

CHIEF JUSTICE COCKBURN.

down. And again, no one who followed the course of that trial, with its frequent conflicts between the bench and the bar, could honestly say that the outrageous conduct of the prisoner's counsel was altogether unprovoked. If any doubt had ever existed in the minds of the jury, the demeanor and the summing up of the Chief Justice told them very plainly that they must convict."

Lord Coleridge, when announcing in the Court of Common Pleas the death of the late Chief Justice thus alluded to the late Chief Justice. "As a Judge, his chief and leading characteristic appeared to me to be a sleepless and ardent desire to do justice as between man and man to the suitors who came before him. Though naturally inclined to ease and pleasure, he shrank from no trouble, he declined no toil, that might lead him to the truth. He kept his mind open to the very end, and he was always ready to listen to any piece of evidence or weigh any argument that in his judgment was likely to lead him to justice. Like other men, he had prejudice and bias of opinion, which he shared with the rest of mankind. He never permitted them, so far as I saw, for a single instant to divert him from a single-minded and most earnest pursuit of what he believed to be right between the parties. If you had a good case, however complicated it might be, however much prejudice there might appear to be against it, only make Sir Alexander Cockburn understand it, and you were perfectly safe in his hands. Now this is simple, literal truth. No one, I am satisfied, can deny it. Yet stand and reflect what high and great qualities of head and heart this simple truth implies. He died, as he often said in my hearing he wished to die, in harness, enjoying life and doing duty to the very end."

Sir Alexander Cockburn was a prominent figure in the prosecution of Governor Eyre in the Jamaica case, where, in his address to the Grand Jury, he laid down the limits of military law, as opposed to the personal liberty of the subject. The *Pall Mall*

Gazette thus alludes to his share in this transaction, and although there are many who think that the grand Jury were not far wrong, the tribute to Sir Alexander Cockburn's memory may here be appropriately inserted:—

"The Chief Justice of England alone almost among the English official world remembered that the first duty of a judge is to see that justice is done on oppressors. His efforts failed. The Governor was not brought to trial. It is, however, a permanent gain for English justice, which no perversity of a grand jury can destroy, that the Chief Justice of England used all his power, his eloquence, and his position to ensure that British subjects, even though they happened to be blacks, should not appeal in vain to English courts for justice. He failed; but his efforts to ensure justice for the oppressed will be a monument both of Sir Alexander Cockburn's fine public spirit and of the virtues, now too much forgotten, which belong to the rhetorical character."

His connection with the Geneva Award under the Washington Treaty, is a matter of history. The brilliant document in which he dissented from the rest of the arbitrators was a masterly protest in favour of his country's rights. He at least was not of the stuff of which most of the modern statesmen of England are made, who too often weakly give up what her sons have bravely won.

We notice that our American exchanges have little praise to bestow upon this remarkable man. His attitude in connection with this same matter is doubtless the reason. He was in his lifetime shamefully abused by public men in the United States because he had the courage to express his opinions fearlessly against a wrong done to his country, and because his unanswerable arguments, couched in his own vigorous language, and vivified with the fire of his brilliant intellect, were too much for the composure of a nation that as such had not been in the habit of receiving