

The Death of H. L. WENDT, Esq., late Senior Puisne Justice
of Ceylon.

November 21, 1911.

Present : Lascelles C.J., Middleton, Wood Renton,
and Grenier JJ.

LASCELLES C.J.—

Mr. Attorney, I propose to address a few words on the sad event which has occurred in the course of last night. When Mr. Justice Wendt retired from the Bench about a year ago, it was the hope of all his friends that with rest and change of scene his life might yet be prolonged, in spite of failing health, for a few years. These hopes have been frustrated, and we have just heard that the end has come. Mr. Justice Wendt was appointed some ten years ago a Justice of this Bench, and he brought to his high office qualifications which were quite exceptional. He had for many years had a leading practice at the Bar. He had acted, and acted with success, as Attorney-General on more than one occasion, and he had earned to a high degree the respect and affection of all those with whom he

was brought into contact. The high expectations entertained by all were fully realized. It is not too much to say that no Judge who has ever sat on this Bench has commanded to a higher degree the confidence and respect of all the different communities who make up the population of Ceylon. He possessed in a degree that is almost unrivalled an intimate knowledge of the law and procedure of our Courts, a knowledge that had been gained by long years of experience and study. He had also a peculiar faculty for dealing with the facts of even the most intricate cases. He would often in the course of an argument discover in the record some material fact which had escaped the observation and research both of the counsel engaged and of his brothers on the Bench. In point of patience and courtesy few Judges have excelled him. His temper was absolutely unruffled, and he was equally courteous and equally kind to the youngest junior as to his own contemporaries at the Bar. I have spoken so far of the judge and the lawyer. But to almost all of us there is another aspect of the case. I suppose that few men in practice at the Bar or few Judges had a wider circle of friends. Every one who had to do with him was impressed by his absolute uprightness, rectitude, and fairness, and by the kindly and generous outlook with which he regarded the world before him. As a colleague on the Bench and a Judge before whom to practice, it would be harder to find a more engaging or a more attractive personality. I am sure that I am voicing the feelings of all present here when I express a feeling of the deepest sympathy with his widow and his bereaved family, and I propose, as a mark of the respect that we all feel for his memory, that this Court should adjourn till to-morrow.

ANTON BERTRAM A.-G.—

May it please Your Lordships.—The words that have just fallen from Your Lordship express, I think, the common grief both of the profession and the public. It was a great shock to us to read this morning the sad news that you have alluded to. I suppose a great number of us not only saw but spoke to Mr. Wendt yesterday evening, and it is a great blow to us to find this morning that the place he filled in the community is now empty. As I said, his loss is a loss both to the profession and to the public, and I think we all felt in the legal profession that though the late Mr. Wendt had held high judicial, high administrative, and high legislative office, he still remained one of ourselves, and the Bar recently showed the great confidence they had in him by electing him a member of the Bar council for a second time. It is a great grief to us to be deprived of the advice we anticipated he would be able to give us on the many important questions that are before us. The late Mr. Wendt was a man who made one proud to belong to the legal profession. He not only maintained, but enhanced its high traditions, and he furnished a high example to the younger members of the Bar—an example that

should stir them to high and worthy ambitions. The members of the Bar are specially grateful to him, not only for his sympathy and co-operation in professional life, but also for benefits he had obtained for them in connection with admission to the Bar in England, which are entirely due to his help. We most of all feel that we have lost a member of the profession who was a support to the profession, and won for it that respect in the community which it has, and which I trust it will always maintain. As Your Lordship has said, there is another aspect of the matter—the loss sustained by the community. Mr. Wendt was not a man whose heart was merely in his professional and official duties and his private recreations. I have not been long in this community, but I have been long enough to notice that he possessed in many degrees one of the greatest of all qualities—the quality of public spirit. He played his part in everything which tends to ennoble human society. He showed his sympathy in all good causes, not merely by words, but by active expenditure of time and talents. Indeed, there is one respect in which the loss of Mr. Wendt is absolutely irreparable. I suppose there is no man who is able to render greater and more valuable services to his community than an emeritus Judge of the Supreme Court. Mr. Wendt seems to me to have filled in this community the same sort of part which Sir Edward Fry, late Lord Justice of the Court of Appeal, has filled in England. We had in him a man who had filled a high office and possessed a character respected by all. He had that particular knowledge which comes from a combination of ripe experience and conscientious character. He had the confidence, not only of every class of the community, but of the Government. He was available for public and private service at any time at which his ripe judgment and along experience might be called for. I think that we shall find it impossible in this community to find any one to fill the part that Mr. Wendt so admirably filled in the life of Ceylon. I may perhaps be allowed to re-echo the kind words of sympathy which Your Lordship has expressed with the bereaved family of Mr. Wendt. The very reasons which make his loss so great to us, his high character, and the respect which he enjoyed through his community, the affection and personal regard which he aroused among those with whom he came in contact, the consciousness of this appreciation in which he was held—may perhaps in some slight measure alleviate their personal grief. We, on our part, in expressing our sympathy with them, can only say for ourselves that his death is a loss which it is impossible to replace.

THE CHIEF JUSTICE then adjourned the Court.

