

ARCHITYPES

Legal Archives Society of Alberta Newsletter

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THE CRIMINAL BAR COMES TO THE HISTORICAL DINNERS

C.D. EVANS, Q.C. TAKES GUESTS ON A 40-YEAR JOURNEY

by Stacy Kaufeld



Legal Archives Society of Alberta Historical Dinner

LASA Executive Director Stacy Kaufeld, author Chris D. Evans, Q.C.,
Dr. Lori Shyba, Durance Vile Publication and LASA President Everett
Bunnell, Q.C.

LASA's historical dinners this year in Edmonton and Calgary were a resounding success. Both dinners sold out – LASA even had to, unfortunately, turn people away. Although a number of factors contributed to the success of the dinner, speaker C.D. Evans, Q.C. was certainly the main attraction.

Taking the audience on his 40-year journey as a criminal lawyer in Alberta, Evans was informative, humorous and, at times, serious. His speech was based on his recently published memoir, *A Painful Duty: 40 Years at the Criminal Bar*.

Evans spoke of many of his noteworthy cases, including police officers moonlighting as bank robbers, North of 60 escapades, the defense of famous hockey players, special prosecutions, First Nations clients and cases in Toronto and Bermuda. He also entertained the audience with

stories about many of the characters at the Criminal Bar, many of whom were in the audience.

From his speech, it was clear that the camaraderie among the Criminal Bar was, and is special. In fact, many of the criminal bar guests told me that they came to support LASA, but anxiously wanted to hear Evans. The iconoclast didn't disappoint. In addition to presenting an engaging overview of his career, he was also, at times, sentimental about the Criminal Bar and the people he worked closely with. He suggested that many were colleagues, superiors, and learned friends. But, in his own words, many were also neither "learned" nor "friends".

However, Evans didn't pay much attention to the latter. In fact, he was not so much critical of specific individuals, but of the criminal system itself, and he is unapologetic for his critical views. His leading criticism – from which all subsequent criticism follows – is in the decline of advocacy. He maintained that his professional philosophy was of detachment from his client, but engagement on their behalf.



The Honourable Mr. Justice Peter Martin

Introduces Chris D. Evans, Q.C.

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Speaking of Criminal Trial Lawyers

Memories of my Lunch with The Honourable Milt Harradence, Q.C. (1922-2008)

by Brenda McCafferty, LASA Archivist

"I would like to speak with Brenda McCafferty... (pause), is she there,?" questioned the voice on the other end of the receiver. "YES" I replied, smiling in recognition at the unmistakable voice of the Honourable Milt Harradence, Q.C. "I was impressed by your last article in the 'Archetypes Newsletter', and wondered if you would have lunch with me?" he said.

I had already spent some time with Harradence, selecting and carting away the valuable collection of archival papers and photographs from the "bunker" of his family home in Altadore a few years prior. After accumulating a lifetime of memories, Milt and his beloved wife, Catherine moved to smaller quarters in 2005 and after so many years, relocating was understandably unsettling. I was grateful for the opportunity to see him again.

And so, on November 23, 2007, I walked the short distance to the Ranchmen's Club where I found, waiting in the lobby, the charming and impeccable Milt in a tailored three piece suit.

We made our way through the lobby to the dining room and were seated at his private table. I had decided previously to order Milt's usual lunchtime fare (having been tipped off). "I will have the lobster bisque soup to start, and a steak sandwich", I asserted with confidence. Milt was both surprised and impressed before letting the waiter know that he would order the same!

While we ate Harradence shared some favourite stories and there were many. Topics of discussion

included current events, aviation, and especially boxing. I listened to him talk about Willie De Wit and was at the edge of my seat while he described round-by-round the 'most exciting match he ever watched.' I heard how he came to meet, and befriend, RAF Flying Ace Douglas Bader and how, during the memorial following Bader's death, he was seated beside General Adolph Galland, German leader of the Luftwaffe in the Battle of Britain.

Towards the end of lunch he asked me if there was anything I was curious to askand there was! I had hoped for this opportunity and had prepared two questions. Not important questions by any stretch, but ones, as Archivist of the Legal Archives, held some personal interest.

We took our coffee by the fireplace in the lounge and continued to chat until he tired and it was time to go. After visiting a short time longer with Catherine 'Mom' back at their apartment, I returned to work.

A day or two later I phoned Milt to thank him for lunch and Catherine answered. She told me Milt was not feeling well and was unable to come to the phone. I waited and hoped to hear from him again, but it was not to be.

He passed away at the beginning of March, 2008 at the age of 85 years old.

I attended his funeral at Knox Church, slipping in before the spectacular procession of the RCMP honour guard. The funeral paid fitting tribute and I was glad to be in attendance to honour my friend.

Following his passing, the arrangement and description of his archival papers, previously donated in 2005, became the focus of work at LASA during the summer of 2008. Today those papers are arranged, described, preserved and available for research - as are recorded memories and wonderful stories shared by Milt in a series of oral history interviews conducted by LASA in 2006.

As an aside, the two questions I asked of Milt and his responses I have recorded as follows:



Question # 1

"Whenever asked which prominent criminal attorney influenced your legal career, you refer to your Saskatchewan roots and credit former Prime Minister, The Rt. Hon. John Diefenbaker. By your own account Diefenbaker and his wife Edna were close personal friends of your mother and he attended your home for dinner on several occasions." Milt explained "as a cross-examiner and an outstanding criminal lawyer I don't think he had an equal. His personality when he walked into the court room just enveloped everybody and when he rose to cross-examine the place was hushed". The courthouse was across the street from Milt's high school in Prince Albert and he remembered playing hooky to watch him.

My first question to Milt followed "With Alberta being your adopted home, I wonder which Albertan you admired most as a criminal lawyer"?

Answer: (Leaning back in his chair and pondering) "I have never thought about it, but would have to say hands down it was A.L. Smith". I couldn't agree more I told him that one day I intend to write an article about the famous cases of A.L.

Question #2

Me (giggling): "Your answer to the first question amuses me owing to the fact that the subject of my second question is Neil D. Maclean, Q.C., famous Edmonton criminal attorney and well known adversary of A.L. Smith in the Premier J.E. Brownlee case. Did you ever meet Maclean and if so, can you describe the encounter?"

Answer:

"Why yes I did have an occasion to meet him, owing to my friendship with McClung, while he was an articling student there in 1958-1959. Maclean seemed very gruff and foreboding to a young lawyer like me".

Harradence continued relating the encounter: "One day while I was in Edmonton, I popped in to see McClung in the tiny McLeod Building office. The only place to sit in Maclean's office was at the large meeting table which is where we were visiting when Maclean suddenly flew through the door, took one look at me and quipped to McClung, who's he?"

Maclean had an important legal argument and needed McClung's help. By some chance I knew the answer to his question and without hesitation blurted out the response.

Maclean, obviously annoyed, was quick to brush me off with a dismissive look.

Some time later though, McClung shared Maclean's thanks, impressing upon me what a complement it was to receive, as Maclean was not known to hand out compliments. His retort to McClung was as follows: "that friend of yours...whats his name Harradence? Turns out he may know something of the law after all."

A.L. Smith, Neil D. Maclean, Buzz McClung, and Harradence, each enjoyed unparalleled success and reputations as criminal lawyers in Alberta. ❖

Harradence presents an award to The Rt. Hon. John Diefenbaker, Prince Albert Lawyer and former Prime Minister of Canada.



A.L. Smith, Q.C.
Had courtroom skills
Harradence admired.

Neil D. Maclean, Q.C.
Greatness preceded him



Historical Dinners

continued from page one

Evans argued it was not his job to befriend his clients, but to act in their best interests regardless of his own personal feelings. In both cities he closed with a serious statement. He recalled that he took down his shingle 40 years to the day that he was admitted to the Alberta Bar, and closed with the personal view that he did not leave the practice of law, but that the practice of law left him.

The audience also had the pleasure of listening to many other excellent speakers in both cities. In Edmonton, Justice Jack Watson introduced Evans and John Martland, Q.C. or "M" (as he is described in the book) thanked him. In Calgary, Justice Peter Martin (a former Crown Prosecutor and formidable nemesis) introduced Evans, and was surprisingly pleased that so many showed up to listen to Evans despite knowing him. The Honourable Jack Major, Q.C. thanked him for his speech and insight into criminal law in Alberta.

The Edmonton guests also witnessed recently retired Hon. Allan H. Wachowich receive an Honorary Membership from the Legal Archives. Justice Wachowich has been a great supporter of the archives, and is deserved of this recognition.

I would like to thank, on behalf of the Board of Directors and staff at the Legal Archives Society of Alberta, all those who came to support LASA's historical dinners. I would also like to thank all the speakers who added their own uniqueness to each evening. And, last but certainly not least, I would like to thank C.D. Evans, Q.C., who helped to make these historical dinners one of LASA's most successful evenings.

The Historical Dinners in 2011 are scheduled for Thursday, October 20, 2011 in Edmonton at the Fairmont Hotel Macdonald, and on Thursday, October 27, 2011 in Calgary at the Fairmont Palliser Hotel. LASA is in discussions with the Hon. John (Jack) Major, Q.C., retired Justice from the Supreme Court of Canada, with regard to being our guest speaker. Please mark your calendars, and join LASA, for what promises to be another enjoyable, entertaining and revealing evening.



Much fun was had at LASA's Historical Dinner this past fall



Distinguished guests in attendance at the LASA historical dinners.

Above: The Hon. Jack C. Major, Q.C., The Hon. Justice's Peter Martin and The Hon. Justice Cliff O'Brien



Finally, if you haven't already done so, I encourage you to pick up a copy of Evans' Memoir available at the Legal Archives Society of Alberta. It is an intriguing glimpse inside the subculture of the Criminal Bar in Alberta.



Chris Evans on the podium entertaining crowds at the recent LASA historical dinners in Edmonton and Calgary.



Chris Evans signs a copy of his recently published memoir, *A Painful Duty: 40 Years at the Criminal Bar*. Copies of the book can be purchased at LASA for \$42.50.



Thank You

LASA would like to acknowledge and thank all those who volunteered their time to support our recent fundraising Casino held at Stampede Casino on February 16 & 17, 2011. LASA is indebted to the following individuals who gave graciously of their time to support LASA's programs:

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Thank you also to everyone who made a donation in response to the 2010 Annual Campaign. Letters and donor cards were sent out in May. The donations you make go toward the day-to-day operation of the Legal Archives. If you haven't yet made a donation for this year, we hope you will please consider us.

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- Calgary Law Day is Saturday, April 16, 2011 at the Calgary Courthouse.
- LASA's, AGM is on Wednesday, March 2 at the Law Society of Alberta, Bencher's Hearing Room. Please join us at 6:00 pm to hear Glenbow Archivist Doug Cass highlight some of the facinating legal papers held by the Glenbow Archives.
- Check out LASA's, new revamped website at: www.legalarchives.ca. The website was launched in January 2011. Please make note of our new website address and change to our email: lasa@legalarchives.ca. Inquiries will be automatically redirected to the new site. Please refresh your bookmark to find us at our new location!
- Save the date! LASA's annual Historical Dinner dates have been set: October 20, 2011 in Edmonton at the Fairmont Macdonald Hotel, and October 27, 2011 in Calgary at the Fairmont Palliser Hotel.

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