

liberal and generous views of reform. The new Chancellor was described as being—"Not only a Liberal Minister in the Council, a fruitful legislator in Parliament, but also a great magistrate in the High Court of Equity, where he was the supreme judge. No one possessed in a greater degree the sentiment and the perception of justice. Scarcely had he become installed in the chief seat of the Court of Chancery than he applied himself with honourable promptitude and ardent equity to accelerate the suits which had accumulated from time immemorial and which formed a congealed mass of litigation. He sat with indefatigable assiduity in his Court, where he was many times found at the dawn of day listening to argument or delivering judgments. His penetrating sagacity and his general knowledge of jurisprudence enabled him to constitute a real Court of Equity. He there at the same time abolished abuses which would have been lucrative to himself, and he suppressed sinecures which were onerous to the State." Brougham's career in the House of Commons and his efforts on behalf of the parliamentary reform were dwelt upon by M. Mignet, who, referring to the celebrated speech in which the orator implored upon his knees the House not again to reject a bill so anxiously desired by all lovers of the country, said, "Certainly the kneeling was out of place." Referring to that later period when Brougham had become somewhat estranged from the leaders of the Whig party, he said, "At this time Lord Brougham was no less admired than he was fortunate, but perhaps he did give way a little to the intoxication of pride, and failed to restrain the intemperance of a mind whose fiery nature was capable of leading to any extravagance."

Passing to a consideration of Brougham's labours—political, philosophical, and historical—M. Mignet said, "He loved the English Constitution as an Englishman, he admired it as a publicist. He has ably traced its history, explained its structure, appreciated its influence, and pointed out its useful developments."

Always in progress, the Constitution, becoming more and more representative of England and bending to the exigencies, had adapted itself to the diverse conditions of a great country, whose ideas it follows, and whose wants it satisfies. Little by little it has thus directed the efforts of all powers and classes within the State to the same end—the growing establishment of all that is right, the increasing respect for public interests, the skillful management of common affairs. Lord Brougham well explained that progressive Constitution which, without changing the form of Government, has perfected its means of action, has rendered royalty limited in its intervention the aristocracy liberal in its conduct, and the democracy moderate in its pretensions; and which, constructed not by force of logic, but by history, has issued less from the spirit than from the very existence of a people which it has enabled in our days to conduct itself as a republic under a monarchy, to enjoy order,

prosperity, and greatness combined with liberty. Lord Brougham dedicated his book upon the Constitution of England to Queen Victoria, under whose long reign that Constitution, faithfully observed in its spirit, has never been evaded in its exercise. Written at the age of eighty-one, that dedication is a model of propriety and grace. In the same year in which he dedicated a political work to the Queen of England he dedicated a scientific work to the University of Edinburgh, which selected him for its Chancellor in 1860. That volume contained treatises upon mathematics and physics, written between 1796 and 1858, upon the most various subjects—general theorems of geometry, problems of Kepler, dynamic principles, the differential calculus, the architecture of the cells of bees, analytical and experimental researches into light, the attractions of forces, and lastly, the admirable speech which he delivered at Grantham upon the occasion of inaugurating the monument to Sir Isaac Newton." After describing the residence at Cannes and the industrious and learned life which Brougham passed there during many winters, and where he died on May 7, 1868, M. Mignet thus summed up his estimate of his character:—"Henry, Lord Brougham, belongs to the number of the great men of his time and of his country. Endowed with extraordinary genius, possessed of vast knowledge, gifted with brilliant talents, animated by incomparable ardour, he devoted the thoughts of his mind, the enthusiasm of his soul, the resources of his knowledge, the brilliancy of his talents, to the service of the noblest causes—to the progress of justice, of law, of intelligence, of humanity."

A Reformer without a chimera, a Conservative without a prejudice, he never separated, either in his writings or in his actions, what was expedient from what was right, and it was his pride to keep in accord the free advancement of men and the moral order of society.

He was also the defender of political liberty, the persuasive advocate of civil equity, the zealous promoter of public education, the eloquent supporter of human emancipation. Illustrious by his works, memorable by his services, Lord Brougham must be counted among those great men who honour the country whose glory they sustain, who maintain what is right and strengthen what is good, and who, by the brilliancy of their talents and the generosity of their souls, are held by posterity in everlasting esteem.—*Law Journal*.

It has lately been held in the English Court of Admiralty, that under Lord Campbell's Act, corresponding to Con. Stat. Can., c. 78, sec. 2, it is competent for the Court or jury to award compensation in the case of an unborn infant whose father has been killed by accident. *The George & Richard* 20 W. R. 245.