

As an instance of the difficulties in the way of obtaining legal education, it may not be out of place here to mention that my own father, the present Chief Justice of the Court of Common Pleas, when a student, had to walk ten miles of a morning to his office, and ten miles home again at night, and for the first two years of his apprenticeship, the only works he could obtain to study were a few musty volumes of Reports, and a volume or two on Practice, but not a single Text book. This was in 1822, and it was not until this year that the Law Society, although duly authorized in 1797, became incorporated; since which period it has gone on steadily increasing in wealth and numbers—and some idea of the progress made by the Society since that time, may be gathered from the facts that it possesses one of the handsomest buildings in Upper Canada—perhaps I might say in America—in which the highest Courts of the land hold their Sittings, that it possesses the finest library in Canada, and that the number of its members exclusive of Students, amounts to nearly 400.

Our country during the last half century has undoubtedly made vast strides forward in the march of civilization, and it may be safely asserted that the profession of the Law has kept pace with the requirements of the age.

Our Judges would be an ornament to the profession wherever their lot might be cast, whether we regard them as belonging to the superior Courts of Common Law and Chancery or to the local County Courts. They need no eulogium at my hands,—their works speak for themselves. Indeed, in this country, an incompetent Judge could not stand before the array of the Bar and the exposure and denunciation of a free and powerful Press.

As for the members of the profession themselves, stimulated by such laudable examples as the Bench affords and the ample rewards in store for them, whether in the shape of emolument or places which alone can be filled by professional men, and spurred on by that generous spirit of emulation to excel in all that is good and honorable, they hold as high and creditable a position in the land as their brethren in England and America, or as the members of any other profession in this country.

Our system of Jurisprudence has within the last few years undergone some great and beneficial changes. Amongst the great reforms which have been effected, not the least is that accomplished by the Common Law Procedure Act, 1856, and the subsequent amendments thereto: the increased Jurisdiction of our County Courts, and the re-modelling of our Municipal, Jury and Assessment Laws.

The actions of Ejectment, Dower and Replevin have also been greatly improved. The passing of the Ejectment Law, however, was the melancholy cause of putting an end to the career of two eminent legal characters and cast a deep gloom over the minds of many old practitioners. I allude to the demise of those two most respectably litigious characters, Messrs. John Doe and Richard Roe, whose apocryphal existence was by this means ruthlessly terminated.

The only Law which has been varied for the worse, *me judice*, during the last few years is the Law of Primogeniture, by which the lands of a man instead of descending at his death to his eldest son are now equally divided amongst all his children—and I greatly fear that, unless altered, future generations will have reason to curse the name of the man who took it into his head to tinker this old settled system. A more fruitful source of litigation can scarcely be conceived.

The Common Law Procedure Act of 1856, has also effected great reforms in the way of reducing redundant pleadings, in affording speedier remedies on Notes and Bills of Exchange, in enabling parties to come before the Court with special cases without pleadings, in granting the power of Injunctions to the Superior Court, and divers other matters too numerous to mention. Indeed were I to diverge into this well beaten track, there is no knowing where I should end, so I will turn back.

Having now cursorily discussed these various topics, let me recur to the last point of my lecture, viz., The Study of the

Law, to which, in a degree, all these prior remarks have been tending.

In former years admission to the profession was gained with but little difficulty. The examinations were conducted in a loose, careless way, by the Benchers. Occasionally they were very strict, but more frequently the reverse. It is quite different now and no child's play. The enormous number of applicants has compelled great caution to be exercised in admitting Students to the Society and still more in admitting them to practise. Instead of leaving the matter of examination in the hands of the Benchers themselves, there are now Examiners who look strictly after the Student's qualifications, both on entering the study of the profession, and on entering the profession itself.

The practice of the profession was formerly carried on in a lax manner, whilst now, from the increased number of practitioners, increased strictness in practice is required.

This strictness on the part of the Law Society in admitting them, and of the Profession in their daily practice, must necessarily entail increased exertion on the part of the Student.

The benefit however corresponds to the exertion. There is no profession in this country which offers so many brilliant prizes,—if I may so term them,—for free and fair competition as that of the Law. For instance there are three Judgeships in the Queen's Bench, three Chancery Judgeships and three in the Common Pleas. There are thirty-one County Court Judgeships and as many County Attorneyships. There are four offices of Recorder, several Deputy Judgeships, besides the offices of Clerk of the peace, all of these with handsome salaries, and all must be filled by Lawyers.

Let the Student commencing to learn his Profession, and gazing upon this list of prizes, reflect strongly on the only mode by which they are attainable—industry and application.

The studies by which a man may gain the summit of legal excellence are infinitely varied. There is scarcely a subject in the world, however rare or extraordinary, which may not become matter of investigation before a Court of Law. A Lawyer ought therefore, besides being well versed in the principles and practice of his Profession, to be well read on all subjects; for it is impossible to say when his knowledge on some out of the way point may not be called for and useful.

Industry and application I need scarcely repeat, are among the chief qualities. If the Student cannot bring his mind down to habits of patient labour, he will never succeed at the Law. "To attain eminence in the Law," says Mr. Raithby, "is to achieve great honor, but the labour is proportionate."

The facilities too which are now-a-days afforded to Law Students ought to stimulate them to far greater exertions in preparing for their Profession. As I said before, fifty or sixty years ago there was scarcely a Law-book in this country. Compare that with the advantages possessed by the Student of to-day, who has all the means and appliances to boot, for perfecting himself in his studies.

Let the Student again reflect on the industry and application of the Lawyers of former days and the high and honorable position which some of them now occupy, and here is an additional incentive to exertion.

There is one qualification for the practice of Law as a Barrister which I must allude to before concluding. It is readiness,—the ability to encounter difficulty with quickness and generalship. This is a great test of fitness. An incompetent person is quickly detected, and is, as a matter of course, immediately deserted even by his most zealous friends. The Bar is a field of intense rivalry, of eager contest for distinction. Whoever adopts it for his profession must take for his motto "*Proprio Marte*," and must rely entirely on his own mental exertions from the moment of starting till he reaches the goal.

"If you give way  
Or edge aside from the direct forthright,  
Like to an entered tide they all rush by  
And leave you hindmost."