

control, if the profession of the law is to fulfil its highest destiny, should be formulated and reproduced in such a way as to be available for the guidance of the young practitioner instead of leaving him to discover when too late that he has been betrayed by ignorance into taking a false step.

In England the resolutions of the General Council of the Bar upon professional etiquette, conduct and practice collected and published in the 1917 White Book constitute a fairly complete code for the guidance of the higher branch of the profession. The Council is the accredited representative of the Bar charged with the duty of dealing with all matters affecting the profession. No such authority exists in Canada.

In Quebec, the General Council of the Bar has by its by-laws laid down certain ethical rules for the government of its members, and the Ontario Bar Association some years ago adopted a somewhat sketchy code. The question has been mooted in some of the other provinces with so far no concrete result. <sup>(1)</sup>

Some twenty years ago an agitation arose in the United States upon this subject. The matter was first taken up and acted upon by a number of State Bar Associations. Finally on the 27th August, 1908, the American Bar Association, meeting at Seattle, Washington, adopted a code of professional ethics with a recommendation that the subject be taught in all Law Schools and be included amongst the subjects on which candidates for admission to the Bar should be examined.

The Saskatchewan Bar Association and the Benchers of the Alberta Law Society more recently took steps towards the same end and Dr. James Muir, K.C., LL.D., of Calgary, prepared a draft which was printed and circulated. At a meeting of the Canadian Bar Association in 1918 a committee of which Mr. Angus McMurchy, K.C., of Toronto, was convener was appointed to consider the subject. This committee reported to the meeting held in this city in August last in favor of the appointment of a select committee to prepare a statement of the principles of legal ethics, using amongst other data the codes of the American and Ontario Bar Associations and Dr. Muir's draft. A committee of which I was named convener was appointed by the President, Sir James Aikins. At his request two drafts have been prepared one by myself and another by Mr. E. K. Williams, both of which have been circulated. It is expected that the whole subject will come before the Association at its meeting at Ottawa in September.

One of the objections to a code is the danger of it being regarded as exhaustive and that anything not coming within its express prohibition is allowable. It is not possible to formulate a code of legal

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(1) Since this address was delivered the Bar Association of Saskatchewan has adopted a code largely based upon this draft.