



A General View of the City of Stratford, on the River Avon

The Big Man from Perth

THE county of Perth has brought out some distinguished men; but if one were asked offhand which two are the most notable from that Scotch county, he would say instantly Alex. MacLaren, M.P. for North Perth and the cheese-king of Canada, Chief Justice Idington of the Supreme Court, and Judge Mabee. The new Chairman of the Railway Commission ranks as perhaps the most singularly notable man that ever came out of middle Ontario.

Up till three years ago Mabee in Stratford was just plain Mabee; a heavy-set, stern-looking man of rather portentous mien; a man that to the stranger who might meet him on the street where he lived not far from the railway station looked as though he might be anything but a glad-hand politician. And Lawyer Mabee was never a great stumper, nor was he a man who went about with particularly winning ways. But he was an organiser. Better than anything else he was a lawyer; a man not of erudition in the law, but an original personality that knew the interpretation and the spirit and the game of law. They say of Mabee that in school at Stratford, where he was born, he was by no means brilliant. This has been said of many other big men; even of some learned men. In Stratford a boy had perhaps some encouragement to be erudite, for the place has a classic flavour; an eminently Shakespearean town that of late years has gone over to factories and forgotten Shakespeare. In that city they have an Avon and it rises somewhere near the town; it requires to be dammed to make a lake and the town has a lake; but there is no navigation on this Avon, because the inhabitants had rather the classic memory of Shakespeare; so they have a Romeo Ward and a Shakespeare Ward, and a Falstaff school and a Macbeth something or other—and upon occasion if they feel so disposed, they are able to have a tempest in a teapot. But in spite of its classic handicap Stratford has developed into a busy city with a programme of modern progress. It has always been a railway town. Judge Mabee has probably heard more railway whistles than any other public man in Canada, for in Stratford you never can escape the Grand Trunk, which has something like seven lines converging on the ugliest wooden station in Canada.

But in no town in Canada, whether inland or marine, could you find a more characteristic class of citizens than in Stratford. Many of these men got a pertinacity of character that they might have lost in a bigger place. Mabee was one of these. He had a way and a build that was known as well as any man in the place. To be known as Mabee he had no need to enter public life, and the annals of the town do not bear record that Mabee ever troubled much about civic honours. Once he ran for Parliament; that was in the last Dominion election when he was defeated in North Perth by Mr. Alex. McLaren. It was just after that defeat that he became a public man.

But they all knew Mabee. The lawyers knew him well and the Bench knew him. In the court room he was a man who carried a strong head. He had a strange sort of penetrative mind that got into the root of things; a brain that analysed a case on a mathematical basis, and a speech and a manner

that made his analysis a very telling thing in the conduct of a brief. A man who had a grievance to air in court had better keep away from Mabee if he were engaged as opposing counsel, for Mabee had a way of keeping things out of court by giving the opposition a scare in his office. He was able to convince the man who had the stronger case that he was trembling on the verge of a collapse in his evidence; so that it seemed prudent sometimes to keep out of court if that big, black-visaged man was to do the battering.

But the essential Mabee was a big, off-handed, bluff man; good in a club or anywhere you might meet him; a man who when he spoke said things that made him worth listening to; not much of an orator perhaps, and yet capable of being very impressive on the platform or in the court. But of course, like a lot of other big men, Mabee was underestimated. There were few men in Stratford outside the legal profession perhaps who ever took the



Judge Mabee
Chairman of the Railway Commission

trouble to predict that in Mabee some day in spite of politics or immurement in a small inland city, a big personality would shove out. He was not talked of half as much as genial John Brown or Nelson Monteith. He never courted public attention; never cared much for publicity in the press. Once in a while when he got roused over something he sat down and wrote a letter to the paper; when he did he had no hesitation in telling the editor that a spade was a spade, and that if a club was a club he probably had it. There was a fist in the Mabee letter to the newspaper, just as there was a jolt in the Mabee speech in court.

Withal Mabee had a very good time in the old town, and it is quite likely that from his present eminence on the Chair of the Railway Commission he looks back at the old days in Perth with a good deal of humorous regret, for there was always something of the big, hearty boy about Mabee; a man that liked his fellows and had a good time with the best of them.

After his defeat by McLaren, Lawyer Mabee was not long a private citizen of Stratford. Less than a year afterwards he was appointed Chairman of the Canadian section of the International Waterways Commission. He knew very little about water except that once in a while he went fishing in the streams of Perth, which are not very big. But it was soon discovered that when Mabee had to deal with the problem of preserving Niagara, and deepening the Limekiln Crossing, and conserving the level of the Great Lakes, he was a good level man to sit in the chair. Besides, he was something of a Niagara when it came to battering down a bad argument; at the same time he was as patient as Job when he had to listen to reason, and he carried his knife by means of which he let occasional swift jabs of light into the situation. In this respect he was a Judge even when he was chairman.

When the Commission became defunct it was an easy matter to translate Mabee to the Bench of the High Court. That was less than three years ago, when the man packed up and left the old town, and a lot of people felt that a big man had suddenly left a large, unfillable hole in the community. But they began to read about the Judge; and the Judge remained the man that he was in the old Perth days—analytical and silent, and strong when it came to a decision. His decisions were luminous, and his rebuke from the Bench was as sharp as the chopping axes that once hewed down the trees of Perth. He had no particular penchant for formal dignity; but he had a clean, strong mind that hated cant and red tape.

Chairman Mabee has a big work before him. To be chairman of a body that has jurisdiction over twenty-two thousand miles of railway reaching over half a continent is a work which has no real parallel in any other country. In this capacity he will have occasion to exercise all the powers of analysis that made him a big lawyer and a strong judge; all the patience and tenacity that make a master mind in dealing with evidence. Much of the evidence is the sort that makes a little mind chafe, but the mind that sees through into principles and grapples with the realities will see in this work the greatest constructive function that a man can have outside of Parliament. So it is that even by virtue of his office Chairman Mabee is the biggest unelected public man in Canada. By reason of his personality and his experience he is as big a Chairman as the country needs.