's intimacy with Francis Hastings, ninth Duke of Bedford, dated from 1884, when he sat with him on the "City of London Livery Companies Commission." See *Report* in five parts [C. 4073] vol. xxxix. (1884). Lord Derby and Lord Sherbrooke, the Duke, and Lord Coleridge were the first four members of the Commission, which did not lead to legislation from without, but produced many excellent reforms which were, afterwards, set on foot by the Companies themselves.

THE DUKE OF BEDFORD *to* LORD COLERIDGE.

81 EATON SQUARE, S.W..

*July 14, 1887.*

DEAR LORD COLERIDGE,

*Non cuivis contingit!* The chance of convicting the Chief Justice of breaking the law is given to few. Don't grudge me the enjoyment, and abstain from glancing at my vice of "avarice." If your time were not far too precious, I should ask you to guide my attempt to discover true principles, and to tell me *where* the atrophied brain of old age misleads me—and to believe me, always,

Yours very truly obliged,

BEDFORD.

MATTHEW ARNOLD *to* LORD COLERIDGE.

PAINS HILL COTTAGE,

COBHAM, SURREY,

*July 19, 1887.*

MY DEAR COLERIDGE,

I have read you with entire pleasure and agreement. Nor do I in the least disagree with you, probably, about the Irish landlords, but Gladstone's remedy of an Irish Parliament, a single Irish Parliament, seems to me the very height of unwisdom.

I ceded the MacVeaghs to you, as I happened to be lunching with them when your telegram came, and I felt how much more you had to offer than I. Wells is one of the things I have not seen and want to see. I have not seen Cheddar either, but I care much more about Wells. Of course we desire and intend to come to Ottery some time this Autumn. We all send affectionate messages to both you and Lady Coleridge, and I am, my dear Coleridge,

Yours as always,

MATTHEW ARNOLD.

LORD COLERIDGE *to* C. M. ROUPELL.

JUDGES' LODGINGS,

NEWCASTLE-ON-TYNE,

*October 30, 1887.*

MY DEAR OLD FRIEND,

I know I bore my friends with Wordsworth, especially with those bits of him of which I am very fond. But

your letter brought to my mind the end of a Poem [Simon Lee] which I dearly love.

I've heard of hearts unkind, kind deeds With coldness still returning ;  
Alas ! the *gratitude* of men Hath oftener left *me* mourning.

If in the discharge of a simple duty, I have given you any little happiness you would otherwise have been without for eleven years, all I can say is, it is *I* who should be grateful and thankful for it, not you. And indeed and in truth you owe me nothing.

As for the office itself, your conduct in it has best fulfilled the expectation every one who knew you entertained of the way you would fill it. What Lord Romilly meant, by his silent faith in you, is what every one has felt who has come near you, and, though no one will now have to deal with you officially, yet your friends who knew you before you held office will cling to you and love you as they did before you held it, and while you held it.

As we go on in life our friends drop off, and they are not replaced—(I must not speak or think of my own inconceivable good fortune)—at least, this is so in the main ; and, I suppose, we are, thereby, weaned gradually from a world (whether intentionally or no) in which we have no abiding stay. But though this is so, and though it is sad and depressing, yet there are still blessings left to most of us ; and, certainly, if honour and affection are a comfort, you have them in most abundant measure. Thank you for your kind words about myself. A nice young fellow was staying with us, the other day, and went home and told his father, that he couldn't understand how any one could have a word to say against the C.J. Very kind ! but a curious confirmation (quite unintended) of my belief, that few men have more words said against them, and by larger numbers than I. . . .

Your grateful and affectionate old friend,

COLERIDGE.

MATTHEW ARNOLD to LORD COLERIDGE.

COBHAM, SURREY,

February 15, 1888.

MY DEAR COLERIDGE,

A window in memory of Milton's "espoused Saint" is to be unveiled in St. Margaret's Church, Westminster, next Saturday, the 18th, at 3.30 P.M. I am to read a short address, and Farrar suggests that I should ask you to come,

and Lady Coleridge, of course too, if it will not bore her. The address is sure to be badly read, and will, very likely, be bad in substance as well, but I give you Farrar's message. Perhaps when I am delivering a discourse is the occasion when your companionship affords me the *least* pleasure—but it affords me pleasure always.

Ever yours,

M. A.

CARDINAL NEWMAN *to* LORD COLERIDGE.

*August 4, 1888.*

MY DEAR LORD COLERIDGE,

I could not help crying on reading the fresh instance you are giving me of your affectionate feelings towards me, and I pray God to bless you in accordance with your marvellous kindness.

I call it marvellous, because it is so much more than I am conscious I can claim, and which I can only try to repay, as I do, by keeping you in mind day after day.

I rejoiced to see Professor Shairp, before his (to me) painfully sudden, unexpected death.

Yours affectionately,

J. H. CARD. NEWMAN.

MELVILLE BIGELOW *to* LORD COLERIDGE.

209 WASHINGTON STREET, BOSTON,

*August 24, 1889.*

MY DEAR LORD COLERIDGE,

I was glad to find on my table, on reaching home, a copy of your opinion in the celebrated (for it is already celebrated) case of The Mogul Steamship Co. When I first read your opinion, in the Law Reports, I set it down, if you will permit me to say so, as a worthy utterance of the Bench purely in the way of judicial literature. I cannot think those right who claim that literature must be restricted to language of the imagination; and this piece of yours is, it seems to me, worthy a place beside the best productions that have in any day emanated from the Bench. I am glad therefore to have it by itself, for preservation, especially under your hand which it bears on the cover.

Mrs. Bigelow and I reached home in safety, bringing with us delightful memories of England, and especially



of our friends there. Indeed, I fear we are afflicted with the dreadful malady of Anglomania !

We were very sorry, indeed, not to be able to accept your kind invitation to visit you at your country seat in Devonshire : that, I have always heard, is the most delightful of English shires.

Pray accept for Lady Coleridge and yourself the affectionate regards of Mrs. Bigelow and myself, and, believe me,

Ever yours most truly,

MELVILLE M. BIGELOW.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

EXETER, *August 30, 1889.*

. . . You will be delighted with the Isle. I spent three days there *tempore* Loch, and went all about it under his guidance. He was there many years, and knew every inch of it. Peel interested me very much, and the extraordinary fidelity with which Walter Scott had caught the air and general feeling of the place, without ever having been there, struck me as a real proof of genius and imagination. He had a very clever naval brother who lived there and told him all about it. But how vague and poor is, generally, the notion you get from description when you are able to test it, afterwards, by seeing the place ! In Scott's case it is really *now* difficult for me to believe he had never been in Man. Do go round the Castle with the Bombardier if he still lives and hear for yourself the growth of a myth. St. Magnus and the Spectre Hound, Lady Derby and Fenella are all dealt with as equally true and, I have no doubt, all are equally believed in. . . .

I wish after being sufficiently *insulated* you could come here, I mean to Heath's Court, for a few days. Gennadius the Greek Minister and I hope Charles Clifford are coming to us between the 16th September and the 26th. You will find them good company—come and try. . . .

LORD COLERIDGE to LORD JUSTICE LINDLEY.

HEATH'S COURT, OTTERY ST. MARY,

*September 17, 1889.*

MY DEAR LINDLEY,

What Charles Roupell calls the watershed of the Long Vacation has just been passed, and I write a line to

ask you how you are and Lady Lindley, and any one about you, who cares to be remembered. I was so hard-worked at Norwich that I had not time to go anywhere. I did not get finished till quite the evening of the day before Chelmsford, and, as Chelmsford is ninety miles from Norwich, it took the best part of the Commission day to get there. Else, I think, in spite of your absence I should have driven over and had a look at what you have been doing at East Carleton since I enjoyed your hospitality there, and, perhaps, extracted a cup of tea from your housekeeper. Lady Coleridge saw a good deal of Norwich itself and of the neighbourhood, and spent a day which chanced to be a lovely one on the Broads. I envied her this very much. The Broads have always been a sort of dream of mine, especially since I read that clever but very painful and unsatisfactory story, *Armadale*. I suspect that in winter and on a dull day they are dreary enough, but, in warmth and sunshine, they seem to have points of real beauty, and, at any rate, they are singular features of any English landscape. I was terribly done up by the end of the circuit. Whether I go slower or am weaker I know not, probably both, but I had only one single day of holiday, and, to get the work done, I had to sit almost always till seven, and, sometimes, much later; and to go on thus for weeks is more than I can do now without real fatigue. I have been nearly sixteen years a Judge, and, if I could get my full pension on ground of permanent incapacity I would go to-morrow. For if I could have foreseen, as perhaps I ought, how the Judicature Act would be worked, I would have resigned sooner than have been a party to it. The steady lowering of the Judges of first instance, and the enthroning of the Chancellor upon the necks of all of us, have altered the Profession, so far as the Common Law is concerned, and made success in it, except so far as money-making is concerned, not an object of ambition to a high-minded man. It frets me more than I can tell you to feel that the great place I hold is being let down year by year, and I don't know how to prevent it. Perpetual self-assertion and giving trouble are not in my line—at least I hope not . . . yet I find the great traditional influence of the Chief Justice and the deference accorded to him lessened materially, in every way, year by year; and, though I know a great deal is due to my own shortcomings, yet *all* is not due to them, and I get very low and out of heart in consequence.

Here, however, with these fields and woods and the quiet and comfort of this old place, I try to put these things

from me and often succeed. The peace and stillness I have had here this time have been infinitely refreshing.

Out of the Court of Appeal you are a most generous critic of my poor works, so I send you two papers on Matt Arnold, which you would not be likely to see but which may, possibly interest you for a few minutes.

Our very kind regards to Lady Lindley and all round you.

Yours most sincerely always,

COLERIDGE.

LORD COLERIDGE *to* MR. GLADSTONE.

HEATH'S COURT,

OTTERY ST. MARY, DEVON,

*September 19, 1889.*

MY DEAR MR. GLADSTONE,

As for Matthew Arnold I will say no more than this, that I am delighted to find from your very kind letter that you are interested in him. I am not surprised that he occasionally annoyed and vexed you. I have admitted in my poor *Epicedion* that he, now and then, gave occasion to such feelings. But I know him as well as one man could know another, and of real irreverence I am sure he had not a trace. His was a reverent and religious nature, though he was at times very provoking. The famous "three Lord Shaftesburys" he not only left out in his last edition but drew attention to the fact that he had done so, and gave his reasons for doing it.

I heartily agree about Butler, the production of whom Newman once called "a pregnant note of the Church." I don't think I do quite agree about Hutton, though I admit, as poor John Karslake once admitted to me about Wordsworth, that "he has merits."

Yours always most truly and gratefully,

COLERIDGE.

LORD COLERIDGE *to* LORD JUSTICE LINDLEY.

HEATH'S COURT, OTTERY ST. MARY,

*September 22, 1889.*

MY DEAR LINDLEY,

Did I really use those words you quote? It must have been my liver and not my heart which suggested them.

Certainly, nothing could be more unjust than to hint that, in or out of any court, at any time and in any place, you had ever been anything to me but kind and generous.

To say the truth, as I get older I get more callous. The "school of thought" which thinks a Middlesex Jury of the better sort of tradesmen is to be preferred on a question of art to thirty-nine out of the forty Royal Academicians has as much right to exist as the opposite school, which thinks that Newton, and Copernicus, and Herschel, and Laplace, are right, in saying that the earth goes round the sun, even though a Middlesex Jury should say that, as a fact, it is plain to their intelligence (whatever experts may say to the contrary) that the sun goes round the earth. It is useless to grumble, and, if useless it wants sense and dignity, and having said my say as well as I could, I believe that, since then, I have held my tongue. If not altogether, then I will try to be a better boy for the few years which remain. It is, really, a past feeling with me, at least I think so, to be the least jealous of the C.A. [Court of Appeal]. I, certainly, sometimes think it wrong, though not oftener than they think me—not so often, indeed; and I know the Judges are right good fellows—great lawyers who desire the right and the true. But, I think, the system tends to reduce the Divisional Courts to note-takers and hearers of dress rehearsals for the C.A., and this, I think, a great evil for the Judges, as tending to rendering them hasty and slovenly, and, for the suitors as multiplying appeals means increased costs, which Common Law actions can rarely stand.

I have more than once toiled through the *Aids*. It is sunlight compared to the obscurity of the *Friend*. Here and there are noble passages, which Carlyle calls "Islets of the Blest," but they are few and far between, and he seems to me, in prose, to have delighted to make plain things obscure rather than obscure things plain. How different from the glorious splendour of his poetry! *Christabel*, the *Ancient Mariner* and *Kubla Khan* seem to me when I read them very like real inspiration. "Beautiful exceedingly," to quote himself!

Our kind regards to Lady L. and the young ladies.

Yours ever affectionately,

C.

## THE MASTER OF BALLIOL to LORD COLERIDGE.

BALL. COLL.,

October 18, 1889.

MY DEAR COLERIDGE,

It is very kind of you to care about an attack being made on a friend. I am not indifferent to attacks, but I do not read them, and so pass my days and nights without the mosquitos biting me. I never remember to have met . . . in a private house. I have been too much praised in life, and, therefore, it is fair that I should receive a certain amount of abuse.

I shall be delighted to come and see you the next time I am in London, and shall look forward to my Devonshire visit before Xmas. It is true that we are sometimes very sadly struck by the disappearance of our contemporaries. We are coming, or come, to the broken arches of the Bridges in the Vision of Mirza. I should like both of us to hold out to about eighty—then I will depart with joy.

Have you seen Palgrave's new *Treasury of Sacred Poetry* (most beautiful print and paper). It shows how few treasures there are—nothing perfect, or up to the level of the best poetry of another sort—a theme on which poor M. Arnold used to enlarge.

I am, my dear Coleridge,

Ever yours most truly,

B. JOWETT.

Give my kind regards to Lady Coleridge. I did not know that Bishop Mackarness was dead, nor (until to-day) that poor Salter, whom you may remember as a Blundell Fellow of Ball. Coll. was gone. I used to like poor Mackarness, though I never saw much of him.

## LORD COLERIDGE to MR. GLADSTONE.

1 SUSSEX SQUARE, W.,

January 18, 1890.

MY DEAR MR. GLADSTONE,

I am glad you forgot the American business, because it has brought me your letter. I will write to the American myself and at once. But I am afraid I cannot help him. The truth is, I used to write a great deal when I was obliged to write to make two ends meet, but either the "jellied



blood of age," or the natural indolence of the beast, or fastidiousness, or all together make my writing now so slow and difficult that I have rarely put pen to paper, except at the call of some duty of perfect or imperfect—sometimes, perhaps, very imperfect, obligation. What you say as to "the man after God's own heart" I have no manner of doubt is correct. But the matter does not rest on that phrase, and, most likely, I overpressed these particular words. But "my servant David," "The sure mercies of David," and "O son of David" (the last actually intoned in Litany after Litany), besides many other like expressions do, I think, make out very much what I said. Tait used to tell us in lecture at Balliol that "O son of David" was a corruption from *Filius Dei Veri*. "Tamen quære de hoc," as the lawyers say. Yes, I entirely agree as to the great problem of the future. It is *the* problem how to awe, restrain and consecrate intellect (if the expression may be allowed) with the Religion of our Lord. But, then, the question is what Religion—that of the gospels, or of St. Paul, or of St. Augustine, or St. Bernard? The popular religion, or the religion popularly taught, is *awfully* divorced from intellect; and even good men meet doubts, as Keble once said to me, by saying that "the men who had doubts were too wicked to be reasoned with." Keble's own life and character were, indeed, a most weighty answer to doubts with those who had the blessing of knowing him. But the spirit was surely not only utterly narrow but utterly wrong and unscriptural, and yet it is the spirit in which most of the clergy meet any doubts on the part of any one who differs from them.

But I must not bore you any more, only I did not like you to think that I passed by any serious words of yours without taking them to heart. . . .

Yours most truly and gratefully,

COLERIDGE.

LORD COLERIDGE to MR. GLADSTONE.

HOTEL BELLE VUE, THE HAGUE,  
*Easter Day, 1890.*

MY DEAR MR. GLADSTONE,

Your letter reached me here, in (I think) the most beautiful capital city I ever was in. I should not bore you, but I think perhaps it may interest you to know what

Willes (Sir *James*) once told me he thought as to confession. He was, on the whole, the greatest and *largest* lawyer I ever knew, and I knew Jessel, Cairns and Campbell. I defended Constance Kent, John Karslake prosecuted her, and Willes tried her at Salisbury. Wagner was to have been a witness, and Willes had made up his mind that he should have to *hold* one way or the other as to the sanctity of confession. He took infinite pains to be right and he was much interested, because the point, since the Reformation, had never been decided. There were strong dicta of strong Judges—Lord Ellenborough, Lord Wynford and Alderson—that they would never allow Counsel to ask a clergyman the question. On the other hand, Hill, a great lawyer and good man, *but* a strong Ulster Protestant, had said there was no *legal* privilege in a clergyman. The thing did not come to a decision, for Constance Kent pleaded guilty; and Karslake told me he should never have thought of putting the question to Wagner; and I had resolved *if* he did (but I knew he was a gentleman) that as an advocate I would not object, but use it in my speech. Willes, however, I suppose did not know us quite so well as we knew each other; and he had prepared himself to *uphold* my objection if I made it. He said he had satisfied himself that there was a *legal* privilege in a priest to withhold what passed in confession. Confession, he said, is made for the purpose of absolution. Absolution is a judicial act. The priest in absolving acts as a Judge, and no Judge is ever obliged to state his reasons for his judicial determination. This, you see, puts it on grounds of general law, and would be as applicable to Manton, Oliver Cromwell's chaplain, who, most certainly, heard confessions and absolved, as to the Pope himself. Whether the English Judges would have upheld Willes's *law* I own I doubt, but I thought it might interest you to know the opinion, and the grounds of it, of so great a lawyer and so really considerable a man. Practically, while Barristers and Judges are gentlemen the question can never arise. I am told it never *has* arisen in Ireland in the worst times. Possibly some Removable may raise it. Forgive all this.

I will not bore you with raptures about Holland, the interest and beauty of the *cities* of which exceed far all I could have imagined, and their undying reverence for William the Silent, Pater Patriæ, is very noble.

Always most truly and gratefully yours,

COLERIDGE.

LORD COLERIDGE to C. M. ROUPELL.

HEATH'S COURT,

OTTERY ST. MARY, DEVON,

*Whit Monday, 1890.*

MY DEAR CHARLIE,

I suppose you are right, and, with a niece to cheer you, Buxton may be less unendurable than it would be to you alone. It did you good, and if I were in constant pain like you I would (as Pius IX. said he would for the sake of the English) "go into the very ante-chamber of Hell," if I thought it would do me good. But to me to be *here*, at this time, with the birds singing, and the flowers blooming and loading the air with perfume, and the trees, seeming at least, hour by hour to spread and thicken, is like "opening Paradise." I came here in order to see the azaleas and rhododendrons which I have never chanced to see in full bloom, and I have been well repaid. . . .

Even here games and crowns summoned us, and Lady Coleridge and I are going to Exeter this afternoon to give away some athletic prizes. Wish us well through it. I have scarcely ever appeared at Exeter except as a Judge since I ceased to represent it, so I thought (especially as I was to take the trouble by deputy) that I could not well refuse.

We had a magnificent thunderstorm eight hours long here yesterday. I say magnificent because it did us *here* no harm, and the country is all the better for it to-day.

Lady C.'s love.

Ever affectionately yours,

COLERIDGE.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

CROWN COURT, NEWTOWN,

*July 9, 1890.*

. . . I am sorely afraid Kinglake is slowly fading away from us. He suffers no pain, does not *look* ill or emaciated, but gets gradually and steadily weaker, and, I gather, has no appetite and feeds only on strong soups and the like. I went to see him a day or two before I came away, and left him with the melancholy feeling that I should never see him again. He was always to me, even from the days of *Eothen*, a singularly attractive man, and he is now more so than ever. But you know him much better

than I do, so I won't write about him. Only knowing your regard for him and your kindness, I thought I would tell you that (of course I may be wrong) he seems to me to be certainly going from us, and you might like, while you are in London, to go and see him now and then, which, I am sure, would give him very great pleasure. "It is little; but in these sharp extremities of Nature" these small things have their own value. . . .

THE DUKE OF BEDFORD to LORD COLERIDGE.

81 EATON SQUARE, S.W.,

July 19, 1890.

DEAR LORD COLERIDGE,

Thank you for thinking of me when you published *Thinking for Ourselves*. I have read your splendid sentences with delight, and acknowledge that I have failed when I hoped that others would think for me. Mr. Gladstone thought for me politically for many years, when sudden vertiginous gyrations made me think for myself, however imperfectly. I have not half enough thanked you for *Law in 1847 and 1889*. I had no apprehension that the legal spirit of England had changed so much during the interval.

Believe me, yours gratefully,

BEDFORD.

LORD COLERIDGE to MR. GLADSTONE.

JUDGES' LODGINGS, RUTHIN,

July 24, 1890.

MY DEAR MR. GLADSTONE,

Thank you heartily for the two papers you have sent me—your own on Homer and Mr. Carnegie's on the use of wealth. I have been so busy, and Wales (though the number is small) produces cases, so generally important, that it leaves one so little time that I am only in the midst of Homer now, and have not touched Carnegie. Homer is of inexhaustible interest, besides my personal pleasure in reading anything of yours. I am (what is the superlative of *serus*?) *studiorum* in these matters, but do I understand you to say Homer wrote in the thirteenth century B.C.? Is that possible? Surely the miracles of the Old and New Testament are nothing to the production of two such poems as the *Iliad* and *Odyssey*, by one man in

such an age. Why do you say the hymns are so inferior? Hymns to Venus and Mercury, the description of the birth of Minerva in one of them (I have no books here and forget which), the lines about himself and the late discovered hymn to Ceres—all these in their different ways have an antique Homeric flavour and great beauty. Shakespeare wrote the *Two Gentlemen of Verona* as well as *Lear*, and Walter Scott *Count Robert of Paris*, as well as *Kenilworth* and the *Heart of Midlothian*. It has always seemed to me that behind Herodotus we get into conjecture, more or less probable and tenable, but still conjecture and not conclusion.

I did not know what you tell me about Sir John Moore and Ireland. I read his life with care many years ago, but it is either not there or I have forgotten it. I did not think that there was anything could raise my hero in my mind, and I thank you very much for showing me I was mistaken.

Do you know a beautiful letter of his to Lady Hester Stanhope in two small volumes of *Stanhope Miscellanies*, which the last Lord published? If not, do read it in some five minutes of spare time. It is noble. . . .

Yours most truly and gratefully,

COLERIDGE.

LORD COLERIDGE to MR. GLADSTONE.

HEATH'S COURT,

OTTERY ST. MARY, DEVON,

December 24, 1890.

MY DEAR MR. GLADSTONE,

We only got home from the circuit on Saturday, and here I found your very kind remembrance of me in a copy of your reprinted and enlarged papers on Holy Scripture. I read most of them as they came out, but I think not all, and I am delighted to have them in a permanent shape and as in so many and other instances, *E dono auctoris*. I am glad, indeed, that you have written on this subject. We go so much in this world by the weight of authority, that apart from the intellectual value of your papers, the fact that you are on that side is a most important argument and consideration, when the matter is treated as so clear and elementary upon the other. I have felt for forty years, I think, that the difficulty of difficulties (to which the clergy shut their eyes) is the nature and extent of inspiration, and what it is exactly that the word signifies.



If it has limits, what are they? and who is to define them? If *not*, how long will intelligent men go on submitting to the absolute assertion of authority of writers, who, manifestly, in things human have not been protected from mistakes. . . . If Kilkenney is a fair specimen of Ireland, Home Rule is safe, and Parnell is at an end. But I don't know enough of Ireland to know whether it is. I fear Archbishop Thompson's state is hopeless. I shall deeply regret his death. I have known him many years, and had a very strong regard for him. He had very great powers, and I always found him a true and generous man.

Lady Coleridge and I beg leave to tender to you and Mrs. Gladstone our heartiest congratulations on your birthday; and, with every good wish, believe me always,

Yours most sincerely,

COLERIDGE.

THE MASTER OF BALLIOL *to* LORD COLERIDGE.

BALL. COLL., *April* 21, 1891.

MY DEAR C.,

Will you and Lady C. give me the pleasure of a visit on Sat., May 21? I believe that Mr. Farmer has something in store for you. . . .

I have been staying with Tennyson for a few days. He is wonderfully vigorous and industrious. I believe that he could still write as well as ever. The few lines on "crossing the bar" seem to me to be as good as he ever wrote.

I do not go away from here much now, and am, therefore, more desirous that my friends should come to me. The years seem to run away faster than they did, and this last one seems faster than any previous.

Believe me, my dear Coleridge,

Ever yours affectionately,

B. JOWETT.

LORD COLERIDGE *to* C. M. ROUPELL.

1 SUSSEX SQUARE, HYDE PARK, W.,

*April* 25, 1891.

MY DEAR OLD CHARLIE,

. . . In the law we have lost Stephen—a vigorous man; not the great man his friends in the Press made him out, but a very fine fellow indeed, with a tender, generous,

warm heart and, undoubtedly, very great powers. We have got in his stead a first-rate man in Henn Collins, who, as far as one can see in such matters, will be an admirable judge. It is one of the curious things about our profession that you *can* [never] tell what sort of a judge a man [will be]. One of the very worst judges I ever recollect was Crompton, yet, I am sure, if it had gone by election the profession would have elected him when he was made; and Blackburn, of whom no one thought anything, made, with some grave defects, one of the very best judges of my time. I have been delighted with what I have read of Goldwin Smith's book upon Canada. It is *full* of information and told in the most brilliant and attractive style. Church's book on the Oxford Movement I daresay would not interest you so much as it does me. To me it is full of interest; it tells a curious and striking story, very well describes a number of considerable men with great power and insight, and I, really, think that he is so fair and so wise that many of his judgments will be accepted as final.

Yours most affectionately,  
COLERIDGE.

THE MASTER OF BALLIOL *to* LORD COLERIDGE.

BALLIOL COLLEGE, *June 17, 1891.*

MY DEAR COLERIDGE,

Many thanks for your kind invitation. Will you allow me to decline it? My only reason is that I feel a good deal overworked and am afraid to add on, even, a dinner.

May I tell you that I read your charge on the Baccarat Case? I thought it thoroughly right and sound.

Everywhere the matter is being discussed; the more fashionable part of the world being in favour of Sir W. G. Cumming, and the common sense of the middle classes against him.

Ever yours affectionately,  
B. JOWETT.

LORD COLERIDGE *to* MR. GLADSTONE.

ICKWELL-BURY, BIGGLESWADE,

*August 15, 1891.*

MY DEAR MR. GLADSTONE,

Thank you very much indeed. It is a beautiful and quiet record of a quiet, simple life, the chief charac-

teristics of which I suppose were, as Mr. Wickham says, peace and strength. And now must come, my dear old Chief, that ineffable comfort which the old faith, given and kept alive by God, imparts to all who are blest, so far, as to retain it, as they received it, unassailed by doubt, undisturbed by science. Dean Stanley once told me that he absolutely believed he should meet his wife again, and that he should know and recognise her; but, he said, it was a greater miracle than any told in the Old or New Testament.

I am at Birmingham for ten days on the circuit, and, in the Museum there, I saw a case of *bijouterie* which you had lent them. Very beautiful work it seemed to me. There were, close by, some lovely trinkets made by the Chinese out of kingfishers' feathers, quite wonderfully beautiful.

I was reminded of your question as to Newman's scholarship by a pilgrimage to his rooms and his grave. He has left an inscription for a tablet in the Oratory—"if good Latinity," he added. It was this:

JOHANNES HENRICUS CARDINALIS NEWMAN,  
Ex Umbris et Imaginibus  
in Veritatem.

And there was a note at the side explaining what he meant by *umbræ* and *imagines*, and quoting St. Paul (in the Vulgate) for the words, adding, "not to be put up if any friend should think it sceptical." I venture to think the inscription wanted a verb, *transivit* or *translatus* or *sublatus est*. What do you think? I saw his profession of faith written about ten years ago. *Most* beautiful, full of faith, hope, and charity—these three; but, as with St. Paul, "the greatest of these was charity." Pray forgive me. I thought this might perhaps interest you.

Always yours most truly and gratefully,

COLERIDGE.

This, too, perhaps, may interest you. In my daily companion, old Wordsworth, I came on this this very morning:

"Surely one who has written so much in verse as I have done may be allowed to retrace his steps in the regions of fancy which delighted him in his boyhood, when he first became acquainted with the Greek and Roman Poets. *Before I read Virgil* I was so strongly attached to Ovid, whose *Metamorphoses* I read at school, that I was quite in a passion whenever I found him in books of criticism

placed below Virgil. As for Homer I was never weary of travelling over the scenes through which he led me."

Then there is a curious passage about the Renaissance and Milton's *Lycidas*, too long for this scrap of paper.

Did you know that Wordsworth admired Virgil so much that he translated nearly the whole of the *Æneid*<sup>1</sup> into Drydenic heroics?

# THE MASTER OF BALLIOL to LORD COLERIDGE.

BALLIOL COLLEGE,

December 1, 1891.

MY DEAR COLERIDGE,

I am deeply grieved to hear of Lady Coleridge's dangerous illness. May I venture to send my love to her: tell her that now is the time for courage, and for trust in God. She must remember how valuable her life is to you and many others, and how greatly she is beloved and respected by all who know her. It pleases me to hear your prophecy that our friend Wright will become a great Judge. He has, perhaps, a certain degree of eccentricity, but he is full of sense and knowledge.

And it pleases me, also, my dear old friend, to hear that you take an interest in the better organisation of the Law. I am convinced that if you give your mind to it, you can, by natural ability, preside over any of the Judges and are their natural head. (Excuse tautology.)

Ever your affectionate friend,

B. JOWETT.

I am getting better slowly.

LORD COLERIDGE to C. M. ROUPELL.

JUDGES' LODGINGS, MANCHESTER,

March 27, 1892.

MY DEAR OLD CHARLIE,

Your letter, like all your letters, is full of goodness and kindness to me and mine. I wish you could give a brighter account of your own health, but, at our time of life, the door has been opened by which we must leave the

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<sup>1</sup> The MS. of this translation appears to have been lost, but "one of the books," Professor Knight tells us, was printed in the *Philological Museum*, at Cambridge, in 1832. *Life of W. Wordsworth*, ii. 296-303. See, too, S. T. Coleridge's letter to Wordsworth, on the Translation, *Letters of S. T. Coleridge*, 1895, ii. 733, n.

room, and there is no chance of its being shut again. Still, we must face it like men, and remember that old age hath yet its honour and its toil, and that repining is useless: and it is useless, also, to inquire why we came here, if this is all we are allowed to see of Earth and its beauties. I like very much the image of you which you give me, but you may be sure that anything of yours will always have an honoured place in any home of mine. . . .

Once more, however, D.V. old fellow, you must come to Devonshire and there you shall sit in the sun (if there is one) and read and enjoy yourself.

Bowen has been very ill, but he seems to have rallied, and I see is back at work again. Collins, the last Judge, is my colleague, and I find him charming. He was fourth classic at Cambridge, and is not only a man of great ability and culture, but one of the nicest fellows I ever met.

Yours most affectionately,  
COLERIDGE.

THE MASTER OF BALLIOL *to* LORD COLERIDGE.

BALL. COLL., *August 1, 1892.*

MY DEAR COLERIDGE,

I am sorry that I have so long delayed to answer your most kind letter. The truth is that I have been a good deal overstrained during the last month, and, then, I found it difficult to write a letter to a friend which expresses what I feel and think.

I shall hope to come and see you, if you and Lady Coleridge will have me, about the middle of September for a few days at Ottery. You must be nearing the Long Vacation by this time.

Your plans for the Reform of Law Procedure seem to have been very successful in their first stage. But I suppose that no good measure of reform can really be carried easily, because of the interests which are disturbed by it of persons and places. Bowen told me about the matter when he was here last Sunday. He looks better, but still in very precarious health. I wish that you could send him to a "better world."

If I am able to come to you, I hope that we shall have many talks, and, therefore, I will excuse myself and you from a longer letter. With most kind regards to Lady Coleridge,

Ever yours truly and affectionately,  
B. JOWETT.



LORD COLERIDGE *to* MR. GLADSTONE.

1 SUSSEX SQUARE, W.,

*August 7, 1892.*

MY DEAR MR. GLADSTONE,

I cannot help troubling you with a single line of heartiest congratulations on your having attained, as it seems once more that great station and power which you will use for the advancement of right and justice. I have not troubled you before, for I knew you must be overwhelmed with congratulations, and with business of all sorts. You do not need to be told how eagerly I have watched the contest in which I cannot join, nor how I rejoice at the result. I wish the majority had been larger, but it is I hope large enough to secure to you the crowning glory of your life.

It is mere iteration, but when the thought is the same the words must be alike too ;—and you know that you are the only political leader I ever had or shall have, and that I shall end my public life, as I began it, as your faithful follower.

Always gratefully and faithfully yours,  
COLERIDGE.

LORD COLERIDGE *to* SIR M. E. GRANT DUFF.

1 SUSSEX SQUARE, W.,

*December 27, 1892.*

. . . I have been reading the Melbourne papers. I knew he was a gentleman from the crown of his head to the sole of his foot—but I had not done justice to his gentle strength and wonderful ability and knowledge. His letter to Brougham is that of gentleman *giant*.

THE MASTER OF BALLIOL *to* LORD COLERIDGE.BALL. COLL., *January 2, 1893.*

MY DEAR COLERIDGE,

Many happy returns of the New Year to you and Lady Coleridge. Your invitation is most kind, and I would like you to know that there is no place which I enjoy more than Ottery, but, just at present, I must go and look up R. S. Wright, and, then, pay a sad visit to Lady Tennyson in the I. of Wight. I have but few years to live, and a great deal to do. . . . I send the papers (1) an inscription to Matt. Arnold, which Dr. Percival has asked me to write. Will

you look at it and note anything which you think not so well? I had a great affection for him, and am anxious that it should be as appropriate as I can make it; (2) A list of passages out of Plato for general readers. I think that the beauty and variety of them may surprise you. Whether it is proper or improper I send my love to Lady Coleridge—she will excuse the liberty.

Ever yours affectionately,

B. JOWETT.

LORD COLERIDGE to C. M. ROUPELL.

ROYAL COURTS OF JUSTICE,  
January 24, 1893.

MY DEAR OLD CHARLIE,

It is delightful to get such a letter from you as arrived this morning. I only hope, with all my heart, that you will go on for *many* years giving pleasure to your friends and doing good to yourself and others, as your letter shows you to be capable of now. It is a blessing to have so sunny and so peaceful an evening to a long and hard-working life. Dear old Dr. Latham, who lived to be over ninety, told me once that he *enjoyed* his old age. Few men are so blessed, but when they are they and their friends may well be thankful.

I doubt if I live to your age whether I should have the energy to begin a new language, and magnificent, as some half-dozen Spanish authors are, I do not think I should choose Spanish as the field of my labours. Calderon, I imagine, to be very fine from Shelley's fragments of translation, and the works of the two Fitzgeralds. But I suspect Lope de Vega, of whom I know nothing, to be a humbug. *Quum flueret lutulentus*, &c., and a man who wrote one hundred and fifty, (or was it two hundred and fifty, or three hundred and fifty dramas?) must have made the texture very thin.

As to coming to Bath there is nothing I should like better. . . . In early days I revised the Borough as part of Somersetshire, and was there for some days for ten years. Old Mr. Markland, a fine scholarly old gentleman, lived in Lansdowne Crescent, and I used to stay with him. You have omitted from your list of worthies Archbishop Magee, whose acquaintance, I may say friendship, I formed there when he was Minister of the Octagon Chapel. . . .

Yours most affectionately,

COLERIDGE.



LORD COLERIDGE *to* C. M. ROUPELL.

ROYAL COURTS OF JUSTICE,

*February 20, 1893.*

MY DEAR CHARLIE,

You are always doing and thinking kind things in regard to me. . . . The world is out of joint, no doubt, but I thank God that I was *not* like Hamlet! born to set it right. I shall vote for the Bill, but whether or no it will restore peace to Ireland God knows, not I. To me it seems that seven centuries and forty thousand troops having failed, we might as well try what a little trust and self-government can do. And at last forty thousand troops can reconquer what they cannot, as things are, hold in peace. . . .

Ever your very affectionate

COLERIDGE.

LORD COLERIDGE *to* C. M. ROUPELL.

1 SUSSEX SQUARE, HYDE PARK, W.,

*April 16, 1893.*

MY DEAR OLD CHARLIE,

I grieve to hear that Bath has not continued to keep up your strength. . . . I did not go to Italy; both my wife and Sir Charles Clifford thought the rush would be too severe, and the time too short to do anything in comfort. So we went to Paris, which we enjoyed exceedingly, and from which we saw Versailles and St. Cloud and above all Chartres in comfort and fairly at our leisure. Chartres deserves all that has been said of it, and is, I do think, the central Gothic building of the world. The cathedral is quite unique in its glass, its sculpture, and its proportion. The North Tower is perfectly exquisite. There is also a very fine church, St. Pierre, enough to make the reputation of any place but Chartres.

I left my dear brother very ill when I went away. As soon as I came back I went down to see him, and for the first time in my life could get no answer from him. He lay, as far as I could judge, quite unconscious, and he died on Thursday night. I think he was the only living friend I had who was an earlier one than you. Since 1843 he has been my only brother; . . . and such a tie as that cannot be broken without a very bitter sorrow. True, his life had been for months one of suffering and distress—all pleasure had passed out of it. . . . But there is a blank in one

life which cannot be filled up, a sadness which nothing can really take away. I am too happy in many ways to wish to die, though I am older than he was—but it *seems* as if life could never be quite the same again. People say, the old do not feel these things; I think that is a mistake. I think they do from the increasing sense of loneliness which these departures leave upon the heart. Meanwhile, it is a comfort that my wife is very much better than she was, and though Paris, no doubt, tired her she enjoyed it too. I am on the whole very well, though I cannot help a feeling of depression weighing on me in spite of myself. As for what you say of Gladstone and me there is nothing of the kind the least likely—he has overpaid me, and I think he knows it, and, further, I would not be an Earl if he offered it. . . .

Always yours most affectionately,

COLERIDGE.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

JUDGES' LODGINGS, LEEDS,

August 12, 1893.

Your very welcome and interesting paper reached me here this morning, my last, *D.G.*, of circuit work, and I thank you for it very much. I read it through at once, eagerly, and was sorry only that it was so short. I suppose you are right, but a man gives up the opinions, I believe I ought, more properly, to say the prejudices, of a life with difficulty and with regret. You would not deny the great merit of the old classical study *in some respects*; and would admit probably that no change is ever *wholly* for the better, and that no old objection is ever or hardly ever *wholly* bad.

Upon my word, it is too hot to think or write even here, where I believe we are cooler than in London; but we go to-day to spend Sunday with Lord and Lady Ripon at Studley, and see Fountains, which, I am told, is one of the finest things of its kind in England. Monday we go to Malham to see the Cove and Gordale Scar, which impressed me profoundly fifty-seven years ago, and which you may know from Wordsworth, if not by your own eyes. Fifty-seven years ago I spent a Sunday at Bolton Abbey. Lady Coleridge and I spent last Sunday there, and found it *absolutely* unchanged (not that *she* was there fifty-seven years ago). So there is some good in Dukes, at least, in Dukes of Devonshire.

LORD COLERIDGE *to* SIR MOUNTSTUART GRANT DUFF.

HEATH'S COURT, OTTERY ST. MARY,

*December 26, 1893.*

. . . I took up by mere accident your paper on Matthew Arnold and read it through again, and with renewed and equal pleasure. . . .

Such men do not recur ; and the longer he is parted from me the more I seem to yearn after him ; and long for that counsel (in the old sense) which never failed, and was always wise and high-minded. Jowett is another of such men, and, I hope and pray, he may be spared to us yet awhile ; but when I went to Balliol in November I was struck with two things, the freshness and power of his mind and the greatly increased feebleness of his body. . . . Since Newman, I suppose, no Oxford man has come near Jowett in influence, and, on the whole, how high, and noble, and elevating, his influence has been ! The world will be much poorer when he goes, and his friends will feel much more alone. One must go or be left behind, and as the time of going draws nigh, it is mercifully ordered that there seems less to stay for. Did Aristotle or Plato really care for friendship ? Bacon, to judge by his Essay, certainly did not ; Cicero did, but he was an exceptional nature ; affectionate, and trying to love and to get the love of men who, you can see, didn't care for him. . . .

LORD COLERIDGE *to* ERNEST HARTLEY COLERIDGE.

HEATH'S COURT, OTTERY ST. MARY,

*May 20, 1893.*

MY DEAR ERNEST,

You have asked me to send you, from the palimpsest of my memory, anything I can recount concerning your grandfather and my great-uncle, from tablets now dim with age, and which never had anything on them much worth recovering. Coleridge died when I was a boy of thirteen. When I saw him most frequently I was between seven and nine years old, and I suppose that I was never in his company above seven or eight times in all. And what follows is all I can remember. Two years (I think 1827 and 1828) my father, then a young barrister, was obliged by professional business to stay near London during the Long Vacation, and we occupied two houses in Hampstead—Netley Cottage



one year and Bellevue the other—both, I think, still standing and both within a walk of the Grove at Highgate. My father went constantly, when he could find time, to see and hear his uncle, and on three occasions he took me with him, warning me to be on my best behaviour, for that his uncle was a great man; that he believed very few boys so young as I was ever went to see him; and that probably I should not understand all he said, but I must listen and be very quiet.

It is sixty-five or sixty-six years ago, but the scene is before me as clearly as if it had been yesterday—the scene, nothing more; for though he was (I believe always) most kind and gentle to children, and patted me on the head and kissed me (an honour which, as I have hated snuff all my life, I fear I did not properly appreciate), the discourse on each occasion was far out of my ken (probably at any time of my life, most certainly at that time), and I cannot recall a word nor even the subject of it.

Carlyle has given, in the too famous passage in his *Life of Stirling*, a not inaccurate account of the Prophet and his audience as I remember them. He has not, I think, done justice—probably he did not feel the extraordinary melody of Coleridge's voice nor the gentle suasion of his manner—things which a child could feel and did feel. Nor, as I remember, does he describe adequately the suppressed murmurs of admiration when Coleridge paused, as he sometimes did at the end of one paragraph (so to call it) before he set out upon another, "That last was very fine." "He is beyond himself to-day." This sort of thing I distinctly recollect, and the puzzle it was to me what it was all about.

I sat on a wooden stool near him, and on two occasions I seem to remember that the window was wide open, and the shutters half closed to keep out the sunlight. But I do not assert this positively, for it is quite possible that the window looked due north, and had no shutters.

Twice or three times I remember his dining with my father at a party necessarily small, for we lived at that time in Torrington Square. I was, of course, much too young to "dine downstairs"; but I have the same recollection of his kindness and gentleness and of the sweetness of his voice during a few minutes I was in his presence while the guests were assembling before dinner. One piece of his conversation, at one of these dinners, I have heard so often repeated that I sometimes half persuade myself that I heard it, though I am bound to say that is

impossible: "Southey," said Coleridge, "is a curious person. He came to me to inform me that he had determined to write a History of Brazil. 'Well, Southey,' said I, 'and what sort of a history do you intend to write? Do you mean to write of man as man, after the manner of Herodotus; or of political man, according to the fashion of Thucydides; or of technic man, as Polybius did?' And what do you think was his answer? He said, 'Coleridge, I am going to write a History of Brazil.'"

This is all I have to send you; which I send, not because it is worth sending, but because you asked me.

Ever affectionately yours,

COLERIDGE.<sup>1</sup>

LORD COLERIDGE to C. M. ROUPELL.

HEATH'S COURT,

OTTERY ST. MARY, DEVON,

August 29, 1893.

MY DEAR OLD CHARLIE,

I think I could not have said that "I *knew* nothing of you"; it must have been that "I had heard nothing of you," which would be true, though the former statement would have been absolutely untrue. . . .

You say the time has come for me to go. Very likely it has, but, if I can, I want to stay on the Bench till 1896; before which time I am not entitled to my full pension, and my full pension is a serious object to me. The pension of a *puisne* Judge, if you take off his house in town and various necessary expenses, leaves him very little poorer, than his salary makes him. It is not so with a C.J. . . . 1896, if I live so long, will see me undoubtedly free, and I am not at all afraid of freedom. I was ill twice on Circuit. I had *very* hard work and the weather was trying; but, no doubt, the hinges began to creak. I am not conscious of doing my work worse or more feebly than heretofore. I know I must judge in this matter for myself, for no one will tell me the truth, and I suspect my own judgment for I have much to disturb it. The first moment I suspect myself I shall go, and if you hear disparaging remarks (I

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<sup>1</sup> This letter was published in the *Illustrated London News*, in June, 1893, as the conclusion of a series of letters of S. T. Coleridge, then published for the first time.

mean more than usual) I entreat you *per amicitiam divosque*, to tell me.

I see that Hannen has resigned, and that Bowen reigns in his stead. It is a most proper appointment and one which, I think, will do good in increasing confidence in the House of Lords—which rather needs strengthening. . . .

Always affectionately yours,

COLERIDGE.

W. E. GLADSTONE to LORD COLERIDGE.

10 DOWNING STREET, WHITEHALL,

March 6, 1894.

MY DEAR COLERIDGE,

After the wrench I have been going through, letters of such warmth and kindness as yours have a great and soothing power, and I thank you very much. I am very thankful for the past, and contemplate the political work since the great Reform Act, as a whole, with great satisfaction. It is a further pleasure to reflect that, in no small part of it, you and I have stood shoulder to shoulder for the performance of the work.

Believe me,

Always and sincerely yours,

W. E. GLADSTONE.

THE LORD CHIEF JUSTICE OF ENGLAND, ETC, ETC. ETC.

LORD COLERIDGE to LORD JUSTICE LINDLEY.

HEATH'S COURT, OTTERY S. MARY,

Easter Monday, 1894.

MY DEAR LINDLEY,

Architects and contractors are an unstable lot of fellows in general, though I have been spoiled by old Butterfield, who kept his time to an hour, never exceeded his estimates by a shilling, and whose work, some of which I have known for forty years, seems as if it would last for ages. I am very sorry to miss coming, for I am an old man, but it is no use grumbling, and if I live, you may depend on it we will come to you in 1895.

You cannot have more *perfect* weather than we have here—gloriously bright and even warm, though there is what Blackburn used to call a “titch” of East in the

wind. We are quite alone and enjoying our honey-week in spite of our "united" ages being so great. But this day week we come back to the Mill again, and, then, I am at the grindstone for more than a year, for I am smitten once more with the fate of Vacation Judge.

I suppose you have the report of the Bar Committee. Just a word of acknowledgment of our real hard work and of all we have done for them would have been no more than decent, instead of the somewhat rude, and in many respects, the ignorant criticism which makes up the Report. But my manners no doubt are not "up to date." I suppose we must have a meeting and try to deal with them in a better temper than they have shown to us.

I have been toiling through poor Stephen's *Horae Sabbaticae*. There is not in all the volumes, or if there is it is very rarely, any literary charm. But the surface he covered, his knowledge, his rough vigour are perfectly astonishing. When I can follow him he is on the whole very just, when I know nothing of his subjects he writes in a temper which inspires confidence. . . . He was a bad *professional* man; but he was a very fine fellow and he had a tenderness, generosity and even delicacy under that rough exterior which made him, to a man, who knew him as I did, exceedingly lovable. "There's a *great spirit* gone," as Marc Antony says. I fear very much that neither Bowen nor Hannen will be long behind him.

Our very kind regards to Lady Lindley.

Ever, my dear L., affectionately yours,

COLERIDGE.

LORD COLERIDGE to SIR MOUNTSTUART GRANT DUFF.

1, SUSSEX SQUARE, W.

April 13, 1894.

. . . On the 20th of March Bowen borrowed a *Horace* of me to correct the G.O.M.'s session, and spoke of a "long sick leave" to get real rest and come back to his work really refreshed. I *knew* he had not a month to live, and that interview was hard work. You, dear old friend, according to your custom, immensely overrate what I did for him—it was not a tenth or a hundredth part of what he did for me; but I did love him with my whole heart, and I thank God for the blessing of his friendship. Jowett might have given us an estimate of him, for no one has done

it yet ; but he is gone first. . . . How Bowen was loved !  
and how well he deserved it !

“As clouds that rake the mountain summits,  
As waves that own no curbing hand,  
How fast has brother followed brother,  
From sunshine to the sunless land.”

Yes ! “Brother followed brother !” Two short months went by, and I heard an old friend murmur to himself, yet another line of Wordsworth’s noble elegy :

“And every mortal power of Coleridge is frozen at its  
marvellous source.”

On May 2, 1894, Lord Coleridge attended the opening of the Royal College of Music at South Kensington. It was a cold day, raw and bleak, even for an English May, and the Lord Chief Justice, who was in Court dress, was literally chilled to death. Two days later, he was seized with congestion of the liver, accompanied by more than one severe rigor. Jaundice supervened, and after an illness of six weeks, interrupted but hardly checked by a partial recovery, he died on the evening of June 14, 1894. A memorial service was held in Westminster Abbey, June 22. On the coffin lay his judge’s robe of scarlet and ermine, on which was placed the gold chain of S.S. which dated from the reign of Henry VII. The pall-bearers were the Lord Chancellor (Lord Herschel), the Earl of Selborne, the Bishop of Gloucester and Bristol, Sir Frederic Leighton, Sir John Mowbray, the Right Hon. George Denman, Lord Halsbury and Lord Lingen, Lord Aberdare and Lord Young.

The Judges of the High Court followed in procession.



On the afternoon of the same day the coffin was conveyed by the South Western Railway to Sidmouth Junction, and, thence, by road to Heath's Court.

The Mayor and Corporation of Exeter, and the tradesmen of the district attended the funeral, which was held on Saturday, June 23, in the Collegiate Church of St. Mary Ottery.

Lord Coleridge was laid beside his first wife, in the same grave with his father and mother; and his brother, the Reverend Henry James Coleridge, of the Society of Jesus. During the service, John Henry Newman's hymn, "Lead, kindly light," which Lord Coleridge loved for its own sake, and for the sake of the great Cardinal, his friend and master, was sung by the Choir.

## EPILOGUE

I HAVE dealt, at some length, and with, I trust, sufficient minuteness, on the principal incidents of Lord Coleridge's legal and political career. His tastes, his sentiments, his pre-occupations, his feelings, his opinions, are expressed in his own words, in the letters to his father, and to other friends, which are contained in these volumes. He was a great letter-writer, corresponding frequently, and at length, with relations, with a wide circle of friends, and a still wider circle of acquaintances. Letters to him have, as a rule, been preserved; letters from him have been occasionally returned at the death of the recipients, but, in some instances, they have been lost or mislaid or destroyed. He never failed to answer a letter, and would, sometimes, write as many as twenty letters in a day. Many, of the letters which I have printed are not, and do not pretend to be, literary productions, but they illustrate the life and thoughts of the man who wrote them.

He was, first and foremost, an orator, but he was also a critic of men and books, a master of the written as well as the spoken word. A man must be judged, not by what he might do, but by what he has done. He never even began to write a book. Perhaps he lacked the time, perhaps he unduly and unwisely mistrusted his own powers.

But he was, essentially, a man of letters, a diligent, methodical student, a scholar who guarded and improved his scholarship, and a master of style. His so-called "occasional" papers would fill a volume.

Mention has been already made of some which he wrote in early life. Of later essays, the most striking and brilliant were a paper on Wordsworth (1873); the *In Memoriam* notices of Sir William Boxall (1880); of Sir Stafford Northcote, of John Campbell Shairp (1888); his preface to Matthew Arnold's *Essays on Criticism* (1888); his two papers on Matthew Arnold in the *New Review*, July and August 1889; an address entitled "Thinking for Ourselves," which was delivered at Birmingham, April 25, 1890, and his final utterance, of any importance, "Education and Instruction," which was delivered in the Salt Schools, Shipley, June 1893, and was, afterwards, published in the *Contemporary Review*. To these must be added "The Law in 1847 and the Law in 1889," which appeared in the *Contemporary Review* in June 1890, and an address on the laws of property, delivered to the Glasgow Juridical Society in May 1887.<sup>1</sup>

Two qualities in these productions raise them above the level of their kind. In the first place, the writer is kindled by the warmth of his own feelings. He cares intensely for his theme, and appeals to the reader for a corresponding interest and sympathy. His style is at once simple and exquisite. The older he grew, the better he wrote.

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<sup>1</sup> An article on "Convocation," Jan. 1857, vol. 105, pp. 77-111; and a review of "Lyte's History of Eton College," Oct. 1877, were among Lord Coleridge's contributions to the *Edinburgh Review*.

Take, for instance, this paragraph on Matthew Arnold's railery :

It cannot be denied that he had the art, when he chose to use it, of making those whom he criticized look supremely ridiculous, and people put into such a position do not always see the fun of it so clearly as others. Nay, they are apt sometimes to get very angry, and to curse and swear (in a literary sense) so as to lay themselves open to fresh castigation from their amused tormentor. All the more if the punishment is bestowed with imperturbable good humour, with serene superiority, and with an air of innocence and wonder, very funny but very exasperating. Doubtless he was, like Horace, habitually urbane ; but as Horace could drop his urbanity to Canidia, to Rex Rupilius, to Mœnius, to Cassius Severus, and to many others, so there must be many living men (and still more some dead ones) towards whom contempt and indignation, rarely roused in him, are expressed in language moderate indeed, but plain and direct to the very verge of good manners.

Or take these last words, the end of his speech, the end, too, of all his speaking, which he addressed to his audience at the Salt Schools. It was June 1893, the evening sun was shining in through the windows of the Hall, and as he repeated the closing lines of verse by a sweep of his hand, he acted the poet's thought :

The temptations of youth, of middle life, of old age ; all life has its temptations, all can be conquered. Do not believe those who tell you that such an achievement is impossible. It is perfectly possible, as many have proved. I can have no kind of reason to mislead you, and my age ought to give me, at least in this matter, some authority. Nothing will more help you to it, nothing will tend more to keep you from evil, than the company of good books and the thoughts and counsels of good men. They will fill you with good thoughts, and good thoughts bring forth good deeds, and good deeds are the only true happiness of life.

I will end in the words of a great American poet, Bryant, written when he was very young, which I have known

and admired—I wish I might say I had lived by—all my life :

So live, that when thy summons comes to join  
The innumerable caravan, which moves  
To that mysterious realm, where each shall take  
His chamber in the silent Halls of Death,  
Thou go not, like the quarry-slave at night,  
Scourged to his dungeon—but sustained and soothed  
By an unfaltering trust, approach thy grave,  
Like one who wraps the drapery of his couch  
About him, and lies down to pleasant dreams.

Lord Coleridge did not claim to be even a minor poet. With the one exception of “Rhoda: A Devonshire Eclogue,” which was published in the *Month*, his verses were printed only for private circulation. I have quoted a few, by no means the best, of his earlier poems. Among his happier efforts were translations into and from Greek and Latin. A single specimen may be given of two lines from the Greek, headed “Andromeda,” which were inscribed over a bas-relief by Thrupp let into the mantelpiece of the Library at Heath’s Court :

They say that Justice is the Child of God,  
And that she dwells hard by the sin of man.

Two *In Memoriam* poems, “Extremus Labor,” September 1878, and “L’Envoy,” January 1879, which were written after and upon the death of his first wife, are of another order of merit, and reveal a hidden spring of poetry which flowed when the rock was smitten. A few lines from “Extremus Labor” have been quoted (*vide ante*, pp. 268, 269), but, apart from their appropriate surroundings, these touching and beautiful lines are of too private and personal a character to be suitable for publication, *in extenso*. To judge from these memorials of “Love and Death,” from the “Devonshire



Eclogue," and from a translation of a passage in Lucan's "Pharsalia," he might have written a great poem in blank verse. Whatever else he might have done, he wrote these lines on Dartmoor, which are, unquestionably, within the pale of poetry :

Near the Park

Towers up a tract of granite : the huge hills  
 Bear on their broad flanks right into the mists  
 Vast sweeps of purple heath and yellow furze.  
 It is the home of rivers, and the haunt  
 Of great cloud-armies, borne on Ocean blasts  
 Out of the wide Atlantic wilderness,  
 Far-stretching squadrons, with colossal stride  
 Marching from peak to peak, or lying down  
 Upon the granite beds that crown the heights.  
 Yet for the dwellers near them these bleak moors  
 Have some strange fascination ; and I own  
 That, like a strong man's sweetness, to myself  
 Pent in the smoky city, worn with toil,  
 When the sun rends the veil, or flames unveiled  
 Over those wide waste uplands, or when mists  
 Fill the great vales like lakes, then break and roll  
 Slow lingering up the hills as living things,  
 Then do they stir and lift the soul ; and then  
 Their colours, and their rainbows, and their clouds,  
 And their fierce winds, and desolate liberty  
 Seem endless beauty and untold delight.

I have said nothing of Lord Coleridge's social gifts. In the sixties and early seventies, when he was leading counsel and law officer, and again towards the end of his life, he was a prominent figure in London society. He liked it well enough, in spite of a cynical assertion, which I will not attempt to qualify, that "the higher you go in the social scale the lower the conversation rules." He gave, and went to, countless dinner-parties, he attended the Philharmonic and other concerts, he occasionally went to the theatre and the opera. I find in his handwriting brief records of these gaieties and festivities, but they are not worth preserving.

He did "as others use" when they have got, or are getting, to the top of the tree. He presided at charity dinners, he gave away the prizes on speech days, he spoke at Royal Academy banquets, he dined at the Mansion House, and as filling "the highest non-political seat in the judicial hierarchy" he claimed the right of responding to the toast of the Judges. He was, and he greatly prided himself on being, a Fellow of the Royal Society; he was President of the Bach Choir.<sup>1</sup>

A line must be said with regard to his clubs. He was a member of the Reform Club, the Devonshire, and for many years an habitué of the Athenæum.

He was elected to "Nobody's Friends" in 1859, to the Literary Society in 1867, to Grillion's Club in 1870, to *The Club* in 1871. This was what he would *not* have called "a record." He succeeded

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<sup>1</sup> The Bach Choir was formed in 1875 with the express object of performing the Mass in B minor, a stupendous work, which had never been performed in England. The practices were held weekly at Cromwell House (Lady Freake's), and the first performance took place at St. James's Hall on April 26, 1874. Both Mr. Goldschmidt and Madame Goldschmidt (Jenny Lind), intimate friends of the President, were indefatigable in training the choir, and the great success of the first performances was due to them. After a second performance in May 1874, the temporary choir was formed into a permanent association. Lord Coleridge became President, Mr. Goldschmidt Musical Director, and Mr. Arthur Coleridge Honorary Secretary. In March 1879, Queen Victoria graciously consented to become Patron. In 1885 Lord Coleridge retired, and Lord Monteaule succeeded him. Lord Coleridge always attended the concerts of the Choir, and sometimes the practices, which were held from November 1876 to the present time in the South Kensington Museum. He also presided at the annual general meetings, and tried to prove that financially things were not as bad as they seemed, and that unless we had souls that grovelled, we should prefer to pay guineas to make up the deficit, to going without such expensive concerts. [From information kindly supplied by Miss K. O. Helmore.]

Mr. Spencer Walpole as President of the Literary Society in July 1887. This is his letter of acceptance of an honour which he greatly coveted, but had, at one time, been tempted to decline :

JUDGES' LODGINGS, SALISBURY,

July 12, 1887.

MY DEAR WALPOLE,

Your letter is very kind, as indeed you always are to me. To your influence, mainly, I ascribe that the Club have appointed me your successor. I hesitated some days before accepting, but several men urged me, and I thought that it would be foolish to resist, and if the Club gets on badly I can resign.

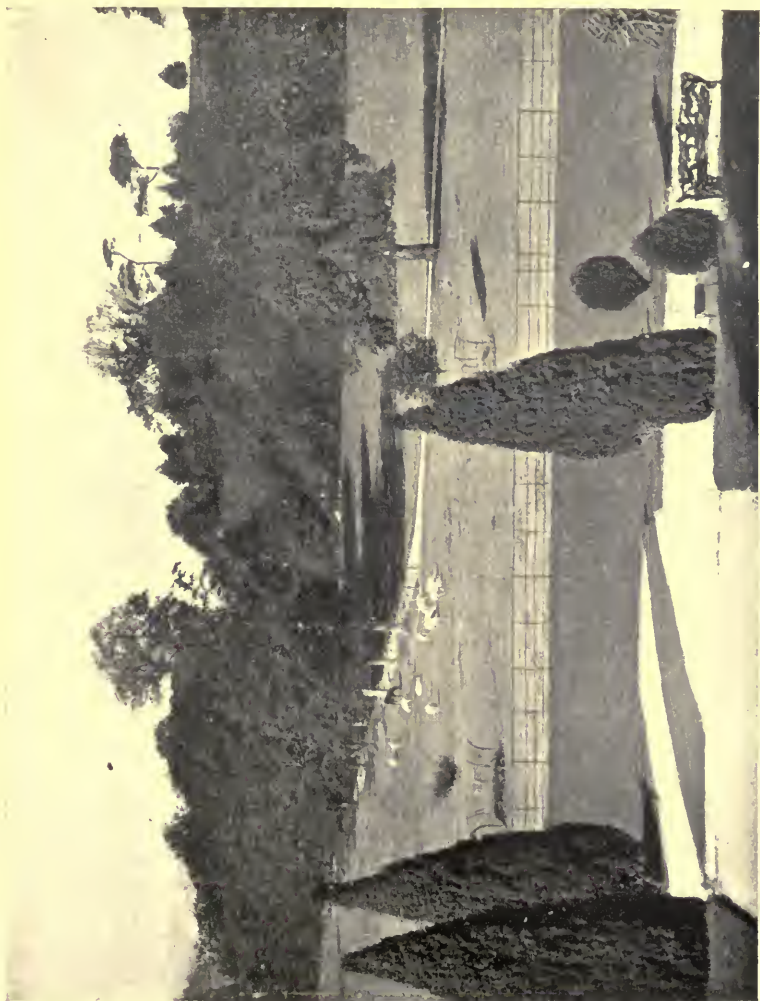
Yours most sincerely,

COLERIDGE.

In London society, of whatever grade, or even, in the choicest gatherings of persons, once known as the "wits," prominent figures come and go. The best known, the most brilliant, can hardly be said to leave a mark. One rich man's house, his mode of life, his movement through the great world, is very much like another's. But round a country house, memories gather, various men and women make various houses, this or that, *sui generis*, with its own peculiarities, its own traditions. Heath's Court, as it was known to many guests, on both sides of the Atlantic, like its master, had a personality of its own. It was a country house, a "place" with a difference. The front, or what had once been the front, dates from the time of Cromwell, or much earlier, though it has the aspect of a modest Georgian villa, while the west wing or annexe which looks over the valley of the Otter, consists of the huge library, more than seventy feet long, with an upper story of great chambers. This was the work of

Butterfield, not, perhaps, in keeping with the Colonel's "roof-tree," but spacious and solid. Below are terraced walks, and, beyond the walks, the park-like fields which formed the nucleus of the Colonel's original estate. To the east of the house, and overlooking house and garden is Bishop Grandisson's Church, with its twin towers, one of which is surmounted by a dwarf spire or conical roof. During Lord Coleridge's tenure of the property, there were many improvements. A walk of nearly half a mile in length, encloses the hill, a wooded knoll, with bare green mound atop, where is "Shairp Avenue" a double row of Scotch Firs, the gift of the author of *Balliol Scholars*—himself, a scholar and a poet. Like "old Wordsworth," as he used to call him, Lord Coleridge was a great landscape gardener. He loved to plan or assist in planning new improvements. He knew every tree and shrub in his domain, had known some of them since childhood, and planted and imported others. It was his especial delight to conduct the guests round "the hill" to point out this or that rarity, and to call their attention to the view of house and grey church-towers, with the "East Hill" the ridge of down, which runs southward to the sea, in the background. Towards the lodge where the road parts left to the town and right to Escot (Sir John Kennaway's) there is a row of oak trees, planted one by one, by the Colonel to commemorate the birth of his six sons, "the beautiful band."

Long before the Courts rose, at Easter, for the Long Vacation, at Christmas, the "Chief" would count the days to his holidays, and when his work was done and he was nearing Ottery, would



VIEW FROM THE DRAWING-ROOM WINDOW, HEATH'S COURT, OTTERY ST. MARY





eagerly look out for the first glimpse of his trees, and the mullioned windows of his library.

In the autumn there was a succession of guests, distinguished men and women. Americans came—Mr. Yarnall, and James Russell Lowell, Mr. Phelps, Mr. Robert Lincoln, Mr. Henry James: Judges came—Lord Esher, Lord Hannen, Lord Bowen, Lord Justice Lopes, Lord Lindley, Lord Young. The Master of Balliol was a frequent visitor; Matthew Arnold, Lord Acton, Sir Charles Clifford, the Comte de Franqueville, Sir James Lacaita, Professor Knight, Sir Mountstuart Grant Duff, M. Gennadius, the Bishop of Gloucester and Bristol, Mr. Goldschmidt, Lord Lingen, Sir Lewis Morris, Rustem Pacha, Lawson Tait, and many more were among those he would gather round him.

To wander in the gardens, to stroll round the "hill," to be shown the church as restored (or otherwise), by Blore, and Butterfield—as a matter of course; or Pixies' Parlour, where S. T. C. cut his initials in the sandstone; to be driven to Woodbury Camp, or Sidmouth—these were the "diversions" of Heath's Court. But there was never a guest, who when he was there, wished himself away, or who did not care to repeat his visit. For, over and above the ordered hospitality, the gracious welcome of host and hostess, there was the sense that here, at least, the amenities and distinctions of rank and wealth were means to an end, the pursuit and enjoyment of real happiness and pleasure.

And there were "the Chief's" stories.

Towards the close of his life Lord Coleridge was wont, both as host and guest, to amuse himself and every one else by telling stories about great

people and others. He told them so well and repeated himself so seldom that no one accused him of being a professional or licensed anecdotist. Wherever he was, or wherever he went—at his own dinner-table, in the garden at Heath's Court, at the Athenæum or the Literary Society, in the lobby between his private sitting-room and the Lord Chief Justice's Court, he would tell stories, one after the other, and the last as good as the first. At London dinner-parties, if Lord Coleridge began to talk, the guests at the other end of the table would stop their conversation and crane forwards to catch the point of his discourse. He had gone circuit as marshal, or counsel, or judge for more than fifty years, and, naturally, many of his tales were "bar stories" of counsel, and witnesses, and judges, dead and gone, but over and above "bar stories" his stock was varied and inexhaustible. He was an excellent mimic, and was, perhaps, at his best when he would bring out the old sexton at Ottery, a Devonshire farmer, the inevitable Keate and Hawtrey, or Dr. Jenkyns of Balliol, or Wordsworth, or Dr. Arnold, or such contemporaries as Jowett, or George Brodrick.

He could assume the indignant air and reverberate the accents of Mr. Gladstone, until every one but himself was convulsed with laughter. One such dramatic sketch comes back to me which may, I think, rank as a genuine "anecdote." When Dr. Mackarness was appointed to the See of Oxford, his predecessor, Bishop Wilberforce, who had been translated to Winchester, was slower in surrendering the Oxford diocesan registers than the new bishop thought proper or found convenient. His appeals

were disregarded, and, as a last resource, he called at Winchester House, and implored the elder and greater bishop to hand over the registers. Wilberforce was not over-pleased, but promised compliance. Comply he did, and having sent for two four-wheelers, he caused them to be loaded with the desired volumes and despatched to Sussex Square, where the Bishop of Oxford was staying with his brother-in-law, then Solicitor-General. When Coleridge returned from the House of Commons, some time after midnight, he found, to his amazement and indignation, his entrance-hall narrowed to a ravine or canyon between two confronting walls of diocesan registers, and went to bed "sorrowing." On the afternoon of the same day he went down to the House, sought the sympathetic ear of Mr. Gladstone, and poured out his woes.

"Sir," said the Prime Minister, taking his arm, and speaking in tones vibrant with emotion, "Sir, there is no atrocity of which that man is incapable."

I have very little doubt that Coleridge had brought the registers on himself by some jest or innuendo at "Soapy Sam's" expense, but it was hard upon Dr. Mackarness, who was, I believe, left to pay for the four-wheelers.

Another story which is, or was, familiar to most people turns on the appointment of a new judge. Coleridge and Sir William Grove were sitting in a Divisional Court when Counsel handed up to the Bench a slip of paper inscribed with a certain name.

"Well," exclaimed Grove, "I *am* d—d!"

"Brother," whispered the Chief Justice, "Brother, I don't swear myself, but I shall be extremely grateful if you will say that again."

It is a true story, but the *mot* was, I believe, "conveyed" from an earlier narrative concerning an archbishop, and his apron, and a plate of soup.

Here is a 'bar story' which I trust is moderately new. Once in his early days, at the Exeter Sessions, he was called upon to defend a young woman of "prepossessing appearance," who was accused of stealing a number of boots and shoes which had been exposed for sale. It was a weak case, and the following instructions were written on his brief: "Great reliance is place upon the eloquence of Counsel, and the *Medonna*-like countenance of the prisoner."

He did not, however, aspire to be a wit, and, not to speak of those humorous cross-lights which flash and strike across his serious discourse, he was pleased, for the most part, to make himself the conduit of the jests and *bon mots* of others.

Good are good stories, and come when they will, they come, in the words of an anonymous poet, as "a boon and a blessing to men," but neither the value nor the pleasure of Coleridge's society and companionship consisted in a perennial spring of stories.

So far as age and intellectual powers are concerned, I could never have conversed with him on equal terms. I can only guess what he must have been, in his youth, with such co-mates and familiars as Arnold and Temple, Hawker and Prichard, or, with his "lov'd Lycidas," John Billingsley Seymour. Those who were his friends were friends indeed, and he held them, not against their will, like the Ancient Mariner, but right gladly, not only because he was so well worth knowing, but because he was so, delightful to know, by reason of his keen and



living interest in all that touched and exercised the mind.

I have passed whole days alone with him, from morning to night, when he would discourse on poetry and religion, on men and books, sometimes arguing and denouncing, but, oftener, praising and quoting, for love and honour, some favourite passage from Wordsworth or Newman, Cicero or Horace or Ovid, Sophocles or Homer. I never took or should have been permitted to take notes of this "surprising talk," nor ever dreamt that it would fall to my lot to bear witness to its greatness and its charm. It was, I think, Lord Chesterfield who used to say that he longed to combine the experience of age with the fascination of youth, and that such a union would be irresistible. It might be said of Lord Coleridge that, as years increased, his knowledge grew and his intellect widened, but that age could not stale or lessen his enthusiasm for the exchange of thought. "*Qualis vita Finis ita!*" He had loved books all his life, and loved to talk about them, and it was so to the end. The last word I ever heard him utter was some lines of poetry in which he contrasted the lot of the rich with that of the poor in respect of the alleviation of sickness.

Lord Coleridge had his faults. He set up for himself, and placed before others, a higher standard than a difficult temper, an impetuous temperament, could always reach. He was not a good judge of character. He allowed himself, on mistaken or insufficient reasons, to look down upon, or to look askance at public and private persons who had incurred his displeasure or dislike. Sometimes he got to know them better, and, as time went on, to

esteem and love the very same persons whom he had criticized and derided. He was a many-sided man, visited and assailed by conflicting feelings—drawn in opposite directions by various ambitions and desires. It was long before he “beat his music out.” He was on a large scale, and, to such men, the problems of life are not solved in youth, or without the experience of a lifetime. He was over-sensitive, and when he believed the principles which he held sacred were at stake, and, less pardonably, when he smarted from real or imaginary wrongs done to himself, “he shot out his arrows, even bitter words.”

He had pluck and powers of endurance. He was a cricketer, an oarsman ; he was a good horseman, and a swimmer, but he was against “sport” in any form, and had no sympathy with the amusements or occupations of country life. He held unpopular views with regard to Church, and State, and society at large, and went counter to the enthusiasms and prejudices of the majority. Witness his generous advocacy of the cause of Anti-Vivisection.<sup>1</sup> He held that vivisection “in pursuit of knowledge” was unchristian, and unjustifiable, and he did not hesitate to say so, in the strongest words. Most men who take a line of their own, and are unmoved by the spirit of the game, are compelled to hold their tongues and mind their place, but Coleridge could give back more than he got, and, if he so pleased, carry the war into the enemy’s country. People did not like him the better on this account. It was an unpleasing reversal of a natural law. He was enthusiastic and communicative, and because

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<sup>1</sup> See The Lord Chief Justice of England on Vivisection. Victoria Street Society for the Protection of Animals from Vivisection.

he was not always on the same level of emotion he was accused of being insincere. Moreover, he was subtle of speech, and had the temper as well as the skill of an advocate. It has been said that he was a good hater as well as a good friend. This is not true. He was far too warm-hearted and too tender-hearted to be a good and consistent hater, but he was easily moved to wrath, and to speak and write words which could not be recalled, which were, sometimes, unjust, and always indiscreet. He was a good friend. He stuck to his friends through thick and thin, and, as he rose, he kept up his friendship with those who stood still. For he was absolutely without respect of persons. He was intimate with the great, and no less intimate with the insignificant. He was generous and charitable to a fault, and lent a helping hand to all sorts and conditions of men. Poverty, sorrow, disgrace never appealed to him in vain.

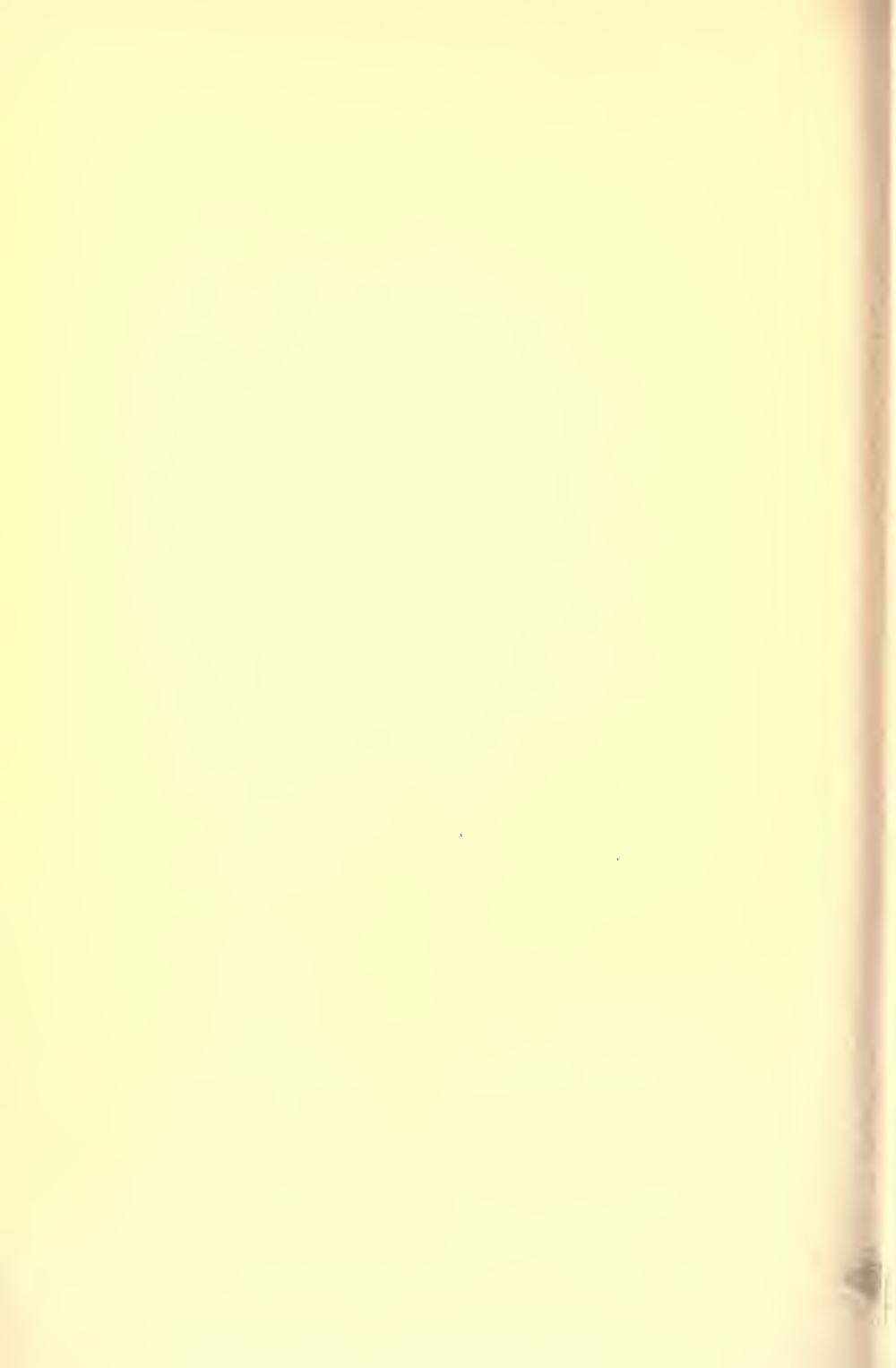
On the wall of the little church at Alphington, which his father built, and which he and his father endowed, there is a monumental stone erected to his memory,<sup>1</sup> which bears this legend :

HE SERVED THE LAW. HE SOUGHT THE TRUTH. HE LOVED  
LIBERTY.

This is an epitome of his public career ; but there are some who knew him well, and mourn his loss, who could add many other words of gratitude, of honour, and of affection.

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<sup>1</sup> At the instance, and under the superintendence of a valued friend and neighbour, the Reverend Gerald L. M. Reade, the vicar of Alphington.



## APPENDIX I

### LORD COLERIDGE, BY THE RIGHT HONOURABLE LORD LINDLEY

IN 1873 Lord Coleridge succeeded Sir William Bovill as Chief Justice of the Court of Common Pleas.

The earliest reported decision of his in the Law Reports is *Crowther v. Appleby*, L.R. 9 C.P. 23 (November 25, 1873). For the next three years his decisions are to be found mainly in the Law Reports of the Court of Common Pleas, and of its successor, the Common Pleas Division; but some occur in the reports of the decisions of the old Court of Exchequer Chamber, and of the Court for the Consideration of Crown Cases Reserved. In and after 1876, when the old Common Law Courts of Queen's Bench, Common Pleas and Exchequer were consolidated, his decisions are mostly to be found in the reports of the Queen's Bench Division. He seldom took part in appeals from the Chancery Division, and he seldom sat on appeals in the Privy Council or the House of Lords. He tried many prisoners at the Old Bailey, and reports of the proceedings there are published; but the practice of reporting cases tried on circuit having been discontinued, his decisions in civil and criminal cases when on circuit have not been preserved.

As a judge he had to deal with almost every subject which common law judges are called upon to consider, and he came upon the Bench well equipped for the discharge of his important duties. Lord Coleridge had been long familiar with sessions work; he thoroughly understood the duties of revising barristers; he knew how elections were managed; how municipal corporations conducted their



business ; and how the poor-laws were administered. His knowledge of ecclesiastical law was much greater than that possessed by persons who had not made it a subject of special study. He had early been well grounded in real property law, and his knowledge of it was kept fresh by his work on the Western Circuit. Criminal law was familiar to him ; and a long acquaintance with commercial law formed no small part of his legal stock-in-trade. If to all this be added a marvellous memory, perfect mastery of *Nisi Prius* practice, consummate skill in dealing with witnesses and juries, and wide experience gained as Law Officer of the Crown, Lord Coleridge's equipment for his high office may be truly said to have been unusually complete.

Personally, I hardly knew him before May 1875, when I joined the old Court of Common Pleas and became one of his puisne judges. The acquaintance then made ripened into a life-long and intimate friendship. Being myself a chancery barrister, I naturally was ignorant of many matters which a common law judge must know, and nothing could exceed the kindness of all the members of the court in assisting me. Lord Coleridge, as head of the court, gave me a most warm reception on my joining it, and encouraged me in every way during my apprenticeship to my new work. He begged me to apply to him whenever I had any doubt or difficulty, and I did so without hesitation ; for he was ever most ready to assist me ; and his assistance was invaluable.

I sat with him in court for several years. He was extremely courteous and patient in listening to those who addressed him until he found that they were wasting time. Then he interfered, not roughly but in the blindest tones, and in a manner which was unmistakable and irresistible. He sifted the wheat from the chaff with great rapidity ; he had a very subtle intellect and could expose a fallacious argument with consummate skill. He took infinite pains to arrive at the truth as regards the facts with which he had to deal ; and he took equal pains, when in doubt, to ascertain and apply the law correctly to them. He was by nature

quick and impulsive, and he sometimes made mistakes ; but he was always most grateful to any one who would point them out, and ready to admit and correct them when he was satisfied that he was wrong. His mastery of language was great ; his judgments were always luminous, and they are models as literary compositions. There runs through them a broad and liberal spirit, a love of truth and freedom, a detestation of trickery and sophistry, and a marked reluctance to decide in obedience to authority when opposed to his own clear views of justice. He was a great man, and was appreciated most highly by those who knew him best.

## APPENDIX II

### LORD COLERIDGE, C.J., BY THE RIGHT HONOURABLE LORD JUSTICE MATHEW

I FIRST met him as an opponent when we were both juniors. He was, as he always continued to be, a generous and kindly antagonist. He spoke of his own experiences in the profession, dwelling upon the length of time he had waited for work, and doubting whether a successful University career were the best preparation for the Bar. The acquaintance thus formed soon became a friendship. Not long afterwards he took silk, and it needed no spirit of prophecy to predict the greatness that was in store for him.

About this time Bowen joined the Western Circuit. The two men were eminently suited to each other. Coleridge offered him a room in his chambers, and Bowen after some hesitation accepted the invitation. The arrangement was of great service to Bowen, and no less useful to Coleridge. The association of Coleridge and Bowen was unique in the history of the profession. If their intellectual qualities could have been combined, the result would have been the creation of a second Mansfield, or something greater. Bowen had a power of work rarely found in combination with brilliant endowments of mind, but his ineffectiveness as a speaker and his uncertain health made it doubtful whether he would ever succeed as a leader. His fitness for a judicial position was generally recognised. Coleridge, on the other hand, had the rare faculty of rapid apprehension, and could readily acquire the materials for the display of his natural powers. The industry of the younger man supplied what

was wanting to the genius of the other. The wide range of business with which Bowen was then made familiar prepared him for the judicial eminence to which he was afterwards to attain, while Coleridge was saved from labour altogether foreign to his temperament. The most conspicuous of his services was the help he gave to Coleridge in the conduct of the first Tichborne Case. The position of the Claimant had become formidable from the recognition of him as her son by Lady Tichborne. With great labour Bowen grouped and analysed the voluminous materials for the defence, enabling Coleridge to administer the cross-examination which satisfied all reasonable men that the plaintiff was an impostor. Coleridge's speech was the brief furnished to counsel for the prosecution upon the trial which ended in the Claimant's conviction. The partnership between the two men was not a dull one. Beneath the dignified presence of Coleridge and the scholarly melancholy of Bowen there was a fund of humour and gaiety, and a discussion when they were both at the Bar, and afterwards when both were on the Bench, however grave and anxious the occasion, was relieved by flashes of pleasantry.

When Coleridge was Attorney-General, Bowen was appointed Junior Counsel to the Treasury, and his title to a Judgeship was made secure.

Coleridge's powers as a speaker were only rivalled by his literary ability. He could speak or write with rare facility. When the subject interested him, and he had prepared himself, the result was admirable. But he was not readily induced to exert his powers. His style in addressing a jury was cultivated and impressive, though he never commanded sympathy, as did inferior speakers. His sagacity enabled him to grasp propositions of law, and his knowledge of mankind to illustrate them with great lucidity. He was at his best before Cockburn, when the Chief Justice was not predisposed towards the view which Coleridge was putting forward. Each understood the other. Cockburn would watch eagerly for an opening while Coleridge addressed the jury, and the advocate, fully alive to the wishes

of the Judge to launch a bolt, would keep out of reach with the utmost dexterity and skill.

When he became Chief Justice of the Common Pleas he at once took his place in the foremost rank of English judges. He was second only to Cockburn. His manner on the Bench was impressive and unaffected. Indulgent to beginners, he was inclined to punish elderly absurdity with severity. To his brother Judges he never failed in courtesy and consideration. While maintaining his position as "Primus," he was careful to preserve the independence of his colleagues. The arrangement of the business of each Court was left in great measure to the presiding Judge.

It was always a gratification to be associated with him on the Bench. The day began with a genial and kindly reception and an interesting reference to any subject which happened to engage his attention. The pleasant talk was occasionally continued with some disregard of the reproaches of the clock, and it often needed an effort to remind him that his presence was expected elsewhere. In a Divisional Court the position of his colleague was somewhat trying. His rapidity of perception seemed to enable him at once to understand the business in hand. Relinquishing the conduct of the argument to a brother in whom he had confidence, he often seemed to be taking little, if any, interest in the proceedings. But suitors did not suffer, for when the time came he delivered, after a short consultation with his brother Judge, a judgment which in style and point was satisfactory to all who heard it. There were few appeals. He did not care for commercial law or its instruments—charter-parties, bills of lading, and policies of insurance; and he resisted to the last the proposals of his colleagues to establish a Commercial Court. For ecclesiastical law he had a liking.

His social gifts were very great. Among his friends he was the most pleasant of men. The present and the future interested him down to the time of the overthrow of the Liberal party. Afterwards he lived more in the past. He was full of reminiscences, and his memory was inexhaustible. A small party of those whom he liked showed him at his



best. Jowett, Matthew Arnold, and Bowen were often to be met at his table.

Belonging to the class of Churchmen who may be described as the Catholic branch of the Church of England, he never failed in homage to the old Church and her great men. He was devoted to Newman, whose sympathy and counsel he sought at a time of great trouble. One of his few published works was a graceful translation of the "Mirror for Monks." His scholarly tastes never deserted him. When Bowen published his translation of the "Æneid" he was constantly sent for by Coleridge to hear comments, which were not always favourable. "He shoots over me every morning as if I were a Scotch moor," said Bowen, describing one of these daily criticisms.

He was essentially a philosopher. It was his hard fortune to pass through a time of discord, disappointment and censure; but he bore his troubles with the utmost fortitude. I was with him as his brother Judge on the last circuit he went in the spring of 1894. His companionship was as charming as ever. His later years seemed to be the happiest of his life.

## APPENDIX III

### MR. GOLDWIN SMITH ON LORD COLERIDGE

LORD COLERIDGE and I were together at Eton in the House of Edward Coleridge, his uncle, a tutor whose memory is very dear to all his pupils. Lord Coleridge was near the head of the school when I entered. To me he was a very brilliant and commanding figure, and the object of my profound respect. He was the star of the Debating Club called "Pop." in which Gladstone and other renowned orators were formed. He shone in school examinations, went to Oxford and brought back a Balliol scholarship for the honour of Edward Coleridge's House. At the same time he was distinguished as an oarsman. I am not sure whether he won the sculling sweepstakes, but I am sure he came high in it. He was, already, a connoisseur in books, and his bookcase was our wonder. He had, certainly, great influence in the school. At Oxford Lord Coleridge and I were at different Colleges; he at Balliol, I at Magdalen; and as Magdalen in those days was a small and rather secluded society, we saw little of each other. But I know that at Oxford, as at Eton, Lord Coleridge was socially a brilliant and commanding figure. At Oxford also, as at Eton, he was the King of the Debating Society. Being unoratoric, I did not much attend the Union debates. But I once or twice heard Lord Coleridge make brilliant speeches. The only one which I remember was about the reign of the Jesuits at Paraguay, which he had idealized, and of which he said that "if it was a dream, it was a dream to make an old man young." He would certainly have taken the highest honours if his health had not failed. He shone

in conversation as much as at the debates in the Union.

Afterwards, when I came to Town, the future Chief and his father the Judge were very kind to me, and I fully appreciated their kindness. I went as Marshal to the Judge on the Western, and afterwards on the Midland Circuit. On the Western Circuit Coleridge was a leading Counsel. He was pitted against Crowder, who, though by no means his rival in eloquence, was extremely skilful in cross-examination and in the general conduct of a case. The impression which he made upon a jury by his commanding character and silvery eloquence could not fail to be great. I never heard him make a long speech in Parliament. I was told by the force of his character he had put an end in the Bar Mess to a bad custom handed down from coarser times.

I was living in Canada when Lord Coleridge as Lord Chief Justice visited the United States as the guest of the American Bar. I was not present at any of his receptions, but I know that the impression he made was very great. He was to have paid me a visit in my Canadian home, but was prevented by a despatch from the Foreign Office warning him that there might be danger from Fenians. I met him at Buffalo at dinner, and found him brilliant in conversation as ever. When I was on a visit to England, I spent two or three days with him in his London home ; and extremely pleasant, and to me memorable, days they were.

When the brilliant advocate was transferred to the Bench, it was doubted whether he would be equally good as a Judge. That doubt, I believe, was entirely dispelled.

GOLDWIN SMITH.



## APPENDIX IV

### THE CONFESSION OF CONSTANCE KENT

MR. COLERIDGE took part in a very brief but intensely dramatic scene in the year 1865. Constance Kent had given herself up to justice as the perpetratrix of the Road murder, and her trial on the magistrate's committal was appointed to take place in the poky little court-house at Salisbury, which was inconveniently crowded on the occasion.

Mr. Karslake was for the Crown, and Mr. Coleridge had been instructed by the prisoner's family to defend her. On being arraigned, however, she at once pleaded guilty, and this plea she repeated two or three times in answer to the Judge's inquiries as to whether she understood the nature and effect of what she was doing. The circumstances of that mysterious tragedy, which for many months was the absorbing topic of public interest, are well-nigh forgotten now. The baby brother of Constance Kent had been taken from its cot in the dead of night and foully murdered. Suspicion fell on several members of the household, but the crime could not be brought home to any one. Constance Kent herself was arrested on the charge, and a strong *primâ facie* case was made out against her, chiefly through the circumstance that one of her nightdresses was missing, but the skilful advocacy of Mr. (later, Sir Peter) Edlin induced the magistrates to dismiss the case, and it would probably have remained an undiscovered crime if the guilty person had not, moved by religious influences, come forward five years afterwards of her own accord to

pay the penalty of her crime. As soon as the plea of guilty was recorded, Mr. Coleridge rose amidst a stillness that was painful, and with deep emotion uttered the following sentences :

“ As Counsel for Constance Emilie Kent, acting in her behalf and by her direct instructions, I desire to say two things before your lordship passes sentence. First, and solemnly, and in the presence of Almighty God, as a person who values her own soul, she desires me to say that the guilt is hers only, and that her father and others who have so long suffered most unjust and cruel suspicions are wholly and absolutely innocent. Next, she desires me to say that she was not driven to this act, as has been asserted, by any unkind treatment of her step-mother. She met with nothing at home but tender and forbearing love ; and I hope I may add, my lord, not improperly, that it gives me a melancholy pleasure to be made the organ of these statements, because, on my honour, I believe them to be true.”

The words were few ; they added little to the prisoner's own confession ; but they seemed to those who heard them to be charged with a solemn meaning.—*Westminster Gazette*, Jan. 15, 1894.

CONSTANCE KENT to J. D. COLERIDGE.

SIR,

I announced my determination yesterday to Mr. Rodway to plead guilty, and then if the judge should consider that a trial would conduce to clear those who are unjustly suspected, I would consent and leave the case in the hands of my counsel for that purpose. If the case is not gone into, it will not be believed that my confession is a true one, and I am persuaded that nothing will tend to clear the innocent so completely as my conviction.

Yours truly,

CONSTANCE E. KENT.

*Friday Morning.*



J. D. COLERIDGE to CONSTANCE KENT.

WESTERN CIRCUIT, SALISBURY,

July 20, 1865.

MADAM,

As the person intrusted by your friends with your defence to-morrow I address these lines to you. I wish you to know that I entirely approve of the course I understand you to have determined upon, and I desire so far as I may presume to advise you to recommend you, *if you have really determined to plead guilty*, not to allow, so far as you can, any other plea to be recorded after you have once pleaded your own plea. No good to you or to any one, I think, can come of a trial after you have once deliberately pleaded guilty.

Whatever I can say in your name and on your behalf solemnly to absolve all other persons, and to explain to the world the kindness with which you were treated, shall be said as well as I can say it.

What I recommend is that *one* course should be steadily followed by you. If you plead Not Guilty, then whatever I can do shall be done for your acquittal. If you plead Guilty anything I can say to set others right shall be said. But I advise you against any intermediate course. In any case I shall be very much obliged if you will write me a few lines telling me what your determination is, and desiring me to support you in it. And may God help you.

Your faithful servant,

J. D. COLERIDGE.

If you please, return me this letter with your answer.

P.S.—Mr. Edlin desires me to say that he entirely concurs in the advice I have given in this letter.

## APPENDIX V

### EXTRACTS FROM MS. JOURNAL OF SIR JOHN DUKE COLERIDGE RELATING TO THE TICHBORNE CASE

*July 10.*—Lady Tichborne came.

*August 20.*—Long and very interesting consultation in Tichborne *v.* Tichborne.

*September 9.*—Broke ground in Tichborne *v.* Tichborne.

*September 26.*—Tichborne *v.* Tichborne till luncheon time.

*October 10, 11, 12.*—Tichborne case.

*November 1.*—Agreed to put off the Tichborne case. I shall be glad, for I am not ready.

*November 7.*—A long consultation in Tichborne, in which we determined on the whole, if the other side moved to put it off, that we would not make a very strenuous opposition.

*December 30.*—Hawkins came, and we had a long talk together. He was most clear and suggestive and, certainly, takes a world of trouble over *T. v. T.*

*January 16, 1871.*—Began in earnest upon Tichborne.

*January 28.*—Put off the Tichborne case on what seems to me fair terms.

*March 1.*—Set to work on paper for judicature and on speech for next week. That over, *T. v. T. shall have, D.V.*, some steady hours of every day till it comes on.

*March 26.*—Did a good beginning of the Tichborne case and then went to the House.

*March 31.*—Read hard and did something to my work on the Tichborne case, which is now the only serious thing which remains for me between now and August.

*April 6.*—Set to work on *T. v. T.* Did a good deal of this.

*April 12.*—Going on pretty steadily with *T. v. T.* which by slow degrees I think I am mastering.

*April 16.*—Read a good deal of *T. v. T.*

*April 24.*—Up early, and to read again in the Tichborne case.

*May 3.*—To the House, afterwards to work up Tichborne. I am shut out from voting for the women, which I wished to do. Gladstone and Dizzy both went for them, in fact.

*May 4.*—Tichborne case is gradually taking shape with me.

*May 6.*—Home to work steadily at papers and Tichborne.

*May 7.*—Tichborne impending over me like a black cloud of fate.

*May 8.*—I worked away at Tichborne *v.* Tichborne till luncheon time.

*May 9.*—I had a long consultation in Tichborne.

*May 10.*—Ballantine began a poor speech, not at all as good as usual.

*May 11.*—Went off early, and, again, the Tichborne case seemed likely to go off, but we waited one o'clock, and then got a jury.

*May 12.*—To Westminster, when Tichborne case got fairly launched and Ballantine ended, I think, the poorest opening I ever heard for a clever man in a great case. Got some documentary evidence read and then came home to dine with Heathcotes, and, then, thought over Tichborne and went to sleep.

*May 13.*—After luncheon the counsel in *T. v. T.* came and we had a consultation for nearly four hours. Got a good deal really done, I think.

*May 15.*—To Westminster and stayed there nearly all day, working away at *T. v. T.* I think we made a good deal of way and continued to get in some of our own case. At four rose and had consultation.

*May 16.*—Up early, once more, and, again, a long day in *T. v. T.* I think, again, made some way.

*May 17.*—Another long day in *T. v. T.* and again, I think, something was done. But they got on better on the whole to-day than ever before.

*May 18.*—Down again this morning in *T. v. T.* and a hard, a very hard day of it. I shall be glad, indeed, when this horrid thing draws to its end. It is not in its beginning now.

*May 19.*—Another day. Went down and worked away, cross-examining nearly all day by myself. I think I made some way, though it always seems to me so very ineffective when I do it compared with Hawkins and other men.

*May 21 (Sunday).*—Worked away at *T. v. T.* with Bowen till luncheon ; worked, also, in the afternoon.

*May 22.*—Off to the Westminster Sessions House, where we had a day of *T. v. T.* Got on pretty well, I think.

*May 23.*—To the Sessions House for another day of Tichborne. This was a good day and we made real way, got rid of one witness and scotched another [William Gould and Thomas Martin].

*May 25.*—Another long day in *T. v. T.* but I had, on the whole, a light time of it, for I left the cross-examination of Carter to Hawkins who did it admirably.

*May 29.*—Another hard day in *T. v. T.* Some things brought on in the courts [a packet of papers sent to the Chief Justice from Dublin] which I could not help, but they are disposed of, which is a comfort. We had a long and tiresome day, but, I think, we disposed of the witnesses. [Thomas Cole was “disposed of” in cross-examination.]

*May 30.*—One more hard day, but this time we forced them hard by the assistance of Judge and Jury, and the Claimant made his appearance. He was worse than I expected in vulgarity and ignorance, with a sort of veneer of manner especially odious. He went on pretty well, however, and showed a good memory.

*May 31.*—A hard day. Claimant still examined. Did well, but shrunk from Miss Loader and some Wapping friend . . .

*June 1.*—Another long and hard day in court and the Claimant getting through his evidence on the whole rather well. I am afraid he is producing some effect out of doors. He has half a day more and, then, I shall have to begin. I am very tired and headachy.

*June 2.*—I cross-examined all day, nearly, Giffard finishing very soon after the morning began.

*June 3.*—Home by midday to read steadily at T. v. T. with Bowen. Worked all the afternoon and, certainly, got together a good deal for to-morrow.

*June 5.*—A hard day in court, but we made way. Poor Mrs. Radcliffe had the charge made against her, but why should I say "poor"? She behaved nobly, and so as to command admiration from us all.

*June 6.*—Another day in court, but the fellow broke down early in the day, and after a long consultation I got a sort of half-holiday.

*June 7.*—Home to the Tichborne case. At that I worked hard till dinner.

*June 8.*—To court again this morning, and, again, the wretched fellow collapsed and, in my judgment, is really collapsing day by day. We had to adjourn till Monday, which, as I have a bad cough, I am not sorry for. Then answered some cases for the Government, and, then, into the House for the evening. Went up to the Temple and had a very pleasant dinner. Then back to the House where we had a late division. Dizzy very gracious in the Lobby. Home late.

*June 11 (Sunday).*—To little service, and home to write a good morning's work at T. v. T. Did a good stroke, but feared I had lost my MSS., which, however, were recovered in due time. Then had a happy and quiet time with J. F. O. (Bishop of Oxford) and Butterfield.

*June 12.*—Another hard day at the Sessions House, and we made considerable way, and I think the wretch is being beaten on his own showing. Went into the House and stayed there working hard till past 12, when I went home. Then went to bed, but not to sleep, and had to get up early and read.



*June 13.*—We had a good day in the Q.B.

*June 14.*—All day, again, in Q.B. getting up very early. I am not fit for this case. I don't understand it and do it badly, but I get the kindest help ever man had from his juniors.

*June 15.*—Once more up early and to the Q.B. where we had another long day. I am getting very tired and knocked up. But the ruffian's ignorance is something fearfully astonishing. However, some men stick to him yet. Chess, and the army, and the places he was at, all showed his utter ignorance.

*June 16.*—Not quite so good a day, and, yet, we had some very startling results too. I heard, but hardly believe, though Russell Gurney told me, that a juror had said he would never find against the Claimant, because Bovill and I had been hard on him. I doubt this, but it is awkward.

*June 17.*—I think on the whole this week has made a real progress in sense and truth in the case—whether with the jury and the public I am by no means so certain. We have a capital foreman. To the Temple in the afternoon to a Law officers' meeting, and, in the evening, to dine at Twiss's with a lot of Ambassadors and people. Pleasant enough, but hot and late. Sat up a little while over papers and *T. v. T.*

*June 18.*—Did not go to church in the morning. Sat in and worked very hard at *T. v. T.*

*June 19.*—Up early this morning, and to work with Bowen over *T. v. T.*

*June 20.*—Up early this morning for another work with Bowen, off to Q.B. and had a very hard day. Got on pretty well, I think, and began the Orton Case. Produced some effect both with it and with the Chili Case, especially with the hair which isn't a bit like, and the rascal lied, to be sure. Agreed to adjourn second week in July. Heard the Prince and Princess of Wales were in Court to-day.

*June 21.*—Another very hard day in court, but we are getting on. Several letters put to the scoundrel which he could give no account of. Then home to work; and then

to dine at Keating's, and then to the Palace to a concert, where I heard some lovely things, and amongst them the Tannhauser which I had never heard. Grand but wild stuff.

*June 22.*—Another hard day in court, but to day with the best effect. He lied and shuffled and all but admitted that he was Orton. J. B. K. would have thrown up the case, I believe, at the end of the day, but that was expecting more than the virtue of Ballantine was equal to.

*June 23.*—A good day but not so sensational as yesterday. Ballantine and his client as lively as ever to-day. We covered him with mud, but that does not suffice, no doubt. On the whole the week has been a great advance for us. [The Claimant admitted that he sent to Mrs. Jury, Arthur Orton's sister, a photograph of his own wife and child, as being Arthur Orton's wife and child.]

*June 24 (Sunday).*—Stayed at home most of the day, and did a good deal to Tichborne. Saw Lord Bellew.

*June 25.*—Very unwell to-day, with aches and pains all over me. To church morning—then stayed at home, saw Bowen and Alfred Seymour and no one else.

*June 26.*—Worked away with Bowen for more than an hour and got some good materials together. Then a long and hard day in *T. v. T.* and I think made some way, but a cleverer and more slippery scoundrel I never had to do with, in my life.

*June 27.*—Up early again, to-day, and another long and hard day at Claimant. He will kill me before I do him. I am seriously wearing out and getting ill . . . shirked the evening sitting and sat up after dinner to do some *T. v. T.* To-morrow we go into the conspiracy, which is difficult and will take time. Then some more work at home.

*June 28.*—Another hard day at work on *T. v. T.* and, I think, made some way. But it is dragging on terribly slowly, and people are getting very tired and so am I. I doubted at one time if I could get through to-day, but I did, and came home. Dear old Harry came and a pleasant evening we had. A few more days and the work will be done. To bed in the hope of sleeping.

*June 29.*—The hardest day yet. At work from ten till four in the morning. Down to Westminster, and, there, worked all day. Then into the House for the Ballot Debate, and heard Bernard Osborne, one of his very best speeches—full of sense and very little buffoonery. Then to the Club where I met Boxall and Roupell. Then slept and back to the House, where I tried to work, but did mighty little. Home after two divisions at four in the morning, dead beat.

*June 30.*—Thought I should have to give up, but managed to pull through the day. A long and heavy one, and Bovill getting worn out. . . . So glad that deliverance is now almost in sight.

*July 2 (Sunday).*—To church this morning. Then home and got to work for my last week on T. v. T. After luncheon Bowen came very anxious as to the adjournment which the family set themselves against.

*July 3.*—A good day. D.G. things are drawing to an end. Into the House when Bruce consented to a Bill to abolish the absoluteness of the Long Vacation. Then to dine at the "Literary," where Magee [Bishop of Peterborough] and Palmer [Lord Selborne] were elected. Paired with Walpole.

*July 4.*—Up again early to-day and to work once more. I hope to-morrow I shall finish this endless work.

*July 5.*—Should have finished to-day but that the Claimant broke out in a new place, and left me with an hour or two still to do to-morrow. But I did real work upon him to-day, and, I think, it was one of the most effective days we have had.

*July 6.*—Finished the cross-examination this morning at about twelve, and, then, Ballantine began, and thus far, certainly, has made a most feeble business of it. No attempt to take the edge off some of the blows we gave him, none to lessen the weight of the questions asked by the Jury as to the *Bella*. Verdict, I cannot but think, safe.

*July 7.*—Home very late this morning from House. Two divisions in the Ballot Bill, both very good ones. Then a regular row with Hawkins and my people as to the adjourn-

ment. . . . However, we did adjourn till November, so that is over for the present. Some think *not*, but *I* think the battle won.

*Heath's Court, October 10.*—Did some Tichborne.

*October 14.*—At last did some work (not much) in earnest, in Tichborne.

*October 16.*—Went to work on Tichborne—did a fair amount of this.

*October 17.*—To work once more on Tichborne.

*October 18.*—Did some Tichborne.

*October 21.*—I finished the sixth book of Lucretius, a grand, gloomy but most poetical one. I think, on the whole, even grander than the more celebrated end of the third. Then began Mrs. Crowe's *Night Side of Nature*, which I have had to read ever since 1852. Went to bed and tired, with Tichborne in my head.

*October 23.*—Saw Glyn, who, evidently, came to see whether I would join as S.-G. under Roundell Palmer—Collier having agreed to take one of the Appellate Judgeships. I want them to get R. P. back, and let me go. For I cannot forego my promotion. It will end so, I dare say.

*October 25.*—A bit of Tichborne till lunch time.

*October 27.*—No news of the A.-G. ship, which is curious. Well, I must not be impatient, and, indeed, I ought not to care about it. I suppose I do, more than I think. Did Tichborne this morning but that is terribly impending.

*October 29.*—Offer from Gladstone to be A.-G. which I accepted. Very kindly worded, indeed. I had to write several letters, to Gladstone, to A.-G., &c. Then *finished* Lucretius, grand and gloomy but very powerful.

*November 5.*—They will not take my advice about the Law officers—well, another great prize is gone then.

*November 7.*—Could not get up early as I had intended to work with C[h]arles B[owen]. He came, however, to breakfast, and we did some work which turned out valuable, for after a short *preludium*, they put in Moore in the Tichborne case and I went in at him the best part of the day.

*November 8.*—This morning got up early and had a good

work before and at breakfast with C. B. Then to Westminster for a Tichborne day. A slight spar with the Chief, who, I thought, behaved ill, but he made it up.

*November 9.*—Another hard day in Tichborne, but we made some way, I think. . . . Notice, to-day, that Ballantine does not mean to go into the Orton case at first.

*November 10.*—A short day in the Tichborne case. I do not think they made much way, but I am a bad judge.

*November 11.*—Went down early this morning, to be sworn in and get my patent as A.-G.

*November 14.*—Into Court again, and a good, long, hard day's work on the Tichborne case. It is dragging its slow length along, and I do not, at present, see any chance of its finishing as early as Ballantine expected.

*November 15.*—Another hard day, and, I think, upon the whole a very effective one in the Tichborne case. Rebuked Bovill for cheap display of desire to go on—Cockburn's mischievous letter doing harm.

*November 17.*—To chambers where I worked hard. Had various consultations with the S.-G. [Sir George Jessel], a very vigorous fellow, and, yet, pleasant too.

*November 20.*—Again to Tichborne and not a very good day—not a very bad one however, and very heavy day out of Court. Then into Hall [Middle Temple] to secure the Lord Advocate [Lord Young who had recently been made a Benchet] who came up. It was very pleasant.

*November 21.*—To court, where we had again a decidedly good day in Tichborne.

*November 22.*—Another very good day, I think, in Tichborne. Got rid of Bulpitt, Moore, &c., for good. I was very much afraid of what would happen with Bulpitt, but it went well.

*November 23.*—Horrid day outside. To Westminster, to Tichborne. Had a day not quite so good, for there is some Australian evidence, which is awkward, though I disbelieve it. But on the whole we did well.

*November 24.*—Another bad day out of doors, but we had a pretty good one in. Baigent, however, was called



towards the end of the day and began a very long examination. Bad in manner and appearance. If believed, curious no doubt. . . .

*November 27.*—Another hard day in the court, but we made good way. Everything, however, was a sort of dream to me for there was news that my dear, blessed cousin, Coley [the Bishop of Melanesia] had been murdered at Santa Cruz. I feared this might be, from what I have seen of the outrages there, since I have been in office. So kind every one was. I got through the day somehow, and then came home for a quiet, sad, evening.

*November 29.*—Another hard day in court and in chambers. I myself did very little and Hawkins continued his pounding of Baigent, very much, upon the whole, to my satisfaction. . . . Beautiful tribute in its own way in the *Echo* to dear Coley.

*November 30.*—To court, where we made a hole in Baigent, I think. But I doubt if he be not an unscrupulous fanatic rather than a conspirator.

*December 1.*—A capital day in court. Hawkins still at Baigent, and doing some good home thrusts at him well home. We have done some good service, I think, these last two days.

*December 2.*—A day in chambers . . . went round by Ellis [F. S. Ellis, the editor of *W. Morris' Works, &c.*] and bought a Nuremberg Chronicle. Had a long and satisfactory consultation in Tichborne. Took a ride, for the first time, in the Park. I think things are going now thoroughly well for us, and hope we may not come to a speech.

*December 5.*—Another long day in court. Hawkins is doing this very well, but at rather too great length. However, he makes it clear that I shall have the holidays for my speech.

*December 6.*—Another long and, on the whole, successful day with Baigent. One day more, I should think, would finish him.

*December 7.*—A very good day in court upon the whole with Baigent. Rather too long, but in parts tremendously

effective. One half day to-morrow will, I hope, finish it. There is no chance now this side of Christmas.

*December 8.*—Another day in court. Baigent was heavily punished, and, I think, our case is coming out well, but Bovill so interfered with the witness and bullied him that Ballantine had a scene in which, I must say, the advantage was with him. They are talking seriously of throwing up the case. This would be a most fatal step for us, for we should try afresh at a disadvantage.

*December 9.*—Bowen very much alarmed at the feeling Bovill has excited in *T. v. T.*

*December 11.*—Hawkins has finished his cross-examination to-day. It has been most effective and ought to have sent the Tichborne bonds down to nothing. Several consultations, specially one very interesting one with Mrs. Radcliffe. It was most satisfactory.

*December 12.*—Another hard day, but Ballantine's recrimination was really feebleness itself. How has he got his reputation?

*December 13.*—Once more down to court for a day rather wasted by Ballantine in calling carabineers. Then he called Fergusson, and then Locock Wells.

*December 14.*—A long and decidedly hard day in court. Locock Wells and Fergusson. The cross-examination of the last took up the whole of the afternoon. I did my best with him, and was, upon the whole, successful. He let them down, as I knew he would.

*December 15.*—A long and wearisome day over Locock Wells. Some part of it was effective and some not. However, the case is nearing its end, and I shall get a full three weeks holiday for my speech, which is something.

*December 17 (Sunday).*—To church—home by Bowen's, and we had a hunt on the Tichborne case.

*December 19.*—An important day—some photographers and the like examined first at his own house, and then by the jury—we being present. To my mind the marks are rank imposture, and most of them, at least, self-inflicted.

*December 20.*—I think we had a very good cross-examina-

tion of Sutherland, and tolerably completely exploded the marks, all of them. Then they called some artists to talk nonsense about likeness, as it seemed to me, and then I had an intimation that the case would be over to-morrow.

*December 21.*—The case for the Plaintiff really over. Went down and had some little talk and, then, near twelve, the case ended. Then we had a long consultation, and now my work begins in earnest. . . . To bed with some trace of relief. But I wish the Jury had interfered.

*December 22.*—A day at home all the morning with Bowen, and, indeed, till late in the afternoon over the skeleton of my speech which is getting on.

*December 26.*—Began work to-day in earnest on *Tichborne v. Tichborne* and, I think, made some way. Bowen worked with me all the morning, and, after luncheon, Barber came and worked too. It took some time to get under way. At last, I think, settled on the skeleton and, I believe, the work will be comparatively easy but very long and tiresome.

*December 27.*—This morning at eleven set to work again with the two Bs, worked on to luncheon, and then they left me with a full day's work to do.

*December 28.*—Once more a hard day's work at *T. v. T.* This, certainly, grows before me as I go on, and it will be as much as I shall do to get ready by the 15th, and then, I fear, most imperfectly.

*December 29.*—To-day a lovely day, and I had hard work over *T. v. T.*

*December 30.*—Another hard day over *Tichborne*. Oh! that I had never seen it. I shall do it badly, I know.

*January 1.*—At work all the morning and afternoon on *T. v. T.*

*January 2.*—Another day of work on *T. v. T.*

*January 4.*—Another day of hard work. This is really too provoking. Lots more to do, moreover. However, I worked away as hard as I could, and got some good parts done.

*January 8.*—Eight hours and more on the stretch to-day

and now since dinner sitting down for some more. It is too much and I am getting beaten. However, the thing must be done, and there is an end of it.

*January 6.*—A day of hard but more satisfactory work a great deal.

*January 7 (Sunday).*—To Bowen's and then to work on till luncheon time.

*January 8.*—A very hard day but I think we got through. Oh! the work is opening before me, and I *shall* be glad when it is over. I do not think we can lose, unless I do it so badly as to throw it away.

*January 9.*—Up at six all day and to work all day with Bowen. Did a good stroke of work, and answered some cases also for the Government.

*January 10.*—Another day hard at work by myself, but I did not get on much. I touched up Miss Braine a little, but I am past this kind of work and no longer do it well.<sup>1</sup>

*January 11.*—First day of term; but I did not show. I stayed at home with Barber and Bowen, and did a good day's work.

<sup>1</sup> This was the result of the "touching up": "But Miss Braine is very fond of definitions. She asked me to define 'visits,' 'inhabiting,' and 'near,' and 'see,' and 'accent,' and 'assist,' a word which my learned friend Mr. Serjeant Ballantine, always equal to the occasion, interposed into the cross-examination to say he thought was very ambiguous. I will give her a definition to study not of my own, but of the greatest literary man that ever lived, and I refer her to the definition of the crocodile which she will find in the seventh Scene of the Second Act of *Antony and Cleopatra*—there she will find, by the master hand of Shakespeare, a description of that animal. It is after dinner and Antony is making fun of Lepidus, and he describes that crocodile, and at the end of the description Lepidus says: "'Tis a strange serpent,' and Marc Antony says: "'Tis so. And the tears of it are wet,' says he. Caesar goes on to ask whether he will be satisfied with that description, and Antony says: 'He will be, he is not an epicure.'

"Miss Braine may be an epicure in definition, and, if she is, besides *Antony and Cleopatra*, I recommend her to supply any other information she wants as to the nature and habits of that animal as the German supplied his camel, from the depths of her own internal consciousness. And that is what I have got to say about Miss Braine."

*January 13.*—Another hard day, but, on the whole, a satisfactory one. Quite the best we have had. Speech a little got on, but I shall get up to speak on Monday morning with it *not half done*. Well, we shall see.

*January 14 (Sunday).*—All day long till just before dinner . . . stewing over this speech. Chiefly occupied in filling up gaps and putting it together. I hope it will come out. We shall not lose I feel sure. Hawkins came and Bowen and we worked together. Got up my opening. Sat up rather late and tired and excited to bed.

*January 15.*—Went down to court and began my speech in *Tichborne v. Tichborne*. It went off very well upon the whole.

*January 16.*—Up early and off to Tichborne, and all day on my legs—utterly beaten.

*January 17.*—I was all day in the Tichborne case, speaking and reading. Oh, how poor it seems to me! But my people are pretty well pleased.

*January 18.*—I think we are making way and inducing people to see that there is a case, much more than they thought. I am satisfied that to go through with it is the only way really to do the business, but it is very hard work. Barber and Bowen both away to-night, so I did not work so hard but went to bed.

*January 19.*—Another hard day. I got at Baigent to-day and hope I did not do it badly. Then went on through case. I hear that people are pleased. To me it seems feeble beyond measure.

*January 22.*—My work began again and has gone through the whole week, for I am writing up on Sunday, which I don't like. Only each day I have been so utterly done that I have had no heart for this or for anything else.

*January 23.*—Speech going on interminably, as I fear.

*January 24.*—Once more a long wearisome day in court, and all the story gradually working out.

*January 25.*—Another day. All seem agreed that we are doing well, and, so it will have to go on to the end, but



it is, really, a sore trial. I get done, but still I have to persevere.

*January 27.*—At home all day long. I worked a little after luncheon with Bowen, and finished the marks. Then came the S.-G. and we had a lot of consultation. Then to the Collier dinner, where I took the Chair, and had to make a speech which I could not prepare. However, it went off well enough.

*January 28 (Sunday).*—Did a little work . . . after luncheon dear Henry came for the last time till he comes for retreat.

*January 29.*—Another long and heavy day in court. Got on pretty well. . . . Came home and worked hard in the evening. Twiss, and S.-G. came after the other had gone, and we had a go at the *Alabama*.

*February 1.*—Another day. Got to the cross-examination and am doing it. This is a dull and dreary part of the case, but most necessary. However, Jury do not seem tired. A curious communication from Alfred Seymour as to a letter of Arthur Orton's, which Holmes has, and which may blow up the case if we can get it.

*February 2.*—Another day, very hard and tiring, but, I think, we are making way. We got on to near the end of the cross-examination. Honeyman came and we had a long work at the Osprey case. Got on some way with it, but not so as to finish it.

*February 4 (Sexagesima Sunday).*—Again I begin on Quinquagesima my record of the week, a very hard one, but, on the whole, successful. I am not satisfied, however, that I have not rather retarded the issue of the great case by denouncing as it deserves, but, yet, so as to provoke prolongation, the conduct of Ballantine and others.

*February 5.*—A hard day in court. There was a notice of dear Coley in the Queen's Speech, which, though badly expressed, was yet very touching to me.

*February 6.*—Monotonous record of the same dull speech in the same dull case.

*February 7.*—A great scene which, I fear, may protract

the case in its effects. It was scarcely prudent to attack Ballantine, etc., as, by inference, no doubt I did for their conduct of this case. But the temptation was too strong.

*February 9.*—A day out of court but very hard at work all day at home till quite the afternoon, and then to the House. Rode down. Elected Brand Speaker. R. P. not good in proposing, nor Locke King in seconding, nor Gladstone (very bad) in eulogizing. Brand excellent in tone and temper in accepting.

*February 10.*—A day at home and a good yeoman's work done to the case.

*February 12.*—One more hard day in court. Got nearly through the *Bella* and *Osprey* case—worked away till quite late with C. B. over Kate Dougherty.

*February 13.*—Into court again this morning. This has been the most tiring time of all, and I am getting to feel very exhausted. To the House—and then home to work by myself—my dear C. B. having gone out to dinner.

*February 14.*—Once more to court. . . . I am certainly nearing the goal. Consultation with Honeyman on the handwriting question, which is not in a satisfactory state.

*February 15.*—Once more, for the last time this week, to court again. Got through the Australian case and into the middle of the Orton one.

*February 16.*—At home all day. Got on, however, with my case and nearly finished preparation. Rather troubled at prospect of row and tumult over the end of it, which I cannot but think is drawing nigh.

*February 17.*—At home all day. Got on well with my speech which I shall finish easily, I think, on Tuesday, and it may be that I shall be free in a few more days. I cannot tell however.

*February 18 (Sunday).*—At home all the morning finishing my speech with C. B. who is invaluable to me. Got it all done, I hope, but had to work very hard at it and feel very uncertain how it will end.

*February 19.*—Once more into court, and had a hard day

of it, but got on pretty well. I shall hardly finish to-morrow, I think.

*February 20.*—All day once more in court and getting to the close of my speech. It was a good day on the whole, and there were some effective bits, but, ah me! when I think of the great and glorious occasion wasted, partly from indolence, partly from weakness and dulness, it almost makes me cry.

*February 21.*—Finished my speech to-day after luncheon and made it up, I hope, with my opponents. Lord Bellew called, gave capital evidence and proved the beginning of our tattoo case. I cannot believe that the case can long survive.

*February 22.*—All day in court, and then in House, but I came home to dinner thinking it safe. Found there had been a tremendous row, when I looked at papers next day. Lord Bellew and Alfred Seymour got through—both excellent. Then I called Mrs. Radcliffe and examined her. We are in the midst of it, and it will, I hope, be soon over.

*February 23.*—A great day, as I hope, in its result. Ballantine and Giffard both intimate to me a desire, which I have no reason to doubt the sincerity of, to be out of it all. They are waiting for the Jury and the Jury for them, as I hear beyond all doubt. Mrs. Radcliffe managed very well, but was rather cold in manner I thought. We have now Lady Doughty and a few more, and then, I believe, it will be over.

*February 24.*—To chambers where I worked hard till past four. Then home by the railway—Strand well-nigh impassable for people. Dizzy very kind to me. The papers full of sneers.

*February 25.*—Went to All Saints' to Church where I had not been for a long while, and found Lady Tichborne here with her little boy when I came home.

*February 26.*—Another long day in court. I found that the tactics of our opponents had changed, so that I called Lady Doughty. She, dear old lady, was in the box the whole day long.

*February 27.*—The Thanksgiving Day. I stayed at home—and, then, drove down to Richmond to the Star and Garter, had luncheon and drove home through the Park. A lovely day and a most lovely place seen by me for the first time.

*February 28.*—Another day in court and rather a bad one. I cannot help believing that the Jury are divided. In the afternoon a number of consultations. Then to dine at Elcho's. Pleasant party enough. Lord and Lady Grey, Osborne, Hughes, Delane and others.

*March 1.*—All day in court, and a most triumphant day it was. But, still, the Jury do not interfere, and, till they do, of course it is all uncertain as to the issue.

*March 4.*—To-day the Jury said that they had heard enough of the evidence, but, unfortunately, as I think, put it on the tattoos. This gave Ballantine an opportunity to get from Bovill an adjournment till Wednesday.

*March 6.*—At last the Jury have put an end to the Tichborne case, and, but for the prosecution of the villain, I am free. Many congratulations—but I do humbly thank God who has given me strength to go through with it—strength of body, for as for mind, the intelligence that I have contributed has, indeed, been mighty little. I have had, perhaps, the most splendid team at the bar, and the case was too strong to be lost. But I am most thankful for the end. The Tichborne people seem very grateful, but they ought not to be to *me*.

## APPENDIX VI

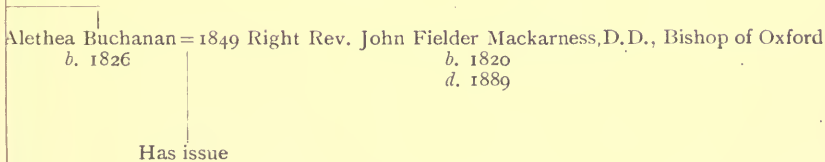
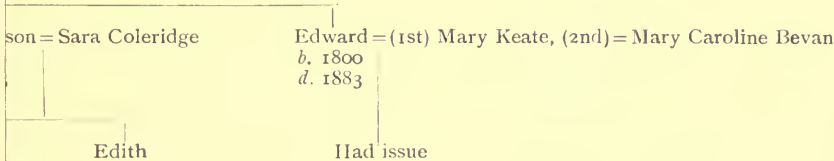
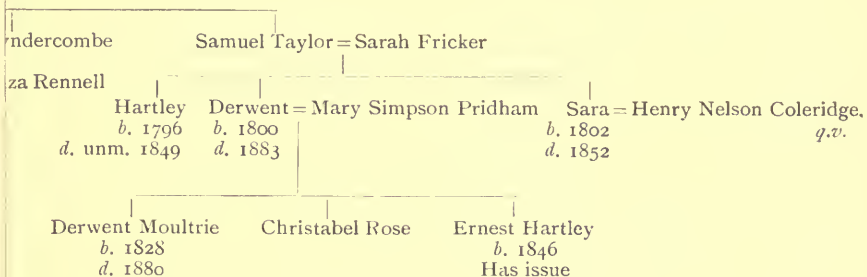
### ADDRESS TO THE JURY IN TICHBORNE V. LUSHINGTON [JANUARY 15, 1872]

#### THE PLAINTIFF'S CASE.

Now I understand that my learned friend opens—and though his opening was brief, it was not quite so clear as sometimes short things are—but as far as I understand it, it was to this effect : That the claimant was born in France ; he lived for the first sixteen years of his life in Paris. That he then went to Stonyhurst, he was about three years there, and then he went into the army in Ireland and in England ; that he had a close connection, a most intimate and affectionate connection, with his cousin, Miss Katherine Doughty ; that he left England, in 1853, to travel in South America, sailed from Havre to Valparaiso in the *Pauline*, spent eight or nine months in Chili and formed in that eight or nine months in Chili a variety of acquaintances, especially at Melipilla ; that amongst [them] was a person of the name of Thomas Castro, with whom he was extremely intimate and whose name he afterwards assumed ; that he crossed the Cordilleras to Rio ; that he sailed in the *Bella* in 1854 [for] New York ; that the *Bella* on her voyage between Rio and Kingston foundered and there was an end of the ship ; that he was picked up ; that he took, on the foundering of the *Bella*, to an open boat ; that the two boats—one a large one, one a little one, the large one carrying both compasses and the little boat carrying neither ; that after some days he was picked up by a vessel whose name he is not quite sure of, whose captain's name he is not quite sure of, whose port he is not quite sure of, and whose object in sailing to Melbourne he is not quite sure of ; but he was taken at the end of the three months' voyage to Melbourne,



where he landed in July 1854; he landed there in his own name, . . . met a man by the name of Foster there, . . . and went off to Gippsland to become stockrider for him; [that he assumed the name of Castro] by which, as he says, he has gone ever since; that he lived in various places, in various employments, and under various masters from 1854 till 1856; that he had quarrelled with his father; that he held no communication with any one at home; and that in 1865 he began to assume the name of . . . Sir Roger Charles Tichborne, having heard of the death of his father Sir James; that he, for no reason that he could assign but, I think, as he said, a piece of devilry, began to carve his name about in various ways: upon a pipe, upon trees, upon mantelpieces—in various ways, “R. C. T.”—and wrote it in books; that he got into communication with Mr. Gibbes, and that Mr. Gibbes might raise money for him, he made a will, which I think my learned friend admitted to be wholly and absolutely inexplicable—but the will was before you, and will be again; that he, being a Roman Catholic, married another Roman Catholic under a feigned name in a Baptist chapel, because he would have to tell his own real name in confession before he went to be married. Shortly after his marriage, and after some communications with Mr. Gibbes, he writes to Lady Tichborne; he goes to Sydney, and falls in with a man of the name of Guilfoyle, who had been a gardener at Tichborne, with Bogle, who had been the old butler of Sir Edward Doughty; that he came home by Panama to New York, and that he landed in London Christmas Day, 1866; that he found his whole family, on his father’s side and on his mother’s side, arrayed against him; that nobody but his mother—not a single member of his family, male or female, except his mother, recognised him; that he went to Paris with his attorney, and with a gentleman whom he picked up in a billiard-room near London Bridge, to be recognised by her; that he was recognised by her, and that from that time he has been the victim of a deliberate conspiracy; that he appeals to a British jury for justice; and, of course, that he is Roger Charles Tichborne.





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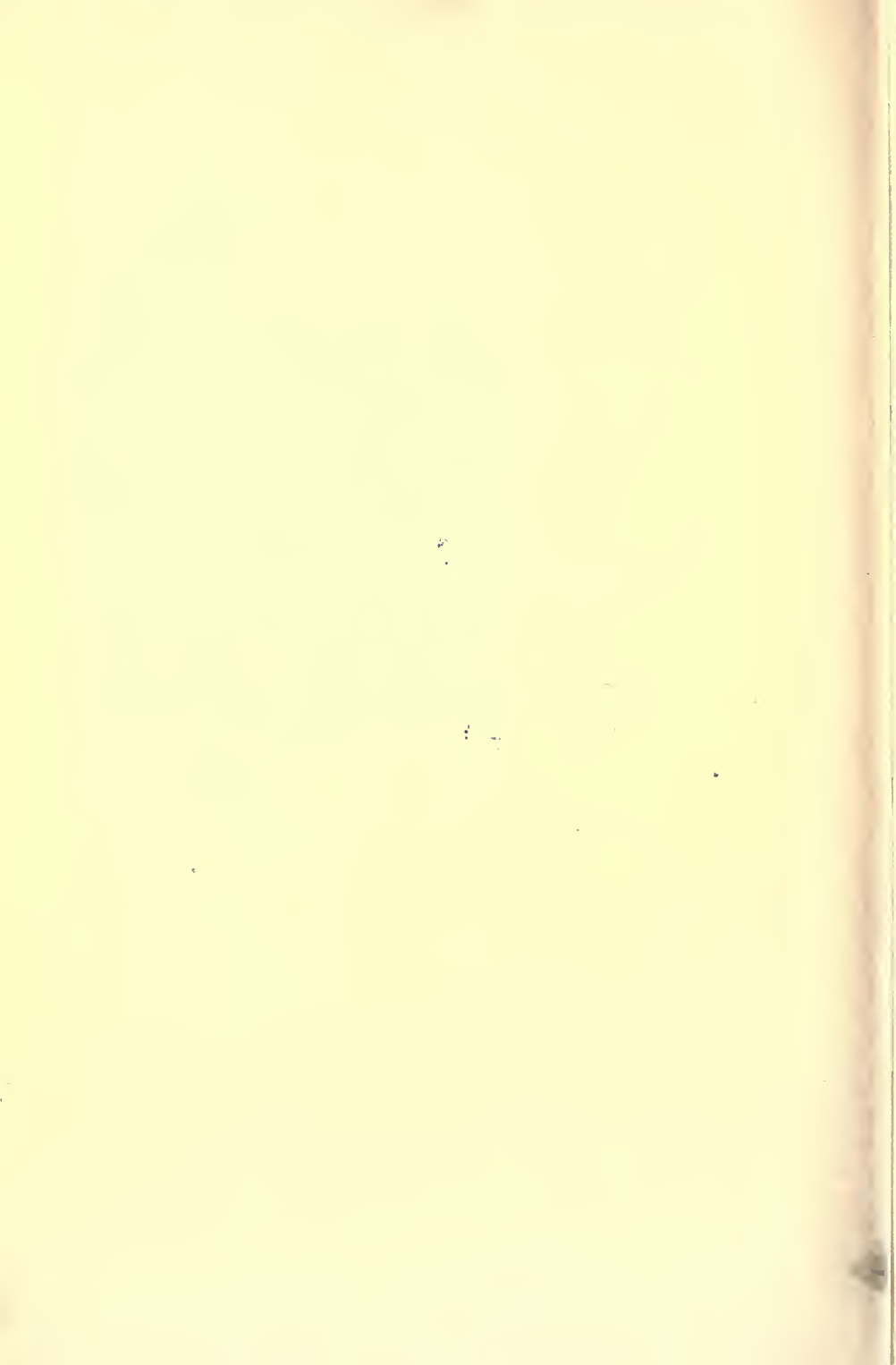


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