
**IN MEMORIAM:
PROFESSOR EMERITUS ALEXANDER SMITH
(1911 - 1991)**

This issue is dedicated to the memory of Dr. Alexander Smith, Q.C. He was pre-eminent as a scholar, teacher and writer in Constitutional Law at the University of Alberta for over thirty years.

Born in Scotland, he came to Alberta in 1926. His entrance to the University of Alberta was delayed by an attack of polio. He received his B.A. in 1940 and LL.B. in 1941 with a strong academic record. Articled to George Steer, a leader of the bar, he worked closely with Steer on important constitutional cases for six years and because of Dean J.A. Weir's death in 1942 was called to teach Constitutional Law in the Faculty. In 1947, he left practice to become Professor of Law. This position he retained until his retirement in 1973.

He was a great teacher. By way of the Socratic dialogue, he exposed sloppy thinking and inspired his students to vigorous analysis, setting an example of scholarship, industry, probity, sense of responsibility, and courage.

Dr. Smith's contribution to the Faculty of Law went far beyond his performance in class. His help to students, his role in the administration of the Faculty, and his wise counsel were invaluable to the Faculty.

His command of the language and power of expression were enhanced by his familiarity with the Bible, Shakespeare, Johnson, Burns, Scott, and Carlyle. He was a generalist and was as effective in teaching Contracts, Conflicts, Domestic Relations, Equity and Bills and Notes as in teaching Constitutional Law. His opinion was often sought on difficult problems, for example the authority of Parliament and provinces to legislate on transportation of oil and gas. He became Queen's Counsel in 1957.

Two sabbatical leaves at Stanford University brought him the degree of Master of Laws and of Doctor of the Science of Jurisprudence. His theses provided the groundwork for his text, *The Commerce Power in Canada and the United States*, published in 1963. In a foreword, the Honourable Ivan Rand said "We have all been placed under an immense debt by the scholarly work of the author"; the late Professor Albert Abel in a review said "Professor Smith has fully met the high expectations entertained by all who have known that this study was in preparation"; and Professor Bora Laskin, later Chief Justice of Canada, in another review, after referring to the Rand foreword, added "I gladly join him in saluting the author for his scholarly effort."

Later, when Dr. Smith received an honorary LL.D. from Queen's University in 1974 and from the University of Alberta in 1978, each citation was an apt tribute to his many achievements.

Other publications appeared as articles in the McGill Law Journal, the University of Toronto Law Journal and the Alberta Law Review. Indeed, as a student Dr. Smith wrote a short piece in the old Alberta Law Quarterly in 1941 on Lord Cairns and a comment on *Russell v. Russell*. His "Random Reminiscences" of the Quarterly in the Twenty-Fifth Anniversary issue of the Alberta Law Review provided a good example of his felicitous thought and style of writing.

The dedication of this particular issue to the memory of Alexander Smith is an appropriate acknowledgement of the notable contribution he made as a teacher and writer in Constitutional Law.

Wilbur F. Bowker
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DR. ALEXANDER SMITH, Q.C.