

June 9th, 1933.

Arthur Jodoin, Esq.,
Secretary, The Bar Association of the Province of Quebec,
5 St. James St. E.
Montreal, P. Q.

Dear Mr. Jodoin,

I have read the petition which Mr. Alan Swabey, Bachelor of Commerce of this University, is presenting to the Council of the Bar of the Province of Quebec, to be admitted to the study of law.

I desire to support this petition in every way I can. At this University the Bachelor of Commerce degree is considered to be of as high or advanced academic standing as the Bachelor of Arts degree. The curriculum of the two courses has much in common, while the subject of Accountancy, peculiar to the Commerce course, is one which I would consider highly valuable to a lawyer.

May I further call your attention to the fact that graduates of the Royal Military College at Kingston are admitted to the study of law without further examination. The diploma from that School is not at all comparable academically with the degree of Bachelor of Commerce of this University.

It seems to me that Mr. Swabey's petition is most reasonable, and I hope you will give it your favourable consideration.

Yours faithfully,

Principal

Allen Swabey

100 Dufferin Road,
Hampstead, Montreal,
June 15th, 1933.

Dear Sir Arthur Currie;

I want to thank you for so kindly supporting my petition to the General Council of the Quebec Bar.

It was, I am sorry to say, unsuccessful on the technical grounds that the Bachelor of Commerce degree is not one of those mentioned in the By-laws of the Bar Act. Behind this decision there rests, however, the real reason that it is the aim of the Association to limit in every way possible the number of those practising law in this province.

This does not alter the fact, nevertheless, that a McGill Bachelor of Commerce might be even better equipped for this profession than a B.A, B.Sc, or R.M.C. graduate. It is on this basis that I intend to present a further petition at the next meeting of the Council. If possible I shall see each member personally, beforehand.

In the meanwhile I would very much appreciate the opportunity of discussing the matter again with you.

Yours Sincerely,

Allen Swabey

- 1) Mr Bovey will initiate a move to have commerce recognized
- 2) I'll see Swabey ~~som~~ almost any morning. Tell him

FRED. B. FETHERSTONHAUGH, K.C.
GEO. E. LEETHAM
CHRISTOPHER ROBINSON

COUNSEL
RUSSEL S. SMART, K.C.

FETHERSTONHAUGH & Co.
Solicitors of Patents
Ottawa, Canada
VICTORIA BUILDING

CABLES "INVENTION, OTTAWA"
TELEPHONES QUEEN 465 & 466

OUR FILE No.

August 14th, 1933.

Sir Arthur W Currie, G.C.M.G., K.C.B.
McGill University,
Montreal.

Dear Sir Arthur Currie:

When my petition was refused to have the McGill Commerce degree accepted for admission to study Law in Quebec you intimated that McGill might take steps later to have it accepted.

In order not to lose another six months I am very anxious that I be admitted to study by January next. In order to do this it would be necessary to have a petition passed at the next meeting of the General Council of the Bar of Quebec which I believe is to be held in September. Shall I proceed with a private petition as before or will the University be taking it up?

Failing the acceptance of my degree it will be necessary to negotiate with some other university, possibly Ottawa or Bishops, to obtain a B.A. This will obviate taking the Junior Bar examinations.

Since speaking to you I have thought of another very real fault in the ruling against the Commerce degree. What better training could a corporation lawyer have than his license in accounting (C.A.) and admission to the Bar? The only practical way to attain this outstanding qualification, in a reasonable time is by way of the Commerce degree and then Law. This could be done in eight years.

Hoping to hear from you at your convenience,

Yours faithfully,

Alan Swabey

August 17, 1933.

Alan Swabey, Esq.,
c/o Fetherstonhaugh & Co.,
Victoria Building,
O t t a w a .

My dear Swabey,

I acknowledge your letter of August 14th. We propose to take up the acceptance of the Commerce degree with the Council of the Bar. I must tell you frankly that there is likely to be some delay as the Bar will doubtless have to consider the case of kindred institutions and it is a question in my mind whether it will be possible to have an amendment to the Bar Act passed this session. In any case it would not be sanctioned before next year, which would be too late for you.

Under these conditions I am informed that you would probably require a private act in any case to cover your admission to study before the amendment of the general Act. I advise you, therefore, to proceed with your private petition concurrently with our taking steps.

May I say that I entirely agree with your last paragraph and these grounds will be made the principal ones in our application for the acceptance of the Commerce degree.

Yours faithfully,

Principal

FRED. B. FETHERSTONHAUGH, K.C.
GEO. E. LEETHAM
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TELEPHONES QUEEN 465 & 466

OUR FILE NO.

Aug 22nd. 1933.

Dear Sir Arthur Currie

Thank you very much for your letter of August 17th. I am very pleased that Melville is going to take up the question of the Commence degree with the Dulbeckar.

As you suggested I will proceed with a private petition and if possible present it to you for approval before sending it to Mr Godwin.

Yours faithfully

Alan Swabey



ANNOUNCEMENT

OF THE

FLETCHER SCHOOL

OF

LAW AND DIPLOMACY

ADMINISTERED BY

TUFTS COLLEGE AND HARVARD UNIVERSITY



FIRST YEAR

1933-1934

My Dear Principal:—

There is an announcement worth
looking at. An M. A. or Doctor's degree from
this school and a year in Europe for some of
our choice students would be ideal. The Canadian
Universities are moving too slowly in this matter. I am
disposed to offer a preliminary course if my own.
June 1/33, J. A. [Signature]



ANNOUNCEMENT

OF THE



FLETCHER SCHOOL OF LAW AND DIPLOMACY

THE FLETCHER School of Law and Diplomacy will open for instruction on October 2, 1933. Established on the basis of a bequest to the Trustees of Tufts College, it is organized and administered jointly by Tufts College and Harvard University for the purpose of giving instruction in the closely related fields of

Public and International Law, Diplomacy and International Relations, and International Economics.

The curriculum has been designed with the object of preparing a limited number of qualified students for the specialized and exacting professions of international law, the diplomatic and consular services, foreign business and finance, historical and economic research, and the teaching of these various branches. College and university graduates of high calibre are eligible for admission to the Fletcher School.

The staff of instruction is composed wholly of experts in their respective fields. For the initial year it will include: George H. Blakeslee, Lauchlin Currie, Seymour E. Harris, Arthur N. Holcombe, Halford L. Hoskins, William L. Langer, Roscoe Pound, Joseph Redlich, Julius Stone, and George Grafton Wilson. Furthermore, all library facilities of Harvard University and Tufts College have been placed at the service of the Fletcher School, and these, together with the distinguished

faculty, provide a unique opportunity for graduate study in the essential aspects of international relations.

The courses offered during the year 1933-1934 will lead to the degree of Master of Arts. These courses will be conducted on the campus of Tufts College, attractively situated within the Boston metropolitan area about two miles from Harvard Square, Cambridge. The plan of instruction provides that in subsequent years the curriculum will be extended to include other subjects of study leading to the degree of Doctor of Philosophy. The more advanced courses will be conducted on the campus of Harvard University.

The curriculum of the School has been arranged with a view to including a summer session as an integral part of the year's work. This session, beginning in the summer of 1934, will offer a number of courses, particularly for teachers, lecturers and institute workers, not included in the offerings for the regular academic year. A separate bulletin relating to the summer session will be issued a few months hence.

For the promotion of advanced study along the lines represented in the School,

Five Fletcher Fellowships have been established.

Each of these bears the value of one thousand dollars.

These will be awarded competitively to candidates of outstanding ability and character. Applications for Fellowships for the year 1933-1934 should be in the hands of the Dean of the School as soon as possible.

For further information, address the Dean, Fletcher School of Law and Diplomacy, Medford, Massachusetts.

FLETCHER SCHOOL OF LAW AND DIPLOMACY
ADMINISTERED BY TUFTS COLLEGE AND HARVARD UNIVERSITY
OFFICE OF THE DEAN

MEDFORD, MASSACHUSETTS

May 27, 1933

The Dean
McGill University
Montreal, Quebec
Canada

Dear Sir:

Enclosed herewith is a notice of the opening of the Fletcher School of Law and Diplomacy. The School has been organized, you will note, for the purpose of giving graduate instruction in the more fundamental aspects of international relations. A distinguished staff and unrivalled library facilities justify the expectation that our work will be of an unusually significant nature.

It will be appreciated if you will kindly have the announcement placed on an appropriate bulletin board and brought in any other effective way to the notice of particularly able students who might be interested in pursuing work along the lines represented in our curriculum.

A catalog of the Fletcher School will be sent you presently.

Very truly yours,

Halford L. Hoskins

Acting Dean

*Approbation for our
theses.*

March 4, 1932.

E. W. Beatty, Esq., K.C., LL.D.,
Chancellor,
McGill University.

I have pleasure in attaching herewith a translation of a letter which Mr. Lemesurier of our Faculty of Law received from M. Ferdinand Roy, Dean of the Faculty of Law of Laval University, Quebec.

As you know, M. Roy is one of the best legal minds in the Province, and there are many who would like to see him on the Supreme Court Bench or the Court of Appeals.

When speaking on one occasion to Professor Mr. Justice Surveyer, about some work he was doing in Comparative Law, Judge Surveyer told him that in our final year in Law at McGill we gave considerable attention to the subject and exacted theses from students; he suggested that M. Roy might find some of these theses worth reading. M. Roy asked if he might see some, and several were sent.

This is his reply, and it pleases me very much when he says that he is "simply astounded", and refers to the "maturity of mind revealed" by these essays.

I am quite convinced that our training in law now gives a much better legal education to students than it did in other days, when the principal aim of the School was to train them to pass the Bar examinations.

Ever yours faithfully,

Principal.

t r a n s l a t i o n

Laval University,
Q U E B E C.

29th February, 1932.

C. S. LeMesurier, Esq.,
Faculty of Law,
McGill University.

Dear Mr. LeMesurier:-

.....
.....
Under separate cover I am returning four of the theses which you sent to me. My excuse for keeping them longer than I should is that they interested me greatly and that I have hardly had the time to study them quietly. I am, however, keeping for a few days more those of Messrs. Nicholls and Slapack which seem to me to merit more than a hasty glance. If you need them say so without hesitation and I will forward them by return mail.

I am simply astounded by these theses which reveal a maturity of mind and an erudition entirely unexpected from the writers who are only students. They are undoubtedly entitled to congratulations but so too are the professors who have brought them on to this stage of development.

.....
.....
FERDINAND ROY.

c o p y

QUEBEC, 29 février 1932.

Monsieur C.S. LeMesurier,
Faculté de Droit,
Université McGill,
M O N T R E A L .

Cher Monsieur LeMesurier,

Veillez m'excuser de ne pas avoir donné signe de vie plus tôt et d'être si en retard pour vous remercier du très aimable accueil que vous m'avez fait à Montréal. Le décès de mon frère le matin de mon arrivée à Québec m'a empêché la semaine dernière de m'acquitter entre autres devoirs, de celui-là.

Sous pli séparé je vous envoie aussi quatre thèses que vous avez bien voulu me communiquer. Je m'excuse aussi de les avoir gardées plus longtemps que je n'aurais dû mais elles m'ont vivement intéressé et je n'ai guère eu le temps de les étudier à loisir. Je me permets de garder, pour quelques jours encore, celles de MM. Nicholls et Slapack qui me paraissent mériter mieux que d'être parcourues à la course. Si cependant vous en avez besoin dites le moi sans hésiter et je vous les renverrai par le retour du courrier.

Tout simplement je suis émerveillé devant ces travaux qui révèlent une maturité d'esprit et une érudition absolument inattendues chez des auteurs, qui ne sont que des élèves. Il faut sans doute les féliciter mais féliciter aussi les professeurs qui ont poussé à ce point leur formation.

Veillez croire à l'assurance de mes meilleurs sentiments.

FERDINAND ROY.

CANADIAN PACIFIC RAILWAY COMPANY

OFFICE OF THE CHAIRMAN AND PRESIDENT

MONTREAL

March 12th, 1932.

My dear Sir Arthur,-

I have your note of the 4th instant with extract from letter from M. Ferdinand Roy, Dean of the Faculty of Law of Laval University, Quebec.

You must be very gratified at M. Roy's appreciation, and I can well understand that, comparatively speaking at all events, McGill Law School would impress even as critical a man as he is.

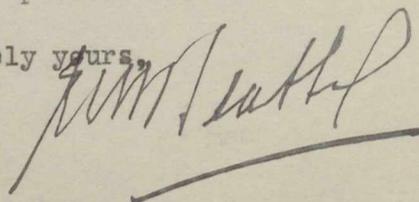
You will be surprised to know that, in speaking a few days ago to one of the most prominent members of the Canadian Bar, I was seriously asked the question whether, in my judgment, a college education was of any value to a lawyer. This man had himself not had the opportunity of taking an Arts course, but was called to the Bar under the system which still prevails in Ontario of five years apprenticeship and the passing of law school examinations.

The fact that the advantages of a college education are not evidenced by a considerable number of those who graduate still leads to the view that its advantages are at least doubtful.

In Ontario, if a law student is a graduate of a University, he requires three years in an office and attendance at law school which means seven years in all. If he is not, he can qualify by passing his law school examinations and serving five years indentured to a member of the Bar. This means that a boy matriculating at 16 can become a full-fledged lawyer at 21, and this explains in some measure the fact that we have so many uneducated lawyers in the profession.

Sincerely yours,

Sir Arthur Currie, G. C. M. G.,
Principal,
McGill University,
MONTREAL, Que.



t r a n s l a t i o n

Laval University.
QUEBEC, April 1st, 1932.

Dear Mr. LeMesurier:-

I am forwarding you under separate cover the theses written by Messrs. Nicholls, and Slapack.

Please excuse my having kept them so long. I was anxious to examine them carefully---this is what I have done and have derived great pleasure and profit in doing so. They are both of great worth as I have already told Judge Survever. At first I drew particular attention to Slapack's work as the material seemed to be more carefully classified, but all factors considered Mr. Nicholl's appears the better. There should be no haggling over the congratulations to either of them, nor, I repeat, to the masters whose remarkable disciples they are.

I am very grateful for the communication of these fine studies.

With kindest regards,

The Dean of the Faculty of Law,

FERDINAND ROY.

copy

UNIVERSITE LAVAL,
QUEBEC, 1er avril 1932.

Monsieur S. LeMesurier,
Faculté de Droit,
Université McGill,
MONTREAL.

Cher Monsieur LeMesurier,

Sous pli séparé je vous renvoie les thèses de MM. Nicholls et Slapack.

Veillez m'excuser de les avoir gardées si longtemps. Je tenais à les examiner soigneusement--c'est ce que j'ai fait et j'y ai trouvé grand plaisir et aussi j'en ai tiré profit. Elles sont toutes deux de très grande valeur, comme je l'ai déjà dit à M. Surveyer (d'abord je lui ai signalé le travail de M. Slapack, car la matière y paraît plus soigneusement classifiée, mais, tout pesé, c'est celui de M. Nicholls qui me semble supérieur). Il ne faudrait pas marchander les félicitations ni à l'un ni à l'autre--par plus encore une fois, qu'aux maîtres dont ils sont des disciples tout à fait remarquables.

Je vous suis très reconnaissant de m'avoir communiqué ces belles études et vous prie de croire à mes meilleurs sentiments.

Le Doyen de la Faculté de Droit

FERDINAND ROY.

Appendix.

*Full time at University
Apprenticeship after degree
is obtained*

The following is an extract from the minutes of a meeting of the Faculty of Law held in the office of the Dean on Wednesday, October 15th, 1924, at 5.15 p.m.

"WHEREAS many practitioners complain that the time spent in attendance at lectures and in studying for examinations so restricts the attendance of students in offices that the practical training there received is in most cases altogether inadequate.

"AND WHEREAS this Faculty is of opinion that the time spent by students in office attendance seriously interferes with their university studies.

"AND WHEREAS this Faculty is of opinion that it is desirable that the periods devoted to the systematic study of law and to practical office training be separated.

"AND WHEREAS it is also of opinion that three years should be devoted exclusively to the systematic study of law and that the experience gained in one year's attendance in a law office during ordinary office hours after completion of the university law course and the passing of all examinations would be more than the equivalent of the office training now received.

"THAT: The Principal and Governors are requested to take the necessary steps to secure an amendment to the Acts governing the legal and notarial professions which will permit the admission to the said professions of students who have spent three years studying law in a university in the Province, have met all the requirements as to qualifications for admission to the said professions and have subsequently spent one year under indenture with a practicing advocate or notary, as the case may be."

I certify the foregoing to be an exact copy of a resolution passed at a meeting of the Faculty of Law, McGill University, held on Wednesday, October 15th, 1924, in the Office of the Dean.

C.S. LeMesurier.

A/Secretary.

Confidential

MEMORANDUM ON AIMS AND METHODS IN THE FACULTY OF LAW

In 1925, the Faculty procured the enactment of a provincial statute which enables the law student to qualify for practice at the bar by three years successful work in an approved Faculty of Law in the Province followed by one year's indentures in a law office. Previously three years' indentures had been required in addition to the law degree, or five years without a law degree. The three years' office work was invariably accomplished concurrently with attendance at the University, with results unsatisfactory both to the offices and to the University. The new method of qualification is optional, but the object of the Faculty in securing its introduction was to adopt it as, in theory, the standard method. By doing so, it enables itself to say to the student: "Our course is based on the assumption that we have full command of your time. We do not arrange our courses or measure the university work to be done with any consideration of office attendance." A candidate may still qualify in three years by concurrent office and university attendance, and a number of our students follow this plan. We make no attempt to prohibit this but we discourage it by telling the student that he does it at his own peril, by exacting a standard of University

work which makes it impossible for the majority to spend any considerable time in offices outside the vacations, and by holding lectures at times designed to keep our men about the University during working hours.

The Faculty's interest in the above change was that it offered means of intensifying study. In the report drawn up and adopted by the Faculty in 1925, following on the new legislation, the principle was laid down that the chief responsibility for obtaining his information should rest with the student himself, the lecturer directing reading and discussing problems, as far as possible, instead of dictating treatises in lecture form. The report was based on the conviction, held by the majority of the Faculty, that the strict lecture-method had been a failure in the essential task of training minds in the habit of legal thinking. It had addressed itself largely to the memory, and the student had made it his chief object to memorise what he had been told in order to be able to disgorge it again for examination purposes. The policy of guidance and discussion, rather than dictation, would, it was felt, stimulate interest and develop the ability to deal with situations as they present themselves.

The result of the older method had too often been merely to stock a man's brain, until he forgot them, with ready-made answers to set questions. The value of this result was not the less questionable in that the lawyer in practise rarely relies on memory, but surrounds himself with texts. What we want to develop is the ability to use texts, plus a flexibility and tenacity of mind that will help the student when he becomes a lawyer to deal efficiently with ever new problems. Further, we should like to inculcate some comprehension of law, not as a collection of arbitrary rules, but as the essential framework of social life, which must evolve to meet new needs, and we can only do that if we cure the student's habit of excluding from his purview all but the cramming of a catechism.

The Faculty is committed to the new policy, and courses have already been considerably altered to conform with it. Lectures have been reduced in number in order not merely to leave the student time for independent reading, but to wean him from the idea that the lecture and the examination are the be-all and end-all of a law course, and to train him in the habit of assembling his own material. More discussion is going on in the class-room, and a great deal more personal consultation outside class-hours between student and lecturer. We are doing everything to encourage

our men to come and see us in our offices to talk about their subjects. Finally, we are asking them to write essays on every possible occasion. Some of their essays have shown sufficient research and originality to secure publication in the Canadian Bar Review and other periodicals. Even the great number which are not good enough for that have at least required the reading of cases and treatises, all of which helps to enlarge a man's vision beyond lecture-notes. This throwing of increased responsibility upon the student does not by any means lighten the lecturer's work. It scarcely requires saying that to keep the methods I have mentioned in operation requires a great deal more time and individual attention than would be necessary for the preparation and delivery of formal lectures. It is therefore exceedingly difficult for part-time lecturers to apply these principles, and no praise could be too warm for the loyalty with which several of our down-town staff are co-operating. There are others, of course, who cannot be expected to adapt themselves. We have known this from the beginning and are not looking for the impassible but, frankly, these obstacles can be neither total nor eternal.

Hitherto I have been dealing with the new policy in its bearing upon the relations between teacher and student. But it involves other duties and opportunities. The task of the professor was formerly accomplished when he delivered his prepared lectures, set and marked his examination papers. Lectures tended to remain unaltered from year to year. To teach as we are now trying to do requires constant research and constant modification of courses by the professor. There is no other way of keeping any subject alive. Therefore the principles adopted in the report of 1925 require that we should have here a strong nucleus of teachers who are doing active research in law. Anything which strengthens that nucleus will improve the scientific tone of the Faculty and increase its efficiency in turning out lawyers with the appetite and ability for sound legal work. Naturally personnel must be chosen with a view not merely to scholarship but to teaching ability. You can have scholarship without much teaching ability, but you cannot teach soundly without scholarship. In all but the severely practical subjects such as procedure, company law, bankruptcy, the combination of research and capacity to instruct is more apt to be found in the full-time teacher. Few lawyers will deny that the conditions of practice now obtaining in Montreal do not encourage research. Research is the life-blood of legal teaching, and therefore this Faculty, if it is to grow in its scientific significance and to increase its influence upon the bar and bench of the province, must increase its

full-time staff. The increase should be gradual, of course, but it should not be made absolutely conditional upon increase of students. Turning out a better manufactured product from the existing raw material is an object worth considering. The first increase might take the form of a chair in Comparative Law. The opportunity for study and research in comparative law in Montreal has few parallels, and it is an opportunity that has never been exploited. Sound work on the subject here, with publication of the result, would give the Faculty international prestige. It would also inject new life even into undergraduate teaching. It is partly with this in view that I pressed for the appropriation of the Wurtele Bequest as a publishing fund. A series of treatises on the law of this Province would not only be useful in legal practice here; it would also open up a mine of material for use in the United States and elsewhere in the study of comparative law, a subject which is receiving increased attention everywhere. It might even be hoped that proper facilities here would attract a few graduate students from the United States. There, law-teaching is rapidly achieving the status of a profession by itself, and the value of comparative study in preparing for it is fully recognised. We might offer a special course for graduates of common law schools leading to our B.C.L. degree. That could be

done by selecting essential civil law subjects in the present curriculum and adding comparative law. Such a graduate course, and along with it, the establishment of an honours course for our more able undergraduates, are developments to which this Faculty ought to look forward. They can only be realised, however, by an increase in the full-time staff.

Some critics of the new policy describe it as theoretical or idealistic. The distinction between it and the old is by no means that between the idealistic and the practical. The old system was abandoned precisely because it was not yielding good results, in other words because it was not practical. A glance at the resolutions in the appendix will show that those responsible for initiating the change were convinced that it was necessary as an improvement of professional preparation. Sound legal training is simply a specialized branch of liberal education and the most practical method of liberal education is the one which addresses itself most directly and effectively to the thinking processes rather than to the memory. From the practical as well as from the theoretical point of view the method of guidance, discussion and stimulation is better than the simpler and easier dictation-method. It is vitally

important that everything possible should be done here to encourage what I have called the new policy. Personally, I regard it as the only one worthy of a University Faculty, and while immediate realisation of all its implications is not to be expected, steady if gradual progress in that direction is essential.

Respectfully submitted,

R. C. Butler

Dean, Faculty of Arts,

COPY

UNIVERSITE LAVAL

FACULTE DE DROIT

RESOLUTION - 19 novembre, 1924.

VU que la Faculté de Droit de l'Université McGill a voté le 31 octobre dernier, une résolution aux fins de suggérer un amendement à la loi concernant la profession d'avocat et celle de notaire ;

ATTENDU que l'on demande à cette Faculté d'exprimer son opinion sur les modifications ainsi projetées ;

IL EST RESOLU :

Que cette Faculté est d'opinion que les étudiants en droit, qui auront suivi un cours de droit de trois ans dans une université de cette Province, qui se seront conformés aux exigences des statuts concernant l'admission à la pratique de la profession d'avocat ou de notaire et qui auront en outre, étudié sous brevet pendant un an avec un avocat ou un notaire pratiquant, suivant le cas, auront, par le fait, reçu un entraînement d'une valeur au moins égale à celui qui est actuellement requis pour l'admission

à l'une ou l'autre de ces professions.

Cette Faculté. en conséquence approuve la suggestion d'amender les statuts, de façon à permettre l'admission à la pratique de la profession d'avocat ou de notaire aux étudiants qui auront rempli les conditions ci-dessus mentionnées.

_____Vraie copie

Le Secrétaire de la Faculté

F. Roy.

DRAFT-RESOLUTION TO BE SUBMITTED TO THE
INTER-UNIVERSITY CONFERENCE ON LEGAL ED-
UCATION IN THE PROVINCE OF QUEBEC.

- I. The purpose of this conference is
- (a) to study the causes of the general dissatisfaction with existing legal education and
 - (b) in full co-operation with the governing bodies of the professions to plan for the future.
- II. If the resultant project is to provide a sound foundation for the progressive development of education for the bar and "notariat" using to the full the unique facilities possessed by this province owing to the existence of two cultures each with its own universities following their own educational traditions it must recognise that the diversity of educational methods already existing in non-professional education is equally permissible and desirable in the preparation (formation) of lawyers.
- III. A. The preparation (formation) of a lawyer falls into three parts:
- (a) pre-legal or general education,

(b) the study of law,

(c) training in the practise of law.

B. The period of study for those taking a university law course should be four years. During this period they should receive both theoretical and practical training.

The practical training may consist of actual work in a law office or of work of a practical nature carried on under the direction of the university staff. It may be carried on concurrently with the theoretical study or consist of one year of full-time office work following a three year full-time university law course.

IV. In accordance with all our traditions admission to the legal professions is a prerogative of those professions themselves yet it is desirable that in exercising that prerogative the professional societies take account of the process of preparation (formation) and that the examination regulations be so framed as to be fair to all groups of candidates.

Dalhousie Dean Dismisses Criticism of Law Schools

Prof. Sydney Smith, Now Lecturing At McGill, States Practice Necessary To Make Successful Lawyers

"I HAVE NO APOLOGY whatever to make for the law schools on the score that they are not turning out practical lawyers," Prof. Sidney Smith, dean of the Dalhousie Law School, said in an interview today. Professor Smith is delivering a series of lectures at McGill Law School, under an exchange plan. "We cannot give the law students their technique; only the offices can do that," he added.

Until about six years ago, Professor Smith greatly admired the "case system" used at Harvard Law School in the attempt to give the student technique. Since that time, he admits, he has come to be critical of the Harvard method.

The charge that the Canadian law schools do not turn out practical lawyers does not worry Dean Smith, since he feels that law school training is invaluable in the long run for the practical lawyer. "Give a man a liberal education," he said, "train him in international and constitutional law, and, though it may not tell at once, it will begin to tell inside five years. By that time he will have achieved a certain technique.

PARALLEL CASE

"Take the parallel case of the trade schools. We may teach a man how to light a blow-torch and how to apply a blow-torch to a pipe, but we ought to do more than that. We should teach him the principles, the why and wherefore, the reason it works. It is somewhat the same with regard to law."

Professor Smith says that the same sort of idle criticism of the law schools may be heard all across Canada. "I met more of it at Osgoode Hall than in the Maritimes," he declared.

Dr. Smith is a Maritimer by birth and a "Bluenose" at that, having been born at Inverness, Cape Breton.

MCGILL UNIVERSITY
MONTREAL

FACULTY OF LAW

December 22nd, 1931.

The Principal,
McGill University.

Re BAR CURRICULUM CHANGES

Dear Mr. Principal:-

Powers of
the General
Council.

Under the Bar Act of the Province of Quebec a candidate for admission to the Bar must study as clerk or student with a practising advocate during at least four consecutive and entire years. This period is reduced to three years for students attending a "regular course of law" in a university of this province and to one year for those who have previously successfully completed such a law course. The General Council may from time to time determine the subjects which shall be studied and the number of lectures upon each subject in universities

and colleges, which must be attended to constitute a regular law course availing only if the said curriculum shall have been effectually followed by the university and the candidate.

New Requirements.

In June last the General Council of the Bar approved a general revision of its by-laws and materially modified the curriculum of an approved law course. I am enclosing a table showing the old and new requirements, the McGill curriculum, and that of the University of Montreal.

Compared with old Requirements.

As compared with the previous Bar requirements the new by-laws provided for a reduction of the number of lectures in Roman Law of forty-three (43), an increase in Civil, Commercial and Maritime Law of one hundred and fifty-seven (157), in Civil Procedure of thirty-seven (37), and in Constitutional and Administrative Law of thirty-nine (39). The old regulations had provided for a course of thirty (30) lectures on Comparative Law to be introduced at a future date. This course, reduced to twenty (20) lectures, is made obligatory.

Apart from the increase in the number of lectures the new provisions are marked by a tendency to enter into detail. For example, the old regulations called for four hundred and thirteen (413) lectures in Civil, Commercial and Maritime Law. The new regulations covering substantially the same subjects call for a specified number of lectures in Civil Law, Legal History, Commercial and Maritime Law, and Statutory Law.

Compared with
McGill Curri-
culum.

Comparing the new requirements with the present McGill curriculum the following salient facts may be noted. In Civil Law our courses fall short of the requirements by approximately one hundred and fifty lectures (150), in Civil Procedure by fifteen (15) lectures, in Constitutional Law by ten (10) lectures, and in Municipal and School Law by twenty-five (25) lectures.

It should also be noted that additional courses will have to be given dealing with the Patent Act, the Railway Act, the Public Service Commission Act, the Bar Act and By-laws, and School Law. These courses are, of course, provided for in

the increased number of lectures above referred to.

The McGill curriculum provides for one hundred and twenty (120) lectures in Roman Law as against sixty (60) in the new regulations and for one hundred and twenty (120) lectures in Commercial Law as against one hundred (100) required by the regulations for Commercial, Maritime and Statute Law. Our courses do not touch upon the Patent Act, Railway Act and Public Service Commission Act, however.

It should be noted that the number of lectures prescribed constitute a minimum and it is hard to determine whether these figures deal with the number of lectures to be given or actually attended by each student, although I rather incline to the latter view. If this interpretation be adopted by the Bar it will of course be necessary to increase the figures by ten or twenty per cent to allow a little leeway.

At first sight, the increase in the number of lectures which would be required to meet the new Bar standard does not appear very great. The problem is complicated by the fact that the Bar

standard in certain subjects--Roman Law, Public International Law, Conflict of Laws and Commercial Law--is obviously much lower than ours and to maintain our standard in these subjects, while meeting the Bar requirements for lectures in other subjects, would mean giving about fifteen hours a week of class work. To us this seems excessive, to many hardly adequate. What is the explanation of this divergence of opinion ?

Reasons for Differences.

The answer lies partly in fundamental conceptions of education and partly in the history of legal education in this province. Originally aspirants to the legal profession acquired the necessary knowledge and experience in the office of a practitioner. Subsequently the universities, or perhaps more accurately members of the Bar working under University auspices, organised series of lectures to systematise and complete the knowledge acquired in practice. The term of indenture for students attending these courses was then reduced. The courses were rarely given, the lecturers meeting their students

when convenient to themselves, which apparently was not often. To meet this situation the Bar decreed that to obtain the benefit of the reduced indenture period the law course must consist of a specified number of lectures on different subjects and these lectures must in fact be delivered and attended. These lectures were, and for many years remained, a mere adjunct to office training. Gradually changing conditions in the offices led to a shift in the relative importance of office and university work. The old idea, however, of merely conveying information (probably justified when a student merely gave his spare time to his academic work) has remained. It is only at McGill that it is not accepted. Coupled with this is the fact that French-Canadian education emphasizes ex cathedra teaching and its uncritical acceptance by students to a far greater degree than is consonant with European ideas. This is not surprising when it is remembered how recently and how incompletely our own university has taken effective steps to eliminate the spoon-feeding of students, to encourage initiative and independent thinking, to consider lectures merely as one--and not

c o p y

December 22nd, 1931.

The Principal,
McGill University.

Re BAR CURRICULUM CHANGES--

Dear Mr. Principal:-

Powers of
the General
Council.

Under the Bar Act of the Province of Quebec a candidate for admission to the Bar must study as clerk or student with a practising advocate during at least four consecutive and entire years. This period is reduced to three years for students attending a "regular course of law" in a university of this province and to one year for those who have previously successfully completed such a law course. The General Council may from time to time determine the subjects which shall be studied and the number of lectures upon each subject in universities and colleges which must be attended to constitute a regular law course availing only if the said curriculum shall have been effectually followed by the university and the candidate.

New Requirements.

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Compared with old Requirements.

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Apart from the increase in the number of lectures the new provisions are marked by a tendency to enter into detail. For example, the old regulations called for four hundred and thirteen (413) lectures in Civil, Commercial and Maritime Law. The new regulations covering substantially the same subjects call for a specified number of lectures in

Civil Law, Legal History, Commercial and Maritime Law, and Statutory Law.

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McGill
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It should also be noted that additional courses will have to be given dealing with the Patent Act, the Railway Act, the Public Service Commission Act, the Bar Act and by-laws, and School Law. These courses are, of course, provided for in the increased number of lectures above referred to.

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It should be noted that the number of lectures prescribed constitutes a minimum and it is hard to determine whether these figures deal with the number of lectures to be given or actually attended by each student, although I rather incline to the latter view. If this interpretation be adopted by the Bar it will of course be necessary to increase the figures by ten or twenty per cent to allow a little leeway.

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or perhaps more accurately members of the Bar working under University auspices, organised series of lectures to systematize and complete the knowledge acquired in practice. The term of indenture for students attending these courses was then reduced. The courses were rarely given, the lecturers meeting their students when convenient to themselves which apparently was not often. To meet this situation the Bar decreed that to obtain the benefit of the reduced indenture period the law course must consist of a specified number of lectures on different subjects and these lectures must in fact be delivered and attended. These lectures were, and for many years remained, a mere adjunct to office training. Gradually changing conditions in the offices led to a shift in the relative importance of office and university work. The old idea, however, of merely conveying information (probably justified when a student merely gave his spare time to his academic work) has remained. It is only at McGill that it is not accepted. Coupled with this is the fact that French-Canadian education emphasizes ex cathedra teaching and its uncritical acceptance by students to a far greater degree than is consonant with European ideas. This is not surprising when it is remembered how recently and how incompletely our own university has taken effective steps to eliminate the spoon-feeding of students, to encourage initiative and independent thinking, to consider lectures merely

as one--and not the most important--aid to education, and to insist upon outside reading and the production of scholarly work as even more valuable.

Problem.

If then, the difference in the curriculum drawn by the Bar and ours is to be traced to fundamental differences in educational ideas it is clear that discussion of detail will lead nowhere. Very few members of the Bar have any idea of the nature and extent of the work done by our students and therefore our efforts should be aimed at familiarizing the Bar generally and the General Council in particular with what is going on at McGill. This may be done in various ways but undoubtedly the most effective is an ocular demonstration. We should therefore endeavour to have individual members of the General Council come to the Faculty, see our students working in the Library, examine their class essays and talk with them, as well as observe our final examinations.

In conclusion, may I emphasize the importance of immediate action (the suggested method of presenting our case being essentially slow working) if we are to obtain action in time to prevent the new regulations becoming effective on August 1, 1932.

Yours truly,

Acting Dean.

PRESENT BAR REQUIREMENTS

NEW BAR REQUIREMENTS (Coming into force Aug.1.1932.)

MCGILL CURRICULUM

CURRICULUM OF
UNIVERSITY OF MONTREAL

ROMAN LAW.....103	ROMAN LAW.....60	ROMAN LAW... ..120	ROMAN LAW.....110
CIVIL COMMERCIAL AND MARITIME LAW The course on these subjects must cover a period of at least three years. It comprises the history of French and Canadian law, explanatory remarks and comments on the Civil Code and on the statutes respecting commerce and shipping.	CIVIL LAW.....450 This course must cover a period of at least 36 months. It shall comprise explanatory remarks with comments on the Civil Code of the Province of Quebec. LEGAL HISTORY..... 20 This course shall comprise the history of French and Canadian law. COMMERCIAL AND MARITIME LAW..... 60 This course shall comprise explanatory remarks with comments on the laws relating to commerce and merchant shipping. STATUTORY LAW..... 40 This course shall comprise explanatory remarks with comments on the Bankruptcy Act, the Federal and Provincial Companies Act, Patent Act, the Railway Act and the Public Service Commission Act.	CIVIL COMMERCIAL AND MARITIME LAW. Civil Law (330) Persons & Property.....60 Obligations, etc.....60 Sale, Agency, etc.....60 Marriage Covenants, etc.....60 Legal History.....15 Gifts, Wills, etc.....30 Civil Law Review.....30 Private International Law.....15 Commercial and Maritime Law(120) Maritime Law.....30 Negotiable Instruments & Banking.....30 Insurance.....30 Company Law.....30 TOTAL..... 450	CIVIL COMMERCIAL & MARITIME LAW AND LEGAL HISTORY.
TOTAL..... 413	TOTAL..... 570	TOTAL..... 450	TOTAL.....653
CIVIL PROCEDURE. This course must extend over at least two years. It comprises explanatory remarks and comments on the Code of Civil Procedure, and of its Statutory Amendments, a study of the organisation of the Civil Court of this province and the history of the different judicial systems of the country, also the special modes of procedure provided by the Statutes and the by-laws in general, as well as the Bar Act, and the by-laws regarding the discipline of the Bar.	CIVIL PROCEDURE..... 130 This course must extend over a period of at least two years. It shall comprise explanatory remarks with comments on the Code of Civil Procedure and on the statutory amendments, modifying and completing it, a study of the organisation and jurisdiction of the civil courts of this province, including the Supreme Court of Canada, the Court of the Exchequer, also the special modes of procedure provided by the statutes or by the laws of general application. THE BAR ACT.....10 This course shall comprise an inquiry into the Bar Act and the by-laws of the Bar with explanatory remarks respecting the dignity and responsibility of the attorney.	CIVIL PROCEDURE.....105 EVIDENCE 15	CIVIL PROCEDURE
TOTAL..... 103	TOTAL..... 140	TOTAL..... 120	TOTAL.....107
PUBLIC AND PRIVATE INTERNATIONAL LAW 21	PUBLIC AND PRIVATE INTERNATIONAL LAW..... 20	PUBLIC INTERNATIONAL LAW..... 30 (Private Int. Law incl. in Civ.Com. & Mar. Law above)	
CRIMINAL LAW..... 69	CRIMINAL LAW..... 70	CRIMINAL LAW..... 90	CRIMINAL LAW.....100
CONSTITUTIONAL AND ADMINISTRATIVE LAW This course comprises an inquiry into the different constitutional enactments and public institutions of the country the powers and organisation, the procedure of the Federal Parliament and of the provincial legislatures, the laws of education and the municipal code.	CONSTITUTIONAL AND ADMINISTRATIVE LAW.....40 This course shall comprise an inquiry into the different constitutional enactments and public institutions of the country, the powers, organisation and procedure of the Federal Parliament and of the provincial legislature, and an outline of federal and provincial electoral laws. MUNICIPAL AND SCHOOL LAW.....40 This course shall comprise an inquiry into the laws respecting public instruction, the Municipal Code and the Cities and Towns Act.	CONSTITUTIONAL AND ADMINISTRATIVE LAW Constitutional Law.....30 Municipal Law.....15 TOTAL..... 45	CONSTITUTIONAL AND MUNICIPAL LAW
TOTAL..... 41	TOTAL..... 80	TOTAL..... 45	TOTAL.....270
COMPARATIVE LAW..... 30	COMPARATIVE LAW..... 20	COMPARATIVE LAW..... 15	COMPARATIVE LAW** 25 Political Econ... 25 Legislation..... 31
GRAND TOTAL.....780	GRAND TOTAL..... 960	GRAND TOTAL..... 870	GRAND TOTAL.....1321

Minutes of a meeting of the Faculty of Law
held in the office of the Dean on Tuesday, November
11th, 1930 at 5.15 p.m.

There were present:-

The Principal, the Dean, Professors
MacDougall, Surveyer, Howard,
Wainwright, LeMesurier, Tyndale and
Scott.

The reading of the minutes of the previous
meeting was dispensed with.

The Faculty approved the admission into second
year of Mr. A.E.Moll, a graduate in economics of the
University of Milan, who had completed three years
in the law course of that university.

The meeting then considered the proposed amend-
ments to the Bar Act submitted by the General Council
of the Bar, and the Dean reported the result of the
interview between the special committee of this Faculty
and a special committee of the General Council which
had met to discuss the matter. After considerable de-
bate the following resolution was moved by Professor
Tyndale and seconded by Professor Surveyer:

WHEREAS the General Council of the Bar of the
Province of Quebec has asked the opinion of
this Faculty as to the desirability of amending
the Bar Act so as 1) to require a university de-
gree as a prerequisite to admission to study law;
2) to increase the normal indenture period from
four to five years; 3) to increase the indenture
period of students attending offices and a univ-
ersity law course concurrently from three to four
years; 4) to defer the taking of the examination

Notes
14/11/30
AWB

for admission to practise law until the expiry of the candidate's clerkship.

BE IT THEREFORE RESOLVED THAT

- 1) this Faculty is in entire sympathy with the aim of the General Council of the Bar to raise the standards of the profession and in particular to improve the level of the general and legal education of candidates for admission to its ranks, and in consequence approves in principle the proposals a) to require a university degree from all candidates for admission to study; b) to increase the minimum time in which a student may be admitted to the Bar to four years to be divided between university and office training.

It should be remembered, however, that a candidate's attainments under whatever system he is trained are not to be judged by the length of his preparation whether measured in years or in hours spent in the classroom or in the office, but by the quality and quantity of the work done by him personally;

- 2) It is of the opinion that, in view of the preliminary training of students attending this Faculty, the course of legal study for such students which will give the most satisfactory division between the claims of university and practical office work is that for three years the student devote his full time to the university and for one year thereafter his full time to practical office training.

This system was adopted in principle by this Faculty in 1926 after much discussion, consented to by the Bar, and sanctioned by the Legislature of Quebec.

- 3) This Faculty agrees that admission to practice should by all means be deferred until the end of the fourth year, at which time a substantial oral examination should be held. It is of the opinion, however, that in the case of students attending a three-year full-time law course the

proper time for writing Bar examinations is at the end of the third year, in accordance with the existing state of the law, and in consequence disapproves of the proposed modification of this rule.

The resolution was passed unanimously, with the exception that Professor Howard dissented from paragraph two thereof.

The meeting then adjourned.

*Proposal for 4th
Year*

MCGILL UNIVERSITY
MONTREAL

FACULTY OF LAW

November 12th, 1930.

The Principal,
McGill University.

Dear Sir Arthur:-

I enclose a copy of
the resolution passed at yesterday's
meeting of this Faculty together with
the other papers which you wished me
to return to you.

Yours faithfully,

F.R. Scott.

~~F.R. Scott.~~
Secretary to the
Faculty.

To the Principal:

MEMORANDUM ON BAR PROPOSAL TO ADD A FOURTH YEAR TO
THE CURRICULUM OF LEGAL STUDIES.

The Quebec Bar Council has decided to recommend to the Quebec Legislature a bill providing

a) that all candidates for admission to the Bar must have a bachelor's degree from a Canadian or English university or a diploma of graduation from the Royal Military College;

b) that the period of indenture required of the student qualifying for practice by attendance at a university and concurrent office-work shall be four years instead of the present three;

c) that the period of indenture required of the student qualifying by office-attendance only shall be five years instead of the present four.

The intention appears to be to have the amendment come into effect in the autumn of 1932.

As the law now stands, the length and content of the university course approved for purposes of qualification for practice are determined by regulations which the Bar enacts in its discretion. The proposed amendment would leave it possible as yet for a student to qualify for the final Bar examination by taking a three-year law course at McGill, obtaining his degree there,

and then working in an office under indenture for one year. That was the optional arrangement which we obtained by an amendment to the Bar Act in 1925, as an alternative to three years' concurrent university and office attendance. The Bar, however, intends to place the final examination at the end of the fourth year, so that under our system there would be a gap of a year between the completion of a student's university course and his examination for admission to practice. Moreover, it now has, and will continue to have, power to change the content of the University course recognised as qualifying the student for that examination, and it may well increase the number of lectures required to a point where a fourth year will become practically inevitable, even if it does not directly enact that a four-year course shall be given.

The Universities of Laval and Montreal intend to use the proposed increase in time by adding a fourth year to their curricula. Their graduates would thus come fresh from the university to the Bar examination. These universities have expressed themselves ready to admit that three years at a full-time school would be academically equal to four years under their method of part-time instruction, but they have advanced the

view that our men would be under a grave handicap owing to the year's gap above mentioned and that the result would probably be a falling off in our attendance. In my opinion the reverse might easily be the case. Many aspirants to the legal profession, and those not perhaps of the most desirable type, might be attracted to a three-year course owing to the smaller expense involved and to the reduction by one year of the delay in getting into work downtown. These students would probably be quite willing to face the handicap of a year's lacuna between the university and Bar finals.

The representatives of the Bar who were good enough to come to my office on October thirtieth and explain the new proposal were perfectly frank in stating that the object of the amendment ~~was~~^{is} to curtail the number of undesirable persons entering the legal profession, or at least to make such persons less undesirable by imposing upon them another year of cultivation. I am sure that the whole Faculty would join me in full sympathy with the desire of the Bar to heighten the standards, prestige and tone of the profession. I believe, however, that the means which they propose to adopt are not likely to

achieve their purpose. A much more effective method would be that recommended in the first communication from this Faculty to the Bar when the whole matter came up in September.^① The Faculty at a meeting on September 19th, 1930, expressed the opinion that the best mode of procedure would be to make compulsory what is now an optional system, in other words to require students to spend three full years in a law school without office attendance, and one subsequent year in a law office. The French universities, however, quite rightly consider that their three-year part-time course would be insufficient if this plan were adopted. They declare themselves financially unable to establish the full-time professorships that would be necessary to carry on a system of instruction such as ours. They are not, of course, convinced of the necessity of our system, for they still firmly believe that the more lectures a man hears the better educated he becomes. Apparently they have not really considered the comparative merits of a mode of instruction which calls upon the student for strenuous work of a non-memory type, such as we require here. They have far the greater number of law students, and it is practically certain that they will establish four-year part-time courses.

Unless we are prepared to establish a four-year curriculum, which would involve very considerable added

^① A copy is annexed.

expense for new teachers, we are going to find ourselves in the somewhat invidious position of giving a law degree in three years whereas the other universities of the province require four. We might, of course, declare that our course will henceforth consist of four years, of which the final year must be spent in office work. We might even, during that fourth year, have our men attend a few lectures possibly of a recapitulatory type. Even this would involve adding to our teaching staff, if we are determined to maintain the character of this Faculty as a centre of legal research. All of us would probably be willing to take on an extra hour, but if the increase went beyond that we should have grave difficulty in keeping up our present mode of instruction and the research which I consider absolutely vital to the life of a law school. At present our teaching time is by no means all spent in the classroom. We require many essays, on the principle that there is no better way of teaching a man to think than to make him write on legal problems. We spend a great deal of time in student consultation, another fruitful and essential element in any plan of teaching law as a liberal education.

The Bar has informed us that it would probably require that time be allowed in the day for attendance at offices. We shall escape the effect of this if we are allowed to retain the mode of preparation consisting of three years university work plus one year in an office. If we were to set up a four-year curriculum on a plan similar to that contemplated by the French universities, we should be driven back to the position of a part-time school dealing with students whose attention would be divided between the university and the offices. We should have to contend again with all the evils which our reform of 1925-26 was designed to eliminate. It may be recalled that that change was made with the hearty approval of some of the most eminent practising lawyers in Montreal, who were convinced that the old system had made a farce of office attendance, and was seriously handicapping the University. Students had come to the office with insufficient preparation to be of any real use, they had consequently got little work of any instructional value, and had fallen into the habit of neglecting the office. At the University, on the other hand, they had used office attendance as a pretext for escaping any work beyond that of listening to lectures. There were, of course, exceptions, but common practice was as I have described. Rather than go back to that position, which was that of ^amere teaching subsidiary to the Bar Association, I feel bound to say in all seriousness that the

University would be better advised to abandon legal teaching. If the final result of the present Bar proposal is to require a uniform four-year course of the old type, with concurrent office attendance, then the University might well say to the Bar--"You are asking us to assume a task and a position which we do not consider compatible with the true purpose and spirit of a university. We cannot accept, even though our refusal would mean handing over legal instruction entirely to the French universities or any other agency which the Bar might employ."

Personally, I feel that the best course for the University to take if the Bill goes through is to maintain its three-year curriculum. Our students would then continue to receive their B.C.L. degrees at the end of three years, but they would have to work for a year in a law office before taking their Bar examination. If the Bar adds further lectures to the approved University course, we should try, if the increase were not too great, to absorb them in the present programme. If this would mean clogging the system with lectures, we might have to add a few to be taken while the student is attending the office. We should thus still have three years during which our curriculum could be based on full-time University work. The addition of a few lectures in a fourth year, if it should become necessary, might be treated as a mere accommodation enabling students to satisfy Bar requirements.

Respectfully submitted,

P. E. Coakley 5/11/30

C O P Y

September 22nd, 1930.

M. A. Jodoin,
General Secretary,
Quebec Bar Association,
5 St. James Street, East,
MONTREAL.

Dear M. Jodoin:-

At a meeting held on September 19th, the Faculty of Law requested me to forward to you its views on the proposal of the Bar Council to add a year to the curriculum of legal studies. They are as follows:

1. The Faculty believes that it would be inexpedient to add another year to the University study of law, being of the opinion that three years, when the course is based on the full-time principle, that is to say on the assumption that the student is devoting his entire working time to his University work, is quite sufficient. The three-year course of theoretical study is the standard in most countries. When a fourth year is added it is generally spent in office work. Given a good general preparation, the student can obtain in three years an adequate knowledge of legal principles and the broad lines of procedure. Anything beyond that ought to be recognized graduate work, which would attract and profit only the most able and interested law-students.

2. The addition of a fourth year at the University would mean an increase in expenditure on staff and equipment of at least 30%. This expenditure--if and when the Universities could undertake it--would, in the opinion of the Faculty, be incurred more profitably in the establishment of graduate courses for select students in legal philosophy, advanced civil law, research in legal history, and kindred subjects.

3. If a fourth year is to be added to the time required to prepare for admission to the Bar, the Faculty thinks that the best use to be made of it would be to render compulsory what is now an optional mode of preparation--namely to prohibit clerkship during the University course and require one year of serious full-time office-work after the student has taken his degree. If this plan

were adopted, it might involve postponing the Bar examination until the completion of clerkship and, possibly, some alteration in the nature of the examination, which might be made to turn on the more practical side of the student's training, depending upon the Universities to test and grade theoretical qualifications.

The Faculty desired me to add to the statement of these views an expression of our willingness to discuss with the Bar Council, at its convenience, any or all of the questions involved in the proposed change.

Yours faithfully,

Sgd. P.E. Corbett.

DEAN.

RESOLUTION PASSED AT A MEETING OF THE FACULTY OF
LAW, MCGILL UNIVERSITY, NOVEMBER 11th, 1930.
(COPY)

WHEREAS the General Council of the Bar of the
Province of Quebec has asked the opinion of
this Faculty as to the desirability of amend-
ing the Bar Act so as

1) to require a university degree as a
prerequisite to admission to study law;

2) to increase the normal indenture per-
iod from four to five years;

3) to increase the indenture period of
students attending offices and a university
law course concurrently from three to four
years;

4) to defer the taking of the examination
for admission to practise law until the expiry
of the candidate's clerkship.

BE IT THEREFORE RESOLVED THAT

1) this Faculty is in entire sympathy with

the aim of the General Council of the Bar to raise the standards of the profession and in particular to improve the level of the general and legal education of candidates for admission to its ranks, and in consequence approves in principle the proposals a) to require a university degree from all candidates for admission to study; b) to increase the minimum time in which a student may be admitted to the Bar to four years to be divided between university and office training.

It should be remembered, however, that a candidate's attainments under whatever system he is trained are not to be judged by the length of his preparation whether measured in years or in hours spent in the classroom or in the office, but by the quality and quantity of the work done

by him personally;

2) It is of the opinion that, in view of the preliminary training of students attending this Faculty, the course of legal study for such students which will give the most satisfactory division between the claims of university and practical office work is that for three years the student devote his full time to the university and for one year thereafter his full time to practical office training.

This system was adopted in principle by this Faculty in 1926 after much discussion, consented to by the Bar, and sanctioned by the Legislature of Quebec.

3) This Faculty agrees that admission to practice should by all means be deferred until the end of the fourth year, at which time a sub-

stantial oral examination should be held. It is of the opinion, however, that in the case of students attending a three-year full-time law course the proper time for writing Bar examinations is at the end of the third year, in accordance with the existing state of the law, and in consequence disapproves of the proposed modification of this rule.

Minutes of a meeting of the Faculty of Law held in the office of the Dean on Friday, September 19th, 1930 at 5.15 p.m.

There were present:

The Dean, Professors Surveyer,
Wainwright, LeMesurier and Scott.

The minutes of the two previous meetings were read and adopted.

The Dean presented a letter which he had received from the Secretary of the Provincial Bar Association proposing the addition of an extra year to the course of legal studies, and he asked the opinion of Faculty upon the suggestion. After some discussion the Dean was authorized to state to the Bar Association that the faculty was opposed to the addition of a fourth year to the university law course, and that it would prefer to see the present optional system of three full years at the university and one full year's indentureship, made compulsory. The Dean was further empowered to choose a small committee from the Faculty to discuss the matter with the Bar Association, if and when the occasion should arise.

The Dean then advised Faculty that Miss Adelaide Nutting, a sister of the late Charles Albert Nutting, a graduate of this Faculty, wished to contribute a sum of money to the McGill Law School in memory of her brother, for the purpose

of establishing some form of prize or scholarship. It was stated that the annual revenue derived from the scholarship fund would probably reach \$75.00, and discussion followed as to the best use that could be made of the fund. It was decided that the sum should be devoted to a prize to be given annually to the first or second year student submitting the best essay on a set topic of legal history. The Dean was requested to express to Miss Nutting the thanks of the Faculty for her generosity.

The meeting then adjourned.

McGILL UNIVERSITY
MONTREAL

FACULTY OF LAW

11 May, 1927.

Sir Arthur W. Currie,
Principal,
McGill University.

Dear Mr. Principal,-

The new curriculum for 1927-28 has already been determined under the new course for the first and second years. Owing, however, to the fact that third year students are under the old régime some re-adjustment in their courses will be necessary. The following draft was submitted to the Dean but was not dealt with prior to his illness. I therefore propose to bring it before Faculty at its next meeting.

Third Year

Civil Law	4 hours per week throughout the session.
Bankruptcy, etc.	2 hours per week in one term.
Conflict of Laws	1 hour, one term.

(Second Year courses which can be taken also by Third Year.)

Evidence	2 hours per week in one term.
Roman Law	1 hour per week in one term.
Negotiable Instr'ts	1 hour per week throughout the session.
Comparative Law	1 hour per week throughout the session.
Civil Procedure	2 hours per week throughout the session.

Sir Arthur W. Currie

(2)

Owing to the range of the courses in Civil Law and of the time available for Civil Procedure it seems unnecessary to provide review courses in these subjects.

As I will be out of town for some days I have asked Miss Gnaedinger to sign this letter for me.

Yours very truly,

C.S. LeMesurier
C.S. LeMesurier. *L.S.*



Acting Chief Justice's Chambers

May 25th, 1927.

PERSONAL.

SIR ARTHUR CURRIE,
PRINCIPAL,
MCGILL UNIVERSITY,
C I T Y.

My dear Sir Arthur Currie,-

I hope to attend the meeting of the Faculty of Law called for 4.45 p.m. today to re-consider First Year failures, but as I am tied up here with an election recount and cannot say when I shall be free, I am taking the liberty of expressing my views to you in this way.

There would appear to be something wrong either with our course or the mathematical system of marking. I am afraid we expect too much from boys who have had only six months' instruction in law. I have been studying law for forty-five years and do not pretend to have exhausted the subject.

Ten normal boys plucked out of a class of twenty-four is a very high percentage of failures, particularly when we consider that students matriculating in law are either B.A. graduates or have had two years in Arts.

I have no personal knowledge of their capacity to absorb instruction, but the supply of English law students is not sufficient to meet normal demands, and if we continue to discourage aspirants, I fear that in a short time none will apply.

I am in favour of suspending our arbitrary



Acting Chief Justice's Chambers

-2-

rules as to percentages and as to "sups", and revise the First Year list, endeavouring in this way to let a larger percentage pass.

Yours faithfully,

A large, elegant handwritten signature in cursive script, which appears to read "J. Martin". The signature is written in dark ink and is positioned above the typed name.

A.C.J.S.C.

XXII

WHEREAS many practitioners complain that the time spent in attendance at lectures and in studying for examinations so restricts the attendance of students in offices that the practical training there received is in most cases altogether inadequate.

AND WHEREAS this Faculty is of opinion that the time spent by students in office attendance seriously interferes with their university studies.

AND WHEREAS this Faculty is of opinion that it is desirable that the periods devoted to the systematic study of law and to practical office training be separated.

AND WHEREAS it is also of opinion that three years should be devoted exclusively to the systematic study of law and that the experience gained in one year's attendance in a law office during ordinary office hours after the completion of the university law course and the passing of all examinations would be more than the equivalent of the office training now received.

THAT: The Principal and Governors are requested to take the necessary steps to secure an amendment to the Acts governing the legal and notarial professions which will permit the admission to the said professions of students who have spent three years studying law in a university in the Province, have met all the requirements as to qualifications for admission to the said professions and have subsequently spent one year under indenture with a practicing advocate or notary, as the case may be.

WHEREAS:

Many practitioners complain that the time spent in attendance at lectures and in studying for examinations so restricts the attendance of students in offices that the practical training there received is in most cases altogether inadequate.

AND WHEREAS this Faculty is of opinion that the time spent by students in office attendance seriously interferes with their university studies,

AND WHEREAS this Faculty is of opinion that it is desirable that the periods devoted to the study of substantive law and to practical office training be separated,

AND WHEREAS it is also of opinion that three years should be devoted exclusively to the study of substantive law and that the experience gained in one year's attendance in a law office during ordinary office hours after the completion of the university law course and the passing of all examinations would be more than the equivalent of the office training now received.

THAT: The Principal and Governors are requested to take the necessary steps to secure an amendment to the Acts governing the legal and notarial professions which will permit the admission to the said professions of students who have spent three years studying law in a university in the Province, have met all the requirements as to qualifications for admission to the said professions and have subsequently spent the year under indenture with a practicing advocate or notary, as the ~~conditions~~ may be.

case

McGill University,

Faculty of Law,

Montreal, April 30th, 1925.

Dear Sir,

I am enclosing you a copy of a draft report in connection with the re-organization of the Law Faculty, also a draft curriculum.

You will receive further notice as to the date of the next meeting of the committee.

Yours truly,

C.S. LeMesurier.

McGill University,
Faculty of Law,
Montreal, April 30th, 1925.

The Principal,
McGill University,
Montreal.

Dear Mr. Principal,

We have carefully considered the situation created by the amendment to the Bar Act passed at the last session of the Legislature ~~in~~ which permits a student holding a recognized degree in law to be admitted to the Bar after one year of subsequent clerkship. In this connection we have also examined the majority and minority reports submitted by the special committee early in 1924, the report prepared by Professors MacDougall and MacKay, approved by the Faculty and accepted by Corporation as the basis of the re-organization of this Faculty, the resolution of the Faculty of 15th October, 1924, condemning the existing system of concurrent University and office attendance and asking that the law be amended so as to permit of a full time law course, followed by one year of practical office work, and, finally, the comments on the lecture system contained in your report for 1923 - 24.

Leaving aside for the moment any question of instructional method, we feel that the University is definitely committed to the policy of offering the best possible legal education based mainly on the study of the Roman and Civil systems and of devoting all its available resources to this purpose. The Faculty is also on record as being of opinion that three years should be devoted exclusively to the systematic study of law at the University. Your committee thoroughly approves these decisions and recommends that:

The Principal ----2.

The course of study is to be based on the assumption that the student is devoting his entire time to his University work and pressure is to be applied through the arrangement of lectures, etc., to prevent office attendance.

Up to the present the calls on the students' time have been such that it has been impossible to expect from them much reading or independent study, and in consequence the lecturers have been forced to adopt the method, justly criticized in your report for 1923-24, of attempting "to prepare a series of lectures upon a given subject, including in those lectures a complete summary of the knowledge which they think necessary to the student and they examine him as to his knowledge of the contents of their series of lectures."

Your report goes on to say:

"The method which makes study collateral to lectures seems to be exactly the reverse of that which should be followed. The primary object of a University training is education, not the passing of examinations. The only method of obtaining education, of becoming fitted to meet with and wrestle with the problems of life is for the student himself to meet with and wrestle with the problems of learning. Lectures should be co-ordinated with other study, instead of study being a more or less unimportant adjunct to lectures."

The soundness of these views appears to your committee to be beyond question and it believes that the elimination of concurrent office attendance makes their application to this Faculty not only possible but essential. It therefore recommends that:

The responsibility for acquiring information and for forming his own opinion must be placed on the student; the function of the teacher not being so much the furnishing of information and ready-made opinions concerning law as arousing interest, directing reading, assisting in the solution of difficulties, and training the mind in legal thinking, and in consequence the timetable should be arranged in such a way as best to secure adequate preparation for discussion in class and at the same time adequate discussion in class of the problems raised by private study.

The Principal ----3.

The adoption of this general conception of education will place much more work on the student, more particularly owing to the lack of convenient text-books in practically all subjects. In the opinion of your committee this very lack is by no means an entirely regrettable circumstance. The student, not being able to replace the unintelligent memorizing of lecture notes with the equally unintelligent memorizing of cram books, will have to turn to the sources of our law and will study for himself the processes of legal reasoning as exemplified in the works of the Roman juriconsults, of Pothier, of the modern French writers and in the decisions of our own courts. Add to this time for thinking, time and opportunity for discussion with the other students and with the staff, and every student will in his three years at McGill be able to lay the foundations of a good legal education.

While accepting and endorsing the above general principles of education, your committee realizes that the teacher must have a wide discretion in their application to his particular subject.

Before leaving this point we wish to add that we fully agree with you:

"that so far as concerns purely academic matters, the duty of the University to the undergraduate is not to fill his head with a mixed assortment of knowledge of various subjects, but to teach him how to work. For the young man who has not enough ambition to devote himself to making the most of such guidance, to working upon his own initiative in order to gain an education, there is no real place at a University. The University, on the other hand, is doing less than its duty if it fails to inspire such ambition in the minds of its students, and it should be our aim so to conduct our teaching that at least some of the men who come to McGill without any very definite idea, should, even during their first year, gain a conception of educational methods which will enable them to obtain the greatest benefit from their college course."

The Principal ----4.

The adoption of these recommendations as to teaching method will result in a substantial reduction of class hours per subject, with a corresponding reduction in the calls made by each class on the time of the staff and on class-room accommodation. Advantage should be taken of the time and accommodation thus saved to effect a separation of second and third year classes. This is desirable for a number of reasons. It will result for one thing in small groups of students who have reached the same state of developments, thus greatly facilitating profitable class-room discussion, and, for another, it will permit the adoption of a simple, logically arranged curriculum.

In this connection your committee ^{has prepared} ~~submits~~ a tentative curriculum ^{incorporating} ~~hereto annexed~~ to the following features ^{to} which it directs attention.

1. Greater attention to Roman Law as the basis of legal education.
2. The recognition that Civil Law and to a lesser extent Commercial Law should each be treated as one subject.
3. The handling of Civil Law in first and second years before Commercial Law is dealt with in third year.
4. The study of Civil Procedure in second and third years.
5. The introduction of a third year course on Comparative Law.
6. The discontinuance of the following courses:
 - (a) Jurisprudence, as being already covered by Roman Law, Civil and Comparative Law.
 - (b) Public Utilities, as being unnecessary.
 - (c) Notarial Law, as being of minor educational value.

A draft is hereto attached.

The question of adding courses in such subjects as Trademarks, Patents and Workmen's Compensation has been considered, but it is felt that until the new curriculum has been in force and there has been ample opportunity of seeing it in

The Principal ----5.

operation, no attempt should be made to add new courses in special subjects.

The re-arrangement of the curriculum will render necessary the preparation of lists of suggested readings in every course, on which the examinations will be based. This will involve careful study in order to ensure satisfactory courses and close co-operation to ensure proper proportion between them. We suggest that in addition to the regular sessional readings summer readings be prescribed as an integral part of the course.

Your committee feels that a re-consideration of our examination system is desirable. At present a student attends a number of lectures, reads a few cases or extracts from theoretical works and immediately passes an examination prepared by his lecturer. Naturally he is able to foresee the type of paper to be set and instead of studying his subject prepares for the specific examination paper he anticipates. This can be rendered more difficult if not entirely eliminated

1. if examinations are held at less frequent intervals;
2. if they are conducted by an examination ~~bx~~ board;
3. if every student is subjected to a thorough oral examination; and
4. if the final examination cover the whole or substantially the whole of the three years' work.

It is therefore recommended that:

1. Examinations be held -
 - (a) at the end of the first session covering the year's work.
 - (b) at the end of the second session covering the second year's work, and the final examination in Roman Law on the work of both years to be also held at this time.
 - (c) at the end of the course on the work of the three years except

The Principal ---- 6.

This will not only render cramming more difficult but will enable courses to be allotted on a basis of weeks instead of terms and will greatly simplify the task of allotting time to courses. It will also save two to three weeks in January which are now lost owing to cramming, to writing examinations and the inevitable re-action. The teacher remains, of course, quite free to test his students from time to time by test papers, quizzes, general discussion, or any way he sees fit.

2. That all candidates who successfully pass the written papers be subjected to a thorough oral examination.
3. That ultimately all papers be set and marked by an examination committee and until such time as this prove feasible the oral examination be conducted by an examination board.

The Principal --- 7.

In conclusion your committee wishes to point out that in submitting a draft ^{curriculum} it fully realizes that the draft is tentative and ~~would~~ ^{it} have to be modified from time to time in the light of experience.

There still remains a great deal of work to be done in working out the details of the suggested readings, and it will be necessary to take up with the General Council of the Bar the question of amending their regulations so as to recognize our course, even though we do not comply with their present regulations as to lecture requirements. We suggest in this connection that the Bar be requested to abolish all formal requirements as to the course and that in exchange we offer the Bar the privilege of supervising our examination papers and the standard exacted from students, and in addition representation on our examination board. While certain inconveniences may attach to this proposal, we feel that they are more than counterbalanced by the advantages gained. *The changes should take effect with the class entering the Faculty in the fall of 1926.*

The whole respectfully submitted,

FIRST YEAR.

ROMAN LAW.

The amount of work in Roman Law is greatly increased, the student being expected to devote about half his time to this subject.

3 hours -- session -- marks 800.

CIVIL LAW.

This will be handled as one subject and the course will include an introduction to the study of law, Persons and Property, its acquisition, including acquisitive prescription.

2 hours -- session -- marks 300.

CRIMINAL LAW
AND PROCEDURE

No change.

1 hour -- session -- marks 200.

CONSTITUTIONAL
LAW.

A first term course dealing with the constitution in its historical and political aspects.

1 hour -- 1st term -- marks 100.

EVIDENCE.

A second term course which should be a great help to students in understanding much of the work of the senior years.

1 hour -- 2nd term -- marks 100.

PUBLIC INTER-
NATIONAL LAW.

1 hour -- session -- marks 200.

SECOND YEAR.

CIVIL LAW.

(a) Obligations (excluding evidence)

3 ~~2~~ hours -- 1st term--

(b) Real & Personal Sureties, Special Contracts, Registration.

3 ~~2~~ hours -- 2nd term --

(c) Marriage Covenants, Gifts, Wills, Substitutions, Successions.

1 hour -- session -- marks 900.

CONSTITUTIONAL
LAW.

1 hour -- session -- marks 200.

LEGAL HISTORY.

1 hour -- 1st term - marks 100.

CONFLICT OF LAWS.

1 hour -- 1st term - marks 100.

CIVIL PROCEDURE.

1 hour -- 2nd term - marks 100.

MUNICIPAL LAW.

1 hour -- 2nd term - marks 100.

THIRD YEAR.

<u>COMMERCIAL LAW.</u>	(a) Corporations and Bankruptcy, etc., 1 hour -- session -- marks 200
	(b) General Introduction to Study of Commercial Law, Insurance. 1 hour -- session -- marks 200
	(c) Negotiable Instruments, Banking, Carriers (land) 1 hour -- session -- marks 200
	(d) Maritime Law 1 hour -- session -- marks 200
<u>CIVIL PROCEDURE.</u>	2 hours -- session -- marks 400
<u>COMPARATIVE LAW.</u>	1 hour -- session -- marks 300

NUMBER OF LECTURES.

<u>SUBJECT.</u>	<u>PROPOSED.</u>	<u>NOW.</u>	<u>REQUIRED BY BAR.</u>
Roman Law	120	135	103
Civil, Commercial and Maritime Law	330	630	413
Civil Procedure (including Evidence)	90	150	103
Public & Private International Law.	45	60	21
Criminal Law	30	75	69
Constitutional & Administrative Law	60	75	41
Comparative Law	30	--	30
	705	1125	780

November 3, 1926.

Son Grace Monseigneur Georges Gauthier,
Archbishop of Montreal,
Bishops' Palace.

Monsieur:-

With reference to our recent conversation concerning the policy of legal education now followed at McGill, I have pleasure in forwarding you a copy of the report of the Faculty of Law, upon the basis of which the change was made.

While the document is to a certain extent confidential, and should not be quoted in extenso, there is no objection to use being made of any part of it.

Yours faithfully,

Wilfrid Bovey.

June 12th, 1925.

The Principal,
McGill University,
Montreal.

Dear Mr. Principal,

We have carefully considered the situation created by the amendment to the Bar Act passed at the last session of the Legislature which permits a student holding a recognized degree in law to be admitted to the Bar after one year of subsequent clerkship. In this connection we have also examined the majority and minority reports submitted by the special committee early in 1924, the report prepared by Professors MacDougall and MacKay, approved by the Faculty and accepted by Corporation as the basis of the re-organization of this Faculty, the resolution of the Faculty of 15th October, 1924, condemning the existing system of concurrent University and office attendance and asking that the law be amended so as to permit of a full time law course, followed by one year of practical office work, and, finally, the comments on the lecture system contained in your report for 1923-24.

Leaving aside for the moment any question of instructional method, we feel that

The Principal ----- 2.

the University is definitely committed to the policy of offering the best possible legal education based mainly on the study of the Roman and Civil systems and of devoting all its available resources to this purpose. The Faculty is also on record as being of opinion that three years should be devoted exclusively to the systematic study of law at the University. Your committee thoroughly approves these decisions and recommends that:

The course of study and timetable be based on the assumption that the student is devoting his entire time to his University work.

Up to the present the calls on the students' time have been such that it has been impossible to expect from them much reading or independent study, and in consequence the lecturers have been forced to adopt the method, justly criticized in your report for 1923-24, of attempting "to prepare a series of lectures upon a given subject, including in those lectures a complete summary of the information which they think necessary to the student and of examining him as to his knowledge of the contents of their series of lectures."

Your report goes on to say:

"The method which makes study collateral to lectures seems to be exactly the reverse of that which should be followed. The primary object of a University training is education, not the passing of examinations. The only method of obtaining education, of becoming fitted to meet with and wrestle with the problems of life is for the student himself to meet with and wrestle with the problems of learning. Lectures should be co-ordinated

The Principal ----- 3.

"with other study, instead of study being a more or less unimportant adjunct to lectures."

The soundness of these views appears to your committee to be beyond question and it believes that the elimination of concurrent office attendance makes their application to this Faculty not only possible but essential. It therefore recommends that:

The responsibility for acquiring information and for forming his own opinions be placed on the student; the function of the teacher not being merely the furnishing of information and ready-made opinions concerning law but arousing interest, directing reading, assisting in the solution of difficulties, and training the mind in legal thinking, and in consequence that the timetable should be arranged in such a way as best to secure adequate preparation for discussion in class and at the same time adequate discussion in class of the problems raised by private study.

The adoption of this general conception of education will place much more work on the student, more particularly owing to the lack of convenient text-books in practically all subjects. In the opinion of your committee this very lack is by no means an entirely regrettable circumstance. The student, not being able to replace the unintelligent memorizing of ~~cram books~~ lecture notes, with the equally unintelligent memorizing of cram books, will have to turn to the sources of our law and will study for himself the processes of legal reasoning as exemplified in the works of the Roman juriconsults, of Pothier, of the modern

The Principal ----- 4.

French writers and in the decisions of our own courts. Add to this time for thinking, time and opportunity for discussion with the other students and with the staff, and every student will in his three years at McGill be able to lay the foundations of a good legal education.

While accepting and endorsing the above general principles of education, your committee realizes that the teacher must have a wide discretion in their application to his particular subject.

Before leaving this point we wish to add that we fully agree with you:

"that so far as concerns purely academic matters, the duty of the University to the undergraduate is not to fill his head with a mixed assortment of knowledge of various subjects, but to teach him how to work. For the young man who has not enough ambition to devote himself to making the most of such guidance, to working upon his own initiative in order to gain an education, there is no real place at a University. The University, on the other hand, is doing less than its duty if it fails to inspire such ambition in the minds of its students, and it should be our aim so to conduct our teaching that at least some of the men who come to McGill without any very definite idea, should, even during their first year, gain a conception of educational methods which will enable them to obtain the greatest benefit from their college course."

The adoption of these recommendations as to teaching method should result in a substantial reduction of class hours per subject, with a corresponding reduction in the ~~max~~ calls made by each class on the time of the staff and on class-room

The Principal ---- 5.

accommodation. Advantage should be taken of the time and accommodation thus saved to effect a separation of second and third year classes. This is desirable for a number of reasons. It will result for one thing in small groups of students who have reached the same stage of development, thus greatly facilitating profitable class-room discussion, and, for another, it will permit the adoption of a simple, logically arranged curriculum.

In this connection your committee has prepared a tentative curriculum incorporating the following features to which it directs attention.

1. Greater attention to Roman Law as the basis of legal education.
2. The recognition that Civil Law should, so far as possible, be treated as one subject.
3. The study of Civil Law in first and second years before Commercial Law is dealt with in third year.
4. The study of Civil Procedure in second and third years.
5. The introduction of a third year course on Comparative Law.
6. The discontinuance of the following courses:
 - (a) Jurisprudence, as being already covered by Roman, Civil and Comparative Law.
 - (b) Public Utilities.
 - (c) Notarial Law.

A draft is hereto attached as schedule "A".

In preparing this draft the requirements of the Bar as to the number of lectures to be given in each subject have been ignored and in consequence it is not possible to put the suggested curriculum into effect until the existing Bar By-laws have been amended. Your committee expresses no opinion as to whether it is feasible to obtain an amendment to the By-laws at the present time but thinks that steps should be taken quietly to ascertain whether the time is now ripe to approach the General Council for this purpose. Realizing that this may take some time, your committee submits an alternative curriculum, Schedule "B", adapting that contained in Schedule "A" to the existing Bar regulations. It recommends that this alternative curriculum (Schedule "B") be adopted until such time as the Bar regulations are modified. A table showing lectures now given, Bar requirements and those proposed to be given, is appended as Schedule "C".

The re-arrangement of the curriculum will render necessary the preparation of lists of suggested readings on which the examinations will be based. This will involve careful study in order to ensure satisfactory courses and close-co-operation to ensure proper proportion between them. We suggest that in addition to the regular sessional readings summer readings be prescribed as an integral part of the course.

Your committee feels that a re-consideration of our examination system is desirable. At present a student attends a number of lectures, reads a few cases or extracts from

theoretical works and immediately passes an examination prepared by his lecturer. Naturally he is able to foresee the type of paper to be set and instead of studying his subject prepares for the specific examination paper he anticipates. This can be rendered more difficult if not entirely eliminated -

1. if examinations are held at less frequent intervals;
2. if every student is subjected to a thorough oral examination, conducted by an examination board; and
3. if the final examination cover substantially the whole of the three years' work.

It is therefore recommended that:

1. Examinations be held -
 - (a) at the end of the first session covering the year's work.
 - (b) at the end of the second session covering the second year's work, the final examinations in Roman and Constitutional Law on the work of both years to be also held at this time.
 - (c) at the end of the course on the work of the three years except Roman Law, Constitutional Law and International Law.

This will not only render cramming more difficult but will enable courses to be allotted on a basis of weeks instead of terms and will greatly simplify the task of allotting time to courses. It will also save two to three weeks in January which are now lost owing to cramming, to writing examinations and the inevitable re-action. The teacher remains, of course, quite free to test his students from time to time by test

papers, quizzes, general discussion, or any way he sees fit.

2. That all candidates who successfully pass the written papers be subjected to a thorough oral examination by an examination board appointed by the Faculty.

In conclusion your committee wishes to point out that in submitting a draft curriculum it fully realizes that the draft is tentative and will have to be modified from time to time in the light of experience.

Much remains to be done in working out the details of the suggested readings in the various courses and in other matters, and it would in consequence be impracticable, even if desirable, to bring the changes recommended into effect with the class entering the Faculty next autumn (1925). There appears, however, to be no reason why the necessary work cannot be done in the course of next winter, and it is therefore recommended that the changes be put into effect with the class entering the University in the autumn of 1926.

The whole respectfully submitted.

This curriculum was adopted at a meeting of the Faculty held on
8th March, 1926.

FIRST YEAR.

ROMAN LAW: The amount of reading in this subject to be greatly increased, the student being expected to allot approximately half his time to this subject.
3 hours session.

CIVIL LAW: (a) Persons, Property, etc.
This course includes an introduction to the study of law, persons, property and its acquisition, including acquisitive prescription.
2 hours session.

(b) Obligations.
Including extinctive prescription but excluding evidence.
2 hours session.

CRIMINAL LAW & PROCEDURE: 2 hours session.

CONSTITUTIONAL LAW: A short course dealing with the constitution in its historical and political aspects.
1 hour - 1 term.

INTERNATIONAL LAW: 1 hour session.

CLASS HOURS PER WEEK.

1st term - 11
2nd term - 10

SECOND YEAR.

ROMAN LAW: 1 hour session

CIVIL LAW: (a) Special Contracts, Real and Personal Sureties, Registration.
This course to cover Planiol. Volume II., excluding Obligations.
2 hours session.

(b) Marriage Covenants, Gifts, Wills, Substitutions and Successions.
2 hours session.

<u>LEGAL HISTORY:</u>	1 hour - 1 term
<u>CONFLICT OF LAWS:</u>	1 hour - 1 term
<u>CIVIL PROCEDURE:</u>	1 hour session
<u>CONSTITUTIONAL LAW:</u>	1 hour - 1 term
<u>MUNICIPAL LAW:</u>	1 hour - 1 term
<u>COMMERCIAL LAW:</u>	
(a) Companies (b) Bankruptcy, etc. (in alternate years)	2 hours - 1 term

CLASS HOURS PER WEEK.

1st term - 9
2nd term - 9

THIRD YEAR.

<u>COMMERCIAL & MARITIME LAW:</u>	
(a) - 1. Companies) 2. Bankruptcy, etc.) (in alternate years)	2 hours - 1 term
(b) Introduction to the study of Commercial Law and Insurance	
(c) Negotiable Instruments, Banking & Carriers (Land)	1 hour session
(d) Maritime Law	1 hour session
<u>CIVIL LAW REVIEW:</u>	1 hour session
<u>COMPARATIVE LAW:</u>	1 hour session
<u>CIVIL PROCEDURE:</u>	2 hours session
<u>EVIDENCE:</u>	1 hour - 1 term
<u>CRIMINAL LAW & PROCEDURE:</u>	1 hour - 1 term

CLASS HOURS PER WEEK.

1st term - 9
2nd term - 9

McGill University,

Faculty of Law,

Montreal, June 2nd, 1925.

Dear Sir,

In connection with the draft curriculum which was forwarded to you yesterday, I would suggest the following changes in the draft report.

Page 4, strike out everything after number 6 "c", and substitute the following:-

"A draft is hereto attached as schedule "A".

"In preparing this draft the requirements of the Bar as to the number of lectures to be given in each subject have been ignored and in consequence it is not possible to put the suggested curriculum into effect until the existing Bar By-Laws have been amended. Your committee expresses no opinion as to whether it is feasible to obtain an amendment to the By-Laws at the present time but thinks that steps should be taken quietly to ascertain whether the time is now ripe to approach the General Council for this purpose. Realizing that this may take some time, your committee submits an alternative curriculum Schedule "B", adapting that contained in Schedule "A" to the existing Bar regulations. It recommends that this alternative curriculum (Schedule "B") be adopted until such time as the Bar regulations are modified. A table showing lectures now given, Bar requirements and those proposed to be given, is appended as Schedule "C".

Page 5, strike out balance of paragraph continued from previous page.

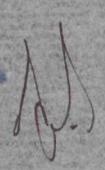
Page 7, strike out everything after first paragraph and substitute the following:-

"Much remains to be done in working out the details of the suggested readings in the various courses and in other matters, and it would in consequence be impracticable, even if desirable, to bring the changes recommended into effect with the class entering the Faculty next autumn (1925). There appears, however, to be no reason why the necessary work cannot be done in the course of next winter, and it is therefore recommended that the changes be put into effect with the class entering the University in the autumn of 1926.

"The whole respectfully submitted."

Yours truly,

C.S. Lescaurior.



Law Faculty,

McGill University,

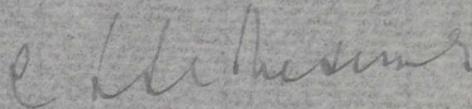
Montreal, June 1st, 1925.

Dear Sir,

You will find enclosed a draft curriculum based upon that approved at the last meeting of the committee, with such modifications as are necessary to comply with existing law requirements.

In the summary of lectures, "Proposed A" is the timetable which we are agreed is desirable. "B" represents that now submitted, to which are added examination hours and an allowance for moot Courts, making the totals that you see.

Yours truly,



G.S. Lefebvre.

FIRST YEAR.
CURRICULUM "B".

<u>ROMAN LAW:</u>	3 hours session
<u>CIVIL LAW:</u>	2 hours session
<u>CRIMINAL LAW & PROCEDURE:</u>	2 hours session
<u>CONSTITUTIONAL LAW:</u>	1 hour - 2nd term.
<u>INTERNATIONAL LAW:</u>	1 hour session

CLASS HOURS PER WEEK:

1st term - 8
2nd term - 9

SECOND YEAR.

<u>ROMAN LAW:</u>	1 hour session
<u>CIVIL LAW:</u>	
(a) Obligations:	3 hours - 12 weeks
(b) Contracts:	3 hours - 12 weeks
(c) Marriage Covenants, etc:	2 hours - 1st term
	1 hour - 2nd term
<u>LEGAL HISTORY:</u>	1 hour session
<u>COMPENDIUM OF LAWS:</u>	1 hour session
<u>CIVIL PROCEDURE:</u>	1 hour session
<u>CONSTITUTIONAL LAW:</u>	1 hour session
<u>MUNICIPAL LAW:</u>	1 hour - 2nd term.

CLASS HOURS PER WEEK:

1st term - 10
2nd term - 10

THIRD YEAR.

COMMERCIAL & MARITIME LAW:

(a) Corporations, etc.:	1 hour session
(b) Maxx Introd. & Insurance:	1 hour session
(c) Negotiable Instruments, etc.:	1 hour session
(d) Maritime Law:	1 hour session

CIVIL LAW REVIEW:

1 hour session

COMPARATIVE LAW:

1 hour session

CIVIL PROCEDURE:

2 hour session

EVIDENCE:

1 hour - 1st term.

CRIMINAL LAW & PROCEDURE:

1 hour - 2nd term

CLASS HOURS PER WEEK:

1st term - 8

2nd term - 8

<u>SUBJECT.</u>	<u>CRS.</u>	<u>PROPOSED.</u>		<u>SEAN. HOURS</u>	<u>HOOT COURSE HOURS.</u>	<u>TOTAL C.</u>	<u>BAR EXAMIN POINTS</u>
		<u>A.</u>	<u>B.</u>				
Roman Law	135	150	130	12		135	103
Civil, Comm. & Maritime	630	360	405	30	18	453	413
Civil Proc. (Incl. Evidence)	150	105	105	12	18	135	103
International Law	30	30	30	3		33	21
Criminal Law	75	45	75	6	6	87	69
Constitution- al Law <i>HC</i>	75	60	60	9	6	75	41
Comparative Law	--	30	30	3		33	30
	1125	750	825	75	48	948	780

Note: 1. Under examinations no credit is given for oral examinations.

g. Hoot Courts:

Sight courts are allowed for each year divided as follows:-

Civil, etc. - 3, Procedure, 3, Criminal, 1, Constitutional
1; Credit of two hours is given for each attendance.

McGILL UNIVERSITY
MONTREAL

FACULTY OF LAW
OFFICE OF THE DEAN

June 12th, 1925.

The Principal,
McGill University,
Montreal.

Dear Mr. Principal,

We have carefully considered the situation created by the amendment to the Bar Act passed at the last session of the Legislature which permits a student holding a recognized degree in law to be admitted to the Bar after one year of subsequent clerkship. In this connection we have also examined the majority and minority reports submitted by the special committee early in 1924, the report prepared by Professors MacDougall and MacKay, approved by the Faculty and accepted by Corporation as the basis of the re-organization of this Faculty, the resolution of the Faculty of 15th October, 1924, condemning the existing system of concurrent University and office attendance and asking that the law be amended so as to permit of a full time law course, followed by one year of practical office work, and, finally, the comments on the lecture system contained in your report for 1923-24.

Leaving aside for the moment any question of instructional method, we feel that

the University is definitely committed to the policy of offering the best possible legal education based mainly on the study of the Roman and Civil systems and of devoting all its available resources to this purpose. The Faculty is also on record as being of opinion that three years should be devoted exclusively to the systematic study of law at the University. Your committee thoroughly approves these decisions and recommends that:

The course of study and timetable be based on the assumption that the student is devoting his entire time to his University work.

Up to the present the calls on the students' time have been such that it has been impossible to expect from them much reading or independent study, and in consequence the lecturers have been forced to adopt the method, justly criticized in your report for 1923-24, of attempting "to prepare a series of lectures upon a given subject, including in those lectures a complete summary of the information which they think necessary to the student and of examining him as to his knowledge of the contents of their series of lectures." Your report goes on to say:

"The method which makes study collateral to lectures seems to be exactly the reverse of that which should be followed. The primary object of a University training is education, not the passing of examinations. The only method of obtaining education, of becoming fitted to meet with and wrestle with the problems of life is for the student

"himself to meet with and wrestle with the problems of learning. Lectures should be co-ordinated with other study, instead of study being a more or less unimportant adjunct to lectures."

The soundness of these views appears to your committee to be beyond question and it believes that the elimination of concurrent office attendance makes their application to this Faculty not only possible but essential. It therefore recommends that:

The responsibility for acquiring information and for forming his own opinions be placed on the student; the function of the teacher not being ~~so much~~ the furnishing of information and ready-made opinions concerning law ~~as~~ arousing interest, directing reading, assisting in the solution of difficulties, and training the mind in legal thinking, and in consequence the timetable should be arranged in such a way as best to secure adequate preparation for discussion in class and at the same time adequate discussion in class of the problems raised by private study.

The adoption of this general conception of education will place much more work on the student, more particularly owing to the lack of convenient text-books in practically all subjects. In the opinion of your committee this very lack is by no means an entirely regrettable circumstance. The student, not being able to replace the unintelligent memorizing of cram books, will have to turn to the sources of our law and will study for himself the processes of

$4 \frac{1}{4} = \frac{17}{4}$
 $6 \frac{7}{8} = \frac{55}{8}$
merely
but
that

legal reasoning as exemplified in the works of the Roman jurists, of Pothier, of the modern French writers and in the decisions of our own courts. Add to this time for thinking, time and opportunity for discussion with the other students and with the staff, and every student will in his three years at McGill be able to lay the foundations of a good legal education.

While accepting and endorsing the above general principles of education, your committee realizes that the teacher must have a wide discretion in their application to his particular subject.

Before leaving this point we wish to add that we fully agree with you:

"that so far as concerns purely academic matters, the duty of the University to the undergraduate is not to fill his head with a mixed assortment of knowledge of various subjects, but to teach him how to work. For the young man who has not enough ambition to devote himself to making the most of such guidance, to working upon his own initiative in order to gain an education, there is no real place at a University. The University, on the other hand, is doing less than its duty if it fails to inspire such ambition in the minds of its students, and it should be our aim so to conduct our teaching that at least some of the men who come to McGill without any very definite idea, should, even during their first year, gain a conception of educational methods which will enable them to obtain the greatest benefit from their college course."

The adoption of these recommendations as to teaching method should result in a substantial reduction of class hours per subject, with a corresponding reduction in the calls made by each class on the time of the staff and on class-room accommodation. Advantage should be taken of the time and accommodation thus saved to effect a separation of second and third year classes. This is desirable for a number of reasons. It will result for one thing in small groups of students who have reached the same stage of development, thus greatly facilitating profitable class-room discussion, and, for another, it will permit the adoption of a simple, logically arranged curriculum.

In this connection your committee has prepared a tentative curriculum incorporating the following features to which it directs attention.

1. Greater attention to Roman Law as the basis of legal education.
2. The recognition that Civil Law should, so far as possible, be treated as one subject.
3. The study of Civil Law in first and second years before Commercial Law is dealt with in third year.
4. The study of Civil Procedure in second and third years.
5. The introduction of a third year course on Comparative Law.

6. The discontinuance of the following courses:
- (a) Jurisprudence, as being already covered by Roman, Civil and Comparative Law.
 - (b) Public Utilities.
 - (c) Notarial Law.

A draft is hereto attached as schedule "A".

In preparing this draft the requirements of the Bar as to the number of lectures to be given in each subject have been ignored and in consequence it is not possible to put the suggested curriculum into effect until the existing Bar By-laws have been amended. Your committee expresses no opinion as to whether it is feasible to obtain an amendment to the By-laws at the present time but thinks that steps should be taken quietly to ascertain whether the time is now ripe to approach the General Council for this purpose. Realizing that this may take some time, your committee submits an alternative curriculum, Schedule "B", adapting that contained in Schedule "A" to the existing Bar regulations. It recommends that this alternative curriculum (Schedule "B") be adopted until such time as the Bar regulations are modified. A table showing lectures now given, Bar requirements and those proposed to be given, is appended as Schedule "C".

The re-arrangement of the curriculum will render necessary the preparation of lists of suggested readings on

which the examinations will be based. This will involve careful study in order to ensure satisfactory courses and close co-operation to ensure proper proportion between them. We suggest that in addition to the regular sessional readings summer readings be prescribed as an integral part of the course.

Your committee feels that a re-consideration of our examination system is desirable. At present a student attends a number of lectures, reads a few cases or extracts from theoretical works and immediately passes an examination prepared by his lecturer. Naturally he is able to foresee the type of paper to be set and instead of studying his subject prepares for the specific examination paper he anticipates. This can be rendered more difficult if not entirely eliminated -

1. if examinations are held at less frequent intervals;
2. if every student is subjected to a thorough oral examination, conducted by an examination board; and
3. if the final examination cover substantially the whole of the three years' work.

It is therefore recommended that:

1. Examinations be held -
 - (a) at the end of the first session covering the year's work.
 - (b) at the end of the second session covering the second year's work, the final examinations in

Roman and Constitutional Law on the work of both years to be also held at this time.

- (c) at the end of the course on the work of the three years except Roman Law, Constitutional Law and International Law.

This will not only render cramming more difficult but will enable courses to be allotted on a basis of weeks instead of terms and will greatly simplify the task of allotting time to courses. It will also save two to three weeks in January which are now lost owing to cramming, to writing examinations and the inevitable re-action. The teacher remains, of course, quite free to test his students from time to time by test papers, quizzes, general discussion, or any way he sees fit.

2. That all candidates who successfully pass the written papers be subjected to a thorough oral examination by an examination board appointed by the Faculty.

In conclusion your committee wishes to point out that in submitting a draft curriculum it fully realizes that the draft is tentative and will have to be modified from time to time in the light of experience.

Much remains to be done in working out the details of the suggested readings in the various courses and in

The Principal ---- 9.

other matters, and it would in consequence be impracticable, even if desirable, to bring the changes recommended into effect with the class entering the Faculty next autumn (1925). There appears, however, to be no reason why the necessary work cannot be done in the course of next winter, and it is therefore recommended that the changes be put into effect with the class entering the University in the autumn of 1926.

The whole respectfully submitted, ✓

A. J. Greenshield

J. F. L. Sweeney

Am. Wamoy

P. E. L. Sweeney

C. S. Sweeney

O. S. Tyndale

SCHEDULE A.

FIRST YEAR.

ROMAN LAW. The amount of work in Roman Law is greatly increased, the student being expected to devote about half his time to this subject.
3 hours -- session.

CIVIL LAW. This will be handled as one subject and the course will include an introduction to the study of law, Persons and Property, its acquisition, including acquisitive prescription.
2 hours -- session.

CRIMINAL LAW AND PROCEDURE. No change.
1 hour -- 1 term.
2 hours -- other term

CONSTITUTIONAL LAW. A first term course dealing with the constitution in its historical and political aspects.
1 hour -- 1 term.

PUBLIC INTERNATIONAL LAW. 1 hour -- session.

R. A. S. G.

SECOND YEAR.

<u>ROMAN LAW.</u>		1 hour	--	session.
<u>CIVIL LAW.</u>	(a)	Obligations (excluding Evidence)		
		3 hours	--	12 weeks.
	(b)	Real & Personal Sureties, Special Contracts, Registration.		
		3 hours	--	18 weeks.
	(c)	Marriage Covenants, Gifts, Wills, Substitutions, Successions.		
		1 hour	--	session.
<u>CONSTITUTIONAL LAW.</u>		1 hour	--	1 term.
<u>LEGAL HISTORY.</u>		1 hour	--	1 term.
<u>CONFLICT OF LAWS.</u>		1 hour	--	1 term.
<u>CIVIL PROCEDURE.</u>		1 hour	--	session.
<u>MUNICIPAL LAW.</u>		1 hour	--	1 term.

THIRD YEAR.

<u>COMMERCIAL LAW.</u>	(a)	Corporations and Bankruptcy, etc.		
		1 hour	--	session.
	(b)	General Introduction to study of Commercial Law, Insurance.		
		1 hour	--	session.
	(c)	Negotiable Instruments, Banking, Carriers (land).		
		1 hour	--	session.
	(d)	Maritime Law		
		1 hour	--	session.
<u>CIVIL PROCEDURE.</u>		2 hours	--	session.
<u>COMPARATIVE LAW.</u>		1 hour	--	session.
<u>EVIDENCE.</u>		1 hour	--	1 term.
<u>CIVIL CODE REVIEW.</u>		1 hour	--	session.

R.W.G.

Lemmesurier	210	174	
Smith	190	- 90	
Corbett	120 135	- 150	
Greenshields	45	30	
Martin	30	30	
Surveyor	90	90	
Howard	60	48	
Wainwright	15	15	
Macdonald	15	15	
Synodale	300	30	
Kinfret	27 ¹ / ₂	30	
Chipman	60	45	
Beullac	30	0	- civil law?
Bondfman	30	0	- notarial

SCHEDULE B.

FIRST YEAR.

<u>ROMAN LAW:</u>	3 hours session
<u>CIVIL LAW:</u>	2 hours session
<u>CRIMINAL LAW & PROCEDURE:</u>	2 hours session
<u>CONSTITUTIONAL LAW:</u>	1 hour - 1 term.
<u>INTERNATIONAL LAW:</u>	1 hour session.

CLASS HOURS PER WEEK.

1st term - 8
2nd term - 9

SECOND YEAR.

<u>ROMAN LAW:</u>	1 hour session
<u>CIVIL LAW:</u>	
(a) Obligations:	4 hours - 12 weeks
(b) Special Contracts, etc.	3 hours - 18 weeks
(c) Marriage Covenants, etc.	2 hours - 1st term 1 hour - 2nd term
<u>LEGAL HISTORY:</u>	1 hour - 1 term
<u>CONFLICT OF LAWS:</u>	1 hour - 1 term
<u>CIVIL PROCEDURE:</u>	1 hour session
<u>CONSTITUTIONAL LAW:</u>	1 hour - 1 term
<u>MUNICIPAL LAW:</u>	1 hour - 1 term.

CLASS HOURS PER WEEK:

1st term - 10
2nd term - 9

Early

THIRD YEAR.

COMMERCIAL & MARITIME LAW:

- | | |
|--------------------------------------|----------------|
| (a) Corporations, etc.; | 1 hour session |
| (b) Introd. & Insurance; | 1 hour session |
| (c) Negotiable Instruments,
etc.; | 1 hour session |
| (d) Maritime Law; | 1 hour session |

CIVIL LAW REVIEW:

1 hour session

COMPARATIVE LAW:

1 hour session

CIVIL PROCEDURE:

2 hour session

EVIDENCE:

1 hour - 1 term

CRIMINAL LAW & PROCEDURE:

1 hour - 1 term

CLASS HOURS PER WEEK:

1st term - 8
2nd term - 8

NOTE: It is suggested that fifteen to twenty lectures be added ~~added~~ in Civil, Commercial and Maritime Law because of Bar requirements.

Purely

SCHEDULE C.

NUMBER OF LECTURES.

<u>SUBJECT.</u>	<u>NOW.</u>	<u>PROPOSED.</u>		<u>EXAM.</u> <u>HOURS.</u>	<u>MOOT</u> <u>COURT</u> <u>HOURS.</u>	<u>TOTAL.</u> <u>B.</u>	<u>BAR RE-</u> <u>QUIRE-</u> <u>MENTS.</u>
		<u>A.</u>	<u>B.</u>				
Roman Law	135	120	120	12		132	103
Civil, Comm. & Maritime	630	360	387	30	18	435	413
Civil Proc. (incl. Evidence)	150	105	105	12	18	135	103
International Law.	30	30	30	3		33	21
Criminal Law	75	45	75	6	6	87	69
Constitutional Law, etc.	75	45	45	9	6	60	41
Comparative Law		30	30	3		33	30
	1125	735	792	75	48	915	780

Note: 1. Under examinations no credit is given for oral examinations.

2. Moot Courts: Eight courts are allowed for each year divided as follows:-

Civil, etc. - 3, Procedure, 3, Criminal, 1, Constitutional 1; Credit of two hours is given for each attendance.

R. G.



OFFICE OF THE PRIME MINISTER

PROVINCE OF QUEBEC

September
Sixteenth
1924.

Sir Arthur Currie, G.C.M.G., K.C.B.,
Principal, McGill University,
Montreal.

Dear Arthur,

I am in receipt of your letter of
the 15th instant enclosing a proposed amendment to
the Bar Act.

I must assure you that my colleagues
and myself will carefully consider your suggestions
when we will take up the work of the coming session.

Yours sincerely,

L. A. Taschereau

September 15th, 1924.

Hon. L. A. Taschereau,
Premier, Province of Quebec,
Quebec, Que.

My dear Mr. Prime Minister:-

I have been asked to bespeak your interest and favourable consideration of a proposal which will shortly be laid before you in your capacity as Attorney General of the Province as well as its Prime Minister.

I need not remind you that the statute enabling law students to enter the practice of law after three years requires a student to study regularly and without interruption during ordinary office hours and at the same time to follow a regular course of law in a University or college of this Province. A number of lawyers who are interested in the instruction of juniors have for some time past been giving very serious thought to the provision referred to and have come to the conclusion that not only is literal compliance quite impossible, owing to the length of present day office hours, but that the student is not receiving the best possible training at the University, is not obtaining the benefit from the office which he should obtain and is, as a matter of fact, of very little value to the office itself. It has been represented to me that the student would receive much more efficient teaching where he to be allowed to spend three complete years at the University and one complete year in an office. It is proposed by those who are putting forward the plan that an addition might be made to the Bar Act providing for this. A rough draft of such an addition has been given to me and I am appending a copy. I have been told that the plan has the

Hon. L.A. Taschereau

- 2 -

support of Mr. Eugene Lafleur, Mr. Robert Taschereau, Mr. Beaulieu, Hon. Athanase David, Dr. Francis McLennan, Mr. Gordon MacDougall, Mr. M.A. Phelan, and many other members of the Bar, as well as of the Deans of the Faculties of Law at McGill and the University of Montreal.

What I should like to say at present is that I am personally in concurrence with the proposal made. I cannot help feeling that our young lawyers would be all the better for three years of academic life and that their knowledge of legal principles would be far better with such a training. As matters stand at present I feel that the law student has not at his disposal sufficient time to obtain that fundamental training in legal principles and that thorough knowledge of the laws of our Province which he should have to qualify him either for a university degree or for practice.

Yours faithfully,

Principal.

January 21, 1925.

J.H. Dillon, Esq.,
180 St. James St.,
Montreal.

My dear Joe:-

We are putting forward a bill at the next session of the Legislature asking for certain changes in the provision regarding our Law Course. To state the matter in the briefest possible form, we want to leave the present act as it is, but insert an option providing that a student may take three full years at college and one year in an office.

The bill is being put forward by P. Bercovitch and has been approved of by the Council of the Bar and by Laval. Athanase David is strongly in favour of it, and Ferron and the Prime Minister are well disposed.

You would be doing us a favour if you would give this bill any support you can.

With kind regards and belated congratulations on your speech,

I am,

Yours faithfully,



CABINET DU BÂTONNIER GÉNÉRAL

Montreal, 24th December 1924

Sir Arthur W. Currie, G.C.M.G., K.C.B.,
Principal and Vice-Chancellor,
McGill University,
Montreal

Dear Sir Arthur Currie:

I am in receipt of your favour of the 23rd instant requesting me to obtain from the General Council of the Bar an expression of approval of the suggested legislation to amend the Bar Act.

I have to-day sent Mr. Victor Martineau, K. C., the Secretary of the Council, your letter and its enclosures with the request that a Meeting of the Council be called as soon as possible for a consideration of the matter.

As soon as a date for this Meeting has been fixed, I shall write you further and in the meantime, I remain,

Yours faithfully

John C. Cook
Bâtonnier General.

January 6th, 1925.

J. W. Cook, Esq.,
2 Place d'Armes,
Montreal.

Dear Mr. Cook:-

Thank you very much for your letter of January 5th advising me of the Special Meeting of the General Council of the Bar of the Province of Quebec on Thursday, the 8th instant.

I shall be very glad to be present at this meeting and have arranged with the Dean of the Faculty of Law for representatives of that Faculty to be present.

Yours faithfully,

Principal.



CABINET DU BÂTONNIER GÉNÉRAL

Montreal, 5th January 1925.

Sir Arthur W. Currie, G. C. M. G., K. C. B.,
Principal and Vice-Chancellor,
McGill University,
Montreal

Dear Sir Arthur Currie,

A Special Meeting of the General Council of the Bar of the Province of Quebec has been called for Thursday, the 8th instant. This Meeting will be held in the Room of the Council of the Bar of Montreal in the Court House at 10 A. M., when your letter of the 23rd ultimo and the suggested changes in the Bar Act Will be considered.

I would be glad if you would be present at this Meeting and also that any other representatives should be present and I would thank you to kindly notify those whom you think should attend.

Yours faithfully,

Batonnier General

Sept. 11th, 1924.

My dear Professor :-

Your letter of the 5th instant addressed to the Principal, was this day forwarded to me, with a request that I "would deal with the question raised in the attached letter from Professor Smith".

I now proceed to do so as fully as I can with the information at my disposal. I called at the College this morning, and would have very much preferred to have discussed this matter with you in person. However, I had not the good fortune to meet you.

It would have been of some assistance to me to know with more detail the nature of the "enquiries concerning the provision for common law teaching". I have already had the occasion to express the opinion, that the wording of the extract from the report presented to Corporation, and which you quote, is unfortunate. The same is true of the expression found in the "Announcement of the Faculty of Law", and which you quote and characterized as "the most explicit

2.

declaration of pure Provincialism that we have ever permitted ourselves to make".

If the teaching of Quebec law to future Quebec practitioners is pure Provincialism, I am ~~not~~ afraid, for some time at least, we shall have to rest under your charge. We are not teaching the Common law, in so far as it ^{not} is/in force in Quebec. We are teaching the law that is in force in Quebec, and if some part of the law so in force in Quebec happens to be the Common law, or similar to the Common law of another Province, or another country, then the student is taught, or presumed to be taught, the Common law of that other Province, or country, but not because it is the Common law of the other Province or country, but because it is the law in force in the Province of Quebec. Let this be well understood, I am afraid it is an instance of selecting an isolated passage, and giving it a sense or meaning which was not intended to have or bear.

I hope we have at least one member"of the fulltime Staff a recognized Specialist trained in English law competent to give instruction in some of the subjects common to both systems, and especially in comparative law".

3.

If such competent Specialist gives instruction in the law common to both systems , the student will receive instruction in the law in force in the Province of Quebec, and incidentally in the law in force in another country and under another system.

The author of the report - of whose identity I am ignorant, but who no doubt spoke with authority, was of opinion, that the recognized competent Specialist "would also be available to offer instruction in distinctively Common law subjects to such students as may from time to time desire". This is clearly a gratuity offered for some purpose to a student or students desiring additional instruction to that provided in our regular Curriculum.

If any particular student desires to avail himself of this offer, indicating the distinctive Common law subject or subjects upon which he wishes instruction, and if a Competent Specialist is available, it is more than probable that the expressed desire will be met. Let it be well understood, however, that such instruction will be in addition to, and not in replacement of the regular Curriculum

4.

of studies as laid down in our Law Faculty Announcement.

If you will submit to me the enquiries you have already received concerning Common law teaching, and if and when you receive any further such enquiries you will be good enough to refer the enquirer and the enquiry to me, I have no doubt satisfactory consideration and disposition will result.

It may be regrettable that no reference to "National aims" appears in the Announcement. It would be, however, in my opinion, useless to here enter into a discussion upon that subject.

I am in full accord with you, that everything that the University does, should be consistent with the "claims and traditions of McGill".

It may be you will require further guidance in replying to enquiries, but I think you will not hesitate to admit, that it is difficult to give useful guidance in absolute ignorance of the nature of the enquiries concerning which guidance is sought.



5.

With an expression of the greatest willingness
and desire to assist you in every possible way in this matter,
which seems to embarrass you,

I remain,

Yours sincerely,

Professor H. A. Smith,
Faculty of Law,
McGill University,
C i t y.

COPY.

September 5th, 1924.

The Principal,
McGill University,
Montreal.

Dear Mr. Principal:-

I am receiving some enquireies concerning the provision for common law teaching in this Faculty, and it is not easy to reply to them, since there appears to be a direct conflict between the policy of the University as declared in the report adopted by Corporation and the policy as expressed in the new Announcement of the Law Faculty. In the report presented to Corporation last April the following passage occurs:

"The members of the Faculty wish to add to this, however, that while recognising that this recommendation will render it unnecessary to have a professor devoting his whole time to Common Law teaching, they, nevertheless, deem it desirable that at least one member of the full-time staff should be a recognized specialist trained in English Law competent to give instruction in some of the subjects common to both systems and especially in comparative law, and who would also be available to offer instruction in distinctively common law subjects to such students as may from time to time desire it".

On the other hand the Announcement (p.10) unequivocally states that the Faculty only professes itself able to teach common law "in so far as it is in force in Quebec" which is the most explicit declaration of pure provincialism that we have ever permitted ourselves to make. It is furthermore significant that the references to national aims which formerly appeared have been - whether by accident or design I know not - omitted from the current issue.

It seems to me to be of considerable importance that the policy of the University in this matter should be defined in a manner consistent with the claims and traditions of McGill, and I am therefore venturing to ask for your guidance in replying to these inquiries.

July 8th, 1924.

O. S. Tyndale, Esq.,
Dominion Express Building,
Montreal.

Dear Mr. Tyndale:-

Thank you very much for your
courtesy in sending me the result of the recent
Bar Examinations.

I am very glad indeed as it
would seem to indicate that our classes are getting
along better than before.

Yours faithfully,

Principal.

Brown, Montgomery & McMichael
Advocates, Barristers &c.

ALBERT J. BROWN, K.C.
ROBERT C. McMICHAEL, K.C.
FRANK B. COMMON
LINTON H. BALLANTYNE
F. CURZON DOBELL

GEORGE H. MONTGOMERY, K.C.
WARWICK F. CHIPMAN, K.C.
ORVILLE S. TYNDALE
ELDRIDGE CATE
C. RUSSELL MCKENZIE

Cable Address "Jonhall"

Dominion Express Building

Montreal

7th July, 1924.

Sir Arthur Currie, G.C.M.G., K.C.B.,
McGill University, MONTREAL.

Dear Sir Arthur, -

re Bar Examinations

I send you herewith copy of my formal
report to the Dean of the Faculty, as representa-
tive of the University on the Board of Examiners,
of the examinations held at Quebec last week.

Yours respectfully,

O. S. Tyndale

enc.

*Thanks p 9 p. 2
- 2 - 1 - V. 21
- 6 - 1, 3, 7*

7th July, 1924.

Dean of the Faculty of Law,

McGill University, MONTREAL.

Dear Sir,-

re Bar Examinations

I beg to report that at the examinations held last week in Quebec for admission to practise law, the following graduates of McGill University presented themselves:-

H. Batshaw,
L. Charbonneau,
I. Charness,
F.B. Chauvin,
F.T. Collins,
F.R. Hannen,
Mr Macdonald,
L. Sperber,
Andre Seguin.

All of them were admitted with the exception of Seguin, who, I understand, graduated some years ago. I am pleased to say that the papers of the successful candidates from our Faculty were very satisfactory.

Yours faithfully,

Representative of McGill
University on the Board
of Examiners.

McGILL UNIVERSITY
MONTREAL

FACULTY OF LAW
~~OFFICE OF THE DEAN~~

746 UNIVERSITY STREET
TELEPHONE: UPTOWN 5920

May 23rd., 1924.

Sir Arthur Currie, G.C.M.G.,
Principal, McGill ~~University~~ University,
Montreal.

PERSONAL

Dear Sir:-

May I correct one statement made in my letter of this morning? I find on examining my bank book that my salary of \$3500.00 was first paid in the month of October, that is, my engagement began on the first of September. I must leave entirely in your hands to decide whether, in view of the special circumstances, I am entitled to any extra salary.

Yours faithfully,

Harold A. Rose
Finance

Governess

McGILL UNIVERSITY
MONTREAL

FACULTY OF LAW
OFFICE OF THE DEAN

May 23rd, 1924

PERSONAL

Sir: Arthur Currie, G.C.M.G., K.C.B.,
Principal and Vice-Chancellor,
McGill University,

Dear Sir:-

I am in receipt of your letter of the 21st. instant. May I venture to remind you that my increase of salary began on the first of October, and that consequently my year's engagement finished on the thirty-first of September? When one is forced to begin all over again, at a time when business is exceedingly dull, and good openings few, a month's salary is not a small matter.

As soon as I can make arrangements, I shall vacate ~~the~~ ^{my} present office, so that it will be available for my successor.

May I say also in closing that I leave my work at McGill with no sense of defeat or failure in my mind. During the four years that I have served the institution I have the satisfaction of knowing that I never entered a class-room poorly prepared, nor left it without feeling that I had done my utmost to pass on to those who listened to me the very best knowledge and skill in law that I possessed. The relations which I have formed with my students and with the majority of the members of the teaching staff of the Faculty will always remain with me as an asset that will endure far longer than any material

gains which I have received.. To say, then, that I leave my work without the most sincere regret would be quite false. I have enjoyed teaching,, I have enjoyed far more studying, and I have enjoyed the companionships I have formed. Before me lie hard work, and, I hope, ultimate success; but the four years I have passed as a teacher will always be mine to look back upon with pleasure..

I am very grateful for your words of thanks and good wishes. I hope that the latter will be more than fulfilled.

Yours faithfully,

Harold A. Rose
H.A.R.

Brown, Montgomery & McMichael
Advocates, Barristers &c.

ALBERT J. BROWN, K.C.
ROBERT C. McMICHAEL, K.C.
FRANK B. COMMON
LINTON H. BALLANTYNE
F. CURZON DOBELL

GEORGE H. MONTGOMERY, K.C.
WARWICK F. CHIPMAN, K.C.
ORVILLE S. TYNDALE
ELDRIDGE CATE
C. RUSSELL MCKENZIE

Cable Address "Jonhall"

Dominion Express Building

Montreal 29th March, 1924.

Sir Arthur Currie, G.C.M.G., K.C.B., L.L.D.,
Principal,
McGill University,
M O N T R E A L.

Dear Sir Arthur,-

I beg to acknowledge, with thanks, your
letter of March 28th.

Yours faithfully,

W. J. Chipman

McGILL UNIVERSITY
MONTREAL

FACULTY OF LAW

March 22nd, 1924.

Wilfrid Bovey, Esq.,
Principal's Office,
McGill University.

Dear Mr. Bovey,

I have your note of 21st March,
and am advising the students of the date
of the examination in question.

Yours truly,

C. H. B. Smith



The Judges' Chambers

Montreal, March 19th 1924.

Sir Arthur Currie, G.C.M.G., K.C.B.,
Principal McGill University,
Montreal.

Dear Sir Arthur:-

Re: Calendar.

Mr. LeMesurier and I expect
to be able to give you the draft calendar for
1924-25 this week.

Yours faithfully,

B. G. LeMesurier

March 21st 1924.

Professor C. S. Lemesurier,
Faculty of Law,
McGill University.

Dear Professor Lemesurier,

Will you please note that
Mr. Justice Surveyer will give his examination on the
25th of April from 2 to 5 p.m.

He has undertaken that if he
receives the papers on that night we will have them back
at the commencement of the following week.

Yours faithfully,

Wilfrid Bovey.



The Judges' Chambers

Montreal, March 19th 1924.

Sir Arthur Currie, G.C.M.G., K.C.B.,
Principal McGill University,
Montreal.

Dear Sir Arthur:-

I note by the calendar that the last day for lectures in the Law Faculty is April 30th and that examination will begin on May 5th.

I intend to sail from New York for France and England on May the 6th and to leave for New York a few days earlier, perhaps as early as May the 1st. Would it be possible to advance the date of my examination that I may read my papers and send my result before sailing? If so, I shall be much obliged.

I am sorry to disturb you about such matter, but Professor Smith tells me



The Judges' Chambers

Sir Arthur Currie.2.

you are the only one having jurisdiction
in the premises.

Believe me, dear Sir Arthur,

Yours faithfully,

John S. Currie

Secretary to the Principal,
Wilfrid Bovey.

March 21st 1924.

Mr. Justice E. Fabre Surveyer,
The Judges' Chambers,
Court House,
Montreal.

Dear Mr. Justice Surveyer,

With reference to your
letter of the 19th of March, it will be satisfactory
for you to give this examination on April 25th, between
2 and 5 p.m.

Yours faithfully,

Wilfrid Bovey.

March 21st, 1924.

Eugene Lafleur, Esq.,
107 St. James Street,
Montreal.

Dear Mr. Lafleur:-

I am forwarding you herewith
a copy of the resolution of the Faculty of Law,
which was passed following upon your report.
This is now being submitted to Corporation.

Yours faithfully,

Wilfrid Bovey.