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subject which, so long as I am Attorney-General, I don't intend to discuss in this House.) The Attorney-General was too strong an advocate to appear before a S.M. who was subject to his control. The Judges of the Supreme Court were removed from his control, and the same security should be given to the Local Court Magistrates if they were to have extended jurisdiction. (Mr. Kingston—Are you willing to agree to extended jurisdiction if that security is given?) With pleasure, and men with the greatest experience should be given the positions on the Bench. He did not reflect on the present occupants. When a man pleaded guilty he should not, unless under exceptional circumstances, be allowed to withdraw his plea. The section gave the Magistrate the power to imprison a man for life. That was too much. Our Magistrates had had no experience in criminal cases beyond preliminary investigation. The profession did not mind taxation of costs. The lawyer had a better remedy than going to the Local Court at all. (Mr. McDonald—What is the remedy? Cash down?) Oh, no. There were two different kinds of costs. There was the solicitor, who did a great deal of the work, drudgery, and got the smallest part, and then there was counsel, who did all the talking, caused all the delay—(Mr. Kingston—Oh, I don't think that) — and collared the fees. Counsel should return fees the same way as a solicitor would have to do. (Mr. Archibald—Solicitor and counsel are one in South Australia.) Yes; but not so far as costs were concerned. Clients were bound to trust their solicitor, and therefore the agreement in writing would not hurt solicitors. It would be a great mistake to take away from any person the right of appeal for £30 and upwards. (Mr. Archibald — Does not the appeal give a tendency to slovenly judgments?) No. He had a partiality to clause 38, which was identical with one in Mr. Caldwell's Bill. Courts should have power to rectify technical defects. He opposed the principle contained in clause 41 as applied to assessment cases. To hand over people who knew nothing of the way in which the intricate succession duties were dealt with to an officer of the department without the intervention of a solicitor would be nearly as bad as the system adopted with regard to the income tax. He was prepared if any hon. member—legal members excepted—would come up to-morrow and make out a succession duties return under his own will to donate a subscription to any charity. (Mr. Grainger—If he has nothing left how can he make it up?) He would give in some instances half an hour, three hours, and a day in which to make out the return. (Mr. Kingston—You are coming very near wagering. Mr. Grainger—We will all be up to-morrow. Laughter. Mr. Kingston — I think the Treasurer might go round to-morrow and collect that guinea. Mr. Homburg—On his own will? Mr. Kingston—Yes; on his own will. Mr. Homburg—I bet—— Laughter.) He was satisfied that the Treasurer and the Attorney-General would not make up the return in half an hour. He had known two years' income from the estate taken straight away from a widow. Mr. Grainger—And more. Mr. Homburg—Yes; and more. Mr. Grainger—Why does the Treasurer insist on a poor widow paying up at once and giving a wealthy man 25 per cent. reduction if he paid up before June 30? Mr. Homburg—How many appeals had they had? Mr. Grainger—Put something easy. Mr. Homburg only knew of one case—Simms's, and in that instance the appeal was by the Crown. The waste of time was due in a great measure to the licence of counsel.

Mr. Grainger—It is the fault of the Judges. They allow lawyers to ask most insulting questions of witnesses, and they ought to be whipped for it. Not a lady can go into Court without being insulted, and they ought to be whipped for it.

The Speaker—I don't think the hon. member ought to make such an observation.

Mr. Grainger—Well, sir, I'm not going to withdraw it.

The Speaker—I don't know that I can compel the hon. member to withdraw, but the practice of Parliament is to respect the Judges.

Mr. Homburg would not go into the question of the conduct of the Judges. He would support the second reading of the Bill, and would have given it much more cheerful comment but for the provisions of part i.

Mr. Grainger moved the adjournment of the debate, which was negatived by 24 to 12.

Mr. Kingston, in reply, said they were indebted to Mr. Homburg for the care and consideration he had given the Bill, but objected to the criticism he had given it with regard to its form. It was infinitely better to deal with such a subject in a comprehensive form. It was an instalment of law reform, though a small one, and it could be followed by others. He denied the statement of Sir John Downer that the motive for introducing the Bill was professional jealousy or antagonism. Sir John was alone in that opinion. The Government had been most consistent on the subject. The distinction which Mr. Homburg had drawn between solicitors and counsel as to the waste of time was not justified by the facts. The Bill did propose to lower the standard of education, but to remove from candidates for admission to the profession unnecessary obstacles, and to prevent them from spending their substance in the acquisition of unnecessary learning. The petition presented to the House by the Adelaide University refuted the statement that the Bill would lower the standard. The Bill merely substituted common law and equity and statute law of South Australia for the single subject of constitutional law. He suggested that it would be well for the University to refrain from obtruding its views in the political arena. That the University went outside for its law professor and lecturers cast the gravest reflection on the legal profession of South Australia, and he was inclined to think that the petition emanated in the interests of the University and its professors rather than in the interests of the general public. He did not hesitate to say, and he had the highest judicial authority for the statement, that teaching received at the University compared most unfavourably with that received under the old system of articles as regarded results when the men took their place and practised among their fellows. In the University not the slightest trouble was taken to ascertain whether a student before being turned loose on to South Australia was competent to draw the simplest document without making a mess of it. He had heard it from the highest authorities that the tendency of the University examination was to turn out men who could not draw an affidavit, and who, for practical purposes of a professional life, suffered most disastrously in comparison with clerks who served their articles under the old system. The proposal of the Bill to promote the essentials of a good, sound, material education invited criticism from which he would indeed be glad if the University were free. He hoped that what he had said might have some weight with those responsible for the University curriculum. Mr. Homburg had objected to the word "trash" being applied to some of the learning that was imparted at the institution. Speaking on the subject on a previous occasion he (Mr. Kingston) said—"You know the trash there is in the University education?" Mr. Homburg replied—"He did not quite agree with that, although he allowed that much of it must be speedily unlearned by the student. Still, for those of a classical turn of mind the teaching of the University was of some use." Why should every man be compelled to learn that which was of use only to the classical few? The Government agreed that there was a great deal to be said in favour of free trade in law, and it seemed hard indeed that in regard to the avenues of justice, the modes of access to the Courts of Law, there was an absence of that freedom of choice which was so frequently claimed and generally admitted in connection with other matters. If a man made a mistake in the choice of a lawyer who suffered? (Mr. Homburg—The lawyer.) No, undoubtedly the client did. He claimed that the subjects mentioned in the Bill required on the part of the student a knowledge of every subject necessary to the successful pursuit of the profession. If any member could prove that an amendment was necessary the Government would be glad to accept it, but if not don't let them tolerate the assumed authority of the University to control the question of legal education, and to delare that attendance at its lectures and passing its examination should, after three years, enable a man to enter the profession whilst five years should be required in all other cases. Nothing delighted him more than to see the acquisition to its numbers of promising men of the highest capacity. He felt proud to think that he had taken some part in securing the admission to the profession of a man, who, if he had been spared, would have been a brilliant ornament to it. There were men outside the pale of it now who would be a credit to themselves and to the colony but for the restrictions which now embarrassed them, and he deemed it a privilege to introduce a Bill to remove these restrictions. It was a shame that they should be allowed to continue for a moment longer than was necessary. It was not an abstract question with the Government. He knew where the shoe pinched. He understood the attitude of vested interests. Give talent fair play. If the alternative were forced he would be prepared to let a man qualify in his own way, passing the necessary examination only. Mr. Homburg had referred to the proposed Local Court extension. If on further consideration the Government found greater security of tenure on the part of the Magistrates was necessary to justify it they would not hesitate to recommend the House to grant it. In practice the Attorney-General refused to be a Court of Appeal from Local Courts, and would not even ask for report unless there was a specific charge of misbehaviour or corruption, and therefore it would be difficult to justify the claim for greater security of tenure in days of honest government. The objection to the extension was the same old gag used in 1880; it was not argument. In that year Sir John Downer imputed motives, suggested it was a little bait for public applause. It was refreshing to hear the accusations against him levied against others before he was there. He quoted Messrs. Lavington Glyde, Peacock, Townsend, Moody, and Landseer, who supported Sir John Bray's reform in 1880. The same important principle might be involved in a small as a large claim. They obtained expedition, simplicity, and justice in the Local Court. He had tried and failed to introduce the Local Court procedure into the Supreme Court. (Mr. Grainger—Would you extend the Local Court jurisdiction to any amount?) If Parliament were ready the Government would be willing to do it. He trusted when the Bill emerged from Committee it would be in as good if not better shape. (Hear, hear.)

The second reading was carried on the voices. Progress was reported in Committee on clause 4.

"Advertiser" 2nd Nov. 1898.

ORCHESTRAL CONCERT.

The final orchestral concert will be given by the Conservatorium Grand Orchestra in the Town Hall on Saturday next. The programme is one of the best of the season, and includes the overtures "Preciosa" (Weber) and "Banditenstreiche" (Suppe). "The ride of the Valkures" (Wagner) will be repeated by request, and the other items include—Selection from "Moses in Egypt" (Rossini), Larghetto from No. 2 Symphony (Beethoven), "Carmen" march (Bizet), and for strings only "Ave Maria" (Henselt), "Spinning song" (Hollander), "Souvenir de Constantinople," and Intermezzo (Proust) which will be given for the first time. Miss Nellie Jarvis and Mr. J. J. Virgo will make their first appearance at these concerts, and will each contribute two vocal numbers. Mr. H. Heinicke will as usual conduct.

"The Advertiser" 4th. Nov. 1898

LAW REFORM BILL.

In committee.

Clause 4. Admission of solicitors.

Mr. ARCHIBALD moved to add after "required" the words—"By the person to whom he is articled under a penalty not exceeding one hundred pounds, recoverable by such person in any court of summary jurisdiction, not to earn during the term of the articles of clerkship any moneys in any other capacity than as such clerk." He wished to remedy a state of affairs not particularly creditable to South Australia. An articled clerk could receive £200 as a member of Parliament, but not otherwise. In England, however, a clerk articled to a solicitor could earn money outside, and why should that not be adopted here. There should be no distinction between those inside and those outside Parliament. A lawyer would surely prefer a clerk who had the ability to earn a little money outside than a young man just thrown out of the University, and who was only full of theoretical twaddle.

The ATTORNEY-GENERAL hoped the amendment would not be pressed in this clause. Mr. Archibald evidently wanted to provide that an articled clerk earning a little money outside should not be disqualified when seeking admission. But the amendment should be inserted elsewhere. The proposal seemed to raise the whole question of the necessity for articles, because if they were provided sufficient time should be devoted to make them effectual.

Mr. GRAINGER said an articled clerk would not get much experience in some lawyer's offices, because there was little work done there. He would point out that some leading legal lights had resorted to journalism for getting a little assistance, while one Lord Chancellor had carried parcels, and no doubt in South Australia there were some articled clerks who devoted a lot of time which should be applied to the study of the law to a perusal of the share-list or the betting market. He would like to know whether serving as an associate to a judge was equivalent to serving articles? (The Attorney-General—"Yes.") Yet an appointment as an associate was a pure matter of favoritism, resting as it did with the judge, and an associate would not learn more law than a reporter in a court. He had known a future duke act as an associate, and he had as much knowledge of the law as of some other things. The public was suffering from a sort of legal tyranny, and if they were to get proper law reform they should make provision so that men and women might appear in courts as advocates. Why should not those who could not afford to pay for a man who wore silk have a friend to represent them in court? Of course the lawyers objected to anybody getting a slice of their business, and he did not blame them any more than he blamed other trades unions, but a litigant should be able to have a friend to look after his case in court. There would never be real reform until something of the sort was obtained.

Mr. HUTCHISON did not see why any unnecessary bar should be placed in the way of a man becoming a lawyer.

Mr. ARCHIBALD was afraid if he accepted the suggestion of the Attorney-General the effect would not be as he desired. If a man could pass the examination it should make no difference whether he acquired his knowledge in a garret or not. He could not carry the amendment against the Government and would withdraw it.

The amendment was withdrawn.

Mr. WOOD moved to strike out subsections A and C, to strike out "take any degree" in subsection B, and to strike out "three" in subsection D and insert "five." He understood it was not now required that the candidate should have taken a degree, and he did not want the Bill hampered with unnecessary provisions.

The ATTORNEY-GENERAL opposed the amendment. The present regulations necessitated passing the matriculation examination of the University before being articled, although none of our judges had done such a thing. Formerly all that was required was for a young man to appear before a judge, answer a few questions, and say that he was not less than 16 years of age, and of good moral character.

Mr. GLYNN said according to the ancient law anyone might appear in court as attorney for another, and even a woman might act as an attorney. This led to corruption owing to the growth in number of pettifogging lawyers, and in 1292 and 1402 protests were made on the subject in England. If the clause were passed with the object of limiting the number of solicitors it was all right, but if its object were to increase the number then it should be rejected. Those who wished to enter the profession should have a high standard of education—the higher the better.

Mr. HOMBURG was sorry to see subsection "A" in the Bill. If clause 4 were passed it would have the effect of increasing the number of lawyers, of whom there were more than enough already. If members thought law reform would be ensured by trebling the number of lawyers they would soon find out what a great mistake they had made. In Germany efforts had been made in the direction of restricting the number of lawyers, as it was considered that this would be conducive to the lessening of litigation. If the lawyers of South Australia were increased from 150 to 600 the influence of the legal profession would be immensely strengthened. He would be perfectly willing to waive the question of fees, which might prevent young men, who had the qualifications, from entering the legal profession, but he asked the House not to abolish the educational standard. Would the study of what were called dead languages do a law student any harm? Certainly not. There had always been a tendency to raise the compulsory standard in the public schools, and why should the Attorney-General now desire to bring the standard of education for the law down to the lowest possible limit? Every profession and occupation required a special training, and the Attorney-General could not gainsay that fact. (The Attorney-General — "How did our judges of the Supreme Court get on without all the examinations and lectures that are insisted upon now?") He would reply to that by asking this question—Was the system of compulsory education in vogue when the judges were law clerks? (The Attorney-General—"The two things are quite distinct.") Our teachers had to pass examinations before they were allowed to teach, and why should the House say that all trades and professions require special training except the law? Any boy could pass the senior public examination