



The Law Society
of Upper Canada

Barreau du
Haut-Canada

FINDING AID FOR

D'Alton Lally McCarthy fonds

PF3

Summary

The "D'Alton Lally McCarthy fonds" Fonds contains:

0 Subgroups or Sous-fonds

6 Series

0 Sub-series

0 Sub-sub-series

10 Files

0 File parts

12 Items

0 Components

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PF3

D'Alton Lally McCarthy fonds. -- 1880-[1959?]. -- 26.5 cm of textual records, 4 photographs : b&w ; 20.2 x 15.3 cm or smaller

Biographical/Sketch/Administrative History

D'Alton Lally McCarthy was born in Barrie, Ontario, on December 5th, 1870, to Emma and D'Alton McCarthy, Q.C. His education began in Port Hope, Ontario, where he attended Trinity College School. He attended Merchiston Castle School in Edinburgh, Scotland, and later returned to Canada to earn his B.A. from Trinity College in Toronto in 1892. McCarthy was called to the Bar of Ontario in 1895, and appointed a King's Counsel in 1908. McCarthy was elected a bencher of the Law Society of Upper Canada in 1924, and remained a bencher for life. He served as Treasurer of the Law Society from 1939 to 1944. McCarthy was President of the Canadian Bar Association, a member of the Senate for the University of Toronto, Vice-President of the Inter-American Bar Association, and a member of the American Bar Association. He appeared many times before the courts of Canada, and the Privy Council of England, and acted for the Government of Ontario as Prosecutor in the trials of the Directors of the Home Bank. McCarthy was an Officer of the Governor-General's Body Guard, and subsequently a Major and Commanding Officer in the Ninth Toronto Light Horse. He resigned from the militia in 1907. McCarthy was a member of several local clubs, including the Toronto Club and the Toronto Hunt Club, of which he was President from 1931 to 1935. He was married to Mary Williams McCarthy, and had two daughters. D'Alton Lally McCarthy died in Toronto, Ontario, on September 3rd, 1963.

Scope and Content

Fonds consists of records created and accumulated by D'Alton Lally McCarthy. The records are arranged into six series: Correspondence, Combines Cases Summaries, Certificates and Ephemera, Draft Autobiography of D'Alton Lally McCarthy, Scrapbook, and Photographs. The Correspondence series contains a letter from Louis St. Laurent, correspondence concerning Annex neighbourhood issues, Convocation, the law school controversy of 1949, the London House Association of Canada, and an application from the Royal College of Dental Surgeons to amend a municipal by-law. Also included in this series are two miscellaneous items: a 1953 members list of the London House Association of Canada and a small bank book belonging to D.L. McCarthy. The Combines Cases Summaries series includes two volumes of trial judgments and appeals for Combines cases between 1903 and 1942. Combines cases are dealt with under the Combines Investigation Act, which attempts to prevent monopolies or illegal trade practices. The Certificates and Ephemera series includes two certificates presented to D.L. McCarthy, one from the Canadian Bar Association and one relating to his appointment as King's Counsel. The series also includes two copies each of the menu and printed commemorative pamphlet of the evening's program relating to the 19 January 1934 dinner in honour of the 90th birthday of the Right Hon. Sir William Mulock, Chief Justice of Ontario. Also included in the fonds are draft chapters, correspondence and notes pertaining to the writing of McCarthy's autobiography, a scrapbook of newspaper articles written by McCarthy's wife for the Toronto Daily Star, and photographs of McCarthy.

Provenance

The records in this fonds were donated to the archives in four installments. The first installment was received in 1983 (983.003), the second installment was received in 1984 from an unknown source (984.009), the third installment was received in 1985 (985.083), and the fourth installment was received in 1985 (985.166). Records from the 994.001 accession were donated to the Archives in 1993 with the records of William G.C. Howland. It is unknown how these records ended up in Howland's possession.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the fonds.

PF3-1 Correspondence. -- 1934-1957. -- 2 cm of textual records

Scope and Content

Series consists of correspondence from Louis St. Laurent, correspondence concerning Annex neighbourhood issues, Convocation, the Law School controversy of 1949, The London House Association of Canada, and an application from the Royal College of Dental Surgeons to amend a municipal by-law. Also included in this series are two miscellaneous items: a 1953 Members List of The London House Association of Canada, and a small bank book belonging to D.L. McCarthy. As there was little distinguishable order, files are arranged alphabetically.

Restrictions

No restrictions on access.

Arrangement

As there was little distinguishable order, files are arranged alphabetically.

Title Notes

Title based on contents of the series.

983003-001 Correspondence from Louis St. Laurent. -- 19 Jan. 1934. -- 2 p.

Scope and Content

Item is a letter from Louis St. Laurent to D.L. McCarthy confirming his attendance at the January 19, 1934 dinner in honour of the 90th birthday of The Right Hon. Sir William Mulock, Chief Justice of Ontario.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the item.

984009-001 Correspondence re: Annex neighbourhood issues. -- 1937-1953

Scope and Content

File contains letter from D.L. McCarthy to Staff Sergeant, No. 5 Police Station, Toronto (page 1 only) complaining about parking on Admiral Road; letter from D.L. McCarthy to Staff Sergeant, No. 5 Police Station, Toronto, relating to taxi parking on Admiral Road; letter from D.L. McCarthy to Chief Constable John Chisholm, Police Department, Toronto, enclosing copy of letter to Staff Sergeant, No. 5 Police Station, relating to taxi parking on Admiral Road; letter from D.L. McCarthy to Andrew Thomson, Controller, Department of Transport, relating to taxi parking on Admiral Road; letter from Andrew Thomson, Controller, Department of Transport to D.L. McCarthy, advising that October 21st letter has been passed on for action; letter from D.L. McCarthy to Andrew Thomson, Controller, Department of Transport regarding access to property at 315 Bloor Street West; and a bank book.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of file

984009-002 Correspondence re: Convocation. -- 1953. -- 4 p.

Scope and Content

File contains letter from Harold R. Medina, United States Court of Appeals, to C.F.H. Carson, Treasurer, The Law Society of Upper Canada, advising that he is unable to attend the June 5th Convocation; letter from the President, University of Toronto, to D.L. McCarthy, relating to the June 5th Convocation; letter from D.L. McCarthy to George Wharton Pepper, advising that Judge Medina has declined to attend the June 5th Convocation; letter from D.L. McCarthy to F.E. Udell, Barclay's Bank, advising of inability to entertain Mr. Udell's guest.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the file

984009-003 Correspondence re: law school controversy. -- 1953. -- 17 p.

Scope and Content

File contains letter from D.L. McCarthy to A. Kelso Roberts relating to difficulties existing between the Law Society of Upper Canada and the Principal of the University Law Section; letter from D.L. McCarthy to the Hon. Dana Porter, Attorney General for Ontario, enclosing copy of letter written to Mr. Kelso Roberts; letter from D.L. McCarthy to W. Earl Smith thanking him for certain enclosures.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the file

984009-004 Correspondence re: the London House Association of Canada. -- 1955-1956. -- 13 p.

Scope and Content

File contains letter from the Hon. Secretary of the Association to D.L. McCarthy, advising of December 28th Annual General Meeting; letter from the Hon. Secretary of the Association to D.L. McCarthy, advising of December 28th Directors' meeting; letter from the Hon. Secretary of the Association to D.L. McCarthy relating to Mr. McCarthy's resignation as Chairman; letter from E.C. Pepper to D.L. McCarthy thanking him for his active interest in the formation of the Association in Canada.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the file

984009-005 Correspondence to Mrs. Mary W. McCarthy. -- 1957. -- 3 p.

Scope and Content

Item is a letter from J. Harry Woods, Commissioner of Property, Toronto Department of Property, to Mary W. McCarthy relating to proposed amendment to By-law No. 18642 on behalf of the Royal College of Dental Surgeons.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the letter.

PF3-2 Combines cases summaries. -- [1942?]. -- 5 cm of textual records

Scope and Content

Series consists of two volumes of trial judgments and appeals for Combines cases between 1903 and 1942.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the series.

984009-006 Combines cases summaries (cases 1 to 16). -- [1942?]. -- 2.5 cm of textual records

Scope and Content

Item contains trial judgments and appeals (cases 1 to 16) covering the period April 1903 to January 1932.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the item.

984009-007 Combines cases summaries (cases 17 to 26). -- [1942?]. -- 2.5 cm of textual records

Scope and Content

Item contains trial judgments and appeals (cases 17 to 26) covering the period December 1933 to February 1942.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the item.

PF3-3 Certificates and ephemera. -- 1908-1934. -- 2 cm of textual records

Scope and Content

Series consists of two certificates presented to D.L. McCarthy, one from the Canadian Bar Association, and one relating to his appointment as King's Counsel. Series also includes two copies each of the menu and printed commemorative pamphlet of the evening's program relating to the January 19, 1934 dinner in honour of the 90th birthday of The Right Hon. Sir William Mulock, Chief Justice of Ontario.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the series

983003-002 Menu re: the Right Hon. Sir William Mulock's dinner. -- 19 Jan. 1934. -- 2 p.

Scope and Content

Item is a menu pertaining to this dinner. Attached to the inside cover of each menu is a photograph of Sir William Mulock sitting at a desk.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the item.

983003-003 Program re: the Right Hon. Sir William Mulock's dinner. -- 19 Jan. 1934. -- 0.5 cm of textual records

Scope and Content

Item is a booklet detailing the proceedings of and speeches from a dinner honouring Sir William Mulock on the occasion of his 90th birthday, held on 19 January 1934 at the Royal York Hotel in Toronto and sponsored by the Canadian Bar Association-Ontario.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the item.

985083-001 Certificate from the House of Lords. -- 15 Nov. 1930. -- 1 p.

Scope and Content

Item is a certificate from the House of Lords thanking the Canadian Bar Association for services rendered in arranging a reception and entertainment during an autumn visit to Canada.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the item.

985166-001 King's Counsel Commission from the Provincial Secretary. -- 5 Feb. 1908. -- 1 p.

Scope and Content

Item is a King's Counsel Commission from the Provincial Secretary.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the item.

PF3-4 Draft autobiography of D'Alton Lally McCarthy. -- 1885-[1959?]. -- 14.5 cm of textual records, 1 photograph : b&w ; 8.5 x 8.4 cm

Scope and Content

Series consists of typescript pages forming sections of a draft autobiography of McCarthy. The series includes draft copies of chapters and individual anecdotes. In certain cases, there are duplicate copies of sections, each with different annotation or editing. Due to the different editions and notations on each, all copies were retained in the processed collection. The series also includes correspondence received by McCarthy in response to requests for information, and memoranda between McCarthy and his editor. The identity of the editor or editors is impossible to determine from the notes or memoranda. However, in 1953, W.T. Munns, then Managing Editor of the Globe and Mail, wrote a memo to W.A. Deacon, the Literary Editor, asking for advice about getting the work published. Deacon's reply is included in the records. As far as can be determined, the autobiography was never published.

Restrictions

No restrictions on access.

Arrangement

McCarthy originally arranged the records according to subject matter, and this arrangement has been retained.

Title Notes

Title based on contents of series.

994001-001 Correspondence between D.L. McCarthy and Leighton McCarthy. -- 1885, 1939, 1956. -- 0.5 cm of textual records, 1 photograph : b&w ; 8.5 x 8.4 cm

Scope and Content

File consists of letters written by D'Alton Lally while in England in June-July 1885, sent to his cousin Leighton McCarthy, and one letter written by Leighton to McCarthy in 1939, enclosing the 1885 letters to aid McCarthy in his reminiscing. Also included is a photograph of Oakley Park, a McCarthy family ancestral home in Dublin, Ireland, sent to McCarthy along with a letter from his cousin John L. McCarthy in 1956.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the file.

P1462 Photograph of Oakley Park. -- 1956. -- 1 photograph : b&w ; 8.5 x 8.4 cm

Scope and Content

Item is a photograph of Oakley Park, on Carysfort Ave. in Blackrock, Dublin, Ireland, a McCarthy family ancestral home.

Title Notes

Title based on inscription on verso of image.

994001-002 Draft chapters and lists. -- [195-?]. -- 1.5 cm of textual records

Scope and Content

File consists of draft chapters of McCarthy's autobiography pertaining to his recollections of fellow lawyers, special events and his important cases, as well as a variety of lists and notes compiled for the autobiography. Included are lists of McCarthy's old firms and out-of-town legal associates, and lists of his Privy Council appeals and other cases.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the file.

994001-003 Sport & military career. -- [195-?]. -- 2 cm of textual records

Scope and Content

File consists of draft essays written by McCarthy for his use in his autobiography on the subject of sports and his involvement in the military. Chapters pertain to the Toronto Hunt, a Toronto polo club and horse racing, as well as his commission in the Governor-General's Body Guard. Included are accounts of his childhood in

Barrie, his family's move to Toronto, and his attendance at Trinity College School and Merchiston Castle School.

Restrictions

No restrictions on access.

994001-004 Interesting cases. -- [195-]. -- 2 cm of textual records

Scope and Content

File consists of draft chapters about legal cases from McCarthy's career, created and compiled for use in his autobiography, as well as lists of his other cases.

Restrictions

No restrictions on access.

994001-005 Life history. -- [195-?]. -- 1.5 cm of textual records

Scope and Content

File consists of annotated draft chapters of McCarthy's autobiography, detailing events and recollections from his childhood, his schooling and his early years as a lawyer.

Restrictions

No restrictions on access.

994001-006 Draft chapters. -- [ca. 1953]. -- 7 cm of textual records

Scope and Content

File consists of draft chapters and copies of correspondence and memoranda pertaining to the writing of McCarthy's autobiography. These chapters are accounts of McCarthy's interactions with other lawyers and prominent people (including Winston Churchill), details of his childhood, and his notable legal cases. Included with these drafts is a 1953 memorandum to a W.T. Munns from W.A. Deacon of the Globe and Mail regarding the possibility of publishing McCarthy's memoirs.

Restrictions

No restrictions on access.

Title Notes

Title based on the contents of the file.

PF3-5 Scrapbook. -- 1945-1949. -- 3 cm of textual records (1 v.)

Scope and Content

Series consists of a scrapbook containing clippings of articles written by Mary McCarthy for the Toronto Daily Star between 1945 and 1949.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of series.

994001-007 Scrapbook. -- 1945-1949. -- 3 cm of textual records (1 v.)

Scope and Content

Scrapbook consists of articles written by Mary McCarthy for the Toronto Daily Star. These articles detail her travels with her husband, D.L. McCarthy, to South America, Mexico, France, The Hague, Germany, Denmark, and Hollywood, California. The articles in the first part of the scrapbook were written as Mary McCarthy accompanied her husband to the fourth conference of the Inter-American Bar Association.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of the item.

PF3-6 Photographs. -- 1880, [194-?]. -- 3 photographs : b&w ; 20.2 x 15.3 cm or smaller

Scope and Content

Series consists of a studio portrait of D'Alton Lally McCarthy at age nine, and two photographs bearing the same image of McCarthy.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of series.

P2413 Photograph of D'Alton Lally McCarthy, aged 9. -- June 1880. -- 1 photograph : b&w ; 16.5 x 10.7 cm



Scope and Content

Item is a studio portrait photograph of D'Alton Lally McCarthy, aged 9. McCarthy is hammering a nail into a tree trunk.

Restrictions

No restrictions on access.

Photograph in the public domain.

Title Notes

Title based on contents of the image.

P2414 Photograph of D'Alton Lally McCarthy. -- [194-?]. -- 2 photographs : b&w ; 20.2 x 15.3 cm and 19.8 x 15.0 cm



Scope and Content

Photographs of D'Alton Lally McCarthy.

Restrictions

No restrictions on access.

Title Notes

Title based on contents of image.