

THE LAW AND THE LADY.

A VISIT TO A LEGAL FIRM.

The outer office was shining neat, with glowing flowers on the writing table, the polished cedar of which winked at the fascinating little cupboards against the wall, fashioned in the same fair wood. The walls were neither glaring white nor dingy brown, the usual colour of city offices, but of that creamy buff which does justice to all such amenities of furnishing. But, as the creator of many lawyers would say, all this is mere still life, of no greater importance than the plate "Kitson & Somerville, Solicitors, and Notaries Public," upon the door.

The "two examples of animated nature" which the office contained were the principals of the first legal firm of women to practise in Adelaide—Miss Mary Kitson, LL.B. (Mrs. Julian Tenison Woods), and Miss Dorothy C. Somerville, B.A., LL.B. While we are talking, and it must be admitted—laughing, looking round the furnishings of their brand new office, and consider the historical implications of it.

Most people know that Miss Kitson was the first woman lawyer to practise in South Australia—one of the first half-dozen in Australia—and that she began only in 1917; but to realize the new firm in any kind of historical perspective, one must go further afield. We find it set down in black and white that before the early months of 1922 there were no women at all among the members of the Bar of England, and that the first woman solicitor received her certificate some time later. This is doubtless true, as far as

money, by any other way than by nursing, governessing, or housekeeping, mysteriously divested a human being of any other qualities or abilities pertaining to her sex.

Introductions.

To become a trifle more personal one may briefly recapitulate the events by which the new firm came into being. In 1911 The Register led the demand for legislation allowing women to practise as solicitors, and a Bill was passed the same year on the same lines as that of New South Wales, passed a little previously. Victoria followed fairly quickly, but Western Australia only came into line last year, and Queensland was still further behind. The immediate object of legislation was to facilitate the legal career of Miss Doris Egerton Jones. She, however, gave up her studies, and Miss Mary Kitson was the first woman to be admitted to the South Australian Bar and to practise as a solicitor. She took her LL.B. in 1916, and was articled to Mr. T. Slaney Poole, the present Administrator, in the firm of Poole & Johnstone. After her articles expired the firm engaged her as managing clerk, and in October, 1917, she was called to the Bar. On Mr. Poole's elevation to the Bench the firm showed its appreciation of her work still further by offering her a partnership, and the firm became Johnstone, Ronald, & Kitson. Mr. Ronald was afterwards made a Special Magistrate, and "Johnstone, Kitson, & Olsson" practised. Miss Kitson showed the greatest keenness in her profession, and yet found

legally qualified practitioners go—the right of admission for women having only been obtained after prolonged efforts; but even putting aside the precedent of Portia, we have it, on the authority of no less a person than Dick Swiveller, that there was a lady in legal circles very much earlier.

Concerning Sally.

Of the first woman lawyer—apart from Portia—of which there is any tradition, there is extant a very vivid impressionistic sketch:—

"So I'm Brass's clerk, am I?" said Dick Brass's clerk, eh? And the clerk of Brass's sister—clerk to a female Dragon. Very good, very good! What shall I be next?"

Who is it arises before us when we consider those words? Who but Sally Brass!—first, inimitable, and not-to-be-reproduced lady lawyer, brown headdress, and all. Of her legal education, we have exact records:—

The amiable virgin, having clung to the skirts of the law from her earliest youth, having sustained herself by their aid, as it were, in her first running alone, and maintained a firm grip upon them ever since, had passed her life in a kind of legal childhood. She had been remarkable, with a tender prattler, for an uncommon talent in counterfeiting the walk and manner of a bailiff, in which character she had learned to tap her little playfellows on the shoulder and to carry them off to imaginary sponging houses, with a correctness of imitation which was the surprise and delight of all who witnessed her performances, and which was only to be exceeded by her exquisite manner of putting an execution into her doll's house, and taking an exact inventory of the chairs and tables. These artless sports had naturally soothed and cheered the decline of her widowed father, a most exemplary gentleman (called "Old Foxey" by his friends from his extreme sagacity), who encouraged them to the utmost, and whose chief regret, on finding that he drew near to Roundabout Churchyard, was that his daughter could not take out an attorney's certificate and hold a place upon the roll. Filled with this affectionate and touching sorrow, he had solemnly vowed her to his son Sampson as an invaluable auxiliary, and from the old gentleman's decease to the period of which we treat, Miss Sally Brass had been the prop and pillar of his business.

Well, well, the amiable Miss Brass with all her charms—the brown headdress, the green gown, "in colour not unlike the curtain of the office window," made tight to the figure, and fastened at the throat with a massive button—Sally has long since faded. It would scarcely be chivalrous, if one may usurp the masculine adjective, to recall her from her desolate grave—I, for one, who have a lingering fondness for her, never could quite forgive Dickens for those dreadful last years he gave her—to contrast her appearance and manners with those of the two young lawyers who represent "Kitson & Somerville." Let us, for it is almost if not quite as significant, compare this office, with its flowers and pictures and creamy walls, to that in which Miss Brass presided. Who could not reconstruct from memory that parlour?—so close it is upon the footway that the passer-by who takes the wall brushes the dim glass with his coat sleeve—much to its improvement, for it is very dirty. "All awry and slack and discoloured by the sun," a threadbare green curtain shrouds the window.

time in an exceedingly busy life for interests other than her own. The Andru's Court was one of her chief interests, and she devoted much time and thought in an endeavour to improve its conditions. In November of the year she resigned from Johnstone, Kitson, and Olsson on account of her marriage to Mr. Julian Tenison Woods, LL.B.

Miss Somerville.

Miss Somerville's career has also been brilliant. In 1918 she obtained an honours degree in arts, and was awarded the Andrew Scott Prize for Latin and the Barr Smith Prize for Greek. In 1921 she took her LL.B. with the David Murray Prize for Theory of Law and Legislation. She was articled to Mr. H. Torrens Ward, of Fisher, Ward, Powers, and Jeffries, and later became their managing clerk. In July 22 she was admitted to the Bar, and in 1923 became a managing clerk for the firm of Isbister, Hayward, Magarey, & Finlayson, which position she resigned in order to form the new firm.

The machinery for admitting women to practise law took time to become perfectly adjusted. To enable Mrs. Woods to practise as a notary public a special Act had to be passed, and she could not be appointed a Commissioner for taking affidavits in the Supreme Court in the ordinary way, not being a person within the meaning of the Act, but and to be appointed by the Governor under the supplementary Act which enables him to make appointments at his discretion; Miss Somerville's admissions follow the same course.

As for practising at the Bar, neither of the two young Portias have bound themselves in any way, but will be guided by the needs of cases as they arise. Both have practised in chambers, which is practically the same thing, under conditions of more privacy, and both admit the fascination of Court work. There are precedents in Australia. In the other States Miss Morrison recently appeared in cap and gown, and was enthusiastically received, and Miss Isaacs, who was the associate of her father, Judge Isaac, frequently appeared in Court.

Women and Law.

Quite apart from the one almost writes "fraternal"—satisfaction with which women generally must view the rewarded enterprise of any of their sex, there is a special interest for Adelaide women in the forming of a legal firm composed of the forming of a legal firm composed of women. Neither Mrs. Wood nor Miss Somerville have any theories about the genius of their sex in legal matters, but they do believe that there is a special field for usefulness for the woman lawyer, just as there is for the woman doctor, and that in a firm composed partly of men this special, if humble, usefulness must inevitably be swamped in the activities of a large concern. Women commonly know little of the law until they find themselves bewildered and helpless, involved in the intricacies of settling an estate, or confronted with some of its serious anomalies. There is, for instance, the common tragedy of the wife who has

A meteorological station has been established, and daily records are taken of air pressure and temperatures, soil temperatures at depths varying from one to 24 inches, rates of evaporation from a free water surface, and the amount of bright sunshine.

Generous Assistance

The Institute has been materially helped by the generosity of certain firms in supplying equipment, and is much indebted to these firms for their assistance:—The Wallaroo and Mount Lyell Fertiliser Company, and the Adelaide Chemical Works, jointly, gave 2250 and 17 tons of fertilisers. The following firms have given implements for the use of the Institute:—Australasian Implement Company, Clutterbuck Brothers, A. Hannaford, Horwood, Bagshaw, Limited, H. V. McKay, Mitchell and Co., David Shearer & Co., John Shearer & Co., Messrs. A. J. and P. A. McBride of Pewsey Vale gave a large supply of fencing posts, and Messrs. S. Sheppard and C. H. F. Schinckel of Naracoorte a quantity of subterranean clover seed.

"It is well to emphasise the fact," Dr. Richardson said, "that research work involves the patient and painstaking examination of problems, that its processes are necessarily slow, and that much time must elapse before the full effect of what is done now in agricultural research is reflected in increased production. The Institute desires to cooperate as closely as possible with the University laboratories and the State Agricultural Department and other agricultural institutions."

gradually depleted. In future years the plots will provide the soil chemist, bacteriologist, and physicist with most valuable material for studying the influence of various cropping systems on soil fertility. A hundred and twenty field plots will be set apart for the determination of the influence of fertilisers on the growth and yield of wheat, oats, and barley, and the cumulative effect of each fertiliser on the fertility of the soil.

Agricultural research was justified from two points of view. Dr. Richardson said: "It was urgent that every university and State should contribute to the general knowledge of agricultural problems and the ultimate influence it has on increasing primary production. The scope for investigational work in a new country like Australia is vast," he said, "and is limited only by the personnel and funds available for the work. At present we are largely dependent for the scientific basis of our agriculture on principles established under climatic conditions entirely different to those of this country. There is a wide field for work in the confirmation of what are supposed to be the basic principles of our great national industries."

"The University council has decided that for the present the main objective of the Waite Institute is to conduct investigations and researches into crop and soil problems."

"The objective of the Agricultural Research Institute is to advance knowledge of agriculture and discover new facts by experimental enquiry. The acquisition of knowledge must precede

PHOTOS REFERING TO THE LAW LADY.



MISS MARY KITSON, LL.B. (Mrs. J. Tenison Woods).



MISS DOROTHY C. SOMERVILLE, B.A., LL.B.

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of a university is superior to, and more reliable than that given by outside teachers. If such be not the case, and we contend that it is not, the affiliation is misleading and unjust to the outside teachers, for the best students naturally get drawn to the university institutions, not only for what they think is the best instruction, but on account of the more "classical" and aesthetic surroundings. The conservatorium teachers get an advantage on all these counts. Higher education is the function of a university. A college of music in connection with the Chair of Music, is much the same as a business college would be in connection with the Chair of Mathematics. Professor Ross says the conference in Sydney "would give consideration to the question whether the universities should include music as an optional subject for the degree of Arts." Certainly. This is appropriate university work. And if the conference decided "to establish musical and elocutionary examinations in Australia under an Australian Board of Control," that would be a good thing, provided it were first decided to do away with the university conservatoriums, which, figuratively, sell musical instruction retail; admission to them depending not on ability, talent, or knowledge, but upon payment of fees. A truly Australian board of control for regulating musical education

conservatoriums, apart, however, from commercial conservatoriums, would be good in itself, and should work quite amicably with Trinity College, the Associated Board, and music teachers generally. By the way, Dr. Ross does not seem to object to the Associated Board conducting examinations for which its charges are the same as those previously mentioned.