

the nation and the metropolis. He died on the 4th of December 1879, in the 61st year of his age, having devoted the best part of his life in earnest endeavours to promote the welfare of others.

LORD ORMIDALE. By the President.

ROBERT MACFARLANE, a judge of the Court of Session, under the title of Lord Ormidale, died on the 2d of November 1880, in his seventy-ninth year. He was in many respects a remarkable man, and his life had elements of interest and variety apart from his professional success. Vigour of thought and force of character were the principal features which distinguished him, and these enabled him, through many changing scenes and some vicissitudes, to assert a foremost rank at the Bar and on the Bench.

He was born in Glen Douglas, on Loch Lomond, on the 30th of July 1802, among some of the grandest and most beautiful scenes of the Scottish Highlands. Nor were the traces of such a birth-place without a reflection in his character. The quick, ardent, intense enthusiasm which marked the man, were the natural fruit of a boyhood spent by mountain and flood; and the cloud and sunshine flitted across his impressionable spirit, as he must have seen them pass over his native hills.

He attended the University of Glasgow in the four sessions from 1816 to 1819, and then came to Edinburgh. Shortly afterwards he went on a voyage to the West Indies, in connection with the affairs of a relative, and after a short residence in Jamaica he spent four or five months in the United States, before returning to this country.

Having on his return resolved to prosecute the legal profession, he became bound as apprentice to Mr James Greig, W.S. In this occupation he was associated with two men who were afterwards very eminent in their respective careers, and very distinguished members of this society. One was the late Lord Neaves, one of the most brilliant of our body, and the other our late lamented Treasurer, Mr David Smith, the loss of whose invaluable services we so deeply deplore.

On finishing his apprenticeship, Mr Macfarlane resolved to enter the body of Writers to the Signet, and for more than ten years, from 1827 to 1838, carried on business in that capacity, as a

member of the firm of Mackenzie & Macfarlane. He passed at the Bar of Scotland in 1838, thus commencing his career as a barrister at the age of thirty-six,—12 or 14 years later than the average age of entrants to the Faculty of Advocates. Such an experiment is always hazardous, for all pursuits require a period of initiation; and the advantages of experience are usually more than counterbalanced by the absence of the elasticity of youth, the formation of confirmed habits of thought, and the necessary disparity between the age and the professional standing of the man. But Mr Macfarlane's energy, industry, and knowledge enabled him to surmount without an effort difficulties which so often prove fatal; and he was very quickly abreast of the general body of well-employed counsel. This position was rapidly gained, and firmly maintained and increased, and his previous legal training had been so thorough, and his knowledge of the practical application of law so complete, as to give him many advantages in the field. He was at one time the best employed junior in the Parliament House. As a counsel in jury trials he was eminent and successful, a department in which his natural sagacity and extensive knowledge of men, and of the springs of action, came to his aid with great effect. He had, in 1837, before entering the Faculty of Advocates, published a work on "Jury Practice," and he followed this up in 1841 by an important volume of "Reports of Cases tried by Jury," and in 1844-49, in conjunction with Mr Thomas Cleghorn, he published a well known treatise on "The Forms of Issues in Jury Trials."

In 1853 Mr Macfarlane was appointed to the important Sheriffship of Renfrewshire, a county, the judicial affairs of which he administered for nine years with great efficiency and popularity. He was elevated to the Bench in 1862, by the title of Lord Ormidale, remaining twelve years in the Outer House, and removing in 1874 to the Second Division of the Inner House.

On the Bench he more than maintained the reputation he had vindicated at the Bar. His conscientious labour, thorough knowledge of business, and clear common sense, were qualities which he combined with a complete mastery of all branches of the profession. In legal dialectics he engaged sparingly, fixing his attention exclusively on the practical questions and interests in the case immediately before him, and throwing aside with unusual facility

collateral and adventitious surroundings. No judge ever commanded more completely the confidence and respect of the profession. On the Bench his previous training behind the Bar came to be of material assistance, as it assured practitioners of the familiarity of the judge with details with which the Bench and Bar are not always conversant. Accordingly, while he sat as a single judge in the Outer House, his Bar was popular, and his judgments, carefully considered, commanded a large measure of confidence; while his short but efficient career in the Inner House was one of unbroken ability and power. He was vigorous to the last, although on the verge of fourscore years. Neither his intellect nor his athletic frame indicated any abatement of his strength when he last appeared on the Bench, but a few weeks before his fatal illness commenced. He has left behind him that inheritance for which all honourable aspirants after forensic distinction strive, a reputation for judicial ability and integrity which will be long remembered.

Lord Ormidale married a daughter of his friend, Mr Greig. He survived her many years, and has left a large family. In private he was a warm-hearted, genial, and pleasant companion, of a kindly, generous nature, indulgent to error, but intolerant of meanness or deception. His hot Celtic blood was easily quickened by anything like injustice or oppression; but even just resentment did not long retain its hold on him. Kindly and generous, he was a firm friend, and a sagacious, as he was an experienced, counsellor. Although he had reached an age beyond the usual limits of life, no one ever associated with the impulsive and ready vigour of his thoughts and his demeanour the decrepitude of age. His was a useful as well as a successful life to the end: and while the public gratefully remember, and deeply regret the loss of so valuable a servant, many a friend will long think, with a heavy heart, that his animated features, cheerful voice, and ready sympathy, will meet them no more.

For myself, I render this slender tribute to his memory under a sense of a grave personal bereavement. I sat side by side with him for six years, and no man could have had a more loyal and trustworthy colleague, or a truer, more trusted, or more attached friend.