

DIARY FOR NOVEMBER.

1	Tuesday	.....	All Saints
6	Saturday	.....	Articles, &c., to be left with Secretary of Law Society.
9	SUNDAY	.....	74th Sunday after Trinity.
12	SUNDAY	.....	25A Sunday after Trinity.
16	Wednesday	.....	Last day for service for County Court.
20	SUNDAY	.....	26th Sunday after Trinity.
21	Monday	.....	Michaelmas Term begins.
25	Friday	.....	Paper Day Q. B.
26	Saturday	.....	Paper Day C. P. Declare for County Court.
27	SUNDAY	.....	1st Sunday in Advent.
28	Monday	.....	Paper Day Q. B.
30	Wednesday	.....	St. Andrew. Paper Day Q. B.

BUSINESS NOTICE.

Persons indebted to the Proprietors of this Journal are requested to remember that all our past due accounts have been placed in the hands of Messrs. Ardagh & Ardagh, Attorneys, Barristers, for collection; and that only a prompt remittance to them will save costs.

It is with great reluctance that the Proprietors have adopted this course; but they have been compelled to do so in order to enable them to meet their current expenses which are very heavy.

Now that the usefulness of the Journal is so generally admitted, it would not be unreasonable to expect that the Profession and Officers of the Courts would accord it a liberal support, instead of allowing themselves to be sued for their subscriptions:

The Upper Canada Law Journal.

NOVEMBER, 1864.

DEATH OF VICE-CHANCELLOR, ESTEN.

This upright man and eminent judge, after a short illness, died at his residence, on Beverly street, in the city of Toronto, on the night of Monday the 24th of October last. His death was by no means unexpected. For several years he was a great sufferer, owing to a painful malady, of which it is said his father died. In September last he submitted to a surgical operation, but owing to his failing health, there was not strength enough remaining to withstand the effects of the shock. Though for the time relieved from pain, his strength waned, the lamp of life grew dim and was finally extinguished. Bright hopes were at one time entertained of his ultimate recovery, but Providence had otherwise decreed. He sank and sank till he fell asleep in his Saviour, in full expectation of a blessed immortality. Until the last he was conscious of all around and about him. He made it his constant study to read the Word of God, and when too weak to do it, had it read by members of his family. Shortly before his death he gave them his parting blessing, and left them—never more to see them in this life.

The deceased was not merely an eminent lawyer, but a most devout Christian. Notwithstanding the great labors of his judicial office, notwithstanding the wear and tear of the day appointed for man to labour, he each Lord's Day not only found time to attend the House of God and worship with the adults of his flock, but was himself a teacher in the Sunday School connected with St. George's

Church, in which parish he lived, and in which he died. It was beautiful to behold the distinguished lawyer, who, during the week, listened to most abstruse arguments and decided most difficult questions of law, on Sundays gently and unaffectedly teaching the lambs of Christ's flock the way to Heaven. He was a truly good man—loving to his family and kind to all with whom he came in contact.

His father was Chief Justice of the Bermuda Islands. His grandfather was Attorney General of the same Islands. He himself was born at St. George's, Bermuda, in the year 1805. He was educated in London, England. He studied law at Lincoln's Inn, and subsequently became a conveyancer at Exeter. He came to Canada in the year 1837, and made Toronto the scene of his future life, where he practised with success at the bar till the year 1859. He was one of the few legal men then in Canada that knew anything of equity law. He was, therefore, in 1849, when the Court of Chancery was reorganized by the appointment of a Chancellor and two Vice-Chancellors, made the senior Vice-Chancellor. His learning adorned the Bench, whilst his courtesy to the bar made it a pleasure to practise before him. He was, beyond all question, the most profound real property lawyer in Upper Canada. His caution was as great as his learning. His whole aim was to discharge the duties appertaining to his office conscientiously before God and man. He was always influenced by the purest and most noble motives. To the poor he was always a benefactor. To the young he was kind and considerate. To his family he was a loving father, whose precept was always good, and whose example was as good as his precept.

He was, comparatively speaking, a young man at the time of his death, being only 59 years old. He looked much older than he really was. His life was a sedentary one. He was a close student and a hard worker. Idleness he abhorred. What he considered his duty to be, that he rigidly and sacredly performed. He felt also that whilst doing his duty as a judge, he owed a duty to the Judge of all men, and while discharging the former he never forgot the latter. Thus he lived and died—a great lawyer, and, what is still better, a sincere Christian. Peace be to his memory.

STAMPS ON LAW PROCEEDINGS.

The fees and charges payable to the Crown upon law proceedings in Upper Canada form a very considerable item in the revenue of the country.

We are not prepared at this moment to state the amount collected, but are safe in saying, that, not by tens of thousands, but by hundreds of thousands of dollars it is represented. Nearly the whole establishment of the County