

1957

# The Hon. Sir John Frederick Sigismund Charles Day

Vanity Fair

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## JUDGES. No. 23.

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THE HON. SIR JOHN FREDERICK SIGISMUND CHARLES DAY.

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**B**ORN of a Dutch mother at the Hague two-and-sixty years ago, he commenced his education at Friburg, continued it at a Roman Catholic academy at Bath, went on with it at London University, where he took his B.A., and at the Middle Temple, which he joined at the age of nineteen, and is now completing it on the Bench. He was "called" in 1849, and he was soon chosen. He saw a great opportunity in the attempt to clear away the then procedure muddle by the Common Law Procedure Act, which came to pass a few years after his call; and he seized it by writing a good book on the subject, which made him an authority on the old Rules of Procedure as long as they existed. He also indited a new edition of Roscoe's "Nisi Prius," and thus became a recognised authority on the Law of Evidence. So, having compassed an excellent practice on the South-Eastern Circuit, he gave up book-making and confined his attention to clients, who multiplied around him, as he gradually waxed greater, until eighteen years ago, when he was nominated a Queen's Counsel after three-and-twenty years of plodding and lucrative industry at the Bar. Ten years later he was asked to ascend the Bench; which he would have been asked to do long before had he been sufficiently a child of this world to be a politician.

He was a very skilful, a very vivacious, and a very witty advocate, but he is now less vivacious, and his wit has entirely evaporated, though he still often says things that are laughed at because it is supposed that they are intended to be laughed at. He never sought political honour, or dishonour, in the days of his advocacy; but politics have been put upon him in those of his judgment. A good deal of political mud has been thrown at him during the present year, of which, however, little, if any, seems to have stuck. In his criminal capacity he gives prisoners a fair trial and sees that they get it; but, when convicted, he shows them no mercy, and has been, on occasion, pretty freely abused in some quarters for administering very heavy sentences for very small crimes. He is a good Judge and strong enough to be above sentiment; and none but the most unfledged of Counsel ever attempts the smallest piece of claptrap before him. He is also a good lawyer, and a good judge of human nature. Like his brother Mathew, he is a Roman Catholic by persuasion, in spite of which he has been very rudely and very unnecessarily, though very vainly, objected to as one of the Commissioners now sitting upon certain charges and allegations which have been made against certain Irish agitators, who thought, first, that the law of the land was not good enough for persons of their standing, and, secondly, that Mr. Justice Day was not a good enough Judge to discuss their exceeding merit; but he did signal service to the Government as First Commissioner on the Belfast Riots two years ago, and he may be depended upon now to do his duty in the new state to which it has pleased the Government and Providence to call him. He is an upright, sensible, and magnificently ugly man. He is above Society. He is very practical, and he has been on the treadmill.



THE HON. SIR JOHN FREDERICK SIGISMUND CHARLES DAY.

" 2<sup>nd</sup> Commissioner