

OBITUARY.

known to the client, of his *not* being an attorney.

So far as the practical result is concerned, it would not be likely to make much difference to the client; the barrister, it may be assumed, would be at least as good a lawyer as the attorney, and it would be only in very extreme cases where the barrister partner would find it to his advantage, even if fraudulently inclined, to set up the fact that he was not what he pretended to be.

They could not recover fees as a firm of attorneys; proceedings would have to be taken in the name of the attorney alone.

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[We shall be glad to receive full information under this head, from reliable correspondents, so as to enable us to keep as complete and accurate a record as possible.]

THE HON. JOHN PRINCE, Q.C.

(Extracted from the *Essex Record*.)

The Honorable John Prince, late Judge of the district of Algoma, better known to the public as Col. Prince, was born in Herefordshire, England, on the 12th of March, 1796, and consequently upon his death at his residence at Sault Ste. Marie, Algoma, on the 30th of November, 1870, was in the 75th year of his age.

He was early in life devoted to the profession of the law, and in 1821 was admitted to practice in all the courts of law and equity in England. He followed the practice of his profession in the Counties of Herefordshire, Kent and Gloucestershire, until 1833, when he decided upon emigrating to America. His extraordinary fondness (amounting to a passion) for field sports, is said by those still living who remembered him at that time, to have been the cause of this sudden severance from a lucrative practice and all his home ties; it is said he would occupy all his leisure at this time in reading and dilating upon accounts of the deer and turkey shooting in Kentucky, which he then intended as his destination. Had he carried out his intention, with the knowledge we now have of him, and of the subsequent history of the country he proposed as his future home, a curious speculation might be formed as to the position of himself and family; but the facts were that his course was changed by the influence, we believe, of some accidental companions of voyage, and in August, 1833, he finally settled in Sandwich, two miles from where we write.

In 1835 he went into Parliament, and from this point of his career there were few men whose actions for twenty years after this time were more continually before the people of

Ontario and Quebec than those of Col. Prince. From 1836 to 1860, he sat in the Parliaments of Upper Canada and United Canada, and for the latter few years, in the Legislative Council or Upper House of the United Provinces, to which, when made elective, the electors of Essex and Kent, the "Western Division," returned as its representative the man who both counties always "delighted to honour." Colonel Prince was the representative of the Western country; but he was not merely a representative in the House of Parliament, for—whether he were urging to its passage a bill for the admission of aliens to the real estate privileges of British subjects, and thereby bringing American capital into the Province, or whether he were ordering the shooting on the spot of these same Americans when caught in the sin of piratical invasion and brutal murder, and thereby subjecting himself to abuses and misrepresentations, culminating in duels and court martials (and recent events have shewn his course to be the proper treatment of like marauding scoundrels after all), or whether he was arranging an agricultural show or cattle fair in a little Essex town on the plan of his old Herefordshire recollections, or haranguing in the principal city of Canada thousands on the then, to Conservatives, most exciting topic of the day, the payment of "rebellion losses," in all circumstances, on all occasions, he was the representative man.

He was called to the Bar and admitted as an attorney in Michaelmas Term, 1838, at the same time as the present Treasurer of the Society, and was elected a Benchman in the same term twenty years afterwards.

In 1860 he was offered and accepted the situation of District Judge of the District of Algoma, which he never quitted until the year 1870, when he visited Toronto in search of medical assistance which could not be of use, for he died suddenly on the morning of Wednesday, November 30, but quite calmly and free from pain.

As a lawyer he was a remarkable instance of a practical application of the maxim that law is the highest reason, the best of common sense; for, without being a student, he would almost instinctively seize upon the true bearing, and the inevitable result of a certain state of facts, and would astonish consumers of the midnight oil, by shewing that he knew the law without having read the cases.

As a politician he was successful as regards the interest of the country, an utter failure as regards his own. He would urge with the whole power of his intellect some measure he deemed for the good of the country, utterly indifferent to the fact that the ministry he professed to support at the time were its opponents. He never could be made to understand the necessity which seems now-a-days to be so universally admitted, the necessity for party government. He never held office.

As both lawyer and politician his distinguishing characteristic was his eloquence, elo-