

Question—That the undermentioned bonus be offered to any person or company who, during the year 1893, shall sink a shaft as hereinafter mentioned, on any of the declared Goldfields of the colony, in accordance with regulations to be made by the Government:—For a shaft between the depths of 100 feet and 200 feet, at £2 10s. per foot—put and passed.

Question—That the undermentioned bonus be offered to any person or company who, during the year 1893, shall sink a shaft as hereinafter mentioned, on any of the declared Goldfields of the colony, in accordance with regulations to be made by the Government:—For a shaft between the depths of 200 feet and 300 feet, at £5 per foot—put and passed.

ADJOURNMENT.

The House adjourned at twelve minutes past 3 o'clock p.m.

Legislative Assembly, Monday, 12th December, 1892.

Disease of "Pink Eye" amongst Horses—Amendment of the Educational System.—Inquiries by the Government as to the merits of various Dry-Blowing Processes.—Perth Protestant Orphanage Lands Sale (Private) Bill: report of select committee—Police Act, 1892, Amendment Bill: further considered in committee—Adjournment.

THE SPEAKER took the chair at 7:30 p.m.

PRAYERS.

DISEASE OF "PINK EYE" AMONGST HORSES.

MR. DARLOT: I should like to ask the Premier, without notice, whether it is within the knowledge of the Government that the horse disease known as "Pink Eye" has made its appearance in the city of Perth?

THE PREMIER (Hon. Sir J. Forrest): I have heard nothing about it.

MR. DARLOT: The disease exists.

AMENDMENT OF THE EDUCATIONAL SYSTEM.

MR. SIMPSON: Mr. Speaker, in rising to move "That in the opinion of this House it is desirable to amend the Educational System of the colony," I should like to ask the consideration of members, and to induce them to turn their attention to the debate on this matter which occurred during the last session of Parliament. The matter was then initiated subsequent to the report that had been placed before the Central Board of Education by their then newly-appointed General Inspector. There were certain facts in connection with that report which were brought prominently before the House, and which have since been very prominently before the country. Since then, at a very late period of the year we have had placed in our hands the report of the Central Board of Education for 1891. When I say at a very late period of the year, I am in no way reflecting on the diligence, and care, and attention of that Board, nor blaming the Board for not placing that report earlier before the country. I am perfectly aware that the delay in connection with the publication of that report, and of many other reports which the country is interested in, is mainly due to over-work in the Government Printing Office. When I brought this matter before the House last session, I pointed out then that to my mind the children of this colony were not being efficiently educated; I pointed out then that to my mind the school teachers of the colony had not sufficient emolument attached to their position; and I also pointed out that there was a serious difference, comparing the Census returns and the Educational returns, between the number of children who ought to be receiving an education and the number of children who were really being educated. Since then we have had placed before us the report of the General Inspector of Schools; and, I think, if I ever sought an absolute confirmation—a confirmation that comes as quickly as an echo—of every sentence I then uttered, it is conveyed in the report which that gentleman has submitted to the Central Board for the past year. The Central Board themselves, I am perfectly sure, with the appliances they have at hand, and the

funds at their disposal, and the means they have for accomplishing the progress on which I am sure their hearts are set, are doing all they possibly can in this direction; but the report of the Board itself discloses a serious state of things in connection with the work of education in the colony. It starts off, on page five, by showing that 20 per cent. of the teachers of the colony resigned during the year. It was pointed out in the previous year's report of the Inspector that a grave difficulty in connection with establishing and maintaining an efficient standard of education in the colony was the fact that our teachers are so poorly remunerated that, as soon as they saw an opening for obtaining something better, they forsook teaching and took up with something else,—a natural thing for them to do. In addition to that, the report pointed out that there was no inducement in the shape of promotion held out to the most efficient, the most assiduous, and the most trustworthy teachers. The idea of promotion for the most deserving teachers, under the present system, is in fact an absolute absurdity. Under our present system, as we all know, we have a Central Board working in conjunction with Local or District Boards, and these Local Boards practically control the appointment of teachers; and I have before me the exact remarks on the Inspector on the working of this system. I will not trespass too much on the patience of members to-night by using too many quotations, but this report is a very important document, and one which I think deserves very careful consideration. The Inspector's words are: "Certainty of promotion is rendered impossible under the present system, as "at present the appointment of teachers "is not lodged in a central authority. "When a vacancy occurs the successor "has to be nominated by the Local "Board; and the only power possessed "by your Board"—referring to the Central Board—"is that of confirming "or rejecting this nomination. The "result is that a deserving teacher has "very little chance of promotion, unless "he possesses influence in some of the "districts. During 1891 only three "instances of promotion occurred. This "is a serious defect, which, I believe, is a "source of much dissatisfaction on the

"part of the teachers." When I was dealing with this subject last year I pointed out that the rate of remuneration paid to teachers—the men who in our rudimentary state of society, and with our scattered population, are looked upon as the centre of intellectual life in their respective localities—the rate of remuneration paid to these men was about on a level with what a navvy receives. I am glad to see that this year's report establishes the fact that, by the munificence of a generous Government, these cultured men who constitute the centre of intellectual life and educational activity in our scattered townships, have secured a princely addition to their salaries of about £6 a year. With regard to the vexed question of school fees, I know that the views of the Central Board are exactly in accord with the suggestion conveyed in the Inspector's report; but, under our present Education Act, which was passed in the year 1871—and we are now in 1892—the Central Board are helpless, and the Local Boards are helpless, in this matter; and an amendment of the Act is the only thing that will help them to remove the grievances of the teachers in regard to this question of school fees. So much for the present, with regard to the matter of teachers. I presume, sir, we may take this report as that of an expert specially employed by the Government of the colony to gather details, trustworthy in every particular, relating to the working of our educational system, and to point out for our edification and consideration such improvements as may suggest themselves to his experienced mind, and also to discover and to disclose the weaknesses of the system under which we in this colony, as an appendage of the British Crown, are training and educating our future citizens. Well, sir, in the third paragraph of his very interesting report, this officer in giving the conclusion he has arrived at with regard to our existing system, says:—"During the year my "special aim has been to carry out the "Elementary Education Act and the by-laws, which were in existence when I "entered upon the duties of Inspector of "Schools, and, where I found these by-laws either neglected or only partially "carried out, to insist upon their proper "fulfilment. I adopted this course because I thought it would be both unwise

"and unfair to condemn in part, or as a whole, before I had given a loyal trial to the existing system. In consequence, I have made no suggestions involving any radical change, but, after 14 months' experience, the conclusion at which I have arrived is that the system of education, as laid down in the by-laws, is much in advance of the system found at work in our schools. Until these two, the system at work and the system on paper, are brought into closer conformity, I have felt it almost useless to propose extensive alterations." So much, then, with regard to the working of our present system, and the Inspector's opinion about it. I next come to that part of Mr. Walton's report in which he deals with the attendance, the number of children taught in comparison with the number of children of the compulsory age; and here we find that, while the number of the children of compulsory age (according to the Census) is 8,144, there are no less than 1,743 of these children who are receiving no instruction; or (according to the school register), we have 1,203 children of school age who are absolutely receiving no education whatever. As the Inspector says: "Taking the lower number, 1,203, as the true return of the children without any instruction, it is deplorable that so many children should be growing up in total ignorance, and I am driven to the conclusion that compulsion has practically failed in the colony. The fact that we have in our midst 1,203 children outside all educational efforts (public or private) is of itself a serious blot on the educational system of Western Australia." Pregnant words, coming from such a source! "Further," he says, "though many of our private schools are ably assisting your Board in the work of education, it is a matter of public notoriety that some of them are educational only in name, while the instruction said to be given to 1,372 children 'at home' is, in most instances, problematical." That is a feature that was very distinctly pointed out in the debate on this matter last session. The assertions then made were doubted, were "questioned" by interjection. But, sir, we have to-day before us the report of the Inspector, the man appointed by the country to look into these matters,

and he says that the instruction given to those children who are supposed to be educated "at home" is, in most instances, problematical. "Not only, therefore," he goes on, "are there 1,203 children attending no school whatever, but there is a large proportion of these 1,358 said to be in private schools, and 1,372 reported to be taught at home, to be considered and provided for." I have endeavored to call attention to the position of our teachers, and also the system of instruction; I now come to the question of the equipment of our schools, and the character of the buildings in which our children are being educated. Here, again, I turn to the Inspector's report, and, on page 20, I find these words: "Out of 73 Government school buildings reported on, 19 were classed as good, 10 as very fair, 20 fair, 13 bad, and 11 very bad." That is to say, 30 per cent. of our Government school buildings are absolutely unfit for a child to go into. That is the meaning I put on it. That is the meaning, too, put upon it by the Inspector, for he goes on: "Referring to the Government Schools, the 24 schools reported as 'bad' and 'very bad' were really unfit for school purposes, and I have repeatedly expressed my surprise that they should have been allowed to fall into such a state of decay." Further, he says: "I have especially been struck by the absence of any proper sanitary arrangements, many of the schools being without the most elementary lavatory provision, and over 20 without any closets." Comment on my part on such a state of things is needless. Then, again, dealing with the equipment of our schools, or the apparatus placed at the disposal of our pedagogues for teaching purposes, and usually considered necessary in instructing the infantile mind, on page 21 of his report the Inspector says:—"It is axiomatic that even the best teachers are heavily handicapped by poor buildings and scant apparatus. On the first I have already spoken; and as to the apparatus of our schools, I found it not only scanty, but very elementary and poor as to quality. It was not to be expected that the bush schools would be as liberally provided as the schools in England, or in any large town in the colonies or elsewhere; but when such elementary aids to instruction as black-

"boards, easels, maps of Australia and Western Australia, were reported as absent in 12, 15, 11, and 25 schools respectively, some idea can be obtained as to the poverty of the general equipment." I should say so, too. No less than 25 schools in Western Australia without even a map of our own colony!

AN HON. MEMBER: Is that the fault of the Act?

MR. SIMPSON: I am not saying whose fault it is; I am simply pointing out the poverty of the general equipment of our schools. We now come to the question of attendance. At page 22 it is pointed out that the average number of schools on the rolls is 5,346, and, out of that number, no less than 883 failed to make the low attendance of 120 half-days, and 1,287 were not examined at all at the general examination. "This is, 'roughly speaking,' the Inspector says, 'one-fourth of the whole roll,—a large proportion to evade the annual examination, seriously affecting the teachers in a monetary sense, and prejudicial to the progress of education.'" Then again as to the percentage of passes amongst those who did attend. The Inspector says: "The percentage for 1891 practically remains the same as 1890, and, waiving for the moment the comparatively low standard which is required for a 'pass' in our schools, there is some ground for gratulation on this percentage of 80 being maintained. The examinations have been made slightly more severe in several subjects, especially in Geography and Grammar, and I am pleased to see that the percentage has in no way suffered. Still, I am bound to say that the standard of examination applied to the schools is a very low one, and is far from satisfying me." Further on he says: "With the object of obtaining a better guide to the efficiency of our schools, I directed that the passes in all subjects were to be divided into 'good' passes and 'bare' passes. By this plan it was possible to discover the true condition of our schools, without injuriously affecting the teachers' salaries. The 'good' passes, I consider, would pass under a severe examination, while many of the 'bare' passes would probably fail if a true standard were applied." The Inspector then gives the figures, and says: "The significance of these figures is seen

"when we recall that, out of 10,299 passes, 4,362 were only 'bare' passes, most of which would be turned into failures under any true standard of examination." Another serious feature, to my mind, that is presented to us in this report is the unsatisfactory progress made with regard to efficiency amongst the higher classes or standards in our schools. Speaking on this subject, the Inspector says: "There is still no improvement in the proportion of children examined in the Upper Standards. Only 108 reached Standard VII., 198 Standard VI., and 352 Standard V.—658 out of a total number of 3,241. This is not satisfactory, as the education given below these Upper Standards is exceedingly elementary, and so, by far the majority of children leave our schools educated only in name." This is surely a most serious indictment against our school system. I do not purpose wearying the House with any more quotations out of this report. It has been before hon. members for some time, and I have felt it my duty to refer to it at some length. I do not wish the House to be satisfied merely with my own assertions, or to imagine that I have any fad upon this particular question. I have put before members the official document issued by the Government of the colony, prepared by their own expert, and I ask them to draw their own conclusions as to the present condition of education in the colony, and I ask them to say whether they consider it is encouraging or satisfactory. I hardly think that any member of this House will consider the quotations I have read as being either encouraging or satisfactory. "By leaps and bounds" (according to the statement of the hon. the Premier) the colony has been progressing in material wealth. Our credit abroad stands higher than that of any of the sister colonies, and in all the elements of material prosperity the colony has, beyond question, advanced wonderfully during the last two or three years. But with regard to the education of our children, this colony—I say it upon the authority of this report—is lamentably behind, and I look to this House to remedy this most unsatisfactory condition of things, and to bring our system of education into closer harmony with the spirit and tendency of the age

we live in. It is our duty, as the guardians of the present and the future welfare of the country to look this question fairly in the face, and to see that those who will hereafter sit in this House as our successors shall be fairly equipped for the serious responsibilities cast upon them. There is one other matter which I wish particularly to refer to, and to which attention is drawn almost at the conclusion of the Inspector's report, and that is with reference to the "result" grants. I find that of the amount spent upon the schools of the colony last year, £8,107 was spent on what is called the "capitation" grant, which is based upon the average attendance, while the amount spent on the "results" grant, which is based on actual work done during the year, only amounted to £2,676. Now, as the "results" grant is the only grant dependent on the efficiency of our schools, these figures simply confirm what has been already demonstrated, that the present system of education in this colony is sadly deficient, and they emphasise the necessity of an early grappling with the subject. During last session, in the course of the debate upon this question, we had the benefit of the wise and cultured experience of a highly intelligent gentleman who has been long connected with the Central Board of Education in this colony; and in connection with that debate we had also these words from the Hon. the Premier at the close of the debate: "Most hon. members who have spoken seem to think that some alteration is necessary in the construction of the Act, and that the Central Board should be abolished, in favor of a Minister. That cannot be done without an amendment of the Act. After the discussion that has taken place, perhaps it would meet the views of the hon. member to withdraw his motion, leaving the Government to consider the matter during the recess, and resolve what is best to be done in the direction indicated." Sir, I fell in with that suggestion of the distinguished gentleman, the Premier, relying upon his promise that—

THE PREMIER (Hon. Sir J. Forrest): You might read my other remarks too. Look at page 641.

MR. SIMPSON: I will read it, if the hon. gentleman wishes. The Premier also

said: "Before that question is put"—namely, the adjournment of the debate, moved by the then member for the Moore—"I should like to say that, on the information before us now, we have no intention to disturb the existing Education Act. The only direction we would be inclined to go would be to place the department under the control of a Minister, instead of the Central Board of Education as at present." I have read the quotation which the hon. gentleman wished me to read; and it is a somewhat singular fact that it then devolved upon me to point out to the hon. gentleman what he did not seem to know at the time, that he could not appoint a Minister to control the department unless he also amended the Act.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): And amend the Constitution too.

MR. SIMPSON: What Constitution?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): The Constitution of the colony. The present Act only provides for so many Ministers. If we appointed another, I don't suppose he would take it without some salary.

MR. SIMPSON: My idea was that he might have been included in the Colonial Secretary's department. I withdrew my motion last year distinctly on the understanding that the matter would be considered during the recess. But, as there was no word about it in the Governor's Speech at the opening of the present session, and as we received no intimation from the Government that they intended to redeem their promise, I considered it my duty to ask the Premier last week whether the Government intended to move in the matter; and the answer I got was that the Government did not consider they had given any definite promise, and that they did not intend to do anything in the matter. It may be technically correct to say that no definite promise was given, but I do not think it is complying with the spirit of the Premier's remarks. While on this subject I should just like to call the attention of the House to some of the remarks made on the same occasion by a gentleman I have already referred to, the hon. member who was then sitting here representing the Moore (Mr. Randell), a gentleman who is entitled to speak with

some authority on the subject, having been long connected with the Central Board of Education. Mr. Randell said: "I think the transfer of the administration of the Act to a responsible Minister is a question of policy. I may say that the Central Board has long considered this question carefully, and I myself have for years felt that possibly the Act might be administered better by one official, call him by what name you like, than by a number. Even under the old form of Government, if one person had been appointed, his administration would probably have been superior and more effective than that of the Education Board. I think it is generally felt that the Central Board of Education has fairly, well, and liberally administered the Act. I can assure hon. members that the Central Board has given a great deal of time and attention to the consideration of the various matters brought before them during their term of office. They meet at least once a fortnight, and this entails a very considerable amount of trouble. Still I think that a Minister of Education, if he has not too much to do in other departments of the service, would be able to deal more promptly and more efficiently in some matters which arise than the Central Board. There may be some respects in which the Central Board might be more acceptable than a Minister, because he might feel himself more tied to the Act, whereas the Board would take a more liberal view of it in the interests of the teachers. We have always desired to give the teachers every consideration, for we have felt for some time that the remuneration has not been adequate to the services they have been called upon to perform. The Board has desired, if they could have obtained a larger grant from the Government, to have increased their salaries, but not being able to get more from the Legislature, it has been impossible to do so. As a matter of policy I am quite in accord with the principle which has been advocated—that, under Responsible Government, Boards in every instance should cease to exist, and the responsibility cast upon the shoulders of the Ministry of the day." So much with regard to the discussion on this question last session. We have be-

fore us the report of the Inspector of Schools, which practically points out that our present educational system is a failure, and that, so far as education is concerned, we are not advancing in proportion with the advance which the colony is making in other directions. That is my absolute conviction, after a careful perusal of that report. I am sure it would be idle and unnecessary for me to attempt to point out to hon. members the importance of a well-inspired and intelligently administered system of education, and one suited to the requirements of the country. I have no wish to take up the time of this House by elaborating a self-evident proposition. I shall content myself by merely quoting a short extract from, perhaps, one of the greatest living authorities of the present day on educational matters, Dr. McAlister, of Philadelphia, showing the importance of a system of education that will train the youth of a country in such a way as best to prepare them to cope with the actual necessities of life. Mr. Superintendent McAlister, dealing with the question of technical education, says:—"But there are more practical reasons for making manual training a part of the education given in the public schools. Its introduction would bring our education into closer harmony with the spirit and tendencies of the present age. No one will deny that it is the duty of the State to make the schools minister to the actual necessities of our civilisation. Herbert Spencer declares that 'the function which education has to discharge is to prepare us for complete living,'—a proposition which has withstood no small amount of adverse criticism; and Emerson, in one of his wise sentences, says that 'the great object of education should be commensurate with the objects of life.' If we acted in the spirit of these maxims, we should hear less of the objection so often urged that the education given in the schools is not sufficiently practical. I would not be understood as arguing for practical education simply as such; at the same time I believe that the education of a community should have direct reference to its social needs. This is eminently the age of industrialism. Science and its applications to the arts and industries of life reign supreme. The wealth,

"power, and greatness of a nation depend to a very large extent upon its natural resources, and the quality and quantity of its skilled labor. As Carlyle says: "The proper epic of this world is not 'now 'the arms and the man,' as it is 'now 'tools and the man' that henceforth, to all time, must be our epic.' It is impossible for the schools to ignore this condition of things. It is not our business to train boys and girls to be mere bread-winners, but we must see to it that the education we give to them confers the power to hold their own in the struggle of life upon which they must sooner or later enter. I have no sympathy with those who claim that the public school gives too much education to the masses of the people. It is impossible to over-educate any human being. The only question is as to the kind of education which should be furnished. We must train our boys to believe in work, to respect work, to seek work. This should be part of their education; and the way to do it is, not to teach them trades in the public schools, but to broaden the general culture which these schools give, in such ways that the young people shall begin their career in sympathy with the social conditions which surround them; will seek for success, independence, happiness, by striving, not against but with the forces which compel success and its rewards." I do not know that it would become me to add one word to what is contained in those remarks. I only wish, with all due deference to the opinion of this House, to point out that we are not doing what we ought to do in the cause of education in this colony, and that our own Inspector, our own trained expert officer points out that our existing system is a failure. I submit, sir, that in the face of this fact, it behoves us if we mean to wheel ourselves into rank with the civilisation existing in other parts of the great Empire to which we belong, to put our shoulders to the wheel, and do our level best for the youth of the colony. I beg to move the motion standing in my name.

After a pause,

THE PREMIER (Hon. Sir J. Forrest) said: As no one seems inclined to speak on the subject, I suppose it is because there

is nothing very definite before the House. The hon. member has certainly moved an abstract resolution, but I do not think there is any great object to be gained by bringing forward these abstract resolutions. The hon. member's motion does not in any way define or indicate the direction in which educational reform should be attempted. The object of the hon. member may be that the Government should do something in the matter, by bringing a measure to amend the present law, or doing something else; but he does not in any way indicate in what direction he would like the Government to move. I cannot therefore see that there is very much in the hon. member's remarks, except that it appears our present educational system does not meet with the approval of the hon. member. He has treated us to a long speech, in the course of which he has quoted considerable portions of the report of the Inspector of Schools, from which it appears there are many unsatisfactory features in connection with our existing system of education. This gentleman has only recently come to the colony—this may be said to be his first report—and it would appear that he is not very pleased with the present state of educational affairs. But it seems to me, if this gentleman is to be of the use we expect him to be to the cause of education in this colony, he will soon set to work to alter that state of affairs. A great deal of what the hon. member has mentioned cannot rightly, I think, be laid at the door of the Act. The state of the school buildings for instance, and the necessity for better school apparatus, and other things which he spoke about,—surely the hon. member does not think that this is the fault of the Act, or that the Act requires altering because some of our schools are without maps. The question of the salaries of teachers is probably a more important matter, and the Act perhaps fixes them at too low a rate; but we must remember that this is a very extensive colony, very sparsely populated, and that our settlers in many parts of the country are very widely scattered, and that we are not in a position to pay high salaries for a small amount of work. When the hon. member moved his motion last year, I merely said that the Government, as they then thought, were not in

favor of altering the present Education Act, because it seemed to us that it had given a great amount of satisfaction in the colony, and that it has worked—if not as well as the hon. member would like it—at any rate has worked very harmoniously, and to the satisfaction of large sections of the community. I cannot believe that the higher efficiency desired by the hon. member cannot be obtained, or is not attainable, under the present Act. I do not think that it can be fairly said that the present Act is the cause of whatever inefficiency there may be. It is based on the English Act at all events. It was borrowed from the English Act.

MR. SIMPSON: Which has since been amended twice.

THE PREMIER (Hon. Sir J. Forrest): I have not, perhaps, paid as much attention to it as the hon. member has; but I must say it appears to me that the present Board has carried out its duties, on the whole, satisfactorily, and certainly without very much interference on the part of the Government. In fact the Government have very little power, if any, to interfere with the Board. Whether it would be desirable to place the control of the schools in the hands of a Minister of the Crown rather than under the Central Board, I am not prepared at the moment to say. I believe that more satisfaction is given under the present system of District Boards than would be likely to be given under any other system we could devise. After all, what are we striving at, in the appointment of these and other boards, except that we wish the people of the colony to manage their own business in their own ways. Our Roads Boards, our Municipal Councils, and our School Boards are all based upon that idea. They are all elected bodies, chosen by the people themselves, for local purposes; and I do not think you could find any other plan that would carry out the work so well and at the same time be so much in accord with the wishes and sentiments of the community as this system of elective boards, throughout the colony. However, I did not rise to make a long speech on this subject. The hon. member has twitted the Government with not fulfilling its pledge of last year. I do not think we gave any pledge; if we did, there was nothing

very definite about it, and we have had so much to do in other directions that we have not been able to give our attention to this subject. I do not wish to make a promise now, and be twitted, when we next meet, that we have again left our promise unfulfilled; but I will say this: I will try to find some time to give some attention to this matter. [MR. SIMPSON: Hear, hear.] In what direction, or to what conclusion, it may lead us, I cannot at present say. I cannot make any promise whatever, or commit myself to anything except this: that I am not in favor of altering the general principles of the present Education Act. As I have already said, I believe they are in accord with the general wishes of the community, and the system, which has now been at work for a long period—if it has not worked as efficiently as some would desire—has certainly worked harmoniously, and contributed to the peace of the community.

MR. DEHAMEL: Before the debate closes, I should like to say that I thoroughly agree with the Premier that it is not the Education Act that is at fault, or to blame in any way for the deficiencies referred to by the hon. member for Geraldton. The hon. member has failed to show that the Act is in any way in fault. The Act seems to me to be right enough, and the report of the Inspector himself confirms this view. He says: "After fourteen months' experience, the conclusion at which I have arrived at is that the system of education, as laid down by the by-laws"—not by the Act—"is much in advance of the system found at work in our schools. Until these two—the system at work and the system on paper—are brought into closer conformity, I have felt it almost useless to propose extensive alterations. When that time has arrived, I shall be ready, under your instructions, to lay before you, for your consideration, such a code of by-laws and regulations as will, I trust, be of lasting benefit to the colony." It seems clear from that that the Inspector himself does not think it is the Act that is at fault, but the by-laws, and that it is these by-laws that should be amended. And, further on, he makes some suggestions as to the direction in which the by-laws should be amended, more especially as regards compulsory

attendance. It seems to me that the main object of the hon. member for Geraldton is to get a Minister appointed to superintend or carry on the working of the system, instead of the Central Board and the District Boards. But, if we look at England, we shall certainly find a Minister, but we shall also find the whole country divided into school districts, and working under District Boards, in the same way as here. It appears to me that the fault in the present case is not with the Act, but simply with the way in which the Act is carried out; and the Inspector himself, in this report, points out the remedy for that, namely—an amended code of by-laws.

MR. R. F. SHOLL: I think it is rather a pity that when the hon. member brought forward this motion he did not indicate what in his opinion is the remedy for the existing state of things which he complains. I think if the hon. member had gone to the root of the matter—if he had stated that the real cause of this state of things is the fact that we are subsidising Assisted Schools to compete with our State Schools, he would get nearer the truth. I cannot help thinking—I know it is a tender subject, and a delicate matter to deal with—but I cannot help thinking, looking at the matter straight in the face, that this system of subsidising Assisted Schools to compete with our Government Schools must tend to a want of efficiency in both.

MR. MOLLOY: Why should it?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): That's quite a new idea. I always thought that competition was the soul of trade.

MR. R. F. SHOLL: We have been told that our present system is the system in force in the mother country; but it is not the system in force in the other Australian colonies. We have been copying the other colonies a good deal lately, and we have heard a great deal about what is in vogue in the other colonies; but when this education question crops up, the system in vogue in the other colonies is conveniently kept in the background. The fact remains that this is a question that will have to be fought out in this colony, sooner or later; and the sooner it is commenced the better.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): The later it is commenced, the better, I think, for the peace of the community.

MR. R. F. SHOLL: The fact of the country having to expend large sums of money in erecting buildings for the use of Government Schools throughout the colony, while at the same time we are subsidising Assisted Schools to spring up alongside of them, must tend, in my opinion, not only to inefficiency in the case of our Government Schools, but also to reduce the attendance at those schools, and to defeat the very object we have in view in establishing these schools. This is not a matter I intend to labour at all, because it is not a matter to which I have given much attention; but, so long as we subsidise other schools to compete with our State schools, I feel certain that our system of public education will not be a success.

Motion—put and negatived on the voices.

DRY-BLOWING MACHINES FOR USE UPON GOLDFIELDS.

MR. TRAYLEN, in accordance with notice, moved, "That having in view (1) The want of sufficient water at Yilgarn for mining purposes; (2) the character of the alluvial at Gnarlbine, and other rich alluvial areas where dry-blowing is the only feasible method of obtaining gold; and (3) the absence of a sufficient continuous supply of water for sluicing at the Greenbushes tinfields, it is desirable that the Government make full inquiries respecting the merits of various dry-blowing processes, and, if satisfied of the probable usefulness of any machine, that such machine be purchased by the Government and practically tested." The hon. member said: This House, sir, has recently shown, and with great appropriateness, a deep interest in the gold-mining industry. So large a proportion of our wealth is now derived from the gold-mining industry that it is hardly possible for us to devote too much attention in this House to the subject; and, so long as we adhere to right principles in our assistance to that industry, I do not know that we can very well go too far in rendering such assistance. We are in this happy position: that the number of reefs that have been found, and the number of

patches of alluvial country, is so great, that we have scarcely sufficient capital or men to work them to their full extent. The resolution that I now ask the House to affirm is somewhat analogous to that one we considered the other evening with reference to experimental farms, in that it was then proposed that the State should, at its own expense and under its own guidance, conduct experiments in agriculture, with the view of finding out the best methods of conducting that industry, and what means might be most profitably used in carrying it on, and that in this way some practical information on the subject might be diffused throughout the colony, and be given free to all who cared to avail themselves of it. So, in asking this House this evening to request the Government to make inquiries with respect to the merits of various dry-blowing processes, and, if they should be satisfied through these inquiries that there is something in these processes worth pursuing further, that they should purchase one of the machines and put it to a practical test, we are carrying out the same principle we agreed to the other night with regard to experimental farming. I should not move in this matter if I thought this question was one that could or would be taken up by private individuals. Someone has said that the expense is so slight that private individuals might very well take it up; but, as I find that according to the latest information I have, the first cost of one of these machines is £200, and as it may be necessary to incur a further expenditure of £200 or £300 before they can be fairly tested, and as they do not seem to be known or used in Australia at the present time—mainly, I suppose, because so many of the goldfields have water available as a medium for obtaining the gold from its matrix—in consequence of these considerations I scarcely think that private individuals will be disposed to take up these inquiries and pursue them to a practical issue. Consequently, I venture to put this proposal before the House, so that if it commends itself to the approval of members, they may request the Government to move in the matter. It will be observed that I have put forward three grounds for asking the Government to take this step: one is the absence of sufficient water at Yilgarn for

mining purposes; another is the character of the alluvial at Gnarlbine and other rich alluvial areas where dry-blowing is the only feasible process for obtaining gold; and, in the third place, the absence of a sufficient continuous supply of water for sluicing purposes on our tinfields. The fact is, owing to these drawbacks, it seems out of the question that our goldfields and our tinfields can be fully developed unless we have resort to some method of dry-blowing, and, as a result, a very large proportion of the mineral wealth of the country must be lost to the colony. With reference to the particular area which has attracted so much attention of late, Gnarlbine, I understand that the matrix is more clayey, and therefore cannot be pulverised so readily, and the method of dry-blowing with small hand machines is not likely to be so easily available as on other fields. I am also informed that at the Murchison there is a matrix known as cement, which requires some other apparatus for extracting the gold than the primitive one I have referred to. So that, if there is any dry-blowing process of real utility available for this purpose, it must surely be to our advantage to test it. On looking at a work on gold mining issued not very long ago, I find a reference made to a very ingenious machine patented by a Mr. Charles Phillips, of Melbourne, and described as a dry separator, for use at waterless alluvial diggings. Some of the mechanical actions noticeable in the working of this machine are so interesting that a short description of the method may perhaps not be tedious. The “dirt,” it appears, passes through a series of screens, trommels, and jigs, by which the stones or coarser pieces are removed. The remainder falls through a current of air regulated to suit the material, and the dust and much of the worthless matter are carried off in the same way as chaff from a winnowing machine. There is another invention to which attention was directed some three or four years ago, and very flattering reports of it appeared, at the time, in the London papers. I may be permitted to quote from one of these reports: “An interesting trial has just taken place of “a new gold-extracting machine, which “does its work without water or mercury, “but by the aid of an air blast. The “machine is called ‘Tierra Seca,’ in

"Spanish, which means dry earth. In fact, it is meant especially to be utilised in those portions of the earth's surface where dryness prevails, and where water is unattainable or scarce. On Tuesday, before several engineering experts and a member of the Press, several experiments were gone through. One of these dealt most satisfactorily with a quantity of refractory ore metal from South America. The quartz, to a weight of 140lb., was crushed to the condition of sand, and sent through the machine, sifting, as far as could be judged, effectually five concentrates, which were to be dealt with afterwards. Another experiment satisfactorily separated the gold from the ore. Finally, 6dwt. of gold dust were weighed out with two small nuggets and thrown into 2cwt. of gravelly earth, which was put through the machine in eighty-five seconds, and 96·2 per cent. of the gold was taken out. The whole working of the machine looks beautifully simple, and if it can do all that the inventor and patentees claim, ought to be a great boon in the dry gold-bearing districts of Australia." The machines offered to the public are of four different kinds. One is for extracting, by the dry process, free gold from alluvial and placer soils. Another is for extracting, by the dry process, free gold from crushed quartz. A third is for concentrating, by the dry process, refractory ores. The fourth one is merely a hand-machine. All these four machines can be bought for £610, or the first three for £200 each, and the fourth for £10. This last machine is suitable for testing auriferous material anywhere, without the necessity for taking it to water for "panning." The concentrating machines, which are of varying size and capacity, are adapted for concentrating gold-bearing pyrites and other minerals—in fact any mineral which presents a sufficient specific gravity to permit of concentration by separating the ore from the gangue. All the machines are worked on the quicksand principle. The machine for extracting free gold from alluvial weighs less than 400lbs., and has a capacity of over four tons per diem. These machines, it is said, have been examined by gentlemen of long and varied experience in mining and the treatment of different

ores from all parts of the world, and they are unanimous in expressing their opinion of the high value of the machines. I may perhaps be twitted as to why I have not earlier called attention to this matter, and the explanation is that at the time I saw this account of these machines we scarcely knew that we had alluvial fields in this colony. At any rate my attention was not very particularly directed to them, and I thought it was doubtful whether we had fields large enough to warrant an expenditure like this. But now that we hear of gold being found in almost every direction, or rather in two long belts in our interior, the matter has been revived in my memory, and I have been glad to be able to turn up this reference that I possessed relating to this system. I do so more particularly because I think that a machine which is capable of saving fine gold from a gravelly or dry matrix is also capable of being utilised in connection with the stream tin found at Greenbushes. It seems to me that these machines are exactly as suitable to the one as to the other; and, having in view our great difficulty in obtaining a reliable supply of water on our goldfields and our tinfields, anything that will obviate that difficulty and promote those industries and enable us to carry them on advantageously and profitably, is surely worthy of the attention of the Government; and I trust the subject will commend itself to the consideration of the House. I now beg to move the resolution standing in my name.

MR. THROSSELL: I have much pleasure in seconding the resolution, and I hope the Government will be good enough to make these inquiries.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): I may say, representing as I do the particular department which this resolution points at, that the Government will be very glad to make the inquiries suggested by the hon. member, though I do not see, myself, that it would be part of the duty of the Government to purchase or import these machines for the benefit of individuals, for if we embarked in that sort of thing there is no knowing where it would end. Probably, however, inquiries made by the Government may be attended with better results than if made by private persons, and, as head of the

department immediately concerned, I shall be glad to make these inquiries, and to give all the requisite information with regard to these machines to those who require it.

MR. A. FORREST: I presume the motion is simply intended for inquiries to be made, and that it is not proposed that the Government should purchase these machines; if it is, I, for one, should vote against it. I think if this House agrees, as it did the other night, to help the mining industry by offering bonuses for deep shaft-sinking, we shall have gone far enough at the present time in this direction. We know very well that on the Murchison there are mines where they can get sufficient gold to pay for working them without any machines at all; and I believe, from what I have heard, that these dry-blowing machines are not what they are supposed to be, and diggers moving from place to place will not be troubled with them. You must have a very rich patch indeed before you could move one of these machines backward and forward. I think the House has gone far enough in helping our goldfields, when it agreed to the resolution it did the other evening, and helping those who are prepared to help themselves and who have spent large sums of money in deep sinking. The last part of the motion says that these dry-blowing machines "should be purchased by the Government and practically tested." I think that is going too far. I have no objection to the Government making inquiries about the merits and cost of these machines, but I object to the latter part of the resolution. I object to the Government becoming mining speculators.

MR. TRAYLEN: When the hon. member talks about the Government becoming mining speculators he talks about something which neither the resolution nor myself ever contemplated. As I said when introducing it, I look upon it as analogous to the proposal that the Government should assist the agricultural industry by means of an experimental farm, and so ascertaining the best processes for the successful prosecution of that industry. As to diggers moving about from place to place before they have exhausted one patch, I take it that is because they have no proper apparatus

for obtaining all the gold, which would be done if these machines are what they are represented to be, and that is exactly what I want the Government to ascertain—whether these machines are what they are represented to be. From what I can make out, judging from the descriptions I have read of them, they would be found very useful in alluvial mining in parts of the country where no water is available for mining purposes.

MR. SIMPSON: If this resolution simply contemplates that the Government shall institute some inquiries as to the capabilities of these machines, I have no objection to it. I think the information would be very useful. But I decidedly object to the Government being asked to purchase one of these machines, when we know very well they have never come into practical use among practical miners. If there is any idea of the Government buying a machine I am certainly opposed to it; but if it is only intended that they shall make inquiries, I should not object to the Government obtaining what information they can.

Motion—put and passed.

PERTH PROTESTANT ORPHANAGE LANDS SALE (PRIVATE) BILL.

On the motion of the ATTORNEY GENERAL (Hon. S. Burt), the report of the select committee on this Bill was adopted.

POLICE ACT, 1892, AMENDMENT BILL.

This Bill was further considered in committee.

Clause 3.—Repeal of 93rd section of the principal Act—(adjourned debate):

THE ATTORNEY GENERAL (Hon. S. Burt) reminded the committee that the section proposed to repeal the clause which prohibited the holding of lotteries, generally. He did not propose to repeat what he had said in committee the other day when this clause was under discussion; he simply wished to remind members what the object of the clause is, and to say that he had an amendment on the Notice Paper that dealt with the section of the principal Act which this clause proposed to repeal.

MR. MONGER said that when he introduced what he considered to be the shortest Bill of the session, he had no

idea that in so short a time it would have assumed such portentous dimensions as the Attorney General now proposed to give it, judging from the amendments which appeared in the hon. and learned gentleman's name on the Notice Paper. If he had known that his little Bill was likely to have assumed such dimensions as it now threatened to assume, he should have agreed at once to the amendment offered by the Attorney General the other day. Before the committee expressed its final opinion upon this particular clause, he should like to refer to the Attorney General's remarks when the clause was last in committee. They naturally expected that the hon. and learned gentleman would have advanced some good, sound, common-sense arguments in support of the clause in the principal Act which it was proposed to repeal. But the hon. gentleman simply quoted for their edification the example of that good and exemplary moral colony, Victoria, and said that the same clause was in force there and that we could not do better than follow the example of that great and virtuous colony. He (Mr. Monger) would like to ask what had been the result in that colony of the prohibition and repression of sweeps and lotteries? Had it prevented gambling speculations in other directions? Did it not rather increase the spirit of gambling, in a more virulent form, which developed itself in land booms and other gambling manias, which had brought ruin and misery upon thousands of innocent people, and had sent to the wall and into durance some of those virtuous legislators who had previously assisted in passing the law prohibiting gambling in its milder form? He thought this was a matter that should be left, and might safely be left, to the common sense of the community, without that House interfering. As had already been pointed out, these raffles and lotteries were permitted when conducted in the sacred name of religion or charity, but he contended that if it was wrong in the individual to gamble it must be equally so for a Church to gamble, and if it was right in a Church it was equally right in the individual. He could quote numerous texts from that good old Book the Bible in support of lotteries, which went to prove that it was a very ancient institution. Surely if the Bible, which

cited so many instances where lotteries were resorted to, stamped the thing with its approval, it was rather out of place for us in Western Australia to legislate to prevent what had been going on in the world from time immemorial, and sanctioned by Scripture itself. We had reference to it not only in the Old Testament but also in the New. It was not his wish to quote all these references, but he must be permitted to mention them if only as a counterblast to the beautiful proverbs against gambling so eloquently quoted the other evening by the hon. member for Greenough. No doubt those proverbs were very good in their way, and no doubt those who acted up to those moral precepts would not be likely to go very far wrong, so far as gambling was concerned. But this particular clause in no way referred to direct gambling; it simply prohibited sweeps and lotteries--the very mildest form of gambling imaginable. In one passage of the Bible we were informed that when there was a vacancy amongst the twelve disciples, on the occasion of Judas Iscariot's resignation, the vacancy was filled up by lot. Perhaps, when the reverend gentleman himself resigned his position in connection with the Church, the same thing may have been done to fill that vacancy. It appeared to have been the practice amongst very good men in ancient times, and he did not see why the Church in these days should stick at a little thing like that. He had simply cited the case of Judas Iscariot to show that, even amongst such exemplary men as the Apostles, lotteries were not regarded as sinful, and surely what was good enough for the Apostles was good enough for us in this colony. As to the prohibition of sweeps in the other colonies, it was notorious that legislation on the subject had proved to be a dead letter; and every year thousands of pounds were sent from this colony to help to fill up the sweeps publicly organised in those colonies. It was a well-known fact that in New South Wales something like three-quarters of a million of money passed annually through the hands of one man in connection with these sweeps or consultations. If this clause was in existence there, how was it that the Government did not take some steps to repress these sweeps? They knew very well it was

useless attempting it by legislation, and the Attorney General must be aware that it is useless attempting to make people moral here by legislation. If the hon. gentleman, instead of repressing lotteries, had sought to make them a source of revenue to the colony, by compelling those who organised these sweeps to pay a license fee, the hon. gentleman would have been doing something which the country would have appreciated, and at the same time doing some good to the colony by adding to the public revenue. But he could not understand the hon. gentleman's opposition to this clause, and it was his intention to divide the House upon it.

Question put—That the clause stand part of the Bill.

The committee divided, with the following result :—

Ayes	13
Noes	10

Majority for	...	3
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AYES.

Mr. Clarkson
Mr. Darlot
Mr. DeHamel
Mr. A. Forrest
Mr. Hassell
Mr. Molloy
Mr. Pearse
Mr. Quinlan
Mr. R. F. Sholl
Mr. H. W. Sholl
Mr. Simpson
Mr. Solomon
Mr. Monger (Teller).

NOES.

Mr. Burt
Mr. Cookworthy
Sir John Forrest
Mr. Lefroy
Mr. Loton
Mr. Marmion
Sir J. G. Lee Steere
Mr. Throssell
Mr. Venn
Mr. Traylen (Teller).

Clause—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) said that in the face of the division, which had resulted in the repeal of clause 93 of the principal Act, he did not propose to move the first amendment of which he had given notice, namely, "So much of the 23rd section of the said Act as requires a notice of any raffle or bazaar to be given to the Attorney General is hereby repealed." He now moved the second amendment of which he had given notice—That the following new clause be added to the Bill, to stand as clause 4:—"The Chinese game known as the game of fan-tan or any similar game is hereby declared to be an unlawful game within the meaning of the said Act." Perhaps, however, hon. members would like to be allowed to play fan-tan, too. He believed they were quite demoralised enough for anything. But he hoped to be able to save the

Chinese at all events. He therefore proposed to declare the game of fan-tan an unlawful game. He believed that Chinamen gambled almost as much as some whites did. He did not know the game of fan-tan himself, but probably the hon. member for York would enlighten them on the subject. It was a game, however, that was prohibited elsewhere, and he thought, as we were dealing with this question of unlawful games, it might be included in the Bill.

MR. DEHAMEL said he really did not know why they should prohibit poor Chinamen from playing fan-tan. He had never heard what this game of fan-tan was himself, and the Attorney General, who asked them to prohibit it, could not enlighten them. Why we should try to make the "heathen Chinese" moral by Act of Parliament was beyond his comprehension. It seemed to him to savour too much of grandmotherly legislation altogether. The great objection against Chinese was that they carried their money back with them to China. But this would not prevent that. They all knew that gambling took place, and always will take place, amongst all classes, and in all parts of the world, and no Act of Parliament would prevent it. As for this game of fan-tan, it might be the most harmless game going, for all the Attorney General could tell them. He should have expected the hon. gentleman, before asking them to prohibit the game, to ascertain what the game consisted of. That was the least he could have done.

MR. R. F. SHOLL thought that under the existing law all gambling was illegal, and why should this particular game be singled out? He was rather inclined to think that the Attorney General knew a great deal more about fan-tan than he pretended, and that he was not so innocent as he sought to make out, otherwise he would not have asked them to prohibit the game. He (Mr. Sholl) knew nothing about the game himself, and if it was only played by Chinese, he was never likely to know.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) was surprised that the hon. member for Albany should expect Ministers to be able to describe all the little games of the "heathen Chinese." He had never played fan-tan himself, but he believed it was

a game prohibited elsewhere. If our own countrymen were going to be deprived of the excitement of gambling, he did not see why our celestial friends should be allowed a privilege denied to our own countrymen.

MR. MONGER said that, like the Attorney General, he was quite ignorant of what the game of fan-tan was, but he intended to oppose this clause, because he considered that the time had arrived when our legislation should be directed against Chinese coming into the colony at all, and not against their playing fan-tan when they came here. If we allowed them to come here he did not see why we should not allow them to amuse themselves by playing fan-tan.

MR. LOTON pointed out that the clause was not directed against Chinese playing fan-tan, any more than anybody else. What was prohibited was the game itself.

MR. DEHAMEL said the difficulty, to his mind, was that no one in the House knew what the game was which they were asked to prohibit, and, under the circumstances, he should be certainly opposed to putting any such nonsense on the Statute Book.

Question put—That the clause be added to the Bill.

The committee divided, the numbers being—

Ayes ...	16
Noes ...	7
Majority for ...	9

AYES.
Mr. Burt
Mr. Clarkson
Mr. Cookworthy
Sir John Forrest
Mr. Jeffroy
Mr. Loton
Mr. Marmion
Mr. Molloy
Mr. Pearce
Mr. Quinlan
Mr. H. W. Sholl
Sir J. G. Lee Steere
Mr. Throssell
Mr. Traylen
Mr. Venn
Mr. R. F. Sholl (Teller).

NOES.
Mr. Darlôt
Mr. A. Forrest
Mr. Hassell
Mr. Monger
Mr. Simpson
Mr. Solomon
Mr. DeHamel (Teller).

Clause—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added to the Bill, to stand as clause 5:—"No house office room or other place shall be opened kept or used for the purpose of the owner occupier or keeper thereof or any per-

son using the same or any person procured or employed by or acting for or on behalf of such owner occupier or keeper or person using the same or of any person having the care or management or in any manner conducting the business thereof betting with persons resorting thereto or for the purpose of any money or valuable thing being received by or on behalf of such owner occupier keeper or person as aforesaid as or for the consideration for any assurance undertaking promise or agreement express or implied to pay or give thereafter any money or valuable thing on any event or contingency of or relating to any horse race or other race fight game sport or exercise or as or for the consideration for securing the paying or giving by some other person of any money or valuable thing on any such event or contingency as aforesaid; and every house office room or other place opened kept or used for the purposes aforesaid or any of them is hereby declared to be a common nuisance and contrary to law." He said this was a clause against public betting-houses, and he could hardly think that hon. members would do otherwise than put these down. There was no specific penalty attaching to any person whatever, and the clause only prohibited the keeping of a house for public betting.

MR. A. FORREST said he would like the Attorney General to explain what a common nuisance was, because hotels were often used for laying odds in. Would such a place come within this clause?

THE ATTORNEY GENERAL (Hon. S. Burt): Certainly not.

MR. A. FORREST: Take again the case of Tattersall's Club, which was essentially a betting club, would they be subject to the penalties of this clause? If this clause be carried all clubs formed for such purposes will be liable.

THE PREMIER (Hon. Sir J. Forrest): Tattersall's is not formed for the purpose.

MR. A. FORREST: It is formed for the improvement of the breed of race-horses and for betting.

THE ATTORNEY GENERAL (Hon. S. Burt): Is betting for the improvement of the breed of racehorses?

MR. A. FORREST: Of course it is. It was well known that horses could not

be trained and run unless they were backed. He saw no difference between backing a racehorse and buying goods to sell again. Everything was done with the object of making a profit, and if this clause were passed the most respectable men in the community might be arrested for being in one of these clubs, and perhaps imprisoned by some R.M. who considered it his duty to see the Act carried out.

MR. R. F. SHOLL said that Tattersall's was a club established for the purpose of keeping horse-racing as pure as possible, and to prevent crooked running. If they were to have horse-racing they must have an institution of that kind. Throughout the colonies Tattersall's clubs were known to be racing and betting clubs, and all were affiliated with one another, and if anything dishonest took place it was telegraphed all round. They were thus calculated to do much good. Notwithstanding this clause, betting would take place, and so would horse-racing. Where there was horse-racing there would be betting, but where there was no betting there would be no horse-racing. By passing this clause it would have the effect of putting down this club, which was essentially a betting club.

THE ATTORNEY GENERAL (Hon. S. Burt) said he would like hon. members to understand what they were about, because, from the two speeches he had listened to, he thought their ideas were very wide of the mark. The clause only made the keeping of such a house a common nuisance, and contrary to law. If, as was said, this clause would put down Tattersall's, he wondered how it was that both Tattersall's Club and this same provision had existed in Victoria since 1865. It was said that Tattersall's was established with the laudable object of prohibiting crooked racing, and it was, therefore, not a place kept for the purpose of betting. It was a club, and no one could go in who was not a member. This clause only affected betting-houses pure and simple. He did not suppose there was one of these in the community at the present time, although during last year there were signs of one being established.

MR. DEHAMEL said he did not wish members to be led away by the construction put on the clause by the Attorney

General. He (the Attorney General) had laid stress on the word "kept," but the word "used" was also contained in the clause, and if it were read, "any house, office," etc., "used for the purpose," instead of "kept" for the purpose, they would see that Tattersall's Club would come within its purview, and he would, therefore, ask them to oppose it.

THE ATTORNEY GENERAL (Hon. S. Burt): Then you are supporting common betting-houses.

The committee divided on the clause, with the following result:—

Ayes ...	...	...	14
Noes ...	...	...	9

Majority for ... 5

AYES.	NOES.
Mr. Burt	Mr. Darlôt
Mr. Clarkson	Mr. A. Forrest
Mr. Cookworthy	Mr. Hassell
Sir John Forrest	Mr. Molloy
Mr. Lefroy	Mr. Monger
Mr. Loton	Mr. Pearse
Mr. Marmion	Mr. R. F. Sholl
Mr. Quinlan	Mr. Solomon
Mr. H. W. Sholl	Mr. DeHamel (Teller).
Mr. Simpson	
Sir J. G. Lee Steere	
Mr. Throssell	
Mr. Venn	
Mr. Traylen (Teller).	

Clause agreed to.

THE ATTORNEY GENERAL (Hon. S. Burt) moved the insertion of the following new clause:—"Every house, room, office or place, opened, kept or used for the purposes in the last mentioned section or any of them shall be taken and deemed to be a common gaming house." He said that hon. members seemed not to know what a common gaming house was, but they would get a definition of it from section 87 of the Police Act. Whist, poker, or other games of skill played, for instance, in publichouses would not be interfered with; it was only the playing of games of chance that the clause aimed at. Only at the last sitting of the Court a conviction was quashed in consequence of the Magistrate at Wyndham having convicted where cards had been played in a publichouse.

MR. SOLOMON asked if a common gaming house were defined in another Act what was the use of this clause?

THE ATTORNEY GENERAL (Hon. S. Burt) said the other clause they had just passed made a house where gambling was carried on a common nuisance, and this clause simply made it a gaming house

also, so as to enable them to bring the provisions of the Police Act to bear if necessary.

MR. MOLLOY said he failed to see these distinctions. Betting was made illegal, and how could such a club as Tattersall's be made exempt when it was used for betting?

THE ATTORNEY GENERAL (Hon. S. Burt) denied that Tattersall's Club, if properly carried on, was one which would come within the Act as a house either used or kept for the purpose of betting. It was not because persons bet there that it was a house kept for that purpose. An hotel was not kept for that purpose, and it would therefore not come within the law.

MR. MONGER said that if they had the assurance of the Attorney General that such clubs as Tattersall's would not be interfered with, they might be content.

THE ATTORNEY GENERAL (Hon. S. Burt) said he could not give any assurance, because it depended on the members themselves what they made of the club.

MR. SHOLL said it was essentially a betting club—a club where people who made bets knew that they would be paid.

THE ATTORNEY GENERAL (Hon. S. Burt): That is the thing we want to support.

MR. LEFROY said that they should be guided by the opinion of the Attorney General in such matters, and he had said that it was not intended to interfere with clubs like Tattersall's.

MR. R. F. SHOLL said it was not a matter of what he intended, but whether the Act would interfere.

MR. MOLLOY said he did not see why Tattersall's should be exempt any more than any other place.

MR. SOLOMON said there seemed to be considerable doubt about the interpretation of the clauses, and he thought an effort should be made to make our laws clearer.

THE ATTORNEY GENERAL (Hon. S. Burt) said that those who were acquainted with horse-racing knew that Tattersall's Clubs existed everywhere, and that notwithstanding the existence of similar enactments. If, of course, they degenerated into betting-houses, they would be put down; but persons resort-

ing to these clubs, he said, distinctly, did not come within the four corners of the Act.

Clause—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added to the Bill, to stand as clause 7: "Any person who being the "owner or occupier of any house office "room or other place or a person using "the same shall open keep or use the "same for the purposes hereinbefore mentioned or any of them and any person "who being the owner or occupier of any "house room office or other place shall "knowingly and wilfully permit the same "to be opened kept or used by any other "person for the purposes aforesaid or "any of them and any person having the "care or management of or in any manner "assisting in conducting the business of "any house office room or place opened "kept or used for the purposes aforesaid "or any of them shall be liable on conviction to a penalty of not more than "One hundred pounds or to be imprisoned "with or without hard labor for any term "not exceeding six calendar months." He said this clause only put a penalty on a person who kept open, or used, houses which were declared to be common nuisances, or gaming houses.

Clause agreed to.

THE ATTORNEY GENERAL (Hon. S. Burt) moved the following new clause, to stand as clause 8: "Any person being "the owner or occupier of any house "office room or place opened kept or used "for the purposes aforesaid or any of "them or any person acting for or on "behalf of any such owner or occupier or "any person having the care or management or in any manner assisting in "conducting the business thereof who "shall receive directly or indirectly any "money or valuable thing as a deposit "on any bet on condition of paying any "sum of money or other valuable thing "on the happening of any event or contingency of or relating to a horse race "or any other race or any fight game "sport or exercise or as or for the consideration for any assurance undertaking promise or agreement express or "implied to pay or give thereafter any "money or valuable thing on any such "event or contingency and any person "giving any acknowledgment note secu-

"rity or draft on the receipt of any money
 "or valuable thing so paid or given as
 "aforesaid purporting or intended to en-
 "title the bearer or any other person to
 "receive any money or valuable thing on
 "the happening of any such event or con-
 "tingency as aforesaid shall be liable on
 "conviction to a penalty of not more than
 "Fifty pounds or to imprisonment with
 "or without hard labor for any term not
 "exceeding three calendar months."

MR. MONGER said that this clause would prevent betting on the racecourse. The use of the word "place" would prevent a man making a wager.

THE ATTORNEY GENERAL (Hon. S. Burt) said he did not think so. It could not be said that that was a place kept or used "for the purpose aforesaid."

Clause agreed to.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added to the Bill, to stand as clause 9: "Any money or valuable thing received by any such person aforesaid as a deposit on any bet or as or for the consideration for any such assurance undertaking promise or agreement as aforesaid shall be deemed to have been received to or for the use of the person from whom the same was received and such money or valuable thing or the value thereof may be recovered accordingly with full costs of suit in any court of competent jurisdiction."

Clause—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added, to stand as clause 10: "Nothing in this Act contained shall extend to any person receiving or holding any money or valuable thing by way of stakes or deposit to be paid to the winner of any race or lawful sport game or exercise or to the owner of any horse engaged in any race."

Clause—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added, to stand as clause 11: "Any person exhibiting or publishing or causing to be exhibited or published any placard handbill card writing sign or advertisement whereby it shall be made to appear that any house office room or place is opened kept or used for the purpose of making bets or wagers in manner aforesaid, or for the purposes

"of exhibiting lists for betting or with
 "the intent to induce any person to resort
 "to such house office room or place for
 "the purpose of making bets or wagers
 "in manner aforesaid or any person who
 "on behalf of the owner or occupier of
 "any such house office room or place or
 "persons using the same shall invite
 "other persons to resort thereto for the
 "purpose of making bets or wagers in
 "manner aforesaid shall be liable on
 "conviction to a penalty of not more
 "than Thirty pounds or to imprisonment
 "with or without hard labor for any term
 "not exceeding two calendar months."

Clause—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved to add the following new clause, to stand as clause 12: "Where any letter circular telegram placard handbill card or advertisement is sent exhibited or published,—

"(a.) Whereby it is made to appear
 "that any person either in Western
 "Australia or elsewhere will on ap-
 "plication give information or advice
 "for the purpose of or with respect
 "to any such bet or wager or any
 "such event or contingency as is
 "mentioned in this Act or will make
 "on behalf of any other person any
 "such bet or wager as is mentioned
 "in this Act; or

"(b.) With intent to induce any person
 "whether any particular person or
 "generally to apply to any house
 "office room or place or to any per-
 "son with the view of obtaining in-
 "formation or advice for the purpose
 "of any such bet or wager or with
 "respect to any such event or con-
 "tingency as is mentioned in this
 "Act;

"(c.) Inviting any person whether any
 "particular person or generally to
 "make or take any share in or in
 "connection with any such bet or
 "wager or to take or purchase any
 "share ticket or interest in any lot-
 "tery or to subscribe money or goods
 "to entitle him to participate in any
 "distribution of money or goods on
 "the happening of any such event
 "or contingency as is mentioned in
 "this Act.

"Every person sending exhibiting or
 "publishing or causing the same to be
 "sent exhibited or published shall be

"subject to the penalties provided in the "last preceding section with respect to off-fences under that section." He said that this clause was designed to prohibit the publication in otherwise respectable papers of advertisements calling attention to grand consultations and grand sweeps. The clause covered not only the advertisements of our own people, but also from the people of other countries. These advertisements were prohibited in New South Wales, and he did not see why they should not do it here. After the passing of the clause which repealed section 93 of the principal Act, sweeps would be allowed; but he did not see why they should have them openly advertised, and thus take money out of the pockets of people who would not otherwise go into them.

MR. MONGER: What about advertising local sweeps?

THE ATTORNEY GENERAL (Hon. S. Burt): They will be stopped too.

MR. A. FORREST: How are people to know about them?

THE ATTORNEY GENERAL (Hon. S. Burt) said people generally knew about these things whether they were advertised or not. If hon. members wished everyone to know that these sweeps were coming off, they must vote against the clause. They did not want, however, to encourage people to get into them, because 90 people out of every 100 lost their money.

MR. A. FORREST: Suppose they win?

THE ATTORNEY GENERAL (Hon. S. Burt) said that in many cases winning did harm. Would it not do harm, in many instances, if a poor family won £10,000? They knew if a man won a sweep he generally went to Monte Carlo, or some other place, where, after losing or winning more—it did not matter much which—he generally ended by blowing his brains out. They had only recently seen that Mr. Wells, of Monte Carlo fame, was now in the hands of the police, and he was a winner. If winners got into this position he did not know what the losers did. Those who wanted to gamble—he begged pardon—those who wanted to invest—knew where to go without these advertisements.

MR. R. F. SHOLL said these advertisements would not affect those who did not like sweeps, because they would not

read them. As to Mr. Wells, he thought that the account of his winnings had only been put forward to draw people to gaming houses. What he objected to was the advertising of bogus sweeps, and he thought that newspapers should not insert them.

MR. CLARKSON said it was only the other day he read the "odds" published in a newspaper, and this clause would prevent that.

THE ATTORNEY GENERAL (Hon. S. Burt) said this clause had nothing to do with the publication of odds.

MR. CLARKSON asked if a bookmaker who published his odds would come within the clause?

THE PREMIER (Hon. Sir J. Forrest): If he publishes them.

THE ATTORNEY GENERAL (Hon. S. Burt) said that the publication of "odds" would not be stopped, but if the newspapers went on to say that these odds could be had at so and so's round the corner, then that would be an offence.

The committee divided on the clause, with the following result:—

Ayes	...	...	12
Noes	...	...	8

Majority for ... 4

AYES.	NOES.
Mr. Burt	Mr. Darlöt
Mr. Cookworthy	Mr. A. Forrest
Mr. DeHamel	Mr. Molloy
Sir John Forrest	Mr. Pearse
Mr. Lefroy	Mr. R. F. Sholl
Mr. Loton	Mr. H. W. Sholl
Mr. Marnion	Mr. Solomon
Sir J. G. Lee Steere	Mr. Monger (Teller).
Mr. Throssell	
Mr. Traylen	
Mr. Venn	
Mr. Clarkson (Teller).	

Clause—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved to add the following new clause, to stand as clause 13: "All contracts or agreements whether by parol or in writing by way of gaming or wagering shall be null and void and no action or suit shall be brought or maintained in any court of law or equity for recovering any sum of money or valuable thing alleged to be won upon any wager or which shall have been deposited in the hands of any person to abide the event on which any wager shall have been made. Provided always that this provision shall not be deemed to apply to any subscription or contribution or agreement to subscribe or contribute

"for or toward any plate prize or sum of money to be awarded to the winner of any lawful game sport pastime or exercise."

Clause—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added to the Bill, to stand as clause 14: "Notwithstanding anything to the contrary contained in 'The Police Act, 1892,' all fines and penalties incurred and recovered under the provisions of that Act within any municipality excepting so much as may be payable to any informer shall be paid to the Council of the municipality."

Clause—put and passed.

MR. MONGER moved that progress be now reported, and leave asked to sit again.

Agreed to.

Progress reported, and leave given to sit again another day.

ADJOURNMENT.

The House adjourned at twenty minutes to 11 o'clock p.m.

Legislative Council,

Tuesday, 13th December, 1892.

Post Office Savings Bank Act: Amendment of—Industrial and Reformatory Schools Bill: first reading—Perth Gas Company's Act Amendment Bill: third reading—Excess Bill, 1891: third reading—Constitution Act Amendment Bill: second reading—Public Institutions and Friendly Societies Lands Improvement Bill: second reading—Adjournment.

THE PRESIDENT (Hon. G. Shenton) took the chair at 3 o'clock.

PRAYERS.

POST OFFICE SAVINGS BANK ACT—AMENDMENT OF.

THE HON. J. MORRISON, by leave, without notice, asked the Colonial Secretary if the Government intends taking any steps during the present session to amend the Post Office Savings Bank

Act with a view to—(a.) increase the amount which depositors may deposit in any one year, (b.) increase the amount of deposit upon which interest is payable.

THE COLONIAL SECRETARY (Hon. S. H. Parker) replied: The Government do not intend to introduce any Bill of the nature referred to during the present session. The hon gentleman may be aware that the Federal Council meets in January, and the desire of the Government is to conclude the business with a view to allow the representatives of this colony to take part in the proceedings, and therefore the Government have no intention of introducing any further Bills. I shall, however, bring the matter under the notice of my colleagues and see whether they are inclined to do anything next session.

INDUSTRIAL AND REFORMATORY SCHOOLS BILL.

This Bill was received from the Legislative Assembly, and was read a first time.

PERTH GAS COMPANY'S ACT AMENDMENT BILL.

This Bill was read a third time, and passed.

EXCESS BILL, 1891.

This Bill was read a third time, and passed.

CONSTITUTION ACT AMENDMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I now rise, sir, for the purpose of moving the second reading of a Bill intituled "An Act to amend 'The Constitution Act, 1889.'" I feel that this is one of the most, if not the most, important measure that has come before this House during the present session. It may be remembered that when the Constitution Act was passed by the old Legislative Council, the members of that House were considerably bound and tied by certain conditions laid down by the Secretary of State, and had it not been for these conditions I do not think that the then Legislature would have passed the Bill, providing, as it did, such a very high franchise for the electors of the House of Assembly; but the conditions,