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Vol. LIV., No. 13

MONTREAL, SATURDAY, OCTOBBER 1, 1904.

CANADA'S GREATEST LAWYER

Mr. Charles Fitzpatrick has Stamped His Personality upon the Office of Canadian Minister of Justice.

The writer, Charles Morse, says : In undertaking to write the Lives of the Chancellors, Lord Campbell said that above all things his ambition was that a recital of the struggles and triumphs of many of the great lawyers of his race "should exdie the young student of the law to emulation and industry, and confirm in his mind the liberal and honor-

able maxims which ought to govern the conduct of an English barris-Despite the cynicism of a recent observation that every man is his own example in the twentieth century, it is somewhat of Lord Campbell's sentiment, as applicable to the profession in the New World, that influences the writer to set down briefly such of the more important facts as have come to his notice in the career of the Honorable Charles Fitzpatrick, K.C., at this time

of Canada. While only in the prime of life, the subject of this sketch has achieved so large and withal so genuine a measure of success that his present biographer feels that while it might be well to apologize for forestalling to some extent any posthumous record of the distinguished lawyer's career, no extenuation will be demanded by the peaders of the Green Bag in respect to their interest in this brief story of his public life. Charles Fitzpatrick was born

the city of Quebec, Dec. 19, 1853. After a preparatory training in the well-known Quebec Seminary, he entered Laval University, where he received the degree of B.A. He then followed the law course in his alma mater, carrying off the Governor-General's medal in his final examination for B.C.L. in his 1876. In the same year he was called to the Bar of his native province. Three years later he was appointed by the Provincial Government Crown Prosecutor for the City and District of Quebec. Speaking the English and French tongues with equal facility, possessing great industry and with a natural gift of rhetoric enriched by literary studies. to which he has always been a devotee, the young advocate soon attained an assured place at nisi priva. especially in criminal cases. Speak ing of him in this connection, a professional journal recently said: "To enumerate the criminal cases wherein Mr. Fitzpatrick has been engaged, whether for the prosecution or defence, would be to mention nearly every one of importance before the courts of the Province of Quebec for the last twenty years."

he was engaged was, In re Eno (1884, 7 L.N. 360), in which he ings taken against John C. Eno, the defaulting president of the Second National Bank of New York. In the following year he led for the defence in the cause celebre of Queen v. Louis Reil, his client being the consticutus figure, and indicted as the fans el origo malorum in two armed rebellions (1870-1885) of the Metis in the Canadian Northwest. His fine, though unsuccessful defence of this unhappy realot may be regarded the corner stone of Mr. Fitzuatrick's professional fame, for there he was not only pitted against two of the greatest advocates in the annals of the Bar, Christopher Robinson, K.C., and the late B. B. Osler, K.C., but was hampered throughout in theory of the defence, namely, sanity, by the indignant and clever repudiation of it by the prisoner, whose amour propre was thereby wounded. Addressing the jury by permission of the court after Mr. Pitzpatrick's brill ant and forcible appeal for a verdict of acquittal, Riel said. "It would be easy for me to-day to play insensity, because the carumstances are such as to excite any man. * * I have this satisfaction that if I die, I will not be

One of the earliest cases in which

An interesting electron of the career repudiated by men as insane, as Hon. Charles Fitzpatrick, appears lunatic. . . . My condition of Hon. Charles a lournal of Boston, The helpless, so helpless that my lawyers try to prove insanity in order to save me that way. Mr. Fitzpatrick, in his beautiful speech, has proved that he believed I was insane. If I am insane, of course I don't know

> Other defence than insanity, how ever, there was none; and, rejecting the theory of moral irresponsibility, the jury found the prisoner guilty of the crime of treason, for which he was subsequently executed.

Mr. Fitzpatrick was retained counsel in some celebrated cases of political nature which have occurred in recent years. In 1892 he cessfully defended the Honorable Honore Mercier and Mr. Ernest Pacaud (both since deceased) in the prosecutions which ensued upon the fall of the Mercier Administration in the Province of Quebec. The year previous he had appeared pefore the Standing Committee of the House of Minister of Justice for the Dominion Commons, Ottawa, as counsel for the Honorable Thomas McGreevy who was there charged with complicity in certain frauds connected with government contracts. The proceedings before the committee in this case, resulting as they did in the resignation of a Minister of the Crown and the retirement of the imp grand member, were in many respects the most remarkable in the history of the Dominion Parliament. In 1897 Mr. Fitzpatrick represented the Dominion Government before the Judicial Committee of the Privy Council in an appeal from the Supreme Court of Canada in a special case touching the property, rights and legislative jurisdiction of the Dominion of Canada and the provinces, respectively in relation to rivers, lakes, harbors and fisheries in Canada. (See 1898. A.C. 700.)

> Mr. Fitzpatrick has always taken a keen interest in public life, and has proved himself a staunch supporter of the Canadian Liberal party. He entered the Quebec Legislative sembly in 1890 as the representative of Qu') ec County. In 1891 he was offered the office of Attorney-General of the province, which he declined. On the formation of the Laurier Administration, following upon the defeat of the Conservative government in 1896, Mr. Frtzpatrick entered Do minion politics as Solicitor-General. and was at once assigned a foremost place in his new sphere of usefulnes by members on both sides of the House of Commons, as well as by the frequenters of the galleries. The important duties of Solicitor-General, both in and out of court, were edministered by him with great tact and ability; and beyond doubt the traditions of the office will bear the stamp of his personality for a long time to come. On the resignation of

Justice (Continued on Page 8.)

SOME IRISH NOTES.

CARDINAL VANNUTELLI AND IRELAND .- The Rome'; correspondent of the Catholic Weekly, the newest and brightest addition to the ranks of religious journalism, says that in speaking to him on his recent visit to Ireland Cardinal Vannutelli said: 'Not one here in Italy can imagine with what utmost respect and thusiasm I was received in all parts of Ireland. The veneration of the people of Ireland for the Holy See is so great and so deeply rooted that there is no country where the representatives of the Holy See are received with more genuine warmhearted affection. This applies to both the clergy and the laity, from the highest to the lowest. The Irish Catholic is a true Catholic in every sense of the word."

. . . . ORANGE RUFFIANISM .- On Tu rick Trimble, when on his way home posed. The spectators, many from Coalisland, was attacked by a mob of Orangemen, who congregate every night at a place known as Doherty's Corner, and was savagely beaten The young man was conveyed to the doctor in a weak state, and bleeding profusily from wounds on. the head, believed to have been inflicted by a butt. Several attacks have been made on Catholics at this corner when on legitimate business. As the dark nights are approaching the attention of the authorities should be directed towards these mobs.

THE IRISH LANGUAGE.-A highly demonstrative instance of the interest taken by the people of Skreen and Dromard in the Irish language

them of a sympathetic turn of mind, listen in breathless silence to the charges and the sentences. nesday of this week one of the sad dest sights ever witnessed in the Recorder's Court was seen. A man and whe were up on a charge of drunkenness. The family of the couple, consisting of a child in arms, and a boy and girl of two and six years respectively, were in court. Recorder Weir said it was out of the saddest cases that had come before his notice for some time. The man pleaded not guilty to the charge of drunkenness, but the woman pleaded guilty. The man and woman had been before His Honor on a similar charge, and both were remanded until later, the children in the meanmovement was shown lately, when time, with the exception of the inchildren from the schools of the two fant in arms, being taken care of in time, with the exception of the



JOHN E. REDMOND.

parishes assembled to compete for a charitable institution. prizes offered by Dr. Henry, London, for the best knowledge of the first and second books of O'Growney, re- the cause of all their trouble. And petition of prayers and elementary conversation in Irish. The examination was conducted by P. Healy, Templeboy. Twenty-one competitors put in an appearance, divided into groups-a junior and senior. During the examination were present Rev. W. Healy, Skreen, and mard; E. Mulligan and E. Kelly, Miss Kellyyi Miss Mulligon and Miss Gilhool. In the junior division the first prize was awarded to Master Domintk Marley. The second prize was divided between Master John Mar, ley and Miss Celfa L. Leonard. noise had taken possession of what the Honorable David Mills, K.C., in The third prize was won by Miss acted for the United States Govern-February, 1902, Mr. Fitzpatrick was Mary J. Leonard. In the senior diment in certain extradition proceed-called to the Cabinet as Minister of vision Miss Sarah Cusack was strong awarded first prize. The second of crime, was commented on by the prize was divided between Master Judge before sentencing to be hang-John Morley and Mrss Cellia L. Leo- ed, a man found guilty of murdering nard. The third prize was won by Miss Mary J. Leonard. In the se mior division Miss Sarah Cusack was awarded first prize. The second prize was divided between Kate R. Mulligan and Miss Kate Kulpatrick. The third prize was won by Miss Lizzie McMunn.

> SAD SCENES IN THE COURT HOUSE

with its tales of woe, strife and bit terness may be seen daily in the Recorder's or in the Magistrate's Court. But when the long line of unfortunate drunkards stand before the Bar, the sight is appalling Young women of tender years, old ones whose hairs have grown white with time, the young just budding into womanhood, middle aged men, into womanhood, middle aged men, old men,—all tell the same sad tale of their downfall and shame, as they stand to hear their charges read to them, and the different sentences im.

Liquor, the great destroyer social and domestic happiness, was yet another case. A husband who had steady employment was before the court in connection with the arrest of his wife for drunkenness, and after a pitiful and tearful tale by the woman, it was finally agreed that she should go home and commence a new leaf. Her promises apparently were very strong and convincing, but alas! they lasted only a few hours. When the husband returned home after his hard day's work, he found the woman in conjunction with the old enemy again, and wreck, ruin and was once a happy and prosperous That terrible passion for tion Miss Sarah Cusack was strong drink, which was productive his wife.

And persons still drink that poison, which steals their brains away.

Ancient Order of Hibernians. Division No. 5.

At a recent meeting of the above Branch, a resolution of condolenre was ordered to be sent to the afflicted family of our most worthy Brother P. Hanley, on the death of his mother-in-law, Mrs. John Bell.

Wedding at Quebec.

In the presence of a very large number of friends, Miss Florence Kerr was on Wednesday married in St. Patrick's Church by Rev. Father Delargy, to Mr. David Kennedy, engineer at the Examining Warehouse.

as they A despatch from Worcester, Mass, and to on Thursday reported Senator Hoar in a dying condition.

JOHN REDMOND'S MONTREAL

English Members of Parliament Support Him. Hon. Rodolphe Lemieux Speaks on Behalf of the Premier of Canada.

Mr. John Redmond's Montreal i the threshold of fulfilment. meeting in the Windsor Hall last Montreal's response to this appeal evening was in many respects the most striking and inportant of the series of successful receptions tendened the Irish leader and his fellowenvoys, Capt. Donelan, and Mr. Patrick O'Brien, M.P.'s, since their arrival in America. Not only was Mr. Redmond's address marked by passlages of exceptional eloquence and interest, but the meeting itself, both in its representative character and by reason of the very distinguished gathering of British and Canadian public men who sat beside Mr. Redmond on the platform, cannot fail to prove of very great value to the

cause of the Irish people. Mayor Laporte, by presiding over the meeting and welcoming the visitors in behalf of the citizens at large, paid a graceful compliment to the Irish people of the city. And in his admirable address he struck the keyer," saying, "your generous and glorious efforts for the cause of your country, your eloquence and your ability have made your name popular not only amongst your own countrymen but amongst all those who love liberty."

Mr. Redmond, in his magnificent deliverance, caught up the lofty note Mayor Laporte had expressed, and stirred the highest enthusiasme of his hearers by his powerful tribute to "It is my experience," democracy he said, "that the democracy of one civilized country is like the democracy of every other civilized state composed on the whole of fair-minded, even generous-minded men"; and in the democracy of England the Trish cause has always found sympathetic support. It is not from the democracy of Erigland we have encountered opposition, but from the who are, in the practical issue, England as they are to the democracy of Ireland."

The Irish leader then went on to speak of the future of ballor in Great Britain, Instead of sending a doze labor members to the House of dian Liberal he could not stand upon Commons, the labor vote of Britain, if properly organized, could control The labor representaparliament. tion in the House of Commons is solidky in favor of Home Rule, and there never has been a measure introduced into parlament for the improvement of the condition of the working people that has not received the united and earnest assistance of the Irish Parliamentary Party, It had been his great satisfaction, Mr. Redmond said, to receive after the last session, letters of acknowledgment of their service and resolutions of thanks from every labor organization in England.

Mr. Redmond's message to the Irish people of Montreal was confident and full of hope. Famine suffering can never visit Ireland again, coercion is stock, and the name and honor dead and will never be revived, pear France are dear to Irishmen to-day sant proprietorship of the soil established by law, implemented by the Imperial credit to the sum of years landlordism will be a tradition in Ireland. The assistance of sympathizers in the United States and Canada even for the maintenance of Irish League, will not be asked again. The call to-day is for a campaign fund to fight the tlattle in 80 or 90 Irish constituencies and organize the Irish vote in a hundred English constituencies where it is in the position to place the balance on either side according as the candidate is disposed to promise support to Home sonal belief, amounting almost to a conviction, that in the immediate future an extension of self-govern-ment to Ireland wil be made by the Imperial Parsiament, which if not ifficient to satisfy the natural aspirations of the Irish people, wild be a long stride in that direction. Be glad, he said to his hearers, that you are living in a time when the aspirations of your nation are on

was a subscription of \$2000, the President of the United Irish League, Mr. M. Fitzgibbon, announce ed from the platform before the close of the meeting.

Two spirited addresses were made, one by Hon. Philip Stanhope, Mr. Gladstone's neutenant in the days of the Liberal struggle for Home Rule, and Mr. Samuel Evans, both members of the British House Commons. Mr. Stanhope said that never had he allowed a vote in favor of Ireland, whether for Home Rule or land reform, to pass, that he had not voted with the Irish party; and he expected to enjoy the privilege of voting with them before long for the Home Rule bill that farliament must concede. Evans, who represents a Welsh constituency, went further than Mr. Stanhope when he said that no vote note of the meeting when he spoke of he could be called upon to give in the Irish leader as a "great reform- the House of Commons would be given with greater satisfaction than that for Home Rule to Ireland. In saying this he voiced the sympathy of the people of Whles, who are more solidly on the side of Home Rule than is Ireland herself, for whereas the representation of Ireland in Westminster is but five to one, the representatives of Wales are ten to one ardent supporters of the policy of Home Rule for Ireland, Home Rule would place Ireland in the rank of

the prosperous nations of the world. It needed but the eloquent address of Hon. Rodolphe Lemieux. Solicitor-General for Canada, to raise the enthusiasm of the audience to the highest pitch, when he said he was present by request of his honored leader, the Premier of Canada, Sir Wilfrid Laurier, to express again his sympathy, and the sympathy of his colleagues with the Irish cause, and aristocratic and privileged classes, their admiration for the Irish people in Canada and the old land. Mr. much opposed to the democracy of Lemieux recalled the admiration he himself had formed for Mr. Parnell, and the friendship that it was privilege more recently to establish with Mr. Redmond and his colleagues of the Irish party; but as a Canaa public platform to raise his voice for Ireland and the Irish people, without paying tribute from his heart to Hon. Edward Blake, that giant in intellect and patriotism who, vast and valued though his services had been for Canadian Liberalism, had freely sacrificed their fruits to labor for Ireland in the ranks of her representative sons

> No wonder that Mr., Redmond, taking advantage of the opportunity to move a vote of thanks to Mayor Laporte, delivered a few passionately eloquent sentences of thanks to the representatives of the French-Canadian people who never failed to range themselves upon the side of Ireland. But he did not wonder at this, las the French and Irish co as they have ever beer

Some of those present on the platform in addition to President Fitz-\$560,000,000, and in ten or fifteen g.boon were : Hon. H. J. Cloran, Hon. Dr. Guerin, Hon. R. Lemieux, Hon. Dr. Sullivan, Kingston; Mr. R. Bickerdike, M.P.; Hon. N. Perodeau, Rev. M. Callaghan, St. Patthe popular organization, the United broke, Rev. Father Kavanagh, Rev. riel's; Rev. Father Donovan btoke; Rev. Father Kavanagh. Rev. Father O'Leary, Hamilton; Dr. J. Kennedy, Rev. J. McDonnell, Rev. J. P. Connolly, Rev. F. Cox. Father Turgeon Rev. Father O'Reflly, Rev. J. P. Kflloran, Rev. J. Audon, Dr. Devlin, St. Patrick's Society; Rev. Brother Jerome Rev. Father Strubbe, Ald. T. J. Gorman, Ville St. Louis; W. P. Doyle, Patrick's T, A, and B. Society; W. E. Doran, Jas, J. Costigan, Geo. Murray, J. Kenehan, James McShane B. Tansey, John Pallon, J. Berming Ham, J. Kane, N. Connolly, M. Morrison, H. Sullivan, F. J. Green