

*THE LATE LORD JUSTICE KAY.*

It is with regret that we record the death of Sir Edward Kay, which took place early on 9th March, at his London residence. He had suffered for two years from a serious internal malady, which, prior to his retirement from the Court of Appeal at the beginning of the present term, had compelled him to be absent for protracted periods. He underwent a second operation shortly before Christmas, and his indomitable courage and perseverance gave encouragement to the expectation that he would resume his duties as a Lord Justice; but it was eventually recognized that his strength would not be equal to the strain, and his resignation was accepted. Sir Edward Kay took so keen an interest in his judicial duties that he was most anxious to resume them. Almost up to the moment of his resignation he read the various reports with his accustomed diligence. But it must not be assumed that because he was attached to his duties in the Court of Appeal he displayed any undue inclination to cling to his office. His resignation was placed in the hands of the Lord Chancellor more than once before it was accepted. It was consistent with the conscientiousness he displayed in the hearing of cases that he should offer to retire from the Bench immediately his illness began seriously to interfere with his attendance to his duties. His career was laborious and meritorious in a high degree. His success was due entirely to his own exertions. He had no family influence to brighten his early days at the Bar, while his promotion to the Bench was solely in recognition of the professional eminence which his industry and ability had enabled him to acquire. The only occasion on which he stood for Parliament was in 1874, when he contested Clitheroe in the Liberal interest and was defeated. Determination was writ large on his long upper lip; his features were those of a man who had determined to succeed, and the look of austere dignity which settled upon them appeared to express his recognition of the fact that he had achieved his purpose. The fourth son of Mr. Robert Kay, of Bury, Lancashire, Edward Ebenezer Kay was born seventy four years ago. The late Sir J. Kay-Shuttleworth and the late Mr. Joseph Kay, Q.C., judge of the Manchester and Salford Palatine Court, were his brothers. He graduated at Trinity College, Cambridge, in 1844, and was called to the Bar at Lincoln's Inn in 1847, reading with the late Mr. George Lake Russell. Like many other