

ADDRESS BY MR. L. A. CANNON, K.C., BATONNIER OF THE  
QUEBEC BAR, TO THE BAR OF PARIS.

Mr. Justice Martin, acting Chief Justice and Vice-President of the Canadian Bar Association, on my arrival in Paris, kindly asked me to undertake the agreeable, although heavy task, of answering, on behalf of the Canadian Bar, to your kind welcome.

I am sure that you will easily forgive me for addressing you in the French language, even after a stay of eight days in London where I used and perhaps abused the lavish British hospitality.

I have the honour of being the Batonnier of the Bar of Quebec, and, as you all know, Quebec is a French city; it is the capital of a Province that is essentially French, whose motto is well known at least to all the Frenchmen who have done us the honor and the pleasure of a visit. This motto "*Je me souviens*" (I remember) is one that I am proud to proclaim here to-day.

I regret that a voice more eloquent than mine, that of the Hon. Ernest Lapointe, Minister of Justice for the Dominion, or that of the Hon. Alexandre Taschereau, Prime Minister and Attorney-General of the Province of Quebec, is not raised to-day to convey our sentiments to you. Both of these gentlemen, belonging to the Bar of the district of Quebec, unable to undertake this trip to Paris, asked me, as Batonnier of their section, to express their regrets and their cordial friendship for the Paris Bar and the great country of which you are one of the most genuine glories.

We have but lately, Mr. Batonnier, received the visit of distinguished delegates from your Bar to our Association, and you have been good enough to forward to your brethren of Quebec, through my medium, copies of the minutes of the conference of advocates, and also the admirable opening speeches made by yourself and your immediate predecessors. Allow me to express again in public how much this act of yours was appreciated by the lawyers of the Quebec Bar, and myself.

The ties that bind us were made more intimate in 1910 when the Batonnier of the Montreal Bar our eminent colleague, the late Mr. Bisailon, came to Paris to represent us at the celebration of the centenary of the re-establishment of the French Bar under Napoleon I. This brings us to compare the vicissitudes of our order in France and in Canada.

Here the Revolution thought fit to abolish the order of barristers, which had shone with all its glory and rendered great services under the Kings. By a strange irony of fate, it was the great Emperor who had perhaps learned to appreciate the order of barristers better by attending the deliberations of the authors of the Napoleonic Code, who gave you leave to resume the part that you have played so nobly for more than a century.

In our country, the Revolution would not have abolished the Bar, even if Canada had been French in 1789, for the good and sufficient reason that the Kings of France had thought it better to have in Canada none but the agents that were essential to the maintenance of their sovereign authority.

In 1678, in the preamble of the minutes of the Sovereign Council of Quebec regarding the enforcement in the colony of the ordinance of 1667 on procedure, some not very amiable statements about judges, bailiffs and lawyers are to be found.

“Considering the poverty of the inhabitants of this country, the incompetency of the bailiffs, and so as to avoid the costs that would have to be paid in many cases on account of the ignorance of the inhabitants who undertake law-suits often without due consideration and without being able to secure advice, as there are neither lawyers, nor solicitors, nor practitioners in the country, and as it is even to the advantage of the colony not to have any . . .” and elsewhere the same minutes declare: “The admission of lawyers to the colony would be greatly detrimental.”

By an edict of June, 1679, dated from St. Germain en Laye, registered at Quebec on October the 25th, Louis XIV, the great king, whom Louis Bertrand has revealed to many of us, approved without any restriction, “by his certain science, full power and royal authority,” the minutes of his Council of Quebec and made them law. This is how through this august sanction, lawyers were forbidden to exercise their profession in the limits of New France.

It would be too long to tell you how, by a remarkable change of circumstances, lawyers were officially recognised by a victorious enemy, as early as 1760, at the time of the establishment of Military Courts after the capture of Quebec.

But, if we had no lawyers before the conquest, we had nevertheless the “Custom of Paris” which ruled us and was kept to us by the Treaty of 1763 and especially by the Quebec act of 1774, passed by the English Parliament; the lawyers of Quebec, even those of English origin, became firm admirers and zealous supporters of your French Civil Laws, and to-day the Canadian Bar Association, composed of

practitioners from every province of the Dominion, recognises that French Civil Law, the basis of the judicial system of the Mother-Province, Quebec, must be respected and protected from any effort to make the laws of Canada uniform; that is the guarantee of the good feeling that assures to this Bar Association the co-operation of the eminent members of the Bench and Bar of Quebec who are your guests to-day.

These French laws, these customs and ordinances are dear to us because they provided us with an admirable defensive weapon by which we were enabled to stand in America as advanced sentinel of latin and French influence. We are three million who practice the religion, speak the language, and obey, even after the separation the civil laws of France. As Louis Hémon makes his heroine Maria Chapdelaine say so aptly, we are in America a testimonial to French vitality, good sense and clearness, although we are an islet surrounded by an ocean of 125 million Anglo-Saxons, ruled by English Common Law.

We cannot be compared to Alsace-Lorraine, now returned to the bosom of the French family after half century of German persecution. England, after all, treated us generously, and we are contented with our lot. We did our bit during the Great War to bring about the triumph of the British armies who were supporting the admirable French troops. Before, during and ever since the war, our sympathies are for France, and we know that immortal France will triumph over her enemies and must continue to play her part at the head of European civilization if such civilization is to subsist.

Louis Veillot said that a Frenchman, in the exercise of his nature, is born priest or soldier. While admiring the monument raised to the barristers of Paris who died during the Great War, on which is to be seen Justice "giving weapons to those who are about to die for her," I said to myself that the great polemist, if he were still alive, would exclaim that a Frenchman, in the excellence of his nature, is born "advocate at the Paris Bar." Indeed, you have for the functions of the lawyer so much respect that you have raised him to the dignity of priesthood; you are the priests of Justice; and, when the momentous hour struck for your country, you all ran forward to meet the danger, you were soldiers. This may tell you the admiration that Canadian lawyers, several of whom served in France, have for the Order of Barristers of Paris, and show you how grateful and proud we are to be your guests on this memorable occasion.