

## SIR WILLIAM RALPH MEREDITH, C.J.O.

## AN APPRECIATION

BY THE HONOURABLE MR. JUSTICE FERGUSON.

*Of the Supreme Court of Ontario, Appellate Division.*

By the death of Sir William Meredith the Bench and the Bar of Canada have lost an outstanding jurist, and Canada a loyal and devoted public servant, indeed one of her greatest sons.

We who were associated with him on the Bench have lost a peerless leader, a sincere and helpful friend; a friend that we respected for his learning, ability and wisdom, and loved for his kindly humanity of heart.

As a boy I attended Upper Canada College. The old school stood then at the corner of Simcoe and King Streets, and the legislative buildings at the corner of Simcoe and Wellington. In those days I frequently crossed the block to listen to the debates, and it was in this way that I gained my first knowledge of my political leader and my future Chief. At that early time I formed the opinion that Sir William made known to the Government his views and opinions with as much candor and freedom as he could or would use in disclosing them to his own political followers, and that while in so doing he was performing a great public service by forewarning the Government of pitfalls and dangers, he was not thereby helping his own followers to office.

When in after years it was my good fortune to take a seat on the Bench beside Sir William, I found that regardless of whom it helped or hurt he still continued to declare his views of an argument or proposition with the same candor and freedom as had characterized his political leadership. If an argument or proposition was put forward by counsel or a brother Judge that did not commend itself to him he did not hesitate to say so, and thus without intending to do it he frequently nonplussed and disconcerted timid or inex-

perienced counsel and sometimes brother Judges; but the experienced knew, and the more brave soon learned, that statements by the Chief, combating or disagreeing with a proposition or argument, did not call for an abandonment of the proposition or argument, but rather for a restatement backed by analysis and authority. The Chief was an able, ready, open fighter who sought an argument in the open and desired that counsel and his brothers should not accept his "say so" without consideration or discussion, but should combat his contentions, statements and propositions and battle with him through a logical, reasoned argument to the desired result, and he was disappointed if his own ideas were not affirmed or displaced by and in such a discussion. Time after time he has invited me to get my pipe, come to his room and there peruse the record and consider the authorities in an endeavour to reach a result in which we could agree; those were enjoyable battles and shall always live in my memory. Sometimes he changed my views and sometimes I changed his, but whether we agreed to agree or disagree I always left the Chief feeling that he was not piqued or prejudiced by anything that had been said or done during the battle, and that I had lost none of his respect or regard because I was unable to adopt his views or see eye to eye with him on a proposition of fact or law. Some men have brains and little heart, others heart and little brains, but Sir William Meredith was blessed with both brains and heart. Handsome in figure, endowed with a great heart, a great brain, cultured, experienced, an untiring worker, Sir William was given or acquired light, understanding and wisdom beyond most men. He was in every sense a great man, pre-eminently an outstanding figure in the judicial life of Ontario. We of the Bench of his native Province shall long revere and cherish the memory of our leader and great brother, affectionately known among us as "The Chief."

## THE LATE CHIEF JUSTICE OF ONTARIO.

At the Eighth Annual Meeting of the Canadian Bar Association the following resolution was moved by the Honourable Wallace Nesbitt, K.C., and unanimously adopted:—

MR. CHAIRMAN,—Before the Association takes up its regular business, it seems proper that reference should be made to the loss it, together with all Canada, has sustained by the sudden death of that eminent jurist, Sir William Meredith, Chief Justice of Ontario, and that we offer to the distinguished family, whose head he was, the sincere sympathy of our members.

We had all looked forward to having him with us presiding over one of the functions to be held at this meeting.

May I, as one who had the pleasure of practising, with him and against him, at the Bar—as a follower in his political career—as an admirer of his career as a judge—and as having sat, for some months continuously, with him in a quasi-judicial capacity—offer some slight testimony of appreciation of the real loss Canada has suffered by his death.

In him was the rare combination of dignified presence, dignified mind, and that fine and delicate sense of honour which is found only in souls naturally noble. I think he did not care much about the gladiatorial combats at *nisi prius*, his nature instinctively turning to the field of public service.

In politics, although he was the leader of the Conservative Opposition, he was more fully imbued with the realities of Liberal doctrines than were his Ministerial opponents, and conceived it to be his duty to further measures for the public weal rather than to offer criticism other than such as was helpful.

But it was in his capacities as Chief Justice, as a leading member of the Statutory Revision Committee, and as Chancellor of the University of Toronto, that his

greatest services were rendered to the public interest and his usefulness grew.

We who practised before him praised his wisdom as a judge and admired his learning and his wit. He had a great grasp of principles, fortified by a keen intelligence and an alertness which discomfited all sophistry. His genial courtesy always overbore a slight tendency to explosive indignation at anything which he conceived to be a technical rather than a justice-serving presentation of a case.

Largely through his efforts Toronto University has reached its present status and received its present public support.

The development of the Statute Law of Ontario will be a lasting monument to his extensive knowledge, careful thought for the needs of a growing community, and provision for speedy and economical administration of legal rights and duties. The political organization of society has for its main objects wise and beneficial legislation and the administration of justice, without which there can be no safety; all authority and the whole apparatus of government are subordinate to those ends. To the highest degree of which he was capable, Sir William Meredith used his great gifts to the benefit and use of men and to accomplish those purposes. What greater tribute can one pay?

I therefore move that the Canadian Bar Association convey to the family of the late the Honourable Sir William Ralph Meredith, Kt., in his lifetime Chief Justice of Ontario, its profound appreciation of his public services, its esteem for him as a great lawyer, and the sincere personal sympathy of its members with them in their bereavement.

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