

THE DECLINE OF CIRCUIT LIFE.

cases they may be retained to defend, and may without such license appear in cases against the Crown.

The question is one for those holding the "office" of Queen's Counsel to consider and settle; or failing their doing so, then it may be raised by some daring "junior" in a criminal trial in one of our Courts, and the status of Queen's Counsel again discussed, together with the further question: whether a Patent of Precedence, instead of a Patent as Queen's Counsel, would be more appropriate recognition of professional rank in this country.

T. H.

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There appeared in a recent number of the *Law Review* an article on this subject, which, though its practical importance is confined to the English Bar, cannot fail to possess considerable interest from a literary and historical point of view for members of the profession everywhere. The writer, after referring to the momentous changes which have been effected of late years in legal practice, in spite of the traditional conservatism of lawyers, calls attention to the fact that the leaven of innovation is beginning to work even in matters of social and professional organization, such as the forms and customs which have been from time immemorial associated with the circuits. In his opinion "it requires no seer's vision to perceive that the old spirit of the circuit life has fled: that there have long been, and still are, influences at work that are slowly altering and new moulding the circuit system, which influences, in spite of the retention of old names and observances, are likely at no distant date to accomplish the complete effacement of the old circuit system with all its attendant observances."

Among these influences, not the least potent are the marvellously increased facilities

of locomotion which have been introduced during the present century. The "pomp and circumstance" which in olden times attended upon the advent of the judges in the assize towns, and the time-honoured observances associated with the circuits, were intimately connected with the slowness, and consequent dignity, of their movements. When the headlong speed of railway trains supplanted the dignified discomfort of the post-chaise in the office of carrying the ministers of justice to their destination, a fatal blow was dealt at many old customs and observances connected with circuit life, which were felt to be mere relics of feudalism, and no longer suitable to the changed conditions of modern life. In this, as in many more important matters, "the old order changeth, yielding place to new," and habits and customs which were full of a living interest and significance for one generation, become in the next the objects of antiquarian curiosity, or, at most, of a sentimental regret. The following passage furnishes a curious illustration of the inconveniences entailed upon the counsel who went the Northern Circuit in the good old days of bad roads and rumbling post-chaises: "So important a feature was the question of roads and locomotion considered "upon the northern iter," that when the business at any Assize town extended into the Commission Day of the next town, counsel were privileged to appear in court that day without their robes: the reason being that ordinarily these would have been consigned to the baggage-waggon, or the clerks, and were already *en route* for the next circuit town. Long after the reason for it had ceased to exist this rule was religiously observed by the members of the Northern Circuit as one of their especial privileges, and on the last occasion of its observance, not many years ago, we recollect how shocked the judge who, in the days of his youth, had been at the Equity Bar, looked at the indignity put upon him, as he supposed, by this want of dress, and his puzzled and not altogether