

## CANADIAN BAR ASSOCIATION.

### FIFTEENTH ANNUAL MEETING.

#### I.

The special correspondent of *The Solicitors' Journal*, describing the departure of the delegates to the fifteenth annual meeting of the Canadian Bar Association, writes in his own engaging style: "Rumour alleges that the ship is an inch below her plimsoll line owing to the weight of intelligence she carries." He hastens to add that "Judges—and lawyers—look as light-hearted as laymen when they start off for a six weeks' holiday." The party, including the wives and daughters, totalled two hundred and thirty-five, some of whom were visiting Canada for the first time.

Never before has the Canadian Bar Association had the honour of entertaining so many legal dignitaries of the first rank. Three Lords of Appeal, Rt. Hon. Viscount Dunedin, Senior Member of the Judicial Committee of the Privy Council, Lord Tomlin and Lord MacMillan, were especially welcome, as the representatives of the Privy Council to which all parts of the Empire have the privilege of bringing matters in dispute. Five High Court Judges were also of the party, Mr. Justice Hanna from the Irish Free State, and distinguished members of the English, French and Irish Bar. To these were added when the party reached Toronto, Hon. Edward A. Armstrong of New Jersey, who came to present the greetings of the American Bar Association.

The importance of this international gathering can hardly be exaggerated. It is vital to the interests of Canada that she should be reported abroad by the educated classes, not by poor emigrant lads, whose experience is limited to some particular—perhaps not too particular—farm. Though their visit was so brief, these distinguished members of the Bench and Bar cannot fail to have been impressed by the size and possibilities of this country. The "Rose Marie" formula—snow, wolves, Indians, Mounted Police, voyageurs—is not the whole picture. The truth is that the romantic aspects of Canadian history have been overdone. What we need now is a plain presentation of the daily life of the average hard-working citizen in Canada.

For the great success of this meeting the Canadian Bar Association is indebted to the President, Hon. R. B. Bennett, K.C., Prime

Minister of Canada. In spite of a multiplicity of duties connected with Ottawa, Mr. Bennett personally conducted the meetings held in the Royal York, Toronto, and carried the program through to the last detail. Mr. Bennett is an admirable Chairman; whoever may be in the audience, he resists the temptation to call on him for a few remarks. He gave the proper setting for these meetings in his opening address, in which he emphasized the services of the lawyer to the community. A strong Bench and Bar are essential, and he pledged himself that such appointments as fall within his jurisdiction will be made on the basis of fitness for the high duties involved.

It might seem odd to a layman that Bar meetings should take the form of luncheons and dinners, with garden parties interposed to give breathing space. But in the friendly atmosphere of these social gatherings topics were discussed which, had they been part of an ordinary agenda, might have proved explosive. There was no opportunity to argue; it was the chance of a lifetime to look and listen. We had the priceless advantage of seeing those who have settled many troublesome questions concerning Canada, her status and her constitution. No member of our Bar could fail to be impressed by these, our elders in the law, the flower of seven hundred years' experience in Westminster.

Eating and oratory are a well-trying sequence. With apologies to Lord Bacon, while learning maketh a full man, per contra, a full man makes learning interesting to his hearers. It was surprising, by the way, how many of the British speakers embellished their sentences by quotations from Lord Bacon or from Samuel Johnson. Apparently these two philosophers are dearer to the legal mind than Shakespeare. The addresses, of course, were not the usual after-dinner trifles. These overseas dignitaries outlined in enviable English the legal system at home. The combination of humour and dignity in oratory is a peculiarly British product. We were not set down in a valley of dry bones; on the contrary, the law was exhibited as alive, keeping pace with the efforts of civilized man to govern himself.

Lord Dunedin dealt boldly with the question of the appeal to the Privy Council, not expressing any opinion as to its value to us but assuring Canada that if it should ever be her wish to make her own Supreme Court the final authority, no obstacle would be put in her path. He emphasised that such a change must be the wish of the whole of Canada; no small group need call that tune. The Hon. Howard Ferguson had opened the way by affirming his belief that the appeal to the Privy Council is one of the visible

links of Empire, and the great bulwark in safeguarding our Constitution; he recalled the learning and industry expended by the late Lord Haldane in interpreting the British North America Act. One could not help wondering if the appeal to the Privy Council were abolished, where our barristers would get the stimulus they receive from contact with the foremost pleaders of every corner of the Empire? Lord Dunedin earlier in the proceedings paid a spontaneous tribute to the late Eugene Lafleur, K.C., declaring that he was the equal of any counsel who had appeared before him in his twenty-five years' experience.

Hon. Mr. Justice Hanna, of the Irish Free State, formerly of Ulster, discussed the Constitution of Canada as the model on which the Free State was organized. He quoted Professor W. P. M. Kennedy as authority, an honour rare, as another speaker declared, in the lifetime of an author. Hon. Mr. Hanna traced a parallel between these two Dominions in regard to bilingualism. He was justified in his assumption that French and English are by law equally recognized in our Parliament, but the result is the same as the writer observed in the Dail in Dublin in 1928, when those who spoke Irish could not be understood by many of the members. Whatever may be the argument in support of teaching Irish, there can be no question of the value of French in the modern world. Many of the British speakers displayed a fluency in French which few of our professional men can emulate; this compliment to our visitors from France was apparently quite beyond most of our members other than natives of Quebec. The absurdity of teaching young people to read French, but not to speak it affords much merriment to educated people elsewhere where instruction is given in the language taught. How can our men and women represent Canada abroad unless they can speak French?

Hon. Edward A. Armstrong proved a very friendly emissary from the American Bar Association. He recalled the prodigious hospitality of the English Bar in 1924 and expressed the hope that the visitors would permit their American hosts to make such return as is possible in a new country. He acknowledged the debt of English-speaking people to the labours of English law; the "Mayflower" carried in her cargo the common law of England.

From the Bar of Paris M. Marcel Ragon brought a message of fellowship. His mention of Montcalm and Wolfe recalled what we owe to the French régime in Canada, the enterprise of the early fur-traders and the unsurpassed heroism of the missionaries. Champlain and La Salle are names known to every Canadian, but do we realize our national debt to these map-makers? Our admira-

tion of Captain Coste nowadays must not make us forget these early land pilots. What is engine trouble and a possible crash compared to pushing on foot through the tangled forest, with the chance of losing one's scalp?

Perhaps the visitor most in the public eye at present was Sir John Simon. His Report on India is already a classic. As one speaker said, Sir John has achieved the remarkable feat of making a Blue Book as interesting as a detective novel. Sir John replied that though the Report bore his name as Chairman, six others were associated with him in its preparation. But if the style is the man, then the pen was the pen of Sir John. He is as much concerned about the fate of the little girls in India as he is about British commerce. There is a humanity in the tone of this Report in keeping with the best traditions of British government. His account of the various peoples embraced in the 319,000,000 population, in a country equal in size to Europe, leaving out Russia, must give pause to ready-remedy politicians. The British have a sure instinct for the right man. Who but Mr. Balfour could so successfully have presented the cause of the Allies to the Americans? Sir John Simon, with those gifts which have made him the most eminent man at the Bar, his charm of manner, his clarity of exposition, will surely win the case for India.

The ladies accompanying the delegation were overshadowed by their learned husbands, but had they come by themselves they would have been able to show cause for distinction. For these visitors Miss Mildred Bennett, the sister of the President, gave a splendid dinner and reception. Unfortunately only one lady came from France, Madame Bloch; her husband, blind since five years of age, has succeeded in raising himself to eminence at the Bar of Paris. The British party included two ladies well known at home for their public services. Lady Dunedin, then Miss Finlay, was Director of Scottish Savings from 1916 to 1923. This was "a job which required some doing" as one of our own Judges remarked. Lady Simon's crusade against slavery in Abyssinia and elsewhere is well-known. Some of us thought the Civil War ended all that, but the facts collected in her book are staggering. A luncheon was hurriedly arranged after the Bar meetings to give Toronto people an opportunity to learn from Lady Simon something about this terrible traffic. Four women barristers accompanied the delegation, but by some oversight none appeared on the program.

Two garden parties gave our visitors a glimpse of our summer landscape. By the kindness of the Lieutenant-Governor and Mrs.

William Ross the delegates had a peep at the gardens of Government House, enlivened by Scottish pipers and gay toilettes. After the Special Convocation at the University the Chancellor and Governors received the guests in the Quadrangle. And on Sunday afternoon on the invitation of Sir William Mulock, Chief Justice of Ontario, the delegates motored twenty miles north of Toronto to his delightful country estate. There amid the trees and hedges, "just like England" as one delegate said, the guests had a last reunion over the teacups.

What will the new President-Elect, Mr. L. S. Saint-Laurent, K.C., of Quebec, provide for the next meeting? We may safely leave that to him. The Canadian Bar Association has taken its place among the important national organisations in Canada.

The treasure of the Association has been enhanced by the presentation of a magnificent silver gilt rose bowl. This splendid gift from the Inns of Court and the Law Society of England will be for all time a reminder of the link which binds us to the great mother of Parliaments.

GRACE HOWARD HUNTER.

Toronto.

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## II.

### OUR GUESTS AT MONTREAL.

Due to their having been delayed on the Duchess of Atholl by heavy fogs in the Straits of Belle Isle, the 200 delegates to the Fifteenth Annual Meeting of the Canadian Bar Association held in Toronto reached Quebec too late to permit of carrying out any of the programme which had been prepared for their entertainment in the Ancient Capital, and which consisted of a luncheon by Premier Taschereau and a garden party at Spencerwood. They were rushed to Montreal by special trains for the convocation at McGill University where four of them were honored with the degrees of Doctor of Laws *honoris causa*, namely Sir John Simon, chairman of the Indian Statutory Commission, Lord Hugh Pattison MacMillan, Lord of Appeal in Ordinary, Sir Frank Merriman, former Solicitor-General for Great Britain, and Mtre Henri Decugis of the Paris Bar and Vice-President of the Society of Comparative Legislation. The convocation was presided over by E. W. Beatty, Esq., K.C., chancellor of the University. The recipients were presented for their degrees in the following order, Mr. Decugis by Mr. Justice Surveyer, Lord

MacMillan by Mr. Justice Howard, Sir Frank Merriman by Dr. A. J. Brown, K.C., and Sir John Simon by Dean P. E. Corbett of the McGill Faculty of Law. Sir Arthur Currie, Principal and Vice-Chancellor, conferred the degrees.

In the evening the delegates met at a dinner in the Windsor Hotel, as guests of the Montreal Bar, there being over 400 judges and lawyers present. The speakers of the evening were the bâtonnier, Mr. George A. Campbell, K.C., who presided at the head table, Mr. Gordon MacDougall, K.C., former bâtonnier, and Senator C. P. Beaubien, K.C., who proposed and seconded the toast to the guests, speeches in reply being made by Viscount Dunedin, one of the three Lords of the Privy Council in the English party, Mr. Justice Hanna, of the Irish Free State, and Mtre. Henri Decugis, who spoke on behalf of the French delegates. The ladies accompanying the delegates were entertained at dinner in the Ladies' Ordinary by the wives of members of the Montreal Bar, and later came in to listen to the speeches. After the dinner programme had come to an end many of the guests adjourned to the ballroom for dancing.

The delegation left the following morning for Ottawa. An item on the Montreal programme which had to be abandoned and which would no doubt have delighted the delegation, was a luncheon scheduled to take place at 1 o'clock at Laval-sur-le-Lac Golf Club at which the Mayor of Montreal was to have been host on behalf of the City.

It was with regret at the shortness of the visit that the Montreal Bar saw the delegates continue their journey to Toronto.

Montreal.

PIERRE BEULLAC.

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### III.

#### OUR GUESTS AT OTTAWA.

The members of the Ottawa Reception Committee had been strictly enjoined that dress was to be informal as the overseas visitors would not have time to change. When, therefore, the two special trains drew up simultaneously at the Union Station, the Committee was somewhat surprised to be greeted by a sea of toppers of both silk and garden party variety upon the heads of their guests, who, fearing that they might never see their luggage during their short stay in Ottawa, had started off from Montreal in full fig. It was a great pleasure to see such distinguished men and women as our visitors were, and although their appearance was formal, we

found them most charming and informal, ready to enter into everything we had planned for them, and to enjoy talking to those whom they found opposite them at lunch. The seating had been arranged with as much care as possible—no light task to seat over 500 people, as those who laboured through two long night watches can readily testify.

Realising that the visitors would be living in hotels from the time they reached Canada, the luncheon had been designed to get as far away as possible from the traditional hotel meal, and the visitors were much interested in such things as the 'Thousand Island Dressing,' and perhaps even puzzled by the piece of cheese which they were told must be eaten with the apple tart!

An unusual feature of the luncheon was the presence of The Gatineau Troubadours, a quartet of French-Canadian singers in red flannel shirts and mackinaw breeches. Some of us were puzzled to hear many of the English guests joining in "Alouette" until we heard that it is much sung at Oxford dinners. We expected that the French Bar would be familiar with one or two of the chansons but to our surprise they knew them all—a tribute to the continuity of song, as of course these melodies were brought from France to Canada over 300 years ago.

Incidentally, one of the English visitors was heard to say that he supposed the Troubadour's costume was the sort of thing we all wore outside the city!

Everyone enjoyed Lord MacMillan's speech. What strikes us particularly is the average Englishman's familiarity with Canada's doings. Lord MacMillan had with him and brandished before us, three or four Government Blue Books dealing with all kinds of subjects, from the Migratory Birds Convention to the Arctic Patrol, and led us to believe that he was quite familiar with the latest bit of scandal among the Eskimos in Baffin Land.

The service in the Memorial Chamber after lunch made a profound impression upon the few who were able to take part owing to the size of the Chamber. In absolute silence the wreaths were laid upon the Altar, that of Great Britain by Lord Dunedin, and that of France by Maître Marcel Ragnon. After a short silence the "Last Post" sounded through the vaulted cloisters above the Chamber and then as the visitors stepped slowly round the Chamber the Carillon played "Land of Hope and Glory."

Ottawa people are by now used to the delicate grandeur of the Memorial Chamber, but its conception called forth many exclamations of real appreciation from the visitors. It is interesting to

note that many spoke of being reminded of the now famous Edinburgh Memorial.

It is noticeable that many of our guests particularly enjoyed the magnificent Carillon recital which was given in their honour, and we rather regretted being obliged to hurry them on for a special *entree* at Government House, where Their Excellencies wished to meet the visitors privately before the onrush of the local guests at the Garden Party.

After the Garden Party many of the guests seized the opportunity of seeing a little more of Ottawa's surroundings. We found them eager to cover as much ground as possible. It was interesting to notice one very distinguished French gentleman on Nepean Point (silk hat awry) triumphantly astride one of the guns overlooking the river. He had heard it had been used by Wellington at the Battle of Waterloo, and took this opportunity of triumphing over his ancient foes! Another member of the party, with the graciousness that is France, lifted his hat to the statue of his countryman Champlain.

It was a large and impressive gathering which assembled to be welcomed at dinner by the President of the Bar Association, Canada's Premier, and his gracious sister. Those of us who know realise that to him is due the exceptional calibre of the visitors. They were great names and great men who came out to return our visit of 1924. To Mr. Bennett is also due the remarkable interest displayed by everybody throughout this memorable visit. If his term of office as President of the Association has of necessity been short, it has been immortalized by the visit of our overseas confreres. It came at a moment when he was selecting his Cabinet and formulating his policy, and it speaks volumes for the capacity of the man that at this trying juncture he was both willing and able to inspire the gathering as he did, with an enthusiasm which transformed it into an occasion, the effect of which will long linger in the memories of those who were there.

There were many things about Canada which seemed to surprise our visitors. One was the curious way in which we mix law and business. In the Old County if a man practises law, he practises law; if he wishes to go into the City he cannot retain his practice and at the same time act as a Director of large corporations as many of our leaders do. These men had law written all over them with a curious intensity, in great contrast to our own men who cannot readily be distinguished from the industrialists.

Another thing was the size and perfection of our hotels. Our visitors cannot understand how in this sparsely populated country

we can possibly run to such magnificence. They were as interested as children in the various automatic contrivances at the Chateau. Apropos, one of the leaders of the French Bar took much joy in telling this story on himself. It appears that he was vastly intrigued by the combination bath and shower in his bathroom. Being anxious to try out this mysterious appliance he undressed, and carefully following the directions on the wall above the shower, he placed the rubber mat inside the bath, arranged the bath curtain so that the spray would not run on the floor, and stepped in. With one comprehensive movement he jerked the lever right over to "hot." Unfortunately a small head of steam had accumulated in the pipe ahead of the hot water. With a howl of anguish, the Frenchman leapt from the bath carrying with him in his hurry the rubber curtain and even the curtain rod itself. The curtain rod, as it left the wall, struck the shower head so that the spray of boiling water followed him out through the bathroom door into the bedroom, and then, as he said, "the floo-ood." He rushed to the telephone crying, "Room 658. I am in trouble. Send a plomba-*baire*." The office probably did not understand a word he said, but in any event, instead of the plumber he expected, they sent a housekeeper, who, to the confusion of the Frenchman, opened the door with her master-key and marched in. The horrified man shrieked at her, "I did not want a woman. I wanted a *plombaire*," and then, as he said, with a chuckle, "I complete the discourse from under the bed."

Still another thing which interested the visitors was the speed with which ordinary small transactions are carried out. When they sent their clothing to the hotel valet to be pressed, it often came back before they were ready to put it on, and the experience of one gentleman in buying an evening coat is worth relating.

It is a serious matter to lose the coat of one's dress clothes when such coat would be almost continuously needed at the various dinners and other evening functions to be expected during the visit of the British guests. This misfortune, however, overtook one prominent member of the London Bar some time and some place before he reached Ottawa. After the luncheon at the Chateau Laurier and while our guests were being shown through the Houses of Parliament, one of the Ottawa men happened to hear a cultivated English voice discussing what seemed to be a problem of much weight and importance with one of the Dominion policemen stationed at the entrance to the Peace Tower, and the subject under discussion was how and where a dress coat could be procured within the following four hours. The policeman, although most courteous

and anxious to be of assistance, appeared to be somewhat at a loss. No doubt he had been asked for information by many people on many subjects and been equal to the occasion, but the subject of procuring a dress coat to fit as a dress coat should, was not altogether within the scope of his knowledge.

The Ottawa barrister had such knowledge, and he saw the opportunity of being of great assistance to a fellow-member of his profession in grave trouble in a strange land. He stepped up to the London man, took him in charge, and led him to a shop where dress coats were to be obtained which would fit the back of even a gentleman from London.

The proprietor was consulted; he studied his subject who stood before him; he gave orders to one of his employees, and in a short time a dozen or more dress coats appeared. "Extraordinary"; "Most remarkable," said the London man, gazing on the good-looking coats. One was tried on him. "Type 60B," said the proprietor. It was a shade too long in the waist. "Try 39C," said the vendor of coats. 39C was tried on. A little too low in the collar. And so it went. Four or five other types were tried on to a running fire of ejaculations of "Extraordinary"; "Most amazing"; "Couldn't do this in London, you know." Then at last it was found that type 41B had apparently been made specially for the London barrister. He then anxiously asked when he could have it, as he explained he must wear it that evening at the Prime Minister's dinner. "It will be pressed and in your room at the Chateau inside of half an hour," said the shopkeeper. This was evidently too much for the man from London, and he was led from the shop and directed to the Chateau murmuring on the way "Extraordinary"; "Most amazing the way things are done in Canada." "Take a week in London to get a dress coat fit to wear"; and, as further evidence of the extraordinary way in which dress coats that fit can be procured in Canada—one might say almost in the twinkling of an eye—when our London friend reached his room at the Hotel, his dress coat was there ahead of him.

We value the appreciation of our hospitalities so continually and so graciously expressed by our visitors. But we must not let the courtesy and warmth of their thanks obscure our sense of obligation to the countries from which our visitors came—for it is to the wisdom and probity of the lawyers and judges who lived in those countries in earlier days that we owe the most cherished traditions of the Canadian Bench and Bar.

C. ALLEN SNOWDON.

Ottawa.