

CANADIAN BAR ASSOCIATION.

ELEVENTH ANNUAL MEETING AT SAINT JOHN, NEW BRUNSWICK,
1ST, 2ND AND 3RD SEPTEMBER, 1926.

To those members who have had the privilege of attending all the meetings of The Canadian Bar Association, one of the most interesting features is to observe that at each Meeting some special service is emphasized. If one were to attempt to define the key-note of the recent Annual Meeting at Saint John, it might be reasonably said that it was a greater appreciation of the part which the individual member of the Bar has to play in the success of the Association and furthering the advancement of its aims. To some extent, this feeling may be due to the contagious and inspiring example of the Saint John Bar, for each member of the profession in Saint John manifested a keen personal interest in the Meeting and unselfishly appropriated to himself an individual responsibility for its success. Every lawyer in Saint John not only registered at the Secretary's office, but also, with scarcely an exception, diligently attended every session. The large attendance from the neighbouring Provinces of Nova Scotia and Prince Edward Island indicated that this sense of responsibility pervaded the Bars of those two Provinces as well. It is fitting that recognition should be given to the fact that, while the Meeting was held in New Brunswick, the delightful programme of entertainment provided for the visiting members was arranged by a joint Committee, representing the lawyers of the three Provinces, and that the members of the Bars of Nova Scotia and Prince Edward Island joined with their brethren in New Brunswick in shewing to the visitors a kindly and generous hospitality which will ever remain as one of the most delightful memories of this, our first, Annual Meeting in the Maritime Provinces.

It was particularly gratifying that, at a time when circumstances were adverse, for, undoubtedly, a great many members were prevented from attending by reason of the Dominion General Election campaign, there was an excellent representation from every Province of Canada. Indeed, a larger attendance might have presented some problem in relation to hotel accommodation for the hotels of Saint John were taxed to capacity.

The criticism which might be offered of the Programme is that we suffered from an embarrassment of riches, for, owing to the

number of the addresses and papers, it was impossible to carry through the programme on schedule time, with the result that some very important papers and reports perhaps scarcely received the full discussion which they merited. To some extent, this was due to accidental circumstances, but it serves to emphasize the growing importance of the Association and the variety of its interests, and suggests that the time may not be remote when it will become necessary to consider the propriety of holding some sectional sessions for discussions relating to certain specified subjects.

The addresses of the President, of the Rt. Hon. Lord Darling, of the Hon. Charles S. Whitman, of the Rt. Hon. H. P. Macmillan, of Maître Georges Chresteil and others fully sustained the traditions of the Association and justified the high expectations of their hearers.

Sir James Aikins, in masterly fashion, dealt with the part which "the men of lawe," had taken from the fifth to the fifteenth century in the formation of the British constitution and jurisprudence. By happy chance, Lord Darling's delightful address on "The Administration of Justice in England" treated of the same subject in its more modern aspects. Mr. Whitman, in a very thoughtful and interesting address, discussed the problems confronting the legal profession at the present time. While the tendencies toward specialization, arbitration, centralization and commercialization to which he alluded are perhaps more apparent in the United States, yet they are not without great and increasing influence in Canada and, without question, Mr. Whitman's sane and powerful analysis of these tendencies will be eagerly read by Canadian lawyers. The high position which the Rt. Hon. H. P. Macmillan has attained, within a comparatively few years, not only at the Scottish but also at the English Bar, added a special interest to his first appearance before a gathering of Canadian lawyers. Those who had the pleasure of hearing him at Saint John will be prepared to admit that his great reputation is fully merited. In his principal address, Mr. Macmillan pointed out the necessity for the use of fundamental principles in the solving of legal problems, especially in these days when lawyers are in danger of becoming swamped with the increasing volume of precedents, and when the rain of statutory enactments tends more and more "to muddy the torpid waters of the Common Law." Maître George Chresteil, a member of the Council of the Bar of Paris, conveyed the greetings of that great body in an address which, by the beauty of its language and the delicacy of its sentiment, will live as one of the most memorable addresses in the history of The Canadian Bar Association.

The paper of the Hon. Mr. Justice Mignault on "Modern Evolution of Civil Responsibility" was a learned and weighty consideration of a problem of increasing importance and would, in itself, lend distinction to any conference of lawyers. The same might be said of the address of the Hon. Mr. Justice Mellish on "Some Phases of Admiralty Law," of the paper of Mr. R. I. Towers, K.C., on "Contributory and Ultimate Negligence" and of Judge McInerney's address, "Some Notes on the Proof of Foreign Law."

The reports presented by the several Committees indicated that those charged with forwarding the work of the Association have been diligent and wise in the performance of their tasks, and it is to be regretted that the exigencies of space prevent extended reference to them in this sketch. It should be noted, however, that the great work which the Association undertook some years ago in advocating a higher standard of education for admission to the study of law has had such an effect that the standard suggested by the Association—two years in arts or its equivalent—is now in force in nearly every Province of the Dominion.

The Report of the Membership Committee dealt very frankly with the urgent necessity, if the Association is to make the headway which it should, of increased attention to this very important factor. The Committee feels that every member of the Association should take a personal interest in seeing not only that his fees and his subscriptions to *THE CANADIAN BAR REVIEW* are promptly remitted, but also that every member of the Bar in his district should become a member of the Association, and should also subscribe for the *REVIEW*.

The Report of the Committee on Noteworthy Changes in the Statute Law presented as usual much valuable information for the practising lawyer.

The Report of the Committee on Comparative Provincial Legislation and Law Reform comprised 118 pages and contained an exhaustive study of "The Trustee Law of Canada" (except Quebec). Arrangements have been made for a similar study of the law of the Province of Quebec on this subject. The question of Trustee Law will be further considered during the coming year, but the work already accomplished will be of great aid not only to practising lawyers but to all who have occasion to look into this very important branch of law.

The Committee on International Law presented, as usual, a most interesting and useful summary of developments in this field during the year.

The Committee on Administration of Criminal Justice, having, last year, presented a report suggesting a considerable number of amendments to "The Criminal Code" as well as other legislation on part of the Dominion and the Provinces, confined its report to a request to the members of the Association to study the recommendations approved by the Association and to urge action by the proper authorities.

The Special Committee on the Appointment of Public Defenders is extending its field of study to the question of Legal Aid to Poor Persons and will pursue its researches during the coming year.

Dean Everett Fraser of the Law Faculty of the University of Minnesota greatly interested the members by an instructive address on "Legal Education," while Miss Mary F. Lathrop, of Denver, Colorado, a practising lawyer, was heard with pleasure. Miss Lathrop is the first woman who has addressed the Association.

Sir Douglas Hazen, Chief Justice of New Brunswick, presided at the Annual Dinner, which was held on the evening of September 2nd. The addresses delivered were of a very high order, and marked the Dinner as one of the most delightful we have ever held. Lord Darling, Mr. Whitman, Mr. Macmillan, Maitre Chresteil, Mr. Stuart Jenks, K.C., of Halifax, and Mr. M. L. Hayward, of Hartland, N.B., were the speakers.

On Wednesday evening, September 1st, Sir James and Lady Aikins, very graciously gave a Reception and Ball at the Admiral Beatty Hotel, for which more than 600 invitations were issued, when the visiting members had the opportunity of meeting not only the lawyers of Saint John but many other prominent citizens.

On the afternoon of Friday, September 3rd, the General Entertainment Committee entertained at a charming luncheon at the Riverside Golf and Country Club and, later, at a Garden Party in the delightful grounds of Major-General H. H. McLean, K.C., of Rothesay.

The Ladies' Committee were unremitting in courteous attentions to the visiting ladies, and the mere recital of the various functions arranged for the entertainment of the visitors, both men and women, would give a very inadequate conception of the delightful hospitality of the members of the Bar in the Maritime Provinces.

Viewed from every angle, it may be safely asserted that the Eleventh Annual Meeting at Saint John was one of the most interesting and most successful in our history.

E. H. COLEMAN,

Secretary-Treasurer Canadian Bar Association.

Winnipeg.