

Advertiser Dec<sup>r</sup> 31/87.

## THE LAW LECTURESHIP.

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TO THE EDITOR.

Sir—Having read your very just remarks on this subject in your article of December 29, I may be permitted to add a statement of fact which may contribute to the public appreciation of the question. It is this: I had intended to apply for the place. I will say nothing as to my qualifications except that they were such as to deserve attention. Before the time had elapsed for sending in applications I was cautioned by a friend, a member of the University, not to apply, because the place was intended for Mr. Pennefather, and would be given to him whoever else applied for it. The advice was given me in my own interest and not in that of Mr. Pennefather, to whose appointment my friend was opposed. I may mention another fact which has a tendency to discourage applications to the council. As regards the Law Faculty, now that Mr. Phillips has left it there is no member of it who has taken his law degree by examination, and one of its members is not a university man at all. As regards the council in general, there is no member of it who has had any experience in the working of any other university than that of Adelaide.—I am, &c.,

TOO FAR NORTH.

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TO THE EDITOR.

Sir—You and your correspondent "Alumnus" have done good service in directing public attention to what appears to be a very improper action on the part of the University Council. The statement of the facts as given by your correspondent is decidedly against the council, and as the matter is one of vital importance to the University, some explanation is needed. Neither the Chancellor, the Law Faculty, nor the Council, can afford to ignore the remarks in your paper, for to leave the matter unexplained will engender a feeling of absolute distrust in the management of the University. In considering Mr. Pennefather's application it seems to me that there is only one qualification which he could exhibit. That he had practised for four years at the Chancery bar is a vague statement amounting to nothing. He may never have held a brief. If he had achieved success, the ill-health that brought him to these colonies would probably not have prevented him from continuing his practice here. That he was six years private secretary to Governor Jervis is not the merest fragment of a qualification. It is rather in the nature of a disqualification, for no man who has honestly settled upon a profession is likely to be satisfied with the occupation of superintending a governor's dinner-parties. Mr. Pennefather has taken his degree in theology. This embraces a very admirable list of subjects, and it would be an excellent qualification if our lawyers practised under the Mosaic code, but not otherwise. The one credential that this gentleman has shown is his degree of master of laws. To a layman this would appear a very substantial qualification, but when examined with the light of knowledge it entirely loses its imposing aspect. It is in fact a very paltry degree, and to secure it Mr. Pennefather, after his theological course, had only to pass an examination in two subjects—Roman law and English criminal law. I have mentioned these facts in order to show the result clearly—that Mr. Pennefather, the new law lecturer, has been elected upon this one qualification, that he has passed in two law subjects. Upon this performance (rather less than one year's work of an ordinary law student) he has inspired the Council with such confidence in his powers that they have appointed him to lecture upon the whole range of subjects with which the law deals, including those for which he has not shown the slightest qualification. His degree is far inferior to the LL.B. of the Adelaide University, and of course utterly inferior to the doctor of laws degree, and yet he is to teach and examine both for bachelor and doctor of laws. Your correspondent has recited the credentials of some other candidates, but it seems to me hardly necessary to discuss this phase of the matter. If there had been no other candidates, Mr. Pennefather has shown no legal knowledge or literary attainments sufficient for the post. Mr. Cullen's credentials seem to be fairly good, and certainly far beyond those of his successful rival, and it is curious why his claims were passed over; but the youngest LL.B. in the colony would be entitled to take precedence of Mr. Pennefather for this office, so far as his degree is concerned. For the reason that few things are impossible, the Chief Justice, Dr. Barlow, and Mr. Ayers may be able to explain why they recommended this gentleman to the Council, but at present it is difficult to understand their action in the matter. If they do not explain it, then we who have an interest in the affairs of this institution will have the utmost distrust of their management in this and other matters which have not been made public.—I am, &c.,

MAGISTER.

Register January 2<sup>nd</sup> 1888.

### THE MELBOURNE UNIVERSITY SCANDAL.

—It is bad enough to have passed a candidate with honours in a subject which he did not take up, but it is still worse to plough a man when he should have passed. The University examinations in Melbourne have been unsatisfactory in the highest degree. Some few days ago we referred to the extraordinary measures adopted by one of the authorities in the Victorian University to test the knowledge of candidates for academic honours. One gentleman was refused his pass because of the "impression of ignorance" which his papers conveyed. This impression vanished when the head of the unfortunate student's College interviewed the examiner, but meanwhile the student was compelled to lose his chance of competing for honours. The matter was brought to the knowledge of the Council of the University by one of its members, who happens also to be the Principal of the rival College in the University. With the proceedings of the Council readers are familiar. They know that it took the extraordinary course of solemnly ratifying the action which had inflicted an injustice upon students, and as an afterthought passed censure upon Professor McCoy for having acted as he had done. Then followed newspaper correspondence, of the style favoured by the heads of rival institutions, between Dr. Leeper, of Trinity College, and Mr. McFarland, of Ormond College. Thus the force of public opinion was excited, and the upshot was that the University ordered the re-examination of the papers of the candidates whom Professor McCoy had plucked. Part of the result of this re-examination is given in our news columns. Here we find that the "impression of ignorance" which Dr. McCoy saw so clearly on the geology papers of a particular candidate has faded into nothingness. More than this, the Revising Board has seen fit to pass this candidate in the face of the Professor's declaration that he had read every line and every word of his papers, that the errors were very numerous in the answers to eight of the ten questions put,

and that on his written answers this candidate was correctly rejected. Professor McCoy is careful to leave no loophole for his own escape from an uncomfortable dilemma. If he was right in rejecting the candidate, how is it that he allowed so interested a person as Dr. Leeper to induce him to alter his decision? If he was wrong in rejecting the candidate, what trust can be placed in University honours when so distinguished an authority as himself shows the fallibility of examiners? Indeed, the fact would appear to be that Professor McCoy has now become fully qualified for a life of learned leisure. He is a distinguished student of nature, and he has earned as many laurels and been the recipient of as many tributes to his work as fall to the lot of most men. Either the University should relieve him of his examining work or he himself should delegate this work to a man who has got his spurs to win. The history of these examinations is discreditable in the highest degree, and is, moreover, calculated to diminish people's faith in University distinctions. They would seem now—so far as some subjects in Melbourne are concerned—to hang upon the "impressions" of examiners, which impressions are liable to be obliterated when sufficient outcry is made and the power of the Press, as expressing public opinion, is brought to bear. The University should be without fear of public remonstrance or without reproach of injustice. Students should be in a position to think that their papers are thoroughly examined by responsible men, and that, this being granted, there is no appeal. How is it that one never hears of English University men complaining in the papers of injustice? It is simply because there the work of examining is entrusted to men who do not go by "impressions," and whose dicta no one would venture to question. It may be assumed that the recent disclosures will tend to make heads of Colleges and examiners alike more careful; the one class will be slow to use its influence just as the others will be more cautious about its decisions. If this happy result is attained the Melbourne University will not have occasion to regret the scandal of its last examinations.

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