

= Charles Abbott , 1st Baron Tenterden =

Charles Abbott , 1st Baron Tenterden PC SL ( 7 October 1762 ? 4 November 1832 ) , was a British barrister and judge who served as Lord Chief Justice of the King 's Bench between 1818 and 1832 . Born in obscure circumstances to a barber and his wife in Canterbury , Abbott was educated initially at a dame school before moving to The King 's School , Canterbury in 1769 . He was noted as an excellent student , receiving an exhibition scholarship from the school in March 1781 , when he matriculated at Corpus Christi College , Oxford . Here he was elected a fellow , and also served as a tutor to the son of Sir Francis Buller , which first made him consider becoming a barrister . He joined the Middle Temple in 1787 , transferring to the Inner Temple in 1793 , and was called to the Bar by the Inner Temple in 1796 . Abbott was noted as an excellent barrister , earning more than any other during his time at the Bar , despite being considered unimaginative and a poor speaker . He was offered a position as a Justice of the Court of Common Pleas in 1808 , which he turned down ; he accepted the same offer in 1816 , receiving the customary knighthood and being appointed a Serjeant @-@ at @-@ Law .

Three months after he started sitting as a judge he was transferred to the Court of King 's Bench , where he was initially rather poor , being unfamiliar with the court 's business . Within two years he showed " the highest judicial excellence " , and when Lord Ellenborough had a stroke in 1818 , Abbott was chosen to replace him as Lord Chief Justice . His reign at the head of the Court of King 's Bench saw the court flourish , with strong justices and his own much @-@ admired abilities . He was appointed to the peerage in 1827 , sitting as Charles Abbott , 1st Baron Tenterden , and initially attended the House of Lords regularly . His opposition to the Reform Act 1832 , which he claimed treated city corporations " with absolute contempt " , led to his refusal to attend the Lords . Continuing to sit as Lord Chief Justice , Abbott gradually grew weaker , and finally fell ill halfway through a two @-@ day trial . His disease baffled doctors , and he eventually died on 4 November 1832 at his home in Queen Square , London .

= = Early life and education = =

Abbott was born on 7 October 1762 in Canterbury to John Abbott , a barber , and his wife Alice . Abbot lived in a " small , mean @-@ looking house " near the Cathedral , and was initially educated at a dame school . During his childhood he was noted as " industrious , apprehensive , regular and correct in all his conduct " . He attended The King 's School , Canterbury , from 1769 , where he was such a good student that he received an exhibition scholarship on his matriculation at Corpus Christi College , Oxford , in March 1781 . At the time there were only two awards at Oxford : the Chancellor 's medals for English and Latin prose . After an initial attempt to win them which failed , he won the Latin prize in his second year and the English prize in the third . Abbot was then elected a fellow of Corpus Christi where , acting as a tutor to the son of Sir Francis Buller , he first considered becoming a barrister . On 16 November 1787 he became a member of the Middle Temple , transferring to the Inner Temple in 1793 , and worked for two years under Sir George Wood as a special pleader ; it was said that he had finished his work as a special pleader faster than " any man before or since " . He was called to the Bar by the Inner Temple in 1796 .

= = Career = =

Abbott began practising on the Oxford Circuit ; while travelling there he had a fall from his horse , which broke his leg in two places and left him permanently lame . In 1802 he published a legal tract , On Merchants ' Ships and Seamen , which was praised by his fellow lawyers and earned him a large amount of commercial work ; it was later republished in the United States , where it was misattributed to Charles Abbot , the Speaker of the House of Commons . He was eventually " as eminent and prosperous as a counsel can be at the English bar " , although he refused to apply for silk . From 1802 to 1816 he served as " Devil to the Attorney General " , opening all government prosecutions , and was standing counsel for the Bank of England and many Deans and Prelates in

the Church of England . By 1807 he was making £ 8 @, @ 000 a year , and later exceeded this amount ; it was remarked that he earned more money than any other barrister of that time . Abbott was not a " flashy " barrister ; although known as an excellent lawyer , his speeches were monotonous and he lacked an imagination .

In 1808 he was offered a position as a Justice of the Court of Common Pleas , but refused it . After eight more years of work , however , he felt that his health could no longer take the strain , and accepted a position in the Court of Common Pleas on 24 January 1816 , along with becoming a Serjeant @-@ at @-@ Law as required . Abbot was granted the customary knighthood , with the motto " Labore " , which he also used for his peerage . He stayed in this post for barely three months , with no records of his work there surviving , before being transferred against his will to the Court of King 's Bench on 3 May to replace Simon Le Blanc .

Abbott , unfamiliar with the Court of King 's Bench ( having been a regional lawyer rather than a London @-@ based one ) , was initially a disappointment , but soon improved . By 1818 he showed " the highest judicial excellence " , although he was criticised for snapping at boring barristers and for taking the government 's side in prosecutions . That year , the Lord Chief Justice Lord Ellenborough had a stroke , forcing his retirement . Most of the other judges and legal figures were inappropriate for the role ; Sir Samuel Shepherd , for example , was while an able lawyer too deaf to sit as a judge . As a result , Abbott was appointed , and formally took up his position on 4 November 1818 . As Lord Chief Justice he saw the Court of King 's Bench flourish , with competent Justices and his own abilities ; " [ Abbott ] had more knowledge of mankind than any of [ the Justices ] , and was more skilful as a moderator in forensic disputation " . Abbott 's central weakness as a judge was seen to be his support of James Scarlett , his leader when Abbott was a barrister ; " The timid junior , become Chief Justice , still looked up to his old leader with dread , was afraid of offending him , and was always delighted when he could decide in his favour " .

On 30 April 1827 , Abbott was made Baron Tenterden , of Hendon in the County of Middlesex ; having feared that " Lord Abbott " would leave him open to ridicule , he instead picked the name of a Kentish town near his roots . On 24 May Abbott formally took up his position , attending the House of Lords regularly , and was the last Chief Justice to wear his official robes to the Lords ( other than those acting as interim Speakers ) . In 1830 he introduced several bills to Parliament following reports on the state of the Ecclesiastical Courts , common law courts and law of real property ; all were passed , except the ecclesiastical bills , as Parliament ran out of time to hear them . They were heard during the next Parliamentary session in 1831 , and both passed ; they " by no means established for him the reputation of a skilful legislator ... the judges have found it infinitely difficult to put a reasonable construction upon them " . The Reform Act 1832 led to his departure from the Lords , and is considered to have greatly shortened his life ; he fought strongly for the city corporations , which he claimed the bill treated " with absolute contempt " , but was eventually defeated . Having threatened that , should it pass , " Never , never my Lords , shall I enter the doors of this House " , he was true to his word , and never returned to politics , although from 8 August to 3 September 1827 he was interim Chancellor of the Exchequer , following the convention that , when vacant , the position should be held by the Lord Chief Justice .

= = Death = =

Abbott first began to grow ill in May 1832 , when he wrote to Sir Egerton Brydges that " My spirit is so depressed , that when I am not strongly excited by some present object that admits of no delay , I sink into something very nearly approaching torpidity " . Although he got somewhat better , giving his annual dinner to the King 's Counsel , it was noticed that he was unable to drink his wine properly . He went to the Midland Circuit in June , as it was the easiest one , but he suffered from " a violent cough " and other symptoms , returning to his home in Hendon . After the first day of a two @-@ day case he found himself losing his appetite and suffering from a fever , which caused him to talk incoherently and become delirious . The disease baffled doctors , and finally killed him on 4 November 1832 at his home in Queen Square , London ; his last words were " and now , gentlemen of the jury , you will consider of your verdict " . He was buried at the Foundling Hospital , of which he

was a governor .

= = Personal life = =

Abbott married Mary Lamotte on 30 July 1795 . He enjoyed the domestic element of his life , and records show love poetry written to his wife . Prior to their marriage Mary had sent him a lock of her hair ; in exchange , he wrote a poem for her entitled " The Answer of a Lock of Hair to the Inquiries of its Former Mistress " . The couple had two sons and two daughters ; John , Charles , Mary and Catherine . Catherine later married John Rowland Smyth .

Abbott was considered cautious , with an " aversion to all that was experimental " and a " want of fancy " which were considered excellent traits for a judge , giving him " a very prominent rank indeed amongst our ablest judges " . He possessed a violent disposition ; " his temper was naturally bad ; it was hasty and it was violent ; forming a natural contrast with the rest of his mind " , but he successfully controlled this . This occasionally came out in court , however , and he was noted as particularly caustic and intolerant of unnecessarily complex sentences . When one witness , an apothecary , used a particularly complex medical phrase , Abbott shouted that he should " Speak English sir , if you can , or I must swear in an interpreter " . He was considered " dull in private life as well as in public ; and neither crimes nor follies could ever be imputed upon him " ; despite this he was " a great magistrate , and his judgments [ were ] studied and admired " . Edward Foss wrote of him that " no judge ever sat on the bench who displayed greater learning , cleverness and discrimination ; nor whose judgments have ever been so undisputed .