

The Late Mr. Justice E. D. Roper—a Tribute

On 3rd July, 1962, a pair of gates, erected at the North Sydney Boys' High School as a tribute to the memory of the late Mr. Justice Roper who was a pupil of the school, and who was a Justice of the Supreme Court of New South Wales from 1936 to 1957, were opened by the Right Honourable Sir Frank Kitto, one of the Justices of the High Court of Australia, whose address appears below.

The worthwhile traditions of a school are those that are seen in the lives of the men it has sent out into the world. It is my privilege to speak to you of one who was a schoolboy here, and in a life that was all too short brought honour to the school by his work and his worth. It is nearly half a century since the school began. The assured place it now has among the great schools of this country has been won for it by the honourable achievements of many men and boys; but it is safe to say that in all the fifty years none has brought more lustre to its name than did Ernest David Roper, scholar, judge, and gentleman.

The school had hardly opened its doors when the name of David Roper was entered on its rolls. Even if we had not gathered here today and the gates we are to see opened had not been built, that name could never have become as the names of famous men who have no memorial; for in the books of the University and of the Courts of Law there are to be found enduring records of his career. But how fitting it is that a memorial to him should stand at the entrance to his school, not only to speak to all who pass of a life brilliant and successful prepared for in this place, but also to remind every boy, as he comes and goes, of a boy who had the same surroundings, faced the same difficulties, and became one of the most honoured servants of the State and one of the finest of men.

As a boy shy almost to the point of awkwardness, as a man quiet of voice and modest, he did not always show the signs of his quality to those who knew him only a little. But to those who knew him well the causes of his success and of his command of men's admiration and affection were plain enough. With a quick, penetrating mind and great power of clear exposition, there was joined in him such gentleness of nature that he could never have stooped to the smartness that chooses the making of a point before the making of a friend, or to the cruel pleasure of making another feel small. Prompt to help those less richly gifted than himself, generous of his time and talents where good was to be done, he never appeared condescending, never hurt by his kindnesses. Sparing in criticism, tolerant of opinions he could not share, unruffled in the face of provocation, with a natural dignity made mellow by a quiet humour he soothed quick tempers and made anger ashamed. I believe he had no enemies. I know he had hosts of friends.

At school and university, it became clear to those best able to judge that, in mathematics and philosophy, he might well attain to the highest levels of success. The attractions of an academic life must have been strong. But he turned instead to a life in the Law. At 24, he was called to the Bar, and, soon afterwards, he combined

with the work of his practice the work of lecturer in Equity in the Faculty of Law at the University of Sydney. In both spheres he excelled. Indeed, it is literally true that throughout his life he touched nothing that he did not adorn. After only 12 years as a barrister, at the early age of 36, he was appointed a Judge. Some thought he made a mistake in going on the Bench just then, considering that the silk gown of a King's Counsel was already within his reach and that he might have made more money and gained more experience by staying at the Bar a while longer. But money was no god of his, and those who feared that as a judge he might show signs of insufficient experience in practice were soon confounded by the quality of the work that he did. Before long he was sitting continuously in the Equity Jurisdiction of the Supreme Court of New South Wales, and ultimately he bore, the latest in a line of most distinguished Judges, the honourable title of Chief Judge in Equity of that Court. He worked hard, read widely, and brought to the solution of the problems that came unendingly before him, not only a powerful and transparently honest intellect, but human understanding, a strong sense of justice, and always the courage of his opinions. Exacting though his judicial life unquestionably was, he found time to work as a member of the Senate of the University of Sydney and for a while as its Deputy Chancellor. As if all that were not enough, he gave time and thought to supporting the organised activities of law students and the Old Boys' Union of this school. And, whether he moved with judges or dons or students or the friends of his youth, no trace of conceit, no affectation, no consciousness of superiority ever appeared in him.

Then, when he was only 57, and in mid-career as it seemed, his work was finished. But his influence continues; his example remains; and those who walked any part of the way with him lift their heads with pride at every mention of his name. It is good that his school should keep his memory green, and treasure a visible reminder of the message of his life.

The Late Sir Henry Manning

The death on 3rd May, 1963, of the Hon. Sir Henry Manning Q.C. removes one of the Bar's few remaining links with the early years of this century. Born in 1877, Sir Henry was educated at St. Ignatius College and the University of Sydney where he graduated B.A., LL.B. He was called to the Bar in 1902 and took silk in 1930. In 1932, he was appointed to the Legislative Council of N.S.W. and was one of the architects of the reformed Legislative Council, to which he was elected at the first election of members in 1933. He remained a member until 1958, and was Attorney-General and Vice-President of the Executive Council from 1932 to 1941.

His chambers for many years up to 1950 were on the first floor of the old Selborne Chambers. It was during his term as Attorney-General that the Bar Association as at present constituted was formed and he was a member of the first Council of the Association. He retained an active interest in the affairs of the Association even after he gave up chambers and regularly attended association functions as late as last year.