

Legislative Assembly.

Friday, 6 February, 1880.

Bills assented to—Audit Transfer—Betting-houses
Suppression Bill.

Mr. SPEAKER took the chair at 29 minutes past 4 o'clock.

BILLS ASSENTED TO.

Colonial Spirits Duty Bill. Customs Increased Duties Bill.

AUDIT TRANSFER.

Mr. SPEAKER informed the House that he had received from the Auditor General, for presentation to the Assembly, in accordance with the 18th section of the Audit Act of 1870, a copy of a minute of the Governor and Executive Council authorising the transfer of a vote from one head of expenditure to another.

BETTING-HOUSES SUPPRESSION
ACT AMENDMENT BILL.

Mr. TERRY said he rose with some hesitation to move the second reading of this Bill, as he knew that a measure of the kind was likely to meet with extreme opposition in some quarters. It would be remembered that two or three years ago he had the honor to introduce a Bill styled the Betting-houses Suppression Bill. After that Bill passed to its third reading, he consented to its recommendation, and when in Committee, quite contrary to his expectations, the 1st clause was so altered that the very essence of the Bill was destroyed. Instead of suppressing betting-houses, as he intended, the Bill was restricted to the suppression of list-betting and betting advertisements; but even in those respects it had not been wholly successful because two clauses copied from the English Act were also struck out. He never could see why we should allow betting to be carried on in places of public resort. He knew an instance in which a gentleman came into possession of a large fortune, but by betting with bookmakers he lost the whole of that fortune. The man then obtained a situation in the Public Service, but his evil habits following him, he lost his situation, and at last found his way into gaol. He had been blamed for not giving up the measure after it had been amended

in such a manner as to destroy its object, but it was calculated to do some good, though not all the good he intended. But even for the suppression of list-betting, the Bill ought to have been made more stringent than it was. One of the clauses which was taken from the English Act, and which was ruthlessly struck out, would have enabled the Inspector General of Police to enter any house on sufficient information that it was a betting-house. That clause was found to operate well in England; in fact, the English law could not have been enforced without it. Another clause which was struck out, and which was really a very important one, provided that, in case of any person declining to prosecute after causing an information to be laid, the adjudicating magistrates might authorise some other person to prosecute. Such a clause was necessary, because we knew that the men who won their thousands and tens of thousands—and he had been informed that on one event a magnate of the ring won no less than £30,000—would not hesitate to pay a good sum to settle any case brought against them. Most of the money won by bookmakers was made up of amounts that came out of the pockets of poor people, and not of the stray bets they got from those who could afford to lose. The majority of persons who made betting a profession no doubt took great care to make something like a certainty of their bets. They would not bet a large sum of money unless they were supplied with information from the stables which would enable them to bet almost with certainty, but the general public had not that advantage and were misled in more ways than one. They were misled through the horses in their trials being made to run with heavier weights than they would have to carry in the race, and in other ways. It was said that if a Bill of this kind were passed it would be a great blow to the national sport of horse-racing; but this he denied. Horse-racing would not be interfered with at all, but the disreputable practice of public betting which now existed on our race-courses, would be made to disappear. It had been said by no less a person than Earl Morley, in the House of Lords, that some of the high-class newspapers in England declined to publish advertise-

ments connected with betting. One of his reasons for opposing a Bill which was recently before the House was that he thought it better to strike at the root of the evil, and because he thought it would be wrong for the House to encourage gambling in any form. If the House went into Committee he would move one or two necessary amendments in the Bill. One would be to give effect to a section introduced into the existing Act by Sir John Robertson, as to a public place. He found that that section had no reference to any other section of the Act, and the reason was that as most of the sections depended on the first, when the pith was taken out of that section, most of the remaining sections were made inoperative. It was very easy to say that betting could not be suppressed, but he maintained that it could be suppressed in the same manner as pitch-and-toss, or any other unlawful game could be put down. It might not be possible to suppress private betting, but we could suppress public betting—such betting as was carried on at Tattersall's and on race-courses, and which led hundreds of persons into ruin. We could make it so difficult for bookmakers to practice their calling, that they could not exist in New South Wales, and that was one of the objects he had in view. It was by association at the resorts of bookmakers long before the day of the race, and by the temptation of long odds, that young people in this country were led into ruin. The Attorney General of England said—

Servants, apprentices, and workmen, induced by the temptation of receiving a large sum for a small one, took their few shillings to these places, and 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 infrequently 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.

He desired to allude to one particular advertisement, which appeared in England, and to which the English Act put a stop—

Three splendid speculations. Great success. For the trifling stake of 15s. you can realise £3,000; for £1, £12,000; and for £8, £37,000. For particulars apply, without delay, to so-and-so, Guernsey.

[Mr. Terry.

If an advertisement like that could be put a stop to in England, he could not see why the police could not put a stop to similar advertisements here. In England the great sporting papers never published an advertisement of the kind without warning their readers against it; but our newspapers were only too ready to publish them. The leading newspapers of England declined to publish them on any account. Mr. Anderson, in moving the second reading of the English Betting Bill, said—

Perhaps the most respectable sporting papers in this country are *The Field* and *Land and Water*. These are papers that encourage horse-racing, but neither of them will admit one single betting advertisement, not even a tipster's advertisement. I have letters from *The Times*, *The Daily Telegraph*, *The Daily News*, *The Standard*, *The Hour*, *The Echo*, and *The Globe*, all stating that they had made it an absolute rule to refuse insertion to every betting advertisement, some of them adding that they had come to this decision, notwithstanding the fact that they were offered double their scale prices for them. What conclusion can be drawn from this? Why, no other than that the editors of these newspapers know that there is something bad about the betting advertisements. We all know that newspapers are most anxious to cultivate their advertising columns, and we may rest assured they would not refuse these particular advertisements unless there was something decidedly wrong about them.

The same gentleman—Mr. Anderson—related numerous instances of the evils of betting. In this colony we had prohibited card-playing in public-houses, and the game of pitch-and-toss, and if it were a wise thing to put down those games, was it right to allow thousands of pounds to be lost and won by betting at a place like Tattersall's? It might be said, and with truth, that we could never put a stop to betting altogether. Neither could we put a stop to burglary or any other crime altogether, but we could reduce it to a minimum, and we could prevent bookmakers from winning large sums of money. The House ought to step in to protect the people from themselves. All persons were not masters of themselves, and under the influence of excitement on the race-course many were induced to bet, and if they were unlucky they usually kept on, hoping to regain what they had lost, until they lost all. He had been 'accused of betting.' He had never lost more than a few pounds on a race-course. He did not bet very heavily, and

during the last two metropolitan meetings he did not visit the race-course at all. That, however, was not the question; the question ought to be, was it right to allow the evil to exist in our midst, corrupting the youths of the country? The Bill would in no way affect horse-racing, because the prizes were sufficiently large to enable the owners of winning horses to pay their expenses. As to the breed of horses being injuriously affected, he would like to know whether it was not already seriously injured by our present system of handicapping. A few nights ago we had it from an honorable member well acquainted with the betting-ring, that if no betting took place at all he would continue to run horses on account of the high prizes which were offered. A great deal of unhappiness resulted from the thousands of pounds which were won and lost upon the race-course. For instance, if a man won—as had actually happened to his own knowledge—£10,000 from a bookmaker, the amount was paid out of hundreds of pound notes won from people who could ill afford to pay them. He wished to see the vultures of the turf prohibited from plundering the people at Tattersall's and elsewhere. He hoped the House would throw out the Bill upon the second reading rather than take it into Committee and mutilate it. When the honorable member for Camden (Mr. Garrett) introduced a certain Bill a few days ago, a number of honorable members declaimed very strongly against the evil practice of betting. They condemned betting in language as strong as they could use, and tried to make it appear that bookmakers were nothing more than harpies living upon the money of others. How could those honorable members refuse to support this Bill? The Bill did not propose to touch the stakes handed over to the winner of a horse-race; it would, in fact, leave the pastime of horse-racing to all intents and purposes in its present position. It would simply prevent the further increase of the evil practice of betting, which had spread so rapidly during the last five years. The bookmakers might have been frightened by the Bill of the honorable member for Camden, but they were ten times more frightened of this measure, because they knew perfectly well that it would prevent them from indulging in their pernicious calling.

Mr. DRIVER said one would imagine that upon a motion of this kind the mover would have studied the subject in all its bearings, and would be in possession of evidence in support of his measure to which other persons had not access. He had heard many public utterances in this Chamber and in other places, but he never before heard, in so short a time, so much childish nonsense and absurd mis-statement as was made by the honorable member in moving the second reading of this Bill. The honorable member's sole object in introducing it appeared to be to put down Tattersall's Club. The honorable gentleman was himself a member of that club for some time, and took a very active part in its meetings, attending regularly to ascertain the state of the betting. He defied the honorable member or any one else to say that he ever heard, at any one of these meetings, anything of which a man need feel ashamed, or that he observed misconduct of any kind whatsoever. Some of the leading men of the country had identified themselves with the club for many years, and had held office as committee men, joining in any movement for the benefit of the club. It was grossly absurd to say that large wagers were made at Tattersall's. People did not go there to make large wagers; they were made outside in private conversation with bookmakers.

Mr. TERRY: At Tattersall's public-house.

Mr. DRIVER: Nor were large wagers made there. We had heard a great deal about bookmakers. He had been identified with Tattersall's for many years; and he thought, from his experience, that if the bookmakers were taken as a whole they would be found to be among the warmest, kindest-hearted men in the country. No call was made upon their charity, in any case of real distress, when their purse-strings were not immediately opened; and the contributions they tendered were larger than those given by the general body of members of the club.

Mr. McCULLOCH: Easy come; easy gone.

Mr. DRIVER: Other people made money quite as easily as the bookmakers. We heard of the market being rigged as well as a horse being got at on the turf; and although some gentlemen who rigged

the market held the plate at the church door, their purses were not always so readily opened to relieve a case of distress. There were, of course, some honorable exceptions. The mover said he knew a gentleman, once in the Public Service, who had found his way into one of our gaols through betting. He knew the person in question perfectly well; and he also knew that his ruin was not brought about by betting, but was occasioned by hard drinking. From the honorable member's speech one would imagine that hundreds of young men had been ruined by betting. He had as large a practice in the criminal Courts as most men in his profession, and he confessed that he had never known a single case brought before the Court in which a man could fairly say that he had been brought there through betting. Of course, in Tattersall's, as in other clubs, black sheep would make their appearance; but was every man to be deprived of the liberty of doing what he liked with his own because there were a few scabby sheep in the flock? He held that a man had a perfect right to bet if he used his own money. If Tattersall's Club outraged public decency, step in by all means; but how could the fact of a number of gentlemen meeting in a particular room, at all times open to the Press of the colony, to ascertain the state of odds, and to have a quiet chat—because there were members of the club who never betted—be said to have this undesirable effect. There was but one member of the committee who made bets to any large extent. Many were in the same position as that of the honorable member for New England, who said he had not bet heavily for the last two years. The honorable member might have had a "knock," and, if he had, would be one of the first to cry out. The honorable member asserted that betting was gaining ground; but any bookmaker would say—and the statement would meet with ample confirmation—that for every £1 which was bet now, £200 or £500 was wagered not more than five years ago. Betting was now on the decrease; so much so that many of the bookmakers found it difficult to make a living.

Mr. BARBOUR: Because, there are so many of them.

Mr. DRIVER would as strongly condemn Tattersall's as the honorable

[Mr. Driver.

member if it could be shown that the club had brought young men to ruin. As long as the English language was spoken people would continue to bet. We might pass any laws we liked for its suppression; but betting would still continue. What did the honorable member propose to do with ladies who betted pairs of gloves? He had no doubt the honorable member for Argyle would put down betting or anything else he did not agree with. For his own part he had always made it a principle of his life never to—

Compound for sins, *he was inclined to,*
By damning those he had no mind to.

There was a great deal of mock piety in connection with the Bill and apparently there were some honorable members who liked to be considered pious. Since the practice of bookmaking had been established in this country a great change had taken place in the value of horses, and breeders were now able to obtain much higher prices for their stock than formerly. If we had no bookmakers what would become of the studs of such men as Mr. Andrew Town, Mr. Cox, and Mr. Reynolds, who had spent thousands in endeavouring to improve the breed of horses, and who had been tempted to do so by the large prices obtained since the practice of bookmaking was established? If people could not win large stakes, it was not at all likely that they would pay very high prices for animals in order to train them. It was all very well to say that people ought to run their horses for the love of the sport, but how many men could afford to do that? There were very few connected with the turf in this country who could afford to do it; and in England there were only one or two noblemen connected with the turf who did not bet. Viscount Falmouth was one, he believed, who never did bet, although he had the largest team of horses in England. What would be the consequence if, by the passing of this measure, people were prevented from betting, which they had a perfect right to do, so long as they speculated with their own money? The breed of horses in the country would degenerate, the price would decline, and the large breeding establishments would in all probability be broken up. The House ought to consider well before passing a measure of this description. Those

who desired to have the sports of Old England kept up in this part of the world, and to see them carried out in a spirit of honesty and fair play, need not be very much afraid by what they had heard this evening. There were several honorable members who had been members of Tattersall's, some who had been on the committee, and he would ask them whether they knew of anything that could be urged as a reason why that institution should be abolished.

Mr. GARRETT said the honorable member had described the remarks of the mover of the second reading of the Bill as childish; but he thought that as far as his arguments were concerned the same language might be applied to the speech of the honorable member for Windsor himself. One would have supposed from his remarks in reference to Tattersall's Club that the sole object of the measure was to put down that institution. The Bill had no such object. No doubt the honorable member alluded to him when he spoke about members having been on the committee of Tattersall's Club, and it was true that he had been on that committee for several years. All he could say was, that it was fortunate for the community generally, or at least for those in the habit of betting, that there was such an institution in existence; because a great many frauds in connection with the turf had been detected and the perpetrators punished, and a great many attempted frauds had been defeated by the action of the club. It was a good thing, therefore, that such an institution should exist so long as wagering was carried on. The main function of Tattersall's Club was to undertake the settlement of disputes, and they had nothing to do with races beyond that. He, for one, would not support the Bill if its object were to put down Tattersall's Club. Horse-racing was not a bad thing in itself. It would improve the breed of horses, which was a matter of great importance in this country; but that did not convince him of the necessity of tolerating betting if it were fruitful of great evils to the community. One fact which should be borne in mind was, that no matter how much money was won or lost on a race it did not increase by one shilling the prizes obtained by the owners of the horses. It had been stated, over

and over again, that horses were run merely for the excitement of the sport, the prize going to pay expenses; and it was a fact that the largest owners and breeders did not lay wagers. Two of the gentlemen mentioned by the honorable member for Windsor never did make wagers, and the other gentleman had not made one for some considerable time. The owners of horses did not depend upon wagering for the means of keeping their studs, which were maintained as a matter of business.

Mr. CAMERON: What gives blood-stock its value then?

Mr. GARRETT would vote against the Bill without saying another word if the honorable member could show that the prices were increased or decreased by the amount staked. All the money lost and won did not increase the amount of the stakes. The honorable member for Parramatta stated the other night that horses could be run for the amount of the prize only. The prizes were made up by the contributions of the owners of the horses with the added money of the club, which was obtained from the money paid by the public to enter the grounds, the cost of the sale of booths, the money obtained for seats on the grand-stand, and similar sources. He did not think that the charity of the bookmakers had anything to do with the question, and if horse-racing were to cease entirely in consequence of the suppression of betting, that would not be too high a price to pay for such a beneficial result. Betting was an evil of vast extent and had its ramifications throughout all sections of the community, so that it was impossible to over-estimate the injury which resulted from it. He was surprised to hear the honorable member for Windsor say that he had never heard of a case of misfortune arising from this cause. In the course of his lifetime he had known many men toppled down from high positions of usefulness from no other cause than an injudicious indulgence in the practice of betting. This was one of those social evils which we should endeavour to destroy, so as to save the unwary from the consequences of their own conduct. If it were necessary to put down list-betting, because it frequently resulted in money being filched by young men from their employers, we were equally

called upon to put down the evil with which this Bill was intended to grapple. He referred to the invitations to invest money in "monster" sweeps. The other day he quoted an advertisement of a sweep of £2,000, but that was only one of a score that would be got up. Before the Sydney Cup was run he ventured to say that £40,000 or £50,000 would be gathered by these advertisements. Would not the people who got up these sweeps be supported in the same way as list-betting was supported?

MR. DRIVER: That is against the law as it is at present.

MR. GARRETT: Then the law is weak, or its administration is weak, otherwise it would be put down. We now had an opportunity of dealing with the question, and we ought to do so. During the last four or five years there had been a tribe of bookmakers whose books did not exceed £50,—men who would take a wager as low as 5s.,—and wager with any one they met. These men hung about at the street corners or at certain hotels, and carried on the business from one year's end to the other. Were they not list-bettors in another guise? He had not heard any one yet attempt to justify wagering or to assert that it was not a practice, whether carried on successfully or unsuccessfully, that was morally pernicious. It prevailed to such an extent now as to have become a widespread evil, and it was the duty of the Legislature to do what they could from their common sense and knowledge of the subject, to put it down. He was not in favour of frantic legislation, nor did he speak from an extreme religious point of view. He took the view of an ordinary man who did not profess in every action of his life to be governed by high moral principles. Knowing what he did of the practice and the effects of indulgence in the passion, he must say that no legislation we could pass would be more useful or beneficial to the community than that which would put down the evil that existed. He defied any one to point to a principle which could be applied to the action of a legislator which would justify him in withholding his hands from assisting in the work now put before the House to do. It was no answer to him to say that he wagered. Having been a wagerer, he claimed to have experience in the

[*Mr. Garrett.*]

matter; and as the result of his experience he would say that next to drinking there was no passion or vice which a man could indulge in which was more degrading to his moral character if followed up, none which was more certain to impoverish his means, or more calculated to draw his mind away from everything else which was worth thinking about. That was his experience of men of ordinarily constituted minds. He appealed to all history, to the knowledge we all had of human nature, as to whether that was not a justifiable statement. That man must be more than human who could touch the thing without being defiled by it in some way or other. It was an old saying and a true one "What comes over the devil's back will go under his belly." No good ever came of money which was won at wagering. The worst thing that could happen to a young man was for him to win a wager. It was the devil's bait to ruin in ninety-nine cases out of a hundred, and the man must have a heart as hard as adamant who would follow up the game. He had known men who had been successful who then had reverses, and growing desperate, had followed their fortune up, the result being that they kept their families and all belonging to them poor for years. They were not wicked enough to resort to the tricks and foul courses which would enable them to win; and so they got down in the world and probably would never rise. These were not single cases, but the prevailing consequence of the indulgence in wagering. He distrusted the honorable member who had charge of the Bill; he doubted the honorable member's zeal and ability, because, when he had an opportunity of clipping the wings of the evil, he did not avail himself of it. That, however, would not prevent him from doing his best to make this a radical measure and at the same time an effective one. It was of no use to go to a quixotic extent in our legislation, but we could do some good by stopping this widespread and growing evil, and he would consider the whole session well spent if we only passed a measure that would stamp out this growing evil.

MR. CAMERON said it often happened when a body of gentlemen such as the House was composed of took a thing into

their heads which they imagined to be good, they were in danger of being seized with a scare,—running from one extreme to the other. It seemed to him that that was the position which the House occupied with respect to the betting question. He did not suppose there was any man in the House who would stand up and say that it was a good thing for young men to indulge in inordinate betting or that inducements should be offered to lads to rob their employers for the purpose of betting. We seemed to have this betting business on the brain for the last week or two. The first attack was the introduction of the Bill for legalising the totalisator. After listening to the fervent and somewhat angry speech of the honorable member for Camden (Mr. Garrett) and recalling to mind the fact that that honorable member had introduced the Totalisator Bill, he wondered how the honorable member could justify his inconsistency. The honorable member said he would support the measure, and at the same time he denounced the author of it, because he did not believe in his ability or his sincerity.

Mr. HOSKINS : He did not say his sincerity. He said his zeal.

Mr. CAMERON : That was a distinction without a difference. The honorable member for Camden did not believe in the honorable member for New England because he would not vote with him last week to legalise a system of betting. He certainly could not understand the honorable member for Camden. Last week he seriously asked the House to legalise a system of betting which would enable young men to bet more easily than under the system now in vogue, and which would place the whole betting power of the country in the hands of one man for his own profit, and now the honorable member was found supporting a Bill which said people should not bet at all. He could not boast of the betting experience of the honorable member. By his own account, the honorable member seemed to be no better for his betting. From the tone of his speech one would think that he had lost a great deal of money by it. It struck him that if the honorable member had been a tremendously heavy winner he would not have exhibited the warmth he showed in his speech. He would oppose the Bill on higher grounds. He had

as little to say in favour of an inordinate system of betting as the honorable member for Camden had. He granted it was an evil, and he believed that it permeated the community to a dangerous degree. But whilst admitting this he would ask honorable members what this Bill would do to stop it? If honorable members voted for it under the impression that they would suppress betting they would be throwing dust in their own eyes. The honorable member for Camden said last week that his Bill was defeated by the joint influence of the "ring and the conventicle." Now, the honorable member appeared to have discarded the ring and joined the conventicle. Had the conventicle spirit so far blinded the honorable member as to make him think that this Bill would do any good? Did the honorable member imagine for a moment that whilst the English language was spoken we could suppress betting? It was impossible to stop it. Then was it to come to this, that if two gentlemen met inside a house and wagered a hat on a certain event, the house would be suppressed as a betting-house?

Mr. GARRETT : There is no such absurd proposal in the Bill.

Mr. CAMERON : The Bill could be interpreted in that way. From the spirit in which the Bill was framed, he considered that was what things were rapidly coming to. Another objection existed—one which the honorable member for Camden had often used against measures of a similar character—and that was, that as you increase the punishment of anything of the sort, so you would increase the illicit dealing in it.

Mr. HOSKINS : It is illicit now.

Mr. CAMERON : No.

Mr. GARRETT : Yes it is.

Mr. CAMERON defied any one to put it down. It was not illicit, but it just happened that it was managed in a way that kept it without the four corners of the law. Pass any Bill that the human mind could devise, and the men who evaded the present law would find means of evading that. The attitude taken by the honorable member for Camden could not be seen by the House, or his arguments would not pass for twopence. He put it to the honorable member whether if he legalised the totalisator, he would not have —

Mr. GARRETT: Put down the most dangerous elements of betting.

Mr. CAMERON: To throw all those dangerous elements into one pocket. He happened to have seen this machine, and he understood its working as well as the honorable member knew it, and he maintained that the undoubted effect of its operation would have been that the sole proprietor would have pocketed thousands of pounds, and it would have given additional facilities to illicit and surreptitious betting. But the honorable member now wanted to stop legitimate betting even amongst gentlemen, who, in nine cases out of ten, could afford to bet; and yet he would give a monopoly of betting to one man who happened to be the possessor of a recording machine.

Mr. GARRETT: I do not desire to do anything of the sort.

Mr. CAMERON knew the instrument as well as the honorable member did, and had seen its operation. The reason he had for not giving his vote for legalising the use of it was a belief that the brain which devised the totalisator could also devise the means of making it cheat. It would register a number of bets on a particular event, but if its use had a moral tendency would it not be equally moral for a man to keep a blackboard and chalk to register wagers?

Mr. GARRETT: If he did so, and suppose it to be used at the same time and under the same conditions, it would lessen the evil.

Mr. CAMERON: That was only list-betting in another shape, and no one knew this better than did the honorable member.

Mr. GARRETT: The honorable member either did not, or would not, understand it.

Mr. CAMERON: The honorable member was well aware that he did understand the instrument. If betting were the abominable evil the honorable member portrayed it, why did he want to legalise the practice? Simply because his common sense told him that while these sports took place, and human nature was what it was, it was impossible to stop betting. The passing of this Bill would be a great fraud on the Statute Book, and would result in nothing, however honorable members might deceive themselves with hope. It would not operate for good, and the honorable

member who last spoke was clever enough to discover how it could be defeated.

Mr. GARRETT: That is no argument.

Mr. CAMERON thought it was an argument. If we found men clever enough to evade it the Bill would be of no avail. We could not prevent gentlemen like the honorable James White from betting.

Mr. GARRETT: You cannot prevent murder.

Mr. CAMERON: Could it be shown that betting would be prevented even if it were punishable? He was not fond of betting; in fact, he was not in the habit of betting, although he took a keen interest in all kinds of sport. But in this measure he saw a blow struck at a national sport, at vested interests, at the interests of men who were quite as good as those who were trying to level them.

Mr. CHARLES considered that the honorable member who had just sat down had failed to adduce any argument against the Bill; and his attempt to show the inconsistency of the honorable member for Camden (Mr. Garrett) in seeking to legalise the totalisator and afterwards supporting this measure, carried very little weight in regard to the question before the House. Betting was acknowledged to be injurious to the welfare of the community, as a whole, and we had now to consider whether the Bill would remedy or lessen the evil. There were men, we had heard of, who robbed the rich only to give to the poor; but connected with betting circles there were men who robbed the poor to give to the rich. He characterised bookmakers as land-sharks—men who devoted all their time to finding out how they could filch the money of innocent fools. Tattersall's Club, it was said, was not a betting club; if so, the Bill could not affect it in any way. The club was said to be simply an association to regulate the disputes that arose in connection with horse-racing, and if so there was nothing in the Bill to its prejudice. But it would have this effect, it would prevent young men from dishonestly abstracting money from their master's tills, and entering on a course of gambling which might lead to their ruin. It would limit the evil of betting, and in passing the Bill we should be doing something which would benefit

society without doing harm to any one. The other night he heard an honorable member say he never betted except when he was pretty sure of winning, acknowledging thereby that he took money out of other people's pockets because he was aware of facts of which they were kept in ignorance. He had always understood that it was dishonorable to bet on an event of which one had private information. As was said to-day, no Bill could prevent betting; but it might lessen its injurious effect and limit its operations. For his own part, he was fond of witnessing a good horse-race; but of late years the annoyance on the race-course, occasioned by the cries of those loudly inviting people to bet, had led him to avoid the sport. Betting had gone to such an extent that it was not the best horse which won the race, even if he were able to do so. Good horses, owing to the absurd system of handicapping, had to carry enormous weights. A better plan would be to exclude the winner in one race from entering for a second. Let horse-racing be carried on fairly and free from the evils of betting, then the sport could be enjoyed. If it were carried on only for the sake of betting, the sooner it was put down the better. Indeed, he questioned whether we had not already gone too far in breeding blood-horses, and in doing so had neglected the breeding of useful animals which would pay better on the average than race-horses, although blood-horses might bring high prices in the case of one in fifty or a hundred. It had been said to-night that if the Bill operated against one form of betting, others would exist which were quite as bad. But that was no excuse for permitting betting. If rigging the market were an evil, and could not be touched, that formed no ground for countenancing betting, and especially not for encouraging it. If the argument that the measure would give rise to illicit betting were good in this case, it would be good as against passing any law for the suppression of crime.

Mr. FITZPATRICK thought it a great pity that, in attempting to legislate on this subject, honorable members had not forbearance with those from whom they differed. An honorable member had said that no one would vote against the Bill unless it were some one who had been

unfortunate in his speculations on horse-races. He denied the fairness of that inference as far as he was concerned. He was not infatuated with horse-racing, nor did he bet except as a social amusement by joining in an occasional sweep of half-a-sovereign. A man was next to an idiot who would bet when he knew all the villainy underlying horse-racing. The remedy was that people should not be so idiotic as to bet. He voted against the Bill as legislation of what he called—not offensively—a goody-goody kind, which sought, by Act of Parliament to prevent a man from doing that which was to his disadvantage. There was something reasonable in legislation that imposed penalties for doing wrong to a neighbour. But what wrong was there in a person meeting his friend, and saying he would give 10 to 1 on the Sydney Cup, against such and such a horse; or what wrong did another person do in accepting the offer?

Mr. CHARLES: One is robbing the other.

Mr. FITZPATRICK: How—when neither took an improper advantage, and when to each the issue of the event was equally an uncertainty? There could not be any wrong in two men thus staking a sum of money on a race to come off in the future, and the winning of which by any horse could not be influenced by either of them. He would always oppose systematically legislation of this kind. To make the matter plain, there was nothing wrong in betting; but there was connected with betting on horse-racing—and every other kind of betting when it became systematised—an immense amount of villainy; and the remedy was that people should abstain from betting. It was the same sort of platform that we had had on the temperance question. Was there any wrong to society in a man's taking a glass of wine or spirits if he thought it good for him? The man did not wrong either his neighbour or himself, but our very good people wished to pass a law to prevent him from taking a glass of wine or spirits, or to render it difficult or impossible for him to get one—as was the case on our railways, where we were under the dominion of Mrs. Grundy, and were unable to get either wines or spirits. It was a factitious sort of legislation which no Legislature ought to pass, or would honour

itself by passing. He was one of those who took an intense interest in horse-racing, and derived great pleasure from the concourse of people on a race-course, or at a regatta or cricket match; but he had never bet on a horse-race in his life, and he hoped he would never be such an idiot as to do so. He believed that, as a rule, the men who bet systematically—namely, the bookmakers—were men who paid their way honestly and did not wrong anybody. He was aware that in the complications of horse-racing some exceedingly dishonest things were done; that riders were bribed, that horses were “pulled” and even doctored so that they should not win the race; but the fair inference was that men ought not to bet where such things were done. He voted against the Totalisator Bill because of the strong arguments used against it by the honorable member for Parramatta and other honorable members, and because it would be legalising another form of betting, which he was unwilling to do; but at the same time he was convinced that it was the honestest kind of betting he had seen on a race-course, so far as it went. The Bill, as it was worded, was a little complicated; but, as he understood it, if a few members of a club played a game of whist together, for such small sums of money as were common among gentlemen, they would be liable to a penalty, and the club-house would be declared a nuisance. He did not want to be taken up as a vagrant, but he frequently played cards, and there were few members of clubs who did not. This kind of legislation was not to be commended; for you could not make a man honest by Act of Parliament. You might make the thing a little more roundabout, but even then the unfortunate apprentices so much referred to would not be benefited. One of the advantages urged in favour of the totalisator was that the betting would take place publicly on the race-course, but if this Bill were passed, betting would be done secretly, and therefore in a more objectionable manner. If a man could do a thing openly, he was more honest in his tendencies than if you compelled him to do it in a clandestine way. You could not prevent betting by the Bill, nor could you ever prevent it while men chose to bet. If this legislation were carried out

[*Mr. Fitzpatrick.*

to its full extent, it would have to be applied to boat-racing and to cricket, as well as to horse-racing. It was notorious that in boat-racing the betting element had become of the same character as in horse-racing, and it was openly discussed now whether a boat-race was honestly conducted or whether it was a pre-arranged means of plunder. It was notorious also that betting prevailed in cricket, one of the finest of our athletic sports, until now we had got the length of sometimes doubting whether a match was a legitimate one, or whether it had not been brought about for the purpose of winning money. All that he had to say was that he would not bet on a cricket match, or a boat-race, or a horse-race. The promoters of the Bill, however praiseworthy their motives, were seeking to commit the House to a species of legislation which was not creditable, and which would fail in its object.

Mr. HOSKINS said the honorable member for Yass Plains admitted that horse-racing was attended with great evils, consequent upon the passion for wagering, which it was known existed upon the turf; but the honorable member, while admitting that there was an evil, declined to suggest any legislative remedy. The temptations offered to win money by wagering were rapidly tending to enervate the public sentiment; and it was our duty, if possible, to put a stop to this gambling passion which now prevailed so largely among our people. There were a number of young men so absorbed in the passion that they would bet upon anything—they would not scruple even to bet upon the duration of the life of their own parents.

Mr. FITZPATRICK: I have heard bets made upon the votes of this House.

Mr. HOSKINS: That was a further evidence of the extent to which the passion for betting was permeating the whole community. If we could curtail it by legislation we should do so, because the highest object of legislation should be to promote the welfare, prosperity, and moral well-being of the community. The Bill would not, as the honorable member for Yass Plains alleged, prevent gentlemen from betting together, or from playing a game of cards in a private house, because that would be an interference with the liberty of the subject which no person

having regard for the constitution of our country would sanction. While the Bill would not permit any intrusion upon the intercourse of private life, still it would enable the police to put down recognised betting-houses, where persons met for the purpose of betting. If the Bill should prove efficacious in closing those houses, to which young men were attracted by offers of liberal odds to invest money—purloined perhaps from their parents or their employers—we should, in passing it, do a great deal towards rescuing many a young man from impending destruction. Was not this a worthy object for a Legislature acting in the interests of public morality to achieve? It was said that the Bill would have the effect of putting a stop to horse-racing. To that he replied that the interests of public morality demanded that if horse-racing could only be continued with the assistance of betting-houses, horse-racing had better cease. All sorts of roguery took place in connection with horse-racing. Horses were pulled or run against posts, and a number of men called bookmakers—men of a very bad character; as a rule—obtained a living by promoting these disreputable practices, and by cheating and defrauding those who betted honestly, and in ignorance of the mysteries behind the scenes. If we could drive these men to get an honest living, or to remove somewhere else, we should be doing some good. But what did we find following from the pursuit of horse-racing? It did not promote the breeding of useful horses. On the contrary, we had weeds—young horses—which were trained to run short distances for gambling purposes, rather than animals which would be useful in our interior. Twenty or thirty years ago far more useful horses of the hack and roadster stamp were bred in the colony than at the present time. This was because our horse-racing, instead of improving the breed, was reduced to the level of cock-fighting. He hailed the introduction of this Bill with great pleasure, and hoped honorable members would assist in passing it, as it must have a most beneficial effect upon the morals of the young men of the country. The passion of gambling was productive of the very worst results to the community. He was convinced it would be found that many of the young men in

the gaols of this colony and of Victoria had commenced their downward career in life through gratifying a desire to win money by betting upon horse-racing. He should vote for the second reading of the Bill.

Dr. BOWKER had no doubt the honorable member for New England had brought the measure forward with a very worthy object; but his attempt to legislate in this direction was just as futile and puerile as the attempts of honorable members to deprive people of the opportunity of taking a glass of wine, because it was injurious. He believed that a game of whist for threepenny points, or the making of small bets upon a race-course, did not constitute gambling in a bad sense. They were both harmless amusements, which afforded enjoyment to a great number of people, and he saw no reason why that enjoyment should be curtailed by legislation. Besides, it was admitted by every honorable member who had spoken that we could not prevent betting. Then why should we make a law which made a practice we could not prevent more criminal on the part of those who resorted to it innocently? That was a valid argument against the passing of the Bill. Horse-racing had many good effects. It was an old English sport, and betting upon horse-racing was an old English custom. No one could prove that this betting had contaminated the English people so much as had been alleged by some honorable members. It had been remarked that betting did not affect horse-racing because the prizes were sufficiently high to afford an inducement to racing, and it had also been remarked that betting had nothing to do with the high prizes. But it was the number of subscribers which made the prizes high. If the British nation considered betting a luxury they would subscribe largely in order to afford themselves the opportunity of indulging in that luxury; and in this way it followed that high prizes must have some relation to betting. It was entirely a mistake to say that horse-racing had not improved the breed of our horses. Blood must be admitted to have a great deal to do with the quality of horses; a thoroughbred would be more likely to produce good horses than a strong, sound, useful horse of a coarser breed. Notwithstanding the imperfections caused by

handicapping, it was well, then, to encourage horse-racing. Our English cavalry would never have achieved their most celebrated exploits but for their good horses. Some honorable members appeared to have had reason to be dissatisfied with their betting; and the honorable member for Camden, among them, had waxed quite enthusiastic in support of the measure, but the bad fortune of these honorable members was no reason for legislation in this direction.

Mr. LONG wished to refer to the remarks of one or two speakers who had preceded him. An honorable gentleman with whom he generally agreed, had fallen into error on a few points. The Minister for Lands had said that racing so far from improving the breed of horses had caused the quality of the animals to deteriorate, that a useless class of horses were being produced, and that the horses obtainable now were not nearly so good as those we were accustomed to buy many years ago. If the honorable member had attended the show of horses held a few days ago on the Exhibition ground he would not have arrived at that conclusion. The draught horses exhibited on that occasion were acknowledged to be the finest collection of animals of that kind ever seen in this colony, and the same might be said of the thoroughbred class. So far from thoroughbreds being the useless animals which they were said to be he believed there was no time when so strong a description of animal was bred for racing purposes as at the present day, and the reason of this was that unless a horse was of a very high class, combining speed with ability to carry weight, it would have no chance in any race. Relying on the handicapping would not pull an owner through, because his horse was sure to have to contend with an animal which could carry heavy weights and also run at a high speed; besides which there was the danger of the handicapper overrating a horse's capabilities and giving it a weight which would render it impossible for him to win. The horses, King of the Ring, Goldsborough, First King, Chester, Calamia, and others, had won races against high-class fields whilst carrying top weights. The population of this colony twenty years ago was about five times less than at the present time, conse-

quently the demand for horses might be expected to be about five times less. It might be expected therefore that the demand for horses in the country being so much greater now, there would be greater difficulty in obtaining good animals; but that was not the case. The breeding of hackney, carriage, saddle, and buggy horses, was never carried on with greater success than it was at present, and he could say from his own experience that it was easier to get a horse of good character for useful purposes at a moderate price now than it was twenty years ago, and he attributed that to racing and the breeding of thoroughbreds for stud purpose. He should oppose this Bill—not because he thought betting a good thing, but because he objected to all restrictive and oppressive legislation of this kind. He did not think betting so thoroughly injurious in its results, and so offensive to the public, that it required to be dealt with in the manner which the author of this Bill proposed to deal with it. In support of his view, he drew the attention of honorable members to what Macaulay had said on the subject. Macaulay in his “History of England” pointed out, that after the Restoration in consequence of the restrictive measures which had been adopted by the Puritans in order to put down sports of every description, a reaction of so violent a character took place that people rushed into all manner of excess, and in all classes of society vice became rampant. Macaulay said—

Public amusements, from the masques which were exhibited at the mansions of the great down to the wrestling matches and grinning matches on village greens, were vigorously attacked. One ordinance directed that all the Maypoles in England should forthwith be hewn down. Another proscribed all theatrical diversions. The playhouses were to be dismantled, the spectators fined, the actors whipped at the cart's tail. Rope-dancing, puppet-shows, bowls, horse-racing, were regarded with no friendly eye. But bearbaiting, then a favourite diversion of high and low, was the abomination which most strongly stirred the wrath of the austere sectaries. It is to be remarked that their antipathy to this sport had nothing in common with the feeling which has, in our own time, induced the Legislature to interfere for the purpose of protecting beasts against the wanton cruelty of men. The Puritan hated bearbaiting, not because it gave pain to the bear, but because it gave pleasure to the spectators. Indeed, he generally contrived to enjoy the double pleasure of tormenting both spectators and bear.

[*Dr. Bowker.*

He feared that some who supported this Bill did so not because they hated betting but to restrict the pleasures of other people, and, perhaps, because they had been foiled in another object. In another place Lord Macaulay said, referring to the re-action which followed the Puritan restrictions—

Those passions and tastes which, under the rule of the Puritans, had been sternly repressed, and, if gratified at all, had been gratified by stealth, broke forth with ungovernable violence as soon as the check was withdrawn. Men flew to frivolous amusements and to criminal pleasures with the greediness which long and enforced abstinence naturally produces. Little restraint was imposed by public opinion. For the nation, nauseated with cant, suspicious of all pretensions to sanctity, and still smarting from the recent tyranny of rulers austere in life and powerful in prayer, looked for a time with complacency on the softer and gayer vices.

These quotations illustrated his view of the matter. He thought the Bill would not produce the result expected from it. It would not put down betting. We had heard from the member for Camden that the Press allowed advertisements respecting gambling transactions to appear in its columns, and that it afforded all the information possible about racing. He had seen an article in the *Sydney Morning Herald* subsequent to the rejection of the Bill of the member for Camden to legalise the totalisator, condemning in the strongest terms the system of betting; yet, that journal supported this pastime, and had its representative attending the principal meetings. If the *Sydney Morning Herald* was so opposed to the practice of betting it should at least have the fairness to practice what it preached. The representative of the *Sydney Morning Herald* attended the races at Melbourne with his book, no doubt, in the interests of his employers. If this highly moral journal wished to put down betting with so strong a hand, it ought at least set the example of following out the rules which it laid down for others. The *Herald* had connected with it what was at one time the greatest sporting journal of the colony. The *Sydney Mail* was part and parcel of the same business, but many, probably, did not imagine that the *Sydney Morning Herald* had anything to do with the *Mail*, because the *Herald* eulogised the *Sydney Mail* as if it belonged to a different estab-

lishment altogether. He should vote against the second reading of the Bill for the reasons he had given.

Mr. MURPHY would certainly support the motion for the second reading, because if there was one thing more than another which required putting down in this country it was the demoralising system of betting. It was carried on to a very large extent not only at Randwick but at all the other racing grounds throughout the country. He did not say that this Bill would stop betting, but it would make it difficult, if not impossible, to carry on the practice to such an extent on the turf. There was nothing to prevent betting in private houses. The honorable member for Windsor had said that during a long experience in the criminal Courts of the country he had never met with a person who had been induced to commit crime through the pernicious practice of betting. He had had no experience in criminal Courts, but he had known many such cases. He had known young men brought into the position of criminals, and he had known men to be sent into the Insolvency Court through betting. The practice was one which exercised a demoralizing influence throughout the community. It had been said by the honorable member for Parramatta that the breed of horses was much improved through racing, and that it was better than it was twenty years ago. That was not correct. Such useful animals as could be obtained twenty years ago were not to be had at the present time. They were not in the country, and the animals exhibited in the Exhibition grounds a few days ago had neither action, form, nor strength. They were of scarcely any service whatever. Something had been said about the vested interests of the horse breeders, but were we to legislate for vested interests, and by so doing to sacrifice the best interests of the whole community? The interests of the community must be protected, and to that end the evil practice of betting must be put down.

Mr. FARNELL had listened to the debate attentively in order that he might gather some information on the subject, with which he was not well acquainted. He had heard a great deal said about the evil effects of betting, but he had not heard one member say that this Bill would suppress betting. He did not think the

Bill would do what the honorable member expected of it. Like many other measures, it was interpreted by the speeches of honorable members, but its phraseology, if it became law, would have a different meaning. The honorable member for New England had admitted that the Bill he brought in previously was so imperfect that it did not carry out what was intended.

MR. JACOB: The Committee was responsible for that.

MR. FARNELL thought the Bill went too far. He was one of those who did not believe that we could make people moral or sober by Act of Parliament. No Act of Parliament could alter the habits and morals of the people. You might turn an impure stream aside and in time purify it, and in the same way you might improve the morals of the people. If the Bill proposed to regulate the evil, as it ought to do, he should support it, but as it would neither regulate nor suppress the evil he could not do so. What was the use of bringing such a sham before Parliament? It was going altogether too far to say that a private house would be a betting-house. Supposing a number of friends were playing cards at a private house, would that be betting within the meaning of the Bill? The honorable member had not said so. The Bill should provide for the regulation of the evil.

MR. BARBOUR: Put in words that will do so.

MR. FARNELL: It is not legitimate legislation to pass the second reading of a Bill with a view to make it right in Committee. He believed that the Totalisator Legalising Bill would have done more towards regulating the evil than would the Bill before the House. The Totalisator would give every one a fair chance, and he wished that the Bill had passed. He voted for the previous Bill introduced by the honorable member for New England, but he could not vote for this one, as he was convinced that it would not result in effecting what was desired.

MR. JACOB said that the clause in the Bill which it was proposed to substitute for one in the Act was identical with the clause which was before the House when the Act was passed. It was, however, completely emasculated in Committee, and the Bill was made unworkable. We could repress crime, and where it was

shown that there was anything which was growing into an evil against society, it was the duty of the Legislature to endeavour to suppress or check it. The honorable member for St. Leonards could not have listened to the able and telling speech of the honorable member for Camden or he would not have said that no argument had been adduced in favour of the Bill. The Bill required no further elucidation than that contained in the speech of that honorable member. The honorable member for New England ought to be thankful to the honorable member for Camden for his generosity in supporting the Bill, considering the opposition the honorable member made to the Totalisator Bill. The clause of the Bill was copied almost word for word from an English Act. It was said that a bullock team could be driven through an Act of Parliament, but that was no reason why we should not pass Acts to endeavour to suppress evils. He noticed that it was announced at the Exhibition that lotteries or raffles were to take place for certain articles there, and it was stated that the Attorney General had given his sanction to the proceedings.

AN HONORABLE MEMBER: It is intended to dispose of works of art.

MR. JACOB: Of rubbish, pans, cups and saucers, and so forth. The proceeding was illegal, and there was nothing in the Act which gave the Attorney General power to sanction it. He hoped that the Attorney General had not sanctioned these lotteries. He was astonished at an honorable member possessing the intelligence of the honorable member for St. Leonards saying it was not his duty to assist in perfecting legislation in Committee. The honorable member for Windsor had argued that a man had a perfect right to do with his money as he pleased. He wondered why the honorable member did not argue in that way when the Licensed Publicans' Act was before the House. That Act made it punishable for a man to play cards in a public-house. Surely if he had a right to waste his money in betting on a race-course he had an equal right to waste it on cards in a public-house.

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

[*Mr. Farnell.*

Ayes	...	...	27
Noes	...	...	5
Majority for			22

AYES.

Mr. Wisdom,	Mr. Jacob,
Mr. Watson,	Mr. Charles,
Mr. Hoskins,	Mr. Day,
Mr. Baker,	Mr. Murphy,
Mr. W. C. Browne,	Mr. Dangar,
Mr. J. Davies,	Mr. Garrett,
Mr. Lucas,	Mr. Moses,
Mr. Macintosh,	Mr. Terry,
Mr. Roseby,	Mr. Barton,
Mr. Teece,	Mr. W. Davies,
Mr. Greville,	Mr. Beyers.
Mr. Burns,	<i>Tellers,</i>
Mr. Webb,	Mr. Thompson,
Mr. McCulloch,	Mr. Barbour.

NOES.

Mr. Farnell,	<i>Tellers,</i>
Mr. Cameron,	Dr. Bowker,
Mr. Driver.	Mr. Long.

Bill read a second time.

In Committee,—

Clauses 1 and 2 were verbally amended and agreed to.

Mr. TERRY moved,—

That the following new clause, to stand clause 4 of the Bill, be inserted:—"If any Superintendent or Inspector of Police shall report in writing to the Inspector General of Police that there are good grounds for believing and that he does believe that any house office room or place is kept or used as a betting-house or office contrary to this or the Principal Act it shall be lawful for the said Inspector General by order in writing to authorise such Superintendent or Inspector to enter any such house office room or place with such constables as shall be directed by the Inspector General of Police to accompany him and if necessary to use force for the purpose of effecting such entry whether by breaking open doors or otherwise and to take into custody all persons who shall be found therein and to seize all lists cards or other documents relating to racing or betting found in such house or premises."

New clause agreed to.

Mr. TERRY moved,—

That the following new clause be inserted, to stand as clause 5 of the Bill:—"Clause 5. In case any person who shall have laid any complaint or information in respect of any offence against this Act shall not appear at the time at which the defendant may have been summoned to appear or at any time to which the hearing of the summons may have been adjourned or in the opinion of any Justices having authority to adjudicate with respect to the offence charged in such information or complaint as aforesaid shall otherwise have neglected to proceed upon or prosecute such information or complaint with due diligence it shall be lawful for such Justices to authorise any other person to proceed on such

summons instead of the person to whom the same may have been granted or if such Justices think fit to dismiss the summons already granted and authorise any person to take out a fresh summons in respect of the offence charged in such information or complaint in like manner as if the previous summons had not been granted."

This clause was a copy of one which was in the English Act, and was necessary to prevent a complainant being bribed by the bookmakers, who were often men of great wealth and very unscrupulous.

New clause agreed to.

Bill reported with amendments.

The House adjourned at 26 minutes before 9 o'clock p.m.

Legislative Assembly.

Tuesday, 10 February, 1880.

Savings Bank of New South Wales—Purchases by the Government from Members of Parliament—Sites for new Hospitals—Claim of Richard Peard—Parramatta River Bridge—Mr. Inspector Richardson—Mr. Henry Baylis—Stamp Duties Bill—Adjournment (Circular Quay—Closing of the Exhibition).

Mr. SPEAKER took the chair at 29 minutes after 4 o'clock.

SAVINGS BANK OF NEW SOUTH WALES.

Mr. LONG rose to move resolutions, of which he had given notice, affirming that in certain respects the law relating to the Savings Bank of New South Wales required amendment; but, understanding that the Government purposed to deal with the subject, he desired to know from the honorable the Colonial Treasurer whether such was the intention of the Government.

Mr. WATSON said the Government had had the subject under consideration for some time, and it was their intention to bring in a Bill to amalgamate the Savings Banks and the Post Office Savings Banks, and to make even greater changes than the honorable member indicated in the motion of which he had given notice. No doubt there were anomalies in the management of the two institutions; for instance, the Savings Bank allowed 5 per cent. on deposits, while the Post Office Savings Bank was prohibited from allowing more than 4 per cent. The Bill, which