

The Legal News.

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It is with a sorrowful heart, and a deep sense of bitter and overwhelming personal loss, that we have to record this week the death of another old and valued member of the bench—Mr. Justice Torrance, who departed this life very suddenly on the morning of January 2. Mr. Justice Torrance had been suffering for a few days from an attack of pneumonia, brought on, it is stated, by exposure while acting as pall-bearer at the funeral of his old friend, Judge Ramsay, on December 24. The illness was not supposed to be serious, and he had recovered sufficiently on the following Thursday and Friday to be able to read and write—we received proof-sheets from him on Thursday afternoon—but on Sunday morning, at four o'clock, after rising to take a draught of the medicine which had been prescribed for him, he fell back and in a few minutes breathed his last.

Mr. Justice Torrance has done good and faithful service on the bench during eighteen years. Long versed as a lawyer in mercantile affairs, he brought to his judicial work a profound acquaintance with commercial usage, as well as an intimate knowledge of the science of the law, and these qualifications, combined with painstaking diligence and unswerving conscientiousness, made him pre-eminently a safe and satisfactory judge. The writer succeeded to the vacancy on the editorial committee of the *Jurist*, created by his elevation to the bench eighteen years ago, and during these eighteen years Judge Torrance has been in constant association with our work from week to week,—we might almost say from day to day. Since the establishment of the *Legal News*, and later, of the *Montreal Law Reports*, we have regarded him, as well as Judge Ramsay, almost as a *collaborateur*. During this time, the manuscripts of his judgments

have invariably been committed to our hands, and we have had the advantage, and the privilege, of reading with care the thousand opinions which have been the fruit of his labours.

Looking back, at a moment when the sense of personal bereavement is too keen to permit us to express what we would wish to say, three things principally present themselves—over and above that conscientiousness and devotion to duty which were the ruling characteristics of the deceased. The first is, that his decisions have stood the test of appeal remarkably well. Without being able to make actual count, we are under the impression that Judge Torrance has been reversed less frequently than any other Judge of the Superior Court, and in some cases in which he was overruled in appeal, his decision was restored by the Supreme Court of Canada or the Judicial Committee of the Privy Council.

A second point is the brevity and clearness of his judgments. Lucid and concise in his statement of facts, and of the question to be decided, the principle which applied was clearly presented, and the conclusion followed. The gift of brevity without obscurity is an extremely valuable one, more especially perhaps in a court of original jurisdiction working at high pressure, and this gift Mr. Justice Torrance possessed in a remarkable degree.

The third point which presents itself at the moment is his admirable lucidity in dealing with questions of procedure. He did much to evoke order out of the chaos into which our system of procedure was thrown by the crude and badly prepared code of procedure. If he had sat alone as Practice Judge he would soon, by his orderly habit of mind, have built up a clear and consistent system. His decisions are admirably framed, and he shows in a hundred neat and pithy rulings, that he would have made an excellent codifier of the law of procedure.