

eminent lawyers, several of whom are now on the Bench, he started his career as a reporter. He was fortunate in the judge in whose Court he sat, the great weight attached to the judgments of Vice-Chancellor Wood, afterwards Lord Hatherley, giving a reflected importance to the five volumes of reports which bear the late Lord Justice's name. The first of these volumes was prepared by Mr. Kay alone; the remaining four were published in conjunction with Mr. Vaughan Johnson. In those days a good volume of reports was frequently the foundation of a large practice in the equity courts, and Mr. Kay, whose industry was inexhaustible, gradually acquired one of the largest businesses ever possessed by a junior in Lincoln's Inn. He was appointed a Queen's Counsel nineteen years after his call. His career as a leader was commenced in Vice-Chancellor Wood's Court, where in his early days he had sat as a reporter. He subsequently practised before Vice-Chancellors Giffard, James, and Bacon. It was before the last-named judge that he practised longest and acquired the most marked ascendancy. His chief opponent was Sir Henry Jackson, who was appointed a judge and died before he took his seat on the Bench. In 1878 the proportions of his practice justified him in becoming a 'Special,' and during the three years that preceded his appointment to the Bench in 1881 he occupied at the Chancery Bar a position scarcely less distinguished than that held by Sir Horace Davey and Sir John Rigby in later years. For an equity lawyer he possessed a considerable measure of oratorical power. He submitted his arguments in vigorous language, and emphasized his points with the gestures of oratory. Even on the Bench his utterances were marked by a fervour not common in the Courts. While he delivered his judgments his body was scarcely less active than his mind. He was appointed to the Bench on March 30, 1881, in succession to Vice-Chancellor Malins. Nearly twelve months, therefore, have passed since he became entitled to retire from the Bench on a pension. He proved to be one of the most valuable judges of the Chancery Division, being rapid in his methods, sure in his judgments, and conscientious as to the smallest details of his work. His firm and ready grasp of facts enabled him to secure in the hearing of witness cases a larger measure of success than most Chancery judges have obtained, while the vigour with which he addressed himself to the task of simplifying the precedents of the Chancery Division,