

ble man could have read the affidavits upon which the order for such service was granted without coming to the conclusion that here was a plain case of willful evasion of the writ within the meaning of the act. We took the unusual course of notifying the defendant by letter that judgment had passed against him, and would have been glad to come to almost any kind of arrangement, but still he kept silence.

Things rested thus for some weeks when one day the plaintiff came to us with the welcome news that there was a row of cottages in a neighboring village, the rents of which were weekly collected by the debtor's wife. An examination of the assessment-roll confirmed our client's statement. The houses stood in the defendant's name, and he paid the taxes. A writ of *elegit* was quickly taken out and sent down to the sheriff at the county town. For reply, came a polite intimation that a considerable deposit (£20, if we remember right) was required by that functionary before taking any steps. This sent us to our books, and we found that we were embarking on a voyage of discovery amongst shoals of technicalities heretofore unexplored by any local practitioner. None of our friends could give us any assistance, for none of them had ever had occasion to procure a writ of *elegit* through its regular and lengthy career. However, our client was determined to see the thing through, and we made the deposit.

It was now for the sheriff to appoint a day, and summon a jury to decide the issue whether or not the lands and hereditaments described in our writ were in the true and lawful seisin of the defendant. The day being fixed, we subpoenaed the rate collector of the parish to attend with his books, and as an extra safeguard we took along the clerk to the assessors. These two worthies, average specimens of the rustic parochial official, were in a state of great trepidation at what they considered our most high-handed and unprecedented proceedings, but by dint of vigorous threats, combined with a liberal allowance of conduct money, we got them into line, and on the appointed day we all set off together for S., to go through a performance which, as the head of our firm declared, was as novel to us as if it had been an action in Japan.

Arrived at the county town we found the acting sheriff absent, and his place supplied, *pro tem.* by the most old fashioned attorney we ever had the good fortune to encounter. To look at him was to go back to the days when George the Third was king — tall, gaunt and ancient, his neck was enveloped in voluminous folds of not immaculate neck cloth. A veritable frill, worth three times its marketable value for the South Kensington Museum, protruded from his breast, and shone in strong relief against the dress-coat of rusty black, which completed his outward attire. His manner was a strange blending of dignified courtesy and nervous timidity. A poor, proud, foolish old man was he, but undeniably a gentleman. Whilst we were busy arranging our papers the jurors began to arrive by ones and twos. Most of them seemed rather bewildered. It was neither assize nor quarter sessions — what then were they wanted for? Where were the judge, the prisoner, the barristers, the audience? Each looked at his friend, and saw his doubts reproduced in his fellow's face.

As soon as the necessary twelve were present our ancient friend ascended the bench, and with an air that would have done credit to my lord chief justice, directed his clerk to swear the jury. This done, we opened our case, briefly explaining the purpose of our assembly, and proceeded to call our witnesses. Very strict and formal was the temporary judge, but everything was complete, and in a quarter of an hour we were ready for the verdict. Not so our worthy patriarch. It was not every day that he sat in the seat of the judges of the land, and accordingly he favored us with a most elaborate oration, disguised as a summing up, going into the whole history of the writ of *elegit*, and quoting statutes by the yard. The jury were evidently getting befogged, and when at last D. ceased, we should not have been surprised had they returned a verdict of accidental death, or any other irrelevant absurdity, such as usually close mock trials at sea. The clerk, however, kept them straight, putting the verdict, word for word, into the foreman's mouth, and so, after paying a few more fees, and cracking a bottle with the *quondam* judge, we got the sheriff's return, and started home.