

ITEMS—AN OLD CIRCUIT LEADER.

a court of justice under such circumstances as to protect him from arrest when going, the privilege would be ineffectual unless it also protected him while staying there and on his return. The two latter privileges are auxiliary to the first. The object of all three is not to benefit the party, but to protect the administration of justice: *per Coleridge, in Ex parte Cobbett*, 7 El. & B. 957.

The privilege which is extended to a barrister while in court or on the circuit, and going to and returning from the courts, must be further extended to a barrister who is also a county judge, and who is liable to be called upon to preside in a court, not only at certain stated times, but at any hour of every day, except Sunday, to act in a judicial capacity in some matter in which he alone is competent to act: *Adams v. Acland*, 7 U. C. Q. B. 211.

The Chief Justice of the Common Pleas, in giving judgment in the case of *In re Hicks*, reported in another place, after deciding that an insolvent could not legally be committed under sec. 29 of 29 Vic. cap. 18, with an opportunity of shewing cause, and that it should appear in the order of committal that the insolvent has had notice of the order for delivery, &c., referred to in the above section, for non-compliance of which an order of committal was made, remarked, that it would be well if all these orders contained a short recital of matters, so as explicitly to bring the case within the 29th section, and set out the substance of the order made on the assignee's application, together with notice to the insolvent. Thus the service of the order, or at least, averment of notice being given of it to the insolvent, and a demand of the delivery, &c., of the things ordered to be delivered, and then notice of the application to commit and opportunity of being heard against it, and then the order to commit. The statute, it may be observed, is silent as to any alternative committal.

The presumption is, that as the reports now go to each certificated practitioner, they, one and all, know their contents. But it has been said, that one man may lead a horse to the water, but fifty cannot make him drink, and so perhaps it may be that some of the lawyers—not the horses—do not very deeply study the reports. If they do, they do not

profit much thereby—at least they certainly do not heed the many intimations from the courts, that irrelevant matter should not be thrust upon the judges nor charged to suitors.

The following remarks, extracted from a judgment in a late case in the Court of Appeal, are amongst the latest of the "broad hints" on this subject. One learned judge remarked:

"A very inconvenient system and practice appears to have become prevalent in respect to the making up of appeal books. In this case I have lost much time, and have been put to useless trouble, by finding printed, as part of the evidence, pages of matter which I at last found out ought not to be inserted, and could not affect the decision; and this is far from being the only ill consequence attending the practice. We cannot expect those practitioners who bring before the court a mixed heap of chaff and grain, under the name of evidence, will be particularly industrious in sifting them apart, in order to save suitors the unnecessary costs—and the court will probably be obliged to impose this duty on its officers, by ordering that they tax no costs of the printed books to parties whose negligence swells their contents so unreasonably."

SELECTIONS.

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(From the Law Magazine).

It is difficult to believe how short-lived is the fame of a favourite barrister on circuit. Such a man usually attains early the summit of success, and during a brilliant career is vastly esteemed, and admired, and courted, not only by the counsel and attorneys, and by the magistrates and country gentlemen, and other residents in the different counties which form his circuit, but also by such of their wives and daughters as have had the good fortune to obtain admission into the Assize Courts, and have there been delighted by the wit and eloquence of the favourite "counsellor." Such a man, within the limits of his circuit, is as famous as a man can well be.

But should it happen that he never attained a judgeship or other signal official dignity, but "died a Nisi Prius leader," it is marvellous how rapidly and completely the recollection of him fades from the memory of the public, and how soon his name is utterly forgotten, even in the fields of his former glory.

Probably there are not many men now surviving who are familiar with the name of John Jones, of Ystrad. But half a century has not elapsed since his name was universally renowned in the principality of Wales, as the idol of his countrymen and the irresistible leader of the old Carmarthen Circuit. The