favor of a gentleman who had not succeeded in showing any sufficient qualifications, and in disregard of other who had. In the case of a gentleman whose testimonials show him to have gone through the University and the Inns of Court, undistinguished either in arts or law, who deserted the Court of Chancery to the solicitors, and who, with the agreeable occupation of secretary to a colonial Governor, and who for six years has remained unconsulted in the chamber and unheard in the courts, is not the man to suddenly undertake the discharge of those unimportant duties relinquished by Mr. Phillips. There were other applicants whose record showed them to be more competent. If a highly distinguished law-prizeman and lawyer, who, after an undergraduate career as a first-class man in classics and a second-class man in mathematics, who afterwards became master of arts, and bachelor and doctor of laws, left the University with the view of where the studies are large and the tests severe. And yet both these gentlemen were wholly passed over by the Law Faculty; and it was only when the attention of the body of the council was called to the imperfections of Mr. Pennefather, and the excellent record of the gentleman from Sydney, that it was received to request the latter to attend. But when it came to the time when the applicant had attended, and his qualifications were undisputed, he was rejected in favor of one who was without achievement.

It is no business of ours to advocate the cause of the rejected candidates, or to say that any of them should have been appointed; but we distinctly say that Mr. Pennefather should not have been appointed, and that the discretion of his appointment is aggrieved by his being blindly preferred to better qualified men. If Mr. Pennefather was qualified others were more so. If those others were not qualified, neither was he. If his appointment is determined no appointment should have been made, in the latter case fresh applications could have been invited, and the work could in the meantime have been done as before by dividing it among local lawyers. If there is any further aggravation needed to excite indignation at what has happened it is to be found in the "way it was done." Allowing for the absence of a clearer mode of proceeding, the reticence of the retiring lecturer, the Law Faculty consisted of the Chief Justice, Dr. Barlow, and Mr. Ayers. Now, assuming that the late secretary of Governor Jefferson, the present chief justice, in the opinion of these gentlemen, is it not strange that they were so confident in their own judgment as to brave the opposition in the council of lawyers like themselves? And when the opposition was overcome, it was overcome so as only to equal those of the faculty and of the men who naturally adhered to them, is it not strange that the Chief Justice should have paid so little respect to the better qualified men, and favored them by his own single vote? Men of experience should know that when private friendship is carried to so extraordinary a length it is apt to invite rude imputations on the part of the public. But it is not wonderful, at all events, that the graduates and lawyers whether graduates or not—are much
dissatisfied at the choice of the person who is to be the sole public teacher of law, and who is to act as examiner in every branch of it. Nor does the mischief end with the sacrifice of the legal teaching and examining. It will tend to discourage good candidates from applying for other places as they become vacant, for fear that the advertisement opens up a competition in which the winner is already fixed upon by favoritism and not by merit. If the fear of unfairness is once admitted the advertisements of the University will only be answered by those who are strangers to it. In the present case it may be too hard a thing to say that a job has been perpetrated; but it is certain that a great mischief and a great injustice have been done. They have been done to the public and to the University as a body. Without complaining of the rejection of any applicant, however worthy, we join with a good many members of the legal profession in censuring the appointment of a gentleman who had no claim to the place even if there had been none to compete with him.