

that different proceedings in the separate States would tend to produce, and the responsibility which the United States are under to foreign nations, for the conduct of all its members.

“The other cases of enumerated jurisdiction are evidently of national concern, and they constitute one of the principal motives to union, and one of the principal cases of its necessity, which was the insurance of domestic tranquility. The want of a federal judiciary to embrace these important subjects was once severely felt in the German confederacy, and disorder, license, and desolation, reigned in that unhappy country until the establishment of the imperial chamber by the Emperor Maximilian, near the close of the fifteenth century; and that jurisdiction was afterwards the great source of order and tranquility in the Germanic body.”

The interval between 1787 and the publication of the Commentaries, a period of nearly forty years, was passed in a little politics, as a member of the New York Legislature in 1790, 1792, and 1796; in his law lectures at Columbia College in 1794-5, and in 1824; but chiefly as Justice of the State Supreme Court, from 1798 to February, 1814, and as Chancellor until July 23, 1823, when he had attained the constitutional age for retiring—sixty years.

Perhaps the great service which Chancellor Kent rendered in his judicial capacity, was the habit he set of preparing a written opinion in every case of sufficient importance. It had been the judicial custom to deliver oral opinions, and the habit of delivering written opinions became exceedingly valuable when he became Chancellor Kent. The powers of the Court were not clearly defined, there was a lack of precedents, and there was only a small coterie of practitioners. All this was altered by Kent's industry, learning, and aptness in conducting the business of the Court. Hence the language of the Bar of New York city, when affectionately taking leave of the retiring Chancellor:—

“During this long course of services, so useful and honourable, and which form the most brilliant period of our judicial history, you have, by a series of decisions, in law and equity, distinguished alike for practical wisdom, profound learning, deep research, and accurate discrimination, contributed to establish the fabric of our jurisprudence on those sound principles that have been sanctioned by the experience of mankind, and expounded by the enlightened and venerable sages of the law.”

It is not surprising to know that some have thought that such a man, either from constitutional diffidence, or habits of study, appeared not to feel the confident possession of the powers requisite to insure renown at the Bar. But, as a judge, the Bar gave universal testimony of his personal kindness, pureness, and gentleness of heart, and uniform and uninterrupted course of generous, candid, and polite treatment.—*Current Comment.*