

CURRENT EVENTS.

AMENITIES OF THE BAR.—We are privileged to publish the following piece of testimony to the good-will subsisting between the Bar of Paris and the Canadian Bar Association.

“ CONSEIL DE L'ORDRE DES AVOCATS A LA COUR DE PARIS.

(*Extrait Du Procès Verbal de la séance du 13 octobre, 1925.*)

“ Le Conseil, après avoir entendu de Monsieur le Bâtonnier Fourcade le compte rendu du Congrès de Winnipeg, envoie à la Canadian Bar Association et à son éminent Président Sir James Aikins l'expression des vifs remerciements de l'Ordre pour l'accueil fait à son Chef et l'assurance cordiale de ses sentiments de confraternité.

Le Bâtonnier, Henry Aubépin; Le Secrétaire du Conseil, Georges Cauchy; Les Membres du Conseil de l'Ordre: A. Arrighi, Manuel Fourcade, C. Chenu, Gaston Drucker, Henri Robert, Albert Salle, Albert Flageul, Chs. Radot, A. Vaunois, Raoul Rousset, R. Poincaré, Ch. Jovart, Pierre Masse, A. Millerand, G. Mennesson, Poulitier, Félix Liouville, Paul Cresson, Albert Rodanet, Hild, Antony Aubin, Armand Fraïsse.”

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MARFLEET LECTURES, 1925.—The third series of Marfleet Lectures at the University of Toronto was delivered by the Honourable John Bassett Moore, a citizen of the United States. He is one of the Judges of the Permanent Court of International Justice, which came into existence in consequence of the provisions contained in Article 14 of the Covenant of the League of Nations. His subject was “Judicial Power—Its Possibilities and Limitations.” In his opening lecture Judge Moore discussed his subject in a general way, surveying the history of judicial power and its practical operations from the times of the ancient Greeks and Romans. He said: “We find a tendency in a highly civilized State towards a separation into executive, legislature and judiciary. . . . In a sense the judicial power is most important of all. It is essential to the preservation of a balance of things, and peace in the State.”

“The Judicial Power in the Political Sphere” was the theme of Judge Moore's second lecture in the series, and he dealt particularly with Constitutional Law. Speaking of the Imperial Privy Council he said:—

“Your lawyers are in the habit of saying that the judicial committee of the Privy Council is not a court but only a committee. That is more or less a question of nomenclature, but in substance and in reality the Privy Council is a great judicial tribunal exercising judicial powers and preserving balance between the different parts of the British Empire and securing fair and impartial decisions on the validity of the Acts of various component parts of the empire. More than that, it administers, I believe, more different kinds of law than any other judicial tribunal in the world.”

"It is certainly one of the most august tribunals in the world; and I would place it beside the Supreme Court of the United States and say they are the two most august tribunals that to-day exist."

In his third and closing lecture of the series Judge Moore discussed "Judicial Power in the International Sphere." He dealt at some length with the origin and constitution of the Permanent Court of International Justice, remarking in this connection that while Canada had a part in this great Court the United States had not. However, the proposal that the United States should become a party to it was now before the Senate and would be discussed in December. It had been supported by the Harding administration, and was favoured by President Coolidge.

Before concluding his last lecture Judge Moore sharply criticized the project of codifying International Law. He was of opinion that "International Law can never be reduced to a written code. There is at present a committee in the United States at work on the codification of that branch of legal science, but the chances are ten to one that they will not produce it; and if they did, the chances would be a million to one that it would never be adopted by the world." That statement does more credit to the prejudice of the learned lecturer against the codification of law than it does to his diffidence in making rash prophecies.

For our understanding of the matters dealt with by Judge Moore we are indebted to "The Varsity"—a newspaper published by the Undergraduates of the University of Toronto—and the daily press of Toronto. We hope to have the benefit of perusing an authoritative text of the lectures in due course.

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CHIEF JUSTICE PERDUE RECEIVES CONGRATULATIONS.—On the 19th of June last the Honourable W. E. Perdue, Chief Justice of the Province of Manitoba, celebrated the seventy-fifth anniversary of his birthday. On the assembling of the Court of Appeal on that day, the Judges of the Court of Appeal and of the King's Bench were present to share in the congratulations of the Bar to his lordship. Speeches of felicitation were made by Sir James Aikins, K.C., Lieutenant-Governor of the Province; Chief Justice Mathers of the Court of King's Bench; Mr. A. J. Andrews, K.C., representing the Bar of Manitoba; Mr. E. Loftus, K.C., speaking as President of the Manitoba Bar Association; and Mr. J. D. Suffield, speaking on behalf of the Blackstone Club, consisting of members of the Junior Bar. Chief Justice Perdue responded in feeling terms to the congratulations so warmly tendered him, assuring those who had honoured him with their presence on the occasion that his judicial duties had proved so congenial to him that he really had not taken account of the swift-flying years of his long tenure of office—some twenty-two years. He rejoiced that his health had been such that he was privileged to give unremitting attention to the work he loved so well.

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LAWYERS WHO HAVE TAKEN SILK.—Fifteen barristers of the province of Manitoba were recently appointed to the honourable office of His Majesty's Counsel. Ten of the newly appointed K.C.'s. practise their

profession in Winnipeg, the remaining five being resident in other parts of the province. Those appointed in Winnipeg are G. H. Aikins, Fletcher S. Andrews, George H. Davis, E. J. Tarr, E. H. Bennest, W. R. Cottingham, Robert D. Guy, H. B. Hudson, Jules Preudhomme and E. T. Leech. Mr. G. H. Aikins is the son of the Honourable Sir James Aikins, K.C., President of the Canadian Bar Association. Mr. Aikins went overseas with the 184th Battalion, and held a staff appointment in France during the war. Mr. W. R. Cottingham is Legal Adviser to the Manitoba Legislature. He is also the Treasurer of the Conference of Commissioners on Uniformity of Legislation in Canada. Mr. R. D. Guy is a member of the Executive Council of the Canadian Bar Association, and also the Chairman of the Entertainment Committee which functioned so successfully at the Annual Meeting of the Association in Winnipeg during the month of August last.

The names of the appointees residing outside the City of Winnipeg are S. E. Clement, Brandon; S. H. Forrest, Souris; W. D. Card, Portage la Prairie; John H. Black, Morden; Cecil L. St. John, Minnedosa.

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THE LATE MR. JUSTICE MACLENNAN.—On the 13th June last the Honourable Farquhar Stuart MacleNNan, Judge of the Superior Court of Montreal and Local Judge in Admiralty of the Exchequer Court of Canada, passed away at the age of 65 years. Before his elevation to the Bench Mr. Justice MacleNNan practised his profession in Montreal, at one time being a partner of the late Sir Donald MacMaster, K.C. He was a capable and painstaking Judge, and in the course of his occupancy of the Bench was called upon to decide many cases of difficulty and importance. As a member of the Canadian Bar Association he showed a most enthusiastic interest in its welfare, and the loss of his counsel and practical assistance is very deeply deplored by his fellow-members.

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THE LATE GEORGE PATTERSON, K.C.—On the 23rd of August last George Patterson, K.C., one of the oldest and most respected members of the Canadian Bar, died at Winnipeg. Mr. Patterson was born at Perth, Ontario, on the 20th April, 1846. In 1867 he graduated at the University of Toronto, being the gold medalist of his year in mathematics. After his graduation Mr. Patterson was appointed teacher of mathematics in the Collegiate Institute at Hamilton, and also became an examiner in mathematics at his University. He was called to the Ontario Bar in 1874, practising his profession in Toronto as a member of the firm of Laidlaw & Patterson until 1882, when he removed to Winnipeg. For a time he was a partner of Sir James Aikins. In 1888 he was appointed examiner to the Law Society of Manitoba, and in 1894 became editor of the Law Reports. In 1904 he was made Deputy Attorney-General for the province of Manitoba, and acted as Crown Prosecutor. In 1911 he was appointed Master and Referee in Chambers in the Court of King's Bench for Manitoba, and in 1920 became Registrar in Bankruptcy—holding both offices until his decease. We quote the following from an appreciation of Mr. Patterson contributed to the *University of Toronto Monthly* by the Honourable W. E. Perdue, Chief Justice of Manitoba:

"He was an ideal civil servant. He did his work promptly and well, and when, as sometimes happened, additional duties were imposed upon him, without additional emolument, he assumed and performed them uncomplainingly. He was always at his post. Sickness or accident never called him from his work. There is no record of his being absent for a day. Even his last illness came upon him in the long vacation."

"His is the record of a long and busy life. He inherited, not fortune, but those valuable gifts, a sound and capacious mind in a strong and healthy body. Of these gifts he made the best use, as a good citizen and as an admirable servant of the State, services whose worth cannot be estimated in terms of ordinary values."

CORRESPONDENCE.

The Editorial Board of the Canadian Bar Association does not hold itself responsible for the opinions of Correspondents. Contributions to this department of the REVIEW will be published only over the genuine names of the writers.

LORD WESTBURY.

Editor of THE CANADIAN BAR REVIEW:

I notice in the October number of THE CANADIAN BAR REVIEW that Mr. R. W. Shannon, referring to Lord Westbury, says, "If any sighs were uttered on the announcement of his death, they must have been sighs of relief."

Reference to the *Solicitors' Journal* of the 20th day of July, 1873, does not quite bear this statement out. That journal says: "Since his death, so many eminent persons have testified to his great kindness of nature, that we must conclude that beneath all the sarcastic bitterness that lay on the surface of his character, there beat a humane and genial heart."

Who these many eminent persons were, I cannot tell, but I know that Lord Selborne spoke of his frankness, kindness and generosity; Lord Cairns testified to the unvarying manner in which kindness was ever extended to him by Lord Westbury; and Lord Hatherley acknowledged his kindness.

It is true that he had a mordant wit, but he abhorred lengthy judicial divagations. "What fools these judges are!" he once said, but he only referred to the verbosity of their decisions.

He was always of the opinion that nothing was so miserable in our law as the existence of a number of reported cases which might be cited in support of almost any proposition.

He interested himself to a remarkable extent in the spread of the principles of jurisprudence as chairman of the Council of Legal Education and as president of the Judicial Society.

Scribere jussit amor.

I am,

Yours very truly,

WALTER S. SCOTT.

Edmonton.