

ing Commissioner. But when it comes to how much shall be given for wheat or wool, the basic commodities of the farmer, it is considered that £7 per month is sufficient for him with £6 a year for each child under 16. I said £6 a year and not £6 a month or a week. That is to say 10s. a month is given by a Government which is prepared to invoke Federal statutory regulations. I think we should have a hand in invoking a regulation to assist the farmers.

Mr. SPEAKER: I think that could be done under another measure.

Mr. BOYLE: I think so, too, and possibly an opportunity will be afforded us to do it. I support the measure, but I do not support it because I think it is anything out of the way. Before concluding, I draw attention to something that I consider grossly unfair. I noticed that first on the Public Service List is the name of Mr. Shapcott who, in addition to his £1,500 a year, receives £40 a year by way of basic wage increase. The name of man after man appears on the list as receiving, in addition to a high salary, this basic wage increase. I am told that Mr. Shapcott received more than £1,500 a year. Yet he was given the £40 a year increase.

The Minister for Justice: That is the law.

Mr. BOYLE: Why are not we poor downtrodden members of Parliament given a basic wage increase on our tax-ridden £600 a year?

Mr. SPEAKER: I do not think we come under the Industrial Arbitration Act.

Mr. BOYLE: I am afraid we come under nothing in that regard. I protest against highly-paid public servants—and there are scores of them on this list receiving salaries varying from £1,000 to £1,500 a year—having provision made for them to receive £40 a year increase when, if we want 40s. for men on £70 a year, we are told it cannot be done. I support the Bill.

On motion by Mr. W. Hegney, debate adjourned.

House adjourned at 6.17 p.m.

Legislative Council.

Wednesday, 7th October, 1942.

	PAGE
Address-in-reply, presentation	671
Assent to Bills	671
Federal Senate vacancy, Lieut.-Governor's Message	671
Parliamentary Joint sitting	672
Papers: Fisheries, Nornalup Inlet	672
Motion: Butter Industry, to inquire by Select Committee	672
Bills: Mining Tenements (War Time Exemptions), 3R., passed	674
Road Districts Act Amendment, 3R., passed	674
Water Boards Act Amendment, 2R.	674
Justices Act Amendment, 2R.	675
Criminal Code Amendment, 2R., to refer to Select Committee	676

The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

ADDRESS-IN-REPLY.

Presentation.

The PRESIDENT: I have to announce that I waited on His Excellency the Lieut.-Governor and presented to him the Address-in-reply agreed to by the House. His Excellency has been pleased to make the following reply:—

Mr. President and hon. members of the Legislative Council—I thank you for your expressions of loyalty to His Most Gracious Majesty the King, and for your Address-in-reply to the Speech with which I opened Parliament. (Sgd.) James Mitchell, Lieut.-Governor.

ASSENT TO BILLS.

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

1. Feeding Stuffs Act Amendment.
2. Dried Fruits Act Amendment.

FEDERAL SENATE VACANCY.

Lieut.-Governor's Message.

Message from the Lieut.-Governor received and read transmitting a copy of a despatch received by him from the President of the Senate of the Commonwealth of Australia notifying that a vacancy had occurred in the representation of the State of Western Australia in the Senate, Senator Edward Bertram Johnston having died on the 6th September, 1942.

On motion by the Chief Secretary, ordered: That the President be requested to confer with Mr. Speaker in order to fix a day and place whereon and whereat the

Legislative Council and the Legislative Assembly, sitting and voting together, shall choose a person to hold the place of the Senator whose place has become vacant.

The PRESIDENT: I will leave the Chair pending the conference with Mr. Speaker.

Sitting suspended from 2.21 to 2.31 p.m.

Parliamentary Joint Sitting.

The PRESIDENT: In accordance with the resolution of the Chamber, I have had a conference with the Hon. the Speaker, and we have agreed that the place for holding the jointing sitting shall be this Chamber, and the hour 2.30 p.m. tomorrow.

PAPERS—FISHERIES.

Nornalup Inlet.

HON. H. L. ROCHE (South-East)
[2.38]: I move—

That all papers having reference to the throwing open of Nornalup Inlet for net fishing be laid on the Table of the House.

On two occasions I have been associated with requests made to the Fisheries Department that some lifting of the restrictions on net fishing in the Nornalup Inlet should be agreed to. Each of those requests was refused. In the present circumstances it seems to me there might be some alteration of policy in that respect, and I would like all papers in connection with the matter to be laid on the Table of the House, so that I may be better informed as to the reasons which influenced the department or Cabinet in its decisions. An absolute prohibition is imposed on net fishing in Nornalup Inlet. Such prohibition is, I understand, designed to protect the inlet for sportsmen, tourists and visitors, for line and rod fishing.

At this stage of the war, and possibly for the next year or two, there can be but little tourist traffic to Nornalup, and consequently the need to protect the fishing there for those who indulge in the sport is not great. On the other hand, there is an actual shortage of fish for the public, such supplies as are available being sold at high prices. Fishermen in the Denmark area are prepared to net fish at Nornalup under any reasonable restrictions imposed by the Fisheries Department as regards the mesh to be used. Even the local people, I understand, would not be averse to something on these lines being done. It

seems to be an open question amongst those informed in fisheries matters whether net fishing depletes fish resources to the extent some people think. With reasonable restrictions as to mesh to safeguard the size of the fish taken, waters can be fished in moderation without seriously depleting the supplies. So that I may put myself in a better position to advise the people interested concerning the reasons for the refusal of the request made, I move the motion.

On motion by the Chief Secretary, debate adjourned.

MOTION—BUTTER INDUSTRY.

To Inquire by Select Committee.

HON. H. L. ROCHE (South-East)
[2.43]: I move—

That a Select Committee be appointed to inquire into and report upon the butter industry in Western Australia, with particular reference to—

- (a) the circumstances and conditions that make it more profitable for producers to send their cream past their nearest factory to factories hundreds of miles away;
- (b) the conditions under which cream and butter are graded and checked;
- (c) the price being paid for second-grade cream and the present demand and price for the product thereof, and
- (d) any practical means whereby the transport of cream to factories could be expedited.

I have been influenced to move for the appointment of the proposed Select Committee by the very considerable dissatisfaction existing among many of the producers in this State as regards the disposal of their cream, its grading and the prices which they receive for it. There is some need for an inquiry into the various phases of the butter industry, apart from departmental reports. Should it be found that justification exists for the dissatisfaction I have mentioned, the report of a Select Committee such as I propose would contain recommendations which would probably go a long way towards allaying that dissatisfaction. On the other hand, should producers be over-emphasising certain unsatisfactory features associated with the industry, then the committee's report—if it found such to be the case—would strengthen considerably the department and its officials in their present activities and it would also do something to

strengthen the confidence of the producers in the factories with which they are associated.

When I spoke on the Address-in-reply, I referred to a report, then current, that the State Government had approached the Federal authorities for power under the National Security Regulations to bring about the compulsory zoning of cream deliveries to factories. Although I accepted that report in good faith, both the Chief Secretary and since then the Minister for Agriculture have made it plain that the Government was in no way associated with any request preferred to the Commonwealth Minister for Commerce or the Minister in charge of War Organisation of Industry in that regard. When the Dairy Industry Amendment Act was introduced in this House in 1939, it contained a provision that would have enabled the compulsory zoning of cream deliveries to be brought about. This Chamber can congratulate itself on its far-sightedness on that occasion when it deleted that provision. Today the position is that all Country Party members at least will agree with the present Minister for Agriculture when he takes the stand that any compulsory zoning of cream supplies is out of the question, unless producers can be guaranteed at least as good a price under such zoning as they have been accustomed to receive from the factories to which they have been sending their product.

The report to which I referred when speaking on the Address-in-reply, and regarding which apparently some move had been made, seems to me now, from later information I have received, to have really been the result of an inquiry forwarded by the Department of War Organisation of Industry to the Perth Chamber of Commerce asking for suggestions and recommendations, and forwarded by that body to its constituent members. It is no secret that a great deal of cream in certain parts of the State has been taken away from areas already served by established factories, even being taken past established factories, particularly to the Watsonia factory at Spearwood. From Mt. Barker, in which district there is a considerable amount of butter-fat production, more than three-quarters of the cream is going to Spearwood. In the case of Wagin, in the flush periods of the year 5,000 gallons of cream per month are being sent to Spearwood.

I do not think only the enhanced price is responsible for that. Certainly on figures I have in a report from the Superintendent of Dairying over the six months concluded in April last, there has consistently been a better price offering by the Spearwood factory than has been available from the Great Southern factories. I think a somewhat similar state of affairs is occurring in portions of the South-West, although I do not know of my own knowledge that the position there has become as difficult as it is in the Great Southern. There is also a considerable body of opinion amongst producers supplying butter-fat, that there is a marked difference in the grade, and that there is not that consistency which the department seems quite satisfied exists. Several cases have been cited to me. One in particular that I have in mind shows that obviously the grading could not have been on a similar basis in the two factories concerned.

It may be that there are faults to be found in respect of the handling of cream by the country factories, or it may be that the proximity of the Watsonia factory to the metropolitan area gives it an undue advantage over its competitors in the country, enabling it to offer a higher price and at the same time pay the extra freight involved in bringing the cream from 300 miles or more away, from country factories to the metropolitan area. If that is so it is a matter calling for investigation. An inquiry by a Select Committee of this House would be as good a way as any of establishing the factories' case, and possibly the committee would submit recommendations that would help to counteract any undue trend towards greater centralisation than we have at present through the proximity to the metropolitan area of the factory to which I have referred.

The Watsonia factory, I understand, has an extensive market for its products in the metropolitan area, which enables it to dispose of these commodities more quickly than is the case with country factories. The only advantage I can see that would accrue from that fact would lie in some difference in the grading as between, say, Narrogin and the Watsonia factory, or Albany and that factory. The departmental officers seemed convinced that there is little distinction, and that such as there is is not in favour of that factory, because in his report the superintendent states that the grading at Albany is

somewhat too lenient. I, therefore, find it difficult to arrive at any conclusion that is firmly based as to the reason for the present state of affairs. In the motion there is also reference to the price being paid for second-grade cream, and the present demand and price for its product. The price last season of 2d. per lb. for second-grade butter-fat was fixed by the Commonwealth Minister for Commerce under, I think, power granted by the National Security Regulations. At the end of the season a bonus or a deferred payment of 3d. or 4d. per lb. was given to the producers, making a price of not more than 6d. per lb. for second-grade butter-fat.

At one time last season second-grade butter was selling in the metropolitan area at 1s. 3½d. per lb. Although I cannot say what proportion of that second-grade butter-fat was manufactured into second-grade butter, and what proportion was made into pastry butter, it seems that there was a very marked difference in price. As the price for this season has been fixed for second-grade butter-fat at 6d. per lb., it would appear that there is some realisation of the fact that the price was altogether too low. The difference between the price paid to the producer and that received for second-grade butter by the manufacturer, I am given to understand—

Hon. A. Thomson: That is a very important point, the price paid to the producer and the price charged to the consumer.

Hon. H. L. ROCHE: I understand that the difference in the price is taken by the Federal Dairy Products Marketing Board. How it disposes of that money I do not know, but possibly it is disposed of in the interests of the industry. At a time like the present when butter is urgently needed, and when second-grade butter, which is not for export, is going into local consumption at quite a fair price, I think some inquiry is justified on the part of the State Parliament into what is taking place in that regard. Provided an edible product is available whether as first or second-grade, we cannot afford, at least for the period of the war, to do anything to limit the production of butter-fat in this country.

In common with other members of the Country Party, I have a very high regard for the work that is being done by the Superintendent of Dairying and his officers to improve conditions in the industry and the products thereof. Apart from any depart-

mental inquiry I think an investigation by a Select Committee cannot help but re-act to the good of the industry, and strengthen the hands of the department itself in its approaches to the various phases of the subject. My primary concern is the welfare of the producers. They are engaged in what is very little better than a slave industry, operating with conditions of labour, hours of work and remuneration which are more befitting a nigger country than Australia where we pride ourselves on our living and working conditions and our social justice. If any improvement can be effected in the returns to these people, whether it be 1d. per lb., or a fraction of 1d. per lb., it will be money well deserved by them, and this House will be justified in appointing the proposed Select Committee.

On motion by the Chief Secretary, debate adjourned.

BILLS (2)—THIRD READING.

1, Mining Tenements (War Time Exemptions).

2, Road Districts Act Amendment.

Passed.

BILL—WATER BOARDS ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER [3.2] in moving the second reading said: The Bill is a small measure that I am sure will receive the approval of members generally, its object being to amend the principal Act to bring it into line with other appropriate legislation. The Bill, as the Title implies, is to amend Section 108 of the Water Boards Act, 1904-41, and for other purposes incidental thereto. The principal Act was passed in 1904 to provide for the construction, maintenance and management of works for the storage and distribution of water. Water boards are constituted under the Act with power to rate, and Section 108 lays down the necessary procedure to be followed in dealing with the sale of land for arrears and the method of disposal of the proceeds of a sale. These provisions in the Act are somewhat out of date and incur unnecessary expenditure and delay. In order to remedy the position it has been decided to submit the amendments set out in the Bill.

One proposal is the substitution of the "local court" and "the magistrate" for the "Supreme Court" and "a judge thereof," as the authority to make the order for the sale of the land concerned. As the Act stands at present, a petition for the sale of land must be presented to the Supreme Court. It is now proposed that this petition shall be presented to the nearest local court, which will be a less expensive and a much more expeditious proceeding and will conform to the provisions of the Road Districts, Municipal Corporations, and Metropolitan Water Supply, Sewerage and Drainage Acts. An important proposal in the Bill is that which provides that a purchaser of land sold for unpaid rates may take such land free of encumbrances, with the exception of a mortgage to the Agricultural Bank. Similar protection is extended under Section 282 of the Road Districts Act, and also under the Vermin Act of 1925.

A further amendment extends the period of time from one to three years before default becomes the subject of an action for the sale of land. That is a brief explanation of the proposals in the Bill, which are substantially the same as those provided in Section 282 of the Road Districts Act. Sales of land by water boards or by the Minister acting as a water board respecting undertakings under his control are, of course, of infrequent occurrence. It is nevertheless considered advisable that the Water Boards Act be brought into conformity with the Road Districts Act in this particular matter. I move—

That the Bill be now read a second time.

On motion by Hon. W. J. Mann, debate adjourned.

BILL—JUSTICES ACT AMENDMENT.

Second Reading.

Debate resumed from the 17th September.

THE CHIEF SECRETARY [3.5]: The Bill provides for a very material amendment to the Justices Act and although my remarks on the subject will be brief, I shall first refer shortly to the reasons for the measure being introduced. When submitting it to the House, Mr. Cornell mentioned the fact that last session he introduced a Bill to amend the Criminal Code in order to deal with certain aspects of S.P. betting. He was not successful in his effort and therefore this

session he has divided the proposals he submitted last year into two separate measures, one to deal with the Justices Act and the other with the Criminal Code.

The Bill now before the House cannot be compared with the proposal that Mr. Cornell submitted last session when he desired to provide that cases concerning betting offences should be dealt with only by a magistrate. He intended to prohibit Justices of the Peace in any part of the State dealing with charges brought under our betting laws. It is perfectly true that on that occasion I remarked that Mr. Cornell's proposals were really a slur on many men who had acted as honorary Justices of the Peace for many years in various parts of the State. I am afraid that the Bill now before members cannot altogether escape criticism of that nature. On the other hand, I must agree that the present Bill is far more acceptable than that which was submitted to the House previously. Mr. Cornell very definitely stated that one of his main reasons for introducing the Bill was the fact that there was a big difference between the penalties inflicted for betting offences in Fremantle compared with those imposed in Perth.

Hon. C. B. Williams: And in Kalgoorlie and Boulder.

The CHIEF SECRETARY: I pointed out last session that those differences existed in all courts where offences of that nature were tried. There has never been any suggestion that the Justices of the Peace at Fremantle had come to wrong decisions nor has there been any suggestion that justices have combined in other parts of the State to override the decisions or judgments of magistrates. The whole criticism has been bound up in the fact that although the decisions arrived at in Fremantle have been consistent in that the persons concerned have been convicted, the penalties imposed have not been in conformity with those decreed elsewhere. One of the principles of British justice is that a court shall have discretion. There is no doubt that our courts have exercised that discretion not only as regards penalties to be inflicted on offenders against our betting laws but in respect of other classes of offences as well. We therefore have the position that in Fremantle the custom has been to inflict very low fines, in Perth to inflict what some people would describe as very heavy fines, while in other parts of the State the fines have varied

in accordance with the decisions of magistrates or Justices of the Peace.

Then we have the fact that the magistrate in Perth, when he presides over courts in other parts, inflicts much smaller fines than he does in Perth. A similar position arises regarding the magistrate who usually presides over the court at Kalgoorlie. He inflicts lower fines when he goes to other parts of the goldfields and deals with cases brought before him. In these circumstances there is no absolute consistency regarding penalties inflicted upon persons found guilty of breaches of the betting laws. The Bill does not say that the magistrate shall inflict a particular penalty and does not take away the discretion that magistrates have always exercised. On the other hand, the measure most definitely says that if a case is tried by a magistrate sitting with Justices of the Peace, the views of the magistrate shall prevail quite irrespective of what the justices may think.

Hon. J. Cornell: What do you pay the magistrate for?

The CHIEF SECRETARY: What do we have Justices of the Peace for? If the Bill is agreed to in its present form, the position in the future will be that whenever magistrates and justices sit together on a bench, in all cases, not merely those dealing with betting offences, the justices will be present only in an advisory capacity. They will be able to submit their views to the magistrate, who will please himself as to whether he takes any notice of those views. While Mr. Cornell is of opinion that the Bill he has submitted will secure greater uniformity in the fines inflicted, I am afraid from what I have just said, that there is very grave doubt as to whether success will be achieved in that direction. Because of the points I have mentioned, it appears that the Bill asks us to take away from a large number of honorary Justices of the Peace certain prerogatives they have enjoyed for at least 40 years. I am just wondering whether it is really worth-while. I do not intend to raise any opposition to the Bill. The fact that on this occasion it has general application and is not confined to any particular type of offence, is certainly something in its favour.

The passing of the measure will not prevent justices from dealing with betting and other offences if a magistrate is not present; but where a magistrate is present, it cer-

tainly does mean in all cases that his views shall prevail quite irrespective of the views of the justices, no matter how many there may be, sitting with him. I believe I have now pretty well covered the subject-matter of the measure. I recognise that the member who introduced it is desirous of improving the position, from his point of view, as regards prosecutions for betting offences. So long as courts are allowed discretion, so long as our Criminal Code and cognate Acts remain as they are today, so long shall we continue to have differences of opinion as to penalties imposed and so long will it be necessary for judges, magistrates and justices to take into consideration the attendant circumstances. They have not only to bear in mind that the offence relates to betting, but also to view the case from other aspects. There are many other circumstances which judges and magistrates and justices have to consider in order to give fair decisions.

In view of what I said on this subject last session and of the facts which I have given to the House, I now conclude by saying that I do not oppose the Bill. The House has been given full information as to the real meaning of the measure. If Parliament as a whole decides to pass the Bill, the net result will be, as I said before, to take away from justices authority which they have had for 40 years.

On motion by Hon. E. M. Heenan, debate adjourned.

BILL—CRIMINAL CODE AMENDMENT.

Second Reading.

Debate resumed from the 16th September.

THE CHIEF SECRETARY [3.20]: This is the other half of the subject matter included in a Bill sponsored by Mr. Cornell last session.

Hon. Sir Hal Colebatch: The better half.

The CHIEF SECRETARY: Members will no doubt recollect some heated discussions which took place regarding the points set forth in the present measure. I raise no objection to it, but I do desire to point out that as regards the first item, the deletion of the words "knowingly and wilfully," this House on many occasions has absolutely insisted upon those very words appearing in certain Acts of Parliament. I have on numerous occasions opposed the insertion of those words.

Hon. J. Cornell: The Chief Secretary said last session that a certain section of an Act was worthless because of the inclusion of the words.

The CHIEF SECRETARY: I shall not object to their deletion on this occasion. The second provision in the Bill concerns the definitions of "occupier" and "owner." The definitions now proposed are extremely comprehensive, and I feel sure that Mr. Cornell holds that if this and the earlier amendment are agreed to, the position will be much easier from the standpoint of prosecution, and that the passing of this legislation will probably have the effect of stamping out S.P. betting. I cannot agree with the hon. member, for I do not think any legislation of this kind will stamp out S.P. betting. I cannot for one moment believe that the definitions appearing in the Bill will prove insuperable as regards people interested in the occupation of S.P. betting. As a man of the world I hold that something more than the legislation here proposed will be needed to do away with S.P. betting. That view is borne out by the experience of every other State of the Commonwealth. On that aspect I do not wish to enlarge at present.

Hon. J. Cornell: I do not think this proposed legislation will stamp out S.P. betting, but I do believe that it will get at some men who are not get-at-able now.

The CHIEF SECRETARY: The Bill is an attempt to tighten up the law as regards persons who are occupiers or owners of premises used for S.P. betting purposes. As I said in my opening remarks, I shall not raise any particular objection to the Bill; but I do not think it will prove as successful as its sponsor believes.

HON. C. B. WILLIAMS (South): I oppose the Bill, and am greatly surprised at its introduction after S.P. betting has been in operation for 50 years. Recently I read a book which enlightened me on the subject of betting. It appears that 250 years ago there was S.P. betting, and that sums totalling as much as a million guineas were wagered on a single race. Yet here, 250 years later, we are getting back to the blackfellow stage. I understand that among the blacks it is the old men—and I do not say this with any discourteous intention—who run the tribe. The older we get in this country, the more we seem to try to imitate the blacks in that respect, seem to

want to run the young bloods out of the country. All of us have been familiar with S.P. betting.

Hon. J. Cornell: Surely the hon. member would not accuse Mr. Seddon of having indulged in S.P. betting!

Hon. C. B. WILLIAMS: I am sure Mr. Seddon has been a gambler just as much as I have been, or you, Mr. President, or Mr. Cornell; and I do not make that statement with any offensive implication. We have all been through the betting and gambling stage. I dare say there is not one member of this Chamber who has not been a gambler or else is not a gambler today. Just because a working man cannot afford to go to a racecourse and bet, we are to send him back to the churches to which perhaps he went 20 years ago, and which he left simply because they adopted the dictatorial attitude this Bill seeks to establish. You, Sir, represent a province, and so does Mr. Cornell and so do I; but what right have we to say to the people of, say, Norseman, or the people on the trans. line a thousand miles away from a racecourse, that they shall not make a wager on a racehorse if they choose? We do not prohibit those people from investing money in tin-pot mines if rogues come along.

Let me point out that Mr. Cornell does not introduce a measure to stop roguery in mining. Members of Parliament associate with that type of rogue, while objecting to the working man going into a betting shop and risking two or three shillings. Members of Parliament can go upon racecourses from Kalgoorlie or Geraldton without its costing them a pennypiece. If a member of Parliament is mean enough, he can even obtain a racebook on the nod. Members of Parliament are even able, by production of their gold passes, to leave the Kalgoorlie course every Friday and go either to the trots or races in Perth, absolutely free.

Hon. J. Cornell: That is what grateful electors have done for you!

Hon. C. B. WILLIAMS: The hon. member interjecting shall not come the "old man of the tribe" over me. I do not gamble now, and I do not eulogise gambling; but I will not declare that because I was not a success at betting, the other fellow must stop. I have had many a walk home from the Kalgoorlie racecourse in company with the sponsor of the Bill.

Hon. J. Cornell: The hon. member was a wouser in those days.

Hon. C. B. WILLIAMS: The hon. member now probably sees the error of his ways. However, that is not the point, which is that we have people in the back country pioneering on the same lines as the pioneering of 50 years ago. Are men working on the trans. line under rotten conditions not to have the right to bet with a man who takes the place of the tote?

Hon. W. J. Mann: Why not legalise betting?

Hon. C. B. WILLIAMS: I am coming to that. This State is receiving £500 or £600 a week from S.P. betting, whilst it ought to be getting at least £5,000 a week. A more drastic anti-betting Bill than this was introduced in the Victorian Parliament 35 years ago. At that time the S.P. bettor did not know with whom he was betting. He gave his money to somebody in the street, and it was eventually conveyed to the booky, who was hiding in some hotel. Every law passed to stop S.P. betting was defied. I was in Bendigo in 1936, and what was the position then? Exactly what it would be here if Mr. Cornell's Bill were carried. Notwithstanding the stringent legislation passed in Victoria, a man could go into a butcher's shop on Saturday afternoon, or into any other shop which had a telephone, and carry on S.P. betting.

If this proposed legislation is enacted, the punter will get a worse deal than he receives today. There will be more welshing. Bookmaking, instead of being under some control as it is now, will be pushed into the street. We may believe we are betting with a bookmaker, say Jerry Higgins, but the money passes through half a dozen hands before it reaches Jerry, who may repudiate at his pleasure, stating he knew nothing of the street agent.

This is no new thing, the attempt to stop S.P. betting. Rather is it something chronic. The working classes on Saturday are now able to put their shillings on in a betting shop, and be sure of receiving payment should they win. Mr. Cornell knows as well as anybody else that the one day looked forward to on the goldfields is Saturday when the men are off duty and can have their shilling or two shillings on the horses. The hon. member is able to go to the races for nothing whenever he wishes. These men on the

goldfields put their 2s. on a horse and if they win say, "I have been lucky; come and have one." I know nothing against that habit. A lot of people seem to think that disastrous results follow the practice. I have received many invitations and I invariably oblige. It is then a case of "Come and have another!" I see nothing wrong with that. For hundreds of years this practice of betting and "Come and have one" has endured. Now it is proposed to tell people in Laverton, Wiluna, Marble Bar and the Murchison that their betting is to be compulsorily restricted.

Hon. J. Cornell: How did they get on last Saturday?

Hon. C. B. WILLIAMS: They made use of their money by "having one" instead of the bookmaker getting it! What is the world coming to? I thought I knew something. Millions of men are being slaughtered in the cause of freedom and yet we propose to say to people, "You are not going to bet." Do members think that in this way men will be forced back to church? Not one per cent. of Protestant manhood goes to church now. Is it supposed that because they are stopped from betting, the money they save will be put in the collection plate? Of course it will not! What will happen is that illicit gambling schools will be established. People cannot be prevented from gambling. I have seen the hon. member at a two-up school, just as he has seen me. We have played nap together and have been taken down, but that does not lead me to desire to prevent people from betting. I agree with the hon. member that there should be a levelling up of the fines, but that is another matter.

This State should control gambling, just as it controls lotteries. It required a good deal of fighting to have State lotteries established, but those lotteries have been responsible for the erection of a fine big hospital and every member of Parliament is satisfied with the condition of the hospital in his district, which is due to the money raised by the Lotteries Commission. That was brought about by gambling and not by voluntary giving. I am opposed to the Bill. The hon. member has been in his electorate more often lately than I have, and he knows that in all the little centres betting is carried on every Saturday in connection with every race. I do not suggest that the sums wagered amount to millions of

pounds a day as they used to in England 250 years ago.

Hon. W. J. Mann: If things go on as they are, such amounts will be wagered.

Hon. C. B. WILLIAMS: No, I do not say that. What have people in Norseman and Esperance and similar places to do with their time on Saturdays? The people in Wiluna are even worse off. What have people in Laverton to do? Must they sit in their humpies all day long bemoaning their fate, feeling sorry that they are "stiff" enough to be stuck in such a hole? The proposal now is that they are not to be allowed to bet. Why? Because some of the old men of the tribe have decided that since betting was no good to them in years gone by, they will compel the younger men of the tribe to do what they, the old men, think should now be done.

The time of the House should not be wasted on this matter, because everybody knows that gambling is rampant. There is no man who can get up and say to his Maker that he does not gamble every day of his life. Yet the poor old workman who finds it too costly to go to the racecourse is not to be allowed to bet with his few bob. In my electorate, in Boulder and Kalgoorlie, the people are only two miles away from the racecourse, but they do not go to the races because they would sooner gather in the town and meet one another during the week-end. Just as good Christians go to the kirk on Sunday and scandalise one another, the average workman goes to a hotel or betting shop on a Saturday and has his relaxation. It is that which makes the Australian breed as good as it is. They meet one another on the Saturday and have their little bet. Now the old men of the tribe want to interfere. I trust there are sufficient middle-aged and young men here to see that there is no interference. As much as £100,000 per year could be secured by the State if gambling were nationalised.

I can see some merit in Mr. Gibson's remarks. If he likes to force more work on the road boards well and good, but there might be municipalities in which the old men of the tribe would want their way. Mr. W. R. Hall's road board might say "no"; the Kalgoorlie Municipal Council might say "no"; the Boulder Council would say "no" because 12 of the members are Labour men. It is ridiculous to

talk about the gambling evil. Every day of the week people are able to invest in shares of all kinds but because the worker wants to wager in his own small way, he is condemned.

HON. H. SEDDON (North-East): I did not intend to contribute to the debate, but personal references have brought me to my feet. I intend to support the Bill. I have seen a good deal of the gambling that takes place and am satisfied that the methods being adopted at the present time to deal with the situation are very far from desirable. I want to make it quite clear that I do not bet.

Hon. C. B. Williams: You gamble.

Hon. H. SEDDON: I do not indulge in gambling in the ordinary sense, but we all take risks.

Hon. C. B. Williams: That is your interpretation.

Hon. H. SEDDON: I am inclined to think that Mr. Williams has made some wild assertions and the position should be cleared up. I have seen a good deal of S.P. betting and I do not like witnessing something that takes place every race day, namely, women spending their time in associations of that kind. Neither do I like to see boys engaged in gambling. In many instances these boys are forming entirely wrong impressions of life, and that does them no good. There is far too prevalent an opinion among the young people of Australia that advancement and wealth are to be won more by taking risks than by following a line of usefulness, and that is being encouraged and extended by the great increase that has taken place in recent years with regard to betting and especially S.P. betting.

That is why I think the Government will be well advised to be sterner in its administration of the law than it is at the present time. We are bringing up our young people to adopt an entirely wrong view of life and that training is demoralising them. There was a time when we taught a young man that by steadiness and studying his subject he could claim advancement, but far too many young men today have the impression that by being smart and showing what they regard as good judgment they can do a lot better than by steady, persistent industry. That is an entirely wrong feature to cultivate in any community. The Government's methods to date are seriously open to ques-

tion, and the time is long overdue to adopt a better method to deal with the evil than has hitherto been pursued.

HON. A. THOMSON (South-East): I support this measure because it provides for a tightening up of one of the avenues of escape for the gangster methods of S.P. betting—if I may use the term—which are in existence in the metropolitan area today, by means of which the law can be skilfully evaded. In 1941-42, £48,819 was extracted from those who were alleged to be offenders against the law. As far as we can gather, the people interested in this business have established what might be termed a pool and therefore the fines are not actually levied against the individual who is caught. The men behind the scenes put so much per week into the pool and it is from that source that the fines are drawn.

It seems that those engaged in this business have adopted the method that appears to be in existence in America and of which we see so much in the moving pictures. To a certain extent the Government must accept blame for this evil becoming as rampant as it is. I do not think any member of this House, and particularly not the sponsor of the Bill, is anxious to deprive the poor old worker, as Mr. Williams calls him, of his enjoyment in the direction he desires. But when one considers the enormous sum of money that is paid in fines it becomes apparent that that money has been extracted in the first place from the poor old worker as a result of his desire to obtain a little bit of wealth without very much effort.

I would like to draw the Chief Secretary's attention to the position in Victoria. There the Government's share of the totalisator proceeds goes to the hospitals and charities. That is as it should be. During the last financial year those institutions benefited to the extent of £217,000, compared with £200,000 in the previous year. According to what appeared in a paper, the institutions will be hard hit if racing is further reduced. Before the totalisator was legalised in New South Wales it was anticipated that it would indirectly benefit hospitals and that idea has not proved wide of the mark. There is a suggestion that I have been favourable to for a number of years. As there are so many in our community who are desirous of having their little flutter, why not legalise betting as we have legalised lotteries?

Hon. C. B. Williams: Hear, hear!

Hon. A. THOMSON: Why not legalise betting and establish totalisators throughout the State so that our friends in Wiluna who may be desirous of betting their few shillings can put it on the tote in the knowledge that any profits accruing from the establishment of the totalisator will assist our hospitals in the same way as those institutions are assisted by the large amount of money received today from the Lotteries Commission? Under this amending Bill anyone who owns a house or shop will certainly make meticulous and searching inquiry as to whether it will be used for S.P. purposes. Today I understand that such owners demand a higher rate for premises used as S.P. shops because the business is so profitable. It puzzles me why such a large proportion of our youth, old men and women as well, are deluded into the idea that they can, by this means, make money easily. I support the second reading and suggest to the Government that it give serious consideration, as a practical way of overcoming this evil, to establishing a totalisator as has been done in Victoria and New Zealand.

HON. E. M. HEENAN (North-East): The Bill seems to be innocent on the surface, but if members will look into it they will appreciate that its implications are far more serious. The debate so far has tended to develop into one about the merits and demerits of S.P. betting, as it exists to-day. I am one of those referred to by Mr. Williams as being inclined to bet. I have done so in a modest way for many years. It has not done me much harm; and possibly not much good. I am forced to the conclusion that betting has developed in our country during recent years to such an extent that it has now reached proportions which cause great concern. I think all public men must share responsibility for that position.

During my six years in this House this topic has been debated at different times on a non-party basis, but no one has had the ability to propound some scheme that would furnish the right solution. On the one hand there is the group which says that betting should be abolished; on the other hand we have the group which says that human nature is such that this is something we have to cater for and the best thing is to legalise it in a sensible way. Apparently

no fair medium course has been arrived at, but some very absurd and ridiculous situations have come to be regarded with tacit approval by the great majority of citizens. It is not creditable to the public men who have been in charge of our affairs for some time past.

Hon. E. H. H. Hall: That is the Government.

Hon. E. M. HEENAN: No, it is not! The Government made an effort some time ago and brought down a Bill which was defeated, and no alternative was proposed. This is a time in our history when big events are happening, and we will all agree that the next few years will provide some radical changes. This question is so serious and has so many implications that it should be dealt with in a much bigger way than that proposed by Mr. Cornell. He is no doubt genuine in his intentions, but bringing forward these little measures is only temporising with a very big subject. Members must not lose sight of the fact that the Bill does not deal largely with the betting position. The purpose of the Bill is to remove a safeguard which exists in Section 211 of the Criminal Code. The existing position is that if a person is the owner of premises and those premises are used for betting purposes, before he can be convicted the prosecution must prove that he knowingly and wilfully allowed them to be used for betting purposes. That safeguard should remain in this section of the code.

Hon. J. Cornell: It should go into the Gold Stealing Act.

Hon. E. M. HEENAN: I am concentrating on the Criminal Code at the present time. It is a reasonable safeguard for the honest person. Many people in Perth own properties in Geraldton or Kalgoorlie and let or lease them. I am sure there are numbers of honest people who let their premises which are, without their knowledge, used for betting purposes. The section in its present form protects those people, and there is no occasion to alter it. If, for instance, a person in Perth owns premises in Kalgoorlie and they are used for betting purposes, all the police or the authorities need do is to write or interview the owner in Perth and say to him, "Whether you are aware of it or not, a search of the Titles Office reveals that you own premises in Hannan-street, Kalgoorlie, and we are now informing you that those premises are being used as a betting shop."

In a month's time if those premises are still used as a betting shop that person has knowingly and wilfully permitted them to be so used. That is the present position, and surely it is adequate. Under that section the person who is allowing his premises to be used for betting purposes can be prosecuted, and it is also a safeguard for the person who does not know that they are being used for that purpose. It would be unwise for the position to be altered. There is ample remedy there; all that is needed is for the police to enforce it.

The Chief Secretary: Experience and the decisions of the courts, too, show that that is not the position.

Hon. E. M. HEENAN: I cannot see how it can be otherwise. If someone owns a shop and it is rented or let for betting purposes and the police authorities give a warning to the owner who ignores that warning, I fail to see how he can escape a conviction. I would also refer members to the definition of "occupier," which is very comprehensive and which, I am afraid, will rope in a lot of people who are nine times out of ten entirely innocent. As I said in my opening remarks, the Bill, to my mind, has serious implications and is not the innocent measure which it may appear to be.

Hon. J. Cornell: It is going to a Select Committee.

Hon. E. M. HEENAN: I shall vote against the second reading of the Bill.

HON. E. H. H. HALL (Central): I was pleased to hear the Chief Secretary say that he did not intend to oppose this Bill but recognised in it an endeavour to tighten up the law. That seems to be the whole position. Statements have been made this afternoon which should be replied to. I refer to the statement that it was desired to deprive people in isolated communities throughout the State from having their little bet, and other remarks of a similar nature. The position presents itself to me thus: It is against the law to bet. That being so, our bounden duty, as legislators, is to try to see that some honest endeavour is made to carry out the laws we pass. Otherwise we will be rightly charged with being passive aiders and abettors in the flouting of the law. That is not a desirable state of affairs. As suggested by Mr. Thomson, the Government should either legalise S.P. betting in its

present form or substitute legalised totalisators, or do something to remove the stigma which undoubtedly exists at the present time through the law being openly and flagrantly broken—with little attempt to stop it. That is why Mr. Cornell, coming from a goldfields province where betting is popular, is to be commended for making this endeavour to tighten up the law. I support the Bill.

HON. J. CORNELL (South—in reply): I do not intend to prolong the debate, the House being satisfied to pass the second reading of the Bill, which will go to a Select Committee. I have no objection to that. Perhaps what I have endeavoured to do is drastic, but I am given to understand that it is necessary.

Hon. C. B. Williams: Is Mr. Cornell making a second speech as did Mr. E. H. H. Hall?

The **PRESIDENT:** He is replying.

Hon. J. CORNELL: I am also given to understand from responsible quarters that the Bill will not measure up to what I expect, and needs alteration. Therefore when Sir Hal Colebatch suggested that the Bill be referred to a Select Committee, I felt that that would be a good way to find a remedy for the weaknesses in the existing law. I shall not attempt to follow my colleague in the very wide ambit covered by him because the House has made up its mind to pass the second reading. The Prime Minister has recognised the necessity for action being taken. He has said definitely that too much money is being spent—

Hon. C. B. Williams: On racing.

Hon. J. CORNELL: In the field of racing. Mr. Williams might want to know what will become of the young fellows in the remote portions of the State. Well, what became of them last Saturday and what is going to become of them on Saturdays and Mondays in future during the continuance of the war? I move about the State as much as does Mr. Williams or probably any other member, and I have been struck by the fact that, on a very conservative figure, not more than 20 or 25 per cent. of the community indulges in S.P. betting, and the price those people are paying is altogether disproportionate to their means.

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

Ayes	20
Noes	2
Majority for				18

AYES.

Hon. L. B. Bolton	Hon. V. Hamersley
Hon. Sir Hal Colebatch	Hon. J. G. Hislop
Hon. J. Cornell	Hon. W. H. Kitson
Hon. C. R. Cornish	Hon. W. J. Mann
Hon. J. A. Dimmitt	Hon. H. V. Piesse
Hon. J. M. Drew	Hon. H. Seddon
Hon. F. E. Gibson	Hon. A. Thomson
Hon. E. H. Gray	Hon. F. R. Welsh
Hon. E. H. H. Hall	Hon. G. B. Wood
Hon. W. R. Hall	Hon. H. Tuckey

(Teller.)

NOES.

Hon. C. B. Williams	Hon. E. M. Heenan
---------------------	-------------------

(Teller.)

Question thus passed.

Bill read a second time.

To Refer to Select Committee.

HON. SIR HAL COLEBATCH (Metropolitan): I move—

That the Bill be referred to a Select Committee of five members and that the committee may adjourn from place to place and have power to call for persons, papers and records, that three members shall form a quorum and that the committee report on this day fortnight.

If the motion is passed I shall be prepared, in accordance with the Standing Orders, to submit the names of five members to serve on the Select Committee, and then it will be open to the House to accept those nominations or take a ballot. This matter is one of very great public interest. Even in time of peace, I do not think that any man alive to the best interests of the country could fail to feel alarmed at the rapid spread of the gambling spirit. No one familiar with the history of other countries can doubt that the uncontrolled spread of the spirit of gambling is a menace to prosperity and contentment. I also feel that failure to enforce any law on the statute-book necessarily has a demoralising effect. It has the effect of bringing the law into contempt, and I am afraid there is evidence that not only in this matter but also in other directions respect for the law is not quite what it ought to be.

We have to bear in mind, too, that a Bill embodying practically the same principles as those contained in this measure was sent to another place last session and rejected. We should not send the same Bill back

again, but we should fortify it with such arguments as may be provided by means of inquiry by a Select Committee and send on that information with the Bill.

The Chief Secretary: This is an entirely different Bill.

Hon. Sir HAL COLEBATCH: It is quite different, but the principle is the same. It is desirable that we have evidence to satisfy ourselves that the particular amendment proposed in the Bill is the one best calculated to enable the authorities to enforce the law. I do not think that even Mr. Williams can dispute me when I say it is the duty of Parliament to make it possible for the authorities to ensure that the law is carried out and that offenders against the law are punished. There might even be argument in favour of amending the law in order to make S.P. bookmaking legal. We have heard no argument of that kind. However, we have to face the position that some of the laws on our statute-book are being flouted. It is all very well for some people to argue that the poor man should be allowed facilities to have his bet, but I venture to say that the poor man needs protection against those who so successfully prey upon the simple-minded.

It is all very well to say that men want their bets and their drinks and things of that sort. I would be the last to suggest that they should be denied such pleasures, but I feel sure that very often on Sunday and Monday they are regretful at the way their money has gone and their holiday has been spent. I do not believe that we can entirely suppress gambling. I do not know that it would be desirable to do so. No vice can be entirely suppressed, but I think it is the will of our law to make it as difficult as possible for individuals to prey on the vices of the community. Those arguments should be sufficient to justify investigation of the matter so that this Bill may be amended, if amendment is necessary, in order to carry out its purpose and so that it may go to another place backed by the evidence received and the report made by the Select Committee.

On motion by the Chief Secretary, debate adjourned.

House adjourned at 4.13 p.m.

Legislative Assembly,

Wednesday, 7th October, 1942.

	PAGE
Motion (urgency): Grasshopper menace	688
Questions: Companies Bill, as to reinstatement	691
National Security Act, lighting of motor vehicles	691
Fire Brigade employees, compensation for war injuries	692
Gas producers—	
As to importation	692
As to supply to farmers	692
As to travelling permits for farmers	693
Federal Senate vacancy, Parliamentary joint sitting	693
Bills: Mining Tenements (War Time Exemptions), returned	693
Road Districts Act Amendment, returned	693
Licensing Act Amendment, (No. 2), 1R.	693
Public Authorities (Postponement of Elections), report	693
Motion: Liquor licensees and S.P. betting, to inquire by Royal Commission, point of order	693
Personal explanation, Hon. C. G. Latham and York seat	715

The SPEAKER took the Chair at 2.15 p.m., and read prayers.

MOTION—URGENCY.

Grasshopper Menace.

Mr. SPEAKER: I have received the following letter from the member for Avon:—

In view of the parlous condition to which farmers are being reduced in the eastern wheat-belt, owing to the ravages of grasshoppers, I intend, with your permission, to move the adjournment of the House at today's sitting. The matter is one of extreme urgency, as hundreds of farm crops are now being destroyed and many hundreds more menaced. Unless remedial measures are undertaken by the Government immediately, farmers' crops and sheep feed will be irretrievably lost. (Signed) I. G. Boyle.

It will be necessary for seven members to rise in their places to support the hon. member's proposal.

Seven members having risen in their places,

MR. BOYLE (Avon) [2.18]: I move—

That the House do now adjourn.

In submitting that motion to the House, I am concerned with two facts. The first is the destruction by grasshoppers that is now going on in defined areas of the eastern wheatbelt, and the second is the ever-increasing western encroachment by the pest, which will before long reach the central agricultural districts. In view of what is happening, the rabbits, by comparison with the grasshoppers, will constitute comparative nonentities. In the Encyclopaedia Britannica, eleventh edition, Volume 12, page 377, there is information that provides me