
Correspondence.

GIVE THE K.C.'s A CHANCE.

To the Editor CANADA LAW JOURNAL:

With about a sixth of the population of England, Canada boasts about twice as many of His Majesty's Counsel learned in the law, and it is becoming obvious to the few of us who thus far have escaped being struck by the lightning of the Royal prerogative that we may not hope under present conditions that our immunity will last forever. Many of the gentlemen who have been hit by the fickle fluid have been no greater offenders than the rest of us. Those eighteen upon whom the tower of Siloam fell and slew them, were not, we are told, sinners above all men that dwelt in Jerusalem.

In England the distinction of King's Counsel has historical, professional and personal significance. Here, it is not too much to say, it has none of these things. Speaking in his Official Report to Council in 1896, concerning Sir Charles Tupper's famous list of 173 Queen's Counsel (some of whom, by the way, it was said had never sinned by ever even appearing in Court), Sir Oliver Mowat, the then Minister of Justice, said:—"An examination of the list shews that the selection of names was not made on the basis of professional or personal merit. On the contrary, there are names on the list of gentlemen in regard to whom there would be no pretence or suggestion of their having any claims on that ground, and on the other hand, many gentlemen have been omitted from the list whose professional merits exceed that of many of those named. Queen's Counsel have precedence in Court over other barristers, and obviously there is great injustice in the bestowal of the honour and precedence upon inferior barristers to the prejudice of those better entitled thereto. Such a wholesale and indiscriminate selection as was recommended to your Excellency is a degradation of the office and is a grievance as regards the Bar generally."

In all seriousness, is it not time that the legal profession got down to things real and quit amusing itself with tawdry imitations of a distinction that never had and never can have any meaning in Canada. There are no such artificial distinctions in the other professions and none in the legal profession in the United States.

JUNIOR.