

him eminent wherever he might have been placed. Possessed of an intellect which was powerful and piercing, he had, as well, strength of personality, powers of rhetoric and command of facial expression which, combined, made him a very vigorous and forcible character. He also possessed a charm of manner which endeared him to his intimate friends, and at the same time was a cause of attraction even to his political opponents. He was always a fair fighter, and stood pre-eminent in debate. After I entered Parliament, 18 years ago, and had had experience of one or two sessions in the House of Assembly, was asked whom I considered to be the best debater. Notwithstanding that such men as the late Mr. Kingston and the late Sir Frederick Holder, Sir John Cockburn, and Mr. Jenkins were members of the House, I unhesitatingly named Sir John Downer as the ablest debater, and I have never had reason to revise that opinion."

#### "Innate Kindliness."

"Sir John Downer's death," remarked Sir Josiah Symon, "is a very sad grief to all the profession, and everyone who enjoyed his friendship. He will be greatly missed in the law, and his place in Parliament and public life will be difficult to fill. It is not far short of 50 years since we first met. He had then just been

called to the bar, and was taking a holiday in the South-East with a friend, Mr. Galbraith. Soon afterwards I came to Adelaide. Professionally we were practically contemporaries, and also in politics. We were in the House of Assembly together in 1881, and he succeeded me as Attorney-General when the Bray Ministry was formed. Together we shared in the later movement for Federation. We were colleagues in the Federal Convention, and afterwards in the Senate, of which he was a member for three years. He then returned to State politics as a member of the Legislative Council. During all that long period and throughout those different spheres we were intimate personal friends. Sir John had many gifts, both of intellect and of heart. He was a remarkably able lawyer, and with great power and persistence in argument, but I think he excelled as an advocate with a jury. He had a keen sense of the humorous, and few equals in capacity for effective banter, which was absolutely free from any trace of malice or venom. These same qualities were conspicuous in his Parliamentary work. His speeches in the Legislature were always informed with a definite purpose, well thought out, expressed in language of quite a literary flavor, and effectively delivered. In the Senate he was listened to with great attention, and was liked by everyone. Few people outside his personal intimates knew how widely read he was in literature. His retentive memory enabled him to quote very freely and always appropriately, and never obtrusively. His best quality was his innate kindliness. During the last 10 or 12 years, that is after Sir John had retired from the Senate, we had not very many opportunities to meet each other outside the work of the profession as previously, but our mutual friendship remained undisturbed and undiminished, and my own life will be the poorer now that he has gone."

#### Mr. Nesbit's Admiration.

Mr. Paris Nesbit, K.C., said:—"When I came to Adelaide to be articulated in May, 1868, I first met Sir John Downer at a party given by Mrs. Bell, who then conducted the premier school for young ladies in South Australia. He distinguished himself by reciting with great elocutionary power the poem 'Nothing to Wear.' He had not long before then left the office of Mr. Rupert Ingleby, to whom I was articulated, and started his profession with his brother, Mr. A. G. Downer, and the firm soon became known as one of the most rising and promising in the city. The deceased gentleman rapidly took a prominent position among the members of the junior Bar, and soon became its leader. His practice was at first mainly in the Local Courts, but he quickly extended his work to the Supreme Court, where his brilliant talents and great ability soon obtained for him a foremost place in the profession, even by the side of such giants as the late Mr. Justice R. I. Stow, and the present Chief Justice. He was, I think, the greatest master of forensic oratory I have ever heard, and his speech to the jury in a well-known lunacy case was certainly the most eloquent address to a jury I have ever heard. Sir John was much liked by the members of the profession on account of his genial manner and kindly ways, and, in my opinion, he has been for many years one of the two or three men of first-class ability in Parliament."



## The Passing of a Trusted Friend.

The Rev. H. Howard, who was a personal friend of the deceased knight, said when interviewed:—

"Having had privileged access to the inner working of Sir John Downer's mind on the great problems of life and destiny, I know how profoundly reverent was his spirit, how devout its attitude in the presence of the Ultimate Reality. Frank and fearless in his thinking, and accustomed to sift and weigh evidence, he was not content either to accept, or deal in phrases or catch-words, without submitting them to such critical examination as forced them to disclose their contents. Where others might be content to take up and employ certain current formulae of religion, without any regard as to whether they stood for realities of thought or feeling, he would insist on laying them open in order to ascertain whether their real value and their face value could be found to correspond. He possessed to perfection the Anglo-Saxon love of candor and hatred of a lie. Anything that savored of affectation was an abomination to him, and made him simply terrific in denunciation—a veritable super-Dreadnought in his power to pour out a devastating fire of scornful epithet, of which no man ever had a richer or more ready-to-hand assortment. His devotion to truth amounted to a passion. Wherever she led he was prepared to follow, and with never a fear as to the issue. He accepted facts from whatever quarter they might present themselves, and however hostile to any preconceived notion he may have cherished. Thus, like all honest seekers after truth, he kept an open mind; reserving his judgment until all the available evidence was in. This is ever the test of sincerity, and it was a test that Sir John finely survived. Of course, to many, such a mental attitude is too tentative. They become impatient of people who cannot close the circle and finally 'make up their minds.' They would have no sympathy with Arnold of Rugby when he said that he never drew on his socks of a morning without wondering whether he might not have to revise some article of his creed before he pulled them off again at night! But we must never forget the debt we owe to those whose hesitancy springs, not from opposition to the truth but from regard for it. Their veneration is so great that they wish to test the credentials of every claimant, lest perchance they should unwittingly give hospitality to an error masquerading in Truth's sacred name. Of course this temperament has the limitations of its qualities. Men like Sir John are not frequently found in the firing line of the Church Army; but even here, as in carnal warfare, there is good work to be done in the way of testing the accuracy of the weapons employed, and the quality of the ammunition that is being handed out. Those of us who are in hand-to-hand conflict with the down-dragging forces that menace our social life, are in danger of running our power to waste through seeking, as Huxley pointed out, to treat bad social diseases with worse remedies. Many a time have I proved the advantage of talking these questions over with Sir John, whose keen, but always kindly and sympathetic criticism of my weapons, has enabled me to add to their precision and power."

"In a general way, of course," continued Mr. Howard, "it has to be said that perpetual suspense of judgment, where great questions are pressing for solution, is as much to be deprecated as over-hasty conclusions, and that where absolute certainty is not ascertainable the wise man will always proceed upon the preponderant probabilities as they present themselves to his mind. Any other attitude would betray either weakness of will, or insincerity of heart, neither of which in the search for truth, could ever be laid to the charge of Sir John Downer. Those who had not the privilege of his intimate friendship, can have no conception of how absorbing was his interest in the great and vital truths of the Christian faith. Sir John had a great admiration for the Epistles of St. Paul, and many a night have we spent together in his house, New Testament in hand, following the reasonings of the great apostle; and as the mighty argument bent to its close it was great to watch the look on his face as the inevitableness of the conclusion already made itself felt in advance. It was as though he were a spectator in some celebrated cause, and, listening to a brother-advocate driving the jury by invincible logic to an inescapable verdict. To hear him read the Scriptures was an education in the art of correctly-distributed emphasis. It would have been



A great advantage could every aspirant to Holy Orders have had the opportunity of listening to Sir John reading the lessons for the day, as was his custom when, as the guest of the late Mr. Henry Dutton, he assisted at the services in the beautiful Parish Church at Hamilton, which that gentleman erected and so lavishly adorned. His keen literary appreciation, his fine ear for felicitous English, and his capacity for deep feeling, all came to expression in a voice flexible, musical, and capable of every tone from the stern challenge of the violated law to the tender pity and persuasiveness of the Gospel call. This it was that made the stately words of prophecy or psalm leap from his lips like living things, and charged with something of their ancient force and fire.

"Sir John would have made a great preacher had he been called to the church, or a great actor had he chosen the stage. Notwithstanding, however, the variety and brilliance of his outstanding gifts, he retained the heart of a little child. Where smaller men would have been uplifted and have lost their heads, he preserved a finely-balanced estimate of his place and power. It is only the thought that all the rich harvesting of the years—the matured judgment, the well-informed mind, the instructed heart, the disciplined will, the subdued and reverent spirit—are safely gathered and garnered within an abiding personality, beyond the power of death or decay to reach or touch, that can reconcile us to the passing of so true and trusted a friend. For him, however, there need be no regrets. He has won through to those ampler fields of life and service, where, unfettered by the bounds of time and space his ever-gathering powers will continue to unfold.

"In those great offices that suit  
The full-grown energies of heaven.

"As for us who were his friends and comrades, and who linger yet a little longer in the fray, it but remains to still fight on, and play the game, till we too reach the 'Happy Isles.' Let us comfort one another in the thought with which the saddened Ulysses nerved himself, and those who called him friend:—

"Death closes all; but something ere the end,  
Some work of noble note, may yet be done.

Tho' much is taken, much abides; and tho'  
We are not now that strength which in old days

Moved earth and heaven: that which we  
are, we are;

One equal temper of heroic hearts,  
Made weak by time and fate, but strong  
in will

To strive, to seek, to find, and not to  
yield."

#### Reference in the Civil Court.

When the Civil Court met on Monday morning, his Honor Mr Justice Gordon being on the bench, Mr. F. C. Holland, who was the only counsel present, referred to the death of Sir John Downer. He said he had just heard with sorrow of the death of Sir John Downer. He would be missed, not only by the profession, but by the State generally. He was highly popular with his fellow legal practitioners, and his death would be greatly regretted by the members of the Law Society.

His Honor Mr Justice Gordon said he had been told of the death of Sir John Downer just as he was stepping on the bench. He was too much shocked to say what he would like to say at present. Sir John Downer's death was a loss not only to the South Australian bar, of which he was a distinguished ornament, but to the whole community. He had devoted his great knowledge and talents to the service of the public for a period of at least 35 years. His loss would be felt throughout the Commonwealth, for, apart from the valuable services he had rendered to the political life of South Australia, he had taken a prominent part in the proceedings which had led to Federation, and later on he had been a representative of South Australia in the Commonwealth Parliament. He was a man of whom the country had good reason to be proud, and his death would be universally deplored.

#### Police Court Adjourned.

When Mr. T. Gepp, S.M., took his seat on the bench at the Adelaide Police Court on Monday he intimated that the court would be adjourned until 10.45 a.m. out of respect for the memory of the late Sir John Downer, K.C. Mr. C. M. Muir had said the bar would appreciate his Worship's action. When the court