

THE BENCH AND THE BAR.

practice beneficial to clients, and speeding the disposal of matters really in dispute between litigants. I am proud to know that this Bar is conspicuous in the Province for the ability of its members, the number who have attained high position in their own peculiar field, as well as in public life, who have ably served the public in the courts and elsewhere with all the honesty, zeal and courage which have secured for our honorable profession its high standing amongst an educated and most intelligent people, very tenacious of their rights. Such is the simple fact, and if indeed I have in any degree impressed upon the profession my views of their honorable and responsible duties, I feel thankful indeed. I may repeat what I said on an occasion similar to the present, viz.: That I felt it was right that I should endeavor to discharge every duty faithfully and fearlessly: create confidence in suitors and to secure to them the full benefit of the several courts over which I presided, and to impress the public with the feeling of respect never withheld from a court of justice, however limited its sphere, where order and decorum obtain, and that from the first I felt that this could best be done with the aid of an educated and an honorable Bar, who would feel with me that we were all ministers of justice—all equally striving for the same great end. What I said fifteen years ago, I can emphatically repeat, that from the profession in this County I have always received the greatest aid in the discharge of my judicial duties, and it is to your cordial cooperation and support I am indebted for a measure of success that, unassisted and unsupported, I could scarcely have attained. In gladly according to the Bar every privilege they could fairly claim, in fostering a right feeling in their intercourse with each other, in publicly combating prejudices against them, I have ever felt I was strictly within the line of duty; but I think you will acquit me of the weakness which fails to look for the inherent merits of a case in admiration for the skill and zeal of counsel.

The kind consideration you have always shown me I have every confidence you will extend to my successors. It is a consolation to me to know that my learned brother Judge Ardagh takes my place. Educated in the county, and with an experience of some ten years on the Bench, the profession and public will not lose by the change. You all know Mr. Boys, who will be the Junior Judge, and his very honorable position at the Bar. With two such worthy men at the Bench of this Judicial District, both in the prime of life, the profession and the public, I repeat, will gain by my retirement.

Though giving up active duty I shall still consider myself as in a sense having harness on my back, being empowered still to take occasional duty; and I may here mention that the Government of Ontario continues me in the position of Chairman of the Board of Judges.

Let me say one word as to my retirement, as you are aware this is the largest Judicial Dis-

trict in the Province, having a population, not very long since, equal to that of Manitoba and British Columbia together. The duties are very onerous, requiring the services of at least two active men to perform properly and with promptitude in the various duties made incumbent to the Judge's office; and I felt the time had come when in justice to the public and my brother Judges I should make way for a younger man. My age and uncertain health demanded more repose than I could properly ask to take, and so I sought retirement, and after forty-one years of hard work, it cannot be said that my appeal to be relieved was in any sense premature. Indeed I have the satisfaction of knowing that His Excellency appreciates, as he is pleased to communicate, my "faithful, efficient and impartial conduct during my long term of Judicial service." You are good enough to refer to other work I have been engaged in—I did try to be of some use outside my official engagements, when employed in matters of public interest and concern. It was I felt only my duty to render such willing aid as was required of me by those who were anxious to promote all that was good and safe in the improvement of the law and its administration, and who were in the high position which enabled them to give effect to their desires. And should I return, as I trust I shall, with restored health, I hope to find some opening of usefulness, for I feel that I am not without a residuum of energy, and I could not well live an idle life.

I would fain say more, and with all the warmth that words can convey, but as I leave for England to-morrow, you know how much I am occupied, and how disturbing are necessary preparations, and you will excuse my imperfect expression of thanks. I should indeed be insensate if I was not touched deeply by your kindness. I may well feel honored by this last mark of your regard, and by the more than kind words you have addressed me.]

His Honor here referred to the testimonial and said:

I shall praise it as my most valued possession, more to me than any other honor that could be conferred, for you use it to set the seal, as it were, to what you in your spontaneous kindness have said. It is not the only token I have had from the profession of their regard, and I should feel humbled to the very dust if I had not aspired from the first to accomplish some of the good that in your partial judgment you couple with my poor efforts.

I would thank you once again for the unbroken attention, respect and kindness of years, and my earnest prayer is that God may bestow upon you, and those dear to you, His richest blessings here, and an eternal life beyond.

I bid you an affectionate farewell.

JAMES ROB'T GOWAN.