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HON. CHARLES FITZPATRICK

LEAVES DOMINION CABINET

Retirement from Political Life—Becomes Chief Justice of Canada—Sketch of His Career—A Very Strong Personality.

(By an Observer)

On Saturday last Sir Wilfrid Laurier received the resignation of Hon. Charles Fitzpatrick as Minister of Justice, and the Cabinet at its regular meeting appointed the Hon. gentleman Chief Justice of the Supreme Court, in succession to Sir Henri Elzear Taschereau.

The newly appointed Chief Justice has been recognized for the better part of the past decade as the foremost member of the legal profession in the Dominion. Whilst his loss to political life is felt and acknowledged on every hand, there is but one opinion regarding the high office he has just assumed, that the country could not have supplied any one more eminently qualified for the judicial duties belonging to the chief justiceship of the highest Court in Canada.

The predecessors of the new Chief Justice have all accepted the honor of Knighthood. The title and the position are linked together by precedent. Although Chief Justice Fitzpatrick could have had this distinction years ago, it goes without saying that his personal desires, which are characteristically democratic, may not interrupt the custom of conferring upon the head of the Chief Court of Appeal a distinction direct from the King that gives an added dignity to the office.

For the first time in the history of Confederation an Irish-Catholic holds this prestige. With the exception of Sir Elzear Taschereau, the past Chief Justices of the Supreme Court have been English-speaking Protestants. Because of the attention that will naturally be given by Irish Catholics to this matter, it may not be amiss to devote a few words to the Supreme Court and to the place it occupies in connection with the Government and administration of the laws of this Dominion. The jurisdiction, civil and criminal, of this tribunal is, of course, appellate. In controverted election cases it also possesses appelate jurisdiction, and its powers cover the examination of any private bill or petition in election cases. Controversies between any of the provinces and the Dominion come within its jurisdiction likewise; and since 1891 the Governor-in-Council may refer to the Supreme Court for an opinion upon any matter affecting the public interest. The only appeal is to the Judicial Committee of the Privy Council of England. In criminal cases, however, the judgment of the Supreme Court is final.

The first session of the Supreme Court of Canada was held in 1876, although Chief Justice Richards had received his appointment in 1875. Sir W. B. Richards, who came from Ontario, served until January, 1879, when he was succeeded by Hon. W. J. Ritchie (New Brunswick), who was the first of the associate judges appointed in 1875. Chief Justice Ritchie gave place in 1892 to Hon. S. H. Strong, an Ontatio appointee to the original tribunal; and Sir Elzear Taschereau, who was a later appointee from Quebec (1878), became Chief Justice in 1902. Sir Elzear Taschereau was the only one of the Chief Justices who received the honor of Knighthood previous to the date of his elevation.

Chief Justice Fitzpatrick, though not the youngest man who has occupied a place on the Bench of the Supreme Court, is, however, the youngest to reach the Chief Justiceship. He is also the first Chief Justice chosen without service on the Supreme Court Bench itself. There is not perhaps in the public eye another man whose advancement to the highest places in his profession, in statesmanship and in popular confidence, has been so rapid and splendid.

Except Sir Wilfrid Laurier, no other member of any of the Liberal Ministries since 1896 has received the same degree of public attention as this Irish Catholic who came into the Government from Quebec, but who almost instantly was hailed as the representative of his race and electoral element. He came in as Solicitor-General and made his way to the Ministry of Justice after a brief interval. Distinguished and commanding in appearance, with that unmistakable personality which, in the common phrase is called magnetic, Charles Fitzpatrick was always a sort of enigma to friends and opponents. The most likeable of men, his manner was not devoid of a general suggestion of aloofness and reserve. A first impression of him when seen either in the House or on a public occasion, was apt to be contradictory. The Fitzpatricks were princes in Munster and there is a veritable dash of knightly bearing about this scion of a proud race. Some of his confreres never knew how to take him. Many members of the House on his own side scarcely knew him. To the press he was a subject of extensive character-sketching and because he never noticed anything said of him if it were unkind or malicious, the result was that everything good or indifferent wherever printed concerning him stood without gainsay. In two of the more recent pen-pictures presented of him in the Opposition press he is spoken of as a man of unmistakable determination and method, whom no one cared to encounter in debate, because his only purpose was to knock his adversary down, and if he did not succeed with argument, his manner suggested his inclination to do the job with his fist; besides, if once stubbornly opposed, he never forgave the enemy. The real man is totally unlike either of these flights of fancy. Though he spoke with intense sympathy and earnestness on occasion, there was always a reserve of consideration and good humor which was most effective in discussion when suddenly revealed to some opponent who had caught the excitement of jousting with a giant. Very often when crossfire on the floor of the House or in a committee was getting hot, the air was cleared by a rapid flash of suavity or generosity at the end of a speech by the Minister of Justice. There is not the slightest doubt the Minister had his enemies. What Irish-Catholic holding his influential place in the Government and constantly enhancing it by his intellectual superiority in Council and Parliament, could possibly escape envy and illwilled opposition? But this can be said of Hon. Charles Fitzpatrick, that no enemy ever knew him to do any act or speak any word for enmity's sake. Nor did he purposely ignore the enemies he had made. He simply possessed the faculty of mental discipline that allowed him to forget them without a bitter thought. If they came in his way they never could complain of any special want of courtesy.

It is not our intention to intrude upon the private side of a living man's character. Hon. Charles Fitzpatrick from his boyhood is correctly known as a strictly living Catholic. The influence of his personal habits upon his public life could not, of course, help making itself felt to some extent. In public life he was not only the great lawyer, but much of the soldier and Christian also. Indeed a combination of all three high characters must be present in the character of a statesman, who should be at once strong in intellect, courage and faith. It was Sir Wilfrid Laurier who some sixteen years ago personally induced Charles Fitzpatrick to take up politics, and it would be within the mark to say that during the whole of that period no one else in the country held Charles Fitzpatrick's confidence except the Premier. About a year ago outside Mr. Fitzpatrick's family none except the doctor and Sir Wilfrid Laurier knew that the Minister of Justice was in such a state of health as to give cause for the gravest alarm. A strong will alone enabled him to pull through, discharging unremittingly the heavy labor of his department and his place in the House of Commons.

Hon. Charles Fitzpatrick leaves political life at the age of fifty-three, as poor as when he entered it at thirty-seven. He has ever been a man of generous but most unobtrusive charity. He was born at Quebec on Dec. 19, 1853, being the son of the late John Fitzpatrick, a Quebec lumber merchant, who was the son of a merchant of the city of Waterford, Ireland. Young Charles Fitzpatrick was educated wholly in Catholic schools. He entered St. Ann's College as a lad and passed to the Seminary, finishing in Laval University. His academic distinctions marked his earlier promise. He is a B.A. and B. C.L., and was called to the Bar in 1876, being made a Q.C. in 1893. He was called to the Ontario Bar in 1896 to enable him to plead certain important cases in this province in which he was engaged.

Charles Fitzpatrick was Crown Prosecutor in Quebec district at different periods and his name became known throughout the Dominion as counsel for the defence in the celebrated trial of Louis Riel for high treason in 1885. He also defended the late Honore Mercier in the prosecutions by the Government following the fall of that able man's clouded administration. Another big case was that of Hon. Thomas McGreevy before the Standing Committee on Privileges and Elections of the House of Commons in 1891, in which Mr. Fitzpatrick was counsel. He represented the Dominion of Canada before the Judicial Committee of the Privy Council of England in the notable case involving jurisdiction of federal and provincial authorities over the ownership of beds of rivers, lakes, harbors, and fisheries. He visited England in June, 1898, as Canadian representative in the proposed arbitration between the Governments of Russia and the United Kingdom with reference to compensation for the seizure of Canadian sealing schooners.

Patriotic attachment is certainly one of Charles Fitzpatrick's strongest heart strings. He is a patriotic Canadian, a lover of Ireland and of the Irish race, and a stalwart local patriot, wherever the welfare of the city of his birth is concerned. In the wide or the restricted field patriotism to him means duty; and he would not reckon time or money devoted to the interests of Canada, or Ireland, or Quebec. The writer heard a story once from a new member of the press gallery at Ottawa, who after the close of the session was taking a well-earned holiday with his young wife and found himself in Quebec. Walking the street on the day of his arrival he saw the Minister of Justice striding along in his direction. He had never spoken to the Minister and was surprised to find himself recognized. After a few minutes' conversation in which the newspaper man conceded that he liked Quebec, the Minister went off; but at the hotel the reporter was informed that there was a carriage for himself and wife as long as they were staying in the city.

"Who ordered it?"

"Mr. Fitzpatrick."

The Minister of Justice was doing good by stealth for Quebec. Charles Fitzpatrick's association with Irish interests began in his boyhood. He was president of the Quebec Branch of the Irish National League and by the way was Crown Prosecutor when William O'Brien visited the Ancient Capital upon a memorable occasion. Charles Fitzpatrick received the visitor and the reception disappointed only by some ridiculous persons who could see no room for dignity or consistency in the arrangements. Mr. Fitzpatrick has by invitation addressed the Irish residents of all the leading cities of the Dominion. But he has been the darling of a French-speaking constituency all the time.

Last Sunday after sixteen years of unbroken confidence there were tears shed on both sides when the parting took place in Lorette. Mr. Fitzpatrick sat for Quebec County in the Legislature from 1890 to 1896, when at the request of Sir Wilfrid Laurier he resigned and was elected to the House of Commons for the seat. He was appointed Solicitor-General in 1896 and was sworn in Minister of Justice in 1902. In the Justice Department he has realized the loftiest public conception of what the office should be. If a respecter of persons in office, he has distinguished himself only for the respect and courtesy he has unvaryingly shown to the poor and unfortunate friends of prisoners who came to beg his clemency. In many cases where a deserving petitioner came to appeal for an undeserving offender, the Minister's charity was generously extended where his official mercy could not be strained.

The Chief Justice has a large and happy family. His gracious and warm-hearted wife was Mlle. Corinne Caron, daughter of the late R. E. Caron, Q.C., Lieutenant-Governor of the Province of Quebec from 1893 to 1876.

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Death Seemed Near When He Was Ordained

Very Rev. Hyacinth M. Cormier, master general of the Dominicans, who celebrated the golden jubilee of his admission to the priesthood on May 17, was not expected to live long when he was ordained a priest and later when admitted into the order.

Henry Cormier was born at Orleans December 8, 1832. On May 17th, 1856, he was received into the priesthood by dispensation, as he was not yet 24.

He immediately chose to enter the Order of St. Dominic, but it was very doubtful for a long time whether he could realize his hope. His health was so very delicate that he seemed unable to bear the austerities of the religious life.

He had frequent hemorrhages and a delay of two years was required to see whether his health would improve. Then the Pope consented to his admission, provided at least a month should elapse between his attacks of illness.

Once twenty-nine days passed without a return of the trouble, and Pius IX. yielded his consent. Father Hyacinth, which name he had taken, was professed at Santa Sabina in Rome, May 23, 1859.

But it was not dreamed by those about him that he would live to take up the work of the order. In fact, he had been anointed a few days before his reception, and the end seemed close at hand.

Forty-five years later, however, in 1904, he was made general of the order, and last week he celebrated the golden jubilee of his admission to priesthood.

The convention of the National Federation Alumni of Jesuit Colleges will be held, it is expected, in Milwaukee. About one hundred delegates will assemble from every section of the United States. The convention will be timed, it is thought, during the week of the silver jubilee celebration of Marquette College in the above city.

TOPICS OF AN OLD-TIMER

Why the Irish are Policemen?—Because They have Courage, Capacity—And the Physical Requirement—A Test Case in Chicago—They Saved that City on Many Occasions, but Especially at the time of the Anarchist Riots in 1886. The Anarchist Tried to Annihilate Them and Carry out a Scheme of Rapine and Murder

In my last article I mentioned the service the Irish people had been to the people of the United States in various capacities, but more especially in the public and semi-public callings. They have distinguished themselves more especially as soldiers, seamen, policemen and firemen. My knowledge of their achievements in San Francisco and Chicago enables me to speak authoritatively on this subject. I was in the latter city at the time of the Haymarket or Anarchist riots, which was in 1866, and know well what they endured and suffered as members of the police force of which they constituted at least three-fourths of the membership.

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It is a curious fact that the police force in all English-speaking countries is made up mostly of Irishmen. It is so in the United States, in Australia, New Zealand, Canada, and largely in London itself. Why is it so? Because they have the requisite courage, capacity and physical requirements. I remember in Chicago at one time in the eighties the city council ordered an addition of 400 men to the force. The elder Harrison was then Mayor and he was very desirous that the new levy should be representative of the various nationalities in the city and not be so predominantly Irish or Irish-American as it had been. So he called the aldermen representing the different nationalities into his office and told them to bring in their most suitable men. There were German, Bohemian and Polish wards in the city as well as American, from which he expected to select suitable men according to their respective nationalities; but lo and behold, when the aldermen brought in their candidates they turned out to be nearly all Irishmen. "This will never do," said the Mayor, "and you will have to try again." The aldermen did try again and brought in a few men of their respective nationalities, but when they were submitted to the regular physical examinations most of them failed to fulfil the necessary requirements and were unable to pass muster, so that the Irish applicants had to be selected after all. In fact it is almost universally admitted in the States that to be a policeman is an Irishman's job on the ground of superior fitness.

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Their courage and fitness was often put to the test in Chicago—during the great strikes, but more especially during the Haymarket or Anarchist riots of 1886. At that time the Chief of Police was a German named Ebersold and several of the inspectors also were Germans, but the rank and file were mostly Irishmen or Irish-Americans. Some of the inspectors and captains, however, were Irish. Somehow or other the force at this time was badly organized and a great deal of jealousy existed among the officers, which was very detrimental to the efficiency of the force.

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August Spies, the anarchist leader, to whom I made reference in my last, had been very active in propagating the teachings of Herr Most, the man who introduced anarchism into America, and this young man Spies was his first and leading apostle. He had editorial charge of the "Arbeitor Zeitung, a German daily paper, and changed its character from socialism to anarchy. The principles of those two parties are widely different, but found common ground in opposition to capitalism and the wage system, to which both are opposed. So Spies soon changed most of the Chicago socialists into anarchists. Socialism is not what I was taught it to be in my youth—"the equal distribution of unequal earnings," but the creation of a co-operative common wealth. Anarchy means liberty for every man to do as he pleases and the destruction of all law. In other words, socialism stands for the welfare of your neighbor and the common good laid down on certain lines; and the red flag stands for the red blood of a common humanity. Anarchy, contrary to this is destructive of all law, the rights of property and everyone for himself and "devil take the hindmost."

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This young man Spies was a prodigy in some respects. Not many years before his career commenced he came to America from Germany, ignorant of the English language. He soon acquired it and learned to write it well and speak it eloquently. He gathered around him the most advanced of the socialists and formed anarchistic groups, depending mostly on violent methods to establish their principles. They learned military tactics, purchased arms and manufactured explosives. Spies had at his command a German daily paper called the "Arbeiter Zeitung," and a Sunday German paper called the "Fackel." They established an English weekly paper called "The Alarm," and it was true to its name. It was edited by an American born man named Albert Parsons, from a Southern state, who possessed no small amount of ability, and who could speak and write well. Another of their leaders was an Englishman of education named Samuel Fielden, who was their best speaker. Michael Schevab was an assistant editor of the Arbeiter Zeitung. He was a Bavarian by birth and an unkempt, ferocious-looking fellow, but really kind and mild. He simply wrote for his pay, which amounted to $18.00 per week. Oscar W. Neeley was an active agitator among the anarchists. He was born in the State of New York, of German parents, and seemed to be a pleasant little fellow, and no one would ever think he was an apostle of destruction. Rudolph Schnaubelt was, as may be noticed by his name, a German or German-American, and was prominent among the anarchists. Balthasar Rau was another prominent anarchist and German by nationality. Fischer and Engel were the names of two others of the anarchists that were speaking and writing against law and order. Not an Irishman or Scotchman was in the lot, and as will be seen, the most of them were members of the German nationality and supposed to belong to an orderly and peaceable people.

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They began their agitation and disturbance-provoking efforts by holding open air meetings on the Lake Front Park and other spots in various parts of the city without attracting much attention for two or three years. Spies took advantage of every possible opportunity to inflame the feelings of the working people. The papers of the party, both German and English, were full of fierce invective, appealing to the worst passions of men. But in May, 1866, things were coming to a crisis. It was the time of the eight-hour movement. A lock-out took place at McCormick's Harvester Works, by which twelve hundred men were forced into idleness. These poor idiots, "intoxicated by the exuberance of their own verbosity," imagined they were going to upset the prevailing order of civilization and establish a new one with bombs and physical force; but they were greatly mistaken.

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The lock-out at McCormick's occurred on February 16, 1886. The anarchists took advantage of it to precipitate their proposed revolution. Their armed men were expected to be on the spot in front of McCormick's works at a certain hour, but in place of them was another body of men, the guardians of the peace, under the brave and fearless Captain Simon O'Donnell of the Second Precinct, with two lieutenants and three companies of well disciplined men, mostly Irish. To these the anarchists felt the utmost hostility. They described them in their speeches and papers as "capitalistic blood-hounds." A general search took place and on many of those present arms were found, and such were brought in by the police to the station at a price of $10 each. A great deal of rioting took place, but the anarchists were defeated in all their efforts. That evening they made greater preparations for another conflict. Spies issued a startling dodger, couched as follows:

Revenge! Workingmen to Arms! ! Your masters sent out their bloodhounds the police; they killed six of your brothers at McCormick's this afternoon. They killed the poor wretches because they, like you, had the courage to disobey the supreme

(Continued on page 5.)

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