

Legislative Assembly.

Friday, 30 January, 1880.

Totalisator Legalising Bill—Medical Bill—Standard Weight of Grain Bill—Joadja Creek Railway Bill—Adjournment.

TOTALISATOR LEGALISING BILL.

Mr. GARRETT moved the second reading of this Bill. He said that in undertaking the task he was aware it was one surrounded with difficulties arising from mistrust, suspicion, and, to some extent, the ignorance of certain sections of the public. If he attempted in any way to legalise or encourage a pernicious system of gambling he would be unworthy of the position he occupied as a member of an Assembly such as this; but he thought he should be able to show that the Totalisator Legalising Bill would have the effect of lessening the temptations to gambling, and eliminating from wagering on horse-races most dangerous and pernicious elements. He knew that there were many honorable members who objected to the Bill because it would recognise gambling. Parliament had in many instances passed measures for regulating practices evil in themselves; and as the Bill would regulate wagering on horse-racing, it might be said to recognise that form of gambling. If he could show that the regulation proposed by the Bill would have a beneficial moral effect, the objection to its recognising gambling would fall to the ground. He need scarcely remind honorable members that gambling had always existed, and would exist, in some form or other in connection with sports. The spirit of speculation shown by merchants, and by persons investing their money in the public funds, or in shares in public companies, embraced the elements of gambling in an equal degree to betting on horse-racing; yet it was not considered disgraceful for any person to indulge in those speculations. In recognising wagering on horse-racing or regulating it, care would have to be taken that, in touching the practice which was allowed to exist by the tacit consent of the Legislature in this and other countries, it was not made more dangerous. Horse-racing was one of the oldest and most favoured sports of the English people. It was popular wherever they were located, and if there were any evils attached to it they

arose entirely from gambling. The tricks and nefarious practices carried on on the turf were all done for the gain of money. It was not an unfrequent occurrence for a horse which had been largely backed by the general public to occupy a very ignoble position in the race, and very often the horse was pulled back into that position by the rider. If he could show that the totalisator would remove the temptation to the perpetration of such objectionable practices, that ought to induce the House to pass the Bill. We had already recognised betting. It had been put down in some cases whilst it was allowed to exist in others; and if that was not a recognition of it to a far greater extent than was proposed in the Bill, he did not know how it could be countenanced. We had passed a Bill providing that a certain description of betting should be illegal, but it was well known that the bookmakers carried on their business openly. Book betting was recognised by the public, and nothing had been done by the Legislature to put an end to it, although it was known to be accompanied by many evils indeed. Another system of staking money on horse-racing was the raising of sweeps, into which there was introduced a large element of chance. The system of getting up sweeps had grown to an enormous extent. On the last Melbourne Cup he believed that from £30,000 to £45,000 was invested in sweeps. The same system prevailed in this colony, but not to such an extent. Before the last Sydney Cup was run, announcements were made in the newspapers of sweeps got up by recognised bookmakers, representing £8,000. As showing the extent to which this hazardous sweep system was carried he would quote the following advertisement which was published in a large number of papers throughout the colony—

Sydney Cup Consultation, 1880. 2,000 members at £1 each. Distribution as follows:—1st horse £1,000; 2nd, £400; 3rd, £200; starters (divided among) £200; non-starter (divided among) £200; total, £2,000. The consultation on the above event will close at the earliest possible date. Intending constituents are requested to forward their favours early, as many were disappointed over Tattersall's Cup, their order having been received after the Consultation was filled. Country subscribers are requested to forward exchange on cheques, and stamp for reply. For the accommodation of Hunter River subscribers tickets can be obtained at the following hotels, &c.

Now this showed the most perfect organisation for gathering in all those pounds, and the sum when complete, would be distributed by lottery. That system of sweeps had all the elements of gambling in it, whereas the system which would be legalised by the passing of the Bill had none.

Mr. MACINTOSH: But it is a system of chance.

Mr. GARRETT: It was not a system of chance. There was a certainty for some one. The element of chance was not decided by the machine—it depended on the result of the race. A man could back any horse he wished, but with the ordinary sweeps he did not know what horse he had his money on until the process of a lottery had been gone through. The Totalisator was simply a mechanical contrivance for registering the amount of money deposited by each person upon each horse, and showing the total amount deposited. It was proposed that it should be conducted under the control of the Jockey Club, and that ought to be a guarantee that there would be no chicanery or fraud. The machine operated thus:—Supposing there were fifteen horses in a race, each horse was numbered separately. A person desiring to back a horse would go to the worker of the machine, pay his stake, and say what horse the money was staked on. A ticket, bearing the number of the horse he had selected, would then be handed to him showing that he had an interest in that horse. The machine recorded the number of persons interested in each horse, the total amount staked on each horse, and also the total amount staked on the race. These facts were known before the start of the race, and after the race was run the whole of the money, less an allowance of 5 per cent. to the conductor, was divided amongst the backers of the winning horse. He believed that the machine could not be tampered with by any one except the conductor, and as it was proposed that it should be placed in responsible hands, there was no likelihood of the public being defrauded. An exhaustive description of the machine was given in the *Sydney Mail* some time ago, from which honorable members could command more accurate information respecting it. Honorable members would therefore see that there was no element of chance what-

[Mr. Garrett.

ever in the totalisator. The element of chance usually introduced in ordinary sweeps was entirely absent, because a person could pick for himself the horse he would back, whereas in an ordinary sweep the horse one obtained was a matter of chance. To show the difference between the results to the public from investing in the totalisator and backing a horse with a bookmaker, he would read extracts from a letter by Mr. J. T. Ryan, formerly a member of the House, well known in sporting circles, and of great experience in matters pertaining to the turf, which was written subsequently to the several day's trial of the totalisator at Randwick. Speaking of the Randwick Spring Meeting, Mr. Ryan said—

For the £400 received on twenty races only £177 was returned to the public, leaving a profit of £223 to the bookmakers, or upwards of 55 per cent. of their takings. It therefore becomes perfectly intelligible what the Tattersall's Club resolution means in saying that the use of the totalisator is contrary to "the true interests of sport"—i. e., from the bookmaker's point of view.

Now the charges of the totalisator are no more than 5 per cent., in addition to other advantages altogether alien from the betting book; so that if the £400 were invested in the new method, £380 would be returned to the public in lieu of the scanty proportion of £177 restored by the bookmakers (who are anxious to see the law carried out) on a like transaction.

I am informed that in Sydney and Melbourne there are several hundreds of bookmakers who make books upon every event, varying from £100 to £5,000; and it is easy to calculate, from the foregoing table, what an enormous saving would accrue to the public if the totalisator were allowed to interfere with the rich harvest which the bookmakers gather from the public at every meeting,

This plainly showed the advantage of betting by means of the totalisator. The bookmakers regulated their odds in such a way that they would be large gainers; and the vigour they had shown in opposing this Bill was the very best testimony to the truth of the assertion that the machine would lessen to a considerable extent the evils upon which the ring, as it was called, had been so prosperous for many years. He would remind honorable members that some years ago the honorable member for New England brought in a Bill which was not sufficiently stringent to put down all the evils of wagering, although it stamped out some. His honorable friend had consequently been recognised as an authority

in these matters, and when it was proposed to legalise the totalisator what did the bookmakers represent to him? In a report of Parliamentary proceedings for January last, Mr. Terry was reported to have said—

A deputation of bookmakers had to-day called his attention to the use of the totalisator in the saddling paddock of the Randwick race-course, which, if not an infringement of the Betting Act was, at any rate, a breach of the Vagrant Act, and he condemned the conduct of the Inspector General of Police in allowing this thing to be used.

This showed whence the great opposition to this Bill proceeded? He could perfectly understand that people were averse to the introduction of the machine until it had been thoroughly explained, because they were anxious not to encourage anything which might result in evil to the community. But if this Bill would not have the effect of clipping the wings of the bookmakers and lessening their gains, he could not understand why they should be so very persistent in their opposition to the measure. Since the Bill was introduced, the Colonial Secretary had called upon the Inspector General of Police for a report as to what would be the results likely to follow from the legalised working of the totalisator. Mr. Fosbery said—

The "totalisator" was worked at Randwick race-course simply as an indicator of the number of times each horse in a race (according to his number on the official card) was backed to win, by the deposit of a sovereign and purchase of a ticket. Any person desiring to bet or take a chance could readily see the number of pounds invested, and consequently calculate the odds about each horse. The total amount or sweep was at the conclusion of each race divided between those persons who had taken tickets for the winning horse, 5 per cent. being deducted by the proprietor for commission. If the winning horse should not have been backed at all, the sums deposited would be returned to the ticket-holders, less 10 per cent. commission.

Now, in the case of the bookmakers, if a horse won, which had not been backed, they pocketed the whole of the amount—they "skinned the lamb," as it was called in turf parlance, and pocketed the fleece. The report continued—

It was pointed out to me by several persons that the instrument could be unfairly manipulated by a signal from a confederate seeing the winning horse pass the post to the operator at the totalisator, who could readily add several numbers to the chances taken for the winning horse, and so come in for a division of the stakes. This I had under observation by a careful officer in plain clothes, but he could not

discover any such fraud. It is unnecessary for me to add that no suspicion was directed against Mr. Franck. The fairness of this system of betting has been urged as the strongest point in its favour, but something might be said on the other side. The fact that the return (if any) for the investment is prompt, equitable, and certain, might be viewed as affording an increased incentive to gambling, and I have no doubt that many persons who never do business with a bookmaker would try a chance in the totalisator. It is further worthy of notice that boys might readily gamble by obtaining tickets in the totalisator with fatal facility, whilst it would be less easy for them to do business with a bookmaker. The chief objection to the instrument if legalised would be that not only would gambling be sanctioned, but that it would be encouraged. It is quite true as asserted that the law is at present broken by bookmakers receiving cash for wagers beforehand on the ground, but it would be very difficult to prove the offence.

He would dispose in a very few words of Mr. Fosbery's objections to the machine. The possibility of the unfair manipulation of the instrument was dispensed with by the provision in the Bill, under which the totalisator could only be used upon a race-course with the consent and under the control of the club conducting the races. The objection was rather far-fetched, because that clause of the Bill afforded sufficient guarantee that no unfair practice would be resorted to. As to the machine being an increased incentive to gambling and as to boys obtaining totalisator tickets with fatal facility, while it would be less easy for them to do business with a bookmaker, he had seen boys wagering with bookmakers over and over again. He had had as much experience of race-courses as perhaps any member of the House; and he had never yet seen a bookmaker refuse to take money from a boy. If the bookmaker thought the boy wagering a good mark he would trust him; and, if he did not, he would ask him for the money. Any one would imagine, to hear some of the objections urged against the machine, that it would encourage rather than diminish loose betting. What could prevent a boy filching a pound from his master's till, and purchasing a ticket in an advertised sweep at a Hunter River District public-house? The same temptation was offered in Victoria. There were sweeps in which people were encouraged to invest their money clandestinely. The House virtually recognised these sweeps by not

putting them down. They were advertised in country papers from one end of the colony to the other. Sweeps on the Sydney Cup were already advertised, although the race would not be run for some months. Before the event was determined, contributions would be clandestinely forwarded in response to these advertisements to the extent of £20,000. Boys, girls, any one, indeed, might send money. But investments in the totalisator must, at least, be carried on openly. On all race-courses there were six events, which occupied about six hours, namely, from 1 to 6 o'clock in the afternoon. As the instrument could only be used on the day of the race there would thus be only six hours' betting, or one hour at the utmost for each race. The money would be deposited openly in the presence of many people, and, under those conditions, was it likely that any boy, who had stolen a pound from his master's till—for that was the insinuation—would come forward for a ticket? Besides, it should be remembered that he would first have to pay half-a-sovereign for admission to the paddock where the instrument was. Let honorable members compare this instrument system with the "Consultation Sweep," as it was called, and say whether it was not infinitely less objectionable. He was not actuated by puritanical motives in this matter, but by a desire to do something towards lessening the evils which now surrounded wagering on our race-courses. If honorable members would reflect upon the subject they would see that it was wise to encourage a system which would put down another system that was full of evil. With the totalisator the transactions were all in cash; but, in betting with a bookmaker credit was given, and if you wanted to see the results of credit betting, go to the gaols where you would find scores of young men, who had been convicted of forgery and embezzlement, to which crimes they had been driven through credit wagering on horse-races. Anything which would put a stop to that system would confer an incalculable benefit upon the community, particularly upon young men. Another great evil connected with the present system of betting, and which was of common occurrence, was that of using foul play to prevent horses, on

which large amounts of money were staked, from winning, instead of being allowed to run on their merits. There was scarcely a race-meeting at which this was not done. Only the other day at the Hawkesbury, there was such a barefaced attempt to prevent a horse from winning, that the jockey who was guilty of it was immediately disqualified for twelve months. It would also be in the recollection of some honorable members that at one race-meeting at Randwick, a horse called Jasper, which was a great favourite, and, in the language of the turf, a "moral certainty," was driven against a post and broke his leg, so that he had to be shot, and his backers lost their money. Again, he saw from a telegram in this morning's paper that in the race for the Geelong Cup, two leading horses were kept swaying about in front of another horse to prevent it from winning, and it was forced under the judge's box, and nearly led to a fatal accident. The swindle was so palpable that the judge decided in favour of the second horse. The temptation to resort to tricks of this kind was the amount of money which was staked on the horses. Sometimes, if a particular horse that was heavily backed happened to win, it might ruin the bookmakers. But the owner of the totalisator had no interest in what a horse carried, and he was under no temptation to get at the owner or the jockey, or the jockeys of the other horses, as the bookmakers were. At a race in Melbourne a horse was actually started for the express purpose of "blocking" the favourite, with the result that the favourite came to the ground, while the boy who rode the other horse was killed. He did not say that the legalising of the totalisator would put an end to these evils altogether, but he did say that it would lessen them very considerably. At present many people lost money on horse-racing without any chance of winning, because the horses on which they staked their money did not run. By the use of the totalisator, therefore, less money would be lost because people would not come forward to speculate until a few minutes before the race. The instrument had been legalised in South Australia; and in Queensland the Attorney General had given the opinion that it could be legally used there. It

was used in South Australia on New Year's Day, for the benefit of the club, under the direction of officials of the club, and the receipts went towards paying the percentage which the club gave to the prizes. The bookmakers might make their fortunes on the race-course, but they contributed nothing towards the expenses of the racing. Ninety-nine out of every hundred of those who were in the habit of visiting race-courses were in favour of this Bill; even men who were in the habit of betting were in favour of it. The general body of the public who attended races for the purpose of having a little excitement were also desirous that the Bill should become law. The only people opposed to the measure were the bookmakers, and another class who were in the habit of making very heavy wagers, the opinion of the latter being that unless the bookmakers were able to obtain the money of that numerous section of the public who risked small sums they would be unable to afford wagers for large amounts. That class were afraid that the small fry might be drawn from the net of the bookmakers. The totalisator was an instrument which would accommodate everybody who went to a race-course, whether acquainted with turf matters or not, and it was impossible for cheating to be practised under it. All the leading newspapers were in favour of the totalisator, and the *Australasian*, the highest authority on sporting matters in the colonies warmly advocate its legalisation. He would read an article which had appeared in that journal on the subject. The *Australasian* said—

For the totalisator is no gambling machine, as its opponents have sought to make out. At least, if it is gambling, horse-racing pure and simple is gambling also, and those persons who put down their money as a stake in a horse-race are gamblers. Those who invest their money in the totalisator do so in a similar manner to those horse owners who contest the race. In the Melbourne Cup each nominator puts down his stake on the result of the race. The investor in the totalisator does exactly the same, except that he is not the owner of the horse. The winner of the race, if not disqualified, wins all the money staked by other owners, and the winner in the totalisator follows suit in exactly a similar manner. There is no gambling in the sense we attach to that word. When two men sit down and throw the dice, and the winning or losing of money depends purely on chance, then we say that those two men are gambling, and of gambling, purely and simply as gambling;

no words are too strong in its denunciation as a mean and despicable sort of amusement. But horse-racing is an amusement honorable men can take part in. One of its staunchest upholders was that real sportsman Sir Hercules Robinson. He has invested many a hundred pounds on the issue of a horse-race in the shape of stakes paid, and we challenge any one to state wherein the difference consists between paying the stake for the horse that wins to a secretary of a race club, and doing the same to the secretary of the totalisator, where the issue depends on the same result. It may not be conducive to public morality to allow sweeps to be carried on in public places (we never said it was), nor would the totalisator be admissible either—but on the race-course it is in its proper place, and it is far preferable that public money should be invested in a monster sweep, which the totalisator really is, than that it should go into the pockets of a class of persons, the majority of whom have no business on our race-courses at all, and are only a curse to the sport they "patronise" for the sake of the plunder. It has been asserted that the totalisator would prove an inducement to youth to speculate and a temptation to them to dishonesty in a greater degree than the ring is. This is absurd. Of course youths have no business betting or gambling at all, and if a very stringent Act were passed, making it penal for youths under a certain age engaging in such transactions, so much the better. However, that is not so much our business. What we assert is that there is greater temptation offered to young men by the bookmakers than by the totalisator. For bookmakers will give credit to both old and young backers of horse-racing, whilst the totalisator is all a cash transaction. You must put the money down at once and see it out. The word "defaulter" is unknown where the totalisator is concerned. There is no credit. Besides, the totalisator is dumb; it does not murder the Queen's English and make itself a nuisance in the saddling paddock. It is as fair and honest a method of investing money as can be devised; and, in its proper place, and properly and carefully worked, is worthy of the patronage of all race clubs.

That opinion from the highest authority on such matters in Australasia ought to be put into the scale and allowed to have due weight, against the opinions of those who were opposed to the Bill. He moved that the Bill be read a second time.

Motion made and question proposed.

Mr. CHARLES thought it his duty as one who regarded gambling transactions as in their nature dishonest, to give expression to his opinion upon this subject. The object of any man who staked a pound in connection with the totalisator was to obtain some other person's money without giving value for it. It was, therefore, dishonest. Bookmakers inveigled young men into

bad courses and led them on to their ruin. All that the honorable member for Camden had done was to show that a great evil existed and to demonstrate the necessity for further legislation of a stringent nature to put down betting in connection with racing. He would ask whether the honorable member wished to legalise theft? It was certainly an insult to the House to ask them to pass such a Bill as the one the second reading of which the honorable gentleman had moved. Although as fond of racing as any one else, he detested the system of betting, and he thought some measure ought to be enacted which would sweep it away entirely. If this were not done the evil would reach such an extent that the same would perhaps happen here that occurred in California, where the diggers some years ago became so exasperated that they drove every bookmaker out of the country. There could be no difference of opinion as to their duty, which was to stamp out this evil and save the rising generation from the pitfalls which best them.

Mr. TERRY said he for one would decidedly oppose the Bill, and he should take that course on more grounds than one. The honorable mover started by saying it would be unworthy of his position as a member of the House to legalise gambling by means of a game of chance. But what otherwise was he seeking to do by this Bill? How could honorable members object to the game of "under and over"—which was fair, carried out under proper supervision—if they assented to this Bill, which would open the door to every system of gambling. Allusion had been made to a certain measure he had introduced to put down evil practices on the turf, and he was quite persuaded that the whole of the newspapers who published the notices referred to by the honorable member could, under that Act, be prosecuted. It would put down sweepstakes. But if the police did not do their duty it was not the fault of Parliament. The House was called on to legalise one form of gambling, yet the honorable member had attempted to show the evil effects of gambling by bookmakers. The honorable member desired the House to step in to pass a Bill which, he said, would lessen the evils. But if the evils were as black as they were painted the

[*Mr. Charles.*

proper way to deal with them would be to pass a Bill to abolish betting altogether; and this could be done. If a Bill he introduced had been passed into law it would have extirpated bookmaking; and it was due to the honorable member for Camden (Mr. Garrett) that that Bill did not pass. The honorable member asked that it might be recommitted, and he was the honorable member who moved that the first clause be struck out, and the omission allowed the bookmakers free course on the turf. The present Bill was objectionable because the instrument was patented by one man, and the honorable member who had a horror of gambling—though occasionally indulging in it himself—asked the House to legalise the use of that instrument as a monopoly, for the public would not share in the profits. One man only would be given the privilege of making £2,000 or £3,000 a year by the Bill. The instrument was said to be used in South Australia. In that colony the Bill had a narrow escape of defeat; it was carried by a majority of one. Then it was said the law of Queensland allowed the use of the instrument; but that was in consequence of certain Acts not being passed legislating on the general subject of betting. The result of its introduction and use in England had been that it was now banished from every race-course.

Mr. GARRETT: No.

Mr. TERRY: The use of the "pari mutuel," a similar instrument, had been put down on the race-courses of England and France. If youths would bet with the bookmakers they would bet in this way. It would be degrading to the House to pass a Bill legalising betting in any shape. If betting was wrong—and he thought it morally wrong—it ought to be put down. Had the Bill he introduced been passed the honorable member would not now have had much to say on the matter.

Mr. CAMERON: The honorable member himself bets.

Mr. TERRY did not deny it, still he did not think it right, but we were now asked as members of Parliament to legalise a system of gambling. The report from the Inspector General of Police strongly condemned the use of the instrument, and completely did away with the arguments of the honorable member, who advanced no valid reason why the Bill should be

assented to. The only ground stated was that the Bill would put a stop to the present system of gambling, and that would have been stopped by the Bill he introduced.

Mr. CAMERON: It would also have stopped horse-racing.

Mr. TERRY: If so, this Bill might do it, because horse-racing would be made less profitable. Unless owners could make more profit than the winning of prizes it was said they would not run, and that was one of the arguments used in support of the present Bill. The honorable member did not desire to put down bookmaking, but to place in its way an impediment which did not effect that object. The system would be allowed to remain, so that owners might make large bets which they could not do with this instrument in operation. The honorable member knew that bookmakers trusted backers, and ran the risk of non-payment. They could not by law enforce payment of bets due to them, and the honorable member must know that for the bookmakers to take money in advance from boys frequenting the race-course was contrary to law. Every one of the bookmakers engaged in such operations was liable to six months imprisonment and a fine of £100. It might be asked why the police stood by as he had known the Inspector General to do, observing these things and not interfering. The abuses might be stopped if the police did their duty. Honorable members were aware that no private citizen cared to make himself a public informer. If the legalisation of the totalisator would lessen one evil it would introduce another, and two blacks would not make a white. He fancied the honorable member must have an interest in the instrument.

Mr. GARRETT: Say so; and then I shall know what to call you.

Mr. TERRY: I did not say so.

Mr. GARRETT: Then why insinuate it?

Mr. TERRY knew that only one man in the colony had a patent for the instrument, and the honorable member by the Bill asked Parliament to put £2,000 per annum into that man's pocket. As representatives of the people, it would not be right on the part of honorable members in any way to assent to the legalisation of gambling or the promotion of any games of chance.

Mr. GARRETT: It is not a game of chance.

Mr. TERRY maintained that it was a game of chance; few could win and many might lose by it. If no horse named was the winner, the owner took 10 per cent. and returned the balance. If we passed this Bill we must legalise lotteries, for there was little difference in the cases. But the House had refused to allow lotteries except with the sanction of the Attorney General. The Bill would enable the Jockey Club to add a certain amount to their income by profits from the instrument. It was known that one of the magnates of the turf, Mr. Joseph Thompson, had said that if he had the option of using the instrument on the race-courses in Sydney he would give £1,000 per annum. If there were nothing more against the Bill to induce honorable members to vote against it, there was the fact that it would not allow the general public to use the instrument. The patentee would sell his right to the Jockey Club, and pocket a certain sum per annum, the club taking the surplus. He objected to betting in any form, and he should give his vote with a view to prevent the Bill becoming law.

Mr. HUNGERFORD considered that by passing the Bill the House would be legalising gambling in one of its worst forms. The use of the totalisator would have the effect of converting the youths of the colony into gamblers. The admission that the totalisator would be out of place anywhere else than on a race-course certainly implied that racing was a pastime which did not tend to promote the well-being of the people. The argument reminded him of what he had heard said by a strong advocate of racing in the bush who, having been robbed of every sixpence he possessed, said that it did not matter because it was done on a race-course. Nothing better could be expected from such a place, but if the man had lost his money anywhere else he would have taken it very differently. He could not understand why gambling in public-houses should be restricted and the same thing allowed on race-courses. He could not imagine how any honorable member could rise in the House and advocate a system which was not only demoralising but degrading to humanity. All the evils arising from racing resulted from betting. The attractions of racing were not the

stakes which were run for, but the money out of which men who engaged in it were able to swindle their fellow men. The Bill ought to be scouted out of the House.

Mr. ROSEBY would give the Bill his most determined opposition. The passing of a similar Bill in South Australia was a disgrace to that colony. It was acknowledged on all hands that gambling was fraught with great evil to the community generally. The honorable member who moved the second reading of the Bill drew a dark picture of the evil effects resulting from gambling, but the measure he proposed did not attempt to repress those evils. It would provide another means for extending the operations of gambling. The machine bore on the face of it much that was plausible, and he had no doubt that many persons, who were not in the habit of gambling, would be inveigled by its attractions. He objected to enriching one man at the expense of the morals of the community. If betting produced one half of the demoralisation of society which had been described it was time the House took steps to suppress it. Some explanation should be offered by the authorities in reply to the assertion of the honorable member for New England that the Inspector General of Police stood by and actually tolerated violations of the existing law on race-courses.

Mr. GRAY said that the honorable member for Kiama seemed to be particularly anxious to save the youths of the colony from the evils of betting. He remembered when the honorable member for St. Leonards introduced a Contagious Diseases Bill, the honorable member for Kiama strongly supported that measure—the object of which was to legalise the lowest phase of immorality. How could the honorable member reconcile his support of that measure with his condemnation of the one under discussion? He would support the Bill, because he believed the evil of betting could not be stopped and should be controlled. He advocated it on the same ground that he would advocate the inoculation of cattle to prevent pleuro, or vaccination to prevent the spread of small-pox. Previous legislation had failed to stop the wretched system of book-making, but he believed the use of the totalisator would have the desired effect. The storm of oppositon against the

[*Mr. Hungerford.*

instrument raised by the bookmakers showed that they considered its use would injure them. He had seen the machine in operation in the other colonies, and he did not hesitate to say that its general adoption would be a death-blow to book-making. When he saw the machine in use in another colony, all who had invested money in it seemed to be perfectly satisfied that they had received fair play, and that through the instrument they could invest their money without any prospect of being robbed. He did not believe that any act could be devised which would do so much to put an end to the wretched system of gambling, which destroyed so many of our youths, as this Bill would do. The instrument was fair in its operation, as a man did not trust to chance, but invested his money according to his judgment. The objections to the totalisator because it belonged to one man were simply absurd. If its use would tend to the suppression of gambling, what did it matter whether it belonged to one man or to fifty? The objections, however, were of no value, because he had seen the instrument used by a man who had no connection with Mr. Franck. The existing law was evaded in the presence of the police, and he thought instructions should be given to enforce it as far as possible. It was useless saying that gambling could be altogether suppressed. Wealthy gentlemen, holding leading positions in society, often bet large sums on the course, and when this took place it would take something stronger than any Act of Parliament to put an end to the practice. He did not concur in the statement that the use of the instrument would encourage gambling. His opinion was, that the fact that the money had to be paid down at once and in the presence of the public, would deter many young men from betting who would bet if there were means of doing it secretly. So long as it was not considered a disgrace or a crime—socially or legally—so long would there be betting.

Mr. BARBOUR thought the honorable member need not search for a reason why the general public did not regard betting and all games of chance as a curse, when lukewarm legislators like himself, while professing to discountenance betting, did not object to legalising a certain form of the evil. It had been admitted that

the totalisator was a system of betting. This was a measure which no parent, after serious reflection, could support. It was almost a disgrace to the House that we should occupy time in its discussion. If betting was an evil, it must be an evil in any shape or form, and the House could not, with justice, be asked to legalise in such a case the less of two evils. One successful investment in the totalisator would lead to another; and in this way a youth would have as great a temptation to a downward career as he would have by betting in the ordinary way. He trusted the honorable member for Camden would not press a measure which involved most objectionable legislation, the passing of which would reflect eternal disgrace upon the House, and which he, for one, would willingly join honorable members in scouting from the Chamber.

Mr. SHEPHERD said no speaker had yet alluded to the fact that the honorable member for Camden had neglected to show that there was any public demand for this measure. The honorable member should surely have adduced some facts to show that the law under which betting was prohibited was unjust; seeing that the practice had been illegal from time immemorial because it was considered antagonistic to the well being of society. Mr. Franck, of course, was the chief person interested in the passing of this Bill; he was perfectly willing to give the honorable member for Camden credit for the most sincere motive in the action he had taken. He had no doubt the honorable member believed the Bill would ruin the bookmakers, but personally he thought the honorable member would be introducing a less curse without securing the removal of the greater, of which it was intended to be the substitute. Did honorable members know what the totalisator really was? We were told it was worked fairly; but it was to be presumed that the mechanism which worked the instrument fairly could be made to work unfairly.

Mr. LONG said it might be presumed that he had an interest in this measure beyond that attaching to his membership of the House, because he was known to be concerned in the turf. It might be suggested that he would be naturally disposed to conserve the interests of the bookmakers. But he could assure honor-

able members that the interests of those persons was of small moment to him. He would continue to race his horses whether the bookmakers existed or not, because he considered that the stakes offered by the various clubs were sufficient to warrant any one with a love of sport to continue racing independently of other inducements; and because, moreover, the persons so acting, by proper attention to, and a fair knowledge of, their business, had a good chance of coming out clear of loss at the end of the year. Unless a man indulging in sport were prepared to make occasional sacrifices, he had better avoid the turf. Now, with regard to betting, he would not deny that he was in the habit of wagering; and he might add that whenever he saw an opportunity of making money out of a fair wager he would bet. But he never betted unless he felt sure that he had more than an average chance of winning; and the consequence was that his transactions showed no loss. If the public pursued the course he had adopted there would be much less betting, but only a very insignificant proportion of persons who made bets knew what they were about when making a wager. A man should, in the first instance, be careful to obtain some reliable information as to the condition of the animal he intended to back. Chance was a large element in horse-racing. Horses could not, like machinery, be brought to the pitch of perfection at a word of command. Moreover, a horse, after six months' training, might meet with a misfortune only twenty-four hours prior to the event for which he had been trained; although this horse might be started with the honest intention to win if he could, he would not be started with so much confidence and satisfaction. The honorable member, in moving the second reading, gave the House some account of his experience of the turf. It might be inferred from the honorable member's remarks that the pastime of horse-racing was of the lowest possible character—that it was associated with nothing but roguery and chicanery. He was glad to say—and proud to say it in this House—that his experience of the turf had been very different from that of the honorable member's, and it had not been confined to the ring but extended to the men and boys whose profession it was to pre-

pare horses to contest for the greatest prizes offered by the clubs. He claimed to have had a large experience of men in different walks of life, and he unhesitatingly said that honesty pervaded no class in a larger degree than the class of men who were engaged in horse-training. He appealed to the honorable member for the Hawkesbury and others of equal experience, to endorse this statement. Whatever evil associations a boy might find in the stables, it was impressed upon him immediately he entered them, that the main chance of a successful career lay in strict integrity. There were lads leading the profession whose reputation for unflinching honesty had never been sullied by the breath of slander; who had never yet been called to account for underhand conduct by any jockey club. What had been the fate of those lads who had made a slip, either from motives of their own, or by the inducement of others? They were immediately scouted by their employers, and their prospects were ruined irreparably. He felt bound to make this digression because of the horrible picture which the honorable member for Camden had drawn of the iniquities of the turf.

Mr. GARRETT: I only quoted authenticated cases.

Mr. LONG: The honorable member alluded to the case of the horse Jasper. That horse was as the honorable member said, a "moral certainty," and would undoubtedly have won the race had he not been thrown against the rails which enclosed the course. He recollected the circumstance well, and he believed that it was not the intention of the rider to bring about what happened. If the course had been marked out by posts simply, as it ought to have been, instead of by rails, the accident would not have occurred. And what was the consequence to the rider? He was disqualified, and that disqualification attached to him at all meetings of clubs associated with the Australian Jockey Club, and the result was that the lad's occupation was gone until the period of disqualification expired. But the consequences of disqualification extended beyond that period, because owners of horses were very chary of employing riders who had been disqualified. In the case of the race at the Hawkesbury, the jockey who was supposed to have "pulled"

[*Mr. Long.*

the race was discharged from the service of his employer, besides being disqualified for six months. Therefore, both in the stable and out of it, these lads had every inducement to be honest, and whenever they erred they met with instant punishment. He did not hesitate to say that, if he had an opportunity of betting profitably, he would bet, but the state of the ring was such now that, with the exception of a very few, the book-makers had not much money to lose. The reason that the public had withdrawn from betting to a great extent was that they had not so much money to spend as formerly. Within the last three years the ring had met with some very heavy losses, and had consequently shortened their prices, so that it was not profitable to bet with them. As for the totalisator, it was nothing less than a substitute for list-betting. The object of the Act introduced by the honorable member for New England was to abolish list-betting. List-betting had been put a stop to, and if the police exercised sufficient vigilance, the system of ready-money betting would also be stopped. He thought that ready-money betting was done away with, and if it still existed, the fault was not with the law but with the police, who had the means at their command to suppress it. The use of the totalisator would simply have the effect of reviving what the Bill of the honorable member for New England has passed to suppress, because it could be brought into operation months before the race-meeting.

Mr. GARRETT: Not under this Act.

Mr. LONG: What did the Bill say?—

Notwithstanding anything to the contrary expressed in or implied by any of the said cited Acts or in or by any other law or statute whatsoever it shall be lawful for all persons to use the instrument or machine known as "the Totalisator" but only for the purpose of and as a mechanical medium for sweepstakes and upon race-courses only in respect of which written permission so to use the same shall have been given by the secretary or other competent authority of some recognised jockey or racing club.

It did not say when the instrument should be used. It might be used all the year round. But why was it not advisable to revive list-betting, which, as he had said, would be revived by the use of this instrument? He would show by better authorities than himself why it should not.

He would quote from a work called "The History of the British Turf," written by Mr. James Rice, a barrister, of Lincoln's Inn:—

Servants, porters, shopmen, and clerks, who should have been known better and acted very differently, not seldom came before the city magistrates, charged with the offence of embezzlement, traceable to their having unfortunately become customers of the betting-houses with which the city of London abounded, with moneys taken from the tills of their employers. The existence of the betting-houses became a public nuisance and a public scandal in the metropolis and other great towns; and, not any too soon in the interests of those exposed to temptations they found it hard to resist, the Corporation took up the matter, with a view to the suppression of the list-houses. In 1852, at a meeting of the aldermen at the Guildhall, the foreman of the inquest of Farringdon Ward Without handed in a presentment which he said related to a subject of great importance in the city of London, the gambling and betting-houses in the ward, by which great mischief was done. Facilities were given at these houses, of which there were a great number in the ward, for betting, from sums of 3d. or 4d. upwards; and by these means many servants and boys, who certainly had no money of their own to bet with, were induced to lay wagers that too often led them into a career of crime.

There were, of course, among the betting-houses, others of a different and entirely respectable kind, where a large business was transacted, and where the frequenters were mainly persons who could be trusted to make bets, from their being men of some means, who presumably were betting with their own money in all cases.

The Act for the Suppression of Betting-houses was introduced into the House of Commons by the Attorney General, on the 12th of July, 1853. In moving for leave to bring in the Bill, Sir Alexander Cockburn said that in doing so he considered it unnecessary for him to make any long speech on the subject, as the evils which had arisen from the introduction of these establishments were perfectly notorious, and acknowledged upon all hands. The difficulty, however, which existed in legislating upon this subject was to be found in the disinclination which was felt in interfering with that description of betting which had so long existed at Tattersall's and elsewhere in connection with the great national sport of horse-racing. But in these modern establishments—the betting-houses—a totally different aspect was assumed, and a new form of betting was introduced, which had been productive of the greatest evils. The course now was to open a house, and for the owner to hold himself forth as ready to bet with all comers, contrary to the usage which had prevailed at such places as Tattersall's, where individuals betted with each other; but no one there kept a gaming-table, or, in other words, kept a bag against all comers. The object, then, of this Bill was to suppress those houses, without interfering with that legitimate species of betting to which he had referred. It would prohibit the opening of houses, or shops, or booths for

the purpose of betting; and inasmuch as it appeared that the mischief of the existing vicious system seemed to arise from the advancing of money in the first instance, with the expectation of receiving a larger sum on the completion of a certain event, it was proposed to prohibit the practice by distinct legislative enactment. The mischief arising from the existence of these betting-shops was commonly notorious. Servants, apprentices, and workmen, induced by the temptation of receiving a large sum for a small one, took their few shillings to those places. The first effect of their losing was to tempt them to go on spending their money, in the hope of retrieving their losses; and for this purpose it not unfrequently happened that they were driven into robbing their masters and employers. There was not a prison or a house of correction in London which did not every day furnish abundant and conclusive testimony of the vast number of youths who were led into crime by the temptation of these establishments, of which there were from 100 to 150 in the metropolis alone; while there was a considerable number in the large towns of the provinces. He believed this Bill would have the effect of suppressing most of them, or, at all events, of preventing the spread of an evil which was admitted on all hands. It had been suggested that the more effectual course would be the licensing of these houses; but for his own part he believed that would be discreditable to the Government, and would only tend to increase the mischief instead of preventing it.

On the 20th of August, 1853, the Act became law, and such was the feeling for its urgent necessity that it passed both Houses with barely the shadow of a debate, and received the Royal assent on the day above-mentioned.

These were the arguments which induced the British Parliament to pass a Bill for the suppression of list-betting, yet, in the face of all the evils attending on it, this House was asked to pass a measure which would revive all those evils, because these machines could be used, not only on race-courses but throughout the city for any length of time before a race-meeting. And for whose benefit were we asked to legislate? For the benefit of one man who had patented the instrument and expected to derive a large income from the use of it. Many Acts had been passed to protect the public, because they could not protect themselves. The public, as a rule, were so simple that they could be hoodwinked into engaging in any speculation that promised gain. This was the case in regard to lotteries, to suppress which a Bill had been passed thus protecting the people from themselves; and if the totalisator were legalised, a similar step would probably have been taken in regard to it. It was proposed to legalise this instru-

ment for Mr. Franck, who at one time was a merchant in Sydney, and who subsequently went to Germany, at a salary, as immigration agent. They all knew that that gentleman's services in sending population to our shores were productive of not very magnificent results, besides which, Mr. Franck got into trouble with the Agent General, who desired his withdrawal, the Agent General being under the impression that, in chartering ships, Mr. Franck, instead of acting loyally in the interests of the colony, was making arrangements which would tend principally to his own advantage. That was the gentleman upon whom they were asked to confer this privilege, and for whose benefit the whole machinery of Parliament was to be put into operation. We were asked to make an instrument legal for the use of which his honorable friend—if he dare attempt it—would be liable to imprisonment. A prosecution had already been instituted against Mr. Franck, who was committed for trial, the proceedings falling through, however, in consequence of the action of the Attorney General of the day. The Attorney General acted upon his own opinion, but there were many persons equally capable to give an opinion upon the subject who considered that the prosecution ought to have been carried out. He looked upon the introduction of such a measure as insulting to the House. His own honest conviction was that gambling was pernicious, and that if it could be got rid of it would be a good thing for all. Let them not pass a measure, therefore, which would have the effect of facilitating gambling. He trusted that members of the Government would not give any assistance whatever towards the passing of such a Bill, and that the House would reject it.

Mr. FARNELL said that he had never been a betting man, and that he knew very little about betting. He was a great admirer of horse-racing, however, and he had all his life been in the habit of attending races. It had been said that horses were only run for the sake of the prizes, but the honorable gentleman who made that statement was entirely mistaken, and must have forgotten the history of the colony. Horse-racing became such a farce at one time that no

man of honour would allow his horses to run. When horses were tested at races the object was to ascertain what their capabilities were, and what was being accomplished in regard to breeding. For a number of years Parliament voted money for what was called the Queen's Plate, the object being to encourage the breeding of horses. A great deal had been said by an honorable member about the morality of jockeys, but what that had to do with this Bill he failed to see. This measure must be dealt with on its merits. Before the initiation of bookmaking, very little betting took place in the colony. What betting there was at that time was confined to a particular circle, consisting of the owners of horses and a few others interested in horse-racing; but since bookmaking was established, betting had become extremely prevalent. It was said that the Bill would encourage youths to bet, but he should say from his own experience that it would rather operate as a preventive. Every one who wanted to go into a sweep in connection with the totalisator would have to put down his cash. There would be no credit allowed, and that would be an advantage, because young men, whose parents were in a good position, did obtain credit from the bookmakers, who knew that they would advance the money rather than see their sons fail to pay their debts of honour. One would think, from what had been said by some honorable members, that we did not allow betting at all; but the fact was, the laws of the country did legalise betting to a certain extent. By legalising the totalisator we should not be allowing people to do any more than they could do at present. Any person on a race-course could go into a sweepstake; and he regarded the legislation of the totalisator as the adoption of the less of two evils in connection with the turf. He believed that it would have a tendency to prevent bookmaking, but the greatest argument in favour of the Bill was afforded by the fact that the bookmakers were most anxious that it should not become law. A Bill had been passed to suppress betting, but it had had very little effect. The honorable member for Parramatta had done his best to mislead the House in reference to the meaning of the clause, stating when and where the totalisator might be used. What was

proposed by this Bill was that a mechanical contrivance should be brought into use which would obviate the necessity of those who wished to stake money having recourse to bookmakers, as we well knew that by the attractions of the institution of bookmaking numbers of young men had been ruined. The measure would also prove advantageous to others who desired to stake money on the chance of a race. Whilst it was impossible to put down betting, we might at least make the system more simple and more honest, and less injurious in its results. As we could not make people temperate by law, but might rear them up with temperate habits, so we could not put down a practice of this kind at once, but might, by a judicious course of action, mitigate its evils. If this Bill tended to destroy the bookmaking system, which had become established in the colony within the last few years, it would be of great advantage to the community, and he would, therefore, vote for its second reading.

Mr. MACINTOSH could hardly understand the honorable member when he said that betting was legal.

Mr. FARNELL: It is legal; you can recover a bet by law.

Mr. MACINTOSH said he had the authority of a legal gentleman for stating that a wager could not be recovered by legal procedure. He found that the Act 14 Vic. No. 9, to amend the law relating to gaming and wagers, was intended to promote morality; yet the object of the Bill before the House was to repeal that Act so far as it related to the immoral practice of gambling on the turf. The Act 39 Vic. No. 28, which was intended to put down betting-houses, was also a measure the object of which was the promotion of morality.

Mr. GARRETT: It did not suppress a single betting-house.

Mr. MACINTOSH said the measure was intended for the suppression of immorality, yet the honorable member wanted to repeal it. There was no question that the honorable member's Bill would promote immorality. It had been stated in the House that there prevailed a custom of a degrading character in the shape of betting by bookmaking, and that great evils flowed from it. They were also informed that the law at present was

insufficient to put the practice down. This was a censure on the police, who evidently did not do their duty. But we had nothing to do with bookmakers; we had simply to consider whether the Bill would or would not increase immorality in the country, and, believing that it would, he should vote against it. It had been said that boys could not bet by means of the totalisator because they could not afford half-a-guinea for admission to the saddling paddock. It was, therefore, for the use of a privileged few, and he would always object to give privileges to one class which could not be enjoyed by all. Then, again, the game to be authorised was one of chance. The thimble and pea manœuvre on the table and the three cards were tricks quite openly used on the race-courses, and they were as games of chance on an equality with the use of the totalisator; but it was known that as great trickery prevailed in the practice of them as there would be in the use of this instrument. Again, in sweepstakes it encouraged persons to gamble with a view to get large sums of money without the ordinary amount of labour to obtain it, and he considered that all persons should give some value as an equivalent for what they received.

Mr. MURPHY said if he had not known it he should, after the speeches he had heard, been convinced that the bookmakers were getting good pickings out of the public. It was said the totalisator was a game of chance—in fact gambling; but were not little games of chance occasionally got up among religious bodies at bazaars, and nothing said of them? It was desired to do away with gambling by means of this instrument, and then when the attempt was made it was denounced as promoting a game of chance and could not be sanctioned. The object was a laudable one, and having a regard to the interests of the rising generation and the tendency to betting, the introduction of the totalisator must be a benefit to society. When the honorable member for New England complained that the law was not put into force in reference to betting, why did he not see that it was acted on. It was well known that the honorable member himself personally engaged in betting at times, and he should remember that an ounce of example was worth much precept.

Mr. BOWMAN supported the second reading because by means of the Bill we should be able to do away with the low betting fraternity on race-courses. It was said that the use of the instrument was illegal in England, and a case was cited to the effect that in 1870 a person was found guilty of using a similar instrument—it was not the same instrument, it was what was known as the "pari mutuel." But he was informed by a son of the late Colonel Waddy, who had recently returned from England, that since 1870 the instrument was used on all race-courses in England, and was generally regarded as a benefit to the public, who appreciated it very much. If we could bring it into use here on the race-courses, it would have a tendency to prevent young men from betting with bookmakers, as they were accustomed to do clandestinely, not only on the course, but weeks before the race meetings. With this instrument they would have to operate publicly, in order to get a draw, and therefore they would come under the notice of guardians or friends, so that they were not likely to use money from their master's till or obtained by means of false cheques, as did some who were serving their time in gaol after betting with bookmakers. He maintained that the totalisator was not a gambling instrument, and the Attorney General of England was of that opinion. It must put a stop to gambling, and would do away with a lot of bookmakers, who were the riffraff of the country, and especially that portion of them who made small books of from £10 to £20. The Bill did not legalise gambling—it simply legalised the use of the instrument, and it would afford some protection to young men. He knew that it would not suit many sporting men who would not patronise the instrument, the scope would not be large enough for them; as they liked to lay a thousand or two when they saw a good chance for themselves. As to the honesty that characterised horse-racing generally he might appeal to the honorable member for St. Leonards and others. And men he had in his own service looking after race-horses he knew were as honest as any of his other servants, and obtained good situations when they left. He therefore trusted that the Bill would be read a second time, and if in Committee

it could be altered to benefit the public, so as to grapple with the evils of gambling more effectually it would be still more acceptable than it was at present. He did not see that the use of the instrument could produce any harm. The committee of the Australian Jockey Club, gentlemen of character—Mr. Edward Lee, Mr. Scarr, and others, as well as the leading newspapers, gave their sanction to allowing it. Those who used it on the race-course would pay a kind of royalty to the club; but if the bookmakers had the money of those who bet the club obtained nothing.

Mr. McELHONE said this was about the most impudent attempt at legislation of which he had ever heard. A gentleman who had been a Minister of the Crown, and who for years occupied the high position of Chairman of Committees of the Assembly, now asked the House to legalise gambling among our people. He was surprised, by the remarks of the last speaker who, from his zeal in support of the Bill might be suspected of having an interest in the totalisator. If its use had been sanctioned in South Australia and Queensland, those colonies legalised gambling, and that formed no reason why the same false step should be taken here. The honorable member said that a number of respectable gentlemen, including Mr. Edward Lee, and Mr. Scarr, gave their sanction to the use of the totalisator. He hoped the Government would find something better for Mr. Scarr to do for his £600 a year than attending race-meetings and handicapping horses; and Mr. Lee—for whom he had a high respect—would be better employed in his duties as Crown Prosecutor than in advocating the use of instruments for legalising gambling. But at any rate Parliament had nothing to do with the swindles and blackguardism of the turf. The Bill ought to be scouted from the House. Only one member dare insult the House by asking it to assent to such a measure, and he the honorable member for Camden. Why did not the honorable member ask them to legalise gambling-houses as was done at San Francisco and on the Continent of Europe? Some forms of gaming were much fairer than this, which would put £1,000 or £2,000 a year into the pockets of Mr. Franck, who having been paid £300 a year to bring out German immigrants, brought out the

totalisator, and then asked the representatives of the people to legalise its use. He had heard of the rascality of book-makers, and he did not believe in them; but, whatever their faults, what they lost they generally paid, although there was no law to compel them to do so. Yet, they were condemned by those who got into their debt, and when on the wrong side forgot to pay. Whatever the result of the division on the second reading, he would take care, by resorting to every means open to him by parliamentary usage, to prevent so monstrous a Bill passing the House, and it should never take its place on the Statute Book. He believed the instrument was a fair one, but that it could be worked dishonestly during a race by conspiracies on the course among people who would share the plunder.

Question—That the Bill be now read a second time—put, whereupon a division was called for with the following result:—

Ayes	...	...	...	15
Noes	...	...	...	19
				—
Majority against	...	...	...	4

AYES.

Mr. Suttor,	Mr. Greville,
Mr. Farnell,	Mr. Thompson,
Mr. Gray,	Mr. Garrett,
Mr. Dangar,	Dr. Bowker,
Mr. Moses,	Mr. H. H. Brown.
Mr. Murphy,	<i>Tellers,</i>
Mr. Jacob,	Mr. W. C. Browne,
Mr. Coonan,	Mr. Bowman.

NOES.

Mr. Baker,	Mr. T. R. Smith,
Mr. Hoskins,	Mr. Burns,
Mr. J. Davies,	Mr. Hungerford,
Mr. Barbour,	Mr. McElhone,
Mr. Shepherd,	Mr. Dillon,
Mr. Macintosh,	Mr. McCulloch,
Mr. Webb,	Mr. Clarke.
Mr. Terry,	<i>Tellers,</i>
Mr. Wisdom,	Dr. Renwick,
Mr. Driver,	Mr. Long.

Question consequently resolved in the negative.

On the question—That the Order of the Day be discharged,—

Mr. GARRETT said he would take this opportunity of defending his conduct in proposing the Bill. It seemed that some persons considered it infamous, or an indication that there was something morally wrong, for a man to propose such a Bill. He had a considerable knowledge of the subject, and had devoted much attention to it, and he proposed the Bill

because he believed that nothing the House could do, below making it absolutely penal for a man to make a wager, would tend more than the Bill to put down the scandals and the evils attached to betting as it was now countenanced, and encouraged in connection with horse-racing. Some classes of betting had been prohibited, therefore the remaining evils were practically acknowledged by the Legislature. Without having any interest or consideration in the matter, except that of the public good, he proposed the measure. He rejected with scorn the imputation that he had done anything that any man might be ashamed of. The Bill had been rejected by two influences—by those who wanted to encourage gambling on the largest possible scale and those who were utterly ignorant of the question. The champions of the conventicle and the champions of the ring were banded together in opposition to the Bill. The very people who professed to be most anxious to put down the evils of wagering on horse-racing—who held up their hands in righteous horror at the mention of gambling—were found at the service of the ring who lived by gambling. He gave them joy of their victory. He would invite the attention of the opponents of the Bill to some trials shortly, when they would see the effect of gambling as now practised. He hoped that then they would be satisfied with their votes. Several honorable members must have been entirely ignorant of the question or they would not have voted as they did. Some very unfair remarks and gross misrepresentations had been made in a very plausible way, which he would reply to, were he in order in doing so. However, he was content with the result. There was on the business paper a Bill for the suppression of betting, and he would ask those honorable members who voted on this occasion with the champion of the ring to note well their votes when that Bill was dealt with. He prognosticated that those honorable members who were the loudest in their opposition to the Totalisator Legalising Bill would be silent with reference to the Bill he had referred to, and, so far from desiring to put down betting would most likely be found taking the opposite course to that which they had this evening advocated.

Question put, and passed.

MEDICAL BILL.

In Committee of the Whole,—

Dr. BOWKER moved,—

That it is expedient to bring in a Bill to amend the law respecting the qualifications of medical practitioners.

He said that the measure was an important one, such as it had been found necessary to adopt in other countries, but as he did not anticipate that the House would refuse to pass the motion, he would defer his remarks on the measure until he moved its second reading.

Question put, and passed.

Resolution reported to the House, and agreed to.

Bill presented, and read a first time.

STANDARD WEIGHT OF GRAIN BILL.

In Committee of the Whole,—

The amendments made in this Bill by the Legislative Council were agreed to.

JOADJA CREEK RAILWAY BILL.

Mr. GARRETT moved the second reading of this Bill. The object of the Bill was to empower a private company to construct a line of railway for their own use branching off the main Southern line, at or near Mittagong. The Bill had been carefully considered by a select committee of the House, and it contained the usual provisions for protecting the public interests. By passing the Bill the House would be doing something towards the development of what promised to be a large industry.

Mr. LACKEY said it was not the intention of the Government to offer any opposition to the Bill. In Committee he would propose some amendments in detail.

Question put, and passed.

Bill read a second time.

Bill verbally amended in Committee, and report adopted.

ADJOURNMENT.

Mr. WATSON moved the adjournment of the House.

Mr. McELHONE took advantage of the opportunity to call the attention of the Government to the action of the Executive Commissioner of the Exhibition, Mr. Jennings, in dismissing gate-keeper

Macdonald, who had refused to admit Mr. d'Avigdor and Mr. Wardell to the Exhibition without the production of their passes. Mr. Jennings had publicly alleged that his reason for dismissing Macdonald was that the man had been guilty of insolent behaviour to Sir Alfred Stephen. The honorable member read a letter from Sir Alfred Stephen in which he completely exonerated the gate-keeper. Mr. Jennings' statement put into the mouth of the Colonial Secretary in answer to a question asked in this House relative to Macdonald's dismissal was thus shown to be absolutely untrue; and he felt that, in justice to the injured man, Sir Alfred Stephen's version of the alleged offence should be made public. He contended that Macdonald ought to have been commended for the zealous performance of his duty, and that d'Avigdor ought to have been dismissed.

Mr. BARBOUR suggested that Macdonald, who, he understood, was to be reinstated, should receive the full wages due to him for the period of his suspension.

Question put, and passed.

The House adjourned at 10 minutes after 9 p.m.

Legislative Assembly.

Tuesday, 3 February, 1880.

Vacant Seat (Mr. Sutherland)—The Sydney Infirmary—
Mr. Charles Brown—Tramway and Omnibus Company's Bill—Joadja Creek Railway Bill—Immigration.

Mr. SPEAKER took the chair at half-past 4 o'clock.

VACANT SEAT.

MR. SUTHERLAND.

Mr. SPEAKER informed the House that he had received a letter from John Sutherland, Esquire, resigning his seat as member for the Electoral District of Paddington.

Sir HENRY PARKES moved,—

That the seat of John Sutherland, Esquire, member for the Electoral District of Paddington, hath become, and is now vacant, by reason of the resignation thereof by the said John Sutherland, Esquire.