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1942

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## JUDGES OF THE SUPREME COURT.

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\*THE HONOURABLE SIR GEORGE JOHN ROBERT MURRAY,  
K.C.M.G., CHIEF JUSTICE.

†THE HONOURABLE SIR JOHN MELLIS NAPIER, KT., CHIEF  
JUSTICE.

THE HONOURABLE SIR HERBERT ANGAS PARSONS, KT.

THE HONOURABLE FREDERICK WILLIAM RICHARDS.

THE HONOURABLE EDWARD ERSKINE CLELAND.

‡THE HONOURABLE HERBERT MAYO.

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## ATTORNEY-GENERAL

THE HONOURABLE SHIRLEY WILLIAM JEFFRIES, M.P.

\* Died on 18th February, 1942.

† Appointed Chief Justice on 25th February, 1942.

‡ Appointed on 30th March, 1942.

## MEMORANDUM.

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The Honourable Sir George John Robert Murray, K.C.M.G., Chief Justice, having died on the 18th February, 1942, at the sitting of the Full Court on Monday, the 23rd day of February, 1942, the Honourable Mr. Justice Angas Parsons addressed the members of the Bar and others present as follows:—

It is with heavy hearts that we gather at this sitting of the Court to pay our tributes to one whom we shall see no more.

Some of us knew him intimately for many years, and are familiar with his long and distinguished career. But there is a younger generation who, because of his self-effacing way, have known less, perhaps little, of him; and I propose to say more particularly to them, something of the growth of Sir George Murray to his dignified splendour.

He was a South Australian by birth, and the first South Australian to become a Judge and later Chief Justice

The continuity of his career is remarkable. He was educated at St. Peter's College, and such was his capacity for work that he became the head of that historical school. Then followed a distinguished academic career at the University of Adelaide, where he gained his Bachelor of Arts degree and the South Australian scholarship. Thence to Trinity, Cambridge, where he was bracketed senior in the Law Tripos. Rowed No. 7 in the First Trinity first boat. Played a first-class game of cricket. On one occasion Trinity Hall was short of a man for their side, and he was put in to bat for the Hall, and made exactly 100 runs, and then got out to a ball which killed a swallow in its flight. He was a student at the Inner Temple, and won the Inns of Court Studentship, and was called to the English Bar. He returned to South Australia in 1889, and shortly after met with a serious accident which ended his athletic career. While in hospital Sir Samuel Way went there and administered the oaths to him, and he was thus admitted by his great predecessor to the South Australian Bar. He was called to the Bar of New South Wales and of Victoria in 1890. He was Associate to Sir Samuel Way, and this led to the great admiration each entertained for the other throughout their long friendship.

In 1909, when he was forty-six, and a King's Counsel, and in the middle of his career, he went back to Cambridge, sat for the examination and obtained the degree of Master of Law.

He became a Judge of this Court in May, 1912. On presenting his commission, Sir John Downer spoke for the profession, and concluded his speech, which was delivered in his own inimitable way, by saying:—"At every time, and in the varying situations of life, your Honour has ever stood pre-eminent, and it must be gratifying to you to be assured that your attainment to your present dignity is warmly approved by every man in the profession of which you have been an ornament."

Sir George enjoyed the brotherhood of Sir Samuel Way for four years. It was a touching sight to us to witness the affectionate reliance placed by the old Chief Justice in his younger, but richly gifted, brother. Their companionship was ended by the death in 1916 of Sir Samuel Way, when Mr. Justice Murray became our Chief Justice, Lieutenant-Governor, Chancellor of the University of Adelaide, and was made a Knight Commander of the Most Distinguished Order of St. Michael and St. George.

In his office as Lieutenant-Governor, or a Deputy-Governor, he administered the Government for a period of no less than six years and forty-two days, and on one hundred and three occasions, which is without question a record in the British Empire.

Finally, gentlemen, I want to speak not only for myself, but also for my learned brothers.

He never spared himself in his work amongst us during the fifty-two years he spent at the Bar and on the Bench. He had no need to work, but he scorned the life of the idle rich.

To some, perhaps, he may have seemed a little aloof, and with<sup>d</sup> a somewhat cold and narrow outlook. All that was untrue. He was warm-hearted, broad-minded, tolerant, and most generous. His outlook, if it might have appeared a little severe, was based on a determination to follow the law. His demeanour shewed an air of seriousness and dignity that was in itself sufficient to declare his impartiality.

The man whose death we deplore was imbued with the highest traditions of the English Bar. We think there can be no better memorial of the man than the influence he exercised in maintaining and imparting those traditions. The time must come when those who knew him best are no longer able to speak for him, but our hope is that his influence will live after the time when, to a later Bar, he may be merely a name; for that influence will be for the good of the profession, for the maintenance and dignity with which justice should be administered, and for the benefit of the whole community.

We would say to you all, and to ourselves:—

Remember all

He spoke among you, and the man who spoke,  
Who never sold the truth to serve the hour,  
Nor paltered with eternal God for power.”

I make an end. Alas, it must be said of him as in the Iliad of another, “and now the sun had sunk and all the ways are dark.” Our leader has gone to his rest.

The Attorney-General, the Honourable S. W. Jeffries, then spoke on behalf of the Bar to the following effect:—

If the Court pleases, it falls to my lot, as Attorney-General, to express to your Honours the sympathy which the Bar of South Australia feels with the Bench in the great loss sustained through the death of the late Chief Justice.

Your Honour has told us in eloquent terms of the distinguished career of Sir George, not only as a lawyer and Judge, but as

Lieutenant-Governor and Chancellor of our University. The profession was very proud of the high position which His Honour occupied outside this Court. We realize, however, Sirs, that it was in this Court that the main interests of his life were centred, and that no other activity detracted from the fulfilment of his judicial duties.

In any reference to Sir George it is out of place to indulge in an extravagant eulogy. We know how he esteemed simplicity and disliked fulsome-ness. My words, therefore, will be few, but they are spoken with deep sincerity and a great appreciation of the one to whom they refer, and I feel sure that the Bar shares those feelings.

The late Chief Justice had come to be a part of our national life. He was a personality to whom all sections of the community looked with admiration and unbounded faith. His service to the nation was given gladly and with an unselfish devotion to duty which affords both an example and an inspiration, not only to his contemporaries, but to generations who are yet to come. In all he did he sought neither praise nor public approval, but found his reward in the service itself. He exercised his responsible functions as Chief Justice of this Court in a manner which, as your Honour has said, not only upheld the standards of the British judiciary, but has added lustre to its high traditions. If I might with humility say so, His Honour seemed to me to combine both the moral and the intellectual qualities which go to make the perfect Judge. His industry, consistency, scholarship, sincerity, and the orderliness of his life were among many of the outstanding features of his career. His dignity, and at the same time his real friendliness, his unswerving attention to his tasks, and at the same time his interest in his fellow men, gained our respect and won our affection. The Bar were proud to have him as their Chief Justice. The high sense of public and judicial duty, the lofty standard of conduct, true culture and learning which he always maintained and endeavoured by his example to inculcate in the members of our profession, will have a lasting influence upon the Bar of South Australia.

It can truly be said of our late Chief Justice as it was written of Lord Chief Justice Denman:—"To have seen him on the Bench in the administration of justice was to have a new idea of the judicial character. It was not merely his attractive personality or his high moral character; he dignified the Bench because he was himself deeply impressed with the majesty of law and justice."

We, the members of this fraternity, mourn that we shall see him no more. We consider that we have been highly privileged to have had some contact with a person of such clear mind, unselfish ideals, upright and chivalrous living and pure motives.

To your Honours, who have had such a close and intimate association with the late Chief Justice, we offer our deepest sympathy. We all feel that a truly great Judge has gone from our midst, and that there has closed the earthly career of a very noble character.