

THE HON. WILLIAM HUME BLAKE.

an effete organization, which impeded the course of equity; and he infused new life into all the branches of the court. Nothing escaped him, and under his able superintendence the most minute details were carefully arranged and organized.

Years have passed since the work in these Augean stables was commenced, and no one who is familiar with what the condition of affairs then was but is ready to testify that the improvements in the practice and procedure in the Court of Chancery of this Province were commenced at the time of Mr. Blake's appointment as Chancellor, and that the abolishment of the then existing evils in the court are to be traced back to that date. That much has been done since there can be no doubt, but it is equally certain that the foundation stone of improvement was successfully laid by him who has just passed from amongst us.

Possessed of a clear and capacious intellect, Mr. Blake's judgments shewed that nothing had been overlooked which could affect the equities between the parties; every point in the case received his careful attention, and had the advantage of being fully digested in a mind that had been stored by years of arduous reading richly with legal lore.

We cannot do better than here quote the interesting and eloquent remarks made by the present learned Chancellor, on the occasion of his first appearing in Court after Mr. Blake's death. No one now living could speak with more confidence than Mr. Spragge on the subject. We copy the following from the *Globe*:

"It fell to the lot of my brother, Mowat, as the first judge of this Court who sat after the death of its first Chancellor, to refer to the event. I desire to express my hearty concurrence in what fell from my learned brother in reference to it. But having sat with the late Chancellor for a number of years, it is fitting also that I should bear my own testimony to his high qualities as a judge. With an intellect that enabled him to grasp more readily than most men the whole of a case, he was yet most patient and pains-taking in the investigation of every case heard before him. He never spared himself, but was always most careful that no suitor should suffer wrong through any lack of diligence on his part. He had, moreover—what every equity judge should have—a high appreciation of the duties and functions of a Court—of the mission, if I may so term it, of a Court of Equity in this country: not to adjudicate drily upon the case before the court, but so

to expound the principles of equity law as to teach men to deal justly and equitably between themselves. I have reason to believe that such expositions of the principles upon which this court acts has had a salutary influence upon the country; and Mr. Blake, in the able and lucid judgments delivered by him, contributed largely to this result. He always bore in mind that to which the present Lord Chancellor of England gave expression in one of his judgments: 'The standard by which parties are tried here, either as trustees or co-partners, or in various other relations which may be suggested, is a standard, I am thankful to say, higher than the standard of the world.'

"The death of Mr. Blake has reminded me of the correspondence that took place between him and his brother-judges on the occasion of his retirement from the bench. The first letter is addressed to the late Mr. Esten, and runs thus:

"MY DEAR VICE-CHANCELLOR,—I enclose the copy of a note which I have sent this morning to the Attorney-General. This step has been inexpressibly painful to me, but it has ceased to be a matter of choice, and that being so, I felt that you and Brother Spragge ought to be relieved at the earliest moment from the pressure of extra work.

"So long as life is spared to me I shall recall with gratitude the affectionate kindness with which you have both laboured to spare my weakness.

"That God may bless you both with a long life and usefulness is the heartfelt prayer of your affectionate friend,

"WM. HUME BLAKE.

"As I am not very well able to write, I hope Brother Spragge will read this as written to him as well as yourself."

"I have not the answer of Mr. Esten; I must be content to read my own:

"MY DEAR CHANCELLOR,—I deeply regret that the cruel disease under which you suffer has left you no alternative but the painful one of retirement from the bench. During the ten years that I have sat with you, no unkind word, and I feel sure no unkind feeling, has ever passed between us, and I cannot but feel deeply grieved at the severance of such a connection.

"Most sincerely and heartily do I hope that there are yet many years of comfort and happiness in store for you.

"Many thanks for the kind terms in which you communicated to us your intended retirement, and for your good wishes to us personally.

"Believe me always, my dear Chancellor,

"Yours,

"J. G. SPRAGGE."