THE NEW JUDGE.

Mr. Murray, K.C., Appointed.

The Premier (Hon. A. H. Peake) stated on Tuesday afternoon:—"The lamented death of Mr. Justice Hornby has created a vacancy on the Supreme Court Bench. The Government offered the position to Mr. G. J. R. Murray, K.C., who has accepted it. Mr. Murray asked to be excused from taking up his duties for about a month to enable him to wind up his business affairs and arrange for other professional gentlemen to do his work. To this the Government has agreed, and it is expected that Mr. Murray will take his seat on the Bench early in May."

Mr. Murray was born in Magill on September 27, 1853. He received his earliest education at the school of the Rev. Mr. J. T. Young. Afterwards he resided in South Australia for two years, and during that period he attended the High School of Edinburgh, and the University of St. Peter's College on his return to South Australia, and his spare abilities soon gained for him a conspicuous position. He entered the Prankerd, Wythe, Cusans, and Farrell scholarships, and was awarded a University entrance scholarship in 1881. At the University he merited further scholarships, and was awarded the John Howard Clark in former editor of The Register Scholarship in 1882, and in the following year took his B.A. degree, and obtained the double honours in the two subjects, South Australian. That University was the arbiter of that he is thoroughly competent to perform the work of a Judge. His training in the Common Law is now general among his contemporaries, and he possesses no striking reputation as a pleader, but he is recognized in the profession as an essentially and exceptionally sound and well-read lawyer and a man of a judicial mind and a scrupulous sense of fairness. Thus are indicated some of the principal qualities required in a Judge. He exemplifies also decision of character, promptness of action, and soundness of sentiment. His appointments are indispensable to an ideal minister of the law. Delayed justice may in many cases be the worst and most dangerous—and certainly the most cruel—form of injustice. Such a situation is palpable in the miseries of this mortal life "the law's delay" as well as the "oppressor's wrong, the proud man's censure, and the pains of deep-seated love." A modern jurisprudence has declared that the law is as sacred as it is just, and continued not as an emanation of popular lawlessness, strictly so called, but as a consequence of general despair on account of the tardy working of the courts. As "suspense is worse than hanging," so the early knowledge of the sufferer's fate is usually at least equally important with the nature of that fate.

While in England Mr. Murray took a concurrent course of law in London. At Cambridge he passed his law trips in 1887, and was bracketed Senior. He was at that time admitted to the degree of B.A. and LL.B. at the Inner Temple in London, with Mr. E. A. Warburg, and Mr. G. J. Francis, as author of the well-known book on legal and public law in the Inner Temple in 1889, and is a member of the Institute of International Law and Public International Law.

[...]

THE NEW JUDGE.

The appointment of Mr. G. J. R. Murray, K.C., to the vacant puisne Judgeship will be popular throughout the State. Not because the incumbent of the office is personally popular, for that shows that the man is not too weighty; but because one may safely assume from his record that he is thoroughly competent to perform the work of a Judge. He has not practised in the Colonial Bar for any considerable length of time, and his experiences among others among his contemporaries, and he possesses no striking reputation as a pleader, but he is recognised in the profession as an essentially and exceptionally sound and well-read lawyer and a man of a judicial mind and a scrupulous sense of fairness. Thus are indicated some of the principal qualities required in a Judge. He exemplifies also decision of character, promptness of action, and soundness of sentiment. His appointments are indispensable to an ideal minister of the law. Delayed justice may in many cases be the worst and most dangerous—and certainly the most cruel—form of injustice. Such a situation is palpable in the miseries of this mortal life "the law's delay" as well as the "oppressor's wrong, the proud man's censure, and the pains of deep-seated love." A modern jurisprudence has declared that the law is as sacred as it is just, and continued not as an emanation of popular lawlessness, strictly so called, but as a consequence of general despair on account of the tardy working of the courts. As "suspense is worse than hanging," so the early knowledge of the sufferer’s fate is usually at least equally important with the nature of that fate.

One must fairly assume that such confidence prompted the appointment of the Judgeship to a gentleman already in the service, who has had actual experience on the Bench. Commissioner Russell and Mr. Acting Justice Buchanan, for instance, have both served for fairly long periods on such Benches, and each has done his work so well that either would have been quite fitted to succeed the late Mr. Justice Hornby. The responsibility, however, is, with the Executive, and its members must be credited with the choice, and the fact that the latter adopted the wise course possible to them in the circumstances. And one noteworthy thing is that nobody can impute political influence in the selection. Mr. Min in Mr. Murray's career and encouraged on the assumption of the bench with the knowledge that he possesses—and deserves to possess—the respect of the community generally, and the affectionate esteem and the confidence of those closely acquainted with him. The fact that he has not too comprehensively associated himself with political and other organized activities of the State is by no means a disadvantage to him in connection with the Judgeship. Only a few Judges can establish relations with varying classes of interests without being affected—or without being suspected of being affected, which is almost equally bad—by the controversies which naturally arise from such relations. While it would be arbitrary to insist upon a Judge being a recluse, there are some Judges who do not mix at society parties—for expecting him to be is a certain sign in the world, and yet not of the world. The obvious reasons why a Judge could not be a director of a company which has the ambition to acquire property—property—and an equal to prominent positions which have no commercial bearing; for there are bickerings and cabellings in circles far removed from finance. Only a very strong and very determined Judge is in a position of risk of being misunderstood and possibly disgraced—can afford to consent to be much else besides a Judge while he is a Judge. Thus, what might appear an advantage to a Judge is his panoply, is revealed as a manifestation of an additional source of strength. There is ample reason for the belief that if the conferring of the Judgeship is daily cast in these lights for it is not the method by which the Judgeship is soon shed lustre upon his exalted position. "Princes, though perched on alps, are powerful still; but strong and resolute men grow in moral influence, in the same way as their opportunities grow in business.