

Registes
Oct. 7/14

THE CHIEF JUSTICE.

BACK TO WORK.

HISTORIC COURT SCENE.

The reappearance of His Honor the Chief Justice (Sir Samuel Way, Bart.) on the Bench of the Full Court, on Tuesday, after an absence of three months, during which period he has undergone an operation for the amputation of his left arm, was signalized in a striking manner.

The Chief Justice was accompanied by their Honors Mr. Justice Gordon, Mr. Justice Murray, and Mr. Justice Buchanan. The jury box and the body of the Court were filled with barristers and Government officials, and the full Bench of King's Counsel occupied the barristers' table. The members of the Bar holding the King's commission are Sir John Downer, K.C. (leader), Sir Josiah Symon, K.C., Mr. E. B. Grundy, K.C., Mr. Paris Nesbit, K.C., the Crown Solicitor (Mr. C. J. Dashwood, K.C.), Mr. P. McM. Glynn, K.C., Mr. A. W. Piper, K.C., and Mr. E. E. Cleland, K.C. Among others present were Mr. Commissioner Russell, S.M., and the Rev. Henry Howard. The gathering of the legal profession, in respect both to size and character, has probably never been equalled in the history of the State.

—A Graceful Welcome.—

Sir John Downer, K.C., on behalf of the legal profession, expressed their heartfelt congratulations on His Honor's recovery from the terrible affliction which he had recently suffered, and which he bore with such indomitable courage, and on his restoration to health and being once more sent back to the State that valued him and the profession that loved him. His Honor had had a dire fight with the great enemy, but the victory had been his, and the prayer and hope of the profession and of every one was that His Honor would continue to preside in that Court, with the inestimable value which that presidency conferred upon the profession and the people of South Australia.

—"Support, Sympathy, and Love."—

The Chief Justice, who asked those in Court to be seated, said it was not the first time he had been welcomed back to the seat which he had occupied so long. He had been welcomed back after having been to the other side of the world on two occasions, and also nine months ago on his recovery from an illness which had been occasioned by his returning to work too early after an attack of influenza. But since then he had suffered from an altogether unexpected disease. Sir John Downer had expressed his approval of the fortitude with which he had met strokes of adverse fortune. He begged to protest that any fortitude or courage he had displayed had not been peculiar to himself. It had been displayed, and probably in a higher degree, by his learned colleagues and the members of the Bar and legal profession. During the painful experiences through which he had passed—and they were painful—he had been sustained by the support, sympathy, and—if he might use the word, and he would be ungrateful if he did not acknowledge it—the love of the members of the legal profession.

—"My Dear Friends."—

He was grateful to Almighty God that the means that were taken for his recovery were successful, and that he had been once more restored to his old seat. He was glad he had come back to it, not an unwelcome occupant. He could assure them that his best powers in the future would be devoted to his work, in which he would continue to have the assistance of his learned colleagues and the members of the profession. He felt altogether unable to do justice, and give an adequate response, to the expressions of Sir John Downer. If he did so in faltering accents it was not because he was not sensible of the genuineness of those expressions, and not because he did not value the support he had received in the past and was assured of in the future. His Honor concluded, "Many thanks to you, my dear friends, for the kind expressions of your affection and support," and complimented Sir John Downer on his recovery from a recent indisposition.

Advertises

Oct. 7/14

THE CHIEF JUSTICE.

RETURNS TO COURT.

WELCOME BY BAR.

On Tuesday morning his Honor the Chief Justice (Sir Samuel Way) took his place on the bench in the Full Court, for the first time since his recent painful operation. The courthouse was filled with members of the bar and other visitors, amongst the latter being the Rev. Henry Howard. On the bench were their Honors the Chief Justice, Mr. Justice Gordon, Mr. Justice Murray, and Mr. Justice Buchanan, and his Honor, Mr. Commissioner Russell, also attended.

The seats at the table were filled with King's counsel, and amongst the legal profession who were robed were Sir John Downer, K.C., Sir Josiah Symon, K.C., Mr. Paris Nesbit, K.C., Mr. C. J. Dashwood, K.C. (Crown Solicitor), Mr. P. McM. Glynn, K.C., Mr. E. B. Grundy, K.C., Mr. A. W. Piper, K.C., Mr. E. E. Cleland, K.C., Mr. Angus Parsons, M.P., Dr. Richards, Messrs. T. S. O'Halloran, R. H. Lathlean, S. H. Skipper, F. V. Smith, R. G. Nesbit, Moulden, E. T. Hargrave, jun., H. A. Shierlaw, B. H. Wallmann, L. H. Haslam, W. A. Norman, G. Degenhardt, N. A. Webb, F. Downer, A. H. Shierlaw, T. A. Magarey, C. R. Cudmore, H. S. Powers, F. S. Shepherd, Cudmore, and C. A. Edmunds. There were also a large number of unrobed members of the profession present.

Welcome on Behalf of the Bar.

Sir John Downer, addressing the Chief Justice said:—On behalf of the legal profession of South Australia, I wish to express to you our heartfelt congratulations on your recovery from the terrible affliction which you have suffered, and which you have borne with such indomitable courage, and on your restoration to health, and on your being once more sent back to the State which values you, and the profession who love you. Your Honor has had a dire fight with the great enemy; but the victory is yours. The prayers and hopes of the whole of the profession, and I am sure of everyone who knows you, is that the victory will continue to be yours. We trust that your Honor will long be spared to preside in this court, with that inestimable value of presidency which has been conferred upon the legal profession, and the people of South Australia. On behalf of the legal profession we respectfully express to you our hearty congratulations.

Reply by the Chief Justice.

In responding, Sir Samuel Way said:—This is not the first time I have been welcomed back to the seat which I have so long occupied. I have been welcomed back after having visited the other side of the world on two occasions. I was also welcomed back nine months ago, after my recovery from an illness which was occasioned by my return to work too early after an attack of influenza. Since then I have suffered, as you have mentioned, from an altogether unsuspected disease, which was only discovered a month before Lady Way's death. You have expressed your approval of the fortitude with which I have met this severe stroke of adverse fortune. I beg to protest. Any courage or fortitude I have displayed has not been peculiar to myself. It has been displayed, and probably in a higher degree, by my learned colleagues, and the members of the profession. During the painful experiences through which I have passed — and they have been painful—I have been sustained especially by the support and sympathy, and, if I may use the word—I should be ungrateful, if I did not—the love of the members of the legal profession, with whom I have been so long identified, and who have supported me during my long career on this bench and throughout these trying experiences. I am grateful to Almighty God that the means taken for my recovery were successful, and that I am once more restored to my old seat. I am glad that I have not come back to it unwelcome. I can assure you that my best powers for whatever time I may yet be able to occupy this seat shall be devoted to my duties, which I shall discharge to the utmost of my ability, and I know that in the work I shall have to do I shall not only have the assistance of my learned colleagues, but I shall continue to have the ready and willing assis-

rance of the members of the bar. I feel altogether unable to do justice, or to make an adequate response to the very eloquent terms in which the feelings of the profession have been expressed by Sir John Downer. If I am doing so in faltering accents and halting words, it is not because I am insensible of the genuineness of those expressions, and not because I do not value the support which I have always had and of which I am still assured in the discharge of my duties. Many thanks to you, my dear friends, for the kind expression of your affection and support.

His Honor then congratulated Sir John Downer on his recovery from his recent sharp, though not prolonged, indisposition.

Daily Herald
Oct. 7, 1914.

A MAN OF VITALITY

OUR REVERED CHIEF JUSTICE

ONCE MORE IN HARNESS.

Sir Samuel Way returned to work yesterday morning, and, attired in the judicial robe and wig, occupied his seat as Chief Justice of the State at the opening sittings of the Full Court. It is scarcely necessary to mention that Sir Samuel has been under a very serious operation and has had his left arm amputated from the shoulder—a severe trial for a man of almost 80 years. Seldom in the history of the State has there been such a gathering of the legal profession as was present in the court chamber to welcome his Honor back to the bench. On the bench with the Chief Justice were their Honors Mr. Justice Gordon, Mr. Justice Murray and Mr. Justice Buchanan.

Robed counsel present included Sir John Downer, K.C., Sir Josiah Symon, K.C., Messrs. Paris Nesbit, K.C., P. McM. Glynn, K.C., E. B. Grundy, K.C., A. W. Piper, K.C., C. J. Dashwood, K.C., E. E. Cleland, K.C., Angus Parsons, T. E. O'Halloran, G. Degenhardt, C. A. Edmunds, F. V. Smith, R. H. Lathlean, N. A. Webb, F. Cudmore, T. A. Magarey, H. Powers, C. T. Hargrave, jun., C. Napier, W. A. Norman, L. H. Haslam, F. Downer, C. W. Bennett, B. A. Moulden, F. Shepherd, R. H. Wallmann, S. H. Skipper, and H. A. Shierlaw. A large number of unrobed counsel filled the chamber. Others present were:—Mr. Commissioner Russell, the Rev. Henry Howard, and Father Gerrard.

Sir John Downer (president of the South Australian Law Society) voiced the welcome of the bar to the Chief Justice. He said:—"On behalf of the legal profession of South Australia I wish to express to your Honor our heartfelt congratulations on your recovery from the terrible affliction which you have suffered, and which you have borne with such indomitable courage, and on your restoration to health, and on your being once more sent back to the State that values you, and the profession that loves you. Your Honor has had a dire fight with the great enemy, but the victory is yours. The prayer and hope of the whole profession—and I am sure of everyone—is that the victory will continue to be yours. We trust that your Honor will long preside in this court with the inestimable value of presidency which has been conferred upon the legal profession and the people of South Australia. On behalf of the legal profession I respectfully express to your Honor our hearty congratulations."

The Chief Justice replied:—"This is not the first time I have been welcomed back to the seat which I have so long occupied. I have been welcomed back after having been on the other side of the world on two occasions. I was also welcomed back nine months ago after my recovery from an illness which was occasioned by my return to work too early after an attack of influenza. Since then I have suffered as you have mentioned, from an altogether unexpected disease, which was only discovered a month before Lady Way's death. You have expressed your approval of the attitude with which I have met this severe stroke of adverse fortune. I beg to protest. Any courage or fortitude I have