


# THE CANADIAN BAR REVIEW

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THE CANADIAN BAR REVIEW is the organ of the Canadian Bar Association, and it is felt that its pages should be open to free and fair discussion of all matters of interest to the legal profession in Canada. The Editorial Board, however, wishes it to be understood that opinions expressed in signed articles are those of the individual writers only, and that the REVIEW does not assume any responsibility for them.

 Articles and notes of cases must be typed before being sent to the Editor, Cecil A. Wright, Osgoode Hall Law School, Osgoode Hall, Toronto 2, Ontario.

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The Twenty-sixth Annual Meeting of the Canadian Bar Association will be held in the City of Winnipeg, at the Royal Alexandra Hotel, on the 25th, 26th and 27th days of August, 1943.

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## THE CANADIAN BAR ASSOCIATION

CALGARY BAR ASSOCIATION DINNER. — The Calgary Bar Association has recently been highly favoured in the presence and addresses of the President and the Vice-President of the Canadian Bar Association at a complimentary dinner given by the Calgary Bar at the Palliser Hotel, Calgary, on the evening of Monday, April 19th. The dinner was very largely attended both by members of the Calgary Bar and also by members of the Bar of the whole of Southern Alberta from Red Deer to the international boundary. Mr. G. W. Skene, K.C., President of the Calgary Bar Association, presided.

The Honourable Mr. Justice McLaurin of the Trial Division of the Supreme Court of Alberta, Vice-President for Alberta of the Canadian Bar Association, introduced the guest speakers and gave the key-note of the addresses of the evening when he said that lawyers have something important to do and that the Bar is missing a great opportunity.

The President, Mr. G. H. Aikins, K.C., of Winnipeg, covered a very wide field in the course of his address. He traced the work of the Canadian Bar Association since its founding by his distinguished father, the late Sir James Aikins. He spoke of the need for cooperation between the Canadian Bar Association

and the local bar associations and the coordination of their work as a whole and he referred also to the close contact maintained with the American Bar Association.

He said that lawyers should be a vital part of the social body in close cooperation with society. He made some reference to the CANADIAN BAR REVIEW of which he said every member should be proud but nevertheless there had been some comments made that the REVIEW was rather too academic and should move closer to the actual work of the profession and come into vital contact with present day problems and the problems of reconstruction.

Following the President's address there were three brief addresses by members of the Calgary Bar on two topics. The first speaker, Mr. J. J. Saucier, dealt with the matter of lawyers' accounts. He said that having in view the method of rendering accounts by other professions, lawyers' accounts were archaic. He suggested that our ancient methods be modernized and streamlined.

The two other speakers, Mr. H. W. Riley and Mr. J. V. H. Milvain, dealt with the CANADIAN BAR REVIEW, to the excellence of which they paid full tribute, but by way of friendly and constructive criticism they said that they thought it should be more useful and helpful to the profession. As the official organ of the Canadian Bar Association it should contain more items of interest to the Canadian Bar as a whole, should have a distinctly social viewpoint, attack social problems and contain leading articles that have to do largely with social problems.

Many articles they felt were much too long and dealt too exclusively with abstract principles which failed to touch the every-day life of a practitioner. There should be more discussions of cases that concern Canadian and provincial statutes and there should be helpful reviews each year of new Dominion and provincial legislation. Finally there should be some admixture of humour.

These addresses were followed by an inspiring address by the other guest speaker, the Honourable R. L. Maitland, K.C., of Victoria, B.C. He opened with an appreciation of the kindly spirit in which the CANADIAN BAR REVIEW had been criticized by the previous speakers and said that these criticisms would receive serious consideration.

In the course of his address he said that in England the public have a lively realization of what their Bar is doing and that in the United States the American Bar Association is so

influential that every meeting of that Association is published throughout the United States because of the leadership given by that Association.

The voices of injustice have been growing louder and therefore the voice of justice must rise still higher and louder. The Bar has been a highway that has followed down the ages. The Canadian Bar Association is a fraternity from one end of Canada to the other and, with so much power for good, it must be a mighty voice that future generations will look back to and see recorded the leadership it gave upon the problems of the national life.

The meeting ended with brief words of appreciation by Mr. A. L. Smith, K.C., who, after some humorous remarks, closed with an eloquent tribute to the work of the two guest speakers on behalf of the Canadian Bar.

H. E. CROWLE.

Calgary.

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THE CANADIAN BAR REVIEW.—As the report of the Calgary Meeting, reproduced above, contains certain references of a critical nature concerning this REVIEW, we may be forgiven for making some reference thereto.

In the first place, we are delighted to hear criticism, since it indicates that the BAR REVIEW is at least looked at in Canada by some persons, a matter on which from time to time we have entertained doubts. These doubts were based on two grounds; first, the fact that criticisms or suggestions for improvement practically never reach the Editor from Canadian readers, and secondly, the complete lack of co-operation of the Canadian profession in supplying material for reproduction in the REVIEW. We, ourselves, are far from happy at times about some of the material which we have published. On the other hand, considering the fact that all contributions are purely voluntary and, indeed, involve the contributors in expenditure of time and money, we believe that the record of THE CANADIAN BAR REVIEW is one activity of the Canadian Bar Association on which the profession in Canada can look with some considerable pride. There can be little doubt that the existence of THE CANADIAN BAR REVIEW has been rendered possible only by the co-operation, in the main, of professional teachers of law. With the heavy burden imposed on most law teachers in Canada, and in view of the fact that the number of persons engaged in the teaching

profession is extremely limited and is dwindling during the war years, we do not think it is an editorial secret to say that the *BAR REVIEW* has, for the past two years, been living from hand to mouth. We may be forgiven, therefore, for suggesting that the most constructive type of criticism would lie in manuscripts received for publication rather than in speeches. We ourselves have pleaded for contributions for the *REVIEW* at every Council Meeting of the Association we have attended since taking over the editorship of the *REVIEW*. Such pleas, to date, have produced no results.

It should be borne in mind that *THE CANADIAN BAR REVIEW* has readers not only in each of the nine provinces of Canada but in many other countries as well. There are already in existence, particularly in the Western provinces and Ontario, a number of journals which, similar to their counterparts in England, are devoted to activities of individuals and news items of local concern. It has been the belief of the present Editor that Canada should, by now, be in a position to support a legal periodical devoted in the main to legal thought, something after the style of the *English Law Quarterly Review*, the *South African Law Journal* and some of the better legal periodicals in the United States. Any criticisms which we have heard concerning the *REVIEW* would indicate that this view of the Editor is not one that is entirely acceptable. We can only hope that at the forthcoming Meeting of the Association in Winnipeg some serious consideration is given to this question of policy. In considering that question, it might be well to bear in mind that with a country as small as Canada the publication of legal treatises is prohibitive in price and practically impossible from the standpoint of monetary return to the writer. Bearing that in mind, much of the material which has appeared in the *REVIEW* has been of a nature calculated to assist in keeping the reader in touch with developments of legal thought in all common law countries. The Editor has evidence that this object has been understood in countries other than Canada. Whether it is so understood in Canada or whether such a service is desired in this country is, apparently, open to question.