

room. To complete the story, my portrait in Chancellor's robes painted by Gerald Kelly, then P.R.A., is also in the Inn. It is generally thought to be a good picture, though my wife says with conjugal candour that I look as if I had got a kipper under my nose. Others, expressing the same thought, no doubt, but more kindly, say that I appear to be listening to an argument of which I do not wholly approve.

Before I leave once and for all the uninspiring subject of my face and figure I must tell two tales of events which amused me at the time. In the early days of the war the British Government were in great need of American dollars to finance purchases in the U.S.A. Accordingly they took power to acquire compulsorily the American assets of British subjects, amongst them the assets of an American subsidiary of Courtaulds Ltd. This was a very large concern and the question arose what price should the Government pay. The difference between the amount claimed and that which the Government were prepared to pay ran into many millions of pounds. An arbitration was agreed and I was asked by the Chancellor of the Exchequer, Kingsley Wood, to act as umpire with two arbitrators, one chosen by each side. We sat, I remember, for many days in the Astor building on the Embankment, one room of which is curiously decorated with arms of Astor ancestors. The arbitrators were in hopeless disagreement. I awarded the sum of £26,000,000. Neither side was satisfied but my withers were unprung. It is sometimes said that a good bargain is one with which both parties are pleased. That may be, but I think that a good award may be one that pleases nobody. However, the point of this story is yet to come. I had observed sitting day after day in the court an elderly man with a grim and solemn countenance. He was identified to me as Samuel Courtauld and I thought to myself that he was taking the affair very hardly. And well he might, for, whatever sum might be awarded, his company was losing an asset of immense value which had been built up by his energy and enterprise. A little later, however, I learned that the grimness of his countenance

was due at least as much to the agony of composition as to commercial anxiety. For he was engaged in writing a most amusing skit on the proceeding in which his own counsel, Patrick Hastings, figured as Ariel, Crown counsel, Donald Somervell, as Boy Jim and (here at last is the point) "that man in the middle with the eyebrows - surely that can only be George Robey". Years later, when I was Lord Chancellor, the Sunday Times invited me to be the victim of their weekly article "Profile" and their special photographer, Mr. Douglas Glass, came to my room in the House of Lords to photograph me. I was very busy and the process was tedious. I must have displayed impatience, for the photographer suddenly said to me: "May I say something to you, my Lord?" "By all means Mr. Glass", said I. "Well", he replied: "If I may say so, your Lordship's eyebrows are a photographer's dream." And that is enough of my personal appearance.

At about this time an honour was paid me by the city of Winchester which gave me, its faithful lover, great pleasure. I take this quotation from an admirable book, "Elizabethan Winchester", by Tom Atkinson, the city archivist. "In May, 1582, the Burghomaster decided that for the better direction, defence and maintenance of the City and the rights, liberties and privileges of the same there should be from henceforth elected, chosen and made one High Steward who should be known and called by that name and who for the execution of that office should have an annuity or yearly fee of six pounds thirteen shillings and fourpence. At the same meeting it was also agreed that the Right Honourable Sir Francis Walsingham, Knight, Chief Secretary to the Queen's Majesty and one of Her Majesty's Privy Council should have the office of the High Stewardship for life and should have the yearly fee paid in advance." It was this office, which became vacant on the resignation of Lord Templemore, that was now offered to me and gratefully accepted. The nature of the duties of the office is clear from the terms of the resolution that I have cited and from the name of its first holder who was in fact instrumental a few years later in obtaining for the

City its most important charter. A friend at court was what Winchester (and other cities) wanted and obtained in the person of its first High Steward and many of his successors. Times have changed and the present holder of the office can claim only to have rarely intervened when the interests of the city have been threatened by proposed legislation. I was glad too to collaborate with my friend Peter Smithers, the member of Parliament for the division of Hampshire which includes the city, in successfully obstructing a menacing plan of the Gas Council to create an underground reservoir of gas in its immediate neighbourhood. But the larger part of my pleasure in my office has been in associating on ceremonial or social occasions with the citizens of Winchester for whose constant kindness to me, which culminated in yet another honour to be later told of, I am ever grateful.

In these disorderly recollections I have forgotten to mention an event which came to mean much to me. During the war when food was strictly rationed the judges in Australia generously sent parcels to the judges here. Mine came under the name of Owen Dixon, a name well known to me from the judgments that I had read in Privy Council cases. I wrote my thanks to him and he wrote back to me and so it went on, our letters becoming longer and more intimate, until we found ourselves writing to each other (I think he would agree with me) things that we would not care to say to anyone else. He became what I think is called a "pen friend" and a friend whom I honoured and admired and trusted. Then the day came when he was to visit this country. We made an assignation to meet at the Athenaeum. Would this friendship stand the strain of personal contact? Indeed it did, and from that time to this it has been a red-letter day when I receive a bulky letter in his well-known handwriting. The Australian High Court has from its first establishment under the Constitution Act had a deservedly high reputation. It was never so high as under the presidency of its present Chief Justice, Sir Owen Dixon, upon whom the Queen, to the great

satisfaction of lawyers throughout the Commonwealth, has lately conferred the Order of Merit. He is unlikely to read these words: if he does, let him believe they are written from the heart.

As I look back on these days I wonder at the number of spare jobs that appear to have occupied my spare time. I became a Governor of the Peabody Donation Fund, a remarkable charity established just over one hundred years ago by an American philanthropist, George Peabody. He had already given very large sums to American institutions when in March 1862 he gave the sum of £150,000, later increased to £500,000, to trustees, "my object being", he said, "to ameliorate the condition of the poor and needy of this great metropolis and to promote their comfort and happiness". He suggested that the fund should be devoted to "the construction of such improved dwellings for the poor as may combine in the utmost possible degree the essentials of healthfulness, comfort, social enjoyment and economy". His suggestion was followed. The Fund's first estate consisting of blocks of flats was built at Spitalfields in 1864. There are now some thirty estates containing over seven thousand separate dwellings. Truly that benevolent American put first things first. What can compare in importance with the provision of decent housing for the poor? And not only for the poor! When I read and hear of the dreadful straits to which our fellow citizens are driven, a family of five in a single room and so on, I wish that the spirit which inspired him had been present in the council room of every local authority.

There were also meetings of the Royal Commission for the 1851 Exhibition which out of its surplus funds continues to provide scholarships in science and to assist the arts. I was a member of this body, as I was of the Beit Memorial Fund and the Kitchener Scholarship Fund. But these engagements occupied little of my time or thoughts and my attendance was very irregular. Probably I should not have committed myself to them. This

is a matter upon which I hold strong views. It is no doubt flattering to the judiciary and a welcome sign of the reputation that they bear that, so often when there is an important enquiry to be held, a judge is invited to preside and that, apart from that, a judge, without any qualifications except that he is a judge, is asked, as I was, to join this body or that. I am far from saying that a judge should live in an ivory tower or that he should refuse every invitation to extra-judicial service. It is a matter of degree. I cannot but be aware how much the House of Lords in its judicial function has recently suffered by the detachment of one of its keenest intellects to other work for periods amounting together to several years. I may be prejudiced in my view that at any rate in time of peace the judicial work of the House of Lords is of paramount importance. Their decisions establishing the law which may affect the lives or fortunes of many men and women cannot be altered except by Act of Parliament. It has always seemed to me a grave misfortune that those who are chosen to bear this high responsibility should be seconded for duties which could well be performed by another. It is an equal misfortune, if a judge, without abandoning his judicial duties, whether from good nature or an inability to say "No" or a less creditable desire always to be in the public eye, undertakes so many extra-judicial duties that by his colleagues at least he is seen to fall short of his proper excellence. I have had my grouse and perhaps been indiscreet. I will now return to my life as a Lord of Appeal in Ordinary.

Of those who were my colleagues when I was appointed all have long since passed away except Lord Wright, who in his 95th year, despite a recent motor accident, maintains in his country home a vigorous interest in lawyers and the law. Lord Atkin, as I have said, died in harness soon after my appointment and was succeeded by Lord Goddard. He, however, stayed but a short time with us. He was appointed Lord Chief Justice of England and held that office for years. If some future Lord Campbell

writes the Lives of the Chief Justices, Rayner Goddard will be given high rank. His profound knowledge of the law, his wisdom and humanity, and his courage, often displayed in outspoken comments which annoyed sentimental critics, earned him the admiration and respect of the public and the profession. As I write he is still with us and I have yet to meet anyone who can tell a better story over a glass of port.

Others too have come and gone, du Parcq, Uthwatt, Asquith, Normand; their names live in the Law Reports. Two of them died at an untimely hour. We were hearing a case in the Privy Council, an appeal from the High Court of Australia, in which section 92 of the Constitution Act once more raised its ugly head, and it was of such importance that a court of seven Lords of Appeal was constituted instead of the usual five. Uthwatt and du Parcq were two of them. Leading counsel for the appellants was a Mr. Evatt who had come from Australia to argue the case. He had had an unusual career, for, having been appointed a judge of the High Court of Australia, and incidentally given many judgments on section 92, after some years he resigned that office in order to return to the Bar and embark once more on a political career. He became Leader of the Labour Party in Australia, much, it was said, to the satisfaction of Robert Menzies, who regarded his leadership as disastrous to his own, but an asset to his, the Liberal Party. And now here he was at the Bar of the Privy Council discussing as counsel a problem upon which as judge he had made many pronouncements. I do not know whether he felt any embarrassment. I think not. But it was an uninspiring performance which went on for many days. In the course of it Uthwatt died suddenly one night and a few days later du Parcq also died after a very short illness. Thus we were reduced to five, and it was touch and go whether we were not reduced to four; for I was smitten with a severe attack of neuritis in the right arm. I struggled on in considerable pain. Fortunately I was so familiar with the subject that I had no need to take many notes of the argument. Uthwatt was a member of an old Buckinghamshire

family but had been born and brought up in Australia until he went to Balliol College. He had a sturdy independence of mind which I associate with the country of his birth and a tang in his speech which to the end of his life betrayed his origin. His was a severe loss to the law - a very learned lawyer who had something near genius for probing to the heart of a problem. Du Parcq too was sadly missed. He was by birth a Channel Islander, as his name indicates. He had much to contribute to the law had fate spared him.

Two other names I have mentioned, Asquith and Normand. Cyril Asquith was the youngest of the four sons of Mr. Asquith by his first marriage. A career at Winchester and Oxford, rivalling that of his eldest brother Raymond, was followed by call to the Bar. Largely owing to ill health he had not the success which his conspicuous talents would have justified and it was the inspired judgment of Lord Chancellor Maugham which selected him for promotion to the Bench. Unkind words were spoken, which the speakers of them were soon glad to forget. For Asquith from the moment of his first assignment (an unkind assignment by the Lord Chief Justice to try a troublesome case at the Old Bailey) won golden opinions and was soon translated to the Court of Appeal and the House of Lords. There he stayed too short a time, succumbing at last to the illness against which he had fought so long. His judgments will always be regarded as models of lucidity and scholarly English. Very different was the career of Normand who came to us from Scotland after being Lord Advocate and Lord President of the Court of Session. Except by reputation he was almost unknown to me, but from our first sitting together I found a harmony of mind and spirit which I have felt with no other. I daresay there were scores of cases in which I sat with him and I remember only one of them in which we differed - and in that one I now concede that he was right and I wrong. Was this, I wonder, in any way due to the fact that we had taken the same course at Oxford and with the same success? It was a sad day for me when Wilfred Normand decided to resign and return to his native Edinburgh.

Before I come to the great event of 1951 I must return to my home life. My brother Harry died during this time - my sister had died previously - so that now only my elder brother and I were left of our family of five. But a greater sorrow overshadowed our lives. I have told how our son Gavin came back after long service in the Middle East and was invalided out of the Army. In some measure he recovered his health and settled down to work at the Bar. He was beginning to get a little practice when once more he became seriously ill. After fifteen months of sickness and pain which he endured with a patience and courage that I cannot describe, at a nursing home, at the London Hospital, and finally at King Edward VII Hospital at Midhurst, he died in March 1951. Thus my wife and I were left alone. But I had at least my work to occupy my mind.

In March 1951 the Labour Government were still in power as they had been since 1945 and Lord Jowitt was Lord Chancellor. Their majority had originally been very large and, though it had recently been very greatly reduced, only an optimistic conservative was hopeful of a conservative victory in the next election, whenever it should come. I had for so long been a judge and strictly non-political that I took little interest in the fortunes of either party, though, if I were cross-examined upon this matter, I should have to admit that the socialist creed was less than sympathetic to me. I had rarely spoken in the House and only on subjects that were politically non-controversial. I had intervened in support of the Government on a Bill dealing with a married woman's "restraint on anticipation", which I will not further explain, and I had spoken against a Bill which was, I thought, an unwise compromise of the controversy on capital punishment.

In October 1951 the election took place: the conservatives obtained a majority of sixteen and Mr. Churchill was invited to form a government. Who was to be Lord Chancellor? There was no obvious choice. Lord Simon, who had held that office up to 1945, might well be thought too old. Who else could there be?

While Mr. Churchill was engaged in making his Cabinet, I was engaged in presiding over an appeal in the Privy Council. One morning, when my wife had gone into the country on an errand of mercy, I took my seat as usual, little dreaming what fate had in store for me. In the course of the morning an usher came in with a message that the Prime Minister wished to see me at once. I did not feel justified in interrupting the appeal and said so. It was arranged that I should go round to No.10 Downing Street at half-past three. I said nothing about it to anyone but wondered. At 3.30 I went round. Mr. Churchill, whom I had met but who did not remember meeting me, asked me at once to join the Government as Lord Chancellor. I was not wholly surprised, for there was a recent precedent in Lord Maugham for the appointment of a Lord Chancellor who had no political experience. And, after all, for what else could a Prime Minister want me so urgently when his mind must be fully taken up with cabinet-making? Yet I was not so sure of it that I had made up my mind what the answer should be. I was approaching seventy: the office of Lord Chancellor is a very heavy burden and I should be embarking on an unknown sea. Most important of all, I wanted to consult my wife. For her too it meant a great change. We had for many years led a very quiet life and she had lately sustained a crippling blow in Gavin's illness and death. So I told Mr. Churchill that I was greatly honoured but would like a little time to think it over. "How long do you want?", he said. "Well", I said, "I want to talk it over with my wife." "Where is she?" "In the country." "When will she be back?" "About six o'clock." "That is too late. I have to tell the King by five o'clock. You must take this fence by yourself." So I took the fence by myself and said "Yes". The die was cast!

The die was cast and, when I got home that evening and told my wife the news, she rejoiced with me. It had been a long trek from St. George's Road, Pimlico, to the Palace of Westminster and the Woolsack. She was prepared to face the cares and problems of exalted station as she had all the anxieties of our

previous life: I have spoken of the change from the bustling life of a King's counsel to that of a judge of the High Court. Compared with the change that I now faced it was no change at all. Every aspect of my life was different: socially I must expect to find myself in a new world, for in the order of precedence the Lord Chancellor ranks next after the Archbishop of Canterbury and before the Archbishop of York and the Prime Minister; politically, I should be engaged in controversy for which I felt myself inadequately armed: administratively, I should find myself in charge of a small but growing and very important department - I, who had never been in charge of anything except a solitary clerk when I was a High Court judge: judicially, - and here surely is the anomaly of the Lord Chancellor's office - I should be head of the judiciary but seldom able to do the judicial work to which I had thought myself to be dedicated so long as health and strength allowed. These were the thoughts that ran through my mind that evening in October 1951. We had, I remember, a small dinner party at our flat for two Australian counsel who had come over to argue an appeal in the Privy Council. They were Douglas Menzies, now a judge of the High Court of Australia, and Garfield Barwick, now a distinguished member of Robert Menzies' Cabinet. I welcomed their evidently sincere goodwill. The Press the next morning had little to say about my appointment, but I detected some mild surprise.

Next day I had to go to the Palace to receive the Great Seal and kiss hands on my appointment. The King's private secretary, Sir Alan Lascelles, was an old friend and it was very pleasant to find an old friend waiting to usher me into the presence. The King was slowly recovering from a severe illness. One of his legs had been seriously affected - I use no technical terms - and I remember seeing with relief how vigorously he swept away with it the rather heavy cushion on which I had knelt to kiss hands. It was fourteen years since he had received me on my appointment as a judge, years in which during war and peace he had won and truly earned a nation's gratitude.

I took the Great Seal back with me to the Lord Chancellor's office, not to my flat. The days were past, if ever they existed when the Great Seal accompanied the Lord Chancellor wherever he went. I will not be so rash as to tell of its permanent abode. Let it be assumed that it is in a place of safety. This is a convenient time to say something about it. From the time of the Conqueror until today it has been in the same form - made of silver and bearing on the one side the figure of the Sovereign enthroned, on the other his figure mounted on a horse. I have been told, but have not verified it, that a single exception was made in the case of Queen Anne, whose figure was not so good on horseback. As it has to bear the figure of the reigning sovereign, a new Great Seal must be struck on the accession of a new sovereign and the old Seal must be defaced. The defacement is a solemn rite. It is performed by the new sovereign in the presence of the Privy Council. And so it was when Queen Elizabeth the Second succeeded to the throne. When a new Seal had been designed and made, a Privy Council was summoned which I attended taking with me the old Seal. The Queen, using a little silver hammer, struck it twice or thrice with blows which made dents hardly visible on its surface but sufficient, if the Seal was used, to make the wax flow unevenly. Thus it was defaced, and in accordance with old custom became the property of myself, the reigning Chancellor.

But I have looked ahead too far. Without delay I had to tackle my new and formidable task and here fortune befriended me. For the Chancellor's permanent secretary was no other than my old friend Albert Napier whom I have already mentioned. He had been in the department for many years serving a succession of Lord Chancellors in a number of offices and eventually becoming permanent secretary in 1944. During a large part of the time his departmental chief had been Sir Claud Schuster, that shrewdest of civil servants, who was accustomed to get his way (as civil servants are apt to do) even when his Minister thought he was getting his. So when I arrived at the Lord

Chancellor's office there was Albert, old and loyal friend, wise and experienced counsellor, upon whom I could rely to guide my steps. That was not the end of my good fortune, for his second in command was George Coldstream, who, when Albert was taken ill soon after my arrival, anxiously took charge of me and doubtless saved me from many blunders. I was equally lucky in my private secretary, Charles Rankin, and my assistant private secretary, Pat Malley, both of whom have remained close friends of ours to this day. To them and all the staff of the office I give my grateful thanks. We were a small enough department to know each other and were a happy family. And that is saying something amidst the strains and stresses that arise in times of crisis. Charles Rankin had been private secretary to Lord Wavell during his vice-royalty of India and shared my admiration of him.

Now where to begin in my random recollections of the three hectic years that followed. As I had feared, I was able to do little judicial work. In former days the House of Lords sat for its ordinary work at 4.15 p.m. and the Lord Chancellor was able to preside on appeals until 3.45 p.m. when the House adjourned for him to have a brief rest before resuming at 4.15 p.m. and for the Chamber to be put in order for its ordinary work. But during the war a change was made. In order that their Lordships might generally get through their work before nightfall the House met usually at 2.30 p.m., the hearing of appeals being relegated to a committee room. That meant that, unless unduly short hours were given to an appeal, the Lord Chancellor could not sit to hear it. Moreover, the old custom had been for appeals to be heard on Mondays, Tuesdays, Thursdays and Fridays, Wednesday mornings being reserved for meetings of the Cabinet. Now Cabinet meetings, which the Lord Chancellor must attend, were commonly held on Tuesdays and Thursdays and might well be held on other mornings as well. It became, therefore, doubly impossible for the Lord Chancellor to attend to judicial business. I regretted and regret it, for I think that it is very important that he should keep in as close touch as possible with the

processes of the law and learn not only by hearsay of the quality of the counsel whom he may have to recommend to the Sovereign for appointment to the Bench. But alas! I see little chance of the old régime being restored. The peers have grown accustomed to the new order and the press of cabinet business shows no sign of diminishing.

But, if the Chancellor's judicial work has diminished, there is still work in plenty for him to do. I had made up my mind that I would take as little part as possible, at any rate publicly, in political controversy. I came to this decision both from personal predilection, having no aptitude for platform orations, and also from principle, for I wished to preserve as far as I could the appearance of a head of the judiciary who like all other members of it was politically impartial in all matters which might come before him. That did not mean that I could escape, even if I had wished to do so, the obligation to support Government Bills in the House. Of that duty I was to have my share, and in other matters raised in debate, though not the subject of a Bill, I defended Government policy. This I was bound to do, if the collective responsibility of the Cabinet was to have any meaning. I will anticipate something to which I shall refer later in detail by saying that in no case did I support Bill or policy which I did not think clearly right.

So far I have mostly said what as Chancellor I did not do. I must be more positive. The most prominent outward and visible sign of the Chancellor's life is that, sitting on the Woolsack, he presides in the House of Lords. There his duties may be tedious but are not exacting. Unlike the Speaker in the House of Commons he has no power to preserve order. Unless he is himself speaking, in which case he moves away from the Woolsack, he has nothing else to do than to put the question to the House. "Taxing" speeches are forbidden by a Standing Order three hundred years old and in the unlikely event of provocative words leading to disorder there is no way of restoring order except by a member moving in regard to the peer who is provocative or disorderly "that the noble Lord be no longer heard", a procedure

to which recourse is had on the rarest of occasions. Why indeed should it be otherwise in any assembly of good sense and good manners? Why should it be otherwise in the House of Commons? Yet I have on occasions witnessed from the Peers' Gallery in that House scenes which would not be tolerated in county or borough or parish council. It has seemed extraordinary to me that in the "Mother of Parliaments" a standard should be set which is so deplorable. I hear that a proposal for televising its proceedings has some supporters in the House. There are many objections to it, but that it should be proposed at all shows how little some members know in what light the public at large ~~large~~ think of their conduct. It astonishes me too that the Press has not long ago started a campaign against it. But this is not a trouble that the Chancellor has to face as Speaker in the House of Lords. His trouble there, if he has one at all, is that he must listen to many speeches which do not illuminate their subject. At first, having been so long accustomed to say to counsel that the point he was making was already clear or that it was not relevant to the issue, I was inclined to protest inwardly at repetition or irrelevance. But this was not quite fair. For though one speaker may be merely repeating what another has said, yet, if he is a man whose opinion carries weight, the mere fact that he does say it will influence his peers. I hope that I did not betray impatience, but a lady who often sat in the gallery (she shall be nameless) said that she knew from the movement of my legs, terribly conspicuous on the Woolssack, when the repetition was almost more than I could bear.

The occasion of my first appearance was a solemn one. The King was not yet well enough to open Parliament in state. It was therefore opened by a Royal Commission of whom I was one and it fell to me to tell Black Rod to summon the House of Commons to the bar of our House and on their arrival to read the King's Speech. The Commons procession was led by their Speaker, "Shakes" Morrison. As we bowed to each other across the length of the Chamber, did our minds go back to the days when we were both struggling juniors at the Bar? The acoustics of the House

are not easy to master and I was not at all sure how to pitch my voice to make myself heard in the Chamber and the galleries, but I was told that I got it across.

In all this part of my duties I was playing a new role but at least I was playing it on familiar ground. It was far otherwise when I first entered the Cabinet Room at No.10 Downing Street. The Cabinet was already in session, for I had been delayed, and I felt very much a new boy going to school for the first time. The Prime Minister greeted me with his winning smile and introduced me to my future colleagues. There were welcoming noises and I took the seat that I was to occupy for three years almost opposite to the Prime Minister. No satisfactory portrait of him has been painted and it does not surprise me. As I sat there, I saw a dozen men. Every emotion showed itself on his mobile countenance. He was alive and eager and alert: then his unwrinkled face was the face of a young man. He was tired and bored: then he looked as if the weight of ages was upon him. He was angry and resolute: there Sutherland caught him in a portrait whose whereabouts is hidden. He was not getting his way - and it seemed that those ready tears would flow. He thought of a joke and, as his face puckered up, I eagerly awaited its coming. He had no inhibitions - shadow and sunshine followed each other quickly. Once, I remember, he was cross with one of us who did not say "Yes" and his voice had a rasping quality. At that moment his dog Rufus started to bark in the garden outside. At once a smile irradiated his countenance: "Ah!", he said, "it would never do, would it, if we both barked at once."

As I have already said, I had the barest previous acquaintance with the Prime Minister and he had none with me. It is a mystery, which I have never been able to solve, why I was chosen, particularly as his tendency was to surround himself with old friends. That was indeed a feature of his Cabinet. A large proportion of its members were not professional politicians. I do not use that expression in any pejorative sense: it is a noble

ambition to seek high office in the service of one's country. But it did happen that many of them would not have been in office had not the Prime Minister known them and measured their worth during the war and persuaded them to join him. It is significant that today, less than thirteen years later, R. A. Butler is the only survivor in office of the 1951 Cabinet, though Peter Thorneycroft should perhaps be added. He was an original member but resigned and then rejoined. Others, Ismay, Leathers, Woolton, Chandos, Monckton, Cherwell, who were induced by loyalty to the Prime Minister to join him at his instant pressure, drifted away as opportunity came. There were too some veterans in the political arena, Eden, Crookshank, Macmillan, Maxwell Fyffe, Salisbury, Stuart, who, I doubt not, were the better guides in determining our policy. For, though I knew the trite maxim that "politics is the art of the possible" I had yet to learn it in my own experience. Hitherto during seventeen years on the Bench it had been my task to ascertain the facts of a case as best I could, to apply to them the relevant law, and then give my judgment without favour or ill-will to any man. The consequences could take care of themselves. But in political life the consequences cannot take care of themselves. A government precariously perched on a majority of sixteen must look over its right shoulder to observe the reactions of the Opposition and over its left to see whether its followers are faithfully following. It was a strange world therefore in which I found myself. But always there was at hand one friend, Lord Salisbury, then leader of the House of Lords, who gave me unstinting aid, and by open advice or quiet hints, which I was quick to take, saved me from fatal errors. I already knew well some of my other colleagues. Monckton had been my junior at the Bar and on the Bench I had heard many an argument both from him and Maxwell Fyffe, and I had a firm appreciation of their merits. Cherwell, "the Prof.", I had come across on several occasions. The first of them was not propitious to future friendship, for in an action concerning the building of a giant telescope by the

Radcliffe Trustees, in which he opposed their proposal to build it in South Africa whereas he and others wanted it in Oxford, I had accused him of a parochial outlook. He had the reputation of being an unforgiving man, but me at least he forgave and we became firm friends. With most of the others I had a slight acquaintance, which in many cases grew into the sort of close friendship that springs from being in the front line together. Shall I be accused of hindsight, if I say that few meetings of the Cabinet had passed before I realised the outstanding ability of Harold Macmillan? Others will doubtless write their memoirs of this period. Anthony Eden, Lord Avon, has already done so and I hear of another in preparation. I do no more than pass on some random recollections, of which the foremost is of a general harmony which contrasted favourably with the conditions which appeared to prevail in the Cabinet that preceded us. That may have been partly due to the dominant figure of the Prime Minister who was indeed punctilious in asking the opinion of his Ministers but was assisted by a conveniently defective hearing-aid in failing to discern that assent was not always enthusiastic. It may be too that the line of succession was so well marked that intrigue was out of the question. Or it may be that my colleagues were just not the sort of men who would indulge in that discreditable pastime. In any case we were a happy band, whose main task was to restore the shattered credit of the country. It is easily forgotten how low it had then fallen.

So far as specific legislation was concerned our primary duty was to denationalise the steel industry and road transport. This was a main issue upon which the election had been fought. I had no immediate concern with measures to this end but I gave my willing support to them. For the central article of my political creed has always been a determined opposition to the doctrines of Socialism. There was, however, one matter which was peculiarly my concern and that was to improve the position of the judges. Fortunately the Labour Party had seen the necessity of increasing the salaries of the county court judges,

which were disgracefully low, and I had no difficulty in getting a Bill which improved their position, not as much as I could have wished, but it was prudent to accept a figure which was not controversial. This was a matter near my heart, for I had long felt that the work done by the county court judges was insufficiently appreciated. I had some time before this event written in a chapter that I contributed to a book compiled by Sir Ernest Barker called "The Character of England" - "If the reputation of English justice stands high, let a good measure of this credit be given to the county court judges, who, unheralded by trumpets, perform their duties in the fifty or more circuits into which for this purpose England and Wales are divided." I was glad to be able to show my appreciation in a concrete form. The turn of the High Court judges came later.

Now I must turn for a moment to the domestic scene. My appointment involved our moving to the Lord Chancellor's residence in the Palace of Westminster. It had been occupied by the Clerk of the Parliaments until comparatively recently. Lord Birkenhead had proposed to take possession when he became Lord Chancellor but, failing to get the Office of Works to instal a second bathroom, declined to do so. I do not think that any Chancellor resided there before Lord Simon. He and his successor Lord Jowitt, who was my predecessor, occupied it and I decided to follow their example. Apart from the great inconvenience of living far from the House where I might be called on to preside as well after as before dinner, the apartments themselves made a delightful home. Looking over the river they were absolutely quiet except for the hooting of barges between the bridges and there were spacious rooms for the entertaining that I was bound to do. Furnishing was a difficulty. But Jowitt kindly left some furniture there - perhaps against the day of his hoped-for return - and the Office of Works also came to the rescue. I borrowed a few pictures from the Tate Gallery and from a friend and neighbour in Hampshire, Sir George Cooper of Hursley Park, I got the loan of some fine tapestries. They

had been designed by Boucher and given by Louis XV to Madame La Pompadour. His house had been taken over during the war by a commercial company and the tapestries had for safety's sake been taken out and were stored at the Ashmolean Museum in Oxford. It took some little time for the Jowitts to move out and for the Office of Works to do the necessary work of redecoration and repair, including (triumph for my persistent wife!) the installation of a second bathroom, but we managed to get in ^{early} ~~by the end of~~
^{my new} /the/year. And there we very happily stayed until near the end of 1954.

The autumn of 1951 was a time of economic and political anxiety. With such a narrow margin no risk could be taken. Perhaps for that reason the Prime Minister intervened to stop a threatened railway strike by making concessions which were not approved by all his colleagues when after the event they heard of them.

Anxiety was not confined to home affairs and the most pressing problem arose over our relations with Egypt and the Sudan. This was a question upon which I had read widely and I took a great interest in it. I do not propose to write a history of it. That has been done with studious care by Lord Avon. I only refer to a single incident in which I was called on to take part. In the early part of 1952 the lid looked like blowing off the kettle. The Egyptian Government purported unilaterally to abrogate the treaty of alliance we had made with them in 1936, a wrongful act for which no excuse could be made except ^{the false one} that it had been made under duress and with no better excuse they also denounced the Condominium Agreements of 1899. Feeling in Cairo ran very high and the British troops in the Canal Zone were on the alert to go to the protection of British subjects and their property. The trouble started in the Canal Zone itself where there was a "bloody affray" and some loss of life. This was followed by an outbreak in Cairo. British subjects were killed including the Canadian Trade Commissioner and British-owned buildings were burned. Damage estimated at from three to four million pounds

was done. This was the news that reached Anthony Eden one night in January as he sat in the Foreign Office residence in Carlton Gardens and at the same time he had a message expressing some doubt whether the British force was adequate to deal with the crisis. Most of the Cabinet were out of London. He telephoned to me - it must have been then near midnight - asking me to go round to him. I did so and he told me that he proposed to send a message to the commander of our forces that, whatever the risk, he must, if instructed, intervene. Eden's account of this incident ends with the statement "The Lord Chancellor firmly agreed." So I did and, though we spent an anxious hour awaiting further news, the knowledge that British troops were ready to move appears to have stayed the trouble.

Early in 1952 the event happened which had been threatening but was not thought to be so near. I was sitting in my office when the Prime Minister's private secretary came into my room and without any warning said "The King is dead."

Others have told of the events that followed. The Princess Elizabeth and the Duke of Edinburgh were in Kenya and hurried home. I was not one of those who went to meet her at London Airport. It was better that only those of her senior Ministers should go whom she already knew well. Though her absence from England at the fatal moment had not been foreseen, all other preparations for the demise of the Crown had been wisely made by the Privy Council and without delay the "Accession Council" was held by the Privy Council at St. James's Palace. There the Queen in the presence of her Counsellors made the traditional and statutory declarations and was duly proclaimed Queen to the crowds assembled outside the Palace. It had been my duty to go with the Prime Minister and others into the inner room where she waited with her suite and invite her to come into the Council Chamber. Pale and tired and dressed in sombre black, she moved and spoke with firmness and queenly dignity. I think that tears were very near the eyes of many of us.

Now too there were other sad occasions. The House of Lords passed resolutions of sympathy with Queen Elizabeth the Queen