Legislative Council,

Tuesday, 23rd November, 1909.

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

PAPERS PRESENTED.

By the Colonial Secretary: 1, Report of the Under Secretary for Lands for 1908-9. 2, By-law of the Guildford Municipality. 3, By-laws of the Wiluna Local Board of Health.

REPORT—TROPICAL CULTURE.

Hon. R. W. PENNEFATHER (North) moved—

That the reports on the North-West furnished by the tropical expert, Mr. Despeissis, to the Agricultural Department, be laid on the Table of the House.

It would be in the memory of members that about four months ago Mr. Despeissis was sent to the North-Western portion of the State as a tropical expert to report upon the facilities for cultivating tropical products. Mr. Despeissis had furnished many reports to the Agricultural Department, and it was thought right that these reports should, at the earliest opportunity, be laid on the Table of the House, and with that object in view the motion had been submitted. It was gratifying to observe that since the motion had been tabled one of Mr. Despeissis' reports had been published in one of the daily papers, and it was to be hoped that it would be followed by others. The House required all the information that it could get about the resources of that part of the State, which, as members knew, possessed great potentialities. The Colonial Secretary and the Government, no doubt, would see that it was advisable that these reports should be submitted to the House.

On motion by the Colonial Secretary, debate adjourned.

BILL — METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE.

Second Reading.

Debate resumed from 16th November.

Hon. J. W. LANGSFORD (Metropolitan-Suburban): I think I may offer my congratulations to the Government and those who have had anything to do with the introduction of this scheme. There is no doubt that our sanitary system at the present time and in days gone by has been a reproach to the State. People who have come here from other places where the best of conveniences have been supplied, have noticed the want of sanitary arrangements and a sewerage scheme in connection with Perth and suburbs. The Government, of course, had to take into consideration the numerous schemes which were in force in other places and adopt what they thought was the best, and we find that they decided some few years ago to adopt the septic principle, and provision has now been made for connecting houses with the scheme which has already been started. I think it will be easily recognised that it is the biggest scheme of its kind, at any rate, in Australia, and we shall watch its progress with a great amount of interest. One of the features in connection with the scheme will be the way in which the rates for the city of Perth, and where the scheme will apply, will operate, and it will be interesting to see whether the rates will be increased. But I suppose we must all pay for being up-to-date, and it is to be hoped that we shall, in addition to the convenience, reap the reward of an improved health rate and also an improved death rate. The investigations which the Royal Commission made a few months ago led them to the conclusion that the work had been well done, that it reflected credit on those who had anything to do with it, and that it furnished a basis for exten-

sion and for the future demands which will be made upon it by the growing population of the City. I understand this scheme will meet the necessities of the population of Perth and districts to the extent of about 100,000, so that it will be a very considerable time before we shall need to enlarge the scheme. I think it is well that provision has been made for a larger population, because we all hope that Perth, as well as the State which is being developed will increase in size. The proposal in the Bill and the intention of the Government to keep each district separate is, perhaps, a wise one under the circumstances. There will be separate schemes for Perth, Fremantle, Guildford and Claremont, and until we can have one general water supply for the metropolitan area which we have not at present, and until the rates are the same, which they are not at present, perhaps the suggestion to keep the districts separate is a wise one. The capital cost and the actual charges of the work constructed in each district will be a charge against that district. The original proposal to place this work in the hands of a board has evidently been departed from. We know there was great agitation some little while ago amongst local authorities to have this work controlled by a board, but the Bill as it comes to us provides that the work shall be under the control of a Minister. Of the sewerage schemes in force in other States board control seems to meet with more favour than control by a Minister. I think in Melbourne, Sydney, and Hobart the schemes are controlled by boards elected by the local authorities, and partly nominated by the Government. However, in Adelaide where the population more nearly approximates the population of Perth, the scheme is under the control of a Minister and works very well indeed. I think the Bill in this regard places upon hon. members of this House, and more particularly upon those who represent the City and suburbs, the responsibility of carefully criticising and looking after the actions of the Government who control this work. It appears to me the introduction of a sewerage scheme will make more pressing than ever before the need for an increased water supply. We have had no figures presented to us as to the increased consumption per head of population which will be necessitated by the introduction of this scheme, but I imagine it will be something considerable. Provision will have to be made for a very much increased water supply for the City and suburbs when this sewerage scheme is in complete operation. There are two or three clauses in the measure to which I would like to refer. Clause 39 provides that no charge shall be made for meters supplied to private residences. I cannot see why that principle should not be enlarged so as to take in all businesses where meters are fixed. They are certainly fixed for the benefit of the Government, and the big majority of consumers, of course, will be private residences. I cannot see why those who use the water and have meters fixed in connection with their businesses should not have them without being charged meter rent.

The Colonial Secretary: It does not follow there will be a charge.

Hon. J. W. LANGSFORD: I think we may take it for granted that if we give the Government power to charge they will use that power to the fullest extent, and I do not blame them. It will make the harmony of the whole system quite complete if there be no charge made for meters. The cost of connecting the houses with the sewerage system will be an important item; and as we know the rates will be increased, we should take very great pains to make this cost as light as possible. The Bill provides in Clause 61 that where the work is done by the Government payments can be extended over not more than 24 quarterly payments. I think that is too short a time to give. I think we might easily raise it to eight or 10 years. The provision made in Melbourne is for 40 quarterly instalments, with interest; and when we know that the rating in Perth and suburbs will be considerably increased, I think it is our duty to make this provision as light as possible. I

understand that to connect even the smallest four-roomed cottage with the sewerage scheme will run to about £14 or £15, and we can easily realise what the cost for larger premises will come to. I am in favour, and I hope the House will take the step, of increasing the time, at any rate up to 32 quarterly payments, and even then we shall be very much short of what they are doing in some of the Eastern States. Of course the Government are providing that interest at the rate of 5 per cent. shall be paid, which is probably a very fair charge. The annual rating in connection with the water scheme will be the same as at present, namely, 1s. in the pound maximum. This Bill provides, however, that the stormwater and the sewerage rates shall go together and shall not exceed 1s. 6d. in the pound. I cannot understand why the stormwater and sewerage rates are lumped together and the water supply kept separate. Why not have them all separate? Because in some districts there will be no stormwater provided for.

The Colonial Secretary: Then they will only pay one rate.

Hon. J. W. LANGSFORD: What is that rate to be? I think we should separate them in the Bill. If we have a separate water rate I cannot see any reason why the maximum rate for storm water and sewerage shall not be stated separately. It appears to me it is likely to lead to confusion, and we know that in some places sewerage only will be provided, while in other districts there will be sewerage and stormwater facilities provided. I think they should be separate unless there is very good reason why they should not be. In regard to the increased rates for Perth, it is presumed that the present sanitary rate of 6d. will not be further needed, although, of course, the health rate of 2½d. will probably continue. That is a possible increase of 1s. in the pound on the present rate in regard to Perth. The sewerage scheme and stormwater have not eventuated in Claremont and Guildford so far, and we can deal with the rate for those districts when we are nearer the time when we shall have the facilities. Provision is made for the raising of loans in connection with this work, but no provision further than the rating clause I have mentioned is made for an increased rate on account of sinking fund or interest. I presume that the revenue derived from the general rate will not only furnish all the expenses of the scheme, but will also provide sinking fund and interest in connection with any loans that may be raised, as no provision seems to have been made in the Bill for an increased loan rate. Clause 132 leaves the question of investing the sinking fund at the disposal of the Colonial Treasurer. I do not know whether that is quite usual, to leave the question as to how the fund should be invested to one individual. I should think that provision should be made that it be invested in certain stocks. It does mention that it may be used in the redemption of debentures, but the other question, that of investing the sinking fund, I think ought not to be left to one individual. If "Governor-in-Council" be inserted, I think it would meet with the wishes of the House. There are some alterations I would like to see put in the Bill in Committee. It is a very important measure as regards Perth and the suburbs, and again I would like to congratulate the Government on taking another step in the history of providing for the sewerage and stormwater drainage of Perth. I support the second reading.

Hon. W. KINGSMILL (Metropolitan-Suburban): It does not appear to me that the Bill is one that will lend itself to any very long orations on the second reading. We recognise it is a sort of Bill that has to be brought forward, and that it is one for consideration in Committee. I would not have spoken on the second reading were it not for the fact that I shall not have an opportunity of speaking in Committee; but there are one or two points to which I would like to draw the attention of some members in the hope that those who agree with me may move in the direction I now propose to indicate. In the first place, in Clause 9, certain appointments may be made. As

hon. members are aware there has been a number of gentlemen employed in the administration of the metropolitan waterworks scheme, some of them for a great number of years. These gentlemen, I presume, at all events some of them, will be reappointed, and I would like a statement from the Minister as to what extent (if any) the Government propose to make allowance for the privileges accruing to these officers when they are reappointed under this Bill, or under the Act as it will be. It would be an extremely harsh measure if on reappointment these officers were to lose their privileges which should accrue to them for their previous services with the Metropolitan Waterworks Board. Of course, though nominally in the employ of that board, really and undoubtedly to all effects they have been civil servants as they will be *de facto* and *de jure* under the proposed Bill. It is a matter of interest to me, and it must be a matter of great interest to the officers affected to learn what the intentions of the Government are in this respect. I hope the Minister will assure the House that proper consideration will be given to the claims of the officers who start their service under the new Act; whether the services which they have rendered under the old Act will be credited to them.

The Colonial Secretary: They are under the Minister now.

Hon. W. KINGSMILL: They have been under many different schemes during the last few years and are somewhat anxious, I presume, to know what is going to happen to them. Undoubtedly the long and efficient service which some of them have rendered to their employers entitles them to consideration in this respect. Another point, which I am almost inclined to believe is due to a clerical error, is in Clause 23. It may be an error or it may be excessive caution on the part of the draughtsman. In Clause 23 members will see, in regard to the construction of new works, the Minister may construct such works. "If at the expiration of one month after such publication the Minister is satisfied (b) that the revenue estimated to be derived from the proposed works is sufficient to justify the undertaking." I do not know what the word "estimated" is doing in there. If the Minister is satisfied surely he can be satisfied that the revenue to be derived is sufficient to justify the undertaking without the word "estimated." It is, as I said, either a clerical error or has been inserted through excessive caution on the part of the draughtsman. It may, however, give a loophole for the Minister to escape.

The Colonial Secretary: It can only be an estimate.

Hon. W. KINGSMILL: The estimate has to be made and the Minister has to be satisfied that the revenue to be derived from the undertaking is sufficient to justify it. That is sufficient, and the word "estimated" only complicates the meaning, it does not add to the security. With relation to Clause 61, which deals with the period of payment and the extended time of payment, I am quite in accord with the hon. Mr. Langsford that the time given—six years—might be with benefit lengthened, and I think the time given should be not less than the time allowed in Victoria, which is not less than 10 years. I already see indications that the words "twenty-four" will be struck out with the view of inserting in lieu thereof "forty." I have no further remarks to make. I hope the Bill will go through. It is a very long Bill, and I am sure any amendment moved will be intended to improve it. I beg to support the second reading.

Hon. J. F. CULLEN (South-East): There are two matters of principle that may require to be looked into more closely in Committee. One is giving power to the Minister for the time being to decide whether the basis of assessment shall be on the annual value or the unimproved capital value. It has been customary to give that option to municipal authorities, I presume, because they are always controlled directly by the ratepayers. In this case it is a changing Ministry, changing diametrically, and a Minister with strong opinions as to unimproved value may follow, and may by a stroke of the pen, or by a minute alter the basis of assessment in the district. I think it is important enough to look very carefully

into the question whether it is wise to leave the power of making such an enormous change to the Minister who may be in one extreme of mind to-day and may be followed by a Minister of a diametrically opposite conviction to-morrow. It is a question whether so great a power should be left to the Minister. Then, under the Bill we are giving the Minister unlimited powers of construction, and we are giving him unlimited powers of borrowing. It may be necessary to give the Minister unlimited powers of construction, but it is necessary to authorise the Minister with the consent of the Governor to borrow to an unlimited extent whilst Parliament is there to consent to any large loan that may be necessary? I think it is a dangerous power to give the Minister and utterly unnecessary—the unlimited power of borrowing. Possibly it may be wise to give unlimited power of construction within the scheme, but certainly if any large extension is necessary there would be no unnecessary delay, no serious difficulty, in applying to Parliament for the necessary borrowing power. I would commend to the House the wisdom of looking very closely into Clauses 19 and 128 which give these unlimited powers of construction and borrowing. It is too late now to follow Mr. Langsford in his all-round approval of the scheme that has been adopted; that, of course, is finished. I think it would be open to very serious debate and would have been debated—whether it was a good scheme. We have now to do with the machinery, and I certainly think the Bill has been greatly improved by placing the control under the Minister rather than under a haphazard committee. In several of the Eastern States the administration is in the hands of a board, partly elective and partly nominated, but in such cases the real safety depends on the permanent officers, and not only will the administration be more amenable to Parliamentary criticism but it will be a strong power in securing the expert skill of permanent officers. Certainly the Bill has been greatly improved by having the administration left in the hands of a responsible Minister. I have pleasure in supporting the Bill, and I hope the Minister will look very carefully into the clauses I have referred to.

The COLONIAL SECRETARY (in reply): I do not intend to reply any more than to say, as it has already been stated, that the Bill is purely a machinery Bill for the government of the water supply and sewerage of the metropolitan area. Therefore, as has been remarked, the Bill can be better dealt with in Committee. There is no need for me to reply to any argument that has been raised, but when we come to the clauses in Committee I shall be able to give to hon. members the information they desire.

Question put and passed.

Bill read a second time.

BILL—NORTH PERTH TRAMWAYS ACT AMENDMENT.

Received from the Legislative Assembly, and read a first time.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Third Reading.

Hon. M. L. MOSS (West) moved—

That the Bill be now read a third time.

Hon. A. G. JENKINS (Metropolitan) moved as an amendment—

That the Bill be recommitted for the further consideration of Clause 7 (new).

His reason for so doing was that the Bill as passed by another place was practically a compromise between the parties who for some years past had been opposed over the measure. For four years the Bill had been trying to get through Parliament and on this occasion it had reached this House as the result of compromise. To leave in the Bill the amendment successfully moved by Mr. Drew would be to wreck the Bill altogether. Had he (Mr. Jenkins) been in his place when the amendment was moved he would have strenuously opposed it. He could not understand how an amendment of such far-reaching consequences

had been allowed to go through the Committee with so little discussion; because after all it constituted one of the most important principles ever brought before Parliament in respect to the legal profession. The main question to be considered was that of reciprocity between Western Australia and other countries and Australian States. In the Dominion of New Zealand and in one State of the Commonwealth women were admitted to the Bar, although in the State in question it was a dead letter. There was always a danger that the Courts of the various States would not make rules granting admission to practitioners from those places where women were admitted, and it was common knowledge that the Barristers' Board of Western Australia would not admit practitioners from New Zealand, one of the grounds for this refusal being that women were admitted in the Dominion, and the other that the qualifications were not sufficiently high.

Hon. J. W. Kirwan: Would they admit practitioners from the Australian State involved?

Hon. A. G. JENKINS: There were practising in Western Australia two or three practitioners from the State referred to, but he was not aware as to whether they had applied for admission since the Full Court of Victoria had decided upon the question.

Hon. J. W. Kirwan: But the reciprocity still exists between that State and this?

Hon. S. J. Haynes: No, there is no reciprocity.

Hon. A. G. JENKINS: Probably the Barristers' Board at the present time would not recognise the qualification. Those who, mainly, were going to be affected by the Bill were the managing clerks, in whose interests the Bill had been introduced. The Bill had been brought in for one purpose alone, and if Mr. Drew desired to introduce so important an amendment it should be done by means of a separate Bill so that the matter might be fully debated in both Houses. At the present time there was sufficient debateable matter in another place to occupy honourable members until the end of the session, and if this important amendment were to be allowed to remain in the Bill it would be the end of the Bill. It was his desire to see the Bill passed into law, and with that object he had moved to recommit the Bill with a view to striking out the new clause introduced by Mr. Drew.

Hon. W. KINGSMILL seconded the amendment.

Hon. J. M. DREW (Central): It was scarcely conceivable that hon. members, having already given the subject full and ample consideration, would reverse their decision of a fortnight ago. The amendment had been on the Notice Paper for something like a month, and had been fully discussed amongst members; consequently it was to be assumed that when members had supported the amendment they supported it with a full knowledge of what it meant. Now Mr. Jenkins came along with an amendment, and if anybody was to be held responsible for the wrecking of the Bill—if wrecked it should be—it must be Mr. Jenkins. As to the question of reciprocity, it was a matter concerning the Barristers' Board, but it was not likely to very largely influence members of the Chamber. The principle he wished to affirm was that women should have an equal opportunity with men of attaining to high intellectual positions. He was certain that if the amendment were submitted to the consideration of another place it would be passed. Mr. Jenkins should have been able to bring forward in support of his amendment some argument more substantial than that of reciprocity. No further light was going to be thrown upon the subject, and to further discuss it would be little better than a waste of time.

Hon. W. KINGSMILL (Metropolitan-Suburban): The arguments used by Mr. Jenkins had appealed to him and, he hoped, to others. He was not going to touch upon the question of the admission of women to the Bar, because that was a subject which might be debated at considerable length; but he thought the questions raised, namely, the probable destruction of reciprocity be-

tween this and other States of the Commonwealth, and the almost certain destruction which the retention of the amend ment would bring upon the Bill constituted sufficient warrant for further consideration of the clause. The pertinacity of those behind the Bill deserved a better reward, and he for one would abstain from placing an obstacle in their path. He intended to support the amendment moved by Mr. Jenkins.

Hon. J. W. LANGSFORD (Metropolitan-Suburban): No one had been more surprised at the passage, without debate, of the clause objectionable to Mr. Jenkins than Mr. Drew. That member had left the Chamber wondering what could have happened in a Committee not given to precipitate action. All that Mr. Jenkins was asking for was that the matter should be further considered, and it was not easy to see why Mr. Drew should not agree to that. If Mr. Drew's contention was as strong as it was said to be, then further consideration should only increase its strength. He (Mr. Langsford) was not arguing the admission of women as barristers, but merely that the principle should have further consideration.

Hon. R. W. PENNEFATHER (North): The time had come when we ought to take advantage of legislation to show that the days when women were subject to the serfdom of man had long since passed by. That the civilisation of a community could be gauged by the rank its women held was a principle that admitted of very few exceptions. What was contended was that women had as much knowledge as the bulk of the other sex, and were enjoying equal opportunities of education; and that if Nature had endowed her with the faculties for exercising those educational advantages, why then should it be said that she should not be permitted to use them. It did not follow that if a healthy amendment such as that introduced by Mr. Drew were to pass it would drive women into the legal profession; but it certainly followed that it would give to women who had qualified themselves an equal opportunity with their brothers of making their living in an honourable profession. He failed to see what reason could be urged against that proposition. It had been said that if we were to give this privilege to women it would break down any chance of reciprocity existing between this State and the other States and New Zealand. He did not think it was so. Already in Victoria women were admitted to the Bar, and if he recollected rightly it had been announced in the Press some time ago that one lady had been so admitted. It was the law also in New Zealand. He had been sorry to hear the hon. member make rather a slighting observation on the qualifications required in New Zealand. Assuredly the hon. member had no personal object in doing so.

Hon. A. G. Jenkins: I said the Barristers' Board did not recognise the New Zealand qualifications.

Hon. R. W. PENNEFATHER: That was solely on the question of no articles. In New Zealand the law used to be that articles were required, but that was altered afterwards, and they were dispensed with. Since then that fact had been raised against the admission of New Zealand lawyers. If we were to be the second State in the Commonwealth to have sufficient intelligence and sufficient generosity to welcome our sisters to the Bar, why not take up the position? In France women were admitted to practice the profession, and even now in England, so far as the conveyancing branches were concerned, women practised. England, of course, was a slow moving country in the matter of reform, all knew how painfully slow they were in this respect. They had been so slow in fact that he regretted to see they had provoked some outrageous conduct on the part of the suffragettes who demanded the franchise. In time to come, however, if these suffragettes overcame such unruly conduct they would greatly strengthen their case, and ultimately have their object fulfilled. Of late years men had entered into competition and, in fact, rushed into competition with the women in such work as dressmaking and laundry work, and such being the case, surely it was only reasonable that

the women should say that if their domains were attacked in this respect and men were taking up occupations which previously had belonged to them, why should they now be prevented from competing in work now done solely by men? Women should have equal opportunity with men in the struggle for existence which was getting keener every day. At present women stood pretty well on the same level as their brothers, and why should they be debarred from endeavouring to make a living? Assuredly, there was sufficient manly intelligence in this House to support the amendment which was proposed by Mr. Drew.

The PRESIDENT: I wish to draw attention to the question before the House, which is that the Bill be recommitted for the further consideration of Clause 7. Much has been said that might have been said with more force in Committee.

Hon. S. J. HAYNES (South-East): When the new clause was inserted in the Bill he was, he must admit, engrossed in reading another Bill. The measure was in charge of Mr. Moss, and he was under the impression that that gentleman was going to oppose that particular amendment strongly. The clause was in no wise discussed by the House, and members had no opportunity to deal with it on its merits. He had listened to what had fallen from Mr. Pennefather and although he was equally generous and gallant towards the fair sex, he was totally opposed to them entering the profession of the law. The next move that might be made would be that the fair sex should join the military. It was only right that an amendment which was passed without the consideration of members should be given further attention to. Members should allow the clause to be recommitted for reconsideration. It had been strongly put forward that if the clause were approved of, the relief to certain deserving managing clerks, which was the sole reason for bringing forward the Bill, would not be obtained as the amendment in question would result in wrecking the Bill. It was to be hoped nothing of the sort would occur. The Bill was for a specific purpose, but here was a matter entirely foreign to it. If it were desired to bring forward the question of admitting women to the Bar, let it come forward in a separate Bill and be treated on its merits. He intended to support the amendment.

Amendment put and passed.

Recommittal.

Clause 7—Admission of women as practitioners:

Hon. A. G. JENKINS: It was not at the present time a question of whether the legal profession should be open to women or not, but it was a question of whether it was possible to get the Bill through if the amendment remained in it. He was safe in saying it would not. The most important question of all was that reciprocity with the other States would be endangered if the clause became law as the courts over there would not make rules admitting the practitioners from this State if the clause under discussion remained in the measure. It was not a question of whether we had a manly feeling concerning women or whether we considered the opposite sex were equal to men, for no doubt they were greatly superior to many of us, but the point was whether this Bill should be imperilled by the insertion of the clause. He had no desire to shut women out from the profession if there were not the chance that by admitting them at the present juncture a great injustice would be inflicted on others. The amendment was foreign to the Bill which was introduced for a special purpose. By introducing at this late hour an amendment seeking to admit women, the effect of the Bill would be practically destroyed.

Hon. M. L. MOSS: In this and in other debates it had been frequently argued that certain matters which had been brought forward were foreign to the object of the measure before members. None could say that the proposal in the clause was foreign to the object of the Bill. If so it would have been ruled out of order. It was a perfectly relevant amendment. It was not because the mover had defined the object in view in introducing a Bill that he should expect it to go

through either branch of the Legislature without relevant amendments. It was not to be expected that the proposed privilege would be availed of to any extent. It had been in existence in New Zealand for 20 years, and only one lady, he believed, had been admitted to the Bar there. He would not vote for the striking out of the clause for this reason. Women had become qualified medical practitioners, and nearly every avenue was open to them, and there was no legitimate reason why they should not be admitted as legal practitioners. No doubt a large amount of work took place in solicitors' offices and in courts which it would be injudicious for women to mix up in, but there was a vast amount of work that they could transact just as well as, and in some cases better than, men. Mr. Haynes was evidently under the idea that he (Mr. Moss) was strongly opposed to the clause. They had had a conversation with regard to the Bill, but he did not think he had said anything to mislead that gentleman.

Hon. S. J. Haynes: Not in the least; that was my impression.

Hon. M. L. MOSS: When called upon to vote on the question, in order to be consistent with his idea that there was no legitimate reason why the advantage should not be extended to women, he would vote for the retention of the clause. It would not imperil any principle laid down in the Bill. While he was in charge of the Bill he could tell the House that the main provisions would only affect two or three men; therefore, the House need not believe that the Bill was a burning present necessity. In justice to those two or three men who would avail themselves of it, however, it was to be hoped that it would be carried, and personally, he hoped that the clause under discussion would also be accepted by members.

Hon. T. F. O. BRIMAGE: If the Bill did not go through a great injustice would be done to several gentlemen in the State who intended to take advantage of the measure to become solicitors, and for that reason he would oppose the amendment moved by Mr. Drew. With regard to women practising, he had no great objection to them appearing as advocates, although a matter of that kind should form the subject of an amendment by itself. If that were done he would give further consideration to the matter. If, for instance, the hon. member at some future time moved to introduce a Bill, having for its object the admission of women as practitioners to the Supreme Court, it would receive his support. On the present occasion the Bill before the Committee would be jeopardised if the clause were carried.

Hon. J. M. DREW: If as the hon. member had suggested a separate Bill were introduced, it would have exactly the same title as the Bill before the Committee. It would be as well, therefore, for Mr. Brimage to vote in accordance with his convictions at the present time.

Hon. W. PATRICK: The admission of women to practice before the Courts had his sympathy and he agreed, to a large extent, with Mr. Pennefather, but the position was whether the clause was foreign to the Bill or not. It had to be remembered that the measure had been introduced for a special purpose. It had passed the other House, and if it passed the Legislative Council in an amended form justice would not be done those gentlemen who had been battling for years. There should be no misunderstanding about the manner in which he intended to vote. He was persuaded that if the Bill went back to the other House amended that would be the end of it.

Hon. J. M. DREW: The position seemed to be that it was necessary to introduce a Bill for one purpose only, and that then no amendment which might be in any other direction could be made to it. The intention of those who introduced the measure in another place was to enable certain managing clerks to become legal practitioners; well and good, but it did not follow that the object which it was intended to serve should not be extended when the Bill was before the Legislative Council. There should be no necessity at all for a separate Bill for the purpose of admitting women as practitioners.

Hon. S. J. HAYNES: The clause would receive his opposition on three grounds. One was that it would have

the effect of wrecking the present Bill; the second was that it would have the effect of retarding reciprocity between the States, and then he opposed the amendment straight out on its merits. He was dead against ladies being admitted to practise the profession of the law. There were certain avenues of employment that women were better fitted for than men and other avenues in which they were equally fitted, but there was no great demand for women to practise the profession of the law. In the solitary instances in which they had been admitted they had made no particular headway. For the protection of the women themselves the clause should be rejected.

Hon. M. L. Moss: We heard this when the women asked for the vote.

Hon. S. J. HAYNES: The women were better off without the vote, and the exhibitions which were taking place at the present time in England would not induce people to support the extension of the franchise to women. He had opposed the extension of the franchise to women, and the effect had been anything but successful.

Hon. M. L. Moss: You opposed the Married Women's Property Act.

The CHAIRMAN: The question before the Committee was that the clause stand part of the Bill.

Hon. S. J. HAYNES: Before a clause like the one under consideration was carried there should be more notice given so that members of the profession might have an opportunity of saying what effect it would have.

Hon. R. W. PENNEFATHER: The new clause moved by Mr. Drew had been on the Notice Paper for some three weeks.

Hon. S. J. Haynes: The profession did not see that.

Hon. R. W. PENNEFATHER: It had been published in the Press. There had been specious arguments used that it would destroy reciprocity. He had yet to learn that reciprocity had been established between the States, and doubted very much whether it was established between New South Wales and this State; it certainly was not established between Victoria and Western Australia. The only State which had reciprocity with Western Australia appeared to be South Australia. It was argued, too, that the inclusion of the clause would imperil the passage of the Bill, but if the amendment had been proposed in another place it would have been carried by an overwhelming majority. The Bill had for its object the admission of some gentlemen who were not educationally qualified to be members of the Bar. The plain object was to enable them to escape examination. The clause merely required that equal opportunities should be given to women who had qualifications to be admitted to practise the profession of the law. What should be pointed out, too, was that the Bill only proposed to deal with those who had completed a term of 10 years in an office; it said nothing about the future, so that these gentlemen after being admitted would have power to close the door behind them, and stop others from being admitted subsequently.

Hon. F. CONNOR: Regarding the main question as to whether women should be admitted to practise in a Court of law he was opposed to it. It should not be the province of a woman to appear in a Court as an advocate; woman had other duties to perform which at certain times would prevent her from appearing in Court. It might be at that particular time when the lady counsel for the plaintiff or the defendant would not be able to attend and so an injustice might follow to the party who had retained her. To admit women to practise would be a retrograde step. An appeal to the intelligent women of the country would result in an overwhelming vote against the proposal. That should be sufficient reason for striking out the clause. If this matter was to be dealt with by Parliament it should have been given more notice and more prominence. It was certainly premature to introduce it into a Bill not brought down for the particular purpose, especially as the principle sought to be included was so far reaching.

Hon. V. HAMERSLEY: There was no request on the part of the women of

the country for the passing of a clause of this nature. He did not know a single person in the State who would take advantage of the provision if it were passed, and it was a question whether it was in the province of Parliament to open the door so wide. The legal profession were now prepared to accept the Bill as it came to us; and as the inclusion of the clause might imperil the passage of the Bill. it would be well to adopt the suggestion to leave the clause for some future occasion when there was a demand made for it by the women of the country. There were other duties for the women of the country to perform. If we were to bring them into the legal profession we should certainly arm them with rifles and send them out to defend the country. For this there was no need; and there was no need to call upon them for law. We were already sufficiently well catered for in that respect.

The COLONIAL SECRETARY: In voting for the deletion of the clause he had no wish to be misunderstood. It was not that he did not sympathise with the ladies. If a Bill were before the House to admit women as legal practitioners he would vote for it. Again, he did not oppose the clause because it might strike out the reciprocity with Victoria or any other State. His opposition to the clause was on the ground that certain people had endeavoured for years to get this Bill through for a particular purpose and it was not fair to them to endanger the passage of the measure by the inclusion of this clause. There was no doubt the clause would be accepted by another place. but this was a private Bill, and. owing to the quantity of Government business on the Assembly Notice Paper. the chances were the Council's amendment would not be before the Assembly until the last week of the session; and as there was sure to be considerable debate upon such a clause as this. it would endanger the passage of the Bill.

Clause put and division taken with the following result:—

Ayes	..	..	9
Noes	..	..	11
Majority against		..	2

Ayes.

Hon. J. F. Cullen	Hon. B. C. O'Brien
Hon. J. M. Drew	Hon. R. W. Pennefather
Hon. J. W. Hackett	Hon. G. Throssell
Hon. J. W. Kirwan	Hon. M. L. Moss
Hon. R. D. McKenzie	(*Teller*).

Noes.

Hon. T. F. O. Brimage	Hon. J. W. Langsford
Hon. J. D. Connolly	Hon. R. Laurie
Hon. F. Connor	Hon. W. Patrick
Hon. J. T. Glowrey	Hon. S. Stubbs
Hon. S. J. Haynes	Hon. V. Hamersley
Hon. A. G. Jenkins	(*Teller*).

New clause thus struck out.

Bill again reported with a further amendment.

BILL — AGRICULTURAL MACHINERY SALE AND PURCHASE BILL.

Second Reading—Withdrawn.

Debate resumed from the 11th November.

Hon. J. M. DREW (mover): It will save a great deal of time if I announce my intention in regard to this Bill. I see no possible opportunity of getting it through this session. Even if it passed this Chamber I see no chance of getting it through another place. Consequently it will be simply a waste of time of members to continue the debate on the second reading. I have consulted other members in regard to the measure. Some think it is a Bill that should go before a select committee, but it would be impossible to get a select committee appointed to talk it over and to have their business completed within the necessary time. Then when the Bill went to another place it would have to be taken in charge by a private member; and so far as I can see there would be no prospect at all of its reaching finality. Consequently if it is the wish of honourable members I desire to withdraw the Bill.

Bill by leave withdrawn.

ADJOURNMENT—EXPLANATIONS.

The COLONIAL SECRETARY: I move—

That the House do now adjourn.

Hon. M. L. MOSS: I object to the House adjourning. I have two Bills on

the Notice Paper, one of which, for the same reason Mr. Drew mentioned just now, I do not propose to go on with, that is the Money Lenders Bill, as we will not see it on the statute-book. The other Bill, the Landlord and Tenant Bill, has been at the bottom of the Notice Paper on nearly every occasion since I moved the second reading, and it is a measure of considerable importance.

The COLONIAL SECRETARY: Let me say that I simply moved the adjournment of the House and now I ask leave to withdraw it; but the honourable member in his remarks would lead one to believe that I have put his Bill low down on the Notice Paper so that it could not be discussed. That is wrong. Two days last week the Bill could have been discussed, and now to-day Mr. Kingsmill, who moved the adjournment of the debate, is not prepared to go on. It is at his request that I moved that the House be adjourned. However, I now ask leave to withdraw my motion.

Hon. M. L. MOSS: Sir——

The PRESIDENT: This question cannot be debated.

Hon. M. L. MOSS: I wish to explain.

The PRESIDENT: On a point of personal explanation the honourable member can proceed.

Hon. M. L. MOSS: I have no objection to the House adjourning, but I want the Colonial Secretary to promise that he will give this Bill a prominent place on the Notice Paper so that there will be an opportunity of dealing with it this session. I understand now that Mr. Kingsmill has no desire to speak on the second reading. All I wish to say by way of reply is to quote the judgment of Chief Justice Parker on a case which necessitates this very important amendment. It can be got through the second reading and taken to another place. I think the Bill is of sufficient importance in the public interest to have it on the statute-book. Therefore the Minister will probably give me an opportunity of having it in a prominent place on the Notice Paper.

The COLONIAL SECRETARY: Yes; it will not be taken out of its order.

Leave to withdraw motion refused.

Question (adjournment) put and passed.

House adjourned at 6.17 p.m.

Legislative Assembly,

Tuesday, 23rd November, 1909.

THE SPEAKER took the Chair at 4.30 p.m., and read prayers.

QUESTION—JAM FACTORY, STATE ASSISTANCE.

Mr. ANGWIN asked the Minister for Agriculture: 1, What is the amount of money the Government propose to loan to the Donnybrook Co-Operative Fruit Preserving Company? 2, What security does the company offer for the loan, whether personal or buildings and plant? 3, If buildings and plant, what is the value of same? 4, What would be the commercial value of buildings and plant if they were not used in accordance with the intentions of the company when the loan was applied for, or ceased to be used for such purpose after loan is granted. 5, For what term is the loan to be granted? 6, What rate of interest is to be charged? 7, Does the Government intend to assist the company with trading capital?

The MINISTER FOR AGRICULTURE replied: 1, Pound for pound on the