

HONOURABLE W. E. PERDUE.

An Appreciation of an Eminent Jurist.

Honourable William Egerton Perdue, whilom Chief Justice of Manitoba, died at his home in Winnipeg on January 17th at the age of 82 years. For half a century he had held a prominent place in the legal and judicial life of his adopted province and was recognized as one of the ablest jurists in Western Canada. His demise concludes a worthy chapter in the legal annals of the Dominion and brings to an end a life devoted to high and unselfish service on the bench.

Childhood and adolescence spent in Brampton, Ontario, where he was born on June 20th, 1850, were followed by graduation, *magna cum laude*, in classics, from the University of Toronto, at a time when that institution was rapidly becoming a moulding force in the cultural life of the newly formed Dominion. He lived to receive from his alma mater the degree of Doctor of Laws, *honoris causa*, in 1926, as one of her distinguished alumni.

His early ambitions for the bar found expression while at the University in reading law books and attending trials in the Toronto courts. Later when he was studying law and articled in the office of Sir John A. Macdonald he worked as a legal writer on the *Toronto Globe* under George Brown. Thus the great days of the formation of the Dominion were to him a reality and he linked an intimate acquaintance with some of the Fathers of Confederation with the development of the West.

His experiences as a teacher for two years following graduation from the University, together with his work as a journalist, imbued in him a broad and sympathetic understanding of human nature which was to remain with him and ripen into thoroughly human ideals of justice and mercy.

The late jurist arrived in Winnipeg in 1882 when the prairie city was little more than a trading post and immediately laid the foundations for a successful career at the bar.

As a young practitioner he took a keen interest in the economic and industrial life of his new home. He was one of the earliest residents of Winnipeg to recognize the importance of developing the natural resources of the western province and to encourage the introduction of new industries. The rapid development of hydro-electric energy he regarded as a forerunner of an industrial Winnipeg.

He found pleasure during this period in fishing and shooting, but his most cherished hobby was reading. He displayed a wide interest

in literature, showing a preference for history and poetry and he was a classical scholar of the first rank. He was a congenial friend and an excellent raconteur. One recalls his fondness for telling stories of the pioneer days in the West.

A successful career at the bar was followed in 1903 by an appointment as puisne judge of the Manitoba Court of King's Bench. Three years later he was appointed puisne judge of the Court of Appeal. Upon the death of Chief Justice Howell in 1918 he was elevated to the Chief Justiceship of Manitoba.

Upon completing 26 years of faithful service in the judiciary, the late Chief Justice said farewell to his colleagues of the bench and members of the bar in a valedictory ceremony held under the auspices of the Law Society of Manitoba on the eve of his retirement in December, 1929. The ceremony took place in the principal court room in Winnipeg in the presence of a large gathering of the bench and bar.

The esteem in which the late jurist was held by the profession may be gathered from remarks made by one of the speakers on that occasion—H. A. Bergman, K.C., at that time president of the Manitoba Bar Association.

Mr. Bergman said:

Chief Justice Perdue has been endowed in a very full measure with that intangible but invaluable quality known as the judicial temperament. In the court room he has displayed not only great learning and ability but also infinite tact and infinite patience, coupled with the necessary forcefulness to be at all times in complete control of every situation that developed and commanding respect, not because he was clothed with arbitrary powers which counsel and litigants feared would be used arbitrarily against them, but purely and simply because he conducted his court in such a manner as to merit the respect which was freely given.

It may be too early to estimate the permanence of his contribution to the jurisprudence of his country. But his judgments form a compendium of carefully prepared decisions. His judgment in *Walker v. Walker*, (48 D.L.R. 1) which was affirmed by the Privy Council, was a landmark in Canadian legal history, for it established the jurisdiction of the courts of Manitoba in cases of divorce *a vinculo matrimonii*.

The death of the late Chief Justice, although not unexpected, was received with sorrow amongst his colleagues and the profession. He will long be remembered in legal circles as a classical scholar, an advocate of the first rank, a distinguished jurist and a polished and refined gentleman.

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Winnipeg.