

## THE LATE CHIEF JUSTICE MOSS.

which separates this mortal existence from that which lies beyond the grave.

Chief Justice Moss was gifted with a personal character attractive almost to fascination. By those who knew him, and enjoyed, in any degree, the privilege of his intimate friendship—and the circle is wide and comprehensive—he will be chiefly regretted, after all, not for what he did, but for what he was. No more manly or honest heart ever beat beneath the stuff gown of the undergraduate, or the purple cape of the judge. Possessed of more than ordinary ability, successful to an unprecedented degree in all he set his hands to work upon, he had no impatience at dullness, no jealousy in rivalry, no superciliousness in high station. What he was discovered to be in the promise of youth, he remained to the last—hopeful, helpful, self-sacrificing, nobly and manfully generous. Those who met him in academic or professional intercourse did not so much admire as love him; and this warm and tender appreciation of an essentially chivalrous character acted as a talisman against all the petty passions which mar and often poison men's intercourse in the rough competition of active life. Chief Justice Moss had no enemies, simply because it was impossible to be a man and yet be an enemy to him.

It is well to linger over these features of his character because they are those which unite together, in a common bond of sympathy, friends who are otherwise apart in taste and professional pursuit. Many an Upper Canada College boy of twenty odd years ago remembers Thomas Moss; many a graduate of his Alma Mater has watched his brilliant career with something like brotherly interest; many a legislator, many a member of the profession feels the same common attraction to the departed judge, and suffers the same inward pang at his premature removal by death.

But there was more in the late Chief Justice than geniality and kindly feeling. He possessed an intellect singularly acute and recep-

tive, a wonderful aptitude for the mastery of any subject before him, and a singularly tenacious memory touching what it was of importance to know and retain. To many, these talents serve as a substitute for hard work and constant, assiduous application. It is at once flattering to human pride and soothing to that aversion from toil natural to men, to believe that one is clever enough to dispense with the drudgery of study; but if any student or practitioner of law strives to find a crucial instance in the late Chief Justice, he will make a serious mistake. He certainly possessed a wonderful power of insight; yet, because of it, he saw clearly that without a solid foundation, acuteness of mental intuition is as likely, indeed more likely, to lead astray than to guide aright. No substantial basis of knowledge, no matter what may be its subject-matter, can be acquired as by inspiration. Labor alone conquers all things, and Chief Justice Moss was a conscientious and painstaking laborer from youth upwards.

It is easy to attribute success in life to chance; but if we do so, the facts will prove that where we do so, it is because we have taken no pains to ascertain the truth. No man ever rose to so high a position in Canada, or elsewhere, as did the subject of this obituary without having, not merely a good intellect, but a well-stored and cultured one also. The history of a life, all too short for the Province and the Dominion, contains but few stirring incidents; still it may be well to recapitulate its main data.

Chief Justice Moss was born at Cobourg, on the 20th of August 1836, and, therefore, died at the early age of forty-four. He belonged to the middle-class, and owed nothing to social or official connections so long as he lived. At an early age his father and the family removed to Toronto, and there his entire active life was almost wholly passed. He was first known to the outer world as a distinguished prizeman at Upper Canada College. There he laid the foundation for a yet more brilliant success at the University of Toronto.