

**The Canada Law Journal.**

VOL. IV. APRIL, 1868. No. II.

HON. T. D. MCGEE.

THOMAS D'ARCY MCGEE, whose assassination on the morning of the 7th of April, is now one of the striking events of history, and whose loss the people of all Canada have mourned as one man, was a member of the Bar of Lower Canada, and as such, claims some mention even in the columns of a legal periodical. We find it difficult, however, to limit our notice of one for whom we cherished feelings of the warmest personal regard, to that small and comparatively unimportant portion of his career which was devoted to the law. In venturing, therefore, to say a little where much has already been well said, we shall attempt rather to record a few reminiscences in the order in which they occur to us.

It was about 1858, that Mr. MCGEE, then a private member of Parliament, considered it worth while to obtain admission to the Bar of Lower Canada, and caused himself to be articulated to Mr. E. CARTER, of Montreal. We have Mr. CARTER's testimony that amid the multitude of matters pressing upon his attention, Mr. MCGEE found time to render himself familiar with the dry details of legal practice, and to make considerable progress in the study of our jurisprudence. In December, 1861, Mr. MCGEE was duly admitted, and during the afternoon of the day of admission, laughingly imparted the news to a number of his friends, to whom the fact of his legal studies was not so well known as his more public occupations. He appeared in Court once, and only once so far as we can remember, namely, in the defence of PATRICK LANE, in the Court of Queen's Bench, on the 29th of March, 1862. This PATRICK LANE was charged with the murder of his wife, at St. John's, C. E. We were present throughout the trial, and well remember the able address with which Mr. MCGEE

enchained the attention of the Jury. It appeared that LANE was, at the time of the act, just recovering from a very violent attack of small pox, which, according to the medical evidence, had brought on a phrensy or delirium, amounting to temporary insanity. Mr. MCGEE, whose conduct of the defence was marked throughout by the gravest and most earnest attention, adduced numerous instances in point from writers on medical jurisprudence, and obtained a verdict of *Not Guilty*. Those of our readers who may wish to refer to this case, will find a report in the *Herald* newspaper of the 31st of March, 1862. Mr. DRISCOLL, Q. C., who, we think, introduced Mr. MCGEE to the Court, and who sat beside him during the day, jocularly observed that he had the honor of being Mr. MCGEE's father-in-law.

Mr. MCGEE would, doubtless, had he continued at the Bar, have made an able advocate, though we are inclined to doubt whether practice in the Criminal Courts would have been agreeable to his tastes; but the advent of his party to power, and his consequent elevation to office, afforded his great talents a wider scope. Previous to the LANE trial, he had taken into partnership Mr. T. J. WALSH, a young advocate of whom we remember he had some time previously spoken in the most flattering terms. This partnership, chiefly confined to civil business, continued for some time after Mr. MCGEE had entered the Ministry. At the meeting of the bar held on the 11th of April, Mr. DAY, Q. C., mentioned the singular fact that one of the first civil suits in which Mr. MCGEE was engaged, bore the number 1848, the number of a momentous year in his own history. He remarked to Mr. DAY, who was counsel for the plaintiff, that he feared the number of the cause boded ill for the success of his defence, and subsequently, when his official duties called him away from town, transferred the cause to his learned friend, Mr. DOHERTY.

About this time, Mr. MCGEE was frequently solicited to deliver lectures and addresses at public concerts and enter-