

WALLACE NESBITT, K.C.

The Honourable Wallace Nesbitt, K.C., past President of the Canadian Bar Association and Treasurer of the Law Society of Upper Canada, died at his home in Toronto on the 7th April, 1930. While spending a vacation at his summer residence on the Georgian Bay in the summer of 1929, Mr. Nesbitt suffered a stroke, from which he never recovered. In his passing, Canada has lost one of its very best citizens, and the Canadian Bar has suffered a loss of a nature which it is difficult to appreciate.

Born on a farm, and entering the most important of the professions without the advantages of a University education, Mr. Nesbitt achieved the highest type of success in every respect, reaching the top of his profession while at the Bar, being called to be a member of the highest Court in Canada because of sheer ability and irrespective of political affiliations, voluntarily resigning from that high position and returning to the practice of law, again recognized as one of the outstanding leaders, chosen as the head of the organization which represents the profession from coast to coast, and dying in harness at the head of the Governing Body of the profession in his own Province, his professional career was almost without a parallel in the history of Canada. Beyond his profession, however, he attained conspicuous success in business, and was at the time of his death identified with many large commercial corporations. Although never taking part in politics, he at all times took the deepest interest in public affairs, and when he spoke or thought upon any public matter, his expression of opinion exercised profound influence.

In philanthropy he was also active. Conspicuous in his work was the activity of the St. John's Ambulance Association in Canada, he being President of the Ontario Council of that Association and at one time its Honorary President for the Dominion of Canada. For this work, he had the honour of being created a Knight of the Order of St. John of Jerusalem. Not long ago he gave a practical illustration of his interest in the subject of Legal Education by making a donation of \$10,000.00 to the Law Society of Upper Canada for special work in connection with the Law School of the Province.

Mr. Nesbitt was the fortunate possessor of a delightfully agreeable personality, and was in every way a "man's man." His chief recreations were golf and fishing, and he enjoyed membership in many Clubs both in Canada and in England. In every way and wherever he went he was an outstanding personality, and it is diffi-

cult to estimate the extent of his loss to the profession and to the country.

The acceptance by Mr. Nesbitt of the Ontario Vice-Presidency of the Canadian Bar Association had a very marked effect upon the activities of that organization. Prior to that time, Sir James Aikins and others active in the affairs of the Association had reason to feel that the profession of Ontario was not doing its full share of the work, but when Mr. Nesbitt became identified he at once threw himself into the work with his characteristic energy, and under his leadership others who had been slow to identify themselves came into the Association, and since that time there has been no question as to its complete success. Members of the Association know well the important part which Mr. Nesbitt took in co-operating with our present President in making the visit to England a complete success, and when he was chosen as successor to the late Chief Justice Martin as President of the Association at the Regina Meeting, all agreed that he was the one man for the position. Unfortunately, the illness which proved to be fatal came upon him during the first year of office.

Mr. Nesbitt was born near Woodstock, Ontario, on May 13th, 1858, son of Major John W. Nesbitt and the youngest of a family of eleven children. He was educated at Woodstock, and was called to the Bar of Ontario in 1881, practising first at Hamilton and later becoming a member of the well-known McCarthy firm in Toronto. He was created a Queen's Counsel in 1896, having already attained a leading position at the Bar of his Province. In 1903, he was appointed a Judge of the Supreme Court of Canada, and it is a noteworthy fact that although he was then known to be a Conservative, the appointment was made by the Government of the late Sir Wilfrid Laurier. It would seem that the comparative seclusion of the Bench did not appeal to him, for he resigned in about two years and returned to active practice, in which he continued until the time of his illness in 1929.

Mr. Nesbitt was twice married, his first wife being a daughter of the late A. F. Elliott, of New Orleans, La. His widow is a daughter of the late W. H. Beatty, of Toronto, the head of another well-known legal firm. He is survived by the widow and one son, W. Rankin Nesbitt, who will be particularly remembered because of the excellent manner in which he delivered his father's Presidential Address at the 1929 Meeting of the Canadian Bar Association in Quebec.

G. F. HENDERSON.

Ottawa.