

Advertiser Dec^r 29/87.

THE LAW LECTURESHIP.

TO THE EDITOR.

Sir—It is proper that the public should understand in what manner the Council of the University of Adelaide have disposed of the law lectureship; on what manner of man they have conferred that office, and in preference to what other men. The council advertised, inviting gentlemen to apply for the place which, though the salary is only £500 a year, is important and honorable. When the applications, six in number, came in they were referred by the council to "the Faculty of Law," which consisted of the Chief Justice (who is Chancellor), Mr. Roby Fletcher (who was Vice-Chancellor), Dr. Barlow, Mr. Frederick Ayers, and Mr. Phillips (the late law lecturer). The latter gentleman who is leaving the colony did not, we may presume, think it becoming to take a very active part in the appointment of his successor; Mr. Roby Fletcher is absent in India, and so the burden of reporting to the body of the council rested with the Chief Justice, Dr. Barlow, and Mr. Ayers; and this triumvirate unanimously reported in favor of a certain gentleman, and the report was brought up at a meeting of the council, at which the Chief Justice presided. But there are other lawyers on the council who for some reason were not included in the "faculty," and through their opposition there arose a "difficulty." It was argued at this meeting that the gentleman recommended by the council did not appear by his previous career to possess the requisite qualifications, and it was also pointed out that other candidates did—and one in an especial degree—possess those qualifications. The matter was in consequence adjourned to another meeting; and so important were the claims of one of the candidates that it was decided to invite that gentleman to make the journey from Sydney and present himself to the council. The gentleman did so, and after a conversation with the council retired. At that meeting, however, two of the members who opposed the report of the faculty were absent on duty elsewhere, and the voting came to a tie, and it was decided by the vote of the Chief Justice, who presided, in favor of the gentleman recommended by the faculty.

Now let me state as well as I can the qualifications of the gentleman selected and those of some of his competitors. The choice of the "faculty," and eventually of the council, fell upon Mr. Pennefather, who graduated as B. A. at Cambridge, taking as his principal subject theology—or as it so called there, "piety"—in which he went out in the second class. He afterwards took the degree of LL.M. or master of laws, which he obtained by passing an examination in Roman law and English criminal law; an examination vastly

interior to that required for the degree of bachelor of laws in the same university, to obtain which a candidate must go out in the Law Tripos. After this Mr. Pennefather was called to the bar by an Inn of Court, and practised for four years at the Chancery bar; though it does not appear whether he did much in the equity courts or merely put on his wig and gown and sat there. After that Mr. Pennefather, being in poor health, obtained the post of secretary to Sir William Jervois, in which capacity he will be remembered here, and some six years elapsed during which his occupations were not those of a lawyer. Mr. W. P. Cullen, of the University of Sydney, obtained there, in 1877, the University scholarship for general proficiency, open to undergraduates in their first year, and worth £50. In 1878 he took the Lithgow scholarship for general proficiency, open to undergraduates in their second year, and worth £50. The same year he took the Smith prize at the viva voce examination in experimental physics. In 1879 he took the Renwick scholarship of £50 for chemistry, geology, and other subjects. In 1880 he took his B.A. degree and went out in honors, being first in classics and second in mathematics, in which there was no first. He took his M.A. by examination in 1882, his LL.B. in 1885, and his LL.D. in 1887, both by examination, joined the Sydney bar and wrote for the Sydney press. He presented certificates from some of the judges of the colony, which spoke in praise of his talents as a lawyer, and from journalists testifying to his accomplishments as a writer. A third candidate was Mr. Hewitson, a bachelor of laws of Adelaide, who passed each of the three examinations for that degree in the first class and took the Stow prize each year. He has since been assistant examiner for two years in Roman law and for one year in Constitutional law. A fourth candidate is a bachelor of arts and also of laws of the University of Adelaide, and was Stow prizeman for one year. The post of law lecturer is a hard and responsible one. He is the sole teacher of law and has to teach the whole body of law that the students have to learn. The students are numerous and so are the lectures. The latter have to cover the law of real and of personal property, the law of contracts, the law of wrongs (civil and criminal), the law of procedure, jurisprudence, constitutional law, the Roman law, and private and public international law. Ours is the only University in which any lecturer has been required to teach all these subjects. It is a task which few lawyers would undertake, and still fewer perform; and the man who does so must be a specially qualified man. The choice made by the council and the manner of that choice are extremely distasteful both to the University and to the legal profession.—I am, &c.,

ALUMNUS.

The Advertiser

THURSDAY, DECEMBER 29, 1887.

THE University of Adelaide is a wonderfully constructed institution, grand in its entirety and complex in its parts. It has a Visitor (his Excellency the Governor), a Chancellor, Vice-Chancellor, Registrar, Council, Senate, professors and lecturers, a Faculty of Law, a Faculty of Medicine, a Faculty of Arts, a Faculty of Science, a Board of Musical Studies, and a Board of Discipline, and it has conferred degrees upon numerous students. It is richly endowed with Crown lands, "not exceeding 50,000 acres," and secures an annual grant of 5 per cent. on the liberal private donations which it has received. Its influence, though probably not proportioned to its pretensions, largely affects the daily life and ambitions of our young men and women. Its elementary examinations are the test of the efficiency of our schools, and it becomes the dictator and the arbiter of their studies. It has undertaken a medical curriculum with the aid of 15 lecturers, and relieves the Supreme Court of the burden of examining candidates for admission to practice in the law. The University of Adelaide is therefore regarded as a public institution, subsisting in part upon public endowment and exercising an influence upon public life; and it is in this respect that we venture with much humility to draw public attention to the recent action of a corporation so powerful and important. The letter of "Alumnus," which is published in another column, discloses some strange proceedings in connection with the Law Faculty. This faculty is in some respects the most important in the University. To those who are articed to lawyers its degrees confer not only a license to practise a lucrative profession, but attest the attainment of some branches of knowledge beyond those required for practice. Its studies serve, moreover, as both an incentive and an introduction to that political and historical learning which is needed in public life, and many students attend its lectures moved by both interest and ambition. Owing to a lack of funds the teaching of law in all its branches has hitherto been confided to one gentleman, whose salary is small, and who, we presume for that reason, is not dignified with the title of professor, but is a lecturer only. To those who are acquainted with the range of this lecturer's duties, as correctly stated in the letter of "Alumnus," and know how the various branches of law are in other universities allotted to different professors, the labors of this gentleman seem truly appalling; and it is only by great good fortune that the council secured for a short time the services of Mr. Phillips, who, by some extraordinary endowment of nature, possesses both the learning and the physical strength to do such encyclopædic work—work which for extent and variety far exceeds anything anywhere else required of a single lecturer.

Under these circumstances it would be supposed that, on Mr. Phillips leaving, and a vacancy occurring, a more than usual effort would have been made by the Council to select an efficient person to replace him. No such effort, however, was made. On the contrary, the advertisement was a farce, the applications and testimonials were disregarded by the Law Faculty, and their recommendation was in