

with great caution, and frequently contradicted." Heath, J. (Bos. P. 131) remarks: "In every part of his conduct, his passions influenced his judgment *Vir acer et vehemens*. His law was continually warped by the different situations in which he found himself." As to Blackstone, we cannot forget the strictures of Fox upon the value of his constitutional views. Mackintosh styles him "a feeble reasoner and a confused thinker." (Eth. Phil. sec. 6) Lord Redesdale (1 Sch. & Lef. 327) once observed:—"I am always sorry to hear Mr. Justice Blackstone's Commentaries cited as an authority. He would have been sorry himself to hear the book so cited. He did not consider it such." Now this list of adverse criticisms might be very appreciably augmented in respect of both authors without straying into the domain of the "New Learning," but it is not to our purpose to do so. That purpose is effected by collating the above opinions merely, which, we submit, clearly exonerate modern preceptors of the law from the charge of initiating iconoclasm at the expense of old and unimpeachable authority. The pity is that in jurisprudence there should be any attempt at apotheosis of authority; for when we look abroad at the other sciences we find that there are no names that stand for perpetual infallibility, but that sooner or later the time comes when the whilom brightest reputation can do no more than feebly and fitfully beacon to posterity over the chill waters of oblivion.

We recently published some anecdotes in which that brilliant man and learned Chief Justice, Hon. W. H. Draper, is referred to. A correspondent sends us another: The Chief was on one occasion presiding at the Whitby assizes, and had delivered his sentence upon a prisoner, when the Clerk of the Court, the late Mr. John Vandal Ham, who was also Clerk of the Peace, audibly remarked that he (Mr. Ham) entirely agreed with the sentence which had been pronounced; upon which the learned judge leaning over, asked him what *he* had to do with the matter, and was somewhat non-plussed when Mr. Ham promptly remarked that he was an associate justice by virtue of his office. There was no more to be said; but later in the day Mr. Ham proceeded to refresh his inner man in court with a lunch which he had brought with him, spreading it on his desk, whereupon the Chief Justice remarked that he would be glad if the associate judge would kindly have those groceries removed.