

## The Old High Court - The pipe, the rubbish bin and the judge's head

Sir Henry Hubert Ostler's recollection outlines an unfortunate situation that happened in his time at the Old High Court. The recollections of Sir Henry Hubert Ostler's legal career appear in *Portrait of a Profession* [1]. *Ostler was appointed to the Crown Law Office in 1910 succeeding H D Bell as Crown Solicitor and Crown Prosecutor*

“My office in those days was a vacant room upstairs in the Supreme Court (*now known as the Old High Court*) which was reached through the jury room. It has since been thrown into the premises of the caretaker. The window was immediately above the entrance at the north side of the courthouse, which has always been much used by judges. My desk was near the window and I generally worked with the window open. One day I was concentrating on some work, and as I read I lit my pipe, shook the match and thinking it was out, dropped it into the wastepaper basket, which happened to be fairly full. But the match had not been extinguished, and presently I heard a noise and on looking round found a merry fire, the paper being well alight. I promptly picked up the basket and dropped it out of the window and on looking out to watch the result I saw it descend on to the head of Mr Justice Cooper, who had just emerged from the door. There was no time to warn him. It landed on his hat and blazing papers were shot out and showered around him like a Greek fire. He let out a yell and jumped like a frightened horse....I never saw such a mingled look of fear and anger as was on his face when he gazed up and found that I was responsible, and it took quite a lot of tact and humility to persuade him that it was not an intentional prank.”[2]



Whitmore Street door



Henry Ostler with pipe [3] (the dead ducks are not part of this story.

In 1925, Henry Hubert Ostler was appointed King's Counsel and on the same day became a judge of the Supreme Court. So, overall no harm was done to his career.

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### Footnotes

[1] Robin Cooke (ed) *Portrait of a Profession* (A.H. & A. W. Reed, Wellington, 1969)

[2] At p71

[3] At p112