

That the board call for applications, and appoint a director. 2. That the Professor of Botany have control of the museum, herbarium, and such portion of the library as is concerned with scientific botany, and be responsible, through the Department of Agriculture, to the Minister controlling that department. 3. That the Mylor Orchard be placed under the control of the Department of Agriculture. 4. The above arrangement not to prevent access by the public to the museum and herbarium.

To this offer I received the following reply:—

My board have given the proposals of the Hon. the Commissioner their careful consideration. They adopt section 1 of your letter, in which you say "that the board call for applications, and appoint a director as empowered under the Act." They cannot agree to the other proposals without amendments, which they understand you cannot accept. They propose that the whole of the other sections be deferred until the appointment of a new director, when his opinion and advice can be obtained. It is highly probable that there may be no need for further appointments.

From this it will be seen that the board have failed to meet us in any degree, but are apparently prepared to reconsider the matter after they have appointed a new director and have 'obtained his opinion and advice.' I am consulting Cabinet in respect to the position as it now stands, but I rather expect we shall want a more satisfactory understanding before any new director is in a position to offer his opinion or tender his advice. Reference to the official correspondence will show that our proposals have the strong support of the Royal Society of S.A., the Council of the University of Adelaide, and the British Science Guild (S.A. branch); while Professors Mitchell and Stirling also waited upon me, and urged the appointment of the Professor of Botany, which was also recommended by the Director of Agriculture. I have often felt that it would be a great public advantage if we could make a greater practical use of the special knowledge of our scientific experts, and I welcomed the suggestion that the Professor of Botany should direct the work at our Botanic Gardens as a step in the right direction. The Government are satisfied that Professor Osborne would fully justify the recommendations which have come from the University Council, Royal Society, and the British Science Guild. There is another aspect of this question to which I wish to refer. Apart altogether from the merits of the conflicting views is the principle involved—whether the Government or the board should make an appointment of this kind. The board takes the stand that it has the power, under the Act, to make the appointment; but, as a matter of fact, until now the board has never made such a claim. Dr. Holtze was appointed by the Government of the day, and not by the board, and the present board recommended the Government to re-appoint Dr. Holtze for another 12 months, thereby acknowledging that the Government should decide in such matters. Possibly if the board had insisted on Dr. Holtze's reappointment some of the opponents of the Government's proposals would more fully appreciate my argument against a board which is answerable to no authority, but subject to many influences, assuming to make an appointment of this character. That the Government should make such appointment is, I believe, a sound principle, and one which both parties in the House will uphold, because what is our trouble with the board now may be another Government's on some other occasion. In order, however, to effect a prompt settlement of the deadlock, we are prepared to compromise as indicated, and allow the board to appoint a director forthwith on condition that they accepted the modified proposals in regard to the utilization of Professor Osborne's services in connection with the herbarium, &c. The board, however, refused to meet the Government, which has to bear the whole financial responsibility; hence the present deadlock. What further steps will be taken is now being considered by Cabinet."

Advertise 25.7.16

HIS SON FAILED.

SOLICITOR BLAMES UNIVERSITY EXAMINERS.

Melbourne, July 21.

The dispute between Mr. F. P. Brett, a well-known Melbourne solicitor, and the Council of the University of Melbourne regarding the failure of Mr. Brett's son to pass the Senior Public examination in physics at the last examination, has resulted in a letter being received by the council from Mr. Brett. The letter was considered at to-day's meeting, and had reference to cancellation of a legacy of £10,000 to the University, and hinted at the withdrawal of a much larger one. Correspondence has passed previously between Mr. Brett and the registrar of the University, in which the former complained bitterly about the "cast iron" methods of the examiners, who had no regard to the temperaments of candidates. The letter that came before to-day's meeting contained the following:—"Referring to previous correspondence and what it seems to show:—1. I have received authority to cancel one legacy to the University of £10,000 on account of the system of imposing a severe examination for entrance. 2. The ineffectual methods of testing at these examinations. 3. In view of the refusal of information, coupled with the tone of your second letter, a much larger one, which I was instrumental in obtaining, may also be cancelled."

The council decided to take no action in the matter.

Register 26.7.16

THE BOTANIC GARDENS DISPUTE.

From "A Fellow of the Royal Society of S.A."—"In the Commissioner's latest communication he says he has the strong support of the Royal Society, among other bodies. I do not understand how our society can support a proposition they have neither seen nor discussed. In the last meeting of last year certain resolutions were passed suggesting better methods with regard to the Gardens, such as provision for cadets, teaching, &c. These resolutions were passed, and a committee appointed to modify the verbiage, and if desired by the Government, to interview its representative. As a member of the board was present, and took part in the discussion, I ask him to corroborate this statement. At the next meeting of the society in April the report of the committee was not presented, but it was stated that it was confidential. One member of the committee, however, asserted that the report conflicted with the resolutions. So it is clear that the society could not possibly support what it had no knowledge of. The Commissioner may rest satisfied that—as far as making available all the science possible to advance the State is concerned—every member of the society most heartily agrees with him. Personally, however, my own opinion is that Professor Osborne's time and abilities would be more profitably employed in his duties as Botanic Pathologist, studying the unlimited expanse of ills affecting so greatly the profits of orchardists and gardeners. I feel justified in asserting also that the committee never met the Commissioner—more's the pity. However, no one will dispute that in times gone by serious injury has resulted from the absence on the board of any one with botanic training or knowledge, so that the University, being represented in it, is a great and imperative need. The Commissioner's proposal to put the Mylor orchard under the Agricultural Board is certainly an improvement."

Register 26.7.16

BOTANIC GARDENS DISPUTE

Still Unsettled.

The Commissioner of Crown Lands (Hon. C. Goode), in the House of Assembly on Tuesday, told Mr. Gunn that the dispute between the Government and the Botanic Garden Board regarding the appointment of a new Curator, was still unsettled. Certain enquiries were in progress, however, and he hoped to be able in a day or two to announce that the deadlock had come to an end. He could not at present indicate the nature of those enquiries.

THE BOARD'S VIEW.

The Chairman of the Botanic Garden Board (Mr. T. H. Brooker) intimated to a reporter on Tuesday that that body regretted that any difficulty had arisen with reference to the matter, and had had hopes of it being finalized at a special meeting which was held on Friday last. They regretted that while other institutions appeared to have been approached by the Government, and their advice taken, the board and the Director (Dr. Holtze) had not been. In view of the radical changes suggested they did not consent because they thought that most likely some scheme might have been adopted that would have met the Government's wish to utilize the services of Professor Osborn without big expenditure, and creating fresh departments, and the possibility of friction. The first intimation that the board had of these changes came to them after they had unanimously decided, in view of Dr. Holtze's retirement, to call for applications in the Commonwealth for a capable man who would fill the bill in the manner in which it had been filled for the past 60 years. When the board considered the proposition of the Minister, they felt that they could not adopt it, and made certain suggestions.

—Some Correspondence.—

The proposition of the Minister as embraced in a letter to the board was:—

1. That the board call for applications, and appoint a director.
2. That the Professor of Botany have control of the museum, herbarium, and such portion of the library as is concerned with scientific botany, and be responsible, through the Department of Agriculture, to the Minister controlling that Department.
3. That the Mylor Orchard be placed under the control of the Department of Agriculture.
4. The above arrangement not to prevent access by the public to the museum and herbarium.

The board desired that clause 2 should be altered to read as follows:—"That the Professor of Botany have control of the museum and herbarium, and full use of the library, and be responsible through the Botanic Park Board of Governors to the Minister."

Mr. Brooker wrote to the Minister:—

I am in receipt of your suggestions re Botanic matter. I have called a special meeting of the board for the purpose of considering your reply. I have given the proposals careful thought, and feel that the board will agree on this main proposition. Some of the details, however, I am doubtful about, and would respectfully suggest that you might consider the following amendments:—1. Its library—The Professor of Botany to have full use of the library. 2. Responsibilities through the Botanic Board of Governors to the Minister. I am expecting some opposition to the transfer of Mylor, but, considering the fact of the work at Hackney road and Belair of a similar nature now under the Department of Agriculture, personally will recommend the Mylor transfer. I have suggested these amendments purely from the point of an early settlement. Legally I do not think under the dedication of the Botanic Gardens we could transfer to another department our responsibilities. Neither do I think it wise. I can assure you that the board will welcome the appointment of the professor, and will loyally support and encourage him in his scientific work under the above conditions.

In reply to Mr. Brooker's communication the Minister wrote:—I trust your board will accept the proposal as outlined in my letter without any modification. The Professor of Botany is now responsible to the Minister of Agriculture as Government Pathologist, and I am sure the evils of divided control in this instance would not be desired by your board. If the board accepts the proposals I do not anticipate any legal difficulty in respect to the transfer of powers, and in any case this is a matter for the Government.

The board then sent a letter intimating that they accepted the section of the letter in which the Minister proposed that the board should call for applications and appoint a director, but could not agree to the other proposals without amendments which they understood the Minister could not accept. They proposed that the whole of the other proposals without amendments should be deferred until the appointment of a new director, when the opinion and advice could be obtained. It was highly probable that there would be no need for further appointments.

—No Axe to Grind.—

Mr. Brooker stated that the board held that they had no right to give up their responsibilities. The Botanic Gardens were dedicated to them. A divided control of departments might clash as much as a divided control of individuals. The control of the library they thought very unfair to the new director, whoever he might be. The board had no axe to grind as regarded the new director. He (Mr. Brooker) understood that the Government had a number of applications, and they wanted them to select the best man, at the same time rendering every help to Professor Osborn if he were appointed over the museum and herbarium. While there was power under the old Act which had worked for 60 years, the board had never before desired to make the appointment.

Advertiser
27.4.16

Sir Langdon Bonython was on Wednesday elected unopposed to be a member of the council of the University of Adelaide. At a meeting of the senate in the afternoon the Warden (Mr. F. Chapple, C.M.G.) announced that two gentlemen had been nominated to fill the vacancy caused by the resignation of the Rev. H. Girdlestone, M.A., namely, Sir Langdon Bonython and Mr. T. A. Caterer. Mr. Caterer, however, had withdrawn his nomination, and he declared Sir Langdon Bonython elected. The declaration was warmly applauded. The following is a letter handed to the warden of the senate at the meeting yesterday:—
"Dear Mr. Warden—I want to make clear why I have asked, by virtue of standing order 63, that my nomination to fill the vacancy in the council of the University be cancelled. For fifteen years it has been the pleasure of the senate to endorse the nomination of the head master of the Collegiate School of St. Peter to a seat on the University council, and it was felt that to allow this seat to go by default, even in the absence of a permanent head master, would seem to show a lack of appreciation of the honor the senate had for so many years conferred, hence my nomination. But after the most careful and exhaustive enquiry I have come to the conclusion, that at the present juncture it is of material importance to the University, that it should be, if possible, more closely associated with the School of Mines. If it had been advisable at the present time to approach the senate and make known certain negotiations, I should have felt it my duty to have gone to an election. I am of the opinion it is not, hence my withdrawal. I am, dear Mr. Warden, yours faithfully,
T. Ainslie Caterer."

Advertiser
27.4.16

DIRECTOR OF THE BOTANIC GARDEN.

CROWN SOLICITOR'S OPINION.

GOVERNMENT HAVE POWER TO APPOINT.

The deadlock between the Government and the Botanic Garden Board in connection with the appointment of a director as successor to Mr. M. W. Holtze led the Government to obtain legal advice on their right to make an appointment, if they desired, independently of the board.

The Commissioner of Crown Lands, in reply to Mr. Ryan, stated in the House of Assembly on Wednesday that the Crown law authorities were of opinion that the Government had power to appoint a director. That opinion was first given by the late Mr. J. M. Stuart, K.C., when Crown Solicitor, and it was supported by the present Crown Solicitor (Dr. F. W. Richards). The Botanic Garden director came under the scope of the Civil Service Act, and therefore his appointment was in the hands of the Government. That was the reason why Mr. Holtze had been appointed by the Government, and why to-day the Government had power to make a similar appointment. Further consideration was being given to the matter of the appointment, and an announcement would be made in the course of a few days.

Mr. Ryan asked if the Minister would make the appointment with the concurrence of the board.

The Commissioner of Crown Lands said all due consideration would be given to the opinion expressed by the board. The Government would take the responsibility for the appointment.

Mr. Gunn asked if the Government would call for applications throughout Australia, so that the best man available might be obtained.

The Commissioner of Crown Lands replied that the Government would give due consideration to every phase of the appointment of a director of the Botanic Garden and any appointment made would, in the opinion of the Government, be the best possible.

Mr. Laffer asked if the Government would consider the claims of Civil servants in the State who were qualified to carry out the duties.

The Commissioner of Crown Lands said consideration would be given to the claims of anyone who was qualified.

Mr. Gunn asked what reason the Minister had for saying his Botanic Garden policy had the support of the Royal Society of South Australia, it having been said that that body had not seen or discussed his policy.

The Commissioner of Crown Lands said he had made the statement on the strength of a letter received from the Royal Society in March last to the effect that it "heartily approved of the scheme which Professor Osborn had laid before the Commissioner of Crown Lands." That letter was signed by the president and secretary of the society. The Adelaide University Council and the British Science Guild had also expressed approval of his policy.

Mr. Gunn asked if the director whom the Government intended to appoint, would be a professor of botany.

The Commissioner of Crown Lands asked that notice be given of this question.

The Commissioner of Crown Lands told Mr. Moseley that the contemplated appointment of Professor Osborn would not interfere with the scope of similar work now ably conducted by Mr. Quinn. Professor Osborn's services as vegetable pathologist were already at the disposal of the Department of Agriculture. It was in the best interests of the State that the greatest possible use should be made of the Botanic Garden for scientific and experimental purposes. The proposals of the Government would not involve material increase of expenditure, and any increase that would be required ultimately would be justified by greater usefulness of the garden.