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the Supreme Court. It is the bounden duty of the Government, therefore, to select for the exalted offices, which Mr. Buchanan may presently vacate, the best available legal talent, and to spurn—as quite unworthy of their Ministerial trusteeship—the insidious temptation to appoint to them a gentleman who is much better known as a Socialist politician and a member of the Caucus, than as a legal practitioner. Ministers are expected in a matter of such great and peculiar moment to sink all party feeling and preserve the judiciary from the taint of, or

suspicion of being subject to, political influence. In this connection remarks by leading Socialists in the Assembly in 1905 are particularly interesting. Dealing with the incidents which attended the demise of the Jenkins Government, Mr. Crawford Vaughan (the present Premier) said, *inter alia*:—"The appointment from the Attorney-Generalship to the judiciary was an unfair use of a high office. . . . He did not wish to say anything against those who had received offices, but he disagreed with the system that allowed it."

In saying this, Mr. Vaughan endorsed The Register's repeated protests at the time. The late Mr. E. A. Roberts spoke to the same effect, and contended that the Cabinet should be so careful in the selection of Judges that a choice should always meet with universal approval. He also warmly championed the independence of the judiciary, and denounced the idea that it should ever be controlled or influenced by the Executive Council or any other body of men. Mr. A. O. Archibald stoutly opposed the notion that a Government should feel itself free to appoint to the Bench a second or third rate lawyer because he happened to be Attorney-General when vacancy occurred. He advised:—"Let the Incorporated Law Society nominate three gentlemen to the Governor-in-Council, and let the latter appoint one of them. The result would be that they would have the pick of the legal profession on the judicial Bench. He asked for a guarantee that the Parliament would not be made the stepping-stone for second or third rate lawyers to climb to the Bench." The specious suggestion has been advanced that the Bench needs to be "democratised"—apparently in the interests of organized labour—and that therefore the Government should appoint an active Socialist as President of the Industrial Arbitration Court. Division and mischief would inevitably follow the adoption of such counsel, unless the Socialist were also recognised as a distinguished lawyer with an independent and judicial mind. If the Government should weakly yield to the temptation to appoint to the Bench a "second or third rate" lawyer because he is a Socialist who aspires after preferment, and is the virtual nominee of the Caucus, the public will be righteously indignant at the deliberate attack upon the status of the Bench. The legal profession, too, would have cause for resentment at the unjust passing over of the claims of more qualified practitioners. Such an appointment as that indicated would tend seriously to impair confidence in our methods of settling industrial troubles. It would imply to many people that the Government has adopted the view of extreme unionists, that the "interests of the workers" cannot safely be entrusted to the high-minded, learned, and talented lawyers of whom as Judges the general community is so proud.

Tributes from Bench and Bar.

In the Supreme Court on Monday notable tributes to the late Chief Justice (Sir Samuel Way) were made from the Bench by Mr. Justice Gordon, and from the Bar by the Attorney-General (Hon. J. H. Vaughan, M.L.C.) The body of the Court and the gallery was filled with members of the legal profession and officials of other Courts. Seated at the Bar were the Attorney-General (Hon. J. H. Vaughan, M.L.C.), Mr. E. B. Grundy, K.C., Mr. P. McM. Glynn, K.C., and Mr. A. W. Piper, K.C. The Acting Crown Solicitor (Dr. F. W. Richards), and the Sheriff (Mr. O. H. Schomburgk), and the Master of the Supreme Court (Major W. L. Stuart) were also present, and the following relatives of the late Chief Justice occupied seats in the Court:—Mrs. A. Campbell, Mrs. Neil Campbell, Mrs. Weston, and Miss Tratman. The Attorney-General tendered an apology for the absence of Sir Josiah Symon.

—Tribute of the Bench.—

Mr. Justice Gordon, who, with Mr. Justice Murray, occupied the Bench, said:—“Mr. Attorney-General and Gentlemen of the Bar—We mourn to-day for the death of the Right Honourable Sir Samuel Way, baronet, for 40 years Chief Justice of South Australia, who, after a long life of invaluable service to the community in almost every sphere of usefulness open to a citizen, has gone to his rest. Within these walls we knew him as a great Judge, who shed lustre upon the dignity of his office, and whose work will stand as a monument of honour to this Court. He possessed a judicial mind in which the highest analytical powers were blended with swift apprehension, and great constructive and administrative ability. Above all, he had a passion for justice. He loved justice for the sake of justice. To these natural qualities he added the long study, observation, and experience which Lord Coke pronounced essential to the ultimate equipment of a great lawyer. A Judge more anxious to do his duty never adorned the Bench. He was never content to rely in comparative ease upon his judicial genius, and the self-informative power of his capacious and brilliant mind. He gave the most exhaustive consideration to the facts and the law of every case which came before him. No labour was spared in studying conflicting evidence, nor was any cranny of the law applicable to the case in hand left unexamined in his extreme care that the scales of justice, according to law, should be held with evenness. Learned, fearless, and just, his legal career is a landmark in our history. But to his colleagues on the Bench and to his brethren of the Bar he was more than a great Judge. We and they knew and loved him in the more intimate relationship of a loyal friend. His intellect did not dispossess his heart, and his heart went out to all the members of the profession. There can be but few of us who have not had reason to be grateful to him for wise counsel and generous encouragement. Sir Samuel Way's duties as Chief Justice would, in the case of an ordinary man, have severely limited other channels of public service. But, though that high office was always his chief concern, he added to it prodigious labours in other fields. For 40 years he was the most influential and attractive personality in all the higher walks of public usefulness in the State. Loyal to the church of his fathers, and with no question marks against his own faith, he yet possessed a catholicity of mind which made him a generous supporter of all religious movements. As Lieutenant-Governor, Chancellor of the University, President for many years of the Public Library and Art Gallery, and a liberal private patron of literature, art, and science, he has done perhaps more than any other citizen to promote culture in our midst; while as President of the Children's Hospital, and in many other spheres of practical benevolence, he devoted himself to the service of the suffering and the poor. It is a matter of profound thankfulness that, though at the close of his life he suffered great bereavement, and was himself encompassed by the shadow of death, his mind remained unclouded and his heart undaunted. Right up to the end of the last term he sat in Court listening to arguments of counsel with patient courtesy, and exhibiting unimpaired that unerring instinct which invariably enabled him to grasp the crux of a legal controversy and apply the proper principles to its decision. It was indeed an inspiring example of high courage and devotion to duty. Now, dear to his friends, honoured by all men, and precious to his country, he has passed away. But his life remains a national asset, which will retain its value for many generations.”

The Attorney-General (Hon. J. H. Vaughan) said:—"Your Honors--May I, on behalf of the Bar of South Australia add a few words to the eloquent and touching tributes to which it has just been our privilege to listen to the memory of our honoured and revered Chief Justice. It is difficult for us to realize that these Courts over which for so long a period his was the presiding genius, will know his voice no more. The vacant chair, eloquent of the solemn and sorrowful nature of the occasion on which we attend to-day has held no other occupant for close upon 40 years. There are happily still a few among us whose memories will carry them back to the year 1876 when the brilliant Attorney-General of that day relinquished the emoluments of his profession for the weightier responsibilities attaching to the high office of Chief Justice of the State. Such few have been privileged to see the dawn of his judicial career, to bask in the brilliant rays of his intellect in the zenith of its power, and to watch it set in still no less brilliant sunset at a ripe and honoured old age. The great majority of us, however, were called to the Bar when the brilliance of his intellect, his wonderful mastery over legal principles, and the ripeness of his judgment had already won for him a reputation that extended even beyond the limits of our continent. Trained in the theory of the law at the University, of which he was so assiduous and capable a Chancellor, we received at his hands the passport of admission to these precincts, and the whole work of the Bar has been accomplished under the illuminating rays of his great genius. Our Law Reports contain an undying record of his work upon the Bench, but to future generations they cannot give any indication of the beauty and charm of personal qualities that endeared him to us all, nor do they tell of the many-sided activities through which he strove, and not in vain, to dignify and elevate the administration of our law in all its branches. His unfading courtesy to members of the Bar will ever be remembered with gratitude, and there are few of us who cannot remember the warm encouragement which at all times he so willingly gave to any little merit pertaining to our labours. To-day when the rough hand of a tyrant has so ruthlessly challenged the principles upon which our very civilization rests we have gained a fresh insight into the value of British freedom and of the institutions under which it is preserved. The pride which as Britishers we feel in our legal institutions is due not merely to the institutions themselves, but to the great builders of the law whose duty it has been to administer the principles of justice among the great judicial figures of all time we feel with pride that our departed Chief Justice occupies a prominent place. The deep sorrow that we feel to-day is tempered by the consoling thought of a great life that ran its full course in the service of the State, of the indelible mark that he has left upon the history of our land."

The Court stood in respectful silence while the addresses were being delivered.

THE MAYOR'S REGRET.

When the Adelaide City Council met on Monday afternoon, the Mayor (Mr. I. Isaacs) said:—"It is with great regret that I have officially to report to the council the death, on January 8, of the Chief Justice and Lieutenant-Governor, the Right Honorable Sir S. J. Way. The splendid achievements and character of the late Sir Samuel, which gained for him the proud position of leading citizen of the State, and marked him as one of the greatest men in the Commonwealth, are household knowledge in South Australia. It would be superfluous to refer to them in detail. I have already taken upon myself to dispatch a letter of sympathy, on behalf of the council and citizens, to the relatives."

LETTERS OF CONDOLENCE.

Letters of condolence in regard to the death of Sir Samuel Way have been sent to the bereaved family from the following sources:—The Lord Mayor of Melbourne (Sir David Hennessy), South Australian All-British League, Honorary Judges' Association of Victoria, Burnside Dis-

trict Council, South Australian Employers' Federation, Adelaide Central Methodist Mission.

EULOGY FROM UNLEY.

At a meeting of the Unley City Council on Monday evening the Mayor (Mr. T. H. Yelland) remarked that it was with regret that he referred to the death of the Chief Justice (Sir Samuel Way). For the last 40 years Sir Samuel had been a very prominent figure in the history of South Australia, and the honours which had been conferred upon him from time to time by the Imperial Government were an indication of the esteem and respect in which he was held in England. He had taken a prominent part in philanthropic work, and institutions which he had been associated with were numerous, and would sorely feel the loss of so prominent a citizen.

He had nobly filled the place in the
cross of South Australia, and his name
would ever be remembered as one which
stood for truth and right. He would also
be remembered for his excellent character,
and the noble example he had set in philo-
sophical and Christian work.

HINDMARSH REGRET.

The death of the Chief Justice was sym-
pathetically referred to at a meeting of
the Hindmarsh Town Council on Monday
evening by the Mayor (Mr. W. Wood),
who remarked that he would be lacking
in his duty if he failed to comment on the
damnee of such an illustrious man. He
said that Sir Samuel Way was an inde-
fatigable worker, and was easily one of
the greatest citizens South Australia had
ever produced. He had instructed the
Town Clerk to forward a letter of con-
dolence to the relatives of deceased, and he
felt sure that in doing that he had ful-
filled the wish of every member of the
council. Other members referred in eulo-
gistic terms to the career of the late Judge
and the action of the Mayor was unani-
mously endorsed.

BENCH AND BAR

HONOR MEMORY OF GREAT LEADER

"HE LOVED JUSTICE FOR THE SAKE OF JUSTICE"

The Supreme Court yesterday was the
scene of an impressive gathering, when
heartfelt tributes to the late Chief Jus-
tice (Sir S. J. Way) were paid. The legal
profession was strongly represented, the
only notable absentees being Sir Josiah
Symon and Mr. E. E. Cleland, K.C.,
who were absent on holidays. Seated at
the bar were the Attorney-General (Hon.
J. H. Vaughan) and Messrs. E. C.
Grundy, K.C., W. A. Piper, K.C., and the
Hon. P. McM. Glynn, K.C. The body
of the court was filled with solicitors,
among whom were the Acting-Crown
Solicitor (Dr. F. W. Richards), Mr. Paris
Nesbit, and Major W. L. Stewart. In
addition to officials of the Supreme Court
and other courts there were present Mes-
srs. James A. Campbell, Neil Campbell, F. J.
Weston, and Tratman.

Their Honors Mr. Justice Gordon and
Mr. Justice Murray occupied the bench.

Mr. Justice Gordon, as senior judge,
addressed the court.

"Mr. Attorney-General and gentlemen
of the bar," he said. "we mourn to-day
for the death of the Right Honorable Sir
Samuel James Way, Baronet, for 40 years
Chief Justice of South Australia, who,
after a long life of invaluable service to
the community in almost every sphere of
usefulness open to a citizen, has gone to
his rest.

A Monument of Honor.

"Within these walls we know him as a
great judge, who shed lustre upon the
dignity of his office, and whose work will
stand as a monument of honor to this
court. He possessed a judicial mind in
which the highest analytical powers were
blended with swift apprehension, and
constructive and administrative ability.
Above all he had a passion for justice.
He loved justice for the sake of justice.
To these natural qualities he added the
long study, observation, and experience
which Lord Coke pronounced essential to
the ultimate equipment of a great law-
yer. A judge more anxious to do his
duty never adorned the bench. He was
never content to rely in comparative
ease upon his judicial genius, and the
self-informative power of his capacious
and brilliant mind. He gave the most
exhaustive consideration to the facts and
the law of every case which came before
him. No labor was spared in studying
conflicting evidence, nor was any cranny
of the law applicable to the case in hand
left unexamined in his extreme care that
the scales of justice according to law
should be held with evenness. Learned,
fearless, and just, his legal career is a
landmark in our history. But to his col-
leagues on the Bench and to his brethren
of the Bar he was more than a great
judge. We and they knew and loved him
in the more intimate relationship of a
loyal friend. His intellect did not dis-
possess his heart, and his heart went out
to all the members of the profession.
There can be but few of us who have
not had reason to be grateful to him for