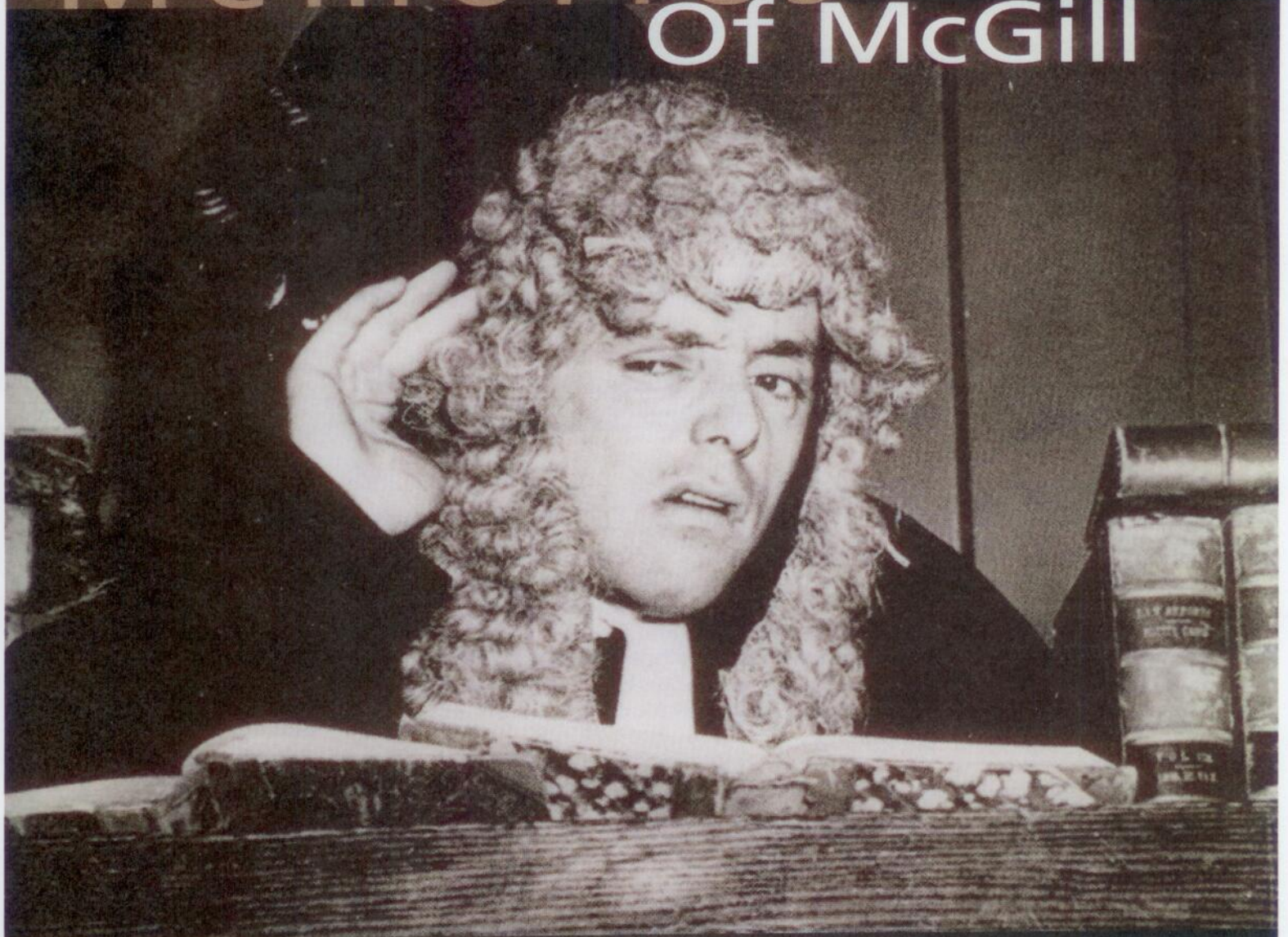


VI.

Memories
Of McGill



(Old McGill, 1950)



The attention that was given to the principles that underlie all legal fundamentals was the more remarkable in a day when law training was frequently the most perfunctory, and when the law degree was no more than a professional licence.

« Mes souvenirs sont

La Faculté de droit dans les années 1860-1870

“Sir Wilfrid Laurier, B.C.L. '64, D.C.L. '98, and McGill”

by John Irwin Cooper, Ph.D. '38 (excerpted from *McGill News*, Winter 1942)

The McGill Law Faculty was the first of its kind in eastern Canada. It was even in the literal sense, since the law school of Laval University was not established until 1878. Its excellence, however, was largely due to its teaching staff. They were all practicing Montreal lawyers. The Dean was the Hon. J.J.C. Abbott, B.C.L. '54, D.C.L. '67, the legal godfather of the Canadian Pacific Railway, a reforming Mayor of Montreal, and in 1891, the Tory Prime Minister of Canada....The lecturers were both French and English...and [s]o were their students. In [Sir Wilfrid] Laurier's year, for example, five of the eleven were French-Canadians. Teaching was carried on in either language, according to the preference of the lecturer....Lectures were held from four to six in the late afternoon. Following the custom of the day, the students were indentured....What with attendance at Court, and learning the routine of the office, the students' days were pretty full, and the time devoted to study must have been small. It is this very consideration that has caused the practice of indenture to be dropped in the present Faculty of Law.

Nevertheless, the curriculum of the old Faculty was unusually broad. It embraced the essentials of English common and Roman civil law, along with purely Canadian developments. Great stress, of need, was laid on the study of the *Civil Code*, but the attention that was given to the principles that underlie all legal fundamentals was the more remarkable in a day when law training was frequently the most perfunctory, and when the law degree was no more than a professional licence.

It is a little disconcerting to find that this paragon among Faculties was remotely housed on Dorchester Street. Classes were held in what was known as Burnside Hall....At one time Burnside Hall had contained about the entire University, with the exception of the Medical School, but in the 1860s it was relegated to the lawyers and the museum....

The Faculty of Law of Fifty Years Ago"

by Maxwell Goldstein, B.C.L. '82 (*McGill News*, 1932)

The Law Faculty of those days cannot be compared with that of to-day. The whole number of students attending the classes of the three years was in the neighbourhood of fifty. Then we had our sessions downtown in a rather dingy room in the top storey (no elevator) of the Molson's Bank Building, at the corner of St. James and St. Peter Streets. Our hours of attendance were from 4 to 6 p.m., one hour for second and third years, and one hour for first year students, five days a week.

We were obliged to take our notes by the dim light of a gas jet, which did not reflect much glory upon the scene. But we were blessed with learned professors, all busy lawyers in active practice, who could not always spare the necessary lecture hour, and we students, as foolish as those who preceded and doubtless as those who followed us, thought it clever to "slope" as many lectures as we could, finally having to depend upon concentrated reading up in the last week or two before examinations, and to prod a more diligent comrade to give us a glimpse of his notes. In the pursuance of this youthful spirit we continued the senseless custom of asking questions wholly irrelevant to the lecture, to divert the professor's attention from his subject....

Our sessions lasted from the beginning of October until the middle of March, and the course extended over a period of three years. The sessional fee was \$20....Some of us were really working students, *i.e.*, we actually attended the offices of the advocates to whom we were articulated, devoting our whole time to acquiring the procedure and court work, and to seeking discussion with our patrons upon the legal points which the cases of the day produced, thus properly earning the certificate of diligent attendance required as a condition precedent to our application for admission to the Bar, a practice which, according to present day traditions, is not always complied with.

es meilleurs! »

[W]e had our joyous Faculty dinners after the sessional examinations to afford a vent for our exuberance at the end of our annual trials. We frequently patronized for this purpose the Grand Vatel, a well-known restaurant on St. James Street, where with the assistance of invited guests from other Faculties and from our sister university, Laval, we spent our hours over an interesting menu, washed down with vintages of Sauterne, Claret, Burgundy and Champagne, and perhaps liqueur, returning home about 1 a.m. quite (?) sober, properly impressed with our own importance, and resolved as students always do, to assume charge in due course of the affairs of the country and set the world aright.

....

...The parchment witnessing the conferring upon me of the degree of "*Bacculaureatus in Jure Civili*" is dated "*die tricesimo primo Mensis Martii Anno Domini MDCCCLXXXII*", and bears the signatures (as written) of the following men—a noble roster—who have all passed over to the Great and Undefined Beyond:

Carolus D. Day, D.C.L., LL.D., Proeses et Cancellarius

J. Gulielmus Dawson, LL.D., Primarius

Gulielmus H. Kerr, Doc. Fac. Jur.

N.G. Trenholme, M.A., B.C.L., Prof. Jur. Rom.

Leonidas H. Davidson, M.A., B.C.L., Prof. Jur. Com.

J.E. Robidoux, Professor Juris Civilis

Edmond Lareau, B.C.L., Prof. His. Leg.

J.S. Archibald, Prof. Juris. Crim.

M. Hutchinson, B.C.L., Prof. Pro. Civ.

Ludovicus A. Hart, M.A., Prof. Juris Notariae

Gulielmus C. Baynes, B.A., Registrar.

It is worthy of note that of the foregoing, Professor [Norman W.] Trenholme, B.A. '63, B.C.L. '65, M.A. '67, D.C.L. '87, became Judge of the Court of Appeal; Professor [J.S.] Archibald, B.A. '67, B.C.L. '70, the Chief Justice of the Superior Court; and Professors [J. Emery] Robidoux, B.C.L. '66, and [Matthew] Hutchinson, B.C.L. '73, Judges of the same tribunal.

....
Our three years' course brought us into communion with the students of the classes of the two years prior and to the two years subsequent to our entry and graduation, and during those years, 1880-1884, there graduated many men who came to excel in their profession and filled high judicial and other offices. Among others I recall the following:-

Albert W. Atwater, B.C.L. '80, Treasurer Province of Quebec
Eugène Lafleur, B.A. '77, B.C.L. '80, D.C.L. '00, LL.D. '21, Eminent Advocate and Leader of Canadian Bar
Robert S. Weir, B.C.L. '80, Recorder of Montreal
Alexander S.G. Cross, B.A. '79, B.C.L. '81, Judge of the Court of Appeal
George G. Foster, B.C.L. '81, Senator
Edmund W.P. Guerin, B.A. '78, B.C.L. '81, Judge of the Court of Appeal
Campbell Lane, B.A. '79, B.C.L. '81, Judge of the Superior Court
William D. Lighthall, B.A. '79, B.C.L. '81, Eminent Lawyer, Poet, and Philosopher
Michel E. McMahon, B.C.L. '81, Coroner of Montreal
Robert C. Smith, B.C.L. '81, Eminent and eloquent Lawyer
James Crankshaw, B.C.L. '82, Compiler Annotated Criminal Code
John Fair, B.C.L. '83, Eminent Notary
Peter Mackenzie, B.C.L. '83, Treasurer Province of Quebec
John E. Martin, B.C.L. '83, Chief Justice Superior Court
Charles A. Duclos, B.A. '81, B.C.L. '84, Judge Superior Court
Alexander B. Falconer, B.A. '81, B.C.L. '84, Eminent Advocate
Farquahar S. MacLennan, B.C.L. '84, Judge Superior Court
R.A.E. Greenshields, B.A. '83, B.C.L. '85, LL.D. '29, Acting Chief Justice Superior Court
George F. O'Halloran, B.A. '83, B.C.L. '85, Deputy Minister of Agriculture

In those days we had no scholarships, no prizes or medals, other than the Elizabeth Torrance Gold Medal, awarded to the graduate attaining the highest marks in the final examinations. We had no permanent staff, we had not so many lectures, nor so thorough a course as the revised enactments of the Bar have since required, but notwithstanding, through sheer study and merit, and in some cases with perhaps a little political influence, it is not over-presumptuous to feel that the Law Faculty of fifty years ago produced men who favourably compare with those who preceded and followed them.

Full recognition and appreciation must be given to the great strides which the University has made in this and its other Faculties, to the ever increasing spread of its activities under the effective guidance of its eminent Chancellors, Principals, Boards of Governors, and professorial staffs, and to the support of its Graduates' Society and kindred bodies. May it so continue and thrive *ad multos annos*.

"Memories of Old McGill"

by **A.G.B. Claxton, B.C.L. '85 (excerpted from *McGill News*, 1938)**

At sixteen I entered the Arts and Law Faculties. Professor [Charles E.] Moyses's course in English was stimulating. He taught us to read and time and again advised us to be "men of few books." The law lectures were held over the Molson's Bank, St. James Street, between four and six p.m. The course covered about a third of the civil law and procedure codes and much English law. Several of the outstanding men at the Bar lectured. Dean [William] H. Kerr, B.C.L. '72, gave fine lectures.... Another first-class professor was [Norman] Trenholme, B.A. '63, B.C.L. '65, M.A. '67, D.C.L. '87.

As a student I was indentured to the late Joseph Doutre, Q.C., and when he was retained by the Free Thought Club to defend it against a seizure by the Customs authorities of volumes of Voltaire and Paines' *Age of Reason*, I was able to enter the witness box and testify before the court that such reprehensible books, replete with religious criticisms, could be read any day in the McGill Library. Sir John A. Macdonald's government, to please Quebec, was trying to padlock the morals of the people....

La Faculté de droit dans les années 1890

Envoy Extraordinary: Sir Herbert Marler, B.A. '95, B.C.L. '98, Talks to McGill News Readers"

by L.S.B. Shapiro (excerpted from *McGill News*, 1937)

Then came Law—in 1895—and another flow of names, fondly remembered. In that year the Dean was Dr. N[orman] W. Trenholme, B.A. '63, B.C.L. '65, M.A. '67, D.C.L. '87. Later, Dr. L[eonidas] H. Davidson, B.A. '63, B.C.L. '64, M.A. '67, took Dr. Trenholme's place, and after that Dr. F[rederick] P. Walton, LL.D. '15, was Dean for the remainder of Sir Herbert's course.

"In the class just before I graduated," Sir Herbert recounted, "there were men like Aimé Geoffrion, B.C.L. '93, Gordon MacDougall, B.C.L. '94, and the late Peers Davidson, B.A. '90, B.C.L. '93. All of these made outstanding names for themselves in Canada. I remember also S[amuel] G. Archibald, B.A. '97, B.C.L. '00, who later went to Cairo. There were also the much loved J. Claud Hickson, B.A. '95, B.C.L. '98, and Jack Cook, B.C.L. '97. Many others could be easily mentioned and are affectionately remembered."

Sir Herbert also spoke warmly of his father, the late W[illiam] de M. Marler, B.A. '68, B.C.L. '72, D.C.L. '97, who for nearly forty years lectured on the Law of Real Estate and was later made Professor Emeritus. "His lectures I well remember as do many others practising the legal profession," he said. He continued by saying that there was no doubt at all that one's training at college, one's professors and the friends which are made in college days all have a very potent influence on the life of the individual....

Law Class History"

(*Old McGill*, 1899)

The class of "Law '99" came as a benediction on "Old McGill". Since its entrance into the University, fortune has not ceased to smile upon her. "Blessings follow in its train." It seems to be favored with the "golden touch" of King Midas for during our term princely endowments have been bestowed upon our *Alma Mater*. Progress and advancement have become the watchword of our Faculty and changes long desired, but much delayed, have taken place. We have seen the reorganization of the Faculty and the rearrangement of the classes. We have seen the introduction of a new system of examinations; we await, with feelings that need no description, the results of this latter change....

Almost immediately following the entrance of our class was the formation of our Faculty society, which, formed on a constitutional basis so firm that it can never be "moved" (though the constitution may be suspended) shall remain a lasting monument to and a cause of gratitude towards all those who were instrumental in the formation of this society. While creating a fellow-feeling among our men, it has also been invaluable to us as a means of acquiring a knowledge of "Constitutional" Law and Parliamentary (?) procedure. A precedent was established—the Class of '99 is noted for the precedents which it establishes—in that for the first time a freshman, one of our number, was chosen as a representative to a sister-Faculty dinner.

Her Most Gracious Majesty, in her wisdom, saw fit to make such arrangements that Her Diamond Jubilee should take place during our freshman year. This was a compliment which we most thoroughly appreciated; the more so because we, in our modesty, had never looked for any such public acknowledgment of the esteem in which we were held....We have had a new Dean appointed for our special benefit and edification. And while we believe that it was the fame of the Class of '99 which caused him to accept the appointment, yet we are content that others shall share with us the pleasure of sitting at his feet while he expounds to us, in most minute detail, those laws which governed the citizens of the greatest country of ancient times.

Now, while we have been looking at the past from the standpoint of compliments to ourselves, we do not overlook that which we owe to the University and to our Faculty. These are debts which can never be paid except in kind and which if we attempt to pay we shall, in doing so, make ourselves richer rather than poorer.



Class of 1897

(*Old McGill*, 1898)

"Class History, Law 1900"*(Old McGill, 1900)***Law, Law, rhymes with jaw!
Hip, hip, hurrah, Law!**

At the first meeting of the Undergraduates' Society we were permitted to attend, we formed the erroneous idea that the essence of the Faculty yell lay in the word "jaw". This fancy, however, soon dispelled, and, on closer scrutiny, we came to the conclusion that what really ought to rhyme with law, instead of jaw, is "saw", and never have we lacked for abundance of material on which to use this implement of industry.

Hard, indeed, is the lot of the embryonic lawyer, who, on entering college, is plunged into a series of learned dissertations on the size of the cross which that highly respectable navigator, Jacques Cartier, placed on the bank of the St. Lawrence— "exact location unknown, but very important". Our Thespian says that if the said Mr. J. Cartier or the One Hundred Associates had known how fast we had to drive our quills to take down their every word, they would have, one and all, voluntarily surrendered the power of speech.

The Freshman, then, metaphorically speaking, grapples with *mitoyens* walls, and learns to finish his morning nap amid phantoms of vacant successions and holograph wills, from which he is only awakened by a motion to quash, a writ of injunction, or a summons to hurry down to the office....We have also learned that non-judicial days do not mean holidays, that court vacation exists for the benefit of the court only, that an infant in law may be more than seven, that liquid refreshments is a *sine quâ non* to the issue of writs after 4 p.m., and that Law always wins the annual football game [against] Arts.

But our fund of legal lore bids fair to be further increased, as Professor "McHaggis" has promised that, when he recovers from the cold which the sight of his unfortunate countryman, McWhuskey McWhuskers, is said to have induced, he will administer the *Merchant Shipping Act* in homoeopathic doses....As Freshman our first impressions of court were many and various; for example, B-k-r was discovered in the act of bowing to the crier, mistaking him for the Chief Justice. Others of us made our *debut* at the halls of justice by rescuing from the clutches of the law some Science men who had a partiality for illuminated signs. Through all these harrowing incidents, the class of 1900 passed as gold from the furnace, and entered the second year reinforced in numbers and strengthened by experience. The change is immediately evident. We can now calculate to a second at what hour the roll is called for the 8:30 a.m. lecture, and just how much of the course on "How to be a tenant and not pay your rent" we can afford to lose....The issuer of marriage licenses reports brisk trade, with even a few bookings in the first year.
O tempora o mores!

"Class History, Law '02"*(from Old McGill, 1902)*

Early in September in the year of Grace 1899, the class of '02 first delighted the Law Faculty by the avidity with which they took down notes on the ordinance of de Moulins and the height of Jacques Cartier's Cross, etc....The class next showed conspicuous ability by their answers to the questions on the first Roman Law Examination. These answers were able commentaries...and came to be known as the *Responsa Prudentium*, the rule being that when they failed to agree with the text they would not be binding on the examiners.

The rest of the year was uneventful until the April examination when the examiners were deluged with able commentaries on all branches of the Law, and revised versions of the lectures, the Code and the Naturalization Act. It is said that on account of the large number of answer books filled the examiners decided the standing of the first year by weighing the books instead of the answers. Those who wrote long answers do not believe the report, but admit of the possibility of marks being given in inverse ratio to the length of the said answers. The second year found the members of Law '02 wrestling with definitions of Common Gaming Houses and Nuisances, and learning how to set aside verdicts of guilty on various and sundry technicalities when it is impossible to obtain verdicts of acquittal....The lectures in Criminal Law were interrupted by questions put by members of the third year, many of which were worth framing, especially the query as to whether a man indicted for a second offence could plead *autrefois convict*. The second year refrained from catechising the Professors, for there was no way of safely ascertaining, even by studying medical jurisprudence, the probable effect of a sensible question on a Professor—sudden shocks and surprises often cause death....



Class of 1901

(Old McGill, 1901)

Class History, Law '07"

(Old McGill, 1907)

We are five, but we are not ashamed of that; it is quality that makes a year famous. The proper way to find the true importance of a class is to multiply the quality by the quantity, and measured in this way we feel sure that we have never been surpassed. We have been more than five; in our first year we reached the grand total of eight, but for various reasons three of our class deserted us. One of them, Talbot Papineau, B.A. '07, B.C.L. '10, we feel proud of. Last year, hearing that another Rhodes Scholar had to come from McGill, for the honour of our *Alma Mater* we decided that one us must go, so we sent Talbot. Another of the three, Madore, simply deserted us, going no one knows whither. The loss of the third we mourn more seriously. Everyone will remember the unfortunate drowning accident last summer in which Poupore lost his life.

For some time after we first came together last year, we didn't take much notice of one another, but we got over that soon, and began to realize that we were a very interesting company....The Law dinner was the occasion of our debut before the legal talent of Montreal as embryo K.C.'s. About 100 percent of our year attended, 50 per cent of us made speeches, and some of us came home sober. We were all members of the more important law firms in connection with the moot court of last year, and one of us, Papineau, made the final summing-up in the only case tried; the judge himself—passing over his other remarks—was forced to admit that the speech was flowery.

I have noticed that most class historians, after retelling the past history of their year, take a huge step into the future and, with almost as much imagination as was used on the first part of their tale, they follow their fellow-students beyond the borders of this life and generally end up by leaving the whole year in a place which has a common English name, but is politely known as Hades. This is a doubtful compliment, though it may be true enough for some years, and while I feel confident that our year has a brighter future in store for it, we can afford to rest on our laurels of the past and leave the future to bring us what it will.

"History of the Class Law '12"

(Old McGill, 1912)

The life of a law student is different in many respects from that of his fellow-student in other Faculties. As the lectures are held in the early morning and from four to six o'clock in the afternoon and the rest of the day is spent in an office, he has little or no time in which to take part in college athletics. This cannot be remedied until the Faculty has increased in numbers sufficiently to allow it to have special professors, and not have to depend upon judges and lawyers, upon whose time there is already too great demand, and who are unable to lecture during office hours. Such is the Faculty in which we found ourselves in the fall of '09 when Law '12 met for the first time. The class consisted of twenty-five students, of whom a considerable number had been together during the four preceding years in Arts....About the first of February, 1910, Maurice Alexander, *B.C.L. '10*, of the senior year was indicted before Mr. Justice Burnett for perjury, fraud, and arson. Messrs. [Chilion Graves] Heward, *B.A. '07, B.C.L. '10*, and [Alexander G.] Cameron, *B.C.L. '10*, conducted the prosecution and [Albert Edward] Tulk, *B.C.L. '10*, and [Maurice Frederick] Tetreau, *B.C.L. '10*, defended the prisoner. In spite of the very able defence pleaded by the prisoner's counsel, he was found guilty of the charges brought against him; but owing to informalities the sentence (of the learned judge) was not carried out. Notice was received towards the end of April of the first meeting of the "Annual Board" with a request to send representatives. [Reginald W.] Plimsoll, *B.A. '09, B.C.L. '12* and [R.V. Colville] Sinclair, *B.C.L. '12*, were accordingly elected. Plimsoll attempted to resign and refused to attend the meeting. As no other expedient presented itself he was taken by force to the R.V.C. and deposited in the room in which the meeting was being held. This, however, did not alter his determination, for no sooner had he recovered his personal liberty than he returned to the lecture. Thereupon the class decided that it was useless to press Mr. Plimsoll any further, or in other words that it would be impossible to carry him to all the meetings, and Angers was chosen to fill the vacancy. He, also, had to be replaced owing to an attack of typhoid fever, and Lajoie was subsequently elected....And so in years to come, when we look back upon the past, the thought of the days at Old McGill, the happy times we had there, the friends we made, will stand out pre-eminent, as do all the pleasant incidents of life, while those which made us unhappy at the time have vanished from our memory.



Law Undergraduate Society, 1919

(Old McGill, 1919)

'The History of Law '15"

(excerpted from *Old McGill*, 1915)

The autumn of the year of our Lord 1912 was marked by the advent into the Faculty of Law of a numerically small, but cosmopolitan and potentially famous group of young men, already learned in the Humanities...but still hungering and thirsting after righteousness and the Fruit of the Tree of Knowledge. Sons of Israel, sons of Erin, raw-boned sons of Highland chieftans, light-hearted "Canucks," and youths in whose veins ran the blood of Yorkshire and the blood of Essex were among them; but all were united in one common purpose—to help those in trouble, and protect the simple and the pure in heart from the wiles and snares of the wicked (for a consideration!).

Undismayed by the ceaseless stream of principles, authorities and cases mercilessly showered upon them by the heartless Men of Law appointed by the Powers that Be to elucidate (?) the Code, when our Lady Canada lay enveloped in her proverbial Mantle of Snow, these youths now pale-browed and leaden-eyed from poring over dusty tomes, emerged from a confused mass of Roman Law and Registers of Real Rights, resolved with one accord to do battle with their seniors on the ice-covered gridiron. Seven of the most valiant chosen from among them, to wit: Howard the Mighty [Wilbert H. Howard, *B.C.L.* '15], Mulcair, the Son of Ireland [John Mulcair, *B.C.L.* '15], Cameron the Dreamy-Eyed [Normand Cameron, *B.C.L.* '19], Kent the Parchment Reader [Isaac Kent, *B.A.* '12, *B.C.L.* '15], Audette the Nimble [John DeGaspé Audette, *B.C.L.* '18], Wanklyn of Manners Mild [Andrew A. Wanklyn, *B.A.* '11, *B.C.L.* '15], and Poupore the Rotund, went out to conquer the combined forces of Law '13 and Law '14. A great moral victory was the result of their prowess—though musty statisticians do record the game against them.

After a short respite granted at the Festive Season, during which certain of the less serious-minded are said to have deserted Pallas for the more winning charms of Venus, and others to have sought the consoling Fountains of Bacchus that they therein might cool their fevered brows, Justinian and Pothier once more held sway. For many weary weeks these Pilgrims of the Law travelled through the Valley of the Shadow, only now and then furtively straying into bye-paths where the Sun of Pleasure shone and Forbidden Delights beckoned with graceful gesture. But some—alas!—tarry there, bewitched by the attractions of the wicked Nymphs and Sprites, for:

*"There eke the soft delights that witchingly
Instil a wanton sweetness through the breast,
And the calm pleasures always hovered nigh:
But whatever smacked of novance or unrest,
Was far, far off expelled from this delicious nest."*

Thus it came about that some fell by the wayside, scoffing, to hide their shame, at their comrades who had remained constant to their first love. So were lost divers of the chosen spirits, and the next year the band returned reduced in numbers—but in heart undaunted and with courage unsubdued. Then indeed did troubles more grave assail them. Learned, as was said above, in ancient lore and letters, yet they knew little of the sin of this great world. To their tender minds were laid bare all the crimes that man can do, and they were constrained to consider the sordid details of dire deeds whose very names froze in their veins their youthful blood. And then the cunning schemes of men who sign their names with wrong intent to bills and notes, and to the confusion of their accommodating friends, did they discover. Moreover, troubled thus in spirit, was even their external peace disturbed by an obnoxious rout of lewd fellows of the baser sort, who had dared approach Law's majesty and seek to know her secrets, arrogating to themselves the proud name of Law '16. Taking counsel, now, with their Seniors, our heroes planned the subjugation of these varlets, and on the football field, Howard, Mulcair, Cameron, Audette, and Wanklyn as aforesaid, and Kerry Irrepressible [John Kerry, *B.A.* '11, *B.C.L.* '15], Stalker of Aspect Grave [Archibald Stalker, *B.A.* '12, *M.A.* '13, *B.C.L.* '15], and Budyk the Zealous [Joseph Budyk, *B.A.* '12, *B.C.L.* '15]...having thus worked off their spleen, once more the midnight oil burned bright and brows grew pale. This year, the last's dread warning heeded, the Yuletide saw these legal minds immersed in study and deep thought, so hoping to return next autumn undiminished in numbers as in zeal. "*Fortuna fortes juvet!*"

"Class History, Law '18"

(Old McGill, 1918)

The early days of October, 1915, are marked for future sanctity because of the advent at McGill of the celebrated group of individuals that go to make up Law '18. Steeped in the Humanities, exuberating with youthful vigor, this galaxy of promise, called from many seats of learning, had come to master the most liberal of professions....The unprecedented cosmic convulsion [of the Great War] necessarily limited our college activities, and reduced class sports to a standstill. At the suggestion of Count De Vitis, now of the French Army, we organized ourselves into a Society for Legal Research. Table-rapping with us, however, has a different significance. It proceeded from the great animation of our members as they unfolded esoteric theories of Law and expounded such illuminating interpretations of code and statute, that unborn generations must marvel why the outside world failed to hear of our achievements. Surely it can only be the great modesty, which has ever been our distinguishing characteristic, that can account for this prevalent ignorance.

At one such meeting, an interpretation of our *B.N.A. Act* was given, at once so novel and daring, that even the proud fathers of that venerable document must have failed to recognize their progeny....With springs came the annual house-cleaning-Exams. Creation of the Devil! Out of this Baptismal Fire there emerged fewer but sterner men, with an undaunted will to power....Here History must cease, as to go further would be to invade the field of prophecy, and we prefer to confine our prophecies to the past.

"The Famous Class of Law '21"

by Colonel Paul P. Hutchinson, B.A. '16, B.C.L. '21, D.C.L. '56 (from *The McGill You Knew*)

When I came home from active service I re-entered at McGill to take the law course. We were, I believe, the largest law class in the Faculty until then—some forty-five students, most of us war veterans of every military rank from Private to Major.

In after years the *Toronto Saturday Night* referred to us as "the famous class of Law '21 at McGill." This arose from the fact that Law '21 was eventually to produce a Lieutenant-Governor of Nova Scotia (Hon. H.B. MacLean, B.C.L. '21), the first Governor of the Bank of Canada (Graham F. Towers, B.A. '19), two Cabinet Ministers at Ottawa (Hon. Brooke Claxton, B.C.L. '21, LL.D. '50, and Hon. Douglas C. Abbott, B.C.L. '21, LL.D. '51), the leader of the Montreal City Council (Winchester H. Biggar, B.C.L. '21), several judges, some eight of us who commanded Montreal militia regiments, and the bridge expert, Charles H. Goren, B.C.L. '22, who learned to play cards while at McGill.

Our law class had its lectures in an ancient small house on University Street, near the Milton Street gate. We persuaded the law professors to give us the three-year course in one and a half years, by keeping at it through the usual summer holidays. Between classes there was much singing of *Tipperary* and other war songs and many yarns told of exciting days at the front. One of our number, Erskine Buchanan, B.C.L. '21, carved on one of the lecture room desks a remarkable relief map of the Western Front.

Academically, the class was usually led in examinations by either Curzon Dobell, B.C.L. '22, or W[inchester] H. ("Windy") Biggar, B.A. '20, B.C.L. '21. They were fraternity mates and great rivals. Dean R.W. Lee, D.C.L. '17, was our Roman Law professor and an ardent classical scholar. At the end of our first year we wrote the Dean's Roman Law examination. It was said both Dobell and Biggar were sure they could write perfect papers. When the results came out, Dobell received 100%, Biggar 99%. Both were perfect in their answers but it is believed that Dobell wrote his in Latin!

"The Famous Class of Law '21"

by Clarence F. McCaffrey, B.C.L. '21 (*McGill News*, 1952)

The *Toronto Saturday Night* once referred to it as "The Famous Class of Law '21 of McGill University." From it has come two cabinet ministers, Doug Abbott, B.C.L. '21, LL.D. '51, and Brooke Claxton, B.C.L. '21, LL.D. '51; a judge of the Superior Court, Arthur Smith, B.C.L. '21; a judge of the Social Welfare Court, Gordon Nicholson, B.C.L. '21; three senior Crown Prosecutors, John Long, B.C.L. '22, Ivan Sabourin, B.C.L. '21, and John Crankshaw, B.C.L. '20; one bank President, Graham Towers, B.A. '19, LL.D. '44; one leader of Her Majesty's Loyal Opposition, George Marler, B.C.L. '22, LL.D. '65; one member of the Quebec Upper House, George (Bunny) Foster B.C.L. '20; one High Commissioner, Ambassador, Judge of the Exchequer Court and Chairman of the Board of Transport Commissioners all wrapped up in the person of John Kearney, B.C.L. '19; one Quebec Public Service Commissioner, Joe Harold, B.C.L. '21, and many others with distinct claims to fame....

The Faculty of Law at McGill has always been slightly "off the campus". The vast majority of its students have degrees either from McGill or other universities and, as a rule, its members do not mix with the rest of the student body. But Law '21 was unique because it took in many whose legal studies had been interrupted by World War I and others who had been away from college for a number of years. They were men rather than college boys.

Law '21 started out in the usual way in the fall of 1918. The country was still at war and, while there was a rift in the war clouds, it was impossible to foresee how soon it would end. From the fall of '18 through the winter of '19 and '20, returning soldiers swelled the ranks of the class until a record enrolment was received. The Dean at that time was Robert Warden Lee, *D.C.L.* '17, who came to the University from England in 1914 and who weathered the war years but was unable to cope with the peace. In 1920 he retired to take the Chair of Roman Dutch law at Oxford. He was a man of aquiline features, great erudition, a fine wit, with sarcasm the like of which has never before or since been seen at the University. A gracious English gentleman who at all times considered his students first, and upon whom he left an indelible mark. When mentioning incapacitated persons in the province of Quebec he would invariably refer to them as "insane persons, married women and criminals", thereby neatly bracketing the married women and stressing their position in the province....

Some of the professors of that day were the great leaders of the Bar, and I well recall Hon. P.B. Mignault, *B.C.L.* '78, *LL.D.* '20, affectionately known to his students as "*Pas Beau*", of the Supreme Court of Canada; Aimé Geoffrion, *B.C.L.* '93, and Judge [R.A.E.] Greenshields, *B.A.* '83, *B.C.L.* '85, *LL.D.* '29, the students' great delight; Hon. Mr. [Thibeadeau] Rinfret, *B.C.L.* '00, *LL.D.* '44, now of the Supreme Court; Eugène Lafleur, *B.A.* '77, *B.C.L.* '80, *D.C.L.* '00, *LL.D.* '21, perhaps the greatest of them all and Mr. MacDougall, his partner; Dr. Willis S. Johnson and the distinguished Mr. W. de M. Marler, *B.A.* '68, *B.C.L.* '72, *D.C.L.* '97, among others.

I do not think a University was ever so glad to be rid of a class as it was of this one. The professors would announce the date of an examination in this fashion: "Gentlemen, you will have your examination on such and such a date," to which the class would answer, "We will not", and the dates were generally set by the students themselves.

It cannot be said that, in spite of the galaxy of professors, the students gave their utmost attention to the pearls that were cast before them. At eight o'clock, on frosty winter mornings when Judge [Edouard F.] Surveyer, *B.C.L.* '96, would come to lecture on Civil Procedure, there would be about ten students in attendance, but when he called the roll, miraculously he got answers of "present" to about sixty queries. I recall one morning with an attendance of about eight and getting a "present" as each name was called, then suddenly a dead silence when a certain name was called. The distinguished, but gentle, Judge raised his head and said, "My, my, has Mr. Blank no friends among you this morning?"....

The late Judge Greenshields was renowned for his wit and sarcasm. He repeatedly told us: "Gentlemen, I care not what intelligence you possess, with what assiduity you may pursue your studies, you will never learn Criminal Law from the *Criminal Code*." He carried on a one-man feud with its long-dead codifiers.

Between classes
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singing of
Tipperary and
other war songs
and many yarns
told of exciting
days at the front.

Law '21 had many members who have since distinguished themselves but, in particular, it had one who distinguished himself as a student. I refer to the late Frank Genest, *B.C.L. '21*, who created the lovable character Si Whiffletree, who became a fabulous personality around McGill. Dink Carroll, *B.C.L. '23*, John Gallery, *B.C.L. '21*, and Gordon Nicholson, *B.C.L. '21*, were stars of the rugby team. Dink is now the Sports Editor of the *Montreal Gazette* and a contributor to such outstanding publications as the *Saturday Evening Post* and the *Readers' Digest*. John Gallery is engaged in the publishing business and Gordon Nicholson, *B.C.L. '21*, is a judge of the Social Welfare Court where he has the onerous task of solving family troubles in a courteous, gracious and distinguished manner....

I always thrill when I hear or read one of Doug Abbott's budgets. He balances billions, and I recall him in a debate at McGill quoting John Stuart Mill, and adding the totally unnecessary rider, "since deceased, I believe". Doug was always hard working and sincere and, even in his young days, was recognized by his fellow students as one who would succeed. Brooke Claxton is the son of a distinguished jurist. He early felt the weight of responsibilities and I sincerely believe that in every task which he has accepted, and done so remarkably well, the honour was of a distinctly secondary nature and he is gratified that he is able to spend his talents in the service of his country.

One day in the Common Room, one of our fellow students announced that he was through with Law and had accepted a position with the Royal Bank of Canada. We were outraged at this defection and told him with dire foreboding that in twenty-five years he would still be toting up figures in a ledger and signing bills of exchange. He refused our sound advice and went right ahead to become quite a personage in banking circles. His name is Graham Towers.

Paul Hutchison, *B.A. '16, B.C.L. '21*, is the studious type, club man, and lawyer to Montreal's elite. I recall when we were taking our examinations in the University of Montreal building on St. Denis Street, someone had stolen Hutchison's hat. I looked at the ghastly thing he was wearing and said that I had no idea what his looked like but he certainly got the worse of the deal. He indignantly reproved me and assured me that this was his own new hat. It was the custom at that time to wear as disreputable a looking hat as possible. Whatever fame Hutchison will acquire as a lawyer will be dimmed by comparison with the magnificent record which he established as commandant of the Black Watch during World War II. He not only made an excellent commandant but took on the difficult position of Public Relations Officer and addressed many service clubs and others in the interest of the Black Watch. To one of his shy nature this must have been the more onerous part of his position. Talking about hats, Buck Buchanan, *B.C.L. '21*, refused to wear any for a long time. Now a sound corporation lawyer, his nature has changed not one whit. At college, he used to sit in the rear of the class and with his pen knife etched out the whole Ypres Salient [front in World War I] on a battered desk. He has all the loving faults of the Irish and few, if any, of their execrable virtues. While other mortals are content to drive an ordinary car, Buchanan drives a station wagon. Two great friends of that year were Hank MacLean, *B.C.L. '21*, and Curzon Dobell, *B.C.L. '22*. Their particular delight consisted in seeing how fast they could drive Dobell's car along Sherbrooke Street at four o'clock in the morning. MacLean is now head of a large law firm and Curzon Dobell, after establishing himself as an authority in Mining Law, died at a too early age.

Murray Hayes, *B.C.L. '21*, also forsook the law and made such a success in commerce that he was able to retire at a comparatively early age, but the family tradition was ably carried on by his son who distinguished himself as a star of McGill's football team while at the University.

The Class of '21 early came up against the facts of life. We graduated with what was McGill's most distinguished graduating class. It was our Centenary and the authorities decided to present one hundred honorary LL.D.'s so you can see that our fellow graduates were men of distinction....We left the ghost-ridden building and ran right smack into reality—the Bar Examination....It appeared to us that either McGill had given us the right answers to the wrong questions or wrong answers to the right questions. However, we were not to be stopped by such a puny barrier as this. General Smart took up the question in Parliament. Professors and politicians alike were bombarded and July 1922 saw most of us practising lawyers. So if when reading our obituaries you find that we graduated in '21 but were called to the Bar in '22, you will know the reason why.

La Faculté de droit dans les années 1920



(Old McGill, 1924)

Louise Britton Weibel, LL.B. '22, LL.M. '23 (excerpted from a letter to Dean Roderick A. Macdonald, March 29, 1987)

When I decided to leave the B.A. course and change to the new LL.B. plan being offered, I knew I couldn't practice in Quebec, but really looked forward to a career in business, or at least as a very superior executive secretary. At that time there were very few fields open to the ordinary young woman in Montreal.

The whole Law Faculty was housed...in a former residence on University Street next to the east entrance to the Campus, across the street from the Anglican Seminary and the High School. There was one lecture room on each floor, and a few offices for Dean Smith and a receptionist/secretary, who was also a student, Miss [Margaret McEwan] Sim, LL.B. '23.

We had classes from 8 to 10 a.m., and 4 to 6 p.m. All the men students were indentured to various law firms, putting in the required time preliminary to the Bar at the same time as their studies, and also getting good experience in procedure. The women felt disadvantaged at being denied this, but we were too few to have a voice then. With all those hours in the day, I took many extra courses in the Arts program and in my last year was given permission to "audit" several courses in Law that were not required. This almost proved my undoing, as a week before final exams Dean [Herbert A.] Smith told me I was expected to take exams in all the courses I had audited! I was not at all prepared for that, but crammed like mad, and felt I had done very badly. However, I must have passed, as I was given a degree.

Dean Smith was a full-time faculty member, with only one or two others; all the other lecturers were lawyers or judges with offices downtown who came for an hour early in the morning or late in the afternoon. Of the courses we took, I remember Roman Law—a big book on Justinian with one column in Latin and one in English; Contracts; Evidence both Civil and Common; Real Property; Domestic Relations; Torts; and intense study of sections of the *Civil Code*.

Most of the students I think of as more serious than the typical undergraduate. Many were veterans of World War I, anxious to get on with a profession, and the daily routine of rushing off to an office downtown right after morning classes left little time for friendly tomfoolery. I do not recall the Law School taking part in any intramural sports—just an occasional Moot Court in the School....

Elizabeth Monk, *B.A. '19, B.C.L. '23, LL.D. '75*, was a shining light, and I treasured her friendship, keeping in touch with her for years. She had an M.A. from Harvard, I believe, before entering Law. The other women were Dorothy Heneker, *LL.B. '24, B.C.L. '25*, from a Montreal family of lawyers taking a partial course, and a girl from Toronto, very pretty and very reserved, and Miss Sim. But in that era, we all stayed more in the background in a college full of men, than girl students do nowadays! I had friends in the Arts Faculty and in Engineering, and later on in Medicine, and during my free time took part in French Club and Debating at R.V.C. and in the Student Christian Movement at Strathcona Hall.

Soon after convocation Dean Smith asked me if I would consider working for a graduate degree, writing a thesis in his field of Domestic Relations. I'm sure he just wanted the [Faculty of Law] to produce a graduate student, and knew I didn't have to get out at once to earn a living; so I became a candidate. During that year I learned shorthand and typing (somewhat) at a business school downtown, audited some lectures in Arts, and spent the rest of every day in the Law Library in research for my thesis....

"The Dean Bails Out the Students"

by John L. O'Brien, *B.A. '20, B.C.L. '23 (from *The McGill You Knew*)*

Immediately following the end of the First World War, Chief Justice R.A.E. Greenshields, *B.A. '83, B.C.L. '85, LL.D. '19*, of the Superior Court of Montreal held the office of Dean of the Faculty of Law at McGill for a few years, during which a substantial number of the students were men who had returned after service in the armed forces. These students...were not the easiest ones to accommodate to the required discipline of the University.

At an undergraduate dinner of the law students in the graduate year of many of these war veterans, Dean Greenshields spoke to them and, in a jocular manner, stated that they were the most obstreperous group of students he had ever had occasion to meet. He ended his talk by saying that, notwithstanding the trouble they had given him, he thought they were a grand group of fellows and that he would always be ready to assist any of them if need be. Law undergraduate dinners were notorious for the celebrations that occurred during and after them. The formal end of the dinners very often only initiated the later events, which sometimes lasted until the very early hours of the morning. About 2 or 3 a.m. of the day following this dinner Dean Greenshields was awakened by a telephone call. The callers identified themselves as law students, recalled to the Dean his undertaking to be of help to them at any time, and asked him if he could arrange immediately to get them out on bail from No. 10 police station where they were being held.

The sequel is that the Chief Justice did just what he was asked to do.

Arnold Heeney, *B.C.L. '29, LL.D. '61*

(excerpted from *The Things That Are Caesar's, Memoirs of a Canadian Public Servant*)

As the weeks and months of reading and lectures succeeded one another, I found that my interest in the law developed steadily. At that time the Law Faculty was fortunate in having a number of distinguished scholars on its staff. First among them was Dean P.E. Corbett, *B.A. '13, M.A. '15, D.C.L. '61*, one of the earlier Canadian Rhodes Scholars. He had had a brilliant record at Oxford after the first war and was reported on one occasion to have hung by his toes in the Senior Common Room of All Souls [College] after being named a Fellow. I have never sat under a better teacher, the lectures in Roman Law were models of clarity and precision. Of the others, a few were of high quality, others were passable, and some, especially among those borrowed part time from Bench and Bar, were at best pedestrian.

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"My First Memories of the Law Faculty"

by Professor Frank R. Scott, B.C.L. '27, LL.D. '67 (from *The McGill You Knew*)

My first memory of McGill is still vivid. I had spent three blissful years at Oxford, soaking myself in the richness of European culture, during which time I never came back to Canada. Then after one year in Montreal, teaching at Lower Canada College, I entered the McGill Law Faculty. It was housed on the upper floors of what was then the Administration Building, now Dawson Hall. [Stephen] Leacock in his book on Montreal points out that the administration offices were renovated from what were once "pantries, kitchens, cellars, attempts at chemistry, as inconvenient, crooked, and impossible as anything in London." He then adds, "Above it is housed the Law Faculty, crooked still." Here I arrived in September 1924, still starry-eyed from the timbered halls of Oxford. And what greeted me in the students' common-room, which was a small square room with benches against the walls? Spittoons! The place looked like the waiting-room of a small CPR station.

More was to follow. Another student came in, walked up to me, and flipped my tie out. This school-boy trick, effective only for people wearing ties and waistcoats, hadn't been played on me since I had left high school. Then I took my first lecture sitting at a desk which was an exact replica of the school desks I had left behind in Quebec—hard seat, iron frame, inkwell in the right-hand corner, etc., and names of former students carved all over. One desk showed a detailed map of the Western Front in World War I, drawn, it was rumoured, by Erskine Buchanan, B.C.L. '21, who had known it well. Most of the lecturers were practising lawyers or judges who talked about their latest cases or read from ancient notes. All lectures were compulsory, and the roll was called at the beginning of each. There was virtually no library, as the main collection of the Faculty was in boxes out at Macdonald College.

Now all this, though he did not quite appreciate it, was very good for the young lad. It shook him out of his happy complacency. It made him ask questions about things he had taken for granted. It made him take off his rosy glasses. In a sense it educated him in a way neither Bishop's nor Oxford had done. The shock of ugliness threw him back upon his own resources and broke him out from his cocoon. He took to writing satirical verse, among other distractions.

Looking back, I recognize now that there were valuable influences at work in the Law Faculty. McGill was pioneering in legal education. It actually had three full-time law professors, Percy Corbett, B.A. '13, M.A. '15, D.C.L. '61, H[erbert] A. Smith and Stuart LeMesurier, B.A. '09, B.C.L. '12, who were keen reformers. No other law school in Canada was so far ahead of its time; at best they had a full-time Dean surrounded by a group of practitioners. The idea of a true university law school, requiring the student's presence all day and providing him with the opportunity for personal study and research, as distinct from a number of lecture courses prescribed by the Bar and mixed with office attendance, was just emerging. McGill was leading the way, though it took many years before the new relationship between teaching and practice was accepted generally in Canada, and the Temple of Justice was seen to require not only the Bench and the Bar, but also the Chair.

Later I was to benefit from this new policy. Four years after my first view of those spittoons a letter arrived on my office desk. I was then beginning my practice of law in the firm of Lafleur, Macdougall, Macfarlane and Barclay. The envelope was addressed in a large, bold hand. Even before I opened it I knew, by a sort of clairvoyance, what was in it. An invitation to join the full-time staff of the Law Faculty! I had not applied for this position, had not even thought of it. The only application I had ever made to McGill was on graduation from Oxford, when I asked for a post in the History Department and was refused.

I was not dissatisfied with my legal work downtown; indeed, I was extremely fortunately placed in a leading firm with a brother and uncle-in-law among the partners. All was set for a successful career of this kind. Yet while I was tearing at that envelope my heart was leaping for joy. I was going back into the University! I would be able to follow my own bent, do my own reading and thinking in my own time, and be able to resume the teaching which I had learned to like while a master at three different schools. The Law Faculty gave me this opportunity.

When I came back as professor the spittoons were gone. When I left forty years later the Law Faculty was in Chancellor Day Hall with its magnificent old mansion attached to one of the finest new buildings on the campus, housing classrooms and a library for 100,000 volumes. And there were twenty-two full-time teachers. The work started in my undergraduate days had come to fruition. Yet the search for better ways of educating the lawyers of tomorrow is still, fortunately, as keen as it ever was.

John P. Humphrey, B.Com. '25, B.A. '27, B.C.L. '29, Ph.D. '45, LL.D. '76 (letter to Ruth Humphrey, dated March 23, 1927, from "Dear Rufus": A Law Student's Life in the Roaring Twenties" by A.J. Hobbins, publication forthcoming in (1999) 44 McGill L.J.)
Spring, after a brief interruption, has returned. The only thing that mars life right now is the thought of the nine examinations which are not far off. Did you ever hear of such a ridiculous number? I don't know whether I'll get through the week or not. Roman Law is the bug-bear of the lot. Justinian did civilization a service when he published his *Institutes*, no doubt, but very few law students will admit it. It seems that we have to know more about Roman Law than the Romans did themselves.

John P. Humphrey, B.Com. '25, B.A. '27, B.C.L. '29, Ph.D. '45, LL.D. '76 (letter to Ruth Humphrey, dated May 3, 1928, from "Dear Rufus": A Law Student's Life in the Roaring Twenties" by A.J. Hobbins, publication forthcoming in (1999) 44 McGill L.J.)
You ask me how I celebrated [my birthday on] the 30th. I'll tell you. I spent six hours of it writing two of my hardest examinations, and the remainder was spent recuperating. In the morning we had one exam, which was so hard that for a while I didn't think I had a chance to pass and had visions of my B.C.L. and law career fading into nothingness. I was so steamed up that for about fifteen minutes it was a physical impossibility to even write. I learned afterwards that other chaps had analogous experiences and the present consensus of opinion in the Faculty seems to be in favour of hanging the man who set the paper. The exam in the afternoon was quite decent, but we were all so exhausted that it was hard to do it justice. My exams are about finished now; only two more—one tomorrow and one next day. It's been an ordeal, believe me. Examinations have never affected me before the way this set has. Well, I've only got one more year of it and then I'll find something else to worry about.

"The History of Law '26"

(Old McGill, 1926)

The lot of the Law historian is a hard one, as most Law students are already university graduates. In the other Faculties, the junior historian may trace the fascinating progress of his fellows, beginning with the stage of complete mental vacuity, through the era of ignorance—the sophomore complex—into the upper years, with their spirit of mellow and enlightened tolerance towards the neophytes. The Law Faculty, however, begins where the others leave off. From the very outset, the undergraduates evince the constant sobriety of the mature student. Do they ever show unseemly exuberance? Perish the unworthy thought! "Then how," you ask, "were those desks broken?" "That, my friend, occurred in the confusion of carrying out one of the students who collapsed from overwork in mid-term." "What were those shouts of 'waw-hoo!' coming from the East Wing?" "Hush, child, that was just a spontaneous burst of cheering from the examiners"....Some litigation occurred in the fall of 1923 over the usufruct of the Inter-Faculty football trophy. In this the members of Law '26 took a prominent part. The case was successfully carried through several courts, but in the last, the forceful arguments of the opposing counsel, Messrs. Ketchum, Karvem and Killam, prevailed. Late in the fall, a most successful banquet was held, when Law '26 dined and wined the class of '25. It is said that several brilliant speeches were given, but on this point there is some obscurity. The present chronicler has found no one who can, with any certainty, describe the dinner in its latter phases. When spring came round, a most deplorable misunderstanding occurred. It seems that certain students, in the course of their morning naps, had chanced to hear the rule that knowledge of the law is presumed. This they took to be the attitude to be adopted by the examiners, who would be spared the tedium of reading papers. Most unfortunately, they miscalculated somewhat, as the rule was applied in its converse form—*ignorantia juris non excusat*. Let us drop a tear and move on. Our decimated ranks were once more drawn up in the autumn, and steps were taken to re-organize the football team. It was then learned, on the testimony of the sufferers themselves, that the men who had previously played so well, had severally contracted housemaid's knee, senile decay, teething troubles and pinkeye, in their most pernicious form, and the project had to be abandoned....

Dean Percy Corbett, B.A. '13, M.A. '15, D.C.L. '61 (Unpublished interview, May 1983, by Kathleen E. Fisher, B.C.L. '83, LL.B. '84)
McGill in my time still depended in a major degree upon part-time lecturers who were practising lawyers. While those people, good human beings, had the controlling interests in their downtown offices and the position was only a part-time one, they thought of it as an honour. But it was a part-time thing that [allowed McGill to double] the professorial body, and as Dean I set apart time...to establish a full-time faculty, the members of which were dependent economically and intellectually and morally on their position in the University and not at the Bar.

At the Top of the Old East Wing "

by Edmund G. Collard, B.A. '31, B.C.L. '34 (from *The McGill You Knew*)

In the 1930s the Law Faculty was very small by modern standards. The course took three years to complete and if all the students in each of the three classes, into which they were divided by their year of entry, were added together, the total came to ninety-nine. Such a small number of students had no need for extensive accommodation and we were adequately housed on the two upper floors of the East Wing of the Arts Building. The East Wing had at one time served as the home of the University Principal, but it had by then ceased to be used for this purpose, although the Principal's office was still located there.

Two classrooms and a library sufficiently served our purposes. The library was in effect little more than a skylight. It may not have been designed by Frank Lloyd Wright, but I am sure he would most certainly have approved of it, for it was flooded by natural light at all times during the day. A reader tired with the monotony of legal tomes, which no one has ever described as entertaining, might always seek relief by upward glances at the cantilevered beams on which the skylight was supported and which, being fully exposed, permitted speculations as to how the stresses and strains were distributed among them.

No arts or engineering students or other interloper ever had occasion to enter these premises, so that only law students were to be seen at the library tables. There we had perforce to be, for the cost of the innumerable law books which we had to consult prevented even the most affluent student from acquiring his own library and doing his reading elsewhere. Day after day we gathered to sit in silence around the library tables, bathed in sunshine on sunny days or in changing shades of grey at other times. Unspeaking, our heads bowed over our books, we seemed to be a brotherhood engaged in some mystic rite, like Zoroastrians solemnly assembled to worship the light.

Those who taught us were all distinguished men but three in particular must be mentioned by name. They were the Dean of the Faculty, Percy Corbett, B.A. '13, M.A. '15, D.C.L. '61, the Assistant Dean, Stuart LeMesurier B.A. '09, D.C.L. '12, and Professor Frank Scott, B.C.L. '27, LL.D. '67, each of whom was an outstanding pedagogue. Percy Corbett gave us a course in Roman Law. He would come into the classroom with a huge tome under his arm. It was the Latin text of Justinian's *Digest*, from which he would translate whenever necessary with the utmost ease. Of course, none of us was up to this level of learning and it must be confessed that a good deal of what he said went over our heads. Nevertheless, it was an undoubted opportunity to have a prestigious subject presented to us by someone who fully comprehended its significance and who had established an international reputation in this field.

To be taught by the Assistant Dean, Stuart LeMesurier, was another of our exceptional opportunities. He lectured on selected portions of the *Quebec Civil Code*, beginning with the Law of Persons. For him the Code was more than a collection of propositions, like a book of geometry. It was imbued with a life of its own and, like all living things, underwent continuous development....

Our list of great teachers would not be complete without the inclusion of Frank R. Scott. He taught us Constitutional Law. As he presented it, this became our most popular course. I doubt whether any of us ever met another man so variously gifted as he was. His capacities could not be confined to a single role. He was equally renowned as a poet and as an authority on the law of constitution. His was a most contemporary mind. He was alive, to an extent which few people are, to the significance of what was happening in the world of today. He had, moreover, to a remarkable degree, the courage to make his convictions known.

I would not want to imply that all our teachers attained to the merits of those I have been describing. For some unknown reason, a Superior Court judge, outstanding for his knowledge of Civil Procedure, was chosen to lecture to us on Criminal Law. As might have been expected, the results were disappointing and this he made no attempt to rectify. For every lecture he would follow the same routine. On arriving, he would borrow a copy of the *Criminal Code* from the library and read us portions of it and comments thereon, which one of his predecessors in the same course had compiled a long time ago.

One day, however, the lecture was delayed. The lecturer had arrived as usual and was in the library searching in vain for a copy of the *Criminal Code*. He couldn't find one because, unknown to him, he had become the victim of a practical joke. By previous arrangement the students had borrowed every copy of the code which the library possessed. Soon the librarian appeared and asked whether any of those who had borrowed a *Criminal Code* would relinquish it for an hour. The matter was urgent. When we asked why, she declined to say. After the joke had gone on long enough a code was forthcoming, the lecturer appeared and all proceeded thereafter according to routine. It was a good joke but one to be relished only by those in the know.

Unspeaking,
our heads
bowed over
our books,
we seemed
to be a
brotherhood
engaged in
some mystic rite,
like Zoroastrians
solemnly
assembled
to worship
the light.



Class of 1936

(Old McGill, 1935)

Isabel G. Gales, B.A. '33, B.C.L. '36

In those days there were not very many employment opportunities for women. Our career options were mainly limited to teaching, secretarial work, or nursing but none of these occupations appealed to me. My brother-in-law, A. Sydney Bruneau, B.A. '13, B.C.L. '17 (who went on to become Dean in 1950) was one influence on my decision to study law, but I enrolled mainly because the field of study interested me. My decision to study at McGill seemed like a natural choice—over the past hundred years, there was scarcely a year that went by that didn't see at least one member of our family studying here.

Our entering class was apparently the largest on record up to that time, with some thirty of us in the Faculty. This was during the height of the Great Depression, of course, and many of my classmates were studying law because they hoped it would lead to better employment prospects after they graduated. There were few jobs available, though, and they did not pay very well. There was only one other woman law student in my year, Constance Short, B.A. '33, B.C.L. '36, and she and I were close friends from our days studying in the Faculty of Arts. We both decided to study law at McGill but hadn't mentioned it to each other beforehand—and we were delighted when we discovered that we were both going to be classmates all over again!

The classes were held upstairs in the East Wing of the Arts building, over the Registrar's office in Dawson Hall. It was quite a ramshackle, run-down affair. In addition to the classroom space there was a separate room that housed the law library. It was so cold in the building that we often wore our coonskin coats and gloves (even the men!) while we studied in the library.

There were several professors that stood out. Dean Percy Corbett, B.A. '13, M.A. '15, D.C.L. '61, was a brilliant scholar and a very good teacher. When I think back to his lectures in International Law, what I remember most vividly all these years later is that the only issue in International Law seemed to be cross-fire on ships, but of course the field was not nearly as well-developed as it is now. Corbett was also an authority on Roman Law, and had authored a leading book on that subject. F.R. Scott, B.C.L. '27, LL.D. '67, was a very-talented professor of Constitutional Law. Although often at cross-purposes with members of the administration because of his left-leaning political views, he never tried to proselytize us—he kept his political views out of class. Other professors I remember fondly were Charles Stuart Lemesurier, B.A. '09, D.C.L. '12, an extremely effective professor of Civil Law; and Brooke Claxton, B.C.L. '21, LL.D. '50, who was an engaging lecturer. Douglas Abbott, B.C.L. '21, LL.D. '51, was an aloof individual but a good instructor.

Ultimately I never practised law, but I remember my time at McGill very fondly—learning the law was a marvelously enriching experience.

History of Law '37"

(Old McGill, 1937)

Asare et al., Plaintiffs, v. Corbett et al., Defendants, and The Royal Institute for the Advancement of Learning, *Mis-en-cause*.

Judgment in this extremely interesting case was handed down today by the Judicial Committee of the Privy Council, by mistake in the Superior Court. Everybody's feelings were quite ruffled, but matters were remedied when the whole Committee took the Prothonotary out to lunch.

Judgment of the board was given by Lord Feeblefeathers in the absence of the Lord Chancellor, who was downstairs telephoning. His Lordship said: "This is an action by the members of the class of Law '37, taken against their professors; the University was put in the case just for fun. The action is for the repayment of moneys not due, or in the alternative for damages suffered to mind and character. A criminal action on a charge of obtaining moneys under false pretences has been dropped, but that fact will in no whit alter or affect the very able and learned judgment which I am about to pronounce. It would be well, before going into the legal aspects involved in this case, to consider certain allegations contained in the declaration with regard to the ineffectuality of the defendants' attempts to impart a knowledge of the law to the plaintiffs, and to consider at the same time certain of the allegations in defendants' plea in respect of the character and moral worth of the plaintiffs.

The whole history of the events leading up to this trial is one of unparalleled sadness. I found myself at a loss adequately to express my feelings as the evidence which was brought forward at the trial disclosed more and more of what is going on at our so-called great education institutions. The plaintiffs, of whom there are now but seventeen, although they started in First Year with twenty-nine, seem to have been a peculiar lot. They claim that there are many achievements of which they, as a class, are truly proud: to mention only one, they have probably the best *per capita* consumption record at Law Banquets and Law Society meetings of any class with which they have come up in competition.

There seems, however, to have been certain pleasant aspects of their sojourn in that ancient and honourable Faculty. I quote from the evidence: 'Time dims much in the memory of man, even when it is not running to the contrary thereof.' Nevertheless we have collected some little gems in the course of our progress. Who can forget the lightning-like rapidity with which we whizzed through all things, divisible and indivisible, or those enthralling lectures on impotence and adultery....

It was in Second Year, apparently, that the first feelings of discontent with the instructors (the defendants) appeared. For example, the plaintiffs claim that in Criminal Law they were told ALL...except the essentials (the law yell is still a mystery). In Constitutional, although they learnt that the Crown can do no wrong without its consent, they never really got to the pith and "thubthtanthe" of the living tree doctrine. In Legal Theory they learnt all about Kelsen and Duguit except what their theories on law were....It was in Second Year, too, that they were initiated into the mysteries of «*promesse de vente d'une chose d'autrui avec garantie légale*,» and the propositions connected with the Lease and Hire of Immoral Services. Here also they discovered the first evidence of the speed-fiend who lectures in Procedure, the defendant [Orville S.] Tyndale, B.A. '08, M.A. '09, B.C.L. '15, LL.D. '47....

The plaintiffs admit that they had some useful lessons in forgery from the capable hands of the defendant [F.R.] Scott, B.C.L. '27, LL.D. '67, and there are probably some of them who could tell whether or not a ship's husband who gives a fictitious or non-existing name in the agony of collision would be estopped from setting up his own want of consideration....In summing up the legal issues involved, I can do no better than to quote the defendant [Charles Stuart] LeMesurier, B.A. '09, D.C.L. '12, the Dean of the Faculty. He said: 'Suppose that a naturalized German, who was born of Romanian and Siberian parents on a Brazilian boat falsely flying Belgian colours in the middle of the English Channel, makes a contract, while in an American submarine in the Suez Canal, with a merchant from Mongolia, not to prosecute in the Australian courts without having first had a *renvoi* to the laws of Italy. In whose custody is the child? What the courts will decide nobody knows. Gentlemen, I leave you with that.'

After due consideration it seems clear that the plaintiffs have failed to make out the essential allegations of their claim. Their suit will therefore be dismissed, and they are hereby condemned to be pickled in alcohol. This will put both parties on the same footing. Costs all around, or better still, against the University *mis-en-cause*. And we will humbly advise His Majesty accordingly."

"Memories: McGill Law School 1936-1938"

by H. Heward Stikeman, B.A. '35, B.C.L. '38, LL.D. '86

From the fall of 1936 to the spring of 1938, I attended law school at McGill. The Depression was still deep, war clouds were looming, both of which tended to reduce the attendance to a mere thirteen students. Our facilities were the attic of the East Wing of the Arts Building, most of which was taken up by rickety shelves on which the parsimonious collection of law books rested. The classes were most informal, but the teaching was exceptionally strong. At first Dean Percy Corbett, B.A. '13, M.A. '15, D.C.L. '61, and then Dean Charles Stuart Lemesurier, B.A. '09, B.C.L. '12, induced a number of Montreal practitioners to participate in part-time lecturing. Because of the minute size of the student body, seminars were not used and direct lectures sometimes became quite boring.

Judge [Edouard F.] Surveyer, B.C.L. '96, taught Criminal Law in a quiet avuncular monotone. He is the only professor I have seen who went quite often to sleep during his own lectures! While reading his notes, his head supported by his hands on his cheek with his elbow on the desk, his somnolent drone would change into the occasional snore. At this point, the class had two choices, leaving him in peace or waking him up. The latter was usually accomplished by moving his elbow so his head fell forward. Mostly he resumed lecturing as if nothing had happened.

Frank R. Scott, B.C.L. '27, LL.D. '67, taught Constitutional Law and Negotiable Instruments with equal wit and flair. His dissertation on the leading judgment in Glasscock v. Balls never failed to evoke unbridled mirth until he sternly compared it, tongue-in-cheek, with some recent *obiter dictum* of the Privy Council on the constitutional powers of the provinces. The simile was not lost on the class, but only provoked more laughter. Company Law was not taught as such and when I started to practice, I had no idea of how a company was formed or the mechanics of its maintenance. Tax Law was, of course, unheard of. There were no text books on the subject and the personal rate was well under 20% for those who had enough income to be taxable.

Douglas C. Abbott, B.C.L. '21, LL.D. '51, later of the Supreme Court of Canada, taught Civil Procedure and managed to make it somewhat bearable, but the killer course was that of Percy Corbett in Roman Law. It was worth twice the number of marks for any other course on the curriculum and was occasionally delivered in Latin without benefit of "crib." It was a truly remarkable feat and one which caused all of us much panic at exam times. Curiously enough, I lived to thank Dean Corbett when, during my stint as Assistant Deputy Minister with Revenue Canada in Ottawa during the war, I had occasion to seize the assets of a person charged with tax fraud. The only writ I could find that was really effective was one used by King Henry VIII to confiscate the property of the Catholic Church when he declared the authority of the Pope void in England by an Act of Parliament in 1536. This was a Writ of Immediate Extent. I made application and got one issued by the Exchequer Court of Canada but, on doing some research into the matter, discovered that the only jurisprudence extant consisted of decisions of the English Court of Star Chamber and they were all in Latin. The writ was returnable in two weeks, during which time I had tied up even the taxpayer's clean laundry, which was delivered to my office. Meanwhile, his lawyers were scurrying around trying to find a translation of the Latin text, of which happily for me only one existed, and I had borrowed it from the Supreme Court Library. When argument was made as to the continuance of the seizure, I produced the Latin judgments but held back the crib for a few moments to relish the confusion of both court and counsel. Needless to say everyone had a good laugh and the taxpayer finally paid up.

Among my classmates were some older individuals, including Corporal Thomas G. Scrogg, B.C.L. '38, of the RCMP who had been sent by the Force to take a law degree in order to improve its policing. Tom had some claim to fame as being the officer who apprehended the famous rum-runner schooner "I'm Alone" during the Prohibition Era in the United States.

Also in the class was an engaging young man, Gear McIntyre, B.A. '31, M.A. '32, B.C.L. '35, later to become Deputy Minister of National Revenue in Ottawa. Others included William J. Hulbig, B.A. '35, B.C.L. '38, who went on to be General Counsel for the Sun Life Insurance Company, after his stint in Revenue Canada, and Philip F. Vineberg, B.A. '35, M.A. '36, B.C.L. '39, later to be a partner with his uncle, Lazarus Phillips, B.C.L. '18, LL.D. '65. Fortuitously Philip and I became, much later, the pioneers of Canadian Tax Law: I by virtue of having joined the Tax Department and Phil by tussling with me and my minions in many tax disputes across Canada. The leader of the pack, however, in terms of intellectual standing as well as in achievement was Louis P. de Grandpré, B.C.L. '38, LL.D. '72, later to become an outstanding member of Canada's Supreme Court until illness forced his early retirement. 1998 saw Louis and I celebrate our sixtieth anniversary at the Bar together in the Montreal Court House, the last, but not two, known survivors of our year, the others being Paul B. Pitcher, B.A. '35, B.C.L. '38, and William J. Hulbig.

La Faculté de droit dans les années 1940

Class History '42"

(Old McGill, 1942)

The Faculty of Law can look back on the past year as one which deserves to be remembered. To a great extent it was a year of changes. The number of students in the Faculty continued the diminishing trend which it has shown in recent years. One member of the teaching staff also forsook the hallowed halls, preferring the post of Minister to Chile. A break with tradition was made when the Law Banquet moved from the Queen's to the Ritz. It began by being unusually well-behaved, but got back to normal when it was discovered that the female members of the student body had tactfully refrained from attending. For probably the first time in history both the President of the Students' Society and the President of the Women's Union were students in Law. It would seem that while the lawyers have lost their old pre-eminence in the field of sports, their share of executive posts remains undiminished. A change of the greatest importance was the moving of the Faculty from its old quarters in the East Wing to the magnificent solitude of Purvis Hall. As in the two previous years a bilingual debate was held with the Law Faculty of the *Université de Montréal*. McGill won its second successive victory, giving it a two-to-one edge over its French *confrères*.



Class of 1948

(Old McGill, 1946)

Ruth Hill Stanley, B.A. '43, B.C.L. '45

I began my law studies at McGill in the autumn of 1942. It was a time of great anxiety and restlessness, and everyone was concentrating on the war. The Law School at the time occupied a few rooms over the Registrar's office in the East Wing of the Arts Building. We were no sooner settled in there when the boys in the class went by train to western Canada to help with the harvest. Later we moved to Pine Avenue to Purvis Hall, which we shared with the Commerce Library. It was a long, lonely walk up from Royal Victoria College where I lived, especially at night. Many times I stayed to study at night, the only person in the building, until 10 p.m. when the night watchman locked me out.

There are so many women in law now, it will be hard for you to realize what a lonely business it was to be the *only* woman. For three years, every class I attended began, "Gentlemen...." Only in the last few weeks of my last year did we have a distinguished lecturer come up from St. James Street to address the class as "Gentlemen and Miss Hill." I was very touched, until he asked me confidentially if I would care, upon graduation, to join his firm as librarian! I asked him if he would offer the job to one of the men in the class, and rather sheepishly he admitted he would not. "Well, don't offer it to me, then," I told him. My self-esteem was mended somewhat when the first day I went to the Registry Office one of the clerks said, "Now that you come here, I shall polish the spittoons." And he did!

Paul Ollivier, B.C.L. '51

I thoroughly enjoyed my four years at McGill and Montreal. The city was a very exciting place and having the privilege of living just off the McGill campus I was in a position, along with my friends, to enjoy all the pleasures of downtown Montreal, including that wonderful nightclub "Rockhead's Paradise". My favourite professor was Frank Scott, *B.C.L. '21, LL.D. '67*. He not only mastered his subject, Constitutional Law, but he also taught it with a great sense of humour which made attending his class a real pleasure. He was also an excellent counsel as well as a poet. He defended the publication in Quebec of *Lady Chatterley's Lover* all the way to the Supreme Court and then wrote a poem on the subject which began, "I went to bat for the Lady Chat...." Another excellent teacher was Professor Max Cohen, *LL.D. '94*. I believe he is the one who in the course of discussing a ship collision case (he taught Maritime Law) was asked by a student, "was there any wind, sir?", to which he replied, "only in the judgment!"

"Reminiscences of a McGill Law '50 Student"

by Marie-Claire Kirkland-Strover, B.A. '47, B.C.L. '50, LL.D. '97

Three things stood out when I began my law course at McGill in 1947. The first was that the Law Faculty seemed to have no established home of its own, for until the Chancellor Day Hall premises on Peel Street were acquired its offices and library were in a building shared with the School of Commerce, while we had most of our lectures in the Medical building and some even in the Redpath Museum.

The second was that our class was told that we were to be the pioneers of the new curriculum which was to replace three years of university studies (accompanied by being articulated with a practising lawyer) by a four-year course, of which the last year would teach the practical aspects formerly covered whilst articulated. However, it appears that those of the Bar of Québec who were putting together the replacement framework found themselves unable to meet their deadline, for it was later announced that we would be the last of the three-year regime, with a heavier second year padded by such subjects as Accountancy, which had been dropped from our first year to be included in the proposed fourth year.

The third was the record number of students. As one of eight, I was part of the largest group of women ever enrolled, while the whole class, swelled by the many World War II veterans who had by now completed their abridged Arts courses, approached the hundred mark. The ex-Service men presented a curious mixture of mature outlook and a penchant for playing childish pranks, perhaps to make up for lost opportunities earlier. One of the better remembered of these concerned a fictitious Free French Forces veteran named Henri d'Ung who was fraudulently registered as a member of our class and became the subject of much spurious correspondence with the Bursar, besides being nominated in a Law Undergraduate Society election and defeating the other candidate. I could certainly not then have guessed that many years later one of these men would become my present husband [Wyndham A. Stover, *B.C.L. '50*], leading to our inclusion in a 1992 *McGill News* article entitled, "The Ivory Tower of Love."

"Those Lawless Dinners"

by Professor Maxwell Cohen, LL.D. '94 (from *The McGill You Knew*)

The growing violence of Law Faculty student dinners climaxed when Chief Justice W[illiam] B. Scott, *B.C.L. '12*, found himself pelted with sugar lumps and bread rolls and then with plates and cups whizzing by his one good eye. This high point terminated banquets for several years—to which should be added, that with so sparkling a reputation the students were unable to rent a dining room.

An equally vivid memory is that of the late Brooke Claxton, *B.C.L. '21, LL.D. '50*, then Minister of National Defence, trying to address one of these dinners and being shouted down each time he rose to speak—good-humouredly, of course. He then hit upon the tactic of standing and addressing the dinner in total silence, with gestures only—the gestures an exaggerated mime of a political orator at his frenetic worst or best. Wordless gestures brought attention and, in due course, a respectful and amused silence.

Professor Emeritus John Durnford, B.A. '49, B.C.L. '52

There are so many people who are experts on subjects but can't communicate effectively. F.R. Scott, B.C.L. '27, LL.D. '67, however, was a genius at presentation. He was an actor, a very entertaining man, and he brought the material to life—he taught a lot by only teaching a very little, because he concentrated on general principles of Constitutional Law and that made them easy to remember. Mind you, he was extremely socialist and taught everything from a socialist perspective. He thought that, to be effective, a socialist government would have to be in Ottawa and therefore he wanted a strong central government. The Privy Council took the decisions in the other direction, giving more power to the provincial governments, so Scott used to be furious with these decisions and ridiculed them in a dramatic way.

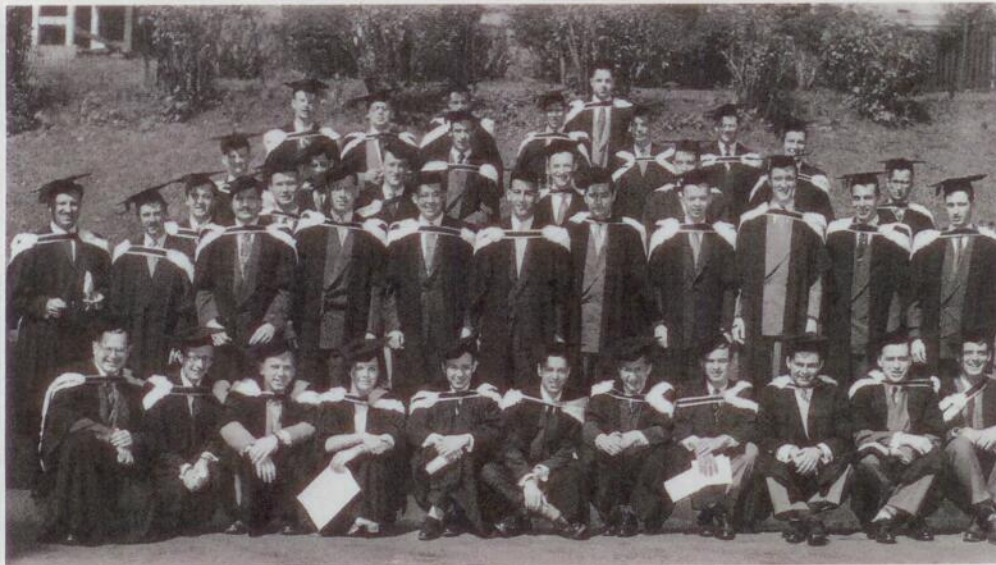
One of my other favourite teachers was Alastair Watt, B.A. '30, B.C.L. '33, a lawyer who lectured part-time on Civil Procedure and later became a judge. Sometimes he only stayed for ten minutes, and said, "well, that's enough", but he also made the law live. I remember that he was teaching us *demurrer*, which used to be called in Quebec "inscription in law", wherein you would launch proceedings having a very interesting story but no underlying legal basis. And the way he put it was, "it's a great story, but SO WHAT?" Dean William Meredith taught Civil Procedure in a different year than Watt taught it. All I remember about him is that he was boring, and that he would be teaching with a pale face and then see one of my classmates reading the newspaper, and he would go absolutely *scarlet* with rage.

Stuart Lemesurier, B.A. '09, D.C.L. '12, was near the end of a very long career as a professor. He was unimaginative and uninspiring, but he *forced* us to learn the law. He would take a small number of problems and never tell us the answer. One of them was on his exam every year: the issue of whether a *hypothecc* was indivisible, which really wasn't such an important question. There had been a judgment at the trial level, and a split decision at the appeal level where the judges all said things that were different about this issue. When I became a professor he said to me, "John—never tell them the answer!" That's how he forced us to struggle with these problems, which in turn forced our minds to work.

Jim Anglin, B.A. '33, B.C.L. '36, a part-timer who taught Company Law, was very competent but dull. I would sit there for what appeared to be an eternity in his class; at the end I would come out with absolutely no recollection of what he said but with pages of notes.

All our classes were held in Old Chancellor Day Hall, and some of the offices upstairs were occupied by the Department of Psychology. There were three former bedrooms on the first floor and three more above, but the walls were removed and they were turned into classrooms. We were convinced that the Faculty had to fail a certain number of students so that we would fit into the classroom upstairs. Of course, this was just student hysteria. But in truth every year about a third failed in the first year, because anyone who wanted to take law was admitted as long as they had a B.A.

We were convinced that the Faculty had to fail a certain number of students so that we would fit into the classroom upstairs.



Class of 1952

1952 (FLA)

«Un Souper du Tonnerre»

by Pierre Bourque, B.C.L. '52

"Il faudrait bien célébrer dignement l'arrivée du nouveau prof et de son cours de droit aérien" nous dit John en cet après-midi d'automne 1950 dans la salle de repos de la Faculté de droit de l'Université McGill rue McTavish. Nous causons: John (aujourd'hui Jonathan J. Robinson, B.C.L. '52, associé senior du cabinet Robinson Sheppard), George Hobart, B.C.L. '52 (maintenant riche homme d'affaires de la Ville-Reine) et le soussigné. Le souper auquel étaient conviés pour cet événement tous les étudiants et les professeurs de la Faculté de droit était prévu pour le lendemain au Cercle Universitaire, un club privé de la rue Sherbrooke.

"Il faut qu'on se souvienne de ce banquet," répéta John. "Absolument", reprit George.

Vous aurez sûrement compris que ces deux comparses cherchaient un tour pendable à jouer (ils n'en étaient pas à leur premier), et que moi, jeune étudiant naïf, étais tombé en très vilaine compagnie. Soudain, une idée géniale! Tout comme la colombe, symbole de pureté des Jeux Olympiques, pourquoi ne pas libérer trois pigeons au cours du banquet tout en chantant la chanson thème des gens de l'air....

Le lendemain midi, John, Georges et moi nous nous rendîmes à un vieux marché qui existait alors aux coins de Amherst et Ontario dans un quartier moins agréable qu'aujourd'hui (à lire "moins gai") pour acheter trois pigeons bien vivants que nous ramenâmes à l'Université dans une boîte en carton avec la nourriture appropriée pour les maintenir heureux et en forme.

Le soir du souper, je décidai d'apporter avec moi, à tout hasard, un énorme pétard ("thunderflash") qui était utilisé pour simuler le bruit et les éclats d'une bombe lors des exercices militaires. Je revenais frais émoulu d'un entraînement militaire pour futurs officiers à Val Cartier, Québec et avais ramené avec moi, illégalement dois-je le confesser, quelques-unes de ces pièces pyrotechniques. La soirée débute...le souper est bien arrosé et tous s'amusez ferme...les pigeons sont à nos pieds, bien au chaud dans leur boîte et roucoulent tout gentiment. Les serveurs et nos collègues des tables avoisinantes ouvrent des grands yeux étonnés à ces bruits étranges qui semblent venir du plancher. Personne toutefois ne pose de questions.

Ce soir-là, en plus du nouveau professeur de droit aérien, l'invité d'honneur était un juge de Québec, l'Honorable Albert Sévigny, Juge en chef de la Cour Supérieure qui venait de présider un procès célèbre, celui d'Albert Guay, un joaillier de la ville de Québec qui avait été le premier au monde (gloire pour notre province!) à poser une bombe dans l'avion dans lequel sa femme avait pris place après avoir souscrit une importante police d'assurance sur sa vie, contenant, bien sûr, une clause de double indemnité en cas de mort accidentelle. Guay, amoureux d'une jeune fille de 16 ans répondant au nom de Marie-Ange Robitaille, voulait financer son bonheur avec cet argent qui lui tomberait littéralement du ciel (le calembour est voulu).

L'allocution s'éternisant, le vénérable juge étant plus assommant que la pluie, je décidai de ranimer l'atmosphère en faisant rouler et éclater sous la table d'honneur l'énorme pétard que j'avais avec moi. La détonation eut l'effet désiré, l'assistance se réveilla en sursaut et l'Honorable Sévigny coupa court sur le champ à son interminable allocution. Les discours qui suivirent furent très brefs, les orateurs, on ignore pourquoi, semblant quelque peu nerveux. Au dessert, John, Georges et moi, nous nous levâmes avec chacun un pigeon dans les mains et parodiâmes, les premiers vers de l'hymne des Forces de l'armée de l'air (R.C.A.F.):

*"Off we go into the wild blue yonder
Climbing high into the sky,
Off we go into the wild blue yonder
Nothing will stop McGill Air Law."*

Et, sur ces derniers mots, chacun de nous de relâcher son pigeon pour le plus grand amusement et la fascination de l'assistance. Les pigeons effrayés volent au ras des tables, virevoltent et probablement désireux, ne pas sombrer dans l'oubli, laissent tomber, ça et là, pour la postérité, des vestiges de leur passage.

Deux jours plus tard, le président de notre classe, Perry Meyer, (aujourd'hui l'honorable Perry Meyer, B.C.L. '52, Juge de la Cour Supérieure) fut convoqué au bureau du Doyen de la Faculté, Me W.C.J. Meredith. Après lui avoir servi verte semonce, le Doyen, lui remit une facture rondelette du Cercle Universitaire représentant le coût de l'annulation d'un déjeuner à cause de nos pigeons qui, réfugiés sur les poutres du plafond de la salle à manger, refusaient obstinément d'obtempérer aux suppliques du personnel de bien vouloir quitter les lieux. La légende veut que le Cercle Universitaire dut recourir aux services d'un tireur d'élite pour descendre (ce deuxième calembour est également voulu!) les pigeons des soliveaux sur lesquels ils s'étaient nichés. La légende veut aussi que, pour la première fois dans l'histoire culinaire du Cercle, les membres ont pu, cette semaine-là, déguster, en entrée, du pâté de pigeon.

Rebuttal to "Un Souper du Tonnerre"

by Hon. Perry Meyer, B.C.L. '52 (letter to Pierre Bourque, B.C.L. '52, dated January 14, 1999)

I very much enjoyed reading your draft article for the 150th Anniversary of the McGill Faculty of Law. However I think I should let you know that certain points in your "legend" of our final dinner do not correspond to my own memory of the event.

I was at the head table as President of the Law Undergraduate Society (and not Class President) when you exploded the thunderflash. I clearly recall someone's trousers catching fire—although I'm not sure whose—possibly Professor Louis Baudouin's or Chief Justice Sevigny's.

As to the aftermath of the pigeon caper, my recollection is that I was threatened with legal proceedings by the *Cercle Universitaire* and made frantic efforts to try and get rid of the pigeons, to no avail. These included contacting the SPCA, inquiring into the legality of using poison or hiring a sharpshooter—all unsuccessful. Finally, to my relief, the club manager found a solution. He turned the heat off in the beautiful large dining room and opened all the windows on a bright, sunny day. All the pigeons went out for a sunbath and the windows were then closed. How they ever got rid of the pigeon droppings, I have no idea, but they never sued me nor did the Dean present me with a bill. Besides, the *Cercle Universitaire* did acquire a certain "cachet" as a result of the pigeons flying around during dinner for several days. I even recall a newspaper article in which a woman exclaimed that it was just like dining in Florence (I imagine she was thinking of the *Piazza San Marco* in Venice).

Jerome Smyth, B.C.L. '54

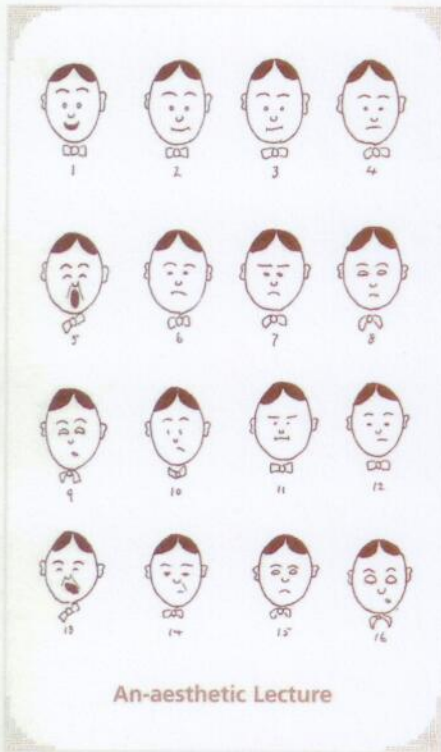
In September of 1951...a motley crew of some 100 individuals, coming from various points of the compass (including two graduates of Assumption College, Windsor, Ontario, a happenstance that I doubt has happened again), strode, walked, plodded or trudged up Peel Street to Chancellor Day Hall to begin their work as first year law students. There was a good deal more conformity to perceived or real standards in those days. Most of us wore a suit or, at worst, a blazer or sports jacket, and shirt and tie. Many even wore hats of the fedora brand. Although most came from different circumstances, I think we generally encountered a good deal more discipline in our growing and college years; certainly we shared this aspect of our previous years and we also shared the initial belief that this was a serious business, to be taken seriously by serious young people; a little bit of the 'new pencil box' syndrome.

Amongst us, however, as we got to know each other, we discovered that in the person of Joseph E. O'Brien, B.A. '51, B.C.L. '54, we had an individual who differed from just about all of us in several ways. Joe was older than most of us, and had had active military service. In addition, he was married and, in further addition, he was a father supporting young children. This was all very interesting to us but then we discovered that Joe had one other significant difference which, in retrospect, became the salvation of Law '54. He had picked up, in his comings and goings, the ability to take shorthand. *Gratia ad Deum.*

Once this was known, fertile minds combined and the "O'Brien notes", almost as rare now as Dead Sea Scrolls, came into being. This boon, like most great steps in mankind's progress to the millennium, proved in practice to be childishly simple. Joe was to attend every lecture and take it down in shorthand, whereafter he would transcribe his notes and, on a weekly basis, would distribute bound transcriptions to each of the subscribers to the service. Naturally, Joe received from his customers an honorarium commensurate with his labours. The scheme required some fine-tuning, as many of the words and phrases were foreign to us all. For example, in one of our first lectures with the scheme in force, the transcript contained a reference to a distinguished French jurist which made him sound like a run-down Mexican watering-hole. The quality of the work was excellent; delivery was reliable, and the fee for all this was liberal without being extravagant. I don't know where my notes are now since, over the years, they were lent to students who came after us, including several who now number themselves among the judiciary.

It soon became apparent to quite a few of us that if one didn't take notes, one spent the day attempting to stay awake. This, it was felt, would be a gross insult to any lecturer and a consensus was reached that in decency it would be better to stop attending many courses. It was also felt that this would please most of the lecturers who could deliver their hoary remarks to a handful of people without being pressed to break their pattern by answering questions from tiresome students.

One matter remained: what to do with all the time we were saving. It was soon realized, at least by those who still lived with their parents, that you could not stay at home without entering upon a tangled web of deception, *vis-à-vis* one's parents. Moving pictures were not open in the morning, nor were the taverns. There were no malls to hang about; no video game establishments. What came to the rescue? The Common Room and another very simple device, a deck of playing cards. And so was born the in-Faculty blackjack competition. This might, to the unenlightened, seem to depart from the dignity of a Law Faculty. However, in reply let me quote the very civilized Lord Chesterfield, who said, to his everlasting credit: "A little fun just now and then is relished by the wisest men." Taking it all in, many of us came to the inescapable conclusion that our duty to civilization could, and did, supersede that to James McGill....



(Old McGill, 1925)

Roman Law in a Nutshell"

Timothy Porteous, B.A. '54, B.C.L. '57

In Quebec of the 1950s you had to be 21 to vote and 16 to go to a movie; but according to Article 115 of the *Civil Code* a man could marry at 14 and a woman at 12. Those of us who studied Roman Law with Professor Julian Gazdik knew why such precocious unions were legitimate. Those were the minimum ages prescribed for young couples in the Roman Empire, 2000 years ago, and the provision had survived through the centuries in canon law to be adopted in our *Civil Code*. (Napoleon, in his Code, had raised the minimum ages to 18 and 15, but in Quebec that was considered revolutionary).

Professor Gazdik's students had rechristened him alliteratively as "Gaius" Gazdik. This was an unintentional compliment since the original Gaius was one of the greatest Roman Law teachers. Professor Gazdik himself did not give the impression of great interest in his subject. As a refugee from Hungary he probably needed to support himself while waiting to qualify for admission to the Bar. Roman Law was more likely a convenience than a passion.

As students of Roman Law we became familiar with the XII Tables drawn up in 451 B.C.; Justinian's *Codexes* of 529-534 A.D.; the three formal and seven informal methods of granting manumission to your slaves; the order of intestate succession (not unlike Quebec's); and the four Institutional Delicts—*furtum, rapina, iniuria and damnum iniuria datum* (don't ask). There were three text books from which we drew this arcane information: the comprehensive and abridged editions of a work by W.W. Buckland, and the abbreviated "Roman Law in a Nutshell". Professor Gazdik's advice on their relative merits was legendary: "Those who are using beeg Bockland will get first class, those who are using leettle Bockland will get second class, and those who are using Notshell will flonk!" Has any professor offered more succinct or practical guidance on how to ace his exam? Nevertheless, one student, unsatisfied by this pronouncement, ventured to ask a supplementary. "On the final exam, Professor Gazdik, will there be a choice?" "Of course there will be a choice," the Professor shot back, "you write or you do not write." Game, set and match.

I may well have been the only member of the class of '57 who really enjoyed Roman Law. Perhaps as a result of my enthusiasm, combined with a few happy hours spent browsing through Big Buckland, I headed the class on the final exam. Had the Roman Empire not fallen, I could have looked forward to a distinguished career as a *iusprudens*. Alas, even in pre-Quiet Revolution Quebec there was no demand for Roman lawyers—in 1965 Roman Law was unceremoniously dropped from the required curriculum. *Sic transit gloria*.

Professor John Brierley, B.C.L. '59

The Faculty of Law was self-contained in Old Chancellor Day Hall. There were two classrooms—one huge classroom on the first floor, and another on the third floor. There was a seminar room on the second floor by the back stairs, and another seminar room on the ground floor where the annex used to be. The most notable feature was that the library was on the ground floor where the Dean's and secretarial offices now are. It was pretty grim—most of the books were kept in the basement and you had to go downstairs with a flashlight to find them. And the lunchroom in the basement was appalling. We had to enter the building through the basement door, as students were not allowed to enter via the main door—it was only for faculty.

I was Executive Editor of the *McGill Law Journal* during the 1958-1959 academic year. In those days it was located in a cupboard on the fourth floor of Old Chancellor Day Hall, with a slanting roof. The then-Dean, W.C.J. Meredith, a very fierce person, submitted an article on an aspect of procedure that had just been reformed, Article 286(a) of the *Code of Civil Procedure*. As law journal editors are wont to do, we made changes. He was a very choleric individual, and when he received the proofs he hit the roof. The Editor-in-Chief was conveniently away, so I was summoned to the Dean's office and was dressed down in a way I'll never forget—he was practically apoplectic.

There were a number of good professors teaching at the Faculty. Professor F.R. Scott, B.C.L. '27, LL.D. '67, stands out—he was very authoritarian but he had a knack for teaching; it was as if he was working out the constitutional issues in his mind in front of the class. The first-year Constitutional Law class was fairly non-challenging (it was largely constitutional history), probably as he assumed people hadn't had any background in the subject. The second year constitutional course on division of powers, however, was wonderful. In contrast, there was another long-time professor at McGill who was quite abysmal; one year a student, with the fore-knowledge of his classmates, sat in the back of the class and brought in a hand organ on which he played funeral dirges, hymns and military marches during the lecture—and the professor was too intimidated to say a word.

"A Memoire of McGill Faculty of Law"

by Senator W. David Angus, B.C.L. '62

I entered the Law Faculty mid-November....This was a fascinating time to return to Montreal and Quebec, and to an academic and journalistic environment. The Duplessis era was coming to an end with the brief tenures of Paul Sauvé and Antonio Barrette as Premier and a new feeling of liberalism and freedom of expression was breaking out across the Province. Jean Lesage of the Quebec Liberal Party was elected Premier in 1960 under the slogan, «*Maitres Chez Nous*» and a programme which became known as «*La Politique de Grandeur*.» René Lévesque was Lesage's Minister of Energy and Resources, and carried through with the nationalization of the Shawinigan Power Company to form Quebec Hydro. At the Montreal municipal level, Jean Drapeau was on the scene, determined to clean up corruption and vice in the city and to make Montreal a vibrant, modern, international metropolis.

In intellectual and cultural circles everywhere, new notions were being expressed freely and openly, and old established rules, ideas and authorities were being questioned and attacked. The local French-Canadian thinkers were led by the trio which eventually went to Ottawa (five years later) as the Three Wise Men. Pierre Trudeau was the bright and articulate editor of *Cité Libre* and he was joined by his urbane and respected friend Gérald Pelletier in promoting a new nationalism for the Quebec people. Jean Marchand was boldly active in the labour field, gaining better and fairer working conditions for the Quebec labour force, particularly in the mining, pulp and paper and other basic resource industries. These so-called radicals were successful in raising the hopes and even the expectations of Quebecers and made it legitimate to question the power and authority of central government. At the same time there were more profoundly-nationalist ideas coming to the fore through the writings and speeches of Marcel Chaput and Pierre Bourgault. The word "separatism" was introduced into our day-to-day Quebec vocabulary. The "Quiet Revolution" had begun in a big way.

At the same time hundreds of young Quebecers were suddenly seeking higher education in business and commerce and were looking beyond the Province's borders for knowledge, perspective and understanding. This group would eventually become the leaders of a dynamic new cadre of captains of industry known as "Quebec Inc." More and more francophone Quebecers were entering McGill and there was significant francophone representation in Law '62. At McGill, the old anglo ultra-conservative approach to academic freedom was changing fast. Whereas it was unthinkable to have the brilliant, left-leaning, "pinkish" constitutional lawyer F.R. Scott, B.C.L. '27, LL.D. '67, in a position of authority where he could "mould young minds" with his "dangerous ideas" during the forties and fifties, by the time I arrived at the Law Faculty, Scott was a fully-tenured and immensely popular professor and he replaced the "old guard" Bill Meredith as Dean of the Faculty shortly thereafter. Imagine!

During my days at the Law Faculty, we were still in the Old Chancellor Day Hall premises, with no new or expanded library or moot court facility. The classes were small (about forty) and closely-knit. There was a tiny snack shop with one or two machine outlets in the basement and a telephone booth which was the only line to the outside world during class hours. I can well remember certain students, led by the entrepreneurial (and now legendary) Morty Zuckerman, B.A. '57, B.C.L. '61, sneaking out of class a few minutes early to beat the queue for the phone and get in a call to their brokers between classes.

In the main lounge, there were some vestiges of the past with marathon bridge games and "reviews" of the lovely candidates for Winter Carnival Queen. But change was in the air—strikingly! Dialogues between students and professors became much more frequent outside class hours. Dean Scott, Professor Max Cohen, LL.D. '94, Professor Paul Crépeau, Professor John Durnford, B.A. '49, B.C.L. '52, and Professor Ron Cheffins were among the favourites. Seminars and tutorials with downtown practitioners were introduced.

At various times during the school year, organized debates, skits or other fora were organized by the students and the main theme was invariably to debunk or otherwise mock or poke fun at the old, traditional ways of doing things. I recall that at McGill, the Model Parliament in 1961 or 1962 was controlled by the GNU party—"Greater National Uplift". Up the Nation, Up the System and Up the Administration! And the year before, the guest speaker for the Black-Tie Law Faculty Dinner (a total surprise to all professors, including Dean Scott) was Hal Banks, the tough, gangster-like head of the Seafarers International Union. His appearance on stage was greeted by a resounding chorus of "*Solidarité*" belted out by the tuxedo-clad first-year law students. And yet all of this activity was but a mild harbinger of the radicalism and student revolts and sit-ins which came to the McGill campus, especially the Law Faculty, several years later.

Mes souvenirs sont les meilleurs!

My memories are good, fresh, exciting ones. Our intellectual fires were kindled in a stimulating and relevant environment. Substantial change was taking place and Quebec was undergoing a vast and exciting awakening. Although my classmates and I were products of the "boring and sterile" 50s, we spontaneously "came alive" and were swept up in the wave of change. Over the intervening 35+ years, members of the Class of '62 have made their mark and have contributed much to the evolution of Quebec society. Some have stood out as leaders of Quebec's sovereigntist movement and we have had our staunch federalists, too. Our numbers also include a good share of judges, Crown prosecutors and top civil, corporate and commercial lawyers...even a "sleepy" Senator. *Mes souvenirs sont les meilleurs!*



Twenty-Fifth Reunion, Class of 1964

1989 (FLA)

Professor A.L.C. de Mestral, B.C.L. '66

These were years of change in the Faculty. Older styles of teaching still prevailed but the winds of change were strongly felt. F.R. Scott, B.C.L. '27, LL.D. '67, was a forceful and remarkable man and a strong Dean, but his short tenure did not lead to any major changes. Max Cohen, LL.D. '94, on the contrary, was a remarkable force for change. He sought and welcomed a student brief, spearheaded by Irwin Cotler, B.A. '61, B.C.L. '64, and others calling for a major revision of the curriculum and a shift from lectures and sterile notetaking to a much more open, Socratic and participatory style of legal education based on experiences at Harvard and Yale.

Cohen promoted international law both through support for the Institute of Air and Space and the addition of more international law to the curriculum—to the point that within a few years McGill offered as many international law courses as most of the other Canadian Faculties combined. Cohen was also a great proponent of graduate studies and was instrumental in obtaining money from American foundations to launch the Institute of Comparative Law as a vehicle for graduate work and also as the starting point of joint civil and common law studies. Doubtless his greatest contribution was to see the potential of the National Programme. He did much to lay the foundations of the Faculty as it is today.

Paul Crépeau did a great deal to ensure that the civil law continued to be a vital intellectual force in the Faculty. He was, as he still is, a passionate advocate of the virtues of the civil law and presented the civil law in a powerful and unforgettable manner. Among other notable personalities were Gerald Le Dain, B.C.L. '49, LL.D. '85, a remarkable teacher and subsequently Justice of the Supreme Court of Canada; Phillip Vineberg, B.A. '35, M.A. '36, B.C.L. '39, who prided himself on giving all references from memory; Hamish Gow, recently arrived from Scotland; and Ron Cheffins, who taught Criminal Law. The latter two went on to British Columbia and ultimately to high judicial office.

The foundations of the modern law library were laid by a most remarkable librarian, Marianne Scott, B.A. '49, B.L.S. '52, who left to run the McGill library system and ultimately the National Library of Canada. Administration was largely in the hands of the Dean's secretary and admissions were run by Madame Jeanne Hale.

Professor Stephen Scott, B.A. '61, B.C.L. '66

Law students are an irreverent and tough type and the law school had many self-reliant and self-possessed, very capable people, like Dave O'Brien, B.C.L. '65, (now CEO of Canadian Pacific) and Peter Blaikie, B.C.L. '65. In one or two cases the law students broke people who taught here and weren't tough enough. On the other hand, there were very talented people on staff. We had old Hamish Gow who taught Banking and Negotiable Instruments and in recent years had been a Judge of the Supreme Court of British Columbia and is now retired, a Scotsman who cast pearls before swine—a really first-rate legal mind, with an almost indecipherable Scottish accent. Mr. Justice Le Dain, B.C.L. '49, LL.D. '85 (as he subsequently became) taught Administrative Law and he used to come in and live the agony of the law, and twist himself around the furniture. He had a fine legal mind, and a very warm and intense personality—a marvelous human being. The following year he left to become Dean of the new law school at Osgoode Hall when it became part of York University.

One of the practitioners who taught Gifts, Wills and Successions was a good practitioner and later senior partner of one of the largest law firms, and taught a solid class, if nothing too demanding. However, he was perceived of by the law students as rather bland, even colourless, and some wits referred to him as the *de cuius*—the deceased from whom the succession devolves—and they used to ask each other, "have you ever met his widow?" On the last day of classes he talked about the qualities necessary to succeed in the practice of law, such as strength of personality, and the students were in hysterics. I hope to this day the poor fellow didn't understand why everyone was laughing.

Amongst students at law school, Frank Scott, B.C.L. '27, LL.D. '67, was a controversial lecturer, though most forgot their complaints in the nostalgia of later years. He often came into the classroom, dealt with some points in the material which interested him, and then left. Many students complained that they could not get from his lectures a set of notes which would be of any use for studying. A story circulated that he had proposed to his colleagues a scheme under which students would arrive for examinations without knowing which exam they were to write—this on the theory that students were studying law, not studying particular subjects. His colleagues, it was said, would not go along with the plan. I can confirm another episode first-hand. Early in second-year, we were told that the Constitutional Law final would be open-book, and we studied Laskin's casebook on that basis throughout the course. Just a few weeks from the end, Scott told us in class that the exam would instead be closed-book. A murmur ran through the room, but that was the end of the matter, and the exam was, indeed, closed-book. A few years later—by the end of the sixties—such unfair behaviour would have caused a revolt, and certainly would have provoked a complaint to the Faculty or Administration, with reversal virtually certain.

Armand de Mestral, B.C.L. '66, and I, while strolling one afternoon on lower campus, overheard one undergraduate remarking to another, "There go those law students in their three-piece suits." Yes, those Artsmen had our number! In the mid-sixties, student dress in law school was basically a business suit, maybe a sports jacket and tie if you wanted to dress down. Just before my exams in third year, however, a heat wave prompted a few—just a few—students to come to the law school in t-shirts, sweat shirts, and the like. Cohen, by then Dean, paid a special visit to our class. He was virtually apoplectic, and harangued us about the traditions of student dress. Astonishingly, I don't remember him so visibly angry on any other occasion, although there were other occasions on which he had very much more to upset him. A few years later, student unrest came to Canada from the United States, and jeans would become the prevailing student attire—and no Dean would have given a second's thought to complaining about it. Dean's pre-occupations had changed radically with the times.

Maxwell Cohen, LL.D. '94, was an entertaining lecturer, a very talented man with a fine legal mind. I remember on one occasion he stumbled over some words and one law student asked (not to his face) if he was having trouble with his "vowel movements". In later years he kept calling himself "Judge Cohen" and was understandably proud of his service on the World Court as an *ad hoc* judge; but, by way of example, people who had a wartime commission and keep calling themselves "Colonel So-and-so" in civilian life must expect to be needled about it. In my third year he called me into his office. It was hard in those days, I suppose, to get young people to teach law as the economics of the time were too good—if you decided you wanted to be an architect, for example, you just went and did it—nobody said "what shall I do and will there be jobs?" After I walked in he said to me, in his grand manner, "Well, you can come and teach here and then I'll send you off to Harvard or Yale and you can get rid of a bit of your Oxford baggage and take on a bit of American baggage." He never did send me off to get rid of my Oxford baggage. As for Scott, I have a book of his constitutional essays in which he wrote "it's your baby now" and signed his full name, so I consider myself the universal legatee of the Constitution of Canada from Frank Scott, under the terms of a holographic will.

McGill Law Memories"

by Richard W. Pound, B.Com. '62, B.C.L. '67

During my years as a student, the Dean was Maxwell Cohen, LL.D. '94, a brilliant and amusing character, who taught public international law and who was notorious for writing articles whose footnote references were almost invariably to his own work. The Legend was Frank Scott, B.C.L. '27, LL.D. '67, and there could have been no greater teacher of the subject. Just to be in the classroom with him was an experience that made studying law at McGill worthwhile. He had lived many of the leading cases himself as advisor to parties and to the federal Department of Justice and had argued a few of the landmark cases in the Supreme Court. He used to joke that each time he went to the Supreme Court of Canada he alienated one more Justice. But this was the man of letters as well as of the law, who had taken on *Lady Chatterly's Lover* obscenity case and the political activist who spearheaded the *Roncarelli* appeal against Premier Maurice Duplessis, in the days when such opposition was not advisable conduct in Quebec. For many of the young students, he was the Complete Man: scholar, poet, political thinker and advocate. He was regal, but self-deprecating at the same time. Co-chairman of the Royal Commission on Bilingualism and Biculturalism, he was wont to refer to it as the "Bi-Bi Commission." He had a glass eye, which, from time would time, would give him trouble and have to be sent away for improvement, and he would appear in class wearing a patch. One day, thus outfitted, he announced firmly that despite his appearance, he was not moon-lighting for Hathaway shirt commercials. He used to collect examples of public notices which amused him, such as "Tomorrow being the Feast of the Immaculate Conception, there will be no garbage collection" or "Tomorrow being the Feast of the Ascension, there will be no elevator service." When an interesting question was asked in Constitutional Law he would look out and say "that's a good question—a good question is one which I cannot immediately answer."

John Durnford, B.A. '49, B.C.L. '52, was well on his way to becoming the best and most conscientious teacher in the Faculty, then in the field of Special Contracts and later in Taxation. J.J. ("Hamish") Gow, from Scotland, later appointed to the bench out west, taught Admiralty Law and a course in Comparative Law, pacing about the front of the class, often searching deep within his trousers (not the pockets) for something apparently lost. We had a few very good teachers who were judges, George Swan Challies (Associate Chief Justice of the Superior Court) and George R.W. Owen, B.A. '33, M.A. '34, B.C.L. '34, of the Quebec Court of Appeal, teaching courses in Civil Procedure and Evidence, respectively. Alan Gold, LL.D. '84, who would later go to the bench, taught Labour Law and Perry (now Mr. Justice) Meyer, B.C.L. '52, taught Jurisprudence. James Huggesen, B.C.L. '57, who would become Associate Chief Justice of the Quebec Superior Court and a judge on the Federal Court of Appeal, taught another procedure course, and Gerald Le Dain, B.C.L. '49, LL.D. '85—later Dean of Law at Osgoode before his appointment to the Federal Court of Appeal and the Supreme Court of Canada—taught a somewhat disorganized course in Municipal Law. Philip Vineberg, B.A. '35, M.A. '36, B.C.L. '39, gave the course in Company Law. One of the best all-around lawyers of his day, he gave his course and even the citations of the leading cases without notes. Paul Crépeau was the leading civilian on the faculty and taught the introductory course in Obligations. He always sat while lecturing from a detailed set of lecture notes ("Organization even at the expense of truth," he would say occasionally).

Unlike the situation today, it was no great achievement in the early 1960s to get admitted into the Faculty. As long as you could spell your name and fog-up a mirror held under your nose, you could get in. Getting past Christmas was another matter altogether and that was when the major carnage occurred. The classes were small compared to the present Faculty and the National Programme was not to surface until the year after we graduated. Our days were the last stages of the Quebec system prior to the advent of the CEGEP, so everyone had an undergraduate degree. It was somewhat anomalous that the Bar Act required that for admission to the Bar one had to obtain a B.A. and to have studied Latin and Philosophy.

The *McGill Law Journal* was just entering its teenage years, with our issue being Volume 14. We decided that we should have a special project and settled on the idea of devoting the fourth segment to a study of the habitual criminal and the treatment of the subject from a legal and policy perspective, which was quite successful. We also had as our objective getting the whole of Volume 14 into print before Volume 13 was completed. Volume 13 had as its Editor-in-Chief the brilliant yet deadline-challenged Stephen Scott, B.A. '61, B.C.L. '66, now a brilliant but still deadline-challenged professor of Constitutional Law in the Faculty. There was a good deal of self-satisfied smirking from our team when both objectives were achieved.

I remember writing to the Rhodesian Attorney General following the much publicized Unilateral Declaration of Independence in 1965. It was a constitutional crisis within the Commonwealth, but there had not been (to our knowledge at the time) any published serious legal analysis of such a UDI. I thought it might be a real coup to publish such an article, so I took the presumptuous step of writing to Ian Smith, saying that we were sure his government had given the matter some legal, as well as political, consideration and that we would be willing to publish his article. Little did we know how relevant this particular issue might become for domestic consumption within a few years. We were not, however, greatly surprised when we did not even receive an acknowledgment of our letter.

Marie Giguère, B.C.L. '75, LL.B. '75 (excerpted from "150 Years of Law at McGill" video)

The first year Moot was a terrifying experience for students, and one student particularly found it even more terrifying, because when questioned by the judges, he fainted.

Some of my best friends are people I went to law school with, but when we were in law school I thought they were nerds. And they became friends of mine when we starting practising law at Martineau-Walker and we've been friends for over twenty years now.

"McGill Reflections"

by L.A. Vandor, B.Com. '76, B.C.L. '80, LL.B. '80

The late famous poet and law professor F.R. Scott, B.C.L. '27, LL.D. '67, once put his hand on my shoulder. It was my first day as a law student, and the scene was at the Faculty entrance off Peel Street. I was attempting to open the doors to McGill's Law School and I was having a devilish time trying to push the heavy wood paneled doors open in order to get in. In his soft and gentle voice he said, "Son, the trick is the same as in the way you were admitted and the way you'll graduate. It takes pull to get in and a push to get out"....My years at McGill were filled with many fond memories. Time has, in its usual way, healed the negative memories of being scolded by professors for not knowing this or that basic principle. Is it the Statute of West-Minster or West-Minister?....I forgive the maintenance staff for that faulty elevator at the school which in my time never seemed to work. When it did, it inevitably ate a student or two, not to mention squeezing this limb or that notebook.

I remember literally bumping into hockey great Ken Dryden, LL.B. '73, as he too struggled with the entrance doors. His excuse was that he was never there, since play-offs were in full swing. My bump with greatness left me bruised and assured that we would win the Stanley Cup that year since he could no doubt stop any shot with or without padding. The other Professor Scott, B.A. '61, B.C.L. '66—and he hated that nomenclature—also left me with fond memories. His lectures on Constitutional Law and the Canadian flag were timely given all that was occurring at the time, with the first PQ victory in Quebec. Professor Margaret Somerville, D.C.L. '78, was a budding new teacher and I knew her when she wasn't a regular media guest....Unfortunately as students we didn't appreciate what we had in terms of teachers and the education we received. We gave many a visiting professor a hard time. We preyed unfairly on language nuances. We would ask them questions based on made-up historical treaties, only to stump the professor in the process. We were downright cruel. We could at times be generous: for example, we covered for teachers who had imbibed too much the night before at some student-run drinkfest. I also remember when then-defeated candidate William Tetley, B.A. '48, first arrived at McGill. He sat dejected in the cafeteria without any change for coffee. The week before he had a chauffeur and a staff of secretaries. Coffee was served. Now a civilian, he forgot the need to carry change—but mind you, he was no different from many other ex-government types. I remember speaking to another, who while in office missed the advance of technology. For him a bank machine card was truly a mysterious thing.

Some say that a downtown university lacks the spirit that smaller university towns inevitably foster. While that may be true for some, each Faculty is responsible for its own atmosphere. There was no lack of atmosphere or drive or spirit present in the Faculty of Law....

Don McCarty, B.A. '75, B.C.L. '78

I remember being in a Constitutional Law class with Frank Scott, B.C.L. '27, LL.D. '67, when someone asked him a question in French and he replied in his excellent French. Some "redneck" in the class was upset by this and asked him if she could ask a question in German. Professor Scott turned around and, to the delight of us all, blasted the person for about twenty-five minutes in both English and French as to why he shouldn't have to answer a stupid question like that when McGill was a bilingual institution, and that anyone could ask a question in any of Canada's official languages, and that he would be damned if he would put up with such idiocy.

"Son, the trick is the same as in the way
you were admitted and the way you'll graduate.
It takes pull to get in and a push to get out."



McGill Law Journal, 1977-1978

1978 (FLA)

The Importance of the Letter 'S'

by Professor Patrick Healy, B.C.L. '81

During the morning on the first day of law school in 1978 we had a speech by Dean Brierley, B.C.L. '59, that could not be described in any way as comforting. Later in the afternoon we had a talk by the professor of Constitutional Law, Stephen Scott, B.A. '61, B.C.L. '66, on the structure of the courts. In his lecture he made a distinction, obviously an important distinction, between superior courts and inferior courts. He explained that superior courts were courts of general jurisdiction, whereas inferior courts were those with limited, statutory jurisdiction. He tried to clarify the distinction between superior and inferior courts, stating that there could be some misunderstanding based on the labels of these courts. Scott explained that some superior courts were actually called a "Superior Court" with a capital 'S', which is the case in Quebec, but that in other jurisdictions an inferior court might be called the "Superior Court" with a capital 'S'. So, he said, it was important to distinguish between superior courts with a small 's' and superior courts with a large 'S', because superior courts with a large 'S' might or might not be a superior court with a small 's'. At this point a student put up his hand and said he was not very clear on the distinction between a superior court with a small 's' and a superior court with a large 'S'. Scott attempted again to clarify the distinction and then continued his lecture. Very shortly after the same student put up his hand and said, "I'm sorry, but I'm still not clear on the distinction between the superior court with a small 's' and the superior court with a large 'S'." Scott kindly (but with a slightly-detectable air of impatience) answered the student on the distinction. He continued his lecture, and the most unbelievable thing then occurred—the same student again put up his hand and asked the same question. At this point Scott stopped, and with an air of some exasperation said, "Look—if the Dean of this law school is called Mr. Carrot, does that mean that he's a carrot?" There was silence in the room, and then a few smiles and a little laughter. A couple of seconds later, I heard a student down the row from me say, "Sh—t! Four years of *this*?!"

Near the end of the year there was a young professor who was either coming up for renewal of his contract or tenure. At the regular time Ilana Lederer came in to administer the course evaluations. This professor was obviously quite anxious, because he did something entirely inappropriate and in poor taste. In a not-so-subtle fashion he told the class that their evaluations were extremely important because significant decisions were affected by what was said in them. He went on a bit longer with this undisguised plea, then gathered his things. As he was leaving the room, a student said audibly, "Do you spell 'disappointing' with one 's' or two?"

Peter Oliver, B.C.L. '85, LL.B. '85

My strongest memories of McGill Law School relate to the cramped rooms in the basement: the locker alcoves where the day began; the crowded stairwells and elevator leading to classrooms and library; the cafeteria where friends met over coffee, muffins and bean sprout-filled sandwiches; and inevitably the offices of the *McGill Law Journal* where too many of us worked with the sort of dedication that is usually associated with running a first business—which is exactly what it was for us. But these are mostly memories of a more private nature, as are the many thoughts, conversations and discoveries that took place in the four library floors at the top of New Chancellor Day Hall.

The teaching rooms were on the lower floors of the building, of course, and there are all kinds of memories associated with each of these. The most momentous events were reserved for the Moot Court room. I had first sat in the Moot Court in the Spring of 1975 to watch—as one of the vanquished, unfortunately—the finals of the McGill High School debating tournament. The winners, as I remember it, were two Lawrence Park Collegiate students, Richard Janda, B.C.L. '85, LL.B. '85, and Robert Howse (now teaching law at the University of Toronto). Six years later, then Dean John Brierley, B.C.L. '59, welcomed us to the Law School in this room and countless other important lectures, moots, debates and conferences took place here. One occasion stands out particularly, in part perhaps because it took place in the first month of our first year.

The Supreme Court of Canada's decision in the Patriation Reference was to be announced on September 28, 1981. Given the importance of the Reference, the whole affair was to be televised live from the Court. Professors Roderick Macdonald and Patrick Glenn cancelled the scheduled Foundations lectures and arranged for us to meet in the Moot Court at the relevant time. A very elderly and frail Frank Scott, B.C.L. '27, LL.D. '67, specially invited for the occasion, sat in the front row on the left hand side. Two televisions set up on trolleys were wheeled into position. I suppose that there is nothing like a special gathering, outside of normal classrooms and normal schedules, to produce a great sense of occasion....

All of these preliminaries were enough to lock the event into my memory. As it turned out, the television reception was awful. We barely saw the nine robed justices process into the courtroom in their ermine and crimson, and we certainly missed the subtleties of the Court's highly-nuanced decision. I don't even remember whether we discussed the case after the broadcast was over. I think that even our teachers needed time to work it out. By April 1982 the *Constitution Act* was in place, and every subsequent first year law class has studied the *Canadian Charter of Rights and Freedoms* in increasing levels of detail. For my part, almost two decades later, I am still trying to unravel the significance of the 1981 Patriation Reference.

«Dans les deux langues»

Professor Nicholas Kasirer, B.C.L. '85, LL.B. '85

Among the sources of anxiety for members of my first-year class in the early 1980s was the challenge of working and reading effectively in French and English. We were all impressed by the way our Property teacher Dean John Brierley, B.C.L. '59, and his colleague in Obligations, Professor Paul-André Crépeau, moved effortlessly from French to English and back again and we were generally less confident in our own ability to do the same. I remember one Faculty party in first year at which we shared this concern with another of our favorite professors. "Relax", he told us, and recounted the following exchange he had allegedly witnessed at the Law Library:

<i>Student:</i>	Is the photocopier working?
<i>Library Photocopy Attendant:</i>	(sleepily) Sure, nickels only....
<i>Student:</i>	Does it make copies in English?
<i>Attendant:</i>	(now stirring) Well, yes....
<i>Student:</i>	Does it make copies in French?
<i>Attendant:</i>	(now awakened) Of course....
<i>Student:</i>	Great! Can you make me a copy of this Mignault judgment in English, and two copies of chapter three of <i>Marler on Property</i> in French for my friend?

Professor Richard Janda, B.C.L. '85, LL.B. '85

When I came to the Faculty of Law in 1981 there were still remnants of 1970s student activism, and a desire for student empowerment that ran through the entire student body. In 1980, the year before I entered my first year, a "Day of Silence" had been staged which had taken on a sort of mythic quality by the time I arrived, although at that time it was only one event in a long-running series of confrontations between faculty and students. On that day, the students had refused to answer any questions or participate in class in any fashion—it was a way of demonstrating how students did not have a voice in the Faculty's governance and would therefore be silent until they were given a voice by increased representation on the Faculty Council. It was apparently a very uncomfortable day for some students and faculty alike—so uncomfortable, in fact, that a few professors couldn't continue with their teaching that day. Students had demanded representation equal to approximately one-quarter of the Faculty Council. When I began my law studies we still had only four representatives and the size of the Faculty

was growing, so we felt that demographics were working against us. The issue ultimately came to a head in a series of Faculty Council meetings, and eventually the rules were changed to the current rule which automatically adjusts the number of student representatives to the overall Faculty population. We spoke in those days of the "upstairs-downstairs" phenomenon in the Faculty which reflected the geography of the place—all the faculty offices were in Old Chancellor Day Hall upstairs and the students were downstairs in "the Pit". That symbolized to us what the relationships were—now I think the Faculty is much more horizontal, if dispersed.

Another example of student participation was the development of the *Quid Novi*. There had been a prior student newspaper, a gossip sheet that came out sporadically, which I believe was called the *Peel Street Review*. When Peter Dauphinee, B.A. '77, M.A. '79, B.C.L. '82, LL.B. '84, and I began publishing the *Quid* there were constant debates as to whether its content was too political.

We had some difficulties in initially producing the paper. At that time AES word processing stations were the latest in high-technology, and the Faculty had acquired a few. We lobbied the Dean, John Brierley, B.C.L. '59, for access to a workstation after hours, which eventually he allowed. I was one of the lucky people who always ended up typing the paper the night before it went to the printers. Whenever I would be working on the paper, around midnight or one o'clock—lo and behold!—Professor Blaine Baker would wander into the office. It was rather nice to have the company, although I wondered why he didn't have better things to do. It also occurred to me that his visits were regular, but as he always attended all student events I assumed this was an extension of his support for student activities. It was only years later that I came to know that he had been given a kind of "police function" by the Dean to ensure that there was no tampering with student records, and he became the transaction cost for the arrangement with the *Quid* and the Dean's office. The untold story is therefore that the *Quid* would not have appeared without Blaine Baker's policing.

One event that stands out in my mind was the rendering of the Patriation Reference decision in 1981. It was perhaps the first time that the Supreme Court had received live television coverage, although Chief Justice Laskin did not read the whole decision, merely the answers to the questions. The Faculty brought television sets to the Moot Court room, and F.R. Scott, B.C.L. '27, LL.D. '67, who was by then an Emeritus Professor, was invited to speak. You could have heard a pin drop when he spoke, because he was reflecting on the significance of the Reference and tracing it back to previous elements of constitutional history he had lived, such as the end of appeals to the Privy Council. For a generation of students who had never really had any exposure to him, it was a wonderful experience.



Legal Aid Clinic, 1983-1984

1984 (FLA)

Professor David Lametti, B.C.L. '89, LL.B. '89

I came to McGill from southern Ontario as I was drawn to the National Programme due to its bijuridical approach towards the law. I began in the LL.B stream, where there were about forty-five or fifty of us. We were quite a cohesive group and very involved in the activities of the Faculty. Most of us ended-up staying and completing the four year programme; in fact, an unusually large number of us did so that year.

The professors who were the greatest influences on me as a student were Rod Macdonald, Blaine Baker and David Stevens, in part because of their pedagogical approach, and in part because of their theoretical bents. I also did a fair bit of work for Rod Macdonald as a research assistant, and while I didn't work with Baker or Stevens, I talked to them quite often about issues of interest. Another professor who stands out in my memory was Francis Buckley, B.A. '69, LL.B. '74, who taught Business Associations and Commercial Transactions by using a very strict "Socratic" method. As fear of being embarrassed in front of your classmates is a powerful motivator, I don't think I was ever as well prepared in any other setting as I was for his class, perhaps to the detriment of other courses I was taking.

The library in New Chancellor Day Hall was absolutely brutal—extremely crowded and noisy. Part-way through my time at McGill they removed the library's central staircase, as it conducted noise from anyone who was talking throughout the library. And you could still smoke in parts of the building during that time! The early years of the no-smoking policy were instituted during my time as a student, with Professor Peter Haanapal, LL.M. '74, D.C.L. '76, and a student, Henri Bybelezer, B.A. '72, B.C.L. '88, LL.B. '88, fighting every single attempt to make the Faculty a no-smoking place, so it was a room-by-room fight. Smoking hadn't even been eradicated in law buildings by the time I graduated, as we still had a LSA smoking lounge in the basement of Old Chancellor Day Hall.

During my third year I served as President of the Law Students' Association, and it was our administration that started the tradition of Coffee House, which was the brain-child of the Social Coordinator, Norbert Haensel, B.C.L. '89, LL.B. '89. There had been a Coffee House before that, which took place from time to time in the Common Room. People would come and play guitar and I think coffee was actually served, in addition to beer and wine. But Norbert came up with the idea of having a weekly Coffee House to take place Thursday afternoons. It was a huge success, and eventually the Faculty decided to incorporate it into its routine by not scheduling classes during that time. It was difficult to get professors to attend at first, although Professors Stevens and Baker were there from the beginning. It was never any problem getting students to come!

That same year the Law Games were held in Windsor, Ontario. We had been working fairly closely with the *Université de Montreal* on a number of things, and they came up with the idea of renting a train to go to the Law Games. We contacted Via Rail, and sure enough they agreed to rent us a whole train. We started in Montreal with law students from *Université de Montréal*, Sherbrooke, Laval and, of course, McGill. We stopped in Kingston and picked up Queen's and Ottawa University; then we stopped in Toronto and picked up University of Toronto and Osgoode before stopping in London to pick up students from the University of Western Ontario. The whole trip took approximately nine hours. It wasn't a scheduled train so we never had priority on any of the tracks, and as a result we spent considerable amounts of time waiting at various desolate places until we received clearance to proceed. The train ride was absolute mayhem—perhaps even more fun than the Law Games themselves! Via Rail told us that, in theory, we weren't supposed to drink on the train but that they would turn a blind eye if no damage was being done. I don't believe Via ever rented out a train like this again, although I don't know that they were ever approached again, either.

Also during my third year, we were still in the early stages of the "law partners" programme, which I think was about two years old. I was asked by the coordinator, John Relton, LL.B. '88, B.C.L. '91, to participate but I told him I was too busy to participate that year, and he initially respected my decision. Two weeks into the semester he approached me and told me that they didn't have enough people and that I absolutely had to be a law partner and wouldn't take no for an answer. It ended up that I was paired up with a woman. It so happens that at that time the programme was structured so that men were paired with men and women with women. The woman I was paired with was Geneviève Saumier, B.C.L. '91, LL.B. '91, now a professor at McGill. By Christmas time we were a couple. The next year, the organizers of the law partners programme decided that from that time on they would pair women with men and *vice versa*. That whole year I had to defend myself, saying that I hadn't in fact orchestrated the match-up. Geneviève and I were married in 1994 in Montreal, with a reception in the Common Room as well as at the Faculty Club. But for the record—I had absolutely nothing to do with the pairing of partners, but was in fact conscripted to participate in this programme under duress. It was just fate.

Mary-Pat Cormier, B.A. '89, B.C.L. '96, LL.B. '96

"That which does not kill us makes us stronger". Thus spoke Frederick Nietzsche (and Jody Berkes, B.C.L. '96, LL.B. '96, on March 29, 1993). That simple phrase, with its ineluctable logic, was forever amended by the Class of '96 to read: "[Insert particularly irksome class or professor here] which does not kill us makes us stronger." Some helpful examples: "Stephen Scott, B.A. '61, B.C.L. '66, which does not kill us makes us stronger"; "Obs I (but only with Catherine Valke) which does not kill us makes us stronger"; "Yves-Marie Morissette which does not kill us (although he may try a lot, and laughs at us mercilessly and maniacally while we plead) makes us stronger;" "Common Law Property (especially taught by Jane Glenn) which does not kill us makes us stronger." Other insertions: cases from the *Cour de Cassation*, and Stikeman interviews.

It's difficult at first, but then you get the hang of this form of therapy pretty quickly (as you sit at home on a Saturday night in late-November, wondering why you are studying for a Foundations final—which is worth only two credits, damnit!—when every other sane person you know is watching the *Habs*). I can't complain too much, however. After all, one of the enduring advantages to being part of the Class of '96 was that our apathy meter was well-tuned and functioning. In a highly-charged competitive atmosphere, it is easy to drive yourself to the point of madness worrying about everything from one-hundredth of a percentage point, up to and including whether you would ever obtain a job when your transcript showed that you took a class called "Women and the Law" (Note: I actually know someone who tried to bribe a staff member in the Student Affairs Office to change "Women and the Law" to "International Securities Transactions" on an official transcript!). On the other hand, the core system of beliefs of the Class of '96 was aptly summarized by that modern-day Socrates, Kiriakos Vanikiotis, B.Sc. '92, B.C.L. '96, LL.B. '96: "Sure I'm apathetic, but who cares?" Who, indeed?

Well, as it turns out, there were quite a few people who cared. Most of them were professors and a lot of them were students, and without them I wonder if any of us would have ever made it across the stage at *Place des Arts*. I am thinking particularly of Stephen Toope, B.C.L. '83, LL.B. '83, who as Dean (and never a garden-variety professor) was always interested in what we had to say about the law or about the Faculty. Or Rod Macdonald and Patrick Healy, B.C.L. '81, who met with us as often and as long as we needed in order to clarify the inherently unclear topics of Criminal Law and the Law of Real Securities. John Durnford, B.A. '49, B.C.L. '52, Irwin Cotler, B.A. '62, B.C.L. '65, Jeremy Webber, B.C.L. '84, LL.B. '84, Blaine Baker and David Johnston all took their teaching as seriously as their research, and remembered that learning can go on outside of the classroom, as well. Among the students, where would we have been without Debbie Johnston, B.C.L. '95, LL.B. '95, Leslie Kaufman, B.C.L. '95, LL.B. '95, and Jody Berkes? Probably working the nightshift at LaFleurs and hoping to get hired on at the M.U.C. Sanitation Department.

There are times when I do not remember the Faculty of Law as a four-year forced march. Those times used to be infrequent; but now, like all pain that recedes with time, I find myself daydreaming about an exam room in May. Pens scratching. Papers turning. Coughing. Someone opening a can of soda. Doors opening and closing. "Time's up; please put down your pens."

And the promise of things to come.

And the promise
of things to come.

Adam Atlas, B.A. '93, B.C.L. '97, LL.B. '97

I remember most those times between classes when we traded stories in "the Pit" about possible futures, or those times spent in the computer lab where there was always a random sample of students to converse with, some so relaxed that they were playing computer games, others who had not slept in days as they were tinkering with almost impossible automatic footnote numbering on a thirty-page factum. I remember chatting with that special breed of student that rarely went to class, yet excelled in every subject. The strength of the Faculty lies in its appreciation of individual style: the style to hand in a paper a month early, as I did upon returning from studying in Singapore, or the style to spend sleepless weeks in the library with the hopes of producing the best work, or the style of "taking a glass" at Coffee House before a mooted practice round. Each student had a four year license to adventure on the theoretical side of the law and thereby toughen the practical side of their minds for years to come.

"The Nature of McGill Law"

by Ian C. Pilarczyk, B.A. '92, LL.M. '97

The full import of just how international McGill's graduate programmes were did not strike me until I attended one of the "get acquainted" events at the beginning of the semester, held in a room in Thompson House that was thick with cigarette smoke. In the span of three minutes a dozen affable classmates introduced themselves, telling me their first names and their country of origin. As interesting and congenial as this was, however, it was not until one of the first classes in Legal Traditions that I fully realized how enriching this would be. Under the guidance of Professor Gary Bell, B.C.L. '89, LL.B. '89, we had broken up into small groups to discuss some readings on the relationship between religion and the law around the world—and I came to realize that the other three classmates in my group came from Ireland, Pakistan, and Israel! It was interactions like that which ensured that I learned almost as much from my classmates as I did from the professors.



Graduate Students and Faculty, 1995

1995 (FLA)

Things at McGill weren't always quite as they appeared at first. I thought the tradition of Thursday afternoon "Coffee House" sounded remarkably civilized until I discovered that there was nary a drop of coffee to be had. I was further disabused of any romantic notions I had about this venerable social ritual when I discovered that the law firm-sponsored Coffee Houses (featuring catered *hors d'oeuvres*, wine and perhaps a string quartet) were quite different affairs from their poorer cousins, the ordinary non-sponsored variety—except that the final, lamentable impact on students' livers tended to be the same either way. The consumption patterns at these events was, both literally and figuratively, staggering. In some ways I feel Coffee House might be a metaphor for the Faculty of Law in general: sometimes I believe that its ghostly nineteenth-century patriarchs would still be quite at home roaming its hallways, and other times I would not have found it surprising if a spontaneous bout of "co-ed Kraft Dinner™ wrestling" (not yet a "Law Games" event, but it's probably just a matter of time) erupted in the corridors of Old Chancellor Day Hall. But that's McGill, I think—very civil and very common, at the very same time.

France Lessard, B.C.L. '98, LL.B. '98

On la voit toute fière sur la montagne, dresser ses murs de pierre contre le vent pour accueillir des centaines d'étudiants. La faculté de droit est empreinte d'une magie et d'un charme que la lumière du jour met en valeur. Pourtant, après les cours, une fois que la dernière cloche de la bibliothèque a retenti, la faculté s'enrobe de silence et laisse respirer la noirceur à travers ses murs de pierre. La nuit, la faculté se fait belle pour accueillir les "mooters".

J'ai vécu mes plus beaux jours à l'université. Toutefois, c'est de nuit que j'y ai vécu mes expériences les plus inusitées et je garde de ces longues heures dans la solitude de la bibliothèque de très bons souvenirs. En 1996-1997, participant à un concours de plaidoirie, j'étais l'une des privilégiées qui ont accès à l'ancre du droit et de la justice après tout le monde. J'y ai découvert qu'il y avait réellement des étudiants qui écrivaient des thèses de maîtrise, mais aussi que des liens se forment facilement entre les fantômes de la bibliothèque.

Bien sûr, nous, les mooters, travaillons très forts à scruter les livres à la recherche de l'argument infallible. Par contre, à travers tout ces papiers, ces photocopies, ces citations à n'en plus finir, je me souviendrai des escapades, des pauses, des façons dont notre équipe relaxait. Nous avons caché de la bière et autres gâteries dans le ventre du réfrigérateur de la cafétéria. En plein milieu de la nuit, alors que tout le monde en avait le bol du tapis de la bibliothèque, on se retrouvait entre nous au sous-sol du Old Chancellor Day Hall. Aux petites heures du matin, on trinquait à la vie d'étudiants en jouant du billard. La nuit, la faculté de droit nous appartenait!

Les diplômés

les plus âgés de McGill,

1944 - 1956

Jeffrey Fiske
fit son apprentissage
dans un cabinet
d'avocats en 1865

L'obtention d'un diplôme de droit de McGill possède entre autres vertus celle de renfermer le secret de la longévité de nombreux diplômés. Ainsi, entre 1944 et 1956, trois personnes titulaires de diplômés en droit de McGill avaient pour particularité d'être les plus âgés des anciens élèves de l'université. En 1944, Jeffrey Fiske célébra son cent et unième anniversaire lors d'une fête organisée par la Société des diplômés de McGill. Monsieur Fiske, né à Abbotsford au Québec en 1844, fit son apprentissage dans un cabinet d'avocats en 1865. L'année suivante, il fut accueilli à titre d'étudiant sous le tutorat de son cousin, l'honorable Sir John J. C. Abbott. Il obtint son B.C.L. en 1868, ouvrit un cabinet à Montréal, devint plus tard administrateur de l'entreprise Coaticook Penman Mills de Coaticook au Québec et prit sa retraite en 1907.

William Scallon,
qui, à 95 ans,
devenait à l'époque,
le diplômé le plus âgé

En 1950, la Société des diplômés de McGill réserva un honneur semblable à William Scallon, B.C.L. '76, qui, à 95 ans, devenait à l'époque, le diplômé le plus âgé. «Le juge» Scallon, tel qu'il était affectueusement connu, vécut la majeure partie de sa vie à Helena au Montana, bien avant que ce dernier ne devienne un état américain. Monsieur Scallon est né en 1855 dans le comté de Joliette et a fait son entrée à McGill en 1873. Au cours de sa deuxième année d'études en droit, les conférences qui se donnaient à la Banque Molson furent transférées à l'immeuble des arts sur le campus. Une fois diplômé, monsieur Scallon exerça le droit à Montréal pendant une courte période avant de finalement déménager dans le territoire du Montana au moment où la nouvelle de la découverte de vastes mines de cuivre était rendue publique. Ayant élu domicile dans le légendaire camp minier Butte, Scallon devint plus tard président du Anaconda Copper Mining Company qui détenait le contrôle sur presque tout l'ensemble du Montana à un moment de l'histoire où la justice frontalière était encore de rigueur. Après s'être retiré de la gestion des mines, monsieur Scallon ouvrit un cabinet d'avocats dans les villes de Butte et Helena où il exerça ses fonctions bien au-delà de ses quatre-vingt-dix ans.

En 1956,
Henry J. Hague
était gratifié par le *McGill*
News du titre de diplômé
le plus âgé de l'université

Si d'autres exemples des qualités de préservation qu'offre un diplôme en droit de McGill apparaissent encore nécessaires, nous nous n'aurions qu'à citer le cas de Henry J. Hague, B.A. '78, B.C.L. '85. Lorsque monsieur Hague fit son entrée à McGill, l'université n'était composée que de deux édifices: l'immeuble des arts et l'aile est, et le Hall Molson. Les conférences auxquelles Hague assistait avaient lieu au centre-ville dans les étages supérieurs de la Banque Molson sur la rue St-Jacques. Peu avant que Hague n'obtienne son diplôme, McGill inaugura un troisième édifice, le superbe Hall Redpath. Ses compagnons de classe recevaient leurs cours principalement d'avocats en exercice qui, vraisemblablement, voulaient éviter de trop s'éloigner de leurs bureaux d'affaires. En 1956, monsieur Hague était gratifié par le *McGill News* du titre de diplômé le plus âgé de l'université: il avait alors quatre-vingt-quinze ans. Il menait une vie active et travaillait comme directeur de quatre comités d'administration différents. Il s'éteignit deux jours seulement avant son quatre-vingt-dix-neuvième anniversaire.

"Ode to Gisèle"

(to the tune of Billy Joel's "We Didn't Start the Fire"),

by Kurt Johnson, B.A. '87, B.C.L. '91, LL.B. '91, and Darren McGuire, B.A. '86, B.C.L. '91, LL.B. '91

(from *Res Ipsa Loquitur*, 1990) [in recognition of superb course summaries provided by Gisèle Quashnock, B.C.L. '89, LL.B. '89, which were circulated for years after her graduation]

LSAT, old hat, got to Law School just like that;
Admission letter came our way,
 off we went to Chancellor Day.
Hallowed halls, wooden walls, 7:30 wake-up calls;
First year, full of fear, what the hell are we doing here?
Dean's address, must confess,
 don't know how we'll pass the test;
Other students seem so keen, biggest dorks we'd ever seen.
Told to read at lightning speed, 1,000 pages in a week;
Case brief, can't sleep, had to look for some relief.

Chorus

We didn't read the casebook!
And we couldn't try it, 'cause we didn't buy it.
We didn't read the casebook!
But we saved our money, and we got a summary.

Foundations, Obligations, soon we lost our motivation;
Legal Memo must be done, will we ever have some fun?
Pinball in the den, full of screaming, sexist men;
Hanging out, in the Pit, acting as if we were it.
Coffee House/Happy Hour, maybe Law School ain't so sour;
Had a blast, skipping class, had to find a way to pass.

Mid-terms, we got burned, were we ever going to learn?
It's O.K., all is well, thanks to someone named Gisèle.
Obs.II, P.I.L., Tax with Durnford can be hell;
N.C.P., Property, Family's a travesty.
Boat Law, Tort Law, Banking is a "faux pas";
Bus. Ass., E.E.C., Bankruptcy/Insolvency.

Chorus

Crépeau, Cotler, Boodman, Glenn—
 We got our "C" from all of them;
Scott, Toope, Perry, Benson—All are sources of great tension.
De Mestral and Haanapel; Somerville made us ill;
Simmond's gone, it's still no fun,
 'cause Baker's back-heart attack!
Jutras, Janda, Webber too, they're just as young
 as me and you;
But watch your step—"tabarwet"—
 you'll have to deal with Morissette!

Chorus

We didn't read the casebook!
And if Gisèle wrote it, you can quote it.