

## OBITUARY

SIMON JAMES McLEAN, 1871-1946

Simon James McLean, C.M.G., LL.D., for three decades member of the Board of Railway Commissioners for Canada, on which he served as Assistant Chief Commissioner from 1919 to 1938, died after a lingering illness in Ottawa on November 5, 1946. It was on the strength largely of two reports made by Dr. McLean as special advisory commissioner to the Department of Railways and Canals in 1899-1902 that the substitution of an administrative board for the overtaxed and outmoded Railway Committee of the Privy Council, as the machinery in control of the railway problem since 1888, became Government policy. In the same capacity he had much to do with the drafting of the legislation which brought the Board into existence in 1904, his appointment as a member of the Board following in 1908. The body which thus took form, with its wide jurisdiction over rates, services, and the engineering aspect of the largest of Canadian public utilities (its mandate, by a tempering of legal with common sense, to avoid the evils both of political and bureaucratic control) ranks as our foremost instance of the delegation of administrative powers by Parliament. There can be no doubt that to Dr. McLean's legal acumen and experienced judgment, and particularly to his perennial sense of social and economic background, is due a large part of the success which the Board has achieved in public opinion during what is now a long and varied period of trial. The extension of its jurisdiction in the year of Dr. McLean's retirement throughout the field of transport may not unjustly be considered a tribute to the one Commissioner who had served it continuously throughout almost its entire career.

Born in Quebec City in 1871, Simon McLean was reared in the household of a maternal uncle, a Minister of the Presbyterian Church, in the village of Cumberland on the Ottawa, where he received his earliest education, later attending the Collegiate Institute of the neighbouring capital. From Toronto University he graduated B.A., at the head of the class in Political Science in 1894 (LL.B., 1895), going on to Columbia for the degree of M.A. in 1896 and to Chicago for his Ph.D. in 1897. Though attracted to law, university teaching was the profession of his final choice. He at once received the appointment of Professor of Economics and Sociology in the University of Arkansas, and five years later that of Professor of Economics and Social Science in Leland Stanford Jr. Returning to Canada, he became Associate Professor of Political Economy in the University of Toronto, his Alma Mater, in 1906. He had early specialized in railway problems and in the economics of transportation, and while still in the United States had acted in an advisory capacity to the Interstate Commerce Commission and other public bodies. It was in the Arkansas years that he married Helen Baillie McDougall of Ottawa, a member of the well-known family of Lorn McDougall, C.M.G., the first Auditor-General of the Dominion. A son and two daughters survive him.

From 1908, the duties of the Commission were engrossing. Dr. McLean nevertheless found time for other, though for the most part allied, interests.

He completed his reading for the Ontario Bar, to which he was called in 1916. In 1923 he acted as chairman of a Royal Commission on Lake Grain Rates and Insurance. Always interested in education, he served as Vice-Chairman on the Board of Trustees of Ottawa Collegiate Institute from 1919 to 1933. He was President of the Canadian Political Science Association in 1931-2, and President for a term of the Canadian Club of Ottawa. Besides numerous papers on business and railway economics which he wrote during the period, his *History of Overland Transportation in Canada* (in *Canada and its Provinces*) and *Traffic* (in the *Modern Business Series* of the Alex. Hamilton Institution), with his earlier *Tariff History of Canada* remain standard works of reference for the student. In 1931 the University of Toronto conferred on him the degree of LL.D., *honoris causa*.

Simon McLean was essentially the expert and specialist, but his range of learning was not narrow. To his intimates he was at all times a delightful and engaging companion. He had both wit and humour, and his wide reading and assimilation of American and British humorous verse were a joy in every company that he frequented. It may be said of him that he played a conspicuous and constructive part in the founding, and left a lasting mark on the development, of an institution which is outstanding of its kind in Government circles anywhere for its achievement in a particularly exacting, many-sided and contentious field. He has left too a memory that will be long held in respect and affection by a wide circle of associates and friends. [R. H. C.]