THE CANADIAN BAR REVIEW

	•			-	
Vol. VI.	Toronto,	September,	1928.		No. 7

HALF A CENTURY OF PARLIAMENT.*

Having briefly described to his audience how the business of the country is conducted in both branches of the Canadian Parliament, Senator Murphy proceeded as follows:

Now let me present to you some of the characters and events that have come under my notice—first, as an observer, and, later, as a member of Parliament—during a fairly long stretch of years.

HOUSE OF COMMONS.

In the Parliament that sat from 1878 to 1882, there were, besides great figures like Sir John Macdonald, Hon. Alexander Mackenzie, Sir Wilfrid Laurier, Sir Charles Tupper, Hon. S. L. Tilley, Sir Hector Langevin, Hon. Edward Blake and Sir Richard Cartwright, some members of lesser note, about whom a word may be said in passing.

First, let me select two from British Columbia,

One of these was named Bunster—a shaggy man, as careless in dress as he was in speech, and obsessed with the idea of excluding Orientals from his province. In Parliament, at least, he blazed the trail for a white British Columbia, and one of his speeches—seven hours in length—still holds the Marathon record in parliamentary oratory.

Bunster's colleague from British Columbia rejoiced in the name of Amor de Cosmos, and thereby hangs a tale.

* This was an address by the Honourable Charles Murphy, K.C, of the Ottawa Bar before the Kiwanis Club. Mr. Murphy is now a member of the Senate of Canada. He was for many years a member of the House of Commons. He held the portfolio of Secretary of State in Sir Wilfrid Laurier's administration (1908-1911) and was Postmaster General in that of the Right Honourable W. L. Mackenzie King (1921-1926).

32-C.B.R.--- VOL. VI

During the gold seekers' rush to California in 1849 one of those who made the overland journey was an ambitious young man named William Smith. In California he is reported to have engaged in the occupation known as "mining the miners." He prospered, and in time became a member of the California legislature. Having visions of social eminence, he brought in a bill to change his name from William Smith to Amor de Cosmos—drawing upon three languages for his new title which, in English, meant "a friend of the world."

When the bill came up for its third reading, a wag moved in amendment that William be called "Amor de Muggins"—and the amendment was defeated by only two votes! Narrow as was the margin, it was, however, sufficient to change William Smith into Amor de Cosmos. He moved to British Columbia, became a British subject, and a member of the House of Commons. In Parliament he left behind him little more than the memory of his euphonious name.

Differing in politics and in every other way from the two British Columbians was the then member for Wentworth—Joe Rymal of Hamilton—who was the wit of the House. In appearance he was not unlike the picture we have of David Harum, and a drawl in his speech accentuated the resemblance.

On one occasion, when replying to an opponent who had laid great stress upon his "ideas" respecting a matter of public policy, Joe Rymal said that "an idea would have as much playroom in the head of the honorable gentleman as a frog would have in Lake Ontario." It was a tribute to Joe's popularity that both sides of the House joined in the laugh that followed this thrust.

Among the fellow-members of the British Columbians and Joe Rymal were Alonzo Wright, the member for Ottawa County, who was known as "the King of the Gatineau" because of his extensive lumber operations and lavish hospitality; A. H. Gillmor, who came from a county in New Brunswick, bordering on the state of Maine, and who once described his constituents as "protectionists by day and free traders by night;" Sir John Carling, who later became minister of agriculture and established the Central Experimental Farm here at Ottawa; and George W. Ross, a powerful speaker, who afterwards sat in the Ontario legislature and for a time was Premier of the Province of Ontario.

Hours could be spent in describing Sir John Macdonald, Hon. Alexander Mackenzie. Hon. Edward Blake and Sir Wilfrid Laurier, but I have only a few minutes in which to give you a running description of their chief characteristics.

SIR JOHN MACDONALD.

Sir John Macdonald was, undoubtedly, the greatest of our political leaders. His personality was impressed upon Parliament as it was impressed upon the country, and throughout a long period of years he maintained a position of ascendancy, no matter what happened, or what evil fortune befell him. This was due chiefly to the affection he inspired in the people at large. He had an easy, jaunty manner; a pat on the shoulder or a handshake for everybody who crossed his path; a word of praise here and a nod of approval there; a readiness to meet difficulties and a gift for composing differences; a vast parliamentary knowledge combined with a love of his native land and an abiding faith in her future greatness.

In the ordinarily accepted sense of the term, Sir John was not an orator. He had a jerky style of speech, but even that served him in good stead when he told a story to emphasize the point that he wanted to make. In fact, his stories often made his speeches more effective than the serious deliverances of his more eloquent rivals. Then, he had also great powers of ridicule that he frequently employed with telling effect. I recall one outstanding instance of the exercise of this deadly gift. D'Alton McCarthy, who at one time was expected to succeed Sir John Macdonald in the leadership of the Conservative party, had broken with Sir John and in the course of a debate on one of the politico-religious questions that used to agitate the public mind. McCarthy had delivered a powerful speech, to which he expected a reply would be made either by Sir John himself or at least by one of his ministers. Instead of this, Sir John put up Nicholas Flood Davin to make the reply; and Davin, who had a rich fund of rollicking humor, simply made merry at McCarthy's expense. One telling shot was that McCarthy had collected his facts as some birds take their food--"on the wing." No one enjoyed this sally more than Sir John. Then he himself took part in the discussion. He deprecated the motion and belittled its importance. Then he said:

I cannot but remember the story of the Jew going into an eating house and being seduced by a slice of ham. When he came out it so happened that there was a crash of thunder, and he said: 'Good heavens, what a row about a little bit of pork!' This, too, is a little bit of pork, and as the poor Jew escaped being crushed by the thunderbolt, I have no doubt Canada will similarly escape.

While the House laughed, D'Alton McCarthy gathered up his notes and left the chamber. He never forgave Sir John.

ALEXANDER MACKENZIE.

Alexander Mackenzie was the very antithesis of Sir John Macdonald. The latter had the training of the schools and the law courts. Mackenzie's training was received while plying his trade as a stonemason. Yet he managed to educate himself and, in time, became the prime minister of Canada. He was an excellent administrator of a department and there was no better debater in the House of Commons. His rugged honesty was admired by friend and foe alike, and there was general regret that a prolonged illness curtailed his years of public service and saddened his declining days.

I remember as if it were yesterday his last appearance in the House of Commons. It was on the night of March 28th, 1889. A vote was about to be taken on a motion to disallow a statute of the Province of Quebec. The government, headed by Sir John Macdonald, opposed the motion. Alexander Mackenzie rose from his deathbed and came to the House, a shadow of his former self, to record his vote in support of Sir John and the government, because they had taken their stand in defence of provincial rights—a principle to which Mackenzie had given life-long adherence.

I can see him now as he made his way from behind the speaker's chair, slowly and trembling in every limb. to his seat beside Sir Richard Cartwright. As he sank into his chair a hush came over the chamber—the prelude, as it were, to the tribute that was shortly to be paid the indomitable Scotsman who was determined to make a last public profession of his principles even though he died in the attempt.

The debate was concluded by Sir Richard Cartwright. He brought his speech to an end with these words:

If I had any doubt as to the correctness of my conviction I would find it in the fact that we have tonight for the first time in many years my venerated friend (Mr. Mackenzie) coming here to record his vote against a proposition which would set man against man and kindle the flames of religious bigotry from one end of this Dominion to the other.

Scarcely were the last words uttered when a surge of that generous emotion which exalts men's souls and raises them above the petty things of life, swept the chamber, and there broke forth, from both sides of the House, a hurricane of cheers that woke the echoes in the remotest corners of the Parliament Building. It was a moving and inspiring scene—one that indelibly impressed itself on the memories of all who witnessed it. Alexander Mackenzie never appeared in Parliament again.

EDWARD BLAKE.

In the leadership of the Liberal party Mr. Mackenzie was succeeded by Hon. Edward Blake. Intellectually, Mr. Blake occupied a position of pre-eminence in Parliament. His speeches were models of stately diction, keen analysis, unanswerable logic and deep-rooted conviction. When he dealt with a subject he exhausted it; there was nothing more to be said. "But he was no mere man of words. He would have proved Canada's most constructive statesman had he held office." His industry was boundless; and as Hon. William Patterson once said, he moulded three-fourths of the legislation of the House. But it was Edward Blake's misfortune to be over-sensitive, to hold aloof, and to be easily discouraged by political reverses. Disdaining the lesser arts of the politician, he played a great rôle in Parliament; and on occasion he could wield the hammer of Thor with tremendous effect.

One occasion of that kind stands out in my memory. The House had sat continuously for three days and three nights debating the Franchise Act. As the hands of the clock pointed to five minutes to twelve on Saturday night, May 2nd, 1885, Blake suddenly rose and made such an unexpected onslaught on the government that his followers were driven into a frenzy of delight. His words poured forth like a stream of burning lava from which there was no escape, and the tolling of midnight by the bell in the tower saw him surrounded by a group of wildly-cheering supporters, who were given all-too-few occasions for such a display of their admiration and affection for the Great Commoner.

SIR WILFRID LAURIER.

In speaking of Sir Wilfrid Laurier those of us who were his loyal followers, and who were admitted to his friendship and his confidence, regard it as a labour of love to picture him for others as we knew him.

He was our most brilliant parliamentary orator. His speeches were couched in the language of the Bible, of Shakespeare, and the classics. With distinction of manner, he combined a gracious dignity of bearing, and nature had endowed him with a rich, sonorous voice, flexible, vibrant and variant as the tones of a perfect instrument. When Sir Wilfrid's unrivalled eminence as an orator is under consideration it should never be forgotten that in Parliament and on the platform, outside of Quebec, he found it necessary to speak in a language that was not his mother tongue. That fact enhances the brilliance of his triumphs. It would be difficult to say which of his speeches in the House of Commons was the greatest. It was often noticed that when he addressed the chamber the hushed silence was such that only the ticking of the clock and the speaker's voice could be heard; and not infrequently the tributes paid his eloquence came from opponents as well as from friends. The day following the delivery of one of his masterpieces, Honourable Thomas White, the Conservative Minister of the Interior in Sir John Macdonald's cabinet, said:

I, as a Canadian, am justly proud of it, because I think it is a matter of common pride to us that any public man in Canada can make on the floor of Parliament such a speech as we listened to last night.

And Edward Blake, referring to the same speech, said:

My honourabe friend, not contented with having for this long time in his own tongue borne away the palm of parliamentary eloquence, has invaded ours, and in that field has pronounced a speech which in my humble opinion merits this compliment, because it is the truth, that it was the finest parliamentary speech ever pronounced in the Parliament of Canada since Confederation.

Splendid as were those House of Commons tributes, there was an even more remarkable tribute, but of an entirely different kind paid to Sir Wilfrid at the town of Cochrane, in Northern Ontario, on the line of the Transcontinental Railway. At a time when there were no elections in progress and none in sight, Sir Wilfrid, accompanied by some of his colleagues, went to Cochrane to address a public meeting. In the absence of a suitable hall the meeting was held in the railway roundhouse. The building was fitted up with a platform and some rough seats which rested on the earthen floor.

When the meeting opened probably a thousand persons were present. The space immediately in front of the platform was occupied by a couple of hundred miners in different stages of drunkenness who had come in from the Porcupine district. In the vernacular, they were "out for a time;" but no matter how drunk they were, they all knew why they had come to the meeting. They had come to hear Laurier and nobody else! They kept up a constant cry for "Laurier," "Laurier," "Laurier," and the chairman found it utterly impossible to obtain a hearing for any other speaker. After a couple of his colleagues had been shouted down, Sir Wilfrid was introduced, and was reeived with a wild cheer by the intoxicated men, who at last had had their way. The moment he spoke there was absolute silence. As the speech proceeded the only sound to break the silence was a dull thud now and again as one of the drunken men fell on

Sept., 1928]

the earthen floor, where he was allowed to remain unnoticed by his companions. When Sir Wilfrid had finished his speech, the crowd cheered him lustily. The miners who were sober enough to do so, picked up their helpless companions and pushed or dragged them out of the building into the open air. They had come to the meeting to hear Laurier. They had heard him. Therefore, the meeting was over. As for the other speakers and the rest of the audience they simply didn't count.

SIR CHARLES TUPPER.

For thirty years and more after Confederation Sir Charles Tupper, one of the Fathers of Confederation, was still a conspicuous figure in our public life. He was a man of dauntless courage and his sledge-hammer style of speech earned for him the title of the "War Horse of Cumberland"-the latter being the county he represented. He was always called on to do the heavy fighting for the Conservative party and it must be said that he never failed them. By reason of the vehemence of his nature, he was sometimes led into extremes which in his calmer moments he would have avoided. I recall one night when he was speaking in the House on the C.P.R. resolutions-a proposal to grant a cash and land subsidy to the Canadian Pacific Railway. Enumerating the members who were supporting the proposal, he said that only one member west of the Great Lakes had dared to vote against the resolution, and that he had done so "trembling like a criminal in the dock." Instantly the House was in an uproar. Honourable William Patterson, who was famous for his stentorian voice, led in the tumult, and he appealed to the speaker to make Sir Charles Tupper withdraw his expression and apologize. After much wrangling the speaker ruled against Sir Charles, who immediately withdrew his expression, and then resumed his speech as if nothing had occurred. The old warrior met his Waterloo in 1896, but he went down with colours flying.

SIR MACKENZIE BOWELL.

Among my most pleasant experiences in Parliament were my relations with Sir Mackenzie Bowell—one-time Orange grand master, then Minister of Customs, then Senator, and then Prime Minister of Canada. Just what started the intimacy between us I am at the moment unable to recall, but there was no member of the House of Commons or of the Senate from whom I received more kindly treatment than I did from Sir Mackenzie Bowell. He was an able and honest administrator of his department, a faithful servant of the people and an honourable and straight-forward gentleman.

SIR JOHN THOMPSON.

Another great figure in Parliament during the late eighties and the early nineties was Sir John Thompson. He came to the House of Commons from Nova Scotia with an established reputation as a jurist, and in the House he displayed a ripened judgment and a gift of judicial expression that made him a valuable addition to his party. In the course of time he was selected to succeed Sir John Abbott as leader of the Conservative party and prime minister of Canada. The fact that he was a convert to the religion of the minority excited some comment about his selection, and when the late Honourable John Haggart was questioned on the subject he replied: "What could we do? Thompson is the only statesman we have got. As for the rest of us, we all speak bad English equally well."

SIR GEORGE FOSTER.

I was in the gallery of the House of Commons when Sir George Foster delivered his first speech in Parliament. That was on March 20th, 1883. The discussion related to an amendment to the Criminal Code providing greater protection for women. Sir George Foster spoke in favor of the amendment, and, in describing the necessity for it, he said: "Some oiled and curled Assyrian bull, smelling of musk and of insolence, comes down into a rural neighborhood," and he argued that such an incursion made necessary the additional protection proposed by the amendment.

A lot of water has run over the Chaudiere Falls since March 20th, 1883, but Sir George Foster still displays the skill that made him the "Rupert of Debate" in the House of Commons; and today, in a calmer atmosphere, he gives the country the benefit of his wide experience and ripened judgment.

THE SENATE.

Before concluding, allow me to say a word about the Senate.

At the beginning of my remarks I mentioned that the Fathers of Confederation created the Senate for the purpose of checking hasty and ill-advised legislation. Two instances will illustrate how the Senate has carried out the intentions of the men who drafted our Constitution.

The first of these instances was the rejection by the Senate of the bill for the construction of the White Horse Pass Railway—an undertaking of doubtful public benefit, but of great personal benefit to a few individuals. The second instance was the refusal of the Senate to approve a proposal to make a contribution of \$35,000 000 to the British Navy unless the matter was first submitted to the people and carried by a majority vote. In both these cases the Senate pleased the opposition of the day and displeased the government of the day. At one time it was the Conservatives who were pleased, and at another time it was the Liberals who were pleased. But I am within the judgment of all fair-minded students of our political history when I say that time has justified the action of the Senate in both these conspicuous cases.

Personnel of Senate.

Now, as to the personnel of the Senate. At different times it has numbered among its members some of the most distinguished men in Canadian public life. It has had, for instance, two prime ministers in the persons of Honourable J. J. C. Abbott and Sir Mackenzie Bowell; it has had at least two former provincial premiers in the persons of Sir Oliver Mowat and Sir George W. Ross of Ontario. It has had great merchant princes like Sir George Drummond of Montreal and Honourable John McDonald of Toronto; great journalists like Honourable George Brown, the founder and editor of the Toronto Globe; prominent physicians like Sir Wm. Hingston and Dr. Michael Sullivan; and a galaxy of brilliant legal minds, among whom Honourable Raoul Dandurand, Sir Allan Aylesworth, Honourable F. L. Beique, Honourable George G. Foster, Honourable W. B. Ross and other members of the Senate of today keep up the traditions of former years.

CRITICISM OF SENATE.

From time to time you read ill-natured remarks about the Senate. That is not peculiar to our day. Similar remarks were made in years past.

Referring to some of them, Sir Richard Cartwright, speaking from his place in the Senate, during the session of 1906, said:

I have sometimes thought that for the guidance of the Senate it would have been a very good thing if we were able to insist that in certain cases the House of Commons should vote twice, once by ballot, to give a chance of knowing what they really thought, and once openly for record for their constituents.

May I commend that observation to those who are concerned about the reform of the Senate at the present time. Now you have also been regaled with misinformation about the alleged handicap from which the Senate is said to suffer by reason of the advanced age of the members of that body.

Under this head it may be pertinent to furnish you with a few illustrations of how lightly age sits on the shoulders of a thoroughly seasoned senator.

For instance some twenty-odd years ago, two senators from Nova Scotia, both octogenarians, revived an old feud that had divided them in their native province in their earlier years. One of these venerable gentlemen referred to his colleague from Nova Scotia as a "toothless old viper," and he expressed regret that a man who was showing signs of physical decline should have indulged in the language of which the speaker complained. Then came the turn of the other senator to reply. He did so vigorously; and in repelling the charge that this physical powers had been in any way impaired even though he was in his eighties, he challenged his fellow-senator to a foot race from the main gate of the Parliament grounds up to the Senate chamber. I would like to know when the House of Commons gave such a display of mental and physical vigor as that.

Mr. Chairman, I would be the last man to ask the House of Commons to do the impossible; but there are times when I feel like suggesting that, when among its members there are two centenarians in full possession of their faculties and able to attend regularly to their parliamentary duties, the House should inform the Senate of the fact, so that the same honours may be paid these centenarians as were paid Senator Wark and Senator Dessaulles when each reported for duty on his hundredth birthday!