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JUDGES AND LAW OFFICERS

OF THE

Supreme Court of Western Australia

(1929.)

Chief Justice:

THE HONOURABLE SIR ROBERT FURSE McMILLAN, K.C.M.G.

Justice Judges:

THE HONOURABLE ROBERT BRUCE BURNSIDE.

THE HONOURABLE JOHN ALFRED NORTHMORE.

THE HONOURABLE THOMAS PERCY DRAPER, C.B.E.

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Crown Solicitor:

JAMES LEONARD WALKER, B.A.

Crown Prosecutor:

ALBERT ASHER WOLFF.

Master of the Court:

THOMAS FREDERICK DAVIES.

THE LATE MR. JUSTICE BURNSIDE.

The Honourable Robert Bruce Burnside, Senior Puisne Judge of the Supreme Court of Western Australia, died on the 8th August, 1929. He was a son of Sir Bruce Lockhart Burnside, Chief Justice of Ceylon, and was born at Nassau, Bahamas (West Indies) on April 22, 1862. Educated at the Royal Naval School, Newcross, and afterwards at Nancy (France), he entered Lincoln's Inn in 1881, and he was called to the Bar three years later. In July, 1884, Mr. Burnside arrived in Perth, and entered into legal practice. In 1894 he was made Crown Solicitor. On the death of Mr. Justice Moorhead, in December, 1902, he was elevated to the vacancy on the Supreme Court Bench. Mr. Justice Burnside began a long service as President of the State Arbitration Court in 1903, and, although relieved for periods by his colleagues on the Supreme Court Bench, his terms as President amounted to nearly 10 years.

Addressing the members of the Bar the Chief Justice of Western Australia, Sir Robert McMillan, said:—

“This is the first time I have sat in this Court since the death of Mr. Justice Burnside, and I feel I must express my deep sense of the loss we have sustained. He and I worked together for over 26 years in complete friendship. He was appointed to the Bench of the Supreme Court of Western Australia in December, 1902, and I was appointed only a few weeks before him.

“He possessed a great knowledge of Western Australia and of its people. And though most people, perhaps, were unaware of it he possessed knowledge of another kind; he was a skilled worker in metals and in wood, and thus when he went to the Arbitration Court

he took with him qualifications of technical skill which had not been possessed by any other President of that Court. Others more able than I to speak of his work in the Arbitration Court have told of the way he discharged his duties as President. I knew that his heart was in his Arbitration work. He was the one Judge who left the Court with reluctance, and he would have remained there had he been able to have certain alterations made for the improvement of the working of the Arbitration tribunal.

“In this Court where we were familiar with him he proved himself to be a sound lawyer with a special knowledge of criminal law and procedure which he acquired in the old days when he was in the Crown Law Department. He was most careful and painstaking, and few people can have any idea of the trouble he took over his judgments. He was never satisfied until he had followed to its logical conclusion any point which he considered to be of importance in arriving at his decision.

“By his death the State has lost a good Judge and a good citizen, and his brother Judges have lost a loyal colleague. We on the Bench and you at the Bar—particularly some of you who knew him even longer than I did—have lost a true friend and a very charming companion. The Judge can be replaced, but not the man. His was one of the old familiar faces which have been taken away from us. Great as is our loss we can understand that the loss of his family is even greater. We can sympathise with them, but behind their grief is the knowledge of a life spent in the service of his country—a fact of which they may well feel proud. The late Judge had a great affection for Western Australia and proved himself to be a worthy son of his adopted country. We shall never forget him.”