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INTERPROVINCIAL FRIENDSHIP IN THE LAW.¹

I received with gratification the invitation which you were good enough to forward to me and accepted it with an unmixed pleasure; but it is with great hesitation that I rise to address this distinguished gathering.

I had intended to devote appropriate time and thought to the preparation of my remarks, fully appreciating both the importance of this occasion and the great honour which had been conferred upon me.

Confess I must that I am nevertheless sadly ill-prepared. My sessional duties are very onerous during these strenuous times, when the uncertainty of the morrow overclouds the activities of to-day. May our present troubles in Ottawa evoke, even in Toronto, and at least for this one evening, a friendly thought for the speaker and a feeling of indulgence for his imperfect diction.

My discomfort is in no way lessened when glancing around these tables I note the presence of eminent magistrates, the pride and honour of the Courts over which they so ably preside; the presence of the distinguished guests, leaders of thought in our political, social and national life; the presence of many prominent members of your Bar coming from every section of your great province; and, lastly, the presence of rich and outstanding personality as that the Honourable James Watson Gerard who, during the war, under tremendously trying conditions, has maintained in the very capital of Germany, unflinchingly and fearlessly, the Majesty of Law, and has thus given to the world the inspiring spectacle of unselfish and unstinted service to humanity.

¹ Address delivered before the Ontario Bar Association by the Honourable the Solicitor-General of Canada, at the Annual Meeting of the Association in Toronto on the 14th of May, 1926.

I therefore crave your kind attention for but some brief moments.

My family has lived in the old Province of Quebec during two centuries and even more. I was educated at the Quebec Seminary founded in 1663 by Monseigneur de Laval who, forsaking the worldly favours to which his illustrious lineage entitled him, came into the wilds of New France and gave to Christian civilization a life of unflinching effort and of unbounding virtue.

Within the walls of my Alma Mater, I gazed, with reverence, upon the tricentennial glories of the past, and I listened with respectful attention to the teaching of devoted priests who endeavoured to perpetuate in the soul of our French Canadian youth the traditions of their race, and sow into their hearts the after blossoming seeds of an unaltered attachment to their beautiful language, and, moreover, a tenacious belief in the magnificent future of their native land.

My university days were lived amidst the world famous beauty of the ancient City of Quebec, where the sun radiantly shines upon the choicest treasures of an historic past: the steeples of churches which sheltered our religious faith and steadied our national loyalty; the cloistered windows of our convents wherein feminine courage, fortitude and virtue have, since Champlain set his foot on Canadian soil, nursed our wounds, consoled our misfortune, and educated our mothers into an existence of pious self-sacrifice; the sacred battle-grounds of the Plains of Abraham where Wolfe and Montcalm found immortality of fame in a common and glorious grave; the rugged Cape Diamond where Montgomery failed, in 1775, to wrest from the British Crown a grateful French Canada; the narrow and mediaeval streets where Durham's mind conceived, in deep meditation, the imperial structure of our gigantic British Commonwealth; the awe inspiring ruins of the building where the Fathers of Confederation, laid the unshakable foundation of our ever expanding Dominion; the walls of our Citadel proclaiming to the civilized world the mighty earnestness of our common purpose; the majestic flow of the St. Lawrence River, silent witness of our heroic pioneer days and lavish contributor to our commercial wealth; the stolid Laurentian peaks as beautiful as they are ever changing in their magnificence, striking image of our Canadian unity born of diversity of thought.

Therefore, imbued with the traditions of my people, surrounded by the glorious evidence of by-gone days, I am, and proudly so, a typical son of my native Quebec and a hundred per cent. Canadian.

As such, I have a message from your Quebec brethren:

Gentlemen of the Ontario Bar, lawyers are the apostles of Jus-

tice and the missionaries of Law; our common task is to promote, through inter-provincial friendship, national unity by maintaining the principles of our Order as bequeathed to us by our professional predecessors.

Law is nothing more or less than the regulation of human life. It is as essential to man as the air which he breathes. Law is laid upon principles arising out of the necessities of human intercourse and sanctioned by the experience of centuries.

Law is a coordinated reflection of the soul of each community which it governs, and its strength emanates from the will of the people to obey it in order to improve existing conditions and to attain relative happiness.

Hence, the law of a country must not conflict with the ideal of its population and must evolve in harmony with the legitimate needs of altered circumstances and the real exigencies of progressive civilization.

Nationalism and progressiveness are the vital qualities of any long enduring law.

From her past, Canada has inherited certain conditions: ethnical, religious, social, economic, which can not be disregarded if our country is to be properly governed.

Providence, with unfathomable wisdom, has placed, within the boundaries of our Dominion, the representatives of the two great English and French races speaking the immortal language of Shakespeare or Bossuet, kneeling before the shrine of Canterbury and of Rome, rivalling in friendly emulation to develop a common heritage whose immensity is bounded by three oceans and by the mighty Republic of Washington and Lincoln.

In 1763, the Treaty of Paris severed from their Motherland 65,000 French-Canadians. With undaunted spirit they clung to their adopted country, "la nouvelle France," and they made it their own. They now number, in Canada and the United States, over 3,000,000.

Such expansive vitality is providential; the destinies of such a race can not be thwarted; they are a people who are led, as of old, by a heavenly sight into some promised land.

The extraordinary expansion of the French Canadians has, sometime, caused misgivings and has aroused forebodings. I do not share them; they seem to me groundless. Belgium, France, Great Britain, Switzerland, are outstanding illustrations of national unity and ethnical diversity. Uniformity frequently begets hopeless

sterility; diversity bears the fruit of intelligent initiative and pregnant achievement.

In 1775, Great Britain placed into the hands of French Canada the Charter of her liberty. Ever since, it has been religiously and reverently guarded in the mansion of the rich and in the thatched-roofed cottage of the farmer. We fully understand the price set by every Englishman to the document solemnly delivered on the plains of Runnymede by King John to Simon de Montfort and his Barons. We share your veneration for it and we enjoy the privileges it contains. The Act of 1775 is our Magna Charta, the authentic certificate of our freedom.

In fact, the Quebec Act guarantees that French Canada, can, with joyful liberty, sing the glorious language of Montaigne, Pascal, Racine, and Hugo; that its Courts can dispense justice in civil matters, in accordance with the prescriptions of "*la Coutume de Paris*," "*les Ordonnances*," of Louis the 14th, and of "*Le Conseil Souverain*," which, in the Chateau St. Louis, within our gates, was presided by Frontenac and De Vaudreuil.

The King of England renders justice, fair, pure, honest, to his French Canadian subjects, in the words of Pothier and in the forms of "*Le Parlement de Paris*;" and his decisions are enforced, his judgments are safeguarded by the full might of the British flag.

There lies the secret of the durability of the greatest Empire the world has ever seen, since night fell on the decaying ruins of Imperial Rome.

During the course of our constitutional evolution, 1791, 1840, 1867, to this very date, this monument of British sagacity, statesmanship and foresight, has remained unimpaired, either by the occasional storm of political controversy or by the passing hurricane of religious prejudice. Like the Pyramids of Egypt it has viewed, with placid equanimity, the sands of our disputes surging with impotent rage against the rock of Justice.

Quebec is the house of contentment. English and French citizens live side by side, actuated in their mutual dealings by respect, esteem and confidence. To the Dominion at large, we offer the stupendous asset of a fully satisfied, loyal and united people eager to serve the Commonwealth.

In 1793, Ontario—then Upper Canada—reverted to English Common Law which was more congenial to its aspirations and which represented more faithfully the mind of its people. In the course of time, under this guidance, lofty forests have been felled, mighty

rivers have been harnessed, wonderful mines have been exploited, a powerful and rich province has been built.

Through different legal roads, we have attained a similarly wonderful goal.

From 1763 to 1867, Lower and Upper Canada were in close and constant partnership, respecting their individual rights and combining their collective resources. May Ontario and Quebec perpetuate this association in a common effort to weld Canada in an indissoluble entity, wherein the autonomy of the several parts will cement and solidify the integrity of the whole national structure.

Gentlemen of the Ontario Bar, I have done. I am the bearer of this message from your Quebec brethren. Let Justice be our aim, let Law be our means, in the promotion of this laudable achievement.

To-day, the world is an exhausted giant, following the exertion of the last titanic struggle. Let us place in the soul of mankind, by our united endeavours, the reviving power of hope and the soothing ray of peace.

Quebec.

LUCIEN CANNON.
