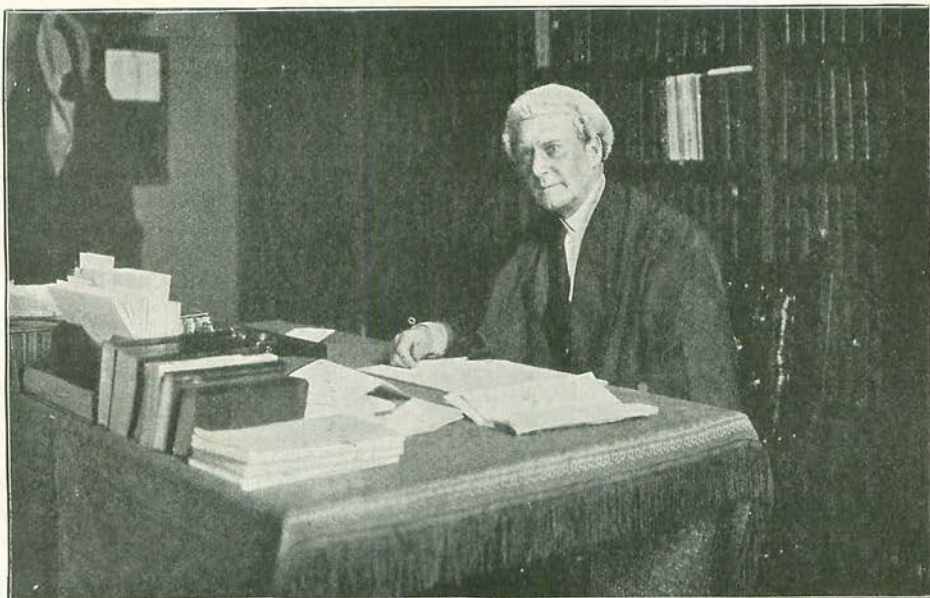


## Illustrated Interviews.

LXXIII.—THE RIGHT HON. LORD JUSTICE ROMER.

BY RUDOLPH DE CORDOVA.



From a Photo. by]

LORD JUSTICE ROMER IN HIS PRIVATE ROOM AT THE LAW COURTS.

[George Newnes, Ltd.



TO put a judge into the witness-box, as it were, is an experience which obviously does not fall to the lot of most mortals. Lord Justice Romer is what barristers would call a "good witness." I hope I shall not be set down as being unduly egotistic if I claim to be a good judge on this point. Indeed, I leave the matter to be judged at the hands of the great jury of readers of *THE STRAND* when they have finished this article, in which his lordship gives a most interesting story of his career, which was told on the eve of his departure for South Africa on the Hospitals' Commission.

"The first salient point in the story of my life," said his lordship, in answer to my question, "was my taste for mathematics, for that led me to go to the University, and thence to the Bar. I was at a school called St. John's Foundation School, afterwards known as St. John's Hall, in St. John's Wood. It was a large school with about 160 boys or so. The head master was the Rev. A. F. Thomson, and he was assisted by very good masters. We had a particularly able mathematical master, who was an Oxford and not (as might have been anti-

ipated) a Cambridge man. I always liked mathematics, and finding there that it was cultivated I did my best, and one year, rather to the surprise of all the masters, I came out first in the sixth form. That encouraged me, and I took to reading on my own account as well as for the love of the thing. Ultimately the school persuaded me to try to get a scholarship at Cambridge. I tried, and got a scholarship at Trinity Hall. That was a great piece of good fortune, to my mind, because it was a college which exactly suited my idiosyncrasies. I was very fond of sport and athletic exercise, and I never could have worked at mathematics if I had not also been at a college which encouraged and favoured outdoor sports and athletics. I suppose I am rather a curiosity physically, for the harder I worked at sports the better I could work at mathematics when I was not enjoying myself at games. That has always been the same all my life. I always needed great physical exercise to keep me in good health, and physical exercise never seems to induce mental fatigue with me. That is how I came to go from school to college.

"It is rather a curious thing that only a short time ago a card was sent up to me

by a gentleman who wished to see me at the Courts. To my astonishment and pleasure it turned out to be one of my old school-fellows whom I had not seen since 1858 or 1859. He had been a successful merchant in India, and was a fine specimen of a Scotch gentleman, just what I would have expected to result from the Scotch boy I knew. Though so many years had elapsed our memories were very good with respect to those past days, and we had a long chat about our old school friends and their subsequent lives. The sixth form, in which there were eight or nine of us, must have been rather remarkable; for of six of the boys who constituted it—not to speak of myself—three obtained open scholarships at Oxford, two got open scholarships at Cambridge, and one, the only rival I had in mathematics in those days at school, passed out at the head of the Royal Engineers of his year. One of the boys became an Indian Civil servant and judge, and was knighted; and another is a distinguished Civil servant in England, and is also knighted."

"Can your lordship account in any way for the mathematical bias which was so strongly marked?"

"I cannot trace any hereditary tendency to mathematics, or law either, unless, in so far as mathematics is concerned, there be any truth in the suggestion that there is a connection between mathematics and music, for I certainly descend from a musical family. My father was Frank Romer, the musical composer, and his uncle was a distinguished composer at the end of the last century. I have in my possession some of the songs composed by him and published during his life. On my mother's side my relatives were Nonconformist divines, but I fear that I have not inherited many proclivities from that side of the family. At one time I used to sing a little, but I have long since given that up."

"What was Cambridge like in your lordship's time?"

"It was one of the best places a fellow could be at. Life was very simple, but very wholesome both for mind and body. There was very little over-refinement in those days. They were the pre-æsthetic days, but there were endless good spirits and good feeling. So far as athletics are concerned, at Trinity Hall, in those days, the first object of consideration was the boat. After that came cricket; and racquets and fives were also games you might indulge in with approbation. At the same time, it was considered eminently right that, after performing your duties towards the body and athletics generally, you should work and take such a degree as your gifts enabled you to try for.

"My college friends, many of whom have been my friends all through my life, were very kind to me personally; for, after they discovered I had a fair chance of obtaining a good place in the Mathematical Tripos, if they thought I was devoting too much time to amusements they insisted on my working at mathematics. On the other hand, I obtained their suffrages by both rowing and playing cricket. In those days Trinity Hall was not so large as it is now, and two of us at least—the present Q.C., Mr. Renshaw, and myself—did double duty by rowing in the first boat and playing in the first eleven. That was precious hard work, for we often had to play a cricket match all day and go and row in the evening, which was trying, to say the least of it. Work in the May term, with cricket and rowing, certainly did not greatly flourish. The best time for reading was the long vacation.

"Training for the boat in those days was very hard, for the authorities seemed to think that all one had to do was to eat plenty of chops and steaks and cut off all the things they regarded as luxuries, many of



LORD JUSTICE ROMER AS A CAMBRIDGE UNDERGRADUATE, 1862.

From a Photo. by H. & R. Stiles, Kensington High Street, W.

which are really the necessities of modern life." His lordship lighted a cigar and continued: "There was, therefore, a tendency for us to get overtrained. Things have much improved since those days. In spite of training, however, I was able to get in a good deal of work at mathematics. This was due to a great extent to the kindness and judicious advice of the tutors, who soon became good friends to me, and have remained so ever since. One of them is now the present master of the college, and the other is the well-known writer, Mr. Leslie Stephen. Another friend I got to know then was Professor Fawcett, who remained my dear friend until his unfortunately early death. He was a broad-minded, fine man, and one of the most marvellous things about him was his cheeriness and brightness, for his blindness never had the slightest effect in damping his energy and spirits. Thanks to Trinity Hall, and the tutors and friends I had there, I was able to go in for the Tripos in good spirits and robust health."

"With the result that Robert Romer the student came out senior wrangler and Smith's prizeman," I interjected.

"Yes, I was fortunate enough to be at the head of the list, and I was bracketed equal Smith's prizeman with the Rev. E. T. Lecke, who is now, I believe, a canon at Lincoln. The examination in those days came in January and lasted for three days, after which came an interval, and then five days' more examination."

"Did your lordship keep up athletic exercises during the examinations?"

"Regularly, when I was not in the Tripos. I took a great deal of exercise by walking and playing fives, and between the two examinations I worked my muscles rather than my brains."

"Did your lordship work many hours a day?"

"No, not many hours a day, but when I *was* working I worked very hard. It is a popular delusion to measure mental work by hours. Really mental work should be measured, if it could be, by the pressure put on the brain and the speed at which it is working. People differ not only in their abilities as displayed by the subjects they are exercised upon, but also in the nervous force which they can bring to bear as measured both by the intensity and the continuity of their application. The same man may, if he chooses and will work his brain hard enough, do in one hour what would otherwise take him two hours to do.

I think I may say that I made up for my not working many hours a day by working with more intensity when I was at it, but it was owing to my happy life at college that I was able to work at mathematics as hard as I did."

"What happened after your lordship took your degree?"

"I left Cambridge very soon after and determined to go to the Bar. I always had a strong desire to go out into the world and fight there rather than stay at the University and become a don. The profession of the Bar seemed to me then, as it does still, one of the best that a man could attach himself to. There is no doubt that the fact that Trinity Hall was a great legal college had a considerable influence on me in determining my profession, and Mr. Leslie Stephen encouraged me in that desire. I did not, however, settle in London and commence actual practice until I obtained my fellowship, for which I had to wait four years. The time, however, was utilized by work of a congenial character. For a little over a year I was private secretary to Baron Nathaniel Rothschild, of Paris, from whom I experienced very great kindness. I remained with him until I was appointed Professor of Mathematics at Queen's College, Cork, an appointment I got when I was only twenty-four, so that I was full young for the post. I was very happy at Cork. I received great hospitality over there, and found the students a particularly nice set, and I have ever since retained a warm affection for the Irish race and a particular appreciation of their sense of humour.

"It took me some little time, however, before I thoroughly appreciated the mathematical students. At the end of my first lecture I was approached by one student, who said that in the course of his studies he had come across a problem which he could not solve, and he asked me if I would show him how to do it. In the innocence of my heart I said, 'Certainly,' and tried to do it at once. I found it difficult, and took it away with me. To my astonishment, I found I could not do it for two days, after working very hard at it. I was in a great state of mind, for this was at the outset of my career as Professor of Mathematics there. Ultimately, however, I solved the problem and gave the solution to the pupil, who thanked me profusely. A few days after, at the end of another lecture, another pupil stepped forward with his problem to be solved. This took me rather longer to

satisfactorily grapple with, but ultimately I did it. This process was repeated on other occasions, till at last I received one which I could not do and have never done from that day to this, and I have long since given up trying to do it. When I acknowledged I could not do it, and told the class so, it beamed at me. Ultimately, one of them told me that, on the news of my appointment coming to them, a small syndicate of the pupils had been appointed to select a series of the most difficult problems they knew of for my edification, some of these problems having been regarded as nuts that could not be cracked at all. He further added that my performance, as a whole, as a mathematician in answering these problems, instead of lowering me, as I had rather feared, in their eyes, had just the opposite effect. They had hoped to crush me with most of them, and the whole performance was the outcome of a merry jest on their part. It had amused them certainly, but it did not amuse me until I found out what they had been at. I liked my pupils, and believe they liked me, perhaps to a great extent owing to the fact that I played cricket for them and also rowed. In particular I remember rowing in a very hard four-oared race in which my crew came in second, after I had rowed myself almost to a standstill."

"And then?"

"This brings me to the Bar, and it is a good many years since I started at it. I had read what I could of law by myself, but it is very little use reading law without seeing practical work. That I saw in the chambers of Mr., afterwards Vice-Chancellor Sir, Charles Hall, with whom I worked. My life at the Bar has been simply one of the usual kind, though, perhaps, I was rather more fortunate

than most in getting somewhat quickly into work, and as the years went on the work increased, until, in 1881, I took silk and attached myself to the Court of the then Master of the Rolls, Sir George Jessel. My going there was a bold step, for my competitors and seniors were numerous and of great ability. Fortunately for me, in a short time the Master of the Rolls went to the Appeal Court permanently, and Mr. Justice Chitty was appointed in his place. Others

who practised in the front row, for various reasons, left the Court, and I soon found myself in active work and one of the leaders of the Court."

"As a junior, however, I suppose your lordship must have had some amusing experiences at the Bar?"

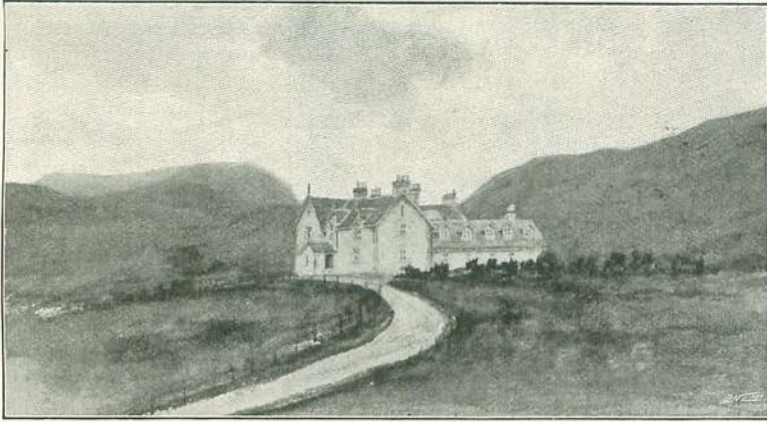
"Not many, for I was not long in practice on the Common Law side of the profession. In order to get accustomed to examining and cross-examining witnesses, however, I attended the Sussex and Brighton Sessions. There I managed to get a few briefs, and curiously enough one of the very first offered to me was by a solicitor who was, if I remember rightly, the father of one of my former pupils at Cork. Another case had an outcome which

amused me. I was offered a brief for the defence of a woman who was rather a notorious criminal. She was charged with stealing from a shop a piece of money which the proprietor had placed on the counter. The evidence against her seemed overwhelming, but a happy idea occurred to me, and in the course of my speech I told a story about an old gentleman I knew who was subject to fits and was very fond of playing whist. I said that whenever he found one of his attacks coming on he always swept up all the money that was on the table and put



LORD JUSTICE ROMER IN 1890.

From a Photo. by Mayall & Co., Ltd., 73, Piccadilly, W.



From a] LORD ROMER'S SHOOTING-BOX AT FINNA RTS, AYRSHIRE.

[Drawing.

instructed to act for a gentleman to whom litigation was as the breath of life, and whose sole enjoyment seemed to be the prosecution of the many lawsuits in which he was engaged. We, being somewhat inexperienced, considered the best thing we could do in our client's interest was to settle his

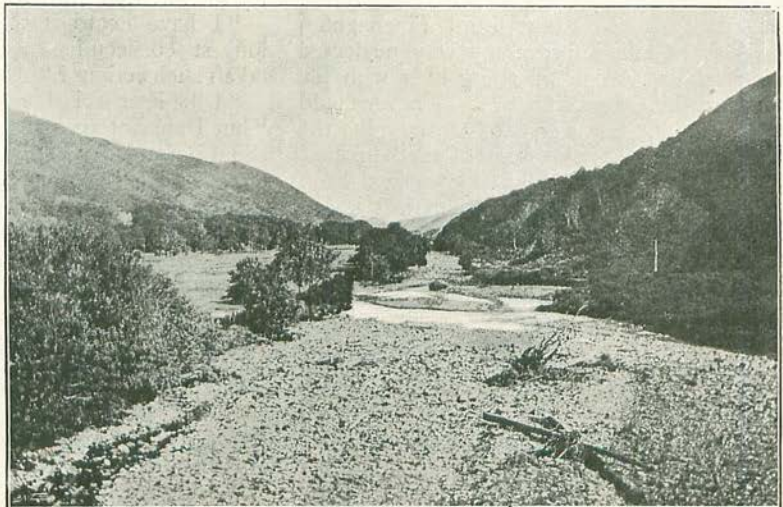
it into his pockets, and that it was a curious thing that the attacks invariably happened when he was losing, but when he recovered he never remembered anything about having taken the money. The jury was amused at the idea, and when I pleaded that perhaps the same aberration occurred with my client they gave her the benefit of the doubt and brought in a verdict of 'Not guilty.' As soon as the prisoner left the dock she came to me and promised that whenever in future she got into trouble she would always see that her solicitor instructed me to defend her. Unfortunately for me, however, the possible advantage I may have derived from a client of that sort was lost to me, for I soon after went to the Chancery Bar."

"Did your lordship have no similar humorous experiences there?"

"The Chancery Bar is not one which as a rule brings practitioners into cases of popular interest," replied his lordship, with a smile. "Indeed, one might say that as a rule the work at that Bar is somewhat dull; yet there were one or two curious cases I was engaged in. One of the earliest pieces of work I got was from a solicitor who had been a college friend. He was

disputes to the best advantage, as we thought they must be harassing and expensive, to say the least. The solicitor, therefore, made the best compromise possible, and I drew the drafts of the deeds which our client signed in the belief, as it appeared, that they were committing him to more litigation. When he found that this was exactly what they did not do, and that the chief interest of his life had, as it were, come to an unexpected end, he was so angry that he actually brought an action against the solicitor for negligence, and would, I have little doubt, have brought an action against me only that the law does not permit barristers to be proceeded against in this way.

"So the years went by until 1881, when I took silk, and after the early and lamented death of Mr. Ince, Q.C., a great part of the



From a]

LORD ROMER'S MOOR AT GLEN APP, AYRSHIRE.

[Photo.



LORD JUSTICE ROMER AND LADY ROMER IN THE DRAWING-ROOM OF THEIR HOUSE IN HARRINGTON GARDENS. [George Newnes, Ltd.]

leading work in Mr. Justice Chitty's Court was shared by Lord Macnaghten, then Mr. Edward Macnaghten, and myself, and many and keen were the struggles between us. We have always been great friends, and it is rather amusing to reflect that when we were not either of us engaged in a case occupying the time of the Court Lord Macnaghten did his best to improve my very neglected classical knowledge by going over with me some of the Odes of Horace. I never could induce him, however, to engage in the slightest degree in the study of mathematics. Not that I should in those days have been very apt in imparting mathematical knowledge, for I fear that I failed to keep up my mathematics after I came to the Bar, although I have always retained the greatest affection for the study, and to this day the appearance of a mathematical examination paper is a source of interest and pleasure to me. I am, however, glad to think I have always retained my interest in science, and I presume it is to this I owe the great honour I have recently obtained of being made a Fellow of the Royal Society. Such knowledge of science as I possess has undoubtedly been

with his playmate.' He was certainly an eccentric character, and he once described the arguments of a well-known counsel as being 'like sawdust without butter.'

"In 1890 I was made a judge, and had to take witness actions, and I continued to try such actions until 1897."

"I have heard it said that that is the longest consecutive period any judge has taken such actions?" I interjected.

"I believe it is," replied his lordship; "but I am not certain on this point, and I should not like to state definitely that it is so. As you are aware, when Mr. Justice Chitty became a Lord Justice I took his place, and so went back to preside in the court in which I once practised as leader. And when Lord Justice Chitty died, to the great regret of all who knew him, I succeeded him in the Appeal Court."

"Your lordship still keeps up active exercise, I believe?"

"Yes, I have always retained my love of athletic exercise. Cricket I had to give up, as I could not devote the time to it with my practice at the Bar.

"No"—this in answer to an interpolated

of use to me at the Bar, especially in the many complicated patent cases in which I was engaged, and which I have since had to decide as a judge—not that I can claim to have been as skilled in patent cases as many lawyers, like those distinguished advocates the present Master of the Rolls, Lord Alverstone, and Mr. Fletcher Moulton, Q.C.

"In Mr. Justice Chitty's Court, I remember, there was for years a constant attendant who was always making applications of an informal character to the Court. He used to take the greatest possible interest in Mr. Macnaghten and me, and one day when I was away he went up to my friend and expressed the hope that 'nothing was the matter

question—"I never played against Oxford, but I played a good deal at Cambridge in my college eleven and in a moderately successful way, both as a bowler and a batsman, although I have no recollection what my averages were. Rowing I have been occasionally able to indulge in, and still do when I can get the opportunity. For the last thirty years I have shot regularly every long vacation, with very few exceptions, and am very fond of the sport. For many years I had moors in Scotland, and now I have shooting in Hertfordshire. About four years ago I took to bicycling, and after going through the usual difficulties in learning was able to become fairly good at it, and it is now one of my principal amusements. Every day that I have to spare, if the weather is at all suitable, I bicycle, but I do not go in for excessive runs. If I am taking only half a day, I consider about thirty miles would be an average run; but if I have a whole day, then fifty. I believe some of my friends accuse me of scorching, but I need scarcely say there is no foundation for this report; I content myself with an average of about ten miles an hour. When not cycling I always keep up my walking, and every day, with very few exceptions, when engaged at the Courts I walk from home through the Park to the Law Courts and back again in the afternoon, thus insuring at any rate eight miles a day of good walking exercise. I start early in order to do this, and am generally away by a quarter to nine every morning. I attribute my good appetite and good health, for I have nothing to complain of in these respects, to my always keeping myself in good physical exercise. I am also very fond of lawn tennis, and I always play for an hour every Wednesday morning before going to the Courts."

"Does your lordship go in for any other recreations?"

"I have a good many friends connected with the theatrical and artistic professions, and I am fond of theatrical performances, though I am not able to attend them as frequently as I could wish. You see, I am rather fond of early hours, and I go to bed early and sleep as many hours as I can. Fortunately I have the capacity, of which I frequently avail myself, of going to sleep at any moment for as long as I desire. I sleep, on an average, certainly eight hours a night."

"Then your lordship does not believe in the proverb about six hours for a man?"

"No," replied his lordship, with a laugh,

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"I most certainly do not, and I often get an hour's odd sleep at times, but let it be distinctly understood that I never indulge in that on the Bench.

"I have a good many literary and scientific friends, and have been more or less connected with literature all my life. One of my earliest friends as a boy—and he remained my friend until his death—was Charles Dickens, the eldest son of the novelist, to whom I was introduced soon after I took my degree, as I was to Thackeray, by my father-in-law, Mr. Mark Lemon, the then editor of *Punch*.

"No, I assure you I have absolutely not a single anecdote of either of them, for my acquaintance with them was by no means intimate. The *Punch* people I have always known, and a number among them, I am glad to say, are my very good friends. I may mention Sir John Tenniel, Mr. Burnand, and Mr. Linley Sambourne as such."

"Knowing so many literary men, did your lordship ever, as a young man, go in, like so many barristers, for writing for the papers?"

"Yes, after I took my degree, and before I got into practice, I did a little in the literary line, though not a very great deal. I reviewed for the *Athenæum*, and for a short time for the *Pall Mall Gazette* when it was edited by Mr. Leslie Stephen. I remember a curious incident in connection with this work. I had written a rather severe review for the *Athenæum* on a novel, and shortly after I met my friend Mr. William Bradbury, of the firm of Bradbury and Evans, publishers. In the course of conversation he referred in the strongest possible language to this review, which turned out to be one of the novels published by his firm, and he denounced the villainy of the writer of the review. I had to confess that I was the villain in question, and, with his usual goodness, after a time he granted me absolution for my sin, but I did not retract any of the strictures I had passed on the work."

Lord Justice Romer knocked the ash off the cigar he had been smoking. I couldn't help thinking as I got up to go what a great advantage it would be if witnesses in other courts than mine were allowed to smoke while under examination. That thought, however, I did not express to his lordship, for pleasure is the last thing one expects to find in a Court of Justice, though I have no doubt that the votaries of My Lady Nicotine would find a cigar as agreeable an aid to enduring an examination as did Lord Justice Romer.