

Under such circumstances it seems to me it would be more than inconsistent for the Bar to seek a change at all in the mode of examining candidates. I could not see in such a course anything short of an ignominious striking of its colours. It is all very fine to say that the Board of Examiners is to be maintained as at present constituted, that they shall have the right to see the candidates and to inquire into their character and reputation, that the council is to approve of the curriculum adopted by the Faculties, that the members of these faculties are themselves members of the Bar or Bench, and as much interested in the welfare of the profession as in the reputation of their *Alma Mater*. All these considerations do not alter the fact that the proposal of the report is to transfer the power of ascertaining the legal knowledge of candidates from the Bar and its Board of Examiners to the Universities.

Is this wise? I say emphatically no.

Consider what the Universities are in this country. They are private independent bodies over which the State itself has no control. Can it be seriously pretended that the Bar can ever hope to exercise such a control? Take the teaching given to day in the law faculties of McGill and Laval. It is not at all the same, it is not founded on the same plan. Can you expect to get Laval to adopt McGill's programme or *vice versa*, or can you imagine the two faculties to adopt a plan of your own? Never! In the continental countries of Europe, notably in France, a degree in law from the University of France is sufficient evidence of legal knowledge for admission to the Bar, but there and wherever the same state of things obtains, the University is a state University under the control of public authority and stands alone, so that the conditions under which its degrees are granted are uniform for the whole country. In England, where the system is analogous to our own, the Inns of Court have always most jealously kept to themselves the exercise of the power of admission to the Bar both in respect of legal instruction and of social and moral standing. In recent times, since the former has been made an essential requisite and examinations have become so severe, University degrees in law are only accepted to relieve the candidate from examination in Roman or civil law, which, as we know, has much less importance with them than it has with us. The party led by the late Lord Selborne in their attempts to incorporate and otherwise reform the Inns of Court, never dreamt of interfering with their examinations.

On the above ground alone, namely, the independent status of our Universities and the fact of there being several between which competition may arise, I am of opinion that it would be most dangerous to surrender into their hands a fraction of a power so essential to our existence and improvement as a body. But I feel I would lay myself open to a charge of disingenuousness if I did not further declare my conviction that examinations by the Universities will ever be conducted in the interest of these bodies and not in that of the Bar. No one can serve two masters, and I have no doubt that with the best intentions, the most high minded professors would, as is natural, give a first place in their hearts to their venerable *Alma Mater*. And I further think that there is cause to dread that the interest of these great institutions may not always be that of the Bar, and, in case of conflict, it is easy to foresee which would have to give way in the minds of learned professors.

In conclusion, I think it is the plain duty of the Bar to jealously guard and keep intact the privileges conferred upon it, that the chief one among them is the process of selection of its members, that the main feature of this process is the ascertaining the legal knowledge of aspirants, and that it should not shrink one jot from the responsibility of exercising this power.

I do not think the present system of examinations perfect. It seems to me the idea of representation, so excellent in our political institutions, degenerates into an abuse when imported into everything.