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THE UNIVERSITY OF QUEENSLAND,
BRISBANE, 29th August, 1924.

Chancellor.

Sir,

(1) I beg leave to offer my services to the Senate in connection with the Garrick Professorship of Law and to refer to the application and testimonials submitted by me on my application for my present office in 1910. To these I beg to add the following, copies of which accompany:-

- i. Letter from Secretary of Defence, dated 28th November, 1919.
- ii. Letters from F. de Zulueta, Esq., D.C.L.,
Sir Amhurst Selby-Bigge, Bart., M.A.,
Sir Frederic Liddell, K.C.B., M.A.,
Mr. P. A. Seymour, M.A., and others.
- iii. Dissertation approved by the Faculty of Law at Oxford for the Degree of D.C.L.
- iv. Certificate of admission to the Degree of D.C.L.

(2) My qualifications are as follows:-

My early education was chiefly on the classical side. On going to Oxford with a view to being called to the Bar in England and returning to practise in Australia I was strongly advised to read in the Honour School of Modern History and not in the narrower School of Law. I did so, obtaining the College prize for Constitutional History in 1885 and being elected to a Scholarship in Modern History in 1886. I obtained a Second Class in that School in 1887. I took up the study of Law in 1886 and passed the examinations of the Council of Legal Education in Roman and English Law. I was called to the Bar by the Inner Temple in November 1887. I studied Roman Law on the continent for some six months and in June 1888 was successful in the Examination for the Degree of Bachelor of Civil Law. The examiners were Dr. Erwin Greubner (for Lord Bryce), Frederick Harrison, Thomas Saleigh and S. Martin Leake. On my return to Victoria in 1888 I entered the chambers of Mr. H. B. Higgins, and on his elevation to the bench six months, and with Mr. Mitchell of the Common Law Bar, now Sir Edward Mitchell, K.C., for a year. I practised at the Victorian Bar until 1892 and was engaged in several important mercantile cases. The passing of an Act to amalgamate the two branches of the Legal Profession in 1891 which at the time was thought would destroy the prospects of the Junior Bar, induced me to enter the office of Messrs. Klingender Dickson and Kiddle, Solicitors of Melbourne, for the purpose of acquiring a practical knowledge of solicitors' work. Having done this, I commenced practice in a country town. While in the country I was able to devote a great deal of time to reading and I continued my studies in Roman Law and in Early English Law, reading Ccke on Littleton through twice. In five years, I was able to return to Melbourne as junior partner in an old established firm. Desiring however to resume practice at the Bar, and having interests in Queensland I came to Brisbane in 1898 (having been admitted to the Queensland Bar in September 1890) and practised here till 1903 when I was recalled to Melbourne owing to private affairs. During the years 1898-1903 I was engaged in several important matters. At the suggestion of the late Sir Samuel Griffith, I wrote two articles for the Press on the Rules of Court prepared by him; and on the establishment of the Queensland State Reports, I was appointed the First Editor, and inaugurated the present system of Law Reporting.

After my father's death in 1904, I returned to Queensland and undertook work of Managing Common Law Clerk to the firm of Messrs. Thynne and Hartney, a position which I held until appointed to my present office. A great volume of business done by that firm brought me into contact with every branch of Queensland Law and I had the management and control of many matters including Taxations of Bills of Cos-ts for very large amounts.

(4) One of the reasons which induced me to leave my profession for academic work was the hope that I should have greater opportunities for legal study and research than are possible in active professional life. On appointment to the Registrarship I was able to devote my spare time to studios, which I had never abandoned, in Roman and Canon Law, Jurisprudence and International Law. From 1910 to 1914 my private reading was devoted to the Corpus Juris Civilis and the works of the older commentators collected by me when in Europe, with such of the current work as I could obtain.

(5) On the outbreak of war I was called up and ordered to undertake the duties of Military Censor and Interpreter in the French, German, Dutch, Spanish and Italian languages with which I have a working acquaintance. For nearly five years I was engaged in actual practice on matters affected by International Law which I had long studied in the abstract.

(6) In the years 1919 and 1920 I prepared a Dissertation on the Actio Pauliana and the Roman Law relating to frauds on creditors, and was able to present an account of the original history and development of that Law for a period of a thousand years and at the same time to suggest new readings of difficult passages in the Digest and Codo of Justinian. This Dissertation when submitted to the Faculty of Law at my University was deemed of sufficient merit to entitle me to the Degree of Doctor of Civil-Law, which was subsequently conferred upon me and I have the distinction of being the only Australian student by whom it has been obtained. Lack of funds has prevented the publication of my Dissertation but I am bound to do so at the earliest possible opportunity. For the same reason two books written some years ago, one on the Constitution of Queensland, the other on the Law relating to Games and Wagering have remained in manuscript.

(7) With regard to jurisprudence or the Science of Law I am familiar with the standard works and with the modern literature of France and Germany on the subject. I have written several articles and reviews on the Brisbane Press dealing with it. I concur in the widely held opinion that a philosophy of Law in full correspondence with the actual facts and tendencies of the time is a necessary part of the Education of a professional lawyer. For this subject Roman Law is essential.

(8) I have done some research on Queensland and Australian History and am President of the Historical Society of Queensland and a Vice-President for Queensland of the Australasian Pioneers Club of Sydney. I have taken an interest in English and Australian Literature and am President of the Dickens Fellowship and a Vice-President of the Queensland Authors and Artists Association.

(9) I have had considerable experience as a Public Lecturer. The following are the subjects of some Lectures delivered by me recently:-

1. "Dickens and the Lawyers".
(An account of the Courts the Judges and Practitioners of Dickens Time),
2. "The Duties of Jurors".
3. "Geographical Discovery as a basis of Territorial Right".
4. "Harley Street versus the King's Bench". (A discussion of the present state of the Law regarding the Defence of Insanity).
5. "The Law of Copyright".
6. A course of Intra-mural Lectures on the Foundations of Roman Law.

tion - F. W. S. Cumbrae Stewart (Contd.)

so far only No. 3 has been published. In it, I pointed out the rising
-tance of International Law and the danger to Australia of the
ailing ignorance on the subject.

(10) At present with the very limited time at my disposal I am studying
the later development of Roman Law in the East as shown in the Papyri dis-
covered in the past 25 years and in the West as found in the Formulary
of Marculfus, of the time of Charlemagne. I have prepared a paper on the
Courts and Judges of Meveton Bay and Queensland for delivery before the
Historical Society of Queensland at an early date.

(11) I have some experience of Examination work. I conducted the Final
Examination for Solicitors several years ago and more recently have several
times examined in French in the Public Examinations and have more than once
acted as judge in public literary competitions and am engaged at the
present time on this work.

(12) Should the Senate entrust me with the duties of the Chair, I shall
submit as a scheme of Legal Education the recommendations drafted by me and
approved at last year's Conference between representatives of the Senate and
the legal profession. Under that scheme I am prepared to lecture in Roman
Law, International Law and Jurisprudence leaving the Law and practice of the
Courts of Queensland the Law of Property and Conveyancing to be dealt with
in the later stages of the course by the Lecturer in Law, and to honorary
and part time Lecturers selected from the practising members of the profes-
sion.

For Constitutional Law we have already in the University one who is
fully competent to deal with this important subject.

It would be my intention to assist in every way the work of the Faculty
of Arts and especially in regard to the legal subjects necessary for the
Degree in Commerce.

Before deciding to submit the foregoing, I consulted Mr. Justice Shand,
Mr. Justice Lukin and Mr. Justice O'Sullivan all of whom are familiar with
my character and abilities.

I have the honour to be,

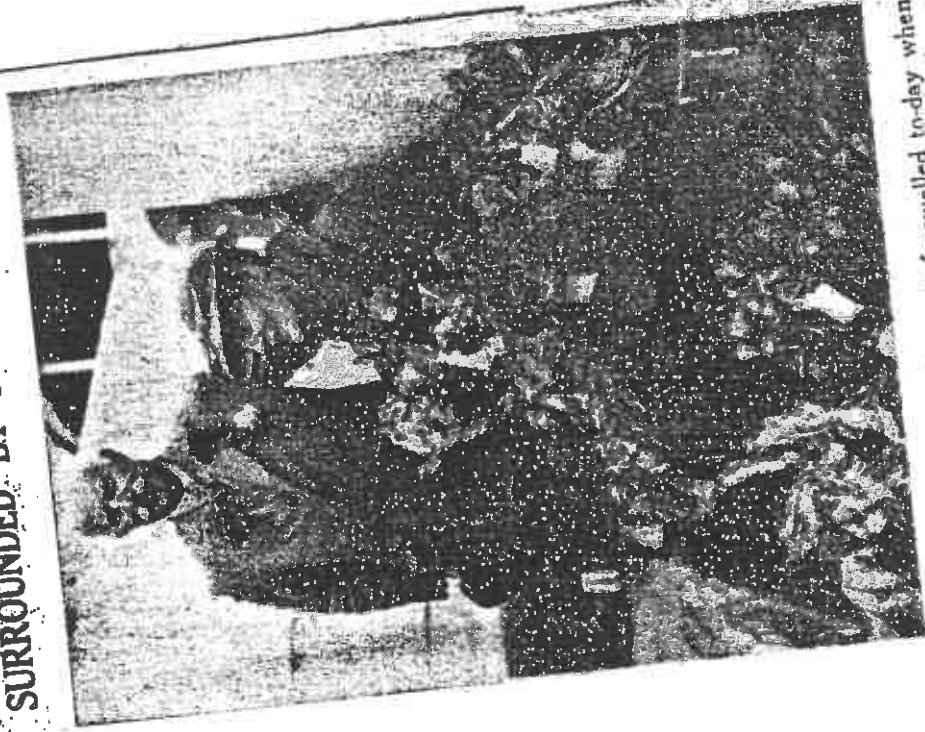
Sir,

Your obedient servant,

(Signed) F. W. S. CUMBRAE STEWART.

THE TELEGRAPH, BRISBANE, WEDNESDAY EVENING, JUNE 16, 1927

SURROUNDED BY FLORAL GIFTS



Mr. and Mrs. Cumbrac Stew art farewelled to-day when they left by the Nestor for England.



COMMONWEALTH OF AUSTRALIA.

DEPARTMENT OF DEFENCE.

MELBOURNE. 28th November 1919.

Dear Sir,

In connection with your service on the Gensorship Staff for a period of almost five years, the following facts have been brought to my notice.

Owing to the fact that you were over the specified age required in the case of volunteers for service abroad, you were not able to proceed on service with the A.I.F. Your duties and work as Assistant Censor and Interpreter in the 1st Military District have been, I am informed, carried out with skill, zeal, and energy. The work on which you were engaged was of the highest importance to the Commonwealth and the Allies and the duties were at all times onerous and of a character which called for quickness and clearness of thought and prompt decision.

I desire, therefore, to thank you for the services you have rendered during the period of your duty on the Gensorship Staff, and for the loyal and assiduous manner in which those services have been performed. I would also wish you prosperity and success on your return to your civil profession.

Yours faithfully,

Macbeth

Lieut. F.W.S. Cumberae-Stewart,
o/o University of Queensland,
BRISBANE.

Secretary.