

## ALBERTA LAW QUARTERLY

### EDITORIAL REFLECTIONS\*

**1936-1938**

E.M. Bredin, Q.C. practices law in Calgary.

I recall that I, for one, failed to appreciate his enthusiasm in having the *Quarterly* indexed in the *Index of Legal Periodicals*. I have long since learned to appreciate that step. That was during the summer of 1936 or 1937. I recall we used to go out and sell copies to the downtown lawyers. I was amazed — knowing the financial problems they faced — how downtown lawyers supported the *Quarterly*, despite the economic conditions prevailing.

**1937-1939**

The Honourable W.G. Morrow is with the Court of Appeal of Alberta.

I filled two terms as business manager of The *Alberta Law Quarterly*. This covered the period 1937-1938 and 1938-1939. The country was still at the bottom of the depression at this time. In fact, the law class of '39, mine, was sometimes referred to as the last of the depression gang. One can imagine, therefore, how the finances were.

When I took over in 1937 there was a deficit as I recall of something in excess of \$150. With the annual subscription at \$1.50 a year, it would take a lot to balance our budget. There were many subscription accounts unpaid. Some lawyers owed for as far back as three years.

In my innocence I thought I had found a solution. I would make a special canvas of each lawyer in Edmonton — a personal contact. Surely I could shame them into paying up or taking out a subscription. If this worked, then I would try a strong letter for the rest of the province. Well, my plan backfired. I know people today will find it difficult to believe, but what I am about to describe is absolutely the truth.

Armed with a list of lawyers taken from the current phone book and with a receipt book in hand, I started out. It didn't take me long before I came to realize why the arrears and why some lawyers didn't even subscribe. One of the first offices I attended was made up of three partners. The outer office was impressive for those days, shelves full of the latest law texts and so on. Then why those years in arrears? I soon found out. They just couldn't pay the \$4.50 arrears plus a new subscription. So to get them going again I suggested that if they gave me \$3.00 I would give them a current subscription and call the arrears square. The deal was made. I later found out that for that firm money was so tight that when the junior member made an error in ordering the office letterhead and the wrong name appeared at the top, rather than lose the cost of the stationery the firm name was changed to conform with the letterhead. I also learned that the lovely law books belonged to the Court House. Each time the librarian phoned for a book, it was returned but a new one, same size, to fit the space on the shelf, would be signed out — so the library remained intact. In the same office building I remember finding my lawyer sharing space with a collection agency and an insurance office. He was around a corner in a small cubicle big enough for a desk and two chairs. The light

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was a single bulb hanging from the ceiling, and there he was bent over a typewriter, green shade over his forehead, plunking out a pleading with two fingers. A few more of these encounters and I began to wonder if I really wanted to be a lawyer. After all, \$100 a month was more than many members of the profession might earn in those days. Well, I got the arrears caught up, mostly by cancellation, but my deficit was hardly dented.

So I tried my next one. Except for ads from Burroughs & Co. Ltd. and The Trusts & Guarantee Co. Ltd., both of Calgary and The Canada Permanent of Edmonton, there were no others. I would contact all the big stores in Edmonton. Surely I could fill our pages with juicy ads. Another discouraging series of trips and rebuffs. Finally, Eaton's gave me a small ad: For years after that I made all personal purchases from Timothy's Company to show my gratitude.

But I was stubborn. Each year the Federal Government had been levying excise tax on our publication. It was about \$200 a year. So I checked out The Excise Act. There was an exception if the Minister could be persuaded the printing was for educational purposes. No luck at the local office so Bill Morrow prepared his first formal brief. And my what a happy day when the mail brought back not only the exemption I had sought, but a cheque refunding two years' tax. The deficit had become a surplus. We could now give a small \$50 honorarium to those who wrote the best articles.

At about this time we began printing the Law Society minutes which gave us extra content as well as extra money. The *Quarterly* had survived the depression. But despite valiant efforts by Dean J.A. Weir and Professor M.M. McIntyre, the *Quarterly* finally became a casualty of the war — not too unexpected a result I am afraid.

#### 1938-1940

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I do have some recollections of the staff of the Law School about those years which may be of interest. At that time there were only two full-time members of the Law Faculty staff and they were Dean John Weir and Professor M. M. McIntyre. We did of course have "over-town lecturers", the most memorable of which by a good margin was George H. Steer who I am sure was completely convinced that all students had only one course of any consequence (Equity), the course which he taught. He regularly loaded us up with more cases to study than all the rest of the lecturers put together.

Dean Weir and Professor McIntyre were both exceedingly bright people and each was a "character" in his own way.

As I recall Dean Weir, he invariably sat at his desk while delivering his lectures and when he chuckled (which was frequently), his little round tummy jiggled up and down a la Santa Claus. I remember one particular line with which he was very pleased and with which he devastated us law students on the matter of domestic relations "That, gentlemen, is adultery — pure and simple: well, simple anyway".

I recall on one occasion having to look up a particular point for George Steer. I was sitting in the Law Library looking particularly troubled when Dean Weir walked in. He asked me what the problem was; I told him; he studied the ceiling for a minute and then said "Ah yes, if you look

in the topical index of 1894 (1) Queen's Bench you'll find the point reviewed there". I did and he was dead right. To my knowledge, Dean Weir never taught Equity. His was a fabulous mind.

By contrasting style, Professor McIntyre (we all knew him affectionately as "Mac") never sat down while lecturing. He roamed around the classroom as if it were an arena, constantly exhorting each of us to greater legal heights and the number of variations that he could dream up from the facts of a given case were enough to leave your mind reeling. Not only did he stride around the classroom but he adopted the same pace when walking across the campus in bitterly cold weather with an ankle length buffalo hide great-coat that was ripped from stem to stern and flapping in the Arctic breeze. He, too, was an amazing intellect.

#### 1940-1942

J.L. Lebel, Q.C. is Vice-President of Chevron Standard Limited, Calgary.

I was Assistant Business Manager in 1940-41 and Business Manager in 1941-42. Although the subscription rate was only \$1.50 per year (4 issues), selling subscriptions was a difficult and frustrating experience. Most of our support came from the Judiciary and the larger law firms. Making both ends meet was further hindered by the fact that the classes were small (wartime) and many of the members of the legal profession had enlisted. Size of the *Quarterly* was restricted to an average of 36 pages per issue. Advertising rates were minimal: \$25.00 for a full page, down to \$4.00 for the bottom quarter of an inside page.

#### 1942-1943

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Volume V was produced during the war years of 1942-1943 when the daily news was often discouraging. Many of the enrolled students had gone on active duty and were no longer in attendance. The attention of students who remained was divided between academic matters and military activities on the campus, which by that time had over-shadowed other extra-curricular activities.

In this atmosphere, the *Alberta Law Quarterly* had difficulty soliciting high quality contributions and maintaining its recognized standard. That the *Quarterly* survived at all during this period is unquestionably due to the dedication and tireless efforts of the late Dr. M. M. MacIntyre who, in addition to his regular line of duties as law professor, was also obliged to assume the administration of the school due to the death of Dean Weir.

Uppermost in the minds of law students was the death of Dean Weir and the resulting deep sense of personal loss. The first four issues were devoted to the tributes to and the writings of Dean Weir. Thus, though there were no student contributions in those years, this volume stands as a monument to one of Alberta's most respected and loved legal scholars.

Dr. MacIntyre understood the loss felt by the students and he assumed the responsibility for the editorial review and production of the *Quarterly*. He was a generous and open-hearted man and his response was typical of the manner in which he carried on all of his duties at the law school. Both personally and academically, he remained an inspiration to a generation of young lawyers who studied under him.