

Reg 3/4/12

## THE NEW JUDGE.

### Mr. Murray, K.C., Appointed.

The Premier (Hon. A. H. Peake) stated on Tuesday afternoon:—"The lamented death of Mr. Justice Homburg 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."

#### —A Successful Career.—

Although of a quiet and studious nature, Mr. Murray has a charming personality. His shy disinclination to appear in public affairs has in no way detracted from his value as a lawyer, and he is esteemed in the legal profession. When Mr. Murray was previously approached by the Government to accept a judgeship a leading member of the Bar remarked that his appointment would give much pleasure to his fellow-barristers. He has won the confidence and respect of all with whom he has come into contact, and will prove a valuable acquisition to the judiciary.

#### —Scholastic Achievements.—

Mr. Murray's school career was exceptionally promising. He was the son of the late Mr. A. B. Murray, and was born at Magill on September 27, 1863. He received his earliest education at the school of the late Mr. J. L. Young. Afterwards he resided in Scotland for two years, and during that period he attended the High School of Edinburgh. He entered St. Peter's College on his return to South Australia, and his rare abilities soon gained for him a conspicuous position. He carried off the Prankerd, Wyatt, Christchurch, and Farrell scholarships, and won a University entrance scholarship in 1881. At the University he continued to gather scholastic laurels. He was awarded the John Howard Clark (a former editor of *The Register*) Scholarship in 1882, and in the following year took his B.A. degree, and obtained the highest scholarship of those days—the South Australian. That bursary was tenable for four years at £200 a year, and enabled him to go to Trinity College, Cambridge.



MR. JUSTICE MURRAY.

While in England Mr. Murray took a concurrent course of law in London. At Cambridge he passed his law tripos in 1887, and was bracketed Senior. He was at the same time admitted to the degrees of B.A. and LL.B., and then read in Chambers in London with Mr. E. A. Wurtzburg and Dr. W. Blake Odgers, K.C., author of the well-known book on libel and slander. He entered as a student at the Inner Temple in 1886, and was awarded a studentship at the Inns Court on Jurisprudence, Roman law, and public and private international law.

#### —Work in the State.—

Mr. Murray's achievements in the old country were crowned by his being called to the Bar at the Inner Temple on April 25, 1888. He returned to South Australia in the same year, and became associate to the Chief Justice (Sir Samuel Way). When His Honor left on a visit to England in 1891 the future Judge began practice in partnership with Mr. W. A. Magarey. During the intervening years he has been associated with some highly important cases, and his influence as a keen and widely read counsel is great. Upon the death of Mr. James Henderson several years ago, the two firms of Murray and Magarey and Henderson and Hayward amalgamated, and Mr. Murray became the head of the firm of Murray, Hayward, and Magarey. He has been a member of the University Council since 1891, and in one year, during the absence of Professor Pennefather, acted as Professor of Law. For a considerable period he has been a member of the Board of Examiners of the Supreme Court, and a member of the Rhodes Scholarship Selection Committee in South Australia. He was the first graduate of the Adelaide University to take silk. The Chief Justice, who recommended him for the distinction, is also Chancellor of the University. He was made King's Counsel in 1906.

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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 consideration should have no weight whatever; 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 Courts so frequently as several 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 with 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 systematic methods. These qualifications 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. Shrewdly did Hamlet include in the miseries of this mortal life "the law's delay" as well as the "oppressor's wrong, the proud man's contumely, and the pangs of despised love." A modern jurist has declared that lynch law in America began 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 regularly constituted legal machine. As "suspense is worse than hanging," so the early knowledge of the suitor's fate is usually at least equally important with the nature of that fate.

One must fairly assume that valid reasons prevented the appointment to the Judgeship of a gentleman already in the public 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 as substitutes for Judges, and each has done his work so well that either would have been quite fitted to succeed the late Mr. Justice Homburg. The responsibility, however, is with the Executive, and its members must be credited with having been animated by the best motives, and with having adopted the wisest course possible to them in the circumstances. And one noteworthy thing is that nobody can impute political influence in the selection. Mr. Murray will be cheered and encouraged on the assumption of his legal office 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 the social and other organized activities of the State is by no means a disadvantage to him in connection with the Judgeship. Only 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 strong reasons—of expediency, at any rate—for expecting him to be in a certain sense in the world, and yet not of the world. The obvious reasons why a Judge could not be a director of a company should, upon reflection, apply almost equally to prominent positions which have no commercial bearing; for there are bickerings and caballings in circles far removed from finance. Only a very strong and versatile man—and even he at great risk of being misunderstood and possibly distrusted—can afford to consent to be much else besides a Judge while he is a Judge. Thus, what might appear at first to be a weakness in Mr. Murray's panoply, is revealed on meditation as an additional source of strength. There is ample reason for the belief that if the conferring of the Judgeship has shed lustre for the moment upon its recipient, the new Judge will soon shed lustre upon his exalted position. "Pigmies, though perched on alps, are pigmies still;" but strong and resourceful men grow in moral and mental influence with the increase of their opportunities.

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## THE NEW JUDGE.

From "An Admirer":—"Two interesting facts were omitted from the otherwise complete and appropriate references in *The Register* to the brilliant career of the new Judge, Mr. Murray proceeded to the LL.M. degree at Cambridge in 1909, a distinction held by few Australian born. In the University of Adelaide he has always been deeply interested, and five years ago, in memory of the family of his mother, he founded at this University the Tinlinde scholarships for history. Mr. Murray is the first South Australian born to be raised to the Supreme Court Bench in this State."