

ADDRESS OF THE HON. CHIEF JUSTICE, SIR ISAAC HYATALI, T.C.

AT THE OPENING OF THE LAW TERM ON 3 OCTOBER, 1978

MR. ATTORNEY, ETC

My brothers and I are grateful for the generous response you have made to our invitation, to assist us in formally inaugurating the law term today, which is the 17th since we became an independent nation in 1962.

PRACTICE OF REVIEWING WORK OF THE COURTS

It was the late Sir Hugh Wooding of revered memory, the first Chief Justice of our nation, who started the practice at the opening of the law term of reviewing the work done by the Courts in the previous year, drawing attention to the state of the lists and proposing measures for the improvement of the machinery of justice.

1963 LAW TERM

Speaking at the opening of the Law Term in 1963, he referred to the “considerable backlog of cases congesting the lists” when he assumed his duties as Chief Justice on 31 August, 1962, the performance of the Judges during the previous law term and, made his first plea for a new Court and an improved legal profession when he said, inter alia, that –

“the bystander will not be impressed with the Law’s majesty if it labours in a mews, if its dignities are absent, if its administrators are undistinguished or if its practitioners are unethical.”

1964 LAW TERM

At opening of the law term in 1964, he referred again to the backlog of cases, and after revealing a jump in the criminal figures, he said:

“Alarming as these figures are, I must caution against the trend towards panic. Admittedly there is a substantial increase in the volume of crime. But let us not be parochial. We need to rid ourselves of the assumption that this is a phenomenon peculiar to Trinidad. It is not – indeed it is universal.”

1965 LAW TERM

In his 1965 address, he mentioned the large number of cases which was awaiting trial at Independence in 1962 “for upwards of five years – some as many as seven to ten years”, and to the fact that the backlog was steadily declining to a manageable size.

1966 LAW TERM

But in 1966, he lamented the fact that for the first time since independence, the backlog of civil cases could not be cut down, and revealed that the arrears in criminal cases had risen from 412 to 704.

1968 LAW TERM

In 1968, the year when he retired from the Bench as Chief Justice, he disclosed that the untried cases in the civil lists at the opening of term numbered 615 but that this was 138 less than in 1962 even though the number of cases entered for trial during that period had increased by some 87%. The arrears in the criminal list then stood at 524.

TREND CONTINUED

The statistics of subsequent years show some anomalies, but what is certain, is that the trend of previous years continued unabated both in the regime of his successor Sir Hugh McShine from 1968-70 and in 1970-2 when Mr. Justice Phillips performed the functions of Chief Justice.

PRACTICE DISCONTINUED

When I assumed the mantle of this office, I discontinued the practice of enumerating the number of cases completed by the Judges, and instead, I projected plans and programmes for improvement and reforms in the administration of justice. I did so, because I thought it far better to do this, than to parade figures reflecting the energy and dedication of members of the Bench, which to me, was never in doubt.

But because one or two Judges were guilty of protracted delays in delivering reserved judgments, all the members of the Judiciary were roundly and unfairly criticised in 1974

for lack of performance, by a Senator who should have known better, or at least been better informed. I therefore felt constrained to clear the air in my 1975 address and demonstrated by the statistics of 1972, 1973 and 1974, that there was an actual increase in the performance of the Judges by some 40% in 1974 over 1972.

OTHER CRITICS

I digress here for a moment to observe, that other would-be critics of the Judiciary, have come to the fore in recent times. But let me stress what I have said on previous occasions, and it is, that we the Judges of the Supreme Court, welcome fair and honest criticisms. We are not afraid of nor daunted by them. Such criticisms are healthy for the Judiciary and we shall always be grateful to those who do so in good faith and show thereby, their honest concern for improvement of the machinery of justice.

FREEDOM OF SPEECH

Freedom of speech is a precious and much treasured right in this country and in order to preserve its inviolability, it is necessary to keep steadily in mind, that subject to the citizen's right not to be defamed, and the laws against treason, sedition, blasphemy, obscenity and other crimes, this right predicates freedom, not only for the views with which we agree, but also freedom for the views with which we wholeheartedly detest.

SUSPECT CRITICISM

Criticisms however, which are inspired by pique, malice or other improper motive, are clearly, not bona fide criticisms but calumny in disguise, and those who spew them around will be found to be either nondescripts or opportunists hankering after cheap publicity or obsessed by a passion to be noticed and recognised in the society.

SCANDALUM MAGNATUM

Their technique involves the employment of the all too familiar method of scandalum magnatum – that is, directing outlandish attacks against the holders of high offices – the President, the Prime Minister or the Chief Justice; and if that proves inadequate to

achieve their objects, they pour their venom on other distinguished and respected persons in the community.

We on the Bench, do not, and will not concern ourselves with such critics. Their scandala magnatum carry no terror to us. The colour and conduct of our lives, we trust, will continue to give us a suit of armour against their arrows, and resting content in the certain knowledge that they belong to a pool of muckrakers, we shall remain steadfast in our refusal to soil our lips by replying to them.

BACKLOG OF 1956 – THE NAPIER COMMITTEE

But I must return to the point I was seeking to develop. The backlog of cases and delays in their disposal, like poor relatives, have always been with us. They gave cause for grave concern not only to our revered Chief Justice of 1962, Sir Hugh Wooding, but also to the Colonial Chief Justice of 1956, Sir Joseph Mathieu-Perez.

It was because of that concern, that at the latter's request, the Napier Committee was appointed –

“to consider and report of the system of administration of justice in the Colony [as it then was] and to make recommendations for expediting the work in all courts.”

That Committee submitted its report and recommendations on 7 January 1956 and like many other reports it was accorded the conventional treatment – read, published, discussed and forgotten; save that in this instance a few minor recommendations were implemented. The Report however has remained for the Judiciary and the legal profession, the locus classicus on the administration of justice. The considered views of the Chairman on a number of topics remain as valid today as they were then and consequently no apology is necessary to repeat some of them on this occasion. With the approval of the other members of the Committee, Gaston Johnston, Q.C., Malcolm Butt, Q.C., Karl de la Bastide, Acting S.G., A.H. Busby, Chief Magistrate, R.M. Sellier and M.T.I. Julien, he was allowed to make his own “personal independent inquiries”, and on court accommodation generally, he said:

“In many cases the accommodation provided for use as courts and for those administering the Courts is sadly inadequate and unsuitable. The appointments and furnishings in the Courts themselves often leave much to be desired.

Not only is it impossible for those concerned in the administration of justice to work efficiently and give of their best without reasonably suitable and comfortable accommodation but the administration must inevitably suffer “in repute from the very fact that the setting in which it is placed is undignified, or overcrowded or shoddy.”

THE RED HOUSE

On the Red House, he stated this, inter alia:

"The Red House is beautiful to look at, but it is structurally unsuitable for the Law Courts. The portion allocated to the Supreme Court has been adapted. At first two courts were constructed and for a long time that was enough. The population has increased, and the business of the court has increased to such an extent that now five courts are insufficient. By various makeshifts, the number of courts has been increased to five, but there is no Conference Room, there is no Robing Room, a very poor room is provided for the Library and that room is also a thoroughfare, and the Jury Room is a long way from two Criminal Courts. There are other disadvantages. The acoustics are bad in one court and some of the Judges Chambers are noisy and lacking in privacy. There is no waiting room for witnesses. The offices on the ground floor are all congested."

NEW COURT BUILDING

The Committee went on to recommend the erection of an entirely new building to accommodate six good courts, twelve sets of Judges Chambers and stressed that –

“The Judges should have privacy not only in Chambers but in the passageways by which they have access to the various courts, [and that it was] of the utmost importance that adequate provisions should be made for offices, waiting rooms, Robing Rooms, Conference Rooms, a Library and last but not least lavatories.”

On Executive Responsibility and the Machinery of Justice the learned Chairman remarked that he

“would like to stress... that keeping the machinery of justice in working order is the responsibility of the Executive Government.

It is the people... who suffer if the system goes wrong. It is they who need impartial judges to hold the scales in the disputes not only between one citizen and another, but between one citizen and the State. It is their representatives on the Legislative Council who, on their behalf may be expected to be most concerned if the system goes wrong, and most anxious that it should be kept in working order. To keep it in order is an executive function, and it is for the Executive Council to lay before the Finance Committee or the Legislative Council their proposals for the necessary expenditure or legislation.”

CONDITIONS HAVE WORSENEDED

That was in 1956 – 22 years ago. The story told by Sir Albert Napier about the Red House then, remains a painfully familiar one today. In fact, the lawyers practicing today in the Courts housed in the Red House, will readily agree, I am sure, that the situation up to the end of July last was far worse than it was in 1956. Indeed, except for the provision of a larger room for the library, the very recent removal of what can only be described as a cesspool in the middle of the Red House, and the release of a little more space to the Judiciary, all the observations of the Committee on Court accommodation at the Red House in 1956, continue to be uncannily accurate.

REPEATED PLEAS FOR IMPROVEMENT

Scan and peruse the addresses made at the opening of each law term as well as the representations made otherwise to the powers that be since 1962, and in them you will discover not only repeated references to the mounting backlog in the civil and criminal lists, but pleas and proposals made in vain for more court buildings, more judges, more habitable surroundings, improved facilities, better equipped libraries, law reform, revision of the 1950 laws, legal aid, county courts to relieve the intolerable pressure on the High Court, a Hall of Justice in Trinidad, a Hall of Justice in Tobago, construction of new magistrates' courts in Mayaro, Tunapuna, Point Fortin, St. James and San Juan, appeals for a united Bar to strengthen the administration of justice, improvement of the terms and conditions of service of magistrates and other measures designed to improve the machinery of justice throughout the country.

ACTION BY ATTORNEY GENERAL AND MINISTER FOR LEGAL AFFAIRS

But it was not until the appointment of the present Attorney General and Minister for Legal Affairs that some notice was taken of the pleas made on behalf of the Judiciary and heed paid to the truism, that it was the responsibility of the Executive to keep the machinery of justice in working order.

The accumulation of the ills resulting from the neglect of past years was indeed forbidding, but this did not daunt Mr. Attorney. Having convinced the Executive of the need for early action in several directions, he set the necessary machinery in motion to complete the Hall of Justice in Tobago, to construct a Hall of Justice in Trinidad to house some 20 Courts and two divisions of the Court of Appeal, to get the Mayaro Court House completed, to accelerate the completion of the Point Fortin Court and to get the plans for the magistrates' courts in Tunapuna, San Juan and St. James implemented.

ACCOMPLISHMENTS

By reason of his efforts in other directions, the revision of the 1950 laws of the country is well under way, Reports of the Wharton Law Reform Committee of 1962 on various subjects have been retrieved from their pigeon holes and action taken on them; the law reform programme is proceeding apace; A Legal Aid Scheme (described by Queen's Counsel Norman Hill of Jamaica, former President of the Organization of Caribbean Commonwealth Bar Associations both at the Commonwealth Law Conference in Scotland and at the World Peace Through Law Conference in the Phillipines last year, as the best in and a model for the Caribbean Commonwealth) has become a reality, an Ombudsman has been appointed, a Judicial and Legal Service embracing all judicial and legal officers has been established, a second division of the Court of Appeal has been inaugurated, publication of a new series of Law Reports to be known as the Trinidad and Tobago Law Reports commencing from 31 August 1962 has at long last been approved; the Registrar General's Department has been restored and re-organised, the center of the Red House has been restored to a state of cleanliness and respectability; and several

important amendments and enactments which time will not permit me to enumerate, have been added to the statute books.

THE CURRENT YEAR

During the current legal year, there is every likelihood that approval will be secured for creating the post of Master of the Supreme Court, to relieve the congestion and utter chaos obtaining in the Chamber Courts, for obtaining suitable premises to house temporarily additional High Courts, for introducing the County Courts which I requested more than three years ago, and that we will have the great pleasure of seeing a new Edition of the Laws of Trinidad and Tobago and the introduction of many badly needed reforms of our antiquated laws. What more can we ask of an Attorney General of only two years' standing, facing the formidable litany of ills resulting from more than 20 years of neglect of the machinery of justice and the failure since independence to tailor our antiquated laws to serve the needs of our society?

The fact is, that while the machinery of justice was languishing in the wilderness for over twenty years and the voices of the legal profession and the public were sorely needed during that period to clamour for its rescue from the backwaters of our society, almost none was heard.

PUNY SABOTEURS

But now that the rescue operations have begun, and the results of Mr. Attorney's exertions have begun to appear, opportunists, armchair critics and puny saboteurs have come to the forefront to belittle what has been accomplished, to make stale proposals for reform and to jump on the bandwagon merely to get their voices heard. They have missed the bus, I fear, and for my part (and I trust this is Mr. Attorney's position as well) I propose to have no truck whatsoever with them. Indeed, it would be ungracious of the Judiciary not to express its appreciation of all that has been done in the past two years, and as its head, I not only tender our warmest thanks to him but wish to assure him that in the continued execution of plans and programmes for law revision, law reform and the

improvement of the machinery of justice, he will have our fullest cooperation and unstinted support.

UNDUE DELAYS

From the figures supplied to me by the Registrar, the number of cases awaiting trial on the civil side in Port-of-Spain, stands at 1617 and in San Fernando at 741; and from those furnished by the Director of Public Prosecutions the number outstanding in the Criminal Lists is 528 in Port-of-Spain, 283 in San Fernando and 10 in Tobago. It is manifest that the present complement of Judges as I have pointed out in the past, cannot make any noteworthy impact on this forbidding backlog of cases. Urgently needed to meet what is manifestly a serious crisis in the machinery of justice is the early implementation of at least two measures: (a) the introduction of county courts and (b) the appointment of three additional judges. I therefore repeat my requests of previous years that immediate steps be taken to introduce these measures and to provide both the staff and the accommodation that will be necessary to service them.

A third measure which I feel constrained to suggest is that the law should be amended to permit a Judge in his discretion, to grant bail to a person in custody awaiting trial for more than 12 months, for an offence which at the moment is not bailable. It is manifestly unjust in my view, to have a prisoner languishing in jail for more than a year without trial because of the congestion in the criminal lists. One recalls in this connection the vivid words of R.H. Smith quoted by Michael Zander in his book "What's Wrong With The Law" to this effect:

"Nothing rankles more in the human heart than a brooding sense of injustice. Illness, a man can put up with, but injustice makes him want to pull things down."

In dealing with a situation of this kind however, one must strike a fair balance between the liberty of the citizen and the responsibility of the State which is the trustee of the public interest. I have in fact earnestly endeavoured to do so, and the conclusion which I have reached is that in the circumstances referred to justice and reason require that such

an amendment of the law should be made and that Mr. Attorney should give the matter his early consideration.

RESERVED JUDGMENTS AND OTHER DELAYS

Protracted delays in giving reserved judgments in civil cases have been a serious problem with three judges. In addition, serious delays also occur in the typing of notes of evidence, reasons and judgments, after notices of appeal have been given. Serious delays also occur in the Registry of the Supreme Court which is so frightfully congested, that more often than not, records in actions are either misplaced or extremely difficult to locate. Much too often, Judges are obliged to resort to the undesirable expedient of borrowing the records of practitioners to inform themselves of the nature of the case and what it involves.

COMMITTEE OF JUDGES

In order to resolve the problems posed by the delays referred to, I have appointed a Committee of three knowledgeable and experienced Judges to experienced Judges to investigate the causes thereof and to propose solutions. It is headed by Corbin, J.A. and with him are Braithwaite and Cross, JJ. Their Secretary will be Mr. Carlton Best, Assistant Registrar. I have requested them to let me have their report and recommendations within four weeks and it is my fond hope that long before we meet again at the opening of the next law term the problems will have been eliminated.

THE COURT OF APPEAL

I turn now to the Court of Appeal. Happily we are in a very fortunate position there. From the information and records supplied to me I am in the happy position to say, that all the cases filed with the court have been placed on the list for hearing in October, except the Criminal Appeals which have not yet come to hand but for which days of hearing have been set aside. It would be useful I think, to point out here for the information of the public (the lawyers know it or should know it only too well) that unless the record of a case is filed in the Court of Appeal by the solicitor for the appellant

as the rules of Court require him to do, the case cannot be placed on the list for hearing nor can it be properly described before then, as pending a hearing before this Court. And notwithstanding what is glibly represented to the contrary, by some spurious statistics, the Court's records show that there is at the moment no civil case filed with it which has not been allocated a date of hearing and there is certainly no case so filed which is awaiting a date of hearing for either 2,3,4,5,6 or 7 years. In fact, the oldest civil case before us, according to the advice given to me, is one filed on 14 April 1977 and it is on the list still only because it was ordered to be heard de novo by another court.

POINTS RAISED IN ONE OF THE DAILIES

Four points have been drawn to my attention in one of the Dailies of 24 September, for which I am most grateful. The first is that one Faustin Gabio was placed in custody at St. Anns 22 years ago to await his trial and he is still so waiting. The second is that an average delay of between 18 months to 2 years between committal and trial for a criminal offence is an 'absolute disgrace'; thirdly, that there are interminable delays in the hearing of civil cases; and finally, Courts should not in the face of the situation disclosed go on vacation for 2 ½ months each year.

THE GABIO CASE

Sections 66 to 70 of the Criminal Procedure Ordinance Ch. 3 No. 4 govern the custody of insane persons. In the Gaol Delivery of June 1978 there is no record that any one by the name of Faustin Gabio is being detained at St. Anns. If he is, however, then it is to be assumed that he is confined there during the President's pleasure, which means that as soon as he becomes sane he will either be brought to trial before the Court by the Director of Public Prosecutions or freed if the Director of Public Prosecutions enters a nolle prosequi against him. If he is being detained unlawfully, then habeas corpus proceedings should be instituted by him or some one on his behalf.

I would agree that 18 months to 2 years between committal and trial is unreasonable, and that it is most unreasonable if the person is in custody during that period awaiting trial. Releasing such a person on bail even if the offence charged is not bailable, is one

expedient for rectifying the situation and I have so recommended in the earlier part of my address.

REDUCING DELAYS IN HEARING CIVIL CASES

Delays in the hearing of civil cases will unfortunately continue, because of the present congestion of this list and the need to give priority to criminal cases. When however the measures I have advocated to relieve the situation are adopted, delays will be considerably lessened.

COURT VACATION

As to the vacation of 2 ½ months taken by the Court in each year, the position is that each Judge is entitled to have 2 months vacation in every two years. Under the present system (which was first advocated by the Bar Association in 1955, then a united, vibrant and powerful body), a Judge is required to take his vacation in August and September of every year and at no other time. If he does not take it, he loses it, because he is not allowed to accumulate it. Five and sometimes six of the ten Judges of the High Court are allowed to go on vacation during this period while the other five or four as the case may be, are required to remain on duty to attend to urgent cases and vacation business. One of them sits in Tobago to hear criminal and civil cases.

To allow Judges to go on vacation during the term will cause serious dislocation of the business of the Courts. Acting appointments to the Bench are not only undesirable as the Bar pointed out in 1955, but suitable material for that purpose is well-nigh unobtainable. The convenience of members of the Bar and Law Society, who are also entitled to some vacation, must be considered as well, since without their assistance the Courts will be unable to function effectively and in many cases, at all. Whenever it is feasible however, criminal courts sit in August in Port-of-Spain and San Fernando, as was the case last year, but this is always dependent on the availability of sufficient Judges during that month.

I do not think that it is being suggested that Judges are not entitled to their vacation. We are certainly not happy with an arrangement which compels us to take our vacation during a specified period and, what is worse, to lose it if we do not take it then. But we all accept the system with equanimity, albeit reluctantly, as a practical and convenient one and the experience of past years supports it as a most sensible one in all the circumstances.

LAST SCRIPTURAL MESSAGE

Last year Mr. Justice Rees, as he then was, read his farewell scriptural message from the pulpit of the Holy Trinity Cathedral and it is with regret that I now place on record that Mr. Justice Phillips did the same this morning at the Church of the Sacred Heart.

Within three years hence, another two Justices of Appeal will have retired and in the year subsequent to that period I shall be giving way to my successor.

BENCH NO ATTRACTION TO THE BAR

I mention these developments for the purpose of pointing out that the present salaries and terms of service of Judges have not only failed to make the Bench an attraction, let alone the dominant attraction to the legal profession, but that we are headed for a situation in which the brandy will have to be watered considerably in order to fill future vacancies on the Bench.

SALARIES REVIEW COMMISSION

The Salaries Review Commission provided for in the Republican Constitution of 1976, has at long last been appointed, and we are happy to acknowledge that the personnel selected to constitute the membership of this most important body, commands our highest confidence.

The Commission, I am advised, has already begun its Herculean task under the competent direction and chairmanship of Queen's Counsel Mr. Mitra Sinanan, and now that he has given up his practice at the Bar to discharge the duties of this responsible

office I should like to assure him (or shall I say warn him) that we are all looking forward with the keenest anticipation to the first results of the Commission's deliberations.

THE CASE FOR THE JUDICIARY

Let me therefore in the light of the failure to make the Bench, the dominant attraction to the legal profession and in the best interests of the future administration of justice in our country, restate the case for the judiciary in the graphic and prophetic language of Sir Albert Napier and support it with the immortal eloquence of Sir Winston Churchill whom I quoted last year in vindication of another point I made then: Sir Albert Napier had this to say:

“The service which a Judge renders requires the highest qualities of learning, training and character. He has to exercise powers which in England, would be shared between the three divisions of the High Court,... A judge lives a more restricted life than other people. Additional sources of income which are open to many men in salaried occupations are denied to a Judge. He cannot hold directorships in companies, he cannot engage in trade or write for the press. He must be circumspect in the friends which he makes and the hospitality which he receives lest he should find his impartiality subconsciously undermined. His is a dedicated life. Much is required of him and with the present cost of living the salary now offered is still inadequate for the post. It is also insufficient to attract persons qualified to hold the office. We are informed that great difficulties have been found in filling recent vacancies and unless a better salary is provided there must be a progressive deterioration in the quality of the Bench.”

And Sir Winston Churchill spoke in this wise to his fellow parliamentarians:

“The service rendered by a Judge, demands the highest qualities of learning, training and character. These qualities are not to be measured in terms of pounds, shillings and pence according to the quantity of work done. A form of life and conduct far more severe and restricted than that of ordinary people, is required from judges and, though unwritten, has been most strictly observed. They are at once privileged and restricted. They have to present a continuous aspect of dignity and conduct... The Bench must be the dominant attraction to the legal profession, yet it rather hangs in the balance now, and heavily will our society pay, if it cannot command the finest characters and the best legal brains which we can produce; and heavily will our country pay... if we do not sustain those institutions for which we are renowned.”

The Chairman, I know, is never impressed with a point unless it is supported by high authority. My experience as his Junior in a number of cases at the Bar has taught me that. Consequently, I feel confident that he will not only take the views of these two illustrious gentlemen under advisement, but bear in mind also that as they are longer alive, their views carry far greater weight today, than when they first uttered them.

THE MAGISTRATES

As for the Magistrates of the country, a sadly neglected group of indefatigable and dedicated judicial officers, I am advised by the Chief Magistrate that he and his fellow magistrates have strong reasons now to hope that their just claims will be met, and that their nagging frustrations of more than ten years will soon come to a merciful end. I share their hopes and give them my full support.

MR OWAD PERMANAND

While on the Magistracy I should like to place on record that the accusation of impropriety made against Mr. Permanand by a lady magistrate before the de la Bastide Commission of Inquiry and referred to at p.50 of the Report proved to be utterly baseless, and that he received a letter from the Judicial and Legal Service Commission exonerating him from any such impropriety. It is only fair that this should be publicly stated, as the Report which only remains noted by Cabinet so far received the widest publicity in the news media.

CONGRATULATIONS

Before concluding, I should like on behalf of my brother judges and myself to offer Mr. J.A. Wharton, Q.C. our warmest congratulations on the award of the country's highest honour to him – the Trinity Cross. Mr. Wharton has had a long, distinguished and unblemished career at the Bar and has served this country loyally and with distinction in several fields. His standing at the Bar is high in the estimation of the Judges and we are happy to acknowledge that the recognition accorded him by our country has given us much pleasure.

We should like to thank His Excellency the Acting President, Dr. Wahid Ali for attending the Church Service, His Grace the Archbishop of Port-of-Spain, the Most Rev. Anthony Pantin, His Lordship the Bishop of Trinidad, the Rt. Rev. Clive Abdulah, the Very Rev. Fr. John Mendes, Vicar General, Rev. Fr. Maurice Keating, O.P., Bishop Emmerson A. Denny, Haji Raouff Ali, and Pundit Mahadeo Sharma, for the part they played in our devotions this morning and Mr. Randolph Burroughs, the Acting Commissioner of Police and his men for the smart display of discipline and order with which they delighted us.

We also thank the worthy members of the legal profession for their past support and cooperation and in this connection I wish to refer specially to the publication of the Quarterly Journal of the Trinidad and Tobago Bar Association – The Lawyer. On behalf of the Judiciary, I warmly congratulate Mr. Ewart Thorne, Q.C., President of the Bar Association and his Editorial Committee for producing this Journal. It is a noteworthy event in our legal history, and our best wishes go to the Lawyer not only for a distinguished and imperishable existence, but a secure and honoured place among the great law journals of the Commonwealth. Thanks are also due to our honoured guests for their attendance at the ceremonial opening of this term, and the members of the staff for the due performance of their duties under trying circumstances.

Finally, I offer my warm and personal thanks to my brother judges for their goodwill and cooperation, and in particular, for the fearless and impartial discharge of their onerous and responsible judicial duties during the past year.

I now formally open the law term and adjourn the sittings of all the Courts until tomorrow morning.

