

THE DALHOUSIE GAZETTE

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No. 5

LAW SUPPLEMENT

75 YEARS OF PROGRESS

By EDWARD J. FLINN

On October 30th, 1833, in the chamber of the Legislative Assembly, Dean Richard C. Weldon delivered an Inaugural Address which officially brought into being the Law School of Dalhousie University. With 500 volumes accumulated for a library, one full-time professor, Dean Weldon, and five voluntary lecturers, the first classes of the law school were begun on October 31st, 1833, with 52 students in attendance.

Little did these people then realize that this law school was to become known as a training school for great men, and an unequalled leader in teaching the common law in Canada.

The first quarters of our law school were situated in the then new High School at the corner of Brunswick and Sackville streets. The fee was \$150 a year for board, tuition and books. The High School quarters were soon found to be too small and wholly inadequate. Consequently, the law school, after untiring efforts on the part of many, entered its second home, the Halliburton house on Morris Street.

Two years later in 1837, a new building having been constructed and space being specifically provided for legal education, the law school acquired a home where it was to stay for more than 60 years. This, of course, was the Forrest Building.

Richard C. Weldon, often referred to as the Father of Dal Law School, had in his mind many other things than simply an education in law. In his Inaugural Address, he addressed the assembled students:

"In drawing up our curriculum we have not forgotten the duty which every university owes to the State, the duty which Aristotle saw and emphasized so long ago, of teaching the young man the science of government . . ."

"We may fairly hope that some of our students will in their riper years, be called upon to discharge public duties."

This idea of public duty was fundamental with Weldon, who himself was a member of parliament while Dean of the law school. The idea was of such great importance that the semester in the law school was changed to run from the first week in September to the middle of February so that Weldon could attend his sessions of parliament. The school year previously ran from the end of October to the beginning of April.

As will be seen below, Weldon's ideas and hopes were certainly to bear fruit. His ideas are still a fundamental part of our law school and his hopes have been realized a hundredfold.

DEAN McRAE

In 1914, after Dean Weldon's many years of endless and unselfish service to the law school, Don-

ald A. McRae was appointed to fill the vacancy as dean. It was Dean McRae who sent Sidney E. Smith, (now the Secretary of State for External Affairs in the Dominion Cabinet), upon graduation, to Harvard University for the purpose of studying what is called the "case method" of teaching law. The following year, 1921, this method was introduced at Dalhousie and to legal education in Canada. Other Canadian law schools followed Dalhousie's precedent, and today the "case method" of teaching is used throughout the common law schools in Canada. During Dean McRae's period as administrative head and lecturer, the courses were strengthened and entrance standards were raised.

DEAN JOHN READ

From 1924-29 John E. Read served as the third dean of the Law School. He introduced a series of annual lectures on various legal subjects by visiting lecturers. Later, Dean John Read was to become an undisputed leader in the field of International Law and to become a member of the International Court of Justice at The Hague, the first Canadian to serve in such a capacity.

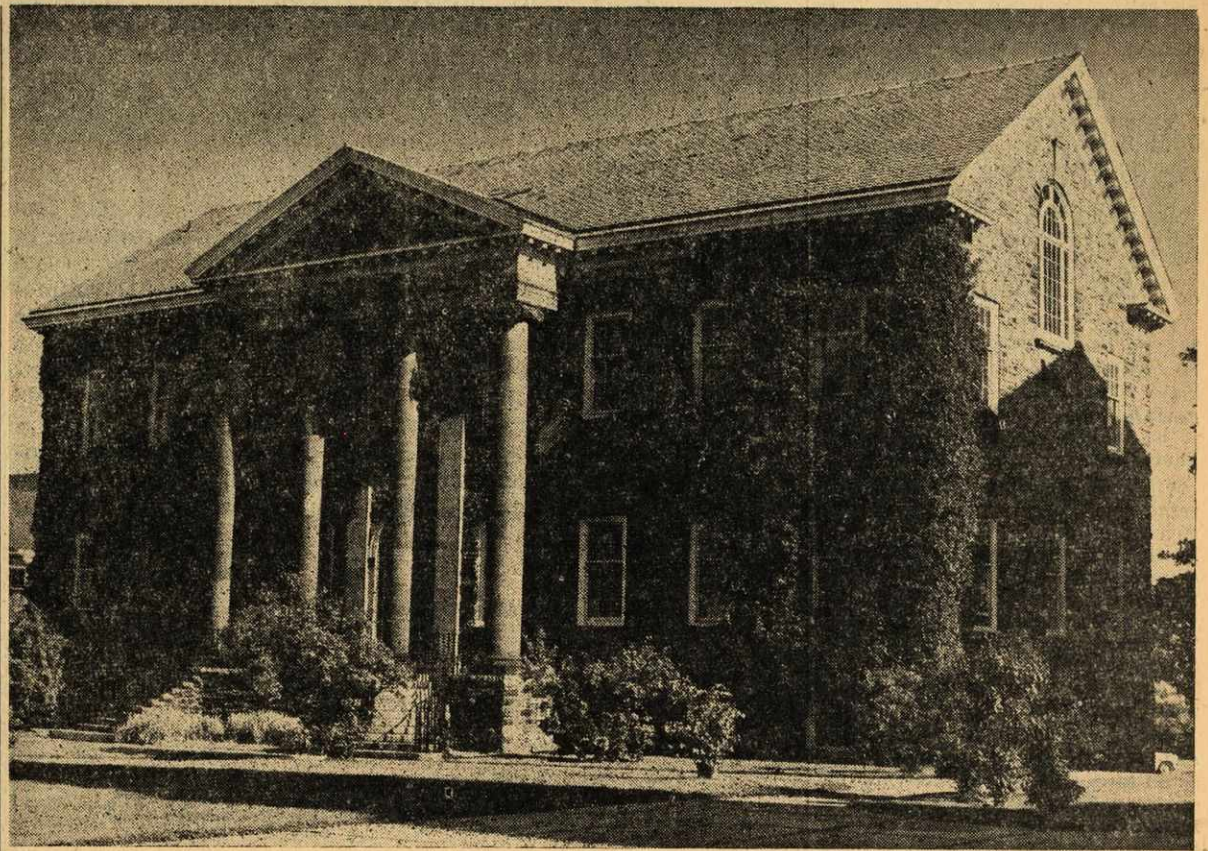
During the twenties, the law school was to lose some of its professors who left Dalhousie to take positions lecturing in other North American law schools. Three of these gentlemen were to return and become future deans. They were: Dean Sidney E. Smith, 1929-34; Dean V.C. MacDonald, 1934-50 (now a Judge of the Supreme Court of Nova Scotia) and our present Dean H. E. Read.

The law school's history from the thirties to the present day has been marked with nothing but success. Enrollment has grown, the faculty enlarged. Graduates are now spread across the country, and the name of Dalhousie Law School has created an overwhelming influence in legal circles throughout the country.

LAW SCHOOL TODAY

The fourth and present home of the law school was occupied in 1952, 30 years later. It had been occupied, since its building, by the Arts faculty, "temporarily." The teaching staff has now reached eight full time professors and the Library now number more than 30,000 volumes. Already, plans for expansion are in the making.

What is the present position of this law school which struggled for



THE LAW SCHOOL TODAY

its existence in the late nineteenth and early twentieth centuries?

In 1952, at the opening of the University of British Columbia's new Law School, Right Honorable Louis St. Laurent, himself a lawyer, said:

"Dean George Curtis came to Vancouver from Dalhousie Law School, which we in Laval are inclined to regard as our only possible peer among law schools in Canada."

A distinguished Chief Justice of Canada, Sir Lyman Duff, said of our law school:

"Of this I am sure the contribution of the Law School of Dalhousie to the education of lawyers in Canada, to the elevation and maintenance of professional standards in point of mastery of legal principle, and otherwise, cannot be over emphasized or exaggerated . . . There is hardly a province in Canada in which graduates of Dalhousie Law School are not to be found among the Bench or among the leaders of the Bar."

"Graduates of this school have won renown in public and professional life and have exercised high influence upon the course of public affairs in critical periods."

Dalhousie Law School has given Canada more prime ministers, provincial premiers, cabinet ministers, supreme court judges, university presidents and civic leaders than any other school in the country.

Dalhousians have sat on every provincial supreme court in the country, The Supreme Court of Canada, the Exchequer Court, the International Court of Justice, and a host of lesser benches.

A former President of the Bar Society of Saskatchewan, E. M. Hall, Q.C., said:

"The Bar of this province has been enriched by many leaders who received their education at Dalhousie. Our debt to your Law School for these and other contributions is gratefully acknowledged."

This year, Dalhousie Law School celebrates its 75th anniversary.

Three-quarters of a century of great tradition has been made, and we, the present students, are fortunate and, indeed, proud to have such a tradition behind us. It is, of course, our job, and the job of those who are to follow us, to do our utmost to assist in the preservation of this tradition, with the hope of continuing an endless chain of success and prosperity for an institution which is truly serving its purpose.

Welcome to the Alumni

The Law Students' Society is happy to take this opportunity to welcome you to the ceremonies commemorating the 75th anniversary of the founding of the Dalhousie Law School.

We hope that this will be an opportunity for you to renew old acquaintances, make new friends and witness the progress being made by your alma mater.

We, the current students of the Law School, recognize your accomplishments and realize the high standards you have set for us. It is our hope that we can meet these standards, for it would be difficult to surpass them.

Again, may we welcome you and say "Will ye nae come back again?"

Acknowledgements

The production and publication of an eight page addition to the University newspaper appears, to the reader, a deceptively simple project. But with some knowledge of the work behind this edition, I would like to take time to thank those who have made its publication possible.

Credit must be given to both the writers of the articles and to many Law students who did the research needed before the writing could be done. The tenor of the paper has been that of factual accuracy. That the research done bore fruit is evident in the lengthy article on the history of the Moot Courts. This carefully collated material, the work of many, has given us an opportunity to add something to the written history of the Law School.

Thanks must also be given to Miss Judy Bell and those of the regular Gazette staff and to Dave Fox and his Advertising Bureau who gave invaluable assistance in the technical end of the production and who lightened our burden by taking care of the time-consuming necessities of correspondence and advertising.

I would also like to thank Dean H. E. Read, Professor G. V. V. Nichols and Professor W. A. MacKay. Without their encouragement, guidance and constructive criticism it is doubtful if the paper would have ever gone to press.

We hope that this supplement in some small way contributes to the success of the 75th Weekend celebrations. If through its content our Alumni can feel that some of the tradition and pride that has grown with the Law School is still living, then those of us who are still students of the Law at Dalhousie can feel that our work has been amply rewarded.

And if the University in general can gain from reading this paper, some idea of the part that our institution has played in the development and history of our country over the last 75 years, then our work will be doubly rewarded.

DAVID HILTON,
Editor, Law Supplement.

FIRST WOMAN GRADUATE



Miss Frances Fish

A graduate of the class of 1918, Miss Francis Fish was the first woman to graduate from the Dalhousie Law School. In her way, she led to the success that female graduates from Dalhousie have played at the Bar.

Admitted to the Bar of Nova Scotia, again setting a precedent, and now a member of the New Brunswick Bar, Miss Fish obtained a Ph.D. from the University of Chicago before ending her academic career.

Now conducting a successful practice in Newcastle, N. B., Miss Fish, is also Deputy Magistrate and Judge of Probate for the County of Northumberland.

A Message from the Dean

For seventy-five years graduates of Dalhousie Law School have continued to earn a reputation throughout Canada for high standards of professional competence and ethical behaviour and for public service in the community. The school is committed to advancement of learning through teaching on the highest possible level of efficacy and integrity. Through the devoted and self-sacrificing services of both full-time and part-time members of the faculty and the benefactions of a few of our graduates, much has been accomplished gradually to enhance the quality of instruction and otherwise to maintain the position of this law school as one of the best in Canada. This year for the first time there are eight full-time members on the faculty, all with distinguished records of accomplishment. The library has been built to a total of 32,000 volumes. Thirty-three large fellowships for post-graduate study in law at other universities have been awarded to Dalhousie students since 1950, and there has been an increasing demand for their services across Canada by large law firms, industrial and commercial institutions and government departments.

The stage has now been reached, however, when it has become obvious that Dalhousie Law School cannot continue to hold a place of leadership and fulfill its responsibility to the country if it is to be limited to gradual improvement. Immediate steps must be taken to reorganize and augment the library, to increase salaries, to provide additional scholarships and to enlarge the law school building. Large financial expenditures must be made if we are to be able to provide lawyers with an education that will assist them to play an effective and enlightened part in the period of rapid development of law that must occur in the wake of the accelerated economic growth and social change now occurring in Canada.

HORACE E. READ,
Dean

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THE HISTORY OF THE MOOT COURT

By GLORIA READ

"Centered around the Law School are many landmarks of former days, customs which trace their origin to the time when today's Great and Near Greats were but fledglings in the law, and usages and ceremonies which have become a ritual to the present day members of the Law Society. And listed as chief among them is the Moot Court"

Gazette, October 4, 1955.

The Dalhousie Law School has held Moot Courts every year since it was established in 1883. The Supreme Moot Court of Dalhousie is modeled on the Supreme Court of Nova Scotia, following the rules of procedure set out in successive Judicature Acts of Nova Scotia. This means that the Supreme Moot Court is an Appeal Court, but unlike the Supreme Court of Nova Scotia, its decision is final.

Although the cases have always been argued by the Law students, it is only in recent years that the bench has consisted of third year students. Since approximately 1915 students have organized the courts, almost entirely free from faculty control.

Moot Courts have been held to train Law students in Court Procedure, in preparation, and in argument of cases. They afford Law students an opportunity to review case law on the subjects concerned. Undoubtedly these courts have been of great service to the student as they have been a laboratory where he has learned to use many of the tools of his trade.

The inauguration ceremony of the Law School took place on Nov. 1st, 1883. The *Gazette* stated on Nov. 3rd, "the students are beginning to inquire when the Moot Court is to be started." On Dec. 24th, 1883, the following appeared, "A Moot Court has been organized among the students of 1st year." The first Moot Court was recorded in detail. Messrs. Gregory, Troop, Hensley and Crowe argued before B. Russell, Esq., then professor and afterwards a Justice of the Supreme Court of Nova Scotia. The case involved the following contract question: whether the mailing of a letter by the offeree or the receipt of it by the offeror constituted acceptance of a contract.

Either Dean Weldon or one of the Assistant Professors selected the facts for the cases, received and corrected the factums and acted as

Justice. Occasionally two Professors sat together on the Bench. From the careful, detailed reports of each case, it can be seen that the Courts proceeded in a mood of high seriousness. The professors were very exacting. On Nov. 3rd, 1888, the following appears in the *Gazette*:

"One of our coming Lawyers, who was arguing a case in the Moot Court in a manner 'rather more Parliamentary than Legal' on being continually interrogated by the presiding Judge, took his seat exclaiming, 'I will not interrupt your Lordship again'."

At this time the senior counsel were generally third year students. Occasionally they argued two cases a year.

"The sessions of Moot Court have progressed so well this year, that cases are soon to be allotted to members of the third year class for the second time. Although such allotment has been published in the calendar every year, the number of students in the second and third years has heretofore been too great even to allow everyone an opportunity of arguing a single case. We are pleased to note that better arrangements have been made this year to give the students more practice in court pleading. It has been frequently suggested that two of the third year men should sit with the Dean and give judgment at each trial. This certainly would be of practical benefit to us, and would perhaps create a greater general interest in Moot Courts." Nov. 1897.

Third year students had acted as Justices on certain occasions. One report states that, "Hanright J. rendered an excellent extempore judgment, reviewing and criticizing the cases as cited by the Counsel on both sides. The Judge showed a clear insight into the most difficult parts of the law of contracts."—*Gazette*, Dec. 26, 1885. However, Professors continued to act as Jus-



JUNIOR COUNSEL stand before the Learned Law Lords presenting his first case at the Bar. The bench consists of third-year students who set the fact situation to be argued. The grounds of appeal are prepared by senior counsel who are responsible for the factums and the argument. First year students get their initiation to Court Room procedure by arguing one of the grounds of appeal for their Seniors.

tics until approximately 1915. During this early period, occasional lectures were given to the students on how to prepare a case for trial.

Dean Weldon preferred Constitutional Cases. Some cases argued before him were: The Constitutionality of the Repeal by Manitoba of the Dominion Act of 1870, which made French an official language of Manitoba; The Constitutionality of sections of the Nova Scotia Act; the Interpretation to be given "harbors" as used in the British North America Act.

Mr. Justice Doull of the Nova Scotia Supreme Court relates that Dean Weldon and Mr. Justice Russell disapproved of many decisions of the Privy Council and overruled them with much satisfaction.

Mr. Justice Mellish, who was known for many years as a rather impish member of the Nova Scotia Bar, believed in the old legal maxim "know thy judge well". He made it his business to study closely the decisions of Mr. Justice Russell at Dalhousie at times he

would coolly argue in the face of well known principles as laid down in Privy Council decisions. When queried from the bench as to his flagrant interpretation of well known law, he would slyly reply, "but My Lord, that decision has been overruled in the Supreme Moot Court of Dalhousie."

Sometime shortly after 1915 a transformation took place in the procedure governing the operation of the Moot Court. The workings of the Moot court became incorporated into the constitution of the Law Society. By custom, the Moot Court Committee automatically became the top three students of the previous second year. They set up the Court term, informed the classes of their respective duties, and decided on the rules to be followed that year. The judges now coming from third year, senior counsel from second year, and junior counsel from first year. This practice is still followed today.

The traditions of the Moot Court have become firmly rooted; a recent attempt to alter the workings of court was recorded in this story of the *Gazette*, dated October 23, 1950:

"A recent attempt to alter the Moot Court system met with stubborn resistance of the third year class, who rallied to the cry, 'What was good enough for R. B. Bennett is good enough for us'."

The next issue of the *Gazette* added to the story:

"When an attempt had been made to change the Moot Court system, riots flared on the campus and in an attempt to quell the riots, one of Dalhousie's 'grand old men,' Chief Justice O'Hara appeared before the crowd with can and ear trumpet and was given audience for 30 seconds after which time he flew to the Ladies Washroom to seek refuge from the irate mob. From there he was dragged out from the main door of the Law School to the gutter of Carleton Street and was thereupon swept out of the city by a street cleaning machine. The

Moot Court system was not changed."

In each of the buildings that the Law School has called its "home," there has always been one particular room set aside and designated as the Moot Court room. The old Moot Court room in the Forrest Building still remains vividly in the minds of many of the former graduates. On the Law School's 50th Anniversary, the following appeared in the *Gazette*:

"The shrine of the traditions of the school is the Moot Court room. Men now prominent in public life first tried their wings in forensic combat and in Parliamentary debate in the Moot Court room. The old seats are carved with the initials of men who through hard work and devotion to principle have brought credit upon themselves and to the school."

Today's Moot Court room serves as lecture room in the mornings and as Court room in the afternoons. The atmosphere of the old Moot Court room finds embodiment in the pictures of many eminent professors and alumni which grace the walls, and already the desks are carved beyond recognition.

In 1927, the Honorable Sidney Smith, former student and Lecturer presented a plaque on which is engraved the names of the two students who achieved the highest marks in a court competition before a bench comprised usually of three members of the Bar and Supreme Court of Nova Scotia. Four students, chosen by the Moot Court Committee on the basis of marks submitted by each chief justice, argue a case which is submitted to them by the faculty. Except for a short period during the war, competition for the award has gone on every year, and a high level of achievement has been reported year after year in the *Gazette*.

THE BENCH

The Chief Justice chooses and issues the facts to be argued, receives and corrects the factums, and confers with his colleagues before the hearing. During the argument he maintains order in the courtroom through the sheriff, and questions counsel. He and his brothers then deliver judgment. The Chief Justice marks counsel on their performances.

The behaviour of the Justices is usually proper; bench after bench sits without particular incident. However there are exceptions, some of which have been preserved in the *Gazette*.

"Those present were greatly amused when Lord Koretsky fell from the bench, uttering a mystery—
(Continued on page Seven)

BIRKS

wish to extend an invitation to all members of the Dalhousie Campus to visit their store on Barrington Street opposite old Saint Paul's Church. You will find a complete selection of jewellery, watches, luggage, china, silver and many other gift items from the four corners of the earth.

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HONORED AT CONVOCATION

Highlighting the two-day ceremonies marking the seventy-fifth founding of the Dalhousie Law School will be the Convocation to be held this Saturday afternoon.

Seven honorary degrees of Doctor of Laws will be conferred by the Senate of the University. Of the recipients, only one is not connected with the legal profession directly, and two of the men being honored are graduates of Dalhousie Law School.

Two of the degrees are to be conferred in absentia. Neither Judge Bennett or Dean Falconbridge are able to make the trip to Halifax, but the other five men being honored are all taking a prominent part in the anniversary weekend.

Following is a brief biography of the men being honored by the Senate of Dalhousie University this weekend:

Judge Albert Watson Bennett, LL.B.

Judge Bennett is the sole survivor of the original graduating class of Dalhousie Law School. His name is the first entered in the records of the University in the list of graduates of the class of 1885.



Judge A. W. Bennett

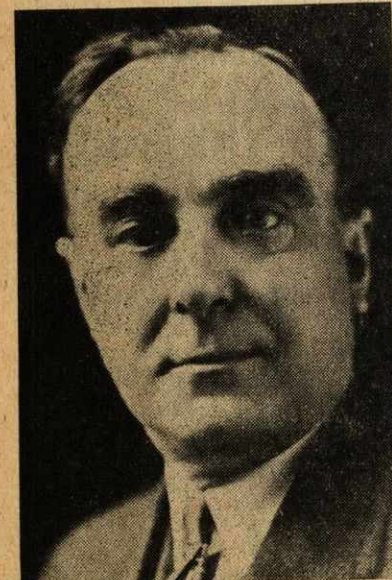
After his graduation from Dalhousie, Judge Bennett returned to his native Albert County in New Brunswick where for many years he conducted a successful practice.

Appointed to the Bench, for many years he was well known as County Court Judge for Westmorland.

Now 94 years old, Judge Bennett has lived since his retirement at his home at Alma, N.B.

The Hon. Charles J. Burchell, P.C., Q.C., M.A., LL.B., LL.D.

A graduate of the class of 1899, Mr. Burchell's Career has covered the world. A highly successful business man and senior partner in the Halifax firm of Burchell, Smith,



The Hon. C. J. Burchell

Jost, Burchell & Chisholm, Mr. Burchell spent many years in the public service.

An authority on Maritime Law, Mr. Burchell played a prominent part in the Commonwealth Conference on the operation of Dominion Legislation and Merchant Shipping Legislation which resulted in the eventual passing of the Statute of Westminster in 1931.

In 1939 Mr. Burchell was appointed Canadian High Commissioner to Australia and held the same position in Newfoundland and South Africa before returning to practice in 1945.

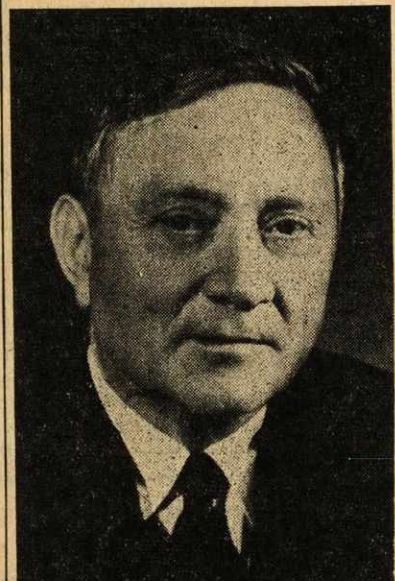
He was re-appointed High Commissioner to Newfoundland in September 1948, remaining at that post until Newfoundland joined Confederation in 1949.

Mr. Burchell was appointed to His Majesty's Privy Council for Canada in April of 1949.

For over 20 years Mr. Burchell volunteered his services to the Law School, lecturing in Shipping to the third year class.

William Orville Douglas M.A., LL.B., LL.D.

A graduate in law from Columbia University 1925, Judge Douglas took his undergraduate education



W. O. Douglas

in his native state of Washington. Called to the New York Bar, Justice Douglas stayed on at Columbia lecturing there from 1925 to 1928.

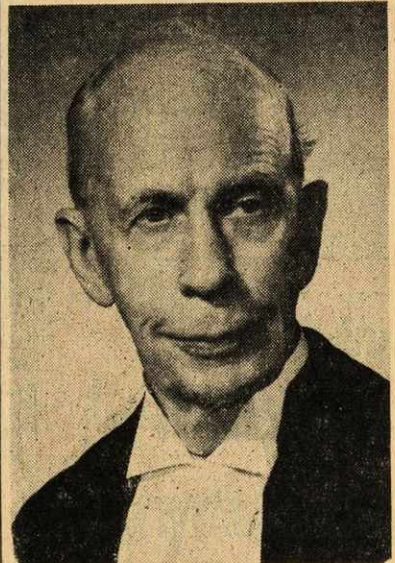
From 1928 to 1934, he was on the faculty of Law at Yale University.

In 1934, Justice Douglas turned from teaching to the public service, serving principally on the Security and Exchange Commission and was chairman of this body when in April of 1939, President Roosevelt appointed him an Associate Justice of the Supreme Court of the United States. At the time of his appointment he was one of the youngest men ever to sit on the Supreme Court of the United States.

Besides being a jurist of international note, Justice Douglas is widely known as an outdoorsman and mountain climber and has published many stories on his adventures in the Himalayas and his other expeditions.

John Delatre Falconbridge Q.C., M.A., LL.B.

Born in Toronto in 1875, Dean Falconbridge received his education there graduating with an LL.B. in 1904.



J. D. Falconbridge

His longtime association with Osgoode Hall began in 1909, and he was connected with that school until his retirement, in 1948. From 1942 till his retirement, he served as Dean of that institution.

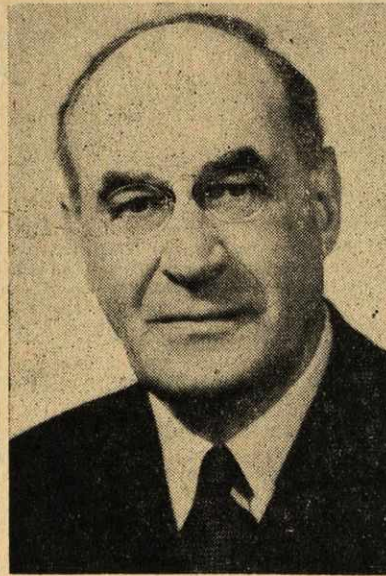
Dean Falconbridge is known to all lawyers and students of law in Canada for his many writings.

His early textbooks on the law of Banking and Bills of Exchange, Negotiable Instruments Sale of Goods and mortgages are still used in law schools in this country and his many articles and essays on private international law are among the finest contributions and have won him international repute.

Arthur Lehman Goodhart, K.B.E., Q.C., LL.D., D.C.L.

Although Professor Goodhart has spent much of his life teaching and writing in England, he was born and raised in the United States and received his first legal training in that country.

A graduate of Yale University, Professor Goodhart continued his



A. L. Goodhart

studies at Cambridge and Oxford before returning to the United States to be admitted to the New York Bar in 1915.

Professor Goodhart served as Counsel with the American military mission to Poland in 1919 and then later that year returned to Corpus Christi College, Cambridge to begin his long career as a teacher of law. In the same year he became a Barrister at Law in the Inner Temple.

In 1931 Professor Goodhart became Professor of Jurisprudence at Oxford, a position he held for 20 years.

Professor Goodhart has for many years been associated with the Law Quarterly Review and still serves as Editor of that publication.

His many articles and textbooks have marked him as one of the foremost jurists in the Common Law today.

In 1948 Professor Goodhart was made a Knight of the British Empire by George VI.



PHOTO BY KARSH, OTTAWA

Grattan O'Leary

Now President of the Ottawa Journal, Mr. Grattan O'Leary first

made his name as editorial writer on the newspaper he now heads.

A native of Gaspe, Mr. O'Leary began his career in Journalism some 50 years ago. For many years he sat in the Parliamentary Press Gallery in Ottawa and over the years he has become known as a keen observer of the Canadian scene. His knowledge of political life in Canada is renowned.

His wit and eloquence have marked his writing of the Ottawa scene, and although he has taken an active part in political life, his writing on the government has been edited with a strict impartiality.

Named as one of the ten great Journalists in Canada since Confederation, his place has been marked in the "Hall of Fame" in the parliament buildings.

His knowledge of the law and the role of lawyers in public life has won him acclaim and he has been honored by being named an honorary member of the Bar of New York.

Francis Reginald Scott, B.Litt., B.C.L., F.R.C.S.

Born in Quebec City in 1899, Professor Scott first attended Bishop's University. A Rhodes Scholar, Professor Scott returned to McGill



F. R. Scott

University where he graduated with his B.C.L. in 1927.

He joined the faculty at McGill in 1928. His lectures on Constitutional Law and his writing on that subject have been widely read across the country and his effort to preserve Civil Liberties have taken him from the classroom into the courtroom.

He was the recipient of a Gugenheim Fellowship in 1940.

Active in politics, Professor Scott served as National Chairman of the C.C.F. Party from 1942-50.

Among his writings are two volumes of poetry and he has edited several Canadian Periodicals.

A former executive member of the Canadian Political Science Association, Professor Scott is a Fellow of the Royal Society of Canada.

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DALHOUSIE LAW LIBRARY

A familiar scene in the Reading Room of the Dalhousie Law Library. The Library containing 32,000 volumes is one of the largest and best equipped legal libraries in Canada.

Law Library Has Long History

The Dalhousie Law School possesses one of the finest libraries in Canada. The 32,000 volumes comprises all of the important Canadian, American and English law reports, many rare volumes and collections of untold value, and current legal periodicals and texts.

In the first three years of its history, 8,000 books were donated largely by Halifax lawyers and judges who worked zealously to

make the new Law School a success. One of the most zealous was Mr. Bulmer, the first librarian. There is a legend that Mr. Bulmer would visit his lawyer friends of the day in long, flowing cloaks; he would surreptitiously 'borrow' as many of their books as he and his cloak could manage, and spirit them away to the Law School library. No self-respecting lawyer would claim them back or condemn his efforts.

The library has expanded mainly through gifts. Most prominent of the donors are Harvey Read, who, since 1950, has contributed numerous American reports, Alexander Ross, Viscount Bennett, Sir James Dunn and Senator Gordon Fogo, while the province of Nova Scotia Collection of Public Law and the MacMillan Collection have likewise substantially increased the number of volumes.

To The Dalhousie Law School, long recognized as being in the forefront of institutions of its kind in Canada, we offer our congratulations on the Seventy-Fifth Anniversary of its Founding and best wishes for a future to equal its illustrious past.

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Moot Court ...

(Continued from page Three)

ious Russian Oath. The necessary apology promptly followed." Oct. 20, 1939.

"The Chief Justice informed the sheriff that the triumvirate wanted air. Mr. Gingham then opened the window and gave him the air." Oct. 27, 1939.

"The court consisted of McNutt J. and McKeen J. (MacQuarrie C. J. being absent on circuit somewhere in the city)." Oct. 20, 1920.

As the Chief Justice will generally choose his facts on unclear, or undecided issues of law, his judgment usually contains new law. In this respect the student judges have unconsciously followed the course set by Dean Weldon.

The following quote from a Nov. 1946 Gazette admirably expresses the fearless attitude which many benches possess.

"The Supreme Moot Court of Dalhousie is the authoritative tribunal which discusses and decides matters of law that have passed under the gazes of such inferior judicial bodies as the Nova Scotia Supreme Court & the House of Lords. The decisions of their Lordships on the bench of the Supreme Moot Court of Dalhousie are of course final, and many have been the words of wisdom and loud and long has been the oratory expounded by the learned law lords."

Certain of the outstanding benches have been recognized by Gazette reporters, one of which was that of "C. J. Fogo, Mr. Justice MacKinnon, and Mr. Justice Read. From a legal viewpoint, this session was one of the most successful that has been held in recent years."

COUNSEL

Court starts off traditionally with counsel congratulating the Judges before him on their appointments to the honored position as Justices of the Moot Court. This takes on many forms—Fulton to Campbell, etc.

"Last Tuesday, there came before Lord Justices W. S. K. Jones, C. L. (Continued on page Eight)

The House of BUTTERWORTH

extends its good wishes to Dalhousie Law School on its 75th Anniversary and its thanks to the many graduates of that Law School throughout Canada who have been such consistent supporters of Butterworth Publications during the forty-six years we have been in Canada.

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