The modern lawyer may be forgiven if he turns with especial interest and relish in his leisure reading to those literary works which yield to him an authentic glimpse of the life of his professional predecessors. Lamb, Dickens and Thackeray are so well known a treasure-house of such lore, that the well-thumbed pages of "Bardell v. Pickwick", Pendennis, and the "Old Benchers of the Inner Temple" can perhaps be temporarily forsaken by their legal devotees in favour of an author who once enjoyed a popularity at least equal to that of the author of Pickwick, but who, in this age of psychological novels, seems destined to receive more than his fair share of public indifference, not to say distaste. But without venturing to decide, or indeed express any opinion on this controversy, the mouldering dust may surely be shaken from the pages of Sir Walter Scott's "Guy Mannering", by the seeker after past life in the law, for the reward of disinterring the delightful character of Paulus Pleydell, Esq., "an excellent lawyer and a worthy man", and the legal world in which he lived, moved, and had his being.

Our introduction to this gentleman brings us immediately up against one characteristic in which lawyers seem little changed from age to age — their conservatism. "The manners also of some veterans of the law had not admitted innovation." And, "among those praisers of past time, who with ostentatious obstinacy affected the manners of a former generation", we are not surprised to learn is numbered (perhaps foremost), Paulus Pleydell. Another characteristic once almost equally inseparable from the lawyer — his conviviality, can (alas!) hardly be said to have displayed the same power of survival. For even in this place and period (the scene is the Old Town, Edinburgh, and the time "near the end of the American War") if "one or two eminent lawyers still saw their clients in taverns, as was the general custom fifty
years before; their habits were already considered as old-fashioned by the younger barristers; yet the custom of mixing wine and revelry with serious business was still maintained by those serious counsellors, who loved the old road, either because it was such, or because they had got too well used to it to travel any other”.

The expectation that so inveterate a conservative as Mr. Pleydell would not be wanting in the other attributes of his kind is not disappointed. The eponymous hero of the tale is possessed of so little savoir-vivre as to beard the great man in his den on a Saturday night — the staircase which he ascended for the purpose being in a state “which annoyed his delicacy not a little”! — and receives the self-evident reply that “Mr. Pleydell’s ne’er in the house on Saturday”. However, on the assurance that though “he disna like to be disturbed on Saturday wi’ business — but he’s aye civil to strangers!”, Guy Mannering allows himself to be conducted to the eminent lawyer’s Saturday night haunt — which, needless to say, is not a law-library, but a tavern.

The scene of the Scots lawyer’s revelry struck his Sassenach client with little less amazement than it would a modern client going to interview counsel learned in the law in the midst of a carousal. In the centre of a tumult to which only the pen of Sir Walter Scott or the pencil of Hogarth could do justice was Counsellor Pleydell taking the leading part in a frolic that the author describes as the “ancient and now forgotten pastime of High-Jinks”, in which the participants had to assume a given rôle, and repeat certain “fescennine” verses in character, incurring the forfeit of having to drink a bumper for every mistake made. “Such, O Themis, were anciently the sports of thy Scottish children!”, exclaims our author. The reader may think that the game is not without its modern counterparts, though for better or worse its exponents are perhaps no longer to be found among the pillars of the law.

Counsellor Pleydell, unlike the usual lawyer of fiction, displays a noteworthy reluctance to be diverted from his pleasances in the cause of litigation, and treats Colonel Mannering’s companion, a Scotch shepherd called Dandie Dinmont, who desires to interest him in an action against a neighbour about grazing rights, with scant respect. The lawyer of today must sigh wistfully when he reads Mr. Pleydell’s retort to Dinmont’s reference to an earlier case (or “plea”) in which Mr. Pleydell acted for him. “What plea, you loggerhead? D’ye think I can remember all the fools that come to plague me?” Dinmont, however, who seems a good deal less sensitive of his dignity than the litigant of our day,
is not to be put off, and after various attempts to induce the lawyer to see the merits of his cause, finally declares that his real object is to secure justice. "My good friend", replies Pleydell in that dry yet human manner which sets the stamp on his character, "justice, like charity, should begin at home. Do you justice to your wife and family, and think no more about the matter." The profession is no doubt still as ready to tender such good advice, but Pleydell's further suggestion, "Confound you, why don't you take good cudgels and settle it?", goes, I imagine, beyond any form of self-help a modern attorney is likely to recommend to his client! Dandie now departs, after first putting his hand in his pocket, which gesture Pleydell restrains with: "I never take fees on Saturday nights."

The conversation that follows between Colonel Mannering and the lawyer affords Mr. Pleydell the opportunity of exercising his caustic wit, mellowed with sound sense and scholarly vivacity, on the subject of the law and lawyers, thereby furnishing the reader with some memorable sayings by no means less cogent today than when uttered. To Mannering's suggestion that "that fellow will scarce think of going to law", the lawyer replies: "Oh, you are quite wrong. The only difference is, I have lost my client and my fee. He'll never rest till he finds somebody to encourage him to commit the folly he has predetermined — No! No! — I have only shewn you another weakness of my character — I always speak truth of a Saturday night." "And sometimes through the week, I should think", says Mannering. "Why, yes; as far as my vocation will permit. I am, as Hamlet says, indifferent honest, when my clients and their solicitors do not make me the medium of conveying their double-distilled lies to the bench. But oportet vivere! it is a sad thing." Thus Pleydell would doubtless agree with Coleridge that the advocate is placed in a position unfavourable to his moral being, but further on the counsellor repels the notion that a lawyer is incapable of feeling. "We lawyers are not of iron, Sir, or of brass, any more than you soldiers are of steel. We are conversant with the crimes and distresses of civil society as you are with those that occur in a state of war, and to do our duty in either case is perhaps necessary — But the devil take a soldier whose heart can be as hard as his sword, and his dam catch a lawyer who bronzes his bosom instead of his forehead!" And later, in the lawyer's study where the Colonel admires his host's collection of the classics of literature, Pleydell makes his literary confession in words as well-known as they are worthy of repetition. "These", he declares, indicating his well-
lined shelves, "are my tools of trade. A lawyer without history or literature is a mechanic, a mere working mason; if he possesses some knowledge of these, he may venture to call himself an architect."

The unenviable reputation of being enmeshed in the darker transactions of human affairs has always been an attribute of the lawyer, and our expectation that so philosophic yet hard-headed a man of law as Counsellor Pleydell will have some shrewd comments to make on human nature in its contact with his profession, is not disappointed. "It is the pest of our profession [he tells Colonel Mannering] that we seldom see the best side of human nature. People come to us with every selfish feeling newly pointed and grinded. . . . I have now satisfied myself, that if our profession sees more of human folly and human roguery than others, it is because we witness them acting in that channel in which they can most freely vent themselves. In civilised society, law is the chimney through which all that smoke discharges itself that used to circulate through the whole house, and put everyone's eyes out—no wonder, therefore, that the vent itself should sometimes get a little sooty."

If the evidence of our counsellor is to be accepted, it appears that the lawyers of his time looked for qualities in their clerks that would hardly find a place in a modern testimonial. "That's a useful fellow [says the advocate referring to one of his underlings]. I don't believe his match ever carried a process. He'll write to my dictating three nights in the week without sleep, or, what's the same thing, he writes as well and correctly when he's asleep as when he's awake. Then he's such a steady fellow—some of them are always changing their ale-houses, so that they have twenty cadies sweating after them, like the bare-headed captains traversing the taverns of East-Cheap in search of Sir John Falstaff. But this is a complete fixture—he has his winter seat by the fire, and his summer seat by the window, in Luckie Wood's, betwixt which seats are his only migrations; there he's to be found at all times when he is off duty. It is my opinion he never puts off his clothes or goes to sleep—sheer ale supports him under everything. It is meat, drink and clothing, bed, board, and washing." "And is he always fit for duty upon a sudden turn-out? I should distrust it, considering his quarters." "Oh, drink never disturbs him, Colonel; he can write for hours after he cannot speak. I remember being called suddenly to draw an appeal case. . . . Then we had to seek Driver, and it was all that two men could do to bear him in, for, when found, he was, as it hap-
pened, both motionless and speechless. But no sooner was his pen put between his fingers, his paper stretched before him, and he heard my voice, than he began to write like a scrivener—and, excepting that we were obliged to have somebody to dip his pen in the ink, for he could not see the standish, I never saw a thing scrolled more handsomely!" Yes, there were giants on the earth in those days, and such, in these times of thin beer and trade-union hours, as to make us stare indeed!

Nor, as we have seen, was the master behindhand in following the advice of Horace to cultivate the vine. "I am of counsel with my old friend Burnet"; (and here the author in a note reminds his readers that Pleydell refers to no less a person than Lord Monboddo, the distinguished Scottish judge and metaphysician, whose "noctes coenaequere" were celebrated in his day). "I love the coena, the supper of the ancients, the pleasant meal and social glass that wash out of one's mind the cobwebs that business or gloom has been spinning in our brains all day." And such occasions were not to be impaired by concern for a client's affairs. "A lawyer's anxiety about the fate of the most interesting cause [Pleydell assures his companion] has seldom spoiled either his sleep or digestion."

Space forces us to refer the curious reader to the novel itself for such fascinating antiquarian particulars as the method of shackling prisoners in the old Scottish gaols, and the strange procedure before the "Macers", which Pleydell describes as "a kind of judicial Saturnalia". It remains to cite one final epigrammatic defence of his profession by the old advocate. "I can tell you [he says] Glossin would have been a pretty lawyer, had he not such a turn for the roguish part of the profession." "Scandal would say", observed Mannering, "he might not be the worse lawyer for that." "Scandal would tell a lie then", retorted Pleydell, "as she usually does. Law's like laudanum: it's much more easy to use it as a quack does, than to learn to apply it like a physician." With that comforting assurance we may perhaps restore the counsellor gratefully to his upper shelf.