

THE LATE C. J. DOHERTY, P.C., K.C., D.C.L.

During the recent Annual Meeting of the Canadian Bar Association, Mr. John T. Hackett, K.C., M.P., moved that the Committee on Resolutions be invited to prepare a Resolution commemorative of the high character of the Right Honourable Charles J. Doherty, P.C., K.C., D.C.L., of his great service rendered to the Canadian Bar Association, to the Legal Profession and to Canada, and of the esteem and affection which attach to his memory. Speaking to his motion, Mr. Hackett said:

In September, 1912, the American Bar Association held its Annual Meeting in Montreal. The late Mr. Doherty was then Minister of Justice and Attorney-General. In that character, on behalf of the Canadian Government, he acted as host to the visiting lawyers. He was much impressed by their Association. A few weeks later, in Winnipeg, he made the suggestion that a Canadian Bar Association be formed. He became the first Honorary President of the Canadian Bar Association and held that office until he retired from public life in 1921. He died on the 28th July last. To the end he retained his interest in the work and welfare of this body. It is therefore fitting for this reason alone that reference should be made at this Meeting to a man whose whole life was devoted to the law and who, as advocate, judge, university professor and adviser to the Crown ever cherished and upheld that which is best in the Profession.

Charles Joseph Doherty was born at Montreal on May 11th, 1855, a son of the Honourable Marcus Doherty, a puisne judge of the Superior Court, and his wife, Elizabeth O'Halloran. He was educated at St. Mary's Jesuit College and was graduated from McGill, a Bachelor of Civil Law, in 1876, when he was awarded the Elizabeth Torrance gold medal.

His active life is clearly divisible into three almost equal periods. He was at the Bar fifteen years, from 1876 to 1891, when he went to the Bench at the early age of thirty-six. He was a judge fifteen years, retiring from the Judiciary in 1906.

For the next fifteen years public affairs engaged his attention. He was elected to the House of Commons for St. Ann's Division in 1908. He became Minister of Justice in 1911, and—holding that office longer than any other incumbent—resigned with the Meighen Government in 1921. He did not seek re-election.

For the ten succeeding years, years of the soft light and long shadows of the afterglow, he practised law, dispensing wisdom and radiating friendship in a circle of friends that time was beginning to contract.

As an advocate he was retained in many cases which deeply stirred public opinion. As a teacher he endeared himself to a generation of lawyers who sat under him at McGill. As a Judge he achieved a reputation for profound learning and strict impartiality. As an administrator and counsellor in times most difficult his patience and poise made him a source of strength to his colleagues.

Although the law ever had first claim upon him, his interests were never completely centered. Great causes appealed to him, and even on the threshold of old age he could see visions and dream dreams as vividly as when fifty years younger.

He was twice a candidate for a seat in the Legislature. He unsuccessfully contested Montreal West in the Conservative interests at the General Election of 1881, and Montreal Centre at the General Election of 1886. He identified himself with the Militia and served as a Captain in the North-West Rebellion of 1885.

He was ever interested in the political fate of Ireland, the land of his forebears. When wise men were attempting to disentangle the affairs of two Countries lately governed as one, topics fascinating and absorbing to the lawyer were constantly to the fore. Mr. Doherty's reputation and opinions, according to the Chief Justice of the Irish Free State, Mr. Hugh Kennedy, account in no small measure for the reference in both the Treaty between Great Britain and the Free State, as well as in Articles 41, 51 and 60 of the Constitution of the Free State, to practices obtaining in the Dominion of Canada.

He attended the Peace Conference as Canadian Representative and signed the Peace Treaty on behalf of Canada in 1919.

He was the Canadian Delegate to the League of Nations in 1920 and again in 1921.

In 1920 he was made an Imperial Privy Councillor and was sworn in as such by His Majesty on October 5th, 1921.

I knew him from my boyhood. To me he always seemed an old man physically, yet until the end he retained the enthusiasm of youth, restrained but buoyant.

He was the least cynical of mankind, yet, as an example of his playful irony, he once said that if one ever had any doubt as to the existence of a Divine Providence, the operation of democratic institutions was sufficient to dispel that doubt, as nothing short of Divine Power could hold together such elements of chaos.

He was a mild, quiet man, never putting himself forward, friendly to all, but intimate only with those few whom he honoured with his confidence.

He was one of those who require to be fully known to be justly measured. The more he was known, the better it was understood that he possessed moral and intellectual endowments, rare in themselves, still rarer in their combination.

His nature was deep and intense, surprisingly baffling at times, which may explain the authority which he wielded and the affection in which he was held. His was a great personality, not dominant and never domineering, but always serene, always sincere; he was quietly persuasive, creating among those with whom he came into contact the impression that *his* was the better way and that he was reluctant to talk about it. His service was unstinted; his example edifying; the purity of his purpose inspiring. He has gone to meet the scrutiny of his Master. Few men had less reason to shrink from submitting their lives to

“those pure eyes”

“And perfect witness of all-judging Jove.”
