the State, particularly on the goldfields. The occupation at times was not congenial, and he much regretted that some provision had not been made whereby they should either get an increase in pay or have the number of hours reduced.

Item — Kalgoorlie Hospital, Röntgen Rays apparatus, £90:

MR. HOLMAN: There was an item passed in a previous vote for the same thing.

THE MINISTER explained that the item passed in the Works Estimates was for the purpose of getting a dark room in which the X-rays would be manipulated.

Vote put and passed.

This completed the Annual Estimates.

IN COMMITTEE OF WAYS AND MEANS.

Resolution passed, giving effect to the votes of supply already agreed to, and granting the required amount out of the Consolidated Revenue Fund.

Resolution reported, and the report adopted.

ADJOURNMENT.

The House adjourned at 27 minutes to 7 o'clock a.m. (Thursday), until the afternoon.

# Legislative Council,

*Thursday, 21st December, 1905.*



THE PRESIDENT took the Chair at 4·30 o'clock p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Works Department: Tramways Act 1885, By-laws and Regulations of the Kalgoorlie Electric Tramways, Limited. 2, Department of Labour and Commerce: Report by the Chief Inspector of Factories on the working of The Factories Act, Early Closing Act, Employment Brokers' Act, Seats for Shop Assistants' Act. 3, Report of Board of Management of the Perth Public Hospital.

BILL—LAND ACT AMENDMENT.

Read a third time, and returned to the Legislative Assembly with amendments.

MOTION—PERTH TOWN HALL NEW SITE.

TO DISAPPROVE OF GIFT.

Debate resumed from the 14th December, on Mr. Connolly's motion to disapprove of gift of land and building in Barrack street.

HON. J. M. DREW (Central): The thanks of the House were due to Mr. Connolly for having brought this matter under public cognisance. One would hardly think that any Government pretending to represent the people would have parted with such a site as this without a *quid pro quo*. We were informed that the present Government felt obliged to carry out the promise of a former Government. Was there a record of any clear or definite promise in that direction? He believed there was a strong suggestion; but as far as he recollected, nothing more. The previous Government gave the matter every consideration, and found themselves unable to ratify the original promise of the James Government without first securing the approval of the Legislature; and they placed on record their views in that connection. He thought the only honourable course to pursue was to submit the question for the determination of both Houses of Parliament. He believed the authority under which the Government had acted was a section of the Land Act which enabled them, to endow municipal institutions; but he did not think it was ever intended by the Legislature when passing that section, that it should be utilised in the

manner in which it was proposed to utilise it. It was intended that the Government from time to time should endow municipal bodies with vacant blocks of land, not with blocks of land in the heart of a city with valuable buildings thereon. Even the grant to a roads board of a small sum of money had to be submitted to Parliament; but here was a matter involving the sum of £24,000, and the Government took upon themselves to part with the property without giving Parliament an opportunity of expressing their opinion. He failed to see on what grounds the Perth municipality could claim this favoured treatment. It was said they were catering to the wants, not only of the permanent residents, but the visitors to the city as well. That was an argument that could be put forward by other municipalities, especially in seaport towns. Although the Perth municipality were catering for other than permanent residents it must be recollected that their land values were increased in consequence; so that the argument did not help. The Perth Council, for some years past, had been battening on the generosity of the taxpayers of the country. In 1891 they secured a gift of a town hall representing something like £60,000. There was not very much objection to that. Subsequently they received a grant for drainage, amounting to £40,000, and they also received an endowment of 2,500 acres of land out of the Perth Commonage, which, calculated at the rate of £40 per acre, represented £100,000 worth of the public estate, and Parliament was never consulted in the matter. A few years ago, he (Mr. Drew) saw a report of a special committee of the Perth Council from which it was evident the Perth Council anticipated that the Government would buy back the town hall; in fact, they had the cool audacity to make a suggestion in the report that the Government should be approached in order to buy back the town hall. Two years ago a report was laid on the table of the House, if he were not mistaken, at the instance of Mr. Moss, showing the special grants made to various municipalities in the State over a period of three years, and if he remembered rightly, Perth received during those three years more than fourteen times as much as Fremantle, and yet Perth was not satisfied; it required farther help from the Treasury.

HON. J. W. HACKETT: Were the Harbour Works included?

HON. J. M. DREW: It would be another thing if these offices were not required. Their occupancy by officials meant a saving of £800 a year to the State, which was worth considering. It was an ill-advised step to transfer the property to the council. The matter should have been referred to Parliament; or a bad precedent would be established. It would be a precedent on which future Governments might decide to act. For instance, there were mechanics' institutes and miners' institutes throughout the country, and future Governments might decide it was wise to endow these institutes with not only a valuable block of land, but also valuable buildings as well; so that it was very unwise to establish a precedent of this character, and the House should show a decided objection to it. He offered his strong opposition to the proposed grant.

HON. R. D. McKENZIE (North-East) supported the motion. One could not help admiring the pertinacity with which the citizens of Perth bombarded the Treasury for grants to assist their municipality. At the same time, he thought it was our duty to have some say in any grants of the magnitude of that which was referred to in the motion. The Government were at their wits' ends to know how to increase the revenue; yet in face of that they gave to the municipality of Perth a property not only worth £24,000, but representing a rent roll to the tune of £800, when the Government were paying for offices outside a rental of £800, making a total of £1,600. He was given to understand the whole of the officers accommodated outside the Government buildings could be accommodated in these buildings. The municipality of Perth had been liberally dealt with by this and preceding governments. He understood they had an endowment of 2,400 acres of land, roughly valued at £120,000. Surely in face of that it was a great mistake to give away an additional £24,000 to assist this municipality. In addition to that, the Perth municipality got special grants for parks and gardens which were debarred to other municipalities. Without labouring the question, members would

agree with the tenor of the motion. Before this magnificent endowment was made to the council of Perth it should receive the consideration of both Houses.

HON. S. J. HAYNES (South-East): After hearing the speeches of members and reading the motion, he was in accord with it. He did not think the Government had power to give away such large grants. If gifts of this nature were allowed without attention being called to them, sops might be given in all directions. Some members had drawn attention to the fact that Perth had had very large grants in the past, disproportionate to the grants made to other localities. He could not say whether that was so or not, but the chief city of the State deserved more consideration. He approved of the motion because he thought that gifts of this nature were pernicious and bad. He regretted the occasion for a motion of this kind. There might be certain circumstances and good reasons that this special grant should be given to the city of Perth. Perhaps the Government might be able to give some explanation, but without that explanation, he thought the gift was altogether a pernicious one. Judging from what Parliament had done in the past, they would treat the city of Perth liberally. Parliament should give consent to gifts of this nature.

THE COLONIAL SECRETARY (Hon. W. Kingsmill): In order to clear up any misconception that might be in the minds of members, he took the opportunity of speaking early in the debate. Mr. Connolly, in moving the motion, did so with a maximum—one could hardly call it of good nature, because he had made accusations against him which one hoped the hon. member did not mean. The member went so far as to say that the answers given by him (the Colonial Secretary) to questions were not correct. That was ungenerous, and it was absolutely incorrect. He proposed to give some reason for the words he had used. The hon. member found fault in the first place by saying this matter had never been laid before Parliament. The hon. member was inaccurate in that statement, because, as he admitted himself, the papers in connection with this gift were laid before Parliament and remained from 20th September, 1903, until 23rd January following——

HON. J. D. CONNOLLY: Before Parliament?

THE COLONIAL SECRETARY: On the table of the Legislative Assembly from the 20th September, 1903, until 23rd January following. He was sorry to point out to the hon. member, who had spent years in Parliament, but who did not seem to have made use of his time, that papers laid on the table of the Assembly were at all times available to members of both House. This was a fact, and he took the trouble to verify that by reference to officers of another place; so that the hon. member could have no excuse for not making himself acquainted with the nature of the papers if he had wished to do so. Furthermore, in the report and proceedings of each House of Parliament, the names of all papers laid on the table were constantly published from day to day. We certainly had no officer in either House of Parliament to run round to members and jog their memory and tell them that such a paper was laid on the table on such and such a date, but any member of Parliament who took that interest in his work, which he hoped every member did, should not lose an opportunity of making himself acquainted with those matters on which he was interested. That was the first point raised by the hon. member. With regard to the second point, Mr. Connolly said no distinct promise had been made by a former Government. He had very much pleasure in correcting the misconception on that point; and he could assure the member that on looking through the file which he (the Colonial Secretary) purposed laying on the table, and which was laid on the table of another place and was available to the hon. member, he would find that not one but many definite and distinct promises were made on this matter. Not only that, but those papers were laid on the table of the Legislative Assembly, and were laid there with the express remark as stated by the then Premier (Mr. James) in order that Parliament should have an opportunity of discussing this question.

HON. J. D. CONNOLLY: Was the hon. member quoting from *Hansard* remarks which Mr. James made when laying the papers on the table?

THE COLONIAL SECRETARY did not say that Mr. James made any remarks when laying the papers on the table; he never even implied that. What he said was that these papers were laid on the table. He did not even say Mr. James laid them on, but he said the papers were open to the inspection of members of both Houses, and Mr. James in a minute, portion of which he was about to read, laid down the purpose for which the papers were laid on the table. In a minute which was written on the 13th August, 1903, Mr. James made use of the following words:—

The papers can be placed upon the table of the House, and if no resolution is passed to the contrary, the matter can be settled. I think Parliament should have an opportunity of discussing the matter before we conclude it.

There was a distinct invitation in the papers themselves which were laid before Parliament, so that the matter might be discussed and opinions expressed.

HON. J. D. CONNOLLY: Tied up in a bundle on the table.

THE COLONIAL SECRETARY: Of course, the hon. gentleman did not expect the papers to be flying round loose. If the member took an interest in the question, it was not too much trouble to go through the file and find out what had been said on the matter. With regard to the definiteness of the promise made, he would read to the hon. member a letter which was one of many written to the Perth City Council upon this matter, dated 1st July, 1903, which was as follows:—

Referring to our recent deputation, I have the honour to state that the question referred by you has been considered by the Government, and it is prepared to negotiate with you on the following basis:—(1) Your council to have the site at present occupied by the police court in Barrack Street as soon as (2) your council is prepared to erect a town hall and municipal buildings extending over the existing site and the police court site at a cost of at least £30,000. The plans and specifications to be approved by the Government. The Government requires the site of the Assembly as being a central position on which to erect a savings bank building, and their intention is to continue over that site a building on the lines of the adjoining public offices. If terms are arrived at, the Government would be glad to adopt a style of architecture which would make a really good building at this important site in harmony with your proposed town hall. If you agree to these terms we can consider and settle all further questions arising; but in any case the Government cannot vacate the police court until the new police courts are erected.

If that were not a distinct promise, then words conveyed no meaning.

HON. J. D. CONNOLLY: Did Mr. Daglish make an offer?

THE COLONIAL SECRETARY: If Mr. Daglish did not care to carry out Mr. James's undertaking, that was Mr. Daglish's business. As far as the present Government were concerned, Mr. James made this distinct promise, and the Government were fully prepared to carry out and ratify the promise of their predecessors. Furthermore, the Government were also satisfied of the fact that the matter has been laid before Parliament. Parliament had had ample opportunity, extending over several months, of discussing the project and vetoing the proposal; and they did not avail themselves of that right.

HON. J. D. CONNOLLY: They had the opportunity by the papers being laid on the Assembly table.

THE COLONIAL SECRETARY had already pointed out that all papers laid on the table of the Assembly were available to members of the Council. These were the two points raised by the member. It was practically no use at this stage going into the merits of the question. They had been threshed out and had been before Parliament, and members had had an opportunity of expressing their opinion for some considerable time past. No doubt a distinct promise was made, and Parliament had an opportunity of expressing an opinion on that promise. That being so, he hoped the Government were fully justified, and indeed they were susceptible of blame if they did not carry out a promise of one of their predecessors (Mr. James) to the Perth City Council,

HON. J. D. CONNOLLY: A previous Premier (Sir John Forrest) promised the Esperance Railway, which had not been built.

HON. J. W. HACKETT: Never.

THE COLONIAL SECRETARY: If the hon. member could produce as clear evidence on that point as he (the Colonial Secretary) had provided with regard to the promise given by Mr. James, he thought the Esperance Railway would have had a very fair chance of being built.

Surely Sir John Forrest had stopped short of committing himself to the same extent as Mr. James. Much was said of the generosity with which Perth had been treated; and the endowment of Perth with 2,500 acres of commonage had been alluded to. But the City Council and their friends seemed to think that Perth came rather badly out of that deal. The endowment of 2,500 acres was in the nature of a compromise. The Perth council received a better title to the land, on condition that they gave back to the Government some 2,900 acres; so the Government did not exhibit any generosity.

HON. J. W. HACKETT: The council exchanged the commonage rights of a large area for the freehold rights of a small one.

HON. J. D. CONNOLLY: Rights which the City Council did not possess.

THE COLONIAL SECRETARY: Undoubtedly the council had commonage rights, and they wanted the freehold rights of the whole commonage, but these were denied them; and as a compromise the council accepted the freehold rights of the smaller area, and handed back the rest. Mr. Loton, who was then mayor of Perth, had fought very hard for the council.

HON. W. T. LOTON: The arrangement was very fair.

HON. J. D. CONNOLLY: For the council.

THE COLONIAL SECRETARY: Another aspect of the question ought not to be lost sight of. Something was due to the capital city of the State.

HON. J. D. CONNOLLY: The objection was to the principle of giving away the public assets without consulting Parliament. He was not speaking against Perth.

THE COLONIAL SECRETARY: Parliament had for months the opportunity of vetoing the gift before it was finally donated. That must be abundantly evident. If we were to have a capital city commensurate with the importance of the State, that city must surely have buildings worthy of a capital, and erected on a fit and proper site. The site marked out as the site of the principal civic buildings was that now occupied by the town hall; and surely none would have the hardihood to say that the present town hall was worthy of Perth, even of Perth to-day, not to speak of the Perth we hoped to see in a few years. Was it not patriotic of the Government to afford the citizens an opportunity of erecting such a building? He hoped that the motion would be negatived.

HON. W. MALEY (South-East): After listening to the speech of the mover and the able reply of the Colonial Secretary, there appeared to be some virtue in the motion. We must admit that the consent of Parliament had never yet been obtained to granting the land to the City Council. It was one thing to lay papers on the table of the Legislative Assembly, and assume that those papers were read and digested by members of both Houses of Parliament, and that because no objection was raised to a certain procedure Parliament was satisfied. It was an entirely different thing to secure the consent of both Houses of Parliament to what was proposed to be done. Before giving away land worth scores of thousands of pounds, the consent of Parliament must surely be obtained. The motion involved a great principle. Parliament had perhaps to some extent been consulted; but its consent had not been obtained. We must not look at the pile of buildings between Hay Street and St. George's Terrace from the point of view of the citizens of Perth, but from a national standpoint. The whole block would not be more than sufficient for public offices. He hoped to see each department housed on its own flat in that block of buildings, so that people would not have to wander about the streets looking in different places for branches of the same department. The present offices reminded one of rabbit warrens. Better let the Government buy the town hall, and secure for all time the whole block. Members should not be misled by side issues or by sentiment. He would support the motion, if only to avoid a bad precedent.

HON. C. SOMMERS (North-East) supported the motion. Such an important gift should have been brought more prominently before Parliament. Laying papers on the table of one House was not laying them before both Houses. A specific resolution should have been passed in each House. The Government would need the old police court site for State

offices. It would be a pity to erect a fine town hall with frontages to such narrow thoroughfares as Hay and Barrack Streets, where the architectural beauties of the building would not be observable. So small a piece of ground was altogether unsuited to a town hall in a capital city like Perth.

HON. J. W. LANGSFORD (Metropolitan-Suburban): It was unfortunate that Mr. Connolly did not move earlier. The matter had been before the public for three years and longer, and if not specifically referred to in the Chamber, was mentioned frequently in the Press and in the minutes of the Perth City Council. Now, when the council was preparing to consider plans for a town hall, this motion was shot at them like a bolt from the blue. It was the general policy of the Government to grant lands to municipalities, without first seeking parliamentary approval; and whether such grants were justified was a question of degree. It was improbable that the City Council would build a town hall on the present site; but a distinct promise having been made to the council, and the matter having gone so far, the Government could not fairly be asked to stay its hand.

HON. C. E. DEMPSTER (East) supported the motion. It was wrong for the Government to make such immense gifts to municipal or other bodies, without the consent of Parliament first obtained. This gift consisted not only of land but of extensive buildings; and the proposal should have been fully considered by both Houses. It did not appear that parliamentary approval had been obtained; and as the Government succeeding that of Mr. James did not adopt his suggestion, they evidently considered themselves not bound by it, showing that there was no obligation to perform Mr. James's promise.

HON. G. RANDELL (Metropolitan): A member, evidently under a misconception, said that the Government had originally given Perth a town hall worth £80,000. The town hall was built many years ago by Governor Hampden, at Government expense, and given to the City Council; and the fact that a proper transfer was executed only recently was due to the difficulty of discovering an Imperial officer in the Ordnance Department, who was the only man capable of executing the transfer. For the last ten years at least there was a tacit understanding that when an opportune time arrived the City Council were to obtain the old police court site for the purpose of a town hall; and there had been a reasonable expectation of obtaining the old Legislative Assembly Chamber when new Parliament Houses were built. Some members took exception to the munificent treatment of the Perth council as compared with other municipal bodies; but in Perth were many Government buildings not rated, so that the Government subsidy was really in lieu of rates, and was a smaller sum than that given to Fremantle. The mover did not seem to impute any impropriety to the Government. The Colonial Secretary's reply on the merits of the case was perfectly satisfactory. The minute attached to the file by Mr. James—"To lie on the table of the Legislative Assembly"—was a distinct challenge to the Legislative Assembly to refuse consent to the gift; and by its silence the Assembly assented to the action of the Government. After the lapse of two years this motion came too late. Why was it not tabled earlier? The action of the Government was perfectly right; and there did not appear to have ever been an intention to evade responsibility to Parliament. In the present position of the matter it would be most unfair to pass a vote of censure on the Government for the action they had taken in the interests of the State and of Perth. It was too late to shift the town hall from the site it had so long occupied. The effect would be bad, nor did there appear to be another suitable site. In 1897 or 1898 an opportunity of obtaining an admirable site was missed.

HON. R. LAURIE (West): Personally he did not object to Crown lands being granted for such a purpose to a municipal body; but the question now at issue was whether the Government were acting constitutionally in granting the land and the building to the city of Perth. Undoubtedly the capital city should receive from the Government all reasonable privileges; but Mr. Randell might have dwelt on the constitutional point. Was laying papers on the table of another place equivalent to laying papers before Parliament? Mr. Connolly had certainly done his duty

in calling the attention of the House to the matter. At the commencement of the session a Bill was brought forward to uphold the undoubted rights and privileges of this Chamber.

THE COLONIAL SECRETARY: It was done in both Houses.

HON. R. LAURIE: If it were necessary to lay the papers in connection with this matter on the table of another House for a specific purpose, that of giving members an opportunity of moving that the grant should not be made, we were justified in having those papers in this House, so as to be able to pass a similar motion if thought desirable. He might be right or wrong in his deductions He had not the slightest objection to giving this building to the Perth council. If we had received the papers, we could have stopped any grant of this nature. He had no objection to the gift if it was a constitutional one.

HON. M. L. MOSS (Minister): So far as the principle at stake was concerned, it might be summed up in this. If on every occasion grants were made to municipalities and parliamentary sanction was necessary, the work of Parliament would be considerably increased. Mr. Connolly agreed that what was attempted to be done in regard to the city of Perth was no singular experience of the parting with Crown lands or lands belonging to the country generally, to public bodies.

HON. J. D. CONNOLLY: Giving away public buildings.

HON. M. L. MOSS: Take the town of Fremantle as an example of what was moving in his mind at present. When the scheme of municipal tramways was suggested in Fremantle, it became necessary to obtain a site for a power house, and the James Government were approached with the object of giving a valuable site for that municipal undertaking, the construction of the tramways. That site was given away without reference to Parliament, or any ratification by Parliament, subsequently.

HON. J. D. CONNOLLY: That did not make it right.

HON. M. L. MOSS: There was always a remedy where the Government were guilty of anything wrong. The buildings erected on the land in Barrack Street were of very small value compared with the value of the land itself, and this site was not given on account of the rental to be obtained from the buildings. It was an open secret that in accordance with a promise of the James Government the site was given for the erection of a town hall on what most people thought was the proper site to erect such a structure. Not only in Fremantle, but in other portions of the State, grants of land were continually given for public purposes, and the remedy, where any Government was guilty of wrong, was for a vote of censure to be brought against the Government in another place. Was not this a storm in a teacup? It was not the giving away of property to a private individual, but to a body of trustees acting in the public interest. This valuable property was being handed over to the city of Perth. It was merely a change of control, as the Colonial Secretary had pointed out. To deal with the question from the point of principle that Mr. Langsford set before the House was simply asking the Government in power to bring all these things to Parliament for ratification. It was a moot point whether the site of the old Legislative Assembly did not belong to the City Council. This site for the town hall was given two years ago, and no attempt had been made to dispute the promise of the Government. Any member could have tabled a resolution during that time, objecting to the site being given away. Members, as a rule, did not object to handing this site over; what they objected to was the question of principle. It was better for the advisers of His Excellency to deal with all these matters than to bring them before Parliament, and he believed with Mr. Langsford, that the Perth council was entitled to the site; and after all, it was simply handing over the control of this particular piece of property to the municipal council to hold it—the Government delegating their powers to that body. It was to be hoped the Council, after having ventilated their opinions, would not pass the motion.

HON. R. F. SHOLL (North): If the motion went to a division, he would vote for it, for the reason that he agreed with the principle laid down by Captain Laurie, that the Government had given away this freehold improperly. Valuable properties belonging to the State should

not be given away by the Government. When Sir John Forrest promised the Trades and Labour Council a valuable property in Fremantle, known as the old customs house, the late Mr. Leake, then Premier, refused to carry out the promise, because he said the Government had no right to make that promise.

HON. M. L. MOSS: He gave it afterwards.

HON. R. F. SHOLL: He brought down a Bill to Parliament.

HON. M. L. MOSS: That was different. This property was given to a municipality.

HON. R. F. SHOLL: The principle was the same. The Government should not, without the consent of Parliament, dispose of the public estate. There was hardly a new township laid out but that religious bodies rushed for blocks of land, and nothing was done with these blocks until they became valuable, when they were sold. He supposed the Government would fall back on the land regulations for the authority to give this block of land away, but no land regulations could override the Constitution Act. If this matter had come before the House in a constitutional way he would have voted for giving the building to the City Council, but he objected to the principle of Parliament not being consulted.

HON. Z. LANE (Metropolitan-Suburban) would vote against the motion, as it was a vote of censure on the present Government, and he could not see why the House should pass such censure when everything had been done in proper order, and the title to this property had passed. The House was powerless. A great deal had been said about the value of the buildings on this property. No one knew better than Mr. Connolly that the buildings were practically useless. A town hall was to be built on this site; therefore the whole of the present buildings would have to come down. They were only of the value of old material. He did not consider that Mr. Connolly had gone the right way to work to amend this irregularity. Instead of bringing forward what he considered was a vote of censure on the Government he ought to have brought in a Bill to stop such a procedure in the future. For this reason, and the reason that he considered it was a proper site for a town hall and that the Government had done right, he would vote against the motion. He wished to see a good substantial town hall erected on the site.

HON. J. D. CONNOLLY (in reply) had no particular animosity against the municipality of Perth. He had brought this matter forward purely on a question of principle. The Colonial Secretary, in speaking, had something to say about untrue statements, which it was asserted he (Mr. Connolly) had made. He might inform the Colonial Secretary that if answers had been given in accordance with facts there would have been no need to bring forward this motion. The motion had been submitted to justify himself and fellow members in the Chamber. A question was put to the Colonial Secretary, and he answered that the papers were laid before Parliament during 1903-4 and no objections were raised. That answer went forth to the country, but the papers were not laid before Parliament. He (Mr. Connolly) was accused by the Colonial Secretary of telling an untruth. He would leave it to the fairness of members to say if the papers were laid before Parliament. They were laid before one House of Parliament, the Legislative Assembly. Could that be called, being submitted to the House. Was he not right in saying that the answer was not in accordance with facts?

THE COLONIAL SECRETARY (in explanation): The hon. member appeared to think the papers were laid on the table in both Houses in a similar manner. That was not the case. In another place, the papers were allowed to lie on the table by permission. A Minister in bringing forward papers moved that the papers do lie on the table, and any member could object to the matter contained in the papers, and might speak at the time or subsequently.

HON. J. D. CONNOLLY: Hon. members knew the procedure of the House too well. A Minister certainly did move "that the papers do lie on the table," but that did not bring those papers before the House, or give members an opportunity of discussing them. The motion did not appear openly on the Notice Paper, and it did not give members an opportunity of discussing the contents of documents. The motion was simply a formal one.

THE COLONIAL SECRETARY: Such a motion had been discussed.

HON. J. D. CONNOLLY: The mere fact of a Government laying papers on the table and Parliament taking no action did not give the assent of Parliament to those papers. If Mr. James wished to have the consent of Parliament, he could have moved that the papers be taken into consideration on a certain date. Then there would have been an opportunity for members to discuss the whole matter. The Colonial Secretary, in a humourous manner, had said that the papers were laid on the table, but that it was not the duty of the Government to go round and tell members that certain papers had been laid on the table, when members were too lazy to attend to their duties.

THE COLONIAL SECRETARY did not make such a remark.

HON. J. D. CONNOLLY: The hon. member said, "if members would not take sufficient interest in their work." He had heard before of Satan reproving sin, and that had brought to his mind the fact of such a hard working man as the Colonial Secretary reproving lazy members of the House. The Colonial Secretary had laid great stress on carrying out the promises of former Governments. He commended the Government for doing so. They did not mind what the principle was. The Government were doing what their predecessors had promised. Let him remind the Colonial Secretary what the predecessors of the previous Government had promised. Mr. Daglish, in August last, wrote this minute: "Cabinet objects to the transfer of this property, without the direct approval of Parliament." Yet we have the Colonial Secretary saying that they carried out the promises of the previous Government.

HON. M. L. MOSS: They were the predecessors of the next Labour Government.

HON. J. D. CONNOLLY: It was purely on principle that he had introduced this motion, and he asked members to vote for it because of the answer given by the Colonial Secretary, which answer had gone forth to the country. He wished to show that he was right in the step that he had taken. Something had been said about Labour Governments. If this precedent was established, where were we going to stop? A Labour Government might come into power in years to come, and might quote this as a precedent, and a labour body might ask for the Supreme Court buildings to be given to them. Every municipality was entitled to certain grants, but the municipality of Perth had received a grant years ago for the erection of the present town hall. The present site was not the site for a town hall. This was portion of a public building, and was valued at £24,000. He did not say he was against municipalities getting grants: all municipalities should have grants for public purposes. It was the principle that he objected to. As he had ventilated the matter, he asked leave to withdraw it.

Motion by leave withdrawn.

## BILL—WINES, BEER, AND SPIRIT SALE ACT AMENDMENT.

Received from the Legislative Assembly, and on motion by Hon. M. L. Moss read a first time.

### SECOND READING.

HON. M. L. MOSS (Minister): I move that the Bill be now read a second time. The object of the measure is to procure for the Government some additional revenue, and I think the House will agree with me that the additional taxation prescribed by the Bill is perfectly justifiable, from whatever point of view it is looked at. Under the principal Act there is—in Section 15—quite a number of licenses referred to, but it is not intended to touch any of these licenses, except the publicans' general license. I desire specially to point that out; because Subdivision 10 of Section 15 of the principal Act deals with wayside house licenses, which houses pay an annual license fee of £10. I desire to make perfectly clear what I have to state, because it would not be proper to increase the fee for the wayside house license, and I think it necessary to make that observation at once, lest a wrong impression may gain currency amongst members. The Wines, Beer, and Spirit Sale Act, the principal Act, was passed in 1880, some 25 years ago, when the only populous centres of the State were Perth and Fremantle. Section 15 provided that the publican's general license fee in Perth and Fremantle should be £50, £40 being the fee charged else-

where. Of course, in 1880, we did not dream of any Coolgardie or Kalgoorlie; and so in a large centre like Kalgoorlie, where the publican has had a very good innings, it may surprise members to learn that publicans have never paid more than £40 a year for their licenses. That was totally inadequate from the jump; but it is much more inadequate by reason of the fact that since the adoption of uniform duties of Customs, the duty on spirits has been reduced from 16s. to 14s.

HON. C. SOMMERS: That makes no difference.

HON. M. L. MOSS: It makes no difference to a person purchasing a drink or a bottle of liquor, but it makes a vast difference to the publican, who gets the sole benefit of the reduction of the duty of 2s. per gallon, the difference between the State and the Federal tariffs. It has been said in another place, and I think perfectly accurately, that this reduction of duty represents hundreds of thousands of pounds gained by the publicans of this State during the last five years. It is well known in respect of licensed houses in large centres that the amount of the premium paid on ingoing and the high rents received are out of all proportion to the original capital invested in these concerns. And if one sort of property more than another should pay an extra contribution towards the revenue of the country, those licensed houses are very fitting objects on which to levy that contribution. I am informed by a member of this Chamber that only recently, for a five-years lease of an hotel in Perth, a premium of £11,000 was paid on ingoing, and a rental of £30 per week; and that was not by any means one of the principal houses carrying on this class of business. It is intended to make the Bill apply to the licenses for 1906. At the March licensing court throughout this State, every publican must bring his publican's general license to the court, for the purpose of enabling the licensing bench to assess the annual value of the house, in accordance with the procedure prescribed by Clause 3 of the Bill; and the difference between the license fee which has been paid on the granting of the license by the December court, and what may be payable after this assessment of the annual value by the licensing bench at the March sittings, shall be paid by the licensee; otherwise a later clause provides that the license shall become void. Clause 2 provides the scale on which these increases are to take place. The license fee is to depend upon the annual value of the houses; and it is intended, inside municipalities, to increase the license fee to £50 when the annual value of the house does not exceed £500; above £500 and under £1,000 the license fee is to be £75; and if the value exceeds £1,000, the fee will be £100. I say again, that there is no possibility of the Bill affecting wayside house licenses; but outside municipal districts, if the annual value of the house, not being a wayside house, does not exceed £200, the license fee will be £40; and in any other case, when the value exceeds £200, £50 shall be the license fee. The only other clause to which I would draw attention—a clause which I think is a perfectly proper provision in the Bill—is Clause 6, by which, when in the case of existing leases the license fees are increased—and they are increased only in respect of the annual value of the property—the tenant is permitted, until the new lease is granted, to deduct from the rent payable under his lease the increase in the amount of annual license fee. That will be a mere bagatelle. Take the case of a house rented at £750 a year. The difference between the old and the new license fee will be £25, and that is the contribution which the landlord has to make towards the public revenue. It will be perfectly within the right of the landlord, when the lease expires, to charge whatever rent he thinks fit; and then the full payment of the license fee will devolve upon the tenant. I think that is a perfectly fair impost to put upon the landlord, particularly when we have, in respect of many licenses granted during the last five years, not only heavy rents accruing to the landlord, but tremendous premiums on the ingoing. It is perfectly fair that where the country has added a valuable asset in the shape of a license to the property of the landlord, he, and not the tenant, should contribute the difference between the old license fee and that imposed by the Bill.

HON. C. E. DEMPSTER: What is the landlord to do for his interest on capital?

HON. M. L. MOSS: If the hon. member can tell me of one licensed house in Perth, Fremantle, or Kalgoorlie, which does not return to the landlord not only a very fair interest but a very large interest on the capital invested, I shall be exceedingly surprised. I do not think that such a house exists. One might be found in some struggling centre; but such houses we do not intend to touch by the Bill. By paragraph 1, of Subclause (*b*), it is provided that where the annual value of the house does not exceed £200, the license fee shall be only £40. Clause 7 provides that when, under the provisions of Clause 3, a tenant is empowered to set off any part of the license fee against rent payable by him in respect of the premises, the following conditions are to apply. If the immediate landlord of such tenant be a former tenant under an original lease who has sublet to him at the same rental as that reserved in the original lease, and who has not received a greater sum by way of ingoing than that paid by him to the lessor named in such original lease, or if the immediate landlord of such tenant be a mortgagee in possession who has entered into possession of the premises under the powers of a mortgage registered against the original lease, and who has sublet to such tenant at the same rental as that reserved in the original lease, and who has not received by way of ingoing any greater sum than that paid to the lessor named in such original lease, the original landlord has to pay. But in the case of the licensee—and he of course would be the sub-lessor—getting any increased rent, the original landlord would not take but the sub-lessor would take. The Bill is perfectly fair; and I need do no more than mention to the House the fact that it is one of the Government taxation proposals. I am sure the House recognises that it is not expedient to deal inimically with a measure of this kind; not that I anticipated any such action. The Bill is a perfectly fair means of getting additional revenue, and a means which throughout the length and breadth of this country will meet with the approval of the electors.

HON. E. McLARTY (South-West): The Bill has been for so short a time in the hands of members that it is quite impossible for laymen to grasp its provisions and adequately to study its contents. One point that seems very clear to me is that the license fees are out of all proportion. The Bill provides that a house with an annual rental of £500 must pay a license fee of £50; and a house outside a municipality, and paying a rental of £205 a year, will also have to pay £50. That seems to me out of proportion. A large hotel in a populous town pays £50, and a country hotel with a rental exceeding £200 pays the same license fee. There is another point. We know that the wayside house license fee is £10; and if the house is situated within a town, or within 10 miles of a town, then, according to the Municipalities Act, as soon as the population reaches 100, the wayside house license must be transformed into a publican's general license. That is a rather hard case. "A population of 100" may mean about eight families. There is no provision that the population must consist of 100 adults.

HON. M. L. MOSS: That has so far been the construction; but I think it is a wrong construction.

HON. E. McLARTY: I am pleased to hear the hon. member say so; because I think it is a wrong construction. And if I had any assurance that the word "adult" should be added to assist the licensing bench, certain of my objections, and objections of other people, would be removed. Apart altogether from the revenue which the State derives from them, wayside houses are a convenience to the travelling public. I know many such houses, which, even with the low license fee of £10, make very small profits but afford great conveniences to travellers. If the license fee of such a house were raised to £40 or £50, the house would be at once closed, causing considerable inconvenience. As one who travels extensively, I always prefer going to a wayside house where I can get accommodation for my horse and myself, rather than impose upon my neighbours; and I think other people are of the same opinion. I quite agree with the Minister that in view of the largely increased business in Perth, Fremantle, and Kalgoorlie, the license fee is too small in proportion to the profits; and the Government are quite justified in deriving more revenue from such licenses. My only

objection is that many of the houses now licensed as wayside houses will possibly next year be asked to pay an increased license fee, and will then be very unfairly taxed. It is decidedly unfair that a house worth £205 a year should be asked to pay the same fee as a house worth £500.

HON. C. SOMMERS (North-East): I take exception to Clause 6, providing that as soon as this Bill becomes law, the landlord is responsible for any increase in the license fee. That is not fair. In an ordinary private house, if the city rates are increased, the tenant, if in his lease he agreed to pay rates, has to pay the increased rates. Many landlords do not benefit by their tenants' subletting; yet a landlord is to be asked to pay the increased license fee, though deriving no increased profit. I do not think that is fair, and it should be looked into by this House, which is supposed to conserve the rights of property. Possibly the tenant may be aggrieved by having to pay an increased license fee, but he has all along taken that risk. Any license fee in the State, no matter for what, is liable to be increased by the Legislature; and unless I hear good reasons to the contrary, I will move in Committee that the duty of paying the increased fee be divided between the tenant and the landlord. That will be a fair compromise, and consequential amendments will be made in subsequent clauses. Nearly all the re-sales, at high prices, have not benefited the landlord, but the tenant who has sold out.

HON. G. RANDELL (Metropolitan): I think there are some houses in Perth which can afford to pay £500 a year in license fees.

HON. J. W. WRIGHT: Tax their bars.

HON. G. RANDELL: I do not think the Bill has been very carefully thought out. Mr. McLarty has propounded the problem that the licensee who pays a rent of over £200 a year must pay the same fee as the licensee whose rent is £500. That is I think a blot in the Bill. However, this is only a intermediate Bill, and probably we shall have next year a consolidating Bill in which due consideration will be given to this most difficult question of obtaining revenue. Considering the large sums paid for ingoing, and the enormous rents some owners of hotels are now receiving, I think the license fee for the larger houses is ridiculously small. The Minister, when introducing the Bill, mentioned an instance of £11,000 being paid on ingoing to a hotel of which the rental was £30 a week, or £1,560 a year. Yet that publican will be called on to pay only £100 a year for his license. This shows that the Bill is not drawn on equitable lines. There is no reasonable proportion between the man with a rental of £205 a year paying a £50 license fee, and he who has an annual rental of £1,560 paying a fee of £100. I hope these matters will be taken into careful consideration during the recess, and that the new Bill, if brought in, will be based on principles which will appeal to our sense of right. The hotels should be graded; and though some attempt is now made to grade them, the method is not by any means thorough. I agree with Mr. McLarty that it would be a hardship if a wayside house licensee had to pay £50 a year for his license when the population in his neighbourhood increased to 100. A better plan would be to allow the licensing magistrates to take into account the purposes for which wayside houses exist, and the other circumstances of each case, so as not to impose on wayside houses, which may be of benefit to the public, burdens too heavy to be borne. Undoubtedly we ought to derive much more revenue from hotels, considering the police protection which hotels require. We cannot give a license to an hotel-keeper without increasing our police force; or if we do not increase it we ought to. When a license is issued, there ought to be better supervision by the police than there has been previously. There is a regular connection between the granting of licenses and the cost of the police force. We could do with much less police supervision were it not for licensed houses. Very low license fees are charged to the large hotels of the State. I agree with Mr. Moss as regards Clause 6, which I think quite equitable; for if the licensee has his license fee increased at the licensing court in March, the owner of the house should pay the amount of the increase, for the first time at any rate. I think the Bill is a step in the right direction. I consider it a very short step; and I hope it will be succeeded by one much longer.

At 6·25, the PRESIDENT left the Chair.
At 7·30, Chair resumed.

HON. W. MALEY (South-East): I take it the Bill before the House is framed entirely for the purposes of revenue; and being somewhat in the nature of an experiment—I understand that no similar legislation has been adopted elsewhere—I question whether in entering on this experimental legislation it is wise to let this Bill pass permanently on to the statute-book. It may be advisable to limit the operation of the Bill to, say, two or three years. This legislation may be entirely different from what Mr. Randell anticipates it to be. The publican may have to resort to the bar for revenue to pay the extra taxation. That may be the principal part of the hotel of the future, to be run for all it is worth. I would like every encouragement to be given to the running of residential hotels, and I regret when an offer was made in Perth recently to erect a residential hotel, the bench did not see their way to accept the offer. When people find it irksome to keep a private house going, they resort to the hotel. That is the American system, and the system which is apparently coming into vogue here; and if the residential part of a hotel is to be considered secondary in every instance and the bar of the first importance, if that effect is produced by the Bill, members will be rather surprised. That may be the result, and it is not an unreasonable deduction to make. In regard to wayside hotels, I understand it is still open under the principal Act for wayside hotels to be established by paying a fee of £10. In remote parts of the country travellers get that rest and help which hotels are intended to afford. No hardship will be inflicted on these places by the Bill. I cannot say I am very earnest in my support of the measure, but I have nothing more to say in criticism of it. I will leave it to the House to say whether they support it or not.

HON. S. J. HAYNES (South-East): Like Mr. Randell, I am surprised at the reasonableness of the measure, and it will have my support. All recognise that fresh taxation is needed, and I do not know of a better source than this. The only matter I wish to draw attention to is a discrepancy in respect of licenses. Mr. McLarty has drawn attention to that; but so far as this measure is concerned, it will not press very hardly on anyone. It is mentioned that wayside licenses may be affected by the Bill, but under the present measure they cannot, because the wayside licenses have been renewed; and they will not come within the purview of the Bill. When a wayside license is turned into a publican's general license, in the future, if the provisions of the Bill are carried out, an injustice may be worked. I understand the Government propose to bring in fresh legislation to consolidate the Acts relating to wines, beer, and spirits—there are over a dozen on the statute book—and if this legislation is brought forward I hope wayside house licenses will be protected. They are a great benefit to the public in sparsely populated districts. I have pleasure in supporting the second reading.

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—TOTALISATOR DUTY.

Received from the Legislative Assembly, and on motion by the COLONIAL SECRETARY read a first time.

SECOND READING.

THE COLONIAL SECRETARY (Hon. W. Kingsmill): In moving the second reading of this Bill, I do not think a great deal of explanation will be necessary on a subject with which members have become acquainted through the Press during the past week or so. The Bill before the House is purely and simply a measure for obtaining revenue from a source which the Government think it may easily be obtained from, a source from which it will not be very much missed. As members know, the betting machine, known as the totalisator, is very largely availed of on the various racecourses throughout Western Australia. Its use is thoroughly legal, and proceedings in respect of the machine are regulated by the Totalisator Act; and the control exercised over this betting

machine is within the jurisdiction of the West Australian Turf Club, under the powers conferred on that club by the West Australian Turf Club Act. As members know—but perhaps it is well to explain to those who do not know, if there be such an one in this House, which I doubt—the procedure is to deduct 10 per cent. for the benefit of the club, from the total moneys deposited in the machine, for the purposes of division. It has appeared to the Government on very good authority that the clubs are making an extremely large profit out of this 10 per cent., and it has farther appeared to the Government that as they are in need of revenue—Governments generally are—and that some sort of taxation has to be resorted to, no taxation would weigh more lightly on the people than the taxation of totalisator receipts. In addition to the 10 per cent. retained by the club for the benefit of the club, there are two other directions by which the public contribute money towards the support of these institutions. Some clubs, when dividends are allotted, pay to the shilling below the amount which the division comes to. By this I mean, if a dividend comes to £2 5s. 5d., the clubs pay £2 5s., and the 5d. in each dividend—the fractions, which come to a very comfortable sum each year—is retained by the clubs. In the same way unclaimed dividends—though I am led to believe these are few in number—become the property of the club and are retained. By some clubs they are put to their own use; by others they are put into charities and disposed of in various ways. It was the intention of the Government, in addition to taking 2½ per cent. of the 10 per cent., to lay claim to the unclaimed dividends and fractions. That intention, however, has been for the greater part abandoned, and now it is proposed by the Government to take a very small portion of these two amounts. I do not think there can be any objection to the spirit of the Bill, and the general intent of the Bill. As a matter of fact even racing men, those people interested in racing, and who have been so for years, have admitted that this tax is an essentially fair tax, and now that the Bill has reached its present form, I do not think there can be any objection to the matter that appears in the Bill. Members will see that the second clause deals with the interpretation, and the third clause lays down the duty on the gross takings of the totalisator and the percentage taken by the Government, namely 2½ per cent. In this connection, I may explain that in countries where the totalisator exists, sometimes a lower percentage than this is taken, and in other countries the tax is higher. In New Zealand the totalisator tax is 1½ per cent.; in Queensland the totalisator tax is 5 per cent. of the takings. The amount deducted by the clubs in Queensland when the tax was introduced was 10 per cent., and they found the tax weighed heavily, and they increased it to 12½ per cent. We have it on fairly good authority that the taking of 2½ per cent. from the 10 per cent. will not work any hardship on the clubs, and will give a fairly adequate return to the Government. In addition to the 2½ per cent. of the gross takings of the totalisator, the Government also wish to levy a duty of 2½ per cent. on the net takings of any totalisator machine remaining undistributed. That is, the Government propose to take 2½ per cent. of what is technically known among racing clubs and racing men as the fractions. They also wish to have paid to them 2½ per cent. of all dividends remaining unpaid within three months after the declaration thereof.

HON. J. W. WRIGHT: That is mighty small.

THE COLONIAL SECRETARY: It is small, almost too small; but it shows the liberality of the Government. I see that the hon. member agrees with me that the amount will be small, that not many persons will leave their dividends.

HON. J. A. THOMSON: Take the lot.

THE COLONIAL SECRETARY: This is a taxation measure, and I hope it will not be interfered with. We have power to make alterations, but at this late hour of the session it may not be advisable.

HON. W. T. LOTON: But we can suggest.

THE COLONIAL SECRETARY: I hope members will not do so now. Clause 4 deals with accounts that have to be forwarded to the Treasurer within three weeks of a meeting being held, and prescribes the form of statement. Clause 5 provides a penalty for omis-

sion to make a true statement, and Clause 6 gives the legal standing of these duties as debts due to His Majesty. Clause 7 prescribes the bookkeeping duties which are imposed upon the secretary and members of the committee of the racing club, and how that bookkeeping shall be effected. Clause 8 provides for books, and Clause 9 that no dividend shall be recoverable or paid except on presentation of the ticket for which the dividend is claimed, or after the expiration of three months from the date of declaration of the dividend. Clause 10 gives the usual power to the Governor in Council to make regulations for giving effect to the Act. The Bill is practically self-explanatory. Its object is known; and its scope as I have said already is essentially reasonable. I hope there will be no objection to it; and I have much pleasure in moving the second reading.

HON. J. W. LANGSFORD (Metropolitan-Suburban): I believe this Bill will meet with the approval of a large majority of the people of the State; but I think a minority would like to have its opinion voiced in this Chamber, that minority regarding revenue derived by the State from legalised betting as revenue from an improper source. There are many outside this Chamber whose voices are certainly not very loud, but who form a highly respectable portion of the community; and that is their opinion of the measure. It appears to me that some day we shall have so educated public opinion, that gambling and betting will not prevail to their present extent. I do not think there is a member here who does not regret the undue prevalence of gambling and betting in this community. It has been said that the legalisation of the totalisator has already put the stamp of parliamentary approval on that kind of betting; and I agree that it has. And this Bill will place on it a farther mark of approval. The tax will not affect me; possibly it will not affect any other member; and that is one complaint I have against it. Towards all forms of taxation introduced I should like to contribute my share, but from paying this tax I shall be altogether exempt. Why do the Government approach this matter in so gingerly a fashion as to take only £12,000 from the betting community? Why not go a step farther and encourage betting if it would be a good thing from which to derive revenue? This is purely a revenue producing measure, not introduced with underlying motives for the suppression of betting. Then why hesitate to tax other forms of betting, which I understand exist in this State? Why not tax the bookmaker and the "spinning-jenny," an instrument of taxation well known to the Colonial Secretary? Why not go farther, and run sweeps for the benefit of the State? Vast sums of money are sent year after year from this State to Tasmania.

HON. J. W. WRIGHT: Over £200,000.

HON. J. W. LANGSFORD: If this is to be a taxation measure, why not extend its scope, and so include many people who will not have the privilege of contributing to the revenue through the source provided by the Bill? Speaking seriously, I fear that this Bill will make it harder to create a healthy public sentiment with respect to the totalisator and betting generally.

HON. C. E. DEMPSTER (East): I know that throughout the State this Bill is considered desirable, and one by which our revenue will be largely increased. But I feel a certain regret at the Government having to resort to such methods. Throughout the whole State racing is the favourite sport of a large portion of the people. One has only to attend a race meeting to become convinced that racing is the sport of the country; and when we consider that the success of all race clubs is attributable to the clubs themselves and the excellent officers whom they employ—I am speaking principally of the registered clubs, and not of the proprietary—we must be astonished at the immense sums which the clubs have spent in improving their courses and beautifying their grounds. That money cannot be wasted. It has all been expended in the district where it was raised; and the whole of the population is benefited by that expenditure. As to the totalisator itself, I greatly fear that if the duty of 2½ per cent. is charged on all clubs, some of the small country clubs will abandon the use of the totalisator. I feel sure of that, their profits being so small already that the totalisators are hardly run for profit, but

simply to check the tendency of the bookmakers to form a ring. Bookmakers form a ring occasionally, a certain number of them paying license fees and betting, while the others do not contribute anything to the club. I think it advisable, having experience of country clubs, not to impose the duty on those which race for smaller sums than £300. What will 2½ per cent. on the fractions amount to, and 2½ per cent. on the gross takings? I am told by many of the club managers that to work the totalisator costs over 3 per cent., and 2½ per cent. in addition does not leave much for even the large clubs, while in small clubs it will prevent the use of the totalisator. Country clubs which race for small sums should be free from the operation of the Bill.

HON. R. LAURIE (West): I intend to support the Bill, which I think does not go far enough. The fractions ought not to be the property of the clubs. We shall have four race meetings in Perth, on Monday, Tuesday, Thursday, and Saturday of next week, and on the Monday of the week following. At these meetings vast sums will pass through the totalisator; and the probability is that on nearly every race the fraction will be over 6d. I feel satisfied that had the clubs been, I will not say honest in their dealings, but had the clubs done as is done in other parts of the world, and probably in other parts of Australia where the totalisator is used—handed over to charity those fractions which did not belong to them, the Government would not have needed a duty on totalisator receipts. The totalisator pays a dividend less 10 per cent.; and, as members know, if I invest in the totalisator, I have a perfect right to demand my full dividend without deduction. Some clubs contribute much money to charities, and I give them credit for that; but the amounts which they receive in fractions are not theirs to contribute. Yet some clubs give these sums as charitable gratuities, and not as moneys belonging to other people. In South Australia, a certain portion of the totalisator proceeds is devoted to charities, and properly so. Undoubtedly, some of the clubs in this State, particularly on the goldfields, pay the fractions to charity; and they deal very properly with the people who patronise the racecourses. Those people are treated right royally; but this cannot be said of the proprietary clubs on the coast. The W.A.T.C., the only racing organisation which is not a proprietary club, spends its money principally on improving its grounds and encouraging the sport. But the other clubs who receive the fractions of dividends divide them amongst themselves. To that I take strong objection. I am sorry to see that the Government have abandoned their original intention to take the whole of the fractions, and propose merely to tax the fractions. I think that a light tax on totalisators is a step in the right direction. I am not one of those who deny visiting the totalisator. I do. When I heard an hon. member say that he did not go to the tote, it struck me that possibly he went to the bookmaker. If so, the hon. member does not get any fractions from the bookmaker, whose mode of operation may be seen by anyone who cares to take a walk down Barrack Street. I am sorry that the Government are not proposing to tax the whole of the fractions; for these do not belong to the clubs. While the W.A. Turf Club has spent its profits in improving the ground for the enjoyment of the public who go there and pay those fractions, the other clubs have been paying them away in dividends to the proprietors.

HON. R. D. McKENZIE (North-East): I intend to support the Bill, which I think a most legitimate means of raising necessary revenue. At the same time, as a goldfields member, I think it only right to mention that this Bill will inflict great hardship on certain goldfields institutions, such as the benevolent societies and fresh air leagues, unless the Government come to the aid of such bodies and subsidise them to the extent to which the goldfields race clubs have been contributing during the past few years.

THE COLONIAL SECRETARY: The clubs give them the fractions.

HON. R. D. McKENZIE: The fractions are small compared with the 2½ per cent. duty, which will cost the Kalgoorlie club something like £2,500 a year. It is recognised, I think, by the city members who have visited Kalgoorlie and Boulder, that the racecourses in those towns are practically national parks. In these circumstances it seems to me that the Bill

is, perhaps, a little "previous." It would be better for the clubs if we could defer for two or three years the imposition of this taxation, inasmuch as the clubs have not finished the improvements to their courses. Members will see that taking away £2,500 from each of those clubs will throw back for a considerable time the effecting of certain improvements which the clubs have outlined. While I intend to support the Bill, I should have liked to see the term of its operation limited to one year by way of experiment, before placing it permanently on the statute book. I am pleased to hear the Colonial Secretary say that he is willing to accept that suggestion, and when in Committee I will move accordingly.

THE COLONIAL SECRETARY: No, no.

HON. T. F. O. BRIMAGE (South): Like Mr. McKenzie, I am rather sorry that the Government have seen fit to tax the fractions. I can bear out what he says regarding the labours of the goldfields clubs, more particularly their grants to charitable institutions such as the Fresh Air League and benevolent societies. I think that the Government might have exercised discretion, and allowed the clubs to retain the fractions. The Kalgoorlie club is now spending an additional £8,000 on its grounds; and the clubs do not keep the courses for racing purely, but throw them open as parks, which are becoming very popular.

HON. G. RANDELL: Whence do they get the money for improvements?

HON. T. F. O. BRIMAGE: It came from the public; it is spent for the benefit of the public; and I think that race clubs which spend the money on their grounds, and for the benefit of racing, should be encouraged. It is owing to racing that we have throughout Australia such fine horses. The general opinion is that the breed of horses is encouraged by racing; and I think that opinion is correct. I shall support the Bill as it stands, while regretting that we have not let alone the fractions. However, we shall trust to the Government for assistance to the Fresh Air League and the benevolent society.

HON. G. RANDELL (Metropolitan): I do not propose to discuss the details of the Bill, but have risen simply to record my dissent from its ethics. The Bill, I believe, is wrong in principle. The Government should not identify itself with gambling, or obtain money therefrom. I could enlarge considerably on that point if I chose; but I feel sure that the majority of hon. members favour the Bill because of its revenue-producing capacity, and they think that the country ought to derive some profit from race-course transactions. I believe that the totalisator is one of the most fruitful engines for demoralising the conscience of the community at large. I have little doubt that the many petty thefts from the till, perpetrated by boys, and the thefts of larger sums by older people, are the result of the facilities afforded by the laws of the country to those who invest their money, and their employers' money, in the totalisator. The newspapers give us evidence of that every day of our lives; and I believe it is the general opinion of experienced persons that the totalisator is far worse than the bookmaker for encouraging the gambling instinct.

THE COLONIAL SECRETARY: That may be true of shop totalisators, but not of the totalisator on racecourses.

HON. G. RANDELL: The opinion of competent persons is entirely as I have indicated. I have the same feeling with regard to taxing totalisator receipts as I have with regard to State hotels. The Government is associating too freely with objectionable forms of profit-making. The close alliance between the Government and these objectionable callings is reprehensible from an ethical or moral point of view. The farther the Government keeps from such undertakings, the better for the country; because the Government has to administer the laws, and we expect those laws to be administered equitably. But when the Government becomes as it were a partner in such trading concerns, it is not likely that it will always be free from blame in respect of the manner in which the laws are administered, even though the Government be exposed to the light of public opinion. The argument is to some extent beside the question, but I rise only to record my objection to the Bill, and to say that I cannot support it, as I believe totalisators to be injurious to young people. I am sorry to note the gambling instincts of Australia; for I feel certain that by-and-by, and perhaps before long, we shall realise that we are going

down an inclined plane and that our journey will end in disaster to the whole Australian community. I have seen the statement that the money invested in Australian racecourses exceeds the money so invested in England and America. I am not quite sure of the total; but I understand that there are 50 millions invested in Australian racing. That is investing money in an altogether wrong direction. It is drawing money from its legitimate use and impairing the morals of large numbers of our people. For this and other reasons with which I will not weary the House, I must record my opposition to the Bill.

HON. W. MALEY (South-East): I can in a great measure support Mr. Randell's remarks; but I would touch on one point which he has missed—the bookmaking element. The Bill does not make any attempt to deal with bookmakers. I am one who seldom visits a racecourse; but I may say that I attended a race meeting on one occasion because I was a member of Parliament. I had two objects in view, one being to fill a gap left by some of my colleagues, there being no other member of Parliament in the town, and so I did my duty by assisting my colleagues out of a difficulty. While I felt it my duty to go for that reason, I went with a view also to see how the proceedings were conducted. My first impression was that it might be advisable to back the first horse on the card. Had I done so, I should perhaps be a millionaire to-day, because the horse won; but I had not backed it. I found myself taking notes. The totalisator seemed at first a very harmless instrument; but when I approached a crowd of men, I heard the word "spieler" mentioned.

THE COLONIAL SECRETARY: You must have been on the "flat."

HON. W. MALEY: I saw many flats there. I saw also some gentlemen called bookmakers. I may have become confused between the spieler and the bookmaker; but some gentlemen with very loud voices attracted my attention. I was rather pained to see a well-known citizen who had just recently got out of financial trouble leading his little son round, rushing about in many directions to invest money with the bookmakers. I think that the greatest impression made on my mind at those races was made by the bookmakers. I thought they were almost an offence to the community. I do not suppose that all bookmakers are alike, any more than that all members of Parliament are alike. The bookmakers at that race meeting may have been exceptional, and a little worse than others. But I am surprised that there is nothing in the Bill to deal with bookmakers, who appeared to me to be the most objectionable feature of the whole proceedings. Certainly there is no harm in racing horses; but it is wrong to imagine that by racing horses and getting them up to a certain speed, we improve the breed of horses. Rather, I think, do we spoil the breed. If Mr. Brimage, who is an admirer of racing from that standpoint, were looking for a weight-carrier, he would hardly find on the racecourse a horse up to his weight. As a rule, the winners are very slight horses, not fit to carry a gentleman of the hon. member's weight, for say ten or twelve hours. I have no serious objection to raise to the Bill, because I think the tax can rightly be borne. The money is better in the hands of the Government than elsewhere. No doubt it is filthy lucre; money generally is. I do not think the money gained by the Government in this way is any worse than money gained at bazaars, or rather by raffling at bazaars, for bazaars may be conducted without raffles. I do not see that money obtained in this way is to be despised any more than money obtained by way of raffles which churches will take.

HON. W. T. LOTON (East): I regret that the Government finds it necessary to bring in a Bill of this kind; but as it is requisite to raise revenue and impose taxation, I do not know that it is any more illegal to impose a tax on totalisators than on anything else. As to the gambling instinct in Australia, I do not know how it is to be coped with or put down. This Bill will not encourage betting. If we want to discourage totalisators we must put a higher tax on them to tax them out of existence. From my point of view, with regard to betting, if persons bet at all I do not know of a fairer or more straightforward way of betting than through the totalisator. I do not think the totalisator is the source

of betting that is the cause of trouble and robbery. Credit is not given on the totalisator, persons who bet there must plank their money down before they can get a ticket. With a bookmaker, if a man's name is any good at all, the bookmaker will book a bet and take the chance of getting the money afterwards. The totalisator from my point of view is the most fair way in which a person can bet. I think the Bill might have gone farther and imposed a tax on the fee that a bookmaker pays to the racing clubs.

THE COLONIAL SECRETARY: That could not be done.

HON. W. T. LOTON: I do not see why.

THE COLONIAL SECRETARY: I do not think a bookmaker has a legal existence.

HON. W. T. LOTON: The racing clubs license a bookmaker, who has to pay a fee of £50 or £60. Take the Western Australian Turf Club. Supposing there are 80 or 100 bookmakers, or even 50, that means £3,000. Why not get a fee out of the bookmakers as well as through the totalisator? I am pointing out a way of extending the Bill and handicapping the propogation of betting. I would like to see betting and gambling put down altogether. There is too much of it. People outside the House have put up certain members to speak on this Bill—persons who have certain qualms of conscience in taking money obtained by means of gambling. If a person dies and leaves to a charitable institution or church £10,000, £20,000 or £50,000, I do not think the charitable institution or the church would take the trouble to ascertain in what way the money has been gained. They will scoop it in, depend upon it; therefore I do not see why we should have these qualms of conscience in regard to a Bill of this kind. I am not in favour of gambling. I have seen the evil of it, and I should be glad it we could put a stop to it altogether. I do not see that this Bill will encourage gambling. I think it will act just the reverse. A greater tax put on the totalisator would disiscourage gambling. I regret we cannot put a tax on the bookmaker.

Question put and passed.

Bill read a second time.

IN COMMITTEE, ETC.

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

Read a third time, and *passed.*

## BILL—FISHERIES.

### ASSEMBLY'S AMENDMENTS.

Schedule of amendments made by the Legislative Assembly now considered in Committee.

THE COLONIAL SECRETARY: The amendments that had been made by the Assembly were at the instigation of the Government. The first amendment proposed to enact that the proclamation with regard to closed waters that existed under the present Fisheries Act should continue to exist under the Bill. The other amendments were of a formal nature. He moved that the amendments be agreed to.

Question passed.

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

## BILL—STATUTES COMPILATION.

### ASSEMBLY'S AMENDMENT.

Message from the Assembly acquainting the Council with reasons for insisting on an amendment was now considered in Committee.

THE COLONIAL SECRETARY: The amendment made by the Assembly was of no importance; and Mr. Moss, seeing its uselessness, had moved that it be not agreed to. As the Assembly insisted on it and the amendment would do no harm, he now moved:

That the amendment insisted on by the Assembly be agreed to.

HON. G. RANDELL: We were sacrificing an important principle for no very good reason; but he was not prepared to oppose the motion. The Government must take the responsibility.

THE COLONIAL SECRETARY: After consultation with Mr. Moss it was decided not to oppose the amendment: it was of a useless character.

HON. S. J. HAYNES: At first he thought the amendment should not be insisted on, but after consultation he had changed his opinion.

Question passed; the Assembly's amendment agreed to.

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

ADJOURNMENT.

THE COLONIAL SECRETARY moved that the House at its rising do adjourn until 4·30 on Friday, to sit until 6·30, and if requisite from 7·30 onwards. Members would not object to do this, as their labours were expected to terminate on Saturday.

Question passed.

The House adjourned at four minutes to 9 o'clock, until the next day.

# Legislative Assembly,

*Thursday, 21st December, 1905.*



The SPEAKER took the Chair at 2·30 o'clock p.m.

PRAYERS.

QUESTION—TIMBER TRAMLINE, LAKESIDE.

MR. BOLTON (for Mr. Collier) asked the Minister for Lands: 1, Has his attention been drawn to the rates charged for carrying goods on the timber tramline south of Lakeside, held under permit by the Kalgoorlie and Boulder Firewood Company? 2, If not, will he take steps to ascertain the rates charged, and use the power given to him under the Land Act Amendment Act, 1902, and the regulation thereunder, to see that the rates are of an equitable nature before giving his approval to them?

THE MINISTER FOR LANDS replied: 1, No. 2, Yes; the matter is now under consideration.

QUESTION—RAILWAY STATION, FENIAN CROSSING.

MR. H. BROWN asked the Minister for Railways: When is it proposed to erect a station at or near Fenians' Crossing?

THE MINISTER FOR RAILWAYS replied: The question of a station between East Perth and Maylands is under consideration. It is not yet decided where the position to afford the best facilities is situated, but this will be settled during the coming year.

QUESTION—PAPERS DELAYED.

MR. H. BROWN (without notice) asked the Minister for Works: Why has it taken so long to supply the papers moved for with reference to Mr. J. J. Harwood? The nonproduction of the papers has defeated any object in moving for a select committee to inquire into the treatment of this officer by the late Government. The officer has been unfairly treated.

MR. SPEAKER: The hon. member must not make a speech.

THE MINISTER FOR WORKS replied: The papers are now available, and will be laid on the table.

QUESTION—FEDERAL INFORMATION, IMMIGRANTS.

THE PREMIER: In connection with the questions asked by the hon. member for Kanowna on the 19th inst., I have, in accordance with the promise then made, obtained answers from the Federal Government, which are as under:—1, No. 2, Goldminers, some returning, proceeding to the fields. 3, No test applied. 4, Yes. Two Polish females returning to Australia; two German females, wives of immigrants; two Italians, mother and daughter; two Russians, mother and daughter, the mother being accompanied by her husband. 5, Yes. Three pounds and upwards. In connection with the questions asked by the hon. member for