

# THE CAREER OF SIR JOHN THOMPSON

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**I**N Mr. Augustine Birrell's biographical sketch of Sir Frank Lockwood, the author quotes a passage from Lord Bowen, "in one of his delightful letters," in which he writes,—“The worst of these learned professions is that life goes so quickly. You go on reading, with short intervals for refreshments, past Christmases, Easters, long vacations, just as you pass stations in a first class express. Here you look up and the time has about come for the guard to begin to take the tickets.” If these rather sombre reflections are in place with reference to a life that had reached the proverbial span of three score years and ten, how much more intensely appropriate must they be in the case of a career such as that of Sir John Thompson, whose brief day closed when his sun might well have been thought to be in the full splendour of its meridian. I could hardly believe the testimony of my own eyes when I learned for the first time from the inscription on his monument in Holy Cross Cemetery that a life so full of achievement in so many different walks,—at the bar, on the bench, in the legislature, at the council board,—had fallen short by full twenty years of the normal minimum. As I stood by the grave to which his mortal remains were being committed, his friend and faithful supporter—the late Thomas Kenny—remarked to me that in the departure of the late Sir John I had lost “a true friend.” I needed no such assurance, although the communication of it was not unwelcome. A friendship unbroken by a single misunderstanding, which had lasted from my earliest acquaintance with him down to the day of his death, renders it a labour of love on my part to attempt some appreciation of his life and services.

My earliest recollection of Sir John goes back to the days when he practised as a partner in the firm of Coombes & Thompson. He had studied law as an articled clerk of the late Henry Pryor, Stipendiary Magistrate of the city of Halifax. To those who recall the late Stipendiary it needs not to be suggested that there was anything intellectually stimulating in the association. But

those who knew Thompson knew that he was an earnest and industrious student, and that it would make little difference to him what sort of teacher he had so long as he had access to an adequate collection of books. In the days of which I speak the member of the firm who figured in the public eye and was by far the more in evidence in professional circles was the nominal head. It was not Thompson but Coombes who appeared in court and travelled on circuit. The junior member confined himself or was confined by his partner to the business of the office. But it did not require much penetration to discover, and this may be said without any disparagement of the forensic talents of the senior member of the firm, that the stronger intellect and the sounder legal learning belonged to the less prominent of the professional team.

Thompson was at that time a reporter to the House of Assembly, as assistant to Bourinot, who afterwards became clerk of the House of Commons at Ottawa and was honored with a K. C. M. G. It was *a propos* of this decoration that Nicholas Flood Davin propounded his well-remembered conundrum to George Casey, M.P., when he asked him to state the difference between himself and Sir John Bourinot. Casey could think of no solution of the conundrum the answer to which was then given by the propounder, "Sir John," said he, "is K. C. M. G., and you are Casey, N. G." Bourinot's removal made Thompson the chief reporter, and as he required an assistant and I had had a session's experience taking down the proceedings of the legislative council at the dictation of Oldright with whom I was serving as an articulated clerk, I was offered the position of assistant to Thompson. I need not reveal the fear and trembling with which I entered upon such a task, but as both Oldright and Thompson assured me of my competence, I took the plunge and continued to be Thompson's assistant as long as he continued chief.

It was about this time that Thompson's attainments as a lawyer began to be more widely recognized. The law business of the firm grew more and more prosperous, Coombes still continuing to take precedence of his co-partner in the more spectacular department of the joint venture, while Thompson was glued to his chair in the back office on Bedford Row. When a famous breach of promise case was being tried before Mr. Justice DesBarres,—the case in which Garvie made what a contemporary orator and leading Queens counsel would have styled his "first *debut*",—it was not Thompson but Coombes who won the verdict of the jury by denouncing what he called the "Joe-Millerisms" of the opposing counsel, and stirring the feelings

of the jurymen with a recital of his client's woes. If there was any legal brief required we may reasonably conjecture that it would be Thompson who would supply it, and my recollection is that it was Thompson who first appeared in any important argument of the firm before the court *in banco*, as it was certainly he that appeared the more frequently. In those days there was a little restaurant, "Wilson's confectionery shop", if my recollection serves me, on the north side of Hollis Street, on what is now the site of the Stanford tailoring establishment. Thompson's lunch was frequently if not usually taken there, and consisted of a mutton pie and a cup of tea. But the days came when the time for even this modest repast could not be found or made, and Thompson came to his desk in the House of Assembly at three in the afternoon, having taken no lunch at all, but with a little package of cocoanut caramels with which he silenced for the hour the clamours of a hungry stomach. I have never ceased to reproach myself that I did not know enough, or think enough, to counsel him that he was sowing the seeds of the disease that brought him to the end of his days when he should have been in the lusty prime of the youth of old age, with at least two full decades of a strenuous and useful life ahead of him, and then the halcyon calm of that "last of life for which the first was planned."

Thompson's work as a reporter was well and faithfully done, without any of the flourishes and pretences that he,—I think, justly—attributed to his official predecessor. It may be that his inherent modesty prevented him from ever realizing that intellectually he was head and shoulders above all but the very best of those who bade him mark them and write their speeches in his book. One of the incidents of this period that he was fond of narrating occurred when a prominent member of the House had indulged too generously in the cup that cheers at times beyond the point of inebriation. Addressing the House of Assembly under such conditions, the honourable gentleman was more voluble than intelligent or intelligible, and the result was a speech that could not be presented *in puris naturalibus* to the public. Of course it was not published, but in its place appeared a clear and sensible contribution of a column or two to the discussion of the question before the house. Next morning the orator, who may have had his own misgivings as to the nature of his deliverance, accosted the reporter. "Thompson," said he, "I never had a more accurate and satisfactory report of any speech I ever made in the House."

Not many years elapsed before Thompson became himself

a member of the Assembly. In the meantime he had, to reverse the unconscious witticism of the Hibernian editor, forsaken the errors of the Protestant religion and embraced those of the Catholic. Thompson had been brought up a Methodist. He had been a member of the Sunday School class of a very estimable lady of the Brunswick Street Methodist Church, and one of the finest of his many fine and noble traits is illustrated by the fact that years after his change of faith, when he had become a Minister of the Crown and Prime Minister for Canada and had taken up his permanent residence at the capital, he did not forget his old Sunday School teacher. Seldom, if ever, did he come to Halifax that he did not call upon her; and on his latest visit, doubtless with more than a mere premonition of his approaching end, he went to see the old lady, received her parting blessing, and kissed her as tenderly and affectionately as if she had been his physical, as indeed she was in a sense his spiritual mother. The question has sometimes been mooted whether his change of faith was more than a matter of convenience, or an accommodation to domestic conditions, his wife being a member of the Roman Catholic Church. I have never had a particle of doubt that it was absolutely sincere and genuine. It is true that in conversation with a friend, when taking a constitutional around the Point, he asked him whether he thought it likely that his Protestant clients would desert him. That was a natural apprehension, but it did not in the least indicate that he was not prepared to suffer the loss if it should be necessary. His resolution had in fact been already taken, and happily, such is the largeness and toleration that a succession of broad-minded prelates and equally broad-minded Protestant clergymen has brought about in this part of the Dominion, he had no reason to fear any substantial professional or business losses by following the dictates of his conscience. The further question has been mooted whether his political ambitions were advanced by the change in his religious beliefs. What was superficially apparent was that, under the patronage of that astute ecclesiastical politician, Bishop Cameron, he was early introduced to a constituency predominantly Catholic, and put on the high road to political and professional preferment. Appearances indeed are not always realities, and an account has been given of this episode which does not give so much prominence to Bishop Cameron in the matter as was popularly attributed to him; but I have no exact knowledge on the subject and must leave the case where it has been left by others. One thing, however, is certain, that no change of faith or of ecclesiastical associations was necessary to secure him an

early entrance into the political arena whenever he should desire it. Political life was not so rich in its resources of man-power that his availability as a candidate for political honours could under any circumstances have been ignored. If he had not represented Antigonish county as a *protege* of Bishop Cameron, he would certainly have been chosen for some other county as soon as ever he saw fit to take the plunge. The party necessity, which on one side of the House compelled the Liberal provincial leader to win over P. C. Hill, who had only a few years before been the leading opponent of Garvie in the Conservative interest, and confer upon him the leadership of a Liberal government, and which on the other side was easily contented with such altogether respectable, amiable, and in every way worthy but wholly unrepresentative and undistinguished characters as the Protestant representatives of the metropolitan county, would have very soon discovered in John S. D. Thompson a man with greater intellectual distinction, riper political insight, more executive ability and a more comprehensive and accurate knowledge of parliamentary procedure and practice than the whole combined assemblage of provincial politicians of that day. For it must be borne in mind that Mr. Fielding and Mr. Longley who at a later day filled the seats of the mighty in the provincial chamber were yet in political short clothes. Mr. Fielding was ably and efficiently editing the leading organ of the liberal party and Mr. Longley, like Adam, in Mr. Martineau's description of the passion play of Ober-Ammergau, was marching across the political stage preparatory to being born.

It was in the recess between the third and the fourth session of the Legislature which was prorogued in 1878 that Thompson first entered the House of Assembly as "member for Cameron," as was wittily remarked by Mr. Longley in the telegraph office when the returns were coming in. But while it was true, as already conceded, or at least it was popularly assumed to be true that Thompson owed to the shrewd and longheaded Bishop his introduction to public life, and probably a goodly section of the majority by which he was returned, I do not believe that he ever was, or ever found it necessary that he should be, the servant or spokesman of any sinister interest or any influence adverse to the well-being and prosperity of the province. Of course he was in the ranks of the opposition during the whole of his first session. Woodworth was with him in the same interest, and Weeks, who was no longer attorney-general, continued to defend the government of which he had ceased to be a member. Thompson had nothing to learn from any of them, and could easily hold his own with the best.

Glancing at the table of contents of the official report, I find that Thompson introduced a bill to encourage law students to undergo examination in the University of Halifax,—an institution which had been recently established on the model of the University of London, having no teaching faculty immediately connected with it, but being merely an examining board with power to confer degrees. The entry reminds me of the great interest that he always took in the matter of legal education and law reform. When the law-school was established as one of the faculties of Dalhousie University in the eighties of last century, Thompson had graduated from provincial politics and become a judge of the Supreme Court. He was instant in season and out of season in the service of the law faculty. I have every possible reason for believing that I am indebted to him for my own appointment as one of the professors in that faculty, and I frankly admit that I have never, or— if ever—very rarely, been conscious that he made any mistake in his selection. Pleasantries apart, his assistance and counsel were of the greatest importance and value to Dr. Weldon in the great undertaking to which he was called, and in which he achieved so signal and universally acknowledged a success. It was in connection with this work that a conversation occurred which illustrates Thompson's fondness for epigram, which in some cases he indulged even though it might be only partially justified by the facts of the case. Dr. Weldon, in the prosecution of his campaign for financial assistance for the work of the law school, had called upon a barrister holding a very leading place at the bar, who had received him in a somewhat hostile spirit and given him a hearing which seemed a little deficient in the courtesy that might have mitigated the unpleasantness of a refusal. Meeting Thompson some time afterwards, the Doctor said to him, "Your friend, Mr. Justice, may be and doubtless is a very profound lawyer, but he is no gentleman." To this the Judge replied, "He may be a very fine gentleman but he is certainly no lawyer." Mr. Justice Thompson lectured twice a week on the subject of evidence, and devoted to his task all the powers of a keen and well-stored intellect. His class comprised all the brightest members of the junior Bar as well as such articled clerks as were sufficiently advanced in their studies to enable them to profit by the course. It was hoped, and indeed expected, that the lectures would be published, and they were phonographically reported by Mr. Wallace, now his Honour Judge Wallace, with, I understand, that expectation. But they have not yet seen the light, and I presume that in the multiplicity of the learned lecturer's highly important engagements he could never

find time to bring them to the ideal perfection of substance and form which he would be inclined to insist upon before putting them in the permanence of print.

A further glance at the records will show that he took a very active and prominent part in all the debates of the session and introduced a number of important bills. Projects of law amendment originating with the Barristers' Society were invariably placed in his hands as those of the person best qualified to secure their proper consideration. His style of speaking was fluent and clear. He was never at a loss for a word and never multiplied words unnecessarily. He had not the rollicking humour of the immortal Dug Woodworth, the member for Kings, and did not indulge in the stately, almost at times the stilted, oratorical periods of Weeks. He did not need to cultivate, for it came naturally to him, the style which Macaulay somewhere says is the style most acceptable to the British House of Commons, clear, direct, forcible, occasionally epigrammatic, always keenly analytical and controversial, sometimes, even if rarely, brilliant. On one occasion a country member, who had the same sort of antipathy to lawyers that Mr. H. G. Wells has expressed with such startling emphasis in his book of prophecy of what is coming after the War, gave vent to his resentment by saying impatiently that there was too much law in this country. "That," said Thompson, "is a sentiment that I should expect to have heard in the penitentiary rather than in the legislature."

The year 1878 was for Thompson a most important and epochal date. It was the time when the people of Canada, suffering in common with all the rest of the civilized world, were experiencing a slowing down of the wheels of industry. They were economically ill at ease, and ready like most persons in similar circumstances to grasp at any nostrum that would promise a return to health. The particular dose to be administered was a system of increased taxation disguised under the attractive label of protection to Home Industries. The Liberal Government then in power at Ottawa opposed the project, as everybody else had done up to that date; but their chief financial authority made the unfortunate admission that, although destined in the long run to be injurious to the best interests of the country, the protective scheme would give us "a few years of prosperity." It was a most unfortunate concession. On every bill-board throughout the wide Dominion, this unhappy phrase of Sir Richard Cartright stared the hungry voter in the face, and it proved as destructive to the cause of the Liberals in 1878 as Taft's unwise talk of a later day about "the adjunct"

was to the success of the intrinsically sound liberal policy of reciprocity in 1911. The elections of 1878 swept the Liberals from power both at Ottawa and in Halifax, and a conservative government was installed in Nova Scotia with Thompson as attorney-general.

This administration lasted four years and ended its career in 1882. Thompson was regular and constant in his attendance at the House of Assembly whenever it was in session, and performed with all possible thoroughness and efficiency his duties as attorney-general. But it would be a rank injustice to credit him, as his biographer Mr. Castell Hopkins does, with everything that was done by the Government of which he was a member. The County Incorporation Act, which was one of the principal measures of that administration, was the work of the member for Cumberland, now Sir Charles Townshend. The measure for the consolidation of the provincial railways, which was no more successful in the end than a similar project of the government that followed, was the hobby of the leader of the government, Simon H. Holmes. The Bridge Act, providing for the construction of all the larger bridges in permanent materials of iron and stone, was in all probability the inspiration of some more practical public man than Thompson, though as to this I am not informed. Of course, as attorney-general, he was responsible, there being no law clerk in those days, for the form in which these measures were presented; and, as this was a kind of work entirely to his fancy, there can be no doubt that it was well and soundly done. But during all these years he continued to practice his profession, and this with the departmental duties of the attorney-generalship together with the prosecution of criminals, left him little time or energy for the initiation of legislative reforms or the political management by which governments are kept in power. He was punished at the end of his term, not for his own sins or the sins of his colleagues; but he and his colleagues alike were punished for the financial and political conditions brought about during the regime of their predecessors. Whether they in their turn should be held responsible for those conditions is another question upon which much would have to be said on both sides before a fair decision could be arrived at.

Mr. Hopkins says that his government had to meet an unscrupulous opposition. It had to meet precisely the same opposition that all governments meet in every province of Canada, and in every country in which party government prevails. It is a struggle for existence, and the result of a popular vote depends always in great measure upon the feelings of the multitude of voters. The financial condition of the province, for which Thompson and his

colleagues were in no way responsible, obliged the government to cut down the road grants to half their former figure, and it is quite possible that the abolition of the old form of municipal government, under which the affairs of the counties were managed by the grand jury and court of sessions, may have been unpopular with a host of influential magistrates who were by this measure stripped of the powers and shorn of the importance which they had hitherto enjoyed. It must be confessed, moreover, that the leaders did not lead. Holmes looked after his own election in Pictou and Thompson confined his political efforts almost if not quite exclusively to the County of Antigonish. There was no attempt at anything like a strong provincial campaign, and the government went down under the vigorous assaults of their opponents in the *Morning Chronicle* and *Acadian Recorder*.

Thompson conducted the criminal prosecutions not only in Halifax but in all important cases in the counties outside of the city. One of these was the well-remembered prosecution of Joseph Nic-Tibault, an Acadian Frenchman, for murder committed in the county of Digby. The late Sir Robert Weatherby was the presiding judge, and Mr. Robert Motton was counsel for the prisoner. Thompson's address in closing the debate for the prosecution was one that should have been reported. The glimpses afforded by the scanty notices in the daily press were enough to indicate the power and persuasiveness of his appeal, and the striking expression with which in closing his speech he contrasted the companionship of crime and folly with the union of wisdom and innocence sealed the doom of the criminal. A little episode occurred in the course of this trial which will furnish a characteristic illustration of the playful character of his wit. Motton, as those who knew him will remember, enjoyed the distinction of having a head that was as smooth and shiny as a billiard ball, a peculiarity which he himself used often to explain by attributing his baldness to the fact that so many of his contemporaries had "gone up over his head." By way of testing one of the witnesses for the Crown, Motton asked, along with a number of other trivial questions, whether the witness could remember when he last had his hair cut by the barber. Thompson suggested by way of retort that the learned counsel himself would have difficulty in answering such a question.

The defeat of the government occurred in 1882, and in July of that year Thompson was elevated to the Supreme Court Bench, taking the place made vacant by the death of Mr. Justice Hugh McDonald. He continued being a member of the Supreme Court from July 1882 to September 1885, too short a period to leave any

lasting impression upon the jurisprudence of the country, but long enough to demonstrate his possession in a very marked and high degree of the qualities necessary to the performance of the duties of his high position.

During his three years term of office as a Judge of the Supreme Court, Mr. Justice Thompson was one of the brightest and best of its members. There was, as there is now and as there always has been and always will be, a difference between the members of the court, well recognized by the profession and often dimly understood by the general public. There were at that time able judges and feeble judges, sane and cranky, patient and hasty. Judge Thompson was clear headed, quick to appreciate, patient to listen and weigh, and rarely if ever mistaken in the conclusion he arrived at. A judge who did not really wish to do essential justice in every case that came before him has been a rare phenomenon within the period covered to my recollection. I know of only one instance. But there is such a thing as a passion for justice, a hot and angry resentment at every appearance of oppression or injustice, and a consuming and cleansing flame that may be kindled in the mind of a judge. If there was one judicial trait that more than any other characterized the late Sir John Thompson it is this that I should be inclined to emphasize. I do not recall among my predecessors on the judicial bench any other member so highly distinguished in this respect, unless it may have been the late John W. Ritchie, Judge in Equity.

In 1885 Mr. Justice Thompson resigned his office to become Minister of Justice in the cabinet of Sir John A. Macdonald. His entry into the House of Commons was a peculiarly fortunate one. It is true he did not come with the prestige of a great political success in the provincial arena, as at a later day came Mr. Fielding and the late Andrew G. Blair; but he was called to occupy a very high and responsible office for the discharge of whose duties his whole previous career at the bar, in the legislature, and on the bench had given him exceptional training. He came, moreover, at a time when a question of state that particularly concerned the department he was about to control was agitating the Dominion as it had not been agitated since the far off days of the Pacific Railway scandal. What to do with Riel, the leader of two insurrections in the Northwest, had been a question on which good men might well agree to differ. Riel had been condemned and hanged after trial by the legally constituted authorities, and the question was whether the sentence ought or ought not to have been commuted. A writer some years ago argued strongly that Riel's execution, like that of

the wretched Guiteau who assassinated President Garfield, was a judicial murder perpetrated to satisfy that corporate thirst for revenge which could be slaked by nothing short of the death of the victim. Blake's great speech in denunciation of Riel's execution was indeed a masterpiece, and I have been told by my friend Mr. Lemieux—himself no mean scholar and a famous orator in both the official languages of this country—that it has been used in more than one college as a text book on the law regarding the defence of insanity in a criminal prosecution. The merits of the issue cannot here be discussed. It is a question which historians and jurists may be considering long after the generation responsible for its settlement has departed from the scene. Thompson's speech had the merit of giving entire satisfaction to his leader, and winning the verdict not only of the jury impanelled in the House of Commons but of the larger, wider, more multitudinous if not more august and impressive tribunal to which the appeal had ultimately to be made. For the impassioned words that closed his peroration it is my personal view that he was indebted to his friend, the late John T. Bulmer, but this is not in the least to his discredit. Bulmer was a man of wide, though perhaps very desultory, reading. Thompson used to say of him that he knew more of the outside of books than any other man in the Province of Nova Scotia. But he had also a quick eye for a striking phrase, and I insist that my impression is creditable to the memory of both the parties concerned. For it is surely a mark of genius to recognize a good thing when you see it, as it is also that of a master workman to avail himself of a good implement when it is ready to his hand and the occasion calls for its use. Thompson said in closing his speech

“I think, Sir, it was absolutely necessary for us to show to those Indians, to every section of the country, to every class of the population, that the power of the Government in the North-West was strong, not only to protect, but to punish as well; and in the administration of justice with regard to those territories in particular, it was absolutely necessary that the deterrent effect of capital punishment should be called into play. I am not disposed, remote as that territory is, strong as the calls are for vigorous government there and for the enforcement of every branch of the law, to be inhuman or unmerciful in the execution of the penalties which the law pronounces; but in relation to men of this class, men who time and time again are candidates for the extreme penalty, men who have despised mercy when it was given to them before, I would give the answer given to those who proposed to abolish

capital punishment in France, 'Very well, but let the assassins begin.' "

From the day when his maiden speech was delivered Thompson was in the front rank of parliamentarians and debaters. To say that he was as great a lawyer as Blake would be an exaggeration which he himself would have been the first to resent. Equally unfair would it be to attribute to him the wide knowledge and culture that marked the parliamentary performances of Sir Richard Cartwright. The Titanic force of Sir Charles Tupper, or the wonderful magnetism of Sir John A. MacDonald, were not to be counted among his endowments and his acquisitions. But the faculty of being always ready for, and fully equal to, the work immediately in hand from day to day, as it was his by habit and training from his earliest manhood, stood by him to his latest breath. Alonzo Wright, a wealthy lumber merchant, known to his contemporaries and perhaps even to a later generation as the "king of the Gatineau," in a phrase about which it is difficult to say whether it was meant for a compliment or a sarcasm, designated him as the "consummate master of the order paper." The description fits him like a glove. It denotes that he was always ready for the day's work, and never taken by surprise, while at the same time it suggests the limitations of which no man was more conscious than was Thompson himself. His general reading had not been wide, and his interest in the affairs of the world at large had not been that of a man of the broadest culture. While the great election between Hayes and Tilden was in progress in the United States with an uncertain and controverted result that came within an ace of plunging the United States into civil war, there happened to be a bar dinner at a country house a little distance from the city. I sat beside Thompson, and, for want of something better to talk about, I mentioned the circumstance that Everts was making some wonderfully good speeches in the course of the election campaign. Thompson remarked that he presumed the speaker would expect to be rewarded when Tilden reached the presidency. The reply was obvious that the great orator could hardly hope for much at the hands of Tilden when he was in fact stumping the country for Hayes.

Of the work of Sir John as Minister of State and member of parliament, of course the journals of the house and the reports in Hansard contain the formal record; but there must in the nature of things be many matters on which Hansard and the Journals and Minutes fail to throw a satisfactory light. We know that his personal honesty and honour were beyond reproach. There probably never was anyone who had a more intense and consum-

mate scorn for the type of public man and politician that is to be found in every parliament, to whom the ostensible service of the public presents only an opportunity for personal profit and aggrandizement. Such men will always fasten themselves like barnacles upon the ship of state. They will necessarily be supporters of the government, because in no other way can their personal interests be advanced. When they happen, as they sometimes do, to be colleagues and Ministers of the Crown, a difficult question is presented to the public man who wishes to keep his own skirts clean. Gladstone once said that a member of cabinet must put his personal opinions into the common stock. The question is always how far this principle can properly be extended, and—like many other ethical questions—it is one upon which good men may widely differ. It fell to the lot of Thompson, as it does to most leaders in parliament, to be obliged sometimes, for the sake of the corporate unity of the party, to temporize with evils that could not be conveniently dealt with at the moment with judicial severity. On one occasion the division bell rang to summon the members to vote. All the government supporters in the cabinet responded except one, who kept himself in retirement in "Number Sixteen." The whip duly reported to the Minister, who at once enquired, "Why does he not come into the chamber and record his vote?" "Oh," said the whip, "he does not like this vote." "For Heaven's sake," said Sir John, "does he imagine that we are taking it because we like it?"

I think I have indicated that Thompson's temper was capable of being hotly aroused. That is true, but there seldom was a man of so ardent a temperament who could keep his passion so perfectly under control when such control was necessary. Let me sketch a little scene which is not an effort of imagination but the report of a veracious historian. Sir John sits in the front bench beside his leader. A member on the other side of the house, with a peculiarly exasperating manner, is making an attack of a particularly virulent character upon the Department of Justice. Sir John is taking notes, not copiously, because he needs little help of the kind. His hands in fact are for the most part under his desk, where he is digging his finger nails into his palms. His lips are muttering unutterable things, in pointed contrast to what Mark Twain would have called "the dull neutralities of undecorated speech." His nearest neighbor would suspect that he is about to burst with the violence of his inward rage and fury. Presently, the opponent, having delivered himself of his argument, resumes his seat, when the Minister rises in his place, and in a manner which the author of the *Ingoldsby*

Legends would have described as "mild as the milk that dewes the soft whiskers of a new weaned kitten" he opens the defence of his Department with some such words as these, "I am sure, Mr. Speaker, that the House is greatly indebted to the learned and honourable gentleman who has just resumed his seat, for the fair and candid manner in which he has presented his views on the subject on which he has addressed this assembly, and I shall endeavor to emulate his fairness and candour in the observations which I shall feel justified in making in reply." With these calm and quiet sarcasms he is now fairly launched, and it will be a very bad case indeed if he does not make it appear that, notwithstanding all that has been said to the contrary, everything is just as it should be in the best possible department of the wisest government that this country has ever had.

If I were writing a biography instead of a sketch, I should have to appraise one who was both jurist and statesman. There were other judges sitting with him whose experience was larger and whose knowledge was wider; but there never has been on our bench in our time a judge that possessed in the same degree the gift of orderly, easy and accurate exposition. Had he continued to devote his powers to legal work I do not doubt that he would have made permanent contribution to the country's jurisprudence. But no man can serve two masters, and what the profession lost was given to Canada's public life in the career of one of the most brilliant men that Nova Scotia has ever produced.