political purposes. I think I am only voicing the views of members on the Opposition side of the House in saying we are determined in labour matters, as in other matters, to do our duty according to our lights, and to advocate the cause of justice, whether on the side of labour or on the side of capital. On the question of the recognition of these railway associations, we hold, I think, a general opinion that those men are entitled to be recognised, because it is only by means of such recognition they can find an adequate and convenient channel for expressing their wrongs and finding a remedy for their grievances. I take it that members of the Opposition are glad to congratulate the Government on what they have already done in this direction, and would be still more gratified to hear satisfactory assurances of more being done than in the past. We all regret the loss of the member for the Williams (Mr. Piesse) as Commissioner for Railways, because a more painstaking and efficient man it would be difficult to find. While we differ from him on this point of principle, we are sorry to lose his services; but it is time that he and this House abandoned the old conservative policy of repression, which, in the last year of the nineteenth century, will not answer. The time for that is past; cease the policy of repression and try to take up the policy of sweet reasonableness.

On motion by MR. DARLOT, debate adjourned till the next sitting.

ADJOURNMENT.

The House adjourned at 11·7 p.m. until the next Tuesday.

Legislative Council.

Tuesday, 18th September, 1900.

New Members, swearing-in—Papers presented—Question: Circuit Courts, to begin—Question: Sunday Train, Kalgoorlie—Question: Criminal Libel Fiats how issued—Question: Dredging at Albany—Motion: Posts and Telegraphs, hours of closing—Registration of Births, Deaths, and Marriages Amendment Bill, first reading—Commercial and Business Holidays Bill, Select Committee's Report—Game Act Amendment Bill, third reading—Legal Practitioners Act Amendment Bill, second reading, Division; in Committee, Division, reported—Slander of Women Bill, second reading, in Committee, reported—Accidents Compensation Bill, second reading, in Committee, reported—Adjournment.

THE PRESIDENT took the chair at 4·30 o'clock, p.m.

PRAYERS.

NEW MEMBERS, SWEARING-IN.

Two other of the additional new members, elected under the Constitution Act of 1899, took the oath and subscribed the roll; namely, the Hon. Thomas Frederick Outridge Brimage (South Province), and the Hon. George Bellingham (South Province).

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Letter from the Postmaster General, London, relating to the change of the port of call for mail steamers in Western Australia. 2, Further correspondence between the Secretary of State for the Colonies and His Excellency the Administrator, relating to the amendment of Clause 74 of the Commonwealth Bill. 3, Perth Public Hospital, Report of the Board of Management, 1899-1900. 4, Fremantle Public Hospital, Report of the Board of Management, 1899-1900.

Ordered to lie on the table.

QUESTION—CIRCUIT COURTS, TO BEGIN.

HON. A. G. JENKINS asked the Colonial Secretary: 1, Is it the intention of the Government to make provision for holding Circuit Courts? 2, If so, within what period will such provision be made?

THE COLONIAL SECRETARY replied: 1, Yes. 2, As soon as Parliament sanctions the appointment of a Circuit Court Judge.

QUESTION—SUNDAY TRAIN, KALGOORLIE.

HON. A. G. JENKINS asked the Colonial Secretary, Will the Government run an express passenger and mail train starting from Kalgoorlie on Sundays, such train to run at the same time as the present daily express train.

THE COLONIAL SECRETARY replied: Yes. From the 1st October next the express train will leave Kalgoorlie on Sundays in place of Saturdays as hitherto. On Saturdays a fast passenger train will leave Kalgoorlie for Fremantle at 10·30 p.m.

QUESTION—CRIMINAL LIBEL FIATS, HOW ISSUED.

HON. A. G. JENKINS asked the Colonial Secretary, Is it the practice of the hon. the Attorney General to issue fiats in prosecutions for criminal libel without first having in his possession affidavits verifying the facts thereof? Have any fiats been issued as aforesaid? If so, for what reason?

THE COLONIAL SECRETARY replied: 1, Whether affidavits are required depends upon the circumstances of each case. 2, Fiats have been given authorising inquiry before Justices, with the view to committal for trial, without affidavits, from the libellous nature of the matter published on the face of it.

QUESTION—DREDGING AT ALBANY.

HON. W. MALEY asked the Colonial Secretary: 1, The name of the dredge which is to be used in Princess Royal Harbour; 2, Is that dredge the best suited to the work required; 3, Is it in thorough working order; 4, When will the dredge be despatched to Albany.

THE COLONIAL SECRETARY replied: 1, The "Parmelia." 2, Yes. 3, Yes. 4, In six months.

MOTION—POSTS AND TELEGRAPHS, HOURS OF CLOSING.

HON. C. A. PIESSE (South-East) moved:

That, in the opinion of this House, the post and telegraph offices throughout the colony should not be closed earlier than 7 p.m. on week days, and that the Sunday morning and evening hour be permanently fixed.

At present in a number of places throughout the colony the post and telegraph offices closed at 6 o'clock, whereas in Perth and the larger towns of the colony, like Coolgardie and even Newcastle, the offices were kept open until 7 o'clock. Considerable inconvenience was caused in country places by the closing of the offices at 6 o'clock, and people had suffered greatly by the closing of the offices so early. There could be no reason for this early closing, because the operators in country places were not so hard worked as those employed in larger towns. In the other colonies he believed it was the custom to keep the post and telegraph offices open until 8 o'clock in the evening, and in South Australia the department not only kept the telegraph offices open until 8 o'clock at night, but the operator had to report himself to the head office by telegraph at 10 o'clock every evening with the object of transmitting or receiving any urgent messages. This was a very necessary step. There were something like fifteen hours between the closing of the telegraph office at 6 o'clock and at the time of opening at 9 o'clock in the morning, and when members remembered that in many places in the country there was not a resident medical man, it would be seen that many serious things might happen, and did happen, without a medical man being summoned. Some arrangement might be made to extend the hour of closing until 7 o'clock, or even keep the offices open until 8 o'clock, also that arrangements might be made by which the operators should communicate with the head office at 10 o'clock. In 99 cases out of every 100 country telegraph operators lived at the telegraph office, therefore it would be no trouble to them to report themselves to the head office every night. This would be a great advantage and save no end of worry and annoyance. Six o'clock was the usual "knocking off" time for the working man in the country, it therefore was impossible for a working man to transact any business at the telegraph office, seeing that the office opened at 9 o'clock in the morning, which was long after he went to work, and closed at 6 o'clock. For the benefit of working men alone the office hours might be extended until 7 o'clock. An incident occurred within eight or ten days which showed the necessity for extending the office hours in the country. A person from the country came to Perth

for the purpose of undergoing a serious operation. A message was handed in fifteen minutes after 6 o'clock to a telegraph office, but it could not be received until 9 or 10 o'clock the next morning, and the people interested were kept in suspense for fifteen hours. He himself had been placed at a serious disadvantage. The Perth operator insisted upon a country operator receiving a message after 6 o'clock, but when the message was received it was kept until 9 or 10 o'clock the next morning before he (Mr. Piesse) received it. By the extension of the hours no hardship would be created, and he was not asking anything unreasonable.

On motion by the COLONIAL SECRETARY, debate adjourned until the next sitting.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES AMENDMENT BILL.

Introduced by the COLONIAL SECRETARY, and read a first time.

COMMERCIAL AND BUSINESS HOLIDAYS BILL.

SELECT COMMITTEE'S REPORT.

HON. A. B. KIDSON brought up the report of the Select Committee on the Commercial and Business Holidays Bill.

Report received, read, and to be considered at the next sitting.

GAME ACT AMENDMENT BILL.

Read a third time, and transmitted to the Legislative Assembly.

LEGAL PRACTITIONERS ACT AMENDMENT BILL.

SECOND READING.

HON. R. S. HAYNES (Central), in moving the second reading, said: This is a very short Bill, consisting practically of only one clause. The first clause simply incorporates the Amendment Bill with the Legal Practitioners Act of 1893; and the second clause, which is the enacting clause, provides:

> From and after the passing of this Act, any person of the female sex who shall be qualified in other respects may be articled to a practitioner, and upon compliance with all the requirements of the principal Act, and the regulations thereunder in that behalf, may be admitted as a practitioner.

The section of the original Act dealing with articled clerks provides:

> No person shall be articled to a practitioner unless and until such person has (*a*) satisfied the board that he is of good fame and character, and a natural born or naturalised British subject, of the age of sixteen or upwards; (*b*) passed to the satisfaction of the board such examination in general knowledge as may be required by the rules; and (*c*) paid to the board the sum of twelve guineas.

These are the conditions which must be fulfilled before any person can be articled to a practitioner. After a person has been articled for a term of five years, during which time he shall receive no salary or engage in any other work, he may, provided he passes his intermediate and final examinations, and otherwise behaves himself, be admitted as a practitioner at the bar on payment of the sum of £40. It is the opinion of some members of the legal profession that, by reason of the Act amending the old Shortening Ordinance Act, which provides that wherever the word "person" appears in an Act of Parliament, it shall include both sexes, any female who is otherwise qualified may apply to be articled to a solicitor. That is the opinion pretty generally expressed; but I understand that some time ago in England a similar application, although the words were scarcely the same, was made without success. To place the matter beyond dispute I think it only right to introduce the Bill, which practically does not alter the law, if the opinion I have indicated be correct, but simply puts beyond doubt that which is in doubt. It may be asked, why does not some member of the female sex apply to the Barristers' Board for the purpose of being articled? Unfortunately, hon. members read the Legal Practitioners Act and think it is a moderate measure; but, in my opinion, the Act is most immoderate, and the rules and regulations of the board are one-sided, and tend to make the profession a very "close borough" indeed. Inasmuch as the Bill will receive the almost unanimous opposition of every hon. member who is also a member of the legal profession, it is at once suggested that it would be useless for any female to apply to the Board for the purpose of being articled to a barrister or solicitor; and unless the Board give a certificate that in their opinion the applicant is a fit person, no one can be

articled, and against that opinion there is no appeal to any court or person in the world. The Barristers' Board are absolutely supreme, and, therefore, if they say a person who applies shall not be articled, there is no power on earth to compel them to say otherwise. I say, therefore, the profession is a very "close borough," and I understand from observations which have dropped from hon. and learned members that they intend to unanimously oppose the Bill. As a member of the legal profession, I can only express my regret that they have taken up that position, because it goes a long way towards justifying the objections raised against the legal profession as a "close borough"; at any rate, their action lends a great deal of point to such an argument. I hope, however, that hon. members of my profession will perhaps alter their minds when the time comes to vote. On what grounds can any objections be raised to the passing of the Bill? I could well understand, 50 years ago, when a woman had absolutely no existence in law, when a woman had absolutely no right to vote either at a meeting or an election, that any attempt to put them on the same footing as man would be met with ridicule and rebuff. But we find throughout the last half of the present century that with the march of civilisation, people have come to the conclusion that women are not inferior either physically or mentally to men, and that they should be allowed to fill positions at present filled by men. During the last 20 years in England, women have been allowed to vote, first, I think, for school boards, next for municipal councils, and subsequently for county councils, the latter, I believe, by an Act of 1895. At the present time, women are sitting on the London County Council, and exercising functions quite as important as the functions exercised by this House. How, therefore, can it be said that women are not entitled to fill the position of solicitors? If we look to other countries, we find that in Russia, which has always been held up as the most barbarous of civilised nations, if I may use the term, women are allowed to practise as physicians, and in Italy and France, I believe, the same right has been conceded. Even in conservative England women are allowed to practise as physicians, and though there was no end of a fight there at first against their admission as medical practitioners, reason and common sense conquered in the end. Some chairs of universities have, I believed, been filled by women in continental countries; and if I remember rightly, a mathematical chair in Norway or Sweden was filled with a great deal of credit by a woman who died recently. In America women practise as solicitors, and has there been any outcry against them there? Has the innovation led to any evil results in America? Why should a woman who happens to be born in America have any greater privileges than a woman born in Australia? Is it to be supposed that a woman born in Australia is inferior to a woman born in America?

HON. M. L. MOSS: America is a better country.

HON. R. S. HAYNES: Then make Western Australia a better country, and the extension of the franchise to women will make the country better. Here, so far as the franchise is concerned, we have placed women on exactly the same footing as men, and what legal objection can there be to women practising as solicitors? If members of the legal profession are so weak-kneed as to be afraid that in competition women may outrun them, then, in Heaven's name, I appeal to members of the legal profession to pass the Bill, and let us have a stronger set of men practising law.

HON. J. W. HACKETT: Let them all put on petticoats.

HON. R. S. HAYNES: Petticoats would suit some hon. members who are always called old women.

HON. J. W. HACKETT: Some of them are old women.

HON. R. S. HAYNES: I did not say they were miscalled. The duties of a solicitor are such that they may well be undertaken by the women.

HON. M. L. MOSS: Sometimes.

HON. R. S. HAYNES: I could understand that we might, perhaps, not think it well or right in the present state of civilisation, for women to be called in to exercise the arts of surgery. It will readily occur to hon. members that there might be some objection on that score; but still the British Parliament, in their wisdom, have permitted women to be admitted as medical practitioners, and

there would be no such objection to women being admitted as solicitors, whose duties may very easily be performed by women. It may be said that it would look indecorous for a woman to contend in a court of law with a man before a judge, or that it would be out of taste for a woman to appear in a police court to conduct the offence of a "drunk"; but if the police court is not a fit place for a woman it is not a fit place for a man, and the work is not more degrading to one than the other.

HON. A. B. KIDSON: We will have women magistrates and judges.

HON. R. S. HAYNES: If we had, some lawyers would not have the impudence they have now, but would behave themselves properly.

HON. A. B. KIDSON: I agree with you.

HON. R. S. HAYNES: It does not necessarily follow that because a woman is admitted she will appear in court any more than a woman admitted to practise medicine need carry out operations in surgery. There are different branches of law as there are of medicine, and nine-tenths of the legal work is done inside the office, and is known as chamber work. A great deal of the work, which I might call the drudgery in lawyers' offices, is at present done by women. Search round the solicitor's office and you will find the typewriters are all women, and not one typewriter, but two or three are employed in one establishment; and if you further ask a solicitor his opinion as to how these women do their work, the unanimous answer will be that the work is done very well indeed. If women can do the drudgery, why should they not be permitted to do the other work? Why should it be denied to women to raise themselves and take, for instance, the position of managing clerk? Why should she always be kept down to the grinding work of typewriting? Women are admitted to take degrees in the universities of Australia, and a woman having obtained a degree, what other business is open to her? She becomes a graduate of a university, and she may, if she choose, take up medicine, but why should she be forced, having prepared herself for professional pursuits, to restrict herself to medicine alone? I see absolutely no reason whatever, nor do I think any member can give a solid or good reason why a woman should be so restricted. The result of this Bill will be—and I say this now for the benefit of members of the legal profession—not to at once deprive them of their livelihood, because six or seven years at least must elapse before any female could be admitted under the measure. There may be one or two entitled to be admitted earlier, but there will be no "rush"—if I may use the word—for admission for five or six years. A woman who desires to be admitted will have to pass a matriculation examination at a university, or some equal examination, and afterwards serve five years without fee or reward in an office, and having the whole of that time behaved herself, she will then be entitled to apply to the Barristers' Board, who, as I pointed out before, are not too liberal at all with certificates, so that six or seven years must elapse before a female could be admitted. I had this Bill drafted last session, but in consequence of leaving the colony I was unable to introduce it. I introduce it now, however, and I appeal to hon. members to take it into consideration, if hon. and learned members can do so, in a fair and liberal spirit. I admit they do not like any person encroaching on their preserves; but if the employment of a lawyer is so lucrative, they may make up their minds there will be other persons contending with them, possibly from the other colonies; and if we are going to be overrun, as some hon. and learned members think, by an influx of female lawyers, let us have lawyers residing in our own country and versed in our own laws, rather than strangers. If hon. members want a "close borough"—I do not, and never did, and always spoke against it—I hope they will not refuse to pass this Bill. There seems to be an idea throughout the colony that this House is conservative, and that we never introduce legislation of a liberal character. Let us hope that charge will not, in the present instance, be laid against us, and that this Bill will not be added to those measures which we, perhaps in our wisdom, have thrown out. When the third reading is passed, the Bill does not become law, because it has to go elsewhere for confirmation. I ask hon. members to pass the second reading, and

if in another place it meets with an adverse vote, we, at all events, will feel that we have done our duty.

HON. A. JAMESON (Metropolitan-Suburban): In supporting the second reading of the Bill, it has always seemed to me an extraordinary thing that the medical profession is the only profession to which women are admitted to practice; and in this age of liberal measures, it is extraordinary that the legal profession should close its doors to women in the exercise of that profession. I have been through the movement in regard to women entering the medical profession, and I know a great deal was said at one time as to the profession rendering women brutal. In some measure the same might be said as to their entering the legal profession in regard to the duties they might have to do in connection with criminal work. I can speak from experience as to women who have entered the medical profession. I have met many such women, some hundreds, both in foreign countries and in England, and I have never met any woman who has in any way been brutalised in her nature by her entering the medical profession. No woman has lost in any way the charm of her womanhood by entering this profession. Many women are doing very valuable and good work for humanity, which it would not have been possible for them to have done if the prejudice existed then that exists to-day in some measure to prevent them entering that profession. It seems a strange thing indeed that at this time when liberal measures are being passed every day that this great profession—perhaps the greatest of every profession—should close its doors to women and prevent them entering. Although women may enter any university and take any university degree they are not allowed to enter the profession of the law. I say in these times we ought to open wide the portals of every profession to women, especially in this colony. If we do that we give the women an opportunity of using their whole judgment as to whether they will enter the legal profession or no. If the profession be unsuitable for women, or if it be unbecoming to the dignity of women to enter the legal profession, they can stand aside, but we as members of this House will have done our duty if we make it possible and give them an opportunity to enter this great profession. I hope hon. members will show that this is really a liberal House, that we are liberal minded, and that we propose to do for women what we would do for our fellow-men.

THE COLONIAL SECRETARY (Hon. G. Randell): It is my intention to support the hon. member who has introduced this Bill, but I intend to say only a few words. The hon. member placed very carefully before the House, the objects he has in view, and the reasons which have influenced him in bringing forward this measure. Having voted for female suffrage I do not see how I can consistently do other than further the advance of women in this direction. We have been told that women can now enter the medical profession; they can enter a university and take positions upon public bodies in different parts of the world, therefore I certainly think the time has come when women should be permitted to practise the profession of the law. It is an honourable profession, at any rate when pursued honourably; it is a profession capable of doing great and good things for the community at large, and I do not see why one half of creation should legislate to prevent the other half of creation entering the walks of life open to them. If we take the presentiment which Shakespeare has given to us of a lady who pleaded in the courts long years ago, as a specimen of legal astuteness and acumen then there are numbers of women who, in the legal profession, will be able to shine in the practice of the law. I certainly think women should be placed in every way, as far as the laws of the country are concerned, on an equality with men. There was a time, as the hon. member (Mr. R. S. Haynes) said, when men went even so far as to deny that woman had a soul; and men certainly have treated her as a piece of furniture, she has been deprived from exercising the rights to which she was entitled. I think that time has passed away, and the development of more liberal opinions in various parts of the world should have its influence on us in this sparsely populated colony of Western Australia. I do hope members of the legal profession will give this Bill careful consideration and will not, from any low motive as to the fear of competition,

oppose this further advance of the enfranchisement of women. I feel sure they will have no cause to regret it; I should like to see hon. members take a broad minded and liberal view of the question. I believe the hon. member (Mr. R. S. Haynes) to be sincere in his attempt to have the measure carried into law, and I think we may safely anticipate that if it passes this House it will pass another place. As the hon. member has pointed out, some years must intervene before women will fulfil the requirements of the Act, and present themselves for examination enabling them to take their places in the practice of the law. I do not think I need say more. I only rose to express my sympathy with the Bill and my entire approval of it. I cannot see on any grounds of justice and equity how this Bill can be rejected.

Question put, and a division taken with the following result:—

Ayes	13
Noes	8
Majority for ...	5

Ayes.	Noes.
Hon. H. Briggs	Hon. G. Bellingham
Hon. T. F. O. Brimage	Hon. A. G. Jenkins
Hon. J. M. Drew	Hon. A. B. Kidson
Hon. J. W. Hackett	Hon. W. Maley
Hon. R. S. Haynes	Hon. D. McKay
Hon. A. Jameson	Hon. H. J. Saunders
Hon. E. McLarty	Hon. F. M. Stone
Hon. M. L. Moss	Hon. J. E. Richardson (*Teller*).
Hon. C. A. Piesse	
Hon. G. Randell	
Hon. J. M. Speed	
Hon. F. Whitcombe	
Hon. W. Spencer (*Teller*).	

Question thus passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 and 2—agreed to.

New Clause:

HON. M. L. MOSS moved that the following be added, to stand as Clause 3:

Section 49, Sub-section 6, of the Legal Practitioners Act 1893, is hereby amended by inserting after the word "court" and before the word "or," in line 4, "who has since the coming into operation of the principal Act been struck off the rolls of any court of Her Majesty's dominions."

The interpretation given to Sub-section 6 of Section 49 was that only practitioners struck off the roll of the Supreme Court in this colony could be debarred from being employed as practitioners' clerks in the colony; and Western Australia had, to a great extent, been made the "dumping ground" for an undesirable class of practitioners, who could not be employed in the other colonies, and who could not be employed here, had they been struck off the rolls here. That was to the detriment of the public at large, and certainly not to the benefit of the honourable profession the practice of law should be. He had made up his mind that as soon as an amendment of the Legal Practitioners Act was brought before Parliament, he would take the opportunity of bringing before the House the necessity of making such an amendment as he had proposed.

HON. R. S. HAYNES suggested that the proposed new clause should read thus:

Sub-section 6 of Section 49 of the principal Act is hereby amended by adding thereto, "or any person who shall, after the passing of this Act, be struck off the roll of the courts of any of Her Majesty's dominions, or suspended from practice in any such courts."

He would rather have seen the Bill go through without any additional clause; for while he sympathised with the object Mr. Moss had in view, the amendment of the hon. member would not be fair in its operation. The object of the Act was to prevent any person who had been struck off the rolls elsewhere from coming here, without notice, and expecting to get into practice; but some persons who had been struck off the rolls since 1893 might have come to this colony and obtained employment, and it would be unfair to take their livelihood away. If Mr. Moss did not see his way to accept the second amendment, he (Mr. Haynes) must oppose the first amendment.

MR. MOSS said he could not accept the amendment moved by Mr. Haynes. The Legal Practitioners Act of 1893 disqualified persons who had been struck off the rolls in this colony since the coming into operation of that Act; and he could not see why such persons should be placed in any worse position than practitioners who had been struck off the rolls in other colonies within the same period.

HON. R. S. HAYNES: Because no one was affected by it.

HON. M. L. MOSS: There were instances of undesirable persons being employed in solicitors' offices in the colony, in a way that was not creditable

to the practice of an honourable profession.

HON. R. S. HAYNES: There were some in the profession who should be struck off the rolls.

HON. M. L. MOSS: These interjections might be relevant or might be irrelevant, but the Committee were now considering a serious matter. The public called out about questionable practices in solicitors' offices, and it should be the duty of the House to see that the practice of the law was above reproach. Men who had been struck off for offences in other colonies were not desirable persons to have in solicitors' offices here, where opportunities for doing what was wrong were very great. Before certificates were granted by the Barristers' Board, great care was taken, notwithstanding what Mr. Haynes had said; and, speaking from considerable experience as a member of the board, he could affirm that the rules were drawn up with a desire to do what was right.

HON. R. S. HAYNES: A very gross instance could be quoted.

HON. M. L. MOSS: Mr. Haynes had been a member of the board for a considerable time, and he (Mr. Moss) could not call to mind any of the deliberations of the board from which Mr. Haynes had made any grave dissent.

HON. R. S. HAYNES said he was not always present at the board meetings.

HON. F. M. STONE: The amendment of Mr. Moss ought to be accepted, because it was quite true that undesirable clerks were now in the employ of solicitors in this colony. These clerks could not get employment in their own colonies, and yet they were able to do so here, while a practitioner who had been struck off the roll in Western Australia could not under the present Act be employed here by any solicitor. Why should persons, not only from the other colonies but from England and other parts of the Empire, be put on a footing different from that of local practitioners, seeing that part of their punishment for some wrong they had done was that they should not be employed in a place of trust? Mr. Moss was to be commended for having brought the amendment forward. There was no doubt this was a slip in the original Act, and we should do what we could to remedy it. Mr. Haynes by his amendment wished to apply the principle to persons who would be employed after the passing of the Bill. Why should we make an exemption in favour of persons who had been struck off the rolls in another colony and were now employed by solicitors here. Certain men might have come to the colony within the last few months; why favour them? These persons could not be employed in a solicitor's office in the colony from which they came.

HON. R. S. HAYNES: It would be better if neither amendment passed. There was no principle whatever involved in Mr. Moss's amendment, but there was a principle in the Bill. Lawyers who ought to have been able to draft a Bill had drafted one for the purpose, not of protecting the public, but themselves. Under that Act there were great privileges. It was only intended to prevent solicitors struck off the rolls in this colony being engaged in solicitors' offices in this colony, for a solicitor, who had hundreds of clients might be struck off the rolls in this colony, and another solicitor might say to him, "Come into my office as clerk, and I will get all your clients." This provision was not in vogue in any other colony.

HON. L. MOSS: It was in every one.

HON. R. S. HAYNES: In New South Wales solicitors convicted of felony were struck off the rolls; but there were many cases in which solicitors were not struck off the rolls, but were prevented from practising for a certain time. In one case which he remembered, a solicitor was suspended for two years, which time he was to serve as clerk in a solicitor's office. If a slip had occurred in the Act ought the legal profession to suffer, or those persons who had come to this colony, and who, perhaps, had discharged their duties honourably since they came to this colony? These men might have brought their families here, have expended all their money in getting here, and were now in the way of earning a livelihood. Yet some hon. members would take this livelihood away from them. That was what he called *ex post facto* legislation. When an Act was passed in this colony requiring medical men to register, those persons practising at the time were allowed to continue to practise; and so it was in regard to dentists and chemists,

and the reason was obvious. The Legislature should not interfere with the rights of those persons now being employed. The clause which he had drafted did not interfere with persons who had entered the rights of citizenship here, but would prevent any person in the future who had been struck off the rolls in another colony being employed in a solicitor's office here.

HON. J. M. SPEED: How far was this sort of legislation to go? Would the Committee go so far as to say what sort of a clerk a solicitor was to have? There were now clerks in lawyers' offices in the colony who had never been solicitors, and it did not redound to the credit of those who employed them. The men to whom the amendment referred had come to this colony, knowing there was no bar against them. They had been employed; and after all was said and done, it was a matter more between the principals and the public than anybody else. The principals were responsible to the public and would take care that the persons they employed were trustworthy. He would support Mr. Haynes' proposal, but would not support any proposal to deprive any one or two individuals in the colony from earning an honourable livelihood.

HON. M. L. MOSS: Hon. members were here to study the public interest, and not the individual cases of two or three or even six persons, who for good reasons had been punished by the Supreme Courts of other colonies for, no doubt, grave offences, because no man was struck off the rolls unless for some grave dishonourable conduct, and for minor offences solicitors were merely suspended. This was hardly a question which entirely or exclusively concerned the employers of these men, because many things were done by a solicitor's clerk which was not known to his employer. Why should these men who were not permitted to be employed in the other colonies as solicitors' clerks be allowed to be employed here? There was no reason why this colony should be the dumping ground for persons who were not allowed to practise in the other colonies. It would be a scandal if these persons were allowed to come to the colony and practise a profession which in the places they had come from they were not allowed to take any part, no matter how small, in a solicitor's office.

HON. A. B. KIDSON: A very great principle was involved in the amendment which had been brought forward. Lawyers and solicitors of this colony were for the protection of the public made officers of the Court, and that being so, every safeguard should be provided by Parliament in order to protect the public. Mr. R. S. Haynes had endeavoured to draw a distinction between the past, the present, and the future. If it were wrong for the future it must be wrong for the present and the past; that was logical enough. Some legislation of the kind proposed by Mr. Moss was essential for keeping the profession pure, which was impossible if men who had been struck off the rolls were allowed to continue to hold responsible positions of trust, involving the care of clients' property, sometimes of considerable extent. Some safeguard was necessary, not for the protection of solicitors, but for the protection of the public, and he took it hon. members were in the House to protect the public. He did not approve of Mr. R. S. Haynes's method of advocacy, when he endeavoured to malign a very honourable body, to which he (Mr. Kidson) had the honour to belong, and to which Mr. Haynes himself had the honour to belong. There was no foundation whatever for the expressions used by Mr. Haynes, because the board used every effort to keep the profession pure, and whenever a case was brought before the board of any wrong doing on the part of a professional man, no matter whom, every step was taken to bring the offender to justice. There had been cases where it was not possible to bring the offender to justice, owing to the evidence not being strong enough, but every step necessary was taken, and it was not right for Mr. R. S. Haynes to take the course he had. No one more than Mr. Haynes himself admired the legal profession, and on the board there were learned gentlemen just as honourable and just as anxious as Mr. Haynes to see right and justice done.

HON. R. S. HAYNES: What had been stated was that the board were a conservative body who made objections to clerks being articled, and in the general statement he made, he expressed the opinion

that those objections were for the purpose of keeping a "close borough."

HON. A. B. KIDSON: You said there were serious cases.

HON. R. S. HAYNES: What he charged against the board was that in 1890 Alfred Norman Geere, a clerk who had served two years articles in England, applied under the rules to be articled to a solicitor in Western Australia. The rules at that time permitted the application to be granted, but the board adjourned the application for a month, and in the meantime passed and gazetted a rule forbidding any persons serving articles in England, to complete his articles here.

HON. M. L. MOSS: That was not the board under the Act.

HON. R. S. HAYNES: That was the Barristers' Board, and this was a serious and gross charge. As to what the Barristers' Board had done, he had nothing to say against it; he thought they did their duty.

HON. M. L. MOSS: It was the old nominee board to which Mr. Haynes referred.

HON. R. S. HAYNES: It was an elective board, and if necessary the names of the persons on the board at the time could be published. The only objection he had to Mr. Moss's amendment was that it would take away employment from two or three persons against whom no word of suspicion could be raised.

HON. M. L. MOSS: The board referred to by Mr. Haynes in 1890 was the old nominee board.

HON. R. S. HAYNES: Facts only had been stated, and there was an elective board before the present board.

HON. M. L. MOSS: Prior to the Act of 1893 the Barristers' Board was a nominee board, but since then the body had consisted of Queen's Counsel, the Attorney General, the Crown Solicitor, and five elected members; and it was not fair for Mr. R. S. Haynes to accuse the Barristers' Board of having been guilty of what he alluded to in the case of Mr. Geere.

HON. A. JAMESON: There was a principle which all hon. members ought to recognise. On the one hand Mr. Haynes proposed an amendment for the present and the future, and on the other Mr. Moss proposed a retrospective amendment. All hon. members sympathised very fully with members of the legal profession who wanted to see that profession as pure as possible, but at the same time the House must clearly keep in view the protection of vested interests of individuals. If there was a law under which certain individuals had established themselves here with their wives and families—even if there were only one such individual—the House should see that the interests of these individuals were not interfered with.

Amendment (Mr. Moss's) put, and a division taken with the following result:—

Ayes	...	..	... 11
Noes	...	...	... 6
Majority for	...		... 5

AYES.	NOES.
Hon. G. Bellingham	Hon. J. M. Drew
Hon. T. F. O. Brimage	Hon. R. S. Haynes
Hon. R. G. Burges	Hon. A. Jameson
Hon. A. B. Kidson	Hon. J. M. Speed
Hon. W. Maley	Hon. F. Whitcombe
Hon. D. McKay	Hon. E. McLarty (*Teller*).
Hon. M. L. Moss	
Hon. J. E. Richardson	
Hon. W. Spencer	
Hon. F. M. Stone	
Hon. J. W. Hackett (*Teller*).	

Amendment thus passed.

HON. R. S. HAYNES said that he would not now proceed with the amendment he had suggested.

Preamble and title—agreed to.

Bill reported with an amendment, and the report adopted.

SLANDER OF WOMEN BILL.

SECOND READING.

HON. M. L. MOSS, in moving the second reading, said: This Bill contains merely one clause, which reads as follows:

> Words spoken and published, after the passing of this Act, which impute unchastity or adultery to any woman or girl shall not require special damage to render them actionable.

This small alteration or amendment of the law has been in force in the old country since 1890, and is now in force in most of the other Australian colonies. Most writers on the law of torts have stigmatised as barbarous, the old common law which did not render an imputation of unchastity or adultery actionable in itself. It has always seemed to me a scandalous state of affairs in which a

poor woman, to whom some blackguard may impute gross unchastity or accuse of adultery, should have no remedy in the way of getting damages. Any person in the conduct of his or her trade or business, against whom an imputation of incompetency is made, may bring an action for damages on that imputation itself, and I think that the imputation of unchastity to a poor woman, is a matter of much greater importance than one of incompetency in the method of carrying on a business. As I say, in the old country and in many of the other colonies, this very necessary, and to my mind urgent amendment of the law has been made. I hardly think there is one member in this House, or in the Legislative Assembly, who would express one word of dissent on a matter of this kind. I do not think this is one of the inconsistencies as to women not having a voice in political affairs. This is more a matter that has been omitted, from time to time, to be brought before the legislative bodies; and I think we shall make the amendment in Western Australia in view of the fact that wherever the British law is being administered, this desirable amendment has taken place.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Passed through Committee without debate, reported without amendment, and the report adopted.

ACCIDENTS COMPENSATION BILL.

SECOND READING.

HON. M. L. MOSS (West): I beg to move the second reading of this Bill, which is to amend what is generally known as Lord Campbell's Act. For the information of hon. members who are not members of the legal profession, I may say that Lord Campbell's Act was passed in England to enable the families of persons whose death had been caused by accident to recover damages. There was an old rule that the right to recover died with the person, and that relatives were precluded from obtaining any damages. Lord Campbell's Act provides that an action must be commenced by the executor or administrator within six months; and this colony adopted Lord Campbell's Act, but never adopted the statute which was passed twenty years later in England, the object of which was that in the event of an executor or administrator of a deceased person failing to take proceedings within six months, then the relatives of the deceased person might take the action on their own behalf. There are instances in which persons as administrators have taken out probate of wills, but the administrators are disinclined to take proceedings in an action, being afraid that if the action failed they might have to pay costs. Twenty years after Lord Campbell's Act became law in England, an amendment was passed similar to that contained in the Bill now before the House. Mr. Burt, the late Attorney General, has frequently expressed the opinion to me that this amendment should be introduced into one of the branches of the legislature here. It was an omission that when Lord Campbell's Act was adopted in this colony the amendment was not adopted also. I have followed the English statute slavishly for this reason, that it will give the court in this colony the precedents established in the courts of England, and will give this colony the benefit of the decisions arrived at in England for the past thirty or forty years. I do not know that I can give further information. I think the measure is a necessary one, and in the interests of the public.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Money paid into court may be paid in one sum without regard to its division into shares; if not accepted defendant entitled to verdict on the issue:

HON. M. L. MOSS: Under the original Act, the jury had to apportion the amount of damages awarded amongst members of the family. If the defendant paid into court money in satisfaction of the action it was left for the family or anyone else to apportion the amount so paid in, as was thought best.

Clause put and passed.

Clause 3—agreed to.

Preamble and title—agreed to.

Bill reported without amendment, and the report adopted.

ADJOURNMENT.

THE COLONIAL SECRETARY moved that the House at its rising do adjourn until Tuesday next.

HON. F. WHITCOMBE said he would like to move that the House at its rising do adjourn for a month, if only to emphasise the fact that the Parliament had now been sitting for five weeks, and members had had nothing to do. The Address had foreshadowed certain measures, but none of these had been brought down to this House. It was a farce to ask hon. members to assemble here from week to week to go through an hour and a half's work and no more. If no effort was made to give us something to do we should adjourn for a month.

HON. R. G. BURGES: Make the adjournment a fortnight.

HON. F. WHITCOMBE: Rather make it three months.

Question put and passed.

The House adjourned at 6·25 o'clock until the next Tuesday.

Legislative Assembly,

Tuesday, 18th September, 1900.

Appropriation Message—Papers presented—Commonwealth Parliament: Royal Visit, Duke and Duchess of York—Question: Railway Water Supply, Cost at Coolgardie—Question: Magisterial Bench at Coolgardie—Public Service Bill, Recommittal, reported—Industrial Conciliation and Arbitration Bill, second reading—Game Act Amendment Bill, first reading—Customs Duties (Meat) Repeal Bill, second reading; in Committee, Division on progress—Return ordered, Northampton District Surveys—Return ordered, Goldfields Firewood Supply Company, sale of rails, etc.—Adjournment.

The SPEAKER took the Chair at 4·30 o'clock, p.m.

PRAYERS.

APPROPRIATION MESSAGE.

Message from the Administrator, delivered by the PREMIER and read, recommended an appropriation for the purpose of the Federal House of Representatives W.A. Bill.

PAPERS PRESENTED.

By the PREMIER: 1, *Re* Return showing Duties on Imports from other Australian colonies, Explanation of inability of Department to comply with order of the House; 2, Correspondence on Federation, Addendum; 3, Perth Hospital Board, Report; 4, Fremantle Hospital Board, Report.

By the COMMISSIONER OF CROWN LANDS: 1, Inspectors of Rabbits, Reports to 30th June, 1900; 2, Central Winery. Correspondence as ordered.

Ordered to lie on the table.

COMMONWEALTH PARLIAMENT—ROYAL VISIT, DUKE AND DUCHESS OF YORK.

THE PREMIER (Right Hon. Sir J. Forrest): Before we proceed to the business of the day, I should like to read, for the information of the House, the following telegram from the Secretary of State for the Colonies to the Governor of South Australia, and communicated to the Administrator of this colony, dated from London, 18th September:—

The Queen has been graciously pleased to assent to the recommendation of the Marquess of Salisbury as to the visit from their Royal Highnesses the Duke and Duchess of York to the colonies of Australasia, in the spring of next year. The Duke of York will be commissioned by the Queen to open the first Session of Parliament of the Australian Commonwealth in Her name. Although the Queen naturally shrinks from parting with Her grandson for so long a period, the Queen fully recognises the loyalty and devotion which prompted the spontaneous aid so liberally offered by all the available colonies in the South African War, and of the splendid gallantry of Her colonial troops. Her Majesty's assent to this visit is, of course, given on the assumption that, at the time fixed for the Duke of York's departure, the circumstances are as favourable as at present, and that no national interests call for His Royal Highness's presence in this country.

[The above may be published in the newspapers on Tuesday morning: it will be published here at the same time.]

[General applause by Members.]

QUESTION—RAILWAY WATER SUPPLY, COST AT COOLGARDIE.

MR. HOLMES asked the Acting Commissioner of Railways: 1, Whether it