

# MR. JUSTICE R.F. GANADO

## An Appreciation

By the Hon. Mr. Justice WILLIAM HARDING,  
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My credentials for writing this short appreciation of the late Mr. Justice R.F. Ganado consist not only in my having practised before him when he was a Magistrate and then one of His Majesty's Judges, but also in my having had, later on, when I was raised to the Bench, the privilege of sitting with him. In age there was naturally a considerable difference, indeed he started practising the year I was born, but, as my feet are firmly set *super vias antiquas*, this only served to enable me to appreciate still more, as if from a distance, his sterling qualities.

There was one trait which, above all others, impressed me throughout. Mr. Justice Ganado was a prodigious worker. In every Court he went to, he soon swept the lists clean. There was certainly no occasion to recall Juvenal's words "*Crescit multa damnosa papyro*". Anyone pleading before him knew that the "law's delay", bemoaned by Hamlet, did not find favour with him, and woe to the lawyer who did not go in his Court with his brief well prepared. A keen insight into the background of the case, an unfailing intuition in getting hold of the "*punctum saliens*", a boundless energy in grappling with its intricacies, soon paved the way for an illuminating judgment, often drafted "*currente calamo*". Our case-law is all the richer for his judicial talents.

There is one other characteristic which I never failed to note. There are two types of Judges, as far as I can see. Those who, on delivering judgment, feel that "that's that" and that inevitably "*Roma locuta est*", and those who would like to know whether the unsuccessful litigant's lawyer has been convinced by the reasons stated in the judgment. I am inclined to think that the late Mr. Justice Ganado was of the latter category. At least, personally I always remember him looking at me for quite a long while after pronouncing some judgment in which my client had lost the case, as if seeking from me the consolation of knowing that I had now changed my view.

Of him it may be said "*nihil tetigit quod non ornavit.*" In every Court he went to, he was brilliant, — quick, industrious, and, above all, practical. Of fairness I will not say, because that is the common heritage of Judges.

One other point. In despatching the business of the Court, he struck that happy mean — so very difficult to achieve — between sternness and kindness. A certain degree of strictness is, of course, indispensable to maintain the Court's decorum. But it must be tempered with kindness, because the lawyer is just as much a cog in the wheels of justice as the Judge. Mr. Justice Ganado struck the "*via media.*"

As I said, the difference in our age does not entitle me to write about him from the purely personal point of view. But I knew him well and long enough to say with sincerity that he was a good, kindly man.

"*O si sic omnes!*"

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#### THE DIGNITY OF THE BAR

"I will for ever, at all hazards, assert the dignity, independence and integrity of the English Bar, without which impartial justice, the most valuable part of the English Constitution, can have no existence. From the moment that any advocate can be permitted to say that he will or will not stand between the Crown and the subject arraigned in the Court where he daily sits to practise, from that moment the liberties of England are at an end."

LORD ERSKINE.