

THE DECLINE OF CIRCUIT LIFE.

satisfied look, even after the explanation had been given and the privilege claimed."

It must be admitted that the great advances which have been made in modern times in travelling facilities and other conveniences have been accompanied by the elimination, to a certain extent, of those elements of romance and adventure which the art of the poet and the novelist have taught us to associate with the less easy and comfortable life of our forefathers. This, however, is a loss which the Canadian judge or counsel can bear with equanimity, as his luxurious 'Pullman' carries him with speed and safety to his destination, especially when he reflects on the hardships and perils which his less fortunate predecessors were often called on to endure. We quote from the article in the *Law Review* a passage which throws the contrast of the present and the former days into strong relief.

"In those days there was a certain amount of romance and adventure in circuit life—when Thurlow rode the Western Circuit on a horse procured 'on trial;' Eldon went the 'Northern iter' on a hired horse, but was obliged to borrow one for the youth who rode behind him, in charge of the saddle-bags, in the capacity of clerk; and North, afterwards Lord Keeper Guilford, when riding the Norfolk Circuit, got mellow and had to be put to bed in a public-house, while 'the rest of the company went on for fear of losing their market' (Campbell's *Lives of the Chancellors*, Vol. III., p. 441). Even the perils of the road had to be shared by the gentlemen of the long robe in comparatively recent times. Thus we find that Mr. Wood and Mr. Holroyd (both of whom were afterwards raised to the Bench), when crossing Finchley Common on their way to join the Northern Circuit, were stopped by a gentleman of fashionable appearance, who rode up to the side of the carriage and begged to know 'what o'clock it was.' Mr. Wood, with the greatest politeness, drew out a handsome gold repeater and answered the question;

upon which the stranger, drawing a pistol, presented it to his breast and demanded the watch. Mr. Wood was compelled to resign it into his hands, and the highwayman, after wishing them a pleasant journey, touched his hat and rode away. The story became known at York, and Mr. Wood could not show his face in court without some or other of the Bar reminding him of his misfortune by the question, 'What's o'clock, Wood?'

Even supposing the circuiter was fortunate enough to escape falling into the hands of highwaymen and to accomplish his toilsome journey to the assize town in safety, his troubles were by no means at an end. During that journey he had been debarred from availing himself of any public mode of conveyance, lest he might thereby fall into company with some attorney, and so get an unfair advantage over his brethren in the all-important matter of securing briefs—so strict in those days was the etiquette of the profession,—so sternly was its face set against the contamination of 'base fees!' This so-reprobated practice of cultivating the good graces of the attorneys was termed "hugging," a crime the temptations to which were felt to be so powerful, that the most vigorous penalties and restrictions were resorted to in order to check and punish it. "Arrived at the circuit town, he (*i. e.* the barrister on circuit) could not enter it before the Judges, or at least not before mid-day of the Commission Day, so that all might have a fair start in the race for briefs; and even when he had got within the 'happy hunting grounds,' he was not allowed to stay at, or frequent, any public inn, lest the same temptations to 'hugging' and other undue influences should be presented to him—but he must go into lodgings, for which, of course, he had generally to pay an exorbitant price, there being no keener appreciators of circuit etiquette than the landladies. In some of the northern towns they used to adopt a sort of sliding scale of charges—a certain price if you had no business, an extra guinea if you