

Posthumous Bar Call November 9, 2018

Honourable Judges, Honoured guests. My name is Jay Headrick and I am pleased to bring this application on Behalf of the Calgary Bar Association and as a representative of the Office of the Judge Advocate General. My application is to admit the following twelve deceased soldiers to the Law Society of Alberta:

- Second Lt. Samuel Cranswick Ferguson
- Trooper Maxwell Donald Fraser
- Corporal Desmond St. Clair George
- Private Joseph Albert Gordon
- Lieutenant Pierre-Eugene Guay
- Private George Mason Lavell
- Private William Alfred Lipsett
- Lt. William Roberts Lister
- Corporal John William Gow Logan
- Gunner John MacPherson
- Sergeant John Dalton MacWilliams
- Lt. Warine Frederick Martindale

In preparation for today's application, I went to the Mewata armoury to visit two of the regiments with a direct connection to several of the soldiers in my application. I ran into a friend, Lt. Josh Hill, an infantry officer with the Calgary Highlanders who also happens to be a lawyer, he was enthusiastic to assist today's proceeding. I showed him the names of the applicants on my list.

3 names jumped off the page with a Calgary connection. Cpl. Logan was a member of the 50th Battalion. Sgt. MacWilliams was a member of the 137th Battalion. Both of those battalions are now perpetuated by the King's Own Calgary Regiment. Private Lipsett

served with the 10th Battalion, which is perpetuated today by the Calgary Highlanders. As it turns out, Private Lipsett has an advocate. In a moment combining both friendly inter-unit rivalry and regimental pride, Josh said “Jay, you have to talk about Private Lipsett, he is one of ours”

“He died in the battle of St. Julien, one of the most significant for our regiment. We have honoured the memory this battle and our fallen annually for the past 103 years. We march from Mewata, through downtown Calgary every year in April to commemorate the battle that claimed the life of Private Lipsett and so many of our soldiers. In 2015, the 100th anniversary of the battle, we went as a regiment to visit the battlefield.”

St. Julien was important for its strategic significance. Many of the 10th had been ordered to counter attack through a gas cloud without protective equipment, preventing the entire collapse of the western front. It was also significant in its cost. Of the 816 men of the 10th battalion who had gone into action on April 22nd, only 193 answered roll call the next morning. Private Lipsett was not one of the standing. After the war, Marshal Ferdinand Foch, the Allied Supreme commander, remarked that the "greatest act of the war" had been the successful assault that claimed Private Lipsett.

We accessed the recently completed Library and Archives Canada database on the Canadian Expeditionary Force. We found Private Lipsett's attestation papers, we found his will, we saw where he served and details about his life. We saw that his attestation papers were signed by LCol R.L. Boyle, the commanding officer of the 10th Battalion, who died in the same battle within a day of Private Lipsett.

We learned that Private Lipsett was an Irish barrister who was completing his Alberta articles in Calgary when the war broke out.

We discussed how Private Lipsett would have witnessed the horrors of chlorine gas, used in a large scale for the first time in that battle, and we discussed whether this young lawyer would have had time to contemplate the fact that poisonous gas was being used in direct contravention of the laws of war in place at the time.

The important part of those discussions, and the ceremony today, is the realization that, 100 years on, It appears that the willingness to keep these stories alive is just as strong today as it was at the end of the war. Our war dead have advocates in small reserve regiments and large regular force bases all over our country, telling the stories of their sacrifices and bravery, and it is my hope that Private Lipsett would be pleased with his advocates.

It is also my sincere hope that Private Lipsett would have had a discussion with his principal at the time, Calgary lawyer G.F. Gifford that went something like this "I'm not sure how it is to practice law in Ireland, but in Calgary, we get together periodically in a social setting. We recognize each other as fellow members of a profession, we try to see each other as human beings. Despite our differences we can work towards achieving a just result"

These are common themes between the profession of arms and the legal profession. Civility, camaraderie, upholding the honour and dignity of the profession are also the goals of the Calgary Bar Association and they remain unchanged from 1890, through Private Lipsett's time to today.

Associate Chief Justice Rooke, it is my honour to make this application on behalf of these twelve men who represent the best qualities of our profession and should you grant this application, we will remember them as both soldiers and as full members of our profession.