

Legislative Council,

Wednesday, 26th October, 1921.

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

ASSENT TO BILLS.

Message from the Governor received and read, notifying assent to the undermentioned Bills:—

- 1, Electoral Act Amendment.
- 2, Fremantle Lands.
- 3, Official Trustee.

JOINT SELECT COMMITTEE, FEDERATION AND THE STATE.

Extension of Time.

On motion by Hon. J. W. Kirwan, the time for bringing up the report of the Committee was extended to Wednesday, 23rd November.

QUESTION—GREAT WESTERN RAILWAY.

Mails and Rates.

Hon. E. H. HARRIS asked the Minister for Education: 1, Have any negotiations been in progress between the State and Commonwealth Governments relative to expediting the carriage of overseas mails via the Transcontinental Railway? 2, Is the State Government or the Commissioner of Railways making the facilitation of oversea mails conditional on the increase of freights on the Transcontinental Railway? 3, Is the Minister aware that Adelaide orders for merchandise to the goldfields have been cancelled, or held up, owing to fear of the announcement of a revision of the Commonwealth railway tariff, which will inflict further hardship upon the Eastern Goldfields?

The MINISTER FOR EDUCATION replied: 1, Yes. 2, No. 3, No.

QUESTION—TRIBUTING ROYAL COMMISSION.

Hon. E. H. HARRIS asked the Minister for Education: Will he lay on the Table of the House the report of, and a copy of the evidence taken by, the Royal Commission appointed to inquire into and report upon tributing in the mining industry?

The MINISTER FOR EDUCATION replied: A copy of the report of the Royal Commission is herewith. The evidence taken was very voluminous, and the expense involved in its printing was not considered to be justified; but the hon. member may peruse the evidence on application at the Mines Department.

LEAVE OF ABSENCE.

On motion by Hon. A. H. Panton, leave of absence for three consecutive sittings granted to the Hon. J. Cunningham (North-East) on the ground of urgent private business.

BILLS (2)—THIRD READING.

- 1, Administration Act Amendment.
Passed.
- 2, Reciprocal Enforcement of Maintenance Orders.
Transmitted to the Legislative Assembly.

BILL—PERMANENT RESERVE (POINT WALTER).

Second Reading.

Debate resumed from the previous day.

Hon. F. A. BAGLIN (West) [4.40]: This Bill may appear to hon. members quite harmless, but I fear that, carried in its present form, unamended, it may have far reaching effects. I think hon. members will agree with me that if there is one thing which, more than another, will perpetuate the memory of Lord Forrest, it is his foresight in reserving for the people of Western Australia ample breathing spaces, and making the reserves along the river front available as pleasure resorts. That work having been done, it is our task, I claim, to protect the people's rights in that connection. The Bill proposes that the Melville Road Board, in whom the Government have vested the Point Walter reserve, shall be granted an area up to one acre to be leased as a site for a refreshment room. That is to say, an acre in the aggregate. The road board could, if the Bill passed as printed, lease to one person a full acre of the reserve. The measure does not stipulate how far the site shall be from the foreshore, and that is a matter in which I consider we should protect the rights of the people. It happens that the particular piece of ground which the board desire to lease is immediately off the jetty, right on that

portion of the foreshore where holiday makers land.

Hon. Sir Edward Wittenoom: Has it a water frontage?

Hon. F. A. BAGLIN: Yes; it is immediately on the foreshore. There are already two refreshment rooms on the reserve, between 150 and 200 yards distant from the foreshore, and nowise encroaching on that portion of the reserve which pleasure seekers use. I consider the board should not have the right to lease that portion of the reserve for the purpose of a refreshment room, and shut out the people. One of the persons already established in business there has expended about £3,000 in buildings, and he offers the public spacious accommodation. It is unfair competition, I contend, that, these people having been compelled to build where they are now established, somebody else should come in and take absolutely the picked position on the whole reserve. In another place it was mentioned that the idea was to erect a huge building and sell spot lager. It may be information to hon. members that since the Bill was in another place one of the existing refreshment rooms at Point Walter has secured the sole right to sell spot lager there.

Hon. J. Duffell: Spot lager is pretty harmless stuff, is it not?

Hon. F. A. BAGLIN: Yes; but that is not the point. The point is that we should protect the foreshores on our reserves in the people's behalf. If we do what this Bill asks for the Melville road board, other governing bodies will come to Parliament for similar concessions, and the eventual result will be to deprive the people of the foreshore largely or entirely. It is my intention to move an amendment in this connection during the Committee stage.

Question put and passed.

Bill read a second time.

BILL—PERTH HEBREW CONGREGATION LANDS.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.45] in moving the second reading said: The necessity for the Bill was brought under the notice of the Government a little time ago, when the Perth Hebrew congregation desired to sell certain lands granted to them for a synagogue at Subiaco, which were no longer required for that purpose. The desire was to sell those lands and utilise the money in the erection of a building somewhere else. The congregation forwarded a request that the same right might be given them to dispose of their lands as is enjoyed by the Anglican, the Roman Catholic, and other denominational bodies. I see no reason why they should not have that right. That is what the Bill proposes to give them, and no more. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—CRIMINAL CODE AMENDMENT.

Second Reading.

Hon. R. G. ARDAGH (North-East) [4.47] in moving the second reading said: Introduced in another place by the member for Kalgoorlie, the Bill was there agreed to. It is with the very best of intentions that I am moving the second reading in this House. For some time past the people on the gold-fields have raised, by sweeps or lotteries, funds for the purpose of sending the children to the coast. This has resulted in immense benefit to the health of those children. Also there is the children's ward in the Kalgoorlie hospital, which has been largely maintained by the efforts of the local bodies. I am credibly informed that unless those people are allowed to run lotteries for the purpose, both the children and the children's ward will suffer, and the Government subsidy will be cut off, as it already has been from the Fresh Air League. For many years the Government granted a subsidy to the people controlling that league, but of late years, owing to the financial position, the Government have not been able to continue that subsidy. Under the Bill the Minister will be able to grant permission to responsible bodies to raise funds by means of a lottery, so long as those funds are intended for a deserving object and not for private gain. At present an annual sum of between £300,000 and £400,000 is sent out of this State to various lotteries operating elsewhere. Tasmania has gained a very great deal in this direction. Also there is the Queensland sweep, tickets for which are sold indiscriminately in this State. If the Bill be passed a double good will result, in that funds will be furnished for the children's ward at the Kalgoorlie hospital and for the Fresh Air League, and at the same time much of that annual drain upon the private resources of the State will be saved to the State. I have received from various people a number of protests against the Bill. Although I have every respect for the protesting organisations, still I must remark that none of them have anything to offer in place of what is proposed in the Bill. There is no law to prevent the open sale of sweep tickets, and in consequence we find children going about from place to place, hawking tickets representing chances in art unions and raffles. To my mind a great deal more harm is being done by that sort of thing than would result from the organised running by a responsible body of a big sweep, designed to promote some deserving object. I see less harm in

the running of a sweep than I do in gambling in shares irrespective of who may suffer. In the past, with the sanction of the Minister, sweeps have been run in Kalgoorlie, but the point has now been reached that they must either stop or be legalised. In another place one of the Ministers said he desired a wider interpretation than was afforded by the Bill. I might point out that the amendment proposed by Mr. Lovekin supplies that want. My sole desire is to give the energetic people on the goldfields legal authority to continue their good work on behalf of the children. Without this authority they do not wish to proceed, notwithstanding that, so long as their action be legalised, they are ready and even eager to continue to raise funds for the purposes I have enumerated. The Ugly Men's Association have raised thousands of pounds and done an immense amount of good throughout the State, and I hope that under the Bill they will be able to continue their work. But I am not wholly in favour of street canvassing, which throws the onus of paying on to the more generous among the community. I may as well intimate that if the Bill passes the second reading, I shall be prepared to accept the amendment of which Mr. Lovekin has given notice. Bill and amendment alike have been before members for two or three weeks, and so ample opportunity has been afforded for consideration. Honestly, I am of opinion that the objectors to the Bill do not really understand it. Certainly they have not seen the proposed amendment, or they would be prepared to accept it, if only in the interests of the children. At a recent public meeting the mayor of Perth had this to say—

If the Bill goes through, the Government, who have the idea that they can run everything, will think it necessary to make a racecourse to provide lotteries, and horses to keep the racecourse going; and then there will be great competition among the members of the Government as to who will ride in the Government Stakes. One will be mounted on "Boozer" and another on "Gambler."

Apparently the mayor of Perth was not even aware of the origin of the Bill. Obviously he thought it was a Government measure. Nobody had told him that it was introduced by a private member. I am in a position to tell the mayor of Perth that the member who introduced the Bill in another place is neither a boozer nor a gambler. I have known Mr. Boyland for 30 years, and although in his day he was a great athlete, he never has been given to either boozing or to gambling. The remarks of the mayor were uncalled for. Surely there is less harm in purchasing a ticket in a lottery designed for a charitable purpose than there is in purchasing oil shares and hoosting them on the market, notwithstanding that no oil has been struck. I move—

That the Bill be now read a second time.

Hon. A. LOVEKIN (Metropolitan) [5.0]: I second the motion.

The PRESIDENT: I would point out that it is out of order for members to anticipate an amendment which appears on the notice paper, or to discuss the terms of an amendment which appears on the notice paper, when on the second reading of a Bill.

Hon. A. LOVEKIN: Although I do not agree with the provisions contained in Clause 2 I second the motion that the Bill should be read a second time. I take this course because there are many members who hold views very nearly akin to mine on this subject of gambling, and who may be disposed to vote against the second reading thinking that may improve the position. In whatever direction we may desire the Bill to be amended it is necessary to vote for the second reading. If we do not pass the second reading we shall not be able to bring forward this session another Bill to amend Section 212 of the Criminal Code. In the case of this Bill we will have the title, and Clause 1, and if we pass the second reading stage we shall be able to deal with the second clause in any way we may think fit. It seems to me desirable that we should take this opportunity of amending the Criminal Code. Section 212 of the Criminal Code says—

Any person who opens, keeps, or uses any place for carrying on a lottery of any kind whatever is guilty of a misdemeanour.

Further on it says—

The term "lottery" includes any scheme or device for the sale, gift, disposal or contribution of any money, advantage or property of any kind depending upon or determined by lot or chance whether by the throwing or casting of dice, or the drawing of tickets, cards, lots, numbers or figures, or by means of a wheel or trained animal, or otherwise howsoever.

It was decided by the late Mr. Roe, Police Magistrate, that the sale of a lottery ticket in itself did not come within Section 212. I know of cases where tickets have been sold but nothing has been done. Inspector Mann told me the police could not proceed against persons for merely selling tickets, because the offence was not complete. If that be the correct interpretation of the section, and I think it is, it is desirable in the interests of the community that we should not only check the drawing of lotteries, but put a stop if we can to the sale of tickets by anyone who likes to print them and pass them on to the public. In Committee I propose to move an amendment which will tighten up the section referred to and make the sale of tickets as well as the drawing of lotteries an offence. Those of us who have had to do with charitable institutions know well that a good

deal of money is raised for them by the sale of lottery tickets, by reason of the fact that the sale has not been interfered with. There have been a great many fraudulent lotteries permitted. Women have promoted them and tickets have been sold and the proceeds appropriated. Children have collected in the streets for, say, the Children's Hospital by means of the sale of tickets for a lottery, but have returned none of the proceeds. If I could, I would so tighten up the law that the sale of tickets would in itself constitute an offence as well as the drawing of a lottery. I do not think it is possible to stop lotteries altogether, but we can regulate them. If we attempted to stop them altogether they would be carried on illicitly. If they are to be carried out at all it is better that this should be done under regulation. Later on, therefore, I shall propose that we should stop the sale of tickets and the drawing of lotteries except with the permission of the Minister. In Committee I propose to further tighten up the amendment appearing on the Notice Paper in my name by the addition of two or three words. I ask members to vote for the second reading of this Bill so that in Committee we may deal with Clause 2 with the object of making Section 212 of the Criminal Code effective, instead of ineffective as it is to-day. I have received a number of circulars from different bodies asking that the Bill should be thrown out. I have replied to each of them pointing out that if we throw out the Bill we must fall back upon the Criminal Code as it stands, that the law permits anyone to sell tickets with impunity, and that therefore the better course is to use the Bill for the purpose of tightening up the law. In all cases in which people have been strongly opposed to the Bill I have pointed out the position to them, and notwithstanding the resolutions which have been passed many have concurred with me in thinking that it would be as well to take this opportunity of tightening up the section.

Hon. A. SANDERSON (Metropolitan-Suburban) [5.7]: I admire the audacity of the hon. member who has seconded this motion. After the clearest indication of the position of affairs he has dragged in this amendment. I devoted the whole of my attention to his speech to trying to disentangle the debate on the second reading of this Bill from the amendment appearing on the Notice Paper, and to understanding how much of his remarks were devoted to the Bill and how much to the proposed amendment. For my part I propose to devote the whole of my attention to the Bill as it comes before us. I offer my uncompromising hostility to it. I do not make that remark with the object of impressing members, I regret to say that my uncompromising hostility to the Bill will not necessarily procure its rejection on the second reading. I mention this to indicate that hon. members may discount the remarks I

am making to any extent they like. I do ask them, however, to pay some attention not only to my own method of putting these matters before them, but to the opinions of people who are loudly protesting against the Bill. I give the mover of this motion the fullest credit for the best of intentions.

Hon. Sir Edward Wittenoom: You could never accuse the hon. member of anything else.

Hon. A. SANDERSON: It is not a question of our intentions here; it is a question of what we bring about as a result of our actions here. I warmly congratulate the Government upon not having made this a Government measure. We shall now have the Leader of the House as an absolutely independent person who will give us the great benefit of his opinion on the question.

Hon. J. W. Kirwan: You evidently know the views of the Leader of the House.

Hon. A. SANDERSON: I know nothing whatever about them except from his public position and public record. The people, it is said, do not understand this Bill. I have heard remarks before about the intelligence of the people. I admit that in the case of rather complicated, technical details the public very often do not understand all that is brought before Parliament. But there are subjects in which the people are deeply interested, and which they have a better opportunity than we have of understanding, and to which they devote a great deal more attention than we can. This is one of those subjects.

Hon. J. Cornell: Who are they?

Hon. A. SANDERSON: The public belonging to the world in which I live.

Hon. J. Cornell: They live in a world about the size of an almond nut.

Hon. A. SANDERSON: I will make a note of that. The people do not understand this subject.

Hon. A. Lovelock: That is true.

Hon. A. SANDERSON: I am going to put this before the House in my own way. I have evidence before me that this subject has excited great attention in a very wide circle covering all parts of the country. The correspondence at any rate clearly indicates to me that the people understand thoroughly what they are discussing. According to my view of this question, there are certain laws which are set down for our guidance whether we deal with the question of finance or of morals. If we are wise and have any experience or sense we shall endeavour as far as possible to obey these laws. I maintain that just as the Government have violated economic laws in their policy, this Bill violates moral laws as I understand them. I am not presuming to take a lofty attitude on this matter. I merely wish to convince members that they should reject this Bill on the second reading. I am delighted to see the Leader of the House in an absolutely free position. I rejoice to think that his experience and his responsibilities as Minister for Education must compel members to give special weight to his opinion, not only because he is a Minister of the Crown

dealing with the education of the children, but because on this occasion at any rate he is perfectly free to give us his own opinion; and his own opinion is immensely increased in value by reason of the fact that he is the Minister for Education.

Hon. Sir Edward Wittenoom: We can think for ourselves. Why should we be led by the Minister for Education?

Hon. A. SANDERSON: Most decidedly. This is a matter for us to decide for ourselves. Sir Edward Wittenoom's method of conducting Parliamentary affairs is apparently to vote at once, viewing discussion as of little value. I half expected him to get up and move that the question be now put. If the hon. member is not anxious to be moved by argument, I will not address myself to him. This is not a party House and we are not tied here. I consider that discussions have influenced votes on the floor of this Chamber. That is a most gratifying aspect, although I admit it has a tendency to prolong the debate. I never lecture people, but I have implored people to listen to arguments. As to the suggestion that I would presume to dictate to hon. members, I would not be so stupid as to do that, because there is nothing more calculated to make people vote against one than to adopt a dictatorial attitude.

Hon. Sir Edward Wittenoom: You said we should be guided by the Minister for Education.

Hon. A. SANDERSON: I repeat that I am delighted that the Minister for Education is free upon this question. He has responsibilities attaching to his office as Minister for Education and without knowing anything about his views, I trust and hope and believe that he will be as much opposed to this Bill as I am.

The Minister for Education: I am, that is quite true.

Hon. A. SANDERSON: Knowing that, and knowing the influence that the Minister carries in this Chamber, I would be prepared to sit down under the belief that the motion before the House would be defeated. I would gladly do so were I not almost bound to give voice to the correspondence which I, in common with possibly other members, have received. In some instances, the correspondence seems to me to be rather more personal than in the nature of a circular to be sent to every member. Some hon. member interjected that these people to whom I referred, do not represent any considerable section of the community. I think I can satisfy hon. members by naming the districts from which these people write. There are all kinds of organisations represented but they are all engaged in the one thing, namely, an attempt, to the best of their ability, to look after the moral welfare not only of the community but of the children of this State.

Hon. A. H. Pantou: And members of Parliament, too.

Hon. A. SANDERSON: They are beyond redemption. At any rate, we may consider

ourselves, in the best sense of the word, men of the world. We are entrusted with some responsibility for the welfare of the whole community, and especially of the children of the State. That cannot be questioned. I wish to refer to what I regard as one of the most important sections in the annual report furnished by the Commissioner of Police. I have not been able to verify the quotation, but it appears in one of his reports wherein he states that all the laws and regulations, police, both male and female, and the detective force combined, are ineffective in making amends for the loss of parental control and parental discipline over the children of to-day. Thus, our own officials recognise that all the laws and police, and detectives, and children's courts even, are futile if we desire to get that standard of good—we all wish to see that standard achieved, I take it—that can only be achieved by assisting parents regarding the control and management of their children. These people have the right to speak on behalf of the children, and certainly members cannot charge them with attempting to line their own pockets or attempting to get advantages over other people, whatever else they may say about them. We must give them credit, as I gave the mover credit for the best and highest motives and intentions, with regard to their correspondence in opposition to the Bill.

Hon. J. Cornell: Some of them have very long noses.

The PRESIDENT: Order!

Hon. A. SANDERSON: I do not wish to follow the hon. member regarding the amendment or regarding long noses. I will read a few of the names of the bodies represented in the correspondence I referred to. They include the Women's Christian Temperance Union, the Women's Service Guild, numerous letters from Wesleyan and Presbyterian mansees, a letter from the Australian Protestant Federation, another from the National Council of Women, one from the Anglican Social Questions Committee, another from the Presbyterian Church of Australia, and many others as well. These people are entitled to be heard with the greatest respect for their arguments. It has been suggested that because there is a certain amount of gambling on the stock exchange, there is some justification for this Bill, but that argument does not seem to me to have anything whatever to do with this question.

Hon. F. A. Baglin: Why do not those people protest against that form of gambling?

Hon. A. SANDERSON: They do protest against it. In that case, however, I doubt if these people really do understand what they regard as gambling on the stock exchange. I do not intend to go into the subject of the movements in the stock market, or, as some members may prefer to regard it, as gambling—but I regard those movements as a very intricate and important portion of our financial system. It may be misused as many other departments of our finances may be misused. I will not pursue that aspect fur-

ther, however, but again remind the House that these people are entitled to the greatest respect. It is because these people think the Bill will have a bad effect on the children that they ask for the rejection of the measure at the second reading stage. I agree with them and I trust members will reject the Bill.

Hon. J. W. HICKEY (Central) [5.24]: Like Mr. Sanderson and others, I have received a large *sheaf* of correspondence from individuals and organisations and I have given it due consideration. I agree with Mr. Sanderson that the whole of those correspondents are either representative individuals or representative organisations, who are entitled to every respect and consideration. Naturally when one receives correspondence of such a character, the attention it deserves is given to that correspondence. I gave it my best consideration and realised that the correspondents were prompted from the very highest motives in their endeavour to influence the votes of members in connection with the Bill. In addition to those read by Mr. Sanderson, I have a large number, more or less private, from my own province as well, urging me to vote against the second reading of the Bill. I always respect the opinions of those opposed to me on various questions and if I could strain a point and vote in the direction suggested, I would be happy to do so. Having had some experience in matters of this kind, I endeavoured to get into touch with some of the people in order to get their views. After a little explanation some of the correspondents realised that they had been rather hasty, and that the Bill was not so dangerous as they anticipated. I do not think I will be successfully charged with being a wowsler, but I do not indulge in gambling beyond an occasional trip to the races, where I back my judgment, or want of judgment. I do not play bridge, but I have had experience in conducting lotteries, sweeps and so on, and have been endeavouring for the greater part of my life to raise money in aid of various worthy or charitable objects. I have had, perhaps, as much experience as anyone else in this House in connection with those matters, and I realise that if the Bill is passed, it will safeguard the position of the community to a greater extent than is the case to-day. I realise the dangers that are connected with lotteries. I am satisfied to vote for the second reading of the Bill without touching upon any of the amendments which have been indicated. I desire to see the Minister have full control of these matters. The danger which is feared by some of these people, is that all sorts of individuals may run lotteries for their own benefit. I admit there are such dangers but to-day the law is, to a certain extent, winked at, and lotteries, sweeps, and so on, are being run. If the Minister were in full control of lotteries, I would not be concerned whether powers were vested in the

police officers or anyone else, so long as the Minister had that control.

Hon. J. J. Holmes: Has he not full power now?

Hon. J. W. HICKEY: Not altogether. I would like to see, if a sweep were being run by an organisation such as the Ugly Men's Association, the Minister send an officer who would take full control, just as an auditor who goes into a business office would take control of affairs. If that arrangement were made, the interests of the community would be safeguarded and the position would be much safer than in the past. There have been many critics regarding the attitude of members of Parliament on this subject, and one of the critics was the mayor of Perth. I was surprised to see that he referred to members of Parliament as jockeys. This is the identical term that "Bull" Callanan used towards members of Parliament at Kalgoorlie. This is an I.W.W. phrase and members of Parliament, according to the I.W.W. organisation, are jockeys. That is to say, they ride on the people's backs, and so on. There is a strange similarity about the terms and I am surprised that the mayor of Perth has not been taken to task. Perhaps some member of Parliament will move in that direction at some future date but it is significant that, for once in their lives, "Bull" Callanan and the mayor of Perth are on common ground. I support the Bill because of its worthy object. Reference has been made to the moral effect it will have on our children. If the Minister had sufficient influence, he might persuade the Government to take full control and finance the Fresh Air League, and if this were done, the member in charge of the Bill would probably be prepared to withdraw it. I do not think the Minister is prepared to go that far. One of the greatest benefits which this Bill will confer will be on the Fresh Air League. This league will be enabled to raise money year after year so that the kiddies living away in the drier areas of the goldfields may be given a much needed change. If the Bill is not supported, it will be impossible to carry on the league.

Hon. E. H. Harris: They have raised the money in years gone by.

Hon. J. W. HICKEY: Yes, and by various methods, but the goldfields are not now in a flourishing condition. Where in the past a man would give £5 to the Fresh Air League, in these days he cannot afford 5s. Only by these means can we hope to raise the necessary money. Next year the league will find a difficulty unless they can avail themselves of the provisions of this measure. If I thought the Bill would have any detrimental effect on the moral welfare of the children, I would not support it. We cannot deny the good which has been done by the Ugly Men's Association, but only those connected with the organisation know how much good is being done. Unless something of this kind is open to them, that organisation will lose much of the power and influence which to-

day are exercised for good. Then consider the various soldiers' institutes. There is one at Geraldton which has been built up by public effort and is second to none in the State. Lady Newdegate, the Premier, and Colonel Denton, who visited it recently, spoke of it as being one of the best in the State. In its battling days that institute was short of a billiard table. I promoted an art union and raised sufficient money, with very little trouble outside personal labour, to enable a billiard table to be provided. Seeing that we were prepared to help ourselves a little other people came along and that institute to-day has two billiard tables, and in my opinion—which opinion is shared by the Governor, the Premier, and other visitors—it is the most up to date institution of its kind in the State. If the proposal in the Bill is safeguarded and the regulations are tightened up generally, there will not be the slightest danger from the passing of the measure. With all due respect to those people and organisations who have brought pressure to bear on members to oppose the Bill, I say that we should take the good with the bad and view the matter broadly, and, provided the Minister has full control and adequate safeguards are inserted, there will be no danger in passing the Bill.

Hon. J. NICHOLSON (Metropolitan) [5.34]: I intend to oppose the second reading. I have listened with close attention to what has been said by previous speakers, and especially by the member who moved the second reading. I join with other members in saying that I do not doubt the honesty and sincerity of the motives of those responsible for the introduction of the Bill. I believe they think that, by legalising lotteries, they will bring about a certain advantage to charitable and other worthy objects which will be beneficial to the community at large. This is where I join issue with those members. Instead of working a benefit, as they anticipate will be the case, very serious detriment to the moral welfare of the community will result. The Bill is a very short one but it touches a principle vital to the moral life of the community. The question to be decided is whether we shall legalise that which at the present time is distinctly illegal.

Hon. T. Moore: But which is carried on generally.

Hon. J. NICHOLSON: I admit that many of these things have been carried on sub rosa, but is it wise in the interests of the community to give that freedom of action to do what at the present time people are restrained from doing? As the law stands it exercises a wholesome restraint in regard to those things which it is better we should not do in the name of charity. Under the cloak and guise and in the name of charity, we are asked to legalise these games of chance. This will

be destroying one of the very fundamental teachings of the Bible, namely charity.

Hon. R. G. Ardagh: It will have to be done under the lap?

Hon. J. NICHOLSON: It should not be done at all.

Hon. R. G. Ardagh: But it is done now.

Hon. J. NICHOLSON: It should be stopped and stopped definitely. Mention was made by Mr. Lovekin of a case decided by the late Mr. Roe in the police court and, speaking from memory, the hon. member's reference was correct. I believe Mr. Roe decided that the mere issuing of tickets was not a lottery, and if members refer to the section of the Act, they will see that it is the drawing of the tickets that constitutes the lottery, not the issuing of the tickets. The very fact that the law prohibits the drawing of tickets will exercise a wholesome restraint in connection with those lotteries conducted in the name of charity.

Hon. A. Lovekin: It means that you can sell the tickets, but not draw the lottery.

Hon. J. NICHOLSON: During the war I had the honour of occupying a seat on the War Council, and before anyone could make an appeal to the public, it was necessary to get the consent of the War Council. We conducted the closest scrutiny into the character of these appeals. It was very difficult to devote the necessary time to the work, but we did so. I can well recollect, and I could produce the facts if necessary—

The Minister for Education: I have them.

Hon. J. NICHOLSON: I was about to refer to a very glaring instance. The country was flooded with these lottery tickets and the people did not get that which they should have got. As the Leader of the House has the facts, he will be able to place them more accurately before the House than I could possibly do from memory. The committee exercised control and did a lot to prevent the diversion of funds from their proper channels. We have a very serious responsibility as legislators. The very fact that so many sections of the community and so many people have protested against this proposal to legalise lotteries is the best evidence that it has aroused the anger and indignation of the public, and is the best reason why we, with a full sense of our responsibilities, should cast our votes against this Bill.

Hon. F. A. Baglin: How many people were present at the town hall meeting?

Hon. J. NICHOLSON: I was not there; I do not know.

Hon. F. A. Baglin: The newspaper stated 200.

Hon. J. NICHOLSON: The Bill provides for worthy objects, but it is very hard to say what interpretation would be placed on the word "worthy." It is capable of the widest possible meaning, and could be stretched in such a way that in the guise of doing this, that or the other, authority

would be given. What would the result be? That is what we have to look at. The result would be that the country would be inundated north, south, east and west with these lottery tickets. Mr. Sanderson mentioned a very important matter, that of parental control. Have not we, as legislators, a duty to try to preserve parental control, and not give greater freedom which will perhaps lead to its destruction. If we do not destroy this Bill, we will be loosing the bonds of parental control to such an extent that the children will become so engrossed in the devices which will be provided for them and the methods to induce them to enter into these schemes, that instead of following honest occupations as they should, their attention will be diverted into paths other than the right one.

Hon. J. Cornell: Do you go about blindfolded to-day?

Hon. J. NICHOLSON: I do not, and I do not pretend to be innocent of ever having taken part in lotteries. Every member at one time or another has done so, but experience is the best means of affording proof and conviction that where a wrong exists, it is better to wipe the evil out. It has been suggested that all life is a lottery or a gamble. I have always been taught to regard life as something very serious, and neither a lottery nor a gamble. There is this about a lottery, that it is different altogether from share transactions. If hon. members will take the trouble to examine the two they will recognise that there is considerable difference between a person investing in shares, whether for a rise or otherwise, and taking a ticket in a lottery. A man investing in shares may help on industry and incidentally may make a rise, just in the same way as a man who puts in a crop hopes to get an abundant yield which will recoup him not only for his labour, but will give him a decent profit afterwards. I do not see that putting in that crop is a lottery. A man has worked and sweated in putting in the crop and he is helping forward our industries. A lottery does not help a single industry. That which it is proposed to benefit by the Bill is an object of a charitable character. So far as I can see, the introduction of lotteries will destroy those instincts which we recognise as instincts of charity. A man ought to give freely and voluntarily, not by the temptation or the inducement of a prize by a lottery or some such thing. He should give without expecting any reward or return.

Hon. T. Moore: The Lord loveth the cheerful giver.

Hon. J. NICHOLSON: I might also quote a few texts which would help to convince the hon. member. There is this to be said, that apart from the question of destroying those charitable instincts in mankind generally, we also create in our midst a greater evil and a menace, that is, the inducement amongst the young to gamble. That is not

beneficial to the rising generation, and we as legislators, are bound, if possible, to check that for the benefit of the community. The public of Western Australia have shown in an undoubtedly marked way that they are a generous people, and I am sorry to think that some hon. members believe that, in order to prompt that generosity, it is necessary to offer some kind of reward, and that for such a purpose it is necessary that legislation should be passed. The Bill is an insult to the generosity of the public of this State. Many public bodies have been formed and have organised in the cause of charity some of the finest possible deeds.

Hon. A. H. Pantou: Most of them on a bit of a gamble.

Hon. J. NICHOLSON: It is much better to do without the gamble when one sees what the effect is, and especially when we get letters such as one I have here from a taxpayer. This is an instance of many other letters I have received in common with other members. I too received the letters which were read by Mr. Sanderson and others and, with the permission of the House, I will read what a private citizen has written to me. He says—

As a citizen of this State of over 26 years' standing, and the father of a family of seven, I must take this opportunity of laying before you, as the people's representative in the Council, a solemn protest against the threatened legalising of lotteries. Six of my children are sons, and three of them are facing the problems of youth, and I dread to think of the ultimate effect upon the rising generation by the removal of the ban of illegality upon lotteries as proposed. I pray and beseech you to do your utmost to throw out this invasion of the sacred rights of our Christian conscience.

That citizen's voice is in no small way the opinion of a very large section of the community, and what he has written is entitled to the fullest respect. I hope that hon. members will give serious consideration to the Bill, and will decide in favour of its rejection.

Hon. J. MILLS (Central) [5.53]: I do not intend to support a measure which will be productive of evil that good might come out of it. If the Bill becomes law, it will be a retrograde step and it will be increasingly difficult for the police to control gambling, which is already—

Hon. J. Duffell: Rampant.

Hon. J. MILLS: It is not so long since I was on a racecourse, where I saw a "jenny." There was only one constable on the racecourse and his attention was diverted by someone who was apparently connected with the "jenny," and during that period this gambling machine was operated. There was absolutely no excuse for that "jenny" being on the racecourse, but if the Bill becomes law it will be possible for this form of gambling to operate. We often hear of children

attending State schools being invited to take part in charitable movements of all kinds, and it will mean that a spinning "jenny" will be part of the school furniture. I have no time for anything of that kind and therefore will oppose the second reading of the Bill.

Hon. Sir EDWARD WITTENOOM (North) [5.55]: I first of all desire to register my protest against a Bill of this kind having been introduced by a private member. A Bill dealing with gambling and lotteries should be of a comprehensive nature and should be submitted by the Government.

The Minister for Education: The Government would not touch it.

Hon. Sir EDWARD WITTENOOM: Then, in those circumstances, we must deal with what has been presented by a private member. I am in favour of certain forms of gambling and against others. Therefore I would like to see certain forms of gambling recognised and controlled. I regard the Bill as an improvement on what has been previously before us, and I intend to support the second reading, though it must not be inferred from that that I intend to support the Bill as it is. There is no doubt a large section of the community, according to the letters I have received—which are almost similar to those read by Mr. Sanderson—are opposed to the Bill, and there is strong ground for the opposition to lotteries and gambling. Mr. Mills said just now that some gambling went on while he was actually looking at it. The Bill will be the very thing to stop that form of gambling, because it will not be possible for it to take place unless the consent of the Minister is first obtained.

Hon. J. O'Connell: It will throw a great responsibility on the Minister.

Hon. Sir EDWARD WITTENOOM: We have to remember that in a community like ours there are many charitable objects that have to be supported, and I am one of those who believe in what I call a certain amount of innocent gambling for the support of those charities. I may instance the bazaar and the lucky bag. People call that gambling. I do not call it gambling. Everybody goes to a bazaar and knows perfectly well that he will never get value for his money there. A person who goes in for a lucky bag also knows very well that he will not get anything for the 6d. or the 1s. that he invests. Therefore I am of opinion that there should be some latitude given whereby different organisations may be assisted to raise a certain amount of money. If something of the kind is not done, as the member who introduced the Bill said, the question of giving will have to be left to the willing few. We know that there are a few people who subscribe to these objects time after time, and that there are many others who could subscribe but who will not. Those people, however, who are not always prepared to give a little for nothing will often be found willing to give a little for something. Consequently, bazaars and

lotteries might be permitted under proper control. The trouble in connection with the whole of the business is the power that will be given to the Minister. Suppose we had a Minister in office who was not exactly of that high conscientious nature that Ministers in this House are, he might use his position in the direction of giving permission to conduct lotteries and bazaars just before election time.

Hon. A. J. H. Saw: He would be afraid to refuse them.

Hon. Sir EDWARD WITTENOOM: Not if he were like some Ministers I have known. The only fear I have is that the Minister would be persistently worried in regard to these matters. Mr. Sanderson said that I was opposed to debating these matters. I assure him I am only too delighted to debate them, but I do resent what he said, that we should follow the dictates of the Minister for Education in his private capacity. Even if the Minister were reduced, as he may be, to the status of a private individual, we would exercise our private opinions. I thank the hon. member for the castigation he gave me, and I trust at all times he will not be afraid to discuss Bills at length, irrespective of what views I may hold. It is no use going into the whole question of gambling because I hold strong views on it. I am in favour of a certain form of gambling and I am opposed to others. In the circumstances, however, I intend to support the second reading of the Bill, and I hope to amend it in Committee in such a way as to make it a better measure than it is. If the Bill is thrown out, we shall go on as we are doing, holding lotteries, bazaars, and sweeps and being persistently annoyed in the streets.

Hon. R. G. Ardagh: They are swindles.

Hon. Sir EDWARD WITTENOOM: I am not in a position to say they are swindles. I have never been swindled at one of them. However, if we pass the second reading and then amend the measure in Committee, we may place ourselves in a very much better position than the existing one. The only trouble is the responsibility of the Minister; we have to rely on the Minister to carry out the views embodied in the measure. I support the second reading.

Hon. H. STEWART (South-West) [6.2]: I hold very strong views regarding the need for national character as the safeguard of the national race. That welfare is especially well safeguarded, I hold, if we maintain the welfare of children and parental control. It is unnecessary for me to traverse the ground covered by previous speakers who have pointed out the weakness likely to ensue upon the passing of this Bill. It is the Bill with which I am now concerned, and my personal feeling is that the measure should never, in its present form, have come before the Legislature. At the same time, I fully recognise the goodness of the motives actuating the sponsors of the Bill in another place and here. Yet I am compelled to disagree entirely from

their views. Casting back our minds upon the history of nations, we must recognise that those which have decayed or are decaying have exhibited the gambling spirit and indulged in national or governmental lotteries—and lotteries are now actually a State matter in certain of our Eastern States. As a legislative Chamber we should utterly discountenance any weakening of the legal attitude towards the gambling evil. The effect of passing this Bill can only be the further weakening of a tendency already weak in our people—namely, the tendency to promote social welfare and the general interests of the community by donations and benefactions. At this time it is well to mention in that connection the names of gentlemen, personally unknown to me, who during the past few weeks have made generous endowments of education—Mr. Seeligson, Mr. Vincent and Mr. Coombe; and the list includes also the name of a member of this House, Mr. Lynn. Possibly that spirit will extend. Benefactions are badly needed by the University. The tendency of the Bill, if enacted, must be to weaken the spirit of generosity which has hitherto, without assistance from gambling, maintained so worthy an institution as the Fresh Air League.

Hon. J. W. Kirwan: The league's work is at an end.

Hon. H. STEWART: I feel myself unable to accept that sorrowful pronouncement as an authoritative statement, even though it comes from a representative of the districts in which the league has carried on its beneficent work. The weakening of parental influence over the rising generation has been alluded to by several members. A Child Welfare Conference held in Perth some year or two ago felt bound to endorse the Police Department's view that juvenile delinquency was largely due to lack of parental control. Mr. Lovekin's argument is that members should vote for the Bill in order that he may introduce into it certain amendments during the Committee stage. A peculiar feature of this House is that one never knows how the majority of members are going to vote. I have no guarantee that a certain amendment the moving of which is promised, will be carried.

Hon. Sir Edward Wittenoom: Then we can throw the Bill out on the third reading.

Hon. H. STEWART: To that suggestion, I may possibly give consideration before the measure is finally disposed of. I realise that Section 212 of the Code stands in need of amendment. I advocate the tightening up of that section, and making the position more definite. Still, I do not feel disposed to support the second reading of this measure in order to give opportunity for the carrying of an amendment which is not before the House.

Hon. A. H. PANTON (West) [6.12]: I have listened with much interest to the debate on this Bill. I am always particularly interested to hear expressions of opinion from

hon. members on questions of morality. This measure strikes me as one which should give pause to the community generally as well as to the members of this House. Not only the effects which the passing of the Bill is likely to have should be considered here, but also the actual origin of the need for its appearance in this Chamber. I do not feel very much concerned about the effect of the measure if carried. The sponsor of the Bill in this Chamber said that his idea was to assist in raising funds for the Fresh Air League and other worthy charities on the goldfields. But there is a certain section of the goldfields community that is suffering acutely. I refer to the worn-out miners; and the fund for worn-out miners is just about exhausted. Possibly the carrying of this Bill may assist in that direction. I may lack imagination, but I am unable to imagine any effects from the enactment of the measure that would be worse than the state of things existing today.

Hon. Sir Edward Wittenoom: The state of things would become much better.

Hon. A. H. PANTON: I agree. By carrying this measure we shall obtain some control of the gambling business. To-day we have no control whatever. Almost any day of the week, upon going into town one encounters little boys and girls requesting one to purchase a ticket in something or other.

Hon. J. Nicholson: It is a very bad practice.

Hon. A. H. PANTON: Undoubtedly; and this Bill, subject to the amendment foreshadowed, will tighten up the law against gambling in that respect. Like other members, I have received much correspondence regarding this Bill, more especially from my own electorate, requesting me to oppose the measure. Like the hon. member who introduced the Bill, I have gone carefully through the correspondence without discovering any suggestion for overcoming existing difficulties. Many of the ladies and gentlemen who have signed the correspondence are personally well known to me, and I pride myself on being particularly friendly with a great number of them. However, the churches—from which comes most of the opposition—must surely recognise that the whole world to-day is a gamble, notwithstanding what Mr. Nicholson said about life not being a gamble.

Hon. A. Lovekin: The Kaiser gambled all or nothing.

Hon. A. H. PANTON: During the past six years the whole world has been a gamble. Governments have been gambling with the lives of millions of men: there is no denying that fact. Trusts and combines have been and still are gambling with the foodstuffs and clothes of the peoples of the world. The result of that huge gamble is that a few men become richer and that millions of people starve.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. H. PANTON: Before tea I was dealing with the question of the Government

gambling with millions of lives, and trusts and combines gambling in the foodstuffs and clothes of the people. Mr. Harris interjected that that was a worthy object. Of course it is purely a question of interpretation between the hon. member and myself, as to whether there is any worthy object in war. Having been through two wars, I have yet to find the worthy objective of war. Hon. members have used the argument of parental control, but I fail to see the connection between the Bill and parental control. The reference made by Sir Edward Wittenoom to bazaars and lucky bags was appropriate in this debate. It would be impossible to pass a shop in Perth—many of which are owned by well known pillars of the church—which has no lucky bag at from 1d. to 3d. each. The usual request from the kiddie to his dad is for a penny to try his luck in the lucky bag. In my opinion there is a considerable amount of hypocrisy in connection with gambling in Australia. I say that with all due deference to hon. members, and especially to those outside from whom I have received many communications in regard to this question. As a matter of fact I am personally acquainted with many of those gentlemen outside, and count a number of them as my friends, but I want hon. members and those people generally to face facts as we know them. One of the chief items which is overlooked in regard to this question is the gambling spirit of the average Australian. As one who has worked with most nations, and fought alongside of all nations, I have no hesitation in saying that the tendency to gambling is greater in the Australian than in men of any other nationality. I have seen two-up played in the trenches under the nose of the sniper, and poker played whilst the earth rocked and trembled with the explosion of shells. And this is only natural in view of the fact that it has been handed down by our forefathers from the very discovery of gold in Australia. For, after all, our forefathers gambled their lives in coming out to the unexplored parts of Australia in the search for gold. Therefore, the gambling spirit is inherent in the Australian. In fact, gambling in Australia is an interesting study. We find the Postmaster General refusing to carry mail for Tattersall's sweeps, whilst his colleague, the Federal Treasurer, collects huge sums of money by way of income tax from the winning tickets which the Postmaster General has refused to carry.

Hon. Sir Edward Wittenoom: If it is not hypocrisy, call it inconsistency.

Hon. A. H. PANTON: Call it inconsistency if you like. In this State we find the Treasury supplemented by enormous sums of money supplied by the totalisator, which in my opinion is doing more to inculcate the gambling spirit than all the lotteries to be conducted under the Bill are likely to do. I want hon. members to say that if there is to be no gambling, that we shall start to prevent it at the right point.

Hon. E. H. Harris: Why not legalise two-up?

Hon. A. H. PANTON: I am not in favour of that. I am opposed to the existing law which gives the rich man the right to gamble in his club, whilst the unfortunate Chinese is run into court almost weekly and fined for doing what to him is the same thing in his club. As a matter of fact, many of the churches of to-day guarantee their preachers an annual salary and then gamble with the chance of collecting the amount during the year from the congregation. I have seen some envelopes which have been given to members of congregations.

Hon. J. Nicholson: But that is a form of giving.

Hon. A. H. PANTON: Yes, giving in the hope of a reward hereafter. We have had voluminous correspondence from the churches, but I have also a telegram from Kalgoolie signed by a gentleman for whom all have profound admiration. I refer to Archdeacon Collick. We all know what sort of a man he is. I had him as chaplain in the South African War, and again in the last war. This is what Archdeacon Collick telegraphed to the member who introduced the Bill in another place, "You have my support in the Lotteries Bill." Short and terse, characteristic of the man. Personally, I am opposed to the principle proposed in the Bill to assist charity. But I realise that our existing social system has failed to function in looking after necessitous cases. Faced with that knowledge, I have to turn to the next best method. The Ugly Men's Association, with which I am connected, has obtained the bulk of its money through all sorts of what Sir Edward Wittenoom would call innocent gambling devices. The Ugliers have built a new ward in the Children's Hospital, to be handed over next Sunday, and have undertaken to raise £9,000 per annum for that hospital. Any of the Ugliers will confess that in the Bill lies their chief hope of raising that money, which should be a charge on the taxpayer, by direct giving. It is nonsense to say that the Bill represents an insult to the community. Whilst I agree with Mr. Nicholson that the public of Western Australia have given liberally during the last six years, yet the time has arrived when the public are beginning to ask themselves how much more they can afford to give. Again, the tendency of the Australian is to have a little gamble. The experience of the Ugliers and various other charitable organisations is that Australians will always put up 5s. or 10s. for a little gamble. I am going to assist in the carrying of this legislation. I will vote for the second reading because I hope that when, in Committee, amendments are made, we shall be able to tighten up the legislation. The present loose method of carrying on sweeps and lotteries is prejudicial to the public generally, and the Bill represents a means by which we can improve the whole position. If a Minister of the Crown is worthy of his

office, we can with confidence leave it to his discretion as to whether or not sweeps shall be conducted for this or that charitable object. I will vote for the second reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [7.45]: Whilst I intend to offer the strongest opposition to the Bill I hope to do so in the most moderate manner possible. I want at the outset to say that I have the highest regard not only for the individuals responsible for the introduction of the Bill in another place and here, but also for their motives. It is not a question of motives. Each can give the other credit for doing what he thinks is best. I am entirely uninfluenced by the enormous budget of letters I have received in regard to the measure. I had done what I could up to that time in opposition to the Bill before I saw these letters. The hon. member who piloted the Bill through another place asked me, before I received those letters, if I would take up the Bill in this House. I refused to have anything whatever to do with it and told him I should oppose it. Sir Edward Wittenoom has protested against this Bill being introduced by a private member, and says the Government should have introduced it. The Government did not introduce it because they do not believe in it. The only member of the Ministry who spoke on the matter in another place, spoke against it. I am afraid Mr. Sanderson has over-estimated my influence over members of this House.

Hon. A. H. Panton: I hope so.

The MINISTER FOR EDUCATION: My experience is that I have only to speak to members and they do what they like.

Hon. A. Lovekin: That is about right.

Hon. Sir Edward Wittenoom: That is what it ought to be.

The MINISTER FOR EDUCATION: Quite so! I will draw the attention of members to the amendment which appears on the Notice Paper, not for the purpose of discussing it, because I would not be in order, but because I have on previous occasions questioned the right of any member to place on the Notice Paper an amendment to a Bill which has not passed the second reading stage.

Hon. A. Sanderson: Hear, hear!

The MINISTER FOR EDUCATION: To do so is to do something that is against the proper traditions of this House. I think no member has any right to anticipate the result of a division. What would be the position if every member took advantage of this fancied right, and I deny that it is a right, to anticipate an amendment to a Bill which the House has not yet determined shall reach the Committee stage? Until the House has determined that the Bill shall go into Committee, no member has a right to place on the Notice Paper any amendment to that Bill, particularly when we find that these amendments are used as arguments in support of the Bill. We are asked to support the Bill in order that the only effective clause in it

may be replaced by something else, the title amended and the Bill sent away. I protest against the Notice Paper being used in that manner. It is not a proper use to which to put it.

Hon. A. Lovekin: It is a proper thing to do. Everyone knows what is coming on.

The MINISTER FOR EDUCATION: I should be quite prepared that the Standing Orders Committee of this House should inquire into this matter and give a decision upon it. No member has a right to anticipate that the House will agree to any measure going into Committee. I congratulate Mr. Lovekin upon his consistency. We nearly always find that his proposals hang together. A few days ago he advocated that we should exclude from our schools all children under eight years of age.

Hon. Sir Edward Wittenoom: I think you gave me credit for that.

The MINISTER FOR EDUCATION: No doubt occupation and employment of children under eight years of age could be provided by sending them round to sell these lottery tickets.

Hon. R. G. Ardagh: They are doing it now.

The MINISTER FOR EDUCATION: As Minister for Education, I must protest against this Bill. I hoped the hon. member would say how we could prevent children from selling lottery tickets. What would be the use of doing that? Example is a more powerful influence than precept. If, as hon. members suggest, large sums of money are going to be raised in this way, it will mean that in the homes of a great many people in this State, the result of this or that lottery will be the subject of daily conversation at the meal table. That is where children are going to get that sort of influence from their parents. Mr. Lovekin has referred to the decision of a previous magistrate in regard to the question of lotteries. No one had a higher regard for that gentleman than I, but I do not think we are called upon to accept the decision of a police magistrate as final. I do not agree with that decision. If hon. members will turn to the section, which it is proposed to amend, they will find that it reads—

No person who opens, keeps, or uses any place for the carrying on of a lottery—
There is a definition of the term "lottery." It is as follows:—

The term "lottery" includes—

That is as much to say it may be something else, but that it includes these things. It is not an all-embracing definition—

any scheme or device for the sale, gift, disposal, or contribution of any money, advantage, or property of any kind depending upon or determined by lot or chance whether by the throwing or casting of dice, or the drawing of tickets, cards, lots, numbers or figures, or by means of a wheel, or trained animal or otherwise howsoever.

Hon. A. Lovekin: In a place.

The MINISTER FOR EDUCATION: The Act says that the chance may be determined in any way. It does not matter how the chance is determined. It is a lottery and an offence. On these grounds I say that the selling of tickets for a lottery is an offence.

Hon. A. Lovekin: In a place.

The MINISTER FOR EDUCATION: It may be held that a public street is a place.

Hon. A. Lovekin: No!

Hon. Sir Edward Wittenoom: A street would not be a place.

The MINISTER FOR EDUCATION: Mr. Ardagh has said he did not think the buying of tickets in a lottery was any worse than buying shares. There are two sets of people who buy shares. The difference between the two is and has for long been clearly recognised. There are people who buy shares for the purpose of investing their money in enterprises that they think will be beneficial to the country and will return profits to themselves. There are others who buy out of pure gambling. These people are known on the market as "stags." They are always spoken of depreciatingly. They are gamblers. These are the classes of people who deal in shares. I am with the hon. member in his suggestion that one of these classes is just as useless and their gambling is just as reprehensible as in the case of the person who invests in lotteries. The other class of investor is of a totally different calibre. It was with great interest I listened to Mr. Pantou's denunciation of the gambling and cheating which have been going on all the world over during the last few years—particularly gambling in a nation's currency. They call the counters marks and francs, but the counters are really the lives of women and children. It is true, as the hon. member has said, that every bit which the millionaire adds to his fortune by this gambling in the people's currency adds to the foodless days in the warrens of the poor. One hon. member spoke of selling wheat to Germany at 7s. a bushel. The people of Germany have to pay something like ten guineas a bushel for this wheat, partly because of the gambling which is taking place in the currency of their country. Mr. Pantou now wishes to legalise this, and fasten upon the community this most potent device for impoverishing the homes of the workers.

Hon. A. H. Pantou: I wish to give the poor man the same opportunity as the rich man.

The MINISTER FOR EDUCATION: I am astonished that any member who represents the Labour Party should advocate a principle of that kind. I have always understood that one thing the Labour Party abhorred was that one man should become rich at the expense of his fellows.

Hon. A. Lovekin: We are trying to tighten it up.

The MINISTER FOR EDUCATION: Never mind about that. We are discussing the Bill before the House, and not the

amendment that the hon. member intends to move if the House gives him the opportunity. It is one of the strongest principles of the Labour Party that a man should not get rich at the expense of the rest of the community. What do we find in these lotteries except that one man gets the prize and the others get nothing? Mr. Pantou has also referred to the inconsistency in regard to the collection of taxation on gambling. With a great deal that he says I agree, but he is wrong in suggesting that in this State we allow the rich man to do certain things in his club and punish the Chinaman for doing the same thing. That is not the position.

Hon. A. H. Pantou: There is no doubt about that.

The MINISTER FOR EDUCATION: Section 210 of the Criminal Code reads—

A person who (1) keeps for gain any place to which persons resort for the purpose of playing at any game of chance; or (2) Keeps any place which is kept or used for playing therein any game of chance, or any game of mixed chance and skill and in which (a) A bank is kept by one or more of the players exclusively of the others; or (b) Any game is played the chances of which are not alike favourable to all the players, including the banker or other persons by whom the game is managed, or against whom the other players stake, play or bet; is said to keep a common gaming house.

Hon. A. H. Pantou: Poker is not a game of chance.

The MINISTER FOR EDUCATION: No! Poker is not a game of chance. The hon. member can laugh. In making that statement I am not going upon the decision of a police magistrate. I do not speak contemptuously of police magistrates, for I have every respect for them. I am going on the decision of the Full Court of Victoria. A case occurred about three years ago when the keeper of a licensed house was convicted for permitting a game of chance to be played on his licensed premises, that game being poker. An appeal was heard before the Full Court of Victoria and the Full Court upset the decision, and found that poker was not a game of chance. One of the judges very sapiently remarked that anyone who thought it was a game of chance and who knew nothing about the game should play with one who did know about it. So long as a Chinaman plays games which do not come within the scope of Section 210, that is to say games in which every person has a fair and equal chance, he is never interfered with. The Chinaman is only interfered with when he is playing unfair games, when he is playing games in which every person has not an equal chance; games in which the man running the joint is simply robbing the Chinamen of their hard earned wages. That is the only instance in which Chinamen are prosecuted.

There are many games which they can play and do play, and in which they suffer no interference. If in any other club in the city games such as are referred to in that section were indulged in, the police would certainly prosecute.

Hon. J. W. Kirwan: Is show-down poker a game of chance?

THE MINISTER FOR EDUCATION: I am opposed to the Bill on principle. That would be sufficient ground for anyone to oppose it, the ground that it is wrong in principle. Let members argue about it as much as they like; if it is wrong in principle we ought to vote against it. It panders to the very worst fault in human nature. Now, as ever, love of money is the root of all evil. We pander to the idea of the man who thinks he can get rich quickly with little exertion to himself, and we are developing the worst traits in that man's character. At present, as Mr. Stewart has pointed out, there is a proposal before the people of New South Wales—I do not think it has yet taken the shape of a Bill before their Parliament—to run lotteries on a large scale. The Government are evidently a bit afraid of introducing it. There has been a storm of public protest in New South Wales and public opinion is against it, so they are hesitating about introducing the Bill. Are we going to give them the lead? Our proposal is worse than theirs. Their proposal is to have lotteries for this one specific purpose, namely, an Endowment of Motherhood. We are proposing to have lotteries for anything that we like.

Hon. A. H. Panton: It is to be at the discretion of the Minister.

THE MINISTER FOR EDUCATION: We are going a great deal further than the New South Wales Government hesitate to do. They hesitate to put up a lottery for the endowment of motherhood. That would be a State controlled lottery. We are going to sanction lotteries run by all and sundry for any worthy object. Who is to judge as to the worthy object? The Bill says the Minister shall judge. Sir Edward Wittenoom has very properly pointed out the invidious position in which the Minister would find himself. Why should the Minister be made the judge of matters of that kind?

Hon. A. Lovekin: Cannot we alter that?

THE MINISTER FOR EDUCATION: If the thing is right, let the people be the judges. Let anyone conduct lotteries and let the people decide whether they will go in for those lotteries or not. Why make the Minister the judge? Surely that is the best test to apply to a thing of this sort. I do not think there would be many people who would say that it is right to launch a lottery under these circumstances, and to let the people say whether they would invest their money or not. If hon. members apply that test, they will agree it is bad. It is not right that a Minister should be the judge as to whether an object was a worthy one or not.

Hon. A. Lovekin: Cannot we alter that?

Hon. Sir Edward Wittenoom: Surely a Minister, who is in an independent position, can judge such a question?

THE MINISTER FOR EDUCATION: Why should he be the judge? A Minister is not a mentor of public morals. The matter is either right or wrong. Why ask any Minister to say what is right or what is wrong? For a considerable period, I had the honour to hold the office of Colonial Secretary for this State, and I received countless applications from people requesting permission to run all sorts of lotteries. My reply was invariably that the Act gave the Minister no power to grant any such permission. If I then had the discretion that this Bill proposes to give to a Minister, and had to decide whether the object was worthy or not, I would have been in a most invidious position.

Hon. T. Moore: So you closed your eyes and let this thing go on?

THE MINISTER FOR EDUCATION: What is it that goes on at the present time? There are no lotteries, as far as I know, that are going on. If hon. members go to bazaars or other functions, according to Sir Edward Wittenoom, people besiege them with tickets of one sort or another. What happens when one goes to bazaars. One generally goes with a certain amount of money and pays it out as quickly as possible. In nine cases out of 10 one tears up the tickets purchased or puts them in one's pockets. There is very little of the lottery in that sort of thing, and, in any case, only those people who deliberately go to bazaars are affected. It is proposed by this Bill that the public shall be circularised and be invited to come into the thing at every turn. I admit there are sweeps run at the present time, but there is a very large percentage of this community that has a profound regard for the law and if they know the thing is legal, they will regard it as right. If it is illegal, they will regard it as wrong. So long as it remains illegal, there are thousands of homes in Western Australia where this thing will be denounced as wrong. Legalise it and the idea spreads that it is right and it saps the strength of the community. We are told that it is necessary to raise certain large sums of money for charitable purposes. Two or three members have stressed this point, particularly regarding the Kalgoorlie support for the Fresh Air League. It has been said that Kalgoorlie cannot afford these contributions. Mr. Panton was more general in his reference and said that the public cannot afford these contributions. Let us argue this matter out logically. I do not know the exact amount the Fresh Air League require.

Hon. E. H. Harris: It is £600 per year.

THE MINISTER FOR EDUCATION: We are told that the community there cannot afford to raise £600.

Hon. E. H. Harris: They raised it eight weeks ago.

THE MINISTER FOR EDUCATION: It is proposed that they shall have a lottery

and, in order to make the lottery attractive, I take it that about half the money will have to be devoted to prizes, so that they will really have to raise £1,200 and not £600. It is said that they cannot afford to raise £600, but, make it a gamble and attractive to the people and the amount to be raised can be doubled! We are asked to allow people to invest in the gamble, money that they cannot afford to risk and to an extent of double the amount we are told they cannot now afford. They cannot afford £600 but we are asked to induce them to put in £1,200. What will be the effect of such a proposal? How will it affect the traders and the legitimate business of people who have to depend upon their accounts being paid in order to get their living? Mr. Panton spoke of £9,000 which was necessary for the Children's Hospital.

Hon. A. H. Panton: I say the taxpayers should pay it.

The MINISTER FOR EDUCATION: We could get £9,000 by direct methods but by means of a lottery we would have to raise £18,000 in order to provide prizes. Does it not come back to the same thing that if people cannot afford to pay, we merely offer an inducement to put up a considerably greater amount of money that they cannot afford, and money which must come out of their homes or out of the bills which will remain unpaid? Surely one of the worst features is that it tempts people to speculate money they cannot afford to risk. Another reason why I am opposed to the Bill is that I think it is quite unintentionally a reflection on the people of Western Australia. No people in the world stood up to their responsibilities right through the war better than the people of Western Australia.

Hon. J. Cornell: Not all of them.

The MINISTER FOR EDUCATION: They are prepared to do it to-day. Reference was made to the splendid work of the Ugly Men's Association and particular reference was made to that grand work which has just been completed, namely, the building of the out-patients' ward at the Children's Hospital. I was present on the day the foundation stone of that building was laid, and on that occasion the people were told that enough money had been raised for the building but not sufficient for the furniture, and £600 was wanted. They did not start a lottery but merely asked for £600 and they got £700 in half an hour.

Hon. T. Moore: They raised the money for the building by way of lotteries and so on.

The MINISTER FOR EDUCATION: Very little of that money was raised by way of lotteries. They may have had raffles and efforts of that description, but there were a good many who participated in those raffles who did not care a rap whether they drew blanks or not.

Hon. Sir Edward Wittenoom: That section constitute the same people who subscribe to everything.

Hon. A. Lovekin: That is so.

The MINISTER FOR EDUCATION: A few days after that foundation stone was laid, I was invited to open a war memorial hospital at Kellerberrin. There the people subscribed more than half the money required to build the hospital. When it was opened, the committee furnished their balance sheet and said that they required £300 more. They did not conduct a lottery; they simply informed the people that they wanted the money and the money was furnished within an hour. That money was raised without lotteries or anything of the sort. The spirit of the people in Western Australia is right. It rings true as it did right through the war. What hon. members now propose to do, is to strangle that spirit. If this proposal be agreed to, what will happen? We shall, as is usual among people, take the line of least resistance and if people want to raise money for a hospital, it is the easiest way that will be adopted. They will not go round asking people for subscriptions but will simply organise a lottery. Therefore, I say, hon. members will kill this fine spirit that exists in the people of Western Australia, which spirit is as strong to-day as ever it was.

Hon. Sir Edward Wittenoom: Nothing of the sort. It would not work that way at all.

The MINISTER FOR EDUCATION: I think it would.

Hon. Sir Edward Wittenoom: That is your opinion; it is not my opinion.

The MINISTER FOR EDUCATION: Mr. Nicholson made reference to experiences when he was a member of the war council. I also was a member of that council and I opposed, as I do now, anything of the nature of a lottery. The majority of the members of the council at one time agreed to grant permission for the running of lotteries and I do not think there was a single instance in which the lotteries were conducted entirely satisfactorily. They were supervised by men of high standing in the community. I went to the trouble of getting back one of the files of which I had a particular recollection because I remembered that in that case the war council ordered an audit of the books connected with that particular lottery. The lottery was one which the war council had sanctioned and it was conducted under the authority of some of the leading men in the community. This is what the audit disclosed: There were 50,000 tickets at 1s. each issued, representing a total sum of £2,500. The cash received was £850. The tickets returned unsold represented £354 10s.; the tickets entirely unaccounted for represented £1,295 10s.

Hon. A. Lovekin: That is what I want to stop.

Hon. Sir Edward Wittenoom: Exactly. We want to regulate that.

The MINISTER FOR EDUCATION: I do not see how hon. members can stop it under the Bill if they sanction the holding of a lottery.

Hon. Sir Edward Wittenoom: You could not have given a better illustration.

Hon. J. W. Kirwan: Hear, hear! That is a fact.

The MINISTER FOR EDUCATION: This happened during war time when the war council, wrongly I think, thought methods of this kind were justified in the raising of money, but their experience was that these lotteries were entirely unsatisfactory. I do not think any other result will be achieved under the Bill.

Hon. Sir Edward Wittenoom: You are wrong every time.

The MINISTER FOR EDUCATION: If a lottery is sanctioned and the people are given tickets, they will go about selling them and a lot of the tickets will be unaccounted for. That was the experience of the war council when lotteries were not conducted by every Tom, Dick or Harry, but by men of repute. The war council were careful in seeing that only people of repute were granted permission to supervise the conducting of lotteries. From the experience of lotteries conducted by such people, the war council decided they would not permit any to be conducted in the future.

Hon. A. Lovekin: Give us a chance to stop that sort of thing.

The MINISTER FOR EDUCATION: It is stopped.

Hon. E. H. Harris: It is not stopped.

The MINISTER FOR EDUCATION: Murder is not stopped; housebreaking is not stopped; thieving is not stopped. It will not stop these things if we legalise them. They are illegal but they go on. Lotteries or sweeps are illegal now and the people who carry them on do so with a certain amount of risk.

Hon. J. W. Kirwan: Is not the carrying on of these things having the effect of bringing the law into contempt?

The MINISTER FOR EDUCATION: No. I believe they are being carried on to a greater extent than they should be and the general laxity throughout the war period may be responsible for that sort of thing growing up. I would be glad to see them done away with altogether. If Mr. Lovekin were not so eager to get the third portion of his amendment through the House, and if his object were merely to stop this thing, I would be with him.

Hon. J. Duffell: That is right.

The MINISTER FOR EDUCATION: I do not know that there is anything further to say. We hear a good deal about the gambling spirit of Australia. There is ample scope for the exercise of that gambling spirit without passing the Bill. We are told that life is a gamble. That may be so but I believe that "man can half control his doom" and if we follow the light and do right, we shall reject the measure on the simple principle that the thing is wrong.

Hon. J. CORNELL (South) [8.12]: I have listened attentively and with interest to the speech delivered by the Leader of the House although it was delivered in his capacity as

a private member. I have never heard him to worse advantage. In fact, he reminded me very much of the preacher who saw his congregation fast disappearing. He reminded me very much, too, of a former occasion on which he was equally ineffective. His speech carried my memory back to the time when I heard the Leader of the House put up such another specious address. That was on the occasion when he introduced a Bill to impose a tax on betting, after, as a private member, he had opposed a motion to appoint a select committee to inquire into the curtailment of horse racing. When he opposed the appointment of a select committee, he declared that if the law was administered as it stood, there was no need for any such investigation. As soon as he assumed his Ministerial Chair he brought in a Bill to tax betting. The Act as it stands to-day really means that lotteries are illegal in any shape or form, and the Minister cannot give his consent to any person to conduct a lottery. I well remember when Mr. Drew was Colonial Secretary we were running an Eight Hours' demonstration on the goldfields and in connection with it an art union. Mr. Drew was asked for permission to run the art union and he replied, "Do not ask me. If you do I shall have to say no. The law as it stands prohibits it." The Bill proposes to alter the law and allow lotteries to be conducted with the sanction of the Minister under certain conditions. Were the law as it stands administered I would oppose the measure. It is mere claptrap and sophistry to say that the law is or ever has been administered as it was intended to be. The soldiers whose chief recreation, even in the face of the gravest danger, was "two-up," through their league thought that the running of a lottery would be a fair means of augmenting their funds, especially as other people were doing the same thing. They ran one sweep and made a profit of some £800. The Premier condemned this means of raising money and said it would have to cease. Another sweep was arranged. When I returned from a conference in the Eastern States, the secretary of the league met me at the station and said that the Criminal Investigation Department were going to put him inside if the sweep was not stopped. I was asked to see the Commissioner of Police regarding it. I did so. The Commissioner said he had instructions from the Government to stop all sweeps. The arch-fiend on that occasion, as on many occasions, was J. O'Neill. He has not a very good reputation and had no authentic body behind him. I said to the Commissioner, "You cannot stop the returned soldiers' sweep any more than you can stop the sweep being run by the Australian Labour Party." I suggested allowing these two bodies to continue their sweeps and then to close down on all of them. The Returned Soldiers' League have been given credit by the Leader of the House for preserving law and order. They obeyed the law and closed their sweep down, but the Com-

missioner did not honour the bond. I could take him to a dozen shops in Perth where sweep tickets are being sold. There are people hawking 50,000 sweep tickets around the town to-day. The returned soldiers obeyed the compact, and it was only reasonable to expect that the bond would be honoured by the police and that all other sweeps would be stopped. I believe the Returned Soldiers' League is the only institution which obeyed the law and refrained from going further. The Fresh Air League was running a sweep and was practically stopped, but sweeps are being run just the same as when the ultimatum was issued to the returned soldiers, and it is mere sophistry to say that the law is being administered. It is not being administered; it never has been and is never likely to be administered according to the strict letter. With such experience I maintain that the law should be administered, repealed, or amended. This is an amendment to permit what has been done under the lap to be done honestly and openly and under stricter supervision. May I cite by way of illustration another matter affecting the goldfields and Sunday sport.

The PRESIDENT: I think the hon. member is getting rather outside the scope of the Bill.

Hon. J. CORNELL: I merely wished to show by way of illustration how the goldfields are penalised to the extent of having to give £100 to the Children's Hospital in order that football may be played on Sunday, a charge which is imposed on no other section of the community. The Leader of the House has said that a measure of this kind is likely to corrupt public morals and ruin our children. He said one of the reasons why Mr. Lovekin desired that children under eight should not attend school was that they might sell lottery tickets in the streets. It was not fair of the Minister to make that remark. After all morality is a matter of degree. To my knowledge during the last 12 years lotteries have been legalised in Tasmania under the State law. In the little bit of soldiering I did, I associated with many Tasmanians and their standard of morality was as good as anyone's.

Hon. A. H. Pantom: They could not spin a double-header.

Hon. J. CORNELL: If we look up the statistics of Tasmania where sweeps are legalised, we find that the calendar of crime compares favourably with ours. I had the honour of being one of 40 who were run in in Boulder for playing an illegal game, and therefore I feel qualified to speak on this question. I survived that experience and lived to be a representative in Parliament. It did not corrupt my morals. It is a big stretch of imagination to say that this will ruin the children. Reference has been made to parental control. As a father I say that when my children reach the age when I cannot control them, well—I do not envy other people the job; a lot of busybodies of women who never bore a child go about tell-

ing mothers how their children should be brought up. We have had reference to the sheaf of correspondence which has reached members from all sources. I venture to say that certain organisations and individuals have written to me on this question who have never written me before, and are not likely to do so again. Therefore, I can dismiss them. Reference has been made to the positions they occupy. There is one big section of the community who have made no protest. Mr. Pantom spoke of a clergyman who I place second to none in this country for breadth of vision and toleration. I refer to Archdeacon Collick. No man is more fitted or better qualified to judge the true Western Australian sentiment and the standard of morality than he. There is not a more broad-minded man in the State.

Hon. J. W. Kirwan: Or a truer Christian.

Hon. J. CORNELL: Quite so. To give an idea of his Christianity, he was once made the recipient of a large presentation by his friends and admirers in Coolgardie in order that he might enjoy a holiday. When he arrived at the Coolgardie station to leave on his holiday, he had not sufficient to pay his fare, and he did not take the holiday. I put Archdeacon Collick before all those busybodies who have been writing to me. Mr. Ardagh, in moving the second reading, explained the objects sought to be attained by the Bill. There have been two organisations in Boulder, the Benevolent Society and the Fresh Air League. Anyone who knows the objects of the League is aware that, but for its activities, hundreds of children who have had the pleasure of a trip to Bunbury and seen the sea for the first time, would never have been able to take such a trip. I give credit to the goldfields people that it has been a cardinal principle with them for the last quarter of a century, at any rate, to always give some return when they set out to raise money. There are members who envy the Goldfields parliamentarians inasmuch as they are never canvassed by cadgers for donations for cricket clubs, etc. But the goldfields are not what they were. Work is not as plentiful as it was, and the desire of the people running the Fresh Air League is that the children shall not suffer as a result of the depression. Mr. Harris stated that they have already the amount of money required this year. They got the money in an illegal way by conducting a lottery. If they can get double the amount it will be very much better for the children. There is the benevolent institution, the work of which will compare more than favourably with that of any other similar institution in the State. Hon. members who have been there will know that scarcely a week goes by without one or two direct appeals in the direction of assisting some unfortunate. The originator of the Bill was prompted by the best of motives. The Minister declared that to pass this legislation would be a reflection on the people of the State. Similar legislation, though in a larger degree, exists in Tasmania. Tasmania came

out of the war as well as this country. Therefore, I fail to see how, if the Bill passes, it can have any effect in the direction suggested by the Minister. The Minister also referred to the lotteries run by the War Council. I had the honour of attending some meetings of the War Council and everyone knows that if the War Council had been a business body, the Repatriation Department would never have experienced the difficulties which it had to contend with. The War Council was an honorary body. With regard to the castigation of parliamentarians by the mayor of Perth—

Hon. A. H. Panton: Surely that did not annoy you.

Hon. J. CORNELL: Mosquitoes never do. If this House took the mayor of Perth seriously I am under the impression that he would be indicted under the Parliamentary Privileges Act, and would be brought before the Bar of the House. Probably that was what the mayor was after. I can only liken him and his tirade of abuse and his outbreak on purity, to that humorous character "I habod Bronson" in the "Belle of New York." Bronson was the leader of the anti-cigarette and social purity brigade and used these words—

Of course, you can never be like us, but be as like as you are able to be.

In his own estimation no member of Parliament is able to do as much good as he thinks he is able to do. The mayor of Perth has seen fit to castigate members of Parliament. He in a sense owes something to members of Parliament, because I consider that the title of which he is the proud possessor would never have gone his way but for responsible Ministers of the Crown, and it ill becomes the mayor—if he is not a belted knight he ought to be—to attack parliamentarians in regard to this measure in the manner he has done. Evidently through responsible Ministers recognition was made of his services, but in my opinion posterity will recognise him by building to his memory a monument, and if ever they do it will take the form of a public mural.

The PRESIDENT: Order! The hon. member must not make a remark of that kind. I demand its withdrawal.

Hon. J. CORNELL: Under what Standing Order?

The PRESIDENT: It was unbecoming language.

Hon. J. CORNELL: In what degree?

The PRESIDENT: The hon. member has heard what I said. Is he going to withdraw?

Hon. J. CORNELL: No, I will not withdraw.

The PRESIDENT: Then I must report him to the House. I will ask the Leader of the House to recognise the matter.

The MINISTER FOR EDUCATION: I appeal to the hon. member to withdraw the remarks he made. We all know the hon. member. We all respect him and he must

recognise that he himself would not like a remark of that sort to be made in this House. I appeal to him to withdraw it.

Hon. J. CORNELL: In deference to the wish of the House and to you, Mr. President, I withdraw the remark. I do not know that I can say much more on the Bill. I wish to add in conclusion that I will not vote if the Bill goes to a division. My colleague, Mr. Dodd, who cannot be here to-night, has seen fit to disagree with my views on this question, and he has asked me to afford him the privilege of a pair. I have consented to do so. I support the second reading and for the reason I have given will refrain from voting.

Hon. A. J. H. SAW (Metropolitan-Suburban) [8.37]: I will not attempt to discuss this proposal from the high standpoint of morality which my colleague on my right has been able to pursue. Nor do I propose to discuss it from the standard adopted by Mr. Panton. But I am afraid that no matter from what point of view one approaches this subject, one is bound to land in a mass of inconsistencies. I would not like to record a silent vote on this measure because I think it is due to my electors to explain the position which I take up. I want also, while revealing the motives which will influence me in recording a vote to, if possible, absolve myself from any charge of hypocrisy, for I approach this question from the middle standpoint. I am wandering in the middle mists. I cannot see that the making of a wager is any heinous offence, but at the same time one has to realise that gambling undoubtedly does lead to many evils. My attitude on the subject of gambling is somewhat similar to the attitude I take up on the liquor question. Gambling does undoubtedly bring many men to ruin. I myself have had many friends—I will not say intimate friends—but certainly well known acquaintances who have unfortunately been brought to ruin and suicide through this method. Consequently it behoves the House, when it is asked to legalise any form of gambling, to give the matter most serious consideration. Personally, I do not regard the taking of a ticket in a sweep as any crime against morality, although I know many people are not of that opinion. I must confess to the House that I am regarded as an extremely lucky man when a sweep is drawn. Consequently it would ill become me to oppose the Bill from what I should call the higher motives. I asked myself this question. Is the Bill likely to increase or diminish gambling? I am forced to the conclusion that it will increase rather than diminish gambling. Reference has been made to various evils which are connected with the present system in which gambling is not legalised but in which, in some of those forms at any rate, it is tacitly tolerated, and I do not see how if

the Bill passes, those evils are going to be minimised in the least degree. We could not have had a better example than that quoted by the Leader of the House with reference to the lotteries which took place under the auspices of the War Council. I was on the War Council for a time and I know it was the desire of that body that these lotteries should only be allowed when people conducting them were above reproach, and when the objects which those lotteries sought to attain were of the highest nature. In spite of that fact we have the confession of members who belonged to the War Council that the lotteries resulted in grave abuse. I appeal to the charities in this way, that so far as I can see there is no more expensive method of making money than by conducting lotteries. The expenses connected with lotteries are great, and there are all kinds of leakages, so that the resultant good to the charities is considerably minimised. I am afraid also that lotteries if permitted would dry up some of the springs of charity. There are many people in this town who liberally support the charities, and in spite of what has been said by hon. members, I deny entirely that the major number of those people are amongst the class who have been alluded to as the sporting section of the community. I do not deny that some notable members of the sporting class have done extremely valuable work and have set a very high standard indeed, but there is a great mass belonging to the sporting community who, to my knowledge, do practically nothing, and if the hon. member will look through the charity lists in Perth, he will see that they are for the greater part supported by the section of the community who would undoubtedly deny the title of "sports." I am talking of the regular subscribers, who year in and year out give donations direct. I am connected with a good many of these things and have seen their lists. I am glad that you, Mr. President, at the outset directed the attention of members to the fact that it would not be in order to make any reference to the amendment. In stating my intention of opposing the Bill, the only reference I need make to the amendment is that "sufficient for the day is the evil thereof."

Hon. F. A. BAGLIN (West) [8.47]: Most members who have spoken against the measure have referred to the sheaf of letters received since this Bill left another place. Early in the evening Mr. Sanderson read out to us the names of a number of organisations from which protests had reached him. I, with other members, received similar letters, and carefully considered them. But I did notice this striking fact, that no letters of protest came from the organisations which are and have been actively engaged in raising money for charitable purposes in this State. One must ponder as to why this is thus. So far as can be ascertained, those

organisations are anxious that the Bill should receive Parliamentary sanction. They have had practical experience in the raising of funds, and they recognise that without means of this kind it is almost impossible to maintain charitable institutions. A questionable note was struck during the debate, it being asserted that by legalising lotteries we would affect the moral stamina of the people. Let me say right here that I do not agree with that view. If the view were well founded, one would have to maintain that because Tasmania has legalised lotteries and Western Australia has not, so far, the Tasmanian people are less moral than the people of this State. I do not think any Western Australian would in his sane senses make such an allegation against the Tasmanian people. In order to arrive at a mature decision, we should endeavour to ascertain what has been the experience of countries which have accepted legislation of this nature. For the time being, we cannot know exactly what effect the passing of the Bill would have upon the moral tone of our community. When all is said and done, our arguments are built up on mere suppositions. The only guide we can get is how this legislation has affected other people. Apart from Tasmania, there are other countries where lotteries are legalised; and from those countries we have not heard of any baneful effects upon the community. From the aspect of parental control, it has been said, by the Leader of the House among others, that the passing of the Bill would have a very serious effect on the children of the community. Therefore the Leader of the House, as Minister for Education, declares he must oppose the Bill. But do we really recognise where it is children get their first lessons in gambling? I suppose hon. members would laugh if I suggested that children should be stopped from playing marbles, on the ground that in playing marbles a boy gets his first lesson in gambling.

Members: Marbles are a game of skill.

Hon. F. A. BAGLIN: Boys play marbles so as to "skin" the other fellow and get all his marbles. Again, we hear no objection to shopkeepers selling surprise packets, which children are induced to buy for a penny or twopence in the hope of getting something worth considerably more. I believe that under the Criminal Code it is not illegal to sell lottery tickets, but that the thing becomes illegal immediately anybody holds a drawing. However, I claim that this Bill will considerably improve the position. It is just as well to see things as they are, and not as they ought to be. We know that sweep tickets are being sold in this country. There is no protest against Tattersall's sweeps, or sale of Tattersall's sweep tickets in Western Australia. Then there is the "Golden Casket," which takes a good deal of money out of this State. To be consistent, we should stop all sweeps. If we are not prepared to stop them all, we should provide some legislative control. I fail to see that any harm can result from giving the necessary power

to the Minister. The Leader of the House said to-night that he did not think any Minister should be placed in the invidious position which this Bill would create. On the other hand, in connection with the Wheat Marketing Bill the hon. gentleman pleaded for responsibility for the Minister, and strenuously resisted the replacing of the word "may" by "shall." Sweeps and lotteries are being conducted here to-day, but if this Bill passes a person desirous of holding a lottery would first have to obtain the necessary permission from the Minister, and the Minister would have the right to refuse such permission. I support the Bill.

Hon. E. H. HARRIS (North-East) [8.55]: I say candidly that I am not in favour of this proposal to amend the Criminal Code. Not that I object to a few more sweeps, or believe that they would break down the morale of the community; but I think the Bill is quite unnecessary and unwarranted. The organisations appealing for assistance have, for the most part, been able to attain their object in the past, and have been granted permission to conduct sweeps for charitable purposes. Now that it is sought to extend the system of permissive sweeps to any worthy object, I must enter my protest. The Bill originally emanated from a gentleman who represents in another place the district which I have the honour to represent here. It originated from police objection to a sweep being conducted in aid of the Fresh Air League. That sweep was conducted, notwithstanding the opposition of the police, as similar sweeps have been conducted in years past. A move was made, certainly in the cause of sweet charity; and I venture to say that every member would support such a move. But when the word "charitable" is replaced by the word "worthy," I must object, because the latter word is too comprehensive.

Hon. A. H. Panton: You prefer the word "charitable"?

Hon. E. H. HARRIS: I prefer such a word as "philanthropic" or "benevolent." I take up an attitude of opposition to the Bill for very good reasons, because of what I have seen in the past in connection with the conduct of many sweeps. Some of those sweeps were criticised in the Press because the whole of the butts had not been handed in—the inference being that some of the money raised for a certain purpose had not reached its destination.

Hon. A. H. Panton: That is the inference?

Hon. E. H. HARRIS: The inference, yes; and the proof I have here, in the form of a book of butts of tickets in an art union conducted during 1920. The names are written there of persons who bought tickets. Some six weeks after the drawing had taken place, I had this book mailed to me, under registered cover, from Meekatharra. The public Press attacked the proposition, pointing out that the money had not been applied to the purpose for which it had been obtained.

Hon. A. H. Panton: What happened?

Hon. E. H. HARRIS: Approximately £700 was raised by the conduct of this illegal sweep.

Hon. A. H. Panton: It was not illegal.

Hon. E. H. HARRIS: There was £350 odd devoted to the A.W.U., ostensibly for political purposes.

Hon. A. H. Panton: That is right. Now we are getting it.

Hon. E. H. HARRIS: The other half was devoted to the Trades Hall.

Hon. A. H. Panton: That is worthy of you. Why do you not say those things outside?

Hon. E. H. HARRIS: I have here a balance sheet indicating that half of the sweep money had been devoted to each of those two purposes.

Hon. A. H. Panton: Would you care to make those charges outside?

Hon. E. H. HARRIS: I had not intended to make any reference in this direction whatsoever. But the hon. member interjected, and I have given him his change. As he saw fit to take the matter so far, I went further.

Hon. A. H. Panton: You can go as far as you like.

Hon. E. H. HARRIS: I will go further still, and read a copy of a circular handed to me in Kalgoorlie last week—

Australian Labour Party. Eastern Goldfields District Council. Office, Trades Hall, Porter-street, Kalgoorlie, W.A., September, 1921. Dear comrade, Our big consultation on the Melbourne Cup, tickets in which were forwarded you some time ago, is now being actively pushed throughout the Commonwealth and New Zealand. Three hundred and forty prizes, provided for in this attractively planned consultation ranging from £1,500 to £5, and proportionately, this sweep, which is designed for 50,000 subscribers at 2s. 6d., offers a bigger prize programme than Tattersall's 5s. ticket consultations, which cost subscribers 6s. Details of the prizes are set out on the tickets, and offer solid inducement both to subscribers and sellers of tickets to energetically push the sale of tickets in this enterprise, which offers such splendid opportunity of substantial benefit to purchasers. Counting upon your active interest and cordial assistance to make this consultation the outstanding success its purpose warrants, and relying upon you to promptly notify me whether you could dispose of further tickets. Tear covers off books of sold tickets, enclose remittance and be sure you attach sufficient postage to return. Sincerely yours, Frank G. Worthy.

This is a sweep being conducted at the present moment through the post offices of the Commonwealth, and my friend opposite could probably give us some valuable information as to the methods adopted to get the tickets sent to other parts of Australia and New Zealand. The money derived from sweeps of this nature would ostensibly be used for political purposes. This may be said to be

a very worthy object, to send members representing a certain section of the community here to this, or to some other Australian Parliament. I ask hon. members, would they support the insertion of the word "worthy" in the Criminal Code if they thought they were thus going to put a weapon into the hands of any political party which might use those funds for political purposes? I did not intend to dwell upon that point but for the interjection of my honourable friend.

Hon. A. H. Panton: Then you brought all that stuff here expecting the interjection?

Hon. E. H. HARRIS: I have had it here for some days. On the goldfields and in the district I represent, many meetings have been held and protests lodged from various organisations. I do not intend to read the whole of them. I have from my own district 13 resolutions in opposition to the Bill and one endorsing the proposal, the latter conveying approval of lotteries for charitable and benevolent purposes. The organisations which have entered their protests are those which have the welfare of the community at heart, as has also the one organisation which has sent approval. As they had expressed their approval and disapproval by resolutions forwarded to me, I thought it my duty to apprise members of the facts as set out. The section which it is now sought to amend provides for the giving of the Colonial Secretary's consent. The mere fact of an organisation, or an individual, having consent from the Colonial Secretary, leaves in the mind of the public a belief that there is some control over the organisation conducting the sweep or art union. If any real control were provided, or if it were prescribed that an audited balance sheet and statement of receipts and expenditure should be produced, such as is submitted to the entertainment tax department after authority has been given, it would serve to prevent the organisations and those running them from using a large proportion of the money for unwarranted purposes. If the proposed amendment to the Criminal Code is passed in its present form, we shall probably have professional promoters springing up who, with a knowledge of running sweeps, will become sub-agents for various printing and publishing companies and will utilise the authority obtained from the Minister to conduct sweeps and practically to make a living out of it for themselves. That is a phase of it which I strongly protest against. In view, however, of the fact that my colleague who moved the second reading in this House clearly indicated that he would accept the proposed amendment outlined by Mr. Lovekin, I will vote for the second reading, with a view to having the Bill amended in Committee.

Hon. T. MOORE (Central) [9.8]: I cannot cast a silent vote, notwithstanding that so much ground has been already traversed. Many of our charitable institutions are being carried on by these very means to-day. The

charity vote previously provided by the Government has been largely cut out, and so the various institutions have to find money in other ways. Seeing that the Government have not found any alternative means of providing money for those institutions, I do not see why the Government should oppose a measure such as this. Gambling takes a very wide range. Many approve and many disapprove of it. Big minds and small minds have been at work discussing this measure, the smallest of all being that of the hon. member who has just sat down.

The PRESIDENT: The hon. member must not cast reflections on another hon. member.

Hon. T. MOORE: I am sorry, but the hon. member raised what is to my mind a very small matter indeed. He brought here a book which he purported to show had been misused by some organisation on the goldfields.

Hon. E. H. Harris: It was quoted in the public Press and never denied.

Hon. T. MOORE: It is remarkable that, instead of those persons sending this book to the local police, they preferred to send it to their pimp in Kalgoolie.

The PRESIDENT: To whom is the hon. member alluding?

Hon. T. MOORE: To the hon. member who has just sat down.

The PRESIDENT: Then he must withdraw that at once!

Hon. T. MOORE: I am sorry—

The PRESIDENT: The hon. member must withdraw at once!

Hon. T. MOORE: I do withdraw, but when we find men bringing small matters such as that, what are we to think? The Leader of the House introduced a matter of a like nature. He pointed out that the leading men of this State, those who were on the war council, had also run a sweep in the same way.

Hon. J. Nicholson: He did not.

Hon. T. MOORE: He said they gave permission to the leading men in the State to run a sweep, with the same results.

Hon. E. H. Harris: He said it was unsatisfactory.

Hon. T. MOORE: Unsatisfactory in the same degree as that introduced in a similar way by the hon. member just now.

Hon. J. Nicholson: The Leader of the House said that the consent of the war council was given to certain men, some of whom were leading men in the State, to conduct a lottery. He did not say "the leading men."

Hon. A. H. Panton: A question of degree.

Hon. T. MOORE: The Minister dealt with things which we know do arise. No matter with what intention we set out to do a certain thing, some individuals are not above suspicion. Small things suggest themselves. I know it happens, no matter how well conducted the enterprise may be. I know that the Leader of the House said, "some of the leading men." I take it that perhaps the mayor of the city, who I feel I cannot allow

to go unchallenged on the score that he has made derogatory remarks concerning members of Parliament—perhaps he was on the war council.

Hon. J. Nicholson: He was not.

Hon. T. MOORE: Well, I was not here. I was just surmising.

Hon. J. Nicholson: On that occasion—

The PRESIDENT: I do not think there is need for this controversy to go any further.

Hon. T. MOORE: The mayor thought fit to rise before an audience in Perth and indulge in language certainly not fit for the mayor of Perth to use. I hope the citizens will take an early opportunity to remove the man who makes such statements regarding men who legislate for the country. Just see how this man indulges in gambling.

The PRESIDENT: I will ask the hon. member to confine himself to a discussion of the Bill. He is at present criticising the criticism of a public man, which has nothing to do with this House.

Hon. T. MOORE: I will have to be directed by you, but I must remark that every other member has had full leniency on this point.

The PRESIDENT: And it has led to some very bad results.

Hon. T. MOORE: I have to deal with the question of gambling as I find it, whether big or small, and to bring my views before the House I want to give this illustration: I do not know whether the mayor of Perth owes his gambling spirit to a small lottery ticket purchased 40 or 50 years ago, but in his gambling ramifications a fire insurance company bet him £60,000 to £150 that his business premises would not be burnt down. And the mayor won. I do not suggest for one moment that he rode the horse that won, but he referred to politicians as riding—

The PRESIDENT: The hon. member must not persist with that.

Hon. T. MOORE: All right. I want hon. members to realise that gambling, whether it be taught early in our lives or not, makes very little difference to the average Australian. Some gamble and some do not. While hon. members have taken up the question as it affects the children of the State, I am surprised at the tone adopted by the Leader of the House, who is supposed by Mr. Sanderson to be able to evade a question better than anyone else. He made the remark that children below eight years of age, if they were deprived of the right to go to school, might go out selling lottery tickets. One can imagine that the Minister had not a very good argument to use against this measure when he could make use of this argument. I would prefer that this form of raising money should not be used at all. It costs a lot of money to buy tickets. Every member of the House has had to do that. Seeing that we have no other method, however, by which we can carry on our charitable institutions, it is possible that we may have to adopt this system. There is one body in particular which requires as-

sistance, and that is the body on the gold-fields which sends children to the coast every year. I only wish that their work could be extended. No one would suggest that because certain other things have crept in at different times these particular organisations should not be assisted. Gambling is rife in our midst to-day, and tickets are being sold everywhere. We can hardly increase the extent to which gambling is indulged in, but we can possibly curtail it. On many occasions on the charity days I have seen all sorts of individuals armed with collection boxes. These are ordinary boxes with a paper cover pasted on them, and with a hole in the top. I do not know whether the money that we put into these boxes ever reaches the object that we are desirous of assisting. That sort of thing should be stopped. If the Minister issues the right for these lotteries to be held and they are conducted by reputable persons, we shall know that the money reaches the object for which it is intended. It would be much better to put down those evils that are rampant in the community to-day. Suppose we allowed the drink traffic to be conducted in the same way! So long as the drink traffic is controlled it is all right, but in the back country there is the worst kind of grog sold under the worst possible conditions. If control is proper in the case of drink surely it is proper in the case of gambling. I suppose we shall never make men or women abstain from that sort of thing by Act of Parliament. I hope members will see that means are provided by which our institutions can be assisted. In Geraldton there is a Soldiers' Institute which will cost about £2,000. Much of the money required has still to be raised. It is a very difficult matter to get money. I have been trying to raise money at various times for like purposes and know how hard it is to procure. This would be a worthy object to assist. Under a properly conducted scheme of lotteries we might get a few pounds now and then, and might be able to obtain the money with which to complete the building. If the Bill is defeated the Minister should at once stop all gambling. If he does that we shall have a chaotic state of affairs in regard to many of our institutions. It will be impossible to carry them on because the Government have not the money to assist them. Already most of this Government assistance has been cut out. Members must see what will happen if our institutions are deprived of any assistance they have had in the past. Is it desired to retard the good work that is being done by the Ugly Men's Association? If it were not for that Association there would be many widows without homes to-day, who would have to pay rent if they had the money with which to do it. Is it the wish of the House that this good work should be curtailed? Is it not right that such organisations should be permitted to do these good works? These are bodies which the Minister knows well carry out

their work as it should be carried out. The Minister has the last say in the matter. He will decide whether a body is fit to be entrusted with this means of raising money. I hope the second reading of the Bill will be passed. I believe we could make it a workable measure.

Hon. R. G. ARDAGH (North-East—in reply) [9.21]: I thank hon. members for the interest they have displayed in this Bill, but I would thank them a great deal more if they would vote for the second reading. The practice of selling tickets for raffles and art unions has been abused in the past and is illegal, though it has been countenanced up to the present by the authorities. This Bill seeks to alter that position. Mr. Sanderson lays stress on the education of our children. The proposed amendment is intended to protect the children. At present they are allowed to sell tickets from house to house and from person to person, and solicit money for various objects. This should not be allowed any longer. Children should not be engaged in selling tickets in lotteries, raffles, and art unions. Members who are opposed to lotteries have carefully avoided the fact that hundreds of thousands of pounds go out of the State every year to other States of the Commonwealth. Even the Leader of the House avoided that question. The Minister for Education has referred to the raising of £600 in half an hour for the Children's Hospital. This money was raised by sporting members of the community, and Mr. P. A. Connolly headed the list with £100. If it had not been for these gentlemen the hospital would have found great difficulty in raising the money. The sporting community of the metropolitan area have taken a prominent part in the Ugly Men's Association, but the willing horse has been ridden to death. Some other means must be provided for the raising of money for these deserving objects. No doubt some of these organisations that are at the back of this institution have in their minds the raising of money by these lotteries. If their work is retarded it will cause great hardship to certain sections of the community.

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

Ayes	10
Noes	13

Majority against .. 3

AYES.

Hon. R. G. Ardagh	Hon. A. Lovekin
Hon. V. Hammersley	Hon. T. Moore
Hon. E. H. Harris	Hon. A. H. Panton
Hon. J. W. Hickey	Hon. Str E. H. Wittenoom
Hon. J. W. Kirwan	Hon. F. A. Baglin

(Teller.)

NOES.

Hon. H. P. Colebatch	Hon. J. Mills
Hon. J. Duffell	Hon. J. Nicholson
Hon. J. Ewlog	Hon. E. Rose
Hon. J. A. Greig	Hon. A. J. H. Saw
Hon. J. J. Holmes	Hon. H. Stewart
Hon. C. McKenzie	Hon. A. Sanderson
Hon. G. W. Miles	(Teller.)

PART.

AYES.	NOES.
Hon. J. Cornell	Hon. J. E. Dodd

Question thus negatived; the Bill defeated.

BILL—LAND TAX AND INCOME TAX.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to make the amendment requested by the Council subject to the modification set out in the schedule.

BILL—STATE CHILDREN ACT AMENDMENT.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to the Council's modification of the amendment made by the Council to amendment No. 2 made by the Assembly.

House adjourned at 9.30 p.m.

Legislative Assembly.

Wednesday, 26th October, 1931.

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