PRELIMINARY REMARKS.

The particulars relating to Sir David Hume of Crossrig are neither numerous, nor, as regards pure history, important; but, scanty as they are, more may be derived from the ensuing pages than from any other source hitherto accessible. And these exhibit, in a manner almost, if not entirely, unique, the occupations of one who, nearly two centuries ago, appears to have had professional cares in his private capacity as a gentleman, infinitely beyond
those which fell to him in his character of a Judge of the Supreme Court. Were we not assured to the contrary, we should unquestionably view this “Accompt of his Estate and Fortune” as the written confession of a well-meaning, hard-plodding attorney of a school, even yet, not absolutely extinct.

When Mr. Hope (now Lord Justice Clerk) presented as his contribution to the Bannatyne Club, in 1828, Sir David Hume’s “Diary of the Proceedings in the Parliament and Privy-Council of Scotland, May 21, MDCC.—March 7, MDCCVII,” he stated, that of its writer he had “not been able to obtain much information;” and, indeed, what he did obtain was, comparatively speaking, no information at all. To the courtesy of Captain Home, of her Majesty’s 6th or Royal 1st Warwickshire Regiment, we are indebted for the manuscript, now for the first time printed. All that previous-

ly could be procured concerning the diarist is collected in Messrs. Brunton and Haig’s very useful “Historical Account of the Senators of the College of Justice;” but it will be seen, that even that notice is not altogether perfect. Mr. Hope incorrectly stated the orthography of the Senator: each page of this MS. Diary being signed David Home.” But, in accordance with modern pronunciation and spelling, the headline and title-page of our little volume carries Hume.

As it is unnecessary here to recapitulate the information afforded by the Diary, it may suffice, in correction of a mistake in the work of Messrs. Brunton and Haig, above referred to, to note that Sir David’s second wife was a grand-daughter of Sir Alexander Swinton, and not a daughter, as there stated. See Diary, p. 28.

Sir David was the author of a small volume, entitled “Advice to a Daughter, in a Letter from Mr. David Hume, Edin-
burgh; printed by J. Reid, for W. Gray, Front of the Exchange, 1771," 12mo. The identity of the author with Lord Crossrig is certified in the "Advertisement" prefixed to it, and a manuscript note, on the title-page of a copy belonging to Mr. Charles Kirkpatrick Sharpe, informs us that the Preface is by "Alex Belches, Esq. Advocate." The letter of Consolation to his Daughter, whose name does not appear, is dated "Edin' April 1701."

Mr. Sharpe is likewise in possession of a portrait of Lord Crossrig, in his official robes, painted by young Medina, son of Sir John. This represents his Lordship as a quiet, comfortable, cosy-looking person, with the expression rather of a country squire than of one "learned in the laws."

It will be seen by his Diary, (p. 29,) that he had a wooden leg. The nature of the injury which produced this transubstantiation does not appear.

Sir David Hume died April 13, 1707, æt. 64. Laying out of view the hollow panegyrics of venal scribblers, enough may be gathered from his Diary and "Occcurrents" to mark his character as a good, easy, friendly sort of man, distinguished rather for sound common sense than for any superior intellect, and apparently better qualified for the station of a factor or arbiter than for that of a Lord of Session. There have been many contemptible individuals on the Bench, as well before as since the days of Lord Crossrig; and that, perhaps, is a more wholesome memory which his Lordship has bequeathed to posterity,—the fame of an honest, rather than of a talented man. The following doggrel, printed on his Lordship’s demise, are extracted from Mr. Maidment’s singular and quaint Collection of "Scotish Elegiac Verses," recently published.*

* Edinburgh: T. G. Stevenson, 1843. 8vo.
When it for ever shall with hallowed light
O're shaded be, and fill'd with all delight.
Why then should those who are the kindred near
Of just men, mourn to want their presence here?
Yea mourn, why mourn? good cause they have to
mourn
For want of those who wroth away did turn
By fervent pray'r, and by whose counsel good,
And bright example ill they have withstood;
But on this news which now doth reach our ears,
A more extensive cause of grief appears,
Not kindred only should this loss lament,
But all the nation may the same repent:
A person of a blameless holy life,
A friend of concord, enemy of strife,
Deny'd to worldly pleasures and to pelf,
Extremely humble and deny'd to self;
Most zealous for the Church, kind to the poor,
Upright in judgement, on decision sure,
Patient in crosses, meek in prosperity,
Of easy access, and much courtesy,
The Orphans friend, the Widows sure defence,
And without bribes he justice did dispence.
When such a one as he departs from hence
The loss is gen'ral, tho' to him great gain
To be above the pow'r of guilt and pain.

ELEGY UPON THE MUCH TO BE LAMENTED
DEATH OF THE RIGHT HONOURABLE SIR
DAVID HUME OF CROSSEY, ONE OF THE
SENATORS OF THE COLLEGE OF JUSTICE,
WHO DEPARTED THIS LIFE APRIL 13, 1707.

True grace and virtue are such special things,
They sweeten gall, and blunt the pointed stings
Of death and hell, and other plagues that rage
'Gainst sinful man in this corrupted age.
The pious soul is perfectly secure
'Gainst all that's ill and all that can devour—
'Gainst wasting sickness and all tormenting pain;
Yea ev'n against the whole infernal train
Of maladies and furies much enrag'd,
He rests in safety, being closely hedged
About with ramparts of Salvation strong,
No cross can harm, no plague can do him wrong,
When death in his most formidable hue
Arrests the just, requiring what's his due,
The pious patient with a smiling face
The ghostly Sergeant does with joy embrace.
Bids him proceed, and welcom do his will:
And tho' he may the feeble body kill,
His better part is from his dint secure,
And shall on wings haste to a place more pure,
X PRELIMINARY REMARKS.

As in the course of the Diary Sir David repeatedly makes allusion to those affairs of private individuals whereof he had the management, and of the disastrous fire wherein so many writs perished, it has been deemed advisable to reprint, by way of Appendix, the special act passed in his favour for proving the tenor of those writs. This will afford some idea of the number of proceedings with which his Lordship was concerned.

To these trifling introductory paragraphs, a few notes are appended, explanatory of individuals or incidents occurring in the Diary.

W. B. D. D. T.

Edinburgh, 25, Great King Street,
Easter Monday, 1843.

NOTES.

Page 5, line 13.—I entered bajin.—In Principal Lee's distinct précis of the History of Edinburgh College, prefixed to “the Edinburgh Academic Annual,”—Edin. 1840, p. xxv,—this singular word, as well as the system with which it was connected, is explained as follows. It is unaccountably omitted in Dr. Jamieson’s Dictionary of the Scottish Language.

“From the earliest time the regents and other professors have been well selected. It may not be unnecessary here to explain the meaning of the term regent. In the older Universities every student,