

A LAST CENTURY CHARACTER.

It is curious to look back from the present comparatively sober age to the latter part of the last century, when the vice of intemperance prevailed even in the highest classes of society in Edinburgh, as the following notice of Lord Newton, from one of the lately published numbers of "Kay's Portraits," sufficiently testifies:

"The extraordinary judicial talents and social eccentricities of Lord Newton, one of the judges in the Court of Session, are the subjects of numerous anecdotes. On the bench he frequently indulged in a degree of lethargy not altogether in keeping with the dignity of the long-robe, and which, to individuals unacquainted with his habits, might well seem to interfere with the proper discharge of his duties. On one occasion, while a very zealous but inexperienced counsel was pleading before him, his lordship had been dozing, as usual, for some time—till at last the young man, supposing him asleep, and confident of a favourable judgment in his case, stopped short in his pleading, and addressing the other lords on the bench, said, 'My lords, it is unnecessary, that I should go on, as Lord Newton is fast asleep.' 'Ay, ay,' cried Newton, whose faculties were not in the least affected, 'you will have proof of that by and bye,' when, to the astonishment of the young advocate, after a most luminous review of the case, he gave a very decided and elaborate judgment against him.

Lord Newton participated deeply in the bacchanalian propensities so prevalent among lawyers of every degree, during the last and beginning of the present century. He has been described as one of the 'profoundest drinkers of his day. A friend informs us that, when dining alone, his lordship was very abstemious; but when in the company of his friends, he has frequently been known to put three 'lang-craigs,' or bottles of claret with long necks, under his belt, with scarcely the appearance of being affected by it. On one of these occasions he dictated to his clerk a law-paper of sixty pages, which has been considered one of the ablest his lordship had ever been known to produce. The manuscript was sent to press without being read, and the proof sheets were corrected at the bar of the Inner House in the morning.

It has been stated that Lord Newton often spent the night in all manner of convivial indulgences—drove home about seven o'clock in the morning—slept two hours, and mounting the bench at the usual time, showed himself perfectly well qualified to perform his duty. Simond, the French traveller, relates that 'he was quite surprised, on stepping one morning into the Parliament House, to find in the dignified capacity, and exhibiting all the dignified bearing of a judge, the very gentleman with whom he had just spent a night of debauch, and parted only an hour before, when both were excessively intoxicated.' His lordship was also exceedingly fond of card-playing; so much so, that it was humorously remarked, 'Cards were his profession, and the law only his amusement.'

During the sitting of the session, Lord Newton, when an advocate, constantly attended a club once a-week, called 'The Crochallan Fencibles,' which met in Daniel Douglas's Tavern, Anchor Close, and consisted of a considerable number of literary men and wits of the very first water. The club assumed the name of Crochallan from the burthen of a Gaelic song, which the landlord used sometimes to entertain the members with; and they chose to name their association *Fencibles*, because several military volunteer corps in Edinburgh then bore that appellation. In this club all the members held some pretended military rank or title. On the introduction of new members, it was the custom to treat them at first with much apparent rudeness, as a species of initiation, or trial of their tempers and humours; and when this was done with prudence, Lord Newton was much delighted with the joke, and he was frequently engaged in drilling the recruits in this way. His lordship held the appointments of Major and Muster-Master-General to the corps. The late Mr. Smellie introduced the poet Burns to this corps in January 1787, when Lord Newton and he were appointed to drill the bard, and they accordingly gave him a most severe castigation. Burns showed his good humour by retaliating in an extemporaneous effusion, descriptive of Mr. Smellie, who held at that time the honourable office of *hangman* to the corps.

The eccentricities of Lord Newton were frequently a source of merriment amongst his friends. He had an unconquerable antipathy to punning, and in order to excite the uneasiness he invariably exhibited at all attempts of that nature, they studiously practised this novel species of punishment in his company.

Lord Newton, when an advocate, continued to wear the gown of Lockhart, "Lord Covington," till it was in tatters, and at last had a new one made with a fragment of the neck of the original sewed into it, whereby he could still make it his boast that he wore 'Covington's gown.' Lord Covington died in 1782, in the eighty-second year of his age. He practised for upwards of half a century at the bar previous to his elevation to the bench in 1775. He and his friend Ferguson of Pitfour rendered themselves conspicuous by becoming voluntary counsel for the unfortunate prisoners tried at Carlisle in 1746 for their concern in the rebellion, and especially by the ingenious means they devised to shake the wholesale accusations against them.

Lord Newton was an uncompromising Whig. From his independent avowal of principles, and occasional vehement declamation against measures which he conceived to be wrong, he was dubbed by his opponents the 'Mighty Goth.' This, however, was only in the way of good-natured banter: no man, perhaps, passed through life with fewer enemies, even among those who were his political opponents. All bore testimony to his upright conduct as a judge, to his talents as a lawyer, and to his honesty as a man.

Lord Newton died at Powrie, in Forfarshire,