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THE LATE MR. JUSTICE TALFOURD.

The time when literary eminence, and even literary tastes, were deemed a danger and a reproach to a lawyer, has long gone by. The arrogant dullness of black letter students, content to know only the crude and barren learning of their books and despising all beyond, has been fortunately succeeded by a much higher and more liberal tone of feeling. For many years, science, history and general literature have been cultivated with distinguished success by men of no mean reputation at the bar; and some of the best writing for the press is done by members of that profession which was once thought too abstruse and scholastic to take part in the affairs of ordinary life. Even the seductive regions of Parnassus, it seems, are no longer forbidden ground. The Blackstones and Murrays of this age need not be mourned as Ovids lost, or bid farewell to Helicon and the muse, like monks of old, to the world.

A conspicuous illustration of this altered sentiment, and of the abandonment of ancient prejudices on this subject, is to be found in the career of the late Mr. Justice Talfourd, whose recent death

has given such just cause of grief to England. Distinguished as he was to a very remarkable degree, both in law, in poetry, and in the Senate, there are probably few of our readers who are not acquainted with the chief excellencies on which his fame rested. Yet the combination of his talents was so rare, and his private character so pure and noble, that we cannot refrain from adding our small tribute of respect to the memory of one who has been in many ways and in the highest degree an honor and an example to our profession.

Sergeant Talfourd,<sup>1</sup> by which title he is most generally known, like most eminent lawyers in that country, sprang from among the less wealthy portion of the middle classes in England. Though born in a small country town, his parents still found means to give him a good classical education, and, on his determining upon the study of the law, to place him at London with the celebrated pleader, Mr. Chitty. On coming to the bar, (about the year 1815,) amidst the competition of such talent as then distinguished it, he was compelled to resort to literature, as a means of support and of advancement in his profession, in which he had no business or family connection as an auxiliary. His talents quickly brought him into notice, and he became by this means intimately connected with that brilliant band of writers who adorned the second decade of this century, soon himself not the least famous of their number. Very high among these was Charles Lamb, to whose interest and kindness he owed much of his advancement; and the debt was well repaid in after times, by the delightful biography with which all are familiar. Talfourd became connected with the London, and afterwards with the New Monthly Magazine, both employing the best talents in England, and his connection continued during nearly the whole of his professional life. His collected Essays, an edition of which was first published in this country, while remarkable for the flow and polish of the style, indicate taste and judgment of the highest order, and are still deservedly popular. His chief celebrity, however, is due to his dramatic produc-

<sup>1</sup> We have drawn the principal facts of Mr. Justice Talfourd's life, from a very interesting sketch in the May number of the London Law Magazine.

tions, among which, "Ion" is the most generally known, and must be reckoned the best tragedy since the days of Otway. His other pieces, "Glencoe," "The Athenian Captives," and a posthumous publication, "The Castilian," though not equal to "Ion," are of great merit. Besides these, he is known by an agreeable book of travels called "Vacation Rambles," and other publications which have gained their meed of praise, but which we have not space to enumerate.

While thus winning himself high renown in the domain of authorship, Talfourd did not neglect the severer but more lucrative duties of his profession. By persevering industry, coupled with great forensic talent, he gradually raised himself from obscurity, and in the face of the prejudices then strongly entertained against literary lawyers, to the topmost level of the bar. Though never ranking with Follett or Pollock, or Jervis, either in general legal ability, or in the tact and skill necessary in the management of causes, he was unquestionably a sound lawyer, and endowed with a fluent and earnest eloquence, which made him on some occasions the equal of the best of his rivals. His great success, and the large business which he obtained, are, at any rate, convincing proofs that he was gifted with some of those qualities of advocacy which every lawyer must desire to possess. His position in his profession was, in 1849, considered such as to entitle him to a judgeship in the Common Pleas, then vacant by the death of Mr. Justice Coltman, which he accordingly obtained, with the universal approbation of the profession. This situation he filled with great credit and to the entire satisfaction of suitors and the bar, till his death, a couple of months since.

In addition to these successes in law and literature, which are more than fall to the lot of ordinary men, Sergeant Talfourd attained no little distinction in his parliamentary career, which covered a period of some seven or eight years. Lawyers have generally failed in the House of Commons, probably from the fact that they have been trained in a style of oratory fitted only for the peculiar audience which they are accustomed to address. But the author of "Ion" had a wide range of eloquence and imagination, and the tact to use them at the proper time. He was not a frequent

speaker, but always commanded attention, and generally success. His most noted speech was on the Copyright Bill, introduced by him, and carried by his efforts. In beauty of language and cogency of argument, this oration has few rivals in the parliamentary annals of this century.

The private character of Judge Talfourd was a fit setting for the brilliant talents, with which he was gifted. He was upright and honorable to a marked degree; most generous and kindly in his feelings; strong and constant in his attachments; and, what is unfortunately a rare quality among lawyers, extremely liberal and charitable. He was a great patron of artists and literary men, and gathered around himself a circle of the most distinguished and cultivated men of the metropolis.

His death was in fit keeping with his life: an *euthanasia*, such as has been often asked but rarely found. He was struck down suddenly, and without pain, while on the bench and in the discharge of his judicial duties. He was engaged at the moment in the delivery of a charge to a grand jury on his circuit, in which, while deploring the great increase of vice and crime among the laboring population of England, he warned his hearers in language of solemn and beautiful earnestness that at the root of all lay the deplorable separation of classes, and their sad want of mutual sympathy in that country. With these lessons so deeply needed now, still on his lips, his warning for eternity came, and he passed tranquilly and instantly from his own judgment seat to that of his Maker. He was thus taken away in the fulness of his fame, before age had dimmed his faculties or impaired his usefulness; and as if that no duty might be left unfulfilled, his last words were words of solemn and timely counsel to his country, and perhaps to his age. *Felix, non vite tantum claritate, sed etiam opportunitate mortis.*

In concluding what we feel to be a most unsatisfactory notice of a life so rich in matters of interest and instruction, we think we may fairly say of Mr. Justice Talfourd, that while some have attained a higher distinction for those varied qualities and in those diverse studies upon which his fame must be based, very few have combined them in so high a degree, and in so harmonious a union. His career