

BE SUBSTANTIALLY GREAT IN THY SELF:

Getting to Know C.E.W. Bean;
Barrister, Judge's Associate, Moral Philosopher

APPENDIX III

**Chronology of the Judicial Work Schedule of Owen J
during CEW Bean's Associateship(1905-1907)
(Based on cases reported in the
State Reports (NSW) and the *Weekly Notes (NSW)*)**

DATE	EVENT
1905	
Tuesday May 2	Full Court (Owen, Cohen and Pring JJ): <i>Dettman v Williams</i> (1905) 5 SR (NSW) 265; 22 WN (NSW) 81. Motion to set aside a verdict entered for the Defendant. Employment Law; Construction of. <i>Public Service Act</i> 1902 (NSW). Hearing and Judgment. Owen J delivered leading judgment. Counsel: L Armstrong and Edwards; CB Stephen. Attorneys: AJ McDonald; Crown Solicitor.
Tuesday May 2 or Wednesday May 3	Full Court (Owen, Cohen and Pring JJ): <i>Hamilton v The Rail Commissioners</i> (1905) 5 SR (NSW) 267; 22 WN (NSW) 69 (<i>State Reports</i> record date as 2 May 1905; <i>Weekly Notes</i> , 3 May 1905). Motion for new trial (after trial before Pring J, without a jury, in which a verdict was entered by consent for the Plaintiff subject to the opinion of the Full Court). Common law claim for damages for tort of false imprisonment. <i>Construction of Government Railways Act</i> 1901 (NSW) re authority of railway employee to arrest passenger for assaulting him. Hearing and Judgment. Counsel: Want KC and CB Stephen; Sly KC and Boyce. Attorneys: JW Maund; JS Cargill.
Thursday May 4	Full Court (Darley CJ, Owen and AH Simpson JJ): <i>Re Martin; ex parte the Commissioners of Taxation</i> (1905) 22 WN (NSW) 62. An appeal from a decision of Walker J, dismissing an appeal from an order of the Registrar in Bankruptcy confirming a plan of distribution in bankruptcy. Delivery of judgment reserved after a hearing on 20 and 21 February 1905. By majority (Darley CJ and Owen J, AH Simpson dissenting) appeal dismissed. Counsel: SE Lamb and Rich; Gordon KC and RK Manning. Solicitors: Crown Solicitor; McCarthy & Maxwell.
Monday May 15	Full Court (Owen, Cohen and Pring JJ): <i>In re Coleman</i> (1905) 5 SR (NSW) 272; 22 WN (NSW) 79 <i>State Reports</i> record date as 15 May 1905; <i>Weekly Notes</i> 25 May 1905. Disciplinary proceedings against an attorney. Judgment reserved (until 31 May 1905). Counsel: JL Campbell; Want KC and Edmunds. Attorney (for the Incorporated

	Law Institute): T Michell.
DATE	EVENT
Thursday May 18	Full Court (Owen, Cohen and Pring JJ): <i>Macintosh v Dun</i> (1905) 22 WN (NSW) 85. Application by Summons for an order for a special jury of 12 (in lieu of a common jury of 12 agreed upon dismissal of Summons) in an action to recover damages for libel alleged to have been published by defendants (American residents who recently commenced the business of "trade protection" in New South Wales) concerning plaintiffs and their business. Hearing and judgment. Counsel: JL Campbell; Pilcher KC and Blacket. Attorneys: Elliot Meyer; Norton, Smith & Co.
	Full Court (Owen, Cohen and Pring JJ): <i>Ex Parte Sir William P Manning and Ors</i> (1905) 5 SR (NSW) 45; 22 WN (NSW) 114. Summons order <i>Real Property Act</i> 1900 (NSW), s. 121. Probate, power of executor of executor to sell land of original testator; <i>Wills, Probate and Administration Act</i> 1898 (NSW), ss. 44, 45, 46. Adjourned part-heard to 22 May 1905. Counsel: Knox; Gordon KC and Peden. Attorneys: Andrews, Mosely & Manning; Crown Solicitor.
Friday May 19	Full Court (Owen, Cohen and Walker JJ): <i>Rex v Slattery</i> (1905) 5 SR (NSW) 294; 22 WN (NSW) 92. Special Case stated by Pring J. Adjourned part-heard to 22 May 1905. Larceny as bailee of rents collected for principal; fraudulent conversion; <i>Crimes Act</i> 1900 (NSW), s. 125. Counsel: Want KC, Lamb and Kelynack; Hamilton. Attorneys (for the prisoner): Westgarth, Nathan and Co.
Monday May 22	Full Court (Owen, Cohen and Pring JJ): <i>Ex parte Sir William P Manning and Ors</i> . Adjourned part-heard from 18 May 1905. Judgment reserved (until 24 July 1905).
	Full Court (Owen, Cohen and Walker JJ): <i>Rex v Slattery</i> . Adjourned part-heard from 19 May 1905. Further hearing and judgment.
	Full Court (Owen, Cohen and Pring JJ): <i>Martin v Ferris</i> (1905) 5 SR (NSW) 287. Appeal; motion to set aside order made by a judge sitting in chambers. Adjourned part-heard to 18 May 1905. Counsel: Broomfield; Armstrong. Attorneys: Lambton, Milford & Abbott; Lewis Levy & Fulton.
Wednesday May 24	Full Court (Owen, Cohen and Pring JJ): <i>Martin v Ferris</i> . Part-heard from 22 May 1905. Adjourned part-heard to 25 May 1905.
Thursday May 25	Full Court (Owen, Cohen and Pring JJ): <i>Martin v Ferris</i> . Adjourned part heard from 24 May 1905. Further hearing and judgment.
Friday May 26	Full Court (Owen, Cohen and Pring JJ): <i>Rex v Hollis</i> (1905) 5 SR (NSW) 283; 22 WN (NSW) 83. Crown Case stated by Heydon, Chairman of Quarter Sessions. Criminal conviction quashed for wrongful admission of evidence; ambit of cross examination of accused; proof of evidence given before magistrate at committal hearing; best evidence rule applied. Hearing and Judgment. Owen J delivered leading judgment. Counsel: Ferguson and Cowan; Armstrong KC. Attorneys: not recorded.
	Full Court (Owen, Cohen and Pring JJ): <i>Pechotsch v Mutual Life Insurance Company of New York</i> (1905) 5 SR (NSW) 252; 22 WN (NSW) 103. District Court Appeal. Question of law; life insurance; surrender of policy by insured with consent of beneficiary; operation of trust created by <i>Life, Fire and Marine Insurance Act</i> 1902, s. 9. Adjourned part-heard to 31 May 1905. Counsel: Pilcher KC and Ralston; Curtis. Attorneys: A Deery; Pigott & Stinson.

DATE	EVENT
Wednesday May 31	Full Court (Owen, Cohen and Pring JJ): <i>In re Coleman</i> . Delivery of Judgment reserved on 15 May 1905. Owen J delivered leading judgment. Pring J concurred with him. Cohen J dissented as to penalty.
	Full Court (Owen, Cohen and Pring JJ): <i>Pechotsch v Mutual Life Insurance Company of New York</i> . Adjourned part-heard from 26 May 1905. Further hearing and Judgment. Owen and Cohen JJ delivered separate judgments. Pring J concurred.
Monday July 24	Full Court (Owen, Cohen and Pring JJ): <i>Ex parte Sir William P Manning and Ors</i> . Delivery of Judgment reserved on 22 May 1905. Owen J delivered leading judgment. Cohen and Pring JJ concurred.
Wednesday October 25	Full Court (Darley CJ, Owen and Cohen JJ): <i>Bowden Bros. & Co. v Imperial Marine and Transport Insurance Co.</i> (1905) 5 SR (NSW) 614; 22 WN (NSW) 195. Motion for new trial. Evidence; proof of certificate of registration of foreign company; presumption foreign law is same as local law; <i>Evidence Act</i> 1898 (NSW), ss. 15, 21. Hearing and Judgment. Counsel: Sly KC and Kelynack; Broomfield. Attorneys: Sly & Russell; JR Baxter Bruce. (Owen and Cohen JJ concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Daly v Knowles</i> (1905) 5 SR (NSW) 611. Adjourned part-heard to 26 October 1905. Counsel: Peden; Gannon and Pickburn. Attorneys: WM Daley; Sly & Russell.
Thursday October 26	Full Court (Darley CJ, Owen and Cohen JJ): <i>Daley v Knowles</i> . Part-heard from 25 October 1905. Further hearing and Judgment. (Owen and Cohen JJ concurred with Chief Justice).
Saturday October 28	Full Court (Owen, Cohen and Walker JJ): <i>R v Midwinter</i> (1905) 5 SR (NSW) 558; 22 WN (NSW) 202. Crown Case reserved; Special Case stated by Pring J. Criminal law; evidence, practice and procedure; jury trial; irrelevant evidence admitted without objection; judge directed jury to disregard it; conviction could not be set aside. Hearing and Judgment. Owen J delivered leading judgment. Counsel: Rolin; Pollock and Mason. Attorney (for prisoner): HM Salenger (Bourke).
Tuesday October 31	Full Court (Owen, Cohen and Pring JJ): <i>Markell v Lockyer</i> (1905) 5 SR (NSW) 704; 22 WN (NSW) 198. Special Case Stated under <i>Common Law Procedure Act</i> 1899 (NSW). Taxation; liability to pay customs duty on imported article; <i>Customs Tariff Act</i> 1902 (Cth). Hearing and Judgment. Counsel: Windeyer and George Martin; Garland. Attorneys: McLachlan and Murray; Crown Solicitor.
Friday November 3	Full Court (Owen, Cohen and Pring JJ): <i>Rex v Stocks</i> (1905) SR (NSW) 628. Crown Case stated by Walker J. Hearing. Judgment reserved (until 8 December 1905). Counsel: Sheridan and Young; Pollock. Attorneys (for the prisoner): McEvilly & McEvilly, for AM Sullivan (Lismore).
Tuesday November 7	Full Court (Owen, Cohen and Pring JJ): <i>Withers v Williams</i> (1905) 5 SR (NSW) 700; 22 WN (NSW) 204. Motion for new trial (after trial by Darley CJ, without a jury, on admissions). Waiver of statutory right; a District Court bailiff appointed under the <i>District Court Act</i> (22 Vic No. 18), but who had accepted an increased salary and diminished fees under <i>Public Service Act</i> 1895 (NSW) without protest, sued the Crown (after his retirement) for bailiff's fees foregone under <i>District Court Act</i> . Hearing and Judgment. Owen J delivered leading judgment. Counsel: CB Stephen; Garland and

	O'Reilly. Attorneys: HA Lyons; Crown Solicitor.
DATE	EVENT
Friday November 10	Full Court (Owen, Cohen and Pring JJ): <i>Rex v Margaret Jackson</i> (1905) 5 SR (NSW) 581; 22 WN (NSW) 206. Crown Case Reserved; Crown Case Stated by Fitzhardinge AJ sitting at Central Criminal Court, Darlinghurst. Criminal law practice and procedure; conviction for manslaughter arising out of botched abortion; wrongful admission of incomplete deposition prepared by magistrate of dying declaration of deceased; <i>Crimes Act</i> 1900 (NSW), ss. 406, 409, 470. Hearing adjourned part-heard to 14 November 1905. Counsel: Lamb and Gannon; Pollock. Attorney (for the prisoner): JW Abigail.
Tuesday November 14	Full Court (Owen, Cohen and Pring JJ): <i>Rex v. Margaret Jackson</i> . Part-heard from 10 November 1905, and Judgment. Conviction quashed.
Tuesday November 14	Full Court (Owen and Cohen JJ): <i>In re Johnson</i> (1905) 5 SR (NSW) 595; 22 WN (NSW) 213. Motion under <i>Municipalities Act</i> 1897 (NSW), s. 109 for ouster from office of aldermen. Local Government election dispute. Hearing adjourned part-heard to 21 November 1905. Counsel: Curlewis; Milner Stephen. Attorneys: LGB Cadden; Metcalfe & Dangar, agents for AH Garraway (Queanbeyan).
Thursday November 16	Full Court (Darley CJ, Owen and Pring JJ): <i>Ex parte Hermanson</i> (1905) 5 SR (NSW) 607. Application for Prohibition. Hearing and Judgment. Counsel: Brissenden and Watt; Holman and JA Browne. Attorneys: Leon L Cohen; CH Eddie. (Owen and Pring JJ concurred with Chief Justice).
Friday November 17	Full Court (Darley CJ, Owen and Pring JJ): <i>Alexander v Balloni</i> (1905) 5 SR (NSW) 603; 22 WN (NSW) 210. Summons referred to Full Court by Darley CJ in Chambers. Application to set aside writ <i>ca. sa. (capias ad satisfaciendum)</i> for formal defect; writ for arrest of a judgment debtor, on an unsatisfied money judgment, for enforcement of judgment if debtor about to leave jurisdiction; <i>Arrest on Mesne Process Act</i> 1902 (NSW), s. 6. Hearing and Judgment. Counsel: Rolin; Bignold. Attorneys: WA Windeyer; LB Bertram. (Owen and Pring JJ concurred with Chief Justice).
Monday November 20	Full Court (Darley CJ, Owen and Cohen JJ): <i>Greville v Williams</i> (1905) 5 SR (NSW) 600. New trial Motion on Rule Nisi (after trial before Pring J, by consent, without a jury). Hearing and Judgment. Counsel: Piddington; CB Stephen and Harry Stephen. Attorneys: Aitken; Crown Solicitor. (Owen and Cohen JJ concurred with Chief Justice).
Tuesday November 21	Full Court (Owen and Cohen JJ): <i>In re Johnson</i> . Adjourned part-heard from 14 November 1905, and Judgment.
Wednesday November 22	Full Court (Darley CJ, Owen and Cohen JJ): <i>Hay v The Australasian Institute of Marine Engineers</i> (1906) 6 SR (NSW) 30; 23 WN (NSW) 25 (<i>Weekly Notes</i> record that argument commenced on 20 November 1905 and continued on 22 November 1905; <i>State Reports</i> record 22 November 1905 as first day of hearing). New trial motion. Defamation action; libel; defence of qualified privilege; no evidence of malice; defence upheld. Adjourned part-heard to 23 November 1905. Counsel: Pilcher KC and Rolin; Ferguson and MacLaurin. Solicitors: Sly & Russell; Brown & Beeby.
Thursday November 23	Full Court (Darley CJ, Owen and Cohen JJ): <i>Hay v The Australasian Institute of Marine Engineers</i> . Adjourned part-heard from 22 November 1905. Adjourned part-heard to 24 November 1905.

DATE	EVENT
Friday November 24	Full Court (Darley CJ, Owen and Cohen JJ): <i>Hay v The Australasian Institute of Marine Engineers</i> . Adjourned part-heard from 23 November 1905. Judgment reserved (until 28 February 1906).
Saturday November 25 Sunday November 26 [sic]	Full Court (Darley CJ, Owen and Cohen JJ): <i>Daley v Knowles</i> (1905) 22 WN (NSW) 194. New trial motion. Practice and procedure on pleading of Common Counts (money lent, money had and received). Hearing and Judgment on date or dates apparently inaccurately reported. Counsel: Peden; Gannon and Pickburn. Solicitors: WM Daley; Sly & Russell. (Owen and Cohen JJ concurred with Chief Justice).
Friday December 8	Full Court (Owen, Cohen and Pring JJ): <i>Rex v Stocks</i> . Delivery of Judgment reserved on 3 November 1905.
	Full Court (Owen, Cohen and Pring JJ): <i>Rex v Jones</i> (1905) 5 SR (NSW) 683; 22 WN (NSW) 234. Crown Case stated by Rogers DCJ at Sydney Court of Quarter Sessions. Evidence; admissibility of evidence of conviction for stealing, on count of receiving, as evidence of guilty knowledge; <i>Evidence Act</i> 1898 (NSW), s. 23; <i>Crimes Act</i> 1900 (NSW), s. 420. Hearing and Judgment. Counsel (for Crown): Harris. No appearance for prisoner. Attorneys: Not recorded.
1906	
Wednesday February 14	Full Court (Darley CJ, Owen and Cohen JJ): <i>Spicer v The International Paper Company</i> (1906) 6 SR (NSW) 170. New trial motion. Adjourned part-heard to 20 February 1906. Counsel: Bruce Smith KC and JL Campbell; Gordon KC and Rolin. Attorneys: J Stuart Thom Bros & Co; Norton, Smith & Co.
Tuesday February 20	Full Court (Darley CJ, Owen and Cohen JJ): <i>Spicer v The International Paper Company</i> . Adjourned part-heard from 14 February 1906. Adjourned part-heard to 27 February 1906.
Tuesday February 27	Full Court (Darley CJ, Owen and Cohen JJ): <i>Spicer v The International Paper Company</i> . Adjourned part-heard from 20 February 1906. Judgment reserved (until 30 April 1906).
Wednesday February 28	Full Court (Darley CJ, Owen and Cohen JJ): <i>Hay v The Australian Institute of Marine Engineers</i> . Delivery of judgment reserved on 24 November 1905. (Owen J authorised the Chief Justice to say that he concurred in the judgment read by the Chief Justice): (1906) 6 SR (NSW) 36.
Tuesday March 6	Full Court (Owen, Cohen and Pring JJ): <i>Robertson v Balmain New Ferry Company</i> (1906) 6 SR (NSW) 195. Motion on Rule Nisi for New Trial. Adjourned part-heard to 7 March 1906. Counsel: Rolin and Ferguson; Gannon. Attorneys: JJ Jagelman; McDonell & Moffitt.
Wednesday March 7	Full Court (Owen, Cohen and Pring JJ): <i>Robertson v Balmain New Ferry Company</i> . Adjourned part-heard from 6 March 1906. Judgment reserved (until 4 May 1906).
	Full Court (Owen, Cohen and Pring JJ): <i>The Sydney Harbour Trust Commissioners v Warburton</i> (1906) 6 SR (NSW) 102. New trial motion. Adjourned part-heard to 8 March 1906. Counsel: Lamb and Pickburn; CB Stephen KC and Delohery. Attorneys: Crown Solicitor; FY Wilson.
Thursday March 8	Full Court (Darley CJ, Owen and Cohen JJ): <i>The Sydney Harbour Trust Commissioners v Warburton</i> . Adjourned part-heard from 7

	March 1906, and judgment.
DATE	EVENT
Monday April 30	Full Court (Darley CJ, Owen and Cohen JJ): <i>Spicer v The International Paper Company</i> . Delivery of judgment reserved on 27 February 1906. (Owen J concurred with the Chief Justice).
Friday May 4	Full Court (Owen, Cohen and Pring JJ): <i>Robertson v Balmain New Ferry Company</i> . Delivery of Judgment reserved on 7 March 1906.
	Full Court (Darley CJ, Owen and Pring JJ): <i>Rex v Carroll</i> (1906) 6 SR (NSW) 258. Crown Case Reserved. Hearing and judgment. Counsel: Moriarty; Pollock. Attorney (for the prisoner): C Fitzgerald (Dubbo). (Owen and Pring JJ concurred with the Chief Justice).
Monday May 28	Owen J sitting alone: <i>Re Quigley; Perpetual Trustee Co. Limited v Quigley</i> (1906) 6 SR (NSW) 360. Originating Summons. Hearing and judgment. Counsel: Harvey; Langer Owen KC and Bavin. Solicitors: FA Davenport; RW Thompson & GW Ash.
	Owen J sitting alone: <i>Re Pritchard; Hamblin v Pritchard</i> (1906) 6 SR (NSW) 353. Originating Summons. Hearing and judgment reserved (until 22 June 1906). Counsel: Wyndham Davies; Maughan; Rich; Parker. Solicitors: A Rofe & Sons; AB Davies; A Muddle.
Wednesday May 30	Owen J sitting alone: <i>In re Garden; Patrick v Garden</i> . (1906) 6 SR (NSW) 277. Originating Summons. Hearing and judgment. Counsel: Parker; RK Manning; Sheppard. Solicitors: Pigott & Stinson.
Tuesday June 5	Owen J sitting alone: <i>Re Knowland; Ex parte Knowland</i> . (1906) 6 SR (NSW) 286. Bankruptcy Appeal. Hearing and judgment. Counsel: Bethune; Street. Solicitors: Shaw & McDonald for AB Shaw (Singleton); Allen Allen & Hemsley.
Friday June 22	Owen J sitting alone: <i>Re Pritchard; Hamblin v Pritchard</i> . Delivery of judgment reserved on 28 May 1906.
Monday July 23	Full Court (Darley CJ, Owen and Pring JJ): <i>Hodgson v Thompson</i> (1906) 6 SR (NSW) 436. Motion for a Rule Nisi for new trial. Adjourned part-heard to 26 July 1906. Counsel: Watt. Attorneys: PE Tighe.
Wednesday July 25	Full Court (Darley CJ, Owen and Cohen JJ): <i>Bosanquet v Mofflin</i> (1906) 6 SR (NSW) 617. New trial motion. Adjourned part-heard to 26 July 1906. Counsel: Sly KC and Scholes; JL Campbell and Kelynack. Attorneys: Minter, Simpson & Co; Aitken & Aitken.
Thursday July 26	Full Court (Darley CJ, Owen and Cohen JJ): <i>Bosanquet v Mofflin</i> . Adjourned part-heard from 25 July 1906. Judgment reserved (until 25 October 1906).
	Full Court (Darley CJ, Owen and Pring JJ): <i>Hodgson v Thompson</i> . Adjourned from 23 July 1906; judgment granting Rule Nisi. (Owen and Pring JJ concurred with Chief Justice). Argument as to whether the rule should be made absolute or be discharged was heard before a differently constituted Full Court on 17 August 1906.
Friday July 27	Full Court (Darley CJ, Owen and Cohen JJ): <i>Rex v Priscilla Trainer</i> (1906) 6 SR (NSW) 407. Special Case stated by Fitzhardinge DCJ. Hearing and judgment. Counsel: Mack; Armstrong KC. Attorneys (for the prisoner): Shipway & Berne. (Owen and Cohen JJ concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Chantler v Chantler</i> (1906) 6 SR (NSW) 412. Special Case under the Justices Act. Hearing and judgment. Counsel: James; Bignold. Attorneys: H Richardson Clarke; JW Abigail. (Owen and Cohen JJ concurred with Chief Justice).

DATE	EVENT
Friday August 3	Full Court (Darley CJ, Owen and Cohen JJ): <i>Dewar v Excelsior Land Investment and Building Company</i> (1906) 6 SR (NSW) 433. Special Case. Hearing and judgment. Counsel: Scholes; Sly KC and WJE Davies. Attorneys: Robberds & England; Alfred Rofe & Sons. (Owen and Cohen JJ concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Jeffrey v Holley</i> (1906) 6 SR (NSW) 375. District Court Appeal (by Notice of Motion under s. 57 of 1905 No. 22). Adjourned part-heard to 7 August 1906. Counsel: Clive Teece and Young; Whitfield and Pike. Solicitors: JF Thomas (Tenterfield) by Wilkinson & Osborne; Harris & Harris (Tenterfield) by Mackenzie & Mackenzie.
Tuesday August 7	Full Court (Darley CJ, Owen and Cohen JJ): <i>Jeffrey v Holley</i> . Adjourned part-heard from 3 August 1906, and judgment. (Owen and Cohen concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>R v White</i> (1906) 6 SR (NSW) 398. Crown Case Reserved on a Case stated by Rogers AJ sitting as Central Criminal Court. Counsel: Gannon, James and Coyle; Garland. Solicitor: HE McIntosh.
Wednesday August 8	Full Court (Darley CJ, Owen and Cohen JJ): <i>R v White</i> (1906) 6 SR (NSW) 398. Adjourned part-heard from 7 August 1906, and judgment. (Owen and Cohen JJ concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Wills v Gorman</i> (1906) 6 SR (NSW) 472. New Trial Motion on Rule Nisi. Hearing and judgment. Counsel: Armstrong and Perry; Campbell. Solicitors: Lewis Levy & Fulton; Dibbs, Gibson & Parker. (Owen and Cohen JJ concurred with Chief Justice).
Thursday August 9	Full Court (Darley CJ, Owen and Cohen JJ): <i>Neilson v Moss</i> (1906) 6 SR (NSW) 364. Motion to set aside order made in Chambers in proceedings commenced by Summons. Hearing and judgment. Counsel: Roseby, Mitchell. Solicitors: WD Schrader; Mark Mitchell. (Owen J concurred with Chief Justice).
Wednesday August 15	Full Court (Darley CJ, Owen and Cohen JJ): <i>Sydney Harbour Trust Commissioners v Mount Pleasant Coal and Iron Mining Co.</i> (1906) 6 SR (NSW) 445. New Trial Motion on Rule Nisi. Hearing and judgment. Counsel: Sly KC and Canaway; CB Stephen KC and Hamilton. Attorneys: Crown Solicitor; J Stuart Thom Bros. & Co.
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Heydon v Lillis</i> (1906) 6 SR (NSW) 453. Motion (on Rule Nisi) to Set Aside Nonsuit. Adjourned part-heard to 16 August 1906. Counsel: Cullen KC and Watt; Canaway. Attorneys: Makinson & Plunkett; HCJ Moss.
Thursday August 16	Full Court (Darley CJ, Owen and Cohen JJ): <i>Heydon v Lillis</i> . Adjourned part-heard from 15 August 1906, and judgment. (Owen J concurred with Chief Justice).
Friday August 17	Full Court (Darley CJ, Owen and Cohen JJ): <i>Hodgson v Thompson</i> (1906) 6 SR (NSW) 436. Motion on a Rule Nisi for New Trial, adjourned from 26 July 1906 with differently constituted court. Hearing and judgment. Counsel: Watt; JA Browne. Attorneys: PE Tighe; Brown & Beeby.
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Scott, Fell & Co. v Lloyd</i> (1906) 6 SR (NSW) 447. Demurrer. Hearing and judgment. Counsel: Chubb, Rolin. Attorneys: JR Baxter Bruce; J McLaughlin. (Owen and Cohen JJ concurred with Chief Justice).

DATE	EVENT
Friday August 17	Full Court (Darley CJ, Owen and Cohen JJ): <i>Macintosh v Dun</i> 1906 6 SR (NSW) 451. Motion by Plaintiff for stay of execution of judgment of High Court of Australia (setting aside a judgment of the Supreme Court in favour of the Plaintiff) until security given by the Defendant for performance of such judgment as might be given by Privy Council on Appeal by Special Leave to it. Hearing and judgment. Counsel: JB Campbell; Ralston KC and Barton. Attorneys: Elliott Meyer; Norton, Smith & Co. (Owen and Cohen JJ concurred with Chief Justice).
Tuesday August 21	Full Court (Darley CJ, Owen and Cohen JJ): <i>Ex parte WD and HO Wills Limited; The United Tobacco Operatives Union</i> (1906) 6 SR (NSW) 461. Application on Rule Nisi for Prohibition. Hearing and judgment. Counsel: Kelynack; JA Browne. Attorneys: Minter, Simpson & Co. Brown & Beeby. (Owen and Cohen JJ concurred with Chief Justice).
Wednesday August 22	Full Court (Darley CJ, Owen and Cohen JJ): <i>Price v Clack</i> (1906) 6 SR (NSW) 611. Motion for Prohibition. Hearing, with judgment reserved (until 25 October 1906). Counsel: Windeyer and G Martin; JA Browne. Attorneys: Beehag, Simpson & Petrie; ER Abigail.
Thursday August 23	Full Court (Darley CJ, Owen and Cohen JJ): <i>Ex parte Stewart</i> (1906) 6 SR (NSW) 468. Motion on Rule Nisi for Prohibition; Motion to confirm an order of Pring J that Rule be discharged. Hearing and judgment. Counsel: Thomson; <i>Quare</i> James (who appeared, but was not called upon, before Pring J) did not appear before Full Court. Attorneys: EAH Shepherd (Moruya) by McElhone and Barnes; FHG Payne (Moruya) by HS Harden. (Owen J concurred with Chief Justice).
Friday August 24	Full Court (Darley CJ, Owen and Cohen JJ): <i>Ex parte Biggins</i> (1906) 6 SR (NSW) 493. Motion on Rule Nisi for Prohibition. Hearing and judgment. Counsel: Lamb; Brisseden; Scholes. Solicitors: JR Edwards (Broken Hill) by Pigott & Stinson; AJ Hall (Broken Hill) by AWE Weaver; Crown Solicitor. (Owen and Cohen JJ concurred with Chief Justice).
Friday September 7	Cohen J sitting alone: <i>In the Will of Robert Glass</i> (1906) 6 SR (NSW) 426. Motion for Probate. Hearing and judgment (with explanation that Motion had been heard by Walker J who, having reserved judgment, was unable, owing to illness, to deliver judgment, in consequence of which Motion was re-heard before Owen J, when the same cases were cited). Counsel: Teece; Bethune, as <i>amicus curiae</i> . Solicitors: Perkins & Fosbery.
Wednesday October 24	Full Court (Darley CJ, Owen and Pring JJ): <i>Davey v Richardson & Wrench</i> (1907) 7 SR (NSW) 189. Motion on Rule Nisi for new trial (in an action tried before Cohen J without a jury, when verdict was returned for the Plaintiff, by consent, leave being reserved to the Defendants to move for a nonsuit, verdict or new trial, and with power to the Full Court to draw inferences of fact; the facts were not in dispute). Adjourned part-heard to 25 October 1906. Counsel: Piddington and Sheppard; Knox KC and Mitchell. Solicitors: E Lucas; Deane & Deane.
Thursday October 25	Full Court (Darley CJ, Owen and Pring JJ): <i>Davey v Richardson & Wrench</i> . Adjourned part-heard from 24 October 1906. Adjourned

	part-heard to 26 October 1906.
DATE	EVENT
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Bosanquet v Mofflin</i> . Delivery of judgment reserved on 26 July 1906. (Chief Justice delivered judgment of Court).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Price v Clack</i> . Delivery of judgment reserved on 22 August 1906. (Chief Justice delivered judgment of Court).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Ex parte Harriott</i> 1906 6 SR (NSW) 635. Appeal from order made by Pring J on Summons in Chambers. Hearing and judgment. Counsel: Broomfield; JA Browne. Attorneys: Brown & Beeby; JR Baxter Bruce. (Owen and Cohen JJ concurred with Chief Justice).
Friday October 26	Full Court (Darley CJ, Owen and Pring JJ): <i>Davey v Richardson & Wrench</i> . Adjourned part-heard from 25 October 1906. Adjourned part-heard to 8 November 1906.
Tuesday October 30	Full Court (Darley CJ, Owen and Cohen JJ): <i>The Fireman and Deck Hands Association v The Sydney Ferries Limited</i> (1906) 6 SR (NSW) 639. Motion on Rule Nisi for Prohibition. Hearing and judgment. Counsel: Broomfield; Blacket. Attorneys: Norton Smith & Co; Thomas. Rose. (Owen and Cohen JJ concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>In re Moss and Cahill</i> (1906) 6 SR (NSW) 629. Adjourned part-heard to 2 (or possibly 3) November 1906; an inconsistency as to the adjourned date appears in the State Reports at pp. 629 and 633. Counsel: Bradburn; James and Curlewis. Attorneys/Solicitors: Not recorded.
Thursday November 1	Full Court (Darley CJ and Owen J): <i>Hosie v Bartley</i> (1906) 6 SR (NSW) 626. Motion on Rule Nisi for Attachment to enforce an Award. Hearing and judgment. Counsel: Mann; Thompson. Attorneys: Wheelon & Gilcreest (Forbes) by Russell & Russell; G Lister King (Cowra) by WU Smyth King. (Owen J concurred with Chief Justice).
	Full Court (Darley CJ and Owen J): <i>The Perpetual Trustee Company v Orr</i> (1906) 6 SR (NSW) 679. Demurrer. Adjourned part-heard to 2 November 1906. Counsel: Knox KC and Coghlan; Cullen KC and Wilmer Stephen. Attorneys: FA Davenport; CA Coghlan.
Friday November 2	Full Court (Darley CJ and Owen J): <i>The Perpetual Trustee Company v Orr</i> . Adjourned part-heard from 1 November 1906, and Judgment. (Owen J concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>In re Moss and Cahill</i> . Adjourned part-heard from 30 October 1906, and judgment. (Owen and Cohen JJ concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Mitchell v Gascoigne</i> (1906) 6 SR (NSW) 717. Special Case stated by Magistrate. Hearing and judgment. Counsel: Watt; Windeyer. Attorneys: CD Inglis; Crown Solicitor (Owen and Cohen JJ concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Cohen JJ): <i>Phillips v Lynch</i> (1906) 6 SR (NSW) 645. Special Case from Land Appeal Court. Hearing, with judgment reserved (until 23 November 1906) Counsel: Pike, Canaway; Davies. Attorneys: F Cromellin (Grenfell) by Ellis & Button; JN Moffitt (Grenfell) by McDonell & Moffitt.
Monday November 5	Full Court (Darley CJ, Owen and Cohen JJ): <i>Gearin v Gearin</i> (1906) 6 SR (NSW) 697. District Court Appeal. Hearing and judgment. Counsel: Pitt; Coghlan. Attorneys: JJ Kiely; Collins & Mulholland.

	(Owen and Cohen JJ concurred with Chief Justice).
DATE	EVENT
Tuesday November 6	Full Court (Darley CJ, Owen and Cohen JJ): <i>Bulmer v Tattersall</i> (1906) 6 SR (NSW) 690. District Court Appeal by Motion under s. 57 of 1905 No. 22. Hearing and judgment. Counsel: Ferguson and Cowan; Browning. Solicitors: D Cowan (Taree) by Beehag, Simpson & Petrie; LO Martin (Taree) by CM Boyce. (Owen and Cohen JJ concurred with Chief Justice).
Thursday November 8	Full Court (Darley CJ, Owen and Pring JJ): <i>Davey v Richardson & Wrench</i> . Adjourned part-heard from 26 October 1906. Adjourned part-heard to 9 November 1906.
Friday November 9	Full Court (Darley CJ, Owen and Pring JJ): <i>Davey v Richardson & Wrench</i> . Adjourned part-heard from 8 November 1906. Judgment reserved (until 15 February 1907).
Thursday November 15	Full Court (Darley CJ, Owen and GB Simpson JJ): <i>Ex parte Crockett</i> (1907) 7 SR (NSW) 143. Application, by Summons, on Rule Nisi for Prohibition. Adjourned part-heard to 16 November 1906. Counsel: JA Browne; Windeyer. Attorneys: RJM Foord; Pigott & Stinson.
Friday November 16	Full Court (Darley CJ, Owen and GB Simpson JJ): <i>Ex parte Crockett</i> . Adjourned part-heard from 15 November 1906. Judgment reserved (until 15 February 1907).
<i>Quare</i> Monday November 19	Full Court (Darley CJ, Owen and Pring JJ): <i>In re Thomas Ernest Rofe</i> (1906) 6 SR (NSW) 669. Motion to reinstate Applicant to Roll of Solicitors. Hearing (with judgment reserved until 8 December 1906). State Reports head note identifies hearing date as November 18, a Sunday. Counsel: Pilcher KC and James; Davies. Attorneys / Solicitors: not recorded.
Monday November 19	Full Court (Darley CJ, Owen and Simpson JJ): <i>Ex parte Commonwealth Portland Cement Co.</i> (1906) 6 SR (NSW) 720. Application on Rule Nisi for Prohibition. Hearing and judgment. Counsel: Brissenden; Boyce. Solicitors: Minter, Simpson & Co. E. Vickery. (Owen and Simpson JJ concurred with Chief Justice).
Tuesday November 20	Full Court (Darley CJ, Owen and Simpson JJ): <i>Ex parte Bryant</i> (1906) SR (NSW) 712. Application on Rule Nisi for mandamus. Hearing and judgment. Counsel: Armstrong; Bignold and Walker. Solicitors: JM Proctor (Tamworth) by AJ McDonald; RJ O'Halloran (Tamworth) by RH Levien. (Owen J concurred with Chief Justice).
	Full Court (Darley CJ, Owen and Simpson JJ): <i>Miles v Henderson</i> (1907) 7 SR (NSW) 19. Motion on Rule Nisi for new trial. Adjourned part-heard to 21 November 1906. Counsel: Curlewis; CB Stephen KC and HM Stephen. Solicitors: ME Price; Lumsdaine & Leibius.
Wednesday November 21	Full Court (Darley CJ, Owen and Simpson JJ): <i>Miles v Henderson</i> . Adjourned part-heard from 20 November 1906. Judgment reserved (until 15 February 1907).
Thursday November 22	Full Court (Darley CJ, Owen and Simpson JJ): <i>Larcombe v Goldsborough Mort & Co</i> (1907) 7 SR (NSW) 123. Appeal from Land Appeal Court. Hearing, and judgment reserved (until 15 February 1907). Counsel: Pike; Whitfeld and Windeyer. Attorneys: Ellis & Button; Alexander & Windeyer.
Friday November 23	Full Court (Darley CJ, Owen and Cohen JJ): <i>Phillips v Lynch</i> . Delivery of judgment reserved on 2 November 1906.
Saturday December 8	Full Court (Darley CJ, Owen and Pring JJ): <i>In re Thomas Ernest Rofe</i> . Delivery of judgment reserved on (semble) 19 November 1906.

	(Chief Justice delivered judgment of Court).
DATE	EVENT
1907	
Friday February 15	Full Court (Darley CJ, Owen and Pring JJ): <i>Davey v Richardson & Wrench</i> . Delivery of judgment reserved on 9 November 1906. (Judgment of the Court was delivered by Owen J).
	Full Court (Darley CJ, Owen and GB Simpson JJ): <i>Ex parte Crockett</i> . Delivery of judgment reserved on 16 November 1906. (Judgment of the Court was delivered by Chief Justice).
	Full Court (Darley CJ, Owen and Simpson JJ): <i>Miles v Henderson</i> . Delivery of judgment reserved on 21 November 1906. (Judgment of the Court delivered by Chief Justice).
	Full Court (Darley CJ, Owen and Simpson JJ): <i>Larcombe v Goldsborough Mort & Co</i> . Delivery of judgment reserved on 22 November 1906. (Judgment of the Court was delivered by Chief Justice).

NOTES:

- Between 15 February 1907 (when four Full Court Judgments involving him were delivered) and 1 February 1908 (when he resigned the office of a Judge of the Supreme Court of New South Wales as recorded in the Memoranda pages of 7 SR (NSW)) Owen J is recorded as having been involved in only two cases reported in the *State Reports*. Both were Full Court proceedings. The first was *In re Daley* (1907) 7 SR (NSW) 561. It was heard and determined on 23 and 24 July 1907 by Darley CJ, Owen and Sly AJ. A solicitor was suspended for professional misconduct.
In the second case, *In re Cardell* (1907) 7 SR (NSW) 571, Darley CJ, Owen and Cohen JJ heard and determined a Case stated by the Land Appeal Court. In the first case the Chief Justice delivered the Judgment of the Court. In the second, Owen and Cohen JJ are reported to have concurred with the Chief Justice.
- In the period of Bean's Associateship, not limited to the time when Owen J was actively engaged as a Royal Commissioner, the majority of the Judges' judgments reported in the *State Reports* were Full Court proceedings in which he concurred with Darley CJ.
- In the first half of 1907 Rogers KC, DCJ served as an Acting Judge of the Supreme Court. In the second half of that year Sly KC, who ultimately secured a permanent judicial appointment following Owen J's retirement, served as an Acting Judge. This is consistent with an assessment that Owen J was moving towards retirement throughout 1907.
- In 1907 Rogers AJ is reported to have participated in judgments of the Full Court before and after Bean's resignation as Owen J's Associate. As evidenced by the cases reported in the *State Reports*, his earliest participation in Full Court proceedings in 1907 occurred on 26 February 1907 in *Sydney Harbour Trust Commissions v Wilson* (1907) 7 SR (NSW) 225. His participation in reported judgments, in this period of his service as an Acting Judge, appears to have come to an end on 31 May 1907 with delivery of a reserved judgment in *Scott Fell & Co v Lloyd* (1907) 7 SR (NSW) 512.

In the order reported (rather than their chronological sequence) the *State Reports* judgments in which he participated were (during Bean's Associateship) *Ex parte Ellen Yates* (1907) 7 SR (NSW) 217; *Sydney Harbour Trust Commissioners v. Wilson* (1907) 7 SR (NSW) 225; *Manton v Williams* (1907) 7 SR (NSW) 236; *Freehill v McLaughlin* (1907) 7 SR (NSW) 253; *Rumpf v Fresh Food & Ice Company* (1907) 7 SR (NSW) 260; and *Hazelton v Potter* (1907) 7 SR (NSW) 270; and (following Bean's resignation as an Associate) *Hair v Weisner* (1907) 7 SR (NSW) 350; *Ex parte Zillmann* (1907) 7 SR (NSW) 362; *Parker v Parker* (1907) 7 SR (NSW) 384; *In re Crocket* (1907) 7 SR (NSW) 407; *Bolger v The Minister* (1907) 7 SR (NSW) 427; *Ex parte Purcell* (1907) 7 SR (NSW) 432; *In re Mary Willis* (1907) 7 SR (NSW) 435; and *Scott Fell & Co v Lloyd* (1907) 7 SR (NSW) 512.

5. Sly AJ's participation in proceedings reported in the *State Reports* in 1907 appears to have commenced on 14 June 1907 in the hearing and determination of *R v Kelly* (1907) 7 SR (NSW) 518 by the Full Court. The subsequent *State Reports* proceedings in which he is reported to have participated before his appointment as a permanent member of the Supreme Court were (in the order reported, not chronologically) *Ex parte William Laidley & Co* (1907) 7 SR (NSW) 538; *Ex parte Palmer* (1907) 7 SR (NSW) 544; *Ex parte McCarthy* (1907) 7 SR (NSW) 552; *In re Kennedy* (1907) 7 SR (NSW) 556; *In re Daley* (1907) 7 SR (NSW) 561; *Ex parte Keegan* (1907) 7 SR (NSW) 565; *In re Crick* (1907) 7 SR (NSW) 576; *Shopee v Coxon & Co* (1907) 7 SR (NSW) 608; *Godfrey v Godfrey* (1907) 7 SR (NSW) 626; *Armitage v Stewart* (1907) 7 SR (NSW) 645; *Ex parte Pollock* (1907) 7 SR (NSW) 648; *R v Myerson* (1907) 7 SR (NSW) 748; and *Ex parte Barnett* (1907) 7 SR (NSW) 788.
6. Of these cases, Bean had at least some connection with at least *In re Crick* (1907) 7 SR (NSW) 576. That was an application made to the Full Court by the Incorporated Law Institute to make absolute a Rule Nisi calling upon WP Crick to show cause why his name should not be struck off the Roll of Solicitors in view of the report of Sir William Owen's Royal Commission into the administration of the Lands Department. Crick had also been involved in the Deane controversy of the 1890s in which Rogers KC had been a participant and which led to Crick's partner, Meagher being struck off as a solicitor. Crick and Meagher were both politically active, and prominently so, in the 1890s and early years of the Twentieth Century.

In the disciplinary proceedings against Crick in 1907, he was represented by Reid KC, a former Premier of New South Wales and (in 1904) Prime Minister of Australia. The Full Court was constituted by all the judges of the Supreme Court (other than Owen and Pring JJ) together with Sly AJ. Owen J could not sit as he had been the Royal Commissioner whose report led to the court proceedings. The Full Court hearing took place on 6, 7, 8, 9 and 12 August 1907. The Court's reserved judgment was delivered on 23 August 1907.

7. On 7 February 1906 Cecil Bedford Stephen, Alexander Gerard Ralston, Adrian Knox, Alexander Barclay Shand and Langer Mead Loftus Owen were appointed King's Counsel: Memoranda, 6 SR (NSW). The last-named appointee (born 27 August 1862, died 25 January 1935) was a son of Sir William Owen who, after his father's death, also served on the Supreme Court of New South Wales (in an acting capacity in 1919 and as a permanent judge of the Court between 1922-1932). He was knighted in 1934: 11 ADB 113-115.

8. On 28 May 1906 Langer Owen KC (with Bavin) appeared before his father in *re Quigley; Perpetual Trustee Co Limited v Quigley* (1906) 6 SR (NSW) 360.
9. The Chief Justice throughout Bean's period of engagement with the New South Wales Bar (1905-1908), Sir Frederick Matthew Darley, held the office of Chief Justice between 1886-1910. On 18 January 1909 he was granted leave of absence for one year from 31 January 1909, and Mr Justice George Bowen Simpson was appointed Acting Chief Justice. Darley died in London on 4 January 1910: JM Bennett, *Portraits of the Chief Justices of New South Wales, 1924-1977* (Sydney, 1977), Ch. 6. His successor as Chief Justice, Sir William Portus Cullen (who held office between 1910-1925) was the first Chief Justice of New South Wales born and wholly educated in New South Wales: *ibid*, p. 35.
10. As evidenced by entries in the Chronology the solicitors' branch of the legal profession was generally, but not always, described in the *State Reports* of 1905-1908 by the word 'Attorneys'. The word 'solicitors' was used less often, but interchangeably. In formal terms, when the Supreme Court formally permitted a person to sign the 'Roll of Solicitors' in those years its order to the form on an Order 'that X be admitted to practise as an attorney, solicitor and proctor of this Court'.