

Introduction

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THE CANADIAN LEGAL PROFESSION is just now beginning to discover that the legal system it serves has a history.

This is not to say that *no one* previously recognized the existence or importance of Canadian legal history. R.W. Riddell and D.B. Read in Ontario, F.-J. Audet in Quebec, J.W. Lawrence and J. Chisholm in the Maritimes, W.F. Bowker and R. St.G. Stubbs in the west, and a handful of other dedicated pioneer historians, assumed the care and custody of Canada's rich legal heritage from a quite early stage, and persisted in displaying certain of its treasures from time to time to a largely indifferent profession and public. What has happened of late is that much of the indifference has dissipated. In its place is a growing curiosity about the antecedents of the Canadian legal system and the significance of its contribution to the overall direction of Canadian history. Courses and seminars in Canadian legal history are appearing with increasing frequency in university curricula; conferences on the subject are proliferating; and there has been a veritable star-burst of research and writing in the area.

This collection is a product of (and, it is hoped, a further stimulus to) the new enthusiasm about Canada's legal roots. The Law Faculty of the University of Manitoba recently introduced a unique course in Canadian legal history, drawing upon the talents of a score or more legal historians from across the country. Each contributor is responsible for teaching a segment of the course, as well as for authoring a chapter of a textbook (a primer of Canadian legal history) to be published in conjunction with the course in 1992. To launch this experiment in collaborative teaching and scholarship, as well as to help mark the 75th Anniversary of the opening of the first law school in Manitoba, a number of the project participants took part in a symposium entitled "Glimpses of Canadian Legal History" in April 1990. This volume comprises papers presented at that symposium.

In keeping with their description as "glimpses," many of the papers are comparatively brief, narrowly focused, topically random, and stylistically light. All, we hope, are enjoyable reading. Several contributions are a good deal more than mere glimpses, however. The task we set for our authors was (to shift the simile) to produce a selection of historical *hors d'oeuvres*, designed for immediate delight,

as well as to whet readers' appetites for more substantial fare. The spread they prepared was both tastier and more nourishing than we anticipated. Among the appetizers are a few main courses, and even the canapés are remarkably nutritious.

Should the reader agree with our assessment, and find both delectation and nutrition in these few hors d'oeuvres, it is our hope that she or he may choose to prolong the experience by making the study of Canadian legal history a part of his or her regular intellectual diet.

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The editors have incurred debts of gratitude to many people and organizations in the course of this endeavour. The authors were, without exception, uncommonly co-operative and courteous. Professor Alvin Esau, and the University of Manitoba Legal Research Institute which he directs, did a splendid job of organizing the "Glimpses" symposium and arranging for this publication. Dean Roland Penner, whose idea the symposium was, exhibited considerable decanal wizardry in ensuring that it took place. Sue Frenette performed word-processing miracles once more. Leslie Hoffman, Administrative Assistant to the Faculty's Legal History Project, contributed to the editorial work in several useful ways. Professor John Irvine provided valuable editorial liaison, and the Faculty's Administrative Assistant, Lorrie McLaren, smoothed a variety of wrinkles. Jonathan Penner, editor of the *Manitoba Law Journal*, was hugely helpful. Generous financial assistance was provided by the Law Society of Manitoba, the Manitoba Law Foundation, and the W.A. Johnston, Q.C. Estate Trust Fund. To all these colleagues and benefactors we extend cordial thanks, along with our prediction that posterity will thank them even more than we can.

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