

# **ST. THOMAS MORE SOCIETY**

## **JOURNAL**

**Speech by His Honour Judge W.J. Dignam, Q.C.  
at the Silver Jubilee of  
The Society of St. Thomas More**

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SPEECH BY JUDGE DIGNAM AT THE SILVER JUBILEE

OF THE SOCIETY OF ST. THOMAS MORE

THURSDAY, 26th NOVEMBER, 1970

THE WEEK IN WHICH POPE PAUL VI VISITED SYDNEY

Your Honour, the Chairman, Judge Williams, Your Honours, Very Reverend Chaplain and Reverend Fathers, Ladies and Gentlemen. It is a most distinct pleasure and privilege to be entrusted with the toast of the Society. This is the third magnificent social occasion conducted by the Society in the short space of fifteen months. We are meeting in a most historic week rendered notable by the visit of His Holiness to Sydney. I am reminded by Vincent and Veronica Pike that it was in another very historic week that the Society held its first preparatory meeting. That week in which we met on 14th August, 1945 at History House in Young Street, witnessed the conclusion of the War. Although there were no trams allowed in the city on the actual day, the city's traffic was haywire and the Pikes were unable to get through in time to attend the meeting. The whole of Martin Place was a Plaza that day and a group of girls from the Taxation and adjoining offices formed a tremendous ring and danced for sheer joy.

The credit for the suggestion that we should have a Society like this in Sydney must be given to our very dear friend, Fr. Desmond O'Connor,

S.J. whom we are all delighted to see here this evening. It was he who in the late thirties, shortly after the canonisation of St. Thomas More, called the meeting to discuss the matter. But it was felt by some present that the time was not yet proper and so the suggestion was deferred. But the idea of an association of Catholic lawyers goes back to 1929 when a group who were all members of the organisation of the Knights of the Southern Cross met several times over a period of more than two years. Members of the Bar included Edward McTiernan, Albert De Baun, Thomas Flattery, Peter Gallagher, Hiliary Studdert, W.J. Dignam, Frank Dwyer, Frank Letters, Eric Miller, Gerald O'Sullivan, John Gould and Brian McGrath.

The solicitors were Matthew John O'Neill, Henry Morrissey, J.J. O'Carroll, Maurice McGrath, Robert Lloyd, Cym. Horan, Felix Finn, Joe Lynn, Vincent Pike, Aubrey de Coek, Frank Reed, George Beswick and Patrick William Fallon.

One of our most active members Frank Hidden was then just completing his studies.

In the country we also had numerous friends, Waterford and O'Donnell at Quirindi, Walsh and Mullen at Goulburn, Walsh and Sheekey at Wagga, Tietyens at Albury, Hawkins at Taree, James Reid, John Youll, Stan Chapman and Stan Jones and Harold O'Neill at Newcastle, Walter Enright and Norman Nelson at Maitland, and in the West, McGuinn and Duffy at Dubbo and that great fullback Larry Dwyer at Orange.

We had many pleasant social evenings together and under the distinguished tuition of J.M. (Joker) Byrne and his cousin John, we even attempted a chorus from Trial by Jury. It was on one of these occasions in 1931 that Frank Letters read his famous satire which was prompted by the legislation proposed by Attorney-General Andrew Lysaght to abolish the Bar. We received great encouragement and co-operation from the then Grand Knight James Brennan and the Secretary William Ross. We were privileged to have as guests Commonwealth Ministers of the day, Attorneys-General Frank Brennan and Senator John Daly, Frank Forde, John Beasley and Lucien Cunningham. One of our most regular and most honoured guests was Detective-Inspector James Comans, whose son is a distinguished member of our profession.

For the benefit of those who are too young to remember the excitement of the beginnings of the third decade of this century, I quote the opening lines of the Satire which was prompted by one of the most extraordinary bills ever introduced into our legislature -

"ELEGY TO THE BAR"

Before the wig and gown yet change their role  
And leave the Court-house for the Buttonhole,  
On lawless heads and shoulders at the masques  
To stream along with breast-plates, crowns  
and casques,  
Or kept in cupboard or wardrobe at home,  
To King's from Phillip's Street no longer roam,  
But with preserved loveletters share perchance  
The dingy pathos of mildewed romance,  
- or if such letters ne'er were kept - or got,  
Contract the family album's sacred rot -

Sing, Muse, in catalogue each nobler name  
Of those whose tongues have made their  
                                workers' fame;  
That tho' the Bar despair of length of days  
Those names Fame may transfix with keenest  
                                rays.

His Majesty's Attorney-General  
(The New South Welsh one, not the Federal)  
Who lets the murd'rer walk, and hangs the  
                                Bar,  
Demands th' attention of our earliest par.  
A giant in height, but of a meagre girth,  
He stalks and booms as tho' he owned the  
                                earth. "

\* \* \*

Towards the end of 1930 noted Sydney  
Catholic the late W.J. Coogan suggested to  
this group that they should consider the  
practicability of organising the attendance of  
the legal profession at a Votive Mass of the  
Holy Ghost (Red Mass) in Sydney. He instan-  
ced the example of Lister Drummond, K.S.G.,  
who after his conversion helped to found the  
Catholic Truth Society and was responsible  
for reviving the ancient custom of lawyers  
attending Mass in a group at the opening of  
Term.

On 18th December, 1930 Andrew Watt, K.C.,  
and Matthew O'Neill issued an invitation to a  
meeting at the Southern Cross Library, 150A  
Elizabeth Street for the consideration of  
the proposal. The following is the actual  
form of invitation:

SYDNEY  
18th December, 1930

A VOTIVE MASS FOR LAWYERS

You are invited to attend a Meeting of

Catholic lawyers to be held at the Southern  
Library, 150A Elizabeth Street, Sydney at 8  
p.m. on Tuesday next the 23rd December, 1930,  
for the purpose of considering the question of  
arranging for a Mass at the opening of the  
Law Term in February next.

As you are aware this custom is time  
honoured in England and on the Continent of  
Europe where it is the practice of the prof-  
ession to attend what is known as the "Red Mass  
at the opening of the first term.

A large number of the profession in Sydney  
have signified their intention of attending  
this Meeting, and your co-operation is  
earnestly solicited.

A.R.J. Watt.  
M.J. O'Neill.

N.B. Communications may be addressed to  
either of the Signators C/- Southern Cross  
Library, 150A Elizabeth Street, Sydney. "

The following is a report of the meeting  
from the Catholic Press of 1st January, 1931.

"                                  A 'RED' MASS.

CATHOLIC LAWYERS' PROPOSAL

A meeting of Catholic lawyers was held at  
the Sothorn Cross Library on the 23rd ult. Mr.  
Justice McTiernan, C.H., presided, and amongst  
those present were the Hon. J. Lane Mullins,  
C.H., K.C.S.G., Messrs. P. Gallagher, T.O'Mara,  
W.J. Dignam, J.V. Gould, G.J. O'Sullivan, F.A.  
Dwyer, the Hon. R.D. Meagher, K.C.S.G., Capt.  
A.W.M. d'Apice, K.C.S.G., Messrs. M.J. O'Neill,

C.M.P. Horan, F.A. Finn, M.J. McGrath, V.J. Flynn, S.J. Carroll, J.A. Clapin, B.M. Byrnes, J. Lynn, G.B. Thomas and F. Hidden.

Mr. Justice McTiernan read a letter from the Archbishop's secretary, stating that his Grace approved of the proposal for a Red Mass and that the idea was much appreciated by him.

Apologies were received from Mr. Justice C.G. Heydon, Messrs. G. E. Flannery, K.C., J.J. Carroll, K.S.S., A. McEvilly, H. Morrissey, J. O'Donohoe, L.G. Tanner, T.J. Purcell, H.F. Links, J.C.J. Ryan, T.A. McNevin, B.J. McGrath and B. Clancy.

Mr. Gerald O'Sullivan then outlined the proposal and informed the meeting that through the kindness of Mr. Ernest Williams, of the English Bar, the Jesuit Fathers at Riverview Mr. P.S. Cleary (editor of the 'Catholic Press') and Mr. W.J. Coogan, he had been enabled to obtain various reports of the Red Mass held in London, Dublin, Rome and New York, which he read for those present.

Mr. J. Lane Mullins then moved that the excellent example of the profession in other countries be followed, and that the ceremony be instituted in February next at the opening of the Law Term.

Mr. J. V. Gould seconded the motion, which was supported by the Hon. R.D. Meagher, Messrs. Gallagher, Clapin, O'Neill, Flynn, Thomas and Horan.

The motion was carried unanimously, and

following suggestions by the various speakers, it was decided that those present at the Mass should approach Holy Communion in a body, and on this account the Mass should commence at 8 a.m.

It was further resolved to approach the Chief Justice and the Bar Council, to inform them of the proposal. After some discussion, it was arranged that subject to approval the members of the Bar should robe as is done in other countries, and that University graduates not members of the Bar should wear academic dress; also that University Law students and articled clerks be invited to be present.

A committee was appointed, consisting of Messrs. A. R. J. Watt, K.C., J. Lane Mullins, C.H., K.C.S.G., A.W.M. d'Apice and Messrs. W.J. Dignam and G.J. O'Sullivan (joint secretaries), to arrange the details.

After motions had been carried that letters of thanks be sent to Mr. Ernest Williams and to the Southern Cross Library Committee, the meeting closed.

(The 'Red Mass' is a survival of the old Catholic times, when members of the Inns of Court attended Mass in their guild chapel. It is called a 'Red Mass' because, as it is a Votive Mass of the Holy Ghost the celebrant wears red vestments. - Ed. C.P.) "

Mr. Watt called on Sir Philip Street to explain the proposal and the Chief Justice received him most graciously and gave his approval. The idea of a "Red" Mass and the wearing of wigs and gowns in Church was so

novel that it attracted considerable publicity and the late E. George Marks, veteran court reporter, gave it generous coverage. As Archbishop Kelly had just left for overseas Archbishop Sheehan presided. The organisation at the Cathedral was in the capable and friendly hands of Monsignor Bartlett.

The Catholic Press reported the attendance at the Mass and the launching of the historic ceremony as follows:

" For the first time in Australia the historic Red Mass, which has been known for centuries in the Old World as a devotional commencement of the legal year by the profession of law, was celebrated at 8.00 a.m. His Grace Archbishop Sheehan presided and nearly 200 Catholic members of the N.S.W. legal profession attended the ceremony. It will be made an annual religious event.

Wearing red vestments for this Low Mass a Votive Mass of the Holy Ghost, Rev. Fr. G. Bartlett (Administrator of St. Mary's) took his place at the altar as celebrant. His Grace Archbishop Sheehan was attended by Rev. Frs. M. Lynch and J. O'Donnell, the latter also acting as master of ceremonies. Rev. Dr. M. Petorelli conductor of the Basilica choir, played selections of sacred music while the procession was entering and leaving the church.

On the sanctuary were Rev. Frs. M. Ryan, M.S.C. and P. Moloney, M.S.C..

There is every reason for congratulating the legal body upon this happy thought of connecting Christ and his church with the

the activities of the profession. It is an instance of practical faith, furnishing additional proof that the appeal of the Church is as strong with the cultured as the lowly. Not only did the large gathering from the profession stamp the movement with the seal of approval, but the laity flocked to the celebration of the Mass, a gratifying recognition of its purpose.

Then again the wide representation included in the legal congregation was of a most satisfying completeness. The procession into the Basilica embraced two former Supreme Court Judges (ex Justices Edmunds and Heydon), His Honour Judge Coyle, the Attorney-General (the Hon. A.A. Lysaght, M.L.A.) three senior counsel (Messrs. A. Watt, K.C., G.E. Flannery, K.C., and W.J. Curtis, K.C.) three city magistrates (Messrs. W.J. Camphin, S.M., M.J. McMahon, S.M. and W.A. Flynn, S.M.), about 30 members of the Bar, and large groups of solicitors and articles clerks. Papal titleholders who practise at law comprised the Hon. J. Lane Mullins, C.H., K.C.S.G., M.L.C., Mr. M.J. O'Neill, K.C.S.G., Mr. A.W.M. d'Apice, K.C.S.G., Mr. J.J. Carroll, K.S.S. and Mr. G.F. Hughes, C.H.

Apologies were received from Senator the Hon. J.J. Daly (Minister for Defence), the Hon. Frank Brennan (Federal Attorney-General Mr. Justice McTiernan of the Commonwealth High Court, who are at the present time engaged in professional work outside this State and from the Hon. R.D. Meagher, K.C.S.G.

The representatives of the judiciary attended the Red Mass in full court robes, senior counsel wore full bottomed wigs, and

the junior Bar appeared in court robes. Among the barristers were Messrs. E.F. McDonald, N.P. McTague, J. Leonard, A.J. de Baun, T.P. Flattery, B. Clancy, P. Gallagher, J.F. Molloy, C.V. Rooney, H.H. Studdert, T.P. McMahon, J.S. Clancy, T. O'Mara, W.J. Dignam, J.V. Gould, F. J. Letters, E.S. Miller, W.S. Flynn, G. O'Sullivan, W.F. Sheahan, B.J. McGrath, H.J. Godsall, W.S. Sheldon, also J.J.B. Kinkead, Hugh Maguire, E.C. Calahan, John Clancy, R.R. Kidston, J. O'N. Doyle, C.D. Monahan, F.P. McRae, E.P. Kinsella J.A. Clapin and E.J. Walsh. Also noticed were Messrs. J.M. O'Donohue (Acting Registrar-General) John Merrick (Examiner of Titles) and Lieut.-Colonel P.W. Fallon.

The very large and representative group of solicitors included A.H. O'Connor, M.J. O'Neill, H. Morrissey, C. O'Dea, S.J. Carroll, T.J. Purcell, L.A. Lochrin, E.R. Lorton, John Hickey, F.E. Reed, J.J. d'Apice, J.P. Ryman, E.T. Hollingdale, J.C.J. Ryan, A.G. de L. Arnold, Thos. McNevin, J.J. Mulholland, Neil Collins, M.D. Roach, E.G. Sayegh, F.A. Finn, W.J. Roberts, E.R. Tracey, J.N. Gammell, H. Links, K.D. Manion, B.J. Tier, Leo Sexton, A.J. Moran, C.P. White, K.M. White, A.J. Devereux, V.J. Flynn, B.F. Watkins, Clive Wilkinson, J.J. McNally, A. Harney, J. Harney, C.J. McDonnell, W. McEvelly and W.B. Meehan.

It is pleasing to record that the last-named, W.B. Meehan has been one of our most faithful members and a regular attendant at so many functions.

Mr. V.P. Dwyer also came from Barmedman for the ceremony."

For the first Red Mass the time was fixed at 8 a.m. and there was no change in the regular opening time for the Courts. After a short period the practice spread to other faiths and the postponement of the times became more easily arranged. We have experimented with times but by and large the nine o'clock Mass seems to be the most convenient for all concerned. On one or two occasions light refreshments were served in the Chapter Hall but with the more elastic starting times and relaxed fasting discipline this proved to be unnecessary. The practice soon grew up of robing in chambers and this also eliminated the necessity of using the Chapter House. Silks and Judges have always robed in the Presbytery reception room.

The pious practice soon was followed by other religious groups and was adopted in other States and country centres and by other professional and academic organisations.

For the opening day of First Law Term, a later starting time became the accepted custom and the ceremonial procession became a feature of all the services. Catholic members of the profession in New South Wales appreciate the regular attendance at the Red Mass of the Chief Justice, Sir Leslie Herron. During the War years there were many visiting legal men present and on one occasion the U.S. High command was represented at the Mass by its Legal Officers stationed in Sydney.

I have a photograph of the attendance at the Second Red Mass in which one can distinguish well-known colleagues and their clerks, Fred de Saxe and Norman Marks. This photograph will be included in the archives

of the Society.

The practice of the acolytes being chosen from the profession was an early feature and has happily continued to the present day.

It is appropriate here to acknowledge the importance with which the cathedral authorities have treated our attendances. The provision of the choir and organist, the attendances of the bell-ringers and the distribution of leaflets with the proper of the Mass and the selection of speakers to deliver the occasional address have all contributed to the success of the organisation..

Particular acknowledgement should be made to the Administrators, Monsignors Bartlett and Hurley and my own thanks should go in a special way to Allan Bridge (Mr. Justice Bridge) for his personal help in organisation. From the attendance at the Red Mass there developed the enlisting of members to attend retreats at Kensington Monastery and later at Mount Alverna.

You have all been made somewhat familiar with the founding of the Society through this well-prepared synopsis distributed to members for this function. The inaugural meeting was held as already stated on 14th August, 1945 convened by Messrs. G.J.J. O'Sullivan, W.J. Dignam, J. J. McKeon, F.A. Finn, M.J. O'Neill, C.M.P. Horan, M.J. McGrath and W.J. Roberts.

Prior to the meeting a sub-committee comprising O'Sullivan, Dignam, McKeon, Roberts and Finn spent many hours drawing up a constitution and proposals to be placed before

the meeting. The invitation to attend was in the following form:

"To the Spiritual Director and Members:

There is every reason to hope, and no reason to doubt, that the St. Thomas More Society will flourish in New South Wales, and will fulfil its noble ideals unbrokenly throughout the course of the years to come. Looking forward far into those years we may visualise some one or other of the Society's members of future time looking back to think upon the Society's beginning. For such, the Provisional Council in presenting this, its report, to the First Annual General Meeting of the Society, places on record all the details of the Society's origin.

#### Convening of Inaugural Meeting

The inaugural meeting of the Society was convened by a notice in the following terms, which was despatched to members of the profession known to the convenors:

'SYDNEY

3rd August, 1945

You are invited to a meeting at History House, 8 Young Street, Sydney, on Tuesday, the 14th day of August, 1945, at 8 p.m. to consider the formation of a St. Thomas More Society for Catholic Legal Men.

His Grace the Archbishop will be present.



G.J.J. O'Sullivan	)	
W.J. Dignam	)	
J.J. McKeon	)	
M.J. O'Neill	)	
F.A. Finn	)	Convenors.
C.M.P. Horan	)	
M.J. McGrath	)	
W.J. Roberts	)	"

### Legal Men Present

There were present at the meeting Mr. Justice Kinsella, Mr. Justice Clancy, Miss J. E. Shewcroft, and Messrs. J.P. Baggott, Alan Bagot, L.G. Bohringer, M.J. Boland, Alan Bridge, E.B. Cahalan, W.H. Clark, Wilfred Collins, A.W.M. d Apice, A.B. De Coek, W.J. Dignam, F.A. Finn, M.F. Hardie, J.P. Kelleher, P.J. Kenny, E.R. Lorton, H. Maguire, F.J. Mahony, J.S. Maron, W.B. Meehan, E.S. Miller, K.C., H.X. McGree, B.J. McGrath, M.J. McGrath, J.J. McKeon, M.J. O'Neill, M.J. O'Neill (Jnr.), C.J.J. O'Sullivan, F.E. Reed, C.L. Regna, W.J. Roberts, W.F. Sheahan, J.P. Slattery, X.V. Swain, L.J. Tully, F.W. Vizzard and C.A. Walsh.

### Chairman's Opening Address

In opening the meeting Mr. O'Sullivan said:

'I am asked by the Convenors to take the Chair at this meeting which has been called to consider the question of founding a St. Thomas More Society amongst the members of the legal profession in this State. In assuming that responsibility, I so do fully

conscious of the fact that abler hands than mine might have been found among the convenors. When the Society is formed, its officers will all be chosen by the democratic vote of its members. In the meantime perhaps you will permit me to fill the hiatus.

Now there is not among the catholic lawyers of this State any Society or organisation wherein they might from time to time meet and discuss without restraint, and in a Catholic atmosphere, those problems of the times which so nearly touch us as Catholics, as citizens and as lawyers. We are living in an age and times not unlike those which witnessed the martyrdom of St. Thomas More 410 years ago. Then, as now, change and novelty were making the very air electric. The revolt of Luther had been some time under way and the unity of Christendom was broken in the Germanics. Henry VIII was running amok in Christian England - hitherto little affected by the Lutheran example. A cloud hung over men's minds, just as today; and no man was wise enough to foretell or foresee what might happen next. Few men, indeed, could think straight even though vast majority of the men of England at the time were Catholic. Thomas More, however, was one of those very few. He measured value in terms, not of time, but of eternity.

The Lutheran rebellion, accelerated as it was by Henry's defection in England, has landed the world at the end of four centuries - quite logically - into a morass of materialism which is affecting every phase of our social, political, industrial and professional life. Christian ethics and

standards are going by the board. Even the law, hitherto based on principles laid down in the ages of Faith, tends to become infected with the virus of the times. Catholic professional men find it necessary to combat this trend, and for the purpose of strengthening them in the fight we are everywhere forming guilds. Catholic doctors have banded together in the Guild of St. Luke. They are setting a splendid example to their fellows in the ethics of medicine. Catholic chemists, likewise have their Guild and are doing equally fine work. And there is a very-much-alive Catholic Journalists' Guild functioning strongly in Sydney.

We lawyers are behindhand. True, we inaugurated the Red Mass for lawyers at the opening of the Law Term. We did that fifteen years ago. The experiment was a signal success. We are proud to feel that the whole of the legal profession in this State followed our example the next year after the first Red Mass. Today, as you know, the Law Term opens with Christian services both in Catholic St. Mary's and Protestant St. James'. Moreover our example was soon afterwards followed in Victoria and some of the other States of Australia. But we must have something more than an annual Mass. We might again draw inspiration from the Catholic Bar of England, as we did in the institution of the Red Mass itself, and form here in New South Wales a St. Thomas More Society as they have already done in England.

The parent Society, if we may so refer to it, was formed in England some eight or nine years ago. In 1937 that Society invited the eminent scholar, Professor R.W. Chambers, to

read a paper to the members. The Professor chose for his subject, 'The Place of St. Thomas More in English Literature and History'. That excellent paper is available in book form with a foreword by the Society's President, Lord Russell of Killowen. When introducing their distinguished guest, Lord Russell said: 'The Thomas More Society is a society composed of Catholic members of the English Bar and a few additional honorary members. They meet and share a dinner maigre about twice a term on a Friday. As an aid to digestion they secure the kind attendance of some eminent authority, who, after dinner, addresses them or reads a paper on a subject of which he is a master. When he sits down, the members in turn say exactly what they think about him and his views, to the general satisfaction of all.'

One gathers from that introduction that the English Society caters principally for the spiritual and intellectual tastes of Catholic members of the English bar, whilst not ignoring entirely their frugal habits in matters of food. There would appear to be no good reason why the whole of the legal profession in this State should not follow this admirable lead.

His Grace, Archbishop Gilroy, has set the seal of his approval upon the idea. He will be here tonight, and as he is timed to arrive at 8.30 p.m. I must be brief. It is desirable, if possible, that we present him on his arrival with a fait accompli at least up to the point of resolving that a St. Thomas More Society be formed by us. We may perhaps be favoured with a short address from His Grace. After that an adjournment of, say,

20 minutes for supper might be made. We can then proceed with the business of formally settling the Constitution of the Society and providing for its temporary government until the first general meeting.

That, in very broad outline, is the case. The matter of the formation of the Society, of determining its scope, its objects, its constitution and so forth, is, of course, one for the meeting. Those of us who have considered the question have certain proposals to place before you tonight. We respectfully commend them to you. If you agree with the general ideas put forward, then, I think, we shall be enabled, through the Society, to play our part as lawyers in promoting the work of the lay Apostolate in this community. At the very least, we can hope to look forward to some entertaining meetings, not altogether without spiritual profit to ourselves, when the Society gets fairly under way.

It may be that there are some Catholic members of the profession in Sydney who have not received a notice of this meeting. We did our utmost to ensure that no one was overlooked, but it is possible and, indeed, probable, that some have been missed through lack of knowledge or inadvertence on our part. To those absent ones we offer our apologies and assure them that the omission will be repaired as, and when, their names are brought to our notice.

I would now ask Mr. John McKeon who, with others, has done much excellent work in the matter of promoting this meeting and otherwise in connection with the preliminaries,

kindly to record the minutes of this meeting, and to read any apologies that may have been received.'

### Apologies

Apologies were read from Mr. Justice McTiernan, Mr. Justice O'Mara, Mr. Justice Kelly, Mr. Justice De Baun, His Honour Judge Studdert, His Honour Judge Coyle, Rev. D.P. O'Connor, S.J. and Messrs. C.A.R. Bourke, J.M. Brennan, Brian Clancy, K.C., J.G. Coyle, J.T. Monaghan, H. Morrissey, J.H. McClemens, C.C. Nelson, E.W.B. Sherlock, C.B. Wilkinson, T.M. Williams and A.R.J. Watt, K.C.

### The Preparatory Steps: The Formation of the Society.

Mr. M.J. O'Neill, at the request of the Chairman, outlined to the meeting the steps that had been taken up to the date of the meeting.

'Frequently from time to time', said Mr. O'Neill, 'Catholic legal men of Sydney have mentioned to one another the need for a society as a medium through which there could be accurately and fully expounded those principles of Christian ethics and morality which Catholic members of the profession should observe in their everyday legal practice. Amongst those with whom I had often discussed the subject the idea has been unanimous that such a society would be concerned with the spiritual and cultural aspirations of its members and not in any respect with their merely material advancement. To the establishment of a society thus

spiritual in character the consent of His Grace the Archbishop would be requisite.

It was in the light of this feeling which I knew to exist that I mentioned to His Grace a few months ago, the matter of forming such a society. It is gratifying to know that His Grace viewed the project with approval. Subsequently, in May last, I and my friend and colleague, Mr. F.A. Finn, suggested to other members of the profession that some definite step in the direction indeed should be taken. As a result, the eight gentlemen whose names appear as convenors of this meeting informally resolved to sponsor the formation of the St. Thomas More Society for Catholic legal men of New South Wales.

As I have said, in the formation of a Catholic Society thus spiritual in character, the prior approval of His Grace the Archbishop to some form of Constitution became requisite, at least in certain essentials. The sponsors accordingly placed before His Grace a draft Constitution revealing the purpose of the proposed Society, its scope, and the manner in which it might be governed. His Grace has given his assent to the scheme set forth in that draft, which will be placed before you this evening. Whilst gentlemen concerned have given a great deal of their time and thought to the details of this draft Constitution, they are not unmindful that much useful improvement may result from the members generally after they have had an opportunity of considering it. This thought, too, appears to have been present to the mind of the Archbishop, whose approval of the scheme covers a period up to the Second Annual General

Meeting which normally will take place in October, 1946.

With regard to this conditional period of time, we should say that the draft Constitution contains its own provisions as to alterations. Some such alterations require the Archbishop's approval before they become effective; others do not. But even in the period that will elapse before His Grace gives his final approval to the Constitution, the sponsors feel that in accordance with the true intent of the conditional approval already given, it would be proper for alterations of the conditional Constitutional to be made so long as the essential principles of the approved scheme remain undisturbed.

Thus far has this movement progressed. The purpose of this meeting this evening are, therefore, twofold: (1) to decide whether there shall be formed a society of the character I have outlined; and (2), if such a society be formed, to determine a constitution for it. As to the first purpose, I feel I need say little. Many of you gentlemen, perhaps, indeed, all of you, have expressed from time to time the need of such a society. I think I well know your feelings on this important matter and I am content to leave it at that. As to the second purpose, I simply remain subject to the approval of His Grace the Archbishop, your chairman until a suitable constitution is unrestricted. With pleasure, then do I formally move -

"That this meeting of Catholic members of the legal profession resolve that the St. Thomas More Society for Catholic legal men of New South Wales be hereby formed."

Mr. O'Neill's motion was seconded by Mr. H. Maguire and was carried unanimously.

### His Grace the Archbishop

The meeting's resolution to form the St. Thomas More Society immediately preceded the arrival of His Grace the Archbishop, The Most Reverend N.T. Gilroy, D.D. Welcoming His Grace, Mr. G.J. O'Sullivan said:

'Your Grace: We respectfully extend to you a hearty welcome to this meeting. At the same time we are happy to inform you that Catholic members of the legal profession of New South Wales, who are well represented by the members here assembled, have resolved to form a Society to be known as the St. Thomas More Society.

In doing so we follow in the footsteps of the members of the English Bar who, about 1936, formed a Society of that name under the presidency of Lord Russell of Killowen - a grandson of a great Irishman and master of the Common Law who became Lord Chief Justice of England in the latter half of the last century.

The raison d'etre of the Society - which we now know has the approval of Your Grace, is this:

### Purpose of Society

Consonant with the juris praecepta of the Justinian Oath Honeste vivere, alterum non laedere, suum cuique tribuere - the general purpose of the Society is to extend amongst the legal profession the highest ideals of culture and morality. To this end its specific objects are:

- (a) to provide opportunities to members of acquiring a detailed knowledge of the principles of Christian ethics and morality in relation to the profession of the law, and this both through the presentation of those principles by experts and a free enlightened discussion of them amongst the members themselves; and
- (b) to promote the constant application of the same principles by members in their everyday legal practice.

In thanking Your Grace for sparing this evening from your busy life to honour us with your presence, may we express the hope that we shall see you again on many future occasions after the Society shall have been fairly launched.

### The Archbishop's Address

The Archbishop was loudly applauded when he rose to reply.

'At the very outset,' said His Grace, 'I should like to offer to you my very cordial congratulations on the evidence of the truly Catholic spirit that animates you. Indeed, the very fact that you are here tonight is, I think, evidence of the existence of that spirit. You are all men who have a very busy life, and to come out at night to a meeting of this kind needs, certainly, an impulse that must be just a little more than ordinary. Consequently, I take your being here as proof of your devotion to your holy religion - and that, certainly, is something to your credit. In these days particularly, with the constant

attacks that are made on religion, and the very little human inducement to show any practical demonstration of our attachment to religion, the fact that in spite of this opposition you have come together tonight is, to my mind a very healthy sign for the legal profession in this State. It shows that there is, at least, a foundation among the lawyers of New South Wales determined to uphold the noblest principles of the profession.

Yours is a very old profession - or, rather, a very venerable profession; and besides being a very venerable profession it is a very honourable profession. And I rejoice tonight that this venerable and honourable profession of yours has come into line, as far as Catholic principles are concerned, with other venerable and honourable professions. For some considerable time now the medical profession of this State has been united in a Guild, or at least the Catholic members of it have - and the Catholic pharmacists of this State have been united in a Guild. Yours is not a Guild, but a Society but the end is the same.

To me personally, there is a sense of real satisfaction to learn that spontaneously the Catholic members of the legal profession in the State have decided to form a Society. Of course many of our enemies in the outside world would probably be amazed at the state of affairs that really exists. They think that the Catholic layman, as far as any Catholic activity is concerned, is simply summoned by a very appalling body known as the Hierarchy which calls the tune and everybody is obliged to dance. Tonight I think

we have the reverse of that. That will be a surprise to our friends outside - and I think it is a bit of a surprise to ourselves. I think it is a very healthy state of affairs that the laity themselves should take the initiative in a matter like this. I might have felt that it would be advantageous to form such a Society, I might have made a suggestion at some time that such a Society should be formed; but actually, although I did feel the first, I never gave any hint in regard to the second; and consequently it is a movement, purely and entirely, which has come into being because of the desire of the Catholic members of the profession, themselves. You, of course, know what is required of you as Catholics, and consequently, it is not my intention to dwell upon obligations; but might I just mention three simple things - that is to say, three virtues which ought to be outstanding among the members of your profession. If they are, then it may be that the members who practise these virtues will not make quite so much money as they otherwise might, but they will certainly have a clear conscience and not suffer from any remorse, and when the end comes, which is the great test, they will be able to look back upon a career that has not been marred by anything dishonourable.

Those three virtues you know just as well as I do are Truth, Justice and Charity. I suppose there is no profession in the world that juggles so much with the truth as the legal profession. Nevertheless: 'Truth Must Prevail'. That is the motto of the 'Osservatore Romano', the Papal semi-official newspaper; and I have not the slightest doubt you will agree with me that Truth is the very

foundation of honourable dealings in your profession. And if be expected of the profession as a body, is it not right that an example in that regard should be given by the Catholic members of the profession? And, further, is it not right also that if the Catholic members of the profession do not give that example, then we may look in vain for anyone else to give it? And since we ought to look precisely where this example ought to be found, we look with confidence to the Catholic members of the profession, and among the Catholic members of the profession I am perfectly sure that an outstanding example will be given by those who constitute the foundation members of the St. Thomas More Society.

But Truth, of course, is not enough. In addition to Truth there must be Justice; and Justice is another thing that is juggled about a good deal. For us, there cannot be any other understanding of the term than the definition that is given by the scholastics - and that is, giving to each and to all what is their due. In the first place, of course, we have got to give to God what is His due, and then to every one of our neighbours the due that belongs to him. And it does not matter whether they are on our side or against us, they still have the right to Justice, and when they have the right we have the obligation to furnish it. Again, there ought to be a mark that is found in every Catholic lawyer and that is, that in any circumstances Justice prevails.

But Justice is something that is cold, something that is calculating; and there is something even better, greater, nobler than

Justice, and that is charity. Often times it can be that men who have the handling of cases that come before the law courts can, by the exercise of the virtue of Charity, not only see that Justice is done, but moreover that Truth will prevail where otherwise it would not have prevailed. And the foundation of Charity must be that which we have learned from our earliest years - that is to say, the love of God. And it is because of our love of God that there must be the love of our neighbour. You remember the simple definition of Charity given in the catechism - the Divine virtue by which we love God, above all, for His own sake, and our neighbour as ourselves, for the love of God. Unless the love of God be the foundation of our love of our fellow men, then we shall certainly not love those who do not love us; and that is one of the points that our Divine Saviour made on more than one occasion in His public ministry. It is not sufficient to love those who love you, it is not sufficient to be kind to those who are kind to you, but in a particular manner this virtue is to be found exercised towards those whom you do not like naturally, who have not been kind to you, who have not done justice to you. Charity, therefore, ought to be the particularly distinguishing mark of every Catholic who professes to be a true son of the Divine Master.

It is a very happy thought indeed that you have chosen as your patron St. Thomas More. I hope he is not going to be simply a patron - he should also be a model. I do not hope that you will be able to follow him as a model in every regard, but, at least, in principle, you should be able to follow him. There is this remarkable fact about St. Thomas More, that because he was willing to die for

his principles he lived for them. Many of us are perhaps willing to live for principles that are noble, provided the cost is not too great. We ought to be, as St. Thomas More was, prepared to make the supreme sacrifice if necessary in order to stand for the principles that are dear to our hearts. He not only stood for those principles but he died for them - and there is this remarkable fact about the death of St. Thomas More he died not miserably but joyfully, and was glad at the end of his life that he was able to sacrifice family and fortune and life itself in order that he might profess his Faith. We might not perhaps have the privilege that was given to him, for after all there is no greater privilege given to man than to lay down his life for his Faith; but, at least, we can aspire to what approaches towards it, and that is, to be at least ready to do likewise if God in his Divine Wisdom considers us worthy of such a privilege, so far as, humanly speaking, it can be merited. So while I commend most cordially your undertaking, while I think you have made sacrifices in order to see that this Society is rightly begun, while I congratulate you for the spirit which animates you, I pray that Almighty God in his Mercy will shower His blessings down upon you so that you will not lose even materially by your membership of the Society, but that it may be a means, as you hope that it will be a means, of promoting your own spiritual well being; and I trust that in promoting your spiritual well being your temporal well being will likewise not be neglected. It very often happens in this life that men who make sacrifices for a noble principle and expect to lose materially by it,

find, to their surprise, that far from losing materially they gain even in that way as well. But, in any case, even if we should not gain materially, that, after all, is the least and the last consideration, and if we gain spiritually, then we have reason to be extremely grateful to Almighty God, because when material things pass away the spiritual will still remain

So I trust that God will bless your undertakings, that He will bless yourselves, and that He will bless the men who conceived the idea of establishing this Society for the glory of God and for the honour of your profession, and I trust that it will be also for the welfare of Australia.

According to your constitution, the duty is imposed upon the Ordinary of the Archdiocese of Sydney, to appoint a Spiritual Director, and it gave me great satisfaction indeed to ask Rev. Dr. Carroll if he would be willing to accept this office. He willingly agreed that he would, and I, therefore, with much satisfaction appointed him as your first Spiritual Director.'

#### Welcome to Dr. Carroll

The Archbishop's announcement of his appointment of Reverend Dr. James P. Carroll, P.P., D.C.L., as the Society's Spiritual Director delighted the members. Dr. Carroll is well and favourably known to Sydney legal men, and he was enthusiastically welcomed to the meeting.

'Dr. Carroll', said the chairman, 'may I on behalf of all of us, congratulate you and ourselves on His Grace's choice of a man of



such learning in Canon Law, and, I have no doubt, in other branches of the law, as yourself to fill the office of Spiritual Director of the St. Thomas More Society of New South Wales. We have had the privilege of hearing two very learned addresses - sermons, perhaps, is the proper term - which you delivered to us on the last two occasions of the Annual Red Mass for Lawyers at St. Mary's Cathedral. I was not at the one before last - I was out of Sydney - but I heard your last address and I learned something. You dealt, if you will remember, with the trial of Our Lord, and you dealt with it in masterly detail. We hope shortly to see that address in print. We look forward with much pleasure to your association with us. Again, Dr. Carroll, we congratulate you.'

#### Dr. Carroll's Reply

In reply to the welcome extended to him, Dr. Carroll said:

'I am very pleased to have been appointed by His Grace as the Spiritual Director of this Society, and I thank His Grace for the honour accorded me. I assume - in fact I hope - that the office has not been conferred causa honoris, but rather causa oneris, because I anticipate and confidently hope for considerable or at least effective activity on the part of the Society. I have perused the draft Constitution, and I was very pleased by the statement of its aims. It was freshing to read the citation from the ancient composition of Justinian's legislators - "Honeste vivere, alterum non laedere, suum cuique tribuere." In pursuance of those high principles the legal profession has always been

powerful, even when it was not most wealthy and prosperous in worldly goods. Then in the following clause I observe that the first condition of eligibility for membership stipulated that the members proposed be practising Catholics. It is easily understood that that would be in the forefront of the minds of the founders, because although we know that there are many who flourish in natural goodness, our proposal is that Catholic principles in practice be the basis of this activity. We take for granted that in the months and years to come there will be many discussions and disputes and quarrels in matters concerning the law of the land; and we take for granted that they will be questions not merely affecting day to day politics but having a deep influence on the current philosophy of economics and politics and religion. English law, in spite of many well-known and outstanding abuses, has retained a respect for reasonable freedom which, at root, is derived from the Christian idea of the value of a soul; and that is to the credit of generations of lawyers. It is hoped that the perpetuation of that tradition will be a force for right in those situations which we can expect to occur. It is hoped that this Society will be a powerful instrument for good in those situations. I wish it every success, and hope that in its achievements it will not be unworthy of the great lawyer-saint who is named as its patron'.

#### Vote of thanks to Archbishop.

A vote of thanks to His Grace was proposed by His Honour, Mr. Justice Kinsella.

'I feel very honoured', said His Honour,

'to have the opportunity of moving a vote of thanks to His Grace the Archbishop for his attendance here at this inaugural meeting tonight. Your Grace will have been pleased to hear that the Society has adopted for its motto those precepts from Justinian which were enunciated with such facility by our learned chairman. Your Grace will be still more satisfied if, after translating them into English, our members further translate them into a realm of positive action and into a rule of life in their professional as well as their personal capacities.

Your Grace has stated to the members of the Society and very fortunately so immediately upon its inception the problem which they must necessarily face in the practice of their profession, that is, the problem of co-ordinating the practice of law with the concept of justice. The two do not run side by side. Frequently they come into conflict, as may be illustrated by the hoary old legal chestnut about the lawyer who sent a wire to his client, bravely and triumphantly, "Justice has triumphed," and got the reply back by return telegram, "Appeal at once." It is indeed a problem for a practising lawyer who is conscientious to know how he can at times reconcile justice with the duty which he, as a lawyer owes to his client. As one of our judges said truthfully and pointedly from the Bench: "I am here to dispense law, not justice" and Lord Justice Scrutton, upon his retirement from the Court of Appeal in England quite recently, wrote a very interesting essay upon the judicial office, in which he discussed at considerable length the problems which he had felt in his judicial

capacity in reconciling his inner conscience with the duty which the law imposed upon him, and he came to the conclusion that a judge is bound to do one of two things when he is called upon to administer a law with which he personally disagrees - he is bound either to resign his office if the law is such that he cannot reconcile it with his own ethical view, otherwise, he is bound to administer the law as he finds it. Members will have many problems of that kind, and the formation of a society of this nature will undoubtedly give them the opportunity to discuss such problems and derive assistance and encouragement from the viewpoint of fellow members. I think the time for the formation of the Society is particularly apt, because probably for centuries past there has been no stage in the history of the world in which there have been so many influences which are entirely contrary to the principles of Christian ethics and Christian justice. At the present time humanity in general seems to be inoculated with the virus of materialism, with amorality. Lawyers by virtue of their position in our structure of society, have a unique opportunity of coming in contact with people and making their presence felt. They have a wonderful opportunity of impressing upon members of the public the correct viewpoint which should be adopted towards the law and towards morality. They have an opportunity of doing a great deal towards reconciling the two. There is a tendency which has become very very general now, for persons engaged in the profession of law - perhaps in other professions also, I do not know to self-sufficiency, and perhaps an unconscious selfishness, in that the average lawyer, when he has finished his day's work, goes off home and

isolates himself from his fellow professional men. Perhaps he may have some justification for that, but the tendency is there, and there is a reservoir of knowledge and advice and learnings which should run freely, but is locked up in quite a number of small pools. The foundation of a society such as this must do a great deal towards loosening those pools from their bounds, and may result in the flow of a stream of knowledge which must be for the good of the profession and the benefit of humanity.

It is good to know that members of the Catholic Church, who are members of the legal profession, have been the first to establish a Society such as this in Australia, just as members of the profession were the first to establish in this country the practice of the Red Cross, which was immediately followed by other religious sections of the community. So I have no doubt that the establishment of this Society may lead to the formation of other societies which, while they do not have the same scope or the same outlook as this one, will all tend to the betterment of humanity. At a time like this, when the advent of peace is bound to be accompanied by tremendous moral and social strains throughout the whole of the community, it will be necessary for all Catholics in every walk of life to see that they are not submerged. As individuals we have very little strength - as members of an organisation such as this there is available a source of strength, if we will set ourselves to utilise it.

I regret that I have got a long way from moving a vote of thanks to your Grace.

I apologise. Every member of this audience should record his thanks to Your Grace, not only for your presence here tonight, but for the inspiration and encouragement which you have shown us in the very eloquent address which we have all enjoyed. I, therefore, Mr. Chairman, with great pleasure move a vote of thanks to His Grace the Archbishop for his presence and for the consideration which he has extended to us in this first meeting of our Society.'

The proposal was seconded by His Honour, Mr. Justice Clancy, who said:

'I join with His Honour, Mr. Justice Kinsella, Your Grace, in expressing our appreciation of the honour you have conferred upon us tonight by your attendance. We are very grateful that you found time to be here. I agree with Mr. Justice Kinsella that the community is about to pass through a time of difficulty, and I feel that we lawyers will not only get our fair share of the difficult problems that will arise but, perhaps, more than our fair share of them. We feel, however, that by the inauguration of this Society, by your appointing for our guidance a Spiritual Director, and with your guidance and direction, we will be better equipped to face the tasks that lie ahead than we were before the establishment of the Society. We thank Your Grace for your kindness in being with us here tonight.'

The vote of thanks was carried by acclamation and formally conveyed to His Grace by the Chairman. His Grace formally acknowledged the vote of thanks.

### Supper and Business.

At the conclusion of the addresses the Chairman invited His Grace, Dr. Carroll and the members present to join him at supper.

Upon resumption of business after supper, the draft Constitution was discussed, and eventually adopted provisionally. Monday, 3rd September, 1945 was chosen for the continuation of the meeting to consider further the Constitution.

The idea of the sub-Committee that there should be representation of all sections of the profession on the Council did not appeal to the inaugural meeting although this was one of the matters which had given the sub-Committee serious concern. As appears below the Council, when elected, contained only two Solicitors.

The passage in the draft taken from Justinian stating the purpose of the Society was suggested by the then Apostolic Delegate Archbishop (afterwards Cardinal) Panico.

It is appropriate here to render thanks to the Court Reporter Mr. Len Rein (recently retired as Chief Court Reporter) who so patiently and accurately reported all the initial proceedings.

The first Council of twelve (12) which was elected from twenty-three (23) candidates was -

Clancy, Brian, K.C.	Dwyer, F.A., K.C.
Dignam, W.J.	Finn, F.A.

Kinsella, Mr. Justice	O'Sullivan, G.J.J.
Maguire, H.	Roberts, W.J.
Miller, E.S., K.C.	Studdert, His Honour Judge

Walsh, C.A.

Subsequent to their election, the twelve Councillors elected the following Executive Officers, namely -

President	- His Honour Judge Studdert
Senior Vice-President	- Mr. Justice Kinsella
Junior Vice-President	- G.J.J. O'Sullivan
Treasurer	- F.A. Finn.

As at 21st October, 1945, there were seventy nine members of the Society, namely -

Baggott, J.P.	De Coek, A.R.
Bagot, Alan	Dignam, W.J.
Bohringer, L.G.	Donovan, G.P.
Boland, M.J.	Dowling, Hon. R.R. M.L.C.
Bourke, C.A.R.	Dwyer, F.A., K.C.
Brennan, J.M.	Finn, F.A.
Bridge, Alan	Glasheen, M.L.
Cahalan, E.B.	Hall, J.T.A.
Cahill, C.A.F.	Hardie, M.F.
Charker, G.W.L.	Harkins, J.P.
Clancy, Hon. Mr. Justice, J.S.	Hidden, F.C.
Clancy, Brian, K.C.	Hollingdale, E.T.
Clark, W.H.	Horan, C.M.P.
Coates, A.J.	Kearney, T.J.
Collins, Wilfred	Kelleher, J.A.
Coyte, G.A.	Kelly, Hon. Mr. Justice, W.R.
D'Apice, A.W.M.	Kenny, P.J.
D'Apice, J.J.	Kinsella, Hon. Mr. Justice, E.P.
De Baun, Hon. Mr. Justice	

Lamaro, J.	O'Neill, M.J. Jnr.
Lorton, E.R.	O'Meally, J.D.
Maguire, H.	O'Sullivan, G.J.J.
Mahony, F.J.	O'Toole, J.E.
Maron, J.S.	Quinn, E.T.
Meehan, W.B.	Reed, F.E.
Miller, E.S., K.C.	Regan, C.L.
Morrissey, H.	Roberts, W.J.
Mullen, B.A.	Sheahan, W.F., M.L.A.
Murphy, W.E.	Sheldon, W.S.
McClemens, J.H.	Shewcroft, Miss J.E.
McGee, H.X.	Slattery, J.P.
McGrath, B.J.	Stevens, A.K.
McKeon, J.J.	Studdert, His
McKeon, M.S.	Honour Judge H.J.
McRae, F.P.	Swain, K.V.
Nagle, J.F.	Thomas, G.B.
Nolan, J.R.	Tully, L.J.
O'Connor, A.H.	Vizzard, F.W.
O'Neill, J.J.	Walsh, C.A.
O'Neill, M.J.	Watt, A.R.J., K.C.

The following is the text of the Prayers given to the Society by His Eminence The Cardinal for use before and after Meetings:

#### Prayer Before Meeting

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We are come, O God the Holy Ghost, we are come before Thee, hindered indeed by our many and grievous sins, but especially gathered together in Thy Name. Come unto us and be with us; vouchsafe to enter our hearts; teach us what we are to do and whither we ought to tend; show us what we must accomplish, in order that, with Thy help, we may be able to please Thee in all things. Be Thou alone the

Author and the Finisher of our judgments, Who alone with God the father and His Son dost possess a glorious Name.

Suffer us not to disturb the order of justice. Thou who lovest equity above all things; let not ignorance draw us into devious paths, nor partiality sway our minds; neither let respect of riches or persons pervert our judgment; but unite us to Thee effectually by the gift of Thy grace only, that we may be one in Thee and may never forsake the truth. Inasmuch as we are gathered together in Thy Name, so may we in all things hold fast to justice tempered by pity, that so in this life our judgment may in no wise be at variance with Thee and in the life to come we may attain to everlasting rewards for deeds well done. Amen.

Our Lady Help of Christians, pray for us.  
St. Thomas More, pray for us.

#### Prayer After Meeting

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Let Us Pray

O God, Who didst grant unto the blessed martyr, Thomas, to embrace the cross with a cheerful and resolute spirit amid the allurements of the world and the pains of prison and death; grant we beseech Thee, by his intercession and example, that quick to strive for faith and justice we may deserve to come happily to the joys of eternal life.

Through Our Lord Jesus Christ. Amen  
Our Lady Help of Christians, pray for us

St. Thomas More, pray for us.

May the Divine Assistance remain always with us.

May the Souls of the Faithful departed through the mercy of God rest in peace.

+ Amen +

The Society's first President, His Honour, Judge Hilary Studdert said on assumption of office on 24th October, 1945 -

'I notice that I am down on the list to make a speech, and I have also taken notice of Mr. O'Sullivan's remarks in regard to the "march of time". My past experience has given me no reason to believe that my oratorical powers are such as to hold your attention for any great length of time, particularly at this hour; and as my speech-making experience of recent years has been confined exclusively to an audience that has no option but to listen to me, and whose silence cannot be taken as any great tribute to my eloquence, I propose to be very brief in the remarks which I suppose are expected of me on this occasion.

I think, first of all, that it is my duty to pay the tribute of our thanks to those stalwart Catholic gentlemen, Mr. Matt O'Neill and Mr. Felix Finn, who originated the idea of this Society, and to those willing hands who helped them to bring this Society into being. If you read the very full report that has been circulated amongst you, you will see who those gentlemen are. We who have been elected to the first Council of

this Society of St. Thomas More have been able to see at first hand the great amount of work that preceded the launching of the Society which has taken place in such auspicious circumstances tonight. But doubtless there will always be work for a Council to do, and right at the commencement of our task I, on behalf of my fellow councillors and myself, wish to thank you gentlemen for electing us to this first Council. For myself, I am fully aware of my shortcomings for the office for which I have been chosen. But you can take this promise from my fellow councillors and myself, that we will spare no effort in the first year of the life of this Society in nurturing this young infant so that it will grow to lusty manhood and take its proper place as an influence for good in the community.

God knows, gentlemen - and I say those words piously - that we have need these times for the constant application of Christian ethics in our every walk of life; and in the legal profession, it seems to me we might very well be an example in the application of those ethics, because, as His Grace has remarked on a previous occasion, the legal profession is "a venerable and an honourable one"; and I have it from a famous law lord who says this: "that the contacts between the law and ethics are constant, and close, and whatever their outward differences may be, there is an essential sympathy and aim."

Justinian at the outset of his Institutes proclaimed the precepts of the law to be these: "To live honestly; to injure no one and to give every man his due". Mr. Justice Bacon in 1670 said this: "Law and conscience are one and the same thing." But in 1933

Lord Justice McMillan said that, although he was not so complacent as to echo this dictum of Mr. Justice Bacon, "when it is all said and done, the common law has always set up justice before it as its aim." If we consider the methods of enforcement of law in our courts, we find that there is a constant appeal to the Almighty to assist in the administration of justice. The judges, on taking office, take oaths to do right to all manner of people; juries are sworn to try the issues between the parties to the cause, and to give a true verdict according to the evidence; witnesses are called upon to take an oath in which they call upon the Almighty to witness that what they say is true. The fact that they do not always honor the oath is no proof, of course, against its general efficacy. The point I am making is that law and conscience, law and ethics, go hand in hand, and it is always the aim of the law to do justice between subjects, to right wrongs and uphold rights.

Now, without going any further into this aspect of the connection of law and ethics, I think that, as Catholic lawyers, as Catholic members of an honourable profession, we should make ourselves acquainted in the first place with Christian ethics as applicable to our profession. That is a high-sounding phrase - "Christian ethics" - but its meaning is very simple. The ethics that are referred to are those propounded in the simple language that the child can understand, and in which it was spoken by the great Founder of Christianity Himself. Let us acquaint ourselves with the ethics of our religion and then apply them unflinchingly in the every day practice of

our profession. If we do this, then, gentlemen, I think we will be a force for good in the community.

We have witnessed tonight the enthusiastic inauguration of this Society. Let not our ardour cool in the years to come; let us try particularly in this first year to do all that we can to increase membership and to stimulate the interest of our members in the various functions that will be arranged for our edification, and if we do these things, then, this Society will prosper and will will reward its founders in being everything that they hoped it would be; and, moreover, if we are faithful to this Society, then we can rest assured that in this racked and tortured world we will contribute something towards the betterment of mankind.'

. . . . .

I have had the honour of representing the Society at the Red Mass in Dublin. The opening of the legal year takes place in October. The chapel at which the Mass is celebrated is St. Michan's immediately beside the Four Courts and close to the Church of Ireland Church of the same name, in the vaults of which bodies have been preserved for centuries. The administrator at St. Michan's was the Very Rev. Doctor Myles Ronan, eminent historian. Although the Chapel is a small one the ceremonial observed is most striking. The profession do not attend in robes, but nearly all are in full morning dress. Besides the Chief Justice Maguire, Justices George Gavan Duffy (youngest brother of Sir Frank), Cahir Davitt (son of Michael Davitt), the attendance

included the newly elected Prime Minister John Costello, S.C., and leaders of the Bar, Cecil Lavery, S.C. and Patrick McGilligan, S.C. The organising secretary was John Coleman who has shown quite a few of our members over the Four Courts. Opposite the Chapel is the historic prison and court house in which many heroes of past days, notably of 1848 were tried and where quite a number were executed.

Through the courtesy of Richard O'Sullivan, K.C., Secretary of the Society in England I was enabled also to join in the attendance at the Red Mass in Westminster Cathedral. It was fortunate that our common interest in the Society brought me in touch with this charming and capable person. I was looking forward to meeting him again in 1963 but just a few days before my arrival in March this tireless worker for his Church in England had passed to his reward.

I was privileged to be the guest of the English Society at their dinner in the Waldorf Hotel presided over by the last of the Serjeants, ninety year old Serjeant Sullivan, defender of Casement. There were present also Sir Patrick Hannon, M.P. for Birmingham, and Mr. Justice Lynskey. The only other Catholic Judges at that time were the Master of the Rolls, Lord Greene, and Mr. Justice Wallington who sat in Divorce.

The Waldorf Hotel fronts a semi-circle known as Aldwych reaching from Australia House, the Royal Courts of Justice, the Temple and the Church of St. Clement Dane (oranges and lemons) to Temple Bar at the end

of the Strand. Next door to the hotel is Drury Lane Theatre and behind is Covent Garden. A stone's throw away is the Church of St. Anselm and St. Cecilia the meeting place for the Guild of Our Lady of Ranson, also founded by Lister Drummond, and at the rear of which is Lincoln's Inn at which More and Newman studied.

The Mass at Westminster Cathedral was attended by Justices Lynskey and Wallington and there were also present Sir Thomas Molony, Bart., last Chief Justice of Ireland under English rule, and the Master of the Rolls in magnificent court robes. Those who had attended the service at the Abbey all came on to the Law Courts where they joined in a procession the full length of the main hall. My short stay in London on that occasion included a visit to the Privy Council where Shand and Reimer were just beginning the appeal in Hocking v. Bell. On the way to the airport I passed through Chelsea and close to the site of the Chelsea Old Church on the Embankment built about 1150 and practically destroyed by a land mine in 1941. Near here are the present Catholic Church and also the More Chapel rebuilt by More about 1528 which has survived almost intact.

I was privileged also to join in the Annual Pilgrimage to the Roper Vault at Canterbury. Margaret Roper with the help of friends obtained possession of her father's head from where it had been set upon London bridge and kept it during her life as a precious relic. On her death in 1544 it passed into the custody of her eldest daughter Lady Elizabeth Bray who was probably responsible for depositing it in their parish Church of St. Dunstan.



It is appropriate to refer here to the series of most valuable papers and discussions organised by the Society here and our thanks are due to the speakers and those who have discussed them with such care and concentration.

Our thanks are also due to Archbishop Carroll, First Spiritual Director and to Dr. George Gallen, to whom we send this evening our affectionate greetings and sympathy in his trying illness. To both of these and to Fr. Keating, S.M. and Fr. Esler, S.M. and the other Marist Priests who have been of great assistance at the Marist Chapel, we send a message of gratitude. On your behalf I move also that we record a vote of thanks to those who have delivered the occasional sermons and addresses at the Red Mass and our other spiritual functions. We have been fortunate in our choice of Presidents and Secretaries and other Officers and our gratitude is due to them and to those generous people who have made the task of our Secretaries easier by their assistance.

I would just like to refer finally back to 1931 and make particular reference to one of our members in the group at that time, namely, Edward Charles Harris. He was still a law student at that time and had recently been a clerk in the Workers' Compensation Commission. He was introduced by Frank Hidden. In February 1931, he won the Pitt Cobbett Prize and was second in his year to that brilliant scholar A.K. (Alex) Stevens. At graduation in February 1932 he was in third place to A.K. Stevens and Henry Bland, afterwards Sir Henry Bland. A recitation

of the rest of the names in that class will underline the brilliance of this performance -

R.W. Keegan, P.H. Allen, J.F. Murphy, J.H.F. Galeski, L.R. Whiteley, J.R. Wishart, J.V. Kevin, W.H. Collins, M.F. Connery, C.L. Meares, N.H. McIntyre, J.D. Holmes, T.B. McInerney, A. Levin, F.C. Hidden.

Immediately after graduation and without having his degree conferred he entered the Monastery of the Sacred Heart Fathers at Douglas Park and later transferred to Croydon in Victoria and was ordained from there by Archbishop Mannix in 1939. He spent a short time teaching at Toowoomba and then persuaded his superiors to send him on the Missions to Rabaul. Within two years of his ordination he was in charge of a small mission station on the east coast of New Britain and early in 1942 helped the retiring contingent from Rabaul led by (Mr. Justice) David Selby, which was escaping under instructions to Port Moresby. The graphic story of these incidents can be read in the Official History of the War, and in Selby, "Hell and High Fever", John Dawes, "Every Man for Himself" and Bishop Schumach, M.S.C., "This Crowd Beats us All". It seems quite clear that the Reverend Edward Harris, M.S.C. was martyred by the Japanese. He could have joined the retreating contingent but he elected to remain because he felt that no missionary would ever be able to face the natives again.

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