

## LORD WESTBURY.

In his speech at the annual dinner of the Ontario Bar Association, reported in the June number of the *Review*, Mr. Justice Duff quoted the opinions of 'the cynical Lord Westbury' with regard to some of his contemporaries, but said nothing of their opinions of him. What these were likely to have been may be inferred from an article in the *Empire Review* for July by Lord Birkenhead, containing an appreciation of his famous predecessor, an estimate of his powers, an account of his achievements at the Bar, on the Bench and in politics, and anecdotes illustrative of his temper, manners and caustic speech. The reviewer has special reasons for being interested in Richard Bethell, for both were educated at Wadham College, Oxford; both won scholarships there, both won the Vinerian Scholarship, and both eventually reached the woolsack.

Bethell was accustomed to make disparaging remarks about the prominent men of the day, in entire disregard of their feelings and of the resentment they were likely to harbour in consequence. Thus, of Lord Hatherley he said that his mediocrity was "unrelieved by a single failing." This sounds like an anticipation of the saying about Gladstone attributed to Disraeli, that he had not a single redeeming vice. Of V. C. Malins he observed, "What a fatal gift is fluency!" and of Lord Truro, "If we had a man capable of understanding the most elementary questions of law or equity, there might be some hope of ending the case."

There is a story to be found in Roscoe's "Growth of English Law" which Lord Birkenhead does not quote, but which affords an excellent example of Bethell's mordant wit. When Rolfe, Lord Cranworth, a rather commonplace personage, became Lord Chancellor in 1852, he continued to attend the sittings of the new Court of Appeal, though not an experienced equity lawyer. "I wonder," someone said to Bethell, "why old Cranny always sits with the Lords Justices." "I take it to arise from a childish indisposition to be left in the dark," was the gracious reply.

Sayings of this kind are not forgotten. They made for their author a host of enemies and contributed to his downfall. If any sighs were uttered on the announcement of his death, they must have been sighs of relief. "Multis bonis flebilis" was not the epitaph for Westbury.

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