

Governor-General of India. He returned in 1872, and at the request of Lord Coleridge, then Attorney-General, drafted a bill codifying the law of evidence, and subsequently prepared a bill for the codification of criminal law, which, however, was not introduced. His literary labours were immense, embracing all sorts of subjects, which were treated in a masterly manner. In 1879 he was appointed to the Bench, resigning, however, in 1891, in consequence of some statements made regarding his health. Our namesake in England thus speaks of the life and work of this distinguished man:—"The death of Sir James Stephen, with its prelude of long illness and deep pathos, has removed from our midst a great jurist. His reputation lies in his books rather than in his record as a judge, for, considering his learning and powers of research, the number of important judgments with which his name is connected in the Reports is small. It was as an author rather than as an advocate that he made his mark at the Bar; it was as a jurist rather than as a judge that he acquired his wide reputation during the twelve years he occupied a seat on the Bench. If he had a principle to expound, and its history to trace, his intellectual powers shone brilliantly, but whenever he had to deal with technical details he appeared ponderous and unhappy. To be at his best he required a theme. To this extent, therefore, there was some truth in the saying that he was a philosopher among lawyers and a lawyer among philosophers. Nevertheless, he was almost an ideal judge in criminal cases, having a remarkably keen sense of the relevancy of evidence, a firm grasp of facts, and a power of weighing the evidence with an impartiality which could never be questioned. What he lacked was a lightness of touch. It has been truly remarked that he dealt with every question with the tremendous precision of a Nasmyth hammer. The preponderating quality of his career was strength. His mental capacity, indeed, was in harmony with his physical. On some occasions, however, he allowed his own indifference to fatigue to impose upon others a strain which their inferior capacity found it very difficult to bear. He has been known to begin work on a circuit at five o'clock on one morning and continue trying cases in a crowded court until three o'clock in the next. Next to its strength, the main feature of his career was the breadth of its interests and the variety of its labours. His reputation as a philosophic writer