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LIFE JOTTINGS





THE RIGHT HON. J. H. A. MACDONALD, K.C.B.
LORD JUSTICE CLERK OF SCOTLAND
From a painting by SIR HUBERT VON HERKOMER, R.A.

LIFE JOTTINGS

OF AN OLD EDINBURGH CITIZEN

BY SIR J. H. A. MACDONALD

P.C., K.C.B., LORD JUSTICE-CLERK

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PREFACE

LET not the reader suppose, as he opens this book, that he is invited to wade through an autobiography. What he will find is but a quilt made up of patches from the shelf of memory. No diary has ever been kept to supply copious extracts, such as too often give anything but light reading, and too often fail to present true pictures of the diarist's life. The aim has been to fit together presentable patches, giving a blend of natural colouring, as a well-pieced quilt, though made up of shreds, may not offend and possibly may give pleasure, and here and there be informing. If particular patches seem wearisome, skipping may give relief. The compiler of these Jottings would have satisfaction, were it possible for any reader to say that he—and still more were it she—had reached the word FINIS without having to resist temptation to turn down pages unread.

One earnest request, dear reader. Do not pass by the pages which speak of the conservation of our lovely Edina, in what of beauty is left to her, notwithstanding the evil days of the past. The most eager thought for our "own romantic town" has been to rouse, if possible, the Jotter's fellow-citizens from a passive condition, and to stimulate in them an active interest of love to her of the matchless face—that "Face which is her Fortune." Surely the past horrible disfigurements, of which all who have taste are ashamed, should be a warn-

LIFE JOTTINGS

ing. Our civic rulers are no longer vandals. They show earnestness to conserve amenity, and are glad of help from the citizens in considering what is good and what is bad. It will strengthen them greatly if more lively interest is shown by the public—that active and concentrated interest which has telling influence, but which in the past has, alas, been so sadly wanting.

Of the stories here told many are chestnuts. Experience has proved that what is stale to one is fresh to another. Let those of jaded palate be generous, and pass by and pardon the chestnuts in which others may find a toothsome—because to them a novel—flavour.

A meed of hearty thanks is due to friends who have assisted to stimulate memory, and especially to a kind friend, Lord Dundas, who has given great aid by his perusal of the MS., leading to friendly and profitable suggestions.

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PUBLISHER'S NOTE

This volume was completed for issue in the autumn of 1914. On account of the war its publication was withheld, and it is now presented to the public exactly as it was finally revised by its author, while he still occupied the position of Lord Justice-Clerk of Scotland.

CHAPTER ONE

*" I remember, I remember,
The house where I was born."*

TOM HOOD.

CHAPTER ONE 1836-1840

DECEMBER 27, 1836, was the day on which the light was first seen by yoursfaithfully. Edinburgh was the City, and Great King Street the place. Looking back on these seventy-seven years, recollection goes to something like seventy-four of them, or a little less. It is remarkable how sharply and how far memory prevails to hold a picture of the remote past, when an unusual and striking incident has occurred, even at a very early age of the observer. The first event in my life in Edinburgh which made an indelible impression was the marriage of a half-sister, when I was less than four years old. It was a drawing-room marriage, as was usual in Scotland in those days, and remembrance of it is clear. I can see the great square footstool on which I sat, and from which my gaze was concentrated on the bride-cake in the corner at one moment, and at another on the clergyman in his white neckcloth, uttering words that conveyed nothing to me. I also remember the shower of silver which was thrown to the crowd as the bride and bridegroom drove away, a custom no longer in use. The cry of "Pooer oot" is no more heard in the land. A "pooer oot" of rice or pasteboard confetti does not draw as did the shower of coins. All these incidents are quite vivid and real to me, so true it is that

"Small things long past will be remembered clear,
When things more weighty and more near
Are waxen dim to us."

This is mentioned, because it is the very first incident that memory appears to hold, so that it can be reproduced with certainty. Doubtless, numbers of others are stored up in that mysterious way, in which room is found on what may be called the shelves of the brain, for a record of many an event which no personal effort will revivify and represent to the conscious mind, but which some exciting cause may throw, as by a sudden flash, upon the screen of memory. That such a phenomenon does sometimes take place will be exemplified by an incident which occurred at a later period of life, to be noticed in its proper place.

The event which of all others stamped itself deep on the tablets of my infant mind was the first visit of Queen Victoria to Scotland in 1842. How well I remember my father taking my sister and me to a grand-stand erected in what was then a grazing field between Pitt Street and Brandon Street, and I can recall the exact location of it by having seen through the space between the floor boards, the filthy sewage-laden mill stream taken from the Water of Leith, and carried along the back of Moray Place on to Canonmills, after serving the mills at Stockbridge. Modern sanitary zeal would have forbidden the placing of a crowd immediately above such a foul stream, on a stand in which it was to sit for many hours. Opposite the end of the stand there were erected a barricade

QUEEN VICTORIA'S FIRST VISIT

of considerable height, and ponderous gates to represent the City port of old. These were to be closed until the ceremony had been gone through of presenting Her Majesty with the silver keys of her ancient loyal town of Edinburgh. There we sat for several weary hours, until the news arrived that the entry would not be made till the following morning, and all had to go home disappointed. Next day early we were once more in the grandstand, and full of anticipation. Everybody expected that there would be sufficient warning of the approaching procession by the sight of the Lord Provost and Council in their robes assembling, and the gates being closed. Suddenly, we saw excitement in Brandon Street—hats waved, and ladies' handkerchiefs in lively motion, and sounds of loud cheering reached us. A number of unfortunate people, who had been walking leisurely down between the crowded lines to reach their stands, were seen running back at full speed, making first to one side and then to the other, in terror of the cavalry escort that came on at a full trot, filling the whole space between the barriers, and before there was time to realise what was happening the royal carriage swept through the open gateway—no Provost, no keys, no mace, no sword being there. Quickly as they went by, I saw the Queen and Prince distinctly; she in one of the wide spread bonnets of the day, and he with a very tall hat held in his hand, both bowing first

to one side and then to the other. But it was a twenty seconds' view only; most disappointing to those who had waited in vain the day before and lost the chance of seeing her well,—the carriage not being stopped at the gates, and the ceremony of the keys performed.

History tells us that there had been a failure of understanding between Sir Robert Peel, the minister in attendance, and the municipality, the latter not having been informed that Her Majesty would come up from Granton so early, the hour being about that of ordinary breakfast time. The contretemps had its amusing side, and two young ladies drew up, on the same day, a clever skit, which was sung in many a street in the evening, and sold in thousands, in which the Lord Provost, Sir James Forrest, and his bailies were humorously chaffed. The few stanzas following are a specimen of the song, which is a parody on the old ditty, "Hey, Johnny Cope." The opening lines were:

"Hey, Jamie Forrest, are ye waukin yet?
Or are yer bailies snorin' yet?"

There were many verses, but two may suffice as specimens:

"The frigate guns they loud did roar,
But louder did the bailies snore;
They thocht it was an unco bore
To rise up early in the morning.

Hey, Jamie Forrest, &c.

QUEEN VICTORIA'S FIRST VISIT

The Queen she came to Brandon Street
The Provost and the keys to meet,
But div ye think that she's to wait
Yer waukin up in the morning.
Hey, Jamie Forrest, &c."

The secret of the authorship was well kept, and it was not revealed till a few years ago, when it was learned from Mr. David Scott-Moncrieff that the song was written in collaboration by his two sisters, who must have been but young girls at the time. Their witty lines entitle them to be remembered.

All in the grand-stand were struck dumb with disappointment, and once more returned home aggrieved. Meantime the civic dignitaries, who were leisurely getting into their carriages to come down in state, hearing with consternation that the Queen had reached the City, started off at a gallop to try to intercept the procession on its way to Dalkeith, and pay their respects on the road. They were not successful, as the cavalcade went at a smart trot, and so they too came back with woebegone demeanour.

The Queen, on learning what had happened, good-naturedly altered her itinerary, and devoted a day to an official entry into Edinburgh. The lofty barricade was removed from Canonmills Burn to the High Street, and erected across it at the west end of the City Chambers. The royal carriage I see still, surrounded by the Royal Archers, the Queen's Bodyguard, who had no chance

of doing their duty when the cavalcade came up from Granton at a trot.* The red of the velvet cushion on which the City keys lay is still with me, seen as I looked down from the roof of St. Giles', and also the rapid waving of the ladies' handkerchiefs from the top of the long arched gateway in front of the municipal buildings.

All, however, was not happiness that day. I learned thus early in my life how the joyful and the distressful go together. We were taken after the ceremony to Bank Street, to a private house, and there from the window saw a sad sight—a dead body and several stretchers with injured people being taken by the police to the Infirmary. A grand-stand had been stormed by the crowd, who climbed on to it in such numbers that it gave way, and many were precipitated onto the street. These stretchers I can still see quite vividly before me, and I remember how the crowd was stilled at the sight.

Of course there was an illumination at night. Besides the great gas devices at banks and clubs

* I am stating what I personally saw, and therefore can only put in a note what I have heard by tradition, relating to the bodyguard on the day the Queen came up from Granton. The story told was, that the Archers were round the Queen's carriage at Granton when it started, but as it was driven at a trot, the bowmen, many of whom were no longer in the vigour of youth, and in many cases were of rotund form, dropped out, here one and there one, staggering to the railings in Inverleith Row, and panting for breath. It is said that only two trained athletes got as far as the bottom of the hill from Princes Street, and there had to drop out, lest they should drop down. This tradition is confirmed by the caricature (reproduced opposite), where the two who reached Brandon Street are seen in sad plight, unable to face the hill.



ROYAL PROGRESS, SEPTEMBER 1842.



QUEEN VICTORIA'S FIRST VISIT

and colleges, every citizen was expected to fix candles in the frames of his window-panes, so that each street was one blaze of light. I am ashamed to confess to-day, for the first time, that we small people, sister and self, displayed a mean conceit, despising neighbours over the way, some of whom had a smaller number of candles to the window than we had—an indication that our vices are not acquired, but are born with us, and have to be overcome. It may be that the little folks across the street envied us, while we scorned them. The poet with insight makes envy and contempt relatives when he speaks of—

“Envy's abhorred child, Detraction.”

They are both propensities to which childhood is prone. Happy are they whose parents do not foster them by example, and gently weed them out before the roots go deep.

This domestic illumination had its charm, every street being lighted up. It would hardly be suitable in these days, when there is but one candle to each house, fixed in a very dirty candlestick, and used only for night visits to the coal-cellar. The illuminations of to-day may be more gorgeous, more magnificent, but those who remember the “every house” lighting of 1842 will have a memory of something delightful in its simplicity, and having the charm of the family expression of loyalty—each house in every street beaming forth its individual expression of welcome. The words “every

house" are true as a general expression, but there was, as in all human affairs, the exception, which proves the rule. Unlet houses, or houses where there was death or serious sickness, were not lighted up. In such cases, two men with flambeaux were stationed on the doorstep. This was a wise, indeed a necessary precaution. The youthful glazier was out that night with his wallet of stones, and woe to the windows of the houses that showed no light. As we little people were being led up towards Princes Street, we laughed with the malicious glee of childhood when now and again was heard the crash, that told of window-panes broken by the dozen, and perhaps with even greater glee in one instance, when the windows of a house received their volley, just as the men with the flambeaux were coming down the street; too late in taking up their stand to save their employer's glass. Of course we were naughty, and I doubt not we were told so, although I cannot recall it; for a child's memory for rebuke is perhaps the least easy to bring up, unless there is the symbol of a cuff or a slap, or worse, to stimulate recollection. But that we did enjoy the crashes is something indelible on memory's tablet.

Of the greater illumination devices, some are still remembered, particularly those of the banks and clubs come up before me. We walked far and we gazed long, without any appreciation of how time was passing, so delightful was it to a child to

QUEEN VICTORIA'S FIRST VISIT

see so much brilliancy. But it was neither the splendour of the devices, nor the bright shining of the candle-lighted streets, that excited my infant surprise to its highest degree that night. When we reached home, the governess held out her watch to me—I had begun to learn clock-reading—and my eyes opened wide, and a cry of "Oh!" escaped my lips. It was ten minutes past ten, and to me the idea of being out of bed till such an hour seemed overwhelming as an event—something that to my small mind was inconceivable. And so ended the first great public day of my life. If my recollections, though vivid, err in any substantial particular, it is a melancholy comfort to know that there must be few left who could correct me, and if they did attempt to do so, I might well meet them by saying that their memory was at fault and not mine. At least we would agree that, apart from details, it was a great and a glorious day at the opening of a great and glorious reign.

When Her Majesty visited Holyrood, she and the Prince inspected the historical rooms without any ceremony, dispensing with the attendance of their suite. They were duly shown the supposed stains of Rizzio's blood at the top of the staircase, down which his body was thrown. When the bed of Queen Mary was pointed out by the old woman who attended to visitors, the Queen put out her hand to examine the silk hangings, and was immediately rebuked by a voice saying, "Ye're no

to titch.” “But,” said the Queen, “you took it in your own hand just now.” The sharp reply was, “Aam allooed to titch it, but naebuddy else is allooed to titch it,” so the Queen, smiling to the Prince, kept back her hand. I heard this detailed shortly after it occurred, with my “little pitchers” ears, so can repeat it with a good conscience as a permissible bit of hearsay. One may wonder if the sour caretaker ever learned who it was that she had snubbed, and if so, how she felt.

It is amusing to notice that in the detailed narrative of this visit of the Queen to Scotland, it was thought worth while to announce as an amazing circumstance, that the Edinburgh and Glasgow Railway had conveyed 1175 visitors from Glasgow and the West on the occasion. Such a figure is now of everyday occurrence. How little was the revolution that was to take place in public transit by the introduction of the iron road foreseen then! The possibilities and probabilities did not enter the public mind. Lord Cockburn, one of the most intelligent and far-seeing citizens of his time, thought he was giving the free rein to prophecy when he said in his Journal under year 1835:

“In twenty years London will probably be within fifteen hours by land of Edinburgh, and every other place will be shaking hands, without

SHORT-SIGHTED VIEWS

making a long arm, with its neighbour of only a county or two off."

It was about the same time, or not much before it, that a *Quarterly Review*, sneering at railroads, declared its readiness to back Father Thames against the Greenwich Railway for speed travelling!

About the time of my birth, or shortly after, a special Parliamentary Committee sat to consider some railway questions. One of these was: "What is the route to be taken by the single line to be made into Scotland?" And there was no one sitting on the committee, no engineer or promoter-witness, into whose head it entered as a thought conceivable that there could ever be more than one railway line, and that a single one, into Scotland. This I heard stated by Mr. Gladstone in the House of Commons in 1887, in a debate on the proposed Channel tunnel, in which he made one of the most interesting speeches I have ever listened to. At the time when he made this speech, instead of one single line there were three double lines into Scotland, on which twenty-four fast express trains ran daily between London and Edinburgh, and many others from the large towns of England.

The above facts are recorded, as relating to my childhood's time, to indicate how little the possibilities of a new invention are appreciated. The Edinburgh citizen will realise this by a concrete

example. When the Caledonian line was being surveyed, the proper direction for it was, beyond all doubt, by Penicuik and Biggar valley. But one who had been employed as a young engineer in the laying of it out, assured me that it was not then conceived to be possible to ascend Liberton hill without the aid of a fixed engine and a rope, and that this led, among other causes, to preference being given to the route which went through the Carnwath Bog—of all places in the world—in which an engine was swallowed up shortly after the line was opened, only the end of the funnel remaining visible.

Another curious fact illustrating the fear of gradients, is that the East Coast line from Edinburgh to London was so laid off along the line of the old post road, that the traveller who supposes he is going southwards to London is, when he has travelled 28 miles, and reaches Dunbar, 2 miles north of Edinburgh from whence he started.

Although it takes me out of Edinburgh, it may interest the reader to get an idea of travelling in the early Forties, if I say a few words about my first railway journey, when I was five years old. My father had to go to Madeira with a delicate half-sister of mine, and he took my own sister and me to London, to live with my uncle, the Adjutant-General, during his absence. Well do I remember the excitement as we watched for the railway omnibus that was to take us to Haymarket ter-

FIRST JOURNEY TO LONDON

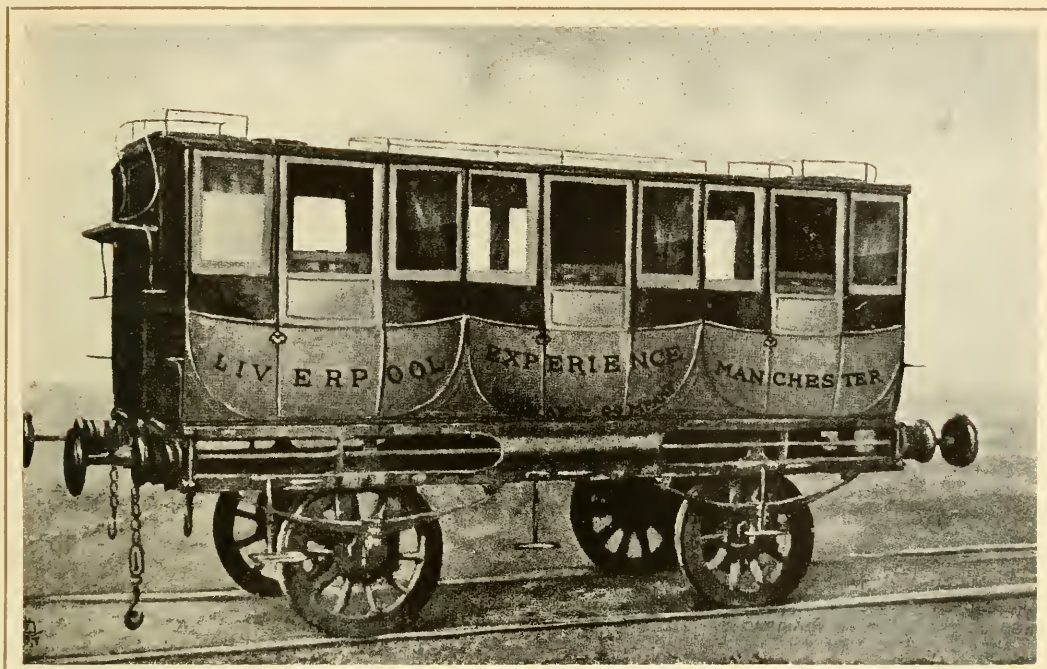
minus. The building of the station above ground was then exactly as it is now. Luggage was passed down to the level of the platform by a steep shoot of wood, which shone with the polish of many a portmanteau. With what eager glee I watched a great lady's trunk chasing her own bandbox down the shoot, and how chagrined I was when the bandbox seemed to me to take fright and slid over the side of the shoot on to the floor, just as it was on the point of being crushed flat against the last heavy package that had gone down. Railway travelling was then very different from what it is now. Ours was the important train of the morning, but more than two hours passed before we descended the tunnel to Queen Street, and completed the distance of $47\frac{1}{2}$ miles over one of the most level lines in the country, except at the Glasgow end. It will hardly be believed, but—as I saw when I was older—there was a blackboard at every station, on the Edinburgh and Glasgow line, on which this rather Irish notice appeared in bold white letters: "*Passengers are advised to be at the station in good time, as the Company cannot guarantee that the train will not start before the hour stated in the Company's Time Tables*"! The failure to guarantee would rather be the other way in the twentieth century.

Travelling by steamer to Liverpool, we were taken on from there by train to Birmingham, which we reached in the middle of the night, being turned

out on to the line outside of the city, the passengers' luggage, which was put on to an open truck, being pushed along the cinder track in front of us, we following on foot through the tunnel into the station, where I remember being taken into the great dining-room, and gazing in wonder at the long line of dishes with all sorts of cold meats. They looked to me like a hundred, having never been in a public dining-room before. We were, after waiting sometime, put into another train and carried on to London, arriving early in the morning, after forty-six hours travelling, little better in time than could be done by a fast mail-coach. What a contrast to the present day, when the traveller can leave Edinburgh at 7.45 in the morning, be in London from 4.10 to 11.35, and be back in Edinburgh at 7.10 next morning. Contrast this with the positive utterance of Sir Henry Herbert in the House of Commons in 1671: "If a man were to propose to convey us regularly to Edinburgh in coaches in seven days, and bring us back in seven more, should we not vote him to Bedlam?"

When railways were established, and in daily use, there were thousands who vowed that they would never put a foot in a railway carriage, and there were a few of those thousands who never did so.

What many people thought about railways in those early days is illustrated by a scene witnessed when my father, being in bad health, travelled to



ORIGINAL RAILWAY CARRIAGE

EVILS OF RAILWAYS

Malvern, and my stepmother, for his sake only, took her place in the train. I see her still, sitting in the carriage, as we children were taking leave of her. She had her handkerchief tightly pressed to her eyes, so that she might see nothing, and begged us not to make her uncover them. A more abject picture of terror and dejection I never saw. Four years after this I went a journey with her and all the fear was gone, and she could chat and laugh like others. I remember her amusement, and that of other ladies in the compartment, when I showed her with schoolboy pride my skill in throwing sweetmeats into the air and catching them in my mouth. All feeling of looking for catastrophe was gone.

In my childhood's days I remember well hearing the denunciations of railroads—their dangers, their tendencies to injure health, their ruinous effect on trade, their causing all cows within reach of the railway line to refuse to be milked, their ruin of the horse-breeding trade, and many other imaginary calamities which were certain to follow their introduction. It is amusing to find in one's reading of an earlier period, how the introduction of coaches was denounced. Dickens gives a fanciful expression of the kind of things said, making one of his characters in *Little Dorrit* say:

“Yes—along of them mails. They ought to be prosecuted and fined, them mails. The only wonder is that people aren't oftener killed by them

mails. They're a public nuisance, them mails. Why, a native Englishman is put to it every night of his life, to save his life from them mails."

I came across the other day a solemn warning sent to a bishop who was about to travel by coach from London to Edinburgh, begging him to break his journey at York, as numerous cases had occurred of people who were travelling the whole way, dying of apoplexy from "*the dangerous speed at which these coaches were driven.*" Just in the same way were all sorts of evils prophesied as consequences of railway travelling, and again of motor travelling on roads.

It appears to men to-day a thing almost incredible that when the transition from coaches running singly to trains of coaches hauled together, there should have been an absolute want of imagination and inventive thought, to adapt the style and construction of the vehicles to the new conditions. Instead of the question being put to the designer by himself: "How best shall a vehicle be constructed for the new service?" the inquiry seems to have been, "How shall mail-coaches as we have them be dragged along by our engines?" What had already been done in rail haulage was confined to colliery lines for conveying coals, therefore it seems to have been assumed that the problem was how to take a train of trucks and put carriage bodies on them. Accordingly the first passenger trains consisted of mail-coaches

CARRIAGES IN THE FORTIES

without wheels set on trucks, the majority of the passengers being perched on the top as of old, to face the weather at thirty instead of ten miles an hour. There are engravings extant of such trains—some dozen trucks with mail-coach bodies mounted on the top of them. So unimaginative were those who regulated the details of railway travelling, that the passengers were booked by way-bill, a copy of which was handed to the guard, just as was done in booking for a mail-coach. Even when it was seen to be more sensible to make carriages for the railroad longer and closed in, the mail-coach idea did not altogether lose its hold on the designer. The three compartments of a carriage had their sides made to bulge out in curves similar to the lines of the old mail-coach. Such carriages were still running a few years ago on the South Eastern Railway.* The guard was, as he had been in the mail-coach, perched upon the top. And as the luggage had been piled on the roof of the mail-coach, so the luggage was put on the top of the railway carriages. This practice had not finally been abandoned by the year 1870 on fast express trains. A burning up of luggage so stowed was not a very uncommon event.

It may surprise the traveller of to-day, whose train glides smoothly along at speeds of fifty and sixty miles an hour, to be told that the first lines

* A friend assures me that some of these are still in use.

laid down had square blocks of stone to support the rails. The first Scottish railway between Edinburgh and Glasgow was so constructed. The passenger of to-day on that route can see the stone fences on each side made of these blocks, in which the marks of the chairs are still visible. As illustrating the terrible roughness of such a line, it is told of Mr. Baird, the great ironmaster—Sandy Baird, as he was commonly called—and whose tongue was not of the most mellifluous, that on returning from the opening of the Slamannan railway, he replied to a friend who inquired whether he had enjoyed his trip: “Injyed it, hut, tut; they puttit me into a first-class cayridge, and kickit me hard a’ the way doon.”*

I was not too young when the railway boom and subsequent slump took place, to be unable to gather up much from the conversation of my elders. I heard all about Hudson, “the railway king,” and recall a caricature of him seated on a throne, with a poker for his sceptre, and a circle of eager candidates for shares holding out their bags of savings, and kneeling in entreaty for allotments. I also remember seeing a poetical effusion which opened thus:

“Railway shares, railway shares,
Hunted by stags and bulls and bears.”

My child’s curiosity was aroused to wonder how these animals could be hunters of shares—what-

* His mode of expression was more graphic than this, but I feel it well to Bowdlerise a little.

GREAT RAILWAY SLUMP

ever shares might be—and had just to take it as I got it, in the same way that the cow jumping over the moon, and a hunt of a spoon by a dish, were ideas accepted by my childish fancy. Then the idea came home to me when I was older, and heard of the disaster, when King Hudson lost his crown, and his worshippers lost their money. People today have no idea of the state of things that existed then. I remember hearing my father asking that labels be put upon our luggage, and his being told that passengers must address their own luggage, as the Company—which shall be nameless—could not afford to provide labels! A little later in the Forties I saw every carriage, every seat, every bell, every luggage truck of the Caledonian Railway, labelled—“Grabbit and Seizem” (the actual names I forget), “Solicitors for the Creditors of the Caledonian Railway Company.” The building of the station in Edinburgh was stopped when the walls were a few feet high, and rough wooden ticket offices fitted inside the incomplete edifice, I heard my elders say that many shareholders, to escape from further risks, would gladly give their shares to anyone that would take them off their hands without any price, and many changed hands for a trifle. The flood of disaster on that line was stayed by the same “Sandy Baird,” walking into the office one morning, and saying: “I want a wheen shares,” to the great surprise of those on the other side of the counter, who asked: “How

many shares would you like to buy, Mr. Baird." "Oh," said he, "I'll tak' a haunder thoosand poonds worth." The labels were washed off the carriages, the seats, the bells, and all the rest, very soon after that. This "Sandy Baird" was a great character. It is told of him that when he built a house for himself, he went to a bookseller in Glasgow to get books to fill the library shelves, and said, when asked what books he would have: "There's Watty Scott, gie me twa dizzen o' him, and I'll tak' a dizzen o' Willy Shakspeare, and a dizzen o' Rabbie Burns," &c. &c. "And what about the binding," said the bookseller; "will you have them done in russia or morocco?" to which Sandy replied: "What fur wud I go to Russiæ or Moroccy; whut fur can I no git them bound in Glesca?"

CHAPTER TWO

*"The link boy with his smoky flare
Attends my Lady in her Sedan Chair."*

ANON.

THE manners and customs of that era were very different from those of to-day. At every corner of the residential streets there was kept, in the area below, the sedan-chair, that was freely used to convey ladies from house to house. And at the corner there stood, or sat on a little bench, the chairmen, who acted also as porters. They wore the old-fashioned leather slings over their shoulders, in which the staves of the sedan-chair rested, and these formed their official insignia, by which they were known as licensed porters. They were for the most part Highlanders, and little people like myself often had friendships with them and got rides on their shoulders. They had, by custom I suppose, a monopoly of carrying coal from cart to cellar, and the moment a coal cart was seen to enter their street they came running along with their creels, something like those of the Newhaven fish-women, but more square and strong, and in these they carried the coal to the cellar below. Free Trade, I was told as a boy, brought all this to an end, and when the sedan-chair was no longer in use the chairmen gradually disappeared, although they lingered on for many years, with the chair straps on their shoulders. There were a number of them still in the Seventies, and they sat on forms at the corners. The last of them that I remember particularly was an old soldier, who stood, or sat, at a corner of

George Street and Frederick Street, far down in the Seventies. He was an old 93rd Highlander, who fought in the Crimean War, and an incident of which he was the hero is worthy to live. My late friend, General Sir Frederick Burroughs, was the captain of the grenadier company, of which this soldier was the right-hand man. At the Alma, a Turkish regiment next in line to the 93rd was wavering and beginning to retire. Seeing this, Sir Colin Campbell rode past the front of the Highlanders and called out: "There's to be no retiring here; every man must die at his post," when this sturdy soldier was heard by his captain to say: "Aye, aye, Sir Colin, we'll dae that if needs be." It is because the British soldier is of this type that our arms have been successful so often, when the odds were all against us. My friend Burroughs never visited Edinburgh without going to the corner of George Street, and offering a shake of the hand to his old comrade, probably with something in it. Let us hope that if the occasion ever arises again for such an "if needs be," our men will have the same spirit that breathed so simply in response to Lord Clyde's appeal.*

Although it was gradually dying out, the use of the sedan-chair was not uncommon when I was in child's frocks. It was a very pleasant way for a lady making a call on a friend or going out in

* The day has come, and the men.

CHAIRS AND CHAIRMEN

the evening, she entering the chair, as she did, within her own lobby, and leaving it in the entrance hall of her friend's house, free from the dust or rain without, or the wind which threatened her elaborately dressed ringlets. I have seen my brother with his sister on his knee, going out to a childrens' party by chair, and I have even seen ladies coming to call by chair in the afternoon, in dresses with very short sleeves, and very long gloves coming far above the elbow, or long mittens.

The chairmen carried their passengers very pleasantly, except when there had been too many drams during the day. It was so easy a mode of conveyance, that it was still employed in my boyhood's years for conveying patients to the infirmary after it had ceased to be used by the gentry. But the drams were a serious drawback, and caused many a discomfort, and sometimes much alarm. During the day the chairmen did other work, conveying goods to retail shops on barrows, and too often they got a glass when delivering. My father used to tell of two Highland chairmen who regularly brought chemical stores, that came by waggon from London, to the druggists' shops, and for whose refreshment one of the bottles on the shop shelf, supposed to contain chemical solution, was filled up with whisky. On one occasion the druggist took down the next bottle by mistake and poured out a glass of pure

alcohol, much above proof, which the first chairman was about to drink, when the druggist, observing his mistake, shouted jocularly, "Stop, stop, Donal, that's *aqua fortis*."

"Acqua fortie or acqua fuftie, here goes," said Donald with a wink, and tossed off his dram, but at once coughed and sputtered violently, and only after a time recovered himself, with a very red face.

"Well," said the joking druggist, "will you have a drop of the same, M'Nab?"

"Na, na, she'll have none out of that same bottil," said M'Nab, pushing it from him; "it gars Donal pech, an' it's no aa thing that'll gar *Donal* pech."

The sedan-chair could not hold its own when cities grew large. The great distances that had to be traversed made it no longer a convenient mode of moving from house to house. In the early Forties, the modern cab was beginning to appear upon the streets, but the general horsed vehicles were named the Noddy and the Minibus, both of them conveyances which seemed to have embodied in them all the possibilities of discomfort to the traveller. The Noddy was well named. It exhibited on the steep hills of Edinburgh an almost animal tendency to throw the occupant out on to the horse's back, and if the horse made even a slight stumble when going downhill, go the passenger must. There were but few of these

STREET CONVEYANCES

absurd vehicles left when I first realised what horsed traffic should be. But the name lingered. For down even into the Seventies, some old folks would order their servant to call a "Noddy" when they required a cab. The Minibus was a two-wheeled vehicle—a sort of infant representation of an omnibus—square, with side seats, and entering from the back. The driver when he reached his fare's destination, turned the minibus with its door to the pavement, and backed it into the gutter. Human ingenuity could scarcely have devised a vehicle more capable of giving the acme of discomfort to horse, driver, and passenger. The driver was cramped up between the horse and the vehicle. The horse had its shafts jumping up and down. Luggage could only be carried by being put inside before the passenger entered, and when ascending a hill, a lady's box would require all the owner's efforts to prevent it from crushing her. So useless were the noddy and the minibus, when packages of any bulk were to be carried, that the Edinburgh and Glasgow Railway, on opening their line, provided omnibuses, which collected the passengers from different parts of the town and conveyed them to the station.

So unsatisfactory were these conveyances that they ceased to be licensed and disappeared, and the four-wheeled cab became common. But a curious result followed from the prejudice created by the

noddy and minibus. The hansom-cab, when it came into use in London, was unable to find favour in Edinburgh. Many people supposed that the hilly nature of the town was the cause of its failure, but that was not so. The first hansom-cab to be seen in Edinburgh was a private one, belonging to Mr. Sothern the actor, which he used freely when acting in the city, and it was seen then that the hansom could be used quite well. Applications for licences were first made in 1878. Up to that time, the cab proprietors had no hope that a two-wheeled vehicle would find favour with the magistrates. By that time the prejudice against the two-wheeler had died out. A similar delay has happened in this country in the case of the motor-car. For years all progress was stopped, and foreign nations got far ahead of us in the manufacture of power vehicles, because a mechanically moved phaeton however small was held to be forbidden by law, unless there were three men in charge, one of whom should carry a red flag forty yards in front. My late friend Charles Rolls brought this law into ridicule by carrying a page-boy holding a little bit of red rag fastened to a penholder, and whenever he saw a policeman, speed was reduced, and the boy was sent forward with his square-inch of red. But seven years passed before this Act of Parliament, which was never intended to apply to such a case, being only for the regulation of traction engines,

RESTRICTIONS MISAPPLIED

was modified. Progress was stayed and much trade lost, and when the law was altered the orders for cars went still in large measure to the foreigner, several years passing before the manufacture of motor-cars on any scale was established in Great Britain.





EDINBURGH DAY POLICEMAN OF 'THE "FIFTIES"

CHAPTER THREE

*“The fashion wears out more apparel
Than the man.”*

SHAKESPERE.

CHAPTER THREE 1841-45

THE dress of the first years of the Forties would seem strange to those of both sexes of the twentieth century. Looking back at the pictures which memory brings up, the whole scene has an air of unpracticality, that seems almost inconceivably absurd now. Ladies submitted themselves, and caused their little girls to submit, to have their hair rolled up into small tight balls, about the size of walnuts, and to do their best to sleep comfortably resting on these hard knots, in order that their heads might be covered with curls in the daytime. The older ladies wore earrings resembling inverted marks of exclamation, hanging down as much as three inches. Old ladies often had their hair made up into two broad flat plaits with which they covered up their ears, as if they were ashamed of them, and above which they wore great turbans. Their dresses I do not remember so well, except the shoulder-of-mutton sleeves, which stuck out on both sides, and of which, though in the simplicity of childhood I accepted them as what must be right, as my elders wore them, I can now observe the hideousness from the pictures of that time. Girls were treated with what seemed little short of cruelty. Some idea of prudery ordained that their graceful little limbs should be encased in straight up-and-down white trousers, with frills at the ankles, while their little waists were drawn in, and their

hair drawn up into hideous little knots, tied with ribbon. Everything was done to detract from the natural grace of the little girl—one of the very sweetest things in nature.

The male sex fared no better. I saw in my extreme childhood a few old gentlemen still dressed in top-boots and breeches, and wearing at all times coloured tailed coats with plain gilt buttons, and the last of the judges to wear daily, wig, black breeches, and stockings, even in the streets when he walked to and from Court, was Lord Glenlee, who still sat on the Bench when I was born. He used, before the building of George the IV Bridge, to plunge from Brown Square down into the Cowgate, and climb up one of the filthy closes to the Parliament Square, bewigged and in silk stockings, with his court hat in his hand. In his declining years he was carried daily in a sedan-chair, probably the last of the male sex to use that old-time vehicle.

By the year 1840 the trouser fashion had become practically universal. As a rule the gentleman's nether limbs were encased in the tightest of pants, strapped down over boots during the day, and over shoes at night. The tailed coat was much worn in the daytime. It would have been an outrage for an advocate or a medical man to wear anything else, and in their case a white tie was *de rigueur*. The coat was made with the tightest of sleeves. I remember while this

GENTLEMEN'S FASHIONS

fashion still obtained of being taken to hear a great statesman on his receiving the freedom of our city, and when I saw him waving his arms, as he said to the assemblage in pompous tones, "Long may you cherish these glawrious memories of Old (not auld) Lang Syne," I wondered in my youthful eagerness of inquiry how that old man managed to force those great gouty knuckles through the pinched-in sleeves, which made his arm and hand resemble the upper part of the drumstick of a fowl, with the flesh taken off.

A gentleman going out in the evening always buttoned his coat across his chest, and with a great white stock put twice round his neck, and held in fold by a big pin and small pin attached together by a chain, or with a shirt front heavily befrilled with crimped edges, he made an excellent suggestion of a pouter pigeon. Above was long hair down to the collar of his coat, and often mutton-chop whiskers, but never a moustache or a beard.

The tailors put an end to the buttoning of evening coats. When I was quite a little fellow my father took me out with him one day, and we went to his tailors in George Street—Messrs. Rausch & Corpe. The make of evening coats was then changing, and the buttoning across in the evening was going out. On the previous night my father had buttoned his coat across and found it very tight, and the flap on one side sticking out most unsymmetrically. He had sent up

the coat, and suggested to Mr. Rausch that it must be altered. He put it on. "Ach," said Mr. Rausch, "it do fit beautiful." "But," was the reply, as my father forced the button-hole across to the button, "look at it when I button it." "Ach, ach, but no," cried Rausch, "de coats are not now made that they be buttoned." My father was indignant, but fashion is a hard taskmaster and he had to yield.

But though the tailed coat was modified, so as to be only in appearance double-breasted, it was still dominant. On all occasions, solemn or festive, it reigned supreme. Anticipating in time a little, and as indicating how long it continued to do so, I may mention that I witnessed the ceremony of the unveiling of Sir John Steell's statue of the Duke of Wellington in front of the Register House, and on that occasion several hundred gentlemen assembled in the Music Hall, and marched to the end of Princes Street, all, according to injunctions issued, wearing tailed coats, evening tie, tall hat, and white gloves. With the exception of the gloves, such a procession would to-day suggest a Union of Waiters demonstrating on strike. Then this costume ruled all society, official and unofficial.

When I was a very few years old I was taken to see the procession of the Lord High Commissioner to the Church of Scotland. Being put close to one of the infantry who lined the streets,

SOLDIERS' CLOTHING

and having a lengthy exposure made to my youthful brain camera, I have a memograph of a man in a red-tailed coat, with white hard cotton epaulettes, and no end of belts and straps in pipe-clay. Above was a tall hat, spread out at the top, very much in the shape of a kitchen mortar, with a pompon sticking out of it, like a pestle knob. This was absurd enough, being as unlike a fighting dress as anything could be. But the acme of absurdity was reached when I saw the life-guardsmen in London in 1842 at the Horse Guards. My nursemaid stared at them with different feelings to mine, I doubt not. Out from below the steel cuirass came the usual tails of the coat, made very short, and so even more ridiculous. Indeed, the clothing of the soldier of whatever arm of the service was eminently unpractical. It is difficult for one who did not see it even to conceive a number of artillerymen serving guns in tailed coats. The ideas of that time as to the dress of the soldier may be understood when the dogmatic saying of the tailor king, George the IV, is quoted: "A seam in a soldier's coat is permissible, a crease is a crime." The only idea was stiffness and show. As is said by Guibert, the French military writer, showing that other nations were as foolish as ourselves:

"Nous faisons de nos soldats des friseurs, des polisseurs, des vernisseurs, toute chose hormis des gens de guerre."

Even in civil life officials were compelled to wear coats with tails—the postman, the policeman, the government or municipal messenger. So far was the fashion carried that the railway signalmen, who at that time worked on foot, were seen waving their signal-flags clothed in tight-buttoned tailed coats.



EDINBURGH NIGHT POLICEMAN OF THE "FIFTIES"

CHAPTER FOUR

"Jim," said Christina, "do you think when we are married, we might live in town?"

"In town," said the Duke aghast. "In London, do you mean, and wear a tall hat all the year round?"

"London," said Christina dryly, "will soon become depopulated, unless the fashion of gentlemen's headgear is altered: I have never heard better reason given for not living in London, the capital, than that they would be obliged to wear a silk hat."—*The Fortune of Christina Macnab.*

(SARAH M'NAUGHTAN.)

OF the male sex, we little fellows fared best. When the day came for the change from the skirt stage of infancy, we were fairly well treated. The time of the trousers brought up over the sleeved close-buttoned waistcoat was no longer. I narrowly escaped that fearful dress, which we see in old pictures. Trousers, jacket, and waistcoat, with a peaked cap, made a sensible and neat costume. The only difference in the linen part of the dress from that of to-day was that the collar was spread out over the shoulders, and was often pictorially adorned with hunting or racing scenes, portraits of cricketers, or pictures of birds and beasts printed upon them. But we could not escape the absurdity on great occasions or Sundays of having a tall hat stuck on the head above a round jacket. When our parents adopted the most preposterous head-dress that was ever devised by what some would call "the wit of man," they might well have spared their children from a fashion so unsuitable to the very idea of boyhood. Doubtless we were rather proud when the day came that we were "to be like father," and were taken to the hatter to be fitted with our first chimney-pot. But where was common sense? The result is that to-day the old-fashioned etiquette of schools shows us a crowd of public schoolboys, in Eton and Windsor and elsewhere, visiting their tuck shops with hats well on the back of the head and hands

deep in the pockets, while all the other gentlemen in the streets wear their comfortable, sensible head-gear, infinitely more consistent with what ordinary dress should be, convenient and neat. Of course someone will say, "But it is so smart." Well, I deny that. Whatever they may be on gala days, the lads who are compelled to wear cut-away coats and tall hats on ordinary occasions present themselves as anything but smart. Indeed they seem to affect a slovenly mien. If a grown-up gentleman walked down Piccadilly with his head well down and a tall hat on the back of it, and with his hands in his pockets, would anyone call it a sight indicating smartness? But it is not merely a question of smartness.

Divest the mind for a moment of the idea, if that be possible, that there ever had been a tall "chimney-pot" hat worn by any human being, and what can one imagine would be the reception given to a proposal to introduce it now. History does not tell us who invented it, or who was first seen wearing such a thing. But whoever he was, it is recorded of him that his appearance was greeted with indignation, and so great an objecting crowd assembled that he was haled before the City Magistrate, charged with "conduct calculated"—in police language—"to provoke a breach of His Majesty's peace." Yet the day came when it had practically no rival. Everywhere it asserted itself as the dominant in head-

THE TALL HAT

gear. In my infancy I saw it worn by all ranks. The clergy, the lawyers, the doctors, the country gentlemen, the town gentlemen, the tradesmen, the hawkers on the streets, all wore tall hats in varying stages of smoothness or dilapidation. Officials were all seen in tall hats, unless they had to carry shoulder burdens.

The tall hat was also ordered by authority for civil servants. When a host of postmen had to be engaged to deliver the enormous masses of letters, which were the immediate result of Rowland Hill's reform, and the introduction of 1*d.* postage, they were all paraded in tall hats, with bright yellow bands, cruel in hot weather, and ingeniously adapted to pour down falling rain from the brims on to the letters as the postman bent his head to read the addresses. The constable on his beat wore a tall hat, glazed on the top, and with two glazed strips down the sides. A single policeman trying to deal with exuberant youths or rowdies soon saw his hat used as a football, or found it crushed down over his eyes. A greater temptation to the unruly could not be imagined. The very signalmen and pointsmen on the railways performed their duties in tall hats, their work at that time being done on the ground. And in society the tall hat was worn by all classes.

In the country the very ploughmen and labourers wore the tall hat on Sundays, and at the humblest funeral it was universal. Even the street

beggar doffed a hat shining from water-brushing as he begged "a copper."

It was the same in the region of sport. Not only in the hunting field, where it was favoured as a protection against a broken neck, but also in the cricket field, on the golfing green,* and in the shooting-covers, it reigned supreme. Of the first All England Eleven that came to Scotland I saw at least one-half wearing tall hats, and the pictures of the early Forties show hats on the whole thirteen cricketers, and the two umpires, in the field. Even the soldiers did not escape, the Royal Marines wearing glazed tall hats, with strings at the sides, similar to those of an Anglican Bishop.

Two incidents I can recall, of one of which I was a witness, and as to the other I was credibly informed, illustrating how the tall hat being worn by the lowest of the low was utilised for business. A hawker, selling little ornamental chains for children, was endeavouring to make a sale at the carriage window to an aunt of mine, when, to show his varied stock, he took off his tall hat and produced a coil of his wares out of it for exhibition. The other instance was of a gentleman on the Mound, whose smart terrier dog followed him. An out-at-elbows individual accosted him, and asked if he would like a rat or two for his dog.

* The reader has doubtless seen the picture of the golfers at St. Andrews competing in the annual medal contest, which was painted by Charles Lees, R.S.A., in the early Forties. All the golfers and all the spectators are depicted as wearing tall hats.

WHISKERS AND MUSTACHIOS

Assent being given, they went across to what was then vacant ground on the Mound, where four rats were disposed of, which came from the man's tail and breast pockets. Being asked if he would care for more, the gentleman said, "I'll take every one you have," whereupon the salesman leaned forward and took off his hat, producing two more rats out of it, which had been seated on his head.

Fashion is a cruel taskmaster both of man and woman. And much that it imposed upon both sexes appears to us to-day to be eminently absurd. But I think that some of the ladies would be willing to confess that not a few of the changes in their fashions, which have followed one another with kaleidoscope rapidity, were at least as absurd, if not more absurd than those of our mothers. Of these changes more anon.

Nor was fashion in those days confined to dress in the case of the male. There were strict face fashions also. Whiskers, generally mutton-chop, as distinguished from the later Lord Dundreary-pendants, were the usual hirsute ornament (?). Mustachios were the head-mark of cavalry. There can be little doubt that if a clergyman had appeared in church wearing a moustache, his charge would have seethed with condemnatory excitement. Perhaps it may be thought to be an exaggeration to say that he would have been called before the Presbytery, to answer for so unseemly

an offence against propriety. But I feel that I do not exaggerate. He would not have escaped censure. If any minister had gone the length of wearing a beard he might possibly not have been open to an actual libel, as on a *fama clamosa* of scandal, but he would most certainly have been dealt with in a drastic manner. Indeed, in those days, anyone who wore a beard upon his chin was a person to be stared at, and it would, I verily believe, have been a subject for discussion as to whether he was not a lunatic, unless his nose tended to exonerate him as being a rabbi. We used to look with wondering eyes at two "Joanna Southcott's men," named after a woman who was believed by her followers to be the chosen bringer-in of the second advent, after the manner of the first. These two were a remnant of those who shared this belief, although she had died some years before I ever saw them. It was part of their cult not to mar the beard; they were the only two persons who in my boyhood allowed their chin to be covered according to nature. All others, even if for health reasons they required a natural covering to the throat, yet scrupulously removed every hair on lip and chin. It may give an idea of how rigidly special manners were held to be essential to respectability, to recount what happened when Lord Justice-Clerk Hope was presiding in the Court of Justiciary. A solicitor before the Supreme Courts, who was called as a witness,



EDINBURGH POSTMAN OF THE "FORTIES"

THE SOBIESKI STUARTS

wore his beard, by order of his medical man. When his examination was concluded, the Lord Justice-Clerk turned to him, with a frown on his face, and giving him the full benefit of his gold-rimmed spectacles asked:

“You are a solicitor before the Supreme Courts?”

“Yes, my lord.”

“Am I to understand you are in practice?”

“Yes, my lord.”

(After a pause) “Most marvellous!”

It was evidently considered that for a solicitor to be unshaven was almost a contempt of Court.

In this period, anyone whose dress had a feature different from what was conventionally looked upon as correct was certain to be stared at, and not unlikely to be mobbed.

So strict was the uniformity of dress that there were few persons who attracted attention by peculiarities of costume. Two who were not like other people I used to see upon the streets of Edinburgh when I was still a small boy. They were brothers, who called themselves Sobieski Stuarts. I was told they claimed to be the successors of the Royal Stuart family, but was assured that their claim was not genuine. With family Jacobite tendencies, and the memory of old Macdonald of Kingsburgh being cherished, I naturally took an interest in the men, who were fine specimens of manhood. They went about in

blue be-frogged frock-coats, such as were worn in undress uniform by officers of cavalry, and on a Sunday evening I saw two stalwart Highlanders from the regiment in the Castle, meeting the Sobieski Stuarts, giving them a military salute. My youthful mind concluded that the Jacobite spirit was in the private soldier as well as in us. But my impression now is that they took them for cavalry officers, and paid a simple military compliment. These Sobieski Stuarts disappeared from Edinburgh shortly after this time, and I never heard of them again.

CHAPTER FIVE

*“Wha’ll buy my caller herrin’,
New drawn frae the Forth.”*

LADY NAIRNE.

*“The damsel’s knife the gaping shell commands,
While the salt liquor streams between her hands.”*

GAY.

WHILE on the subject of costume, it seems right to call attention to a class whose dress is different from that of the community, particularly as it has a tendency to disappear. One of the most picturesque sights upon the streets of Edinburgh in my young days was the fishwife of Newhaven. The women were a class entirely by themselves, retaining a garb not worn elsewhere, and showing by their appearance that they were not of the race to whom they sold their fish. It was an appearance of which they had no cause to be ashamed. What racial stem they came from I know not, and leave it to the learned in folklore to inform the inquirer. But they were splendid specimens of humanity, clear-complexioned, bright-eyed, and while strong and vigorous, carrying heavy burdens, they were neat-handed, and their small feet, always in well-made shoes, might have been envied by many a lady of what are called the refined classes. Wearing red and white, or blue and white short striped petticoats, and dark blue panniered skirts, with a bright handkerchief round the neck, the younger girls bareheaded, and the head covered in the case of the older women by a cap that seemed to indicate a relation with Normandy or Brittany, they were a most charming feature of life on the streets. Strong and healthy, they carried their "creel" with its basin-shaped basket above it, and

bore their heavy load by a strap crossing the forehead, walking two miles from the fishing station, and climbing many a stair to sell their fish, as the song says: "New drawn frae the Forth." "Caller herrin'"—"Caller cod" were called sonorously during the forenoon, and "Caller ow-oo" at night, when the oysters were offered for sale. Must I say for the English reader that "caller" means fresh, and that the vowelled word was the cry of oysters; I despair of expressing the delightful sound of it. The first syllable was as the "ou" in "hour," and the last syllable as the "oo" by which "you" is sometimes expressed in doting language. How often when the "Caller ow-oo" sounded in the street was the fishwife brought into the entrance hall, to open her fresh oysters by the dozen for delightful impromptu supper.

A well-known song by our Edinburgh poet Ballantine takes its name and refrain from an incident which brings out in strong relief the characteristics, both physical and moral, of the "bonnie fishwife" of Newhaven. Ballantine happened to be passing when a fishwife was in the act of hoisting on to her back her heavily loaded "creel," and he gallantly gave her assistance, expressing his astonishment at her being able to carry such a load all the way from Newhaven. Her cheery reply, as she adjusted the strap against her forehead, showed a strength of character as her heavy "creel" demonstrated her strength of body: "Oo,

THE BONNIE FISHWIFE

ay, but ilka blade o' grass keps its ain drapo' dew." One wonders whether the thought was original, and would fain hope it may have been, but whether original or not, it was a charmingly poetical expression of a noble contentment with her lot, strenuous though it might be.

Alas! all this charming spectacle of the "bonnie fishwives" is changed in character. The "Caller ow-oo" is heard no more, and though the fishwives still sell fish, they do not bring it fresh from New-haven. It is rather a sad thing to one who remembers the old days when the fish came straight in the "creels" from the boat.

What does one see now? A train arrives at the Waverley Station and out step the fishwives in the characteristic dress. But they have no fish with them. They go to the end of the train and take from a special van their empty "creels," and disappear. Later, one sees them going about with fish. Rumour says that all their husbands' and brothers' fish is contracted for by the fishmongers before it is caught, and that it is brought to Edinburgh in bulk—that the fishwife on reaching Edinburgh goes to the fishmonger and takes what he gives out to her for sale. Does the "creel" receive the fish of yesterday which was left over unsold? I know not, but if it is so, then is it not strange that there is no cry of "caller" heard as the "creels" are carried round daily. If this be true, then "pity 'tis 'tis true." The romance and

the freshness of the bright, cheerful Newhaven fishwife's personality and work have been brought down in standard under the, at times, killing breath of what is called modern civilisation. We could have with advantage parted with many things which get the name of "civilised" because they are things of innovation, which have brought nothing that a truly civilised mind should cherish. The only thing to be thankful for is that civilisation has not stripped them of their picturesque dress, and substituted for it bad imitations of Paris fashions, in which all their characteristic handsomeness and neatness would be sacrificed, although it is to be feared that the delightful "fishwife" will ere long disappear.

Besides the fishwives, who were ornamental as well as useful, there were other hawkers of special goods, who had nothing to commend them except the usefulness of their wares. In addition to the china mender, to whom I must refer more particularly later, there were two that I remember. There was a regular calling at houses for the purpose of offering matches for sale. I mention this because it is an indication of how long a time it took before the lucifer match became common. These vendors came with large bundles of roughly-shaped sticks about the size and length of an ordinary pencil, both ends of which had been dipped in melted sulphur. They were used for ordinary lighting purposes, the light being obtained by inserting



NEWHAVEN FISHWIVES

PENNY POSTAGE

the match in a bottle of prepared phosphorus. It must have been as late as 1844 or 1845 that the use of the phosphorus bottle was practically superseded by the friction match. The other hawker sold sand from a cart, for use on stone floors, and his cry of "Saund, saund" was a dreary wail. One day a superfine gentleman spoke to the hawker, and said, "My good man, you ought not to say 'saund, saund,' you should say 'sand, sand,'" emphasizing the "a." The man looked at him, and holding out his spade said, "Jist you tak' the spade and see if ye can dae it ony better." The superfine gentleman went his way, and the little fellows looking on, laughed.

I am just old enough to remember the change from the expensive to the penny postage. The General Post Office for Scotland at that time was a comparatively paltry building in Waterloo Place—now Cranston's New Waverley Hotel. If any one will look at the hotel and at the present Post Office, both of which he can see from the North Bridge, he will get some idea of the enormous increase of the postal service which followed the introduction of Rowland Hill's system of penny postage. Looking at these two buildings, the small and the vast, and remembering how the proposed system was denounced and Rowland Hill sneered at by men high in the postal service—who made

reports to the Government and published pamphlets, conclusively proving, as the authors thought, that failure was certain to follow the change in postage rates—one is furnished with a strong commentary on the want of foresight so often displayed by those in high place in denouncing any idea which has not been born from their own brain. When I was still a boy I read strong statements by able men, saying that the old system should be re-established at once. Perhaps it is not realised by many to-day that when the penny postage was introduced the change, as is so often the case, was not made whole heartedly. I have seen letters paid for in coin in Waterloo Place, the clerk making a great 1*d.* mark in red ink with a broad pen. It was only when the use of the Queen's head became established as a success that the affixing of stamps was made compulsory. The many advantages of the penny system were soon recognised. One inconvenience of the old system can be appreciated by a generation which has the privilege of despatching four ounces for a penny. I have seen in my childhood many letters, written on the thinnest of paper, and the writing crossed not once but twice, the second crossing being diagonal, making them as difficult to decipher as a cuneiform inscription. And as for envelopes, they were not used, as the weight had to be kept down to half an ounce.

Of course all the increase in space occupied by

PENNY POSTAGE

the new buildings is not to be attributed to letter postage only, as the telegraph called for considerable accommodation in the offices. But the main building of the Post Office was erected solely for ordinary postal business, as it was begun in 1862, six years before the Government took over the telegraph service; and also before the postage of parcels was introduced.

CHAPTER SIX

“ There are contentions among you.”

I COR. i. 11.

WHEN I was little more than six years old, an event occurred which made a great difference to Scotland in many ways. The significance of it could not come home to me then, but what I saw can never be forgotten. It was the Disruption of the Church of Scotland. In the forenoon I had seen the Lord High Commissioner's procession, and on the same day was taken along George Street to the front of St. Andrew's Church, where those who conducted me gazed up in silence—as did a crowd of others—at the gallery windows. I saw nothing but a number of bald and other heads, and wondered what was making those on the street gaze so intently. It was not my idea of a show. That afternoon I was playing with companions at home, and we were doing some children's acting, for which my cheeks were painted a strong red. Suddenly we heard a noise, and saw from the window people rushing along towards the street corner, and scenting an excitement we followed them, running as hard as our little legs could carry us. On looking up the steep street leading to George Street, we saw a long line of black moving down the hill, which as it came near proved to be the seceders who had left St. Andrew's Church to proceed down to Tanfield, there to meet in a large hall. The Moderator led them, and they came on, on, on, several hundreds. It was to me a mere sight to behold,

knowing nothing of its meaning; but I seem now to see before me the four-deep marchers, all in black, with white neckcloths and tall hats, and faces set and solemn. They looked absorbed, as seeing nothing of their surroundings, moving as in deep thought. My ludicrous appearance in my fancy cap and with my painted cheeks passed unnoticed, although I was in the very front row of the lookers-on. My elder brother found me there, and whipping off the paper cap I wore, applied his handkerchief and mine to remove the clown look from my face, while still the, to me, apparently endless succession of black figures passed on. Of course it is little that I can say except to describe what I saw, but a child is quick to observe when there is passion in faces—their elders generally accustom them to that. I saw nothing of passion, rather the feeling was of sober determination of men who had made up their minds, and in whom excitement had passed away and purpose was dominant. My recollection as to what passed before me, and of the impression formed, was in complete accord with what I learned to know when I grew up, of the sacrifice these men were facing when they marched to Tanfield, giving up their homes and their living, sacrificing for the time their prospects in life. I say nothing as to the rights of the matter, of which I could have no opinion then; but it certainly was impressive to see that crowd of men, who were



"SPUNKSELLER"

THE DISRUPTION

not deterred by dread of sacrifice from giving effect to opinions conscientiously formed and strongly held. One can imagine what a trial it was—what a sacrifice bravely shared by many a wife and child, upholding the fathers in suffering “the loss of all things,” so far as this world was concerned. What uncertainty there must have been as to the future, not only to those who departed, but also to those who remained! Would the great rent prove disastrous, or would both the seceders and those whom they left be able to survive and put on strength so as to present a working and efficient organisation? What fireside discussions must there have been, what hand-wringing, what uplifting of hands, what heart-searching, what demands upon the spirit of charity! Probably all who walked in that procession to Tanfield, and all who remained in St. Andrew’s Church as an attenuated General Assembly, have passed away. It is at least a matter for thankfulness that now, seventy years later, the bitterness of that day has exhausted itself, and that whether a real reunification is in the future or not, there is a spirit of reconciliation which enables the descendants and successors of those who took part in the long past events to meet in friendly conference. It is a maxim not to be denied that schism, from whatever cause, is an evil, which all must confess, cultivating in their hearts the desire that a way may be found to get nearer to the “good and

pleasant thing," by the healing of the schisms of the Churches. But whatever may be said, the events of 1843 made it certain that the Scotsman who is looked upon as one eager and determined to acquire and hold fast—as indeed he is—is yet capable, if his conscience tells him there is a call for it, of giving up his all, as our soldier at the Alma said—"if needs be."

I only know of one other person now alive who saw that solemn procession. I did not know then that a little girl was being held up on the balcony of the bank building at George Street corner, and who saw her father—afterwards the Rev. Dr. Bonar—passing down in that column; the girl who was afterwards to be my dearest friend, and to be a helper to me in the waiting time when the desire of a man's life is fixed and he would fain woo, but must restrain his ardour till prudence permits; and still more, a helper when the great calamity of a lifetime had to be borne, and when the hand and the voice of a friend can do much to bring strength to bear. From this dear old friend I learn that at the corner of George Street there was great excitement—now a cry of "They're coming!" then an indication of false alarm, and at last the outburst of excited shouting and a rush, and presently the Moderator and his following moving in orderly march came in view round the corner. I know she will concur in all I have said as to the impression made upon a child's mind by the scene

CHILDHOOD'S TRIALS

of that day. What we knew as we grew up of the men who joined in that four-deep march confirmed our impression as to its character. No movement in which such men as Chalmers, Gordon, Guthrie, Cunningham, and Candlish, and her own father, took part, and with such supporters in the laity as Moncreiff and Graham Spiers—and there must have been many like them—no such movement could be otherwise than one full of the spirit of reverent and conscientious conviction, calling for the respect of all right-thinking men, whether in sympathy with the views of the actors or not.

Reminiscences of childhood are countless. I shall only give three more, each of which points a moral. One relates to the cruelties committed thoughtlessly by servants, who say things to children when they are naughty, to make them behave better—telling them falsehoods to frighten them into subjection. My infancy was in the time of street cries—the milk, the coals, the kitchen sand, the fresh radishes, the fish and the oysters, were all announced by their respective cries. There was, further, the china-mender, whom I have special cause to remember. He carried a small brazier full of burning coals, while his wife bore a basket with mended, and to be mended, glass and crockery. An ugly pair they were; he with unshaven chin, and she with the red face of

a virago. It is quite possible they may have been very decent people, but I could not think so, as the reader will presently understand. When they entered a street the man gave a frightful yell in two syllables: "Hee yaah-a-a" (long drawn out)—and then shouted words which I could not follow. I know now that they ran thus: "Cheeyna, cerusstl, and stunwa-e-re to get mendit"—a most harmless utterance. But a poor little fellow was told by a heartless nurse that the man was calling for naughty children to be taken away and burnt in his fire. Oh, how terrible was my dread! If the man appeared when I was in the street, I broke away from that nurse and fled as fast as my little legs could carry me, reached the door of home with my heart going like the piston of a steam-engine, tore at the bell, and screamed through the slit of the letter-box until the door was opened. But I did not dare to tell the cause of my terror, being certain that the woman would have denied what I said, and equally certain that the servant would be believed and the child punished for lying, for—

"The nurse's legends are for truth believed,"

whether they are lying to the child, or lying to the parent. Percy Fitzgerald tells us of Charles Dickens' sufferings in childhood's days :

"The poor child must have had his nervous temperament wrought upon by an appalling nurse, who seems to have delighted in agitating him with ghostly and other tales."

LOGIC FOR CHILDREN

A child can suffer agonies caused by departures from truth of those over them. When one looks back at such things, it is little to be wondered at that a tiny girl should be found on her knees, saying: "Dear Satan, please come for nurse, and please come soon," a prayer which actually was uttered, and with earnestness.

The second incident is an illustration of how children are often forbidden to do things for reasons by which their elders are not bound. I was taught at the knee to say a little hymn which ran thus:

"'Twas God that made this little fly,
And if I pinch it, it would die.
My mother tells me God has said
I must not hurt what God has made.
For He is very kind and good,
And gives the little flies their food.
And he would have each little child
To be like Him, both good and mild."

Having learned to repeat these rather doggerel verses, with of course the long, whining drawl of childhood on the final syllable of each line, what was my astonishment not long after, when the weather was hot, to see my father making a decoction of some vile stuff—quassia, I think it was, but the maids called it flea-watter—in which before evening those little pests that I was forbidden to destroy lay poisoned in dozens. I could not reason the thing out, and dared not ask "why," so wondered in silence whether it was only little

people who were called on to be "good and mild." Now, the fly is looked upon as an enemy of the human race, to be destroyed wherever found, the fall in the death-rate being often beyond all doubt attributable to the diminution in the number of flies, who in the past carried deadly things from the mews and rubbish-heaps into dwelling-houses, causing disease and death. "Kill that fly" is not merely a theatrical joke. It is an injunction, serious, and addressed to the humane, which it is unconscientious to disregard. The child's hymn, if sound in its precepts, would of necessity apply to the ox, the sheep, and the fowl. Why should bad reasoning be held good enough for little people?

The third incident is firmly engraved on memory. It illustrates how the "grown-ups," as we called them, had scarcely an idea of children having any feeling of the rights of property, and of the wrongs of their little possessions being practically filched from them, and if they make any sign indicating their chagrin at having what is their own carried off by someone else, they are made to understand that they are "naughty and selfish." My half-sister, being in bad health, had spent a winter in Madeira, and on coming home brought a number of little presents with her. A very neat hand-painted china comfit box with gilt clasp was presented to me, to my great delight, not only for its beauty, but also because it is so much to a child to have something real for "its very own." Not

A CHILD'S TRIAL

many weeks passed, when two little girls—nice little girls they were—came to spend the day, and when they were going away in the afternoon a number of things were put on a large plate, including my comfit box, and presented to them that they might choose from the collection. What I felt when a little hand took hold of my box is beyond description. I am sure if the little girl had known she would have put it back. The irony of it was made all the greater when she sweetly thanked, not me, but the “grown-ups” for their kind present. I wonder if such things ever happen now. If so, I would put in a word for the little people. Should they be tried in this way? My stepmother once told me a story of a little fellow to whom some similarly provocative injury was done, and who, on being told by his mother how pleased she was to see how patiently he had taken the wrong, candidly repudiated the commendation, saying, “Well, Mamma, you may praise me if you like, but I just thought ‘DEVIL.’” I wonder whether my thought was something like that. Perhaps it is as well that I have forgotten all but the general sense of disappointment. But it is not easy for a child to go through such an experience without feeling that although he is taught to say that it is a duty “to keep my hands from picking and stealing,” the catechism only applies to him and other small people, but that old people may do what they like with what

is not their own. No honest guardian, who believed that a child could reason at all, would do such things. The error is in thinking that the child cannot reason. It is akin to the folly of that evil and too common practice of saying things before children that they should not hear, because they are supposed not to take things in. Many a story of the dining-room or drawing-room travels up to the nursery and down to the servants' hall, which would never have been uttered but for this foolish—almost culpable—forgetfulness of the truth that "little pitchers have long ears," and can pick up what may be more or less evil both to themselves and others.

CHAPTER SEVEN

"The evil that men do lives after them."

SHAKESPERE.

IT may be interesting to those who cannot see so far back as a septuagenarian can, to know something of what Edinburgh was like seventy years ago. Speaking from the memory of childhood, it is possible to give an impartial statement of the facts, as the child mind does not trouble itself with architectural or æsthetic subjects. Let me endeavour to bring a picture of Edinburgh about 1845 before the reader. Any comment that is made on the facts is of course an expression of thought of later date. We shall start an itinerary from what might be called then the centre of Edinburgh—the Mound which was made some time before that to cross the valley of the “Nor’ Loch.” The road at that time went by the east side, over the space now occupied by the National Gallery ground. West of this there was a wide, unkept space, which on Saturdays and holidays was the resort of low-class entertainers, who put down roulette tables, stands where darts were fired at targets by the explosion of percussion-caps in toy guns, cocoanut-shies, swings, tables where vendors sold what was called “Turkey Rhubarb,” and cakes of chemicals by which brass could be turned into silver, for—well—say, twenty-four hours. Shoe-ties, penny toys, and sweets—the “gundy” and “gib” of Edinburgh—were hawked by hand, and small dogs, honestly or dishonestly come by, were offered for sale to the ladies. The air resounded with cries. “Spoor

it doon, and try your luck," shouted the roulette man as he spun his wheel; "one to one upon the red, three to one upon the blue, six to one upon the yellow, and twelve to one upon the royal crown." "Try a shot, only a penny," came from the target proprietor; "nuts for your money, and sport for nothing." "Three shies a penny," chirped the lady at the cocoanut stand. "Cure for colic, stomach-ache, rheumatism, headache," and several other ills named, solemnly announced the Rhubarb man, who had the Semitic written all over him. "If," said he, "any gentleman is troubled vith any of the diseases I have mentioned, I giv him a dose of Turkey Rhubarb, and if he be not cured vithin five minits, vile standin' 'ere, I forfight all you see upon this stend." One old man—blind really or by profession—swung back and forward rhythmically, shrilly announcing, "Shoe-ties at a penny the pair, and reeleegious tracts at a ha'penny the piece." Aspectacle vendor exhibited his glasses in a case, hung on the railings, and a bird dealer sold linnets in paper bags. Of course it will be understood that I am not speaking only of the first years of the Forties. These veritable memories belong to a period of some years, and are put together to give an idea of how the beautiful centre of Edinburgh was allowed to be degraded into a scene of low-class trade and entertainment more or less discreditable to the city. No

MOUND HORRORS

wonder Lord Cockburn said of the Mound, "that receptacle of all things has long been disreputable."

But this was not all. On the west side of the Mound there were four wooden erections for which the fathers of the city were not ashamed to draw rents to bring a little to the Corporation's bankrupt money-chest. In the middle stood a great circular booth, of cheese-like proportions, all black with pitch, except where, in enormous white letters, it was announced to Princes Street that this abomination was the ROYAL ROTUNDA. There my infant mind was instructed in the features of the Battle of Waterloo, by a panorama, the pictures of which were probably as unlike as they could be to what actually happened on that field. Farther up the slope was a building even more disgraceful, a penny or two-penny gaff theatre, which had the distinguished name of THE VICTORIA TEMPLE, of which it is needless to say that I was never permitted to see the interior. The outside I remember—brown woodwork, and wooden flat pillars, painted to imitate—and imitating very badly—the beauties of Aberdeen red granite. Above this, incredible as it may seem, was a tanner's yard! At the bottom was a coachbuilder's wooden shed and yard, and in front stood vehicles in various stages of dilapidation and repair. A circle of stones was set on the ground, at which the hammering of

tires on to wheels was something for the boys to watch.*

Special shows were sometimes permitted to occupy the open parts of the Mound even opposite the Royal Institution. I was taken to see Wombwell's Menagerie there, and had great delight. I can think now how hideously disfiguring those yellow vans, and the gilded front with its lion-tamer pictures, must have looked, as they blocked the view of the Castle to the pedestrian on Princes Street. When one recalls this picture of degradation of what by Nature is one of the most exquisite scenes which ever gave glory to a city, it is impossible not to marvel at the utter want of taste and sense and decent regard for appearance, and even for morality, which were displayed by the civic fathers of those days, and yet as William Black's golfer, after dreaming that he was in hell-bunker, said, "But it micht hae been waur." For incredible as it may seem, it was gravely considered whether a two-sided street should not be built on the Mound, with the backs of the houses looking east and west to Princes Street, to the complete ruin of the view in both directions. Again, it was only by a determined struggle that the city was saved from the absolute destruction of its amenity, when the Town Council determined to build a south side to Princes Street. This would have been

* The artist has made the buildings much smaller than they were—an artistic licence to modify their hideousness.

MUNICIPAL VANDALISM

irretrievable loss to Edinburgh as a resort, and a standing disgrace to its inhabitants. A street across the valley, up the Mound, would have been scarcely less a work of outrage. In passing, it may be recalled that an equally monstrous outrage was brought forward when it was proposed to widen the North Bridge. A scheme was set on foot and gravely considered for building shops on both sides of the bridge, right across the valley! And worst of all, it was only by strenuous efforts of a lady citizen that a plot to put some twenty brick shanties on the side of the slope below the Castle Esplanade, in full view of Princes Street, was defeated.

Coming to Princes Street, it was in my earliest days a narrow way, made narrower by the cabmen being allowed to keep their horses' noses well out into the street, ready to have a rush across whenever a hand was held up. It was amusing to us little people to see these short and sharp races. The drivers at their horses' heads, with the whip going back from the left hand, stood watching. All in a moment, two would dash across, regardless of other traffic, lashing their horses with wild back swings of the left hand. The language of the loser of the race was what the reader may imagine for himself.

The Princes Street buildings were in all stages of alteration. Originally built—as may still be seen here and there—with the flattest and baldest

fronts, the effect was utterly dull and uninteresting. The houses were all residential, and when they came to be altered to shops the ground-floor was occupied by one tradesman and the area by another. To-day there is scarcely a specimen left, but one there is still that used to be the fashionable fruit-shop of Boyd & Bayne opposite Waverley Station, a curiosity of the past. In those days the street was utterly uninteresting and mean to a degree; its only attraction being the outlook to the old town and the Castle. Some worthy buildings have taken the place of the old bald fronts, and some, it must be confessed, by no means worthy; but the general effect is much better than in the days when the street presented uniformity. It was uniformity which was not dignified—paltry and inartistic.

As for the valley in front of Princes Street, it presented a sorry sight. What might have been a beautiful sheet of natural water—the Nor' Loch—was left in a state of filth and insanitary accumulation; what in Scotland is called a “free toom,” into which garbage of all kinds—cast-off clothes, dead dogs, and worried cats, &c.—were thrown. A filthy marsh, it was the assembling parade of the militant boys, where class fights took place freely, and foul matter abounded, to foster the germs of disease. This may seem an exaggerated picture, but here is Lord Cockburn's account of the state of things, just before the for-



EDINBURGH FROM SCOTT MONUMENT, LOOKING WEST, 1847

THE NOR' LOCH

mation of the garden was undertaken: "A fetid and festering marsh, the receptacle for skinned horses, hanged dogs, frogs, and worried cats." The presence of the water was looked upon as a nuisance, as well it might be, when the municipal eye looked at it as it was, instead of as it should be. But apparently the Corporation had little thought of "anointing the eye with eye-salve," that it might see how the desolate might be made "to blossom as the rose." Something may be said later as to what has happened in that valley, and as to what might have happened, if thought and discernment had been present with the wise rulers. Also it will be seen what golden opportunities were lost, and what irreparable mischief was done.

Meanwhile, I return to the child-days—to describe what the child saw, and I take the time when the Walter Scott monument was built, as it marks a period when recollection is vivid. At that time, immediately below the site of the monument, there was a cottage, with a potato-garden surrounding it, of which all that can be said is that it was not so offensive as what is there now, and certainly not so offensive as a walled-in and paved vegetable market, which was one of the schemes considered to be sensible by some, and would have been carried out in all probability but for the demand of the railway interest, which in this one particular saved the city from a grievous disfigurement. In what are now the West Princes

Street Gardens, the part next the street was kept for amenity ground; but I saw when I was a child the space below the Castle Rock ploughed down and bearing a crop of excellent turnips. When the weather was wet, the water formed a loch in the low ground, in which much offensive matter accumulated. Altogether the valley, which should have been regarded as a beautiful foreground for the old town and the Castle Rock, was neglected, and its capabilities for adding to the beauty of the city remained unconsidered. Indeed, there was at one time, as Lord Cockburn mentions, a scheme for filling up the valley with spoil and rubbish, the Lord Provost of the day, when remonstrated with, giving as an unanswerable reason that it would provide ground for "building more streets"!

Such was the centre of the town in these olden days, a jewel besmirched with what was defiling, because those who had it in charge could see nothing worth preserving in it. Like Chanticleer in the fable, who found a beautiful string of precious pearls when scratching in the dung-heap, and said he would not give a good handful of corn for the whole gewgaw, so our representatives saw not the value of their jewel, and were ready to sacrifice it to the railway moloch. It is to a Lord Provost who said in the Council, without raising even a murmur of dissent: "Nature has framed this place for a railway station," that we owe the fact that what might have been a lovely garden,

RAILROAD DISFIGUREMENT

with a beautiful piece of water in it, lying in the very bosom of the city, presents now to the eye its dismal thirteen acres of dirty brown glass and its semaphore signal-posts, and has many lines of rails running along the base of the old town hill and the Castle Rock, and hideous signals and signal-boxes disfiguring the valley, perhaps the most unæsthetic mode of laying out such a piece of ground that human perversity could devise. If Lord Cockburn could speak of the proposal for a small railway station as "a lamentable and irreparable blunder," what is to be said now when it has practically swallowed up the whole breadth and half the length of the valley? One can well believe that if the worthy Lord Provost had known what was to follow, he would have hesitated to say what he did. Lord Cockburn thought that it was not intended to express "approbation of those worlds of stations, booths, coal-depots, and stores, and waggons, and stairs by which the eastern portion of the valley has been nearly destroyed." It is now totally destroyed. People say, "What's the use of crying over spilt milk?" That is all very well, but it is only the loss of the milk that is considered, and it was only by accident that the loss took place. It would be a most futile consolation if the milk could never be wiped up, and the carpet on which it fell brought back to its pristine neatness. But when the most disfiguring things—the dirty glass, and the formal rails and the signal appliances are

put down—where Nature, aided by cultivation, should for ever have held sway, presenting a thing of beauty—so that there they must remain in their hideousness to the end of time, and this not by an accident, but by the wilful doing of those who should have shielded the citizens from such an infliction, one feels almost justified in suggesting that a certain bronze statue of a former Lord Provost, which is supposed to adorn Princes Street, should be turned round, so that it may be compelled to face what the man it represents assisted to bring about, when he thoughtlessly accused Nature of having prepared a place for the perpetration of such a wrong to our beautiful city. Uncle Toby said: “Wipe it up, and say no more about it.” Alas! we cannot wipe it up; and as to saying no more about it, we are surely at least entitled, when the stranger within our gates sees this disfigurement, to assure him that we are ashamed, and groan over our impotence which compels us to bear the sight of such wounds and bruises deliberately inflicted on the lovely face of our incomparable Edina.

When there is so much to record of what is unsatisfactory regarding the conservation of the amenity of Edinburgh, what is good must not be overlooked. A great improvement was made on the view from Princes Street, which had been terribly disfigured by a building discreditable in every respect to the architect who planned it—

COCKBURN STREET

the Bank of Scotland, of which Lord Cockburn spoke as "a prominent deformity." Prominent it was, and bulking large in the view, it had not one single feature to commend it, and least of all to recommend it for the site on which it was placed. It was really an eyesore. The evil was remedied by its being enveloped in a new building, which may be said to be worthy of the site, and now that it is well "weathered," does not offend the eye as did the great packing-case front of former days, to which weathering only added more offensiveness. After this improvement, the slope running down from the Castle, except for the building next the Free Church College on the west, presented no objectionable feature, unless it were the huge monotonous back view of the City Chambers, which cannot be said to be ornamental, but for which the Town Council of our day were not responsible. It is to be hoped that ere long this great, almost factory-like square-windowed wall will be dealt with, so as to break it up and give it a face more in harmony with the almost Nüremberg character of the other buildings on the slope. Speaking of the Council Chambers leads me to say something about Cockburn Street, which was made to give a new access to the old town from Princes Street, a much-needed improvement to relieve the then existing great hindrance to traffic on the old narrow North Bridge and the congestion at the Register House, where all

vehicles coming by South Bridge or by Canon-gate to the Waverley Station and vice versa had to pass round by Princes Street. The new street being named after Lord Cockburn, Edinburgh's earnest devotee, it was to be expected that the buildings would be in character with the old houses on that side of the valley, seeing that he had done all he could—alas, too often without success—to prevent evil deeds in the valley and beyond it. It may be admitted that the street is not discreditable to its position. But one thing was done after it was opened which was little to the credit of our civic rulers. The south side of the street opposite the City Chambers consists of a retaining wall, there being a slope of grass between it and the building. This was for a time allowed to be used as a green for hanging out clothes to dry, which was bad enough. But there was worse to come. Our city rulers, who might be expected to be our protectors from the hideous disfigurement of the ten-foot advertising poster, were not ashamed to let out this slope that the merits of Pears' Soap and Monkey Brand, &c., or some other such concoctions, might be proclaimed by flaming placards, shutting out the slope of grass from view, and vulgarising the street by gaudy, glaring colours—and all this to draw in a few pounds of rent. It is cause for thankfulness that—it is to be hoped for very shame—this civic encouragement to others to disfigure the city was

THE PRINCIPAL STREETS

not persisted in for long. Had it been, the votaries of the poster would have been furnished with an unanswerable argument against the Town Council at a later date, when they asked Parliament to give power to veto objectionable advertisements. But even to-day our rulers are not free from reproach in the matter of advertising disfigurement, as will be pointed out presently.

The streets which were built at the same time as Princes Street, George Street, Queen Street, and the cross streets joining them, were all in the same bald style, which is only gradually being broken up, and again to good effect here, and to evil effect there. Had George Street been built in a well-designed street style, so as to remain unaltered in front, it would have been one of the finest streets in the world. Broad, straight, running on a ridge practically level, the eye carried along by the three statues at the crossings, over a distance approaching to a mile, and—with a feature which is rare—being complete, the church at one end and the monument at the other making the finish excellent at both ends; it has advantages for appearance which are rare indeed. Even although the buildings are not what they might have been, I know of no other street that can compare with it, certainly no street in this country.

A good story is told regarding Sir John Steell's bronze group which stands at the east end of George Street. When the hoarding was being

erected for the building of the plinth, one of two worthy citizens coming along the street asked the other :

“Daursey, whet’s that shed they’re pittin’ up noo?”

“Oh,” the other replied, “that’s for Alexander and Booceaphilis, ye know.”

“Alexander and Booceaphilis! I wus nut aware that there was a firm of that name in George’s Street.”

It may give some idea of the circumscribed character of the city when I was a child, to mention that there were countryhouses, still occupied, where now the city extends far outwards. In Drummond Place there stood in the middle of the gardens the old mansion-house of Bellevue, some of the trees of the park being still alive even now. The house was only removed when the tunnel between Princes Street and Scotland Street was made for the Edinburgh, Perth, and Dundee Railway. I remember a portion of the tunnel falling in, and being taken to see the wreck. That must have been in the early Forties. My father remembered when a farmhouse still stood opposite where Wemyss Place is now, occupied by a progenitor of Lord Wood; and it is only twenty years ago that a farmhouse stood at the end of Buckingham Terrace. On the south side, the



EDINBURGH FROM SCOTT MONUMENT, LOOKING EAST, 1847.

OLD COUNTRY HOUSES

Grange House stood in the fields, and I was taken there when the Dick-Lauders were living in it. To visit it was looked upon as a drive into the country. On the west stood Drumsheugh House, and farther out East Coates House, and beyond this again West Coates House, which was in a wooded park, practically on the site of what is now Grosvenor Crescent, some of the trees in which are to me as old friends. As children we were often invited to West Coates, as Mr. and Mrs. George Forbes, my uncle and aunt, lived there. To reach it we drove into a high-walled lane at the end of Manor Place, and on passing out of sight of the houses a shout would rise: "Hurrah! now we're in the country." I have played hide-and-seek round some of the trees now standing in Grosvenor Crescent gardens, and have many happy recollections associated with dear old West Coates. Farther out, on the west, was Dalry House. On the east side of Edinburgh there was a house occupied by Mr. Mitchell Innes—quite close to Queen's Park—which had the countrified name of "Parson's Green"; on the north were Inverleith House, and the two War-ristons, now far within the city's boundaries. From these country places I have named, some idea may be got by the present generation of the extraordinary increase of the city since the time of my childhood.

But perhaps the most striking instance of the

change that has taken place, is that even now it is possible to appeal to many persons still living to vouch for the fact that well into the last century there was at a point, now two miles within the city boundary, an active colony of rooks. The great trees in Randolph Crescent were crowded with rooks' nests, and some had nests in St. Bernard's Crescent, and their cawing was not unlike a city concert. Rooks never set up their rookery in a town; in this case it was the town which enclosed the rookery. But they held on bravely for some time, and it was only when they became surrounded by town streets that they withdrew, probably deeply disgusted with the extension of modern civilisation.

Although, before my time, the residential quarter of Moray Place, Ainslie Place, and Randolph Crescent, and the streets off them, had been built, they were by no means complete. Many corners and gaps were left unbuilt on, and were only gradually filled up. It must be confessed that although this part of the town is worthily occupied, it is much to be regretted that the ground was laid off in its present arrangement. It would have been infinitely better if the alternative plan had been adopted, of building along the natural terrace formed by the Water of Leith river, instead of framing that really fine view by the shabby rubble-walled backs of the houses. Doubtless a greater profit came to the landowner by adopting

CITY EXTENSION WESTWARDS

the latter design, but a Nemesis followed ; for in my boyhood I often saw in the gardens below the retaining wall and arches, which the proprietor had to build at enormous expense, when threatened by the prospect of the foundations giving way, and the great line of houses sliding down into the river.

It was when I was a very little boy that I used to go before breakfast to see the foundations being laid of Clarendon Crescent, being the first row of buildings on the north side of the river, the Dean Bridge having been erected for the purpose of opening out the Learmonth property for building. It must have been distressing to the people in Moray Place and Ainslie Place to watch the gradual closing to them of the beautiful view to the westward by the building of the crescents and terraces on the other side of the Water of Leith; although inevitable, it could not but have been a trying experience.



CHAPTER EIGHT

*“ In the great roll of Letters these still stand pre-eminent,
And these again
In science and in art have lasting fame.”*

ANON.

OF men of consequence in Edinburgh, who went to their rest while I was a boy, I can recall the stalwart form of Wilson, better known in the literary world as Christopher North. Well do I remember him as he strode in vigorous pace along Princes Street, a man whose presence attracted the attention even of those to whom his personality and his work were unknown. The statue erected to his memory recalls him faithfully. I fear the generation of to-day have in the great majority never heard his name, or read a word of what came from his pen. I have no doubt if they heard the *Noctes Ambrosianæ* spoken of, many would suppose some ancient Roman in a toga had written them. But he will ever have a place in the literary history of his time.

Lord Jeffrey I remember. He needs no panegyric, for his colleague and friend has told of his worth as a public man, his brilliancy as a writer, and his charm as a social companion, in terms of appreciation plainly coming from the heart. My father pointed him out to me one Sunday afternoon as he passed our house in Heriot Row. A boy's impression at the moment was, that there was a man who looked as if he was in measure borne down. A very few days later he was gone from this life. The impression he made upon me when I saw him became strongly fixed by my hearing of his death, and his appearance to this day remains in my recollection.

The keen political struggles of the early part of the last century brought into being two great magazines—Blackwood's *Maga* and the *Edinburgh Review*. The latter was originated by the active politicians of the twenties of last century, who worked hard for the political changes which culminated in the Reform Act of 1832. Lord Cockburn has told so fully of the early history of the "Edinburgh" under Jeffrey's guiding hand that it calls for no further notice here, except to say that the vigour and power of its advocacy of the cause its promoters had at heart, did much to further its success. *Maga* was the brilliant representative in Scottish literature of the Conservative side of politics, while at the same time it devoted many of its pages to historical and literary articles, and gave of its space to fiction. There is no monthly magazine which has since its inauguration in 1817 so maintained its high reputation, never having been forced to truckle to the somewhat lowered taste of the reading public. The only magazine of its class that has kept to a price which represents contributors of high repute, it has held its own against to-day's less refined and cheap productions, an ever-increasing fleet, which would have run down and sunk any literary craft not of the staunchest timbers and piloted by masters of skill and daring. None of its pilots have themselves been writers, but, what was better, they were men of judgment in the



MOUND, SOUTH-WEST CORNER (IN THE EARLY "FORTIES")

MAGA—SCOTSMAN

choice of their contributors, drawing to themselves the highest party talent, and the cream of the writers on general subjects. Although it is nearly a hundred years since the first number of *Maga* appeared, its conduct has always been in the family; and it has not merely been "Blackwood's" in name, but from the first to this day it has always had a Blackwood at the editorial desk, and never has there been the slightest eclipse in its career across the literary heavens. Originating as it did in the same year as the Edinburgh *Scotsman*, it is an illustration of wonders which may happen, that these two prints, which for three-quarters of a century were politically on opposite sides of the arena, are now fighting shoulder to shoulder. This is mentioned as a fact of history merely. The late William Blackwood was a classfellow of my own, and I enjoyed his intimate friendship, being Bill and Jack to one another, and under him the traditions of *Maga* were well maintained. As an occasional contributor, both on political and general subjects, for a good many years, I had opportunity to know with what judgment he could at a time reject what his friend sent in to him, and at other times suggest improving modification.

It is interesting to note that these two most distinguished press productions in Edinburgh, in the magazine and the newspaper departments of literature, came into existence in the same year, 1817. How many ventures of the printing press

have lived and died in the century—all but two years—during which these prints have flourished and weathered through a period of great political and social changes.

Lord Cockburn, the lifelong friend of Jeffrey, was much associated with the *Edinburgh Review*. He is best remembered for his struggles by voice and pen for his dearly loved Edinburgh, the maltreatment of which he inveighed against and deplored.

Principal Lee, the reverend doctor who presided over the University, was one who earned the respect and love of all who knew him. Combined with an essentially sober and discreet mind, he had the saving element of a sense of humour, a most valuable possession to him whose lot it is to preside over a Senatus Academicus of learned men of very varied type—as they must be, seeing that each is a specialist—and also to handle a couple of thousand students, of whom it will always be true that:

“Schnell fertig ist die Jugend mit dem Wort.”

He was succeeded by one of the greatest scientists of the last century, Sir David Brewster, to whom we young folks owed the charm of the kaleidoscope, one of those inventions whose greatest claim to commendation is its simplicity. Later he gave us the stereoscope, that wonderful instrument, in using which we look with each eye at a

THE ELECTRIC CLOCK

separate picture, and seem to see not two pictures but, as it were, a solid reproduction of what the pictures represent.

Another citizen, also a scientist, deserves mention, Bain, who was the inventor of the chemical electric telegraph, which in various forms was much in use, particularly in giving a record where only weak currents could be employed. I wonder whether there are any left but myself who in their childhood saw the first electric clock which Bain erected on a great bracket in the upper floor of a house in South Hanover Street? The dials were very large, and in addition to the novelty of the system, it was illuminated from within. We used to wonder how it was all done, and I fear ninety-nine out of every hundred who saw it were content to wonder, and never sought to know. When a boy like myself appealed to those of hoary head to relieve my inquiring mind, an injunction not to be "troublesome, dear," acted as a douche of cold water. Poor Bain could not get the help he needed, and died a disappointed man. He is worthy to be remembered with honour. When his clock, which gave excellent information of time, was taken down, we young folks missed it. Bain's memory is vindicated by the many electric clocks of to-day, in which the main principle of the movement is obtained exactly as was the case in his invention. Others have entered into his labours with profit to themselves. It has

been the same with many inventors, particularly in the electrical department of science.

Edinburgh being celebrated for its medical school, I have endeavoured to recall the names of any great medical men or surgeons who were at their zenith in the Forties, but only a few come up to me. Gregory was the medical name most firmly fixed on little people's minds, and no wonder. But he had passed away before this time, only his concoction remained to cause many a child to conceal its little troubles rather than face that awful glass of red horror, to which parents pinned their faith as the panacea for all evil. I suppose it survives as indispensable to this day. It is too nasty to be given up. The only two after him that come up to memory were Abercromby and Davidson. But there were many budding celebrities, who will call for notice when a later period is reached.

In art, there were few at that time who shone conspicuously, but the President of the Royal Scottish Academy, Sir John Watson Gordon, is worthy to be remembered. London was already carrying off our rising men, who were soon to take place of distinction there, but to
Edinburgh's loss.

CHAPTER NINE

*"The charge is prepared, the lawyers all set,
The judges all ranged, a terrible show."*

GAY (*The Beggar's Opera*).

THE Parliament House with the Law Courts beside it was in my childhood the centre spot of Edinburgh vitality. My first visit to it was when I was about six and a half years old. My father being a Writer to the Signet, took me in one day to see the sight. It was the sound that struck me most, resembling, as it did, on an exaggerated scale, the noise of a busy hive. No words can describe that hum of a couple of hundred people all talking at once. The floor was crowded—much more crowded than it is now—with advocates in wigs and others in tall hats, walking back and forward the whole length of the great hall, some in serious converse, and some in talk of very much the reverse character, judging by the occasional bursts of laughter. So great was the noise that when anyone wished to find a particular person, he had the services of a crier, who filled a pulpit at the lower end of the hall, and whose stentorian voice was heard from time to time, shouting above the din the name of some barrister or law-agent whom he had been asked to summon. My childish sense of fun was aroused by a recurring sight at that end of the hall. The Melville statue, which is now placed against the end wall, was then set some distance out, and around it were several gratings to bring warm air into the building. As the barristers passed along in their walk, the rush of air got under their gowns

and blew them up nearly shoulder high with most comical effect, and I have no doubt I was rebuked for pointing at them, and laughing at the sight.

I was taken to see the Courts, and had pointed out to me some of the judges that were known to my father personally. I was shown Lord Robertson in one of what were called the Lord Ordinary's boxes—four small courts—he having been promoted to the Bench about that time. He was a personal friend of my father. There was nothing going on, and I came away with the impression that he was having a nap. I learned later to know him as a humorous and witty old gentleman. He was rather a bon-vivant, and doubtless many of his clever sayings have already appeared in print. But one never published I heard myself, and it may be worth recording as an illustration. One day I was out with my stepmother, and we met Lord Robertson. He had been dining at our house two nights before, and he stopped and spoke to us. My father had been in very bad health, and was cured by the ablest of the hydropathic doctors of that day, Dr. Gully of Malvern, but was not drinking wine at all after his return. Lord Robertson said to my stepmother: "Mrs. Macdonald, to see your husband as he is now, would almost persuade a wine-bibber to turn water drinker"—a pause, and offering his hand; "but remember, I said *almost*," and off he walked.

After seeing Lord Robertson I was taken into



PRINCES STREET, EAST END (IN THE EARLY "FORTIES")

THE COURT OF SESSION

the First Division, and I have a vivid recollection of Lord Justice-General Boyle, as he, pressing the tips of the fingers together, gazed upwards, as some advocate was vehemently pleading. The statue of him in the Parliament House is highly characteristic of the man. I only saw him once. He had an imposing presence not to be easily forgotten. It is of him that the well-known story is told of his going out shooting alone on a friend's estate, when, not knowing the marches, he got on to another property. The farmer came along, waving his arms and shouting: "Hey! what are ye daein' there; get oot o' that, wull ye?" when his lordship drew himself up and replied: "Do you know who it is you are addressing, sir; I am the Lord Justice-Clerk" (as he was then).—"I'm no carin' whae's claerk ye are, ye're no to spile ma neeps," replied the irate bucolic.

I cannot recall any of the other judges in the First Division, except Lord Mackenzie, who was a striking figure with his lean, long face, from which two keen, shrewd eyes looked out through his gold-rimmed spectacles. Looking very dried up, and suggesting a human spelding (Scots for a dried sea-fish), he nevertheless had a keen sense of humour. It is told of him that on one occasion, when the jury had retired to consider conviction or acquittal, they rang their bell, producing the usual stir of anticipation in Court. It turned out, as reported by the macer, that they rang to ask if

they might be allowed to have some water while they were in deliberation. According to the law of Scotland, it is forbidden, when a jury has been enclosed, that they should be suffered to have any "meat or drink," until they have returned their verdict. Everybody listened to hear what the judge would say. Lord Mackenzie, looking up meditatively, delivered himself in slow and deliberate tones, heard throughout the Court, thus: "Well, ye canna call it meat" (and then more rapidly), "*and it sairtainly is not drink*; they can have the water."

On leaving the First Division I was taken to the Second Division, little knowing that, as I gazed at Lord Justice-Clerk Hope in his seat, I was looking at the chair I was to occupy about forty-five years later. I was taken there to see Lord Medwyn and Lord Wood, who were friends of our family. Oh, how very, very old they looked to my young eyes! The memory helps one to realise how we on the Bench appear to the young of to-day. But I do hope that we try, and try successfully, to be more young in spirit to the young than those of an older generation were wont to be.

The other judge in that Division at that time was Lord Moncreiff, the first of the three Lords of Session of that name. I heard of him as a truly upright and learned judge, whose integrity earned the respect of all. He was, however, the lawyer pure and simple, and not much versed in practic-

LORD MONCREIFF THE FIRST

al matters. Lord Cockburn, who admired and loved him, was constrained to say that he showed "a great inferiority of general knowledge." I have heard it said of him that he did not know that the lighting gas came to the burners through pipes from a distance. On one occasion he was on the Bench at the trial of an engine-driver, in the early days of railroads. A man had been run over at a level crossing and killed. The driver's fireman was brought as a witness for his mate, and being asked whether the prisoner whistled on approaching the crossing, answered that he did. Then he was asked how loud he whistled, and his reply was, "He whistled loud enough to be heard more than half a mile off." Lord Moncreiff laid down his pen, and after looking sternly at the witness, turned to Lord Cockburn and said: "Cockburn, did you hear that—whistling loud enough to be heard half a mile off, the man's perjured!"—"Oh, but," replied Cockburn, "he doesn't mean that he whistled with his mouth; they do it by a whistling machine."—"A machine for whistling! I never heard of such a thing," and with a semi-consciousness that he was being made to look foolish, he said in dudgeon: "I'll tell you what it is, Cockburn, ye're most abominably rash to say such a thing."

Speaking of the Criminal Court leads me to mention my first experience of the High Court of Justiciary. When quite a little fellow, I was taken

to witness the trial of one Wilson for the murder of his wife by poisoning, of which he was convicted, and for which he was hanged. I mention this because it was the first occasion on which I saw two men, whom I knew well as kind friends in after years, Dr. (afterwards Sir) Douglas Maclagan and Dr. (afterwards Sir) Henry Duncan Littlejohn. They were comparatively young men at the time, and had been employed to make the analysis, which proved the death to be from arsenic. I still have the words fixed on my mind of their report, which was read: "On heating in a tube three crystalline rings were produced, which on being tested with the usual reagents were found to give the reactions of arsenious acid." I refer to the incident, as most probably this was the first professional appearance of both of them in an important criminal case; and it is worthy of remark that Dr. Maclagan became Professor of Medical Jurisprudence in 1862, and that on his decease Sir Henry Littlejohn was appointed to the Chair. There will be something to be said of both of them later. The Lord Justice-Clerk Hope presided, with Lord Cockburn and Lord Wood. He was always dignified, but on that occasion made it plain that he could be betrayed into loss of temper. I anticipate time a little to say, that after this first visit the Justiciary Court exercised a fascination for me, and I picked up a good deal of criminal law while I was still but a schoolboy, as I attended

SEVERE SENTENCES

trials, when I had opportunity, during my whole schoolboy period. There was opportunity enough, for in those days there were few fortnights during Session time when there were not several cases, and in three or four hours a shower of sentences of transportation extending from seven to fourteen years or more. At that time certain classes of crime, such as robbery with violence, could not be tried in any other Court, and they were more numerous than now. Also, any person who had been previously convicted, or was a known thief, was invariably tried in the Supreme Court, and pleas of guilty were much more rare than they are to-day. I witnessed at one of my boy attendances a trial, followed by seven years' transportation, of two young women, whose offence was that they went into a little shop, in the absence of the woman to whom it belonged, and stole three or four little biscuits out of a glass jar. The seven years' sentence was in those days a matter of almost automatic sequence on a prisoner having previous convictions standing against him. When such things were done, there is little ground for wonder at the fact that sometimes between ten and two o'clock an aggregate of about fifty years of transportation beyond the seas would be dealt out to six or seven prisoners, the sentence being followed in some cases by a volley of unreportable language as the convicts were hustled down the stair, when the trap-door rose up in

front of them. Some even fought and struggled, and had to be forced down. Some contented themselves with a loud "Cheer up" to their friends in the gallery. Sometimes the Court was addressed sarcastically. Once I heard a prisoner say to the Lord Justice-Clerk: "Hey, man, ye'll no be alive when I come back." I remember also on one occasion hearing an old woman in piteous accents beseech the judge to give her "a chance," saying, "I'll never come here again." The judge said, "Well, I will give you a chance," and sentenced her to a short term of imprisonment. "Thank ye, my lord," said she in touching tone, bobbing a curtsy, and as she turned round to descend the trap she leered up at her friends in the gallery, and grinning, thrust out her tongue to its utmost stretch.

It was noteworthy in those days that the prisoner of the criminal classes who could sign his name was the exception, most of those who pleaded guilty having their plea signed by counsel for them. At the present day there is a great difference. A scene of violent speech or action after sentence is very rare, and not once in several years is there a prisoner brought to trial who cannot write. Further, as regards crimes of dishonesty, it is only the apparently incorrigible that are brought before the High Court. Penal servitude, the modern equivalent of transportation, is only awarded to such cases, and to cases of exceptionally serious crime, or after many convictions.

LORD COLONSAY

Returning to the most early days of my life, I was brought in contact with another of the leading men of the legal profession when I was quite a little boy.

My father was an intimate friend of Duncan Macneill, afterwards Lord Colonsay, who, when I was a small schoolboy, held the office of Lord-Advocate. They had been much associated in the conduct of Court cases. Although he became Lord Justice-General, he had before doing so accepted an appointment from the Government of his political opponents as a Judge of the Court of Session, and I am able to mention a fact which probably is not known to anyone else now alive, and which I heard from his own lips. When he was appointed to the Bench, my father went along Great King Street, where his friend also resided, to leave a card of congratulation, and he took me by the hand. It so happened that we met the new judge on his own doorstep, and the congratulations were offered verbally. I cannot remember what led to it, but I think my father must have suggested surprise that his friend should have accepted an ordinary judgeship, for I heard the new judge say: "I put it to our own chiefs whether my accepting would interfere with my getting one of the chairs, if it fell vacant when they were in power, and I was assured it would not." Of course I did not know what this meant, and puzzled over it, and perhaps that had some effect in impressing

the matter on my memory. As it happened, he had not long to wait, for there was a change of Government, and on Lord Justice-General Boyle retiring he was appointed to succeed him.

I remember well another judge of repute, although he had retired from the Bench when I was an infant, Lord Justice-General Hope. I saw him often, for having an early leaning to the military, I went to the inspections and reviews in the Queen's Park whenever I could. When Lord-Advocate, and afterwards Lord Justice-Clerk, he had been, in the closing years of the Napoleonic wars, a very keen Volunteer, and had commanded the Edinburgh Regiment of Volunteers till it was disbanded after the close of the war, devoting much time and energy to their training. His general order, giving instruction for the meeting an enemy landing on our coast, is a classic of Volunteer literature, and no one acquainted with military matters can read it without appreciating the thoughtfulness and knowledge which it displays. I have in my possession, kindly given to me by his daughters some years ago—as following in his footsteps—his notebook of parades and exercises, instructions for sharp-shooters, &c., an interesting record of home-defence activity. With it they gave me the last two remaining glasses of a set presented to him, having the initials of the corps engraved on them, which I cherish, along with the sword of Baron Hume, the



EDINBURGH FROM SCOTT MONUMENT, LOOKING SOUTH, 1847.

LAWYER AND SOLDIER

criminal law writer (who was Major under Lord President Hope), and which came to me through his daughter, who was my stepmother. When Lord President Hopé retired from the Bench he was paralysed in his lower limbs, but his keen interest in soldiering remained unabated. I have seen him wheeled down a gangway put out from his door to his carriage, and his servant practically hoisting him in. Whenever there was anything going on in the Park, thither he was driven, and was always admitted within the line of sentries keeping the ground, to witness the march-past and the manœuvres. I little thought, when at times I saw him there, that it would be given to me to follow him in his double career, and to be in command of the Edinburgh Volunteers when I was Lord-Advocate and Lord Justice-Clerk. If ever it is my fate to be disabled, I trust I may be as cheerful as he remained, taking an interest, as he did, in things which he loved, but in which he could no longer take an active part.

I was surprised, in looking over once again Cockburn's *Criminal Notes*, to find him saying, "The judicious lamented Lord Justice-Clerk Hope being a Lieutenant-Colonel of Volunteers," and commenting upon Charles Hope, after leaving Court at Aberdeen, mounting a charger, and saying in italics that he "went and reviewed the *Volunteers*." I have myself done the same, though not after a Circuit Court. I never

received a hint from anyone that in leisure time it was reprehensible to do what lay open to the citizen for the national defence. I should consider one who gave such a hint not to be "judicious," but to be "injudicious."

I do not think that such priggish notions obtain now, and one is surprised to find them expressed by so broad-minded a man as Lord Cockburn. When the Boer War broke out, the Forth Brigade, of which I was then the Brigadier-General in command, was ordered into camp for a month's special war training, and turned out 4000 strong. For the first few days the Court was still sitting, and I came into town for my judicial duty after morning parade, and returned to camp in the afternoon. Yet I never heard that anyone "lamented," as Lord Cockburn says "the judicious" did, in the case of Lord Justice-Clerk Charles Hope, who was doing what he could for his country when peril was close at hand.

The Parliament House was, until the middle of last century, a rather bleak and colourless place. Except at the upper end, where a figure of Justice—blindfolded, and holding the scales, but surrounded with what resembled a cloud darkened by very dirty London fog smoke—looked out from the great window, there was nothing to relieve the dullness of bare walls and diamond-

THE PARLIAMENT HOUSE

paned casements, except four statues—Roubillac's most artistic representation of Duncan Forbes of Culloden, a charming reposeful figure of Dundas of Arniston by Chantrey, a ponderous block of Lord President Blair, and a colossal statue of Viscount Melville, of which I have spoken already. Bad taste, and a disregard of the venerable, had cut out in the wall two courts of mean appearance, the benches of which projected into the Hall, marring its symmetry. At my first visit to the old seat of the Scottish Parliament, these disfiguring niches were still there, but were no longer in use. How it can have been possible for those who sat in them to hear and listen with undivided attention, while the hum as of a thousand hives was in their ears, and the crowd of talkers passed and repassed within a few feet, and without cessation, it is difficult to conceive. A worse arrangement for those whose duty it was to listen with an undistracted and deliberative attention cannot be conceived. From the pictures we have of the greater Courts of that time, it can be judged that they were also most unsatisfactory. It may surprise the young barristers of to-day to know that the Law Room, which they now frequent for study, was the Second Division Court Room, to which the bow-window at the corner was added later, and that in that confined space the celebrated trial of Burke and Mrs. Macdougall took place, the judges stimulating

their jaded nerves by drinking coffee on the Bench during an adjournment in the middle of the night. This I learned from an eye-witness. The judges and counsel are much better provided for now, and the Court Rooms will bear comparison with those of any other country as regards arrangement and air space.

I saw when I was being taken through the Courts at that first visit one of the official clerks, of whose most striking feature one could only say, "What a nose!" It not only was bulky, but it hung down loosely, a sight that could never pass from recollection. And this abnormality was no cause for wonder. I heard my father tell that he had attended a sale at Tait & Nisbett's, who were then as Dowell is now, the first auctioneering firm in the city, and that there was a batch of very fine curaçoa, of which he did not desire to purchase the whole, but by arrangement with the gentleman referred to above, one of them bought the lot, and they divided it. Meeting his co-purchaser a fortnight later, he was greeted by the question: "Hev ye feenished that curaçoa yit?" My father said no, and that he had only opened one bottle. "Hoot," was the reply, "oors is a'din; some chiels cam'to us the tither nicht and we made punch o't." No wonder there was the "Punch"-like nose!

The habits of that time as regards the table were very different from those of to-day. Dinner, when guests were invited, was at six o'clock, and

POST-PRANDIAL CUSTOMS

proceedings were protracted to as late an hour as now, when an unpunctual descent is made to a so-called eight o'clock repast. The time of ladies for coffee, tea, and gossip was long, the "joining the ladies" never taking place till much more than an hour had passed after they had gone upstairs. Coming down, as little people did in those days, to dessert, the boy child was allowed to stay below, a testimony to the improved tone of the conversation of the male sex as compared with the three-bottle days. But still the habits were very different from what they are now. If there were eight gentlemen, it was a rare thing if eight bottles of claret were not opened, and sherry handed round as a "whitewash" to finish. I remember hearing a gentleman ask what was the use of taking a glass of sherry at the last, and replying to his own question by saying that by that practice you got 365 more glasses of wine every year.

It is only fair to say that anything like intoxication was almost never seen, and there was no call for a little fellow, as in a former generation, to lie under the table to "lowse the neckcloths." Little wine was drunk during dinner, probably only one glass of champagne, and the bottle of claret not being hastily taken, could be carried quite steadily. But how different is it all from the better habit of to-day, when a single decanter is scarcely ever emptied, and the ladies only get a liberal twenty minutes for female gossip.

In those days such an idea as that the servants should venture to bring in coffee to the gentlemen until it was expressly ordered, would have been thought to be quite out of the question. It would have been supposed that the host wished to save his wine. Bottle after bottle of claret was rung for, and it was only when the red was declined and the white—called, as it was, “sherry white wine”—was seen to be taken, that any move for coffee was made.

I will only say one thing more about the dinner-party of the Forties. We small people, with the recollection of past injunctions as to the impropriety of making a noise, and being often appealed to thus: “Do you see ladies and gentlemen behaving in such a way, and talking so loud?” could not but be astonished, as we gazed through the banisters from above, to see eighteen or twenty people go down to dinner. To us it was scarcely conceivable that such a babel of sound could come from ladies and gentlemen that were held up to us as models of quiet propriety. It was our first introduction to the incongruities and inconsistencies of social life. Probably had we dared to ask for an explanation, we would have been found impertinent and sent to bed. With our scores of books and lectures on the training of the young, shall we ever come to realise that all the moral and social maxims of theoretical instruction can be marred by the child’s acute per-

PRECEPT AND PRACTICE

ceptions, which teach him that practice and precept do not always go hand in hand in the case of his elders, and also to realise that if they do not, precept may be worse than useless as part of training.



OLD TOWN FROM PRINCES STREET, 1857

CHAPTER TEN

“The smiles and tears of boyhood’s years.”

MOORE.

IN these last pages there has been an unavoidable lapping over beyond the period of actual childhood, as some of the features of life occurring first at a very early time, were not incidents of the moment, but were carried on into more advanced boyhood. Returning now to the time when the definite advance from infancy to boyhood occurs, that step is generally marked by the transition from petticoats to trousers, but memory fails me as to the exact time at which this occurred in my case. I suppose it was when I first went to school at Circus Place, near St. Stephen's Church. The school has long ago disappeared. It was then the day when such a thing as a playground for boys was not thought of. We had no schoolboy association together, when class hours were over, and during the short intervals of classes we had to be content to play at marbles or whip-top or spinning-top in the backyard of the house, or on the street. We also had a game called "papes"—a boy's corruption, I suppose, of "pips." It consisted in laying a row of cherry-stones along between the first and second finger, and throwing them from a short distance into a small hole made at the bottom of the garden wall opposite the school. He who got the most of the number into the hole took those of him that failed. The stones were counted by "caddels," another corruption of "quadrille," which meant four "papes." It was a good game, and the cheapest

prize sport in existence. I inquire at boys about it now, and they do not know what I am talking about. Cheapness in sport, as in everything else, is not the order of the day.

There were not many stirring incidents at Circus Place, but there was one which I never can forget, as it was so marked an illustration of the want of sense that teachers sometimes show, which leads to their doing injustice without intending to be unjust. I was a poor hand at writing, as I am still, and on one occasion I had to write what was called a "specimen." When it was presented to the youthful teacher he tore it up, produced his tawse (the Scottish instrument of torture for boys) and administered six strokes, well laid on. This might have been right enough—I say nothing against it. But he immediately set me down to write another specimen, and when I had done so, with eyes full of tears and fingers smarting and trembling from the whacking, he took up the torn pieces of the first specimen and compared them with the second, declaring the latter to be the worse of the two. Surely that the second should be worse than the first was not surprising, being written by smarting fingers. Again he administered the same as before to my already well-bruised hand. One learns early in life not to expect to pass through it without meeting with injustice. Every parent should warn his children that they must not expect always to be treated

BITTER AND SWEET

justly, as every parent knows, probably from his own experience, that such a thing is not to be expected. The severest flogging I ever endured was for an offence of which I was absolutely innocent, and I barely escaped another, though threatened with the very worst if I offended again—the alleged offence being one of which I was not guilty. The longest period of family disgrace I ever endured was also for a supposed offence which had not been committed. Perhaps all this was good for me. I do not know. It may have taught one to be very sure before dealing with one's own.

The Edinburgh boy had for his favourite sweetmeats two particular delights, not known at that time elsewhere. Curiously enough they both took their name from the same place. It is an indication how, in the early part of the century, names connected with war came to be applied to ordinary things. They may take their place beside the name Wellington boot and the name Blucher boot. One of these sweetmeats was called "Gib," and the other was called "Rock"—the one the first syllable, and the other the last syllable of the name "Gibraltar Rock." Edinburgh Rock is a "goody" of a much later date. When I hear anyone speaking of the fort as "Gib," it recalls the "gib" of my childhood, not without misgivings that the warnings I got from my elders, that if I could see how it was made I would not suck at it so eagerly, and which were unwisely disregarded.

However it was made, we boys liked it, as we did its rival of the other syllable, for a change. I wonder if anyone except myself remembers Kitty Ferguson of Clyde Street, a most decent old lady, who had no fine shop, but had a great clientele among little people—aye, and among older, sweet-toothed people too—particularly as she produced most excellent toffee, and always threw in a little more than the weight. She was as celebrated in youthful circles as her namesake in George IV Bridge among the “grown-ups,” as we called them.

Perhaps my most pleasant recollection of the Circus Place School was the training in gymnastics I received from Mr. Roland and his two sons. The occasional hour with them was the brightest and most free from unpleasantness of the whole curriculum. More perfect gentlemen, and gentlemen with a knowledge of a boy's feelings, and a power of discipline without its being felt disagreeably, never lived. Their annual exhibition in the Music Hall was always delightful, both to boys and parents. We little fellows in white ducks and shirts, with a pink handkerchief round the waist, and the older boys in green jackets with a silver-clasped belt, went through our evolutions, and fencing and gymnastics, Mr. Roland presiding in black silk breeches and stockings, and old as he was giving his younger assistants all they could do to hold their own

ZOOLOGICAL GARDENS

against him with the foils. The Military Academy sent a company of their students in military dress, to give an exhibition of sword exercise and gun drill. There were no men more respected in Edinburgh than the family of the Rolands at that time.

Referring to early boyhood's amusements outside of school-life, the fact that by the energy of my colleague Lord Salvesen and others, Edinburgh now possesses a Zoological Park of modern style, leads me to say a word—it cannot be of praise—of the Zoological Gardens of my childhood, which were situated opposite East Claremont Street. It was of course a purely cage collection, where lions and tigers moved round and round, or back and forward in close cages, and a wretched bear was kept in a deep stone pit, with a tree stem and short cut branches in the middle, up which it climbed to get buns held out in clips at the ends of rods. A more depressing sight could not be imagined, than a creature which when free lives in woods, put down at the bottom of a stone-lined dungeon, with no life to live—monotony unrelieved by anything resembling Nature. The monkey-house, although we boys enjoyed the antics we saw there, was a terrible place, the smell of which was indescribable, and we learned from our elders that there was difficulty in keeping it up, as consumption carried off so many of the inmates every season. One cannot help wondering how many specimens of the tuberculosis bacillus

found their way into the little people, who were sent by their parents to the gardens, to incur much more serious dangers than those external perils from which the fathers and mothers sought to shield them, by forbidding this and forbidding that. Reasonable care is one thing, over-coddling is another. When the child has become a boy his life necessarily changes in many respects, and liberty must begin to be accorded to him in degree. Control must be reasonable and not rigid, and not applied as a chain. The boy who has a nature calling on him for courageous outgoing must be taught to take care of himself, which he will never do if he is tied up too much and over-watched.

The strings that held him to the apron, whether of mother, of nurse, or of governess, must be loosed. If the attempt is made by excessive restrictions, under which he is forbidden to do this or to do that, because it may expose him to some danger and to keep him out of danger, he is too likely, as the spirit of adventure grows on him, to invent dangers for himself. I feel sure that if my parents, who covered me with injunctions, and prevented my doing what other boys did, to keep me out of risks, had only known what real dangers my companions and I devised for ourselves, their lives would have been made miserable. To climb up the house-stair to the third story by the outside of the banisters was a common amusement



DEAN BRIDGE, LOOKING NORTH-WEST



DANGEROUS PRANKS

when the parents had gone out to dine, an ingenious way of countering their making it impossible to slide down the banisters by coiling coloured rope round them. We went out sailing in boats, when we were supposed to be making sand castles on the shore. Our greatest feat—I shudder to think of it now—was to creep along the two-inch skirting at the back of the Academy, holding on by window-sills, and to get into a corner where a stair went down some fifteen steps to the cellars, standing on this slight foothold with the back in the angle, the hard stone steps below us, certain to break our limbs or crack our skulls if we should fall. The slightest slip on the narrow skirting, and death, or at least broken bones, were well-nigh a certainty. Boys will take risks, and all that can be done is to warn them to be careful. It is better to trust them to a Higher Power than to try to keep them absolutely on the leading rein, by which process they will never be fitted to take good care of themselves. A dear lady, a friend of mine, once said to me when I was lunching with her in London on a Sunday: “What am I to do to-morrow with my little fellow, who has come home on *excuse* from the preparatory school? I know I can’t amuse him all day.” “I will tell you what to do,” I said; “after breakfast put a half-crown in his hand, tell him to find his way to the Zoo, and to enjoy himself till a fixed hour, and then come back.” Her eyes distended, and she exclaimed: “Oh, Mr. Macdonald

he's the very apple of my eye."—"I quite believe that," I said, "but you can't keep him in your eye, be trustful, and give him a chance to make a man of himself. The sooner he learns to do it the better." I would give the same advice always, and be sure I was doing the best for the little fellow and for the mother alike. Any other course will produce either a molly-coddle or a rebel—a prig or a leader of a double life, both disastrous. To make a man the boy must learn to face risks, and parents must not be without faith. Having fallen into moralising, I will ask leave to add that too often parents, teachers, nurses, err in measuring a fault, not by the importance of the thing itself, but by the annoyance it causes at the moment. Shakespere's is a wise word:

"Chide him for faults, and do it reverently,
When you perceive his blood inclined to mirth."

Punishment should always be measured out in just scales, according to the quality of the thing done, and not according to its effect on the person having the duty of inflicting the penalty. Penal action should never be an ebullition; it should always be a thoughtful application of discipline. Many readers may not need such advice. Let them forgive me for the sake of others, to whom it may be useful, and for the little ones, whom it may tend to protect from unnecessary sorrow. The measuring of censure in true scales is a duty. A child can appreciate the incongruity, when to-

CHILD REPRESSION

day it is scolded and slapped for breaking a cup worth twopence, and to-morrow when an old tabby of a visitor knocks over a Sèvres china vase worth much, it hears mamma say: "Oh, never mind, it's of no consequence."

There can be no greater mistake in the training of the young than to treat all youthful faults as if there was no difference between them as regards their heinousness. Let censure be proportionate to the offence, not indiscriminately severe. In nothing is a sense of proportion more called for.

I ask to be pardoned for this digression from narrative. Memory makes me feel strongly on these matters. I have seen so much evil follow from ill-judged repression of the spirit of adventure, and also from the want of judicious discrimination between the great and the small in the dealing out of censure and punishment, that I can ask the reader to believe that here "out of the abundance of the heart the mouth speaketh," and so I trust to be forgiven.

To return to the Zoological Gardens, my recollection is that the only animals that seemed to thrive in it were the elephant and the polar bears. These latter had a great bath in which to disport themselves, and in which they took abundance of playful exercise. A polar bear will play with a big wooden ball in his bath in a way delightful to behold. Of course our east wind, which constantly

decimated the collection, had no effect on polar constitutions. The elephant's liberty and obtaining of exercise arose from his—or her probably—capacity for work. Carrying dozens of children about the grounds during the whole day was the elephant's only exercise.

For years these gardens were in a moribund condition, from the losses caused by disease, and although great efforts were made by organising concerts, acrobatic performances, and illuminations with Montgolfier balloons and fireworks, to make them popular, at last the day came when failure had to be confessed, and the site was handed over to the speculative builder. It is sincerely to be hoped that the opening of a new exhibition of wild animals on a much more favourable site, and under much more practical views, both as to the showing of the animals in a way that will give pleasure, and in the more enlightened treatment of them as regards their physical condition, will be followed by permanent success.

All boys in my day, as such, read *Uncle Tom's Cabin*, and when on one occasion Mrs. Beecher Stowe, with her husband and her brother, Mr. Ward Beecher, came to Edinburgh to be the Show Abstainers at a great Temperance Soiree, I was allowed to go to it. It took place in the Music Hall, and I duly got my paper bag, containing Scotch

A SOIREE

cookies and raisins, and an orange, and got mental food in a little book of songs and hymns to be sung at the meeting. I made my way to the orchestra, where tea, already sugared—terribly so—was poured into our cups out of tinkettles. On examining my book, I was pleased at finding “Auld Lang Syne” in it, but even at my tender age, it surprised me that teetotallers should be prepared to shout that they would “tak’ a richt guid Wullie Waught,” until I noticed that opposite the word “cup” there was an asterisk, and on looking to the bottom of the page I saw this: “When sung at temperance meetings, the cup here mentioned is understood to mean a cup of tea”!

The recalling of this harmless bit of Jesuitry, reminds me of an experience of a friend, who, when dining with a family of Roman Catholics in Bavaria, was surprised—the day being Friday—to see the cover removed from a pair of fine fat ducks. His host looking up from carving, and seeing surprise in the guest’s eyes, patted his arm and said, “We call it fish.”

At the soiree I listened to very vigorous addresses from Professor Beecher Stowe and Mr. Ward Beecher. I must confess that I was not much impressed by their Yankee way of putting things. Mr. Beecher thought he made a great hit, and so apparently did his hearers, by punning on the word champagne, saying that for his part he objected to both parts of it—the “sham,” and

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the "pain" of the headache afterwards. Professor Beecher Stowe, knowing that he was addressing an anti-tobacco as well as an anti-drink audience, told what was intended to be a conclusive argument against snuff. He said that an old lawyer, a friend of his, on being offered snuff, declined, saying: "If God Almighty had intended my nose for taking snuff, he would have turned the other end up of it" (applause, and roars of laughter). My youthful sense of reason at once suggested to me that it would be equally sensible to say that if the mouth had been intended for having food put into it, it would have been on the top of the head. Mrs. Stowe did not speak. I feel sure if she had, she would have spoken better sense than either her husband or her brother. I left the soiree with my admiration of her undiminished, but with not very respectful feelings for her men folk.

CHAPTER ELEVEN

*“ Floreat Academia,
Mater alma noster pia,
Huic paramus hanc amamus
Ergo fortiter canamus,
Floreat Academia.”*

HENRY JOHNSTONE.

AT the Edinburgh Academy, to which I was sent when I left Circus Place School, I was in my first session fortunate, as Dr. Cumming, who in the following year went to take up a better appointment, was my preceptor—kindly, just, and inspiring, to whom we boys looked up with genuine regard. He could punish as well as others, but no one ever felt that he got more than he deserved, or that the doctor was working off his temper, and not doing what he felt to be a duty. His memory is revered by those who were under him, and for fifty years the few who remained of his former pupils met annually, and not one had a corner in his heart from which his old master was excluded. Oh, how different he was to some others whom I do not name, and of whom I will only say now, that I believe they did not know how unfit they were to deal with young boys. A little less learning, and a little more common sense, and our ignorances would not have made them so frantic, and they would not have inflicted punishments which were silly. Oh, those nonsensical *pœnas*—those orders to write out three or even five hundred lines; a punishment as practical as the old prison crank, which was abandoned as being a useless and therefore demoralising punishment. What better mode could be invented to make a boy hate classical study than to burden the scholar with a task purely

mechanical, degrading the classics, and of no conceivable utility, forcing him to use the time when he was expected to be preparing his work for next day in doing what could not benefit himself or anybody else, and making all the labours of the writing-master futile, by causing thousands of words to be scribbled anyhow, at utmost speed of the pen—they could not be written in a style that would please him. What senseless insult to a poet like Virgil, to make his beautiful lines an instrument of torture. No better way could be taken to crush out all prospect of a love of classical literature developing in youth. This punishment was brought to us from England, along with that acme of conceit which ordered the pronunciation of Latin as if it was modern English, an absurdity which it is satisfactory to know is now a thing of the past. Whether the writing of lines is still considered a sensible and useful punishment I do not know, but if it still survives, an old man asks to be allowed to make his earnest protest, and to beg of those who are over our grandsons to consider whether something less contrary to good sense cannot be found as a substitute. Corporal punishment even would be less contrary to reason, and any plucky boy would rather bear a few “palmies” than be subjected to so hateful a penalty as scribbling for hours in meaningless recording of thousands of mere words.

The Academy, which owed its origin to Lord

ACADEMY RECTORS

Cockburn and Leonard Horner, and was encouraged by Sir Walter Scott and Lord Jeffrey, had established itself well when I first became a Geit, (if that is the proper way to spell it). Archdeacon Williams was the Rector, as he had been from the opening. He had given up his post some years before, but was brought back. His successor had been a certain Dr. Sheepshanks, who tradition says proved hopeless as a disciplinarian, and had to retire, probably being glad to go. It may give an idea of the state of things during his year of office to quote what was retailed to me by an old Academy boy. An upper class, which was taught by the Rector, had been directed to write some English verses on the Satires—at least I presume the *ires* were intended. But however that was, a youth wrote, and handed to the Rector the following:

“ The Satyrs of old were Satyrs of note,
With the head of a man and the legs of a goat;
But the Satyrs of our day all Satyrs surpass,
With the shanks of a sheep and the head of an ass.”

The Archdeacon, whom I remember well, was a kindly man, and popular with us all. He kept up the dignity of his office, but being no prig, I have seen him when crossing the yards, if a football came towards him—which happened probably by intention—run his two or three paces towards it, and with a smile on his face, put all the momentum of his ponderous form into his kick,

drawing a cheer from all in sight. Ponderous he was, very rotund in build. I can recall a piece of boys' doggerel, quite as good as the nursery nonsense of "Hey, diddle diddle," and with much more point, and which referred to the Archdeacon, and named three other masters—the classical, Carmichael (senior); the mathematical, Gloag; and the writing, Hamilton. It ran thus:

" Fat Punch likes his lunch;
Greasy Gloag likes to flog;
Hairy Hammy likes to pammie;
Cæsar, Cæsar quod—because
Bowsy Carmichael's lost his tawse."

I have no doubt that if I had repeated this flip-pant verse to my elders, I would have been told that in their day "boys respected their teachers"; and I have no doubt that many parents of to-day would assert with confidence that "our boys" would not do such a thing as to write disrespectful lines about their masters at school. Well, I will only say, I "hae ma doots" about recollection in the one case, and about knowledge in the other. Boys will do such things, but they do not do them with a meaning which is malicious or vindictive, any more than there is a desire to injure in the little mischievous tricks they sometimes indulge in. In any boy who has real life in him, and an active brain, something of Puck may be expected to show itself, whether in saying or doing. If he has any spirit, he cannot be a model of discre-

UNDULY LARGE CLASSES

tion. Let him have a light rein, and let him frisk a bit; do not hold him a reprobate because he flings his heels now and again. Keep severe censure for what is real offence—what is delinquency, as distinguished from exuberance. Let the former be dealt with firmly. The latter is an effervescence, and will pass away.

Our classes at the Academy were large—as I feel convinced now, much too large. One teacher of sixty or seventy boys could neither keep them in his eye to observe their behaviour, nor give a fair share of aid to each. The result was that the smart, clever, and more studious boys formed a set by themselves, and a long string farther down constituted to him what the huntsman would call “a rubbishing tail,” ministrations to whom was a weariness to the flesh and a waste of energy; for time did not permit that one teacher should really instruct such a number, or train them for life—not the least part of the schoolmaster’s province. Another evil was that each class advanced to a new course of study as a new school year came round, and this under the same master, so that only those could make the second step who had mounted and stood firm upon that of the previous year, and the teacher only expected these to do him any credit. Thus the start was made with a reversed handicap. Those who had been left behind in the race were started for the second race over more difficult ground, some distance behind,

at the very commencement. This tended to cause all struggle to improve to seem hopeless, and the master being the same as before, could not be expected to provide fresh propulsive power. The failures of the last session were apt to be accepted as hopelessly out of the running. It is difficult to see how it could have been otherwise. Boys were run on from the Delectus to Cæsar, from Cæsar to Livy, to Virgil, to Horace, and to Tacitus and Cicero, getting through but a fraction of each; and while still but poor hands at Latin were rushed in Greek to Xenophon and on to Homer, and even to Æschylus, gaining a loose smattering of the classics, but in nine cases out of ten receiving no real cultivation, and remaining quite unable to appreciate the beauties of Horace or the grandeur of Homer. I can use the words of Lord Cockburn to describe the situation, when he speaks of the "weariness of sitting six hours a day staring idly at a page. . . . The beauty of no Roman word, or thought, or action, ever occurred to me! nor did I ever fancy that Latin was of any use, except to torture boys." He states that he was "driven stupid." Well may the poet (Young) speak of

"Petrifying a genius to a dunce."

I can well recall that the first time at which I found a real delight in my Horace was when I sat down to study him, after I was of age, in preparation for my examination for the Bar. The charm

MENTAL FORCED FEEDING

of the Odes was like a revelation to me. What had been uninteresting when brought to a boy as a task for drudgery, before real appreciation was possible, became delightfully fascinating when its qualities disclosed themselves with a new light on them. What was before something to be got through somehow, had become a source of real pleasure. How many thousands of boys were in those days turned against classical literature, by the writers of beautiful works both in prose and poetry of Rome and of Greece, being associated in their memory with much that was disagreeable; they being to the young mind not comprehensible, and therefore unpalatable, and associated with disagreeable inflictions. The mothers who feed infant children on adults' food—pork sausage and saveloys—are looked upon as unnatural and cruel. There is a corresponding cruelty in forced feeding of young boys on literature that is sweet to the palate of the Oxford graduate who is set to teach, and who loses his temper over their blunders, and stamps with rage at a false quantity. I well remember at an examination at the close of the session—when Directors sat at a table covered with red baize—hearing a fellow-scholar, who was reading from Horace, say *remanēte presso*. The preceptor made a rush across the room, with his book clenched, to administer a box on the ear, and shouted: "Oh, you abominable b—," when suddenly realising the occasion, he stopped be-

fore the word "boy" was out, and got very red. I am afraid we laughed, and I am not quite sure that the worthy listening Directors understood the scene, or were aware of the cause of our suppressed hilarity. How many false quantities, much less excusable, have I had to listen to from men, spoken of as "learned." I have heard the following. In the House of Commons an honourable and *learned* member spoke of a *simulacrum* of a Bill, and when the laugh subsided, he indignantly exclaimed, "Well, I suppose I am entitled to pronounce an English word in any way I like." On another occasion, in the Court of Session, the words *ultra petita* in a Petition had by a blunder been printed with an "o" instead of an "a" at the end, and the learned counsel read the phrase *ultra petito*, to the astonishment of the Bench. Not long ago, in my own Division, one of the learned told us that a certain thing was the *origo mali* in the case. *Unius* is often a trap for the unwary. A sad case occurred once, when a youth came up for his preliminary examination as an intrant for the Bar, he having had no training in the classics, and having worked up his Latin by personal study, without any tutorial help. What were the sensations of the examiners, when an Ode being prescribed to him, he calmly read out: "Eheu, Ehue, fugāces, Posthūme, Posthūme"!

Of course a false quantity strikes on the ear as

FALSE QUANTITIES

does a false note, and when the reading is of a poetical effusion, grates terribly on those who know the rhythm. But is a young boy deserving of violence, or an order to write out lines in hundreds because he makes a mistake, when probably his whole thought has been concentrated on working out grammatical construction and translation, and the passage has never addressed itself to him rhythmically at all? Do not we know, too, that quantities in words can alter with general acceptance, and the new quantity give no offence to the ear? Instances are the word *revēnue*, which only pedants now call *revēnue*, and *balcony*, which we are told should be pronounced *balcōny*, but which a determined public insists successfully on pronouncing as *balcōny*. I venture to repeat a well-known story of that sardonic wit, John Clerk of Eldin, who on one occasion in the House of Lords was pleading the case of a *curator bonis*, which, according to classical reading, would be pronounced long, but which had in the course of centuries come to be pronounced short in Scotland, as being the name of an office in modern operation. Clerk having spoken of the *curātor bonis*, the Lord Chancellor in pompous tone said: "Curātor, I suppose you mean, Mr. Clerk." John, without a moment's hesitation, replied: "I'm vera proud to be correctit in my quantities by such a splendid orātor, such a brilliant legislātor, and such a

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learned senātor, as yer lordship," dwelling long on the "a" in each word.* History does not tell how the great man looked, and it may safely be guessed that he never told anyone how he felt. But I beg that it will not be supposed that I suggest that in the actual reading of an ancient language attention to correct quantity is not called for. It certainly is called for. But when single words have come to be used in a modern language, it is pedantry not to pronounce them as accepted custom prescribes.

Although not exactly apropos, I ask leave to tell of an incident in which an amusing false quantity occurred. There is in the "laigh" Parliament House, now part of the Advocates' Library, a very characteristic statue of Walter Scott in his homely dress, and with his walking-stick between his knees. On the plinth in front the words are carved: "*Sic sedebat.*" A party of tourists, walking through the Library, had their attention called to the statue, at which they gazed in wonder how so plain a style of man should be honoured

* I am tempted to tell another story of John Clerk, also old, but not so old as that told above. I yield to the temptation, as it is another forcible illustration of his matchless readiness in repartee. In speaking in the House of Lords, he used the old Scotch—and indeed old English—pronunciation of "enough," by saying "enow." The Lord Chancellor intervened to say, "Mr. Clerk, in England we pronounce 'o u g h, uff.'" "Thank ye, ma lord," said John, "I'll attend to that," and then went on: "Yer lordship will understand that in Scotland we have a name for a small portion of land. It is called a *pluffgate*. A *pluffgate* is the quantity of land that the *pluffman* can *pluff* with his *pluff* in a day's *pluffing*."

The Chancellor forgot that there are five different pronunciations of "ough"—though, through, bough, cough, rough.

DR. GLOAG

by having his carved image put in a place of distinction. One at length said: "'Sic Sedēbat,' who was he now?" It is not recorded whether the party came from the United States. If they did, and had they learned to whom the words *Sic sedebat* applied, it is only justice to them to say that they would have been interested. For, alas, they know their Walter Scott better than do many of our own race. Forgive me, reader. One story leads to another; the scene not very far from "*Sic sedebat*." The place of John Knox's burial in Parliament Square is marked by a circle enclosing brass letters I K, standing for "John Knox." A party of Americans being brought into the Square in a cab, the driver stopped opposite the place, and pointing with his whip, said: "That's where John Knox is burrit." A voice, with Yankee twang, came from the cab: "Ah, waal now, who was this John Knox; what did he do that was wonderful, eh?" The cabman was so taken aback that he turned sharp round, with a frown, saying: "Man! dae ye never read yer Bible?"!

In the boys' doggerel which I quoted above, the words "Greasy Gloag" occurred. The word "greasy" was inserted for alliterative purposes, as was the expression "hairy" applied to Mr. Hamilton. Dr. Gloag, to whom the expression "greasy" referred, was a stout gentleman, but certainly did not earn the word as a fair description. He taught us arithmetic and mathematics,

and he was one of the best teachers at the Academy. He joined it at the opening, and continued to teach for a long period of years, with never-flagging energy, and to good effect. He only failed with those in whose case success was impossible. With a stern sense of duty, he had a side for humour, which he only let out occasionally. The best story told of him relates to an occasion when the Rector, Archdeacon Williams, came to the classroom on his tour of inspection. Dr. Gloag stopped the work that was going on, and wrote a proposition on the blackboard, saying, "Now, boys, let us see how quick you can work that out." The whole class took to their slates, and did their best, but no hand was held up. The Rector banteringly encouraged them, saying, "Can't you work that out?" in a tone which seemed to say that he saw the answer. All the while the old doctor stood by with an inscrutable face. At last he asked, "Do you all give it up?" All did, whereupon he exclaimed, "No wonder," and seizing the cloth, and with a sly look at the Rector, rubbed the proposition out, adding: "Canna be done, canna be done." The Rector took it well, and all enjoyed a good laugh except the old doctor, who kept an expression which seemed to say that he was not sure whether he ought not to be ashamed of himself.

But the most characteristic anecdote of Dr. Gloag is one which I must tell at my own ex-

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pense. Some years after I left the Academy, and when I was in the conceit of the young man stage, I went down one day to the old school to "visit," and when I went into the doctor's class, he came forward most affably to speak to me. He evidently did not recognise his former pupil, and I reminded him, saying my name was Macdonald, and that my brother and I had been under him—naming the number of years before. Thereupon, having been looking down and listening, he suddenly raised his head, and said, "Oh yes, yes, I remember ye, idle fallaws that ye were." I have been accused of inventing this story—all I can say is that I have not consciously concocted it. It is a true epitome of the man—kind but candid, and with a way of saying such a thing that it could not offend.

Dr. Gloag's reputation as a teacher is beyond cavil, seeing that two such really great men as Clerk Maxwell and Peter Guthrie Tait entered their student life well grounded by him. Their truly brilliant careers had their foundation laid sound and strong by him at the Academy.

When Archdeacon Williams finally left the Academy, he was succeeded by the Rev. Dr. Hannah, a kindly and refined gentleman, who earned the respect of all and the affection of many. He was still Rector when I left the school. During all my time it was managed on strict classical lines. Other things than Latin and Greek were of little account. German, French, English,

had their odd hours here and there, but there always was a sort of feeling among us that they were but of little consequence, and as to obtaining a real grasp of any of the languages, that was a thing impossible. Many a boy who could not write a grammatical letter in his own tongue, and without a proportion of misspelt words, was being required to write Latin Hexameters and Pentameters, and to master Greek plays. The idea then was that if a boy was to be fitted for life, he must be well steeped in the dead languages. But splendid men came out of the "rubbishing tail," and many who were at the head, or near it, never made any mark in life at all.

I do not say this to encourage idleness, but only to encourage parents and teachers to realise that it is not to be expected that all boys will be students—earnest students—of what is prescribed to them as "lessons," and not to cast them off in despair, telling them that they will never do any good in this world. On the other hand, by all means, if a boy develops a taste for classics, encourage him to advance in classical knowledge; but act with judgment in not forcing such study to a point that throws a lad back in the preparation for the business of life who cannot ever take a high professional position in classics. The child was the father of the man in such a case as Lord Cockburn's, although he once sat *booby*.

Speaking of schoolboys, in regard specially to

EXAMPLE *CONTRA* PRECEPT

school itself, one thing I can say with certainty that I am speaking truth. Although no doubt we acquired some knowledge, we often learned also that while we were expected to exercise self-control and not to display temper, we sometimes got little help towards such a condition of virtue from teachers. In some cases I can remember displays of what can only be described as being of most evil example to young boys. To see a learned pedagogue, whom we were called on to look up to and to respect, stamping on the floor, tearing his hair, while he shouted: "Oh, these boys, these boys, these wretched boys," could scarcely tend to aid his pupils in acquiring self-control and patience. To see a book flung from one side of the room to the other so violently that it flew out of the binding, formed a not very desirable lesson for youth. I purposely avoid to mention at what school or time these things took place, as I do not desire to identify them with individuals. "*Nil nisi bonum*" is the true maxim for report on an individual who has passed away. I would fain impress on those who teach, that knowledge is not the sole end of school life, and that moral influence is of the essence of good training, such influence being unattainable if the teacher cannot command himself, and that he commits a moral wrong when he allows his learnedness to make him forget himself, because the pupils' ignorance offends against his superior knowledge.

I shall allow myself to say that it did not appear to me in my youth, and does not appear to me now, that it is sufficiently realised that the possession of great learning is not necessarily accompanied by a capacity to teach, especially in the case of the teaching of the young. It is often rather a disqualification. For the very learned person is too often tempted to treat the pupil as if his little half-pint bottle could be made to take in what his own magnum measure can contain easily, and is impatient at mistakes, quite pardonable in the pupil, but which grate on his finely polished classical surface. It would be well if Lord Cockburn's terse remark were considered when he says, "No mistake is more usual than that of supposing that the power of acquiring, and that of communicating knowledge, is the same."

Too often the very learned person is the most unfit to be a teacher of the young, and too often the less learned, but capable of imparting what he has, will benefit the child and fit him to go on, when the very erudite individual would leave most of his pupils hopelessly behind. The higher class training is best prepared for by a teacher who will not hurry the pupil on to what he is not fit to cope with, or even to appreciate.

Unlike the Circus Place School, we had "the Yards" to play in at the Academy, an expanse of loose gravel, the marks of falls on which I still bear upon my knees. But no provision was made

THE ACADEMY YARDS

for games of any kind. We played Prisoners' Bars, and a game on the same principle as hockey, which was called "hails," driving a small ball with a "claken," a short round-ended bat, which I despair of being able to describe clearly. The game was a good one, and was an Academy game, known nowhere else. I understand that in the upper school it has not survived the day of cricket and football fields, and I am sorry. Football was also played, the inside of the ball being a common bladder, which soon pushed its way through the holes quickly made in the cover by the stones over which we played, not without spreading a scent. It was not a game of much elaboration, but it was vigorously engaged in and enjoyed. "Fives" we played with our "clakens" against the walls, and when summer came round, cricket was played with balls covered with thick coarse leather to withstand the stones. As a substitute for stumps we chalked the size of a proper wicket upon the wall, and the chalk acted as umpire. The batsman was out when there was a chalk mark on the ball.

Such were our sports. How different from today, when the Academy boys disport themselves in costume in two great fields, each with its pavilion, with lavatory and even baths. Professional cricketers keep the grounds, and coach the players. Football matches and cricket matches are played every week during their respective seasons, and annual games on a large scale—with

challenge cups and prize cups—intervene between the winter and the summer seasons. What a contrast to our sports in the Forties! A day's cricket was only to be got in a corner of the then Grange field at Grove Street beside the Caledonian Railway, the professional coming round and extracting two pence from each of us for the privilege. I daresay we in our way enjoyed ourselves. The advantages we had were few, but we were not discontented, as we knew of nothing better. The boy of to-day has much cause to be grateful for all that is done for him.

There is another department in which much has been done to improve matters, and it is one in which there was great call for change, not for pleasure or for luxury, but for proper comfort, and still more for health. In my Academy days the arrangements were, from a hygienic point of view, so bad as to be unspeakable. Some of them I refrain from describing. But one will give an idea of how little health questions were considered in connection with schools. In a place where about four hundred boys were confined for six hours, and where thirst was promoted by hails and fives and football, and in the summer months by cricket, the only means of obtaining a drink of water were discreditable. Within the window of the janitor's lodge a common tin pail was placed on a stool, and two tin mugs were hung in the water by hooked ears attached to them. Each boy after

SCHOOL SANITATION

he drank returned the mug into the remaining water, and when the pail was nearly empty, the janitor's wife poured more water on the top of what was left. I doubt whether that pail was ever cleaned during the whole of a term. Thus the tin mugs, to which two to three hundred had applied their lips, were each time washed by being re-plunged into the water, and that water left in the pail to be drunk by the next comers. If such an arrangement were made at an ordinary Board School to-day, "Indignant Parent" and "Distressed Mother" would send letters to the newspapers, and the School Board would be denounced in no measured terms in leaderettes. But in the Forties such an insanitary arrangement created no remark. The day of the microbe was not yet, and we were expected to drink the washings of hundreds of lips, although catarrh and consumption bacillæ, &c. &c., might be floating in the polluted contents of our refreshment (!) pail. It could not be called cleanly, and it certainly was not sanitary.

CHAPTER TWELVE

*“ Heaven gives us friends to bless the present scene ;
Removes them, to prepare us for the next.”*

YOUNG (*Night Thoughts*).

CHAPTER TWELVE

OF those who were at the Academy when I first went there, and whom I knew, there are few left. Probably the two most distinguished men in physical science were Clerk Maxwell and Peter Guthrie Tait. I can recall at that time hearing it said, in my father's house, that some work that Clerk Maxwell had done astonished by its power the savants of the day. He certainly proved himself later to be among the first—if not the first—of the men of science of the time. He was for many years the most quoted as an authority in what I read of physical science as an amateur. Peter Tait I knew well. When I was introduced to him many years after my schooldays, and when he had become Professor of Natural Philosophy in Edinburgh University, I said to him, "I have desired to meet you for a long time, that I might apologise to you for giving you a black eye." He stared and laughed, and I told him the story. When he was in the sixth class and I was in the second, on an occasion when there was snow in the yards, we little fellows took advantage of the big sixth—who had to go into class before our time—to set upon them, and to make believe we had driven them off the field. They took our onslaught good-naturedly. I, like an imp as I was, ran forward to deliver my last snowball on the retreating foe. Just as I aimed at Tait's back, he turned round, and my ball, which was slushy, and

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which I had pressed as tight as I could, caught him straight in the eye, shot from a distance of a few feet. I was proud of myself, and he was certainly hurt pretty severely. He and I became good friends, and in the late Seventies I have played golf with him at St. Andrews at six in the morning, a time when no other player would turn out, and when no caddy thought it worth his while to get up so early to earn the fee of a round, so we had to carry our own clubs. His talk as we trod the green was quite interesting and most instructive. The good-natured way in which he tried to make things clear to the amateur was characteristic of the man. How proud he was of his son Freddy as a golfer. I cannot doubt that his sad death in the Boer war did much to bring Tait to his end.

Henry Smith, who became the head of the City of London Police, Colonel Cadell, V.C., Sir Colin Scott-Moncrieff, and Sir John Batty Tuke, who was Member for the Universities of Edinburgh and St. Andrews, were all class-fellows of mine. Scott-Moncrieff is one of the few men for whom prayer has been made in all the mosques of a district in Egypt. By his skilful and daring engineering work, he brought the blessing of irrigation water to a large tract of country, desolate before, and although he belonged to the hated race of "Christian dogs," gratitude overflowed in prayer to Allah in many a mosque for his welfare

THE ACADEMY TO-DAY

—a most praiseworthy inconsistency of the Moslem. Of lawyers, I was a fellow-scholar with John Blair Balfour, William Mackintosh, and Robert Finlay. The Academy of that time produced its full share of distinguished men in most walks of life, of which we Academicals are proud—it is to be hoped not inordinately. One whose sad fate it was to be drowned at Oxford was Luke, one of the most distinguished scholars of his time.

As regards the Academy of to-day, it is a joy to an old Academical to be able to say, from intimate knowledge as a Director, that it has never been in a more flourishing—indeed has never been in such a flourishing condition as it is to-day, the number of scholars being about 200 greater than it was when I first joined the Board, and staff, and equipment, and system being now at a highly efficient standard, while munificent gifts of buildings will cause the names of Messrs. Crabbie and Gilmour and Ford to be ever remembered as benefactors.

Before concluding references to school life, I suppose it is a duty in speaking of one's school years to be frank. There is one advantage in having little to say that is good of oneself, that there is no need to consider questions of modesty.

“Of their own merits, modest men are dumb,” but he who has to confess does well to be outspoken. I therefore say at once that I was not a good, far less a model scholar. If I was not so far

down as to be classed with the "rubbishing tail," it was a surprise if I found myself more than half-way up in the class, and I can believe that when this happened my teacher was at least as surprised as myself. I had left school before I learned what it was to work. My prizes, which were few, were for English. At the close of the session a senior class was brought to the English room to hear us recite and read, and by the votes of the upper boys of that class went the prizes. I had a tough tussle with my friend Tuke—alas, lately taken from us—and we read time after time, and at last the Archdeacon announced that the votes were every time equal, and that each of us should have a prize. I can well remember the frightful row that followed, and saw next day what had caused it. My brother, who was in the senior class, was seated on a high book press, and when I was announced as a prize-winner his heels beat a terrific tattoo on the press door. Many a time did I look at the deep dints upon that door afterwards, a testimony of brotherly love. Once again I took this prize, the dangerous Tuke being out of the way. Later I indulged hope of taking a prize for Biblical knowledge, but will never forget my disappointment. I literally slaved at preparation, sitting up late when I was supposed to be in bed. Having heard of the extraordinary questions sometimes put by examiners, I was prepared if called on to give the whole genealogy in the first chapter of

RECITATION

Matthew from memory, and could answer every question in the primer we were supplied with. But, alas! the night before examination day my overwork brought me to nervous breakdown. All through the dark hours a continuous jumble passed through my little head. Patriarchs and kings, prophets true and false, widows of Samaria, Ahab, Jeroboam, and all the rest, coursed through my consciousness, vivid but confused, and when daylight came, all around me looked green as I fought with the horrors of a bilious attack, such as I have never endured since. Oh, how keenly I felt it, the one great effort of my school days doomed to end in bitter disappointment. Among the many things that "gang agley" in life, I have never encountered one which was a trial more poignant.

One other prize I fought for, but only got a place, the Recitation prize. I was at that time but a poor creature physically, and gave my aid to the medical profession pretty freely, being threatened with lung trouble, causing me to be taken from school for a year. I fancy that to a certain extent this was a handicap for a reciter. Marcellus' speech to the Mob was one of the recitations prescribed which tested our powers, and my poor physical state made a speech like that, with its varying emotional stages, to be beyond me. It was one of the few keen disappointments of my boy-life that I could not rise to the pitch required for recitation. But these contests recall an incid-

ent which was most amusing to those who witnessed it. Outside the class-room there had been a paraphrasing of Marcellus' utterance, and with mock solemnity a comical rhyming version had been shouted in unison by laughing groups during play interval on wet days. When the reciting competition was taking place, a chum of my own had got well through the opening and the pause over Cæsar's coffin, but coming to the climax, down came from the shelf of memory and out came at the lips the paraphrased version:

"Run to your houses, fall upon your knees,
And pray to the gods *for bread and cheese.*"

The reciter corrected himself in vain, for such a shout went up from rector, masters, and pupils that "to interdict the plagues" reached no one's ear, and my poor friend crept back to his seat with the crimson of shame, which he had been invoking from his supposed Romans, upon his own cheeks.

When it is necessary to speak in self-depreciation, there is some comfort in being able with emphasis to declare that one has to do so in such good company as Lord Cockburn. It is something to be able to say that you can apply his account of himself as if his words were your own, and speaking of yourself. He tells of himself: "I never got a single prize"—neither did I in classics; and he adds: "I once sat *booby* at the annual examination." So did I. Probably his case

A BOOBY PRIZE

was like mine. The desire to evade sitting at the bottom led first one and then another to absent himself, and we were in reality only nearly boobies, though having to fill the place. If there was no other good quality, I think he could claim, and I could claim, an award for pluck. I fear he got no recognition. I did, and it forms a rather funny incident. When the class met in the following session the master called me up, and commenting on the injustice inflicted by the desertion of many—so far as I can remember it was more than the first double figure—said I had been awarded a prize, which was handed to me, the first time a *booby* prize had ever been delivered as a real reward. The inside label was not filled up, and I went to the writing-master, Mr. Hamilton, told him the circumstances, and left him to write in what seemed to him good. He did so, and I still possess my volume, on which is stamped in gold: "*Hoc ingenii feliciter exculti PRÆMIUM donaverunt Academicæ Edinensis Curatores,*" and which bears the label, "EXTRA PRIZE FOR SCHOLARSHIP." This must, I think, be unique.

While at the Academy a tutor was provided for me in the evening to assist in preparing the lessons for the next day, and one of these tutors was a student, Alexander Nicolson, who afterwards became a well-known man in Edinburgh, and who went by the soubriquet of "The Celt," he hailing from Skye, from whence my father came.

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He *was* a Celt from head to toe, with a good share of pawky humour, and a considerable power of versification, both serious and comic. He was engaged in the Advocates' Library on catalogue work, and somewhat later in life than is usual he became an advocate. I refer to this, because I think our relations at the Bar were unique. I had several times the honour of being his leader in Court proceedings. Such a thing as the pupil being senior at the Bar to his former tutor has not, I suppose, ever occurred before, and is not likely to occur again. Our friendship was cordial, and only ceased when he was carried off a good many years ago. Those who can remember him are now but few. He was a very capable man, and might have shone in literature, but his easy-going temperament militated against his attaining a marked success. He had not an enemy,
and he had many friends.

CHAPTER THIRTEEN

"And do you now call out a holiday."
SHAKESPERE (*Julius Cæsar*).



OLD ARMY PENSIONER

CHAPTER THIRTEEN

A UNIVERSAL holiday was held in Edinburgh on "Commissioner's Day," when the Lord High Commissioner opened the General Assembly of the Church of Scotland, the day being held as the Queen's Birthday in Edinburgh. We thought the procession one of the grandest sights of the year, although in those days it was a comparatively shabby affair compared with what it is now. I heard how the post was generally given to a poor peer, in order that he might make something out of the allowance given. And some of them did succeed in doing so, the hospitality being very restricted, and by no means sumptuous. The story is told that, the day of bottled peas not having come, the caterer, though doing things shabbily, always provided a small saucerful of early green peas for the Commissioner's personal delectation, and that on one occasion when the Moderator sat next to him—there being no lady guests in those days—the Commissioner observed to the Moderator, "I'm afraid you haven't got any vegetables."—"Oh," replied the Moderator, "aam not nice, I'll just tak' a when peas," and seizing the Commissioner's saucer emptied the whole of the contents on to his own plate and went on with his dinner.

Connected with the General Assembly for many years there was a "character," by name Michael Sanderson, a bird-stuffer by trade. He

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for a long period was the dry-nurse of the Moderator, attending him on all occasions. I recall a most amusing scene at a Moderator's dinner. Michael having mounted a chair to call out the names of those who were to sit at the Moderator's table, he called out first, "On the right of the chair, the Lord Provost, the Dean of the Faculty of Advocates"—naming some eight or ten. Then in the driest and most matter-of-fact tones came the words, "Noo fur the goats"! The sensation this caused may be imagined. There was a dead pause, but the humour of the thing overcame clerical decorum, and a roar of laughter followed.

Another amusing incident occurred at one of the General Assembly receptions. Many of the ladies who attended the drawing-room of Her Grace, the lady of the Lord High Commissioner, were, as might be expected, ignorant of etiquette, and apt to lose their heads when taking part in ceremonial. One worthy minister's wife had been carefully coached to make a low curtsy to their Graces on entering the Reception Room. On passing in she saw a gorgeous gold-laced figure on her right hand, being the powdered footman, who stood opposite to direct the people on. She turned to him, and dropped her best practised low curtsy in front of him. Fortunately he was equal to the occasion. Retaining the wooden face of the well-trained servant he stood till she rose, and then gently seizing her by the shoulders he turned her

SOLDIERS' DRESS

round, and in low tones said, "Now do that again."

On the occasions of the Lord High Commissioner's processions the soldiers lining the streets, including the Pensioners, who were then an organised body, and turned out in a blue uniform for eight days' drill yearly, were always an object of great interest to me. I had seven uncles, all of whom were soldiers, and the oldest was Wellington's Adjutant-General for many years. Naturally my boy mind turned to a soldier's life, and I gazed appreciatively at my country's defenders in their tight clothes, hard cotton epaulettes, and stiff attitudes, with their cast-iron stocks and their lungs and heart-squeezing belts supporting knapsacks of polished, painted canvas, stretched square on a wooden inside frame. The soldier could not put on or take off his pack without help, and woe be to him if a scratch was found on it at inspection. I have seen soldiers, after taking off the knapsack temporarily, when allowed to fall out before a review, most carefully spread out their pocket-handkerchiefs on the grass, and gently lower the knapsacks on to them, as a mother would lay her baby in a cradle. But the headgear was the most remarkable thing. A great shako which spread out at the top like a flower-pot, and with its brass plates and chains and hard inner rim inviting headache, was constructed on the top so as to hold nearly half an inch of water.

A man standing steadily at attention would get this great saucer filled with water if a shower fell, and whenever he moved, the whole contents used to splash over him, washing his expanse of pipe-clay down on to his brick-red coat and his dark trousers, to cause him great trouble in making ready for the next parade; or, if he turned his head back, a half-pint of water did its best to run inside his stock. This is a further instance of the ingenuity displayed in the devising of head-dresses to make them as uncomfortable and inconvenient as possible. Not long after the time I speak of the style was absolutely reversed. Instead of the soldier's hat spreading out at the top, it was drawn into an inverted flower-pot style, which was supposed to be the design of the Prince Consort, and came to be known by the name of the "Albert kettle." This lasted a very short time, and the top was still further narrowed into the shako shape, copied from the French. This held its own for some years, until the Germans beat the French, when the shako was discarded and a bad imitation of the Prussian Pickel-haube substituted for it.

The rest of the soldier's equipment in those days was as absurd as the knapsack and the hat. Below the knapsack hung a great cartridge-box, which had to be made to shine like enamel, or punishment drill was certain to follow. And below this again was the bayonet slanting across the

SOLDIERS' EQUIPMENT

body. So absurdly was this huge cartridge-box hung that, when the order was given for "double march," the unfortunate soldier had to pass his free hand behind him, to save his loins and spine from being bruised by the violent blows of the sixty rounds of heavy ball-cartridge. Boys like myself used to jeer at the sight, especially when the order to double was given after firing, and the men had no time to fasten the cover down. Many a blank cartridge, riding on the top of the packets of ball, was jerked out, and we followed and picked them up, rejoicing in the possession of powder, which parental caution forbade us to buy.

It is difficult now to conceive how such things could have lasted as they did for many a year. Absurd, unpractical, and oppressive as all these clothes and accoutrements were, they could be endured, and were endured in this country. But who now can do otherwise than marvel that when soldiers went abroad to hot climates, they were required to wear this same equipment, in which the natural articulations of the body were set at nought, and the best means taken to hamper the action of heart and lungs, at times when the severest calls were to be made upon them, marching in close columns in tropical heat. Lord Wolseley told me that on one occasion in India, in such circumstances, twenty-one men dropped down dead in the centre of the column, and all in

ten minutes. He said that it was a lesson he had never forgotten.

But to my boyish observation all was right, and I longed for the day when I too would be beside these heroes, as they were to me. I rejoice that I have lived to see a better state of things, in which the soldier is treated like any other workman, clothed rationally, so that there is freedom to the internal organs and to the limbs, and with a head-dress for manoeuvre and service that keeps the head from oppression either by hardness or by weight, or by impenetrability to perspiration.

On Queen's birthday evening we had our fireworks, and in our eagerness often set the light to some of them before the darkness had set in, so that they could not be seen properly. I recollect in connection with this part of the celebration, getting a snub indicative of Scottish character. My squibs and crackers, Roman candles and Catherine-wheels, &c., had been fired off in the back-green, in presence of all the servants. Coming back to the house, in my conceit I was foolish enough, in the presence of the others, to ask the old cook what she thought of the display. Her reply quietly and sententiously given was: "Weel, mester Johnny, I jist think that fules and their money are sune pairtit." I passed on into the house, trying to make my back look dignified, in which I feel sure now that I failed ignominiously.

CHAPTER FOURTEEN

"A thing of shreds and patches."

SHAKESPERE.

I MENTIONED, when speaking of my earliest recollections of life, that there is good reason to think that much is stored up in the brain of past events, which no direct effort will bring to consciousness.

A personal experience of my life when I was about twelve or thirteen years of age, illustrating this, occurred on an occasion when I was bathing in the river Whitadder, which ran close to my summer home. I was teaching myself to swim, and had reached the stage when I could do so fairly well. But I had never been out of my depth, as where I bathed the water was only about four feet deep. Whether it was that the river had become a few inches deeper, or that there was a hole in which I had not sought bottom before, I suddenly, on trying to stand, found myself out of my depth. I sprang off the bottom, and endeavoured to shout to my brother, who was undressing on the shore, but before sound could come my mouth was full of water. Many times I jumped up, but failed to get a cry to pass my lips. At last, from the stream carrying me down a few feet, I got past the hole and found bottom, with my head above water. My brother caused an anti-climax by shouting loudly, "Well done!" He knew nothing of my agony; his notion being that I was trying how often I could bob down below the surface and come up again without stopping. During the seconds of my struggle I experienced what many

have done, the drowning memory of lightning speed. A crowd of incidents of childhood rushed up from the brain deposits of the past—the nursery, the nurse, the little adventures of childhood, scenes of life of many a sort, which no effort of intention could have brought up before me. I have often wondered in what number of seconds all the swift-running panorama went by. The time must have been very short, for as I was swallowing a quantity of water at every momentary dip, and yet had no load of water in me when I found a shallow resting-place, I do not believe I could have made more than ten or a dozen plunges, and certainly each could not have occupied more than two or three seconds of time. It was a wonderful experience, for as I never approached to a state of insensibility, this whirl of memories could not be attributed to anything like dreaming. An officer has described exactly the same experience, when first under very hot fire in the trenches.

This incident reminds me of a story in comic contrast, told of a visitor to a swimming-bath in Brighton, who when ready for the water was asked by the attendant whether he could swim. He replied that he could not, and inquired what was the depth of the water at that end of the bath. On being told it was six feet, he, as he jumped in, called out, "All right, I'm six one and a half." He did not realise that as his mouth was

FICTITIOUS SAFETY

not on the top of his head, his inch and a half would not save him, and so he had to be ignominiously fished out with a life-saving hook. It is strange how even sensible people do not think on such matters. When I was quite small, and my brother was still a boy of about four feet nine or ten, the ornamental piece of water called Dunsappie on the east side of Arthur Seat was formed, and at its deepest part it was from five to six feet in depth. Up to that time my brother and I had been allowed to go to Duddingston Loch to skate, when there had been such frost as ensured absolute safety. But when Dunsappie Loch was made, we were told sententiously and firmly that in future Duddingston was barred, and we must always do our skating on the smaller sheet of water, as it was not so deep, and therefore much safer. Accordingly, we skated on Dunsappie, which was quite deep enough to drown boys of our height, and as regards chance of rescue, the Humane Society's service and appliances at Duddingston were amply sufficient, whereas at Dunsappie there were none. I suppose the Society thought, as did those who guided my life, that it was not necessary to provide appliances for a place so comparatively shallow as six feet of depth, although it was deep enough to drown anyone not six feet four in height. The reasoning, or the want of it, may be compared to the argument of the Irish soldier who came home from the

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wars, bringing his shako, through which a bullet had passed. "Arrah, bhoys," said he to his fellow-villagers, "ye can see now whaat a thing it is to a soldier to weer a taal hat; shure now, if me hat hadn't been so high the bullet would have gone bang through me hid."

Is it not a duty of parents to see that their boys—aye, and girls too—learn to swim? Not only do they run risks of terrible grief by failing to do so, but in countless cases they cause the sacrifice of brave people, who lose their own lives in trying to rescue those who cannot save themselves.

Our old copybook heading: "Self-praise is no recommendation," is a saying containing a warning to a man who recalls anything for which he may claim to be modest in not speaking of it. But I would ask leave to refer to a personal quality involving no real merit, although people sometimes praise its possessor. My purpose is to illustrate how disciplinary action in early days, though for a time apparently having little effect, may later bring forth good fruit. Punctuality is not, I think, a natural gift. That time should be of consequence is an acquired feeling, little known to those of the East or to the Celt. And that it is a matter of training is very plain, by what happens in home life. How well we know that the breakfast hour implies only that the trained servant will have the

PUNCTUALITY

breakfast food on the table at the hour fixed. But how is it in so many cases with those who are to partake? Fix any hour you please, and it may be that at the hour one or two may appear. But as regards the others, the observant person will be able to testify that day after day they will come down in succession at varying intervals that are about the same for each as counted from the hour fixed. If paterfamilias succeeds in enforcing punctuality, he must either be a very persuasive or a very determined man. Mine was a determined man. To him unpunctuality was a crime, or at least a serious moral fault. It will give an idea of the dread one had of not being at the table immediately after the summons to a meal, to say that on one occasion in the country I rode my pony six miles in five-and-twenty minutes that I might not be absent when luncheon—which was my dinner—was served. To me the words “save your bacon” had an almost tragic significance. The consequences of being two minutes late were a thing to be remembered. Many a time I arrived flushed and panting. That a clock by which I had guided myself had been wrong was no excuse. I groaned under this iron discipline, and as often happens when the child grows into the man, freedom was taken and unpunctuality reigned, notwithstanding silent frowns. But later in life the habit engrained by discipline, and which is for the time rebelled against, sometimes re-

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turns. In my case, punctuality is one of the few characteristics of which I fairly think it may be said that it is without a flaw. Not to be at the place of an appointment at the time fixed is a cause of real distress. Lord Cross, when Home Secretary, kindly said to me, "My dear Lord-Advocate, you are the most punctual man of all who come here." If I appear to brag, it is because I would fain convince my young friends that punctuality is a valuable asset to a man. I would ask them to believe that it is worthy to be striven after. It will not come without strenuous endeavour. Once acquired, it is acquired for ever. It is said to be "the courtesy of kings." It *is* courtesy, and failure in it is discourtesy, and should be struggled against. We do not know how often it is the discipline of the domestic controllers of a Sovereign that brings about the punctuality of Royal doings.

Edinburgh was far in advance of London, and of English towns generally, in the practical adoption of gas as an illuminant. Even in the time of my earliest recollection no such thing as a candle was seen in ordinary use, except as a convenience for fire lighting, or for visiting outhouses or cellars. When in my early childhood I was taken to London, it was quite a surprise to find the house I lived in without any gas in it. It was only

PUBLIC LIGHTING

by slow degrees that the practice of Scotland was copied in England. Long after the use of gas had become universal in Edinburgh, painful cases occurred of visitors, who knew nothing of gas in houses, blowing out the gas flame on going to bed, and being found dead in the morning. Such a death occurred not a quarter of a century ago in Edinburgh. But while gas came rapidly into use in Edinburgh, it did not seem to occur to those who took charge of applying gas to our street-lighting, that the new illuminant suggested the possibility of something better than the "darkness visible" of the old oil lamp period. The burners of the street lamps were what is called "rat's-tail," allowing one solitary streak of light to mark the line of the way, but practically giving no illumination over road or pavement. It seemed a mockery to erect handsome standards for this paltry display. Yet such was the lighting during many years. The batwing burner was not seen in the streets for a quarter of a century after the date when a gas service was provided.

There was a very marked difference between England and Scotland in this matter. As already mentioned, the English were slow to adopt this invention of Murdoch the Scotsman. Some of their best scientific men, including Sir Humphry Davy, spoke in gross exaggeration of its dangers. And when they did adopt it, they did so only in

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the public rooms of the house, every one going to a bedroom having to light and carry a candle. In Scotland the whole of the house was fitted for gas, but the case was converse to that of England. Some Scots people were luxurious enough to use wax candles in the public rooms, and only to use gas below stairs and in the bedrooms.

London, although it is the great City of the Empire, is often not progressive. The Englishman, and particularly the Cockney, is slow to believe that anything coming to London can be better than "the old thing" he has been accustomed to have. There are many things that for years were in common and satisfactory use elsewhere, that did not penetrate into London for a long period of years. To mention only one: when I was in London as a child in petticoats, and later as a boy at the Exhibition year, 1851, the access to the top of an omnibus was by an upright iron ladder, much like what is used to climb out of the hold of a ship. And this continued for many years after that time. It was an impossible ascent for a lady, and next to impossible for any man older than sixty. On the top was the "knifeboard," on which the passengers sat back to back. In Edinburgh so far back as the early Fifties the sloped stair, exactly as it is used now, was applied to all omnibuses. But the thousands from England, who must have seen this, learned nothing, and only after a great many years had passed the

ENGLISH IGNORANCE

use of the comfortable and safe mode of ascent was adopted. Doubtless when the Cockney comes to Edinburgh he is surprised to see that such an advance in civilisation has reached to such a benighted country as Scotland, and probably considers that we have learned it from London, much in the same way in which the English lady expressed surprise to find that golf had penetrated so far north as Scotland, stating she was credibly informed that a great deal of golf—"gollf" she called it—was now played at a place called St. Andrews! I cannot refrain here from telling a story which occurred in my own experience, illustrative of how narrow and ignorant is (or at least was) the Englishman of what is outside his own country and range of business. A gentleman of high intelligence and great repute in the implement making world was in Newcastle in the early Sixties at an agricultural show, and a friend, when the show was about to close, asked him if he didn't think of taking a trip to Scotland. "Not I," was the reply; "what would I go there for?" "Well," said the friend, "just you take a run up to Edinburgh, and if you think afterwards that I sent you on a fool's errand, you may call me all the names you please." The gentleman came to Edinburgh, and a lady who was a friend of his took him round the city. I met them in Princes Street, and she stopped and introduced me. One sometimes is in difficulty what to say to a perfect stranger,

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and I put the gauche question: "I hope you are pleased with our city?" The reply was—I give it verbatim—"Well, sir, I am surprised; I didn't know as how there was anything north of Berwick." He evidently supposed that whenever you crossed the Tweed you were up to your knees in heather, with nothing to eat but porridge, and nothing to drink but whisky. The reader may be inclined to think that such a state of mind was individual and not typical. Of course it was an extreme case, but I have known many others not very different, as when my sister, having gone to a school in London, was asked whether she knew "the Smiths in Scotland"; and on another occasion a friend read me the following from a letter received from an Englishman who was paying his first visit to the North: "I have enjoyed my visit to Scotland as far as it has gone, and I am glad to say that I find the language of the natives is much more easily understood than I had expected"!

The funerals of my boyhood time were imposing spectacles. The Scot who repudiated all ceremony and symbolism in his worship was ceremonious, even to the verge of pompous absurdity, in his burying of the dead. Although his church services were marked by a baldness that was extreme, when it came to a burial, display was ram-

FUNERALS

pant and expense was lavish. I feel certain that the costs of a marriage could not compare with those of a funeral. The joyful spent little on trappings, the mourners poured out money like water. Two mutes, called in Scotland "saulies"—perhaps this was a nickname—were posted, one at each side of the house door, with broad bands on their hats, and hanging down almost to their waists. Each had a long pole, which was hung with black, looped up like a window-curtain. When the cortege was to move the "saulies" marched in front, and then, if the family thought much of themselves, the baton men followed two and two, to the number of six or eight, on each side, with black velvet jockey caps, and carrying great batons, thicker than a rolling-pin, black, and capped at both ends with several inches of gilding. Then followed the hearse with its four horses, each carrying a great black plume on its head, and loaded with state harness covered with silver plating, and as the hearse moved off, the horses' plumes, and the five enormous plumes above it, nodded and waved. The hearse itself was a grim black box, covered with plaited black cloth. On reaching the place of burial the sextons stood waiting with a great black velvet sheet, called a mortcloth, and this was spread over the coffin and those who bore it to the grave, the sextons having a privilege to draw fees for this ceremonial veiling. From first to last the occasion of a death was

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made one of ostentatious display, often in the case of persons of moderate means, involving as great a loss to the deceased's estate as follows now from the State demand for death-duties. As regards the mourners, those of the family wore bands of crape up to within an inch of the top of the hat, with great bows hanging down behind. All wore evening dress coats with white neck-cloths, and white weepers at the wrists.

All these elaborate death honours were jealously upheld, and have only by degrees been broken down. When my stepmother died I took charge to relieve my father, who was not strong, and I had a tough fight with the undertaker over the "baton men." He made it plain to me that it would be a meanness that would lead to remark if I did not have them. "Oh, sir, ye should hev the baton men; it'll not be worthy of the occasion if ye don't," was the kind of plea he urged, and I had to cut him short with an emphatic "no."

Another piece of display in connection with deaths was still observed in my boy days. It was the custom of those who thought that their position called for it, to put up a hatchment on the dwelling-house, and keep it there for some months after the death. It was a large square, hung diamond fashion, with the arms of the deceased painted upon it. Such a thing has not been seen in Edinburgh for nearly half a century.

CHAPTER FIFTEEN

"Be pleased your politics to spare."

DRYDEN.

DISCUSSION of politics is to be avoided, but that need not exclude a good story now and again, which does not touch any political question, though relating to public life. As a boy I saw the unopposed election of the present Duke of Buccleuch when he stood for Midlothian. Of course it was before the days of the ballot; the first step in an election taking place by show of hands at the open meeting on the hustings. There being no opposition there was no excitement, and as it appeared to me, the Earl, who was not heard much beyond the reporters' table, spoke into his hat, if indeed he was not speaking *out* of his hat. But the election of the old days which I remember best was the contested election in 1847, when Thomas Babington Macaulay was candidate for the city. In those days, as the numbers were posted on the booths throughout the day at intervals, it was soon seen who was heading the poll. When a candidate's name and figures attached indicated failure, in half an hour a poster would be out: "There is time yet, rush to the poll and vote for Holdfast, the supporter of Church and State." And when it was seen that a candidate had no chance, the votes which would have gone to him were transferred to a candidate who was less unacceptable than the man who was for the time looking dangerous. The glorious uncertainty until 11 P.M., or even till next day, of the ballot

vote was not then part of the excitements of an election.

Mr. Macaulay, whose eloquence was well known, made, I doubt not, an impression upon the electors at meetings. But when deputations had to be received, and grievances considered, he probably was not so successful. My father told of him that he received a deputation of postal employees, who probably had some cause for pressing their views, as the penny postage system developed, and threw extra work yearly upon the staff. He evidently gave them little satisfaction. The day following the address by the deputation, our letter-carrier was asked by the maid who took in the letters in the morning how they had been received. "A'weel," he said, "he was pulite; oh, he talkit fine, an' constant. Bit we had nae chance: he talkit and talkit, an' he booded us in an' he booded us oot"; and then, in bitter tone: "He's a tonguey cratur, but, eh, he's haaley" (hollow).

How well this letter-carrier tersely and incisively described his parliamentary member may be gauged by quoting Lord Cockburn's opinion, expressed at length in his *Journal*:

"The truth is that Macaulay, with all his admitted knowledge, talent, eloquence, and worth, is not popular. He cares more for his history than for the jobs of his constituents, and answers letters irregularly, and with a brevity deemed contemptuous; and above all other defects, he suffers

CHARTIST RIOTS

severely from the vice of over-talking, and consequently under-listening. A deputation goes to London to enlighten their representative. They are full of their own matter, and their chairman has a statement, bottled and ripe, which he is anxious to draw and decant, but instead of being listened to, they no sooner enter the audience-chamber than they find themselves all superseded by the restless ability of their eloquent member, who besides mistaking speaking for hearing has the indelicate candour not even to profess being struck by the importance of the affair."

The most exciting event in Edinburgh in my school-days was the development of the Chartist riots in 1848. Of course I was not permitted to go near the scene of the conflicts, but the combatants when in want of ammunition came down to the streets below, which were still macadamised. The house I lived in then was in Heriot Row, and men were seen running down from Princes Street, filling their pockets full of stones, and rushing up the hill to expend their relay ammunition. I had seen the Yeomanry being paraded in the Riding School in Lothian Road to be at the command of the Magistrates, should they be required—and they were required—as well as the cavalry regiment from Piershill. I heard at the time of the Lord Provost and Magistrates being timid, and wishing to put the responsibility upon the officer in command. He declined, saying, "Whatever you

order me to do, I will do, and will undertake to clear the street at once." At last the authority was given. The moment it was seen that the cavalry were advancing the gallant rioters fled incontinently, and in five minutes not a soul was left in Princes Street. There was only one trifling casualty, and it is almost needless to say that only the flat sides of the sabres were used.

Speaking of the Yeomanry induces me to tell a story which relates to a day before I was born, but which I heard from my father, who was a sergeant in the Edinburgh squadron. In the Radical Riots of an earlier date, the corps was sent to Glasgow, and on a certain morning they were assembling from their respective stables at a certain rendezvous. One of the privates was Mr. Hugh Bruce, an advocate, whom I knew well by sight when I was a lad. He had a strange look, from one eye bulging out, and from his not seeing equally with both eyes, I suppose, he held his head curiously to one side, which led to his being spoken of in a comic poem thus:

" And Hugo Bruce,
Like to a goose
Into a bottle keeking,"

which describes well his sidelong stare. Add to this that he was very round in the shoulders, and it can be understood what a queer figure he was in a gay Yeomanry uniform. On the morning in question he was riding down a Glasgow street

SOOR DOOK

leading to George Square to fall in with his squadron, when the sound of a trumpet was heard from afar. His horse being an old cavalry charger knew the call well, and knew his duty, and began endeavouring to hurry in the direction of the trumpet-sound, Hugh with difficulty restraining him from bolting. On reaching the Square, the old horse saw a squadron of cavalry nearly formed, and in spite of all his rider could do forced his way sideways up to the ranks, and pushed so determinedly, that the troopers drew back one after the other, and he routed the squadron from end to end; Bruce all the time jogging and pulling at the bridle in vain, with his head well down over the withers, while the crowd looking on shouted with glee, crying, "Bravo! weel din, soor dook!" Those who remember him—few, I fear—will realise how ludicrous the scene was. My father could never recall it without a hearty laugh.

CHAPTER SIXTEEN

*“What then is taste? a discerning sense
Of decent and sublime with quick disgust
For things deformed, or disarranged or gross.”*

AKENSIDE.

DURING boyhood, one naturally saw more of our native city than when all the walks were "on the chain," in the control of nurses and governesses. Many a visit did I pay with my companions to the Calton Hill, where was the best place near home for kite-flying. At that time the hill, which is a valuable asset as a place of beauty and recreation, presented some features which one can only recall with shame. The upper part of it was frequently occupied as a place for beating carpets with flails, which sent clouds of insanitary dust over the neighbouring ground, and into the mouths and nostrils of the children who came to the hill to play there. On the north slope linen was washed, and the ground slopped around water-cocks, which should never have been allowed to disfigure the scene. The washings were hung up on ropes stretched on shabby, badly set-up poles, disfiguring the view in a manner altogether shameful. The space at the back of the great pillars, which tell of Scotland's folly in attempting to build a great national monument, was enclosed by a high paling fence resembling a builder's yard, large placards informing the public that for sixpence a head they could see "Forrest's Statuary" within. We boys wondered what our deficiency in sixpences was depriving us of, but having since seen some of the so-called statuary, it is not possible to do otherwise than wonder that our muni-

cipal fathers should have condescended to let the city's property in order to enable Mr. Forrest to draw money by showing his so-called artistic productions. The enclosure was hideous and discreditable, and the contents were unworthy to be provided with accommodation on our classical hill. It was only by an effort of the citizens that the Town Council were prevented from placing these inartistic figures as adornments (!) to the main walk of West Princes Street Gardens! Farther eastwards one Miss Short had succeeded, after several efforts, in leasing a space for what was called an Observatory, a mean wooden erection, where a *camera lucida* or *obscura*—I forget which—enabled the visitor to see the country round on a flat, white table, and where at night an inferior telescope gave a view of the heavens. The scientific part of the exhibition was farcical to a degree. A big kaleidoscope, in which the things moved about were imitations of flowers instead of bits of coloured glass, was called a floroscope. The only other exhibit was of a would-be electric telegraph. We were shown how a needle could be moved from side to side, but while there was a dial telegraph, it would not work—indeed, even a boy could see that the wires were not attached to any battery, and the demonstrator moved the pointer round with his finger. It was a sorry affair, and another example of the way in which our municipal governors, instead of guard-



THE CALTON HILL, SHOWING SHORT'S OBSERVATORY, &c.

CITY DISFIGUREMENT

ing the beauties of Edinburgh, did their best to spoil them, for gain in trifling sums of money. Lord Cockburn mentions how strenuously this letting of a site to Miss Short was opposed, and at first successfully, but that eventually the mischief was done. Thus both the erections—one for art and the other for science—were utterly unworthy and to the city's discredit.

But in those days, with an empty money-chest, anyshame would be faced to bring together a few pounds. Even the arched enclosure of the quadrangle of the City Chambers was built in with shabby little shops, only one arch being left for entrance, thus shutting out the view of the front of the Chambers, which was in style not discreditable to the city.

I have spoken already of the state of the Mound, when I first remember it, so injurious to amenity, so disreputable in character, showing lamentable want of taste and proper public spirit, both of the Corporation and the citizens generally. What was a cause of shame came to be removed—not, it must be said, because of any repentance bred of reviving municipal sense of duty. A site was sought for the Scottish National Gallery, and none better could be found than the Mound. Nobody can doubt that it would have been better to clear the Mound of the festering abominations which disfigured and disgraced the very centre both of the city as a city, and of its most picturesque part,

and to have left it unoccupied, so that the view along the valley should not be interrupted. But if any building was to be put upon it, nothing could have been more suitable than the Gallery as it now stands. From the east it is a good architectural feature. From the west it could not look well as long as the line of the Mound, sloping up, cut off an irregular portion of it from view. But the growth of trees on the west bank has gradually cured this fault by obscuring the slanting line of the Mound. There is nothing now that is offensive. All this was done when I was a boy, and took little interest in such things; but I know from what I heard at the time, what a relief it was to the "no mean city" feeling, to see those awful wooden booths pulled down and carted away, removing once and for all what was the most terrible blot on the city's fair face, and also putting an end to the disreputable misuse of the part of the Mound not required for carriage-way.

But to make up for this improvement another outrage was committed, and submitted to without a murmur. Edinburgh had the misfortune to have its gas-works set down in the very heart of the city, on the low ground between the Canongate and Calton Hill. With a too common want of prescience, similar to what was shown in the case of the railway station, it was apparently not considered that the consumption of gas must increase enormously as the size of the town became greater

THE GASWORKS' CHIMNEY

from year to year. Thus it came about that in the course of time the works extended greatly, befouling the streets around, and pouring smoke over the town, with the result that the gas company, which apparently had been put under no restrictions as to building operations, proceeded to erect a chimney of gigantic proportions, which from every point of view was a cruel disfigurement of the scene, although it was as inoffensive in design and proportion as a chimney could be; as Stevenson says: "A shapelier edifice than Nelson's monument." Still it was an eyesore. From Princes Street it loomed up in front of the view of Arthur Seat as seen over the North Bridge. From Calton Hill it cut the eye in the picturesque view of the old town. From the Queen's Park it dwarfed all the buildings, and caught the eye offensively when one turned to look up to the splendid view of the town with the Castle crowning it. It will give an idea to the rising generation, of this gigantic eyesore, to say that it was some feet higher than the Great Pyramid of Ghizeh, and very nearly the same in height as St. Paul's Cathedral in London. Though rising far below the level of Calton Hill, it overtopped by many tens of feet Nelson's Monument on the top of the hill. One would have thought that so terribly ugly a chimney-like erection as dishonours the memory of Nelson, would have been a warning against further disfigurement of the city. And

there this vast stalk remained for half a century, a hateful monument to the inefficiency of public rule and the supineness of the Edinburgh citizen. Strange to say, the same cause which led to the erection of the stalk brought about its much to be rejoiced over removal. The increase of demand for gas led to the accommodation for the works proving to be inadequate, and as they could not be extended, they were removed, and the great chimney, and another that had been erected, not so great, but equally a sad eyesore, were taken down. The man who would to-day propose to put up such erections in the valley would probably come as near to being tarred and feathered as the squeamishness of our twentieth-century civilisation would allow. So there may be hope that the Nelson chimney may be taken down, and something less offensively staring the promenader of Princes Street in the face, may be erected in honour of the great seaman. Something less like a Brobdingnagian reproduction of his nautical telescope might surely be substituted for what no architectural opinion will defend. Its paltry sham battlements instead of improving it, make it more contemptible.

At the same time at which this gigantic chimney-stalk was erected to make a sad blot visible from everywhere on the city's beauty, and in the same neighbourhood, an ancient and honourable building was removed. The evils of the time were

TRINITY COLLEGE CHURCH

not confined to secular buildings. In the valley, opposite the Regent Arch in Waterloo Place, stood Trinity College Church, worthy and venerable, which as it was in the way of railway extension was ordered by Parliament to be removed, a deed which Lord Cockburn called "a scandalous desecration." The authorisation for its removal was fenced by a condition that it was to be taken down carefully and re-erected as it was on some other site. I saw it from North Bridge when the preparations were being made. Every stone had a number placed on it in large white figures, corresponding no doubt with figures on plans. It was a very strange sight. The stones were then removed to the slope of Regent Road and laid down there, till it should be settled where the church was to be rebuilt. It cannot be said to have been to the credit of the city and its rulers that the wreckage lay there for many a year, while difficulties were made about a site, and the only one proposed by the Town Council being anything but appropriate for such an interesting relic of the past. Lord Cockburn's phrase has an added pungency from this failure to fulfil the obligation undertaken. Many thought then, and many think now, that the failure had some sectarian wilfulness about it. But whether this was so or not, nothing was done. Not until Jeffrey Street was built about 1870 was a single stone removed from the heap that lay below Burns' Monument; and when the

church was built, it was no reproduction of that which had been pulled down, though some of the features were retained. This is not a very pleasant episode in the city's history. Many a severe criticism did I hear passing among my elders as to the almost wilful obstruction which was put in the way of the carrying out of an obligation, both of duty imposed by Parliament, and of honour in a matter of interest to the credit of the city's good name. It was rather a mess, to which Uncle Toby's injunction may apply: "Say no more about it."

It may well be that it was the terrible neglect of, and actual outrage upon, the beauties of our city, which led to a certain citizen being filled with evil thoughts regarding our municipal fathers, who ought to be our protectors, and not themselves at one with the evil-doers. To give vent to his spleen he was in use when engaging a maid—after adjustment of hours and wages, &c.—to use these words: "Now there is only one other thing, which please take note of. If ever I catch you entertaining any of the magistrates of Edinburgh in my kitchen, that's your Term Day!"

Another case of an ecclesiastical building calls for notice. Among the many outrages on good taste in matters relating to buildings, was one which did not exhibit itself to the eye upon the street, but which was as offensive an interference with an ancient edifice devoted to divine worship

ST. GILES' CATHEDRAL

as ever was perpetrated by people calling themselves civilised. St. Giles' Cathedral, as we now see it, is a noble pile, and though injured to some extent by the polished ashlar which was so foolishly used to cover up the old rugged exterior—so suitable to the character of the race whose sons worshipped in it—nothing can be said against the grand simplicity and sobriety of the interior, restored through the munificence of the late Dr. William Chambers. There the original simplicity has been retained, with excellent effect. But incredible as it may appear, the interior had been absolutely destroyed, and remained destroyed for many generations. By the aid of thousands of laths and tons of plaster, the noble church was divided up into three great boxes. As the visitor entered at the north side he found himself in a long passage which went right across the church, a bald alley, without a single architectural feature. From this alley doors admitted to the great divisions, in which, being deafened off from one another, three congregations sang and prayed and listened to discourses. The building was made by the lath and plaster partitions to present a symbolic representation of "The Schisms of the Churches." It is a tradition that the tone and character of the teaching conveyed in the three sections of the great building varied considerably, but whether this be true or only rumour, deponent sayeth not. The division of the building was

evil enough. Yet for generations no one lifted up his voice against this degradation of a great work, erected no doubt in a time looked upon now as a dark age, but which at least in its efforts to honour God did so with grandeur and good taste.

Thus was Edinburgh destined for a long period of her history to witness against herself both by the outside and by the inside of her ecclesiastical, her national, and her municipal buildings. It is vain to mourn over those wrongs to our city which are irreparable. The best signs of repentance would be a thorough awakening to the need for guarding against such failures of duty in time to come. If the evils that must be held permanent do some service as warnings for the future, it will be well. "The burnt child dreads the fire." Let us conserve and not destroy, and let the eye be jealous in scanning every scheme for change, both as to the advisability of the change itself, and as to the mode of the carrying-out.



FAÇADE OF ROYAL EXCHANGE

CHAPTER SEVENTEEN

"Look at the West side of the Castle and shudder."

LORD COCKBURN [*Letter to the Lord Provost*].

CHAPTER SEVENTEEN

IF the municipality of Edinburgh has in the past been open to censure for neglect of, and in some cases attack on, the amenity of the city, the Imperial Government has not acquitted itself any less discreditably. The tale that has to be told of their proceedings in mutilating old historical buildings and erecting new buildings that are indefensible, is by no means a short one. The old historic Castle, which any good citizen would expect to be protected from outrage, was most scandalously dealt with "By Order" of Ministers of the Crown. The two most interesting buildings on the Castle Rock are St. Margaret's Chapel, which stands behind the great gun known as Mons Meg, and the Parliament Hall on the south side of the square. The little chapel, which dates from the time of Malcolm Canmore and his consort, Queen Margaret, is an excellent specimen of early Norman architecture, and many interesting historical incidents are associated with it. In my boyhood its existence as a chapel was unknown. Most shamefully was it treated. It was altered to serve as a store for the powder bags and fuses that were to be used for firing salutes! The Government officials placed a wooden floor halfway up the walls, so as to provide two stories, on which the Ordnance Department piled their ammunition. It was only in 1845 that the discovery that it was a chapel was accidentally made. A gentleman looking over the upper floor saw

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what he thought was an old font, but which on investigation proved to be the capital of a Norman pillar. This led to inquiry, and Her Majesty, learning that the building was an ancient chapel, directed that it should be freed from the dishonouring fittings that had been ruthlessly set up in it. It is now restored, and forms, when its history is studied, one of the most interesting relics of the past.

At the south side of the square, on the upper part of the Castle Rock, stood the ancient Parliament Hall, in which the national business was transacted when the city was besieged by an enemy. This Hall I can remember being in use as a military hospital; it being treated in the same shameful way as the chapel had been, by having a floor put in half-way up, so as to make a two-decked infirmary for the garrison. This was a gross outrage upon a historical building, and to such an extent was it carried that a projection was thrown out from the south wall on brackets, and an enormous sewage pipe carried down the face of the rock to the ground, disfiguring in a very disgusting manner the most picturesque view of the Castle, the rock rising perpendicularly from the road below, and crowned with the Parliament Hall building and the royal rooms which Queen Mary occupied, and from which her infant son James was let down in a basket, and carried off to be out of danger from the enemy. A more

THE COTTON MILL

ruthless outrage was never committed than this, and it marks a period when taste and even decency were at a discount in Government departments. This insult to Edinburgh is now a thing of the past, although little credit attaches to Government officials for the restoration ; for only when the expense was undertaken by a citizen, Mr. Nelson, the publisher, did the Government consent to restore the Hall, and to remove from the picturesque buildings and lofty rock the hideous disfigurement caused by these sewage works. The Parliament Hall is now restored, and beautifully decorated as an armoury of old weapons, so that it can be visited with pleasure, where formerly it could only be looked on with shame. Outside, the bold, rugged face of the rock is no longer made hideous.

There is one building on the Castle Rock which still remains, and which as long as it does remain will be a disgrace to the Government and to the city. Early in the century a huge factory-like building was set up on the west side of the rock. I remember well when I was a boy, a cousin who was in the 93rd regiment coming to see my father, and that my father, in conversation, inquired where he was quartered in the Castle, to which he replied, "In the cotton-mill." I was puzzled at the idea of there being a cotton-mill in the Castle, until indulging my youthful inquisitiveness, I came to learn that the soldiers' name for this hideous

LIFE JOTTINGS

barrack was applied as a piece of sarcasm. There it stands to this day, Lord Cockburn's denunciation—"Lofty and offensive; the disgrace of those who set it there, and not to the credit of those who allow it to remain"—being not one whit too strong. A better situation for a well-designed castellated building in Scottish style does not exist, and even without any building the rock would be grand, but the bald, flat-faced erection of tenement-like design is worthy of the most condign condemnation. It may be vain to expect that the successors of those who committed this outrage will take steps to remedy it. Indeed, it is understood that when Mr. Lowe was Chancellor of the Exchequer, he positively refused to place a sum on the estimates to be applied to the rectifying of the evil, saying with characteristic bluntness that if Edinburgh did not like the building she had better provide what was necessary to alter it. One can only hope that the excellent example set by the many donors who have done great works for the City and Castle may be emulated by some wealthy citizen. No nobler work could be found for civic munificence than to remove this prominent eyesore from our beautiful citadel. Many citizens have done good work, and a great work was done by Mr. Nelson on the east and south sides of the Castle. If a generous donor can be found to remedy the evil done in the Georgian era of de-

GOVERNMENTAL OUTRAGES

graded taste, he will earn the gratitude of every Edinburghian.*

Recently a most discreditable piece of work was perpetrated, in obtruding an ugly brick erection beyond the line of the buildings in Inverleith Row, where the roadway and the footway were both narrower than they should be. The ground being the property of the State, the civic authorities had no power to interfere. But when the building obtruded itself in all its hideousness, public indignation was so great that the Government Department had to yield. As usual, however, the stipulation was that the £1800 necessary to carry out the setting back should be provided by the Edinburgh public!

There is another cause of alarm as regards the future, as there is an intention to pull down the Calton Jail and erect Government offices on the site. Here irreparable mischief may be done, and it will require great watchfulness by our civic representatives, and great efforts by the citizens, to secure that some such outrage as the cotton-mill on the Castle Rock is not repeated on the rock of Calton, where it would be a more grievous dis-

* Since the above was written, there has shone a gleam of hope. A letter of Sir Schomberg Macdonald has once more aroused interest in the matter, and as it is not likely that in the near future the barrack accommodation in the Castle will require to be as great as in the past, the need for any building on the west side of the rock will cease. It is earnestly to be hoped that public spirit will be raised on this most important matter. May the iron which is warm be made to glow.

LIFE JOTTINGS

figurement to the city, the position being so prominent, and visible on all sides.

When candour makes it necessary to say so much which is unfavourable to Edinburgh as regards its buildings, it would be unjust not to acknowledge that the city has been worthily adorned in the last century by many structures of dignity and good taste. The High School by Hamilton, the Galleries on the Mound by Playfair, the new bank buildings, the M'Ewan University Hall, the New University buildings, Findlay's National Portrait Gallery (all three by Rowand Anderson), the Episcopal Cathedral by Gilbert Scott, erected by the Misses Walker's bequest, the new Post Office, and last of all the Usher Concert Hall, may be mentioned as public buildings which adorn the internal parts of the city. The new Royal Infirmary is also a worthy building for its beneficent purpose. Outside are the numerous educational buildings, of which may be mentioned those in the neighbourhood of Queensferry Road, including Donaldson's Hospital and Fettes College. These are all buildings which may be held to be adornments of the city, and worthy of its beautiful situation. It is to be hoped most earnestly that society has entered upon an era when the desire to protect the beautiful and ancient from injury, and to exercise care and discriminative taste in the erection of new buildings is becoming dominant. The latest thing we have to deplore is the

PRINCES STREET DISFIGURED

thrusting into the line of Princes Street great masses of incongruous light-coloured marble, in every way out of place and objectionable, however artistic they might be if forming parts of structures in that style.

My diatribes upon the wrongs of our dear city are of course not to be taken as the remarks of boyhood only. But I have thought it better to put together what is to be said on that subject, rather than attempt to fit in different matters to different dates, in a futile effort to maintain exact chronological order. I now return to the narrative of youth.

CHAPTER EIGHTEEN

“Learning by study must be won.”

GAY.

CHAPTER EIGHTEEN

AFTER completing six years at the Academy, I attended the University for mathematics, chemistry, and natural philosophy, and learned much that has been useful to me in later life, although I must confess I did not go deep into mathematics. In chemistry I was much interested. Professor Gregory, son of the great Dr. Gregory, of nauseous mixture memory, was in the Chemistry chair. The only incidents worth recording were those of the laughing-gas day, the occasion which combined amusement with instruction more than any other. It always took place on a Saturday, and drew a very crowded house, great numbers of students attending to enjoy the scene, who were not in the class of the year. The fun was much enhanced by the fact that the Professor was a man with little or no sense of humour. While we were all enjoying the wild cantrips of those who had taken the gas, he prelected on the different cases as mere scientific illustrations. The first student who drew the gas in from the inflated bladder was in a moment on the top of the five-feet desk of the front students' seat, and flying along the desks behind, whacking with the bladder at everyone near. Absolutely unconscious, he nevertheless, though running at speed up the sloping desks, never missed his footing, while he banged his fellow-students, and at last he woke up with his feet straddled across two desks, and threw the

bladder from him. We roared with laughter, but not a smile passed over the professorial countenance. When quiet was restored, he solemnly informed us that as the first experiment had resulted in a display of violence, it would probably be found that the subsequent cases would show a general tendency in the same direction. And so it was, much to the satisfaction of the row-loving student. No. 2 was a powerful-looking advanced student. He applied his violence to the desk in front of the Professor, driving his fists into the hard wood until his knuckles streamed with blood, the Professor looking on him calmly from the safe distance and the height of the broad demonstrating table, and evidently well satisfied with the fulfilment of his prediction. The experiments brought out a remarkable instance of unconscious memory, a young lad under the influence of the gas showing a retention in the brain of what he could not have reproduced by conscious effort. Professor Pillans, who taught the Humanity class, was fond of introducing little speeches on the important topics of the day, regardless of their having any relation to his subject. On the death of the Duke of Wellington, he delivered an oration upon the deceased hero, and his words had impressed themselves on the lad. When he had taken his bladder-full of gas he turned round, and walking backwards and forwards as Professor Pillans had done, he with good elocution and appropriate

LAUGHING GAS

action repeated verbatim many sentences of the oration. The students of the Humanity class recognised at once what was happening, and shouts of laughter went up from the benches, but were stilled by the other students who wished to hear. The young reciter went on without hesitation or break while the gas influence lasted, and I remember that it was just as he uttered in loud tones "before the walls of Seringapatam" that he woke up, amid roars of laughter. Here was another case, similar to the drowning memory, in which an exciting cause drew from the brain-shelves what the owner of the brain could not have brought up by conscious intention. It was plain that what I had heard was an exact reproduction from the Professor's speech.

The only other incident of gas-day was one peculiar to the Professor himself. He was a strong believer in mesmerism, and one student, after inhaling, planted his elbows on the demonstrating table in front of the Professor, and looking him straight in the face said, "Do you mean to say that you consider mesmerism to be a branch of science?" This raised such a shout from the irreverent students that the Professor's reply was lost, and the interrogator suddenly awaking—as the reporters say—"the incident closed."

The Natural Philosophy chair was at that time held by Professor Forbes, a refined gentleman of the old school, from whom the attentive student

could learn much, and who was universally respected. If a student went to him personally to inquire on a particular matter, he was most kindly received, and what he heard was always clear and interesting. The Professor was a great contrast to his equally kind, and perhaps even more instructive but externally more rugged successor, my old school-fellow, Peter Guthrie Tait, of whom I have spoken already in connection with the Edinburgh Academy.

It was while attending these classes that I began to be a nuisance to my family. I have never been able to content myself with learning about practical things by listening to lectures, or reading text-books. I must dabble. And I did dabble, and filled my room with apparatus and chemicals. I made stinks inexpressible in my efforts at "practical chemistry," and succeeded once in making an unconscious invention of an explosive, which blew the neck off a bottle and sent everybody in the house coughing as in the last stage of consumption. My pocket-money went for Woulff's bottles and retorts, and supplies of acid to burn my clothes, and ammonia to cure the burns. I look back upon that time with very great pleasure. Perhaps what I learned was desultory and unsystematic, but I have often found the benefit of it since in professional life. It is well for a lawyer to have a good smattering of many practical subjects. He has often to master what is intricate in natural science



EDINBURGH FROM THE MOUND, LOOKING EAST, 1855

THE ELECTRIC TELEGRAPH

on short notice, and it is no small aid to him to begin his study of the particular case with a general though not exact and complete information. A want of knowledge of practical things led to a colleague—a very learned lawyer—turning to me and saying: “Macdonald, what on earth is a cam?” the debate up to that point having turned a good deal on cam action in a machine. He was absolutely in the dark as to what it was all about, and so put his plaintive word of appeal for light to me. A little knowledge may be a dangerous thing, but only if it engenders conceit. It may be, and often is, of great value to the man who knows its limitations.

As regards my natural philosophy tendencies, they went mainly in one direction—to electricity and magnetism. My first introduction to electricity practically—putting aside the impudent farce of Short’s Observatory—was when my father, hearing that his brother, the Adjutant-General, had died, spent 18s. 6*d.* in telegraphing, and received a letter through the penny post before any answer arrived by telegraph, after many hours of waiting. The telegraph was a little-believed-in wonder. History tells us that on the Electric Telegraph Company’s office being opened with a flourish on a certain morning, the large staff kicked its heels the whole day, there being only two messages handed in up to two o’clock. So disgusted and alarmed were the Directors, that

one of them went round to the scientific instrument-maker, who had supplied two weighing machines to weigh the hundreds of sovereigns which were expected, and begged that one pair of scales be taken back at a discount. But the capture of the Quaker murderer Tawell in a Great Western train at Slough, in consequence of a message sent by railway telegraph from Paddington, stimulated my youthful curiosity about electricity, and set me working with magnetic needles, and coils of wire and batteries, at which I was expected not to waste my time, and in reference to which I was rebuked for going to the family ironmonger, and obtaining zinc and copper plates at my parents' expense. When I went to the University, I took in with avidity what Professor Forbes told us on the subject, little thinking that a day would ever come when the honour would be conferred upon me—unsolicited and unexpected—of being elected a member of the Institute of Electrical Engineers, a position which I prize more than many other good things which have come my way. This subject interested me deeply, and I lectured on it as a young man to a great many audiences in town and country. At that time there was displayed the too common tendency of the distinguished men of science to express themselves unfavourably to the hopes of the keen explorers of the field, and to declare with emphasis that what the inventive mind was

BUNSEN'S BLUNDER

pushing after could not be accomplished. It may interest the reader to know that at the time of my student life I read a declaration by Bunsen—one of the greatest scientists of that day—that to suppose that motive power on a large scale could ever be provided electrically was a Utopian dream. I knew that at the very time he thus wrote eager minds were working at the problem; and I remember a fellow-student telling me that an engineer of his acquaintance had assured him that his experiments made him confident of success. It is probable that friends took a pleasure in thrusting Bunsen's dictum before him, with that air of "kindness-to-the-poor-young-enthusiast," which too often covers a desire for indulgence of self-importance, and the hope of being able to say later, "I told you so." Bunsen was wrong. The reason he gave for his opinion was unsound. Being the inventor of a most excellent electric battery, he assumed as a fact that development of electrical energy was only to be got from galvanic batteries, and as consumption of zinc was necessary to the operation of the battery, and zinc cost a certain sum per pound, he declared it to be impossible to obtain energy for mechanical work on a large scale, except at a price too great for economical use. His first premiss was wrong, as the event has proved, and there are hundreds of thousands of practical refutations of his utterance to-day.

LIFE JOTTINGS

Another curious instance of want of foresight which I came upon in my study of the literature of electricity was in a scientific work published in 1848, in which the author described how duplex telegraphy could be effected—both two messages in opposite directions, and two messages in the same direction over one wire. An asterisk at the passage indicated a note, and the note at the bottom of the page said: "*But these, of course, are mere electrical toys, which can never be of any practical use.*"!!! This reads strangely, knowing as we do that not only duplex, but quadruplex telegraphy has been in practical use for many years.*

It was the same in the case of the telephone at a later date. One of the highest officials in the Government telegraph service declared before a Parliamentary Committee that he did not think the telephone would ever be much used in this country—that in the United States they had a scarcity of message-boys, but we had "*plenty of message-boys and things of that sort*" (sic), and therefore the telephone would not come to any great extent into use.!!!

I learned from all this that sometimes the most injurious person to the interests of scientific progress was the scientific man himself. Many other cases could be quoted, but they would take up space, and the above are sufficient for illustration.

* Since the above was written, the extraordinary development of six messages conveyed simultaneously over one wire has taken place.

ARMY CAREER ABANDONED

After my year at science classes in the college, the only long break in my life in Edinburgh occurred. At that time I had chosen the Army as a profession, and it was thought well to send me abroad to acquire the French and German languages in preparation for the Army Entrance Examination, and from the autumn of 1853 down to the autumn of 1856 I was resident abroad, coming home for short intervals twice. My Edinburgh life was resumed on my final return. The intention of entering the Army was abandoned. The Crimean War had come to a close, and there was little prospect of any rapid rise in the profession. Had I known that the Indian Mutiny was to break out so soon, bringing the army once more into active service, I might have held on to my intention. One thing which influenced me was that I came to know that my father, who was not in strong health, wished that he might have a son at home, my only brother being already in the service. And the prospects at that time were such that my old uncle, General Alexander Macdonald—who, I may say in passing, was Ramsay's subaltern in the celebrated dash of his R.H.A. battery through the French cavalry regiment—told me that in his judgment I never did a wiser thing than in giving up the intention to enter the military profession. It would be affectation to say that I did not think I could do well in the army. Many friends have said to me since that I ought

to have been in the service. My reply always has been that I am glad I was not; that I might have been a ten-year subaltern grumbling at being held in the leash of routine—the terrible routine of that time—and that as it turned out I had as much soldiering, indeed more, than if I had been a regular, and enjoyed very much more of my own way than could ever have been the case had I had to make my way slowly, and possibly be compulsorily retired while still in full vigour and fond of the work.

It was at this time that I learned to realise that my delicacy of boyhood had been but a growing weakness, although I had been told by the “kind friend”—from whom I was not saved, notwithstanding that I echoed the poet’s prayer, “Save, oh save me from the candid friend”—that I had a “miserable constitution,” that I would be “a martyr to dyspepsia before I was forty,” &c. &c. That these prophecies, made doubtless from a sense of duty, by persons who *knew*, and therefore must speak, have been falsified, makes me grateful. I am somewhat in the position of Sir Henry Duncan Littlejohn, who on the occasion of his being presented with his portrait when he had passed the span allotted to man, told us of his having in consultation of two learned specialists been reported on as uninsurable. I remember the quiet, humorous way in which he said: “And I had the melancholy satisfaction of

A CURE

belying their prophecy, as many years later I followed the remains of both these gentlemen to their final resting-place." May I go back a little in time, and speak of another life, that of my own father, who at forty-five years of age got his death-sentence for heart disease from the highest in the medical profession. All that could be said was that he should support himself with port wine and brandy, and that a year might see the end. I remember his calling us round his bedside, and solemnly telling us of the warning he had received. After he had done this, he added that he had heard of the great skill in disease of Dr. Gully, the hydropathic doctor of Malvern, and that as nothing could be done for him in Edinburgh, he did not see why he should not make an experiment. Accordingly he journeyed by stages, aided by stimulant to ward off fainting. He arrived in Malvern in the afternoon, and Dr. Gully came to examine him the same evening. After a careful investigation he put away his stethoscope, saying, "Mr. Macdonald, you have no more heart disease than I have," and he proceeded to put him under drastic treatment—eight-foot cold douche bath, sweating bath with plunge into cold water, &c., deadly treatment to any man with serious organic heart disease. The brandy and port wine were stopped from that day. The following year, 1848, my father returned home. He rode his horse, and was able to do as others—

attending to his affairs, joining in any amusement suitable to his age with zest, able to play four-somes at croquet, in games that lasted for many hours, up to a good old age entertaining his friends, including Lord Robertson, whose utterance apropos of his recovery has been quoted. He lived for more than thirty years after his sentence of death, and ultimately died of pure senile decay at eighty-six, his heart doing its work vigorously, till the failure of the rest of his body made death inevitable. What he really had suffered from was an overstrained brain—he being a very hard worker indeed, and a terribly hasty feeder—leading to an exceptionally dyspeptic state, affecting the heart, but not so as to bring it into an organically diseased condition.

In my boyhood I had a very panting heart. Climbing a stair produced great breathlessness, and for a time I had been unfit for the activities of schoolboy life. Being abroad had done wonders for me, and I was fit for anything on my return. Since then no one has had more cause for thankfulness for sound bodily health. Thus I entered on study for my profession with no drawback of weakness, and began the most strenuous work of my life. I chose the Bar, and attended logic and law classes. I have already confessed that my inclination is not naturally towards close and continuous application to one class of subject. But when I was faced with examinations in three languages, logic

MIDNIGHT OIL

and metaphysics, and civil law, Scots law and conveyancing to follow, and all within two years, the necessity of the case was realised and study was paramount, social engagements were declined, and amusements, except on a Saturday, shunned. "I suspect you have been burning midnight oil, John," said my brother when he came home on leave from his regiment. Well, I had. With the aid of a teapot, in which tea stewed for hours in the fender, and to which I applied time after time, I kept myself awake, and worked late as well as early. I came out sixth in order of merit in Scots law, in a class of about one hundred, which was far above what I had expected to attain, and it gave me hope of passing creditably when I should come up to be examined for the Bar. I believe that my surviving that teapot's contents, consumed in quarts, is the best proof of how robustness had taken the place of delicacy. My teachers were Professor Fraser—now a non-agenarian, who so ably filled the Logic chair; Professor Shank More, who lectured on Scots Law; Professor Campbell Swinton, who was in the Civil Law chair; Professor Bell, who taught Conveyancing; and Professor Traill, who lectured on Medical Jurisprudence. I also went to the Watt Institution to learn the practical arts of joinery and carpentering and turning, a knowledge of which has been most useful to me in many ways, professional and otherwise. As re-

gards Medical Jurisprudence, I have often regretted, having come to know Dr. Littlejohn so well, that I did not take his class at the College of Surgeons, but Professor Traill was a charming old man, and his lectures and exhibits very instructive. Although there was no examination to be passed on his subject, its highly practical character made it most interesting to me, and I learned much which was of great utility in my criminal practice afterwards. I will confess that, with the exception of the Civil Law, I found the law lectures very dry. Mr. Bell I still seem to hear in the Conveyancing class, repeating: "Morison 2755, Morison 2755," the reference being always uttered twice in monotonous tone. And the Scots Law lectures were also terribly humdrum in character. Only one touch of relief do I remember, when the law on slavery was stated, and the dear old modest Professor More, who never looked at the class, but glanced up at the end of every utterance to the upper left-hand corner of the class-room, said in most sober tone: "And so" (head up) "as the sun can never set on the British Dominions," (head up) "so that sun can never rise upon a British slave."

The worthy gentleman blushed as he looked for the last time at the corner, when for once the room resounded with a round of applause, possibly ironical to some extent, but kindly as well.

There is one story connected with his name

PRINCE OF WALES

which may bear repetition. A junior counsel had been asked for his opinion on the memorial of a client. He wrote below it:

“Your case does not seem to me to have a leg to stand upon. Perhaps it would be as well to take in the assistance of one Shank More.”

It is also told of him that his good-nature led him on the occasion of an examination, when in answer to his question the student had said, “Yes” firmly, he gently responded: “Right, but rather ‘no.’”

It was about this time, when King Edward was a lad, that he came to Edinburgh for a season for education. Of course his incognito was respected, but one saw him occasionally. I remember his being violently struck by one of his future subjects. There were several witnesses to the blow, but there was no arrest, and the eager reporter got no “copy” out of it. The Prince was playing racquets in the racquet-court in Rose Street, and getting in the way of the ball, his partner hit him a hard stroke on the shoulder, which made him wince and rub, and made the partner not know what to say. Of course it was the Prince’s own fault, and he bore it well. It was probably the only occasion in his life when one of the Queen’s subjects made—without intention—an assault so violent upon him. His royal shoulder must have

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for many days been changing from black to blue,
and from blue to yellow. Had the ball struck him
behind his ear, or on the temple, he might never
have sat on the throne.

CHAPTER NINETEEN

*"Since I saw you last
There is a change upon you."*

SHAKESPERE.

CHAPTER NINETEEN 1856

ON my return to Edinburgh in 1856, after my sojourn in Switzerland, I found a marked change in the dress of both sexes. In the case of the ladies, the bonnet still ruled as the formality head-dress, although there was some relaxation. Hats might be worn by the young in the country, and gradually came to be seen even in town, except when calling or going to church. But for any "function" the bonnet was *de rigueur*. I have known a lady, when going to a week-day church service, make a point of first returning home, and changing from hat to bonnet. On Sunday nothing else was permissible. Even later, in the Sixties, I was considered to be proposing something shocking in suggesting that the bridesmaids at my own marriage should wear hats. Some of them liked the idea, but, "Oh, my dear, it would never do, people would be shocked," was the verdict of the duennas. I was before my time, judging by what I see now, and see with gratification.

As regards men's attire, the sternness of fashion was as great. The first out-of-doors game which ever brought the sexes together was croquet. What was the fate of the poor man who, even in the country, was tied up by etiquette when he went by invitation to a croquet party. Frock-coat and tall hat were imperative. Many a game have I played in broiling weather, with the perspiration running into my eyes from the impervious brim

of the silk hat. All was against us, and we used wickedly to say that the crinoline of the ladies was a handicap in their favour, as under cover of the wide expanse of skirts, balls could easily be moved nearer the face of a hoop. It may have been libellous, but not in every case, I think. Anything more nonsensical than playing an outdoor game in such garb cannot be imagined for either sex. But had any one of us appeared in a shooting-jacket, it would have been: "Oh, my dear, did you see Mr. Cool—an absolute want of sense of propriety," with the hand held up, wrist projected forward, as ladies do when they wish to express the waving off of something as being almost too objectionable for words.

Talking of croquet, the young had much reason to congratulate themselves on the introduction of the game. It is a pastime in which there is room for much skill, and is the game of all others in which old and young can join. No doubt few young people play it to-day. But the greatest boon it conferred on society was that it broke the ice of convention, by which there was no outdoor amusement in which both sexes could join, as has been said above. It led to the possibility of the introduction of lawn-tennis, the game of games for the country lawn and the town court. And not only is the good social. No one can doubt that in many a case gain in health and strength has followed the bright exhilarating enjoyment of

DRESS

lawn-tennis, in which every muscle is exercised without strain, and the eye and hand are taught to act together in a marvellous manner. But there is one point about the game which does not strike the casual observer. It is the sport of all others in which each side has to depend upon the honour of the other. Whether a ball is "in" or "out" must be decided by the players towards whom the serve or stroke has been played. Thus it develops scrupulosity in those who have to umpire at their own end, and promotes confidence in the honour of the opponent. It is the game in which there are fewer squabbles than in any other. The violence of disputation at croquet was sometimes anything but pleasant. I once nearly had a toe broken by a player in a sit-on-the-heels position, maintaining his point vigorously, and bringing down his mallet to emphasize it. It was most difficult to get a point discussed calmly. In lawn-tennis no such disputes arise. It proceeds on honour from first to last, and such a thing as a wrangle is practically unknown.

Shortly after the close of the Crimean War a marked change came over the dress habits of the people. Whether it was that the French, our old enemies, had become our allies in the Crimean War, or whether it was one of those changes of fashion which tailors arbitrarily impose on the community, I know not; but I do know that the male was from the waist downwards as like the

Frenchman in his dress as could be. It will give an idea to the generation of to-day, to what extent our pants were made wide at the top, and narrowed till the foot had to be forced through them at the bottom, if I say that they were universally known as "peg-top trousers." So exaggerated was this absurdity that I remember a friend of mine pointing out an extremist to me, and saying, "If that fellow were lifted up a foot and dropped, he would stick in the ground." This extravagance did not last long. In two or three years the fashion-followers were seen in trousers which, but for colour, were identical with the A.B. seaman's, the ambition being to show only an inch of toe in front. In a short time the fashion reverted to that of the Forties, trousers tight all the way down. Even in walking-sticks change followed change. We had the crutch and toothpick phase, when it was thought smart—save the mark!—to flourish a witch-style stick, and to carry a quill toothpick in the mouth. Then came the fashion of carrying a stick with a knob, the seed-cabbage stalk with the bulb end being preferred, and the toothpick was discarded.

Not to be beaten in the cult of extremes, the ladies began the crinoline attack on comfort and elegance. The caricatures of the period, which depicted the difficulties presented by a stile, and the shooting out in front of something as big as a clothes-basket, when the owner of the crinoline

CRINOLINE

was about to enter a carriage or cab, were scarcely exaggerations. The unfortunate young man who sat at dinner between two fashionable ladies had to accommodate a lobster trap on each knee, and to raise his elbows over them in order to use his knife and fork. *Punch* had a picture of a lady in the Park broadened out over the seats on each side of her, asking, "What have I to pay, please?" and the attendant replying, "How many might you be a-sittin' on, marm?" Ladies going to Court were seen two in a brougham, in billows that rose high on the windows, so that their heads only were visible above the foam of silk and tulle. Let anyone look at pictures of the fashions in a volume of the *Illustrated London News* of the Fifties, and he—I do not know about she—will marvel at the thought that people should have consented to make themselves such figures of inelegance and bad taste, because to be in the fashion is looked upon as a duty imperative. Fashion too often compels its votaries to be odd, lest they should be called odd in exercising their own taste. Obviously any fashion, however good generally, cannot but look ill, if not ugly, on some people. On the other hand, there are those who will look splendid, however the dress they wear may be unsuitable to their sisters. But they are rare. They carry off a fashion by the power of their personality. Their imitators vainly defy Nature in order to shine as they do. They shine in spite of, and not because

LIFE JOTTINGS

of, the fashion. But I must not begin moralising on female dress. Let us be glad that to-day there is more common sense, and that the spread of bodily activity among the ladies calls on the maker of clothes to produce models which will admit of movement according to the natural articulations of the body. Fancy lawn-tennis or golf in crinolines and long tight-drawn waists. The thought conveys at once to the mind the feeling that the fashions of past days were for habits of life in which activity was little considered—the days of crewel work and taking an airing, in which any display of exertion was “unlady-like.”

It must be confessed, however, that at the present moment the ladies have adopted a new and inelegant absurdity. The peg-top trouser has been spoken of. To-day it seems to be the effort of the female sex to narrow themselves in to a point, as near as it is possible, without absolutely taking away the power to walk. The difficulty of the comic newspaper is to present any exaggeration of what is actually to be seen every day on the streets, or is recorded in snap photographs. To play any active game in such a dress would be impossible. The converse of the crinoline is as discreditable to feminine taste, and more discreditable to feminine modesty. The look of the female from behind may convince her, if she will use a double glass, that she is making a ridiculous exhibition of herself.

CRINOLINE REDIVIVA ?

I have heard it said, since what is above was written, that next year the crinoline is once more to make its appearance. I shall believe it when I see it.

CHAPTER TWENTY

“Dunedin's honoured roll of sons.”

ANON.

CHAPTER TWENTY 1850-70

AT the commencement of the second half of the last century there were in Edinburgh men of the highest distinction in medical science. Such names as Simpson and Christison, Syme and Goodsir, stand high in the history of the profession, and that great man, whose memory will always be revered, Lister, was also for a time associated with Edinburgh, and allied not only by professional ties to Professor Syme, but also by the closer tie of marriage, his wife being the Professor's daughter. And there were many shining, if at that time lesser, lights who afterwards attained high rank in the profession—the two Begbies, Annandale, and Watson; my old schoolfellow, Joseph Bell, the model on which Conan Doyle formed his Sherlock Holmes; John Duncan; and, still later, John Chiene, all friends of my own. I purposely postponed to the last two other friends, who besides attaining position in their profession, added to our pleasure by their productions in verse—MacLagan in charming lyrics and amusing songs, and Gillespie in comicditties in Highland style. Alas, all these are now gone; but there is one still with us who was Goodsir's assistant when I first saw him, now Principal Turner. I first met him in a third-class carriage of the night train to Liverpool, when he, with a number of students, was making an excursion to Wales. We were a lively party, and there was more fun than sleep that night; Turner, with

the parental air that even then marked him, watching our lively cantrips with an indulgent eye. Many years later I sat on the Edinburgh University Court, and the capacity and zeal he showed there marked him out as the future Principal. No one served the University better, or showed himself more fit to preside over its affairs. His particular care was what he always spoke of as "the University chest." Other professors, though not of the medical school, call for remembrance, notably the never-to-be-forgotten Professor Blackie, the eccentric, cheerful, ram-stam scholar, who shot his critical arrows in all directions, but never gave a wound that pained. His personality, with his plaid over his shoulder, his weighty stick, his soft hat, and his long grey locks, was one of the sights of Edinburgh—always vigorous, always outspoken, and always worth listening to, even when it was not possible to agree with him. Two anecdotes illustrate his character well. In his salad days at the Bar, he at a Circuit Court, when defending a prisoner, took an objection to the relevancy of the indictment. On his stating it, the judges having looked at one another and shaken their heads, the senior said: "Oh, Mr. Blackie, there is nothing whatever in the objection." Blackie replied, "So I thought myself, my lord; but I did not know what your lordships might think." The other story is that by his direction a notice was put at his class-room door one day,

PROFESSORS

stating, "Professor Blackie will not be able to meet his classes to-morrow." Some wag, on his way into the class-room, rubbed out the "c" in "classes." The Professor, seeing this as he ascended the stair, promptly removed the "l," and passed on to his lecture-room.

One of the professors whose lectures I attended will always be remembered with respect and regard, Professor Campbell Fraser, who lectured for so many years on Logic and Metaphysics. His life and health have been prolonged far beyond the ordinary span, and the words of the poet may be well applied to him:

"The general favourite and the general friend,
Such age there is, and who shall wish its end."

Another very interesting personality at that time was Professor Andrew Wilson, for whom was instituted a new Chair in the University, a Chair which, when he was called away from this life soon after and somewhat prematurely, ceased to exist, there being no one who could fill it as he did. It was called the Chair of Technology; his intention being to convey technical information in more direct association with practical matters than could be done from the Chairs of Abstract Science. The idea was to have a stimulating course towards the practical application of scientific knowledge. I attended his opening lecture, and recall its charm. He informed us that as a symbol of his subject he proposed a represent-

ation of an eye in the centre of a hand, indicating that discernment and technical work should be wedded, what science could give being directly associated with practical working out of good from scientific knowledge. He was a man whom to lose was a loss indeed, gentle and persuasive, and discerning in an extraordinary degree, whom no one could know without being the better for it, not only in information, but in character. Had he lived, he would have been a great help to those who in his generation were striving for practical applications of knowledge, and who so often were crushed in their aspirations by the man of science, who was too apt to declare that there was nothing in what others saw, because he had not seen it himself, and even in many cases failed to look forward to possible practical applications of what he did see. Of this I have given some illustrations. If the man could be found who was fitted to fill Wilson's place, the setting up once more of a Chair of Technology would be valuable to practical scientific progress.

I well remember a series of evening lectures for ladies and gentlemen, promoted by a lady known for practical good work and philanthropy, Miss Sinclair of Ulbster; and how delightful and instructive were Professor Wilson's contributions, full of simple striking experimental illustrations over a wide range, most stimulating to the inquiring mind, and free from the jargon

THE STARS

that too often tends to obscurity, leaving the listener bewildered.

Professor Piazzzi Smythe was also an interesting figure in the scientific world. He taught astronomy, I fear to a very small class. The work he did was stupendous. He was good enough to present to me a great volume entitled *Star Catalogue*, which conveyed nothing to me except the knowledge that when I ejaculated "My stars!" I did not know what I was talking about, but I could form an idea of the indefatigable labour that must have been necessary to compile it. A less technical work, but one also giving evidence of laborious research, was his book on the Great Pyramid, in which he sought to show that the structure had a scientific purpose, and was not a mere ostentatious tomb. I am aware that his views were pooh-poohed and sneered at; but I will confess that they made more impression upon me than could be squeezed out of me by the pressure of the critics. This much he is entitled to be remembered for, that his life-work was unweariedly carried out, and that most certainly he smoothed the way for those who were to follow him in a branch of study of the deepest interest. Although a dabbler, I will confess that I have shunned astronomy, having the strong feeling that once it were mounted as a hobby, it might become winged like Pegasus and carry me away from all other leisure interests into the skies

among the stars, where I would lose my time, and so lose myself. But I can honour one who devoted his life to the study of the heavens.

William Edmonstone Aytoun, the Professor of Rhetoric and Belles-Lettres, also deserves to be remembered. He held a distinguished place in literature. His *Lays of the Scottish Cavaliers* and his *Bothwell* entitle him to high rank, and in a lighter vein, the *Bon Gaultier Ballads*, in which he and Sir Theodore Martin collaborated, are a standing testimony to his powers in humorous versification.

A man who did great work as a preacher and as a practical philanthropist was Dr. Guthrie, who was described in Cockburn's *Journal* as—"pre-eminently the orator of the poor." He will always be remembered with regard. His city work, and especially his organisation of the "Ragged Schools," entitle him to the gratitude of all good citizens, and his eloquence as a preacher—not the eloquence of mere freedom and elegance of speech, but the eloquence of the eager, loving heart—cannot be forgotten by those who heard him speak.

A word about a man who, if he were famous for nothing else, would deserve to be remembered for a story which many thousands have read, and which few can have read without feeling its touching simplicity and pathos. It is with that little book that the name of Dr. John Brown will al-

RAB AND HIS FRIENDS

ways be associated. I cannot resist the temptation to tell an anecdote regarding "Rab," which is known to no one but myself. An English lady, on a visit to Edinburgh, required medical attendance, and called in Dr. John Brown. A friend, learning the fact that he was attending, said, "I didn't know you knew Dr. Brown." The reply was in quiet, soft English-lady tones: "Well, I did not know him, but I sent for him for the sake of Rab and his *Dogs*, you know."

Another citizen whose characteristics give him a claim to remembrance is Sir Daniel Macnee, who migrated to Edinburgh from Glasgow when his position as a portrait-painter was ensured, and who afterwards became President of the Royal Scottish Academy. He is remembered as a teller of stories, with extraordinarily graphic and humorous power. That he himself put them together is certain; however it may be as to the suggestion he received from actual occurrences. With a face which if not classical in feature was full of vivacity, and capable of assuming expressions which gave point to his words, his presence at a dinner-table made it certain that host and guests would enjoy a flow of humour that even a "John Shand" could not have resisted. I well remember an occasion when I sat next him at dinner, and came nearer the sensation of being choked with laughter than I ever was in all my life. For Sir Daniel apostrophised me as if I was the person that was

LIFE JOTTINGS

being addressed by the character he was assuming for the moment, and the face and the tone gave such intensely comic flavour to the words that I became almost unable to breathe from pressure of laughter. His powers might well be called inimitable, but feeling, as I did, that when he was gone it would be regrettable if his stories should all fall out of knowledge, I tried to keep some of them alive. Having a retentive memory, I have at times—confessing that I was trying to give a reproduction—endeavoured to convey to a new generation some idea of his extraordinarily racy humour, and while no one could hope to reproduce exactly, I have always found that his stories are very acceptable, and give amusement to audiences of very varied types.

Speaking of Sir Daniel Macnee, leads to a word on the Royal Scottish Academy. There can be no doubt that from the time of Wilkie and Raeburn onwards, there was a development of pictorial art in Scotland which gave the Scottish painters a position of mark of no mean degree. It would be invidious to name a few, and it is not possible to name the many. Let it suffice to call attention to the fact that so many Scottish artists have attained the highest honours in London, a thing to be proud of, although in one view to be regretted. Just as the commanding position of Edinburgh in literature has been weakened by so much of Scottish literary power migrating to the great metro-

THE SCOTTISH PAINTER

polis, so in the case of art London carries away many of our best men, after they have made their reputation in the Scottish School. I take this opportunity to mention a circumstance connected with our Edinburgh Raeburn, which is, I think, interesting. When Rochefort, the French anarchist, was an exile in this country, he wrote for the Paris *Figaro* critiques on art, in which he was skilled. I saw in that paper an article of his, in which he said that he had gone to visit a collection of pictures by a Scotsman called Raeburn, and he ventured to predict that in another quarter of a century he would be looked on as the most distinguished portrait-painter of his time. How true was this prediction. Pictures which he painted for £100 or £200 are now selling at sums going in some cases above £20,000.

Another citizen who calls for notice was the lovable Dean Ramsay, whom I knew well, and who enriched our Scottish literature with a collection of humorous anecdotes which have been a delight to countless readers. In his sacred office he served long and well, and the esteem in which he was held was by no means limited to those with whom he was directly associated in his ministry.

There was also coming into notice at this time one who became a marked character in Edinburgh life for many years—the Reverend Dr. Macgregor. Never in the history of the world was there a greater triumph of mind over matter.

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All who remember his diminutive body supported on feeble limbs, and the great massive head above, will admit the truth of the intellectual triumph. With a powerful stentorian voice, and a mind supplying a torrent of well-chosen and apposite words, the listener lost all sense of the smallness of the man in the greatness of his powers as a preacher. He was sometimes so carried away, when he left his MS. and spoke at large, that things came pouring from his lips, of which it might be said that they were such as "one would rather they had been differently expressed." One of his hearers assured me that upon an occasion he burst forth thus—I wish it were possible to give the almost raucous utterance, and the accompanying action: "And in that great and dreadful day, when you all stand before the great white throne, this question will be asked: 'Did not Dr. Macgregor tell you over and over again that unless you repented and turned from your evil ways, you would have to answer for it?'"! It says much for the consciousness of all present that the words came from the depth of affectionate earnestness, that their almost grotesque application of the sheep and goat parable could be accepted for its good intention. When this was told to me, my informant saw some incredulity in my face, but he solemnly assured me that what he said was true. Against such an extravagance as this, let all the earnest work he did during his long

THE RUBBER TIRE

life, and particularly in St. Cuthbert's, stand to his honour. He was a man who left hosts of friends and not an enemy, and was an uncompromising servant of his Master.

In view of the extraordinary development which has taken place since the opening of the twentieth century, it may be worthy of notice that during the Sixties of last century Mr. Thomson, the engineer, who had been associated with my friend Colonel Crompton—now the consulting engineer of H.M. Road Board—in using steam-power for transit on roads in India, and who was admittedly the first inventor of the pneumatic tire, came to settle in Edinburgh on retiring from professional work. Of a highly ingenious and inventive mind, he pursued his efforts on mechanical road locomotion, and I have seen his steam tractor, with solid rubber tires several inches thick, on the street in Edinburgh. He also built a steam omnibus, which plied for a short time between Edinburgh and Leith, but being contrary to law at that time, his promising venture was crushed by the police. I saw that omnibus some years later in a coach-house in Leith Walk, and have inquired what became of it, but could not learn anything about it. It must have been broken up long ago. It is to be regretted that it could not find a place in a museum, as it was the first public vehicle that was run on rubber tires, by mechanical power, anywhere.

LIFE JOTTINGS

There was a gentleman, well known in Edinburgh for many years, to whom the expression "a character" was freely applied—Mr. John Hope, W.S. He was one of those men, rarely met with, who by dogged passivity, which no pressure of authority could move, and no opposition could overcome, succeeded in getting his own way in almost everything he desired. Correspondence carried to the most extreme limit would wear down the other side, as constant dropping of water wears the hardest rock. He was unmoved by all appeals to sentiment. "Show me that it is not my right," he said to a friend of mine who remonstrated with him on a point of sharp practice, "you need not talk to me about honour and that kind of thing; convince me that it is not my right, and I will give it up at once." That was the epitome of the man—loopholes for himself, none for the opposite party, was the essence of his business policy. To keep himself abstractly in the right was sufficient for him, and unless his opponent could show him that he was technically not entitled to maintain his view, he was adamant to all appeals to considerate feeling. It is told of him that when anyone came to his office on business, a secret record was taken of what passed. If the visitor made a statement as to what had been said at a previous meeting, John Hope, if he thought it inaccurate, would say, "Ah, but that is not consistent with what you said then," and going across the room spoke to his shorthand clerk, who was behind a screen, saying,

A CHARACTER

“Bring the notes of my conversation with Mr. — on 11th of last April,” and when they were brought, directed him to read them to the astonished visitor, who little knew that when he called on business there was “a pen scratching behind the arras,” recording his every word. It was characteristic of Mr. Hope, that he was quite open about this reporting behind a screen, evidently seeing nothing in it that anyone could object to.

His *vis inertiae* was sublime. No one but he could have received toleration, when he formed a corps of Volunteers, in which every man on joining had to sign an undertaking of abstinence from alcohol and tobacco. Yet he was allowed to carry on an organisation of 500 men for many years on that footing, and dismissed men whose only offence was their being seen with a pipe. No one else would have been suffered to break the regulation that Volunteers were not to wear gold lace or gilt buttons, but again, for more than a quarter of a century, John Hope's men paraded with gold ornaments. No one but he would have been successful in resisting discipline for a long period, and holding on to his battalion command for many years contrary to the Queen's Regulations regarding retirement at a certain age. Correspondence in heavy sheaves bore down and smothered official authority. Dr. Clifford's passive resistance was nothing to his.

Two anecdotes will illustrate his claim to be classed as a “character.” In the Queen's Brigade,

LIFE JOTTINGS

when under my command, the company of John Hope was most carefully inspected by him, he paying little regard to rifles or accoutrements, but slowly moving along and sniffing, that any trace of scent of spirits or tobacco might be detected. On one occasion, on a Sunday afternoon, he met a man who had recently enlisted, and stopped to speak to him, standing up pretty close. Suddenly he looked the man hard in the face, and the following conversation took place:

“John, you’ve been drinking!”

“No, Maister Hope, upon ma wuurd, I have nut tastit a drop since I jined the caump’ny.”

The man spoke so earnestly that Hope was inclined to believe him, but he took another snuffle, and holding up his finger said slowly:

“But you’ve been smoking, John!”

“Dod, Maister Hope, yee’d make an uncommon fine pinter bitch,” was the reply, being a compliment to the delicacy of the feminine olfactory nerves.

I was a party to the other story myself. Hope had succeeded, as no one else could have done, in obtaining authority to erect a stone building at the entrance to the Hunter’s Bog in Queen’s Park, as a storehouse for ammunition, offensively affecting the almost unique solitary character of the view, in a situation close to—practically in—the city. It was a most objectionable obtrusion, erected before the public knew of the proposal. The artistic soul of the President of the Royal Scottish Acad-

HOPE'S HUT

emy, Sir George Harvey, was roused by this vandalism, the more so as it faced him when he looked out at the lovely view from Regent Terrace. He immediately took steps to go with a deputation to Mr. Layard, who then was at the head of the Woods and Forests Department, to endeavour to obtain redress. I met him shortly after, on the steps of the Post Office, and said:

“Well, Sir George, I see you’ve been in London about ‘Hope’s Hut’” (as we had dubbed it); “how did you get on?”

“Oh,” he replied, beaming all over, “we had a most satisfactory meeting with Mr. Layard, and the building is to be taken down.”

I said, “Sir George, don’t be too sure—remember who you have to deal with; it will not be taken down.”

“Oh, but indeed, I assure you; the Commissioner was most kind, and the fiat has gone forth. It is to be removed at once.”

I replied, “I hope you will forgive me for being obstinate, Sir George, but I know John Hope a great deal better than you do, and the ‘Hut’ will never be taken down as long as John Hope is alive.” We parted, each of us equally confident—he delightedly and I morosely.

Hope set to work with his usual pertinacity. He succeeded—in many cases by the water-dropping process of wearing down—in getting all the members of the Town Council to sign a Petition in favour of allowing the “Hut” to remain, on the

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express stipulations that it should be lowered by one-half, and that it should be overgrown with ivy.

Prophets do not generally mourn when their predictions are fulfilled, but I lament my success in the rôle. The Hut was never reduced in height; no ivy was ever planted round it, and it stands to this day, another Edinburgh blot on natural beauty, like a square of diachylon plaster on a lovely woman's face. John Hope's triumphs were many, and all to official or public chagrin. The next time I met Harvey, I said: "Well, what about Hope's Hut?" "Ah," was the reply, "you were right—alas, Mr. Hope was too many for us. What can't be cured must be endured."

Another "character" is brought to memory by this reference to "Hope's Hut." Many can recall the bluff exterior of one who was always spoken of as Sam Bough, and whose work as an artist was and is well known. He was of the rough diamond order, and coming from the Midlands of England, he still retained his characteristic style of speech, although settled for many years in Edinburgh. He did not get on well with his chief in the Scottish Academy, Sir George Harvey, and lost no opportunity to have a "dig" at him. I have heard him speak of Harvey's pictures as specimens of the "Soolpher and Traycle" school. It so happened that he got to know the fact that Sir George was making efforts to have "Hope's Hut" removed, and he took an opportunity in a company to perpetrate a sarcastic allusion to this effort



SARAH SIBBALD, "APPLE GLORY"

AN R.S.A. CHARACTER

of Harvey's. Said he: "I've eerd a good deal letly about 'Ope's 'Ut in the 'Unter's Bog, and 'Arvay doosn't lyke it; now *if* 'Arvay was a lanscep penter, he would know that it's a gret himprovement to the scene." It is said—I know not with what amount of verity—that on one occasion when Harvey sent in for exhibition a Highland glen with deer in the foreground, Sam sent in a practically empty canvas, and on varnishing day, with amazing speed rushed a similar scene on to it, and the story goes—although again I do not vouch for it—that having put down the price of this hasty performance in the catalogue as £200, the red star for "sold" was affixed to it on the first day of the exhibition, while Harvey's was not starred. But having known Sam, I can vouch for it, that in spite of these cantrips, he was a kind-hearted man at bottom. When M'Culloch died, leaving unfinished pictures in his studio, Sam Bough went to the house, and spent much labour in making good what was unfinished, for the sake of the family, and this although he and the deceased Academician had not been on speaking terms for some time before the death. I have known of other kind and generous things done by him in a most unostentatious way. I have always felt that in these "digs," as I have called them, and from which Harvey was not the only sufferer, there was more of the rough joker than of the vindictive satirist.

Two artists of the period call for notice—Sir Noël Paton and Sir George Reid, representing

the imaginative and the portrait branches of art, the latter President of the R.S.A. Many others might be mentioned. As already stated, most of them migrated to London, an action to be regretted, perhaps not for their own sakes, but for ours.

Those I have enumerated are of the interesting men of Edinburgh during my earlier years of manhood. There were others—many; but it is not possible to refer to all, and I therefore confine myself to those with whom I came into contact personally, or in connection with public business.

One other “character” calls for a word—and it is one of the fairsex. Sarah Sibbald, the lady who had a fruit-barrow at the corner of the old Theatre Royal, was known to all Edinburgh. Stout—very stout—and with a face as rubicund as the finest of her apples—she sat and sold, no gruff order, “Move on there,” making her afraid. Her character was as good as her fruit. So esteemed was she that when the sheds were put up for the erection of the new Post Office, the Board of Works installed her on a raised dais in the corner, where, sheltered from the weather, she carried on her business in great style. I remember my friend, Charles Doyle (Sir Conan’s father), who was an official in the Works Office, seizing my arm, and pointing to Sarah on her throne, saying, “Isn’t that grand?” It was. The only extant portrait of her does not, except as regards breadth, do her justice. Hers was a bright kindly face, with cheeks as rosy as her best apples.

CHAPTER TWENTY-ONE

*“ Be it a weakness, it deserves some praise,
We love the play-place of our early days.”*

COWPER.

CHAPTER TWENTY-ONE 1858

ON my return from abroad I began to realise the change that had taken place in the provision of reasonable sport for the young—a change of which I took full advantage in my leisure hours while I was studying for the Bar. I found my old school, the Edinburgh Academy, in possession of a splendid cricket field, and the boys turned out in white flannels. Matches were regularly played, and the Academy elevens went often long distances by rail to contend with other schools at games. Such a thing was unheard of in my boy days. I think I can hear my father, if such a proposal had been made for his sanction, and the producing of the necessary railway fare, say in decisive tones: “The match of that for absurdity I never heard.” There was not much of the “*nos mutamur*” in him, and there were, I know, many others who thought as he did. I think it probable that if they had had any say in the matter, there would have been no Academy field. “What was good enough for me, must be good enough for you,” was the feeling. However, the innovation was accomplished while I was absent from Edinburgh, and looking back now on the effect of it, I am satisfied that it was for good. It brought about the recognition that those to whom parents handed over their sons for long hours daily had a responsibility to give attention to bodily development, both for its own sake, and because without it the general powers of life might

be deficient and hinder the mental advance, both by bad effect on the body, and the body reacting on the mind.

I threw myself as a former pupil into the activities of the cricket and football field. As regards football, we then played twenty a side, and a scrum was a scrum indeed—fifteen pushing against fifteen in a tight maul, which often was immovable for several minutes. The steam rose from the pack like the smoke from a charcoal-burner's pile. It was much more straining and fatiguing than the more open game of to-day. During the years of my football work I never was able to cross one leg over another on a Sunday if I had been playing a match on the previous Saturday, and as for shins, the breaking-up of a maul, when it came, meant vigorous kicking ahead, on the chance that ball and toe might meet. I bear the marks yet.

We had not much luxury. A small loft over an outhouse in the garden of a villa in the corner of the field, approached by a wooden ladder—which is still visible—was our only pavilion. We played in old clothes of any sort, and coming off the ground we had no basins, and no lockers. We used to sit and chat till it was dark enough to go home without observation. But I know that we enjoyed ourselves thoroughly, and did not miss the luxuries of to-day, for we had no example of them. Even the Grange—the most prominent cricket club of

HISTORIC BOW MARKES

Scotland at that time—provided nothing for us, except a very squalid room with one corner basin, in the house of the professional. The Grange Pavilion (!) was a wooden shed with gravel floor, a bar, and a wretched small room for a visiting team. On great match occasions, marquee tents had to be erected to give the visitors accommodation.

The public interest in outdoor games was at that time very small. Unless an All England or a United All England Eleven was to be seen, scarcely a visitor came to the recreation fields in the cricket season, and football matches of importance were unknown. No one came to see the ordinary school or old pupil contests. But gradually the organisation of outdoor sports of all kinds progressed, and the establishment of annual games created an interest, and led to parents and friends assembling in large numbers.

I would here call attention to the fact that the Academy field contains an erection of historic interest. In early days Scotland played football vigorously, as well as golf. The rulers of the time found that the defence of the country was neglected, and an Act of Parliament was passed in the reign of James IV which is a model of brevity and pointed injunction, so tersely put that it can be quoted in small space:

“It is Statute and ordained that in no place of the Realme there be used fute-ball, golfe, or any other siklike unprofitable sports.” This followed

LIFE JOTTINGS

on a previous Act, declaring, "The fute-ball and golfe to be utterly cried down and not to be used. . . . That all men busk themselves to be archers." And both statutes direct the making of "bow markes," at which the citizens were called on to practise archery.

Fancy what would be said if a Government enthusiastic for home defence were to bring in a Bill in modern English to the same effect as the statute of James! "Forbid football!—forbid golf!" There would be strong cries for a General Election, to test whether His Majesty's Government had the confidence of the country. The R. & A.G.C. and the Football Unions would present Brobdingnagian petitions, and thousands of condemnatory meetings would be held, at which the Iron Duke's statement as to where the country's battles were won would be quoted. Resolutions would be passed, with vehement acclamation, worthy of a constitutional revolution.

In the Academy field there stands one of these bow marks for archery practice, in preparation for meeting the country's enemies. In the neighbouring field, now occupied by the Grange Cricket Club, stood the other butt, completing the range, and it is to be regretted that the size of that field made the removal of the butt necessary if the area was to be used for cricket. Fortunately the Academy has now a second large field, so that there is no temptation to remove the remain-

NATIONAL DEFENCE

ing butt—a silent record of the patriotism of the ancient Scot. Is there not a lesson to be learned from that simple symbol of national defence? Although no such statute could be passed now, is an appeal to patriotism to be ineffective to-day when our land defences are by no means in a state to give public confidence that we are prepared for contingencies which may arise, a fact which it is fatuous for us to ignore with the optimism which says: “No one will ever desire to attack us”? The strong man is not truly strong if he is unarmed or inefficient in preparation in time of peace. But this is trite—pity 'tis that as 'tis trite because 'tis true, it appears to be treated as trite—in the sense of “not worthy of consideration.”

The butt in the Academical cricket field forms a grand-stand for viewing the annual games, and for occasions when a match is so attractive that the spectators at the fences of the football ground stand three or four deep, and therefore it is not easy to see. Although it is a silent witness for obedience to the ancient statute, it must be confessed that football rages all around it every winter. But I am inclined to believe that the keen footballers are not as neglectful of drill and rifle-shooting as many others. Many a former pupil of the Academy has done his duty when called on, not a few have fought, and a few have died, when their country called on them. But the butt pleads silently for preparation, and preparation in time.

The Academical Cricket Club held a high place in the Fifties and Sixties. Although I did not shine as a bat, I was generally good for some runs, but where I did strong work was in fielding. Having by nature fairly good juggler's hands, it was not a labour but a pleasure to me to practise "holding the ball." My mediocrity at run-getting was, I think, compensated by the prevention of other people in their efforts to make runs. It is my experience that there are more matches lost by inferior fielding than by failure in batting. A man who makes a moderately good score does more than neutralise it by a catch or two dropped. One miss may—often does—cause the loss of a match. Too often we read: "After being badly missed in the slips, Slogg increased his score from 11 to 117." The Records of the last season give many instances of fielders' failure, and consequent defeat. Therefore I say to the young cricketer: "Do not think that because you swipe away at the nets that you are making a cricketer of yourself, but practise catches and fielding. Without skill at them, no wise selector will put you in a team. And remember that the training of the eye in such work counts for much in quick eye action when batting."

In football the Academy, and the Academical Club, have always held a high place, although at times they have temporarily fallen under eclipse. But the Academical footballers have one record

FOOTBALL HONOURS

which, so far as known, is unique. It may be equalled some day, but that may safely be said not to be a likely event. In one year, never to be forgotten, not only did they win all their matches, but never once during the whole season did they have to line out for a try obtained by their opponents.

Since this chapter was written the dogs of war have been suddenly let loose once more, and the face of Europe presents a scene more awful than history has known. What will come out of it, who can tell. But it is to us once more a warning that the duty of being ready is imperative, and that it is vain to trust in treaties or diplomatic assurances, if unprincipled ambition is allowed to override truth and honour. Also we have been told of the implacable hatred which we have earned by faithfulness to our solemnly pledged word.

We must make certain that this obsession of hatred is met firmly, and at all costs.

CHAPTER TWENTY-TWO

"Then gather, gather, gather."

WALTER SCOTT (*Macgregor's Song*).

CHAPTER TWENTY-TWO

IN the spring of 1859 the great event occurred of the citizens being encouraged to enrol themselves for voluntary defence of the country, in answer to truculent utterances of certain French colonels. The idea at first was the formation of a small select force of men who could afford to provide their uniform, equipment, and arms, and defray the expense of rifle practice. But the response to the call was so unexpectedly great that soon the numbers exceeded 200,000, and the organisation of the force in battalion units was undertaken, provision being made for the requirements for efficiency. That this movement created an impression abroad is certain, and I quote here an utterance of the Emperor Napoleon III, which is little known. He said to Colonel Walter:

“You are, with the aid of lies, raising a large army, with a view to its becoming an institution of the country, and to make it permanent. But you will be egregiously deceived. . . . Your new-fangled military scheme will turn out, as it should do, a vagary of the moment. You will find what I say come true. The force is illusory.”

These words have a strong tinge of bitterness, and the prophet had the fate of the man who does not give heed to the Yankee maxim: “Don’t you prophesy unless you know.” It was he who in a few years was to find his own force “illusory.”

LIFE JOTTINGS

This is not the place to enter upon any history of the Volunteers, a force which was ruthlessly wiped out of existence a few years ago without as much as "Thank you," to be replaced by Volunteers again under a different name. But their history, and the present existence of the Territorial army, are both in marked contrast to Napoleon's acrid words, although one would fain see fewer gaps in the Territorial units in peace time.

So far as Edinburgh is concerned, the share her citizens took in Volunteer work was creditable in every way. The percentage to population was always higher than that of any other place. The corps called the Queen's was the premier corps in Scotland and was made into a Brigade. It received many encomiums, and its shooting record is of the best. While the inter-regimental match lasted, it always held the top place. It has produced four Queen's prizemen, and has carried off nearly all important prizes once at least, some oftener. The Brigade was the largest in numbers of the whole Force, and at the time of the disbandment was complete in all departments—mounted company, cyclists, signallers, ambulance, stretcher-bearers, and was able to do all its own cooking in camp. The mounted men took first prize against all-comers at Olympia, and its captain tied with the best Army officer in riding. I am proud of having had the honour of commanding the Brigade for many years.



VOLUNTEER REVIEW, 1860

QUEEN'S VOLUNTEER REVIEW

Since the previous paragraph was written, the number of victories in the King's Prize competition to be credited to the Queen's Brigade of Edinburgh has been increased to five, as in 1914 the Prize was won by a member of the 4th Royal Scots (Queen's Brigade).

It was in Edinburgh that the largest gathering of Volunteers, which in the first days of the movement assembled to be reviewed by Queen Victoria, took place in 1860. The numbers were 21,514, and exceeded those of the previous review in Hyde Park by some thousands. It is not possible here to speak of this event at length, but the best can be said by quoting the words of Her Majesty, written not for the public, but as her own expression of feeling, noted in her Diary, or written to friends:

"The ranks were filled by the very flower of a hardy and spirited race. Very good, very fine men. The Highlanders splendid."—*Diary*.

"It was magnificent, finer decidedly than London. There were more men, and the scenery there is so splendid. The Scotch are very demonstrative in their loyalty."—*Letter to King Leopold of Belgium*.

It is worthy of remark that on this occasion, in Edinburgh, the Queen saw in one *coup d'œil* a larger number of her loyal subjects assembled than she ever saw in all the rest of her long reign. For although she may have been at times in

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places where such a crowd was present to greet her, she probably never could have been able to see the whole assemblage in open view at one moment. Arthur Seat being a natural amphitheatre, unequalled in any large town for beauty and size, made it possible to see the whole assemblage at one view. The Review certainly was a memorable sight, never to be forgotten by those who were present. One thing it demonstrated, as did the Review in Hyde Park itself, that the celebrated declaration of the Duke of Wellington as to the difficulty of taking a large force out of Hyde Park without delay and confusion, did not exist nowadays, even in the case of the Volunteers. Everything went like clockwork.

I had the honour of marching past as a captain, in command of a company, having been gazetted while still only an inrant of the Faculty of Advocates in 1859. I was particularly pleased that my company earned high praise on the occasion, having trained it myself, unaided by outside help, with only two zealous subalterns to assist me. Forgive this self-glorification.

I also studied for and obtained the appointment of musketry instructor, and taught my company musketry, having trained them in drill. During the instruction I got in preparing for examination in musketry, I had some pretty severe experiences, as it was gone through in winter. On one occasion, when shooting at 600 yards in the Hunt-

MUSKETRY

er's Bog, there was snow on the ground, and it was impossible to see the outline of the white target, added to which the light of a winter afternoon was feeble, making it difficult to observe the bull's-eye. So trying were the circumstances that I heard a lady, who had come with her husband to the firing point, ask in gentle tones: "Where is the thing that they are firing at?" She saw nothing but snow and dirt. Add to all this that we were then armed with the old muzzle-loading Enfield, which kicked till one's shoulder was black and blue, and some idea will be got of the fact that volunteering was not child's play. I doubt if a modern Territorial would attend a range and shoot in the same circumstances, even for the honour of an instructor's certificate.

An amusing episode occurred one day when I went down with my class to target practice. At that time the regular soldier did not realise that the Volunteers had any right to use the Government range. The musketry instructor from the Castle, who had been down in the forenoon, ordered his markers to prepare the targets for volley firing for the following day, to do which they had to put several leaves side by side, and paint the middle of the targets in black. He gave orders to the sentry on duty not to allow the target to be touched. When I arrived I directed our markers to separate the leaves again, and to set them in proper form for individual firing. They began

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knocking out the stays, so as to move the targets, when the sentry, a Highlander, came forward and said: "Ye're no to tich they targits." I told him we were going to use the targets for our musketry instruction. He repeated: "Aam tellin' ye, ye're no to tich them." I insisted, and asked him how he proposed to prevent us. In the most matter-of-fact manner he replied, putting his hand behind him, where his ball cartridge was: "A-weel, I've got saxty roonds o' ball in my pooch. I'll jist have tae expend that, and if that disna stop ye, I'll gang doon to the Paylis for the gaerd." Needless to say, it did not come to that, and we proceeded, assuring him that we would set up the volley-firing target when we had finished our work.

I will conclude my notice of Volunteer days with an anecdote of what occurred to me once when at Wimbledon, at an N. R. A. meeting, at which Scotland had been exceptionally successful.

On a night when a frightful thunderstorm came on, and the whole camp lay in water, I found myself practically compelled either to get soaked to the skin on my way to Putney Station, no cab being available, or to stay all night in camp. My old friend, Captain Tomkins, the Quartermaster of the Victorias, in whose camp I was dining, persuaded me to stay, and gave me a bed and blankets in an unoccupied tent. Next morning, as I had no toilet appliances, he put in his head and asked if I would have the barber, who was going round the tents.

AN AWKWARD SITUATION

I had him, and he lathered me up as I lay in bed. As he was holding my nose, and working near my jugular vein, he, by way of saying something pleasant, delivered himself thus:

“Terr’ble pity, sir, ain’t it, that so many things are being carried off by thim Scotch.”

I cannot recall my reply. I hope it was good-humoured.

CHAPTER TWENTY-THREE

“What art thou, idle ceremony?”

SHAKESPERE.

CHAPTER TWENTY-THREE

IN the last weeks of 1859 came the final day when, according to the established etiquette, I appeared before "the examiners," dressed up, although it was 11 A.M., in white tie and tailed coat—as no other being except a waiter is expected to appear in the forenoon—and was put through my facings in law, and duly informed that I had passed. How thankful a feeling glows over the poor intransigent when he walks forth from the examination room with the certainty that he is free, no grim examiner making him afraid "in all time coming." In the olden days there could be no such feeling. Examinations were a farce. It was all in the style of the story, according to which the question put to the candidate for a degree was: "*Magister, quid est 'creare'?*" which was answered in hesitating tones: "*Creare—est—eh, ah—facere—aliquid—eh—ex—nihilo,*" whereupon the examiner replied, waving his hand to the candidate: "*Ergo, te creo doctorem.*" But before my time things were changed, and much for the better. Examinations were real and strict, and practically enforced study. Still there was one farce left which I believe subsists still. The intransigent has to go through what is called a public examination. He is given a subject for a Latin thesis, and this thesis he has to send in, along with three brief assertions in law—also in Latin—on points of the thesis. This thesis-writing when I came to the Bar was performed by deputy, the intransigent paying a fee

to a well-known individual who eked out his income by supplying theses to all applicants. I prepared my own thesis, but of this I make no boast. I only saved a guinea. It so happened that I had a number of presentation copies of theses in elegant binding, which formed part of Baron Hume's library, having been presented to him as Professor of Scots Law. With the aid of these, and in the certainty that no one would ever look at my thesis, either to test its Latinity or its soundness, and therefore my Latin and my law ran no risk of challenge, I presented my thesis. Then came the most supreme farce. I had to find three friends who had never seen the thesis to impugn my law. To them I handed slips prepared by myself, on each of which an *impugnetur* was written beginning—"falsum est," or "*minime vero*," or some such phrase. These were solemnly—more or less—read out by the friends, and I replied off my slip of paper "*verum est*," and stated that Tryphoninus, or somebody else, had said so and so. Thus I passed through my public examination in presence of four or five persons. Then followed the ballot of the Faculty, the ballot-box having only about half a dozen balls, as nobody attended but the Dean and the impugning or other friends.

I do not know whether this mockery is still practised. If it is, I would ask, should it not be brought to an end? No doubt some would be shocked at the proposal, urging that it is well to

WIG AND GOWN

keep up ancient practices, and would perhaps quote Goethe:

“Ein tiefer Sinn wohnt in den alten Brauchen.”

That is quite sound. Many ceremonies of olden days should be kept up. They often convey symbolically what it is well to remember. But this is not a ceremony—it is no symbol representing any principle or truth. It is the acting of a farce and nothing else; and if it is suggested that there is any reality in it, then it is not farce, but fraud. For what, it may be asked, is this gone through when the intrant has been actually examined as to his qualifications, and been found to stand the test? I shall probably offend some by saying this, but that is scarcely to be avoided, when a proposal is made to abandon an old form out of which all spirit has departed. But a farce is not the less a farce because it is solemn.

Of course one does not wait to see whether there will be success in passing this public examination. The wig and the gown are ordered before that “trial”! Although the wig had become almost universal by the time I began to wear it, there were still a few who appeared in the Parliament House in tall hats. I believe Cockburn wore his hat until he took office, and Jeffrey for long periods discarded the wig, which was not wonderful, seeing that his wig was that of a friend who gave it to him when he retired from the Bar, and was a hopeless misfit. In my time Mr. Robert

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Thompson, who used to refer to a book he wrote as "Mesilf on Biells," and his friend Robert Hunter wore hats, Hunter giving this up when he was in such a condition of baldness that he must wear a wig of some kind. Then Messrs. Richardson and Park, two somewhat eccentric gentlemen, always appeared in hats. The last hat disappeared within the Sixties. One amusing incident relating to the advocate's wig occurred when Mr. Patton, afterwards Lord-Advocate and Lord Justice-Clerk, was defending a prisoner. He was the baldest of the bald. While the trial was going on, Lord-Advocate Inglis was called out of the Court. As he passed the corner of the table, a button on the sleeve of his court coat caught in a loop of Mr. Patton's wig and carried it off, the Lord-Advocate disappearing through the swing-door instantly. The scene was comic in the extreme—Mr. Patton suddenly showing his bald pate and clawing round it with his hands, searching for the wig, which had made as mysterious a disappearance as a conjuror's vanishing rabbit. The whole assemblage, including the prisoner, was convulsed with laughter; Mr. Patton trying to look as if he thought nobody was looking at him—a feat, as Dickens says in the trial scene in "Pickwick," "no man ever succeeded in doing yet, or in all reasonable probability ever will."

A curious character to us juniors among those who clung to the hat was Mr. Maidment, who

A BAR ODDITY

went about, much to the distress of the Dean of Faculty, in a hat and a blue waistcoat with gilt buttons, and with his gown dragging behind him. He had a habit of expressing himself in what he supposed was a whisper, but which could be heard afar. He was standing behind me at the end of the bar one day, when a member of the Bench, in the course of delivering judgment, said, "Now, in that state of matters, I put this question to myself," when a lisping but loud voice said past my shoulder: "Couldn't put it to a more incompetent person." Turning round, I saw him passing out at the swing-door, whistling, as was his constant practice in all kinds of unsuitable situations. Tradition has it that he, being a bibliophile, used often to carry Advocates' Library books home, which he forgot to return, and that after his death, at the sale of his own library, not a small proportion of it consisted of books marked with the Library stamp. He was no thief, only he had the book borrower's bump of forgetfulness abnormally developed.

Talking of peculiarities, there were in those days, as might be expected, considerable variations in the treatment of the Queen's English in the Courts. Lord Colonsay represented the Highlander. While his speech was always dignified, and his language well chosen, his enunciation of words was strongly in contrast with the Lowland Scotch of his colleague, Lord Deas. It is narrated that on one occasion, at a social gather-

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ing, a junior counsel was guilty of a gaucherie, as when telling him that a brother advocate—Mr. Hector—was an excellent mimic, he added: “He even takes your lordship off occasionally.” “Doss he,” replied Colonsay; “I wass not awaire that ther wass any paycooliaritie in my prononciation that should make me the subject of meemicrie.” The amazing thing about Mr. Hector, the mimic, was that in his own ordinary mode of speech he used most extraordinary perversions of English pronunciation. His “e’s” were turned into “i’s” or “a’s,” and some of his words were very broad. When prosecuting at Glasgow Circuit, it is told of him that in the trial of a thief for stealing a watch and a cloak, the following took place in the examination of the chief witness:

“Did he gaw with you to the hid of the closs?”

“Yes.”

“Had you your waatch on you et that time?”

“I had.”

“And your klok on your back?”

“Yes.”

The judge intervened, with a twinkle in his eye: “Mr. Advocate-Depute, is it part of your case that this witness was carrying an eight-day clock on his back up this close?”

“No, mee lord,” replied Mr. Hector, “not a cloke, it was a klok, a spaachiees of tope-cot.”

On the Bench Lord Deas represented the Lowlander, in good Scotch, although not of so marked

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a type as in the time of Eskgrove and Hermand. His "you" was always "ye," and when he addressed me the "d" always dropped off the end of my name. "Law" always sounded as if there were two "a's" in it, and "card" had an "i" inserted. I incline to the belief that if his English had been more polished, the vigour of his thought would have lost something in the expression. At times, when he spoke solemnly, the form his words took tended to detract from his impressiveness, as when, in sentencing an aged and incorrigible prisoner, he referred to the unlikelihood of their meeting again in this life, and said, "You an' I hev met here before, but looking to the sentence I must pronounce now, I doot, when we meet again, it'll be at anither bawr."

At the same time that I was studying for the Bar I joined the Speculative Society, and did my share of writing rather "vealy" essays and making speeches on all sorts of subjects, with all the confidence of inexperienced youth. But the debates there are, I am sure, useful to the young man about to enter upon life. A great proportion of what is said may be full of paradox and tinged with prejudice, but the habit of thinking out a matter beforehand, and choosing the forms of speech in which the thought is to be expressed, has undoubtedly a useful effect on one whose rôle in life

is to be the presentation of arguments in support of a view, whether that view coincides with individual opinion or not. My colleague, Lord Kinneir, was, when I joined, just completing his three years as an ordinary member, and I can remember an essay he read on Boswell, which was a most elegant and interesting piece of writing.

As regards the essays, an amusing incident occurred when I was secretary. There were two brothers, who joined the Society at an interval of two years. The first brother gave in as the subject of his essay "Byron's Manfred," and read it. Three years afterwards, to my astonishment, the junior brother gave in the same subject, and my memory being good I was able to recognise the text as being the same. I got a hold of him afterwards and said, "My dear ——, it was too bad of you to come here and read your brother's essay that he read to us three years ago." "What?" he said; "did he read that? The essay was written by me in my last year at school. He must have taken it out of my drawer and read it as his own." History does not tell what passed between the brothers. As we had the word of —— junior that the essay was his, we could only laugh.

I must confess that I also committed a fraud upon the Society, as to which I beg the reader to consider whether it has not at least a claim to be put in the "pious fraud" category. An intimate friend of my own joined the Society at a later

SPECULATIVE SOCIETY

period of life than was the case with most of us. He gave in as the subject of his essay "English Literature." As the time approached he felt unfit to face the composition of the essay, he having no talent for literature, and he metaphorically went down on his knees to beseech my help. I swallowed my scruples and wrote an essay for him, to which I sat and listened as he read it. All went well until, to my horror—my "u's" being very like "n's"—he came to the name of a well-known work, and read out—"Fronde's *History of England*." Fortunately I can keep my countenance, and others were too polite to make any remark, but my inward feelings were not capable of being described.

In 1864 the centenary of the Society was celebrated by honorary membership being conferred on Lord Brougham and Lord Colonsay, who was then Lord Justice-General, and by a banquet in the evening. Another celebration on the 150th anniversary has just been reached, and I feel it a high honour that the Society has selected me, along with Lords Kinnear and Dunedin, for honorary membership. I little thought fifty years ago of having my name enrolled beside those of Lord Brougham and Lord Colonsay. My friends seem always to desire to be good to me, and I hope it will be believed that I have a grateful heart for this and many another kindness shown to me.

Several of my contemporaries were members

of the Society at the same time as myself. Alas! there are few left. One of them gave us a most delightful instance of sang-froid. He was presiding, and during a vigorous speech from Alexander Moncrieff—who was always vigorous—the President fell asleep, and hanging over the side of the chair began to snore loudly. Moncrieff gravely went on, while we tittered, but at last could not stand it longer, and speaking as if he was a drill sergeant said loudly: “Wake him.” The President was shaken up, but again went off worse than before, whereupon on his being once more roused, Kinnear rose to order, and moved “that the President do leave the chair.” He recognised the situation, and taking up a long quill pen, he twiddled it in his fingers, and said slowly: “May I ask, Mr. Kinnear, are you serious in proposing that motion?” “Yes, sir, quite serious,” was the reply. “Then,” said the President, speaking in deliberate tones and settling himself back in his chair, “I must tell you that your motion is quite out of order, you must give a week’s notice of it.” It was impossible to do anything else than roar with laughter, which all did, and the President called on Mr. Moncrieff to proceed. But he kept awake after that.

My late brother advocate and friend, Alexander Asher, joined the Speculative while I was still an ordinary member. I was much struck with the power he showed of close debate. He was at that

A NOTABLE PLEADER

time training for the other branch of the profession, and was past the age at which it was usual to join the Bar. But I strongly urged him to consider whether he would not do better to enter the ranks of the pleaders, feeling convinced that he showed exceptional capacity for the work of the Bar. Others, I believe, pressed the same advice upon him, to which he yielded. All who watched his career will, I am sure, agree that his friends advised him rightly, as the position he took as a pleader was—not to say more—as high as that of any man of his time.

CHAPTER TWENTY-FOUR

*“Nicht Kunst und Wissenschaft allein
Geduld will bei dem Werke sein.”*

GOETHE.

BEWIGGED and begowned, I took my oaths and began to tread the boards of the Parliament House just fifty-five years ago. I earned my first fee on the first morning of my wearing the horse-hair, and I look back to this with special pleasure, for it was my friend Alexander Asher, who was still in an office, who sent me my "instructions." I went up to the Bar of the Lord Ordinary on Teinds, and read out my motion, of the force of which, as we got little training in Teind Law at the University, I had but vague understanding. It was "approve final," and something else. But there were none there "making me afraid," as there was no opposition, and so in my first case I scored an easy success. For the encouragement of those who come after me, I will reveal that my old fee-book shows only £4, 4s. in addition to that first guinea during the year after I passed, and all in singles—as we say at cricket—for motions. Thus my powers of eloquence were not tested. It was my third year before I got into my stride. Only in the Justiciary Court did I get any chance in my early sessions of opening my mouth in argument. In my very first case I got an unexpected compliment to the profession. I had to do some precognosing myself, and remember calling at a policeman's house, who being a night-watchman was in bed, and, begging him to stay there, I took down what he had to say. The charge was a sad

one, being of child murder, and when I was parting from him he said, "I'm afeard it'll be a bad case," to which I replied, "Well, we must see what we can do for the poor girl," to which he responded: "Oh weel, I ken fine ye're deevils to argae!" We were able at the first calling of the case to state an objection to the relevancy, with success, and eventually the merits were met by a sentence of imprisonment, which to me was eminently satisfactory.

I will confess that the Judiciary Court and the Jury Court were the places of attraction to me. The intricacies of vesting, with its destinations over, its conditional institutions, its substitutions, and its subjections to defeasance, have never awakened any enthusiasm in my breast. The conundrums of General Service and Special Service, &c. &c., had no attractions for me.

In my first years at the Bar, I attended all the criminal trials and the Jury Court trials that were possible to me. It was my special satisfaction to watch how cases were conducted; how proof was led; how rules of evidence are applied in particular cases; how witnesses, to whom it was not permissible to put leading questions, had their evidence drawn out of them; how foolish it is, when a clear and satisfactory answer has been given, to try to "rub it in" by repeating the question in order to get the answer again, which so

CHIEF AND CROSS

often leads to the weakening of the point by its not coming out so well; how cross-examination—the least understood part of duty in the case of the inexperienced—should be conducted, in some cases by wheedling, in some cases by attack, sometimes by drawing a witness into gross exaggeration of his own case, he thinking he is clinching his evidence, while he is breaking it down; how, above all other things, the cross-examiner should discern where and when to stop in a particular line, either because he has got something telling and does not risk giving the witness opportunity to water down what he has said, or because it is discerned that to go on will make matters worse. These things, dear brother advocate, require keen study and observation. They cannot be acquired by listening to lectures or reading treatises. They can only be taught by practical demonstration, to be got where alone the demonstrations can be given—in the Court; just as the judicious and efficient use of the knife and the forceps in surgery can only be learned in the operating theatre. And if they are not learned by you as an observer, the only other way is by learning how to act, and how to fail, by practice on your own client's cases; it may be to his cause suffering severely, because you are learning the lesson too late *on* your client, instead of learning it sooner *for* him.

The young apprentice should watch the exper-

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enced workmen, lest from want of noting he fail when called on to act.

“A bungler thus who scarce the nail can hit
Through driving wrong will make the panel split,
Nor dare an abler workman undertake
To drive another lest the whole should break.”

How often has one seen the look of chagrin on the senior's face when his junior has “dropped” himself and made irremediable havoc, not from want of brains, but from want of practical skill. How often have I heard hints from the Bench, in consideration for young counsel, to beware of the danger ahead.

And here let me convey to those who join the Bar a word of friendly advice, coming from a long experience. It is a traditional rule of the Scottish Bar, which Robert Louis Stevenson calls “a ferocious custom,” that an advocate, as long as it is his ambition to practice, or obtain a position in the profession, shall attend in his wig and gown in the Parliament House, or the Court or Library, ready to be called at any moment. Of course he cannot tout for work, and his presence there, and the brass plate upon his door, are the only advertisements of his readiness to take up the causes of clients which are permissible to him. It is certain that while this rule holds sway—as it must do—juniors, except those who receive early backing, will have much free time on their hands during the hours they are in what Stevenson calls “the

THE DANGERS OF IDLENESS

most arduous form of idleness," at the Parliament House. This has its temptations. The youth who has just come off the stool of hard study, and gone through the strain of working up subjects in order to face examination, naturally feels himself entitled to some relaxation, and at first is tempted to wait till something turns up for him to do. To such an one may be commended the well-known saying:

"Absence of occupation is not rest."

A true rest consists in doing what you choose to do, but doing something—some real thing. If I may plead with my young brother in the College of Justice, I would say—have your relaxation, but do not yield yourself up to it. When relaxation fills all the day, it ceases to be relaxation and becomes indulgence, and a self-indulgence—falsely called rest—soon becomes habit, which may end in incapacity to take up work.

"When doing naught—and to speak true,
Not anxious to find aught to do."

I knew a grievous case of this many years ago. A brother advocate had fallen into such a condition caused by indulgence, that he could not break through. I pleaded with him—would he not make up his mind to take up some study steadily for even two hours a day, not necessarily law study—French, German, History—anything having in it an element of mental culture. My imploring appeal was met by: "Macdonald, I can't do it," ex-

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pressed in tones indicating his own sorrow at the confession that he was as the man who said, "I am shut up, and I cannot come forth." I see his face now, expressing the despair of an atrophied mind and conscience. Of course this was an extreme case, but I have known many others, in which in a less degree excellent natural powers were weakened by want of earnest exercise, as the body would be weakened by lying in bed beyond reasonable time of rest, and the power be lost to shake oneself free of a laziness which had come to rule the person.*

" An idler is like a watch that wants both hands,
As useless when it goes as when it stands."

Therefore I plead with the young advocate that his hours at Court be not all frittered away. Many a pleasant half-hour one can spend in friendly intercourse, but hours of it spell moral deterioration. Find something to give real point to a reasonable portion of the day. Hold yourself to it until it becomes a second nature, and therefore a pleasure to be really learning something—not necessarily altogether by law study, many other subjects reasonably mastered will always be of great assistance

* Since the above was written, I have come across two letters of Lord Jeffrey to his brother, written shortly after he joined the Bar, in which he refers to this matter of "the loitering habits of my nominal profession," and speaks of it as "the waste of time that can never be replaced." He adds, "The mind becomes at once humiliated and enfeebled in such a situation, and loses all that energy which alone can lead it to enterprise and success." How well expressed to emphasize what I am urging here

SELF TRAINING

to any pleader who has to deal with men and things, as well as with the intricacies of the feudal system, the law of inheritance, or the interpretation of wills and testaments. The choice of a subject for study may be important, but *the* thing is to have the mind disciplined, to set oneself to do something real, and not to squander time by over-indulgence in what does not nourish but only tickles the mind. It is also a good training exercise, as has been hinted already, to attend cases with an observing mind, not merely of what is being brought out and discussed, but also how things are done, how rules of evidence are applied, &c. But more than all this, the dealing of man with man, even up to the dealing of counsel with judges, and of judges with counsel, is a very fit subject for study. Let it be remembered that pleading is not merely putting facts and arguments baldly, but has its psychological side. The question the pleader may well put to himself is, "How shall I present my argument so that it shall attract and be effective," quite as much as the question what the argument is to be? A practised pleader knows well that as judges are men, one form of presentation of a case may be more influential in securing a patient hearing than some other form, although the latter might be quite effective with another tribunal. The advocate who attends and watches cases will, almost unconsciously to himself, acquire knowledge of pleaders' tact—a quality to

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which, I fear, sometimes little thought is given, but which has often had much to do in influencing the decisions both of juries and of judges.

In my early years at the Bar, it so happened that I was frequently engaged in disputed settlement and discipline cases in the Courts of the Church of Scotland. These tribunals gave many telling instances of what is stated above. I have often said that in a church court the work of the advocate had in it something of the element of fly-fishing. Sitting as a jury, such Courts are sure to be much influenced by those whom its members look up to as leaders. The pleader threw his fly over this leader and then over that, endeavouring to get a rise. If once you succeeded in capturing one or two of the leaders, you could rely upon going near to win your case. Their "jury-room" deliberations were not in secret, and one heard all the jury discussion, and learned to know the trend of the great leaders' minds, and thus to be able in subsequent cases to have a better idea how they could be won by a particular line of argument. I mention this experience in order to bring into prominence one part of the training of a pleader, which has nothing to do with law or the knowledge of it.

There is a maxim which has more importance in it for the legal pleader than for any other person, except the police official. No man, although he may know all that professors and law lecturers can

STUDY OF HUMAN NATURE

teach him, is really equipped for a pleader's work. He has another branch of study before him, of a knowledge of which he can acquire little till he is engaged in the actual study and work of his profession as distinguished from mere equipment of learning, and has opportunity to watch how man deals with man. He must study human nature, gaining an insight into its different types, and learning to know how surrounding circumstances affect men, and how to deal with them—aye, and with women too—who are associated with litigation, either as parties or witnesses. And this is not all. He must study the men who surround him in his profession, and know their ways, and how to meet them in the struggle. He must learn how the men of a jury are likely to look on what is brought before them, to know how to enlist their careful consideration, and where it is possible, their sympathy, and to avoid—to use a colloquial phrase—setting their backs up. I once heard an able and distinguished counsel, against whom a point had been well made, and which anybody could see was likely to have been accepted by the jurymen, declare with an emphatic thump that “No man not fit for Morningside* would take such a view as my learned friend has pressed on you.” I said to myself, “If they happen to have taken that view already, telling them that they were qualified for a lunatic asylum, is not likely to have the effect

* The public lunatic asylum of Edinburgh.

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of turning them round." It is this kind of thing of which there is sometimes too much, because the pleader has thought that skill in pleading depends entirely on knowledge of law and logical reasoning, forgetting that knowledge of man, an insight into human nature—which can only be attained by watchfulness and practical experience—conduces to tact—a power without which he may in many cases be worse than powerless. And this does not apply only to pleading before a jury. Judges also require to be studied. Frail men, they too may be swayed against a pleader by his want of tactful mode. But this is delicate ground, and had better be left on general statement. *Verb. sap.*

The experiences of an advocate as a pleader in criminal cases are very varied, and they involve much greater strain than even the most important civil cause. Cross-examination is in this class of cases an exceptionally anxious matter. I have always hinted to junior members of the profession that it is well to keep two principles strictly before the mind: (1) Never ask a question in cross upon the evidence given in chief, unless you are sure what the answer will be, or (2) unless you feel you do not need to care what the answer may be. A rash question may bring out a reply which will cut off the chance of the prisoner altogether. How often have I seen fatal results follow from indiscreet cross-questions. How often when something a witness has said in chief is but a loose-driven

CAPITAL CASES

nail, has one seen it forced home with the aid of the counsel for the defence—when the prosecutor had shrunk from trying to fix it tighter for fear lest he should make the shaky fastening weaker—and when the case could have been attacked in argument, as being too weak to be made the basis of a verdict.

A pleader in criminal cases has some strange experiences. Sometimes a jury will accept an argument in which the speaker himself puts little confidence. On one occasion I had defended a poor girl on a charge of concealment, and feared for the result. After my speech I left the Court to catch a train to go home. Just before it moved off, the solicitor ran excitedly along the platform and called out, "Not guilty, not guilty," and then he added: "*And for your own satisfaction I want to tell you that she was guilty!*" At other times, as in a case of a murder, brutal in its character, anger at the deed will cause the jury to reject the clearest evidence that the perpetrator was insane. I once defended such a case, and a majority of the jury not only convicted, but added a rider affirming that the prisoner was sane. The man was hopelessly mad. The doctors sent to see him were satisfied of that, and the sentence was not carried out. A crucial test applied was that while one of them put his finger lightly on the pulse, the other suddenly said, "By the bye, Miller, when is it you are to be hanged?" There was not

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a tremor or a change of countenance, or acceleration of pulse, and looking up he said, quite simply, "I think it's Tuesday week, if I'm not mistaken."

The most harassing and painful experience of a counsel practising in the Criminal Court is the conduct of the defence in a case where the charge is one involving capital punishment, and of these I certainly had more than my share during the twenty-nine years that I was a pleader. Besides trials for which I was retained, there were frequent applications by junior counsel to aid them, in cases where no fees could be given, and it was a matter of honour to respond, unless other circumstances made it not possible. My experience must, I think, be unique. Down to the last year when I was free to take up the defence, before I became Lord-Advocate, I never had a client convicted of murder, except the one who was insane, and was proved to be insane after the trial. In all my other cases there was either an acquittal or a verdict of culpable homicide. But this was too much of a success to last out one's time. On two occasions in my last year or eighteen months of defence, I was called on to act for first one pair of poachers, and then another pair, for the murder of gamekeepers. There was not a vestige of a defence, and the whole four died on the gallows. The spell of success was broken, and very shortly after my career on the left side of the table came finally to an end.

LITERARY WORK

After I had been a short time in the profession, I began to feel the necessity of some definite work, if I was not to fall into the condition which I have taken the liberty of making a subject of warning to my junior brethren of to-day. I had for some time made a very close study of the English classics, and read largely in French and German, filling several commonplace-books with excerpts to the number of over 1600. That was an exercise from which I derived great delight, and I have been able in writing and speaking to make use of the store I possess to enliven what was my own. I had also written for the Press—a weekly leader in the *Courant*, generally on a political subject, and frequent leaders and side articles for the *Scotsman*—non-political, as the conductors of the *Scotsman*, my good friends Russel and Findlay, did not at that time see eye to eye with me on politics. I also did some work in reviewing books for the Press, and wrote at times in magazines. But I felt that all this, though improving, and bringing some grist to the mill, was desultory, and not really occupation for me, being not directly associated with professional work. While I was brooding over this, it so happened that I had a conversation one day with my friend of fifty years, the late Lord Adam. He said that there was one department of law which the young advocate grievously neglected, doing nothing beyond defending, and often not defending well, poor people

accused of crime, the cases being for the most part so simple that there was nothing to be learned from them, and that too often ill-judged cross-examination tightened the cords round their unfortunate clients' necks. At that time there was practically no instruction given at the University in this branch of the law, and even later it was treated as only a side subject, to which but a few perfunctory lectures were devoted at the close of session, when weariness had set in. Adam's words made a strong impression upon me. I knew that the available criminal text-books were only the great and valuable—but somewhat out of date—treatise of Baron Hume, and a not altogether satisfactory book by Sir Archibald Alison, and it occurred to me that a practical and condensed exposition of the law brought down to date would be useful, and help to supply to myself the equipment which might enable one to be efficient in the practice of the Criminal Courts. I am grateful to my friend James Adam to this day. Without delay I began, and for three years I had abundance of work to occupy my time of attendance at the Parliament House. The labour of ransacking for and laying down material took much time and some patience, and I found the task of putting it together not so difficult. At last my *Practical Treatise*, as I made bold to call it, passed through the Press, and was well received by the critics. It brought in a nice little sum at the time when

CRIMINAL LAW PRACTICE

a young man is the better of a financial uplifting, when he has just entered into a union with one who is

“A gracious presence at his board presiding,
Doubling his pleasures, and his cares dividing,”

as was my case for five and a half too short years.

Thus I was tided over the dangerous period when powers not used may be enfeebled, and by the time my book was finished my work at the Bar began to be full occupation. That the writing of the book had a great influence upon my professional career is undoubted. I very soon received a large share of criminal law practice, and in the latter years before I took office many important cases fell to me. I feel sure that my intimate knowledge of criminal law enabled me often to be successful, where otherwise one's action might have been uncertain and blundering, fatal to the client's chance of success. Too often have I seen what was a “fightable” case lost, by the feebleness of grasp of points on the one hand, or by speeches involving ideas about law which the judge had to do his duty in crushing. I once heard Lord Deas in such a case, after re-stating what had been said by counsel, say to the jury: “Now ye'll just pay no attention to that; I've often done the same kind of thing when I was a young man myself.” I also in earlier days heard Lord Justice-Clerk Hope demolish an argument in which the

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law had been stated as to robbery, of which he said it was the exact opposite of what the law really was. And oh! that cross-examination I have already referred to, helping to clinch a case which, if left alone hung loosely together, and gave chances to pass through the meshes of the prosecutor's net. I once heard a counsel in the course of five minutes, by foolish cross, deprive himself of four separate points of defence which he could have made with some effect, assuming the truth of all that had been brought out by the prosecution.

On the other hand, I have seen at times advocates-depute, deservedly appointed for their general ability and position in the profession, produce indictments, and support them by arguments which indicated that criminal law was to them a new subject, as to which they had but a smattering of knowledge from a practical point of view, they having never attended the Court or ever had a criminal case entrusted to them until they received their appointment. Also it is to be feared that many an advocate when appointed to be a sheriff substitute is poorly equipped for conducting trials. I hope it will be believed that it is in my goodwill to the profession that I speak thus frankly. And may I add that in this day, when every judge who takes his seat on the Bench is required to preside in criminal trials, there is a distinct call on all the profession to have practical knowledge of Criminal Law and Procedure.

CRIMINAL LAW EXPERIENCE

Without such panoply it is very possible that injury may be done to the administration of justice by unfair condemnation or improper escape from just conviction.

CHAPTER TWENTY-FIVE

“Hech, hech, the poetry of the Circuit is over.”
LORD COCKBURN (*Circuit Notes*).

CHAPTER TWENTY-FIVE

THE young advocate was expected to give attendance at Circuit Courts for three years after he entered on his professional life. Too often in those days there was no proper care taken by the agents for the poor to arrange for the defence of prisoners who could not afford to fee a lawyer. It was not an uncommon thing for a prisoner to be placed at the Bar without his having any agent or counsel appearing for him, and the judge had to ask an advocate who happened to be present to take up the case, which of course he could only do in the most perfunctory manner, having no information whatever before him. Such a thing has happened at a Circuit as there being no advocate present, and the Court appointing the sheriffs to defend, each taking the cases of his colleague's county. A most amusing incident occurred at a trial where the judge requested the only counsel who happened to be present to take up a case. He was a small and very boyish-looking person, and the prisoner, after looking at him, jerked his thumb towards him and asked the judge: "Am I to be defended by that laddie there?" "Yes," said his lordship, "Mr. —— has kindly undertaken to act for you." The prisoner looked again, and, turning to the Bench with a shrug of his shoulders, said: "Aweel, I think I'd better jist plead guilty!" Things are much better arranged now, as the agents for the poor are informed what counsel

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are to attend the Circuit, and the business is properly distributed.

In those days when indictments were long and full of elaborate alternatives as to place, time, and manner of alleged offences, the prisoner's counsel was often able to raise plausible, and on many occasions successful, objection to relevancy, adding greatly to the cost of prosecutions, and causing much delay to the administration of justice. The only countervailing good was that the opportunities for objection tended to sharpen the wits, and to give chances for addressing the Bench, to which the young counsel require to become accustomed, so as to be at ease and free from nervousness. I can vouch for it that in my own case it was some time before I could go up to a Bar to make the simplest motion without a coldness about the wrists which told of heart strain.

The Circuit Courts were in the days before travelling by rail became common, very different functions from what they are now. The journeys of the judges were of the nature of progresses. The hospitality of the landed gentry was extended to them as they made long stages by road—taking four days between Edinburgh and Inverness—and the county gentlemen had the satisfaction in their then more isolated state, of getting the news of the city from those they entertained. The day on which the Court opened its proceedings the landed proprietors in the neighbourhood

CIRCUIT COURTS

attended a levee, and a dinner was held in the evening. This association between the Bench and the county gentry at times of Circuit has gradually ceased. The Circuit Court is no longer looked upon as an event in the life of the county. Gentlemen do not come to the Circuit town to wait on the judges, and the idea which used formerly to prevail that the procession through the streets tended to strike terror into evil-doers, is no longer held by sensible people.

In former days, as Lord Cockburn tells us, royal proclamation was made, ordering the magistrates and gentry to attend, but this is never done now. Even in the early part of the last century he could say, "Hardly one of them does so now." Thus the times have totally changed. He speaks of the "sneers" of the crowd, as day after day the two judges processed on foot through the streets in wet as well as dry weather, the Red Lords' gowns badly protected by umbrellas, and the skirts held up out of the mud like ladies' dresses. He adds, "We have taken to carriages and cavalry at Glasgow now. I hope to see the neighing steeds dispensed with soon: but as to this I am at present solitary." He felt so strongly on the point that, speaking of an occasion when there was no procession because of the extreme badness of the weather, he says, "The dignity of justice would be increased if it always rained."

Queer things happened in my own time in con-

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nection with these processions. The sheriffs, some time after I came to the Bar, resolved to present themselves in Court dress, a thing that had not been done for many years. At one Circuit which I attended the senior sheriff was delicate, and his wife came down to the Circuit town with him to take care of him. The other sheriff was not very precise as to his costume. The procession took place on foot, the morning was cold, and the careful wife would not allow her husband to expose himself in a thin Court coat. The spectacle which the sheriffs presented as they stepped into the street from the hotel was—first, a sheriff in a Court hat, a Court coat with lace, covered partially by a short drab overcoat, from below which protruded his tails and a sword; second, a sheriff in an ordinary tall hat, a Court coat, with a sword at one side and a gampish umbrella at the other! This formed a part of what was supposed to “strike terror into evil-doers”!

I will confess that before I read Lord Cockburn’s remarks I had come to the same conclusion. It has long been borne in upon me that the ceremonial outside the Circuit Court has come to be an anachronism, which it could serve no useful purpose to continue in practice, and that it would be better that the Court when on Circuit should proceed to business, just as it does in Edinburgh. It has always seemed to me to be an extraordinary idea that if the procession of the judges strikes

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terror into evil-doers in Glasgow, Perth, or Dundee, why a great city like Edinburgh should not have this valuable aid to the prevention of crime. In truth, the effort to keep up this unnecessary ceremonial is an effort for show only, without any good effect of any kind. And that it is an effort there can be no doubt. I was once at a small Circuit town at which I could not but come to the conclusion that the innkeeper had canvassed to bring up practically all the dress coats in the place, so as to swell the bill for entertainment in the evening. But the most ludicrous pretence of stately entry into a Circuit town occurred on one occasion when I was retained in a case and had arrived in the afternoon for the Circuit next day. As I was taking a walk there passed me on the road a postilion and a pair of horses leaving the town. Shortly afterwards I saw the same postilion arrive at the hotel door, riding in front of a pair of horses driven from the box of a carriage in which the judge was seated. That his lordship might enter in style, the postilion had been sent a short way round a corner to meet the two-horse carriage, and to turn the team of two into a team of four, making believe that the judge was posting in style with four horses!

The ceremonial of the morning was followed by a dinner in the evening, which often took place at midnight or even later, as the Court sat on. The unfortunate starving guests were kept wait-

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ing with what remains of good-humour were possible, to assuage their hunger with ruined food. Cockburn was strong in his opposition to these Circuit dinners. No wonder, when he tells us: "At six that beastly Circuit dinner was held. It was described next day in the local paper as '*an elegant entertainment.*' . . . The only elegance that I am aware of was that nineteen persons drank thirty-five bottles of wine."

Although Lord Cockburn cannot be held to have been a true prophet when, speaking of two particular judges who enjoyed these Circuit feasts, he said: "When these two shall be gone, there will not be a judge of such bad taste as to endure these horrid and mirthless meetings." But gradually the change is coming. Several of my brethren and I myself have made it a point to go straight to Court on arrival and to return home at once when business is over. The practice of combining duty with feasting, which for the reasons stated might have been not unnatural in earlier days when locomotion was difficult and the judges were entertained on their long journeys, might well be abandoned. The reasons which then existed for it exist no longer. In most of the outlying Circuit Court towns there is in modern times very little or no business, and the law having been repealed by which judges were required to hold a Circuit whether there was business to be done or not, and to remain three days in the Circuit town,

DELAY IN PROSECUTIONS

it is a rare thing except at Glasgow that the sitting occupies more than a few hours. In the general case it is possible to leave Edinburgh in the morning, hold the Court, and return to Edinburgh on the same day. I have myself gone to Aberdeen, completed the business, and returned home in time for dinner.

From what has been quoted above it will be seen that there were many more cases in the High Court of Justiciary and Circuit Courts when I first joined the Bar than there are now. Various causes have tended to this diminution. Sir William Harcourt, when Home Secretary, passed an Act through Parliament ordering extra Courts to be held between the times of the Vacation Circuits. The purpose was to diminish the long periods during which persons were detained in prison before trial. It was a most proper change. Before it was made many persons arrested for crime were detained in prison for as long a time as seven months, which was very hard on an accused person, and in the case of one who was acquitted, amounted to his suffering practically a long punishment for an offence which the Crown could not establish against him. Now, with a practical gaol delivery every second month, no such hardship can arise. Another cause of the diminution of Circuit cases is that many charges can now be dealt with in the Sheriff Court which formerly would have gone automatically to the

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Court of Justiciary. The most trifling offences were tried there, merely because the accused had offended before. I repeat that I saw three judges, bedecked with their scarlet crosses, holding solemn sitting to try two young women who went into a small shop down a stair and stole a few biscuits not worth twopence out of a glass jar. The three put their heads together and held a consultation as to the sentence, and then the Lord Justice-Clerk announced: "The sentence of the Court is that you, both and each of you, be transported beyond the seas for a period of seven years!!!" Such sentences as that were matters of ordinary occurrence on a Monday in Edinburgh, where, although a single judge could sit on Circuit, it was thought necessary that a solemn Court of three should sit to try a "habit and repute" common thief. This incongruity no longer exists.

Circuits in those days occupied a week, where now they scarcely occupy a day, unless there is some important or complex inquiry in a particular case. It will give some idea of the change that has taken place if I quote a few statistics from Lord Cockburn's *Circuit Notes*. He speaks of Glasgow Circuit of 1846 as "a very insignificant affair"—only 37 cases. In 1847 there were "96 indictments of which 90 went to trial." In 1848 he says "only about 71 cases." As regards Perth, he speaks of "only 44 cases." "Our insignificant dozen of cases" is his comment on an Inverness

THE BAR AT CIRCUIT

Circuit. Even later than his time circuits were very lengthy. I remember one at Glasgow which went on for ten days without there being any long case for trial.

As may be believed, the Bar at a Glasgow Circuit was represented by many advocates, and many a merry encounter of wits took place, and many a good story took rise in the Bar-room. It would take up too much space to tell even the best of them. But I allow myself to be tempted to relate one, as I think I scored in it. It happened that at the particular Circuit there were many prisoners of the name of Macdonald. There always were a good many, as a considerable proportion of the accused were Irish, and my clan's name in its varying forms appeared on indictments. A brother advocate chaffingly said: "Look here, Macdonald, you think a great deal of your clan. How comes it that there are more prisoners of the name of Macdonald at a Glasgow Circuit than of any other?" It was not true to that extent, but it was a fair enough thrust. My riposte was: "You don't seem to realise that people do not commit crimes under their own name; they generally take an *alias*, and they prefer to take the name of a gentleman—they wouldn't take yours."

Such chaff as passed between brother advocates was always good-humoured. There was no acrimony or ill-will. And this leads me to say that there is one characteristic of the Scottish

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Bar of which I very soon acquired a knowledge—that it is a real brotherhood, where friendliness obtains and a spirit of comradeship. Except in the case of the occasional black sheep, the utmost good feeling seems always to prevail, and while there is abundance of friendly chaff, it is all of the give-and-take character, free from malice.

“ Envy’s abhorred child, Detraction ”

finds no home in the Parliament House, and I can say of the advocates of my time, what Lord Cockburn said of those of his day: “ I have never known a vestige of professional jealousy at our Bar.” Criticism there is, as there must be if there is to be liveliness and freedom from hypocrisy, but there is no trace of the spirit of which it is said:

“ Base envy withers at another’s joy
And hates that excellence it cannot reach.”

Long may it be so. Long may the feeling be that the Bar is one, and that those whom fortune favours bring honour to the whole. Everyone who joins the Bar knows that if practice was divided up with anything approaching equality, there would be but a pittance for each. And it is only possible for a proportion to have the pleader’s gift. Other talents need not wither at the Bar. A resolute determination to do something will lead to the discovery of the thing that can be done, although it be not haranguing judges or juries. And many an advocate who has not the “ gift of the gab ” may prove a very efficient public

A CALL FOR PATIENCE

servant as a sheriff-substitute, and ultimately a sheriff.

On the other hand, I would advise the young advocate who feels he has the powers of a pleader in him, not too readily to give way to despair of success, because his chances seem to be long delayed. There are many cases of ultimate and brilliant success which seemed for long unable to burst the bud. Lord Jeffrey, after six years at the Bar, told his brother that he did not make £100 a year by his profession, and his income in his ninth year was only £240. Lord Watson, who took such a distinguished position as a pleader and a judge, would at the time I came to the Bar have willingly accepted an outlying sheriff-substituteship. So with these examples before him, let the young pleader not give way to despair because of a meagre row of figures in his fee-book.

CHAPTER TWENTY-SIX

"Some on the Bench, the knotty laws untie."

DRYDEN.

CHAPTER TWENTY-SIX

WHEN I entered the profession, the Lord Justice-General was Lord Colonsay, and the Lord Justice-Clerk Lord Glencorse, two men each great, though not quite in the same way. Lord Colonsay was a model of sagacity, and one who understood men thoroughly. Patient, and ever courteous, one can recall his rich laugh when, by a few pithy questions, he had pricked the bubble of an argument, a laugh in which it was impossible for the sufferer not to join. Dignified without pomposity, he was a splendid representative of justice, and it was well said of him in one of Alexander Nicolson's clever skits, that he was

“Impatient only to the man
Who vainly hid his hand.”

He was a Highlander in the best sense, and spoke like a Highlander. He was one who could not make an enemy, and who was kind to a friend. I had from him many a friendly word, sometimes conveyed to me through his brother, Archibald Macneill, who was a Writer to the Signet and one of his clerks of Court. Speaking of his brother recalls a story of a conversation between two of his people in his island of Colonsay. The incident occurred when Bishop Colenso had published his work, and by doing so created a great sensation. Two cronies meeting, one said:

“Hef ye heard ta news?”

"Na, waat news?"

"Ach, dredfaal news. Colonsay has been writing against Mowsis."

"Do ye say thaat—oh, eh, yus, but it wull not be Colonsay, it wull be his brither, Archie, it's him that's the writer, ye ken."

Among his colleagues was Lord Deas, of whom many a story is told; one of an encounter between him and Colonsay is worthy of a place, bringing out in strong relief the characters of the Lowlander and Highlander. The case under consideration related to the sufficiency of fences upon a farm. Lord Deas was inclined to think they were shown to be sufficient, but the President thought otherwise. Said Lord Deas, "A fence might surely be good enough, although it wus nut so strong as to keep out a Highland büll." "Perhaps," retorted Colonsay, "your lordship thinks it would be sufficient if it could keep in a Lowland stot."

Among the judges Lord Deas was the only one of whom it can be said that he was a "character." There are more stories about him than about the whole of the rest of the Bench put together. It is difficult to select, but perhaps along with that given above the following may do, as illustrative of the man, who had a kindly heart, but a sardonic temperament.

A young counsel had put some not astute questions in cross-examination, and closed a door of escape for his client, which was only ajar so far as

THE JUDGES

the prosecution was concerned. Lord Deas put down his pen and said to the unfortunate advocate: "Ye'd make a vera guid prosecutor, Mr. ——. I'll be glad to see you on the ither side of the table some day." He was the terror of the thieves of Glasgow, who thought their luck was out when they saw him on the Bench as they ascended the stair of the dock. The good stories about him are many, but the temptation to take up space must be resisted.

In the Second Division Lord Glencorse (John Inglis) presided. Of most commanding intellect and highly cultivated in learning, he shone in every department, as he had done at the Bar, and left his mark on the records of legal lore in the official reports. Sometimes it seemed as if he hardly appreciated how crushingly he could exercise his power. From him, too, I received much friendly kindness, which I gratefully remember. There is little that can be told of him from a jocular point of view, but one incident may be chronicled. When on Circuit at Jedburgh a counsel rather given to grandiloquence had emphasized a point he was making by saying to the jury that he pledged his professional reputation in support of his contention. At the next town on the Circuit he was loudly repeating the same pledge, when the Lord Justice-Clerk Inglis said drily from the Bench, "I am afraid, Mr. ——, that the article you mention is already in pawn at Jedburgh!"

In the Outer House the senior judge was Lord Neaves, a humorist of no mean powers, of whom Lord Cockburn said when he was still a young man, "Agreeable, literary, and an excellent compounder of humorous verse." His ballads, such as "The Rechabite," "The Permissive Bill," "The Origin of Species," and others, gave much amusement to the reader, and I have heard him sing them, in a recitative style, saying that he had left all his vocal musical powers in the Jury Court.

I quote three verses from his "Origin of Species," which treats jocularly of Darwin's theories, and are good specimens of his style:

"But I'm sadly afraid, if we do not take care
A relapse to low life may our prospects impair,
So of beastly propensities let us beware
Which nobody can deny.

This lofty position our children may lose,
And, reduced to all-fours, must then narrow their views,
Which would wholly unfit them for filling our shoes,
Which nobody can deny.

Thus losing Humanity's nature and name,
And descending through varying stages of shame,
They'd return to the monad from whence we all came,
Which nobody can deny."

Lord Neaves and his ballads bring up to memory another member of the Bar who, at an earlier period, shone in merry versification, George Outram, who has left us many a good thing in fun and good-nature. His song, "The Annuity," is a masterpiece of its kind.

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Lords Benholme, Ardmillan, Mackenzie, and Kinloch were then in the Outer House, as Lord Neaves was, all kindly and courteous, before whom it was a pleasure to plead. One cannot speak in detail of them, or of all the judges in the Inner House, but of Lord Benholme I will say that he was the most patient judge I ever saw on the Bench. Even in a period when interruption of counsel was not so frequent as it is now, he was *facile princeps*. At times one would almost wish for some relaxation from the sphinx-like stillness, in the hope of a word that might reveal which way the judicial mind was leaning. A combative counsel was quite out of his element at Lord Benholme's Bar, whose first and only word in many a case was "Avizandum."

In contrast to Lord Benholme's patient listening, an incident which occurred in one of the Divisional Courts is amusing. It was the rule in former days that if a counsel was pleading before a Lord Ordinary, and a case in which he was retained was called in a Division, he was required to state the fact to the judge, and leave his Bar. In a case where this occurred there was a long and, as it appeared to the Bench, an unseemly delay, before the counsel appeared. On his arrival the senior judge said, frowning, "You ought to remember, Mr. —, that the fact that you are addressing a Lord Ordinary is no excuse for not coming to the Division when a case is called."

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Counsel replied, "Oh, my lord, that was not the state of matters at all, it was the Lord Ordinary that was addressing me!" This reminds one of the stranger who was taken to the House of Lords when a judicial case was proceeding, and being somewhat astonished at what was going on, as counsel was finding it difficult to get in a sentence edgeways, whispered to his friend, "Who is that barrister that is always interrupting the noble lord on the right of the Chancellor?" Apropos of this modern practice, it is told of Lord Halsbury when he was Lord Chancellor, that when a case was proceeding before the House of Lords a counsel having been kept standing for a long time, unable to get in a word, while noble lords made little speeches in controversy with one another, he interposed at last and said: "Perhaps it would be advisable that we should listen to Mr. — and relieve him from having to listen to us."

Lord Kinloch was of a cheerful disposition, and he it was who uttered a famous reply when an advocate, which was afterwards appropriated in "Pump Court" as having occurred in London. When pleading at the Bar, the following poser was put to him by the Lord Justice-Clerk: "But, Mr. Penney, the peculiarity of the case as you are stating it, is that you have maintained four separate and inconsistent pleas." "Ha, hah," replied he, with that rolling laugh I remember so well, "there are four of your lordships." Even the stern-

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est had to join in the laugh which rang through the Court.

The Lord-Advocate, when I entered the Faculty, was Lord Moncreiff (the second), and the Solicitor-General was Mr. Maitland, afterwards Lord Barcaple, and I can best recall them when they pleaded for the pursuer in the celebrated cause of Longworth and Yelverton, in which they both distinguished themselves greatly by their closely reasoned and impassioned orations. Lord-Advocate Moncreiff and I were associated in another capacity than that of the Bar, as he became the first commanding officer of the Edinburgh Volunteers, joining, as many gentlemen did at that time, as an encouragement to others. I cannot criticise his capacity as a commander, as during the years he held the appointment he only attended once on parade on a markedly arm-chair horse. He looked on and made a speech. I heard him say at a meeting of officers that his duties made it difficult for him to serve, and that he would resign at once if we thought he should do so. Of course, whatever our inward thought might be, none of us liked to say that we thought so, and he remained on for a long time. The result was that when I was made a major in 1861 I was fortunate, for I got practically the command of a battalion when I had been only two years in the Force,

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which was a great delight to me, as I was fond of military exercises. Lord-Advocate Moncreiff was also Dean of Faculty for several years while holding the Government office. Lord Cockburn had long before expressed a very strong view against such a combination. In speaking of Duncan Macneill being made Dean when at the same time he was Solicitor-General, he says in his journal: "Altogether wrong; because the Deanery and the office of Lord-Advocate, or of Solicitor-General, should never be combined. . . . The Dean should be as independent as he can be made; but if the chief local organ of Government can hold the place, it will never be independent at all." Of late years opinion has very decidedly leant in the direction of Lord Cockburn's view, which certainly I share strongly. On becoming Lord-Advocate I at once resigned the Deanship. It is not likely that in the future a law-officer will be chosen for Dean. Apart from Lord Cockburn's objection on general principle, the practice which is now a settled one of both law-officers being members of the House of Commons, and the fact that Parliamentary life is now so exacting, would make it almost a scandal that the advocate chosen to represent the Bar as its head should hold either the office of Lord-Advocate or Solicitor-General. As I heard Lord Young, when at the Bar, say on the occasion of an election of a Dean, it was coming to be recognised

ELECTION VICISSITUDES

that the Deanship should be a "lonely splendour."

On Mr. Maitland taking his seat on the Bench, Mr. Young, then one of the most powerful pleaders, became Solicitor-General, and was elected to represent the Wigton Burghs. I remember hearing him say when someone asked him what his chances were of carrying the seat, that he thought it would be all right as he had a requisition from a majority of the electors. There are few men who have had such a chance as that. Strange to say, when he last stood for the same constituency, he was in no such fortunate case. The poll showed a majority of one against him, and this led to his accepting a seat on the Bench, filling a vacancy which had stood open for many months, he holding that the number of the judges should be reduced. The worst of it all was that after he had accepted the judgeship, it turned out on a scrutiny that he had been duly elected for the seat by a few votes.

He was one of the strongest pleaders in his time at the Bar, and was possessed of a very ready wit, albeit it was of a caustic type. Many of his sayings might be quoted, all very pointed and telling, but two or three must suffice. The printed papers in the Court of Session have the letters A to G set at intervals down the margin of each page, for convenience in pointing out a passage to which attention is being called. A counsel was

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pleading in a floundering style and with many hums and haas, and Lord Young, not being sure of the place on the page that was being referred to, asked, "Where are you now, Mr. —?" The reply was, "My lord, I am at C." "Ah, I thought so," said his lordship drily. He and Lord Deas were personal friends. Lord Deas, as a consequence of a riding accident, was lame for some years before his death, and always walked with a stick in one hand and an umbrella in the other. Speaking to Lord Young, he said: "George, do ye know why I always walk with a stick and an umbrella?" "No," was the reply, "unless it is that you don't want to be taken for the devil on two sticks." On another occasion when he was pleading strongly against a will of a deceased person, Lord Deas said to him: "Mr. Young, if I was dying, and afterwards coming back and finding ye treating my will in that way, I wouldn't like it." "Oh, but," replied Mr. Young, "I trust your lordship would not come back." One of the most characteristic stories told of him is that, on an occasion, a friend meeting him in London said: "Oh, I see your judgment in the case of Caw against Croaker has been affirmed in the House of Lords yesterday." His reply was, delivered in his most caustic manner: "Well, it may be right for all that."

It is not possible to give stories of the Bar in

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chronological order. Here are a few, the dates of which are not of consequence.

In my early days at the Bar there was a learned counsel, charming, good-natured, and kindly, whose only failing was that he was a Knowall. No matter what the subject was—law, art, science, literature, history, or any other branch of knowledge, he was never at a loss. His dealing with a matter brought up was short, sharp, and decisive. It was told of him that when on a journey with some of his brethren to London for a case in the House of Lords, somewhere, in the middle of a dark night, the train seemed to be going rather slowly, and one of the party, half sleeping and half waking, murmured: "We must be going up a steep hill just now," when a decided voice was heard from the opposite corner, saying: "Not at all, slight gradient, one in two hundred and seventy." The man who is a Knowall is sure to be caught at times. On one occasion, —— was pleading vigorously that the point in dispute had been practically settled by "the well-known decision in the case before the English Court of Queen's Bench, Admix Robertson." Nobody else seemed to know of the existence of a case by that name, and it turned out that he had not noticed that there was no name "Admix," but that the case was truly that of So-and-so's Administratrix, the long official title being contracted so as to look at a casual glance like Admix.

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——s knowall propensity led to cynical people seeking to trip him up, by getting him to utter a confident opinion on the spur of the moment. A brother advocate once said to him with a grave face: "By the bye ——, what do you say on the disputed point whether sterility may be hereditary?" Promptly came the reply: "Why, certainly it can; I don't see how there can be any difference of opinion about it."

An advocate somewhat addicted to flowery expressions was pleading upon a question in which the Corporation of Bo'ness was interested, and which sharply divided the members of the Council. At one point of his speech he said: "I trust your lordships will believe that in the government of Bo'ness there is manifested in its Council a reasonable amount of *amour propre*." Up started a Councillor of the opposition, and leaning over from behind to his advocate said in a loud stage whisper: "Na, na, tell them that we've naething o' that low kind in Bo'ness."

In recounting Bench and Bar stories, I shall hope to be pardoned if I put in one here—some-what out of place—in which I was the performer myself, and I suggest to anyone who has a horror of puns, to skip the next few lines. My late friend, Mr. Comrie Thomson, was pleading in a case where there was a dispute between two proprietors in Canongate of Edinburgh as to injury threatened by the proceedings of one to the security of

SONS OF THE MANSE

the foundations of the house of the other. In the course of his argument he said that the building according to his information was founded on rock. My colleague, the late Lord Rutherford Clark, who excelled at putting catch questions in absolute solemnity of tone, said—in allusion to a celebrated sweetmeat—“You don’t mean to say, Mr. Thomson, that you maintain that the house is built on Edinburgh rock.” Being tempted I fell, and broke in: “I think if Mr. Thomson accepted that, he would have to admit that the house would come down *tout de suite*.” Lord Rutherford Clark generously accepted my counter, saying: “That’s good—that’s very good,” and I hope the general hilarity was not on that occasion the sycophantic laughter which the profession are accused of having ready for Bench sallies, however feeble.

Speaking of the Bar of my time, it is interesting to notice that a quintette of “Sons of the Manse” attained to high distinction—Lord President Inglis, Lords Watson, Robertson, and Kinross, and Solicitor-General Alexander Asher. It must be rare that so many ministers’ sons should reach the top of their profession in one generation. Such a conjunction is not likely to happen again for a long time, and it is certain that it never occurred before. Three of them, however, did not hold to

LIFE JOTTINGS

the tradition of *their elders*, as they were in their latter years adherents of the Episcopacy.

Lord Neaves in his own humorous style wrote an appreciation in verse of "The Sons of the Manse," which is well worth reading.

I must say a word about Robert Louis Stevenson, one who, although he did nothing at the Bar, brought lustre to it by his literary genius. When he was a young advocate I knew him well. Professor and Mrs. Fleeming Jenkin were very eager amateur actors, and in their house in Great Stuart Street established a very good stage, on which many Shakesperean plays, both tragic and comic, were produced, and Stevenson often had a part in the performance. Once—not in their house, but in the Misses Mairs' (great-grand-daughters of Sarah Siddons)—I was set to take part in the trial scene in the *Merchant of Venice*. It may sound funny, but I was asked to play Shylock, and I did, to Robert Louis' Antonio, and he paid me the compliment of saying afterwards that the expression of "lodged hate," as interpreted in my face, was convincing. He and I walked home together that night, and severely criticised some performances of others, as possibly others did ours. I little thought then that I was side by side with one who was to carry forward the literary fame of Edinburgh into yet another generation. I never saw him again after that night.

78TH HIGHLANDERS

Some important events took place in the early Sixties. One which brought out great enthusiasm was the entry of the 78th Highlanders into Edinburgh, on their return from the East after the Indian Mutiny. The crowd in the streets was enormous, and the cheering wild. I was then a captain in the Edinburgh Volunteer Corps—afterwards the Queen's Brigade—and we were turned out to line the street from Waverley Station to the Mound. In consequence of a want of judgment the street lining failed, and the procession was a fiasco. Our men were set at two paces interval, but the commanding-officer failed to realise that as the entrance into Princes Street from Waverley Station was a long curve, the intervals between the men on the outer side—the very place where the crowd was most dense—were much greater than elsewhere. His attention was called to this, but he considered all was well, saying he would ride along when the troops came, and keep the crowd back with his horse. He did not realise that he and his horse would be as useful to stem the torrent as a walking-stick would be to dam a mill race. My post was near the Royal Institution, and I found myself and my men presenting arms to a rushing mob of hundreds, who had in their eagerness rolled the lieutenant-colonel and all his men at the entrance to Princes Street before them, carrying them away “as with a flood.” But all this was of little consequence, as “wel-

come" was on every face, and shouted by every tongue. The regiment was headed by Colonel Ewart, whose empty sleeve told of what had been suffered in that awful time, when nothing but the unconquerable spirit of the British soldier had put down the effort of cruel and implacable rebels to destroy our power in India. This Colonel Ewart was the father of General Sir Spencer Ewart, the officer who by ability and devotion to his profession had raised himself to the Adjutant-Generalship of the Army, a position he vacated lately in extraordinary circumstances forced upon him, but in which his own honour was conspicuously maintained. He has since been appointed
Commander-in-Chief in Scotland.



GENERAL POST OFFICE—LAYING FOUNDATION STONE, 1861

CHAPTER TWENTY-SEVEN

"We must resign! Heaven his great soul doth claim."

WALLER.

CHAPTER TWENTY-SEVEN

EDINBURGH was connected, and that in a most painful way, with the death of the Prince Consort at the close of the year 1861. Two great works in Edinburgh were inaugurated shortly before by the laying of the foundation stones, first of the New Post Office and then of the Royal Museum, both of which ceremonies were performed by the Prince on the same day. I was on duty in command of my rifle battalion on that day as we lined the way from the site of the Post Office in the direction of Holyrood. I little thought it was to be the last occasion on which I should see the Prince Consort, as he looked the picture of health. But it is to be feared that it cannot be said that this visit had nothing to do with his death, which occurred but a short time afterwards. The weather of that day was dreadful, the sky dull as lead, and the east wind more than usually penetrating, seeming to reach one's very bones. I confess that in my position as a commander of a battalion, I made use during the long period of waiting of my privilege of looking after my command, by every now and again having a gallop to the outmost flank of my line and back, ostensibly to look after things, but more to bump the cold out of my body. The ceremony took a long time, and we learned afterwards that there had been a very long prayer—injudiciously long, both for the occasion and also in view of the weather, to which full dress tunics could offer little

resistance. Twenty-five minutes was declared to have been the time occupied, but this is almost beyond belief. Whatever the time was it was too long, and to be regretted to say the least of it. The Prince was urged to put on his cocked hat, but this he would not do, expecting every minute, it may be supposed, that he would be able to do so without appearing irreverent. So his bald head was exposed all the time, and doubtless the cold was penetrating his clothing as well. Had this been the only ceremonial, he might have got back to the Palace and obtained relief. Most unfortunately he had to drive a good part of a mile, and perform a similar ceremony at the site of the new Museum. But a short time after this I saw the Castle flag at half-mast high on a Sunday forenoon. It may be probable that the seeds of the evil which led to this national calamity had been already sown, but it is difficult not to harbour the thought that, but for the lamentable exposure he had to endure, his fine healthy constitution might have shaken off the disease. He was mourned with genuine grief by all who admire a servant devoted to good, and who realised what a true helpmate he was to the Queen in bearing the burden of royalty.

As was natural, Edinburgh resolved to have a memorial of the Prince, and this led to proposals, some of which it was scarcely possible to think that any sane person would put forward. Com-

ILL-DESIGNED MONUMENTS

ment has been made on the disfigurements that have been inflicted upon Edinburgh, one in special—Nelson's Monument—of which Lord Cockburn said, writing to the Lord Provost: "If your lordship wishes to see how a coign of vantage may be made use of for prominent deformity, raise your eyes to Nelson's Monument." Augustus J. C. Hare speaks of it as "a kind of lighthouse which closes Princes Street." Perhaps in connection with the sad death of the Prince Consort a few words may be said on what the citizens have been spared from having to endure. It is almost incredible, but it is true, that there was a serious proposal to put a pillar or obelisk on the top of Arthur Seat as a memorial to the deceased Prince. The propensity to disfigure peaks in this way is too common. There are two instances in East and West Lothian of its being thought right to do honour to the great by erecting factory chimneys on heights. And one sees the same thing in the wilds of Perthshire and even in Sutherlandshire. An obelisk high above the observer is always an eyesore. Such an erection, which may look well enough against a background, or viewed from a distance on a plain, as in Egypt, is quite out of place on an eminence, particularly if it can only be seen standing out against the sky. The Martyr's Monument, looked at from North Bridge, is an instance. I was about to say that no greater outrage could be committed against our lovely Arthur Seat than to

put a gigantic spike sticking up into the air on its picturesque summit. It would indeed be what Lord Cockburn called "a brutal obelisk." We all know that in one or two aspects the resemblance of the hill to a lion couchant is very marked. Although Scotland has the unicorn for its symbol, it could not but be a hideous disfigurement if a unicorn's horn were set on the head of the lion of Arthur Seat. Yet such an idea was at one time mooted and gravely considered. But I am unable to speak of the obelisk as an outrage than which none could be greater, for a worse and more absurd disfigurement was proposed than that. After the Prince Consort's death a suggestion was thought worthy to appear in print, that the memorial to him should take the form of a gigantic crown, to be built over the lion's head on Arthur Seat! I forget whether it was proposed it should be gilded, but I can quite believe that anyone who could moot such a thing, and those to whom the idea commended itself, would have readily accepted an offer by a house-painter and gilder—desiring an advertisement—to gild the crown, and fit it with coloured glass jewellery, which would "have a splendid effect when glittering in the evening sun"! I feel bound to say that this was not put forward by any member of the Institute of Architects. But on the same occasion there was an almost equally objectionable proposal made by a member of that body to erect a building on Arthur Seat. Will it be be-

PRINCE OF WALES' MARRIAGE

lieved that an elevation was prepared for the erection of a long building, with a horizontal line of roof showing against the sky on the top of the east part of Arthur Seat, immediately above the Queen's Drive, the elevation showing the line of the building running east and west? But that such a proposal for the memorial was seriously tabled I know, for I saw the drawing at the time. The architect who exhibited it was a most worthy man, whom I respected. It is many years since he was taken to his rest, a man of "good works," but it is impossible to say that this work, if executed, could have been called by such a name. It would have been difficult to imagine anything more objectionable, until to-day, when one looks at the Caledonian Railway Hotel.

All good citizens have reason for satisfaction that no one of these proposed monstrosities materialised, and that the Prince's memory is well represented by the statue in Charlotte Square, which, however, is rather hid away in its present surroundings.

The next national event which stirred Edinburgh, along with all the kingdom, was a joyful one—the marriage of the Prince of Wales, when the greatest enthusiasm was shown. A great review was held in Queen's Park, and in the evening the city—in which flags innumerable floated

all day, and the fronts of houses were decorated gaily—there was an illumination, which can only be described by the word “magnificent.” It was wisely resolved to abandon the universal lighting up of houses, and to concentrate effort by obtaining subscriptions to illuminate the south side of the valley in front of Princes Street, leaving it to those in charge of large buildings to have special illuminations as they might see fit. The most striking feature was the lining out of all the buildings of the Castle with padella lights, to which the crow’s-foot stepped gables lent themselves admirably. The rich, warm tone of the lights, and the way in which they glittered in the breeze, was as beautiful a display as could be conceived, the effect being enhanced by a torchlight procession down the diagonal walk from the Esplanade to the foot of the rock in the gardens. From the Free Church College downwards the same effect was produced as in the illumination on the occasion of the Queen’s first visit to Edinburgh, candles having been supplied, and the windows crowded with them. Lord Melville’s Monument at one end of George Street, and St. George’s Church at the other, produced a beautiful effect, the latter being particularly fine, the dome being marked out in lamps with globes, giving a delightfully soft pearly tone.

Although there were vast crowds, the control arrangements were most excellent, and no accid-



QUEEN VICTORIA LEAVING HOLYROOD AT NIGHT, 1861

INJUDICIOUS KINDNESS

ent of any kind took place. Only one incident formed a speck on the glory of this joyous celebration. A precaution taken by the police was to forbid persons crossing North Bridge from using the pavement, lest a surging crowd might push over the balustrade and cause a catastrophe. To prevent risk of this rule being broken, a number of dragoons from Piershill were used to patrol the pavements and keep them clear. Alas! the good-humour of the crowd, combined with the propensity of the people to carry whisky bottles, led to constant kindly [?] offers of drink to the soldiers, and as I saw them when going back to barracks several were reeling in their saddles, and, more painful still, a cab followed with some who could not keep their seats at all. This was not to be wondered at, when what is called "refreshment" was forced upon the troopers every few minutes. The officer in command said afterwards that he himself was urged to accept a dram several dozens of times during the hours he was on duty. It is not a very pleasing incident to speak of, but it ought to be recorded as a warning to people not so inconsiderately to put temptation in the way of men on duty.

Nothing could exceed the enthusiasm that day. Even had the people of Edinburgh seen the Princess before her wedding, and come to know her charm of person and of character, they could not have been stimulated to any higher expres-

sion of their good wishes than was shewn. Those who were present will never forget the scenes they witnessed.

When the first part of the Scottish Museum, now the Royal Scottish, was built, it was opened by the late Duke of Edinburgh. The Museum has since been completed, and is worthy of Scotland, and the building is worthy of the city.

I witnessed a most amusing scene on the occasion. There was a dais set at the end of the great hall for His Royal Highness, the usual red baize cloth being laid down the building for a long distance. Rows of chairs were placed on each side, to which the bailies' and town councillors' wives and other ladies were brought forward, the gentlemen with them retiring and standing behind. Lady Ruthven, an old dowager who was very deaf, was seated in one of the chairs among the municipal ladies, and while we waited a gentleman who knew her came up and shook hands and said into her ear, "I hope your ladyship is comfortable," to which she replied in the loud tones so common from deaf people, "Oh yes, I'm all right—don't think very much of my surroundings, though." She was an amusing and lively old lady. Once in an English hotel she came down in the morning, and accosting the landlord in loud tones, drawing the attention of those standing by, declared she

FENIANISM

must leave as she had been so troubled by fleas during the night. "Oh, I assure you, my lady," was the reply of the landlord, rubbing his hands one over the other, "it must be a mistake; there is not a single one in the house." "Quite right, quite right," shouted she, "not a single one, all married and with large families."

In the course of the Sixties of last century a movement of serious import to the peace of Great Britain developed itself. Fenianism in Ireland, aided from the United States, where the Irish Press preached violence and even assassination, eruptions of which were seen in the Manchester murder, the Clerkenwell outrage, the attempt to blow up the Glasgow great gasometer, and the explosions in Westminster Hall and at London Bridge, caused a considerable development of alarm in the community. The secret information possessed by the Government led to encouragement being given to local authorities to form corps of special constables. The Lord Provost and magistrates of Edinburgh did me the honour to grant their commission to me to take the command of the special constables enrolled in Edinburgh, whose numbers within a very few days rose to 4500, and for a time nightly drill was carried on to give these citizens the training necessary for compact working in dealing with mobs.

LIFE JOTTINGS

I enjoyed that time greatly. There was something not to be analysed in the satisfaction I had of being—while still little over thirty—“Boss” to many hundreds of grey-haired advocates and W.S.s, and S.S.C.s and C.A.s, and merchants of all degrees, and to order them about. How they submitted is a wonder to me to this day, as also it was a wonder how quickly they took up formations and performed movements. And the loyal aid I received from district superintendents, many of them very senior to me both personally and in experience, is something that I acknowledge now with gratitude. I still cherish my ordinary constable's baton, which was the only symbol of my office. Fortunately our services were not required. The demonstration was sufficient. Without it there might have been serious trouble.

Some years later I had another experience of the Fenian period, when the conspirators who planned the blowing up of the Glasgow gasometer were brought to Edinburgh for trial. The arrangements to prevent surprise and rescue were most elaborate. The prison van was timed to reach a station near Glasgow only a few minutes before it was to receive its load of prisoners, and was attached to a train to take it back to Edinburgh. At Princes Street Station there was a van with four horses ready to meet the prisoners, escorted by a body of mounted police with revolvers in their belts. I was one of the Scottish Prison Commis-

ANTI-CLIMAX

sioners at the time, and drove from the station to the Parliament Square, where the accused men were to be confined in the prison below the Judiciary Court, on which a guard of soldiers was set. When the prisoners had been released from their handcuffs I went forward, and, as was my duty, told them that I was a Prison Commissioner, and asked them if any of them wished to say anything. And here occurred one of those ludicrous anticlimaxes that occur on solemn occasions. The only reply I got was from the oldest of the men, in perfectly serious tone: "Indade, sor, oi think we ought to have some refreshment!" Fortunately I have considerable command of my countenance, and carefully avoided looking at any of the police and turnkeys, fearing there might be an explosion, different from that which the conspirators had planned.

CHAPTER TWENTY-EIGHT

*“Yet proud of parts, with prudence some dispense,
And play the fool, because they're men of sense.”*

YOUNG.



PRINCE OF WALES' MARRIAGE ILLUMINATIONS

CHAPTER TWENTY-EIGHT

IRGRIEVE to say that the Faculty of Advocates has always been a body showing little business-like regard for its own interests. Given a strong lead by one or two powerful members of the profession, and there has often been seen the blind rush of the young flock to follow the leading rams, without care or consideration. The young advocate is too ready in Faculty business to accept the judgment of pleaders who stand high in legal advising and in debate, not realising that a man may be the best that can be found to act for a litigant, but may be the worst to advise about practical affairs of business. To vote away parts of the Faculty's property at inadequate prices merely because money was wanted for some scheme that was supposed to be desirable, has long been a feature of Faculty transactions. Let any member of the profession inspect the splendid room and the staircase and vestibule of the Library of the Society of Writers to the Signet—the great upper room being the very finest library hall in Edinburgh—and then let him ask himself whether it was “good business” that the Faculty should sell this exceptionally fine building for £12,000—not equal to twice the price that has been given for one of the houses in Moray Place—and it is not difficult to guess what his answer would be. And what would he say further if he were told that, in addition to parting with the property, his predecessors, in accepting the price,

bound themselves never to raise the height of the Advocates' Library corridor above its present stunted elevation? Yet all this was done before my time, and often has my W.S. father chaffed me about it. All the concession we have under the agreement is that we may pass across the Signet Library entrance by the door at the end of the Parliament Hall!

When the site for the Sheriff Court Houses was offered for by the county authorities, the same happy-go-lucky procedure took place. I remember several advocates of standing vehemently protesting against our neglecting business-like methods, as we would not do in the management of our own affairs. The sheep followed the leader through the voting room. I was one of those young sheep, and I have been ashamed of it ever since.

The climax was reached when, after money had been poured out like water to pay for a printed catalogue of the library—an expenditure which many of us deprecated—it was reported to the Faculty that it would require a large sum to complete the printing, if completing it could be called, seeing that the work having been carried on slowly and laboriously for a quarter of a century or more, there were many thousands of books which had been added year by year, and whose titles fell within the earlier letters of the alphabet, and therefore were excluded from their proper place in the catalogue. We had at that time a bibliophile

A DISCREDITABLE MUDDLE

Dean, Mr. Horn, who was indefatigable in canvassing the young advocates to induce them to promote this printing. I remember seeing one youth pinned down in the dark corner at the bottom of the Parliament House. He was an objector. Mr. Horn was a patient user of many words, and kept him there for a long time, and when at last they separated, the unfortunate junior came across the House to me, with his hands up, saying something like this: "I have deserted to the enemy. I can't help it, I felt I would never get away if I did not yield; it was like the torture of water dropping. I had to give in and flee, or go mad."

Now it so happened that the Faculty had received, many years before, a legacy of a valuable collection of coins in an ornate cabinet, and on this the Dean, Mr. Horn, and his able bibliophile coadjutor, Mr. Patrick Fraser, who succeeded him as Dean, fastened as a means of raising money. When the matter was brought forward, against every remonstrance and strong protest, it was put to the vote, and once again the members flocked after Horn and Fraser, and we, a miserable seven, were received with sarcastic cheers as we filed in from our lobby. The legatees in trust resolved to turn their legacy into money, and our fiasco of an opposition led to many a gibing remark. We, the Seven, had our revenge. With characteristic lack of regard for prudence in business, those who acted without

taking the slightest trouble to obtain an impartial appraisal of what they were selling, handed over the whole collection and the cabinet containing it to the Royal Scottish Antiquarian Museum for £800. . . . The authorities of the Museum, whenever they got possession, set about dealing with their prize as business men. They sorted out all the duplicate coins in the collection, and sold these for the price they had given for the whole, thus getting a complete collection for nothing. This gave us, the despised Seven, the laugh against the meek, misled flock and their blind leaders of the blind—a laugh more sardonic than merry. And had this been all, it would have been enough. But it was not all. There was a deeper hole yet for them to roll into in the ditch. The cabinet stood for some time in the Museum, when on a certain day a man who was walking through the building suddenly stopped transfixed, like a setter at a partridge, and then gathering himself up he asked for the Secretary. On the Secretary joining him, he announced that he would give £2500 for that cabinet. The Secretary, of course, was diplomatic, and made the man understand that he did not know it was for sale. Negotiations followed, and ultimately the cabinet was sold for £3500! Thus the Faculty, regardless of their trust position, presented the Museum with coins and cabinet for nothing, and practically lost £4300 and obtained in hand a paltry £800, with

PROMOTION

which it is quite certain that the printed catalogue could not be completed. The fact was that this cabinet formed part of a suite of furniture made for one of the kings of France, a Louis, whether Quatorze, Quinze, or Seize, I know not. It was most beautifully made, and into the unique ormolu fittings great golden Spanish Dubloons were inserted. A rich collector was endeavouring to obtain the complete set, and this cabinet, and a clock, which I have seen in Muckcross Abbey near Killarney, and for which £1000 was offered in vain—were the two last pieces he was striving to obtain. Had anything like reasonable care been taken, a valuable article such as this would not have been thrown away as it was. The incident is of unsavoury remembrance, but it must find a place in any candid historical notice of the Faculty. It constitutes a dearly purchased warning, and should not be forgotten.

After being for two years Sheriff of Ross, Cromarty, and Sutherland, I was, in 1876, nominated by my kind friend Watson, who was then Lord-Advocate, to the office of Solicitor-General, which office I held till the defeat of Mr. Disraeli's Government in 1880, when I became Sheriff of Perthshire.

During my period in the office of Solicitor-General I was doubly associated with a *cause*

célèbre when the City of Glasgow Bank failed, being myself a sufferer in a very serious degree, and having to do duty as Solicitor-General in the consequent prosecution of the directors at their trial in Edinburgh. When it is remembered that every holder of £100 in shares, who was not reduced to bankruptcy, paid in calls £2750 sterling for that £100, an idea may be formed of the crushing character of the blow to all on whom it fell. It is not a subject on which it is pleasurable to enlarge, and I shall confine myself to relating two contrasted cases connected with it. Two old ladies who had confided £1500 to their agent to invest in City of Glasgow Bank stock were stunned at the knowledge of their loss, and sat in deep depression awaiting the liquidators' notice of their being put on the list of contributories, thinking of the consequent "calls" with horror. No notice came to them, and on inquiry it turned out that they had no shares. Their agent had never made the investment, and kept them from discovering his rascality by paying regularly what he made them understand were the bank dividends. What a relief! Their £1500 was gone, but the rest of their fortune was safe. Contrast with this the case of an unfortunate man who was involved in the catastrophe, and who went to an aged aunt to inform her of his ruin. The old lady bade him not repine, saying, "You will come and live with me, and all I have goes to you at my death." Neither

CITY OF GLASGOW BANK

of them realised what would happen if she did not tie up her estate in some way to protect it against his creditors. She died shortly after, leaving the nephew the fee of all her estate, with the result that the liquidators of the bank carried off the whole of it as against the calls made!

It was an awful time. It will give an idea of the sweeping character of the calamity to mention that after the last call, out of all the many shareholders of the luckless bank, there were only sixteen people or sets of people left standing, and able to pay more if called on. And even these would have been brought to penury had it not been that a number of public-spirited and generous citizens took the risk of purchasing from the liquidators the assets of the unfortunate bank, which were not immediately realisable at their true value, and so enabled them to bring the liquidation to an end.

There was nothing of value in the office of Solicitor-General, except the honour of the position, the emoluments not reaching to a thousand a year. In my case the possession of the post involved on more than one occasion a loss greater than the official salary. When the trial of the City of Glasgow Bank Directors took place, private practice fell off to nothing, as it was known that close attendance would have to be given to a long trial, and of course as practice was stopped, it took a considerable time before new work came in. The same thing happened, though in somewhat smaller

degree, when Chantrelle, the French teacher, was brought to trial for murder. And later my friend Asher, when Solicitor-General, must have suffered great loss when he had to conduct the prosecution of Alfred John Monson in a trial which lasted nine days. It is satisfactory to know that the emoluments of the office are now on a more reasonable scale, although even to-day they may not do more than compensate—or possibly may not compensate—for the loss caused by the Solicitor-General being expected to go to the expense of contesting a seat for Parliament, and if successful to give up much practice in obedience to the crack of the Party Whip.

As has been already mentioned, Lord Young, when Lord-Advocate, had the intention of obtaining an Act to reduce the number of judges in Scotland, and consequently kept a vacancy open for a long time, which he ultimately filled himself, when he made up his mind to retire from active practice. A few years after this a similar proposal was made, and I was one of a deputation which went with the Dean of Faculty Kinneair to represent against the cutting down of the Bench. It always seemed to me to be an audacious proposal on the part of the Treasury, while there was no movement to reduce the judicial staff in Ireland, which with less business than in Scotland

THE SUPREME COURT BENCH

had some twenty-three or twenty-four judges to Scotland's thirteen, and with higher salaries than those obtaining in Scotland. Since the early Eighties there has been no further move in this direction, and it is hardly likely that there will be any such again. Having now been on the Bench for a quarter of a century, I can testify to the occurrence of many occasions, on which if the staff had been smaller than it is now, business in some of the Courts must have come to a standstill. The establishment of extra Circuits, taking place during the ordinary sitting of the Court, takes away two judges three times a year, and sometimes for a considerable number of days, if there are any long trials. Judges are also required during session for Valuation Appeal Courts, Registration Appeal Courts, and a judge is required for sittings of the Railway Commission. The Workmen's Compensation Act has added very substantially to the calls upon the Court. Again, the summary jurisdiction legislation of recent years has added greatly to the numbers of sittings necessary for the hearing of Criminal Appeals. There are occasionally illnesses, which seriously hamper the heads of the Court in obtaining the quorum necessary for a sitting. On one occasion my whole Division was broken up, I alone being available for duty. And this difficulty occurred when one judge from my Division and one from the other Division should have proceeded to Glasgow to

LIFE JOTTINGS

hold a Circuit Court, but the other Division had only a quorum for its own sittings. This occurred at the time of the great influenza epidemic. The result was that, as I was compelled to close my Division altogether, I went to Glasgow and took the whole business of the two judges appointed, which occupied some days. Had I been ill myself there would have been a deadlock, or such a dislocation of business as would have caused great inconvenience and expense to litigants. It must also be realised that if the Bench were cut down from its present number, it would be impossible to arrange for a temporary sitting of three judges as a Third Division, which is sometimes necessary, owing to pressure of business.

As I have referred to the influenza epidemic, I will ask leave to mention what happened in my own home, as an illustration of its severity. Of the eleven souls in my house, only two were left standing, the cook and myself, and I had the unique experience of having at times, when nurses were resting, to carry meals up four pairs of stairs for my little grandchildren.

In 1882, on the promotion of Dean of Faculty Kinnear to the Bench, my brethren of the Bar did me the honour to elect me to the vacant deanship, a position of inestimable value, which earns gratitude as no other appointment can from the fortunate advocate on whom it is bestowed.

During my period of office I had the satisfac-

PARLIAMENT HOUSE STATUES

tion of seeing two changes effected, one purely æsthetic, and the other of great advantage to the Faculty. I had long lamented the position of Chantrey's charming statue of Dundas of Arniston in the old Parliament House, which was crowded into a dark niche with its back to the light, the crown of the arch being so low that the sill of the window over it was only a few inches above the head, on which not infrequently a dirty drip from a leaking window soiled the marble. There was, as I thought, an excellent place at the end of the House, from which the seated figure would look out freely to the hall. I found that a support for it would have to be built from twenty-eight feet below—a costly work. But, nothing daunted, I used any persuasiveness I possessed, and with the aid of the members of the Bench, and many brethren at the Bar, I succeeded in getting the work accomplished, to my own great satisfaction, and I hope and believe to the satisfaction of others.

The other work was an extension of the Library premises, in doing which a very much needed reading-room of commodious size was provided for the Faculty. The young advocate of to-day little knows how comfortably he is accommodated, when he desires to read in the Library, as compared with his predecessors.

On the day on which this room was opened by me—the brass plate over the chimney-piece being unveiled—I had the honour, at the head of the

Faculty, to receive the delegates from all lands to the celebration of the Tercentenary of the University of Edinburgh, when a larger number of people were crowded into the Library premises than had ever been gathered there before.

CHAPTER TWENTY-NINE

"In sheets of rain the sky descends."

DRYDEN.

CHAPTER TWENTY-NINE

GOING back a little in time, some account must be given of a day never to be forgotten by those who took part in it—that of the Royal Review of the Scottish Volunteers in 1881, twenty-one years after the first great gathering in Scotland before the Queen. The contrast was extraordinary. The Volunteers were there in greater numbers than in 1860, there being no fewer than 40,624 of all ranks present. But oh! how different was the scene. The Queen, with that kindly consideration which she always showed, chose an afternoon hour for the Review. She had been informed that the arrival of the troops was so arranged that the parade could be held before luncheon, but she preferred to hold it later, saying that she had been distressed to know that a few weeks before, at the English Review in Windsor Park, several men had been smitten by sunstroke, the day being so hot! Most unfortunately her very kindness led to her Volunteers being exposed to a very different evil from that which she dreaded. Up to two o'clock the weather, though gloomy, was not wet, and had the Review been held before noon, it would have been finished before the storm burst. As it was, it broke out with fury about half an hour before the time appointed. No ordinary words can describe that downpour. It was one of those occasions when the fall is not in drops, but in streams. I have often described it by saying that the water came down

like "pipe stems." There had been nothing seen in the Queen's Park to compare with it within the memory of man, and the parade ground became a sea of mud before the march past began. About thirty paces from Her Majesty's carriage the troops marched through a running stream high up over the ankles, which had the curling wavelets on the surface that one sees in a swift-flowing millrace. So frightful was the soaking power, that long before a third of the battalions had passed the royal standard, the vast crowd on the hill surged down for home, and it was with great difficulty that they were held back by cavalry, while the Volunteers dribbled through the space between the Palace garden wall and the crowd from the hill, making their way in twos and threes through the lane kept by the troopers, and doubling up into position as they reached the open part of the Park. One good came out of this evil. It was a very crucial test of discipline, and that so many thousand men, soaked to the skin, were successfully kept in hand, recovered from the breaking up of their ranks, and marched past successfully, and were afterwards carried to their homes, many of them having to travel hundreds of miles in their drenched clothing, without there being any serious failure in good conduct, led many military men to form a much higher opinion of the capacity for discipline of the Volunteer than they had ever entertained before. There were, it was



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A REVIEW IN A DELUGE

reported, two hundred deaths traceable to what was gone through on that day, and I know myself a gentleman who contracted evil in consequence, which has at times troubled him up to this hour, after more than thirty years have passed away.

The matter has also its amusing side. A friend of my own, who was a strict teetotaller both before and after, told me that on the Review day, on getting home, he had a big rummer of hot grog, a thing he had never touched before. He did not tell me whether he enjoyed it. Probably not, but he benefited, on his own confession. Another amusing incident occurred to the Queen herself. Her trusty servant, John Brown, whenever he saw the rain streaming down, raided the quarters of the maids of honour and the ladies' maids of the royal party, and carried off an armful of umbrellas, to the number, it was said, of thirteen. He took them with him in the rumble of the Queen's carriage, and whenever the pelting of the storm caused an umbrella to leak, he handed a dry one over the back of the carriage. I have no doubt the whole thirteen were used, and that he wished he had brought more. What the maids of honour and the other maids said to one another, and said to John Brown, history does not relate.

The name of William Chambers will ever be remembered with gratitude for the noble work

he did in restoring the interior of the Cathedral of St. Giles, from the discreditable partitioning to which it was subjected in a period when taste in relation to buildings was at its lowest ebb. We are told of the great Dr. Johnson, that when he was brought to St. Giles', after it had been divided into sections, he said: "Let me see this which was once a church." The restoration was in every respect worthy of the ancient structure. Unlike what was done to destroy the character of the outside by facing it up with polished stone, the old walls were restored from their daubings with plaster to their impressive ruggedness, nothing being done within to mar the massive simplicity which is its best feature as the central church of Scotland, a land of a strong and rugged race—a feature which may well be preserved in Scotland's old buildings, having, as they certainly have, a dignity of their own. They cannot be improved by covering them up either inside or outside with uncalled-for elegances, unsuitable to their character. The 'tasty' (?) enrichment of the modern decorator is out of place. Those who were present in St. Giles' at the ceremonial, on the occasion of King George's visit, for installation of the Order of the Thistle, when the beautiful new chapel was used for the first time, must have felt that the great church, in all its simplicity, was in its place as suitable for a solemn Scottish act of worship on a State occasion as was Westminster Abbey in its place for a

ST. GILES' RESTORATION

royal coronation. Indeed, it may be said to have been a finer sight, there being no great wooden galleries, as were necessary in the Abbey. We owe it to Dr. Chambers, not only that the restoration was made, but also, and quite as much, that it was done without any serious tampering with the building as it stood in the days of John Knox. And all recognise with thankfulness the admirable work of Sir Robert Lorimer in the new chapel of the Order of the Thistle—a gem indeed.

CHAPTER THIRTY

“The deadness of the people of this place as to the beauty of the city, which is their glory, is amazing.”

LORD COCKBURN.

IN the year 1875 a few citizens who saw the need for watchfulness to prevent disfigurements to the city by new works, and loss to the city by the demolition of interesting relics of former days, formed the Cockburn Association, named after one who in his day did his utmost to urge upon the Corporation and the public the need for conserving the beautiful features of the town, and putting an end to proceedings which tended to disfigure or vulgarise it. The general body of the community were to a sad degree apathetic, and but few of the citizens joined themselves to the Association. It has, however, continued to this day, and has always had a council which vigilantly looked after the city's interests. Of course it would have been much more influential had it been able to appeal to the fact that it was backed up by a large number of members of the community. It almost invariably happens that when anything is threatened or done tending to detriment, "Critic," or "Grumbler," or "Æsthete" sends a letter to the newspapers, in which he asks: "What is the Cockburn Association about?" suggesting that it is not "about," and that it is to be blamed if some outrage is committed on the city's fair face. In almost every case where this has occurred, the anonymous letter-writer, if he had been a member of the Association, or if instead of writing to the Press he had written to the Association secretary, would have known that it had taken

every action in its power, and that its weakness to accomplish what was desirable was that the citizens declined to make it representative by enrolling themselves in it. Is it vain to appeal to them to do so now? I would fain hope that some spirit may be aroused, and that a substantial body of the citizens will be formed as a guard for the city's amenity. It is impossible not to feel that this is one of those cases in which there has been a failure to take hold on the public mind at the genesis of a movement, and it becomes an accepted feeling among the citizens that the efforts of a few are to be treated with contempt, while at the same time the idle and contemptuous ones hold that those who work are to be blamed if something which ought to be accomplished fails to find accomplishment, those who sneer not realising that their apathy is in measure the cause of the weakness. I appeal to my fellow-townsmen and say: If you will inquire you will find that much has been done by the handful of citizens who have been working as the Cockburn Association, much that gives them a claim for support by an increased membership, so that they may have greater influence. If the following are good works—and they are only a few of those that have been done—how much more could be accomplished if substantiality and representative character could be given to those who have worked, and are still willing to work.

THE COCKBURN ASSOCIATION

Some of the objects which have been pressed upon the public bodies who manage our city affairs by the Cockburn Association since its formation are:

1. The improvements of Princes Street.
2. The establishment of the Arboretum at the Royal Botanic Gardens.
3. The improvement of the Meadows.
4. The preservation of trees.
5. The prevention of the Forrest statuary being exhibited in Princes Street Gardens.
6. The prevention of the erection of blocks of working men's houses on the grounds of Clockmill House, at the north side of Queen's Park, close to the Parade Ground.
7. The prevention of the erection of a rock-garden in West Princes Street Gardens.
8. The restoration of the ancient Parliament Hall in Edinburgh Castle.
9. Removal of objectionable advertisement hoardings.
10. The purchase of the ground to the south of the Arboretum to save the view of the city.
11. The purchase of Croft-an-Righ.
12. Prohibition of flashing advertisements.
13. The saving of Mowbray House as a historic building.

In all these cases, and many minor ones, the Cockburn Association has done its part to preserve and enhance the amenity of Edinburgh.

LIFE JOTTINGS

I would say to every fellow-citizen: If you hold that the Cockburn Association is a useless body, will you consider whether some organisation is needful for the work which you think the present Association fails to fulfil, and will you exert yourselves to form a body that shall be useful in protecting and improving Edinburgh? The Cockburn Association will go on with its work until you have done this. Please, if you will not help in a good cause, do not belittle the doings of those who are doing some work, while you do none.

A practice prevailed for many years in Edinburgh, in common with many other cities, whenever a building of any just or unjust pretension to architectural distinction was erected, to shut it up in a cage of iron bars, more or less hideous in design, and often not the less so, from the design being intended to be elegant. Such railings often had the effect of depriving the building of the first important feature it should have. A building in a public place should be seen rising up from the ground with nothing close to it to interfere with its lines, so that the eye may see the structure from foundation to its highest point. In the case of St. Giles' Cathedral, caging was carried to an extravagant degree, with the result that round the building was a space shut off from the attentions of the scavenger, and tempting the passer-by who had something he wished to get rid of, to

DISFIGUREMENT BY RAILINGS

use it as a rubbish deposit, dishonouring to the building and often disgusting to the rest of the public, and even insanitary. When the mistake was made of spending £30,000 on depriving St. Giles' of its rugged, rough exterior—characteristic of the race whose place of worship it was—and casing it up in a polished ashlar shell,* the Cathedral was then for the first time enclosed in an eight-foot fence, consisting of thick iron posts set very close to each other, which were supposed to be decorated by paltry halbert tops. This disfiguring cage was carried in a curve round the ends of the building, absolutely unrelieved in its monotony. So heavy was it, and so solid looking, that to the spectator coming round from Bank Street into view of the church, the effect was a bride-cake effect, the base offering a rounded aspect, instead of presenting the features of the buttresses with their recesses. But the most deplorable effect was the chronic filthy state of the ground behind the railings.

Passing the building, as I did almost daily for many months of many years, the determination hardened in me to make a sustained effort to have this eyesore removed, for it was a grievous eyesore. People get accustomed to anything that is before them every day, and even men of taste will tolerate a thing that exists, when if it did not

* It is said that the old walls are not bonded with the new, and that the polished stones outside are built up without touching the old walls which they hide.

LIFE JOTTINGS

exist, and it were proposed to give it existence, they would be up in arms to prevent it. I brooded over this question of railings round buildings, and it came home to me that there were many public buildings where the caging-in craze had caused harm, and, as friends can testify, I made myself more or less a nuisance, and endured more than one rebuff from public bodies, to whom I inveighed against the caging system, as being more disfiguring than any injury that might take place if the building were left free. My first direct effort was at the time when Mr. Findlay's great gift of the National Portrait Gallery was nearing completion. I had been for some time, on the nomination of Lord President Inglis, a member of the Board of Manufactures, and at a meeting plans were brought up for an iron railing to be put along the front of that building two or three feet from the wall, at an estimated expenditure of £180. This was something not yet done, and I pleaded hard against the doing of it. Protection against burglars was a plea put forward as unanswerable in its favour. I replied that it was new to me that if a burglar wanted to get in at a window eight feet from the ground, it would not be a help to him to have a horizontal bar to stand on six feet up and within two feet of the window. I urged that the space enclosed would be nothing but a lodging place for straw, loose paper, and perhaps worse, and maintained that a railing must be a

DISFIGURING RAILINGS

disfigurement to such a building, and should be a proved necessity before being sanctioned. I stood alone. The whole Board voted in favour of spending the £180. The Lord President, with a twinkle in his eye, partly sarcastic but friendly—having noticed how keen I was on the matter—said, “Do you wish to enter a protest on the Minutes?” I said, “No, I have said my say, and I will leave it to time to vindicate me.” He who protests, protests only because he has no hope. I still hoped that I might be vindicated. I was vindicated. My friend Sir Rowand Anderson, who was the architect, and who was present to show the plans, is a man who never rejects a suggestion without thinking it over, and only does so when thought does not bring him to agree. He did think it over, with the result that the £180 was never spent, and the front of the Gallery is never strewn with straw and orange-peel and banana skins. Who would propose now to cage the Gallery in even if an offer were made to do it for nothing? Not only this, but on his advice similar places in front of the University were freed from railings, and the rails caging in the Tron Church and St. Paul’s Episcopal Church were taken down. This was very encouraging, and I braced myself for a struggle over St. Giles’, having ascertained that Dr. Cameron Lees would be quite favourable to clearing away the enclosing cage of the Cathedral. I sent to the Ecclesiastical Commissioners a list

LIFE JOTTINGS

of what lay round the church—filthy newspapers, a dead cat, a cast-off bonnet, an old shoe, a fish kettle with no bottom, and any number of pieces of rag, orange-peel, stick, &c. &c. There were seventy articles on the occasion of my visit to make a catalogue. Having thus prepared the way, I brought the matter up at the Board of Manufactures. Only one telling objection was tabled—that the expense of removal and filling in the filthy spaces with pavement would be very great. I played a last trump card, informing them that they could get the whole work done for nothing. This led to considerable staring. I was able to assure them that this great fence of three-inch thick uprights was made of the best malleable iron, and a contract could easily be got to do the work without charge if the contractor was allowed to take away the metal. The result was that an offer was put in, by which the contractor undertook to pay £25, to remove the fence and fill in the pavement. This was done, and I ask who would be a party now to disfiguring the church and disgracing it by once more using the ground round it for a “midden”?

I looked out long for a chance of attacking the disfiguring railings round the Royal Institution, and found it when Lord Provost Mitchell Thomson urged the Board to set back the railing at Princes Street, as the passage between the tramways and the side of the street was so narrow at

PROGRESS OF IMPROVEMENT

that point. I at once pleaded for the removal of the railings altogether. This time I obtained vigorous aid. Mr. J. R. Findlay, on being asked what he thought, said emphatically, "I would say take them all down." The consent was given. The building has now stood free from disturbing iron lines for many years, and no one has ever suggested that any fences are required, while everyone must admit that the removal of the caging and the disfiguring lamps in front of the pillars has been æsthetically a great change for the better.

Since these two great improvements have been effected, the tendency to caging in buildings has been much abated. Many new erections, which would certainly have been barred in, stand open to the street, and so completely has the idea of the need for such enclosures been dissipated, that many buildings formerly shut in are now allowed to stand out, without being caged behind prison bars. Notably the fine flight of steps of St. George's Church is no longer shut off from the street, and the exceptionally hideous railings projecting beyond the line of the street in front of the Greek pillars of St. Andrew's Church have disappeared—an improvement to the appearance both of church and street which everyone recognises.

Lastly, the front of the National Gallery has been cleared, and no fence left there except what is necessary to protect the public from the steep bank of the Mound.

LIFE JOTTINGS

All this satisfactory improvement having taken place, is there no hope that those who pass along Princes Street may be able to enjoy the outlook towards the old town on the east, and the Castle on the west, without the view being cut by railings intervening? If it were possible for the spectator to look on the scene without any artificial interruption obtruding itself on the eye, the delight of the prospect would be much enhanced. Indeed, there would be nothing like it in the world—the busy street, with no obstacle intervening to affect the view direct up to the picturesque old town and the Castle Rock. Let us get rid of the heavy railings next the street at the Waverley Market, then proceed to bring Mr. M'Hattie's splendid flower-beds into direct relation to the noble way of Princes Street, and lastly, substitute a fence set below the bank for the railings of West Princes Street. I have prayed our municipal chiefs long. I pray still, and I hope. It would only be necessary to keep the present low stone kerb, and to have the sockets of the present posts plugged. These could be opened and posts for a wooden fence erected when any great procession causing a large crowd to assemble made a temporary barrier necessary.

A word—and an earnest and imploring word—as to the Calton Hill. There are two sets of railings there, the removal of which would add greatly to the amenity of the scene. The first is the enclosure which goes round Nelson's Monument on

CALTON HILL

the north side. The way on to the top of the hill is at this point cramped to the eye by this low, shabby railing, and it has detrimental effects on the appearance and verdure of the hill. It may seem to be a small matter that the presence of the fence has an unnecessarily narrowing effect to the eye of the visitor when ascending. But this is not so. The hill is sufficiently crowded at this point by buildings, and any narrowing is detrimental to landscape effect. Let the question be considered: What good purpose does the fence serve on that side, where there are no rocks causing danger? A fence of iron is always an offence if it is erected where it is not necessary. In this case the railing only encloses a space, with the effect of giving opportunity to rank grass and offensive weeds to flourish. I counted on one occasion seventy dandelion blooms, and the usual corresponding number of dockkins, in that small space. The grass was rank, and the stalks of the dandelions were about eighteen inches long. It is generally the end of June before this thick mass of foot-high coarse grass, dock weeds, and dandelions is attended to, and of course when it is cut, the ground, instead of being like the rest of the hill, carries the coarse stubble of neglect. I have besought Conveners of Park Committees and other members of the Council on this matter for years. I hope against hope.

But there is another railing on Calton Hill

LIFE JOTTINGS

which it is absolutely inexcusable to leave standing. It shuts off a large portion of the highest part of the hill from the public for no reason whatever, except that it encloses the space on which the National Monument will never be built. After nearly a century of non-fulfilment of work undertaken by promoters of a monument, surely the risk may be taken of allowing the public to enjoy their own hill. It is inconceivable that these promoters, if there are any left, would try to play a dog-in-the-manger game, neither occupying the space themselves, nor allowing the citizens to occupy it. If it is necessary let the Corporation obtain a clause in an Omnibus Bill, empowering them to take possession again of what the promoters have failed to occupy for nearly a century. Any attempt to resist such a clause would savour of an

“Impudence, no brass was ever tougher.”

These matters regarding Calton Hill have sunk into a condition described by an old English word that has fallen into disuse, but is most expressive—they have become “slugged.” One must be almost rude if the inertia is to be overcome. Perhaps if a special reason can be assigned, and find acceptance, it may act as a stimulus, and galvanise what has become torpid into motion. May it be suggested that as—most properly—the Town Council encourages band music on the Calton Hill, they might consider how very unsatisfactory

NAT. MONUMENT RAILING

the space between the National Monument pillars and the Observatory wall is for a large crowd, such as one sees assembled in fine weather—a crowd which will always be likely to increase in size in future. May this suggestion be considered. Let the fence be removed, leaving, if necessary, stones to mark the statutory site of the Monument. At the back of the pillars the present unkempt and ugly slope might be stepped, so as to make a bandstand above the level of the ground. The top of the hill, if thrown open to the public, would give ample space for any number of people, and enable the band to be heard to much better advantage and in greater comfort than is the case at present. That the removal of the fence would be a great landscape improvement is obvious. Lord Provost, Magistrates, and Council, may you shake off the slugged condition, and consider this. “And Your Petitioner will ever pray.”

Recent events bring to memory, that about the middle of the last century an ambitious attempt was made to build a great stone terrace in front of Ramsay Garden, with the intention of placing the statue of Allan Ramsay—now in Princes Street Gardens—in the centre of it. Many citizens looked on with doubting glances while the work was in progress, and certainly the placing of a white statue there would have been most incon-

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gruous. But all misgivings proved superfluous. One fine morning the whole great structure fissured and fell away, threatening to slide down to the railway below. It was all removed, and no one can doubt that the scene is now far better than it would have been had the heavy bastion-like erection remained standing with a marble statue thrust on the eye in front of the old town. Quite recently a similar proposal was made to place a long flight of steps in front of the United Free College, and to set up an inferior statue of John Knox in the middle of it. One is glad to know that the city has escaped from such an incongruous disfigurement.

Speaking of Ramsay Garden leads one to say a word for a great enthusiast, and those who have aided his efforts. I refer to Professor Geddes, who has done much to conserve the old style on the south side of the valley, and to prevent the modernising of the Old Town. Ramsay Garden, which formerly presented a very bald front to Princes Street, has been broken up in a picturesque old-style manner, which is much more suitable to the situation. And in other places by his energy good work has been done, tending to the preservation of a quaint style, instead of an unsuitable modernising, producing incongruity.

CHAPTER THIRTY-ONE

"Woodman, spare that tree."

GEORGE P. MORRIS.

CHAPTER THIRTY-ONE

I HAVE spoken of the discreditable proposals for building up the valley between the old and new town by erecting a second side to Princes Street, and putting a cross street on the Mound, and building shops on the North Bridge. A first step in this amenity destroying policy was taken in the erection of what were called the "New Buildings," on the site now occupied by the North British Railway Hotel. For about a century that line of street buildings presented its coarse rubble back to Princes Street, without one redeeming feature in its ugliness, made, as it was, even more objectionable by tradesmen's advertisement names in great letters, conspicuous in white or gold, so that they could be read afar off by those in Princes Street. Such buildings, once erected, could never be removed, unless to give place to other buildings. It is certainly a matter for regret that the view from Princes Street out towards the sea, with the Bass Rock and North Berwick Law in the distance, has been finally closed up. Had the New Buildings not shut out that view, it may be doubted whether the Post Office would have been built on its present site. If the low building of the old Theatre Royal, and the disreputable Shakespere Square beside it had been removed, and if there had been no New Buildings at the end of Princes Street, the open view eastwards would have been of high value to the city's charms. But it was not to be,

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and one can only have a modified satisfaction in the fact that the rubble backs of the bald New Buildings have been superseded by a structure which at least does not present an unrelieved and dirty back wall to the passer-by. It is to be regretted that this is all that can be said regarding the outlook at the east end of our glorious thoroughfare. And no one can fail to see, when descending the hill of the North Bridge, how cruelly the chaste and beautiful front of the Register House is obscured by the Post Office and the Railway Hotel.

During my time two widenings of Princes Street have been carried out—both absolutely necessary in view of the increase of traffic. Let it be remembered that if the Town Council's scheme for building a south side to Princes Street had been accomplished, not only would the amenity—the priceless amenity—of that glorious terrace have been ruined for ever, but the street must have remained a paltry narrow passage for all time. There would have been hopeless congestion as the city grew and the traffic increased. The putting down of tramways on Princes Street, although providing for the convenience of the citizens, could not but be deplored on æsthetic grounds. The presence on such a street of great, broad, double-decked vans, running on fixed rails, having to pick up and drop passengers in the middle of the street, and unable to give accommodation of passage to other vehicles, necessar-



OLD THEATRE ROYAL, EDINBURGH

DESTRUCTION OF TREES

ily caused greater congestion, making further widening a necessity. As that widening could only take effect on the garden side, there was naturally much anxiety on the part of many citizens to have as many of the trees spared as possible, it being well known that to a contractor a tree was an object, his only feeling in regard to which was, that it stood in his way, and should be hacked down as a preliminary to proceeding to business. When the work was begun, I was passing along in front of St. John's Church, where there was a promising row of trees which might well be spared, as they ran in the line of the edge of the proposed pavement. I found two navvies vigorously plying with axes at one of them, and I said, "Are you going to cut down all these trees?" "Indade an we aar, yer 'onner, eviry blissed wan—that's the aarder." I dashed across to the Club and wrote what I admit was a most impudent letter to Lord Provost Falshaw, saying that when I was told of the intended destruction, I shouted, "Idiots!"—by which I said I did not mean the navvies who were obeying the orders, but the Town Council which issued them. I went straight up to the City Chambers and saw my friend Mr. Skinner, the Town Clerk. All the satisfaction I got was that I should not say anything about "half-done work," and that it was the intention to "plant a line of trees at the outside kerb." There were still a few good trees in the same position, and with a view to

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these being spared, a deputation went to meet a committee of the Town Council. We got a very marked illustration of the truth of Lord Cockburn's words: "There is often little perception of the beauty of street trees." The meeting was presided over by a most worthy bailie, but it was soon evident that there was no hope. The bailie told us that often when he drove along Princes Street, he said to himself how ugly all these trees were. This struck us dumb, and he proceeding, asked if we had ever seen the plan for making West Princes Street into a really fine terrace. "Haw, haw," said he, "you should see that, that's something really tasty." The plan was sent for, and unrolled with a flourish. It represented a flat terrace with no trees. There were many box-beds, in the centre of which were fountains and marble statues, both suggestive of shivering, in a climate like ours. It was a Frenchified parterre, without a single feature in harmony with the view of nature beyond. I left that meeting with a groan, ready to quote Lord Cockburn's words. There is cause for thankfulness that we still have our "ugly" trees, and that the pedestrian, casting his eyes across the street, has not to look upon the natural beauties of the Castle Rock over a bad imitation of the artificial beauty of cities, which have no such glorious scene to give its mandate as to how its surroundings should be treated. May it never be vulgarised in such a manner.

WINTER GARDEN SCHEME

As regards the trees, the promise which was made that there would be a row along the outer curb has never been fulfilled. If there was a real intention, it has gone towards the paving arrangements of a different place from Princes Street. But we still have our trees beside the pavement, and that is a good half of the loaf spared to us. We had cause lately to tremble as to what those may do who think Edinburgh would be improved by great glass erections in either East or West Princes Street Gardens, sweeping away more trees and vulgarising the valley, whose chief beauty is in its being free from modernisation—a suitable foreground for the Castle Rock—the glory of Edinburgh. It is already vulgarised by the ill-designed band-stand thrust upon the eye. If it is desired to improve the aspect, the first thing to be done is to abolish the present band-stand and to erect a semicircular one of less pretentious character under the north slope, where it would be out of view when the spectator looked at the Castle Rock from the pavements of Princes Street. The present band-stand is an offence to a beautiful natural scene, both by its style and by its being there at all.

As in the case of the widening of Princes Street the rebuilding and the widening of the North Bridge was not accomplished a day too soon. The increase of traffic both on the streets and in the railway station below made a change imper-

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ative. The old North Bridge, and the buildings of the street called by that name, were not a credit to Edinburgh. The bridge, with its narrow arches and its somewhat steep gradient, was unsightly, and the two end gables of North Bridge Street, with their narrow and bald fronts, presented a by no means good architectural feature to Princes Street, particularly as the gables were high, and the street so narrow as to be paltry. The new bridge, with its improved gradient and wide arches, is on the whole a satisfactory provision of a necessary communication between the old and the new town, as little offensive as is possible, and the buildings substituted for the old bald-fronted houses present a much better aspect, appearance being of great consequence on such a prominent and elevated situation. The increased breadth is not more than enough, notwithstanding the partial relief from congestion of traffic—always increasing—by the construction of Cockburn Street. If all future improvements are carried out in as satisfactory a manner, there will be little to complain of in the conduct of our municipal fathers in caring for the amenity of the city, and the convenience of the citizens.

Would that it were possible to say that other erections in the neighbourhood of Princes Street were as little open to objection as the North Bridge improvement. The North British Station Hotel, while its erection has certainly freed the

THE RAILWAY HOTELS

city from the discreditable rubble backs of the New Buildings, and substituted a structure on the same site which cannot be called an outrage, has had a by no means satisfactory effect. From its great height it dwarfs the view of the Calton Hill very seriously. And strange it is that the only part of it that ought to be high is not high enough. The tower, looking to the enormous mass and height of the rest of the building, should certainly have been considerably more lofty. But any feeling of dissatisfaction which can be reasonably expressed as to what has been done at the east end of Princes Street, almost fades out of the mind when one turns to the west end. No one who remembers the lookout from the top of the Mound towards Corstorphine Hill can fail to view with disgust the establishment of what looks like the straight roof of a block of tenements, cutting across the campanile of the church in Shandwick Place and the Episcopal Cathedral spire, which formerly carried the line of view out westwards most satisfactorily towards the green hills beyond. I believe the Caledonian Railway Hotel has a high reputation as regards its interior. If so, it is the converse of the cup made clean externally, but full within of the horrible. The excellence of the accommodation and the cuisine of this hotel will not ever compensate for its hateful, not to say disgraceful, disfigurement of unrelieved horizontal line beside the unexcelled pict-

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uresque aspect of the Castle Rock. I have heard it whispered that some who held influential positions, but whose influence, alas, did not prevail, desired to buy up the decayed Rutland Square and obtain a splendid site for the hotel. How much better this would have been. There is a well-known saying about the difficulty of kicking a Corporation, which is too graphic to be reproduced here. But good citizens may join with me, if they will, in saying to those who are personally responsible for what was done, addressing them as individuals: "Consider yourselves kicked."

CHAPTER THIRTY-TWO

*“The Provost, douce man wi’ his ermine and chain,
Has his shooders weel loaded wi’ care ;
But honest his wark, it is niver in vain,
It’s his best : and wha can dae mair.”*

ANON.

CHAPTER THIRTY-TWO

IN the course of my long life I have seen many Lord Provosts. When I first went to school I was soon informed by my neighbour in the class that his father was the Lord Provost, and he said to me proudly: "Go along to Drummond Place and see the grand lamps." This was Lord Provost Black, who thought that the convulsions of nature which gave us our valley of the Nor' Loch were an intentional provision by that dame to provide a suitable place for a railway station. The evil he did lives after him; let not the good lie "interred with his bones." He and his firm have done much to bring sound healthy works before the public, and have never condescended to issue Press trash, because public taste deteriorated and the sweet stuff and the tainted toffy of literature were sought after, rather than the nourishing and wholesome.

Then there was Duncan M'Laren, a man of powerful intellect and of dogged determination. To him we owe it in no small degree that our city affairs are now in order, and we can show from year to year a satisfactory balance-sheet. There is now no temptation to adopt vulgarising methods to attain prosperity. I speak of Mr. M'Laren with the greater satisfaction, as I confess that when I was a boy, and he as Lord Provost was standing for the city, I along with the other boys at the Academy, instead of playing during our "quarter," assembled behind the railings of the school,

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and when a cab passed with "The Lord Provost's Committee" placarded on it, gave vent to an almost "universal hiss," to use Milton's expression regarding a different place from the Academy. I was called upon later in life to stand against him at two elections, when I polled little more than a third of the number of votes that he did; but that does not alter the feeling I have that he was a useful man in his day and generation, and above all, in his work for the deliverance of Edinburgh from the "Slough of Despond" into which she had fallen, and out of which she could not have been pulled and cleansed without energy and talent. He had brains in abundance, and he used them unsparingly for his city, and although I was his opponent, he was always courteous and kindly.

During the time of his work in the municipality all did not see eye to eye with him, and he was the object of attack both on the platform and in the Press, and sometimes in not very measured terms. The simile being applied to him of "a snake in the grass," he sought, and successfully, to vindicate himself from the aspersion, which certainly went beyond the bounds of reasonable criticism of a public man. The verdict in his favour led to a very clever touch of sarcasm, presumably from the pen of Mr. Russel, and it may be quoted as a specimen of his keen wit. In commenting on the trial, he took the line of criticising Mr.

THE LORD PROVOSTS

M'Laren's capacity as a financier, and taking exception to his calculations, he said, alluding to his skill at figures: "If he is not a snake, no one can deny at least that he is a remarkable adder."

Perhaps the most typical specimen of a Chief Magistrate of a great city was Lord Provost Lawson, whose firm had built up a great business as seed merchants, and who in his day was one of the most highly respected of our citizens. Rotund, beaming, the picture of good, kindly humanity, he did the duties of the office in splendid style, and when a question of precedence arose as between Edinburgh and Dublin, took his official carriage to London, powder-headed servants and all, so as to uphold our civic dignity during the struggle.

He was a man of most unassuming character, and it was never a matter with him of his own dignity or position, but solely the honour of the city he had been called to represent.

One rather comical incident in which he figured may be noticed. On the occasion of the Disraeli Banquet in 1868 in the Corn Exchange, he had been appointed to propose a toast, which, as Mr. Disraeli had made an exceptionally long speech, came on late. It was evident that he had prepared his speech, and given it in type to the reporters, and therefore he felt that it must be delivered. His voice did not admit of more than a third of the audience hearing a word he said, and it got somewhat wearisome. At the table where I sat

we made a plot, and starting up when he seemed to reach a period began to cheer lustily, which brought the whole assemblage to their feet. When the cheering stopped, the band, which was instructed to play between the toast and the reply, did so, but at the conclusion of the musical piece Charles Lawson was still seen waving his arms as before. A second time we adopted the same ruse, and after we had cheered, the cavalry trumpeters, as ordered, blew a fanfare for the next toast, but still the arms were seen in vigorous motion. However, by this time he was reaching the end of what was printed, and there was nothing for it but to cheer a third time, which we did. As one would have expected, but a few lines represented his oration in the Press next day. The most amusing feature of the whole proceeding was, that those who did not know Charles Lawson would attribute what he did to vanity, whereas there never was a man of simpler or more modest character in Edinburgh, or anywhere else.

It is sad to know that subsequent events showed that the Lord Provost's firm had got into low water, and that the canker must have been at his heart before the day when he gave up his chain of office. Into the cause of the breakdown it is not for a stranger to enter, but it is satisfactory to know that not one breath of suspicion ever fell on our esteemed fellow-citizen of any conduct but the most worthy and upright, leading to the sad

THE LORD PROVOSTS

catastrophe which overtook him. He was a man of advanced years, and probably had not the same grasp and control of the business which he had when in more vigorous health. I heard at the time that his sons had taken up speculations which proved disastrous. He died respected of all who knew him.

Later came Lord Provost Chambers, whose publishing firm have also for nearly a century held a high place as providers of good wholesome literature, their *Journal* in particular being read all over the world—probably the best publication for family use that exists, and being of a standard far above the mass of pictorial monthlies that seem to call for an enlargement of our bookstalls, so crowded have these become of recent years. They, like Messrs. Black, have not condescended to cater for the taste of those to whose desires the lines apply:

“Till authors hear at once the general cry,
Tickle and entertain us, or we die.”

As is mentioned elsewhere, he did a great work for the honour of God and the good name of the city in the restoration of St. Giles' Cathedral.

It is impossible to go over the whole list of Lord Provosts, all of whom I have known as friends, and I have preferred to refer to those who are no longer with us, and who made some special mark. I would leave it to others who may in future publish their reminiscences to speak of those who be-

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long more closely to the present time. Of one with whom I was long and pleasantly associated as a Volunteer—my friend Cranston—I have spoken already in my published recollections of my fifty years in the Volunteer Force.

One thing I would say further, however, in regard to our Lord Provosts. It may be taken as a sequel to the strong literary position of Edinburgh in the first half of the last century, that our city has honoured itself by having chosen on four separate occasions, during the period that is being written about, gentlemen directly connected with literature as publishers—Lord Provosts Black, Chambers, Boyd, and Clark.

CHAPTER THIRTY-THREE

“Weavers and calico-printers, power-looms and steam-engines, sugar-houses and foundries in Edinburgh! These nuisances might increase our population and our pauperism, our wealth and our bankruptcies, but they would leave it Edinburgh no more.”

LORD COCKBURN.

CHAPTER THIRTY-THREE

INDUSTRIAL manufacture has never found itself at home in Edinburgh. Distilleries and breweries and rubber factories are its chief great works, and there are engineering shops on a not very large scale. It is not a city of public works. There was in Lord Cockburn's time an inclination on the part of the municipality to endeavour to promote the establishment of manufactures, with the view of improving the financial position, which was then at a very low level. His lordship did his best to combat this idea, pointing out with force how the attraction of Edinburgh to the stranger was enhanced by the natural beauties of the situation, and how freedom from disfigurement by manufactures was an important element in the charm of its aspect. When referring in 1835 to the insolvent condition of Edinburgh, he says, speaking of the proposal to effect a financial recovery by encouraging factories: "I rejoice that we cannot excite it by steam. We must try to survive on better grounds; on our advantages as a metropolis, our adaptation for education, our literary fame, and especially on the glories of our external position and features . . . undimmed by the black dirty clouds from manufactures, the absence of which is one of the principal charms of our situation."

The present generation has reason to be thankful that wiser counsels prevailed, and that the thought of converting our lovely town into a pal-

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try imitation of Glasgow faded away. A real manufacturing or seaport town such as Glasgow has its glory in successful industry; it is a splendid strong man—the demonstration of power—while, on the other hand, a city such as Edinburgh fills the place of the graceful woman, whom it is a joy to look upon, and whom it would be a wrong to put to strenuous tasks, by which her fine lines would be destroyed and her being coarsened. Lord Cockburn's reference to Edinburgh's dependence on her adaptability for education is remarkable in view of what has happened since his time. Edinburgh has for long possessed many charitable institutions for education, some of which were formerly conducted on a residential system, described often as "monastic," children being separated from their parents, and tending to acquire habits of life unsuited to the surroundings to which they had to return when schooldays were past. This was seen to be unsatisfactory, and the Merchant Company of Edinburgh, in the Seventies of last century, set itself strenuously to introduce a change by which the benefits of the educational funds provided by generous donors might be utilised on a more useful and extended scale for day-school training and technical instruction. After full inquiry by a Royal Commission, statutory power was given to concentrate the management of a large number of educational institutions under the Merchant Company's control. The result has

MERCHANT CO.'S SCHOOLS

been in every respect satisfactory. There is no city anywhere in which parents of the middle class can more easily obtain good school education for their children at a very moderate outlay. This tends greatly to the prosperity of the city. Very many persons possessed of a fixed but not high income migrate to Edinburgh, because of the teaching facilities which the schools of the city provide. Retired civilians and soldiers who have been pensioned after service, and others who have a moderate competence and are not engaged in business, settle down in Edinburgh. And these are the best citizens a town can have. They give stability to a community. The ups and downs of trade do not affect them. Their course in life is steady and free from anxieties. They form the best customers for another section of the community—the retail traders—and are regular in meeting their engagements. Thus Edinburgh prospers. Its amenity as well as its educational facilities draw many to dwell in it, and the provision for their wants gives increasing custom to the retailer, and so swells the number of those who sell goods. Edinburgh is not a city of the millionaire, nor is it the city of gigantic failures. Its banking catastrophes have all had the word “Glasgow” in the name of the insolvent business, the great commercial city having its gigantic successes and its equally gigantic crashes, while Edinburgh has moved along a path in which there has been less

of great ascents and disastrous falls. It is cause for thankfulness that we have reached a stage where we are prosperous, without the aid of the whirl of the spinning-jenny or the clang of the iron-works, with their smoke shafts vulgarising the landscape and polluting the air.

One very marked illustration of the difference between the middle of the last century and the time that has followed is given by a consideration of what the newspaper Press was in those days. The Edinburgh citizen was quite content with a not very large four-page news-sheet, at the price of 3*d.*, delivered at his door twice a week, on Tuesdays and Fridays, and giving, as it did, news of London several days old, and news from India and other distant countries as much as three to four months after date. In Edinburgh the advertising public were accommodated by a weekly paper containing advertisements only, which was very much larger than the Tuesday and Friday newspapers, and which was delivered on Saturday at every door gratis, and was collected on Monday, and sent for a penny to any people in the country who were willing to subscribe for it. The sheet brought very substantial profit to those who issued it, and it was the medium for publishing such orders of the law courts or notices as were required by law to be made public, the

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Court ordering advertisement to be made in the *North British Advertiser*, as it was called. This was a most prosperous venture, but was unable to survive the competition of the penny daily, and died a lingering death before the close of the last century. What a change has taken place, when at the price of a penny a journal is delivered daily, varying from twelve to sixteen or even twenty large pages, printed twice as closely in the advertising section than was the case formerly, and when in Edinburgh there are two halfpenny papers, each at least three times as large as the original penny *Scotsman*. Of course all this could never have been accomplished with the old modes of type-setting, and printing not from stereotype but from the type itself, and not by many paper webs being printed on at one revolution of a cylinder, and the sheets cut off and folded mechanically, but by separate sheets passed into and out of the press by hand. A modern printing-office is a marvel of mechanical efficiency.

I have spoken of my association with the *Scotsman* newspaper. When I first came to be connected with it, its offices were in old, low-ceilinged rooms beside a close in the High Street. It was rapidly growing to such an extent that it was transferred to a handsome and, as was then thought, commodious building in Cockburn Street. The one penny issue had been going on for some years, and once my friend J. R. Findlay told me

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of an incident in its history which it can do no harm to repeat, now in the day of its magnificent success. When first the one penny daily edition came to be issued, it was a small four-page sheet, not much bigger when folded in two, if indeed as big, as a fair-sized table-napkin. Findlay told me that it had not been doing so well as was desirable, and that a visit was paid to Mr. Ritchie, his uncle (a kind friend to me), who was a supporter of the venture's finance, to ask him for £500 to tide over a difficulty. Mr. Ritchie signed a cheque, and in handing it over informed his visitors that they must not expect any more from him, that if the paper could not go on to success, then so far as he was concerned it must just stop. The venture was then at its turning-point. The tide began to flow, and prosperity took the place of anxiety.

To-day the *Scotsman* and its daughter, the *Evening Dispatch*, are housed in magnificent premises in the new North Bridge Street, and the *Scotsman*—sixty columns or more—is carried daily by early special trains throughout the length and breadth of the land, circulating at early hours in all quarters. Their only rival, the *Evening News*, is at the present time greatly enlarging its premises.

CHAPTER THIRTY-FOUR

*“Her life three hundred years! and still she lives,
Our Alma Mater.”*

AN APPRECIATION.

CHAPTER THIRTY-FOUR

IN 1883 the celebration of the tercentenary of the University of Edinburgh took place, and brought together a great crowd of learned people from all parts of the world. One of the most striking sights I can recall was the gathering in the Parliament House, when the delegates assembled to attend the opening service in St. Giles'. Such a variety of dresses, and especially of head-dresses, had never been seen before in that ancient seat of the Scottish Parliament.

At the Synod Hall—at that time the only place of sufficient size for such a celebration—there was a capping of a great number of honorary graduates, of whom I was honoured to be one, and there were orations by selected professors and other men of distinction. Some of these were of course in other tongues, and it was amusing to notice that when the few who understood the language spoken applauded, the applause increased and spread over the hall, there being an evident anxiety to indicate acquaintance with the language, whether it existed or not. Some of the speeches were—well, they were not brief—and one foreign gentleman, when called on, evidently ashamed of the prolixity of his confrères, began thus: "I eentent to be short, so I vill speak in Eenglish." Monsieur de Lesseps, who was capped, spoke long in French, and, scarcely apropos to the occasion, informed us that he was not an engineer, but was a diplomatist. To show that I

am not alone in considering that some speeches might have been less drawn out and less egotistical, I quote from a University Magazine which was sent to me by a Swiss delegate:

“Monsieur de Lesseps parla beaucoup du Canal de Suez et de Monsieur de Lesseps.”

There were, of course, varied entertainments, culminating in a great banquet in the Queen's Brigade Drill Hall, the largest room in the country for such a gathering. Here, again, the lack of common sense, which is too usual as a feature of after-dinner eloquence, was woefully manifest. The fatal idea seems too often to be, that the association of a name with a toast is not properly responded to by the owner of the name unless he prepares a long speech, and delivers it either with the dryness of a professorial lecture, or the perfervid declamation of one delivering a great oration. I do not, of course, speak of what is called “the toast of the evening,” on a great historical or political occasion, but of the general programme of toasts. I have had to attend many public dinners, at which the more honoured guests are at a disadvantage, as they cannot go away when they have had enough of eloquence and prosy speech, and I therefore speak feelingly. I ask leave to relate a few instances from my experience. Of all the dreary evenings I have ever endured, the worst was at the Literary Fund Dinner in London. I shall refer to only one speech,

POST-PRANDIAL ORATIONS

which began at twenty-five minutes to eleven o'clock, and did not conclude before the clock struck that hour. Its burden was ancient hieroglyphics, cuneiform inscription, &c.! On another occasion, at the dinner of the Royal Scottish Academy, a friend who sat beside me rose at the same hour—twenty-five minutes to eleven—and proposing “The Interests of Art,” spoke drearily for about the same time. On sitting down, he turned to me and said with a grave face: “Do you think I gave them enough, Mac?” I replied, with equal gravity: “Oh, well, my dear——, I think so. Yes, on the whole, yes.” As a contrast to this, at the centenary dinner of the Speculative Society, where there were seventeen toasts upon the list (!), Professor Blackie, whose sentiment of “Scottish Philosophy” was kept back by the length of previous speeches till near midnight, after pulling out his watch and announcing the hour, shouted: “I have a splendid speech for you; I have it all here, in my brain” (and those who knew him can see him, in their mind’s eye, slapping his forehead as he roared), “but ye shan’t have it, not a word of it. I will only say, ‘Long live Scottish philosophy, long live common sense, and long live Blackie, who doesn’t make long speeches,’” and he sat down amid thunders of applause.

But I have wandered from the Tercentenary. Lord Goschen—then Mr. Goschen—was the Lord Rector at that time, and presided over a

symposium of students in the Drill Hall on the night following the banquet. It was, as may be believed, a very lively evening. To make speeches heard was impossible, but anyone who could convince the lads that he had a good story to tell, got a hearing, and many a racy story was told, Mr. Goschen good-humouredly leading off. As to keeping order, it was hopeless, but there was no disorder, except the disorder of high spirits and good-fellowship.

There were not many amusing incidents connected with this celebration, but Professor Kirkpatrick, who was secretary to the *Senatus Academicus*, received an apology from Salamanca, containing a good specimen of "English as she is spoke." It returned thanks for "the hopeful invitation that from its name has conducted it to his Chancellor, Rector and principal to assist its Tercentenary of Foundation : feeling of wholly (*sic*) heart not to can accede to the same honorable invitation, sending a representative of cloister; and offers from my conduit to the illustrious members of so famous university its more distinguished consideration."

It was matter for regret that the principal parts of the programme had to be fulfilled in not very suitable buildings, the University at that time having no great hall of its own in which to conduct ceremonials with becoming dignity. It was probably a realisation of this want that led to the

THE UNIVERSITY BUILDINGS

munificent gift of Mr. M'Ewan—the great University Hall, in which the architect, Sir Rowand Anderson, has shown the power and skill of genius, so that now all great ceremonials can be conducted in noble surroundings.

At the time of the Tercentenary, Sir Alexander Grant was the Principal of the Edinburgh University. He was the most indefatigable promoter of its interests. Shortly before, the work of erecting a suitable building for the medical and surgical departments had been undertaken, and was carried out according to the designs of Sir Rowand Anderson, and these were completed by the time of the occurrence of the Tercentenary, and were universally admired, both for their architectural features and the efficient character of the buildings for their purpose. I have reason to know myself how indefatigably the Principal worked at this time. He was the most "sturdy beggar" I ever encountered, not contenting himself with lithographed circulars, but writing with his own hand appeals for aid, which were for that reason the more effectual. His unpretentious enthusiasm was boundless, and he brought a great work to fruition.

I came to know him very well. He had nothing of the learned pedant about him. He enjoyed a joke with infinite relish. I can recall his delight at a shot I fired at him on an occasion when he had engaged himself to me as a partner for a foursome of golf at Musselburgh. He did not

arrive at the station platform until the last seconds were running, and I was anxiously looking out for him. At last he appeared, hastening in a very unacademic manner, and as he came up, he gasped: "So sorry, I have barely done it." "Yes," I replied, "I was just saying to myself as the seconds flew by, 'Shall I not have barely my Principal?'" He staggered into the train and laughed with most unprofessorial glee.

The year 1885 witnessed a restoration to Edinburgh, most welcome to all lovers of the old city. In the rage for what was called improvement, in the eighteenth century—improvement proceeding upon the postulate, that what was venerable was "rubbish"—the city cross, a relic which silently told of many a sad and joyful incident of Scottish history, was in 1756 ruthlessly thrown down, the column falling and being smashed in the operation. Fortunately, Lord Somerville secured the despised fragments and set the column of the cross up at his family estate, and so the relic was saved. This vandalism of the city authorities was denounced by Walter Scott, who makes the minstrel say:

" Dear Edin's Cross, a pillar'd stone
Rose on a turret octagon;
But is razed that monument
Whence royal edict rang,

THE CITY CROSS

And voice of Scotland's law was sent
In glorious trumpet clang.
O, be his tomb as lead to lead,
Upon its dull destroyer's head!—
A minstrel's malison is said."

A successful effort was made by some citizens of patriotic zeal and sound good taste to have the cross restored to the city, and this was accomplished in 1866. The Corporation, on receiving the cross, not yet awakened to a spirit of veneration, could think of no better place to erect it than in the filth-bespattered space behind the railings of St. Giles' Church, which has been pictured elsewhere, and so it stood for many years surrounded with the unsavoury garbage and foul rubbish which I have detailed as lying there, thus deprived of all the dignity of position to which its historical association gave it unanswerable claim. It was a happy and kind thought of Mr. Gladstone, the member for the County of Midlothian, descended as he was in direct line from an ancient Edinburgh burgess of 1631, to place the city cross in a more worthy position. With the aid of a skilful architect, Mr. Sidney Mitchell, he in 1885 placed it where it now stands, as near as possible to its original position, and in a setting appropriate to its claim for honour.

When the lamented death of Queen Victoria took place, the proclamation of King Edward's accession was made, for the first time for 150 years, from the city cross, and the dignified building

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on which it had been re-erected enabled the Lyon King of Arms and the Scottish heralds in their gorgeous tabards to make the proclamation in a much more honourable way than had been possible formerly. The Royal Archers, King's Body-guard, acted as guard for the occasion, and the judges of the Supreme Court and many public bodies attended along with the Lord Provost, Magistrates, and Council. The same ceremonial took place on the accession of King George.

As I am speaking of restorations to Edinburgh, I would mention another which has historical interest. All know the story of the worthy lady who was brave enough to carry the regalia of Scotland concealed on her person, with the sceptre wrapped up as a distaff, from Dunottar Castle when it was besieged. As a reward, the highly ornamented belt of the State sword was presented to her, to be handed down as an heirloom to her family, in honour of her brave exploit. A few years ago, her descendant generously gave it up, and I had the honour of attending in the Castle when the sword and its belt were brought together again, thus completing once more the Regalia of Scotland.

CHAPTER THIRTY-FIVE

"Strange bed-fellows."—JOSEPH CHAMBERLAIN.

"That's right."—JOHN BRIGHT.

CHAPTER THIRTY-FIVE

THE formation of Lord Salisbury's Government in 1885 caused my resignation of the Deanship, as he did me the honour of nominating me to the office of Lord-Advocate, which I held, with a short interval, from July 1885 to October 1888. I was elected to represent the Universities of Edinburgh and St. Andrews in the House of Commons, and held the seat without opposition on resuming office in 1886 after the short Parliament of that year.

It was a stirring time, when the first Home Rule Bill of Mr. Gladstone was brought forward and discussed and voted on. Although not directly connected with Edinburgh, I may venture to relate a few incidents of that eventful year known only to myself, as they may be held to have a historic interest. During my short period of parliamentary life, I enjoyed the hospitality from time to time of Sir Francis and Lady Jeune, afterwards Lord and Lady St. Helier. Like myself, she came from the Highlands, and her kindness to me has been unbounded even down to today. Their house was the salon where the great in politics and in art pictorial and literary and dramatic, were gathered together. I remember well an incident one evening when the first Home Rule Bill was the engrossing topic. Mr. Chamberlain and I came opposite one another in the crush at one of her ladyship's "At Homes," and

we had some conversation, which I shall not quote, and will only say of it that his share was emphatic, expressed in his own clear-cut style. Only one expression I will repeat. As we parted, he looked over his shoulder at me, and with a twinkle through his monocle, said: "Strange bed-fellows!" Another incident at a rout comes up to my memory. It was at the same time. Lord and Lady Dalhousie—he being then Secretary for Scotland—gave a great reception at Dover House. I happened to be passing along a passage, when my progress was checked by the crowd, and I found myself in front of Mrs. Gladstone, who was in conversation with Mr. Parker, M.P., who had formerly been Mr. Gladstone's secretary. I heard him say, evidently in sequence to a suggestion from her, that Mr. Gladstone had been for a long time contemplating Home Rule with favour: "Well, yes, yes, perhaps so, perhaps if one looks carefully into his previous utterances one can find traces of it," and then with a sudden rapid burst: "but it *did* come rather suddenly, didn't it?" Those who remember Mr. Parker and his mode of speech will appreciate the jerkiness, which cannot be given in cold print. I only heard part of Mrs. Gladstone's reply: "Oh, well, yes, and that is what dear Herbert says, that we must not be angry with people who have got a shock." I heard no more, as at the moment I was able to move on. I was no

THE FIRST HOME RULE BILL

eavesdropper, and could not help hearing what I did. One could not have repeated this conversation publicly, but after more than a quarter of a century, and the speakers, and he of whom they spoke, being dead, I hope that as an incident of past history of an important political crisis, I do not do wrong in revealing it. When Lowell's letters were published after his death, several years later, I could not help putting together Mr. Parker's "rather suddenly" alongside of Lowell's pithy saying, in a private letter to a friend in America: "Mr. Gladstone is a man who has a marvellous power of improvising lifelong convictions."

Little did I think that I would ever be in the same lobby close to Mr. John Bright. It happened in the division on the Home Rule Bill, and as we crowded in with the Noes, I was wedged up close beside him. Some one made his way through the press till he was near to where I stood, and said to Mr. Bright: "We are in a majority," and he replied—I hearing his voice for the first time, and in the shortest speech he ever made—"That's right." He spoke in a calm, unexcited tone. It forms a remarkable little bit of history, which no one heard except the member who brought the message and myself. Who would have believed six months before that day, that he would feel himself compelled to join his old opponents in the lobby, and would express satisfaction at the de-

feat of his quondam leader, with whom he had worked in harmony for more than a quarter of a century?

The constituency I represented kept up my direct association with Edinburgh, and I feel at liberty to refer to one piece of work I was able to accomplish, and which is quite outwith the region of party politics. I had for many years been impressed with the thought that while the Scottish system of criminal jurisprudence was excellent, efficient for the detection and punishment of crime, and eminently fair to accused persons, yet that in many respects the procedure was cumbrous and expensive, the forms being so complicated that objections to the relevancy of indictments were very numerous, and often successful, thus causing delays and additional and unnecessary expense. I introduced a Bill to amend and simplify procedure. It was necessarily a bulky Bill, containing seventy-seven clauses. My friends on the Treasury Bench smiled pityingly on my parliamentary youthful enthusiasm. My colleague Webster, the Attorney-General, took the Bill out of my hand and made a show of weighing it, saying: "My dear Lord-Advocate, you have no more chance of getting that through than of paying off the national debt by a cheque on your banker." It was not surprising that he should think as he did, seeing that he himself had an English Criminal Code Bill, quite as long as my Procedure Bill,

CRIMINAL LAW AMENDMENT

which he was in vain struggling to carry through its three readings. So far as I know, though twenty years have passed since then, it has never been successfully proceeded with.

When Bills are down upon the paper and are not reached at a sitting, the practice is that, before the adjournment, the clerk at the table reads off the titles, and the member in charge of a Bill names a day for which it is to be put down. The determined ones always put their Bill down for the next sitting. In those days, it was a very rare thing that there was an adjournment before midnight. Accordingly, "This day" was the member's reply when his Bill was called. How many times, amid the covert smiles of my colleagues, I said "This day," I cannot say, but they were not a few. Suddenly, one evening, a whip came rushing to my room for me. A Government Bill relating to Ireland was being pushed forward, and the Nationalists in protest rose and left the House, with the result that the Bill passed through its clauses in a few minutes, and the way was opened for my Criminal Procedure Bill. I hurried in. As no one had expected it to come on, no one was prepared with amendments, and as good luck would have it, the next Bill was a Scottish Licensing Bill, which the opposition Scottish members were desirous to push through committee, and therefore they gave me very little trouble. My seventy-seven clauses went through in a little

more than an hour and a half, and though faint with hunger, having had no dinner, I left the House to get a morsel of food, with a very elated heart. My secretary, Mr. William Mure, told me, when we met next day, of his astonishment when he opened his *Times* and found that, without his attendance, the bulky Bill had gone through.

All I shall say of the Act, which my Bill soon became, is that its success has exceeded my most sanguine expectations, and it will give an idea of the very marked simplification it introduced into the procedure of the criminal courts, if I mention that in the first year of its being in force, the printing bill of the Crown Office was diminished by no less a sum than £1550 per annum. It is generally admitted that it has worked well, and has reduced complication in procedure to a minimum. If it were not my own bantling, I might say more, but I refrain. I shall only add that my Front Bench friends who jeered at my sanguine hopes, were the first to congratulate me on my good fortune.

Speaking of this mode of placing Bills on the paper at adjournment, recalls to me a scene which took place, in which the abnormally long and abnormally broad Major O'Gorman figured. On a certain night, the clerk was called on to read out the Bills on the paper, the hour being just about midnight. An Irish colleague of the Major's pulled his sleeve, and said: "Meejor, dear, I can't besure when he caalls me Bill whither to say 'This

MAJOR O'GORMAN

day or to-morrow.'” “Ah, me boy,” said the Major, “I’ll soon find out that for ye.” He rose up, and pulling out a veritable turnip of a watch, he shouted in stentorian tones: “Mr. Spaker, sor, I’m raather in a muddle; would the Right Ahn-able jintleman tell us whether it’s laste night or temorry maarnin’?”

CHAPTER THIRTY-SIX

*“Age sits with decent grace upon her visage,
And worthily becomes her silver locks,
She wears the marks of many years well spent,
Of virtue, truth well tried, and wise experience.”*

ROWE.

IN 1887, Edinburgh took its part in the joyful celebrations of Queen Victoria's Jubilee. I cannot speak of these in detail, as I was not able to be at home at that time, having to take official part in the ceremonies in London. I had the high honour of being on the staff of Sir H. Evelyn Wood, who commanded a division at the Royal Review at Aldershot, and as regards that occasion, I would like for the sake of my old comrades in the Queen's Edinburgh Rifle Volunteer Brigade to mention an incident which occurred. I wore the dress of the Queen's Brigade—the only uniform I was entitled to wear at that time. It is the well-known quiet, sober, dark uniform, with dull bronze ornaments, and dull black grained leather belts, all glitter being absent*—the uniform which led to our being dubbed "The Blacks." Returning to London by train in the afternoon, I happened to be seated opposite to General Butterlin, the Russian military representative at the Jubilee. There was some conversation by the group of officers in the carriage, and what led up to it I do not remember, but he said to me: "Ah, sir, I did notice your uniform as you did march past; in all other glitter I thought it *très distingué*." This pleased me much, as I always loved our simple dress; and when, more than once, officers would plead with me to change to scarlet, otherwise re-

* I am sorry that this cannot be said now. Patent leather and shining metal have superseded the simple and the elegantly plain.

cruits would go to other corps, my reply always was: "If any man chooses his corps because of the colour of the coat, let him do so, I do not want him." We never did suffer for our lack of gaudiness, as we always kept up our strength, and added to it largely during the years I was in command.

Although not able to be at home during the Edinburgh celebrations, I was glad to get the opportunity to leave London for one day, to be present at the dinner given by the Faculty of Advocates in the old Scottish Parliament House, under the presidency of the Dean, my old and valued friend, Mackintosh, afterwards Lord Kyl-lachy. No dinner had been held in the great hall since the occasion of George IV's visit in 1822. It was fitting that such a celebration should take place in the ancient national hall, full of historic associations connected with the Crown and Parliament of Scotland.

In connection with the Queen's Jubilee, there is an incident, not happening in Edinburgh, but associated with it as the seat of the General Assembly, which has such amusing features that I make no excuse for recounting it. When the Jubilee took place, the Lord Chamberlain had to all-ocate the seats in Westminster Abbey, a difficult task, no doubt. It was arranged that a certain number of admissions should be given for the Scottish clergy. Sixteen cards were to be sent to the Church of Scotland, and six to each of the

AN OFFICIAL BLUNDER

Free, the United Presbyterian, and the Episcopal Churches. Lord Lathom, who was then Lord Chamberlain, like most English Government grandees, never thought of asking any official at Dover House about a Scottish matter, and sent the cards, as he thought, according to the arrangement. There was immediately a row, and with very good cause. Lord Lothian, who was then Secretary for Scotland, told me the story himself, I being Lord-Advocate at the time. He said that he went to Lord Lathom and challenged him:

“Look here, Lathom, you’ve made a mess of the allocation of admissions for the Scottish clergy, and there is great indignation.”

“Oh, no,” replied the Chamberlain, “I assure you I did exactly as was arranged; I sent the sixteen tickets to the Primus Bishop of the Church of Scotland, and six to each of the others; there was the Free, and there—er—er—there was the United Presbyterian, and there was a third—eh, ah—I can’t quite remember the name; what was it now?”

“Perhaps it was the Established Church of Scotland.”

“Yes, yes, that was it, the Established.”

“Perhaps you are not aware that that *is* the Church of Scotland, and that the Primus Bishop and his clergy are Dissenters there.”

“God bless me, no, you surprise me; how can a bishop be a Dissenter?”

“Well, he is, that’s all I can tell you. The Sovereign is the State head of the Presbyterian Church in Scotland; and not of the Episcopal Church. You had better get back ten cards from the Primus Bishop and send them to the Moderator of the Church of Scotland.”

Well, that was put right, but the bungling did not stop there. The Church of Scotland got the sixteen tickets, and as they were all marked with numbers, the holders assumed that they would get seats set apart for them, and therefore went down to the Abbey in what they thought was reasonably good time. On showing their cards they were politely ushered along by gentlemen in uniform with batons, to the bottom of a temporary wooden winding staircase, and they toiled up and up and up, till at last they came in front of the top of a great arch, and had any little breath that remained to them taken away. For on the arch a large placard was fixed, and on it, in long black letters on a white ground, were the insulting words :

NONCONFORMIST BODIES.

On entering through the peak of the arch, they saw below them a crowd of ecclesiastics, Greeks, Copts, Armenians, Lutherans, Independents, their friends of the Free, United Presbyterian, and Episcopal, and others “too numerous to mention,” as the reports say. There were many strange and tall mitres and hats, shutting out the view, and our Church of Scotland representatives

INSULT TO THE CHURCH

were crowded up under the peak of the arch, with the fumes arising from many an Eastern and others, and working their passage past them out at the top of the archway. They could see almost nothing, and hear very little, and it is to be feared they left the building under sore temptation not to be "in charity with all men." What I know is, that next morning I received from the Reverend Dr. Phin, then an Edinburgh citizen, a letter, which it did not surprise me that he had written, but which it might have been better to have kept back, and expurgated a little before despatch. Of course I had nothing to do with the matter, and I told him so, and did my best to pour oil. I understand there was a correspondence with some gall on one side, and that, by direction of the Queen, who was displeased, an apology had to be made by the Lord Chamberlain in writing, and a soothing syrup applied in the form of a knighthood to the Procurator of the Church.

I had great joy in being present officially at the glorious celebration of the Jubilee service of thanksgiving in Westminster Abbey, seeing the dear aged Queen, surrounded on the dais by a veritable crowd of children and grandchildren, sons-in-law and daughters-in-law—a goodly sight never to be forgotten, as each was seen enclosed in her motherly embrace before she left the Abbey.

In 1889 I was elected by the Edinburgh University Council to represent it on the University Court, and the Court were good enough while I was serving to appoint me to be one of the Patronage Curators of the University. I valued these appointments the more, as they were both honours unsolicited and unexpected.

CHAPTER THIRTY-SEVEN

“Cedant arma togæ.” . . . “Inter arma silent leges.”

*“A day arose, when these opposing saws
Ceased to contend,
When martial work and civil laws
Came to a blend.”*

[The blend is now more marked. Pleaders at the Bar, who have joined the Royal Forces, have been allowed to appear in military uniform, without gown or wig.]

CHAPTER THIRTY-SEVEN

ON the resignation of Lord Moncreiff of the office of Lord Justice-Clerk, in the autumn of 1888, Lord Salisbury did me the honour of nominating me to the Sovereign for the vacant office. No appointment could have been more congenial to me. Although the Lord Justice-General is of course senior to him in rank, the Lord Justice-Clerk of Scotland is practically the head of the judicial criminal administration, to whom all official communications from the Secretary for Scotland come, in regard to petitions for reprieve or commutation of sentence. My experience at the Bar, having been very largely in criminal practice, for many years as a defending counsel and later as public prosecutor, I could feel assured that in the criminal department I could give efficient service. As regards the civil department of the work as President of the Second Division I could not feel confident, but rather the reverse. I cannot express my feelings better than in the language of Lord Cockburn on the occasion of his elevation to the Bench. His words in his Journal are:

“In the management of facts and trials, and the conduct of whatever depends upon mere science and practical business or rational equity, I may do well enough; but I tremble for myself in causes of pure or technical law, especially touching real property.”

Such were my feelings, but I had a comfort

that he had not when he wrote these words. His responsibilities had to be faced sitting alone, as long as he was in the Outer House, while to me there was the knowledge that I would have kindly help from others. For which I have ever been grateful.

At the time when I took my seat, the kind letters I received from the colleagues whom I was about to join came as a great encouragement, and the sheaf of congratulations I received from friends I still preserve, in the spirit of the words:

“Doubled the pleasure which friendship doth divide.”

I rejoice to feel that on looking back on a quarter of a century, I have never had the misfortune to fall into a quarrel with colleague or brother advocate, but rather they have shown to me a kind consideration and friendliness which call for and have my deep gratitude. May it be so to the last, I humbly pray.

During my experience of the Bench in the High Court of Justiciary, it fell to me to preside at the trial of Alfred John Monson for murder, the longest and the most protracted inquiry since I joined the profession. I went through nine days of anxiety, such as I have never experienced before or since. The case was one which so bristled with points, that one had to watch its course from moment to moment, and to take scrupulous care lest the jury should be misled by feelings roused by the disclosure of the evil character of the ac-

THE MONSON TRIAL

cused. So dominant was the anxiety, that morning after morning I awoke long before my usual time, and lay in a dull perspiration, turning things over and over, endeavouring to weigh them and determine their weight in the balance. Never before had I gone through an experience the least like it, and I am well pleased that I have never had a similar experience since. It was all the more trying because I felt quite unable to form a determined opinion in my own mind. The way never seemed to me clear. In the end I was able to feel that I had done my best to put the case in a fair light before the jury, and can freely say that the verdict they returned was that which in all the circumstances was the safe one. I have more than once been comforted by the assurance of judges, including some of other parts of the United Kingdom, that in their opinion the jury were led to the proper conclusion. This trial was, in my judgment, the most severe strain I have ever undergone, and not one or two nights of quiet repose were sufficient to restore mind and body. I was thankful—the case finishing on a Friday—for three days of complete rest before returning to the daily round. I cannot but be grateful for the freedom during many years from any similar experience.

In the same year in which I left Parliament

to join the Bench, I was appointed as the first Volunteer Brigadier to command a Brigade consisting of the three battalions of my own Queen's Brigade, and the 5th, 6th, and 8th Volunteer battalions of the Royal Scots, these forming the Forth Brigade, which some ill-informed gentleman at a desk in the War Office wrote "Fourth"!* I had never supposed it possible that I should get my head into a military cocked hat, but so it was, my friend Lord Wolseley kindly writing to me to say, that he never had greater satisfaction than in appending his signature to my appointment, he being Adjutant-General at the time. During my service as Brigadier-General I took the Brigade up to Aldershot, where, first under Sir Evelyn Wood, and afterwards under H. R. H. the Duke of Connaught, something was learned of manœuvres on a large scale. Latterly, when the Boer War took place, my Brigade was ordered out, as already mentioned, for a month of training as on mobilisation. For the first days of the camp I had to be judicial in the forenoon, and martial in the afternoon. It was *toga* in the morning and *arma* in the afternoon. For once I became a paid soldier of the Queen, drawing my Brigadier-General's pay and allowances and my salary as a judge at the same time, which was probably a unique experi-

* By one of these too common War Office freaks, although the Brigade was named "Forth," the corps which really were on the Forth were, with the exception of the Linlithgow corps, put into another Brigade, so that a stretch of coast of the Forth more than thirty miles long was excluded. Geography, as I have found, is not a strong point at the War Office.

SOUTH AFRICAN WAR

ence. This was the first occasion on which the petrol motor vehicle was used in military work, conveying our mails daily, which weighed 4 cwt., and doing regular service to and from the railway station, four miles distant. Now the power vehicle dominates in military transport.

Somewhat later, when the motor vehicle had become a practical factor in road transit, I was appointed honorary Colonel of the Motor Volunteer Corps, which afterwards constituted the Army Motor Reserve, a corps which, while its efficiency and usefulness were proved and admitted, was disbanded without reason stated, except that the money was wanted for something else.

I would say a word or two here upon Edinburgh's share in patriotic action at the time of the war. From the Forth Brigade there went out three bodies of Volunteers to serve with the Royal Scots, and my mounted contingent supplied out of its 130 men no fewer than thirty-three officers to the fighting force. I had a very good report, both officially and privately, of the efficient service of these contingents. I saw my lads off from the station when they marched to join their train on each occasion, and sent them away with a hearty handshake. I shall never forget Mrs. Forbes Mackay at the Caledonian Station, coming up to me with an expression of mingled pride and emotion, and telling me that in the train just about to start were three sons going out to serve their country. I

thought of the old mothers of Sparta, and shared her feelings.

Queer things happened at that time. Many men besides those sent out to the Royal Scots went from Edinburgh to London and joined the Imperial Yeomanry and the C.I.V., and of these several who had been rejected by the Army surgeons in Edinburgh were passed by the surgeons in London, with the result that the rejection in Edinburgh brought about their receiving five shillings a day of pay, whereas had they been passed in Scotland they would have drawn two shillings only! One of them was the best athlete almost in Edinburgh, and was rejected because, as I have heard, he had a gap where one tooth should have been. He is said to have pathetically remonstrated by saying: "I didn't suppose I was expected to eat the Boers." Probably he felt consoled when he found that the absence of the tooth led to three shillings a day extra pay.

At the close of the war I resigned my position in the Volunteer Force, having had fifty years of service, and being at an age when I had no reasonable claim for an extension of my command. As the change was then in contemplation by which the Volunteer Force was disbanded, my retirement must have been a convenience to the military authorities.

On the establishment of the Territorial Army, I had the honour of being appointed Chairman

TERRITORIAL ASSOCIATION

of the Edinburgh Territorial Association, which under the War Office controls the financial administration of the territorial forces in its district, and I held the office for some years, but found it desirable to withdraw from the position, in consequence of having to undertake another public duty, to which I shall refer later.

CHAPTER THIRTY-EIGHT

*“ Twice have I seen the whole world wild with joy
At such a catalogue of stainless years,
And watched the dazzling lines of kings sweep by,
Through roaring torrents of tumultuous cheers.”*

ARNOLD BENNETT.

CHAPTER THIRTY-EIGHT

I HAVE thought best to say all I have to say about the later years of my service as a Volunteer at one time, and I now turn back to general public events.

As regards the sixty years Jubilee of Queen Victoria in 1897, which got the name of the Diamond Jubilee, I am unable to say anything in connection with Edinburgh, as I was in London at the time, but on that occasion I had an experience which I think must have been unique, as I saw the royal procession twice from beginning to end. In the morning I took some friends to Pall Mall East, to the offices of the National Rifle Association, of the Council of which I was a member, and after the procession had passed I went down to Dover House—the Scottish Office—and saw it return from the roof of the Portico. When I said to others that I intended to do this, they scorned the idea. “Pooh, my dear fellow, you will never get past the cordon across Whitehall.” I thought I would. All who had uniforms who were to be spectators were enjoined to wear them. I wore the very gorgeous uniform of Adjutant-General of the Scottish Royal Archers, Queen’s Body-guard, and trusted to this to pass me. When I reached the cordon, and the ten-deep crowd behind the cavalry, I said in firm tones: “Let me pass, if you please.” All looked round, and when they saw my plumed cocked hat and golden epaulettes, they at once stood aside, and I passed through at once. I

had jokingly told my friends that if there was difficulty, I might say: "Plees, I do vish to go to de Forin Offeece," and that this would be sure to pass me. It was not necessary to use any subterfuge.

This was the last time I saw the Queen, fifty-five years after I had seen her enter Edinburgh in the bloom of youth. How many things terrible and joyous had passed in her vast dominions during the sixty years of her reign. On that day of the Diamond Jubilee, one little incident spoke of the vast changes that had taken place during her long reign, in application of scientific discovery to the practical annihilation of distance. At the time of her accession to the throne, the possibility of instant communication at a distance was being recognised, some being sanguine, others incredulous. On Diamond Jubilee day the Queen was able to speak in one minute to all, even at the uttermost part of her dominions. As she left Buckingham Palace to drive through the crowds of her loving subjects, she by a pressure of her finger issued her command to her servants waiting at their telegraph keyboards, and in an instant her loving and touching message to her people was flying across land and sea in all directions round the world, in as many seconds as Ariel claimed to put a girdle round the earth in minutes, putting her people fair and dark at all the ends of the earth into touch with their beloved Queen, and bringing them all into participation in her affectionate

THE DIAMOND JUBILEE

thought of them on the day of her offering her thanksgiving for herself and for them, that she had been spared to rule longer than any sovereign had done in the history of the country, if not of the world.

On that day it is probable that there marched in procession representatives of a greater number of the races of the world than had ever been brought together before, and those who saw that long procession will never forget its unique character.

But a few short years remained and she entered on her well-earned rest, leaving behind her a memory that will not fade.

“E'en Death is powerless o'er a life like hers,
Its radiance lingers, though its sun has set;
Rich and unstinted was the seed she sowed,
The golden harvest is not gathered yet.”*

I can say little in relation to Edinburgh with regard to the death of the Queen, except this, that nowhere in her world-wide Empire was her loss more deplored and her memory more cherished than in the capital of Scotland, that land for which she ever showed so deep an affection. It is to be regretted that Edinburgh has no worthy memorial of her. No doubt she is well memorialised nationally, but the stranger within our gates who sees our many statues, to the great and others, must wonder that our citizens can show them no memorial of her long reign, and their love. King

* Augustus J. C. Hare.

LIFE JOTTINGS

Edward's memory is to be honoured by a memorial. What it is to be is not yet apparently definitely settled. May an old citizen pray that, if it is to be close to Holyrood Palace, it may not be something incongruous with the old Scottish pile. Surely an erection having a national character, even though it be somewhat rugged and therefore congruous, would be preferable to polished Greek pillars and arcading. The approach to Holyrood Palace is unique, in the suggestion of the old, the solid, and the simple, that strikes the eye as the building comes into view. To place anything in the way of the approach that would have an aspect of ideas taken from Rome or Greece, would be like insulting the Scottish character of such castles as Drum or Fyvie—to name only two—by erecting in front of them great Greek pillars, with heavy capitals, beautiful in themselves, but hideous in their incongruity with the building they were supposed to adorn.

CHAPTER THIRTY-NINE

“God save our gracious King.”

CHAPTER THIRTY-NINE

QUEEN Victoria never held any royal ceremonial in her Palace of Holyrood House. It may be reasonably conjectured that she felt unable to hold any festivities there, as her last great visit had been clouded over by the immediately following death of her husband, who probably caught his fatal sickness in Holyrood Palace. Not long after his accession, the late King Edward and Queen Alexandra came in state to Edinburgh. A levee and a drawing-room were held, to the great satisfaction of Edinburgh society. The drawing-room took place in the daytime, and therefore in morning-dress, bonnets or toques being prescribed as the headgear of etiquette. Of course your common man does not know how a toque differs from a hat. But there were Court lady observers—I almost said “detectives”—to see that no infringement of rule took place. I was informed by a lady that there was one head-dress which fell under censure as being a hat, but the royal inspectors had it removed, and they pushed and prodded it about, converting it into what might pass as a toque, to the great relief of the owner, who feared she would not be permitted to make her curtsy.

The duties performed in London by the Gentlemen-at-Arms were fulfilled by the Royal Archers—King’s Bodyguard—and on the day following, His Majesty held an inspection of the Bodyguard

in the garden of the Palace. There was a high wind, and the eagles' feathers which adorned the bonnets were flying in dozens, chased by members of the King's household and his A.D.C.s, which rather detracted from the dignity of the proceedings, and afforded much amusement to the ladies.

Only once did King Edward visit Edinburgh again, when he held a great review of Territorials in Queen's Park, at which 38,383 troops were present. On that day I had the privilege, as honorary Colonel of the Army Motor Reserve, to be in command of the motor contingent, which was authorised to be present, thus being the first motorist that ever officially marched past the Sovereign. When the King rode along the front of the motor line, he, as he passed me, put up his hand and spoke from behind it, saying jocularly: "Take care you don't exceed the regulation pace." I solemnly responded, "Yes, sir." It was the last word I ever heard him speak, and it is a pleasant memory of his kindly nature.

After the accession of King George to the throne, he and his Queen Consort visited Edinburgh in 1912, and held a levee and drawing-room at Holyrood Palace. To the delight of the ladies, the presentation was held in the evening, and went off with great *éclat*. There is little that

ROYAL DRAWING-ROOM

a man can be expected to describe satisfactorily as regards the dresses. Their variety was bewildering, but I am led to understand from my lady friends that in their judgment—possibly biased—the show could compare well with Buckingham Palace. However that may be I will ask to be forgiven for telling my own sensations.

Being in attendance on duty as an Officer of State, I had a fixed position not far from the door at which the ladies entered, and it was just opposite me that the long trains were lowered from the arm and spread out by the attendants as the ladies moved past. To me the sensation produced was like watching the billows breaking on the shore. The wave came over the arm and fell in a billow on the floor, then it spread out towards me, and went away from me as the lady advanced. The regular sequence time after time produced a strange effect, which I cannot describe, but I began to understand the late Queen Victoria's need, when holding a drawing-room, to stop the flow of the billows for a short time every now and then, and to give the eyes a rest from that unbroken succession of slow, tide-like movements of the trains over the floor. It was a sensation which I shall never forget. I confess, though professing to be a man of strong nerves, this succession of waves had an effect upon me. If I ever have the same duty to do again, in the same position, prudence will lead me to have strong smelling salts handy.

I have already spoken of the ceremony in the new bijou chapel of the Order of the Thistle, to which, of course, I was not admitted. But I had a duty to do that day which I shall always remember with gratification. While the King was in the Chapel the Queen remained on the throne in the transept, and to the Lord-Advocate and myself, as the two Scottish Officers of State, was given the duty of attending on her during the King's absence, and of leading her up to join him in the chancel on his return, where they stood during the benediction. It was the first time I ever did duty directly to the person of King or Queen, and I valued the honour. The memory of that whole ceremonial is most pleasing. It had not the magnificence of Westminster Abbey, but it had a sober dignity in the old rough Cathedral Church, which was more in accordance with the character of the King's dominion of Scotland.

The King on this occasion held a military review, when new colours were presented to the Royal Scots, and he also inspected the Veterans, who form the National Reserve, and who paraded to the number of 4247. Lord Minto, whose recent death all good citizens deplore, was in command, and I was told off to command one of the battalions, probably my last official appearance at any military parade.

CHAPTER FORTY

"Oh, horror, horror, horror."

SHAKESPERE.

CHAPTER FORTY

AT one time about the end of last century Edinburgh was threatened with a shameful attack on its amenity, more especially at night, but also in the daytime. There were erected on the face of the old town looking towards Princes Street enormous letters constituting advertisements—Bovril opposite the top of the Mound, Vinolia Soap on one side of North Bridge, and Bermaline Bread on the other side, and which if allowed to remain would have been followed by others—Monkey Brand, Oxo, Lemco, &c. &c. These great letters were objectionable in the daytime, but unendurable at night, when they were lined out in electric light, and made to wink and flash in varying colours over the face of the old town, so picturesque with its ordinary window lights after dark. I wrote to Lord Playfair, who was the Chairman of the Bovril Company, and he, as one would have expected, at once took steps to put a stop to the outrage. The others were not so easily dealt with, and it was only by statutory authorisation that the Magistrates were able to put an end to such a disfigurement of the city.

There is now only one illuminated advertisement board looking towards Princes Street, and this, I regret to say, was in an evil hour set up by those who are the proper guardians of the city's beauty. The Town Council, in the erection of it, and in the use of it, violated two rules which they

LIFE JOTTINGS

lay down for the observance of the rest of the community. While they preclude the North British Railway Company from erecting anything in their station at a level higher than that of Princes Street, they themselves have placed above the Waverley Market an erection like those we see in Chinese pictures of heathen shrines—a thing devoid of all semblance of taste, which as the citizen comes along Princes Street stands up against the view of Arthur Seat in the one direction, and the view of the Castle slope in the other. As regards its use, it is an advertising use only, and it is lighted up as a transparency at night, thus doing the very thing which the Corporation has taken power to prevent all other citizens from doing. It constitutes a decided blot on a fair scene. The gasworks' chimneys no longer stand out against the Salisbury Crags, but this advertising device does, most offensively. I have never been able to discover by what authority it was erected. I ask in all earnestness that it be removed. A temporary advertisement when the Market is let for a show is endurable, but the presence of a permanent advertising station obtruded on Princes Street is—not to use strong language—a thing to be deprecated in the name of good taste.

As I am speaking of advertisements, may I enter my humble protest against the Corporation allowing the West Princes Street Gardens to be used as an advertising station? Every season for

DISCREDITABLE ADVERTISING

some years past, a large placard is put up opposite the end of Castle Street for months at a time, because certain exhibitors in Edinburgh wish to draw gate-money at the Royal Institution. Possibly it is thought to be a sufficient excuse for placing a great square board in front of the Castle Rock that it advertises an "Art" exhibition. Does not this make it worse? What lover of art, if not interested in commercial profit, would tolerate the idea for a moment of using Princes Street Gardens as an advertising station? Yet that is what is done year by year in the name of art (!!!), placing an ugly obstruction to the view of a most picturesque natural scene—a square of black sticking-plaster disfiguring a lovely face, for that is its effect. Will our civic rulers consider whether this ought to be done?" Would a conscientious answer "Yes," be possible?

Edinburgh was until recent years without any building in which great public gatherings, or great musical entertainments, could be held. The Music Hall, and later the Free Church Hall, and the U.P. Synod Hall, were the only places in which large meetings could be held, and these gave only moderate accommodation, and unsuitable for some purposes. When great public dinners took place, the spacious Corn Exchange, or the Queen's Brigade Drill Hall in Forrest Road, were the only

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buildings available, neither of them being very suitable. On the occurrence of the University Tercentenary, it was necessary to hire the Queen's Brigade Drill Hall and hide its somewhat railway station-like roof with thousands of yards of coloured calico. The Disraeli and Salisbury banquets were held in the Corn Exchange. Of late years the munificence of two citizens has provided two really splendid halls for great gatherings. The M'Ewan Hall at the University is one of the finest in the world, a piece of architecture magnificent in conception, enabling the University to conduct its great ceremonials in surroundings not to be surpassed for appropriateness and grandeur. The Usher Hall—which has at last materialised after many weary years of waiting—supplies Edinburgh with a concert-room in every way worthy of the city, which in all its details is eminently fitted for great gatherings, and contains every modern appliance for comfort and for convenience of access and departure, things often too little considered in such buildings. But the city is still without a dining-hall suitable for a large assemblage.

Edinburgh may congratulate itself on the great progress made during the last fifty years in sanitation, resulting in a very marked diminution of the death and sick rates. There are many difficulties in the way in the old town, from the nature

SANITATION

and crowding of the buildings, and improvement can only be accomplished gradually. The community owes a great deal to the untiring labours of the late Sir Henry Duncan Littlejohn, who was for so many years the City Officer of Health. His work has been masterly, and much of the fruit of it remains to be gathered. The City Improvement Scheme, which was sanctioned by Parliament in the middle of last century, led to the opening up of some of the more crowded localities of the old town, and this did much to assist in lowering the death and sick rates. Recently an official report gave 10.51 as the death-rate of Edinburgh, the lowest figure of all the great cities of the kingdom. This is eminently satisfactory. But, alas! the pulling down of many an old building is to be regretted. Many an interesting and picturesque relic of the past fell under the house-breaker's pick—some that might have been spared, if the spirit of reverence for the ancient had been as earnest as it is now. One old building that was ruthlessly destroyed—whether under the Improvement Scheme or by private owners I know not—will always be remembered with regretful feelings. It was at the east end of Lawnmarket, facing the General Assembly Hall. The old building there had a projected front, supported over the covered footway by great oak square pillars and cross-beam, and under which, tradition says, the first book-shop of the now great firm of Nelson & Sons,

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the publishers, was located. It was a unique "bit" of old Edinburgh, which should at all costs have been preserved. Now a common vulgar featureless front has superseded it.

To Lord Rosebery—a nobleman who has been a real Scotsman, and who though not an Edinburgh man is yet a lover of her beauty—we owe it that an excellent restoration has been made of the great Court between Lawnmarket and Bank Street and of Lady Stair's house there. It is satisfactory also to know that the much despised Cockburn Association, which saved Mowbray House from the jerry-builder, is paying close attention to the preservation of old houses, so that if they come into the market, they may be saved to picturesque and historical Edinburgh.

CHAPTER FORTY-ONE

*“Soon shall thy arm unconquered steam afar,
Drag the slow barge or drive the rapid car,
Or on wide waving wings expanded bear
The flying chariot through the field of air.”*

ERASMUS DARWIN, 1731.

CHAPTER FORTY-ONE

HAVING been for more than fifty years a very keen whip and in use for many of these years to drive at a speed of from twelve to fourteen miles an hour—twelve on an average, and fourteen where the course was level or on a slightly descending gradient—the best pleasures of the road were well known to me. Many a time did I say in the past that if I were a Baird of Gartsherrie, or a Merry of Belladrum, that I would have the finest four-in-hand that could be turned out for money. But I always had a hankering after the road power vehicle, my leaning being towards the mechanical, and my reading telling me how the successful steam carriage had been crushed out eighty years ago by the ill-judged opposition of the landed interest, and the dominating selfishness of the railway magnate, who were blind to see what they are seeing now, that the road vehicle is a friend and not an enemy to their prosperity. But for their dead-set against it an efficient system of mechanical road transport would have been in operation eighty years ago, and the extravagant expenditure would not have been incurred upon the countless short-distance branches, which are so serious a handicap to railroad companies financial success, and give so inefficient a service to the districts through which they pass, the intermediate stations being often a mile or even two miles from the places to which

the company professes to carry passengers and goods—witness Chirnside in Berwickshire, Kincardine on Forth on the Fife coast, and Muthill in Perthshire. These are but specimens, there are hundreds of others throughout the kingdom.

When Gottlieb Daimler demonstrated the feasibility of power traction, by the use of light fuel in the explosion engine, my interest was at once excited. I had the pleasure of taking part in the first great demonstration of the practicability of mechanical road locomotion—the 1000 mile tour from London to Edinburgh and back in 1900, which was so ably organised by my friend, Claud Johnson, the Secretary of the Automobile Club of Great Britain and Ireland—a club consisting then of a handful of enthusiasts, but which now numbers nearly 8000 members, and is housed in the finest club-house in the world.

That tour was convincing. It was possible to observe many faults and deficiencies, just as Puffing Billy or the Rocket were poor things in comparison with the railroad greyhounds of to-day. But it was easy to see that the power was there, and that invention and experience were certain to bring about practical development and successful control of the power, resulting in efficiency, just as in the case of the railroad engine. But sanguine as we on that expedition were, I doubt if any one of us dreamt that the development would be so rapid, and that in twelve years

POWER VEHICLE TRIUMPH

the fast horsed vehicles in such a city as London would have dwindled down, as they did, to a five or even less proportion to the hundred of the fast vehicles on the street.* Such a peaceful revolution has never taken place with similar rapidity in the history of the world. Now the numbers give still further witness to the predominance of the mechanical-carriage, and the proportion of power-commercial vehicles is rising daily. They will soon in their turn be predominant. Opponents resolutely shut their eyes for some years. They pooh-poohed the whole movement, persuading themselves, and endeavouring to persuade others, that motor-traction was a temporary fad of the rich, and would soon begin to lose its fascination, like diabolo or ping-pong. My dear friend, Lord Ardwall—now, alas, no more with us—was one of our keenest opponents. I remember well when the Bench was in the retiring-room at lunch, about eight years ago, his putting on the most truculent expression that his abounding good-nature would permit. "My dear fellow," said he, "you will see, in another ten years there won't be half the motor-cars on the road that there are now." All I said was, "Oh, indeed." It would have been vain to argue the point. Two years later, and I said to him on a similar occasion: "Ardwall, what is this I hear. Motors have been seen carrying you and

* Lately I have taken test figures, and sometimes the percentage falls as low as 1 per cent., or even .75.

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yours down in Dumfriesshire lately—surely that can't be true." "Oh, well," he replied, "it's the young people, they would have it; they said they could not go to their friends as their friends came to them, and the boys made out that they must be able to get to distant shoots; but," said he emphatically, to show a rag of consistency, "I hire, I have never bought one." How many thousands of similar cases have there not been. There is one comfort for those who have to listen to the sighs and groans of the *laudator temporis acti*, that whether he wears his mourning weeds till tempted to yield to a new fascination coming slowly over him, or whether he clings to the last to memories of his "good old time," it is for his time only, and those who follow have no memory of a former attachment. The man who feels that he must "dree his weird" because of the abominations of the autocar, will, like Disraeli's "Boots of the Red Lion, and chambermaid of the Blue Boar," who denounced "the ignominy of railroads," have passed from the scene, and the power-vehicle be a matter of course to all, as is the railway train, which caused much strong language seventy years ago.

And now man, with the aid of the petrol motor, has achieved flight through the air, fulfilling the last of Erasmus Darwin's prophecies, of what he expected from steam. Many were the efforts of enterprising inventors to produce a steam-driven flying-machine, but all in vain. The accomplish-

AVIATION

ment of such flight was brought as near as possible by the ingenious and inventive Hiram Maxim, but his failure was a demonstration of the practical impossibility of flying on a heavier than air machine by steam-engine power. If he could not do it, it might safely be assumed that no one else could succeed. But in less than ten years the petrol engine has enabled aviators to demonstrate that flight through the air can be accomplished successfully. Whether this will lead, as some enthusiasts declare, to the mails being carried on land or across the seas by aeroplane is a different question. I shall only say that, looking at the matter all round, "I hae ma doots." That aviation will take an important place in war both on land and sea, where much must be risked, is beyond doubt. And it is certain to become a sport. The idea is fascinating, and its very risks are magnetic to draw the adventurous to try their fortune. But its application to regular daily services is a very different matter, there being good reason to doubt whether it could ever be as efficient and as convenient as a service on *terra firma*. These last two words recall to me a story of the old lady whose son was an enthusiast balloonist, and who tried to persuade her to make an ascent. "No, James, no," she replied; "I prefer to stick to *terra cotta*!"

The advent of the power vehicle has once more

brought the road into a position of prominence in the interest of the public. When the railroad absorbed the mass of the traffic, the construction and upkeep of the road received little attention. Men without skill in road-making were appointed surveyors who had no training for such work, and the workers on the road were too often physically unfit, being given wages as if they were able for efficient work, in order to keep them off the rates for relief of the poor. With the introduction of power traction, the necessity of skill in the making and management of roads became at once apparent, and the consequent increased burden upon the rates caused the Government to perceive that some aid must be given from imperial sources to encourage the local road authorities to improve the condition of the highways. This has led to my being provided with a really useful hobby, which it is probable will be my last. When H.M. Road Board was appointed, the Chancellor of the Exchequer did me the honour to invite me to take a seat on the Board, and although my acceptance has led to many a long journey by day and by night, and will continue to do so, the work has been most enjoyable, and all the more so because of a growing confidence that much good is being accomplished. Besides consulting with the local authorities who apply for grants, and advising them as to the best means to be used for road improvement, much work of investigation has been carried

H.M. ROAD BOARD

on by the Board to ascertain how to select material that shall give the best results—what size of pieces to use for different layers of the road crust, what material to use for binding the metal together, how to provide a resilient carpet at the surface, and how to consolidate the whole so as to give a surface which shall be impervious to water and shall have lasting qualities, so that the extra expense of providing and skilfully laying shall so diminish the cost of maintenance, as to bring the overhead expense down to the level of, if not below, that of the present unsatisfactory and inefficient roadway. Many an hour have I spent in the laboratory of the consulting engineer of the Board, my friend Colonel Crompton, and also at times in the National Physical Laboratory at Teddington, where testing machinery both novel and efficient has been erected, by which various combinations of road metal and bituminous binder can be tried under practical road conditions, by wheels moved over specimens of the road crusts, at fixed pressure corresponding to that of road traffic. It is possible already to appeal to work actually done in counties near London and elsewhere in demonstration of success, and in London itself, the Thames Embankment, which formerly was as bad as the worst road in the country, and was shunned by all drivers, is now the most popular approach to the City from the West, 1500 to 1600 vehicles passing over it every hour of the busy time of the

day, and although it is never watered in the daytime, even in driest weather, it shows no dust rising from this heavy and continuous traffic.

Much remains to be accomplished, and while it is being worked out, the Road Board will very surely be favoured with many a shower of acrid criticism, and many a question asked: "Why does the Road Board do this, and why doesn't it do that?" Well, as I have more than once said to colleagues on similar Boards, I say now: "The man in a public position of administration who is not prepared to submit to be abused is not fit for his post." The first essential for efficiency is that he shall be resolved to fulfil his duty, regardless of what critics may say or do. He must be willing to submit to be

"Damned with faint praise when well-laid plans prevail,
And to be rudely censured when they fail,"

leaving what he knows to be conscientious and wise actions to find their vindication by the test of time, if he is well assured that the course he has taken is right.

The concluding paragraph which follows was written at a time when I little thought that another "Jotting" would be necessary to make the record of past experiences complete to date, and that it

WAR

must refer to war. The sudden outbreak of the greatest war the world has ever seen has to be added to the experiences of a life, during which many striking episodes have occurred, but never one to be compared with this. Its suddenness is like that of two former cases of the letting loose of the dogs of war, when the cry of "Peace, Peace," was upon men's lips. History tells us that on an occasion near the close of the eighteenth century, William Pitt, speaking in Parliament, said that while it was not wise for the politician to prophesy, yet never, so far as he could discern, had there been a more hopeful prospect of European peace than at the time at which he was speaking. Yet the horrors of the French Revolution, and the ravages of the long wars that culminated at Waterloo, were then at the very door. Lord Granville made a statement to a similar effect immediately before the outbreak of the Franco-German War in 1870, followed as it was by the atrocities of the Commune. And now, one of our leading statesmen, speaking doubtless with a knowledge of what was the mind of the Cabinet, made a similar statement, within a very short time before a treaty binding the nations of Europe was spoken of in tones of contempt as "a scrap of paper," to be torn up with the cynical acknowledgment that to do so was a "wrong," and excused on the unblushing application to such a case of the maxim, "Necessity knows no law." The other day the Chancellor

of the Exchequer expressed the thought of statesmen before the opening of the war :

“Everything was as clear as dawn, not a cloud anywhere. Not one of our representatives in any part of the world had the least idea that war was near.”

Once more the soil of Europe is being stained with the blood of thousands of a small but gallant nation who admittedly have done no wrong, because they are honourable enough to fulfil their solemnly undertaken engagements, a nation calling itself “great” breaks its solemn word, admits it is doing “wrong,” and for its own ends carries out its expressed intention to “hack its way through,” and Great Britain has been compelled, if she was not to be an associate in so gross a breach of honour and humanity, to draw the sword in support of her pledged word.

It is a thing to be legitimately proud of, that the nation responds as it has done, is still doing, and will still do, to the call of duty, and faces the sacrifice, great though it must be, with a cheerful spirit. One who is nearly an octogenarian might have felt himself for that reason shut out from active participation in the work which such a crisis calls for from the citizen. But I am glad that work has been found for me which is from old association congenial, and may, it is hoped, be of some service. The Territorials of the ancient Royal Burgh, near which I live in the holiday season, were mobilised at once on the breaking out of the war, being called

ONCE MORE AT DRILL

away to guard the Forth Bridge and the neighbourhood of Rosyth. Thus there was no officer or drill-sergeant left in the burgh, from whom any instruction could be obtained for men willing to join an emergency company, so that more citizens might be trained, in case their services should be required later. This difficulty having been expressed to me, it was a real pleasure to offer to do drill-sergeant, if men wished to come forward. They did come forward, and on applying to the Commander-in-Chief in Scotland, he informed me that while such men could not be enrolled in any official organisation at present, there could be no objection to training being given to them, which might make their attaining efficiency more easy, if later they were drafted into any official unit. Accordingly, for more than two months some five-and-thirty or forty men have presented themselves at drill three nights a week, and I have been grinding them as I did when I trained my company fifty-five years ago. Their regular attendance and steady conduct are a symbol in our little community of what one is well assured is the feeling of the whole nation. If the same number of men in proportion can be enrolled in every place of the same proportion and size as my small burgh, Lord Kitchener would find his second half million rough hewn, and ready to take their places for more complete training. No one can doubt that this would facilitate their being made efficient, so

saving time. By the liberality of gentlemen in the neighbourhood, rifles are being obtained, so that I am able to give them instruction in the handling of the weapon, and prepare them for rifle practice at the miniature target range belonging to the Territorial company, now mobilised. It is a joy to be thus able to give, even in my old age, a little help to a great work—the work of ensuring, as Disraeli said, that “right be done,” and to take a small part in what thousands of men and women are doing voluntarily to help those on whom the active and the trying work must fall. I have also been training about thirty boyscouts, there being at the moment no scout-master available. It is probably the last opportunity I shall have of doing something for King and country—small, but it is all I have to give.

And now, kind reader—for you must have been kind if you have come to this page—I wish you a hearty farewell, happy if these Jottings have wiled away a few hours of leisure, still more if in wandering through them a flower has been plucked here and there because it gave pleasure, or a fruit has been found that has been worth gathering. The putting of them together has revived many a memory of kindly intercourse, and many a grateful thought for kind deeds. It was by suggestion and not of my own motive that I was led

HOPE

to put the Jottings together; but I have found the doing of it pleasurable, and would fain hope that to those who have read them there may also have been some pleasure at times, as the reader made his way through the autumn leaves of a long life. And so, once more

ADIEU.

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