

THE CHIEF JUSTICE OF APPEAL—LAW REFORM ACT OF 1868.

individually. If I have attained any success in my efforts to maintain that confidence in the purity of the administration of justice in this Province, which existed in the days of my eminent predecessors, I owe it, first, to the co-operation of those learned judges who shared my labours, and next to the ability and assiduity of the members of the profession whom you represent.

Upwards of forty-five years ago I first entered my name on the books of the Law Society, of which I believe I have still the honour to be a bencher; and though I passed some years in the active duties of public life, I never severed myself from the diligent practice of my profession. I rejoice that while sinking into the vale of declining years, I am still thought able to be of use, and that I can maintain the connexion which has existed during the best part of my life. I trust that I shall be enabled to pursue the same course which has procured for me this flattering mark of your esteem, and I look forward with a hopeful confidence to a continuance of that support and assistance to which I have been so deeply indebted in my past career."

The following brief particulars of the career of the Ex-Chief Justice will be interesting to our readers. He was born on the 11th March, 1801, and is now therefore nearly sixty-eight years of age. He commenced life as a cadet or midshipman in an East Indiaman, and has never forgotten his early nautical training. He came to this country some years afterwards, arriving in Cobourg on the 4th June, 1820, and commenced the study of the law in 1823, having articulated himself to Thomas Ward, Esq., of Port Hope. He subsequently went into the office of Hon. George Strange Boulton, of Cobourg, and was for some years Deputy Registrar of Northumberland and Durham. He afterwards came to Toronto, we believe at the suggestion of the late Sir John Robinson, then Attorney General.

He was called to the Bar on 16th June, 1828, nearly forty one years ago. On the 18th November, 1829, he was appointed Reporter to the King's Bench, which office he held until March, 1837, when, on 23rd March, he was appointed Solicitor General of Upper Canada, and made a member of the Executive Council in December following.

The union of the Provinces took place in February, 1841, and on the 13th of that month he became the first Attorney General for Upper Canada and Premier. He served in an official capacity at different times under the

following governors, viz.: Sir Francis Head, Sir George Arthur, Lord Sydenham, Sir Charles Bagot, Lord Metcalfe, Lord Cathcart, and Lord Elgin.

In 1842 he was made a Queen's counsel, at the same time as Henry John Boulton, Robert Baldwin, Henry Sherwood and James E. Small.

On the 10th April, 1843, he was appointed a Legislative Councillor of Canada, which office he resigned at Lord Metcalfe's request, in January, 1845, and was elected to the Legislative Assembly, where he again sat as Attorney General until 28th May, 1847.

On the 12th June following he was appointed a Puisne Judge of the Queen's Bench, taking the place vacant by the death of Mr. Justice Hagerman, where he remained until 5th February, 1856, when he succeeded Sir James Macaulay, as Chief Justice of the Court of Common Pleas. He presided there until he was transferred to the Queen's Bench, becoming Chief Justice of Upper Canada on the retirement of Chief Justice McLean, who was made President of the Court of Appeal on 22nd July, 1863. He has thus, step by step, arrived at the goal of his ambition, a position he expressed his determination to win, when but a student in the Town of Cobourg.

His energy, perseverance and ability has taken him a step beyond the place he looked forward to as his own. Long may he continue to be an honour to it. Long also may he to enjoy that increased measure of health which we are happy to think has been vouchsafed to him, and the pleasure of knowing that his services are appreciated by an intelligent profession, and that the confidence and esteem of the public are still his own.

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Curiously enough, on the very day that this Act came into force, a question came up for decision, which is reported in another place. We apprehend no other conclusion could have been arrived at, though there are some practical difficulties in the way which might be expected from one mode of procedure taking the place of another without the necessary provisions to prevent their clashing.

We notice an error of the press in sub-sec. 2, section 18, whereby a line has been accidentally omitted, and to which we hasten to call attention. The sub-section should read thus:—