

LEADING BARRISTERS OF TO-DAY.

By "JOHN DOE."

Illustrated by A. C. GOULD; and from Photographs.



It is a famous remark of Sir Boyle Roche that people are generally interested in those "who have once obtained a footing in the public ear," and of all the professions, except that of the actor, the Bar is the best advertised. A good

trial attracts everyone, for it is at once a fight and a drama, appealing to instincts which are common to all humanity, and to the intellectual faculty of the few who can really appreciate a battle in advocacy. As a result the name of a great counsel very quickly becomes a household word throughout the country, and if he is engaged in any cause which has stirred popular feeling he will soon be an object of love or hatred to thousands who have never seen him.

There is a certain district in the Black Country where the Claimant was a popular hero, and to this day many of the poor people call their children after Dr. Kenealy, who was Tichborne's advocate. On the other hand, Sir Edward Clarke received hundreds of letters abusing him for his strenuous advocacy in a recent notorious case.

The patron saint of all lawyers is none other than the Prince of Darkness. The

legend runs that in the thirteenth century the lawyers petitioned the Pope for a saint and their prayer was granted, but naturally enough they could not agree which saint should be chosen. One of them was at length led blindfold into a church and was told to lay his hand upon one of the statues, so that the saint thus chosen might henceforth be the desired patron and protector. The lawyer, blind as Justice, walked to the statue of St. Michael subduing the devil, but unhappily his hand was laid not on the victorious saint but the prostrate demon! The griffin which adorns the Strand, where Temple Bar once stood, to this day commemorates that historic choice. Such is the uncouth legend which the lay mind has evolved, being at a loss to account for the superior intelligence of a great profession, and resorting to the powers of evil for an explanation, as was too often the habit of the Middle Ages.

The Bar is the most clubbable and conservative of professions. The members meet so often, not only in the courts but on their own particular circuits, that a general spirit of freemasonry prevails. It is often said that in reality we are as exclusive and protective as the most extreme trade

union, but this is hardly the case, as a poor man if clever can obtain enough by student-ships to pay all his fees, and the elections to circuit and sessions are really formal.

It is true that the Benchers of an Inn have technically the right to refuse to "call" anyone, even if he has paid his fees,



SIR RICHARD E. WEBSTER, Q.C., M.P., ATTORNEY-GENERAL.

eaten his dinners, and passed his examinations; but this right of refusal is only exercised in extreme cases, when there is some stain on the applicant's character, and there is always a right of appeal to the judges as visitors of the Inns.

All classes of society are represented in the profession, and many of those who have risen to the highest places have enjoyed no advantage of birth or social position. In fact, although very tenacious of old customs, the Bar, like all other sections of society, has been democratised. Its costume, it is true, is of the seventeenth century, and a small bag is still sewn upon the back of the gown where in old days the solicitor placed the fee, in order that no gentleman of the robe should be hurt by any public acknowledgment that he worked for his living; but only in the small things, concerning which *non curat lex*, does any trace of the old exclusiveness remain; it has passed away with the old crabbed and technical fashion of pleading.

On circuit and at sessions there are still some survivals of the old rules—as for instance in the understanding that barristers shall on no account lunch in any public place of refreshment. There was a great struggle in the profession when railways were first introduced, as the old rule forbade any barrister to enter an assize town in any public vehicle or conveyance, so that impecunious barristers had to club together to hire a post-chaise. The rule of course was fatal to travel by rail, but after a gallant struggle the advocates of professional propriety yielded, and to-day the budding Cicero can travel “third smoker” if he please.

Pessimists say that the wit and eloquence of the English Bar is become no more than a tradition, but in a small book entitled “Criticisms of the Bar,” written a century ago, I find the same lament, and I imagine that the wit and eloquence of the Bar represent very faithfully the mental qualities of society from time to time. Wit is essentially the fine flower of manners, that blooms in the brightest social atmosphere, and I am doubtful if there is a wit of the first order at the Bar to-day; but before deciding whether eloquence has declined it is necessary to clearly define what eloquence is.

In the methods of oratory there has been much the same change at the Bar as in the House of Commons, for in both places clever talk has superseded elaborate rhetoric. The reason is that the average jury, like the

House of Commons, would laugh at, or fidget under, the flowery and figurative language of eighty or a hundred years ago. If you wish to stand well with an audience to-day you do not speak to them as men of fancy, or even noble sentiments, but as men of common-sense, gently insinuating that they have something to lose. Doubtless if a change in the mental climate should occur a corresponding change in the language and sentiment of rhetoricians would follow. Forensic eloquence aims chiefly to be cogent and lucid, and at its best it possesses the beauty of clearness and an unadorned simplicity. The force of passion, the wide flights of imagination, are not beyond the compass, but they are beside the purpose of our orators.

Turning to consider some of the most prominent among advocates, it is impossible to doubt that the high level of past times is maintained among the present chiefs. And first to the leader of the profession. Sir Richard Webster, the Attorney-General, is probably the hardest worker at the Bar, and has built up his enormous practice by learning and labour. A great athlete at Cambridge, winner of the three miles against Oxford in two successive years, he is still a keen sportsman and good cricketer, and like Sir Edward Clarke, he can sing a good song. “Capital fellow, Clarke,” he is reported to have said, “if only he would leave singing alone.” “Sir Richard,” said Sir Edward Clarke, “is in every way an ornament to the profession, but most unhappily he cherishes the delusion that he can sing.”

The Attorney-General's first appointment was to be postman and tubman to the Court of Exchequer. His most famous causes have been those arising out of the charges made against the Irish party. Probably the most crowded hour of his life was when he was attacked, with brilliant invective, in a House swayed by passion and anger, and when, stirred for once out of his lethargic style, he defended his own honour with eloquence and admitted success. An unmatched knowledge of the law, a great memory, and a power of lucid and persuasive if not captivating exposition, are the best qualities of one well worthy of his high position, who is regarded with something like affection by the profession as a whole.

Next to Mr. Attorney must come Mr. Solicitor, who, in the present administration, is a typical Scot, Sir Robert Finlay. He is a very handsome man, whose portrait it would have delighted Sir Joshua or Gainsborough to paint—a man of the hard, dry

intellectual strength and indomitable will which have made his race so powerful. He is one of the few men who have materially



SIR ROBERT B. FINLAY, Q.C., M.P.
(Solicitor-General for England.)

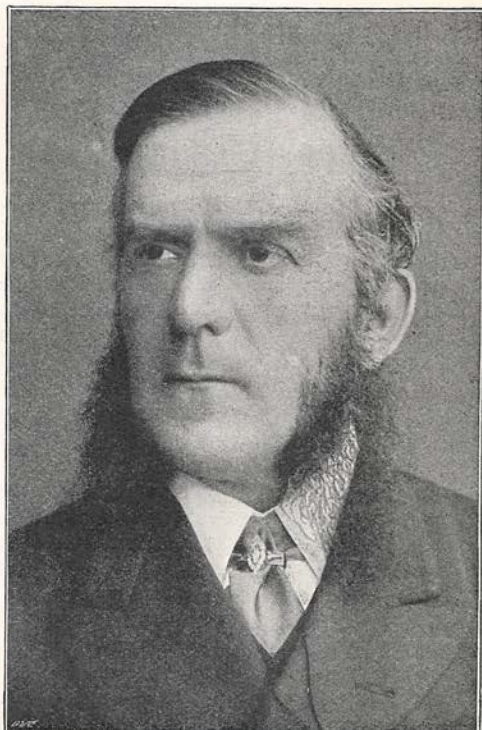
bettered their professional standing by their work in the House of Commons. He made a sudden name in the discussions on the first Home Rule Bill, and at once became a power to reckon with. None the less he owes his present office to the abstention of Sir Edward Clarke, who, since the elevation to the Bench of Sir Charles Russell, has been the most famous advocate of his day.

When Sir Edward commenced life he had for capital his brain, his power of work, his strong will, and his ambition, and they have carried him far. His career belongs to the romance of the Bar as truly as Disraeli's to the romance of politics. The Penge murder case was to him the great chance of which every briefless one dreams, and so brilliant was his defence that since that date every well-informed criminal has longed for his assistance.

In politics also he won a historic by-election, which induced Beaconsfield to dissolve, and he is the most striking exception—next to Mr. Asquith—to the rule that lawyers in Parliament are a failure. The leader of a recent Opposition certainly believes in that rule, for after observing the Parliamentary

ineffectiveness of the law officers of the day, he remarked to his neighbour, "They tell me these fellows make £20,000 a year. If I were at the Bar I would make £60,000!" Sir Edward's speeches are published in a small volume; but to be truly appreciated he should be heard at the "jury-side," or defending the National Church in the House.

The Attorney-General in the last Government was Sir Robert Reid, than whom there is no more genial celebrity at the Bar. Like most of the great and affluent of to-day, he passed a youth tinged by the melancholy of brieflessness. But he was too able a man to remain unknown for very long, and now he has reached that delightful period of life when only "special" cases need be taken, and a ripe leisure may be enjoyed. The large windows of his chambers look over the Temple lawns, and many men have enjoyed there the wide range of "Bob" Reid's conversation. There is nothing specially distinctive about his professional style, though many perhaps would think him exceptional as being a politician without cynicism and a lawyer without guile. Few things are more calculated to destroy the spontaneity of



From a photo by]

[Russell.

SIR EDWARD CLARKE, Q.C., M.P.

human enthusiasm than long practice in the courts, but the nature of the ex-Attorney



SIR ROBERT T. REID, Q.C., M.P.

remains as richly generous as it was in his schoolboy days.

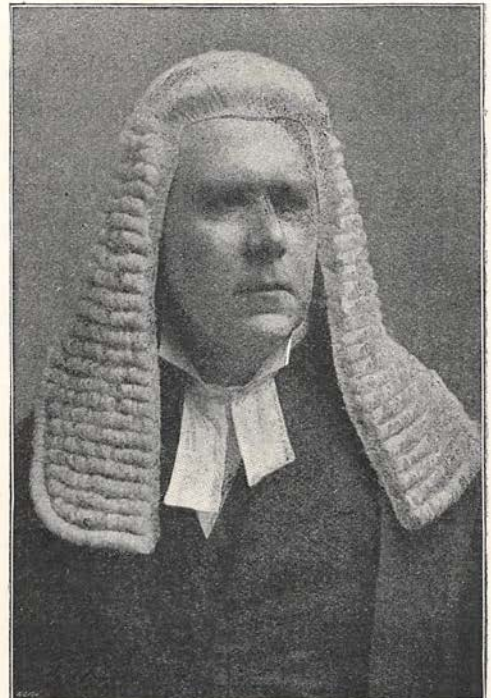
A man he seems of cheerful yesterdays
And confident to-morrows.

Her Majesty's late Administration certainly did not fall because of the acidity of the law officers. Sir Frank Lockwood, who was Solicitor-General, is as genial as his colleague, and not even dignity could make him dull. Who else could have poked fun at his own office?

"When the Cabinet meets," he said, "the Attorney and Solicitor are sent upstairs to play with the permanent officials!" His complexion is the greatest miracle of modern London, for he is always rosy as a country squire though he passes his days in the bad atmosphere of the courts and his nights in Parliament. A great lover of sport he can judge horses as some day he will judge men, and he possesses that freemasonry among all classes which the love of sport so often gives. His sketches are the delight of Bench, Bar and Commons, and he has said almost as many good things as have been attributed to him. During the Parnell Commission there were two delightful draw-

ings, one representing Sir Frank, bent over his table and surrounded by huge piles of papers, as "the man who did the work," the other Sir Robert Reid (who is the most assiduous of men), smoking a pipe, and reading the evening newspaper, as "the man who got the credit." When the skating craze was at its height he explained his presence at Niagara by saying that he had come "to see the Falls."

It is not only as a humorist however that Sir Frank Lockwood has attained his present position, for he is one of the most effective advocates at the Bar, possessing "a loud voice and a large person" (which, as Disraeli said, are two-thirds of an orator's success), and a great power of trenchant denunciation. He has a country house near York, for which city he is now junior member—and thereby hangs a tale. When his Conservative opponent, Mr. J. G. Butcher, first stood, Mr. Lockwood (as he then was) was fond of asking, in the jaunty style popular on Yorkshire platforms, "Who is this Mr. Butcher?" Mr. Butcher, an astute and able Chancery barrister, kept silence until the poll showed that he was first. Then came his chance. "I will now tell Mr.



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SIR FRANK LOCKWOOD, Q.C., M.P.

Lockwood who this Mr. Butcher is. He is the senior member for York."

Physically speaking, the biggest man at



MR. MURPHY, Q.C.

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the Bar is Mr. Murphy, Q.C., and if a ballot of the profession were taken it would probably be found that he is also the most popular. There is a certain class of cases which, if treated gravely and seriously, would probably be lost, but which an old forensic hand will laugh out of court. In such a case Mr. Murphy is first and the rest nowhere. He is still a keen cricketer, and bowlers complain that when he is batting they cannot see the stumps.

Less useful in advocacy than the broad and genial humour of Mr. Murphy, the sardonic and polished wit of Mr. Darling, Q.C., is a quality more purely intellectual. In the studied epigram, the phrase that smacks of the lamp, Mr. Darling's only rival at the Bar is Mr. Augustine Birrell. The distinction between the two wits is the

distinction between still and sparkling hock—and who shall decide which is the better? Mr. Darling's ambition perhaps is to be the La Rochefoucauld of the Bar and the Commons. His briefless days produced "Scintillæ Juris," a series of cynical maxims on the law, and when elected to Parliament he satirised that assembly in the *St. James's Gazette*. In the early days, when he attended the Stafford Sessions, he was a prime favourite with the criminal classes, who loved his jokes even when he could not win them a verdict. Both he and Mr. Birrell have the art of setting a popular audience on the roar, but even the author of "Obiter Dicta" cannot enliven the heavy atmosphere of a Chancery court, where the reading of affidavits is regarded as a relaxation.

There is a shop in the Strand which is a small temple of momentary fame to barristers, as whenever a case "catches on" with the papers the photographs of the barristers engaged are always exhibited there. Recently Mr. William Willis, Q.C., has had a place on the line, owing to his conduct of Mr. Benn's case in the St. George's election petition. He is certainly one of the most interesting figures at the Bar, and is always welcomed



MR. CHARLES J. DARLING, Q.C., M.P.

by the public for his capacity of making things hum.

He did not originally propose to practise at the Bar, but was engaged in business, when one night an influential gentleman heard him speak at a political meeting, and persuaded him to throw up the business and take to the profession. The experiment has wonderfully succeeded, and both in court and in the House Mr. Willis has been heard. In the latter place he broke the hat of the member seated in front of him, and in the courts he has shown himself a forensic Fuzzy-wuzzy. But he can roar as softly as any sucking-dove, and is excellent in managing a timid witness.

One thing of all others he dislikes, and that is to cross-examine a hostile witness through an interpreter. I saw that spectacle once in the Probate Court. A shepherd in his plaid, garrulous in Welsh, but knowing no English, the interpreter flurried but anxious to please, Mr. Willis enraged, and the court demurely amused. He is a most generous and kind-hearted man, a most able and conscientious advocate, who never goes into court without thoroughly knowing his case. Given a common jury and a case in which there is scope for legitimate indignation, and Mr. Willis is hard to beat.

He is one of the few counsel who have in their chambers a library outside of the law. The explanation is that he is a great authority on the seventeenth century and a sturdy defender of the Roundheads, and has collected so many books and pamphlets that much of this literature has to be housed in King's Bench Walk. In one of the election petitions there was some discussion on a meeting at which "Cavaliers and Roundheads" had been the subject of a lecture. "I wish I had been there," said Mr. Willis. "If you had been," was the retort, "I fear there would have been a disturbance." And there would.

In the Divorce Court many barristers make frequent raids, and among the most frequent raiders is Mr. Cock, Q.C., one of the

boisterous and trenchant school. Mr. Cock is a Positivist, a follower of Comte, but when watching him cross-examine a hostile witness one would not suspect that he worshipped humanity. However it is difficult to worship both sides, and when Mr. Cock's own client is described by him it is evident that one part of humanity at least is worshipful. Another famous advocate, Mr. Candy, Q.C., was once said by a judge to "out-cock Cock," and that was generally accepted as a vivid description. Mr. Candy is identified with the Licensed Victuallers, for whom he holds a general retainer. He is the heavy father of the profession, and a soul more genial

than his never inhabited a body. With something of the jauntiness of Mr. Chaplin, and much of the jollity of old King Cole, he is hail-fellow-well-met with every jurymen. Another esteemed leader, Mr. Harris, Q.C., may go arm in arm with Mr. Candy. He is the author of "Hints on Advocacy," and when he conducts a case it is evident that he practises an art, for he is a proficient master of all the little devices of the trade, and glories in his artistry. Reading has made him a full man, and he makes more quotations from the Bible and Shakspeare than any of his contemporaries. Like Mr. Cock and Mr. Candy he wins many battles. In a running-down case he is superb.



MR. WILLIAM WILLIS, Q.C.

The *doyen* of the Divorce Court is Mr. Inderwick, Q.C., who, now that Sir Horace Davcy has risen to be an ornament of the Bench, is the most polished and urbane advocate of the day. Few things better relieve the tedium of a trial than to contrast his methods with those of Mr. Willis. Erudite, persuasive, bland in the face of the most unexpected surprises, Mr. Inderwick has won many cases where a more boisterous advocate would have failed. He is a scholar and historian, and has written several books, the most interesting of which is devoted to the Stuart period. In his own court his chief rival is Mr. Bargrave Deane, who has one of the largest junior practices at the Bar. Like many other

juniors, Mr. Deane is quite the equal of many "silks," and has mastered that part of the art of cross-examining which consists in



MR. INDERWICK, Q.C.

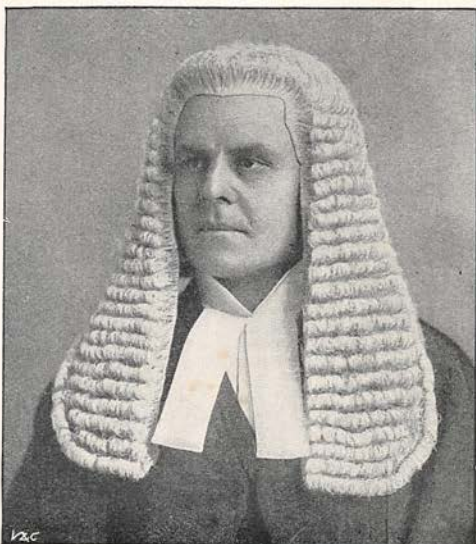
getting more out of a witness than the witness knows.

Mr. Lawson Walton, Q.C., is very much to the fore just now, as he has figured brilliantly in several *causes célèbres*. He is the son of the Rev. John Walton, a former president of the Wesleyan Conference, and passed his early years in South Africa. He has made his way at the Bar by the sheer force of his own talents, as he had no exceptional influence to back him up. He was called to the Bar of the Inner Temple in 1877, and it was not long before he attracted attention. Like many others he achieved his first successes on the North-Eastern Circuit, where he quickly became known as an able man. He is a very persuasive speaker, and a daring cross-examiner, and can lucidly explain a technical subject, as he showed in the electrical cases that cropped up round the famous "Harness belt," in which he proved himself the equal of Sir Richard Webster. Mr. Walton took silk only six years ago, and since then his practice has increased to an enormous extent. His most brilliant success was when he obtained for his client the record damages of

£10,000 in the Playfair case—a success that will attract to him many seekers after heavy damages. He was first elected one of the Liberal members for Leeds in 1892, and was re-elected in 1895. He is known to the whips of his party as an exceptionally good candidate.

Of Mr. H. F. Dickens, Q.C., a son of the world-famed novelist, a good story was told last summer. Mr. Dickens, who is very effective at the Bar, was staying at Coire for a little holiday. The conversation at the dinner-table one evening turned upon glacier chasms, and a friend of Mr. Dickens, dipping his finger in champagne, outlined on the cloth a certain chasm. "That's a pretty fair description of the place," he said. "Yes," assented Mr. Dickens, "it is quite an illustration by *Phiz*."

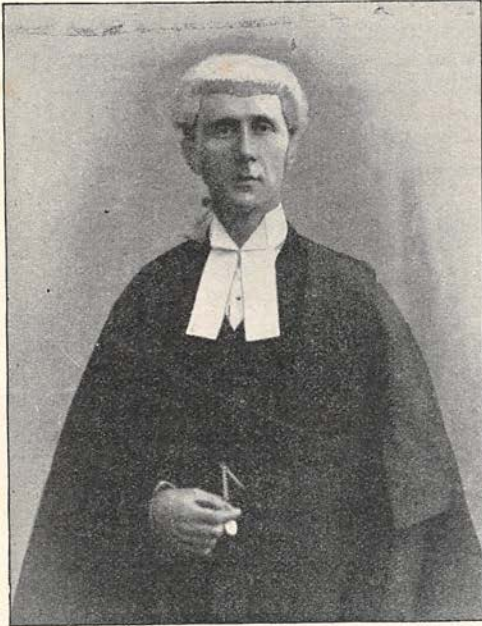
It is impossible to predict who will be the great men of the future, but there are two juniors who are marked out for promotion. One is Mr. Charles Mathews, who is perhaps the best criminal advocate of the day, and who has prosecuted innumerable notorious wrong-doers. Mr. Mathews was a great friend of the late Montagu Williams, Q.C., and was associated with that brilliant man in several *causes célèbres*. At the Old Bailey he is one of the most familiar figures, and his cross-examining powers are constantly displayed to advantage. He has a fine flexible voice, and considerable dramatic ability. Mr. Mathews has sought Parliamentary honours unsuccessfully as yet, but



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MR. LAWSON WALTON, Q.C., M.P.



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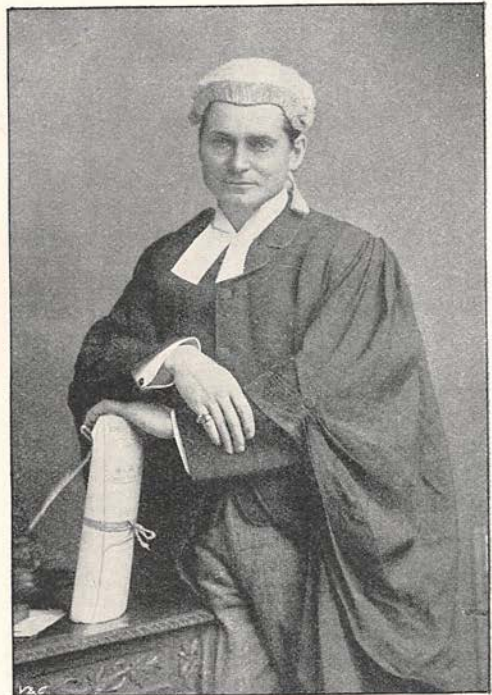
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MR. H. F. DICKENS, Q.C.

he will doubtless ultimately sit in the House of Commons. Mr. Mathews is constantly in demand, and can make a great effect on a jury. He is very popular at the Bar. The other is the Hon. Alfred Lyttelton, who is one of the most lucky men at the Bar, as he started with immense influence to help him, and at the same time is one whom no success will spoil. Mr. Cripps, Q.C., gave up an income of £15,000 at the Parliamentary Bar in order to enter the House, and Mr. Lyttelton sacrificed a practice that

promised to be as great. There is, of course, every hope that both will make their mark and will receive their reward.

Taken as a whole, it is doubtful if the general standard of ability at the Bar was ever so high as it is at present, and it remains as much as ever a mark of genuine distinction to win a high place and a secure fame among the gentlemen of the long robe.



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MR. CHARLES W. MATHEWS.