

THE BAR DINNER—DECENTRALIZATION AND ITS EVILS.

A GENTLEMAN of the Pennsylvania Bar, in the course of a clever and entertaining speech at the dinner, made the somewhat curious statement that for ways that are dark, and tricks that are vain, the American Bar is peculiar. If we were stupid enough to take the joke seriously, we should say that we are sorry for it. We should not notice it, however, were it not that he went on to say, somewhat emphatically, that the American Bar and the Canadian Bar were brethren, implying a decided connection between the two remarks. Now the Bar in England, and we hope in Canada, has always been the profession of a gentleman. It would cease to be so if it was not characterized by the highest possible tone and most scrupulous sense of honour. These two qualities are not compatible with overmuch trickiness, and we sincerely hope that if we are indeed brethren to our American neighbours the link of affinity will be found to rest on something else than the darkness of our ways or the vanity of our tricks.

MR. McLAREN'S speech at the dinner is deserving of notice. His earnest protest against the policy of decentralization, which is now so much in favour with some of our county brethren, is all the more valuable, coming as it does, from one who has had full experience of its baneful effects. As a member of the Lower Canada Bar, Mr. McLaren was able to contrast the relative merits of the two systems as displayed in Quebec and Ontario. In the former, decentralization has resulted, according to his testimony, in the most serious deterioration of both the Bench and the Bar of that Province, and yet it is to this goal that some of our brethren would lead us. The advantage of having the judges of the High Court scattered through the Province would consist in enabling country practitioners to argue their own cases.

They would thereby save some money which is now paid to counsel at Toronto; but at what a lamentable cost to the country? Such a system, from the nature of things, would inevitably result in poor advocates and poor judges. Judicial and forensic ability is not acquired merely by reading. One of the most important factors for success, either on the Bench or at the Bar is experience, and experience can only be acquired by a constant and varied practice.

Able and experienced judges cannot, as a rule, be expected to be produced by a Bar whose average experience is merely that of a country practitioner—from the simple fact that the business of any one county is insufficient to afford that variety and quantity of work without which the necessary experience for making a good judge or a good advocate cannot be gained.

Even without decentralization the number of counsel who, on their merits, are entitled to stand in the front rank of the profession is exceedingly small. Out of the whole ten or twelve hundred barristers, not more than twenty, if indeed so many, can fairly be said to have attained eminence, and we may be sure that even this small number would disappear if the decentralization craze were carried out, as some desire, and the whole Bar would then sink to the level of a dismal mediocrity.

We trust that those who have favoured any such schemes will have the good sense and patriotism to have regard to what Mr. McLaren has said on the subject, and to refrain from urging their adoption, fraught as they are with such manifest danger to the best interests of the public. Self-interest, no doubt, is a very powerful motive to action; but the members of a liberal profession owe some regard both to the public interests and the honour and dignity of the profession to which they belong.