

Professor Osborne explained that the instrument had been used already in experiments to determine the alteration in the centre of gravity due to the consumption of a pint of beer. The centre of gravity was raised appreciably above the normal centre of gravity in the body. The point was the subject of informal discussion during the demonstration.

"It follows," one member told another "that by drinking sufficient pints of beer one might raise the centre of gravity to the point where equilibrium would be unstable; one has seen such cases."

Methods Of Rural Relief

Failure to distinguish between the efficient and the inefficient producer, and the tendency to perpetuate the folly of producing from sub-marginal lands by relief measures, were described by Mr. E. R. Hudson of the Tasmanian Department of Agriculture, as "the shortcomings of methods of rural relief as far advanced as the address which he gave to the section for agriculture."

Mr. Hudson said that it would be necessary to maintain a system to grant assistance to farmers only after consideration had been given to individual cases. It would also be necessary to exercise a guiding influence on rural production and coordinate the national policy with the national and State policies. The establishment of quotas and trade treaties and the development of economic national and State policies (moving towards control) in industry and the advent of national and possibly international economic depression would be a demand for men qualified to guide agricultural production along sound lines and it appeared that agricultural colleges and universities were not giving sufficient attention to instruction in farm management and to the economic or business aspect of farming.

The view was advanced that the crisis in agriculture did not arise from the general economic depression, said Mr. Hudson. Although existing economic conditions had intensified the present depression, the cause of the financial troubles of farmers was the failure of people throughout the world to produce primarily for necessary production at a rate proportional to the adoption of improved and labor-saving methods in the production of food and stable products.

NEWS 27-1-35

At a meeting of the board of management of the Public School Teachers Superannuation Fund, Mr. Justice Richards was elected chairman of the board in succession to the late Mr. William Bennett. Mr. Justice Richards is the fourth chairman of this board; the previous chairmen having been Mr. A. H. H. Sturt, Mr. W. Sturt, former inspectors-general of schools, and Mr. W. Bennett, who was for some years head master of the Norwood Central School.

ADV. 26-1-35

Work Of Rhodes Scholars After Leaving Oxford

MELBOURNE, January 27. Plans to ensure the return of Rhodes Scholars to Australia after their terms at Oxford were discussed at the second biennial conference of the Association of Rhodes Scholars in Australia, which was held at Trinity College University. Representatives from every State were present, and the Hulse Rogers and the Sydney Court of New South Wales, presided.

It was said that some Rhodes Scholars did not return to Australia because of the absence of a liaison between the association and the scholars at Oxford in Australia.

It was resolved to ask the Rhodes trustees to inform the association secretary of the names of all scholars in their third year, and to try to procure suitable appointments for the scholars in Australia.

A recommendation was made that all Australian Rhodes Scholars should join the newly formed Oxford Society. The Warden of Trinity College (Dr. J. C. V. Behan) was re-elected secretary.

Paid Staffs For Public Hospitals

"Salary System Inevitable In Adelaide"

DOCTORS' COMMENTS

There were about 180 honorees at the Adelaide Hospital, forming a cut in the Adelaide hospital yesterday. He added that the introduction of the salaried staff was being done at Brisbane, and was inevitable in Adelaide, although the existence of a medical school here would necessitate some modification of the Brisbane plan. Another doctor described the Queensland move as the thin edge of the wedge for the eventual socialisation of the medical services.

A doctor with some years' experience of public hospitals said that it would always be necessary for the public hospital to supply clinical material for research and students, and he thought a small honorary staff would be required to instruct them.

"The time has come when the Adelaide Hospital needs a larger salaried staff, in addition to the present resident staff," he said, "and it would be to appoint a sufficient number of adequately paid doctors to carry out the duties which are now done in the hospital and to give instruction to students as well. If the honorary staff were to be abolished, the hospital cannot maintain a medical school in its present form."

The appointment of a salaried staff would lead to a better allocation of duties, he continued. At the Adelaide Hospital, with its many honorary staff, the duties were continually overlapping. Another angle of the question was the great increase in the staff and on the hospital in recent years.

Trend Toward Socialisation

Another doctor, also with Government experience, said that, for many years in Australia as elsewhere, there had been an increasing tendency towards the socialisation of various services. This was manifested in the growth of maternity bonuses, old age pensions, superannuation and so on, paid or subsidised by State revenue. The economic depression had led to an increasingly large burden on the public hospitals.

He believed that this, to some extent, undermined the morale and independence of many people," he said. "Many are now accepting and even seeking benefits which previously they would have spurned as charity. The increased activities of public hospitals, and the establishment of the Commonwealth Department of Health and the various Government laboratories. The establishment of the salaried system in Brisbane, however, is perhaps the first move in Australia towards the definite nationalisation of individual treatment."

In the past the honorary system had doubtless worked very satisfactorily, he pointed out. In the main, the people regarded it as the duty of the State to provide for their medical needs. It must be conceded that a public hospital in the interests of the people was worthy of his rise, whatever position he held.

"Paid Staff Insufficient"

"It is very questionable whether the economic position of South Australia would permit the Government to replace the honorary staff entirely," he said, "but it is becoming increasingly apparent that the present paid staff is insufficient to cope with its duties, especially in the maternity side. Whatever future steps may be taken, there is one danger that doctors, as well as the public, are ignorant of the knowledge of life in its various aspects, must guard against. They must see that the establishment of salaried staffs is not carried out at the cost of the virility and independence of the nation."

CARNEGIE CORPORATION FELLOWSHIPS

It was announced at the Adelaide University yesterday that two fellowships under the Carnegie Corporation Funds, tenable at the Institute of Education, London, for one year and worth about £250, were offered to candidates from Australia. Applications for nomination will be received till March 2. They should give the applicant's age, and details of his University course and his subsequent experience, and should include three testimonials, one being from a person under whom he has subsequently worked. They should also contain a statement of the objects in view going to the Institute of Education and of the intention to return to Australia.

NEWS 23-1-35

Court Awards Miner £150 Damages

CRITICISM OF JUSTICES ACT

Attention Drawn To Dangers

DR. WARD SUED

Mr. Justice Napier in the Supreme Court today awarded John Langdon Lane, miner, of Kersbrook, £150 damages and costs against the Director of Mines (Dr. Leonard Keith Ward) for alleged wrongful imprisonment.

Lane had claimed £2,000. In giving judgment Mr. Justice Napier, who, during the hearing had referred to amending Justice Act as giving a good one mangled by gratuitous interference," said that the provisions of the Act were "incompatible and inconsistent."

"It is not the function of the court's to suggest amendments of the statute law," said His Honor. "but I think that I should call attention to the dangers of the anomalous and embarrassing position of the defendant, as disclosed in this case."

"In ordinary cases there may be no reason why the Director of Mines should not act as a warden under the Mining Act, but in any case in which the real litigant is the Crown, or an officer of the department, it is, to say the least of it, desirable that the presiding magistrate should bring an independent mind to the discharge of his official duties."

"It is obvious that Dr. Ward acted in good faith," continued Mr. Justice Napier. "The mistake that I think he made was one which any officer so situated might easily make. I appreciate the candor with which the truth has been disclosed."

SIMPLE SOLUTION

"But the administration of justice should be above suspicion, and it is undesirable that a civil servant should be required to exercise judicial functions in cases in which his own department or a subordinate officer, may be interested. A simple solution would be to provide for the proceedings to be brought in, or removed to, another court."

Lane had claimed that the Registrar of Mines (Louis Brouner) had refused his application for the registration of a coal claim. Lane appealed to the Warden's Court and Dr. Ward was the complainant. He decided the issue in favor of Lane and the issue of law against Lane, and refused registration.

Costs of £16/8/ were ordered to be paid by Lane to the Registrar of Mines. An application then to order in default of payment, imprisonment for a month, was not granted, and two months were allowed in which to pay. The costs were not paid and five months after judgment in the case a warrant of distress was issued.

Later a warrant for commitment to goal was prepared in the Crown Solicitor's office and signed by Dr. Ward, as a justice of the peace, and Lane was imprisoned for a month.

Lane claimed that Dr. Ward had no power to order him to be imprisoned for the non-payment of costs, and that the warrant was issued without jurisdiction in Dr. Ward to issue it.

His Honor said that the first question was whether, under the Justices Act, an order for costs—where no order was adjudged to be paid—could be enforced by imprisonment.

PARLIAMENT'S INTENTIONS

After referring to the Act, and an amendment which excluded costs from proceedings for default, His Honor said that he was disposed to rest upon the letter of the statute as it stood. It was idle to say on this head that the intention which Parliament might have formed, and expressed, if its attention had been directed to the consequences of certain sections.

Upon this view it was unnecessary to express any final opinion on the second point for costs—where no order was made, he thought it would be difficult to uphold the issue of the warrant in the circumstances disclosed by the evidence. He could not allow the amount of the costs allowed to pass unnoticed. He was disposed to hold that the practice of the Warden's Court to allow a successful party the expenses of any witnesses called, irrespective of the effect which Parliament might have on the court.

It appears that in this case the costs allowed to the Registrar included the expense to which he had been put in an attempt to show that the facts were not as the warden found them. All I desire to say on this head is that the practice of other courts of justice is to allow no more than the costs that are considered necessary or reasonable, for the purpose of elucidating the truth and procuring the result that is attained," said His Honor.

It is contrary to reason and justice that the costs, payable by the unsuccessful party, should be increased as it seems to be conceded that they were increased in this case. His Honor said that damages must be substantial, but he saw no reason why they should be vindictive. He thought that justice would be done if judgment were entered for Lane with damages of £150.

COURT CRITICISED

Mr. Justice Napier told the Crown Solicitor (Mr. A. J. Hannan, K.C.), who appeared for Dr. Ward, that the Act should be amended. He said that the Warden's Court was "the worst court in the world to hear these cases."

Mr. Hannan said that this was so because the applications for registration had to be decided first.

Mr. Justice Napier said it ridiculous that in cases of this kind, because of the warrant being ineffective, a man should be able to snap his fingers at a sentence of the court.

Mr. Hannan said that Mr. Justice Napier's observations would be brought to the attention of the Attorney-General (Mr. Jeffrey).

His Honor said he looked "upon the whole thing as an unfortunate result of the amalgamation of duties." Mr. A. Webb appeared for Lane.