PROGRESS, SATURDAY, FEBRUARY 2, 1895.

THOMPSONAS A LAWYER. pass full legislative power over this rail-

RE WAS SECOND TO NONE IN THE COUNTRY.

10

His Opening-The Celebrated Case of Woodworth v. s. Troopetal.-His Answer to Blake in the Reil Case-His Wonderful Readiness and Clearness.

The following article on Sir John Thompson a lawyer is from the pen of Richard Armstrong, and appeared in the January number of the Barrister, a new Toronto Magazines:

Sir John Thompson's life has many lessons for the young lawyers of Canada. He was a self made man; by hard work and steady application he won his way upward. In every position which he occupied he did his work faithfully. It is the object of this sketch to show who and how he succeeded. He was born in Halifax on the 10th of Nov., 1844. His parents were not wealthy, and so he did not receive a finished education. He attended the common school and free Church academy, and at the age of 17 he entered on the study of law in the office of Henry Prior, in Halifax. The Hou. Robert Sedgewick, of the supreme court (who was a student then), remembered Thompson at that time attending the Law Students' Literary and Debating Club, and says he remembers him as a slight, delicate youth, very bashful and diffident, and but seldom taking part in the debates or programmes, and but little noticed by the other students. In July. 1865, Johnnie Thompson, as he was then known, was called to the bar, and began the practice of law, but he failed to draw clients around him, and, having learned shorthand writing when a student, turned his attention to reporting for the Legislattre. He was thus

celebrated lawyer of Halifax, took Thomp-

of great value to him, and through him, a sub-committee on that matter. to Canada on more than one occasion His next great argument was on the award in 1893.

and knowledge obtained in 1876 must the applause of the entire House. have made him easily the peer of any judge than any of his associates.

woke up the next morning to find wheather any intending purchaser will be himself famous. It is honorable to found willing to receive it in exchange for that sum remains to be seen. The Duke By the time he was one of the recognized | the Ontario Bar to know that one of the of York, already known as a keen connoisleaders of the Nova Scotia bar; it not the most sincere admirers Mr. Thompson had seur, is said to be anxious to purchase this leader, certainly the leader of the conserva-ive lawyers. When the fisheries commis-Edward Blake. This teeling was reciprosion sat at Halifax under the Washington | cated by Sir John Thompson, who in contreaty, it was but natural that the versation with the writer a couple of years United States government should be- ago, said that Mr. Blake possessed the stamps. If that be so, they will become an object of fascination to many who at present take little delight in them. tain him as one of their councel, as two greatest legal mind he ever met, and exor three of the leading Liberal councel of pressed the opinion that Mr. Blake was Halifax had been retained by the Cana- very much misunderstood. The writer dian Government. There can be no doubt gathered the impression that there was a that in the close study necessarily given kindred feeling between the two men. This, to the whole fishery question at that time, probably, played no small part in the report and the inner knowledge he must have ob- on Charles Rykert, a session or two after, tained of the United States position was when Mr. Blake and Mr. Thompson were

since: notably when representing the constitutional questions involved in the Government of Canada at Washington in Jesuits' Estates Act-here, again, he was conjunction with Sir Charles Tupper in not without experience, for no province, the more conspicuous side? To say truth, it is. For this there are many reasons, 1888, and when representing Great Britian | with the exception of Ontario, had so disand Canada at Paris on the Behring Sea cussed the question of provincial rights as chief among which is, no doubt, bodily had Nova Scotia. His reply to Mr. D'Alpain and illhealth. It has been freely stated that when | ton McCarthy on this occasion was a crushassociated with the world's greatest jurists ing one, and the Hon. Edward Blake crossat Paris, he not only commanded their ed the floor to congratulate him, and the respect but won their admiration, and we two greatest lawyers that ever adorned the more or less from indigestion. In the can now understand how the work done | House of Commons, clasped hands amid plaint more acutely. I was always tired.

He had the faculty in an eminent degree on the Behring Sea award. It was stated of clothing in clear and concise language in our newspapers at the time that Sir John the most difficult and involved propositions was noticed taking a nap a couple of times of law; he could make questions so clear during the long. weary arguments of that they no longer appeared to have ever counsel for the United States. We can been difficult. This wonderful faculty well understand that listening to the stale was not for many years appreciated old arguments which he himself had tried by his legal opponents. Case atter case to work off 17 years before against Can- he won, and year after year he ada made him weary enough to take a nap. cortinued to be successful before the He must have smiled often to himselt as courts. Yet to his opponents he did not he noticed the serious way his associates appear to win by his ability-they put his listened to the sophistical arguments of success down to luck in always holding a Mr. Carter. He could have slept half the brief on the easy side of the case. There time and then known more about the case never appeared to be any room to doubt the result; his side of the question was so He was urged upon to enter the right and simple it won on its merits, as it legislature, and, much against his will, appeared to opposing counsel. His manconsented, and was elected for Antigonish | ner reminds me of the old story of a tather in a by-election in December, 1877. On taking his son, who was studying law, to the government being returned in the fol- hear a celebrated lawyer plead, and when employed during the following four years. lowing October, 1878, he was appointed they retired from the court, the father In 1869, Mr. Joseph Coombes, then a attorney-general, and discharged the duties said "Well, son, what do you think of of his office with conspicuous ability and him ?" and the son replied : " Why, father, satisfaction. At the same time he carried he is not much of a speaker, I think I son in as a junior pertner. This gave on his practice at the head of the largest could do as well myself." The father re-Johnnie Thompson his great opening. He law firm in the province, and neglected no plied: "Yes, son, but you noticed he got seized it, and from that time he worked in- briefs. In his dual capacity as attorney- the verdict ;" and so it was with Thompson, general and working head of a large prac- he got the verdict. He was not interested tice, he first displayed that tireless energy in impressing his auditors with his ability and wonderful capacity for work that never | -- as many counsels do who lose the verceased until he literally consumed himself. dict, but who impress the court or jury He assumed the premiership of Nova Scotia | with their own cleverness, and convey the idea that they are trying to pull through a afterwards, and retired to the supreme desperate case by sheer force of their great court, which was more congenial to him ability. These men do not wear a mask to hide their intellect, and they cannot believe that anyone else could do so. Some urged that he was not profound in law. He certainly was not, it to be profound was to be obscure. He had a clear, logical mind. and so expressed everything in the simplest him for the first time, in the case of Wylde to deceive himself; he was always great manner. He could influence others without effort, and consequently they never felt his personality, and never felt they were being influenced by him. He was an orator simple, sincere and lucid. There is all the difference in the world between an orator and an elocutionist. An orator convinces people, and an elocutionist entertains and wins personal admiration. An orator places the idea above form. Unhis judgments were models, and appeals doubtedly Thompson's oratory was not calculated to win the cheap applause of a campaign crowd, who are convinced only of Canada, the whole bar of Nova Scotia for the moment. Betore a deliberative body he had no peer.

benefit from it, and continued to exist in this miserable way year after year. "In October, 1892, a triend of mine.

LONGFELLOW'S LONGING.

"Oh ! world, so few the years we live, Would that the life which thou dost give Were life indeed 1"

Abbey, is a beautiful tablet to the memory

English friends and admirers. Upon the

whole his splendid verse expressed the

sombre side of life. And yet is not that

"I lost all the pleasures of life," writes

a lady. Then she tells us why. "For

over twenty years," she says, "I suffered

early part of 1888 I began to teel the com-

languid, and weary; everything seemed a

trouble to me. My skin was sallow, and

the whites of my eyes tinged yellow. I

had a constant feeling of sickness and incli-

nation to retch. My mouth tasted badly,

my appetite failed; in fact, when food was

placed before me I could scarcely touch it.

And after what little I did eat I was seized

with great pain at the chest and sides. I

suffered severely from wind frequently belching it up. After a time I began to

lose my sleep, and night after night I would

"I got very weak, thin, and emaciated,

and so low-spirited that I lost all the pleas-

ures of life. For weeks together I felt too

weak to leave the house and had no desire

for company. Wherever I went I felt languid, tired and worn out, and was never

free from pain. I consulted doctor after

doctor, who gave me medicines, but I grew

no better. The doctors said I had conges-

tion of the liver, and 1 took various kinds

of liver medicines, but all to no purpose.

I also tried change of air, but found no

lie awake.



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AGENTS FOR CANADA.

GLADSTONE

BRAND

cessantly until the time of his tragic death. While he was with Coombes he did the office work and prepared the briefs-working late and early, filling his mind with legal knowledge, until it became a vast store-house, from which he was afterwards able to draw on with such telling effect.

When he first started taking counse work, he did so in the Equity Court, but soon practised in all the courts, taking a great deal of jury work. In 1874 we find heart of a case, and he was not willing even et al. vs. The Union Marine Insurance Co., appearing in the Supreme Court of own desires. He had no whims, no fancies. that province. He acted as junior counsel to Mr. Weatherbe, now Judge of that court. Mr. Riigby, Q, C., acted for the plaintiffs. A few months after that he acted as counsel] in the case of Parker vs. Fairbanks, in the same court, with Mr. Rigby, Q.C., against him ; evidentlyhe had taken his own measure in the previous case, for we now find him acting alone, and though he lost the case, Judge Wilkins, who delivered the judgment, complimented him in the following words : "I cannot but help admiring the manner in which Mr. Thompson marshalled the evidence to bave it appear that the weight of evidence did not show that the defendant interfered with the flow of the stream." Shortly after this he was retained as counsel with McDonald, Q. C., in the case of Woodworth vs. Troop et al. This was the most celebrated case of its time. The plaintiff was a member of the House of Assembly of N. S., and in a speech made on the floor ot the House in session, charged the Provincial Secretary with having altered and falsified certain public records and grants of the Crown Lands Department, after the signature of the Lieutenant-Governor had been appended. A committee was appointed to investigate this charge, and reported that there wes no foundation whatever for the same. A resolution was then passed demanding an abject apology from Woodworth, this he declined to make. Then a resolution was passed expelling him from the House-in conforminy with this the Speaker ordered the Sergeant-at-Arms to eject him, which was done. Woodworth then brought action against the Speaker and the members of the committee.

The question was, had the Court power to review the action of the Legislature. Thompson and, MacDonald acted for the plaintiff. The action was begun in 1874, and passed through the various courts until it was finally argued in the supreme court of that province in 1876. Party feeling ran high over it, and the whole province took sides. In this case Thompson first disrights, duties and prerogatives of parlia-ment which afterwards in the house of com-mons was the admiration of his friends and the wonder of his opponents. Thompson's sea to give them hope or confidence, and argument won this case and settled the a look of doubt and tear passed over their ing G. T. Fulford & Co., Brockville, Ont. power of the provincial legislature to pun-ish for contempt. His argument was a Opposition, as they surveyed the quiet, surprise to his best friends, and he leaped unassuming Minister of Justice, felt that into public favor at once. After that, he they had nothing to dread from him. was in a majority of cases of importance in But the indefatigable work for years as adorn the bench before whom he had so when he had masticated the rights, duties, often triumphed. Another celebrated case that was of great | tor centuries, were now to stand him in questions here were :

in 1882, but was deteated a few months than politics. No judge in his province ever possessed in the same marked degree the gift of orderly, easy, and accurate expression of his views. He always endeavored to get at the truth, at the very enough to find the truth, and strong enough to pronounce judgment even against his He had a clear, logical mind, and in its presence the obscure became luminous, and the most complex and intricate legal proposition became simple. He knew that even great ideas should be expressed in the simplest manner possible-hence against them seldom succeeded. When in 1885 he was called to be minister of Justice regretted his removal. When he entered the federal arena the

great race and religious storm swept this country, and yet he stood unmoved, patient, just, and candid amid it all, and within six months he probably won the greatest personal triumph of his life in the debate on the execution of Louis Reil. The Hon. Edward Biake, on that memorable occasion, arraigned the government as it had never been arraigned before, and it was felt that no man on the government side could reply to the greatest forensic orator Canada ever produce, and one who, in the opinion of the writer, may to-day be fairly ranked among the world's greatest forensic orators. Few, it any, in that house believed that Hon. John Thompson could make an effective, let alone a crushing reply. But there was one young man who probably had faith in him, and who was largely accountable for Thompson's entry into the Dominion house. That man was Charles Hibbert Tupper, who had studied under the great jurist, and believed in him firmly. Mr. Thompson had singular good tortune, in that Mr. Blake finished his speech after midnight on Friday, the 19th day of March, 1886, and he had until Monday afternoon to prepare his reply. It will be remembered that Lord Erskine's first great hit when a young briefless barrister, was attributed largely to his having over night to prepare his reply to the jury. In tairness to Mr. Blake it must be remembered that the resolution condemning the government or the execution of Riel was not one that Mr. Blake chose. Sir John Macdonald had very crafily put up a supporter to move this one, and consequently Mr. Blake was at a disadvantage. Further, he had undoubtedly underrated Mr. Thompson and made his argument wider than he would have otherwise done, had he

anticipated that it would piss under review by a great legal mind. Thus stood the situation on the atternoon of Monday, the 22nd day of March, 1886, when Mr. Thompson stood up to make his reply to the leader of the opposition. The scene

A Clever Retort.

That was a clever retort which a laborer once made to Lord Chancellor Camden, of England. It appears that in consequence of the interest which the Lord Chancellor took on the behalf of Wilkes, he became so popular that the parishioners of Chiselhurts, where he resided, made hin a present of ten acres of common. His lordship, who was a very early riser, was the first to discover, in one of his morning walks, that a poor widow who resided on the common had all her geese stolen during the previous night. He chanced to meet a laborer going to work, and thinking from being wrapped up in his greatcoat that he was unknown to the man, he enquired of him respecting the geese, and asked him if he knew what punishment would be inflicted on the offender who stole the geese from the common. The man answered, "No." "Well, then," said his lordship, "he

would be transported for seven years." "If that is the case," replied the laborer, "I will thank your lordship to tell me what punishment the law would inflict on the man who stole the common from the geese.'

Cold in the Head and how to Cure it.

One of the most unpleasant and dangerous maladies that afflict Canadians at this season is cold in the head. Unp'easant, because of the dull, heavy headache, inflamed nostrils and other disagreeable symptoms accompanying it; and dangerous, because it develops into catarrh, with its disagreeable hawking and spitting, foul breath, frequent loss of taste and smell, and in many cases ultimately developing into consumption. Nasal Balm is the only remedy yet discovered that will wick Legislature for an Act to incorporate a Com-instantly relieve cold in the head and cure pany to be called "The Colonial Iron and Coal in a few applications, while its faithful use Company, Limited", with a capital stock amount will effectually eradicate the worst case of | ing to one million of dollars, having power to in catarrb. Capt. D. H. Lyon, president of crease to two millions, one-half the shares to be the C. P. R. Car Ferry, Prescott, Ont., preferred and the remainder common stock, and say :-- "I used Nasal Balm for a prolong- having authority to issue bonds to the amount of ed case of cold in the head. Two appli- the capital paid up. The objects of the Company

Mr. Bruce, of Liverpool, told me ot the remarkable benefit his neice had derived from a medicine called Mother Seigel's Curative Syrup. And this, after several doctors, including e specialist, had failed to do her good. Although I had no faith that anything would help me, I commenced taking this preparation, and in a few days I found that my sickness was less and I could digest my food better. I gradually became stronger and stronger, and now feel better than I have done for twenty

"I have told many of my friends of the marvellous benefit I have derived from Mother Seigel's Curative Syrup, and if you think fit to publish this statement you can do so. (Signed) (Mrs.) LOUISA A. E. Cox, The Woodlands, Somerville, Seacombe, December 20th, 1892." Speaking of an exceedingly happy epi-sode of his life, the great Anglo-American orator, Mr. John B. Gough, used to say,

"It was as one of the days of God, which are a thousand years." Life is not mere length, but depth and breadth. When in health we distil enjoyment from almost everything ; when ill, trifles are burdensome. the heat is gone from the sunshine, and we walk in self-created shadows.

for multitudes of her suffering sisters in all lands. What mission can be more praiseworthy and more productive of solid good ? She helps us to realize "life indeed.



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Expensive Postage Stamps.

The philatelic world has been fluttered by a recent important event, for it is announced that the vice-president of the Lonthe supreme court. and his success was un- lawyer, Attorney-General, and Judge, and don phil. telic society has sold all his stamps. brokon until he retired trom practice to months spent on Woodworth vs. Troop, The affair certainly becomes interesting when we learn the price commanded by a

and prerogatives of the British Parliament few thousand little bits of paper. A firm which deals in these light and airy trifles importance to the province, and in which good stead. And as he proceeded in his secured the vice-president's entire collecconstitutional issues were involved, was the argument and exposed or brushed aside, tion. and gave no less than \$50,000 for it. Windsor and Annapolis Railway Co. vs. one after another, the sophistries of Mr. This, I understand, is the largest price the Western Counties Railway Co. The Blake and drew from his great storehouse ever paid for a collection of stamps, though

of accumulated knowledge, fact after fact it is said that the treasures in this sort re-(1) Did the British parliament have power to pass and did it pass, by the British North America Act, to Canada, a period have felt that his years of toil and midnight oil had not been spent in voin. All Canada that the power to pass and did it data a period have been spent in voin. All Canada that the power to pass and did it data were were wild over him, and he ing a single stamp valued at \$12,500, but

and deal in all the by-products of coal; sel and supply gas produced therefrom for heating power and lighting purposes; laying down pipes an1 mains wherever necessary therefor, and generally to carry on the trades of

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NOTICE.

NOTICE is hereby given that application will be made at the next Session of the New Bruns-

mine and coal owners, chemical and gas manufacturers, iron-masters, founders and smelters of metal and ore and metal dealers, and in connection with their business to lay down and operate railways and establish lines of steamers, barges and vessels of all kinds for the transport of freight and passengers; and for the purposes aforesaid to acquire compulsory powers and incorporate the provisions of the New Brunswick Railway Act, the New Brunswick Joint Stock Companies' Act; to acquire patent rights and the good will of any existing business carried on for any of the above named purposes, and also the shares, stock and bonds, of any company; to construct and maintain telegraph and telephone lines and carry on the business of telegraph and telephone Company on their line of works and railways.

Dated at St. John the fifteenth day of January A. D. 1895. R. G. LECKIE.

Fredericton, N. B.

