

There are more of his letters filed away by their recipients than have been thus honored in the case of any other citizen. No one was better qualified than Sir Samuel to write a history of the State in all the ramifications of its progress and development, for he was a true patriot and had the knowledge, the close acquaintance with events, and the literary ability requisite. Had his duties not monopolised his time he might have attempted the task. Doubtless, in addition to the letters on special occasions to which reference has been made, there is much of his correspondence in existence which deals with public events.

#### Kind and Loyal.

Sir Samuel was always an approachable man. He never "put on any frills." He was as willing to hear what the humblest man had to say as to listen to the most influential, so long as there was an equal cause for approach in each instance. He was genuinely wishful to aid the deserving, more particularly in the cause of education, and his hearty words of encouragement to the student who was working hard were very helpful. He was ready when on the bench to give praise to a young practitioner who was showing a real aptitude to do well for his client. His nature was a kindly one and he let it have full play. He always wanted to do the generous act and to say the pleasant thing. It may be truthfully said of Sir Samuel Way—"He was a man, take him for all in all, we shall not look upon his like again." No one not intimately associated with the institutions over which he presided can adequately gauge the value of the work he did for them, because he was more accustomed to perform good deeds than to talk about them.

#### His Earlier Years.

Except that he was not actually born in the Commonwealth Sir Samuel Way was in all respects a true Australian, and his career was such as to fill his fellow-colonists with pride. It is an integral part of the Constitution of the United States of America that every natural born citizen of that great Republic is capable of attaining to the Presidential chair. In the first Napoleon's army it was the boast of every soldier that a marshal's baton might lie in his knapsack. Sir Samuel's advancement was a proof that equally wide possibilities exist in respect to every Australian. Beyond giving him a good solid education, excellent moral training, and an example of unblemished living, the Rev. James Way could do little for his famous son, although he managed to raise the money necessary to article him to the legal profession. With that exception his upward steps were made without assistance from money or influence. Ability Sir Samuel had, with a marvellous aptitude for mastering all the details of the particular work which he was called upon to perform. Courage and confidence in his own powers to meet the calls made upon him he also possessed. But, beyond all, he was indented to unwearied persistence and conscientious industry for the eminence to which he rose. Modesty was joined to merit, and Sir Samuel was never too busy to be courteous and helpful to those about him. If he climbed the ladder of preferment rapidly and with sureness of foothold, he never sought to push anyone else back or unduly to exalt himself. When promotion offered itself he accepted it and silenced adverse criticism by the complete grasp he secured of the whole requirements of the position attained. He began his legal career as junior clerk, but he did not despise the day of small things. His heart was in his work from the beginning. Earnestness and a desire to be of genuine service were just as inseparable from his earlier studies in the law as they were characteristic of his excellent work on the Supreme Court bench, and in the wider field to which his signal usefulness extended. It is written that Fortune favors the brave. True courage was apparent in Sir Samuel's actions from the very beginning of his business life, and Fortune favored him. But never have the gifts of



that feeble goddess been bestowed upon a courtier recipient. He had been but 10 years at the bar when he was made a Queen's Counsel, but he soon took a foremost place among those of his learned brethren who had the privilege of wearing silk. He had been but five years a Queen's Counsel when he was raised to the dignity of Chief Justice, in succession to Sir Richard Hanson, one of the most brilliant men who ever adorned the Australian bench. Yet he soon earned a reputation even as high as that of his great predecessor.

#### As Acting Governor.

Within a few months of his promotion, Sir Samuel was called upon to act as Administrator of the Government of the province. Here again he speedily made manifest his capacity, his versatility, and the facile manner with which he could adapt himself to circumstances. Always dignified and full of tact, Sir Samuel, during the many occasions on which he filled the vice-regal office, exhibited that wide range of sympathy, that universal urbanity, that happy faculty of saying the proper thing at the right moment, and that open-handed hospitality which should be the hallmark of every Australian Governor. His total period of service far exceeded the term for which a Governor is usually appointed, but although there are many disadvantages attaching to the office of Acting-Governor, his time of rule was always popular, and, despite the natural desire to greet new dignitaries, no one ever showed impatience to change the administration of Sir Samuel for that of the directly-appointed representative of the King. Compared either as a judge or as a Governor with any of his contemporaries or predecessors, he would secure a most favorable verdict from those best qualified to offer an opinion. South Australia has every reason to look with gratitude upon the many good deeds which he did on her behalf.

#### Broad Sympathies.

Though above all things a judge, Sir Samuel never confined his activities to the courts over which he presided, or even to the wider area which was offered by his temporary occupation of the position of Lieutenant-Governor. In religious, scientific, and social circles he was equally at home, and his desire to be of real use there was equally marked. He was a loyal friend of the church of his fathers; he did yeoman's work towards the establishment of the University; he was greatly instrumental in securing the success of the Public Library, Museum, and Art Gallery, and no one can estimate at its full value the help he gave to South Australian Freemasonry. He could also claim the credit of being one of the founders of the Children's Hospital, for which his brother-in-law, the Hon. Dr. Allan Campbell, did so much. He was a many-sided man and each side was highly polished. Nothing Sir Samuel attempted was done other than well. Until the close of his long life there was the vigor of youth in his step and the maturity of manhood in his brain, while his enthusiasm was as fresh and spontaneous as in the far-away days when he first set out on the journey which carried him forward to such great and noble things.

#### A Life-long Methodist.

He was born on April 11, 1836, at Portsmouth, in Hampshire, though his forbears were all Devonshire people. He was reared amid Methodist surroundings, and he remained true to the religious tenets of his forefathers. The temptations nominally to ally himself to a more fashionable Church were systematically resisted, and Sir Samuel was as much a Methodist throughout his career as his grandfather was a century ago. The Bible Christian denomination was founded in 1815 by Mr. William O'Bryan, a Wesleyan lay preacher in Cornwall, and even to-day, so far as England is concerned, it is strongest in the western counties. The Rev. James Way, who was the son of Mr. John Way and Elizabeth, his wife, was born at Morehard Bishop, Devon, on June 17, 1804, and he was admitted a minister of the Bible Christian Church in 1826, so that he came very near to the foundation of the sect, in the laying of which, perhaps, his father lent a helping hand. Mr. Way soon attained



prominence as a preacher, for, like his more famous son, he possessed greater than ordinary gifts, and in 1847 he became president of the Bible Christian Conference. The late Chief Justice was born while his father was laboring in the Portsmouth circuit. The denomination was just eleven years old when the Rev. James Way was received into full connexion. Sir Samuel James Way was exactly the same age when his father became president of the Conference. Sir Samuel received his early education at the Bible Christian Grammar School, Shebbear, North Devon, and at the Maidstone-road School, Chatham, under the Rev. J. C. Means, a Unitarian clergyman. He was early called upon to show his independence of spirit, for his father sailed away from England in 1830, on November 13 of which year he arrived in Adelaide, and the son was left behind to finish his education. It is somewhat of a coincidence that Sir James Boucaut, who was born in the neighboring Duchy of Cornwall, left for South Australia with his father just four years previously, and that he was returned to the State Parliament the very year in which Sir Samuel was called to the bar.

#### Legal Career.

Sir Samuel reached Melbourne on February 27, 1853, and he landed in Adelaide on March 23 of the same year. He was then a bright youth of 17, and he found no difficulty in obtaining employment. The office he entered within a few weeks of his arrival was that of the Hon. John Tuthill Bagot, and thence he transferred himself to that of Mr. Atkinson, a successful lawyer and a leading Methodist, and he never had another master. Sir Samuel Way served his articles with becoming diligence; and because of the didactic ability of his principal and his own determination to make progress he

soon acquired a large store of legal knowledge. On March 23, 1861, exactly eight years after he had set foot on South Australian soil, he was admitted to practice as a barrister and solicitor. March, indeed, seems to have been his lucky month, for the dignity of Chief Justice came to him on a subsequent anniversary. When Mr. Atkinson died Sir Samuel succeeded to the practice, and he subsequently entered into partnership with Mr. Brook. When that gentleman died the name of Sir Josiah Symon, who had served his articles in the same office, became associated with that of Sir Samuel Way in the designation of the firm, the successor of which still exists under the title of Symon, Rounsevell, & Symon. It was from Sir Samuel Way, too, that the Right Hon. C. C. Kingston, K.C., learned the rudiments of his profession. Sir Samuel speedily built up a great reputation for painstaking cleverness, and his success before the judges brought him many profitable clients. In the celebrated Yorke Peninsula mining dispute so much confidence was shown in the correctness of his opinion that he was sent to England to fight an appeal before the Privy Council, and his triumph naturally increased his hold upon Adelaide litigants. The visit to the old world, too, had a beneficial influence upon him in other ways, for he was able to get a closer insight into the practice of English courts and of the methods of English barristers than he was likely to gain from mere reading. Advantage also accrued from the opportunity given of measuring his strength against that of Imperial judges and the leading lights of the British bar. Soon after his return Sir Samuel was appointed "one of her Majesty's counsel learned in the law." That was in September, 1871. The demands of his practice now became even more insistent than before, and his professional income grew to very large dimensions. To this press of work, however, he added, in February, 1874, the duties appertaining to membership of the Board of Education, and in the same year he was appointed to the council of the University of Adelaide. At the general election which took place in February and March, 1875, Sir Samuel was a candidate for the representation of Start, and he was returned second on the poll, his colleague being the late Mr. William Townsend. This particular contest was decided on February 10, and Parliament assembled for the transaction of business on May 6. On June 3 a no-confidence motion tabled by Sir James Boucaut dislodged Sir Arthur Blyth's Ministry, in which the late Sir Henry Bundeley held a seat, so that, strange to say, all three of the Supreme Court judges who sat together for nearly 20 years were intimately connected with that particular political crisis. It became Sir James Boucaut's duty to form a Government, and it was composed of the following members: Chief Secretary, Sir William Moor-



an; Attorney-General, Sir Samuel Way, Q.C.; Treasurer, Sir John Colton; Prisons and Commissioner of Crown Lands, Sir J. P. Boucaut, Q.C.; Commissioner of Public Works, the Hon. W. A. E. West, Esquire, M.A.; Minister of Education, the Hon. Ebenezer Ward. During his Parliamentary career Sir Samuel Way shone as a debater, and was in every way an acquisition to the House of Assembly, but he did not long remain to grace the legislative halls.

#### The Chief Justiceship.

Sir Richard Davies Hanson, Chief Justice of South Australia, died on March 4, 1876, and on March 18 Sir Samuel Way left the turmoil of politics for "rest in a happy place and quiet seat above the thunder." He was then just short of his fortieth year. His predecessor was 55 years old when he attained a similar dignity, while Sir Charles Cooper, the first Chief Justice of South Australia, was 54 when his preferment came. Sir Samuel was at the time of his death the senior judge on the Australasian Supreme Court bench. The honor of Lieutenant-Governor was conferred upon him in December, 1890. The "Review of Reviews" of June 20, 1895, in an article on "The Supreme Court Bench of South Australia," wrote:—"It is the justifiable boast of South Australians that they possess a judicial bench which, both on the intellectual and the moral sides, worthily maintains the high standard which the British judiciary has given the world, and that in Chief Justice Way they have one of the ablest judges in her Majesty's dominions. The qualities which have so rapidly advanced Mr. Way may be summed up in five words—clearness of vision, courage, capability. To the man who has these comes opportunity. Mr. Way is first and foremost a lawyer. This he regards as the great business of his life, and to this the varied spheres of his marvellous activity are subordinated. It is as a lawyer that the Chief Justice will yet render his most signal service to Australia."

#### A Shower of Honors.

Sir Samuel Way had had large experience in the administration of the affairs of the State even before he received the honorable title of Lieutenant-Governor, and he was as expert in carrying out the duties of President of the Executive Council as in discerning the niceties of a legal argument. His first experience of viceregal office was obtained between January 29 and March 24, 1877, when he administered the government from the departure of Sir Anthony Musgrave until the arrival of Sir W. W. Cairns. Then from May 17 to October 2, 1877, or a total period of 169 days, he again filled the office, pending the arrival of Sir William Jervois; and, during the absence of that distinguished officer in England to advise on the subject of Imperial defence, Sir Samuel Way for a third time reigned at Government House, this time the term being 180 days, from February 14 to August 13, 1878. Twice before Sir William Robinson was appointed he acted for shorter terms. Prior to the arrival of the Earl of Kintore six more periods of service were added, and while his lordship was absent in Europe and America Sir Samuel ruled in his stead for 208 days, extending from November 3, 1893, to May 19, 1894. On six other occasions of varying length during the currency of Lord Kintore's incumbency, did Sir Samuel take his place, and after the departure of that popular nobleman on January 16, 1895, his commission as Lieutenant-Governor was active. Lord Kintore's term of office did not expire until April 11, and just about that date his successor, Sir Thomas Fowell Buxton, Bart., was appointed. To him Sir Samuel relinquished the Governorship when he arrived in Adelaide in October, 1895. Since then Sir Samuel had often and for long periods reigned as Governor. He was deputy for Sir Thomas Buxton on four occasions, and Lieutenant-Governor prior to Lord Tennyson's arrival. After Lord Tennyson became Governor-General Sir Samuel acted in his stead from July 17, 1902, to July 1, 1903, when Sir George Le Hunte assumed office. On 19 different occasions during that vice-governor's term he officiated during his temporary absence, and was also Lieutenant-Governor between January 2 and March 29, 1900, pending the arrival of Sir Day Bosanquet. For that Governor he was on 12 occasions the deputy, and he again filled the office of Lieutenant-Governor for about two months in 1914, preceding the arrival of Sir Henry Galway, whom he relieved during temporary absence on half a dozen occasions. Altogether Sir Samuel's terms of office in the capacity of Lieutenant-Governor or Deputy-Governor numbered 63. No one ever held a higher place in the esteem of the people than did Sir Samuel Way, and