

his health. He visited Aix-les-Bains the same year, and was apparently cured, but the mischief reappeared and gradually became worse. In 1860 he married Eliza Charlotte, daughter of George Henry Minto Alexander, officiating judge at Banda, India. Her sister was the wife of his great friend, Professor Nesbitt. In 1862 he established his reputation by his work on 'The Slave Power,' the most powerful defence of the cause of the Northern states ever written. It made a great impression both in England and America (a second edition, 'greatly enlarged, with a new preface,' appeared in 1863). In 1865 he settled at Mill Hill, near London, where the dampness of the situation was very prejudicial to his health. In 1866 he was appointed professor of political economy in University College, London. Renewed attacks of ill health in the shape of rheumatic gout forced him to pay several visits to foreign baths. A severe operation in 1868 gave him some relief, but he was in time completely crippled. In the spring of 1870 he settled at Lee, near Blackheath, and two years later at Kidbrooke Road, Blackheath. Here he remained for the rest of his life, becoming by degrees a more hopeless invalid, but never losing his cheerfulness or his intellectual vigour. He was a near neighbour and a warm friend of J. S. Mill, and was especially intimate with the late Henry Fawcett and Mr. L. H. Courtney, both of whom constantly visited him. Through them and other friends, as well as by his occasional writings, he exercised considerable political influence. He was deeply interested in questions of national education in Ireland, being always a strong advocate of united education. He took an energetic part in the opposition to the supplementary charter of the Queen's Colleges in 1865-6, which was ultimately pronounced invalid by the master of the rolls. He also did much to inspire the successful opposition to Mr. Gladstone's scheme of an Irish university in 1873. During this time he contemplated a book upon the economical history of Ireland, and upon finding the task too much for his strength worked up the fragments, together with various papers upon the education question, into a volume called 'Political Essays,' published in 1873. In that year appeared also a volume of 'Essays on Political Economy, Theoretical and Applied,' containing some articles upon the change in the value of gold which had originally been published in 'Fraser's Magazine.' The predictions in these articles were remarkably verified by the statistical researches of Professor Stanley Jevons made some years later in ignorance of Cairnes's speculations. A remarkable book, entitled

'Some Leading Principles of Political Economy newly explained,' appeared in 1874. In the same year the honorary degree of LL.D. was conferred upon him by the university of Dublin, though he was unable to present himself to receive it. Cairnes at the time of his death was undoubtedly at the head of living economists. Although in the main a follower of J. S. Mill, and therefore of the so-called orthodox school, he was a strikingly original thinker, and did more than any one else to develop the doctrine which he accepted. His statement of the wages fund theory is particularly worth notice. In private life he was a man of singular charm of conversation, even when quite disabled physically. He died, after long suffering, borne with heroic patience, on 8 July 1875, leaving a widow and three children.

Besides the works above mentioned the following have been published separately: 1. 'The Southern Confederacy and the Slave Trade, a correspondence between Professor C. and G. M'Henry (reprinted from the *Daily News*), with introduction by G. B. Wheeler,' 1863. 2. 'Who are the Canters?' (No. 3 of a series of tracts published by the Ladies' Emancipation Society), 1863. 3. 'England's Neutrality in the American Contest,' reprinted, with additions, from 'Macmillan's Magazine,' 1864. 4. 'University Education in Ireland, a letter to J. S. Mill,' 1866. 5. 'University Education in Ireland,' reprinted from the 'Theological Review,' 1866. 6. 'Woman Suffrage,' a reply to Goldwin Smith, reprinted from 'Macmillan's Magazine' of September 1874. He published many articles in the 'Fortnightly Review,' his last contribution being an interesting criticism of 'Mr. Herbert Spencer on Social Evolution' in the numbers for January and February 1875.

[Information from Mrs. Cairnes; Times, 8 July 1875 (article by L. H. Courtney); H. Fawcett in Fortnightly Review for August 1875; personal knowledge.] L. S.

CAIRNS, HUGH McCALMONT, first EARL CAIRNS (1819-1885), belonged to a family of Cairns, of Scotch origin, which migrated from Kirkcudbright to the north of Ireland in the time of James I, and was there of some distinction. A baronetcy, which soon became extinct, was conferred upon an Alexander Cairns for service under Marlborough. Hugh Cairns was the second son of William Cairns of Cultra, county Down, formerly a captain in the 47th regiment of foot, by his wife Rose Anna, daughter of Hugh Johnson. He was born in December 1819, and was educated first at Belfast Academy and afterwards

at Trinity College, Dublin. His father at this time designed him for holy orders, but the Rev. George Wheeler, afterwards rector of Ballysax, who was his tutor, strongly urged that Cairns should be bred to the law. Cairns's own bent was decidedly in the same direction. He took a first class in classics and his B.A. degree in 1838, and then came to England to prepare for the bar. He was called to the bar by the benchers of the Middle Temple in January 1844, and shortly afterwards 'migrated' to Lincoln's Inn. In chancery he read in the chambers of Mr. Richard Malins, afterwards vice-chancellor; and it was in those of Mr. Thomas Chitty, the well-known special pleader, of King's Bench Walk, that he read at common law. His original intention had been to return to Ireland, but upon the advice of Mr. Malins he determined to remain in England. He came to London, without influence or connection, and yet his opportunities of success came early. His first brief was given him by Mr. Gregory of Bedford Row, who remained his firm client till he quitted the bar. His practice, once begun, grew rapidly. Yet constitutionally he was diffident and at first so nervous as a speaker that he thought himself unfit for anything but chamber practice and conveyancing. In July 1852 he entered parliament as member for Belfast, and continued to represent that town as long as he remained at the bar. In 1856 he was made a Q.C. and a bencher of Lincoln's Inn, and elected to practise in Vice-chancellor Wood's court. In February 1858, when Lord Derby took office, he was appointed solicitor-general and knighted, and from this time enjoyed an enormous practice. He was employed in many ecclesiastical cases, in which his opinions are still valued, and in Scotch and Irish appeals, and on various occasions, such as the Windham lunacy case and the case of the Alexandra, he made very successful appearances before juries at nisi prius. At this time his health, never very good, was tried to the utmost by his professional labours; it was his habit to refuse all briefs for Saturdays and to take that day as a holiday, often in the hunting-field, while in his long vacations he annually recruited his vigour on the Scotch moors.

But from 1858 he became a conspicuous figure in public life. His first great success was on 14 May 1858, in the debate upon Mr. Cardwell's motion to censure the conduct of Lord Ellenborough in India. Of this Mr. Disraeli, in his official letter of the day to the queen, says: 'Two of the greatest speeches ever delivered in parliament, by Sir Edward Lytton and the solicitor-general, Sir Hugh Cairns. Cairns devoted an hour to a reply

to Lord John's resolution and to a vindication of the government bill, which charmed every one by its lucidity and controlled every one by its logic' (MARTIN, *Life of the Prince Consort*, iv. 411). This speech was subsequently published. In the following session he introduced two bills, one to simplify titles to real estate and another to establish a land registry, and his speeches in bringing them in produced a very favourable impression upon the house. He also spoke with good effect, persuasively and pointedly, in the 'Cagliari' debate. In 1860, upon the motion for an address to the crown upon the French commercial treaty, Cairns accepted it, with criticisms, on behalf of his party; and in 1865, on Mr. Monsell's Roman Catholic Oaths Bill, he moved an amendment to secure protestant government and worship in the United Kingdom, which was supported by Mr. Disraeli and defeated by the government by a majority of only nineteen. He also spoke on 23 Feb. 1864 on the right of the government to detain ships, with reference to the confederate privateers, and this speech was subsequently published. When the conservatives returned to power in 1866 and Sir Fitzroy Kelly was no longer available as attorney-general, that office was, without question, conferred on Cairns, and at the same time Lord Derby arranged with Lord Chelmsford that the lord-chancellorship was to be held by him only temporarily, and that he should in time make way for Cairns as his successor. Cairns's health, however, failed him under the stress of double duties, and when in October a vacancy occurred in the court of chancery, for the first time during fourteen years, by the retirement of Sir J. Knight-Bruce, he became the colleague of Lord-justice Turner as a lord-justice of appeal. A peerage was at the same time offered him, his party being desirous of retaining his great parliamentary services, but it was refused on the ground of want of means to support a title. Indeed the loss of income which he suffered by this promotion was very great. A wealthy relative, however, came to his assistance, and when the government, standing in need of an accession of strength in the House of Lords, renewed the offer in February 1867, it was accepted, and Cairns was created a privy-councillor and Baron Cairns of Garrahy, co. Antrim. He now took a very active part in the discussions upon the Reform Bill, and made no less than twenty-four speeches on it. His resistance on one occasion went the length even of opposing his own party, and on 29 July he carried by a large majority against Lord Malmesbury, who had the conduct of the bill in the lords during

Lord Derby's illness, an amendment to raise the lodger qualification from 10*l.* to 15*l.* The government accepted this, but afterwards, on Earl Russell's motion, the 10*l.* qualification was restored in committee and accepted by Lord Derby on 6 Aug. Cairns also carried, by 253 to 204, a motion in favour of the protection of minorities by means of the cumulative vote. In the same session he made an important speech, being always a champion of the protestant church in Ireland, against Earl Russell's motion for an address for a royal commission on the revenues of the Irish church. In February 1868 Lord Derby resigned office through ill-health, and Mr. Disraeli became prime minister, and in forming his ministry summarily passed over Lord Chelmsford and appointed Cairns lord-chancellor. Although this was according at any rate to the spirit of Lord Derby's agreement with him in 1866, Lord Chelmsford was exceedingly indignant, complained of being dismissed 'with less courtesy than if he had been a butler,' and appealed to Lord Derby, who, however, confirmed Mr. Disraeli's view of the matter. Cairns to some extent appeased Lord Chelmsford by appointing his son, Sir Frederick Thesiger, to the bench. On the defeat of the conservatives at the general election, Cairns resigned with Mr. Disraeli, and after Lord Derby's death (23 Oct. 1869) led the opposition in the House of Lords. His resistance to the disestablishment of the Irish church was vigorous and tenacious. His speech on Mr. Gladstone's Suspensory Bill was printed and widely circulated, and in 1868 the bill, although carried by large majorities in the House of Commons, was thrown out by the lords by 192 to 97. On 21 July, when the bill was returned to the lords with the amendments of the commons to their lordships' amendments, Cairns moved and carried by a majority of seventy-eight that the lords do insist on their amendments to the preamble of the bill, to which the commons had disagreed. But the resulting constitutional strain was great, and when on the 22nd Cairns heard, within an hour of the debate, that the government was willing to offer then and there acceptable concessions, which must be taken or refused before the debate began and could not afterwards be renewed, he took upon himself the responsibility of ending the struggle between the houses, and agreed with Lord Granville to withdraw his opposition. This, however, had to be done without consulting his party, and they were much aggrieved at this apparent vacillation. until Cairns cleared the matter up by sending round to his followers a circular on 24 July. Not long after this he re-

signed the leadership of the conservative party in the House of Lords, but he resumed it in 1870, Lord Salisbury being then too little in harmony with his party to lead it with success, and he energetically opposed the Irish Land Bill in that year. He was at this time acting also as a law lord on House of Lords' appeals, although on resigning in December 1868 he had declined Lord Hatherley's invitation to him to resume his place as a lord-justice of appeal. He also acted as arbitrator, in conjunction with Lord Salisbury, under the London, Chatham, and Dover Railway Company's Act, and also in another most intricate arbitration upon the affairs of the Albert Life Insurance Company in 1871. Consequently about this time he found his health considerably impaired, and was obliged to spend some time at Mentone, and during his absence the leadership of the conservative peers was undertaken by the Duke of Richmond. He was in his place, however, to speak upon the triple treaty of England, France, and Prussia to secure the independence of Belgium (August 1870), and he also very energetically opposed the appointment of Sir Robert Collier to a seat on the judicial committee of the privy council as a colourable evasion of the law. Although he was in opposition when the Judicature Act was passed, he had been chairman of the committee on judicature reform, which reported in 1869, and was lord chancellor when the act came into operation, and had a large share in the passing of the act. It was on his initiative that Lord Selborne's bill of 1873, which had displaced the House of Lords as the ultimate court of appeal, was amended by allowing an appeal from the supreme court to the House of Lords. The name of the supreme court, however, remained unchanged, so that though in name supreme it is not so in fact. In this as in much other legislation Cairns and Lord Selborne, who had always been rivals in politics and at the bar, worked together with mutual trust and confidence. It was practically by their agreement that the Married Women's Property Act of 1882 was passed; and with Lord Selborne's sanction Cairns brought to a successful issue the Conveyancing Acts of 1881 and 1882 and the Settled Land Act of 1882. Though thus responsible for most important legal changes, the only act which bears Cairns's name is one, now repealed, to enable the court of chancery to give damages in lieu of specific performance or an injunction.

When the conservatives took office after the general election of 1874, Cairns was lord-chancellor in Mr. Disraeli's government. In that year he introduced the Real Property

(Vendors and Purchasers) Act as a pendant to the Real Property Limitation Act, and in 1879 the Irish University Bill, in substitution for that introduced by the O'Conor Don. He was created in September 1878 Viscount Garrahy and Earl Cairns in the peerage of the United Kingdom; but after the conservative defeat and his resignation in 1880 he played a comparatively retired part in public life. He often, however, powerfully criticised the liberal government on various points of its policy, especially the Transvaal question, and his speech on this was published. On the death of the Earl of Beaconsfield there was a considerable desire on the part of a portion of the conservative party that Cairns and not Lord Salisbury should succeed to the leadership, but neither health nor years fitted Cairns for that task, and it was undertaken by Lord Salisbury. After this date he appeared but rarely in debate, and still more rarely to hear appeals. His health, never strong, had long been failing. At one time he was kept alive only by breathing special inhalations for asthmatic disorders; towards the end of his life an affection of the ear made him very deaf. He spent much time on the Riviera, and in 1873 built himself a house at Bournemouth, where he died 2 April 1885 of congestion of the lungs, and was buried 8 April. He was made LL.D. of Cambridge in 1862, D.C.L. of Oxford in 1863, and was also LL.D. of Dublin University and chancellor from 1867. He married, 9 May 1856, Mary Harriet, eldest daughter of John MacNeile of Parkmount, co. Antrim, by whom he had five sons and two daughters. The eldest son dying shortly after his birth, the second, Arthur William, succeeded to the peerage.

Cairns was confessedly the first lawyer of his time; his especial characteristic was lucidity. Without any great parade of case-law, he would exhaust the argument from principle and only in conclusion illustrate it by citing a few decisions. As a judge he did not explain the process by which his mind had been persuaded, but adhered to strict reasoning, his mind working like a logical machine. As a speaker he was very cold and unimpassioned, though in public addresses there were traces of repressed fire; but he invariably produced personally an impression of the chilliest austerity. He was believed to have but one human weakness, namely, for immaculate bands and tie in court and for a flower in his coat at parties. His classical and literary attainments were great, but if he had any humour—Lord Coleridge in his obituary speech to the lords, 13 April 1885, pronounced it keen—it was assiduously concealed. He was an evangelical churchman

of great piety. Like Lords Selborne and Hatherley he was a Sunday-school teacher almost all his life. He was a frequent chairman of meetings at Exeter Hall and of missionary meetings. Addresses of his on such occasions were published, one on the Irish church in 1864, another on the Young Men's Christian Association in 1881. He zealously supported Dr. Barnardo's homes for boys and his conduct of them, and laid foundation stones for him at Ilford in Essex in 1875. He was also a supporter of the coffee-house movement and looked askance upon the stage. He was not popular.

[Earl Russell's Recollections; Memoirs of Lord Malmesbury, ii. 373, 378, 409; Law Journal, 11 April 1885; Solicitors' Journal and Law Times, 11 April 1885; Times, 3 April 1885.]

J. A. H.

CAIRNS, WILLIAM (d. 1848), philosophical writer, was a native of Glasgow. After completing his course at the university, he, in 1800, entered the Antiburgher Secession Hall for the study of divinity. In March 1808 he was ordained minister of the secession church at Johnshaven, Kincardineshire. This position he resigned in October 1815 on being chosen professor of logic and belles-lettres by the directors of the Belfast Institution. He remained there till his death, 21 April 1848. He was the author of 'Outlines of Lectures on Logic and Belles-Lettres,' 1829, and 'Treatise on Moral Freedom,' 1844. He also edited, with a memoir, 'Lectures on Intellectual Philosophy,' by Dr. John Young, 1835.

[Mackelvie's Annals of the United Presbyterian Church, pp. 89, 660; Irving's Dict. of Eminent Scotsmen; Brit. Mus. Cat.] T. F. H.

CAISTOR, RICHARD (d. 1420), theologian, is said to have been born at Caistor, near Norwich, from which place he appears to have derived his surname (BLOMEFIELD, p. 591). In October 1385, at a time when he had already received the first tonsure, a title for this diocese was given to him (TANNER, from *Reg. Merton. Priorat. Bibl. E. 54*). On 22 May 1402 he was instituted vicar of St. Stephen's, Norwich, in which city he died 29 March 1420. For his extreme piety Caistor received the cognomen of 'good,' and Blomefield adds that he was a constant preacher of God's word and a great supporter of Wycliffite doctrines in the reign of Henry V. While living, the common people regarded him as a prophet, and after his death miracles were reported to have been wrought at his tomb, which became the object of local pilgrimage, to the great annoyance of the orthodox authorities. Caistor's popularity may be gauged by the fact