

and found the linen flapping on the lines, and quantities of children playing in the gutter, and she showed us the old iron rings still against the walls in which the oil lamps used to hang, and the site of the smugglers' cells which were taken down last year, and where the kitchen and chapel used to stand, and the door, blocked up now, where the sheriff's officers would come in with the prisoners to "the Pump or Aristocratic Side." While one talked others came out and listened. The owner of Mr. Dorrit's apartment called from the window to tell us her place was tidy, and would we like to see it? and we visited the little room where Dickens sat by the fire and through his tears watched the two bricks in the rusted grate while his father talked of his troubles, which room, many years after, was taken for the use of the Dorrits. "People often came here to look about 'em," the owner said, "and sometimes I ask 'em up, and sometimes I don't. If you want to hear about the place when it was a prison you should go to the cheesemonger's; there is an old gentleman there who has known Southwark for sixty years."

The old gentleman had much to tell us, for his shop is built on the front courtyard of the Marshalsea, and he remembered and described the look of the place, and the great gates and the Marshal's house, and he knew where the Lock stood and the Snuggery. One impression had remained, being strong on his mind. There would come visitors in gigs on a Sunday afternoon to call on the debtors; and many a time had the old gentleman, who was then a very young gentleman indeed, stayed away from Sunday school to hold the horses' heads while the visitors were inside and so earned a penny; and the "leatherings" he received in consequence from his outraged parents were innumerable. He writhed when he spoke of them, as if he felt still the sting of the stick. By his advice we looked in at the church, where is the painted figure of Our Saviour still over the altar at which Amy and Arthur Clennam were married. I found the little shop in Horsemonger Lane where Mrs. Chivery sold cigars. Then, as we turned our faces homewards (passing the pitiful remains of that poor old "White Hart" where first we met Sam Weller), we wondered if the next generation will make pilgrimages to the scenes which the present-day novelist is now busy describing.

In the Old Bath Road leading to Sheen, trotting horses and trim grooms and the low pretty carriage in which sat the Bride and Bridegroom of this morning passed us on their way to the honeymoon. "That sensible event shows clearly which way royalty thinks matters are tending," said my republican companion, who has more than once hinted at "the scaffold" when speaking of the Royal Grants, quoting Mr. Anstey's delightful Revolutionist in *Punch*: "But surely it is happiest to marry in one's own station of life, neither below nor above one." I ventured to say, "Pooh, there is no such thing as equality in marriage." I am answered, sharply, "On one side or the other there is inequality, always, and in things that matter far more than rank." As she spoke, the simple little procession disappeared on the horizon in clouds of dust, and the first drops of a thunder-shower began to fall.

WALTER POWELL.

### PROMINENT CANADIANS.—XXVIII.

SKETCHES of the following Prominent Canadians have already appeared in THE WEEK: Hon. Oliver Mowat, Sir Daniel Wilson, Principal Grant, Sir John A. Macdonald, K.C.B., Louis Honoré Fréchet, LL.D., Sir J. William Dawson, Sir Alexander Campbell, K.C.M.G., Hon. William Stevens Fielding, Hon. Alexander MacKenzie, Sir Samuel Leonard Tilley, C.B., K.C.M.G., Alexander MacLachlan, Hon. J. A. Chapeau, Sir Richard Cartwright, K.C.M.G., Sandford Fleming, C.E., LL.D., C.M.G., Hon. H. G. Joly, Hon. P. J. O. Chauveau, Sir William Buell Richards, Hon. Wilfrid Laurier, M.P., Hon. Honoré Mercier, Q.C., Hon. William Macdougall, C.B., Rev. Principal MacVicar, D.D., LL.D., Prof. Charles G. D. Roberts, M.A., George Paxton Young, M.A., Hon. Auguste Rea Angers, Principal Caven, D.D., William Ralph Meredith, LL.D., Q.C., M.P.P., Sir William Pearce Howland, C.B., K.C.M.G., and Senator the Hon. John Macdonald.

THE HON. JOHN HAWKINS HAGARTY, D.C.L., CHIEF JUSTICE OF ONTARIO.

WITH the exception of the present Chief Justice of Ontario, the subject of this brief sketch, there is no other figure left of that historic group of Canadian judges whose names are associated with what may be termed the medieval era of the Provincial history, and with the contemporary Bench of Upper Canada. Of the bright roll of those whose fame has shed a lustre on the profession of the law in the Province, and whose familiar names are a hallowing memory to the few contemporaries who still survive them, but one honoured name—that of the Hon. Chief Justice Hagarty—is left. Gone are the Robinsons, the Blakes, the Boultons, the Hagermans, the Vankoughnets, Sullivans, McLeans, Spragges, Estens, and all the goodly company of them! The halls which they trod, and the Courts in which they presided, resound now only with their spectral voice and tread. In the flesh they are not with us: a little plot of land in a picturesque corner of the outspreading city holds their sacred dust. Only out of the frames that rim their pictured faces do they now look upon us; and the historic memory is fain to be thankful that even this much is left as a memorial of their lives and work. Of what manner of men they were, the painter's art has preserved to us and to coming generations but the outer form and lineaments. These, however, are valuable mementoes in a young community, in the main careless of, or too much occupied with material things to treasure, the memory of those who have faithfully served the Province in the morning of its history. In the Berthon portraits that decorate the Library, Convocation Hall, the staircases and corridors of Osgoode Hall, not only the

profession but the public at large have a gallery of legal portraiture, of almost priceless value, representing the learning and dignity which happily adhere to the judicial office in Canada as well as to that in the Motherland. As the years roll by, these memorials of a past and passing age must become increasingly interesting; and to the physiognomist and student of character, who scans the series with a laudable pride in his country's annals, not the least striking or impressive of the group will be found the likeness of the distinguished and accomplished jurist who at present adorns the office, while he worthily wears the honours, of the Chief Justiceship of Ontario.

The Chief Justice of Ontario, like many of his eminent colleagues on the Canadian Bench, is an Irishman. He was born at Dublin on the 17th of December, 1816. From his father, a man of fine education, who held the post of Registrar in His Majesty's Court of Prerogative for Ireland, he inherited not only the legal instincts which led him to adopt the law as a profession, but those literary tastes which at one time drew him into authorship, and have continued to mark his career since as a man of fine culture and of broad and varied scholarship. The future Chief Justice, after receiving his early education at a private school in Dublin, entered Trinity College in his sixteenth year, and, we believe, specially devoted himself to the study of the Classics. Unfortunately—or shall we not rather say fortunately?—while yet an undergraduate, he suddenly abandoned his academic course and sailed for Canada, being bitten, like many of his young and ardent fellow-countrymen, with the emigration mania of the time. He settled first on a farm near Whitby, and in the following year (1835) removed to Toronto, which had just changed its name from York, and at once became a resident of that but lately incorporated city. Though not quite twenty, young Mr. Hagarty early gave promise of rising to eminence in the community among whom he had cast his lot. He brought with him from the land of his birth those personal qualities and dispositions which in any clime open the door to a cultivated Irish gentleman, while he had unusually good mental endowments and possessed a sturdy determination to make his way in his adopted home. His were the qualifications that in a new community, which even at that early period felt the honours, though it was soon for a time to lose them, of its metropolitan position, were sure to advance their owner; and his own aspirations were such as characterize most young men of education and spirit. Nor was there wanting in the society of the period the rough stimulus which ambition loves, and which paves the way to success in life. The era was a stormy one, and the political ferment of the time sharpened both the tongue and the wits of the actors on the scene. Among the latter were many who would prove formidable competitors with Mr. Hagarty in life's race, and not a few of those looked to rapid preferment through politics. The country was just passing through the throes of rebellion, and now sought relief from political distraction in the union of the two older Provinces. But Mr. Hagarty was not drawn to politics, though he was once lured, we believe, by the title and dignity, and tempted by the field for usefulness, of a civic father. It was to law he was drawn, and law he studied in the office of the late Recorder Duggan, who afterwards became judge of the County Court. In 1840, the future Chief Justice was called to the Bar. Among his contemporaries at the law were not a few who have since adorned the Canadian Bench. Of these, it is not a little curious now to recall, were Messieurs W. H. Blake, W. B. Richards, J. C. Esten, Adam Wilson, J. W. Gwynne, J. C. Morrison, and Lewis Wallbridge. The then occupants of the Upper Canada Bench were Sir J. B. Robinson, Chief Justice; the Hon. R. S. Jameson, Vice Chancellor; and Justices Sherwood, Macaulay, McLean, and Jones. Mr. Hagerman was at the period Attorney-General, and Mr. Draper Solicitor-General. Among other rival athletes at the Bar were Mr. Philip Vankoughnet, afterwards Chancellor, Hon. Robert Baldwin, Hon. R. B. Sullivan, afterwards Justice of the Common Pleas, and Mr. J. Hillyard Cameron. Of all these names we have mentioned who were the contemporaries of the subject of this sketch when he began to practice law, but two—Sir Adam Wilson and Mr. Justice Gwynne—are now the survivors.

The Toronto of the era which saw Mr. Hagarty embark on his professional career was very different from the proud Provincial capital of to-day. The town, in 1840, was only about to light its muddy streets for the first time with gas; and its population was not quite 15,000. But, as may be inferred from the names of the eminent jurists and brilliant professional men we have enumerated, the town was not in intellectual darkness. The Old Country Universities had worthy representatives in the city and Province, and Upper Canada College, which had been in existence for a decade, had already turned out some distinguished pupils. Among these and his contemporaries at the Bar, Mr. Hagarty took a high place, and the ease with which, even at that early age, he won distinction is an evidence of the gifts with which he was endowed. Besides a well-stored mind, he had attractive social qualities, a bright mother wit, and the bearing and manners of a gentleman. In his profession he was well read, as well as industrious and painstaking; and at the Bar was known as an acute reasoner, a persuasive pleader, and had, we are told, an ingratiating manner with juries. Early in his professional career he formed a partnership with the Hon. John Crawford, afterwards Lieut.-Governor of Ontario, and continued in that firm until, in 1856, when he was elevated to the Bench. In 1850 he was appointed a Queen's Counsel by the second Baldwin-Lafontaine Administration.

Though actively pursuing his professional career, Mr. Hagarty at this period found leisure to indulge his literary propensities and to write for the local Annuals and press of the time some excellent verse. Crude, in the main, as was the condition of the infant capital, there was no lack of refinement, and among the old families there was more or less evidence of culture. The large professional element gave a savour to society and kept mind as well as body healthily alert. Mrs. Jameson, in her visit to Canada, had stimulated the intellectual life of Toronto, and men like the Hon. Mr. Sullivan, the Rev. Dr. McCaul, the Rev. Dr. Scadding, and other local celebrities, endeavoured to extend the influence of the literary habit. In this movement Mr. Hagarty took a hearty and an enthusiastic, though unostentatious, part. To *The Maple Leaf*, an illustrated annual edited by the Rev. Dr. McCaul, he contributed a number of poems of much excellence, both as to matter and manner. They bespeak not only a cultivated taste but the possession of poetic gifts of a high order. Their mechanical construction also shows great literary facility; and one of them, "The Funeral of Napoleon," manifests considerable dramatic power. This fine poem, of twelve stanzas, appeared in the *Canadian Annual* for 1847. Of the contribution a writer has observed, that "the dramatic fire and enthusiasm of battle which mark the poem will surprise those whose knowledge of the Chief Justice does not go deeper than his demeanour in Court. A good poet," the writer adds, "was sacrificed to the lawyer and the judge." We shall doubtless be pardoned for reproducing the following extract:—

From his grave 'mid ocean's dirges, moaning surge and sparkling foam,  
Lo, the Imperial Dead returneth! lo, the Hero-dust comes home!  
He hath left the Atlantic island, lonely vale and willow tree,  
'Neath the Invalides to slumber, 'mid the Gallic chivalry.

Glorious tomb o'er glorious sleepers! gallant fellowship to share—  
Paladin and Peer and Marshal—France, thy noblest dust is there!  
Names that light thy battle annals—names that shook the heart of earth!  
Stars in crimson War's horizon—synonyms for martial worth!

Grey-haired soldiers gather round him, relics of an age of war,  
Followers of the Victor-Eagle, when his flight was wild and far:  
Men who panted in the death-strife on Rodrigo's bloody ridge,  
Hearts that sickened at the death-shriek from the Russian's shatter'd bridge:

Men who heard the immortal war-cry of the wild Egyptian fight—  
"Forty centuries o'erlook us from yon Pyramid's grey height!"  
They who heard the moans of Jaffa, and the breach of Acre knew—  
They who rushed their foaming war-steeds on the squares of Waterloo!

But the last high rite is paid him, and the last deep knell is rung—  
And the cannons' iron voices have their thunder-requiem sung—  
And, 'mid banners idly drooping, silent gloom and mouldering state,  
Shall the Trampler of the world upon the Judgment-trumpet wait.

These stirring verses appeared anonymously, but though the poem was written as a relaxation from other and graver duties, its authorship might well be claimed by, and would not detract from the reputation of, the best of the English poets. Moreover, it is but one of many similar effusions from the gifted pen of the present Chief Justice of the Province. Another fine poem, on the Battle of Marathon, is understood to owe its authorship to Mr. Hagarty, as well as an able professional brochure, in prose, entitled "Thoughts on Land Reform."

We now come to the period when Mr. Hagarty's important services at the Bar were to win the meed of honourable preferment in his profession. In 1856 he was appointed to a then vacant judgeship in the Court of Common Pleas. His elevation to the Bench while he was yet on the sunny side of his prime opened to him a field of great activity and usefulness. The judicial bent of his mind, his keen and penetrating intellect, his quickness of perception, together with his industrious habits and infectious nervous force, well fitted him for assuming the duties and responsibilities of his high office. From the Court of Common Pleas he was, in 1862, transferred to the Court of Queen's Bench, a step in the judicial ladder which was followed, six years later, by his appointment to the Chief Justiceship of the subordinate Court. The latter office was rendered vacant by the promotion of Sir W. B. Richards to the Chief Justiceship of Ontario. Upon the death, in 1878, of Chief Justice Harrison, Mr. Hagarty became Chief Justice of the Court of Queen's Bench, and in 1884, on the demise of Chief Justice Spragge, he passed to his present high and dignified office—that of the Chief Justiceship of Ontario. In connection with this office he fulfils the duties of the Presidency of the Court of Appeal.

For the space of a generation Chief Justice Hagarty has sat upon the Bench, and it is well nigh fifty years since he was called to the Bar. This long period has been more than enough to put to the severest test his qualities as a man and his character as a judge. In both aspects his reputation will bear the closest scrutiny. He is known as a man of sterling character, of high principle, and inflexible honour. On the Bench, while he is uniformly courteous and considerate, he is also eminently just, and unflinching in the discharge of his duty. Though now in the fulness of years, there is but little indication of the approach of old age. His step is still elastic, his eye bright, and his voice retains the high ring of youth. His tall, spare figure, and grave intellectual face harmonize well with the judicial dignity and quiet decorum of Court. Never a strong man, he has, however, seemed to possess unlimited nervous energy; and though sometimes hasty in manner, his disposition is usually placid and his spirits cheery. Innumerable are the stories told of his clever, scintillating wit. Many of his *bon mots* in Court have