

rewarded. He held successively the most important offices in the country, and, owing to the great services he had rendered to the country, was appointed by his Sovereign to a Companionship of the Bath, and subsequently knighted.

Few men have held so many public positions as Sir James Macaulay, and have acquitted themselves with so much credit. Whether we regard him as a soldier, a lawyer, a judge, or even in that more sacred character, a Christian, we can trace in all his actions the same beautiful harmony—the same entire devotion to the calls of duty. He was actuated in every instance by the same laudable motive, the same upright principle. As a soldier, he was brave, daring, loyal and submissive,—he never sought reward, nor looked after distinction, but suffered himself to be actuated by the sole impulse of duty; as a lawyer he was able, though his extreme modesty sometimes begat hesitation and doubts. His conscientious counsel was always valuable, and his solid judgment and unerring foresight were generally attended with unequivocal certitude. A natural distaste for the anxiety and turmoil attendant on politics, prevented him from taking a prominent part in the affairs of government; it was from the more peaceful capacity of a lawyer and a judge, that his fame chiefly arose. He studied law as a science; and being possessed of a vast extent of legal knowledge, his authority was second to none in the Province. His judgments exhaust the law which bears upon the questions decided, and evidence in every sentence the most patient, pains-taking and laborious research. He strove to prevent the strictness of the law prevailing against right, and always aimed to preserve intact the spirit of the law. He was ever careful to weigh words and sentences together, with the most scrupulous nicety. When satisfied upon the construction of any intricate point, he would express his conviction in a logical and forcible manner. When presiding in the courts, he was particularly noted for his extreme caution in giving his decisions. Though his first impressions were generally accurate, he seldom submitted them upon his own immediate conviction. He would have recourse to all decided cases, before he was finally satisfied as to the correctness of his own convictions. To counsel he ever paid full attention. During *Nisi Prius* trials, his modest and unassuming bearing was still the same. His address to the jury was always pains-taking and plain-spoken. When it became his painful duty to pass sentence on a criminal, the tender and compassionate nature of his disposition was clearly manifest; and his profitable advice, delivered in a sincere and devout spirit, and so free from any affectation or ostentatious display, never failed to produce the desired effect, and to edify those who happened to hear him.

His last work, and by no means the least important one that fell to his lot to perform, was, as we have already mentioned, the Consolidation of the Provincial Statutes, the completion of which was announced in the *Gazette* only a few weeks previous to his decease. He performed the revision of these statutes with astonishing rapidity, and their usefulness will be substantially augmented by their extreme accuracy. If Sir James was better versed in any one branch of the profession than another, it was in statute law. This he acquired in an eminent degree, from his having grown with the country, and carefully regarded its progress and various changes.

With such virtues, with such industry, with such capacity for work, and with such general ability, it is not to be wondered that his loss should be so deeply lamented, and still less can we marvel at the deep sorrow, felt by every branch of the profession. His brother Judges will esteem his memory, for his honorable and unbending integrity, and grieve the loss of an able adviser, an efficient and willing assistant. His loss, by the members of the bar, will be sorely felt, for as a sound and practical lawyer, he was ever regarded. Few can ever forget, that suavity and courtesy with which he treated every member of the profession. But by Law Students, his memory will be remembered with feelings of affection. To them, his kindness and attention could not be surpassed. There are many who are now practising at the Bar, who can fully corroborate this remark. There are others who even yet are passing their studies, who grieve the deprivation of the kindest, of most disinterested of friends, and the most patient and pains-taking of patrons. Whenever he saw a student endeavouring to raise himself in his profession, perhaps encountering many and discouraging impediments, he, unsolicited, was the first to offer generous assistance, and render material aid, by not only attending to the immediate wants of the student, but desiring him to approach him on all subsequent occasions, assuring him of a cordial welcome. So gentle was his manner, that none approached him with fear or anxiety. His extreme affability always caused him to overlook intrusion; when doing good he was always happy. His heart was as large as his mind was noble.

We cannot offer a better illustration of the high esteem in which Sir James Macaulay was regarded by every branch of the profession, than by a reference to the occasion when he retired from the Chief Justiceship of the Pleas. On that occasion, the Judges of all the Superior Courts assembled, and the Attorney General of the Province, on behalf of the Bar, presented him with an address, which appropriately bespoke the feelings of regret, experienced by each member of the profession. Never was there an assemblage