

proach me, and no deputations call on me now because it is realised that I have no money at my disposal to enable me to grant requests. My refusal to accede to the many requests which have been made to me from various parts of the State have been due solely to the cause I have mentioned. I would have been only too pleased to be in the position to carry out many important works. It has been due solely to lack of funds that I have not been able to maintain the popularity of the Public Works department, a popularity which it has enjoyed for many years past. I am hoping however, that times will improve and that before long it will be possible to satisfy the demands of the people in the State, and that we shall be able to show the same energy as we have always displayed in the past.

Mr. Heitmann: Who is responsible for the concrete work at the Sanatorium?

The MINISTER FOR WORKS: The hon. member can ask that question on the Loan Estimates. In submitting my Estimates to the Committee I shall conclude by saying that we have endeavoured to keep down expenses as far as possible, and that my only regret is that the Estimates do not include many more items for the purpose of meeting the requirements of the State.

[The Speaker resumed the Chair.]

Progress reported.

House adjourned at 11.7 p.m.

Legislative Council.

Tuesday, 26th October, 1915.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Abattoirs Act, 1900, regulations. 2, Stock Diseases Act, 1895, regulations. 3, Municipal Corporations Act, 1906, by-laws for the regulation of motor and other traffic.

ASSENT TO BILLS.

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

- 1, Roads Act Amendment and Continuation.
- 2, Cottesloe Beach Rates Validation.
- 3, Postponement of Debts Act Continuance.
- 4, Marriage Act Amendment.

JOINT SELECT COMMITTEE, MONEY BILLS PROCEDURE.

Hon. W. Kingsmill brought up the report of the Joint Select Committee on money bills procedure.

Report received, read and ordered to be printed.

MOTION—VENEREAL DISEASES, UNIFORM LEGISLATION.

Hon. J. DUFFELL (Metropolitan-Suburban) [4.42]: I move—

That, in the opinion of this House, it is desirable that the Government

should approach the Governments of the other States of the Commonwealth with the object of endeavouring to arrive at an agreement between all the States as to the methods to be adopted to stamp out venereal diseases, so that laws may be enacted in each State to deal with the evil.

I must remind hon. members of the old adage that necessity is the mother of invention. After the vast amount of information we have gathered during the passage of the Health Bill now before this House, there can be no doubt that great necessity exists for united action throughout the Commonwealth to deal with venereal diseases, both as regards the methods and the action which should be taken, which should be on uniform lines in the whole of the States. It might not be generally known that the authorities in South Australia have been trying for some months to formulate a scheme, but up to the present have not arrived at anything like finality; in fact, they have stated that they are endeavouring to obtain information which will help them to devise some method for dealing with these diseases. Action is also being taken in New South Wales. For some considerable time a select committee has been sitting there to inquire into the subject of morals and prevailing evils, more particularly with reference to venereal complaints. I have before me a cutting from the *Sydney Daily Telegraph* of the 27th August last, dealing with the proceedings of the select committee; and I will read this extract to the House—

Further evidence regarding the morals of the city and the prevalence of contagious diseases was taken yesterday by the Parliamentary select committee. The police, said the Inspector-General (Mr. Mitchell), took action under an Act in every instance where they found women soliciting. The women fluctuated from one part of the city to another, and complaints came in quickly. Special attention was then given to the locality, and the nuisance removed. If a woman importuned, she was brought before the court, and dealt with by imprisonment. No fine

was imposed. So far as was visible on the public streets, there was no comparison between the present conditions and those of 30 years ago.

The chairman (Dr. Arthur): I suppose there is a great deal of what is known as clandestine solicitation going on?—Yes, but it is not apparent to the public eye.

With regard to the connection between the consumption of alcoholic liquors and the spread of venereal diseases, Mr. Mitchell said his experience was that the amount of drinking was on the decrease. He did not think there was the same proportion of drunkenness as in former years. He did not believe that military men from camp should be restricted from obtaining drink more than other members of the community, unless on proof that they were not able to conduct themselves. The police had received many complaints in connection with the military, but on investigation they were found to be much exaggerated. With regard to women of loose habits visiting the Liverpool camp, special constables were sent there from the city on pay-days. They found these women in several instances in the vicinity of the camp. They were arrested, and the local magistrate at Liverpool dealt very severely with them. They were generally arrested on a charge of vagrancy. The result of the cases had a good effect and practically stopped these women visiting the camps. At present at Liverpool there was very little to complain about.

The Inspector-General's knowledge led him to believe that the evil was much the same as before, but carried on under a different system. The men were taken to a lodging house, or what was coming to be called residential chambers.

- Mr. M'Girr: Have you considered the question of licensing houses?—I have no sympathy with that idea.

You do not think it would lessen the evil?—No.

Or the danger of contagion?—I do not think so.

Mr. T. Brown: Can you say whether, in addition to the recognised women, there is any considerable amount of amateur solicitation in factories, restaurants, and cafes?—Yes, I should think that figures would show that there is a great deal of immorality and disease in connection with factories.

Mr. Colquhoun: How could such figures be obtained?—The factory girls usually deal with local chemists, who assert that, in their opinion, a large amount of disease is present in such places.

Mr. Mitchell thought that the Police Department should be given increased powers to deal with persons of immoral character on similar lines to the legislation in regard to betting. On reasonable evidence being adduced before a proper tribunal that premises were being used for immoral purposes, the owners should become liable.

Hon. members will recognise, from what I have read, that New South Wales is up against the same trouble as are other parts of the Commonwealth. In New South Wales it is recognised that venereal disease is spreading to an alarming extent. In view of the return of so many soldiers from Egypt who are suffering from this complaint, it has occurred to me that it would be in the interests of the community if such a suggestion as contained in my motion were carried out. If I were asked whom I would recommend to constitute such a conference, I should say that the Minister administering the Health Act and the Commissioner of Public Health in each State would be most suitable. They would be in possession of information not available to other people, and they would be able to suggest legislation for dealing effectively with the complaints. I will give one fact showing how necessary united action is in this matter. Let hon. members carry their minds back to two or three weeks ago, when a troop ship, the "A17," returned from Egypt with about 373 venereal cases. Those cases were taken direct to Melbourne, with a view to their intern-

ment in a compound at Langwarrin. Now, I have the following information from one of the officers of the transport, so that it should be fairly reliable. The officer in question, visiting the theatre on the evening of the day of the transport's arrival in Melbourne, was greatly surprised to find a number of these men attending the theatre, and apparently at liberty. The fact is certainly a startling one, and I mention it publicly. If it is absolutely correct—and I have no reason to doubt it—then it is high time that something should be set afoot whereby the public may be safeguarded from the evils attendant on the repetition of such an occurrence. With this object in view I move the motion, and I reserve any further remarks for my reply in the event of debate ensuing.

Question put and passed.

On further motion by Hon. J. Duffell resolution transmitted to the Assembly for concurrence.

BILL—VERMIN BOARDS ACT AMENDMENT.

Report of Committee adopted.

BILL—GENERAL LOAN AND IN- SCRIBED STOCK ACT AMEND- MENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [4.54] in moving the second reading said: Owing to the dearth of money it has become necessary to amend the General Loan and Inscribed Stock Act, increasing the maximum rate of interest to be paid. The maximum is now 4 per cent.; but at the present time it is impossible to raise money at that rate, except subject to tremendous discount. This Bill substitutes 5 per cent. for 4 per cent. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—INDUSTRIES ASSISTANCE ACT AMENDMENT.

Message from the Assembly received acquainting the Council that requested amendments Nos. 2, 4, 5, 6, and 7 had been made, but that requested amendments Nos. 1 and 3 had not been made.

BILL—LAND ACT AMENDMENT.

Received from the Assembly, and read a first time.

BILL—WEIGHTS AND MEASURES.

Message from the Assembly received notifying that it had agreed to amendments Nos. 1, 2, and 4 made by the Council, and had agreed to amendment No. 3 subject to a further amendment.

BILL—HEALTH ACT AMENDMENT.

In Committee.

Resumed from the 21st October; Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Proposed new section 242i—Compulsory examination and treatment:

[Hon. A. J. H. Saw had moved an amendment to add a subsection as follows:—“(5.) When any person is subject to examination under subsection (1) or to detention under subsection (2) or subsection (3) he shall be entitled as of right to inspect any written statement made to the Commissioner under subsection (1) and to have a verified copy of every such statement.”]

The CHAIRMAN: For the information of hon. members I may remark that there appears on the Notice Paper an amendment proposed to be moved by Mr. Jenkins as an alternative subsection.

Hon. A. J. H. SAW: With the consent of the Committee I will withdraw

my amendment, in favour of the alternative subsection proposed by Mr. Jenkins.

Amendment by leave withdrawn.

Hon. A. G. JENKINS: I move an amendment—

That the following be added to stand as Subsection 5:—“When any person is subject to examination or detention under the provisions of this section, and is found not to be suffering from venereal disease, or to be suffering from venereal disease, but not in an infectious stage, or to be suffering from venereal disease in an infectious stage but not likely to infect others, he shall be entitled as of right to inspect any written statement made to the Commissioner under Subsection (1) of this section, and to have a verified copy of every such statement.”

This will prevent the person who may be found to be suffering from an infectious disease and contaminating others from getting information, but in all other cases the person charged will be entitled to the information as to who has laid a complaint against him.

Hon. J. F. Cullen: With what object?

Hon. A. G. JENKINS: That of finding out who has informed against him, which information I think he is perfectly entitled to. If the person who makes the complaint knows that the person charged will have that information only in the event of the person charged not being found to be suffering, no harm will be done. The person knowingly infecting others has no claim to consideration whatever, whereas every other person will have consideration.

Hon. J. F. CULLEN: If the hon. member's object is to discourage wrongful information, I fear the effect of the amendment will go a long way beyond that. The effect will reduce the proposition to that which Dr. Saw first submitted to the Committee, and will put an end to all information whatever. No one will take the risk. The amendment will cast on the informant the responsibility of distinguishing between a case that is infective and one that is not in-

fective. It will preclude all information being given.

Hon. A. J. H. SAW: The proof of the pudding is in the eating. The informant will be the person who has contracted the disease, and it will require no scientific knowledge on his part to be able to say where he got it. That is the class of person who will supply the information to the Commissioner, and in these circumstances I disagree with the assumption that no information will be given. If the informant's evidence be not true he will properly be held responsible.

Hon. A. G. JENKINS: If the amendment is going to make the compulsion ineffective, Mr. Cullen, who is opposed to compulsion, should support the amendment. However, I think the amendment will have very great effect, and it is gratifying to know that Dr. Saw agrees with me in this.

Hon. A. SANDERSON: I regret that Dr. Saw has seen fit to withdraw his amendment. Only by experience can we hope to discover what the effect of Mr. Jenkins' amendment will be. However, as Dr. Saw has accepted it, I will support it.

Amendment put and passed.

Hon. F. CONNOR: I move an amendment—

That the following new Subsection be added:—(9)—“Any person who fails to substantiate any information given to the Commissioner that a person is suffering from any venereal disease shall be guilty of an offence under this Act. Penalty: Fifty pounds, or imprisonment with hard labour for six months.”

This does not require much explanation. Seeing that the Committee have agreed to a certain degree of compulsion, I think it is necessary to supply an antidote to that compulsion. All through the Bill there are penalties provided for non-reporting on the part of doctors, nurses, and hospitals. I do not, however, see any penalty provided for anyone who reports a matter which is not fair and just to the person reported against. Speaking in the Town Hall on the 23rd

September last the Hon. Minister (Hon. R. H. Underwood) said, according to the newspaper report, that 25 per cent. of the deaths in the babies' ward of the Children's Hospital was caused as the result of venereal disease. I have here a pamphlet which shows that the report of the Honorary Minister's remarks that for the years 1911, 1912, 1913, and 1914 the total deaths were 514 and that the percentage of deaths due to venereal disease was 25 was not correct, and that the percentage of deaths was 2.14. The total deaths throughout Western Australia was 3,044, out of which 46 only died as the result of venereal disease. There should be some penalty imposed upon persons giving information which cannot be substantiated. In many cases this Bill must bring up blackmail.

The COLONIAL SECRETARY: The proposal of the hon. member would, if carried, paralyse the whole administration of the Act. No officer of the Health Department would take any action, because he would have to substantiate every report he made in every particular when it affected the reputation of some person in connection with this particular disease, and failure to do so would render him liable to the penalty proposed. Under the Criminal Code there is already sufficient safeguard on the question of defamation of character.

Hon. C. F. BAXTER: I intend to support the proposal put forward by Mr. Connor. Every person bringing forward a charge of this nature should be called upon to substantiate it.

Hon. J. DUFFELL: I, too will support the proposal. I regard the compulsory portion of the Bill as intolerable, but recognise that if it is there some penalty must be attached to a person who gives information which cannot be substantiated.

Hon. F. CONNOR: I would like to add after the word “given” in the second line of the proposed new subsection, the words “by him.”

The CHAIRMAN: I will accept the amendment and put the proposed new subsection as amended.

Hon. H. MILLINGTON: I am opposed to the proposal put forward by the hon. member. An endeavour has been made not only to get people to give the necessary information, but to inflict penalties if they refrain from doing so. Now we are asked to penalise those who do give information. The hon. member has not even provided that the information so given must have been maliciously given for a penalty to be imposed. The information may be given in all good faith, and in a case of that sort it would be hard indeed that the person giving it should have to suffer. I think the intention is to cast an aspersion on the whole clause, and to make it appear ridiculous.

The CHAIRMAN: The hon. member must not impute motives.

Hon. F. CONNOR: I may say that I discussed this proposition with the Honorary Minister, who said that he had no objection to it.

Hon. A. J. H. SAW: I was under the impression that we had already safeguarded those persons who were accused and that these would be able to take action in the ordinary course, and that it was not necessary to provide a specific sum which any person would have to pay or any term of imprisonment which any person would have to undergo in the event of his giving wrong information. I fancy that in some cases the penalty of £50 would be inadequate for the injury which the person might sustain.

Hon. E. M. CLARKE: The Bill requires the safeguard proposed. It would not be complete without imposing a penalty upon any person who gives information which cannot be substantiated.

Hon. A. G. JENKINS: In my opinion the proposed new sub-section will defeat its own ends. No matter how heinous the crime may be it limits the penalty to £50. Under the law regarding defamation of character a person defamed already has his remedy. If a person has already been convicted under one Act he is not punishable under another Act. I cannot support the proposal. Is it not better to leave it to the discretion of the injured person as to what proceeding he

will take? This amendment will be of no avail whatever, and in fact it may prevent lots of innocent people getting that measure of damages to which they are entitled.

Hon. E. M. CLARKE: While it may be possible to take action under the Criminal Code, to the layman that is not obvious, but if such an amendment as the proposed one is embodied in the Bill the position will appear in such a way that he who runs may read. I think this is where the amendment ought to appear.

Hon. C. SOMMERS: After listening to Mr. Jenkins I feel inclined to vote against the amendment, especially if the amendment will debar a man getting damages from the civil court. Although the Committee are with Mr. Connor in his endeavour to make the punishment fit the crime, I hope he will withdraw the amendment.

Hon. J. F. CULLEN: After the explanations made by the Colonial Secretary and Mr. Jenkins I hope Mr. Connor will withdraw his amendment. The amendment will have the effect of giving the penalty to the Government instead of to the aggrieved person, and the latter, by Mr. Connor's proposal, would be deprived of damages to which he might be entitled. The hon. member's object would be better gained without the amendment.

Hon. J. DUFFELL: I hope the hon. member will not withdraw his amendment. My opinion is that the penalty should be made even more severe. A heavy penalty is required to bring forcibly home the seriousness of the position to those who act without being sure of their ground.

Hon. F. CONNOR: It is not my intention to withdraw the amendment. I do not follow the legal arguments which have been put forward and I do not think the amendment, being included in the Bill, would prevent anyone taking other action if they desired to do so. If it is the desire of any hon. member to increase the penalty I shall have no objection to that course.

Hon. J. DUFFELL: I move an amendment on the amendment—

That in line 7 the word "Fifty" be struck out and "One hundred" inserted in lieu; also that in the last line the word "six" be struck out and "twelve" inserted in lieu.

Amendment put and passed.

Amendment as amended put and a division taken with the following result:—

Ayes	7
Noes	17

Majority against	..	10
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AYES.

Hon. C. F. Baxter	Hon. C. McKenzie
Hon. H. Carson	Hon. W. Patrick
Hon. E. M. Clarke	Hon. F. Connor
Hon. J. Duffell	(Teller).

NOES

Hon. J. F. Allen	Hon. R. J. Lynn
Hon. R. G. Ardagh	Hon. R. D. McKenzie
Hon. H. P. Colebatch	Hon. H. Millington
Hon. J. Cornell	Hon. A. Sanderson
Hon. J. F. Cullen	Hon. A. J. H. Saw
Hon. J. M. Drew	Hon. C. Sommers
Hon. Sir J. W. Hackett	Hon. Sir E. H. Wittenoom
Hon. V. Hamersley	Hon. J. W. Kirwan
Hon. A. G. Jenkins	(Teller).

Proposed new subsection as amended thus negatived.

Hon. W. PATRICK: There is a very important factor against the passing of this clause which hitherto has not been taken into consideration to any extent, and that is the opinion of the women of Western Australia towards this proposed new section. Up to the present time the women of the State have been practically inarticulate in this Chamber and I would like to read the opinion of the representatives of the women's associations who have expressed their ideas towards this proposal. The Women's Service Guild sent a letter dated the 7th October to a newspaper called the *Western Women*, published in Perth, from which I propose to read a few extracts bearing in this compulsory clause. It says—

Since we last wrote you the above Guild has been very active in opposing the principles of compulsion contained in the Amending Health Bill dealing with venereal diseases. The

two following resolutions were sent to every member of the Upper House:—

(1) That the Woman's Service Guild views with alarm the proposed new legislation in regard to the Health Act introducing compulsory measures in dealing with venereal diseases, and invites other Women's Societies or associations of men and women to help them in making an effective appeal against the passage of the compulsory clauses through the Legislative Council. (2) That the Women's Service Guild protests strongly against all Parliamentary Bills, and this important Health Bill in particular, being rushed through the Assembly without first giving the people a chance of procuring or discussing the Bill before its second reading in the lower House.

We as a body are at one with the Government in wishing to eradicate the evils brought about by venereal disease, but differ entirely from the methods proposed, taking for our stand the latest authorities on the subject who conclusively show the inefficacy of any compulsory measures wherever practised. For some years past many of our members have subscribed to the organ of the British National Vigilance Association, "The Shield." It will be remembered that this association is one of the many societies that come into existence as the result of Josephine Butler's life-work and the brave army of men and women who stood with her to fight against the infamous Contagious Diseases Acts. The religious and social bodies held a conference at which the above Guild was represented, Archbishop Riley was in the chair. They expressed themselves as opposed to the compulsory clauses in the Bill. Immediately after this conference some of the various women's organisations decided to call a public meeting to protest against the principles of compulsion contained in the Bill. The Town Hall, Perth, was procured and the meeting held there last Thursday evening passed this re-

solution, "That this meeting of citizens emphatically protests against the principles of compulsion contained in the amending Health Bill now before Parliament." The resolution was carried with only six dissentients.

Of those six, one was the Honorary Minister who introduced the Bill. I will also quote from a letter in the *Western Women*, dated 7th October, signed Amelia McDonald. It reads—

I hasten to accede to your request that I should write a letter for publication setting forth my own and other women's views on the amending Health Bill at present before Parliament. I may say that I speak for over 90 per cent. of the women's organisations both of the coast and goldfields districts, who have worked hard to stir up the public conscience by public meeting and letters to the Press. We all feel that if this Bill is passed in anything like its present form that a blow has been struck at the very foundation of our national liberty, as the compulsory clauses confer upon the Commissioner of Health powers as great as those enjoyed by the Czar of Russia, and the difficult position we are placed in is that, whilst the Honorary Minister, Mr. Underwood, said he would consider amendments, he absolutely refuses to entertain any alteration to the compulsory clauses, which really are the rock upon which he builds his whole scheme and upon which we trust a huge wave of public indignation shall dash and sweep away the Bill at least for a time until the people open their eyes to the grave danger and peril of permitting such a crude yet subtle measure to become law. We hear from some of the supporters of the Bill (thank goodness not many in number) that it is the first attempt made to treat the sexes with equality. What about the same Danish Act that in theory has professed to do so for many years? This is how the method works out in practice, 1906 to 1911: One hundred and eighty-four men and 3,176 women were forcibly examined, whilst on an average at the

same time 898 men and 141 women were ill, so much for equality of compulsory notification as between the sexes. There were also 1,749 cases reported by the police and other agencies, but in only 543 cases did the Commissioner feel justified in acting, proving conclusively that many causes combine to nullify the impartial working of compulsory measures, which are supposed to be used for the good of the whole community. We feel sure that if either the men or women who are supporting the Bill realised all the dangers it contains that they would rise up *en masse* and secure its overthrow.

Here is a letter also of the same date to the editress of the *Western Women* from the Women's Christian Temperance Union. It reads as follows—

Special meeting of the executive committee of the W.C.T.U. held 10/9/15 the following resolution was passed:—"We, the W.C.T.U. assembled in council to-day, regard the Health Bill now under debate in Parliament with alarm, and strongly oppose the compulsory clauses." The Boulder branch passed a resolution as follows:—"We, the Boulder branch of the W.C.T.U., hereby lodge a strong protest against the compulsory clauses in the Bill at present before the House." Women's Club, Eastern Goldfields:—"We, the members of the Women's Club view with considerable alarm the compulsory clauses of the Health Bill at present before the House, and beg herewith to protest against the same. Also to state that our members can see nothing but failure ahead to the effective working of such proposals as are contained in the method of compulsion in the amending Health Bill."

There is also a number of letters to the Press and one great peculiarity noticeable in the letters to the Press was that nearly all of those in favour of the Bill were anonymous, while practically all the letters against the compulsory clauses of the measure were signed. I will read one or two extracts from a letter signed Jean

Beadle. This is to the editor of the *West Australian* and it says—

We notice that Denmark has found for many years that the system of regulation has had such evil effects upon the spread of disease that it has been discarded. Every authority admits that venereal diseases are much more prevalent in males than in females. Hence one would be led to the conclusion that a remedy for these ailments had been obtained at last. But in the five years which began in 1906, we find that compulsory examination had been carried out on 184 males and 3,176 females. So much for the equality of the Act.

In a letter signed Mary Raine, Guildford, is the following—

I venture to say that any girl who has been subjected once to a compulsory examination will never outgrow the stigma. It is an insult to the dignity of womanhood. It cannot be denied that the subtleties of this Health Bill regulate prostitution, and surely it is an insult to ask any surgeon to guarantee either in writing or by word of mouth that a woman is legally fit in a physical sense to carry on this ancient vice? Enforce the existing laws, suppress houses of ill-fame, or issue licenses to men who wish to patronise these establishments.

Here is a letter from the State Secretary of the W.C.T.U. from which I extract the following—

The danger which lurks behind every clause in this iniquitous Bill. If directed against women, no woman, good or bad, will be safe under its regime, and in the name of your mother, sister, or daughter or any other woman whose fair fame you value, we beseech everyone to do what he can to limit the powers vested in the Commissioner of Public Health, and to protect, as far as possible, from the injustice of this Bill, the sanctity of the home, the family and the State. We append the figures taken from Flexner's book in support of our contention. In countries where treatment

is supposed to be administered equally, as between men and women, the following is how it works out:—1907, men 22, women 388; 1908, men 61, women 548; 1909, men 36, women 703; 1910, men 28, women 797; 1911, men 40, women 740.

Here is a letter, signed by Jessie A. Gover, which reads—

Surely it is a matter for the military officers to see that each man is in satisfactory health before granting release, and not impose any contagious possibility on the community. The suggestion that a small minority of black sheep should constitute a reason for this abiding insult to women can only be regarded and understood as tacit endorsement of white slavery, and a covert method for the protection of vice.

I will give a specimen of the kind of letter written by those in favour of the compulsory clause. The writer had not the courage to put his name to it. The letter appeared in the *Daily News*, and the writer certainly was ashamed to put his name to it and I am not surprised. It shows the moral lowness and degradation to which some people will stoop. Paragraph two of the letter says—

In a small up-country township the local doctor has four young men, some of them were boys, under treatment. They are not of the larrikin or dissolute class. The local medico is of a kindly humanitarian disposition, and he easily obtained the confidence of the lads. He has the best possible grounds for believing that a certain woman in the community is responsible for the infection. He has to hold his tongue. He can do nothing. The fire, so to speak, has to burn itself out, even if it destroys every decent house in the village.

Just imagine a man writing a letter of that sort. He suggests that in some village every person frequents a house of ill-fame. I remember years ago when a boy reading a book by Swedenborg on heaven and hell and he pictured the very lowest depths of hell as

inhabited by a number of men wandering about like swine and unconscious of the degradation. That is the only parallel I can give to the letter I have just read. The extracts I have read except the last are a fair representation of the views of the women of Western Australia, because so far as compulsion is concerned the amendments carried do not touch the question at all. Practically the women of Western Australia comprise one-half of the people. I believe a great majority of men and nearly all the women live clean lives. What is the justification for introducing a measure with a clause which, in the opinion of Dr. Saw and Dr. Seed, would practically abolish the *Habeas Corpus* Act? Dr. Seed's report was strongly against the Bill. He said if the measure was administered, this disease might be eradicated after several generations. I regarded that as extreme sarcasm and not the opinion of one who favoured the Bill. The statements of the Honorary Minister in another place—

The CHAIRMAN: The hon. member must not allude to debates in another place.

Hon. W. PATRICK: The compulsory clause is really the Bill. There are some good provisions in the measure, but the compulsory clause is the dangerous part and I am entirely opposed to it. Statements used by the Honorary Minister at the Town Hall meeting were of this description, that 25 per cent. of the deaths in the babies' wards of the Children's Hospital were due to syphilis. That statement is wide of the truth; it is not borne out by statistics, and the statistics are provided by responsible medical men who are servants of the State. Statements were made regarding syphilitic people in London, New York, and Paris, but no official statistics were quoted to prove them. I am prepared to assume that those statements were as reliable as the wild statements made regarding Australian statistics. One statement was that a member of the Medical Congress in Melbourne in 1908 said that out of 100 post mortem examinations 33 per

cent. of the bodies were syphilitic. If 25 per cent. of the deaths at the Children's Hospital, instead of 2 per cent., were due to syphilis, and if the statement regarding those post mortem examinations were true, that has no bearing on the prevalence of this disease amongst the community generally.

The CHAIRMAN: I must ask the hon. member to confine himself more closely to the clause.

Hon. W. PATRICK: The main argument in favour of a clause to interfere with the liberty of the people is that it is necessary to cope with this disease. I have a high respect for medical men, many of whom are above the average of professional men, but there are, and always will be, black sheep amongst them. Within the last six months, cases of black-mail have been exposed. There was the case of Dr. Leger Erson who tried to obtain money by false pretences.

The CHAIRMAN: The hon. member is not in order when he will persist in straying outside the clause. He may regard the clause as the Bill, but I cannot do so.

Hon. W. PATRICK: Surely I can deal with statements made in the Press. It has been argued that this disease is increasing and that this drastic clause is necessary to cope with it. The official statistics prove that, so far as this State is concerned, the disease is not increasing. In 1902 the infantile mortality in this State was 142 per 1,000, and in 1912 it was 82. In 1913 it was about 71. The general death-rate in 1901 was 13.37, and in 1913, 9.34. If this disease was so prevalent, surely it would have affected the general death rate. Taking the Commonwealth as a whole, in the year 1909, 110 males and 61 females died from syphilis. I will include other causes which might be traceable to this disease, thus:—locomotor ataxia 31 males, 10 females; paralysis without indicated cause 173 males, 146 females; general paralysis 111 males, 22 females; convulsions in children under 5 years 286 males, 237 females; or a total of 1,187 deaths in a population of 4,374,000, equal to

one in 3,685 persons. In 1912 the deaths from syphilis were—

The CHAIRMAN: I cannot allow the hon. member to go any further. He is undoubtedly making a second reading speech.

Hon. W. PATRICK: Taking all these diseases in 1912, there was one death in 3,786 persons.

The CHAIRMAN: I must ask the hon. gentleman to discontinue that line of argument.

Hon. W. PATRICK: This clause is against the best interests of the country, against the best feelings of the people, and against the liberty of the subject.

Hon. R. G. ARDAGH: I cannot understand why the hon. member desires to wipe out the whole of the work done on the compulsory clause. Without compulsion the Bill would be of no avail. After the arguments of Dr. Saw, one must realise that some form of compulsion is absolutely necessary. I have every respect for the opinions of those ladies who have communicated with hon. members, but if they have made sufficient inquiries I think they would not favour the deletion of the compulsory clause.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. R. G. ARDAGH: In order to show that some form of compulsion is necessary, I wish to refer to some information which has reached me from a reliable and responsible source concerning a large number of men, about 360, who arrived in Western Australia from Norway eighteen months or two years ago. The Norwegian law provides that before a ship sails the crew must be examined and proved free from venereal diseases. Since their arrival here these men, who were then free from disease, have been working in whaling ships along the coast; and I am informed that over 100 of these men have been affected with venereal disease. They contracted it here, as the result of sexual intercourse in Western Australia. This fact in itself plainly shows that some action is necessary. I

have recently been informed that some 200 men suffering from venereal disease broke away from the Liverpool camp in New South Wales. We know there are numbers of men similarly affected in the Western Australian camps. I support the proposed new section.

Hon. A. SANDERSON: I think this is an outrageous provision. I am convinced of that view by Mr. Patrick's admirable speech. This afternoon we carried a certain resolution, unanimously and without debate, calling on five Australian Governments to put through similar legislation to this. Would another Parliament adopt such a provision as this now before us? This is a Federal matter, and can only be dealt with properly by the Federal Parliament. Do hon. members think that the ten Houses to whom we to-day by resolution referred this legislation will carry this proposed new section in any such form? I do not suppose ever before in the history of this House has a new member taken complete charge of a proposed new section and carried the whole Committee with him. We all admit that Dr. Saw is one of the most experienced members of his profession in Western Australia; but is he an experienced legislator? This is not an operating theatre or a medical lecture hall. The youngest member of the House takes complete charge of a measure, and deals with it as he thinks fit; and the Committee supports him. The leader of the House has told us that this proposed new section is the essence of the Bill. The hon. gentleman has said, "Reject this provision, and you reject the Bill." I would recall to Dr. Saw the words of Lord Salisbury, that legislation generally has some effect, but seldom has the effect which the originators of the legislation anticipated.

Hon. A. J. H. Saw: I did not bring in this Bill.

Hon. A. SANDERSON: But Dr. Saw has taken charge of this proposed new section. If I have to choose between the Government's proposed new section and my colleague's amendment, I shall have pleasure in supporting Dr. Saw. I hope the Committee will reject the proposed new section altogether.

Hon. C. F. BAXTER: Since making my speech on the second reading I have heard no sound arguments in favour of compulsion. Indeed, nothing has been said on that phase of the Bill except that some sarcastic references have been made to myself. Extracts favouring compulsion were quoted by various hon. members, but those hon. members quoted only as much as suited their own requirements. This applies especially to Mr. Millington, who quoted Helen Wilson. That authority is utterly opposed to compulsion. Undoubtedly Dr. Saw's qualifications as an authority on the cure of the disease are second to no man's in Western Australia, but he is, like myself, only a layman as to the effect of this proposed new section. We can only view compulsion as it has been applied in other countries for years with non-success, yet hon. members propose to adopt compulsion here. I intend to oppose any such clause until other methods have failed, those other methods being free treatment, night clinics and education. It has been said that free treatment has been given in this State. I am ready to admit that it has to a certain extent; but to what extent? One member of the hospital board did not know that free treatment existed. Another point about the so-called free treatment is that persons receiving it were looked upon as criminals.

Hon. A. J. H. Saw: No.

Hon. C. F. BAXTER: They could be pointed to and it could be said that they were suffering from this disease.

Hon. A. J. H. Saw: No.

Hon. C. F. BAXTER: However, I intend to vote against the clause.

Hon. J. F. CULLEN: I am not prepared at this stage to support compulsion, which I think must break down. It may be said that my opposition to the clause is not consistent with my efforts to improve it. Yet, to do one's best to improve the clause and in the end to vote against it because one cannot get what he thinks necessary is a perfectly consistent attitude. Compulsion is bound to fail. Suppose information has been given against a certain girl, and the Commis-

sioner orders that she shall be examined. How is he going to enforce his compulsion if she refuses. Is she to be drugged, or is brute force to be applied in order that the examination may be made? Compulsion is bound to break down. Then there is the unhappy conviction in every honest mind that compulsion will be almost wholly against one sex. Something has been said of the escape of a large number of leprous men from military guard in New South Wales. Suppose such an escape took place here. The leprous escapees would be scattered among the community. Where would compulsion come in? After the lepers had infected over so many victims some one would inform against some of the victims, who would then be made the subjects of compulsion, which I affirm would prove utterly futile if the victims revolted against it. The information against someone supposed to be in an infected condition will be against women in 99 cases out of 100. In throwing out the clause the Committee will not be throwing out the Bill. The Bill contains a lot of valuable clauses which have been accepted with unanimity, amongst them the provision for free treatment. When the clause is thrown out I hope to see the Government further perfect this provision. If, owing to the throwing out of the clause, the Government decide to wreck the Bill, it will be the Government who wreck it.

Hon. H. CARSON: I intend to oppose the clause, believing as I do that the Government are proceeding on wrong lines. If they would advertise free treatment it would have a better effect than any compulsion. The great bulk of the medical testimony is against compulsion, more especially in the Old Country. I have here the report of the advisory board on Army Medical Service, and the treatment of venereal diseases. The committee say they have come to the conclusion that—

In the United Kingdom, at any rate, an attempt to grapple with the problem of venereal disease by methods of compulsory isolation and treatment is neither practicable nor expedient. Bet-

ter results are likely to be obtained by the diffusion of the knowledge of the serious consequences of these diseases, and the provision of effective treatment for both sexes, under conditions to which no penal stigma is attached. If this conclusion is sound, the more necessary is it that trustworthy methods of treatment should be thoroughly understood by the members of the medical profession, and rendered readily available both in military and civilian practice.

I believe there is any amount of testimony by medical men of high standing to support this finding. I will vote against the clause.

Hon. A. J. H. SAW: Mr. Patrick is right when he contends that these compulsory clauses are the essence of the Bill. The hon. member quoted various statistics. Anyone who knows anything about the medical profession and the running of hospitals will know that the published statistics dealing with venereal diseases are absolutely worthless. The last thing a medical man dreams of writing when signing a death certificate is that dread word syphilis. He will resort to all kinds of expedients to avoid the use of the word. In the same way, in speaking in the hospital to students, and before nurses and patients, he always avoids the word as much as possible. He generally calls it "specific disease." Those statistics quoted by Mr. Patrick are worthless for the purpose for which he quoted them. Possibly some medical man who is expressly desirous of being accurate and who knows that a patient who has died was friendless, may fill in the word "syphilis" as a sop to his conscience; but under any other circumstances he never dreams of it. Mr. Patrick threw a slur on the statistics of Professor Allen.

The CHAIRMAN: The hon. member is dealing more with the necessity for the introduction of the Bill than with the clause.

Hon. A. J. H. SAW: I am sorry. With regard to the women who are concerned with this question, I can congratu-

late them on the apparent fact that they know very little about it. If they had any inside knowledge of the subject of compulsion I would be very ready to listen to them. It has been my unfortunate position to act as a buffer between the arguments of the Honorary Minister and the Women's Service Guild. I would like to disclaim all intention of the veiled compliment paid to me by Mr. Sanderson. It had been far from my intention to take charge of the Bill. If I have wearied hon. members by my insistence it has been because it is a subject in which I have been intensely interested all my life, and which my professional training gives me greater authority to speak upon than has perhaps any other member of the Committee.

Hon. F. Connor: You are only the spoiled darling.

Hon. A. J. H. SAW: Much reference has been made to free treatment as an alternative to compulsion. Apparently there is to be a special kind of free treatment. The patient with syphilis is to be regarded as a hero. Special concessions are to be made; he is to have the privilege of coming in at night time and of getting the best medical treatment. I am afraid the patient with syphilis will have to be content with ordinary medical treatment. No doubt the medical man who deals with the syphilitic patient will do his best, but such patient has no more claim on the community for special consideration or special treatment than has the sufferer from any other form of disease. I wish to deny emphatically the statement which has been made by Mr. Baxter that there is discrimination by the medical profession in regard to these patients. We deal with them from the point of view of the disease and from the point of view of disease only. We neither put them on a pedestal and make heroes of them, nor do we make martyrs of them, nor wish to persecute them. I may be permitted, perhaps, to give the views of other medical men. Mr. Patrick claimed that Dr. Seed is a non-advocate of compulsion. In the report of a meeting of the Western

Australian branch of the British Medical Association a little while ago I find a reference to this matter, and find Dr. Seed seconding a motion which I will read directly. This deals particularly with compulsion, because we regard compulsion as the essence of the Bill. At this particular meeting of the Western Australian branch of the British Medical Association the following motion, which, as I say, was seconded by Dr. Seed, was carried—

That this meeting of the Western Australian branch of the British Medical Association, while disagreeing with certain details of the amending Health Bill at present before the Houses of Parliament, agrees with its main principles, feeling that legislation is urgently required for the suppression or prevention of venereal disease.

We regard that measure of compulsion which is contained in the amendments that this House has carried as absolutely vital to the Bill. Many public authorities have been quoted, but I would like to read to this Committee the words of one who is the wisest man in the medical profession, namely, Sir William Osler. These remarks were made not at any meeting dealing with any venereal commission, or anything of the kind, but were given in an address which he gave before the John Hopkins University. Sir William Osler is the most distinguished man in medicine in the English speaking world. He has a career which is unique. He was educated in England and on the Continent. From there he went to the McGill University at Toronto; and he was called to the old University at Pennsylvania. The John Hopkins University was being founded and he was summoned there to assist in its foundation. He is one of the most distinguished professors of that university. Not many years ago he was called to be regius professor of medicine at Oxford. I had not read this particular paragraph when I spoke on the second reading. I have only come across it since. The paragraph is as follows:—

Venereal Diseases.—These continue to embarrass the social economists and

to perplex and distress the profession. The misery and ill-health which they cause are incalculable, and the pity of it is that the cross is not always borne by the offender, but innocent women and children share the penalties. The gonorrhoeal infection, so common, and often so little heeded, is a cause of much disease in parts other than those first affected. Syphilis claims its victims in every rank of life, at every age, and in all countries. We now treat it more thoroughly, but all attempts to check its ravages have been fruitless. Physicians have two important duties; the incessant preaching of continence to young men, and scrupulous care in every case, that the disease may not be a source of infection to others, and that by thorough treatment the patient may be saved from the serious late nervous manifestations. We can also urge that in the interests of public health venereal diseases, like other infections, shall be subject to supervision by the State. The opposition to measures tending to the restriction of these diseases is most natural; on the one hand, from women, who feel that it is an aggravation of a shocking injustice and wrong to their sex; on the other, from those who feel the moral guilt in a legal recognition of the evil. It is appalling to contemplate the frightful train of miseries which a single diseased woman may entail, not alone on her associates but on scores of the innocent—whose bitter cry should make the opponents of legislation feel that any measures of restriction, any measures of registration, would be preferable to the present disgraceful condition, which makes of some Christian cities open brothels and allows the purest homes to be invaded by the most loathsome of all diseases.

Hon. W. Patrick: There is nothing about compulsion there.

Hon. A. J. H. SAW: Yes, compulsory registration and compulsory notification. Anything would be preferable to allowing these conditions to prevail. Those who are opposing these compulsory

clauses are doing so, I know, from good motives. They believe that if these clauses are passed there may be a spread of immorality. They are taking a great responsibility on their shoulders. I invite them to listen to the cry of the unborn syphilitic babe, which for many generations will be heard in this State. I also ask them, in their zeal to discourage immorality, not to encourage the spread of syphilis.

The COLONIAL SECRETARY: The question under consideration is whether force should be resorted to or merely simple persuasion employed in the effort to combat the evils responsible for these clauses. The question is one as to whether voluntary or compulsory methods should be employed. I intend to confine myself to that point. I contend that the compulsory system has had its trial. It is responsible for the extent to which the disease now prevails here. The compulsory system has been a woeful fallacy in the past and there is no guarantee that it will be a success in the future. The means are at hand for every individual in the community, who is suffering from the disease, to receive treatment. The rich man is able to employ the most skillful medical and surgical treatment available, and the indigent man can enter our public hospitals. There is special provision made in the Perth Public Hospital for the reception and treatment of patients suffering from this disease. Night clinics have been suggested by Mr. Cullen. The idea is an excellent one, but to carry it out would involve heavy expenditure. There is no doubt that it would assist perhaps, to a large extent in the eradication of the disease. Fully 75 per cent. of those afflicted might benefit, but if 75 per cent. derived benefit and 25 per cent. failed to avail themselves of the opportunity, this 25 per cent. might continue to spread the disease throughout the community. That is what we wish to avoid. The compulsory system has been tried in Western Australia in connection with the aborigines, as instanced by the Bernier and Doree Island lock hospitals. It is not possible to apply the same methods to

white people as have been applied to the aborigines. Fortunately, there was a provision in the Aborigines Act which enabled the Government to create aboriginal reserves and to compulsorily remove natives to these reserves. These lock hospitals in the North-West were created reserves, and the natives were compulsorily removed there. The treatment they have received has resulted in a very large percentage of the natives being cured. No doubt great powers are given to the Commissioner under these clauses, but I think we must trust the Commissioner. We have to trust the police and the police have very great powers, indeed far greater than are contained in these clauses, and will be enjoyed by the Commissioner of Public Health if the Bill is passed. The police have power under Section 564 of the Criminal Code to arrest any man who is suspected of a wrongful act. I understand this Act is strictly in harmony with the English law. A constable is given power to arrest without warrant, and even on bare suspicion. The person who is apprehended under this Bill and submitted to examination is in a position of being able to prove his or her innocence. He will be subjected to examination, which is carried out in a strictly confidential manner. There will be no chance, such as exists under the Criminal Code, of a man after being declared innocent leaving the court with any suspicion on his character. There would be no such course taken in regard to persons submitted to examination, and I think the whole world would be satisfied, if the examination proved that the person concerned was free from the disease, that the person was not suffering from it. Although some hon. members may think that it is not right for the Prime Minister to interfere in matters of this kind, still, when I read his letter to the Premier, and when hon. members realise the reason for that letter, I think they will admit there was nothing wrong in the Prime Minister communicating with the Premier of Western Australia on the subject. Mr. Fisher wrote to the Premier under date 25th

September in connection with the prevalence of venereal disease amongst members of the Federal military forces. He wrote—

My colleague, the Minister for Defence, informs me that every possible precaution has been taken by the Defence Department to prevent infection by isolating patients in a special compound, over which a guard is posted, but it is found that the prevalence of the disease at camps and large cities is due in a great measure to the source of contagion being permitted to remain a menace to the health of the troops. The alarming increase in the number of cases amongst troops in training is likely to seriously affect the efficiency and general health of the army. In these circumstances I shall be glad if your Government will consider the desirableness of taking steps with a view to providing for the compulsory notification of venereal disease, as is done in the case of certain infectious diseases. Such action would appear to be a matter of urgent public necessity."

Hon. C. F. Baxter: Why does not his Government do something?

The COLONIAL SECRETARY: The Prime Minister and the Minister for Defence consider it essential even from the standpoint of the good health and efficiency of the army that something should be done, and I hope that the Committee will support the clause as it stands.

Hon. J. DUFFELL: I have listened with attention to the remarks from hon. members for and against the clause. The leader of the House, I think, has given us the key to the situation. He has told us plainly the reason for the inclusion of the clause in the Bill. He has told hon. members what compulsion has done in the North-West, and he even went so far as to tell us that it had practically wiped out the disease amongst the natives. I still have my doubts whether it has had that effect or not, and because compulsion has been forced upon the natives of this State, are we to regard that as a basis for forcing compulsion upon the men and women folk of our towns? I have yet to learn that we are on the right

track. If the motion which I moved at the commencement of this sitting, that the whole matter should be referred to an Inter-state conference to be composed of men in a position to deal minutely with the question is acted upon, I will then be prepared to consider favourably anything which might emanate from that conference in the way of suggestions regarding compulsion. I would like to tender my meed of praise to Dr. Saw for the interest he has taken in this Bill, and for the sand-papering of the measure which he has brought about by his efforts. It shows how necessary it is that we should have men of all shades of opinion, as well as of different professions, in this House of review. I shall have no alternative but to record my vote against the compulsory clause.

Hon. A. SANDERSON: We are in duty bound to throw as much light as we can on this subject. I want hon. members to clearly understand that at this late hour in the discussion the leader of the House comes forward and tells us the object of the Bill. It is a Federal Bill introduced at the request of the Prime Minister.

The Colonial Secretary: Nothing of the kind.

Hon. A. SANDERSON: I leave hon. members to read the remarks of the leader of the House, and the motion we passed this afternoon. The letter which the Colonial Secretary read shows us that compulsory notification was what was required by the Federal Government. It must be admitted that this is a Federal matter, and should have been dealt with by the Federal Government. Let us send this clause now under discussion to the Prime Minister and see whether he approves of it.

The COLONIAL SECRETARY: From the tenor of Mr. Sanderson's remarks one might be inclined to think that this Bill is the outcome of the letter the Prime Minister sent to this State. The Bill was introduced in another Chamber on the 24th August last, and the letter from the Prime Minister is dated 25th September, or just about a month after the Bill was introduced in another place.

Probably the introduction of the Bill caused the Prime Minister to write.

Proposed new section as amended put and a division taken with the following result:—

Ayes	15
Noes	8

Majority for .. 7

AYES.

Hon. J. F. Allen	Hon. R. J. Lynn
Hon. R. G. Ardagh	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. E. McLarty
Hon. J. Cornell	Hon. H. Millington
Hon. J. M. Drew	Hon. C. Sommers
Hon. V. Hamersley	Hon. Sir E. H. Wittenoom
Hon. A. G. Jenkins	Hon. A. J. H. Saw
Hon. J. W. Kirwan	(Teller)

NOES.

Hon. C. F. Baxter	Hon. J. Duffell
Hon. H. Carson	Hon. W. Patrick
Hon. F. Connor	Hon. A. Sanderson
Hon. J. F. Cullen	Hon. E. M. Clarke
	(Teller).

Proposed new section thus passed.

Clause put and passed.

Clauses 4, 5 agreed to.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Colonial Secretary, Bill recommitted for the further consideration of proposed new Sections 242d, 242e, and 242i.

Proposed new Section 242d—Medical practitioner to report cases of venereal disease under treatment by him:

Hon. A. J. H. SAW: I move an amendment—

That after "penalty" the word "twenty" be struck out and "five" inserted in lieu.

Offences of this kind would usually be due to a mere oversight and the penalty is exorbitant.

Hon. F. CONNOR: I object to any alteration in the penalty. This is a Bill of penalties. The only offence for which no penalty is provided is that of telling a lie against any person's character.

Amendment put and passed; the proposed new section as amended agreed to.

Proposed new Section 242e—Name and address of patient to be reported on failure to continue treatment:

Hon. A. J. H. SAW: I move an amendment—

That after "penalty" the word "fifty" be struck out and "five" inserted in lieu.

A doctor might easily overlook the fact that a patient has not attended for treatment.

Hon. F. CONNOR: I enter my protest against this amendment also.

Hon. A. SANDERSON: The responsibility placed on the medical practitioner is so severe that the hon. member would be well advised to endeavour to strike out the whole of the proposed new section.

Amendment put and passed; the proposed new section as amended agreed to.

Proposed new Section 242i—Compulsory examination and treatment:

The COLONIAL SECRETARY: I move an amendment—

That the proposed new Subsection (1) be struck out and the following inserted in lieu:—"Whenever the Commissioner has received a signed statement, in which shall be set forth the full name and address of the informant, stating that any person is suffering from venereal disease, and whenever the Commissioner has reason to believe that such person is suffering from such disease, he may give notice, in writing, to such person requiring him to consult a medical practitioner, and to produce to the satisfaction of the Commissioner, within a time to be specified in the notice, a certificate of such medical practitioner that such person is or is not suffering from the disease, and if such certificate is not produced within the time stated in such notice, or if the Commissioner be not satisfied with such certificate he may, by warrant under his hand, authorise any medical officer of health or any two medical practitioners to examine such person to ascertain whether such person is suffering from such disease, and the said officer or practitioners shall have power to examine the person accordingly, and shall report the result

of his or their examination to the Commissioner in writing. Provided that where the person to be examined is a female, and the examination is to be by two medical practitioners, one of such practitioners shall, if so desired by the person to be examined, be a female medical practitioner, if able and willing to act, and within twenty miles of the place where the examination is to be made."

Amendment passed; the proposed new section as amended agreed to.

Bill again reported with further amendments.

BILL—MINES REGULATION ACT AMENDMENT.

Message received from the Assembly notifying that it had agreed to amendments Nos. 2, 3, and 5, but had disagreed to amendments Nos. 1 and 6, and had agreed to amendment No. 4, subject to an amendment.

BILL—LICENSING ACT AMEND- MENT CONTINUANCE.

Message received from the Assembly notifying that it had disagreed to the Council's amendments.

JOINT SELECT COMMITTEE, HORSE-RACING CONTROL.

To adopt report.

Hon. F. CONNOR (North) [S.45]: I move—

That the report of the Joint Select Committee be adopted.

Before dealing with this report, I wish to refer to an interim report laid before the House some time ago. From what I can gather, that interim report was treated with very scant courtesy in another place by the powers that be. The joint select committee were appointed for a specific purpose, which was to deal with the gambling evil existing in this State at the present time. It is true there were other reasons for the appointment of the committee. Horse-racing in its

various forms was to be considered, and the breeding of horses, and other matters. But I wish first to impress upon hon. members the fact that the committee, having worked hard and done their duty, were entitled to some consideration. They had a right to some appreciation and acknowledgment of their work. If their work has not been appreciated and acknowledged—and I say it has not been—what is the use of this House going on with work which is to be cast aside by another place? There is no question that gambling in this State has attained to such a degree that unless it is curtailed the people will suffer. Of course the people who gamble most will suffer most. The select committee honestly and fairly endeavoured to grasp and to deal with the one great object for which the committee were appointed. The committee brought in a report and informed Parliament that although possibly the complete report might not be available before the close of the session, yet the committee in their wisdom—four from another place and five from here, one member from another place not having shown up at all—thought that a most important point should be brought before Parliament immediately. However, the full report has been brought up. Dealing with the interim report, the Honorary Minister, who was responsible for the appointment of the committee, was addressed by Mr. Hudson, the chairman of the committee, on the 16th September as follows:—

I desire to be informed whether or not it is the intention of the Government to bring in a Bill this session to give effect to the recommendations contained in the interim report of this committee. If so, the subject can come up for discussion on the Bill; if not, I propose to give notice of intention to move that, in the opinion of the House, such effect should be given. It is the desire of the committee that a Bill should be introduced before the close of the session; and, as the time is short, it is thought that a debate on the motion suggested might delay the introduction of the Bill and jeopard-

dise the chances of its becoming law this year.

The reply to that letter was—

Cabinet cannot see its way clear to introduce the Bill suggested this session.
(Sgd.) R. H. Underwood.

That should have been the end of the work of the joint select committee. The committee should have resigned in a body by way of resenting that curt reply from the Honorary Minister, who was responsible for the appointment of the select committee. If that is the way committees are to be treated, no more committees should be appointed. I do not intend to deal fully with the report, but will touch on a few points. From the report hon. members will gather that the committee held 15 meetings and examined 40 witnesses; also that the committee visited several racecourses in the metropolitan area and at Kalgoorlie and Boulder, and took other steps to inform themselves on the subject into which they were inquiring. The one point on which the whole of the committee who took the trouble to attend—nine of the ten—are absolutely unanimous, is that there is too much racing and consequently too much gambling. As acting chairman at some of the meetings of the committee, I am able to state that the members are absolutely unanimous on that proposition, which was put before the Government. The committee have come to the conclusion that racing has become largely a business carried on directly or indirectly in the pursuit of profit, and that the element of sport, so far as the great majority of horse owners are concerned, is almost entirely absent. Therefore the committee consider that the object of racing for the improvement of the breed of horses has fallen from its original place and is now little regarded. That is an aspect of the inquiry which the committee took considerable pains to elucidate, and on which I take to myself the credit of knowing perhaps more than other members of the committee—the question of horse-breeding. As an old racing man, as an old pastoralist, and as the owner of large numbers of horses, I have no

doubt that the original idea of racing being carried on for the purpose of improving the breed of horses has fallen from its pedestal, if it ever was on a pedestal. Owing to the manner in which racing is carried on at present it does not benefit horse-breeding in any way, except that occasionally a high-class galloper, having broken down and being of no further use for racing purposes, is sold at a low price to a station, where there are a number of horses. In that way the breeding of horses is improved by racing, even under the present system. With regard to horses of another class, namely, trotters, I do not think they do much good to the breed of horses. We gather from the evidence that in the early days of racing here the Western Australian Turf Club controlled racing. I myself think that was a good thing for racing and for the State. I wish that it were possible to revert to that position. All the members of the select committee, however, do not agree with me in that. For my part, I think a reversion to control by the Western Australian Turf Club would be a benefit to horse-racing, and even to the people who make of gambling on horse-races a profession or an occupation. I think it is to their benefit that some control should exist. The Western Australian Turf Club were in full control of racing until these other people came in. The club permitted the establishment of two proprietary race-courses, which I think ought to be abolished. However, I would not be a party to the abolition of those courses without compensation, because their owners established them in conformity with the law, and spent their money legally. Next came unregistered racing. Nobody has any control over unregistered racing, and I do not know why it is allowed to exist at all. However, it is allowed to exist, and it is even encouraged by the present Government, inasmuch as within the last few months Ministers have done what I consider really a dreadful thing, namely, to license the unregistered racing clubs to use the totalisator. Yet present Min-

isters rise and tell us that they want to stop gambling. Then trotting comes along. After all, I think trotting has not been altogether a detriment to horse breeding. I myself do not want trotters. I do not believe trotters will produce a good cavalry horse, or a horse where hard work for the legs is concerned. The trotter makes a good spring cart horse, and is no doubt very showy. By means of trotting there has been introduced what people are pleased to call a new industry, the racing industry. That is the phrase we get—the racing industry. Not the breeding of horses, let hon. members remark; but the racing industry. I shall deal with that point later. A good deal of discussion has taken place in the Press regarding a recommendation by the joint select committee that night racing should be stopped. In my opinion, night racing ought to be stopped. It is unnatural to race at night. Night racing makes it too easy for people to assemble purely for the purpose of gambling. Trotting is really a gambling machine. People do not go to the trotting for sport, but for gambling. I went there and watched the proceedings, and anyone who goes there will see that men and women—children are now stopped from attending trotting meetings—go there not to see races but to back their fancy. If the Government are sincere in their desire to abolish the gambling element, about which there has been all this bother, they must stop night racing in particular, because night racing makes it too easy and too cheap for people to gamble on the Government 5s. totalisator, four women each subscribing 1s. 3d. to obtain a ticket. I am going to blame, not the present Government, but the Government of 10 years ago. The necessity for this joint select committee rests with them. At that time a select committee was appointed for a similar purpose, and the report of that select committee was practically the same as that brought in now, the gist of it being that there was too much racing. The recommendations of that committee of 10 years ago were not acted upon. At that time there was not one-quarter the num-

ber of race meetings that there are to-day. What is the proposal for next year's racing? Three race meetings per week in the metropolis alone! That does not require any comment, beyond saying that it must be stopped. The Government, in their wisdom, gave the use by license of the totalisator to the unregistered clubs and the Trotting Association. I think that the most vicious and inconsistent thing the Government have done; inconsistent, because they expressed themselves in favour of stopping undue gambling. It is an indication that they were not in earnest in having this matter brought before Parliament. The recommendations of the committee include the proposition that all racecourses should be licensed, and dates granted for their meetings. They also recommend that no new license for a racecourse within a given distance of an existing course be granted for at least five years. Most hon. members will agree with those recommendations. It is further recommended that during the next three years race meetings should be gradually reduced in the metropolitan area and at Kalgoorlie and Boulder, and that the question of compensation should be considered by Parliament. There is no doubt the number of meetings in the metropolitan area and the goldfields should be reduced, but I desire to say that the three amateur clubs at Boulder, Kalgoorlie and Coolgardie are deserving of every possible consideration. They have proved of benefit to the people as a whole, and any interference with their present number of meetings would be an injustice. Indeed, if they were to ask for more dates, the granting of their request would be perfectly justifiable. They have given to the people magnificent pleasure and picnic grounds, and in my opinion nothing can be said against them. But we have on the goldfields two other racecourses, known as Lakeside and Somerville. They are a disgrace, and ought to be closed up. Not only are they a menace to the people in that they encourage betting on low-class horses, but they are dangerous courses to race upon. There is a number of other recommen-

dations surrounding the fixing of the number of days that should be given to individual clubs. That can all be discussed in detail if legislation dealing with the subject is brought in, although I do not think that any such legislation will be introduced. On the subject of street and shop betting, it is the duty of the Government to immediately take up that question, even if they do not do anything else in connection with racing. There are many good reasons for abolishing night racing, some of them too strong for the hearing of my friend, Mr. McLarty, for instance. We were not all agreed upon the recommendation that members of race clubs should be debarred from owning horses and running them at meetings controlled by their organisations. I did not agree with the general application of that rule, although I myself, if an official of a race club, would not run a horse at a meeting in which I was interested. Another recommendation prohibits betting with persons under the age of 18. That is deserving of unanimous support. Then there is the debatable question of instituting sweeps on the lines of that known as Tattersalls. I gave my sanction to that, but only in a qualified way. The people will bet, and Tattersall's sweeps will continue to be carried on in Tasmania, and the money from this State will go to Tasmania for those sweeps; consequently when this recommendation came before the committee I supported it. Still, it is a doubtful question. The select committee was appointed for the purpose of stamping out undue gambling, and this recommendation, if carried into effect, will more or less encourage undue gambling. At the very least the committee will be accused of so doing. If sweeps are to be allowed to be carried on in any other part of the Commonwealth, and if a lot of the money from this State is to be sent away for those sweeps, I do not see why we should not keep that money here. But, on the other hand, the institution of such sweeps will serve to encourage the young people to bet. I do not know which way I would vote on this question of a clear-cut issue.

There is a danger in the recommendation. As a member of the committee I did not object to it, but it must inevitably increase the facilities for undue gambling. I have dealt with most of the principal clauses in the report. If I had the power I would abolish all racing, and consequently all gambling on horse-racing, until the war is over, abolish all except the holiday meetings and the annual meetings of the three principal clubs.

Hon. J. W. Kirwan: The industry would suffer.

Hon. F. CONNOR: Most certainly it is regarded as an industry. Racing nowadays is merely maintained for the profit of the professional punter and the professional backer. They permeate all classes of society. Trotting is a difficult thing to handle. We cannot afford to do a grave injustice to people who have spent a good deal of money on their grounds and have kept the cricket association ground going. It is a new gambling industry, however. Anyone going down to the trotting meetings on Saturday night will see that the thing is a pure gambling machine. What does it do for the improvement of the breed of horses? One, of course, can get a decent buggy horse out of their trotters, but one cannot put a trotting horse into the plough, and as a remount or a cavalry horse a trotting horse is absolutely useless. He will simply lie down. On the question of proprietary and unregistered racing, I can make no qualification as to the policy that I would adopt. I would close them up. I am opposed to placing racing under the control of one man, because I do not think one man should have the control of racing. Proprietary clubs and unregistered clubs, of course, would have to be compensated if they were closed up. I would give racing over either to the W.A.T.C. or to a commission appointed by the different racing bodies, to be controlled by the Government. The jockeys and the other people employed, that we have heard about in the evidence, should go to the front. One of the troubles is that the Government have in their wisdom made certain arrangements with the

racing clubs up to the end of the year. How could the committee, after the Government had committed themselves to this, recommend that this policy should be abolished? Because we did not do this, however, some of the gutter Press in this State have said that the report is a poor one. They are a poor lot, these gutter Press newspapers, any way. The Government must keep to their engagements now they have made them. They have given the totalisation to the clubs for a certain number of race meetings to the end of the year. If they had not done that I would have recommended that the whole lot should be shut up. The whole question resolves itself into one of whether or not racing and gambling should be continued as they have gone on in the past. If they are continued, then the responsibility rests upon the Government. The Government have had the recommendations of the select committee that it is in the best interests of this country, particularly of the metropolitan area, that this gambling evil and all its attendant evils should be restricted to the greatest possible extent. In the old days there were perhaps barely 30 meetings in the metropolitan area in 12 months, and now there are nearly 200 race meetings in this small portion of the State in a year. There is no doubt that there is too much horse-racing and gambling altogether, for horse-racing means gambling. If the Government are in earnest they have an opportunity now of dealing with the matter, and I believe that both Houses of Parliament would be ready to help them to pass legislation which would deal with this particular question. At present racing is carried on for the benefit almost exclusively of the professional punter and the professional backer, and racing has been carried on to the extent which is against the best interests of the people and should be controlled and curtailed.

Hon. R. G. ARDAGH (North-East) [9.22]: In seconding the motion, which I do in order that something tangible may be placed before Parliament, and that the findings of the committee may be

considered by the Government, I wish to say that I think that the Government, after asking for the committee to be appointed, should give consideration to the findings contained in the report and to the question of legislating in the direction of minimising the evil of gambling and horse-racing, and also to giving effect to the recommendations which have been put forward. Members will observe in the report that the committee recommend a reduction in racing in this State. As one who has been connected with racing for many years in different ways, I hold the opinion that to-day we have too much racing in this community, more particularly considering the times through which we are passing. Racing has been curtailed in the Old Country since the war broke out, and I think that although the Government have reduced the number of meetings in Western Australia during the last few months, that there are still too many races held. Clause 8 of the report sets out that—

The neglect of Parliament to give effect to the recommendations of a select committee appointed in 1905, to inquire into the alleged surfeit of horse-racing has resulted in the growth of racing to its present inordinate extent, and the establishment of vested interests which must be considered in dealing with the matter. Your committee take the view that it would work an injustice to at once make any drastic alteration in the extent of the business.

I claim that, had the Government of the day, when the report of the select committee was made in 1905, taken action at the time, many of the racecourses upon which so much money has been spent would not have been in existence, and that, consequently, through neglect in this respect, racing has been allowed to grow and proprietary clubs have been allowed to come into existence and to be recognised in various ways. As far as I know, these proprietary clubs have been conducted on lines equally as good as those on which registered clubs have been conducted. A consider-

able amount of money has been spent on their grounds, and because of that I think they are entitled to receive some consideration. If these courses are to be closed they should receive some compensation. We have certainly made recommendations that racing should be reduced and that no more clubs should be allowed to be formed within a certain radius of Perth for a period of five years. I think that will give ample time for racing to be minimised within the metropolitan area, and by the end of that period action will no doubt be taken by the Government to put racing on a proper basis in Western Australia. I claim that racing, although it was under the control of the W.A.T.C. at one time, is now practically not under their control at all, according to the evidence submitted before the committee. Clause 15 is no doubt a very debatable clause. Mr. Connor has referred to the shop and street betting, and to the action which should be taken against this form of gambling. I would point out that action has already been taken on the goldfields and at least three shop-owners were fined heavily a few days ago. No action, however, has been taken on the coast in this direction. The goldfields have apparently been specially picked out. With regard to Subclause (b) of Clause 15 of the report, namely, that betting on racecourses other than through the totalisator should be prohibited, I say that this, too, is a very debatable question. We have had the experience of New Zealand and South Australia in regard to the abolition from racecourses of bookmakers. Betting, however, exists to-day in those countries just to the same extent as it existed when bookmakers were allowed to bet on the racecourses. Whilst horse-racing exists bookmakers must also exist. I go so far as to say—though it may be unpopular for me to do so—that the best way to minimise the gambling evil is to confine bookmakers solely to the racecourses. South Australia has made a big attempt to stamp it out but it has been unsuccessful. The bookmaker exists there to-day, off the course and on it, and whilst he does not carry the bag or the colours, he

does a considerable amount of betting and it is possible to back horses in South Australia just as it is in Western Australia or in Victoria where the bookmaker is allowed to exist. The bookmaker I consider should be confined to the racecourses, and unless something is done in that direction it will never be possible to stamp him out. I am convinced that while racing exists the bookmaker will exist, and the best way to handle him is to allow him to bet on racecourses and place him under the control of the Government.

Hon. J. Cornell: How should the board be constituted?

Hon. R. G. ARDAGH: That would be a matter for the Government to decide. In the first place the Colonial Secretary should be the chairman of that board or else the Commissioner of Police. If bookmakers are recognised and licensed by the Government, a great deal of good will be accomplished, and the best men who follow this vocation would be the only ones to be licensed. There are men engaged in bookmaking to-day who should not be allowed to do so. In Austria the bookmaker is licensed by the Government and he has to pay a certain percentage of his takings to the Government, and more than that, he is responsible to the Government for a percentage of the winnings from those who bet with him. An officer goes through his books on behalf of the Government.

Hon. J. Cornell: That must be how the Austrians are financing the war.

Hon. R. G. ARDAGH: That system was in existence prior to the war. With regard to night racing, hon. members will find on perusing the evidence, that nearly everyone who was examined, except of course those connected with trotting, gave evidence against it. I hope that some action will be taken in the near future to curtail racing and gambling in Western Australia. There is another question I desire to touch upon and that is in regard to proprietary clubs and the other clubs. I would put them all on the one footing, because they exist for the

one purpose. They all allow betting on their courses and they all run for gain.

Hon. F. Connor: Not the Turf Club.

Hon. R. G. ARDAGH: They have various ways of spending their money. The Kalgoorlie and the Boulder clubs have beautiful grounds which are thrown open to the public every day in the week and a great deal of good is done in that way.

Hon. F. Connor: Do you put them all on the same plane?

Hon. R. G. ARDAGH: There is not the same need on the coast for using the racecourses for recreation purposes as there is on the goldfields. As far as gambling is concerned I put them on the same footing, and with regard to triers and non-triers, I would say there are more triers at the non-proprietary and the unregistered courses than there are to be found at the registered courses. So far as proprietary clubs are concerned, they exist all over the world. The English Derby is run on a proprietary course.

Hon. F. Connor: I do not think so.

Hon. R. G. ARDAGH: I got the information from people who ought to know.

Hon. F. Connor: Mr. Cockram is your authority.

Hon. R. G. ARDAGH: He ought to know because he has been there. I hope some good will come out of the report of the committee and that the Government of the day will take some action. If something is not done altogether on the lines suggested by the committee, the recommendation should be taken as the groundwork for the restriction of gambling and racing in Western Australia.

Hon. H. P. COLEBATCH (East) [9.37]: I desire to support the motion, but with considerable reservations. I feel that to speak on this matter at the present time is like beating the air, because we are given to understand that the Government do not propose to introduce legislation this session dealing with horse-racing. We are inclined to wonder why this committee was appointed. Was it appointed to enable the Government to evade the duty of framing legislation during this session? To my mind the

committee was absolutely and entirely unnecessary. I do not think that any member of the committee, or perhaps with one exception, entered upon his duties in connection with the committee with an open mind. All the members of the committee, or all with one exception, before they started had made up their minds as to what they would recommend, and I do not think any one of them altered his opinion during the progress of the committee. Having been appointed, the committee had to take evidence. They did their duty and brought in a report, and if the Government do not act on that report I will be confirmed in the opinion I formed at the outset, that the committee was appointed in order to evade the necessity for introducing legislation at the present juncture. My chief reason for speaking at this stage of the discussion is that I want to take the first possible opportunity of dissociating myself particularly with one recommendation, namely, that the State should conduct sweeps, a recommendation, coming from a committee ostensibly appointed to minimise the gambling evil, suggesting that an additional inducement should be thrown in the face of the people to encourage them to gamble to a greater extent than ever before. But I will deal with that at a later stage. I want to impress upon members the fact that in our own Standing Orders we have what to my mind is an excellent provision whereby members of the committee who dissent from the general report may put in a dissenting report. That is not provided for in the Standing Orders of the Legislative Assembly, consequently this combined committee adopted what in my opinion was the only possible course. It was decided that we would discuss all these questions and let the majority decide on each point and that the decision of the majority should constitute the report. I do not think that is as good a system as a majority and a minority report, but at any rate it is a system which met the occasion and it was fully agreed upon by members of the committee that we would not quarrel but put the question to the vote, let the opinion of the majority stand and

allow the individual members of the committee to express their opinions when the report came up for discussion later. So far as I am concerned I was under the impression that this committee might well have confined itself to an expression of opinion on one of the big principles and left the details alone. The only big principle which appealed to me was that we might minimise the gambling evil and get rid of practically all the present objectionable features of horse-racing by eliminating private profit from betting and from the conduct of racing, and it is only in so far as this report deals with those two items that I regard it as being of any particular value, or that I can say it has my support. The proposal that a board should be appointed is, to my mind, purely a detail. I have a constitutional dread against building up additional Government departments and I fail to see that a board can conduct racing any better than the amateur clubs. It is necessary to remember that the committee were not appointed with the view of making suggestions to restrict horse-racing during war time. The committee were appointed to suggest permanent legislation. I do not think that the appointment of a board is likely to do much good. It is provided that one of the duties of the board shall be to arrange the method that shall be adopted for compensating the racecourses that may be closed up. That does not appeal to me. Those people who have established race-courses and conducted them in defiance of the existing law are not entitled to ask compensation from anyone. If we catch a man sly-grog selling we take his business away from him. We do not compensate him. It is quite a different thing in regard to the closing down of hotels which have been established in accordance with the law of the State. In this case I would say, "You must race in accordance with the law. If you cannot do that you are not entitled to compensation." Many of these racecourses are being carried on in defiance of the law.

Hon. F. Connor: What defiance?

Hon. H. P. COLEBATCH: By allowing the bookmaker to bet on the courses. I would say to the racing people, "You shall not allow the bookmaker on your racecourses and you shall not have the use of the totalisator if you are not a bona fide club. If you race within the law we will not interfere with you." But if a man says, "I cannot race because you will not allow me to let the bookmaker operate on my course," or "Because you will not allow me, being a proprietor, to use the totalisator, therefore I must close and you must compensate me," it is all nonsense. That man has been carrying on an illegal business and an immensely profitable one, and if he cannot race in accordance with the law, he ought to shut up.

Hon. F. Connor: Shut them all up.

Hon. H. P. COLEBATCH: Mr. Ardagh, in seconding the motion for the adoption of the report, quoted the cases of New Zealand and South Australia, and stated that the abolition of the bookmaker there had not prevented these people from carrying on their trade in betting. This is quite true and, if we carry into force the recommendation of the committee, I do not suppose we shall prevent these people from carrying on their business of bookmaking and betting any more than our existing laws will always prevent murder or forgery or other offences. But we have this fact, that the legislation of South Australia and New Zealand has minimised horse-racing. These are the two places within easy reach of Western Australia where there is not excessive horse-racing. I think they have not half the number of meetings in and about Adelaide that are held in and about Perth, although Adelaide has double the population. Neither from New Zealand nor South Australia do we hear the cry of excessive racing and gambling. They have legislation against the bookmaker which, though it may not be enforced in every case, certainly minimises betting.

Hon. W. Kingsmill: What is the quality of the racing in South Australia?

Hon. H. P. COLEBATCH: I have no reason to doubt that it is as good as it is here, and probably it is better. I be-

lieve it is very much better in New Zealand. If members go through the evidence, they will find that most of the people associated with the bona fide amateur clubs in this State—the W.A.T.C., the Kalgoorlie Club, the Boulder Club, and the Trotting Association—approved of the abolition of the bookmaker. Every one of the witnesses examined in regard to those bodies said the retention of the bookmaker is not necessary to the carrying on of racing as a genuine sport, or as an encouragement to the breeding of horses. If we want to look at the justice of this question from the point of view of the proprietary clubs, we have only to take the contrast Mr. Connor drew between the bona fide amateur clubs at Kalgoorlie and the proprietary clubs at Kalgoorlie. There we find two amateur clubs devoting large sums of money every year to the improvement of their courses for the benefit of the public. Members of the clubs get not a penny out of it, and they have done an important public service that otherwise could not have been done without taxation, which the ratepayers would have resented.

Hon. J. Cornell: They have raised a good deal for the patriotic fund.

Hon. H. P. COLEBATCH: Yes. On the other hand the two proprietary clubs have been racing there in defiance of the law. I must admit the Boulder and Kalgoorlie clubs defy the law to the extent of allowing the bookmaker to operate, but under the law they are entitled to the use of the totalisator. These proprietary clubs are not entitled to allow bookmakers to operate, nor are they entitled to the use of the totalisator. They hold more meetings than the bona fide amateur clubs, they give nothing to the public, they spend practically nothing on the improvement of their courses, and the whole of the proceeds go into private pockets. This is a thing we are entitled to put down, and one is not entitled to ask for compensation when we do so. I am not in sympathy with the proposal that racing at night should be abolished. If the people conducting trotting are carrying on within the provisions of the law, I do

not see why they should not continue. In their case I say abolish the bookmaker, and if they are a bona fide club grant them the totalisator. In regard to the granting of the totalisator, I would remind members that under the Act of 1884 the use of the totalisator could be granted to only bona fide clubs. Under the amending Act of 1893, the use of the totalisator was extended to clubs registered under the W.A.T.C., even though those clubs might not be bona fide amateur clubs. That extension, in my opinion, was an unwise one, but it is the law at present. Just before the committee were appointed, the Government granted the use of the totalisator to an institution called the West Australian Racing Association. That could only be done provided this association was a bona fide club, and if hon. members will turn to pages 36 and 57 of the evidence, they will find a good deal relating to the West Australian Racing Association, which proves that at the time the Government granted them the use of the totalisator as a bona fide club, the association had not a single member. I do not think it is necessary to pursue the matter further. Members can read their extraordinary rules for themselves, rules which provide not what the club shall consist of, but what the club shall not consist of, rules which provide that a small committee of four, not elected in any way, but apparently nominated by those who own the racecourse, can alter or amend the rules in any way they think fit, and at any time. Having read these extraordinary rules and discovered that when the license to use the totalisator was granted, they had not a single member but had only four gentlemen nominated to act as a committee, members will ask how the Government came to the conclusion that this was a bona fide club entitled to the use of the totalisator. I say without hesitation it was not a bona fide club, and the use of the totalisator was granted to this association in clear and absolute defiance of the law of the land. I am not at all in sympathy with another detail of the proposal, that the members of committees of racing

clubs should be debarred from owning horses. I think the provision is one which it would be impossible to carry out. If we had a provision of that kind, committee-men would still continue to own horses and would race them under other people's names. As was pointed out by Mr. Cullen, it would do a great injury in the country where races are held purely for the sport and only once or twice a year, because it would exclude those who know anything about horse-racing from taking a seat on the committee. This is a recommendation which should not have found a place in the report.

Hon. F. Connor: It is an abuse.

Hon. H. P. COLEBATCH: Anyhow, it is not a matter which the committee need have worried about. I want to refer to the matter I mentioned at the outset, namely, the proposal that the board controlling racing should be authorised to conduct not more than six sweeps on Australasian racing during the year, devoting the proceeds in the manner indicated in Clause 19. If the proceeds were to be devoted to the reducing of the deficit, there might be some reason for making such a proposal. The only argument in favour of it is that we cannot prevent people from sending money to Tattersall's sweeps in Tasmania. At the present time, it is illegal for people to send their money away for these sweeps. The people taking tickets in these sweeps have to sneak into a tobaccoist's shop and they have to run a very big risk that the man to whom they give their money will pocket it and not send it to Tasmania at all. This is a thing which has occurred over and over again. They have also to pay something like 20 per cent. They know that 10 per cent. will be deducted from the prizes, and they have to pay a big fee on top of that. I do not know how much the 5s. tickets cost, but it is a good deal over that amount.

Hon. R. G. Ardagh: It is 5s. 10d.

Hon. H. P. COLEBATCH: Then they pay 10d. over the 5s. and another 10 per cent. on top of that, which is deducted

before the prizes come out, so that the number of people who are so intent upon going in for these sweeps that they will do an illegal act by going into a tobaccoist's shop on the sly, give away 10d. for a start, and then 10 per cent. on top of that, must be limited indeed. Why do people invest in these sweeps? For the one reason that the £5,000 prize constitutes a big attraction. If we are going to compete against Tattersall's sweeps we shall have to put up a £5,000 prize straightaway. In Tasmania, a sweep for which the first prize is £5,000 would probably carry prizes to the value of £10,000 altogether, and I doubt if one-tenth of that sum goes from Western Australia. Then the Government would have to advertise their sweeps from one end of the State to the other; they would have to appoint agents in every small town; they would have to get hold of the nursemaid's wages and the schoolboy's pocket money in order to get the £10,000 to provide a sweep. Hon. members will observe that the suggestion came from a gentleman whose opinions in politics largely accord with my own. After all, it would be impossible that such a suggestion could come from a member of the Labour party. A large number of the members of the Labour party believe in socialism, and in the division of all wealth, and it would of course have been impossible for any member of that party to suggest a scheme by which wage earners and all the rest should come together and throw their five shillings into a big heap so that one man might get the lot. Such a thing would be contrary to their principles, and while it is regrettable, it is not surprising that the proposal came from a gentleman who is not a socialist. However, that does not make it any the more commendable. If the Government act on the committee's recommendations, I hope they will exclude this proposal from the Bill. If not, I trust this House, if not another place, will treat it—I will not say with contempt—but with the firm opposition it deserves. If we are in such a position that we cannot run the country without

promoting gambling sweeps and trying to make a bit of money out of them, we should hand this country back to its original inhabitants. It is a blot on the fair island of Tasmania that its Government depend upon receiving so much from this vice of the public towards their annual revenue.

Hon. J. W. Kirwan: The Federal Government have tried to stop Tattersall's and have not succeeded.

Hon. H. P. COLEBATCH: The Federal Government have had an opportunity to put a stop to the sweeps.

Hon. J. W. Kirwan: None of them could see any way to stop them except by extending the Constitution.

Hon. H. P. COLEBATCH: These are the only points I intend to touch upon. I again repeat that I am in doubt as to why the committee were appointed. If it was in order to assist the Government to obtain a mass of valuable evidence, even though in some particulars the report might not be in accordance with their wishes, there is plenty of material on which to frame a new Bill. Ten years ago, however, a committee were appointed and brought in a number of valuable recommendations that have not been acted upon from that day to this. The report of the joint committee might share a similar fate, but I have this suggestion to offer, that the Government should apply the law of the land as it stands, and if they do so most of the trouble will quickly disappear. Betting by the book-makers on racecourses is illegal. Prosecutions have been instituted against book-makers, and I believe against the clubs that permitted them to operate. These cases were dismissed by the magistrate. I am not questioning the wisdom of his decision, but he said it was contrary to the policy to enforce the law, and I believe there was ample evidence that these prosecutions were malicious and were instituted by some man who had a grudge against the parties in question. Let it be the policy of the Government in the future, and particularly at the present crisis, to enforce this law—enforce it on every racecourse in the State—prohibit

bookmaking, and carry out the law as it stands, and also confine the use of the totalisator to bona fide amateur clubs in accordance with the law as it stands. If these two things are done, I am sure a great deal more would be accomplished than by giving effect to the detailed proposals contained in the report of this joint select committee.

On motion by Hon. J. F. Cullen debate adjourned.

House adjourned at 10.3 p.m.

Legislative Assembly,

Tuesday, 26th October, 1915.

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The SPEAKER took the Chair at 3 p.m., and read prayers.

PAPERS PRESENTED.

By the Minister for Works: 1. Regulations under the Abattoirs Act, 1909. 2. Regulations under the Stock Diseases Act, 1895.

By the Premier: Agricultural Bank operations (ordered on motion by Mr. Harrison).