

Legislative Council,

Tuesday, 25th November, 1924.

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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, Fremantle Municipal Tramways.
- 2, Survey Marks.

URGENCY MOTION—PROGRESS OF BUSINESS.

Hon. J. W. KIRWAN (South) [4.37]: I desire to move as a matter of urgency that the House at its rising adjourn until 6 p.m. to-morrow. I have already written to you, Mr. President, concerning the question on which I wish that the debate should take place.

The PRESIDENT: Will members in support please stand up?

Four members having risen in their places,

The PRESIDENT: Mr. Kirwan will be in order in proceeding.

Hon. J. W. KIRWAN: I now move—

That the House at its rising adjourn until 5 p.m. to-morrow.

The question upon which I am moving the adjournment of the House has reference to a speech which was made by the Minister for Works on Thursday last and reported in the daily Press of Perth. I have here a report of the speech of that Minister, taken from the "West Australian"; and I assume that the report is accurate, inasmuch as it has not since been contradicted. To-day a number of members constituting the majority of this House came to me and asked me to move this motion.

Hon. T. Moore: You held a caucus meeting.

Hon. J. W. KIRWAN: Those members asked me to move this motion because they felt that the statements made by Mr. McCallum were in many respects not based on fact. As I understand the hon. members of this House, they have no objection to any criticism that may be levelled at their actions, but have decided objections to criticisms which are not based on fact, and

which, if they be not corrected, are liable to create wrong impressions in the minds of the public. I would appeal to the Leader of the House, who is a colleague of Mr. McCallum, to say as regards what I am about to state, whether it is right or whether it is wrong. The Minister for Works is a gentleman who has many estimable qualities, but he certainly lacks the Parliamentary experience of most of his colleagues. This is his first term as a Minister, and the present is only the second Parliament of which he has been a member; and I think that before we are severe in our criticism of the mistakes which the hon. gentleman has made, we should call to mind that we are all liable to err. Mr. McCallum has made very grave errors indeed, as I shall show before I finish. If Mr. McCallum possessed that experience of Ministerial office which most of his colleagues have, I feel sure that before he proceeded to criticise the Legislative Council he would, in courtesy to the Leader of this House, his own colleague, have gone to Mr. Drew and discussed the matter with him. I have no direct knowledge whether Mr. McCallum consulted with Mr. Drew; but having known Mr. Drew for 20 years I am as convinced as that I am standing on the floor of this Chamber, that if Mr. McCallum had gone to Mr. Drew and discussed with him the conduct of business in this House, Mr. McCallum would never have made the statements he did make, or anything whatsoever like them. I am quite sure Mr. McCallum did not mean his speech to be an attack upon Mr. Drew, but undoubtedly that is what it amounts to. I shall leave Mr. Drew to make his own statement and say whether what I state is right or is wrong; and I am quite convinced that Mr. McCallum will, after hearing what Mr. Drew has to say, find that what I say is quite correct. I recognise that it will be rather a difficulty for Mr. Drew when I ask him to answer certain questions as to the accuracy of his colleague's statements. It will embarrass him with his colleagues. But Mr. Drew is a truthful man, and I wish him to say yes or no to these questions. Although I am very sorry to place the Leader of the House in an embarrassing position, yet at the same time I would rather put him in an embarrassing position than let the majority of members of this House, and the House itself, remain under misrepresentation, as would be the case if Mr. McCallum's remarks were not contradicted. The first of the questions I would ask Mr. Drew is this: Mr. McCallum's speech mainly deals with the matter of procedure in this Chamber, and the progress of business here. I would wish the Leader of the House to say—he can say by yes or no—whether the majority of members of the Legislative Council has even taken, or attempted to take, the business out of his hands? Perhaps the hon. gentleman will say yes or no.

The Colonial Secretary: Go on with your speech, and I will reply.

Hon. J. W. KIRWAN: I would particularly ask the hon. gentleman to note that question. Furthermore I want to know, has the Council ever delayed the progress of business during this session?

Hon. J. Cornell: That is easily answered.

Hon. T. Moore: We spent over an hour on one clause a little while ago.

Hon. J. W. KIRWAN: I would further ask, is not the Colonial Secretary solely responsible for the progress of business in this House? It may be said by Mr. McCallum, or by someone else, that debates have frequently been adjourned in this Chamber—debates on the Industrial Arbitration Act Amendment Bill or on some other measures. But has the Colonial Secretary, not night after night adjourned the House when there was on the Notice Paper other business that he might have gone on with? The particular occasions, if there are any, on which anything to the contrary was done, might be mentioned by the hon. gentleman. Mr. McCallum says—

Night after night members of the Council sat until six o'clock and then went home. The members of the Council were deliberate in their action in sitting only until six o'clock.

I would ask the Leader of the House, on the occasions in question—they were not so very many—was it not done with Mr. Drew's approval and on his initiative? A number of other statements made by Mr. McCallum were just as rash and ill-considered as the statement he made regarding the procedure of the House. For instance, he said the worker was just as foreign to the members of this House as if he lived in Timbuctoo. I wonder how many members of this House there are who have not been wage earners, who have not been through the mill, who do not know the worker just as well as do members of the present Ministry! Again, in one breath Mr. McCallum denounced members of this Chamber as conservative, as men not influenced by public opinions, as Tories who are going contrary to public opinion; and in the next breath what does the hon. gentleman say? He denounces members of this Chamber as being likely to throw out a certain Bill simply because of an agitation that has sprung up throughout the country. Is it not strangely inconsistent that in one breath he should speak of members of this Chamber as conservative men who are ignoring the opinion of the public, and in the very next breath blame them because of the possibility of their throwing out a Bill in response to the clamours of the public? Those are samples of the extraordinary inconsistencies of Mr. McCallum's speech. One very serious statement he made affects not only the Legislative Council but Parliament as a whole. He said—

Anyone who attends Parliament can see the lobbying, the wire pulling, and the intriguing influences that are being used behind the backs of the people.

May I say on behalf of both Houses of Parliament, and of all parties, that that statement is absolutely incorrect. I have been a member of the House for nearly 14 years and have never seen anything that in the remotest possible degree would justify Mr. McCallum's statement. The lobbies of the House are closed to the public when either House is sitting, and certainly I have never seen anything of the lobbying or the wire pulling, or the intriguing that, according to Mr. McCallum, goes on. Mr. McCallum made also this statement—

A large section of the members of the Council are sitting in secret conclave, in caucus, and framing the legislation of the country.

I have never attended any such meeting in my life. But members of the Council have just as much right to hold meetings to discuss the business to come before Parliament as have the members of any party. Do not the Country Party, the Nationalist Party, and the Labour Party, or individual members thereof, come together and discuss matters of common interest? Any half-dozen or dozen members may thus meet. Is it wrong? Does it not rather show their interest in their work? Now I will explain what the purpose of certain meetings held by members of the Council has been. I have never been present at any of those meetings, but as Chairman of Committees I have viewed the Notice Paper with some concern. It has grown to serious dimensions and, as Chairman of Committees, I have felt that difficulties might arise when we got into Committee. Any hon. member who reads the Notice Paper will see that in some instances there are three or four or more amendments that, while not worded exactly alike, have the same general meaning; and I understand that members, seeing this condition of the Notice Paper, have agreed that there would be confusion if those responsible for the similar amendments could not arrive at some general understanding as to what amendments should be moved to meet the common purpose of the group. So, the purpose of those meetings has been to expedite business by framing one amendment out of half-a-dozen closely alike in general meaning. Are we to go through the whole of those similar amendments on the floor of the House? Is it not better that the members most directly interested in such amendments should meet and decide upon one amendment in place of four or five? Is not that a means of expediting business? I am told that, as the result of those meetings to see which amendments would be most acceptable to the members concerned, we shall get through the Bills before us very much more readily than otherwise we should have been able to do.

So, the very purpose Mr. McCallum has in view was being served by those meetings. I know that the result will facilitate my work, facilitate the work of the Colonial Secretary, and facilitate also the work of the Council. Yet Mr. McCallum represents those meetings as something contrary to all ideas of justice and Parliamentary procedure—which is utterly absurd and nonsensical. I do not wish to labour this question, to make a mountain out of a molehill. I am certain that Mr. McCallum, had he been acquainted with all these facts, as we are, would not have spoken as he did. By all means let him criticise anything that is done in this House; but let him criticise it on a basis of fact, and then let the public judge between us. Too often this House has allowed this sort of thing to go unanswered. Members of this Chamber are not men ambitious for political careers or ambitious to shine before the public, and consequently when attacks of this kind are made on them, attacks not based on fact, they are allowed to go without contradiction. However, when a Minister of the Crown makes an extraordinary speech such as Mr. McCallum did, I think we are justified in moving the motion I have proposed.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [4.52]: I must assure the House that I had no connection with Mr. McCallum's speech. Mr. McCallum did not consult me in the matter. The last time I discussed the Legislative Council with him was about three weeks ago, when the Scaffolding Bill was before us, and I wished to ascertain his views regarding certain amendments notice of which had been given. Even since Mr. McCallum made his speech I have not discussed the matter with him. Mr. Kirwan has asked me a number of questions. First he asks, has a majority of members of the Legislative Council attempted to take the business out of my hands? To that I can say, no. They have not attempted anything of the sort. Then Mr. Kirwan asks, has the Council ever delayed the progress of business? I have expressed my opinion on this with members privately; I have said that in my view many of the speeches were too lengthy.

Hon. J. W. Kirwan: Speeches by whom?

The COLONIAL SECRETARY: Speeches from all quarters of the House. Some of the speeches have extended to an hour and a half.

Hon. J. W. Kirwan: One went to three hours.

The COLONIAL SECRETARY: Yes, one of them went to even three hours. That, of course, delays progress. But I can say there has been no attempted obstruction. Those long speeches have been made in an effort to get to the heart of a Bill. I have repeatedly said that outside. I have com-

plained of the long windedness of members, but never have I accused them of obstruction. There has been on the part of members merely a genuine attempt to express their views, and I cannot call to mind any attempt whatever to delay the progress of business. Then Mr. Kirwan asks, am I not responsible for the progress of business in the House? To that I reply, yes, with the qualification I have just made: I cannot control the length of members' speeches. Mr. Kirwan then asks, have I ever adjourned the House when other business could have been gone on with? That has occurred occasionally, but in almost every instance it has been because I wanted to study that new business before presenting it to the House. It is of no use attempting to pass a Bill through this Chamber unless I have some knowledge of it. I have not thought it necessary to get up in the Chamber and tell the public that that was my reason for adjourning when other business might have been gone on with, but as a fact that was the sole reason. On other occasions we have adjourned early because the Notice Paper was exhausted. Still again, members have moved the adjournment of the debate in order that they might have opportunity to get some further knowledge of a Bill. Then Mr. Kirwan asks, was it not with my approval, and on my initiative, that the House from time to time adjourned at 6 o'clock? When I took up the Leadership of the House I was told it was the custom to adjourn at 6 o'clock on Thursdays. It is an old-established custom, initiated to enable country members to get to their homes for the week-end. I fell in with the views of hon. members but, some time ago, duly notified them that a change would take place last Thursday. That change was made. I have gone into this matter carefully and I find that during the last six weeks, except on Thursdays, in some instances we have sat until 11 o'clock. We have sat until after 10 p.m. on every occasion—always excepting Thursdays. On one occasion we rose on the stroke of 10 p.m. and we have adjourned at 10.15, at 10.20, at 10.30, and at 11 o'clock and afterwards. That has been during the last six weeks. Before that period we were adjourning at 9.20 p.m., 9.30 p.m., and 9.40 p.m. Apart from the length of the speeches—for which all parties have been responsible—I have been quite satisfied, and I thought we made very good progress on Thursday night last. I knew nothing about Mr. McCallum's intended speech until I went home on Thursday night, when I saw a paragraph in the "Daily News" announcing that Mr. McCallum would deliver before the Trades Hall an address on the Legislative Council. That was the first I heard about it, and I saw a report of the speech in the "West Australian" next morning. I have had no connection whatever with it. I regret that this trouble should have arisen.

Hon. C. F. Baxter: Mr. McCallum was carried away with his own importance.

Hon. A. LOVEKIN (Metropolitan) [5.0]: This is not an occasion when one should use violent or extravagant language. At the same time members are impelled to draw attention to what has occurred. Personally I have no desire to indulge in invective language against Mr. McCallum because, as I have said in this House before, he is a gentleman of whose ability I have a great opinion. Mr. McCallum has attained a high and honourable position entirely through his own efforts, but that position carries with it responsibility, and if the motion moved by Mr. Kirwan, in what might be said to have been moderate language, has the effect of suggesting to the Minister for Works the nature and extent of his responsibility as a Minister, it will have done some good. The ordinary member of Parliament, or the ordinary man in the street, can make extravagant statements without adhering too closely to the truth, but when it comes to a Minister of the Crown or a person in a position of responsibility, he should be careful not only in the choice of his language, but in respect of every statement he makes and he should see that everything said is strictly accurate. It is about the inaccuracy of the statements made by Mr. McCallum that I wish to say a few words. He named a number of Bills which, he complained, were being held up by this House. The first referred to was the Scaffolding Bill, and the Minister's contention was that it had been mutilated.

Hon. E. H. Gray interjected.

Hon. A. LOVEKIN: If Mr. Gray were a Minister he would not make an extravagant statement such as that about which I am complaining. Let us examine the Scaffolding Bill. Only two amendments of any consequence were made. The first amendment limited the operation of the Bill to the metropolitan area and the West Province. But the Bill as it was introduced to us did the very same thing; the only difference was that the Government wanted to extend the operations, if necessary, by Order-in-Council. That was the procedure the Government proposed to adopt. Members of this House, instead of extending the operations of the Bill by Order-in-Council, which would have initiated a new procedure, said that it would have to be done by means of a Bill in the ordinary way. The next amendment that we made to the Bill, was that we put back what was in the Bill submitted last session. We said that the scaffolding to which the Bill should apply should be scaffolding which was erected above 8ft. from the horizontal base. Mr. McCallum complained of that. Have members read the schedule attached to the Bill? In that very schedule there is not only provision for the 8ft. high scaffolding but there is provision also to enable a man to stand on cement casks.

Those are the only two amendments of any consequence which Mr. McCallum declares will cause him to cast the Bill aside. The remainder are more or less verbal, the object being to improve the Bill. There is another measure, the Lotteries Bill. I do not think the Minister for Works can accuse members of this House of having made long speeches on that Bill. The proceedings the other night were evidence that the House desired expedition. Mr. Gray moved to adjourn the debate and the House voted against the motion; the House said that it desired to get on with the business, and it was only when it was pointed out that the Colonial Secretary really wanted the adjournment of the debate, and felt he could not move it because he had already done so, the House at once agreed to the adjournment. That shows that members were anxious to get on with the business, and that it was also desired to assist and accommodate the Government as far as possible.

Hon. T. Moore: There was plenty of other business that could have been taken that night.

Hon. J. Duffell: But it was after 10 o'clock.

Hon. A. LOVEKIN: We are not responsible for the manner in which the business is conducted. I have no desire to cast any reflection on the Minister, because he does his best and he is doing his share of the work in this House very well, but it was his business to go on with other work if he was ready to do so. It was not within the province of any individual member to suggest the taking of other business.

Hon. C. F. Baxter: His own supporters at times, have not been very keen to push on with the business.

Hon. A. LOVEKIN: Another Bill I would like to refer to is the Jury Bill which was put up by the Government. When we came to examine that, what did we find? That the Government had put up a Bill which had been ill-considered; in fact, I do not know that it had been considered at all, because it proposed to abolish the property qualification for special and common jurors.

Hon. E. H. Gray: That showed good sense.

Hon. A. LOVEKIN: Let the hon. member listen for a minute. When we came to examine the Bill, we found that even if we passed it, as it was, it would have been abortive because it was so drafted that Section 9 of the principal Act was allowed to stand. That provided for the very qualification the Government desired to get rid of. Mr. Moore and other members suggested that we should adopt the New Zealand Act, but let me say parenthetically that I drew the hon. member's attention at the time to the fact that he could not have read the New Zealand Act as it should have been read.

Hon. T. Moore: I handed it to you to read.

Hon. A. LOVEKIN: Yes, but the hon. member had only perfunctorily read it.

Hon. T. Moore: I take exception to the hon. member's statement. Anyhow, it has nothing to do with the debate, and I shall have no chance of correcting him.

Hon. A. LOVEKIN: I am merely referring to the Bill in regard to which Mr. McCallum has made complaints, and in respect of the Jury Act Amendment Bill I am pointing out that members discovered that even if we passed it, it would prove abortive. I know that some members did suggest that we should take the whole of the New Zealand Act, but that proposal was turned down.

Hon. T. Moore: I did not want the whole of that Bill.

The PRESIDENT: I do not think the hon. member need go too much into details of the Bills that have been dealt with. If he does, he will be discussing those Bills all over again.

Hon. A. LOVEKIN: Mr. McCallum has charged this House with delaying business, and I am merely putting up the facts.

Hon. T. Moore: Well, stick to facts.

Hon. A. LOVEKIN: The New Zealand Act, I believe, would have been acceptable to this House, but it was not submitted. There are two other measures to which I might refer shortly. The first is the Arbitration Act Amendment Bill. In respect to this there have been many, and some very long speeches. I have no regrets respecting those speeches because most of them were very informative. Long speeches were common throughout the debate and I regard a speech made in this Chamber by Mr. Kitson, one of Mr. McCallum's own supporters, a speech that occupied over three hours, as having been a valuable contribution to the debate and a speech that was listened to attentively by all members.

Hon. J. W. Kirwan: It was a very informative speech.

Hon. A. LOVEKIN: I gained a lot of information from it and after the hon. member had concluded his remarks, I met several other members of this Chamber and we tried to put our heads together—I suppose this was a secret caucus to which Mr. McCallum referred—to see whether we could meet one of the positions that had been suggested by Mr. Kitson. Surely there was nothing wrong about that. There were one or two other meetings of members, and the object was, if possible, to circumscribe the various amendments. In order to expedite the business of the House, it was thought that we might consolidate our amendments and thus shorten the period of debate in Committee. Surely that is a laudable desire; it was certainly a desire to help the Government and the country. I have never had anything to do with secret caucuses or intriguing in any shape or form, and I know of no other member who

has ever been associated with anything of the kind. The same remarks apply to the Workers' Compensation Bill. Several members have suggested amendments to that measure and the desire there, as well as to consolidate amendments so as to avoid moving half a dozen where one would suffice.

Hon. C. F. Baxter: Have not these Bills been discussed by the Labour Caucus?

Hon. A. LOVEKIN: The charge is that we have done this unholy thing, and it is right that the people should know exactly what the position is.

Hon. T. Moore: This is a non-party House.

Hon. A. LOVEKIN: Mr. McCallum said that the Labour Party could not have attended the secret caucuses. I assure him that in respect of any meeting that I attended he, too, could have attended and would have been welcome at it. The trouble is that the members of the Labour Party in this House had no amendments to suggest to any of the Bills. I do not wish to be offensive, but I cannot help saying that in respect of Bills that are brought down, whether those Bills are right or wrong, those members vote for them as they appear before us. If they had had some amendments to move to the Bills, they would have been as welcome at the meeting as I was.

Hon. E. H. Gray: You did not invite us to attend the meeting.

Hon. J. Nicholson: They will invite you to the next meeting.

Hon. T. Moore: We belong to a political party and admit it. Mr. Lovekin does not; that is the difference.

Hon. A. LOVEKIN: I will not go any further into the business that has been before the House. I have pointed out sufficient to show that no attempt has been made to delay business or to block the legislation brought before this Chamber. A Minister of the Crown must have some regard for his responsibilities, and if a Minister attends public gatherings and makes statements that are not strictly in accordance with facts or uses violent language, his action does injury not only to himself, but irreparable harm to his colleagues. Mr. McCallum's speech at the Trades Hall has put his colleague in this Chamber, Mr. Drew, in a most invidious position. Mr. Drew has the sympathy of all members on that account. It is generally understood that the Premier will be leaving for England shortly on the business of this State. The Premier's position will be hampered materially if he goes Home and people are able to point out to him the fact that he is the head of a Government who have attempted to intimidate constitutional authority. That is what it amounts to when a Minister of the Crown remains at a meeting at which motions are passed favouring stop-work meetings of unionists who are to come in a body to Parliament House so as to intimidate this Chamber. What sort of a position would the Premier be in when

he arrived in England and was confronted with such a statement? The Premier has been placed in a very false position by his own colleague, just as Mr. Theodore, when Premier of Queensland, was placed in an invidious position when the Government of that State repudiated the conditions governing pastoral leases there. We know what trouble that led to in England. I hope the Premier will go to London. If he does go, I believe he will do much good work for this State. I wish to see him go with the good wishes of the whole of the community. On such a mission the Premier will represent the general community and not one section. For these reasons I regret extremely the speech delivered by the Minister for Works, Mr. McCallum. I hope I have said nothing extravagant, but I felt it my duty to speak for the rights and dignity of this Chamber and to sustain its traditions and character. I support the motion.

Hon. A. J. H. SAW (Metropolitan-Suburban) [5.18]: As one who has criticised to a considerable extent one of the industrial measures to which Mr. McCallum alluded, I would like to add a few words to those of the speakers who have preceded me. First may I express my sympathy with the Leader of the House who has the confidence and esteem of every member of this Chamber.

Members: Hear, hear!

Hon. A. J. H. SAW: He is responsible for the order of the business, the hour at which we adjourn and so on. I am sure that every member of this House wishes to facilitate the task of the Minister in his conduct of the business. During the time I have been a member of this House, I remember one occasion only when members interfered with the conduct of the business as arranged by the Leader of the House. I refer to one unfortunate incident when Mr. Colebatch was our leader. We undoubtedly resent the attack that has been made on the honour of this Chamber. When I read the remarks of the Minister for Works I recognised that they were incorrect and unfair in many instances. I realised that they were highly improper as coming from a Minister of the Crown. They were further highly improper in that they held out a threat to this Chamber regarding the business already before us and as to the procedure the Government would adopt if we drastically amended or failed to agree to that legislation. Until I read Mr. McCallum's speech I thought that this Chamber was co-equal as regards legislative enactments with the Legislative Assembly except as to taxation and money Bills. I understand from Mr. McCallum that for 10 years during which I have been in this Chamber, I have been mistaken and that this House merely exists to carry out the orders of the Government of the day! I can assure Mr. McCallum, however, that he is quite mistaken.

Hon. E. H. Gray: You are not here to obstruct the business of the House.

Hon. A. J. H. SAW: It has been related regarding one of the Czars of Russia—I think it was Alexander the Second—that when a proposal was made to construct a railway from St. Petersburg to Moscow and he was consulted as to the route to be followed, he called for a map and, taking a ruler, drew a straight line joining up the two places and added: "That is the route." The Minister for Works seems to think that he can achieve his legislative aims from point to point in the same way as Alexander II. decreed. I again assure the Minister that he is quite mistaken.

Hon. T. Moore: Is that a threat?

Hon. A. J. H. SAW: Every member of this House knows that we have power to amend or reject Bills just the same as has the Legislative Assembly. I am certain, from what I know of hon. members sitting here, that they will carry out their duty undeterred by the threats of Mr. McCallum or of any section of the community; nor do I think for one moment that the opinion of hon. members in connection with the Lotteries Bill has been affected as suggested by Mr. McCallum.

Hon. E. H. Gray: You are on the box seat now, but it will not last for ever.

Hon. A. J. H. SAW: I would like to point out that hon. members here form their opinions for themselves. I wish to refer to the Arbitration Act Amendment Bill. I did not speak on the second reading of that measure because I did not desire to delay the House. The Bill is the most important that has been before the Chamber since I have been a member. It hands over the whole of our industries to the Arbitration Court, and if hon. members here have met and considered that Bill in detail, then they have taken a perfectly worthy and justifiable action.

Hon. A. Lovekin: You were not there.

Hon. A. J. H. SAW: No, but I believe that the action taken was perfectly correct, in view of the fact that the Bill is one fraught with such importance to the State. As to the Workers' Compensation Act Amendment Bill, I criticised that measure severely during the second reading debate and Mr. McCallum referred to that Bill specifically. I pointed out certain defects and ambiguities and remarked that in some instances the clauses would have an effect that was not really intended. I have been watching for indications that notice had been taken of my remarks and that certain amendments would be proposed because of the defects to which I drew attention. I have not been in consultation with other members, but as I have not received any indication that my remarks have been heeded—the Leader of the House did not reply at the conclusion of the debate—I have drafted a few amendments which I intend to move. My amendments do not appear on the Notice Paper, but I shall be glad if Mr. McCallum will peruse them and

tell me what he thinks of them. I believe they will make for the smooth and efficient working of the Bill. I am sorry indeed that a gentleman occupying the position of a Minister of the Crown should have thought fit to go down to the Trades Hall and denounce this Chamber in such a way. I am sorry indeed that he held out a threat that was not worthy of him and of which I am sure members of the House will take no notice. I support the motion.

Hon. J. W. KIRWAN (South—in reply) [5.35]: I ask permission to withdraw the motion. In doing so, I desire to make a personal explanation. The purpose I had in view, and which the majority of members had in view, has been achieved by the very fair and truthful reply of the Colonial Secretary. That reply to my mind clearly and distinctly showed that Mr. McCallum was not acquainted with the facts when he made his statement. I am certain that if he had been acquainted with the facts that the Colonial Secretary is aware of, he would never have made such a speech, which was a gross misrepresentation regarding the procedure of the Legislative Council.

Motion by leave withdrawn.

QUESTION—STATE SAWMILLS, TENDERS.

Hon. J. EWING asked the Colonial Secretary: 1, Has the Minister for Works given instructions that tenders are to be called for cartage requirements of the State Sawmills? 2, If it has been decided that it is desirable in the interests of all concerned to call tenders, will he issue instructions to all departments that prices be obtained through either the Tender Board or the Government Stores Department for all lines which any department may at any time require, and which can be supplied by any other sawmiller or timber merchant, instead of giving orders direct to the State Sawmills, which action prevents large taxpayers from having an opportunity to quote for Government business? 3, In the event of the above being put into effect, will such action be taken as will ensure the actual lowest tender received (if material is ordered) being accepted by the department concerned, irrespective of the lowest tender being from the State Sawmills or not?

The COLONIAL SECRETARY replied:
1, Yes. 2, No. 3, Answered by No. 2.

BILL—FIRE BRIGADES ACT AMEND- MENT.

Received from the Assembly and read a first time.

BILL—STATE LOTTERIES.

Second Reading—Defeated.

Debate resumed from the 19th November.

Hon. W. H. KITSON (West) [5.30]: Notwithstanding all that has been said of the time taken to deal with measures before the House, I wish to say a few words on this measure, because I consider it one on which every member should express his opinion. Judging from the propaganda carried on during the last few months certain parties are opposed to the Bill on grounds that are certainly not as logical as they might be. In common with other members I have received a large number of letters from organisations and individuals protesting against the passage of this measure, on the ground that it would be dangerous to the young people of the community. That is perhaps the chief reason advanced against the Bill. If the inauguration of a State lottery would lead to the abolition of a large number of the lotteries with which we are pestered at present, it would be to the benefit of and in no way inimical to the young people.

Hon. J. Cornell: That is not the purpose for which it was introduced.

Hon. W. H. KITSON: I am aware of that, but that is the argument advanced by practically all the organisations opposing the measure.

Hon. E. H. Harris: Will not this add one more to the lotteries with which we are pestered to-day?

Hon. W. H. KITSON: After the assurance given by the Minister in another place, I believe a State lottery would be followed by a material reduction in the number of lotteries and art unions with which we are now pestered.

Hon. J. M. Macfarlane: Does the Bill say so?

Hon. W. H. KITSON: What was the reason for introducing the Bill? It can be truthfully said that the main and only reason was to provide money for the upkeep of hospitals, and for the building of hospitals where none now exist. That is a laudable object. Having travelled in various parts of the country where hospital accommodation is very poor or quite lacking, I maintain it is necessary that something should be done immediately to raise money for hospitals.

Hon. J. Cornell: I agree that money is necessary but I do not like this method of raising it.

Hon. W. H. KITSON: Last session a measure was introduced to raise money for hospital requirements by means of taxation.

Hon. E. H. Harris: Why was it turned down?

Hon. W. H. KITSON: For some reason this House refused to pass it.

Hon. J. Cornell: It was objected to by your party in another place.

Hon. W. H. KITSON: Now a better proposition is brought forward to meet present needs and yet some members say "This is no good. Why not introduce a measure to tax the people and so raise the necessary money?"

Hon. E. H. Harris: Tell us why you do not do that.

Hon. W. H. KITSON: On the previous occasion this House refused to pass a taxation measure to raise the necessary money, and because this Bill seeks to make use of the waste money of the people, members still argue that it is of no use.

Hon. J. J. Holmes: Waste money!

Hon. W. H. KITSON: I am merely using an expression that has been employed by other members. We know there is a certain proportion of money that to all intents and purposes is waste money. People are prepared to speculate in various ways and they would be just as ready to speculate in a State lottery and assist our hospitals as to speculate in any other direction. A large number of organisations have objected to the Bill on the ground that it will encourage gambling, but even some of those organisations do not refrain from taking advantage of the gambling instinct to raise money for their own objects. I refer to the organisations that conduct raffles. Members have attended bazaars where there have been little else but raffles, art unions, and other games of chance.

Hon. H. Seddon: Is it intended to suppress those?

Hon. W. H. KITSON: The intention is to abolish most of the art unions permitted at present. I would not mind if the whole of them were abolished.

Hon. J. R. Brown: That is what the Government are going to do.

Hon. J. Cornell: When you succeed in doing away with all of them, the end of the world will be here.

Hon. W. H. KITSON: No matter what steps Parliament may take, it cannot eradicate the instinct to take a chance. If we could control it rather than permit it to run riot, it would be a good thing for the young people of the community. It has been suggested that the Government should issue premium bonds. I agree with that suggestion, but the State would not receive the full benefit from such a system for some years to come. Meanwhile money is urgently needed for the building and equipment of hospitals, and we must find other means to raise it. The method proposed by this Bill is one that the House should support. I am tired of being intercepted at every street corner, particularly on Fridays, to support appeals for one thing or another. Some people seem to think that because a man occupies a public position, he should subscribe to everything. Button days are held almost regularly, in addition to other efforts, many of them for good causes.

Hon. J. J. Holmes: But we shall have them all the same.

Hon. W. H. KITSON: I do not think we shall. Still, a large number of the street appeals should be suppressed. If this Bill be passed, I think the Minister in charge will see that undesirable appeals are suppressed, and that will result in the Government securing the benefit of money which at present is either sent out of the State or wasted within the State. If we are to countenance any lotteries at all, they should be under Government control, and believing that this measure will achieve the object in view, I shall support the second reading.

Hon. J. A. GREIG (South-East) [5.41]: I was absent when the Bill was debated previously, and I do not wish to cast my vote on such an important question without stating my reasons for opposing the Bill. I oppose the Bill because I believe it is ethically wrong and because no Government should legalise what is ethically wrong. I agree with all that has been said about the necessity for raising funds for our hospitals. No doubt our hospitals are in desperate straits. It is a disgrace that the doctors, nurses and hospital attendants should be required to do so much without being adequately remunerated for their work. At the same time desperate needs do not constitute sufficient reason for doing what is ethically wrong. A burglar may be very much in need of money, but that does not justify his cracking a safe and taking a few hundred pounds belonging to someone else. If the Government had the courage to do what was right and best in the interests of the State, they would take a definite stand and abolish all the gambling that exists to-day.

Hon. G. W. Miles: Hear, hear!

Hon. C. F. Baxter: And stop the spinning-jennies at the White City.

Hon. J. A. GREIG: Yes. If the Minister had assured us that the Government would exert every effort to wipe out all forms of gambling, including bookmaking, I should have felt inclined to vote for the Bill, though I know it is ethically wrong. I would have felt inclined to vote for it on the ground that it would be the lesser of two evils.

Hon. V. Hamersley: That is why you should vote for it.

Hon. J. A. GREIG: If the Bill were passed, we should be legalising gambling. To-day there is gambling in our midst, but the State has not slipped so far ethically as to legalise it.

Hon. J. R. Brown: The Government take the totalisator tax.

Hon. J. A. GREIG: As a people we have slipped much in the past.

Hon. J. Cornell: But we can still sit up and take a little nourishment.

Hon. J. A. GREIG: The State slipped somewhat when it licensed the liquor trade.

People then said as they say to-day, that it would be better to license it than let it go uncontrolled. If the people could only see this devilish thing in all its ugliness, even though licensed, they would be impelled to vote it out of existence. That is the only straight-out stand for any Government to take. A thing is either right or wrong. When we legalise that which is wrong we compromise, and a compromise is always wrong. When I look back upon the history of the British nation, I realise that we as a nation have slipped badly. Every year we send tons of bibles to the black people of the world, in the attempt to Christianise them, and raise them to our level. We preach the doctrine that one man is as good as another, and yet on the platform of every political party in Australia we favour "White Australia." We say, "We will teach you our religion, but you cannot come here."

Hon. J. J. Holmes: They could not get work if they did come here, because they would not be allowed to work.

Hon. J. A. GREIG: We send missionaries to China to Christianise the Chinese. On the same boat on which the missionaries travel we consign a few hundred tons of sandalwood to China to burn before idols. It is a good thing sometimes to look self calmly in the face, as one of our poets has said, and to sum ourselves up as we are. Governments have sometimes forgotten to legislate for what is right. They have been inclined to compromise, and for the sake of expediency to throw aside principle. In the long run that leads to disaster for any nation. We forget for the time being that "It is righteousness that exalteth a nation."

Hon. J. W. Kirwan: Is not compromise the essence of arbitration?

Hon. J. A. GREIG: Perhaps it is the essence of political thought. It is said that if we pass this Bill there will be no more gambling than there is now. I cannot agree with that. In Queensland I saw a number of young people who had never previously taken tickets in anything, but did so when the Golden Casket was inaugurated. They said, "This must be right, for it is legalised by the Government, and the money is being raised to help them." If the Bill is passed, people will be asked to take tickets for a good purpose.

Hon. V. Hamersley: They are being asked to-day.

Hon. J. R. Brown: They will not be asked. They will apply for them in the ordinary way.

Hon. J. A. GREIG: I was at a country picnic a few months ago when a new hotel was being opened. Instead of running a free hotel for half a day, as is customary on such an occasion, the landlord said, "I will charge for liquor all day, and give half the net proceeds to the hospital."

Hon. J. Cornell: I should not think the business done was very good.

Hon. J. A. GREIG: He did well, and took over £100.

Hon. T. Moore: A State hotel would not do that.

Hon. A. Burvill: But a State lottery would.

Hon. J. A. GREIG: During the day I saw a number of bushmen, who probably had not had an opportunity of getting a drink for some time. They were then making the most of their opportunity. The beer they were drinking was not of the fighting order. Sometimes when a man has too much beer he wants to fight, but on this occasion the men wanted to caress one another.

Hon. J. J. Holmes: That is the worst kind of beer.

Hon. J. A. GREIG: They threw their arms around each other's necks, and kissed each other. One man would invite another to have a drink and say, "It is for a good cause." We shall be invited to buy tickets in the State lotteries on the ground that the money will be for a good cause. The more honest method for the Government to adopt would be to impose a tax of a farthing in the pound on all incomes without exemption. The employer could see that the amount was collected by stamp duty for every worker.

Hon. J. Cornell: Poor old worker!

Hon. J. A. GREIG: The worker has been so much spoonfed and had so many exemptions that when he is asked to pay the same tax as anyone else, and at the same time have an equal right to treatment at the hospitals, there are those who would play to the gallery and say "Poor old worker."

Hon. T. Moore: The industrial section in the country runs its own hospitals.

Hon. J. J. Holmes: It will not do so if this Bill goes through.

Hon. J. A. GREIG: If men can prove that they are already supporting their own hospitals, they could be exempted from such a tax.

Hon. E. H. Gray: At Collie and other places they support their own.

Hon. J. A. GREIG: I know there are many centres which do well in this respect. There are other people who give nothing, and yet who clamour for the right to free hospital treatment.

Hon. T. Moore: In the city.

Hon. J. A. GREIG: And outside. Many people who can afford to pay receive hospital treatment for nothing, and will not pay any bill that may be sent to them afterwards. The Government should face the position fairly, and impose a tax of a farthing in the pound. For a man drawing £4 a week this would not mean more than 4s. 2d. a year. Every employer should put a stamp on his wages sheet, and this would be the means of getting in a revenue four times as much as is proposed by this Bill. I intend to oppose the second reading.

Hon. H. J. YELLAND (East) [5.53]: We have been requested by previous speakers to express our opinions upon this Bill. I rise to oppose the second reading. I can hardly congratulate the Leader of the House upon bringing down this measure. He has, perhaps, made a worse list of it than with regard to any other Bill he has introduced. I did not hear the speech he delivered, and have had to take the words in cold print as they appear in "Hansard." I must, therefore, deal only with the facts as the Leader of the House presented them. If I had heard the speech, no doubt it would have made a different impression upon me, but when I read the facts he adduced in favour of the Bill, I am forced to the conclusion that he had no arguments with which to proclaim its virtues or advocate its advantages. The Bill possesses no virtues, and only one advantage. The advantage has been proclaimed by supporters in this House, and it is the necessity for raising money for the hospitals. I intend to deal with the ethics of gambling. This Bill will lead to an increase in gambling in our midst, and for that reason it is well that we should look into the ethics of the subject. We have first of all to decide whether gambling is right or wrong. If it is right, it is right, if it is wrong, it is wrong. If it is right, we are justified in supporting this Bill, which will tend to increase it; but if it is wrong, nothing in the world will justify the introduction of such legislation. Popularity does not make a thing right. In Australasia gambling is undoubtedly popular. Strictly speaking we are almost a nation of gamblers, but that is not to say we are doing the right thing. The Government seem to have taken up the attitude that, because everyone is gambling, it must be right. They seem to have taken the line of least resistance, and to have adopted the determination of the people, many of whom happen to go in for gambling. I should like to know from the Leader of the House if the Government have considered the ethics of the position, and whether they think they are doing right in the interests of the State. We know they desire to raise money for the support of our hospitals, but does the end justify the means? Not many years ago Germany showed its arrogance by plunging the whole world into a devastating war, so that the country might secure world-wide power. That is the position taken up by the Government with regard to the moral position of the rising generation. Legislation of this kind must have far-reaching effects, and must be ethically wrong. No person who had the interests of the State at heart would be justified in supporting it. The end that it is desired to achieve is very laudable, but the means are wrong and will be detrimental to the moral character of the nation. The effect of gambling on the rising generation must always be im-

moral. The Government must, therefore, accept the responsibility for bringing down a Bill will tend to decrease the moral character of the nation that we are endeavouring to build up. When we see these facts, which represent the ethical points on which the question must be discussed, we recognise that the Government are not justified in bringing forward the Bill, whose far-reaching effects must prove disastrous to the rising generation. The rising generation of to-day makes the nation of to-morrow; and if by the introduction of a measure such as this we impose the spirit of gambling on the rising generation, then the generation of to-morrow must naturally become a generation of gamblers. Now I wish to quote some remarks of Mr. A. C. Fox, a lecturer at our University—

Everyone will agree that our race has had a history exhibiting progress. That progress has meant the steady and increasing elimination of chance as a factor of weal or woe, and the substitution thereof of knowledge and effort. To say that all life is or has been a lottery is a glaring falsehood. To imply by the advocacy of gambling that we should make it a lottery is to become an enemy to human progress and a champion of the shivering ignorance and poverty of the savage.

Mr. Fox shows very plainly that the gambling spirit tends to deteriorate the future race, and I charge the Government with setting up means for the deterioration of the moral calibre of our people by introducing a measure of this nature. Another point is on the economic side of the question, that gambling makes for dissipation and thriftlessness. The Bill asks the people to put their earnings into lotteries instead of the savings bank. That circumstance tends to encourage thriftlessness on the part of the individual. The savings bank has been the repository of the savings of the thrifty people.

Hon. E. H. Gray: Of some of them.

Hon. H. J. YELLAND: It should be, of the whole of them. By the introduction of lotteries we shall induce the people to refrain from putting their money into the savings bank, and how are the Government going to get on without those savings, which represent one of the means by which the administration of the country is carried on? I am not prepared to regard these matters merely in the light of the present day: I am looking forward to a few years hence. We as politicians pass away, but the State will go on for ever. If it should happen that a man wins a fairly large prize in a lottery, what is the usual result? In nine cases out of ten he puts it back into the lottery, and so the money finds its way into the hands of the Government for further distribution to other people. As a rule a person does not receive any return whatever from a lottery, unless

it be a big prize. The small prizes are almost invariably thrown away.

Hon. E. H. Gray: You make a mistake there.

Hon. H. J. YELLAND: I am sure I do not. I have seen repeated instances where people have won prizes up to, say, £10, and have decided to spend the whole amount of the prize in the purchase of more tickets. That fact bears out my contention that the passage of the Bill will increase the thriftlessness existing among some of our young people to-day. With respect to that phase Mr. Fox says—

Gide, the French economist, writing in 1913 from a country where legalised gambling is rife, says that "the sums lost by gambling or betting are nearly always unproductively consumed, being either wasted by the winners or used to keep up a host of parasites." And he speaks of "the alarming increase of these habits in the middle and lower classes." Very significant is the report of the English Parliamentary Commission of 1908 on State lotteries: "Your committee find that by the effects of the lottery, even under the present restrictions, idleness, dissipation, and poverty are increased, the most sacred and confidential trusts are betrayed, domestic comfort is destroyed, madness often created . . . and even suicide itself is produced . . . Such have been the constant and fatal attendants upon State lotteries." Fifteen years later they were abolished.

For these reasons we should be very, very careful how we deal with the measure. I consider that it behoves every one of us to turn the Bill down. I defy any man to say that I have been opposed to sport, as such. On the contrary, throughout my life I have been a follower of all kinds of sport. To-day I am prepared to enter into sport of any description provided the spirit of gambling is eliminated. I hold racing to be the king of sports. I have done a good deal of racing on horses in the fields and broad acres; and I enjoy the pastime as the horses enjoy it. But to-day racing has become a business; it has lost all its beauty and attractiveness simply because the spirit of gambling dominates the situation. Nowadays we do not watch horses because of their speed, or a race because of its beauty, but we watch a horse-race because of the stakes.

Hon. J. Cornell: Which cannot be won without speed.

Hon. H. J. YELLAND: Very often the stakes cannot be won without a good hard pull in the opposite direction. The same applies to cricket and football. Bets are made, and players are corrupted. The passage of this measure would mean that Western Australians would become a nation of gamblers. Mr. Moore said that the people are in favour of the Bill, but we have had

protests against it from every section of the community, practically.

Hon. T. Moore: I have not.

Hon. H. J. YELLAND: I have. Protests have been signed by all the leading clergymen in the State.

Hon. T. Moore: I have not received such protests.

Hon. H. J. YELLAND: I have. My reference is to the heads of the various denominations. Anglicans and Nonconformists have combined to oppose the Bill. Requests to oppose it have come to me from the Women's Christian Temperance Union, the Mothers' Union, the Women's Service Guild, and from private persons all over my province. To-day a protest has reached me from the head of the International Order of Good Templars. The writer speaks on behalf of himself, but he puts up a plea for the juveniles under his care. He comments upon the risks attendant upon the passage of a measure which will teach young people that an evil is legalised.

Hon. T. Moore: You know that a great many of those people whom you have mentioned run lotteries of their own.

Hon. H. J. YELLAND: I do not know it. If it can be shown to me that these people run lotteries, I will make it my business to go to them and tell them that they must cleanse their own associations before they ask us to vote against this Bill. If they are running lotteries, they have no right to ask us to turn the measure down.

Hon. J. J. Holmes: I thought that under the Criminal Code it was illegal to run lotteries.

Hon. H. J. YELLAND: It is; and I am going to deal with that aspect by and by. I shall ask the Leader of the House how he reconciles his present position with the fact that under the Criminal Code lotteries are illegal? Those who have written to us asking us to prevent the passage of the Bill are not actuated by a desire for gain, as are the Government in bringing the measure forward. The people I refer to are concerned for the moral standards of the community. They represent considerably more than half the population, and their wishes should be respected.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. J. YELLAND: Before tea I was dealing with the ethics of gambling. I said I felt the Government, by the introduction of the Bill, had asserted that gambling was right, whereas it is ethically wrong. I remarked that if under present conditions gambling was gaining ground, one naturally asked what would it be with the blessing of the Legislature. When, clothed with the garment of respectability and backed by the moral status that the passing of the Bill would give it, when with the authority of its legality it shall be turned adrift in all its splendour on

the public, one almost fears to visualise the consequences. I want members to try to conceive what its effects will be in after years, taking a glance at what history reveals and the result that has attended those nations that adopted this plan in years gone by. The legalising of lotteries will make gambling respectable and so will extend it generally. When we consider the provocation to crime pointed out by Mr. Fox, whom I quoted, we cannot deny it will be very wrong to pass a Bill that will increase gambling. I want to quote also a report that appeared in the "Daily News" on the 29th of October last, headed "Sydney." It reads as follows:—

The State Attorney General (Mr. Bavin), speaking at the Killara Community Service Club last night, declared that gambling was one of the worst, if not the worst, of evils, which disfigured Australian life. Gambling, he said, caused every year the ruin of a large number of promising careers. Many millions of pounds were invested year by year in Australia in gambling, which was unproductive except for a generous crop of misery and crime.

That is the Attorney General of New South Wales. He shows that it is impossible for any State to measure the effects of gambling in £.s.d. The Bill has been accepted as an expedient for raising money for hospitals and charities. By its introduction the Government have set a measure upon the moral status of the community in terms of £.s.d. The moral status of no community can be measured in such terms. This was what was in the minds of the British statesmen in 1918. It will be remembered that at the conclusion of the war an effort was made in the House of Commons to introduce a similar Bill, but it was defeated by a fairly large majority. When I said it was introduced I should have said it was re-introduced, for such a measure was in existence in Great Britain for 200 years, but was repealed in 1826 because of its demoralising effect on the community. Yet we here, members of the British race, propose to adopt a similar measure. I should like to compare the action of the House of Commons in defeating the Bill with the action of the Government of Western Australia. It seems to me it is a situation for the adaptation of the old adage that fools rush in where angels fear to tread. I cannot see that in the light of history we are justified in accepting a measure that for 200 years had such disastrous effects at the heart of the Empire. It is too pernicious a measure for Great Britain, yet it is introduced here under a similar Constitution. One might say, "The dog has turned again to its vomit, and the sow to her wallowing in the mire." We are prepared to plunge the State into the unsatisfactory condition in which Great Britain foundered for 200 years. Other nations have tried the same thing and as

a result are prepared to accept financial loss in preference to national degradation. Yet the Government of this State are ready to sell their dignity for a few paltry pounds, ready to force on the community something that will result in the degradation of the nation.

Hon. J. R. Brown: England certainly managed to make a few paltry points out of it; she made hundreds of thousands of pounds out of it.

Hon. H. J. YELLAND: Even that was paltry as compared with the evil effects of the lotteries. Two years ago a similar Bill was introduced here and defeated. I understand the Nationalists opposed it because of its taxing principle, while the Labourites voted against it because of the inequality of the proposed taxation. Who will be called upon to pay under this Bill? The Labour Government are introducing a Bill that will weigh more heavily on the workers than would the earlier Bill have done. I am compelled to attempt to protect the Labour movement against the Labour Government.

Hon. J. R. Brown: Why camouflage it?

Hon. H. J. YELLAND: I am not camouflaging it. I am giving facts.

Hon. J. R. Brown: They are not facts.

Hon. H. J. YELLAND: The Bill will weigh more heavily on labour than on any other section of the community. Mr. Moore was guilty of a little misquotation when he said that Tattersall's distributed 60 per cent. of their receipts. I find that they distribute 81 per cent., the other 19 per cent. being taken up in taxation and the cost of running the lotteries.

Hon. T. Moore: I said that 66 per cent. came back to the investor. Do not misquote me.

Hon. H. J. YELLAND: I will accept the hon. member's explanation. Still I am told that the actual distribution amounts to 81 per cent. of the receipts.

Hon. T. Moore: Tattersall's put that up for you. Where did you get your figures?

Hon. H. J. YELLAND: From a person who ought to know. Mr. Moore said he wanted to wipe Tattersall's clean off. Let us see whether it would be possible to do that under the Bill. Tattersall's return 81 per cent. of the receipts.

Hon. A. Lovekin: You favour Tattersall's as against a Western Australian State lottery?

Hon. H. J. YELLAND: No. I am simply comparing the returns we shall get.

The PRESIDENT: Hon. members must allow Mr. Yelland to put his own case.

Hon. H. J. YELLAND: In Tattersall's nothing is taken out for charities.

Hon. T. Moore: No, Tattersall's is the charity in that instance.

Hon. H. J. YELLAND: We get an 80 per cent. return from investments in Tattersall's. The State lottery will distribute something like 30 per cent. amongst the

hospitals. I am allowing that the hospitals will get £30,000.

Hon. E. H. HARRIS: They will never get it.

Hon. H. J. YELLAND: They should get that amount if the Bill is passed.

Hon. J. R. BROWN: You know it will not be passed, so why prolong the agony; let it go.

Hon. H. J. YELLAND: Ten per cent. is to be allowed for working expenses and so we shall have 60 per cent. for other distribution. The man who purchases a ticket will have two placed before him: one in Tattersalls, where he has an 80 per cent. chance, and the other in a State lottery where he will have a 60 per cent. chance. Tattersalls will give a better return for the outlay.

Hon. T. MOORE: You have no right to say that; you have nothing on which to base that calculation.

The PRESIDENT: I ask Mr. Moore not to interrupt.

Hon. H. J. YELLAND: When a person has two propositions put before him he is bound to take the one in which he will have the biggest chance of securing a prize. Therefore you cannot expect the State lottery to compete against Tattersalls. The Leader of the House said he expected to get £30,000 out of the running of the lottery. In order to get that sum for the hospitals it will mean that there will have to be sold £100,000 worth of tickets. How many of those tickets will be taken by people who can afford to buy them and how many will be taken by those who can ill afford to buy them? I guarantee that 75 per cent. will be taken by the working people, which will mean that £75,000 will be subscribed by that section of the community. The Bill will therefore fleece the supporters of the Labour Government to the extent of £75,000 so that there might be raised a paltry £30,000 for the hospitals.

Hon. J. J. HOLMES: Tickets will not be bought by the working man but by the man who wants to become rich without working.

Hon. J. R. BROWN: There is no difference between them; they are alike.

Hon. H. J. YELLAND: The Leader of the House told us that he had great respect for the religious bodies that were opposing the lotteries in all circumstances. When we find included amongst that section, men of the calibre of Archbishop Riley, who, with his far-seeing vision, can realise what the result of legislation like this is going to be on the rising generation, we should treat the opinions expressed by that portion of the community with the greatest respect. The Leader told us that these people were logical in the manner in which they opposed the Bill, but the generosity that he hands out is covered by a certain amount of satire, for did he not remark, "I cannot conceive it possible that a majority of our legislators will be haunted by similar scruples." I take exception to the senti-

ment expressed there. It seems to me that he is prepared to accept whatever this House will give him whether it concerns the other people or not. He admires the religious bodies for the stand they have taken up, but he does not think that members are likely to be haunted by similar scruples. The Minister does not care about anything so long as he gets through this Chamber a Bill presented by an unscrupulous Government who want it passed at all costs. With respect to the totalisator to which the Leader of the House also made reference, I have taken notice of what goes on in the city and in various towns of the State. I am sorry to have to say that in Government offices, more than in other offices we find the evidence of the gambling element, the insidious introduction of lotteries. The Leader of the House told us that the totalisator is worse than sweeps. I differ from him on that point, because the totalisator does not touch the home life.

Hon. J. CORNELL: Does it not?

Hon. H. J. YELLAND: If one desires to invest in the totalisator he must go to the racecourse. The lottery can be introduced into the homes of the people. The present Government are wrong in introducing into private life that which has such a demoralising effect on the outer life. I refer to the introduction of the betting spirit into the homes.

Hon. E. H. GRAY: Have you ever bought a ticket in Tattersalls?

Hon. H. J. YELLAND: No, I have too much sense; I do not like taking chances. Nations have never been built up on chance, and no man can build up his character or his business on chance. If he wishes to carry on his business in a satisfactory manner he must apply himself to it. The Minister told us that he has not known anyone to be ruined by patronising the totalisator. May I infer from that, that he has known men to be ruined by other forms of gambling? By supporting the totalisator, does the Minister assume that that machine is a form of gambling that elevates the community? Because people outside realise what the passing of a Bill like this will mean, there has been a great outcry against it. The Leader of the House said, "Parliament in the past has not hesitated to sanction legislation to enable the Treasury to benefit by the spirit of gambling." To our sorrow we have to recognise that. Parliament has encouraged it against the expressed wish of a large section of the community.

Hon. J. J. HOLMES: Parliament has not encouraged it; Parliament prohibits it.

Hon. H. J. YELLAND: By sanctioning these lotteries the Government has encouraged gambling.

Hon. J. J. HOLMES: But Parliament prohibits it.

Hon. H. J. YELLAND: Instead of saying Parliament has done it I should be

justified in saying that Ministers have done it. They have sanctioned the conduct of these lotteries and have defied the will of Parliament.

Hon. C. F. Baxter: Have you ever been to White City?

Hon. H. J. YELLAND: No.

Hon. C. F. Baxter: You ought to go down. It would do your eyes good.

Hon. H. J. YELLAND: I intend to do so. But two wrongs do not make a right and we are not justified in seeking to sanction lotteries by way of legislation. Parliament has no right to force this form of gambling upon the public.

Hon. J. Duffell: The present position is the result of a Cabinet minute that authorised the Commissioner of Police to permit the running of these sweeps and so on.

Hon. H. J. YELLAND: The system has been encouraged by the Government of the day and now we are asked to legalise lotteries. That is what I object to. If the position is bad at present, when the law prohibits gambling and forbids lotteries, what is it likely to be if statutory sanction is given to this form of gambling?

Hon. E. H. Gray: It will close up the "White City" at any rate.

Hon. H. J. YELLAND: I do not think so.

Hon. C. F. Baxter: Why not close it up now? We have the law in force already.

Hon. H. J. YELLAND: If the Government are honest and are prepared to close it down, let them do so and show their bona fides. Why did they not do so before the Bill was introduced?

Hon. J. R. Brown: If they close down the "White City," will you vote for the Bill?

Hon. H. J. YELLAND: I could not do so because the Bill is ethically wrong.

Hon. J. R. Brown: You are a poor old sport.

Hon. H. J. YELLAND: I am not a poor old sport and I defy the hon. member to say that those who oppose the Bill are not as good sports as those who favour it. We oppose it because the principle is ethically wrong and is opposed to clean sport.

The PRESIDENT: I would point out that the hon. member is not compelled to reply to every interjection.

Hon. H. J. YELLAND: The Bill is a subterfuge to legalise lotteries and gambling. It is introduced in the name of charity with an ulterior motive behind it. It will allow the introduction of a system under which all and sundry will be able to avail themselves for causes wholly or partly associated with charitable objects. If that be so, we must look upon the Bill with a great deal of disrespect. It has been pointed out that if the Bill is agreed to, sweeps and lotteries that are being run now will be wired out.

The Honorary Minister: Who said that?

Hon. H. J. YELLAND: The Premier.

The Honorary Minister: Nothing of the sort. What did he say?

Hon. H. J. YELLAND: I cannot turn up "Hansard" at the moment.

The PRESIDENT: You cannot quote "Hansard" for this session.

Hon. H. J. YELLAND: I do not intend to do so.

The Honorary Minister: Why do you not quote what was said?

Hon. E. H. Gray: You have made a mistake.

Hon. H. J. YELLAND: Perhaps it was the Honorary Minister who introduced the Bill who made the remark. I think he said that the Government intended to regulate and control lotteries. If that is so, why do the Government not say so in the measure? Why do they not show something of their intentions by controlling them before bringing such legislation before the House? Under the past control some support has been given to the gambling element throughout the State.

Hon. E. H. Gray: That was by the Government you supported.

Hon. H. J. YELLAND: It has been done by the Government of to-day as well. If, with the power behind the Government now in office, the law can be frustrated, what is the position likely to be when the existing restrictions are removed? The Government will have no control whatever. During the course of the debate on this Bill in the Assembly, the Honorary Minister in charge of the Bill was asked by the Leader of the Opposition in what category he would place the State lottery. The Honorary Minister replied that it would be a public utility. Can hon. members imagine the standing of any Parliament or State that can regard a State lottery as a public utility? I feel sorry for a State that can fall to such depths of degradation. It shows how helpless the Government are in making such a selection in which category to place such a Bill. No definition of a lottery is provided and without such a provision too much control is given to the Minister in charge. It may be that any game of chance may be introduced for the purposes of assisting charitable institutions. The Government have not stated definitely whether the lottery is to be restricted and maintained as a State-owned institution. It has not been definitely stated that the passing of the Bill will mean throwing out all the other lotteries that have been conducted. It is too late now for the Minister to give us any such assurance, because if it were given at such a late hour it would not be taken as in good faith. I would like the Minister to tell us whether it is possible for the Government to use the lotteries that are to be run in support of any particular political organisation. If that is one of the objects, then we can see that there is a second ulterior motive.

The Honorary Minister: Oh, get down to business.

Hon. E. H. Gray: You might want a lottery for the Country Party.

Hon. H. J. YELLAND: Will the Minister have power to grant permission to any organisation, or church, or other charitable institution apart from hospitals?

Hon. E. H. Harris: That is set out in the Bill.

The Honorary Minister: Yes, read the Bill.

Hon. H. J. YELLAND: It is not definite. I wish to have information definitely on the points I have raised before going into Committee on the Bill, if we reach that stage. I have not endeavoured to insinuate anything regarding the Bill, and I have dealt with it with an open mind.

Hon. J. R. Brown: You have imagined a lot.

Hon. H. J. YELLAND: I have no hesitation in saying that the principles underlying the Bill are wrong in every way. I do not expect all hon. members to think exactly as I do, but it may be necessary during the Committee stage to deal specifically with a number of the clauses, and for that reason I ask that my questions be replied to.

Hon. H. STEWART (South-East) [8.11]: I would not have spoken on the Bill but that some hon. members seem to think that it is a measure upon which we should not cast a silent vote.

Hon. E. H. Gray: You are looked upon as a good sport.

Hon. H. STEWART: I am always there when clean sport is available, but I have no sympathy with those people who are classed as sports and follow race meetings throughout the country. It is always possible to tell when a race meeting is being held in any portion of Western Australia by the peculiar, I might almost say, the undesirable element that follows up racing. The Minister mentioned one argument as an inducement for members to support the Bill. He suggested that no hon. member had ever tabled a motion against the legalising of the totalisator. In having to make use of such an argument, it showed what a particularly poor case the Minister had to put forward. Members have too much sense to table utterly futile motions of which no Government would take notice. How could hon. members expect a motion to be carried, seeing that succeeding Governments have not been able to carry out the existing legislation? The governing factor is what is in the interests of the people and the common weal. Many people think we should legislate for what the people want. That is not my idea. It will be my endeavour to do what in my judgment is best in the interests of the people of Western Australia and of the development of the State. In the Crim-

inal Code we have the decision of Parliament setting out that lotteries are illegal. That decision of Parliament has been flouted. It has been ignored frequently in recent times. So long as that provision exists in the Criminal Code, it is illogical for any Government to ask Parliament to pass a Bill authorising the Government to do what the laws of the State and of the Commonwealth already declare is illegal. It will simply be granting a Minister of the Crown exemption to carry on what the Criminal Code declares is illegal. One could give quite a dissertation on the subject of gambling, but it has been proved by history that gambling does not tend to the building up of a self-reliant, thrifty type of citizen. The distinguished French professor of economics, quoted by Mr. Yelland, pointed out that state lotteries in European countries have led to the maintenance of a parasitic group who contribute no useful work to or service that tends to further the production of the country. There has been a great deal of inconsistency of view expressed by people both inside and outside Parliament on this subject. We have been told it is wrong to vote against the Bill lest it should interfere with the success of racing and the gambling associated therewith. My objections to the Bill are fundamental. It is not in the interests of the present or the rising generation. People take risks in various ways. Many men risked their all during the great war. Many people in gambling risk their surplus. We are not concerned with them. We are concerned with those who risk, not the surplus they can afford, but something they cannot afford in order to gain at the expense of another. They do not limit their risk to what belongs to them. By example we should endeavour to protect those people who have not the powers of self-restraint possessed by other people. It is abhorrent that the Government should have associated this measure with such a meritorious work as that of providing for the sick and suffering. The only argument they could have adduced to appeal to the sympathy of members and the general community was the necessities of such meritorious work. A distinguished Englishman, at one time professor of literature at one of the old-established universities, who worked for the uplifting of the masses of England and wrote some of the finest historical novels in the language, Charles Kingsley, spoke of gambling thus—

Of all habits gambling is the one I hate and have avoided most. Of all habits it grows most on eager minds. Success and loss alike make it grow. Of all habits, however, much civilised men may give way to it, it is one of the most intrinsically savage . . . Morally it is unchivalrous and un-Christian. It gains money by the lowest and most unjust means, for it takes money out of your

neighbour's pocket without giving him anything in return.

Those are the words of a distinguished scholar and sport who, had he lived in this age, could not have been called a wowsler. He liked his pipe and his glass and practised all forms of clean sport, and was most temperate in all things except perhaps the practice of good works and unselfishness. My vote will be cast against the Bill.

Hon. E. H. HARRIS (North-East) [8.22]: When speaking on the Address-in-reply I referred to the absence from the Governor's Speech of any proposal by the Government to establish lotteries or sweeps. In view of what had happened in Queensland and the expressed desire of many Labourites I expected to find some such proposal amongst the measures to be submitted this session. However, it is now before us. I pointed out the difficulty of raising money, and suggested that funds might be obtained by the issue of premium bonds. Therefore I welcome the suggestion of Mr. Lovekin to introduce a Bill for that purpose. While I give the Labour Party credit for their desire to uplift humanity and improve the social conditions of the people, I unhesitatingly affirm that the emancipation of the workers will not be brought about by sweeps or lotteries. When the Hospitals Tax Bill was before the Assembly last session—a Bill that was rejected because it was considered the incidence of the tax was not equitable—the then Leader of the Opposition said the proper method to adopt was to tax the people in order to get the necessary money. The Collier Government would have shown a more statesmanlike attitude had they introduced a Bill to tax people for the necessary funds to maintain hospitals. It has been said that the Government, if this measure be passed, will be able to raise £30,000 for charitable purposes. I am satisfied that that estimate is guesswork. This measure has been annexed from Queensland, and we have only half the population of Queensland. Assuming that our sweeps received equal support, I question whether we would get the amount suggested. Should the Government receive £30,000, more than half of that sum has already been earmarked for another purpose. I direct attention to the report in the "West Australian" of the 8th October last of a deputation from the Metropolitan Council of the Australian Labour Party to the Honorary Minister, Mr. Munsie, requesting that mothers receiving 9s. per week for the maintenance of their children should be paid 10s. The Minister in reply is reported as follows:—

He admitted that 9s. was inadequate but owing to the state of the finances, with £53,000 on the Estimates, the Government could not afford to pay more, although if they were successful in get-

ting the Lotteries Bill passed, he would consider increasing the amount to 10s., but would remind them that that would mean an expenditure of £16,000 to £18,000 per annum.

Thus £16,000 or £18,000 of the £30,000 is earmarked for this purpose.

Hon. J. R. Brown: Nothing of the sort.

Hon. E. H. HARRIS: I am quoting from the "West Australian" report of the Minister's reply to a deputation.

Hon. J. R. Brown: The "West Australian" does not always tell the truth.

Hon. W. H. Kitson: It does not say the money is to come from the Lotteries Bill.

Hon. E. H. HARRIS: It definitely says so. When the Estimates were before another place on the 5th November, the Minister was reported thus:—

If the Lotteries Bill became law he would promise that one of the first things to be done with the proceeds would be the payment of a full-time clinical dentist and a full-time doctor to be employed exclusively in the examination of school children.

The Honorary Minister: If he did, is there anything wrong with that?

Hon. E. H. HARRIS: I am not saying there is. It is estimated that the Government would raise £30,000 under this measure in aid of public hospitals and charitable institutions, and I am pointing out that more than one-half of the total has already been earmarked. The balance of £12,000 or £13,000 would be applied for the upkeep of hospitals and charitable institutions. I understand there are 50 or 60 hospitals in the State, and the number of charitable institutions is legion. An examination of the Bill shows the powers proposed to be conferred upon the Minister in charge of State lotteries. Clause 2 sets forth that the provisions of the law shall not apply to any lottery established, maintained, or conducted by or with the authority of the Minister under the sanction of this Act. That clearly indicates that if an application be made to the Minister to conduct a lottery for some charitable purpose, or for some purpose that he considers charitable, the same power will be granted to evade the existing law as will be granted to State lotteries. In the matter of advertising, issuing documents, circulars, bills, etc., they would have the same standing in the State as if conducted by the State. The net proceeds of any lottery are to be allotted in accordance with the decision of the Minister. I understand that about 84 appointments would have to be made if the sweeps are conducted as they are in Queensland, and that these will not come within the purview of the Public Service Commissioner. The Minister will be able to make the appointments, fix the salaries, and say how many lotteries will be held, whether one a day or one a week. He will also decide what money will be paid away in prizes.

Hon. J. R. Brown: That has nothing to do with the principles of the Bill.

Hon. E. H. HARRIS: The Bill gives the Minister very wide powers, that I would not give to him or any other Minister.

Hon. J. R. Brown: You have a poor opinion of your Ministers.

Hon. E. H. HARRIS: There is no definition of charitable institutions. There are many industrial organisations in this State, and in almost all cases there is connected with them a benevolent fund, that might be termed a charitable fund. Each of the 87 industrial organisations might go to the Minister and ask for a subsidy out of the £13,000 that will be left after he has kept his promises to the deputations. Mr. Kitson said the money was wanted for the construction and maintenance of hospitals. It is suggested that £30,000 will do all these things, and that other sweeps will be abolished. On the goldfields there is a big sporting section, which will always buy tickets in any sweep that is conducted for a worthy object. A sweep is held on behalf of the children's ward in the hospital. This was permitted provided we raised £500 every year. This has been done. We raise money every year for the Fresh Air League by the aid of a sweep. If the Bill is passed we shall not get £500 a year out of the £13,000 that will be left.

Hon. J. R. Brown: How do you know it will be £13,000?

Hon. E. H. HARRIS: That is what will be left after the Minister has fulfilled his promises.

Hon. J. R. Brown: If Queensland can raise £30,000 out of the Golden Casket we can do so.

Hon. E. H. HARRIS: The hon. member might not like it if I told him what has happened with regard to the proceeds of some of the sweeps.

Hon. E. H. Gray: All the more reason for abolishing other sweeps.

Hon. E. H. HARRIS: If we do so, many institutions will not get what they are now receiving.

Hon. E. H. Gray: They will get more.

Hon. E. H. HARRIS: No. The Minister suggests that a good deal of the money now going out of the State in tickets will be retained within it. If people are not patriotic enough to buy locally made boots and wearing apparel they will not buy sweep tickets merely because they are sold by the Government. Since the Bill was introduced I have bought some lottery tickets to find out where the greatest odds are. The average sport backs the horse that will give him the longest odds, provided he is assured that he will collect his winnings. I am of opinion that Tattersall's give the best prizes, notwithstanding what Mr. Moore said. I have a synopsis showing that Tattersall's pay 81 per cent. of the money that goes into a sweep.

Hon. J. R. Brown: You must have got that from Mr. Yelland.

Hon. E. H. HARRIS: I have the synopsis that is issued by Tattersall's.

Hon. E. H. Gray: What does a 5s. ticket cost?

Hon. E. H. HARRIS: It costs 6d. I went to Messrs. Chas. Watson & Co and told them I wanted to know if there was anything in the statements that £100,000 went out of the State each year, and, according to another place, that £200,000 went out of the State. These people send more money away than any two other firms in the State. For the year ended 30th June last they sent away £26,432 12s. 9d.

Hon. E. H. Gray: That is an argument in favour of State lotteries.

Hon. E. H. HARRIS: Nothing of the kind. The net amount less commission was £23,789. I cannot think that more than £60,000 or £70,000 goes out of the State in a year. In reply to questions from Mr. Burvill it was stated that no less than 525 lotteries had been conducted in this State under authority. I do not know how many others were conducted under the lap. This gives an average of 175 every year. All the prizes were not kept in the State. Some of the money came to Western Australia. I do not know if the Minister has considered the money that comes into the State for the purchase of tickets in these 500 sweeps. I have here the report of the Auditor General of Queensland. It is an illuminating document.

Hon. J. A. Greig: We like to hear what has happened in Queensland.

Hon. E. H. HARRIS: It is a good thing to compare Queensland with this State in a matter of this kind. In Queensland 52.25 per cent. of the money was paid out in prizes. There was remitted to the Home Secretary for Hospitals 27.49 per cent., equal to 5s. 6d. in every pound put up for hospitals and other charitable purposes. The rest is taken up in prizes, State and Federal taxation, stationery, salaries, etc. If we are going to raise £30,000 for our hospitals, we shall need to get three times that amount out of the tickets sold. We have only half the population of Queensland. Our people may be as good sports as the Queenslanders in the matter of purchasing tickets.

Hon. J. Cornell: We have not half the population of Queensland.

Hon. H. A. Stephenson: Ours is only a third.

Hon. E. H. HARRIS: That strengthens my argument. Since the Golden Casket was conducted in Queensland, sweeps and spinning-jennies have not been abolished. I have some Queensland "Hansards" here and have looked up the debates concerning the swindles in Queensland as a result of which two men who were in the employ of the Government are now in gaol.

Hon. H. A. Stephenson: That is what they do in Queensland.

Hon. E. H. HARRIS: A Liberty Fair was conducted in Rockhampton, and carried on in the public thoroughfares to such an extent that many questions were asked in the Queensland Parliament. On the 22nd October, 1924, Mr. Moore, M.L.A., asked the Attorney General—

Were any instructions issued by him or through the department to the Commissioner of Police with regard to the conduct of the Liberty Fair at Rockhampton during the last carnival week; if so, were these instructions to the effect that this Liberty Fair was not to be interfered with or that the law did not apply to Mr. Black; and will he lay all the papers in connection therewith on the Table of the House.

The Attorney General, Mr. J. F. Mullen, replied—

1, 2 and 3. I again repeat that no permit was given for the conduct of the Liberty Fair at Rockhampton.

There is no record on the files of the police having given him any authority, notwithstanding which the fair was conducted. On the 30th September, 1924, Mr. Barnes, M.L.A., asked the Attorney General—

What were the objects for which the lotteries were run?

The reply was—

The application granted on the 16th April, 1923, was in aid of the Toowoomba Band carnival fund, and that granted on the 29th November, 1923, was in aid of the Toowoomba Municipal Band and the Trades Hall.

The next question was—

How much money has been raised by them in the several lotteries?

The answer was—

No information is available as to the amount raised by the art unions granted on the 16th April, 1923, but the divided profits in connection with that granted on the 29th November, 1923, amounted to £4,568 18s. 2d.

This was a sweep run with the consent of the Queensland Government, and I understand that the Toowoomba band is an A.W.U. band working in conjunction with the Toowoomba trades hall. The only possible inference is that the A.W.U. have been granted by the Queensland Government permission to conduct the sweep for the benefit of a trades hall band. What are sweeps usually conducted for if conducted on behalf of a trades hall? I say they are run exclusively for political purposes.

Hon. W. H. Kitson: That is not correct.

Hon. E. H. HARRIS: I have every reason to believe it is correct. In support of that statement I will quote from the balance sheet of the Australian Labour Party. I have here the balance sheet of the last Labour Day celebration at Kalgoorlie, and I see that there was a profit of £89 3s. 11d. from running a spinning

jenny. These things are done at an Eight Hours sports meeting.

Hon. J. A. Greig: With the authority of the Government, or under the lap?

Hon. E. H. HARRIS: I do not think there is any authority for it.

Hon. J. R. Brown: You know that authority is granted. You know that a spinning jenny cannot be run without authority.

Hon. E. H. HARRIS: Mr. Brown, when speaking on this Bill, said something to the effect that permission is always granted if there is a touch of charity about the tail end of the letter. I am inclined to think there is a good deal of truth in that statement, because the hon. member has conducted one or two of these affairs.

Hon. J. R. Brown: And very successfully.

Hon. J. Cornell: In what year was that carnival held when the spinning jenny was run?

Hon. E. H. HARRIS: The carnival was held on the 6th May, 1924.

Hon. J. Cornell: The Commissioner of Police has steadfastly refused to let the R.S.L. run a spinning jenny.

Hon. E. H. HARRIS: In the same balance sheet I see items of expenditure as follows:—North-East Province expenses, £80 13s. 9d.; South-East Province—I think that should be South Province, where it was conducted against Mr. Cornell—£60 5s. 9d.; expenses for the Assembly, Kalgoorlie £87 15s. 6d., Brownhill-Ivanhoe £22 1s., Kanowna £8 10s. 9d., Leonora £24 17s., Menzies £19 17s., Yilgarn £19 7s. 6d.; Mt. Margaret £32 5s. There is a total of £385 13s. 3d. shown in the balance sheet as having been utilised for political purposes. I have here also a balance sheet issued by the Eastern Goldfields District Council of the Australian Labour Party, in connection with a Melbourne Cup sweep conducted in 1923. Permission is obtained to conduct sweeps, and they are conducted for political purposes, to raise money for elections from time to time.

Hon. W. H. Kitson: You said a little while ago that they were conducted solely for that purpose.

Hon. E. H. HARRIS: I will withdraw the word "solely" and substitute "chiefly." The auditors say, with regard to that Melbourne Cup sweep—

We note that the tickets disclose 50,000 at 2s. 6d., whilst actually a much greater number were issued. Although the reason for such may not be very hard to follow, and might be considered as rather a unique method to enable a sweep closing fully subscribed, if other subscribed prizes were increased pro rata, in view of nothing definite being stated on the tickets, there certainly appears to be some breach of faith in the matter which might easily be construed to injure the prestige of the organisation's bona fides in this connection.

The man who won the first prize in that sweep was named Kidd, residing in America. The fortunate winner of the second prize was a Chinaman at Broome.

Hon. J. J. Holmes: Who was the man that ran that sweep?

Hon. E. H. HARRIS: I am not suggesting there was anything wrong with it.

Hon. J. R. Brown: What are you quoting it for, then?

Hon. E. H. HARRIS: The hon. member does not like my quoting it because he was the secretary. The auditors further say—

We note that the three main prizes have not been subjected to the 15 per cent. deduction of tax for taxation purposes, a loss of £51 to the organisation. No authority for this can be found in the minutes.

The three first prizes went out of the State, and the committee were so much interested in the matter that they forgot to deduct £51.

Hon. J. R. Brown: You are now making—

The PRESIDENT: Order! Let the hon. member continue his speech.

Hon. J. R. Brown: But the hon. member is attacking me.

The PRESIDENT: If you would not interject so often you would have no occasion for complaint.

Hon. E. H. HARRIS: I disclaim any attack on the hon. member.

Hon. J. R. Brown: On a point of order, this man is attacking me.

The PRESIDENT: There is no point of order. Sit down!

Hon. J. R. Brown: He is attacking me.

The PRESIDENT: He is not attacking you. Sit down, and let the hon. member go on with his speech.

Hon. E. H. HARRIS: I have no desire whatever to attack the hon. member. I am attacking the Bill, and showing that we are copying Queensland.

The PRESIDENT: Go on with your speech.

Hon. E. H. HARRIS: We are copying Queensland, and here in Western Australia things have been done that have also been done in Queensland, and these things are continued. The auditors' report clearly shows that the committee of the organisation omitted to deduct the £51. The inference is that the three first prizes never went out of the State at all. I do not know whether that inference would be correct or not. I want to connect these things up with a paragraph which appeared in the "Westralian Worker," the official organ of the Labour Party of this State: Under date the 31st October, 1924, we see that a suggestion has been made to raise funds for the next Federal election, and that a conference was held recently between the officers of the State executive and several representatives of the Parliamentary Labour Party. The outcome of the confer-

ence was the creation of a State finance committee consisting of Messrs. Troy and Willcock, Ms.L.A., and Messrs. E. H. Gray and J. R. Brown, Ms.L.C. Other Assembly members of that committee are Messrs. H. Millington, W. D. Johnson, W. M. Marshall, F. J. Withers, and A. Wansbrough.

Hon. J. R. Brown: What has that got to do with the Bill?

Hon. E. H. HARRIS: A good deal. Mr. Munsie is the only other member of the committee who is in the legislature. The remaining members are prominent in the Labour movement. The paper goes on to state—

Our organiser, Mr. J. W. Hogarth, who has got three months' leave of absence from the Furniture Trades Union, is getting around the State in an effort to raise money for the next Federal election; and he is pointing out how carnivals and sweeps can be run.

It was thought that a carnival could be successfully conducted on the goldfields for those objects, but then the discovery was made that a carnival was already on the tapis to be conducted by the A.W.U. on the 20th December. The "Westralian Worker" went on to say—

As regards the sweep proposed to be run, and other minor matters mentioned by Mr. Hogarth, he was assured of the council's fullest support.

There it is definitely indicated that the object of raising the money is that it may be used for political purposes. If this Bill should pass, it would vest the Minister with authority to allow sweeps to be conducted apparently for charitable purposes, such as worn-out miners and benevolent funds which are associated with trade unions, but also to be conducted, in part, for political purposes.

The PRESIDENT: The title of the Bill would not allow that.

Hon. E. H. HARRIS: Nevertheless, I suggest that it is pretty near the mark.

Hon. W. H. Kitson: It is all suggestion.

Hon. E. H. HARRIS: I cannot say definitely that that will be the case, but I am trying to connect up matters which have been dealt with, and have been proclaimed to the public. To-day I have received a communication from which I learn that the police have authorised the A.W.U. at Boulder to conduct a carnival on the 20th of next month, which will probably be for political purposes.

Hon. J. Nicholson: Under what Act is that done?

Hon. E. H. HARRIS: I do not know that there is any Act, but in the course of this debate we have learnt that when the Labour Party were in power about 1911 or 1912 the Premier of that day put up a minute, which I believe has never been rescinded, and on the strength of which these sweeps have been conducted.

Hon. J. Nicholson: I suppose the Minister for Justice will see that that authority is cancelled.

Hon. E. H. HARRIS: The Minister for Justice can answer that question better than I can. On the very date on which this carnival, with its authorised spinning jennies, is to be held, another carnival is suggested to provide funds for the Kalgoorlie band, that the band might come down to the metropolitan area to contest certain competitions. Under date 22nd November, the Commissioner of Police, replying to the application for permission to hold the band carnival, said he could not agree to authorise the use of spinning wheels at that carnival. I repeat that, on the same date, such permission has been given to a Labour organisation, using its funds for political purposes.

Hon. J. R. Brown: What is the inference to be drawn?

Hon. E. H. HARRIS: The hon. member can draw his own inference. I will vote against the Bill because I would never agree to give the Minister, whoever he might be, the powers sought to be conferred upon him.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central—in reply) [9.1]: In my second reading speech I endeavoured to demonstrate, first the great need for further funds to carry on our hospitals and charitable institutions; secondly, the harmlessness of lotteries, as compared with the totalisator and the bookmaker, both of which have been tolerated by Parliament, and, thirdly, the large sums of money now going out of the State for tickets in lotteries, the bulk of which might be retained to the advantage of the State. Not one member has attempted to shatter any of those propositions. Dr. Saw made a mighty effort, but confined himself to generalities and flights of imagination, some of which were very erratic. He denounced the Bill but, instead of basing his comments on facts, he based them on speculations. There was one bit of sound sense in his address. He does not object to a raffle at a church bazaar or a sweep, or to taking a ticket in "Tatts," or to a quiet game of bridge for a moderate stake. He then went on to give one of the best definitions of gambling I have ever heard. He said—

To my mind the evil comes when people gamble for stakes they cannot afford to lose without impairing their own resources or leaving their families not properly cared for.

There, in a nutshell, is a doctrine to which all men of sense must subscribe. In a word, it is not gambling, but the abuse of gambling, that calls for condemnation. Yet the hon. member referred to the proposed State lottery as a harmful species of gambling. It was an inconsistent and ridiculous attitude for him to assume. How many men, by patronising a lottery, would be gambling

for stakes they could ill-afford to lose? How many would impair their financial resources by such means? How many would leave their families unprovided for? It is not by sweeps, by lotteries, nor even by the totalisator, but it is by betting large sums of money on the racecourse that men are brought to ruin. Many incurable gamblers are known to hon. members. Yet no one acquainted with them would suggest for a moment that lotteries or sweeps had been responsible for their undoing.

Hon. J. Nicholson: They might thus become inspired with the spirit of gambling.

The COLONIAL SECRETARY: Nobody would believe they were first lured from the path of righteousness by dipping into a lucky bag. The hon. member said they might get their first inspiration that way. But visit the scene where these betting men operate. Have a look at their countenances, and you will be able to come to a conclusion as to whether it was association with ordinary lotteries that led them into the path they are following. Dr. Saw was anxious to know what would be the cost of running the lotteries under the Bill. I have here figures supplied me by the Queensland Government, and I think they can be accepted as a fair guide. Over three years the percentage of working expenses to revenue from tickets has been 5.64 per cent. It is not a high percentage when we take into consideration the immense volume of work and the immense amount of money involved. Another disadvantage, says Dr. Saw, is that a considerable amount of money will be kept out of circulation and locked up in the sweeps. None of this money will be locked up in sweeps for any length of time. The prizes will have to be paid and the salaries bill met, while the balance will be distributed amongst the charities. The money might be locked up for a month, or even two months, but not longer. What is the position at present? The whole of this money for lotteries goes to the East, and the only return we get is that which comes back in the shape of prizes. If the State lottery were in operation, the whole of the money, or at all events, a very large percentage of it, would be retained in Western Australia; indeed, we should lose nothing beyond any prize money that might be won in the Eastern States. Dr. Saw has referred to the small amount subscribed to the Perth Hospital by way of charity. That is the principal reason for the introduction of the Bill. The Perth Hospital is in sad need of financial help, and it is utterly beyond the resources of the Government to supply that assistance. For years past the hospital has been financed by means of lotteries, yet there has been no public objection. In the streets of Perth ladies and gentlemen have sold tickets for lotteries designed for the raising of funds for the Perth Hospital. That hospital is only one out of many in the State requir-

ing help. Its necessities are very numerous and very great, and there is no hope of the Government being able to provide the necessary funds, or even a fraction of them. I have here the following statement prepared by the secretary of the Perth Hospital:—

(1) Pathological Department: This department needs a special building which will not only accommodate a pathological and chemical laboratory and give provision for routine work and the necessary research, but provision must be made for a proper mortuary accommodation. This mortuary accommodation should provide for up-to-date and modern refrigeration and inspection chambers, with chapel attached. (2) Casualty Block: This very necessary department has been already made known to the public on several occasions, and is a most urgent need; approximate cost £25,000. (3) Dental Department: By the establishment of a dental department at the hospital we could supply a service which now the patients cannot obtain. The absence of this department frequently militates against their rapid return to fitness. Such a department was recently added to the Adelaide Hospital at a cost of £30,000. (4) Convalescent Home: This subject has on many occasions been brought under the notice of the Government, and been spoken of in Parliament; there being no general convalescent home in the State to which hospital patients may be sent to complete their recovery and fit them for their return to work. (5) Enlargement of nurses' home and addition to medical officers' quarters: The previous Government has already approved of additional payment being made to Perth Hospital to enable the board to shorten the hours of the nurses. This means, of course, increased accommodation, plans for which are being prepared. Owing to the increased number of patients being treated annually, it is now necessary to have more resident doctors, and with the provision of special departments more will have to be accommodated. (6) Ward equipment: Practically all the ward equipment is obsolete or worn out, and in a very short time will have to be replaced with more modern equipment and utensils. The provision of modern equipment would be labour-saving for the nursing staff and more comfort for the patients. (7) Enlarging X-ray department plant: The amount of X-ray work must necessarily increase with the proposed rate of use of the X-ray diagnostic and treatment work and additional complete X-ray unit with its housing would have to be provided. It is generally agreed that the routine radiographic examination of patients reveals early tubercular trouble long before clinical signs

are apparent. (8) Laundry: The laundry staff are now so crammed owing to the increased number of articles put through the laundry that the efficiency of their work and health is seriously affected. The laundry was built when the hospital averaged 243 beds, and with sometimes over 400 beds occupied it is not possible to complete the work without working many hours overtime, and again much of the machinery is obsolete and requires renewing by the supplying of more up-to-date and labour-saving devices. Extension will shortly have to be made, or else the removal of the laundry altogether to some other site. (9) Improvements in kitchen and preparing and distribution of food: Many improvements might be made in this department which would be beneficial to patients and staff. The carrying of food, refrigeration and storage is an increasing care and worry to the hospital authorities. Trained dietitians should be appointed, and attached to the kitchen staff to permit better preparation of patients' food. (10) Special departments: Provision must be made in the hospital for accommodation for skin cases, which are far from satisfactorily treated in general wards, as frequently patients object to the near proximity of disfiguring and perhaps loathsome skin cases. The ever-increasing ear, nose and throat clinic, which now averages at least 100 attendances per week, necessitates accommodation for the cases requiring indoor treatment. Our ordinary medical and surgical wards are so crowded that this type of case is frequently kept waiting for months, or if operated upon is sent home the same day, much to the patient's detriment and not without a certain degree of risk. (11) Provision and better accommodation for domestic and orderly staffs: At the present moment these quarters are so crowded that we are obliged to lodge out one-third of these staffs. They are without proper sitting and recreation rooms, and when off duty are obliged to seek their rooms, and rest upon their beds. The orderlies' dining room is located in a cellar of the oldest portion of the hospital, and would not be tolerated in any other institution. (12) Provision for the intermediate type of patient: In all modern hospitals there is attached a block of wards where those patients who are unable to pay the higher fees of private hospitals, but are able to pay more than the moderate fees of a general hospital and can afford to pay for their own medical or surgical treatment are accommodated. This would provide a very necessary requirement in this State, and would also give an opportunity to medical men unattached to hospitals to treat their own patients in a recognised institution. The establishment of such a block would not

be a burden on the finances, but rather a source of revenue to the hospital.

According to a report of a Public Works officer, at least £50,000 could be spent on the Perth Hospital in repairs and renovations. I could give further information in reference to other public hospitals in the State, but the position is known to hon. members and I need not dilate upon it. With the State lottery in operation we should be able to render some help to the Perth Hospital and also to similar institutions, and that, too, without injury to any individual or to the community as a whole. Dr. Saw quoted an eminent authority in support of his statement that this method of raising money had a demoralising tendency. It is a widely recognised method that obtains even in most British countries. I listened with attention to Mr. Ewing, but I can prove that there are lotteries in active operation throughout England at the present time. Here is an extract from the "London Times" of the 2nd October, 1924—

Your half-crown has 10 chances of winning £1,000. Ten first prizes of £1,000 each. If you are on the winning list even if you are only tenth man (or woman) you get £1,000. And the very half-crown you have in your purse now may perhaps be the one to do the trick. In any case ten times £1,000 to half-a-crown is something worth going for.

They have a clever way of advertising these lotteries in England. Here in another one—

Win £5,000 for yourself by entering the new blind ballot.

And then, there follow the names of the patrons of that lottery as follows:—

The Most Noble the Marchioness of Londonderry, the Most Noble the Marchioness of Linlithgow, the Rt. Hon. the Earl of Dunraven, the Rt. Hon. the Earl of Clarendon, the Rt. Hon. the Countess of Yarborough, the Rt. Hon. the Lord Tredgar.

and there are many others. The advertisement goes on—

£10,000 in cash prizes must be won, first prize £5,000, second prize £2,000, third prize £1,000 and dozens of other cash prizes. The whole of the prize money is on deposit at the bank, and was placed on deposit before the ballot started. Think of it—£5,000 for five sixpences. Tickets 2s. 6d. each.

Hon. J. J. Holmes: How can you compete against that?

The COLONIAL SECRETARY: It would be difficult to compete against these with so many famous names attached to the lottery advertisements. Here is another advertisement dealing with a lottery. It is from the Overseas League publication of recent date:—

To complete the effort to raise £100,000 for the British Voluntary Hospitals this

year, another great competition, similar to the £30,000 Hospitals Competition recently carried through by them, has been organised by the British Charities Association (president, the Viscount Knutsford). The new competition is known as the British Empire Ballot. Help the hospitals by sending for your tickets at once. It only costs a single half-crown to enter, and that half-crown has ten chances of winning a thousand pounds.

That is in England where lotteries, according to Mr. Yelland, were abolished in 1826. In my speech on the second reading of the Bill I paid a great compliment to those who are known to possess religious scruples for their opposition to the Bill, but to my great surprise I find that at least four of those religious organisations are benefiting from funds raised principally by means of art unions. I have their names here, but I do not intend to read the list because I cannot see that they are doing anything wrong.

Hon. J. Nicholson: Who are they? You might let us into the secret.

The COLONIAL SECRETARY: I do not intend to disclose the names. Probably they do not know the source from which the money is derived, but according to the views they have expressed, sources of that kind are tainted. The Government propose to exempt the prizes from taxation. Dr. Saw raised an objection to that. If we decide to impose taxation there is a protest; if we decide not to impose it there is also a protest. When the Bill is in Committee Dr. Saw, if he chooses, can move in the direction of subjecting the prizes to taxation.

Hon. A. J. H. Saw: If the Bill does get into Committee I will move in that direction.

The COLONIAL SECRETARY: I can assure the hon. member that I will offer no objection to the proposal. The object of exempting prizes from taxation was that Parliament should be sure that the Consolidated Revenue would not benefit. With regard to the abolition of art unions and sweeps the Government came to a decision that if the Bill was passed all sweeps and lotteries should be abolished. The Minister who introduced the Bill in another place took up that attitude emphatically. Mr. Yelland said he did not.

Hon. E. H. Harris: He side-stepped it.

Hon. J. J. Holmes: What did he say?

The COLONIAL SECRETARY: A short time before I submitted the Bill to the House I was informed by a member that the Honorary Minister said if the Bill went through, other lotteries and sweeps would continue. As the debate proceeded in this Chamber the Premier's name was frequently mentioned and it was suggested that he was not in favour of the abolition of other lotteries. I consulted the Premier and he denied ever having made such a statement. He spoke once on the Bill

in another place, but never indicated or implied that any course other than that outlined by Mr. Munsie would be followed.

Hon. J. M. Macfarlane: Will you insert that in the Bill?

The COLONIAL SECRETARY: I will offer no objection to an amendment to that effect being moved. Mr. Burvill said that the measure was an expedient to tax a section of the people by legalising gambling. As I stated before, the House did not take that view when the Bill to tax bookmakers was before the Chamber a few years ago. In that Bill "bookmaker" was clearly defined. Here is the definition—

"Bookmaker" means any person who carries on the business or avocation of or acts as bookmaker or turf commission agent, or gets his livelihood wholly or partly by betting or making bets with hackers. The term includes the servant or agent of a bookmaker.

In the course of the debate on that measure only two members spoke, and neither offered the slightest objection to the Bill. One of those two who is opposing the measure we are now dealing with spoke approvingly of that other Bill which practically legalises the bookmaker. I am surprised, therefore, at the attitude now being taken up by some members in this Chamber. Of course the Bill at that time dealt with other forms of taxation, and the mention of the name "bookmaker" was carefully avoided by every member who spoke. Thus official recognition is given to the worst kind of gambling, namely, betting. The Bill proposes to sanction the mildest form of gambling.

Hon. J. Cornell: Recognition was given to the bookmaker inasmuch as he was taxed on the bets he made.

The COLONIAL SECRETARY: Another of the arguments used by opponents of the measure was that two individuals connected with the Golden Casket had been convicted in Brisbane for misappropriation of funds. It is hard to seriously accept an objection of that nature. If we read the records of the Police Court and the Supreme Court we find that on many occasions men employed by financial institutions conducted by astute business people, as well as by banks and mercantile houses, are from time to time charged with embezzlement and are convicted. The fact that two men associated with the conduct of the Golden Casket were convicted in Queensland should not seriously be advanced as an argument against the passage of the measure. A greater part of Mr. Yelland's speech was an accusation of ulterior motives against the Government. Then he went on to state that probably some political organisation would benefit from the proceeds of the Bill, in other words, that the Government would be guilty of fraud. The proceeds of the Bill will be the property of the Crown, and it would be improper for the Government to misuse

those proceeds in any way. I have never heard a more venomous accusation made against any Government than that made by Mr. Yelland. He offered strong opposition to the Bill but he seemed to be very familiar indeed with the percentages paid by Tattersall's and all the details connected with the conduct of those sweeps. He could certainly educate me on the subject, and I wondered where he got his information. He must have got his information from interested parties!

Hon. J. Nicholson: Yes, from Chas. Watson & Co.

The COLONIAL SECRETARY: I hardly knew the name of the firm. And yet Mr. Yelland is one of the strongest opponents of gambling! He said that more than half the money was ear-marked for special purposes. I wanted to know what those special purposes were. I wondered whether there was to be another accusation of ulterior motives! It is one object of the Bill to attend to the sick and suffering and to the poor and distressed. Does the hon. member offer objection to that course? It is the course the Government will adopt if funds are made available. He gave the House information about lotteries in progress in Queensland. What the Queensland Government chokes to do has nothing to do with the Bill. I got books of art union tickets from some unknown sources in Queensland with accompanying letters asking me to sell the tickets. There are scores of such lotteries in progress in Queensland, but that will not obtain in Western Australia. I can give my guarantee to the House that it will not happen here.

Hon. J. Nicholson: How will you stop them?

The COLONIAL SECRETARY: By enforcing the law.

Hon. H. J. Yelland: Why not enforce it now?

The COLONIAL SECRETARY: Mr. Harris said that sweeps were now being conducted because of a minute put up by a Labour Premier in 1903. That is not correct.

Hon. E. H. Harris: Well, who put up the minute?

The COLONIAL SECRETARY: I was administering the department in 1913 and I did not do any such thing. No Labour Premier put up any such minute. The same thing has been done for the last 25 years as is the practice now, except that the evil seems to have become more intense than in the earlier days. In those times sweeps on horseraces were not allowed, but from what I can learn they have been carried on for years past and have been so authorised by successive Governments. Most decidedly no Labour Premier ever wrote a minute authorising that course.

Hon. E. H. Harris: Well, tell us who did so.

The COLONIAL SECRETARY: I could do so if I had time to go back for 25 years. I know that this practice has obtained ever since the Act was passed, making it an offence to run sweeps. Every Government has been responsible for permitting sweeps during successive regimes. It would be interesting to go back to find out who was responsible in the first instance. I know no such minute was authorised in 1903 or in 1913 and I do not think it started in 1893. In England sweeps and lotteries are supposed to be abolished by law and yet in practice they are rampant throughout the country. As for sweeps being held for political purposes, on the goldfields, what has that to do with the Bill? Sweeps may be held in Bunbury, Geraldton, Perth, Northam or other centres for all sorts of purposes. I do not say they are permitted for any vile purpose, but so long as the sweep is authorised by some association or combination and so long as there is no element of personal gain attached to the proposition, anyone seems able to get permission to run a lottery. If the Bill be agreed to that practice will be done away with. I am not using that as an argument to urge members to support the Bill, but I merely mention it as indicating the intention of the Government. I said earlier that wonders will never cease. I have to add now that politics make strange bedfellows. That has been indicated in the combinations formed against the Bill. First of all the churches were against the measure. That was only natural, and I respect those churches. Now, however, they are reinforced by those engaged in the horse-racing industry and the whole of those associated with it, from the bookmaker downwards. I have had ample evidence of that since I have been in charge of the Bill. In addition to those participating in the horse-racing industry, there are those who have been engaged in organising art unions throughout the State. All these sections combine in their desire to kill the Bill. They evidently consider that if the Bill is set aside, they will be able to carry on their art unions and sweeps. Mr. Stephenson described the Bill as a cold-blooded measure. Perhaps Mr. Stephenson thought that his old-time sport of horse-racing would be imperilled by the Bill. I hope his fears were not excited by my endeavour to show that a lottery is a milder form of gambling than the totalisator. I simply used the totalisator for the sake of comparison, and perhaps the hon. member imagined that the Government had in mind the abolition, or at least the crippling of horse-racing in one way or another.

Hon. G. W. Miles: A good thing if you did.

The COLONIAL SECRETARY: I trust the judgment of the House will rise superior to the influences I have indicated. The Bill has come from the Legislative Assembly with an overwhelming majority representing

all political parties. I could give the figures if permitted to do so, but I do not think it would be proper. Hon. members are aware, however, that the measure was passed by an immense majority in the Assembly. In the course of my remarks I have shown that it is necessary to raise funds for our hospitals, not in small amounts, but in huge sums. There is no hope of the Government finding the money by any other means. Some hon. members have suggested taxation, but I am inclined to think that any increase in the income tax would meet with a very frigid reception from members in this Chamber. There is no hope of pursuing such a course and I hope hon. members will seriously consider the position before casting their votes.

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

Ayes	10
Noes	15
Majority against			5

AYES.

Hon. J. R. Brown	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. A. Lovekin
Hon. E. H. Gray	Hon. J. M. Macfarlane
Hon. V. Hamersley	Hon. G. Potter
Hon. J. W. Hickey	Hon. T. Moore

(Teller.)

NOES.

Hon. A. Burvill	Hon. J. Nicholson
Hon. J. Cornell	Hon. E. Rose
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. J. A. Greig	Hon. H. A. Stephenson
Hon. E. H. Harris	Hon. H. Stewart
Hon. J. J. Holmes	Hon. H. J. Yelland
Hon. J. W. Kirwan	Hon. J. Ewing
Hon. G. W. Miles	

(Teller.)

PAIRS.

AYES.	NOES.
Hon. C. F. Baxter	Hon. J. E. Dodd
Hon. F. E. S. Willmott	Hon. H. Seddon

Question thus negatived; Bill defeated.

BILL—BILLS OF SALE ACT AMENDMENT.

In Committee.

Resumed from 19th November. Hon. J. W. Kirwan in the Chair; Hon. A. H. Stephenson in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 3, which had been partly considered.

Clause put and passed.

Clauses 4 to 7—agreed to.

Clause 8—Repeal of Section 25 and insertion of new section:

Hon. J. A. GREIG: Subclause 2 provides for retrospective effect. I am always suspicious of retrospective legislation. What does it mean in this instance?

Hon. J. NICHOLSON: In reply to Mr. Grieg, assuming that a bill of sale or debenture is not registered, failure to register it will be cured by registration within the prescribed time if this measure becomes law. The object is to make it compulsory to register every bill of sale. In order to register a bill of sale it is necessary for a declaration or affidavit to be sworn. It is possible the attesting witness may be dead or absent from the State, and it would be difficult to arrange for the necessary affidavit or declaration. To obviate that difficulty, I move an amendment—

That the following be added to Sub-clause 2:—"Provided further that if it be proved to the satisfaction of a judge of the Supreme Court that the witness to the execution of any bill of sale or debenture is dead or absent from this State, then such judge may, in the case of any bill of sale or debenture not verified by the attesting witness in manner required by the principal Act or this Act, order that such bill of sale or debenture be registered without the declaration of the attesting witness."

Hon. H. A. STEPHENSON: I accept the amendment. Its omission was due to an oversight when the Bill was being drafted.

Hon. A. LOVEKIN: Is not there an ordinary course of proving the signature of an attesting witness who is either dead or absent? Is the amendment necessary?

Hon. J. NICHOLSON: Section 8 provides that every bill of sale, and this includes a debenture, shall be attested and registered in a certain manner.

Hon. A. Lovekin: That applies in other cases. What is the general principle then?

Hon. J. NICHOLSON: It is possible to prove the signature of a witness in other cases, but it is a requirement for registration under the Bills of Sale Act that the attesting witness should make an affidavit. My amendment will cover a document that is not registered and in respect of which the attesting witness has omitted to make an affidavit.

Hon. A. Lovekin: Suppose the attesting witness of a will dies, what happens?

Hon. J. NICHOLSON: He is in a totally different position from the attesting witness of a bill of sale. There is no requirement under the Wills Act for a witness to make an affidavit.

Hon. A. Lovekin: Take a case under the Transfer of Land Act.

Hon. J. NICHOLSON: The signature of the witness there could be proved, but there is no necessity for him to make an affidavit as is required for a bill of sale. Under the Bills of Sale Act the attesting

witness has to make an affidavit as to the date when the bill of sale was executed.

Hon. A. Lovekin: Is not a similar declaration made under the Transfer of Land Act?

Hon. J. NICHOLSON: No. Under that Act, if the person who witnesses a document is not a qualified witness for attesting a document, he must appear before a justice of the peace, solicitor, or other qualified person, and make an affirmation as to the truth of his statements.

Hon. H. Seddon: Will there be no other method by which this can be proved than by taking it before a judge?

Hon. J. NICHOLSON: It would be advisable for it to go before a judge. If a bill of sale is not registered within the prescribed time, it is necessary to go before a judge to get an order. That principle should be adhered to.

Hon. H. STEWART: It seems a cumbersome method to have to go before a judge, but if it is necessary the Bill can be re-committed, and the point dealt with.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 9, 10—agreed to.

Title—agreed to.

Bill reported with an amendment.

House adjourned at 10.6 p.m.

Legislative Assembly,

Tuesday, 25th November, 1924.

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

QUESTION—CORNSACKS, PRICES.

Mr. E. B. JOHNSTON asked the Minister for Agriculture: 1, Are the Government aware that cornsacks which were for sale at ten shillings per dozen a few weeks