

QUEEN'S COUNSEL.

the very full list of the year 1876. It is, however difficult to see upon what principle some of these names have been left out and others inserted.

It is an unpleasant and an ungrateful task, but we feel we cannot be true to our mission if we refrain from expressing what we believe, from careful enquiry, to be the voice of the profession on this subject. Of those in the country there is little to be said, except, *en passant*, to express surprise at the appearance of Mr. O'Gara, and the disappearance of such men as Edward Martin and others. As to the Toronto men the name of Mr. J. A. Boyd strikes every one as being in the right place. In fact, no one on the list, except perhaps, Mr. Bethune, by reason of seniority, is more entitled to the honour. But, when we admit this it, is difficult to see why the name of his senior partner, and senior at the Bar, Mr. J. K. Kerr, is omitted. When the latter was appointed in 1876, he was thought rather young, but that is more than four years ago, and he has had and still has a very extensive counsel business. Then again, if it is desired to have some of the younger members of the Chancery Bar on the list, why insert the name of Mr. Alfred Hoskin, and leave out that of Mr. Charles Moss. The former is certainly senior, but no one would pretend to say that as a counsel he occupies the position which Mr. Moss does. We are not, however, of the number who think that the distinction should in this country be entirely reserved for those who appear much in court in the conduct of important cases as senior Counsel. And so, if an additional qualification is to be imported, why give the distinction to a comparatively young solicitor, when there are numbers of much greater length of service in quite as large practice and of equally high standing.

The last name on the list suggests reflections of another character. No one can

say that he has been very long at the Bar, or that he has an extensive counsel, or even solicitor's business, or has laid the profession under obligation in a literary way as have Mr. Leith and others, which we consider forms one claim for the honour. The appointment of those who are not entitled to the honour is a slap in the face to those who are.

We agree with a correspondent, one of the most eminent and highly respected Queen's Counsel in Ontario, who writes:—"the list is a conundrum here, as it was where I came from." As such, "we give it up," and conclude by quoting the further remark of our correspondent who says that, "The *Law Journal* should advocate abolishing the rank. No government can be trusted with it."

It will be seen from the following regulations as to rank and precedence in the *Gazette* in reference to the recent appointments that the Dominion Government do not assume to interfere with the right of the Provincial Government to give silk gowns should such right exist. They would, however, have rank only in the Provincial Courts. The question of precedence will have to be decided by the Courts when the question arises:

"Rank and precedence are conferred upon the above named gentlemen respectively from the date of their appointments in all Courts established or to be established under the authority of any Act of the Parliament of Canada, next after the following persons, namely:

"1. Those persons who, prior to the 1st day of July, 1867, received appointments as Her Majesty's Counsel learned in the law within any of the late Provinces of Canada, New Brunswick, Nova Scotia, Prince Edward Island or British Columbia.

"2. Those persons who, since the first day of July, 1867, were appointed Her Majesty's Counsel learned in the law under the Great Seal of the Dominion of Canada.

"Furthermore rank and precedence are conferred upon the gentlemen above named from the date of their appointments in all Courts in the Province of the Bar of which they are now re-