

## OBITUARY.

public prosecutor there never would have been a prosecution. The facts which transpired at the trial and which are succinctly given by Mr. Finlason in his introduction to the report, entirely fail to bring home criminality to any of the accused. Mr. Finlason's dissertation on the law governing the case is valuable, and his industry is indefatigable. The volume contains 270 pages, and more than one-third of the book is occupied by the Editor in a review of the cases showing what is and what is not commercial fraud cases at law, cases in equity and cases in bankruptcy are all made to do tribute. In addition to this summing up of the learned Chief Justice, revised by himself, gives much additional value to the work. The report should be in the possession, not merely of members of the legal profession concerned in the administration of commercial law, but of Bankers, Directors of Joint Stock Companies, and others who, from time to time, are called upon to make annual reports to Shareholders of their doings. In documents of the kind there is more or less of a tendency to the bright side. When this tendency is so strong as to lead to a wilful misrepresentation of facts, and persons are thereby deceived, the criminal law may be invoked with success.

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## THOMAS KIRKPATRICK, Esq., Q. C.

Thomas Kirkpatrick, Esq., Q. C., the Member of the Dominion Parliament for Frontenac, died at his residence in Kingston, on Saturday, the 26th March.

Mr. Kirkpatrick was born in Ireland, at Coolmine, near Dublin, in the year 1805, and was therefore in his sixty-fifth year at the time of his death. He was educated at Trinity College, Dublin. In 1823, he came to this country, and immediately afterwards commenced the study of the law in the office of the late Judge Hagerman. He was admitted as an attorney and called to the Bar in 1828, and commenced the practice of his profession in the city of Kingston. He at the same time held the office of Collector of Customs at Kingston, to which he was appointed on the elevation of Mr. Hagerman, the former Collector, to the Bench. Such combinations as these, which, strange as it would seem now, often occurred in those days. In 1844 an Act

of Parliament was passed, which compelled him to resign either this office or his profession, and he chose the former alternative. In 1846, he was made a Queen's Counsel, at the same time as Hon. J. H. Cameron, Sir Henry Smith, and the present Minister of Justice, Sir John A. Macdonald. In 1857, he was appointed a Commissioner to settle the boundary line between Upper and Lower Canada; and in 1860, he was appointed one of the Provincial Arbitrators, Col. VanKoughnet and Hon. Mr. Morin being the others.

In politics he was a Conservative, and in 1867, was elected to represent the County of Frontenac in the Dominion Parliament. He was defeated, however, in 1858, by the Hon. Alex. Campbell, in a contest for the Cataract Division.

Mr. Kirkpatrick married in 1838 a daughter of Alexander Fisher, Esq., Judge of the Midland District, by whom he had five sons and two daughters, who survive him. He was greatly respected by all who knew him, as a citizen, as a lawyer, and in the various ways in which he appeared before the public. In private life he was beloved, and his death will leave a blank in the old city of Kingston which will not soon be filled up.

## THE HON. M. H. FOLEY.

The Hon. Michael Hamilton Foley died suddenly at Simcoe, in the County of Norfolk, on the 8th instant.

Mr. Foley was born in Sligo, in Ireland, in 1819, and came to Canada in 1832. He commenced life as a schoolmaster, and subsequently edited several papers in the Reform interest. He was for some years a prominent politician, and was Postmaster General in the Brown-Dorion administration in 1858, and again in 1862.

Mr. Foley was admitted as an Attorney in May, 1851, and was called to the bar in 1864. Of late years he practised his profession in the Town of Simcoe.

CURIOUS TENURES.—Middleton Cheney, or Chenduit.—It is the custom in summer to strew the floor of this Church with hay out from Ash Meadow, and in Winter straw is found at the expense of the Rector. A peculiar tenure also prevails in the lordship of this parish; when estates descend in the female line, the elder sister inherits by law.—*Oxford Journal*.