

Bench. The work of the Supreme Court is increasing, and the Chief Justice and his colleagues will give great satisfaction to litigants and the public by facilitating its efficient, systematic, and rapid performance. As Mr. Murray is not much above fifty years old, and is in possession of sound health, the community will confidently hope that he may have a protracted and agreeable occupation of an office which has been conferred upon him for merit alone. In the nature of things the Acting Judge now becomes a member of the Judiciary. In the various offices he has filled, Mr. Justice Buchanan has shown himself a safe legal guide, whose decisions are inspired by commonsense. As the third Judge, he will henceforth devote his talents and long training exclusively to Court cases. In selecting Professor Jethro Brown for the posts of President of the Industrial Court and Acting Judge, the Government was probably influenced largely by his broad and liberal conceptions of the democracy and the principles of modern legislation. Dr. Brown's scholastic attainments and his University career as Professor of Law reflect credit upon his native State, and all classes of people are ready to believe that he will do honour to himself and to his profession in the new spheres in which his rare intellectual and judicial powers will be engaged.

---

## The Daily Herald

---

ADELAIDE, THURSDAY, JANUARY 20, 1916.

---

### THE JUDICIAL APPOINTMENTS.

---

The appointments to the Supreme Court bench are such as to command almost universal approval. There were those who were shivering in their shoes lest the Government should elevate a member of its own party to an exalted position. One authority went out of its way to insult Mr. Vaughan, the Attorney-General, by reflecting upon his professional standing. There is no doubt that if the Attorney-General had been desirous of becoming Chief Justice, and had been chosen, he would have made good. His scholastic attainments are higher than those of the late Chief Justice, he is of a judicial temperament, is industrious, conscientious, and able. But Mr. Vaughan is not a self-seeker. He has a higher standard of public life than to make it simply a vehicle of personal preferment. He is in public life more for what he can put into it than for what he can get out of it and his standing aside at the present time must surely be counted unto him for righteousness.

The many friends of Sir John Gordon will regret that on account of ill-health he was compelled to decline the offer of the Chief Justiceship—a position which with reasonable physical strength, he would have adorned. His nature, grace, and dignity; his personal charm, together with his judicial strength and skill, would have made him a model Chief. But the passage of the years has made inroads into his physical vigor, and though his intellectual lustre has not dimmed one whit he felt that it would be unwise to accept additional responsibility. A son of the manse, as was Sir Samuel Way, Sir John Gordon climbed to the Supreme Court bench up the political ladder, as did also Sir

The Daily Herald January 20<sup>th</sup> 16

Samuel, through the ladder by which the baronet ascended was unusually short. Sir John's career as a politician was a brilliant one, and his promotion to the courts has been fully justified.

Mr. Murray, the new Chief Justice, is not a son of the manse; neither has he breathed the stimulating and seasoning atmosphere of Parliament. But he comes from one of the most worthy pioneer families of South Australia—he is the first native of the State to occupy his present exalted position, and his father spent many years in the Legislature. A giant physically and mentally, the new Chief Justice is endowed by Nature and art with all the qualities which should make him a worthy successor to the gentleman whose death is mourned and to whom he was Associate many years ago. His scholastic life was distinguished, and his career at the bar markedly successful. Since he was raised to the bench in May, 1912, his Honor has displayed powers of analysis and discrimination, which, with his knowledge of the law and his natural sense of fairness, form an equipment of singular power and promise. As Mr. Justice Murray is in the prime of life—he is 52—he should have a long and successful career in his new office.

The position of third judge having become vacant the Government has promoted Mr. Buchanan, who has been acting-judge and President of the Industrial Arbitration Court. Mr. Buchanan is also a native of South Australia, and is a gentleman of much experience. He was Master of the Supreme Court for many years, and is an able and conscientious gentleman.

The offer of the position of fourth judge and President of the Arbitration Court to Professor Jethro Brown is one which reflects much credit upon the Government. Mr. Brown is specially gifted, he is in sympathy with conciliation and arbitration, and should command the confidence of both employers and employes. The position is one which is more difficult to fill than any other on the bench, but if the Professor can see his way clear to accept it we feel sure that his occupancy of the office will tend to ensure industrial peace upon bases satisfactory to both sides.

## NEW CHIEF JUSTICE

---

### MR. JUSTICE MURRAY APPOINTED

---

### MR. JUSTICE BUCHANAN THIRD JUDGE

---

### PRESIDENCY OF ARBITRATION COURT OFFERED TO PROFESSOR JETHRO BROWN.

---

An important announcement was made late last evening by the Attorney-general (Hon. J. H. Vaughan), who stated that Mr. Justice Murray had been appointed Chief Justice and Lieutenant-Governor of South Australia in succession to the late Sir Samuel Way, that Mr. Acting Justice Buchanan had been appointed third judge of the Supreme Court of South Australia, and that Professor Jethro Brown had been asked to accept the position of President of the Arbitration Court.

Mr. Justice Gordon Refuses Chief Justiceship.

"The Government offered the position of Chief Justice to his Honor Mr. Justice Gordon," stated the Attorney-general, "but his Honor intimated that he felt reluctantly compelled to decline the honor as his health would not permit of the imposition of the additional strain that would be entailed by his taking up the responsibilities of the office. Thereupon his Honor Mr. Justice Murray was asked to accept the position, and I am pleased to be able to inform the public

that he has accepted it. Mr. Justice Buchanan, who is President of the Industrial Arbitration Court, and who has acted as temporary judge for almost four years, has been elevated to the Supreme Court bench, and will be the third judge. With regard to the Presidency of the Arbitration Court the Government has asked Professor Jehro Brown, LL.D., D.Litt., to accept the position rendered vacant by the elevation of Mr. Justice Buchanan."

#### The New Chief Justice.

Widespread satisfaction will be expressed at the elevation of his Honor Mr. Justice Murray to the high office of Lieutenant-Governor and Chief Justice of the State. His great abilities are fully recognised by the members of the legal profession, who will heartily endorse the action of the Government and the community as a whole. His Honor is a son of the late Mr. A. B. Murray, a well-known pastoralist, who was for some years a member of the House of Assembly and later on of the Legislative Council, and was born at Murray Park, Magill, on September 27, 1865, so that he is in his fifty-third year. His Honor had a brilliant educational career. Commencing at the Adelaide College, conducted by the late Mr. J. L. Young, he proceeded to Scotland, where he studied at the Edinburgh High School. When merely a lad he returned to South Australia and entered Prince Alfred College, and continued his educational successes, winning the Prankerd, Christ Church, and Farrell scholarships while at the college.

When 18 years of age he won a University matriculation scholarship. In 1882 he won the John Howard Clark scholarship, and graduated B.A. in the following year. He was also awarded a much-coveted scholarship—the South Australian—tenable for four years at £200 a year. This enabled him to attend Cambridge University, where he secured his B.A. and LL.B. degrees. He passed the law tripos of 1887, being bracketed senior. Continuing his brilliantly successful career, he won a studentship of the Inns of Court on jurisprudence, Roman law, and private international law. After taking the degrees he read in chambers with Mr. E. A. Wurtzberger and Mr. Blake Odgers, K.C. He was called to the bar at Inner Temple on April 25, 1888. In the same year he returned to Adelaide and became associate to the late Sir Samuel Way, a position he held until Sir Samuel went to London in 1891, in which year he began to practise in partnership with Mr. W. A. Magarey. His great gifts quickly established for him a very high reputation at the bar, and he took part in many important cases, some of the principal ones being Queen v. South Australian Land Board, 1898 (the famous Malcolm lands case), Queen v. Irish, Queen v. Glenelg Railway Company, 1899, and Independent Order of Oddfellows v. Bon Accord Lodge, 1892. When Mr. Jas. Henderson died in 1905 his Honor became senior partner in the firm, which was thenceforward known as Messrs. Murray, Hayward, and Magarey. His Honor was appointed K.C. in 1906. It is noteworthy that he was the first graduate of the Adelaide University to take silk. His Honor occupies many high and important offices, including that of Vice-Chancellor of the Adelaide University. He has been a member of the University Council since 1891, and for a period during the absence of Professor Pennefather acted as professor of law at the University. He is a dean of the Faculty of Law, and for some years prior to his elevation to the bench was a member of the board of examiners of the Supreme Court. He is also a member of the Rhodes Scholarship Selection Committee in this State. The new Chief Justice was elevated to the bench on April 2, 1912, on the death of the late Mr. Justice Hamburg. His sense of fairness and justice during the hearing of many important cases which have come before him, as well as his fearless denunciation of that which he considers contrary to the best interests of society, has won for him a very high place in the judicial world of Australia. He is peculiarly fitted for the high position he has been called upon to occupy.

#### Sir John Gordon.

Sir John Gordon, who declined the Chief Justiceship on account of ill-health, has had a very fine career in this State, and it is a matter for regret that he could not see his way clear to accept the proffered honor. Born in Kilmalcolm, Scotland, on July 26, 1850, he came to this State eight years later with his parents, and proceeded to Gawler, where his father was appointed Presbyterian minister, in 1861. In Modren Athens Sir John attended Mr. L. S. Burton's school, and afterwards entered the office of Messrs. Duffield & Co. He early displayed ability of a high order, and wielded a valuable influence upon the young men of the town. He had a distinct literary turn, and contributed many articles to the newspapers of the day. Sir John qualified for the law, and proceeding to Strathal-

byn commenced the practice of the law profession. Thence he removed to Adelaide, being called to the bar in 1870, and was later made a K.C. Sir John had a brilliant political career. He was first returned for the Southern district in 1880, which constituency he represented until 1903. Sir John was Minister of Education in the Cockburn Government, 1899-1901, in the Holder Ministry in 1902. He occupied the portfolio of Chief Secretary in the Kingston Ministry from 1893 to 1901. He was Attorney-General in the Holder Government of 1899-1901, and Attorney-General and Minister of Education in the Jenkins Ministry in 1903, when he was elevated to the bench. Sir John took a prominent part in the movement to bring about the federation of the Australian States, and was a member of the convention which framed the Federal Constitution in 1897-98. Sir John was knighted in 1908.

#### Mr. Justice Buchanan.

The new third judge is also a native of South Australia, having been born at Anlaby in 1848. He is a son of the late Mr. A. Buchanan, of that town. Mr. Justice Buchanan received his education at St. Peter's College, at Hofmühl (Switzerland), and at Glasgow. For some years he followed commercial pursuits in Scotland and Canada, eventually returning to South Australia in 1870. For two years he conducted prospecting operations in the Northern Territory, and was afterwards associated with the late Mr. J. W. Gleeson in a stock auctioneering business at Clare. Entering the legal profession he became articled to Mr. Bright, of Clare, and was admitted to the bar in 1884. For some years his Honor conducted the legal business of the late Hon. Charles Mann, and on the death of the latter was joined by Mr. E. A. Thornton, with whom he was associated until his appointment as stipendiary magistrate at Port Adelaide in 1891, and shortly afterwards, on the death of Mr. W. D. Scott, he was appointed Master of the Supreme Court, a position he held until appointed temporary judge in October, 1911. He was also registrar of probates, and administered the Probate and Succession Duties Act after the death of Mr. Augustine Stow. His Honor evinced a keen interest in all matters relating to the welfare of the civil service, and took an active part in the passing of the Public Service Superannuation Act of 1902, and for some time was chairman of the board appointed under the Act. His Honor was recognised while at the bar as being a very sound lawyer. For several years he has been President of the Industrial Arbitration Court, a position that has called for great tact and technical knowledge. He is also a member of the Prices Regulation Commission, in which connection he has become prominent by reason of his differing from the other members of the commission with regard to the prices of certain commodities.

#### Professor Jethro Brown.

Than Professor Jethro Brown there is no one more qualified to fill the position offered him—that of President of the Industrial Arbitration Court. The professor is one of the most brilliant men this State has produced, and his remarkable career sheds lustre upon the land of his birth. He was born at Mintaro on March 29, 1868, so that he is in the prime of manhood. Professor Brown received his education at the Stanley Grammar School, Watervale, and at St. John's College, Cambridge. He graduated with double first honors in the Law Tripos in 1889-90. In 1889 he won an Inne of Court studentship, and in 1891 a common law scholarship at Middle Temple. The professor was called to the English bar in 1891, and from 1892 to 1896 was the McMahon student of St. John's College, Cambridge. In 1895 he was appointed professor of law and history in the University of Tasmania, a position he occupied until 1900. He was also acting professor of law in the Sydney University in 1896. In that latter year Professor Brown took the LL.D. degree at Cambridge University. During 1900-1901 he occupied the position of professor of constitutional law and history in the University College, London, was examiner for the law tripos at Cambridge from 1902 until 1906, and examiner in jurisprudence at London University in 1906-8. In the latter year he was appointed professor of law at the Adelaide University, a position he has since held with distinction. The professor has authored many valuable books on law and other subjects, and is a very close student of social questions of the day. Included in his works are "The New Democracy" (for which the Dublin University conferred upon him the degree of D.Litt. in 1900), "Why Federate?" "The Study of the Law," "The Underlying Principles of Modern Legislation," "The Australian Theory of Law," and "The Control of Monopolies." When Sir John Gordon resigned the chairmanship of the Royal Commission on the Sugar Industry in 1912 Professor Brown was appointed to the position, and filled it with marked distinction. His intimate knowledge of social questions, of which he takes a broad view, fit him admirably for the