

SECTION III - REFORM AND RESTRICTION

CHAPTER FIVE

THE CHALLENGE TO GAMING AND BETTING, 1880-1900

During the final quarter of the nineteenth century Australian society appears to have grown more complex. Historians have documented the emergence of political parties and the movement towards federation, the collapse of the long economic boom and its replacement by economic depression, the continued growth of the major cities, and the accompanying romanticisation of a rural ethos and national identity. Other important changes in Australian society, related in various ways to these developments, include: the colonial education system's increasing concern with compulsion and a secular curriculum; the churches' more vigorous ventures into the general affairs of society; and particularly, an increased class awareness.¹

In the increasingly urban mass society of the late nineteenth century, gaming and betting were subjected to intense opposing pressures which derived from distinct value systems. On the one hand, the gambling entrepreneurs who earned their income from providing gambling facilities, sought to promote increased opportunities for the gaming and betting activities of those who saw nothing wrong with the practices. On the other hand, opponents of gambling, mainly churchmen expressing the attitudes of a different cultural milieu, began to incorporate an anti-gambling element into an overall philosophy which accepted the need to impose social reform through the use of legislative measures. Analysis of these opposing forces and their comparative success in the two decades from about 1880, requires the

¹ These issues can be pursued by reference to the text and the bibliography provided by G. Buxton "1870-1890" and B. de Garis "1890-1900" in Crowley, op.cit.. Some of these questions are discussed further below.

placing of the opposing value systems in their wider context of the changes listed above. In particular, given the different place of gaming and betting in the value systems of the different class categories as discussed in Chapter Two above,² it is necessary to place them in the context of increased class awareness.

Connell and Irving have illustrated at length the development of a greater working-class awareness in the 1880s and 1890s. They suggest that a transformation of working-class consciousness began in the 1860s and 1870s with the Eight Hour Day movement, and culminated in the 1880s and 1890s with working-class mobilisation in unions, local government and colonial parliamentary politics. Forces promoting class awareness included the solidarity required for strike action, the development of working-class suburbs and the appearance of workers' co-operatives³. Connell and Irving also document an increased class awareness within "the ruling class" after the mid-1880s, largely as a response to working-class mobilisation, with the formation of united fronts by businessmen in organisations such as the Victorian Employers' Federation and the Central Council of Employers of Australia.⁴

John Rickard has offered a similar description of the development of class awareness based on a two class dichotomy.⁵ His account

² see above, pp.20-22.

³ Connell and Irving, op.cit., pp.191-200.

⁴ ibid., pp.208-210.

⁵ John Rickard, Class and Politics: New South Wales, Victoria and the Early Commonwealth, 1890-1910, Canberra 1976, pp.287-311.

distinguishes between the working class and a middle class. Although his middle class includes employers, it appears to encompass a larger group than Connell and Irving's "ruling class", and the forces which he claims promoted class awareness extend beyond those of a work place relationship. Rickard, whose argument is more concerned with an awareness of cultural values, also places emphasis on the churches' role in this process.

The Sunday School picnic, for example, was an important institution, as representative of middle-class values as the eight hours celebration was of working-class values. The Catholic Church was the only church which now exercised any real influence on working-class life. As far as the Protestant churches were concerned, it was said that 'to speak of one man as a "Labour" man and another as a "Liberal" is almost synonymous with saying that one is anti-Church and the other a Church man.'⁶

Rickard, Connell and Irving, and most other historians of this period,⁷ agree that class awareness was heightened in the two decades from 1880, but the details of the interpretations vary according to whether or not the authors subscribe to a Marxist two-class analysis tradition. Both Rickard's and Connell and Irving's accounts fall within this tradition, though Rickard admits that such an analysis is difficult to maintain. He is conscious of the difficulties involved in listing the small farmers as part of his middle-class and aware of more than linguistic problems when he suggests:

The other possible weakness in this working-class/middle-class model of Australian politics

⁶ ibid. p.302. The quotation is from F.C. Spurr, Five Years Under The Southern Cross, London 1915, p.220.

⁷ Particularly historians of the labour movement. For example see Robin Gollan, Radical and Working Class Politics, "A Study of Eastern Australia", Melbourne 1960, p.106.

is the extent⁸ to which it excludes the possibility of an upper class.

Connell and Irving demonstrate that if analysis of class awareness is restricted to the politics of this era, a Marxist two-class dichotomy is facilitated by categorising the rural gentry and the urban businessmen as two rival factions within a ruling class, but Rickard's examination suggests that once the analysis extends beyond contests for political power, into the realm of cultural values such a dichotomy is less appropriate. The colonial gentry had not yet disappeared, and their values were not synonymous with those of Rickard's middle-class protestant churchmen. Analysis of colonial gaming and betting in the 1880s and 1890s demonstrates the existence of competition between three value systems which can be described as those belonging to the working classes, the middle classes and the gentry. The gentry's value system remained much as it had been in earlier decades.

Gentry Gambling

During the final decades of the nineteenth century the traditional conservative bastions of colonial gaming and betting maintained their positions. The major jockey clubs in each colony remained at the head of any listing of betting institutions. Flemington and "Royal" Randwick racecourses continued to build on

⁸ Rickard, op.cit., p.305.

their images as places for the ultimate in fashionable excitement and entertainment, whilst the principal racecourses in the other colonies continued to copy their cousins. Vice-regal patronage continued and prominent visitors were conducted to the major race carnivals, whether such expeditions suited them or not. The uncritical, enthusiastic acceptance of a visit to Flemington by Richard Twopeny in 1882, and the contempt felt about a similar exercise by Beatrice Webb in 1898, were both expressions of recognition of the place of horse racing in the colonial gentry's value system, and the visitors' opinions of that value system.⁹

In like manner the bastion of gentry gaming remained. The gentlemen's clubs survived and expanded, with the Australian Club in Melbourne providing an important addition to their lists in 1878. This newcomer was lacking neither funds nor social position. The Victorian governor was a regular visitor after the club's first vice-regal dinner in March 1880, and no doubt he and his successors were impressed by the club's extensive, if grandiose, 1890s building programme which included the addition of a mural to decorate the well patronised card room.¹⁰ As was the case for the racing clubs, the premier gentlemen's clubs were aped throughout the colonies by lesser bodies, although in Adelaide, in the words of one observer, a small "puritan element still sets its face as steadily as it can against

⁹ A.G. Austin (ed.) The Webb's Australian diary, 1898, Melbourne 1965, p.89. The Webb's tour of the course included a visit to the Governor's Box "in which were gathered all the Governors and Governesses of Australia"; Twopeny op.cit., pp.210-214.

¹⁰ Adrian Akhurst, History of the Australian Club (Melbourne), Melbourne 1943, pp.13, 25-27.

cards as the devil's playthings".¹¹ This element had little effect. The gaming promoted by the clubs remained an acceptable aspect of Australian gentry etiquette.

For the gentry, gaming and betting continued to be forms of conspicuous consumption which could demonstrate their contempt for money. More importantly however, the exclusive nature of the gentlemen's clubs and the premier race clubs served to strengthen the bonds between members and their awareness of the gulf between them and the masses outside.¹² These men continued to see themselves as men of substance, who knew what they could afford to do or to lose. Those members involved in horse racing could also justify their sport by reference to the need to improve colonial breeding stock. Racing, they argued, was a true test of a horse's worth and through horse racing breeders could ensure that the best blood lines were promoted successfully.¹³

By the 1880s however, the pastoral gentry, studmasters and others, were no longer the undisputed leaders in all aspects of colonial life. Political control had already largely passed to the

¹¹ Twopeny, op.cit., pp.220-221.

¹² This gulf was symbolised on the racecourse by the rail in the grandstands dividing members from the general public. Edward Lee's motion to remove this rail was discussed with contempt at the annual general meeting of the A.J.C. in 1881, Daily Telegraph, 18 January 1881.

¹³ For examples of this argument see N.S.W.P.D., First series, vol.87, pp.739-740. Sydney Mail 18 December 1875. This view was rejected by the Queensland Legislative Assembly Select Committee inquiry into the improvement of horse stock, 1903, Report, p.v. See also leading article, Sydney Morning Herald, 22 March 1876.

hands of the mercantile capitalists and the gentry's economic and social positions were also under threat. In the post gold rush era of the long economic boom to about 1890, investment in railway development, land speculation and construction, as well as manufacturing and the production and promotion of new inventions, mark the growing economic dominance of mercantile capitalism.¹⁴ In this atmosphere the gentry and their values were becoming increasingly anachronistic. By the final decades of the nineteenth century the urban centres and the middle class values of their leaders were assuming positions of greater importance.

Urbanisation and Industrial Development

The urbanising process apparent in the previous period continued throughout the twenty years after 1880. By the early 1890s both Melbourne and Adelaide contained more than 40% of their colonies' populations, and by the end of the century Sydney, with a population of 488,000, housed 35% of New South Welshmen, a rise of 9% from 1861¹⁵ In that colony a further five towns had reached a population of 10,000 by 1891. Also by that year, Brisbane could boast of a population exceeding 88,000 or 22.3% of the colony's total, and in Tasmania the

¹⁴ B.K. de Garis "1890-1900" in Crowley, op.cit. p.217; Roger McGhee "The Long Boom, 1860-1890" in James Griffin (ed.), Essays in Economic History of Australia, (2nd edn.) 1970, pp.161-166; N.G. Butlin, Investment in Australian Economic Development 1861-1900, Cambridge 1964, p.16; for some inventions see Graeme Davison, 'The Rise and Fall of Marvellous Melbourne', Melbourne 1978, pp.42-43, 131-133.

¹⁵ Jeans, op.cit., p.295.

major centres continued to grow, albeit more slowly. Hobart and environs numbered around 30,000 people, and Launceston and environs exceeded 18,000.¹⁶

The figures for the smaller colonies do not suggest an image of densely settled manufacturing cities and indeed, Linge has estimated that Tasmania possessed only about 6,500 factory employees by 1891. His estimates for South Australia (12,800) and Queensland (16,000), although higher, also emphasize that factories were not yet the dominant employers of colonial labour. In New South Wales and Victoria however, they did employ significant numbers - about 50,000 and 58,000 respectively in 1891 - after a period of rapid growth in the 1880s.¹⁷

If, as Connell and Irving suggest,¹⁸ the colonies still had to await the first world war to receive the impetus necessary for the development of industrial capitalism, the major cities were highly urbanised commercial centres by the 1890s and, at least in the larger colonies, those cities dominated politics and the economy. In politics the central topic of debate had shifted from the question of land tenure to the rival merits of free trade and tariff protection. During and after the 1890's depression the problems of urban commercial capitalism loomed even larger as the dominant political question, even

¹⁶ Linge, op.cit., p.383, 643, 664. Other Historians provide figures which suggest an even greater degree of urbanisation. Buxton, op.cit., p.189, suggests that New South Wales had 66% urban population and Victoria 65%, in 1891.

¹⁷ ibid., p.708.

¹⁸ Connell and Irving, op.cit., p.209. For discussion of the nature of Melbourne's industrial development in the 1880s see Davison, op.cit., pp.41-71.

successfully reviving the movement towards inter-colonial federation.¹⁹ This urban-centred commercial atmosphere promoted the values of the urban middle classes.

Middle-Class Values

As political and economic developments began to overtake the old rural gentry, the growing urban middle-classes began to expound the virtues of their values more stridently. The merchants, bankers, managers, professionals, bureaucrats and shopkeepers of the cities sought the stability and order in urban society suggested by their aspirations to home-ownership.²⁰ Paternalism towards the working classes was a major element of their value system just as it had been for their counterparts in early and mid-Victorian England.²¹ It found expression in compulsory elementary education, promotion of the family, and various means of working-class "improvement" - ranging from the mechanics institutes and lending libraries to the advocacy of temperance and anti-gambling.

Gaming and betting had no place in the middle-class value systems. The ethos of improvement based on hard work and sensible investment of capital saw these practices as anathema. It frowned upon

¹⁹ P. Loveday and A.W. Martin, Parliament Factions and Parties: The First Thirty Years of Responsible Government in New South Wales, 1856-1889, Melbourne 1966, pp.135-148; de Garis, op.cit., pp.223-225, 234-250.

²⁰ See Davison, op.cit., pp.175-177, 185, 190-191.

²¹ See above, Chapter Three, pp.88-90.

the gentry's recklessness but saw their practices as doing little real harm. Working-class gambling however was another matter. Successful gaming or betting by the working classes had the potential to undermine the middle class ethos, and unsuccessful gaming and betting would lead to greater impoverishment, thereby endangering not only the individual losers and their families, but also the social order.²²

As was suggested by John Rickard,²³ the role of the protestant churches in defining and reinforcing the urban middle class value system, and promoting a separate middle class consciousness was most important. On questions concerning gaming and betting, they and their journals were quite consistent, and were concerned to put their own houses in order before accusing others of the vicious gaming and betting habits. The Australian Wesleyan Methodists in 1878 and the Sydney Diocese Anglican Synod in 1884 outlawed the use of raffles, lotteries or other games of chance as means of church fund-raising, before proceeding to campaign against the gaming and betting practices of others.²⁴ It would be inaccurate to suggest that gaming and

²² The Witness, 16 August 1884, attempted to illustrate this last aspect by discussion of the results of gambling in Europe and South America. It suggested that lotteries led to an increased incidence of stealing in Mexico, and that in Monaco gaming table losses led to 21 suicides during one 78 day period. Similar views were expressed frequently in all the major protestant journals throughout this period, but they were expressed most lucidly in a 212 page treatise by Major Seaton Churchill, Betting and Gambling, London, 1894, especially pp.67-71.

²³ See above p.155.

²⁴ Australian Wesleyan Methodist Church, Minutes of General Conferences 1-8, 1875-1897, Second Conference 1878, p.38 (M.L. 287.01); Proceedings of the first session of the third Synod, Diocese of Sydney, February 3rd to February 13th 1884. pp.24 and 37.; The Watchman, 1 March 1879.

betting became the focus of a full scale protestant church campaign in the 1880s and 1890s however. Other features of colonial life in need of reform occupied a more prominent place in public debates, but the gambling question did take its place behind, if not beside, education and temperance, as one of the issues of importance to the general middle-class protestant cultural milieu of late colonial urban society, and it was one issue on which protestantism was united. Walter Phillips even claims that the first Council of Churches in 1889, "was organized, principally to defend the Christian Sunday and to combat gambling".²⁵

The most frequently used basis of attack was the allegation that gaming and betting were evil because they were demoralising; that they led to, or were the parents of crime; that they were accompanied by idleness, immorality, cruelty and fraud; and that they inevitably led to disaster. The protestant press published stories of "victim(s) of the gambling mania" such as the New Zealander who, after winning £160, celebrated his good fortune to the extent that, in the throes of delerium tremens, he bashed his head against the wall in a Wellington gaol cell, where he was later found dead.²⁶ They also reported the deaths of jockeys killed in racing accidents, suggesting that "a great responsibility rests on many persons in such matters ... are they innocent who get up, control, and patronise such amusement?"²⁷

25 Walter Phillips, op.cit., p.XIV.
 26 Protestant Standard, 7 May 1884.
 27 The Witness, 20 September 1884.

Essentially, protestant church periodicals such as The Witness, The Baptist, the Protestant Standard and others, were reinforcing protestant values by preaching to the converted. At least they were preaching to those members of society sufficiently committed to the aims of the churches to read their periodicals. But their activities also went beyond this to the presentation of petitions to the legislatures, and the production of occasional pamphlets such as those by Rev. P.J. Stephen and Henry Varley.²⁸ These pamphleteers attempted to offer detailed arguments against gambling, with the Methodist P.J. Stephen pointing to its covetousness and its meanness, and describing it as an activity which "is an attempt to make money and secure pleasure out of the loss and misery of the loser".²⁹ Stephen also offered advice on the means to effective reform;

...every voter ... should bring pressure... to bear upon the legislature, that machinery of the State may be set in motion to suppress this vice. The aristocratic clubs must be dealt with as well as the 'two-up schools' and the chinese dens.³⁰

There was no great novelty in this advice. Throughout the 1890s,

28 In the 1890s the New South Wales parliament received anti-gambling petitions from a variety of church organisations which included the New South Wales Evangelical Alliance, the Council of Churches, the Baptist Union of New South Wales, the Christian Endeavour Union, Newcastle Primitive Methodists, the Central Methodist Mission, Sydney Wesleyan ministers and various Presbyterian and Congregational churches; Henry Varley was a globe-trotting Englishman and non-denominational preacher who was active in the colonies, particularly in Melbourne in the 1890s. Two of his pamphlets The Impeachment of Gambling and The Bookmaker - or Turf Secrets Revealed were particularly popular. Henry Varley, Henry Varley's Life Story: By His Son, London [1913], p.148.

29 Rev. P.J. Stephen, The Microbe of Gambling, or What Makes it Wrong, Sydney, [1898], p.15.

30 ibid., p.8.

the protestant churches and related organisations were seeking legislative reform of licensing laws, through electoral pressure brought by the various temperance societies.³¹ The temperance societies met with only limited success, prior to the turn of the century, and the anti-gambling agitators fared no better. Stephen successfully identified part of the problem in his separation of "aristocratic clubs" from the "two-up schools" and the Chinese dens. Although he and his fellow protestants opposed all kinds of gaming and betting, the colonial reality was that it existed in many forms and whilst it was possible to marshal support for attacks on those forms favoured by the working classes, the gentry were still well able to protect their interests.

Another feature of urban middle-class values, also very relevant to the gambling debates of the late nineteenth century, is the concept of profit. Business profit and entrepreneurship were central virtues of commercial urban society and as such they posed real problems for middle-class opponents of gambling when entrepreneurs began to cater in earnest for the gaming and betting values of the masses.

³¹ See below Chapter Six, pp.218-232, J.D. Bollen "The Temperance Movement and the Liberal Party in New South Wales Politics, 1900-1904", Journal of Religious History, vol.1, No.3, June 1961 passim; The New South Wales Women's Christian Temperance Union in 1899 had 39 departments, one of which was for anti-gambling promotion. Sydney Morning Herald, 30 September 1899.

Working-Class Gaming and Betting Values

Although historians have examined the colonial working classes of the 1880s and 1890s in depth, little has been revealed of their cultural values. Even the debate over Russel Ward's exploration of their identification with a rural ethos has not established a clear picture. Most emphasis has been placed on examination of their working and political lives, and the ways in which these changed. There is however, no reason to believe that the values ascribed to their English counterparts did not apply to them.³² Despite the emergence of working-class suburbs and co-operative movements, a greater awareness of their position in the colonial society, and greater class solidarity promoted by unionism and the political Labour party, there is little evidence to suggest that the working-classes were wholly content with their lot, or that they did not dream of some windfall which would change their circumstances dramatically. The average Melbourne workman, earning between eight and ten shillings per day in the 1880s, had little chance of fulfilling such dreams through savings and investments, after paying perhaps ten shillings for rent and twenty shillings for the basic weekly food.³³

During the '90s depression working-class opportunities for advancement were reduced even further. The only real opportunity for such people to escape their circumstances was provided by gaming and

³² See above, Chapter Two, pp.21-22.

³³ For a discussion of necessary working-class expenditure and budgets see Davison op.cit., pp.191-195, 198-201.

betting; particularly those forms which offered the possibility of a large return for a small investment. Such thoughts were however, anathema to urban middle-class society which continued to advocate self-improvement and advancement through savings and industry, and which viewed the prospect of sudden windfalls to members of the lower classes, through gambling, as one which could undermine their own value system, as well as the entire social structure.³⁴ Other members of the middle classes, however, were less concerned with such fears. They were more interested in the prospect of commercial profit which could be achieved by catering for working-class dreams.

Accordingly the story of colonial gaming and betting in the 1880s and 1890s is largely a story of conflict between rival middle-class values. On the one hand the values promoted by the protestant churches sought to prohibit gaming and betting, or at least to protect the working classes from themselves. On the other hand gambling entrepreneurs, protected by the lingering gentry values, sought to reconcile the working-class value system which saw gaming and betting as a possible means of escape, with the middle-class concept of commercial profit.

³⁴ Ross McKibbin, op.cit., pp.162, 165-169, has supported these arguments in his analysis of British working class gambling. He suggests that "saving, as a form of behaviour was associated with middle-class hectoring" and that betting, for the working class, was in part an intellectual exercise, perhaps their only one.

Entrepreneurs and the Legislature

Entrepreneurs and businessmen in general in the late nineteenth century were very conscious of the fact that huge profits could be made through developing new ideas or marketing new inventions. One invention, which first appeared on colonial markets in 1878 and was to prove a major problem for legislators for at least three decades, was the totalisator. When Frenchman Pierre Oller devised the pari-mutual system of betting in 1872 his primary concern was to remove the bookmaker from the racecourse betting process.³⁵ The system was based on the concept of pooling the total amount invested by shareholders and then distributing an equitable proportion to each winning share. Although he removed the bookmaker, Oller replaced him with an army of clerks, and his system remained slow and cumbersome. Within six years New Zealand initiative had replaced the clerks with a hand operated calculating machine - the totalisator, and rival "tote" companies were bidding for a share of the potentially lucrative gambling market in the Australian colonies.³⁶ The basis of the totalisator's (or pari-mutual's) claim for acceptance was that the system offered "true" odds, determined by the actual proportions of money invested on the various competitors, rather than the "fictitious" odds offered by the bookmakers whose profits resulted from their ability to weight the odds in their favour.

³⁵ Wykes, op.cit., p.191.

³⁶ For examples see advertisements and letters in Evening News, 15 July and 19 August 1879, and Griffiths, Turf and Heath, op.cit., p.93.

Although the totalisator was generally accepted as a fairer method of betting, the mixed reception it received was an accurate forecast of its stormy future in Australia. Its opponents argued that the tote's fairness was its main liability; that the machine would make the evil of betting more attractive, thereby facilitating its spread.³⁷ Others argued that betting could never be removed, but that its worst elements, the bookmaker and attempts to bribe jockeys and owners, would be destroyed if the totalisator was allowed free rein on the courses.³⁸

By 1879 the "tote" concept was familiar to most Australians. Race clubs, including the A.J.C. and the V.R.C., were keen to establish totalisators on their tracks, under their own supervision, to oust the bookmakers, establish a monopoly over racecourse betting and use the profits gained (from a small percentage deduction from the total pool of investments) to supplement prizemoney.³⁹ Other enterprising individuals sought to cater for the off-course betting market and wasted no time in promoting the advantages of their "totes" over those of their opposition. One of the more appropriately named tote promoters was Melbourne chemist Henry Gamble, who added Gamble's Totalisator Company to his list of business ventures which included Gamble's Celebrated Cough Lonzenges and Safe Hair Vigour.⁴⁰ His tote

³⁷ For examples see Evening News, letters, 28 August 1879, editorial 27 November 1879 and news articles 29 November and 2 December 1879.

³⁸ See editorial, Sydney Morning Herald, 5 December 1879.

³⁹ For examples see Evening News, 29 October 1879, Sydney Morning Herald, 1 December 1879, (letter from W.B. Cortis) and Barrie op.cit., p.71.

⁴⁰ Evening News, 15 July and 19 August 1879.

operation was a very simple affair. From the total pool of investments on major horse races such as the Sydney Metropolitan Handicap or the Melbourne Cup, fifty per cent of the amount subscribed was to be divided among the shareholders who selected the winning horse; thirty per cent of the pool was to go to supporters of the second place horse, and ten per cent to supporters of third place; leaving ten per cent of the pool for the tote operator, to cover running expenses and provide the business profit. The potential profits of a successful tote operation can be gauged from Gamble's estimate of a total Melbourne Cup pool of around £10,000 for his first year of operation in 1879.⁴¹

Despite the enthusiasm of a host of tote proprietors, and an apparent willingness of the betting public to accept the new invention, the betting machine received a mixed reaction from colonial legislators and government officials. Whilst the Queensland Attorney-General judged that the tote broke no Queensland law, he considered it in contravention of New South Wales' 1876 Betting Houses Suppression Act. In Melbourne the questionable legality of the machine was highlighted by legal action taken against the tote proprietors, at the instigation of the bookmakers. In Tasmania, as in Queensland and New Zealand, the existence of the machine was accepted and it was permitted to operate.⁴²

In Victoria, South Australia and New South Wales, the colonies in

⁴¹ Evening News, 19 August 1879.

⁴² Evening News, 29 November and 4 December 1879. For discussion of the New South Wales 1876 Act see below pp.203-204.

which the tote was deemed contrary to existing laws, supporters of the machine moved for appropriate amending legislation. In New South Wales Mr. Thomas Garrett (M.L.A.) late in 1879 moved a single clause bill aimed at removing impediments to the introduction of the machine,⁴³ but despite the simplicity of his bill it was destined to become one of the most contentious issues in the colony's legislative history, appearing before almost all successive parliaments, in various forms until its eventual passage in a revised format more than 36 years later. Victorian supporters of the totalisator had to wait even longer for victory; 21 separate bills introduced over a period of 50 years, beginning in 1880 with a measure sponsored by David Gaunson, a man later to achieve fame or notoriety as the attorney of Melbourne's most celebrated gambling entrepreneur John Wren.⁴⁴

In both of these colonies the initial reluctance of the legislatures to sponsor the tote can be explained in terms of a widespread belief that the tote would encourage gambling, particularly by attracting bets from "the youth of the colony" who presumably thought twice before placing their bets with a bookmaker.⁴⁵ A further, mostly unstated, but likely reason, was that the totalisator potentially removed another important element from horse racing; the contest between bookmaker and owner. The wealthy owner who invested heavily on the totalisator ensured only that he reduced the odds available on his horse. If it won he was paid the same odds as

⁴³ Sydney Morning Herald, 9 December 1879.

⁴⁴ Keith Dunstan, Wowers, Melbourne 1968, p.276.

⁴⁵ For illustration of these arguments see Evening News, 27 November, 2 and 26 December 1879.

everyone else, and if he and his followers invested very heavily (e.g. more than half the total pool) he could even lose money though his horse might win. This could not happen in betting with the bookmaker, who was bound to pay the odds agreed upon when the bet was made.⁴⁶ Whatever the colonial horse-owning legislators might say in public about their own betting practices, the facility provided to them by the bookmaker was one they would not have been keen to lose. Few owners were able to show a financial profit from their racing interests based on prizemoney alone, and one of these few, James White, arguably New South Wales' most successful racehorse owner and breeder, and a respected parliamentarian, was known for his successful betting plunges. One well reported plunge netted him at least £20,000 from one bookmaker alone (Joe Thompson), when his horse Chester won the 1877 Melbourne Cup.⁴⁷

In South Australia the wishes of big betting owners were not considered relevant. In that colony, legislation permitting the introduction of the tote in 1879 was welcomed as a means of destroying both the bookmaker and the alleged evils of credit betting; whilst providing the race clubs with additional income which could be used to boost prizemoney. But there the tote was destined to have a stormy life. For some, it seems, the machine was too successful.

⁴⁶ This argument was pursued by "Kosmos" in The Ruin of the Turf in Victoria: an essay, Melbourne, October 1880, pp.10-13.

⁴⁷ Gordon Inglis, op.cit., p.37, claims that White collected £20,000 from Thompson on settling day; but Samuel Griffiths' estimate is even higher. He claims that White won £10,000 in one bet with Thompson and that "stable representatives" collected a total of between £70,000 and £80,000. S. Griffiths, A Rolling Stone on the Turf, Sydney 1933, p.3 and Turf and Heath, op.cit., p.82.

Amending legislation in 1882 limited the operator's deduction from the pool to five per cent, and also restricted the number of days on which each racing club could use the tote: to eight per annum. Nevertheless the tote's success continued, with the betting turnover at even small race meetings such as that at Gawler increasing fourfold from £5,000 in 1879 to £20,000 in 1882. It was soon apparent that the 1882 amendments were too limited to please the strident voice of South Australian protestant evangelicalism which, in 1875, had succeeded in passing through the legislature a Lotteries Act closing the loophole which had permitted charitable and religious organisations to hold fund raising lotteries.⁴⁸

In the following year the South Australian legislature bowed to renewed pressure which claimed the totalisator experiment had failed because it had not reduced the volume of betting. It passed an Act banning both the tote and bookmakers, after a debate notable for expression of the Congregationalist claim that governments should use legislation to make people good.⁴⁹ The consequences to the colony's horse racing were disastrous. With no prospect of legal gambling the crowds stayed away from the races, and revenue from admission charges withered. The South Australian Jockey Club and the Adelaide Racing Club were dissolved. One of the major courses, Morphettville, was

⁴⁸ A.A. Rendell op.cit., p.10; M.D.A. Thomson "The Development of the South Australian Racing Industry" B.A. (Hons) thesis, University of Adelaide 1969, p.37; South Australia, Statutes, 1882 No.263.

⁴⁹ Rendell, op.cit., pp.12-16; Vamplew, "From Sport to Business", op.cit., p.23. Walter Phillips, op.cit., p.xiv, suggests that in South Australia the protestant churches were more concerned about the totalisator at this time than they were about desecration of the sabbath.

closed and sold, and the Adelaide Cup was moved to Melbourne to be run by the Victoria Racing Club. Adelaide continued to have some race meetings, with the Licensed Victuallers Racing Club attempting to maintain the spirits of the South Australian gamblers, even to the extent of permitting bookmakers to operate illegally, but attendances were poor, prizemoney was very low and the racing competition correspondingly weak.⁵⁰ This situation remained for five years until, after two unsuccessful attempts, the supporters of racing in the legislature succeeded in passing legislation reintroducing the tote. Vamplew attributes this change of heart to changes in the composition of the parliament after the 1887 election, effective lobbying by future S.A.J.C. Chairman, R.C. Baker and an awareness that the collapse of the racing industry was disastrous for South Australia's economy. The response was immediate - with the S.A.J.C. re-instituted, the A.R.C. re-emerging, and the levels of prizemoney and totalisator turnover soon exceeding the 1882 levels. The crowds also returned to the courses, with between eighteen and twenty thousand people attending the important Queen's Birthday Cup meetings in the early 1890s.⁵¹

The totalisator had created considerable controversy from the moment of its first appearance, and it was to remain the subject of vigorous debate for more than a century,⁵² during which time it developed from a hand operated calculator to an automatic, and

⁵⁰ Vamplew, "From Sport to Business" op.cit., p.24; Thomson, op.cit., pp.37-38.

⁵¹ Vamplew, "From Sport to Business" op.cit., pp.24-25; Thomson, op.cit., pp.40-44.

⁵² See below, Chapter Seven, pp.326-329.

eventually electronic, machine, but the real significance of the early tote in the history of gaming and betting in Australia lies less in the machine itself than in the reactions to it. The prospect of the tote's introduction to colonial racecourses created an improbable alliance between the bookmakers, who feared competition from the machine, and the protestant churches, who saw its introduction as state sanction of vice. Not that the bookmakers needed to organise opposition. That was done by the churches and their spokesmen, who sought to demonstrate that where the tote had been introduced it did not abolish bookmakers or diminish betting as its supporters claimed it would. They posed convincing cases to show that the tote increased the total volume of betting, and that the only real winners were the race clubs and the governments (through taxation of the tote's profits). Accordingly, they concluded that the race clubs and governments were (or proposed to be) making money out of the promotion of a vice which promoted idleness, immorality, cruelty and fraud.⁵³ Nevertheless, this expression of middle-class protestant opinion was opposed by the other important aspect of the middle-class ethic, the concept of profit. On the one hand, as demonstrated in South Australia, colonial protestantism was becoming sufficiently organised and vocal to pose a real threat to continued betting, and on the other hand, it was apparent that colonial entrepreneurs were ready and able to exploit the willingness of Australians to gamble.

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See Rev. P.J. Stephen, The Totalizator: Shall we Legalize it?, Sydney [1899]; See also Sydney Morning Herald, leader, 8 December 1889 and letters 25 November, 8 and 13 December 1899. Although the debate between these correspondents concerned the 1899 totalisator bill in N.S.W., it is typical of the debates in all colonies throughout the period under analysis.

The rival totalisator company proprietors of the late 1870s and early 1880s were not the first businessmen to see gambling as a profitable industry, but their public advertisements, and the debate over the machines they promoted, drew public attention to the profits which could be made from the provision of gambling facilities. Bookmakers had existed on colonial racecourses virtually from the first race meeting and, publicans had benefited from both the purchase of booth concessions on courses and the promotion of meetings on courses adjacent to their public houses, but after the first appearance of the totalisator many more entrepreneurs were attracted to gambling, and many more facilities for the gambler were promoted. The most successful gambling entrepreneurs of the era were those who realised that gambling could be promoted as a sport, which all people could play, regardless of ability or equipment, and with only minimal financial outlay. These men were the sweepstakes or consultations operators.⁵⁴

One of the earliest sweepstakes promoters was J.J. Miller, who was reported to have made more than £5,000 from his operations in 1882.⁵⁵ Miller's competition grew dramatically, and soon included individuals like prominent bookmaker Humphrey Oxenham, "the leviathan of the ring", who conducted business in Sydney, Melbourne and Brisbane; and organisations like the Sydney Sprinting Club, which boasted 12,000 subscribers to its 1884 Melbourne Cup Consultation; and

⁵⁴ See above Chapter Four, c. pp.143-144.

⁵⁵ Twopeny op.cit., p.213.

the New South Wales Racing Company which aimed to sell 50,000 tickets at ten shillings each for its 1883 sweep.⁵⁶

All these organisations however, had to bow before that of George Adams, proprietor of the Tattersall's hotel in George Street, Sydney, whose name and hotel became household words throughout the Australian colonies. Initially Adams organised small consultations for members of the hotel's sporting club, but in 1881, in response to persistent demand from the hotel's wider clientele, Adams ran Tattersall's first public sweep on the Sydney Cup. Although this was a relatively small sweep of 2,000 tickets at £1 each, with a first prize of £900, Tattersall's business boomed quickly to the point where Adams was soon holding in excess of £200,000 on the Melbourne Cup and awarding prizes of £25,000. The secret of Tattersall's success was the promotional flair of George Adams, who built an image of honesty and respectability by deducting only ten per cent from the total pool and by having the draws done by prominent citizens in public, with the press in attendance.⁵⁷

These features of George Adams' operation were also to lead him into difficulties. To give mass gaming a public face and the appearance of honesty and fairness, was to do what the totalisator had promised to do for betting. Just as the tote faced opposition from middle-class protestant opinion for these reasons, George Adams was attacked and

⁵⁶ Gould, On and Off the Turf, *op.cit.*, pp.47-50; The Bulletin, 27 October 1883 and 8 November 1884.

⁵⁷ Wilson, The Luck of the Draw, *op.cit.*, pp.31, 51-53; Gould, On and Off the Turf, *op.cit.*, p.61.

Tattersall's was outlawed in some colonies. In the New South Wales Legislative Assembly in 1891, Adams and the other sweeps proprietors were attacked by Mr. John Hurley, who wanted them suppressed, and even went so far as to move that any public servant who speculated in sweeps or any other form of gaming or betting should be dismissed. Although the latter part of his motion was lost, Hurley succeeded in beginning the process which was to see Adams flit from colony to colony in search of a base for his operations.⁵⁸

The problem of how to deal with Adams and other sweepstakes operators posed a real problem for the New South Wales legislature. A general prohibition on gambling would affect the racecourses, and would be opposed, at least by the gentlemen legislators in the Council. A more limited prohibition of sweepstakes only could be regarded as suppression of the activities of one class only, whilst the recreations of the gentry were left intact. A solution was found in a precedent which had been tried in New York in 1879, and brought to the attention of readers of the New South Wales journal, The Protestant Standard, in November of that year. In New York the assistant Attorney-General for the post office had declared letters to lottery companies unmailable and had instructed "all postmasters to refuse to mail or register letters or circulars so addressed".⁵⁹ This was an ideal solution to the legislators' dilemma because the sweepstakes depended heavily upon business by correspondence. To regulate against this

⁵⁸ Wilson, The Luck of the Draw, op.cit., p.44; N.S.W.P.D., first series, vol.51, pp.220-222.

⁵⁹ The Protestant Standard, 29 November 1879.

correspondence would be to leave the race clubs untouched, and it would remove the need for what could become a difficult and perhaps controversial parliamentary debate. Accordingly, the New South Wales government regulated against "the delivery of letters containing sweep money,"⁶⁰ and George Adams, along with his main rival, Humphrey Oxenham, moved his headquarters to Brisbane, where it seemed the government might be more tolerant of their activities. After all, the totalisator had been operating unimpeded in Queensland since its invention a decade earlier.

Such expectations did not prove to be valid. Although the move initially appeared successful, with business booming, it was not long before Queensland's Colonial Secretary, Tozer, was being asked in Parliament to implement regulations similar to those in force in New South Wales. The Queensland government, unable to find reasons for not implementing the powers it had under its Post and Telegraph Act of 1891, subsequently ordered that from 1 January 1895:

any letter, packet, newspaper, or parcel ... addressed to any of the undermentioned persons ... shall not be ... [delivered].

'Tattersall's' C/- George Adams, Queen Street, Brisbane
 'Star' C/- Mollison and Ellis, Opera House, Queen Street, Brisbane.
 'Dowridge' George Street, Brisbane.

dated 29 August 1894
 W. Horatio Wilson.

Although this regulation was cancelled by the Legislative Assembly before it came into effect, it was clear an indication to the sweeps

⁶⁰ Gould, On and Off the Turf, op.cit., p.64.

operators that their time in Brisbane was limited.⁶¹ Despite the appearance of arguments in the Brisbane press supporting Tattersall's by stressing its contribution to the Queensland economy through employment and postal revenue, and pointing out the inconsistency of rejecting revenue from sweepstakes whilst accepting that provided by the totalisator and alcohol consumption,⁶² the Queensland government in 1895 enacted a bill which defined sweepstakes as a form of lottery, and accordingly outlawed them.⁶³

Adams at least, was prepared for this legislation. For two years he had been negotiating with the Tasmanian government in an effort to secure a base free from legislative or executive regulation attack. His negotiations centred on the fate of the Bank of Van Diemen's Land which had failed in 1891, and whose assistant general manager, Thomas Lyons, believed that its assets could be disposed of most profitably through a lottery. Legislative sanction for Lyons' scheme was achieved in 1893 and Adams, who had been given the similar task of disposing of the assets of a major New South Wales thoroughbred stud (St. Albans), was approached to operate the lottery. He sought a deal with the government which would give him a license to operate his Tattersall's sweeps from Tasmania. Although no guarantee was forthcoming, he was promised the introduction of the necessary legislation and the support of Premier Braddon.⁶⁴

⁶¹ Wilson, The Luck of the Draw, op.cit., pp.47-50.

⁶² ibid., pp.51-53.

⁶³ Queensland, Statutes, 59 Victoria No.9.

⁶⁴ Wilson, The Luck of the Draw, op.cit., p.61; Pollard op.cit.; Dunstan, Wowers, op.cit., pp.293-294.

The Bank of Van Diemen's Land lottery was not an unqualified success. In 1895 Adams offered 300,000 tickets at £1 each, but sold only 50,000. Accordingly the prizes were awarded on a pro rata basis. The following year a second lottery of 200,000 tickets at five shillings each was held, but only 48,000 tickets were sold. After two attempts, the scheme which aimed to raise £300,000 had succeeded in raising only £62,000, but despite this lack of success Adams had established a solid reputation for business honesty and integrity in Tasmania, and his contact with the Tasmanian government was to prove profitable. Edward Braddon kept his promise and introduced a bill which would permit the licensing of Tattersall's, but which, apparently with some irony, became The Suppression of Public Betting and Gaming Act.⁶⁵

The apparent contradiction here is reconciled when it is realised what Braddon hoped to achieve. By introducing legislation which permitted the licensing of lotteries or sweepstakes, he was not promoting the introduction of more gaming outlets. His aim was to suppress the existing facilities by refusing them licenses, whilst supporting Tattersall's which could be carefully supervised and controlled by licensing regulations issued under the Act. Furthermore, as Premier of a colony which had permitted the operation of the totalisator, Braddon was not ignorant of the potential revenue which Tattersall's offered. Yet, the debate over this bill both in public and

⁶⁵ Tasmania, Statutes, 60 Victoria No.7; Wilson, The Luck of the Draw op.cit., pp.75 and 91.

in the parliament, was vociferous. Many viewpoints were offered; in the press, in sermons and in petitions, as well as in the parliamentary debates. Tasmanian protestantism, particularly the Baptist Union and the Wesleyan Methodist Church, was outraged by Braddon's actions and by his feeble reply to their protests - that Tattersall's was less evil than most other forms of gambling, and that at least he was not permitting credit gambling.⁶⁶ Essentially, the debate was between those who argued that legislative sanction for any form of gambling was legislative sanction of vice, and an encouragement for its patronage; and others who argued that the bill provided the opportunity to remove some of the worst aspects of gaming (unscrupulous, unauthorised operators), and to control and supervise the remaining gaming outlets.⁶⁷

Although the Act took effect from January 1897, Adams had to wait another five months before the promised licensing regulations were issued, and another month before he was able to conduct his first horse racing sweep under licence from the Tasmanian government.⁶⁸ Even then if Adams thought his problems were over he was mistaken. Federation of the colonies was to provide the opportunity for further attacks on his business, but at least for the first time in the

⁶⁶ Rev. W. Shaw, Premier Braddon and the Moral Influence of the Tattersall Sweep consultations, Hobart 1896, pp.1-10; Wilson, The Luck of the Draw, op.cit., p.96.

⁶⁷ D.A. Denholm, "Tattersalls in Tasmania", Tasmanian Historical Research Association, vol. 13, no.3, May 1966, p.71; Wilson, The Luck of the Draw, op.cit., pp.91-96. The Regulations gazetted in 1897 demanded that operators deposit a £10,000 bond with the Treasury; distribute at least 90% of the takings to prizewinners; and conduct business entirely by post.

⁶⁸ D.A. Denholm, op.cit., p.77.

colonies, a sweepstakes operator had achieved a position of legislative sanction - even if that sanction had been provided as part of an attempt to suppress, or at least limit, the proliferation of gaming entrepreneurs.

His success, and the initial successes of the other sweepstakes promoters and totalisator companies, emphasized that men who could cater for the gaming or betting wishes of colonial society could achieve large rewards for their efforts. Both the sweeps and the totes were restricted in their operations, in that they operated on race meetings over which their proprietors had control. There was little they could do to maximise their profits by making the events they operated on more attractive to the public. Other entrepreneurs however, did see the potential of profits derived from race meetings which could be organised in ways designed to appeal to gamblers more than traditional horse racing. These men were the founders of the proprietary racing companies.

Proprietary Racing Companies

Proprietary racing was conducted, not by clubs, but by companies which owned and operated their own racetracks, with the prime objective being company profits. The first to emerge in Sydney was the Canterbury Park Racing Club, whose first meeting in January 1884 was barely distinguishable from those provided by the A.J.C.. Officials from the Randwick club presided over the day's races, which were

contested by the same thoroughbred horses which raced at Randwick. The presence of James White as patron also emphasized that the new club initially conformed to the traditional horse racing values.⁶⁹ But this did not last long. The small size and almost circular shape of the 1200 metre Canterbury course made it unsuitable for valuable long striding thoroughbreds, so before long Canterbury Park widened its programmes to include races for ponies and hacks. Its success led almost immediately to a proliferation of proprietary racecourses in Sydney: at Rosehill, Victoria Park, Moorefield, Rosebery Park, Kensington, and Warwick Farm; some of which had long been used as training tracks for thoroughbred horses.⁷⁰

These courses, and their counterparts established in the other colonies in the 1880s and 1890s,⁷¹ catered more for the tradesmen and the working classes than for the gentry. They catered for thoroughbreds with less ability, which were consequently cheaper to purchase, and their use of ponies and hacks enabled the tradesmen to

⁶⁹ Daily Telegraph, 21 January 1884. White was Chairman of the A.J.C. in 1880 and from 1883 till 1888.

⁷⁰ Barrie, op.cit., pp.92-93, 187.

⁷¹ In Melbourne and its surrounds the new courses which opened in the 1880s and 1890s were at Epsom, Williamstown, Mentone, Sandown Park, Mordiallic, Aspendale and Maribrynong, Thomas Haydon Sporting Reminiscences, London 1898, p.74. In South Australia, proprietary clubs were discouraged by the legislation specifying the nature of clubs which were permitted to operate an on-course totalisator. Although the proprietary Onkaparinga Racing Club emerged, such bodies were rare in South Australia. In Tasmania they were almost non-existent although proprietary trotting clubs formed the basis of that sport in the 1900s. In Queensland proprietary horse racing remained insignificant until the intervention of John Wren. See below pp.187, 250-254, 305-307; N.S.W., Royal Commission into the Totalisator, 1912, Evidence, pp.107-108, 116-119, 192-193.

race their carthorses. The smaller courses ensured that all the action took place within the eyesight range of most people and their programmes, which generally contained more races, with larger fields, and an emphasis on sprint events - which increased the likelihood of closer, more exciting finishes - were designed to generate greater excitement than was usually case on the major racecourses. At Randwick and Flemington races over two, three or even four miles were common, and were often "won, a long way from home".⁷²

The success^{of} the proprietary courses contributed to the rise of another form of proprietary horse racing in the 1890s, namely trotting. Trotting races had been held in New South Wales from the earliest years of the colony, when match races along Parramatta Road were both frequent and a popular spectacle;⁷³ but after the introduction of organised thoroughbred racing such matches became less frequent, virtually disappearing except for contests held at agricultural shows.⁷⁴ In the 1880s however, the trotter was given a new lease of life.

New South Wales trotting historian Greg Brown lists the first significant season for trotting as 1884/5, coinciding with the opening of Canterbury Park which, like its later imitators, often included a trotting race on its programme. Within a year the Sydney Driving Park

⁷² Gould, On and Off the Turf, op.cit., pp.108-109; Pollard op.cit., p.136.

⁷³ See above, Chapter Two, pp.36

⁷⁴ Greg Brown, One Hundred Years of Trotting, 1877-1977, Sydney 1981, pp.31-48; Max Agnew, op.cit., p.37.

Club was organised, holding up to twelve trotting meetings per year at Moore Park, and by 1890 it had moved to the Lillee Bridge Athletic Ground which was ultimately to become Harold Park Paceway - the mecca of New South Wales harness racing. The early decades of trotting in New South Wales, at least until the foundation of the N.S.W. Trotting Club in 1902, were littered with the rise and fall of proprietary trotting clubs which failed because of problems over the leasing of tracks, bad management, or the development of bad reputations with the punters, over suggestions of rigged races.⁷⁵

In Victoria, trotting's story was similar. In the 1880s it was conducted at various times at Erihton, Elsternwick Park, Aspendale and Moonee Valley, as well as at Geelong, Mentone, Bendigo and Mordiallic. Success was limited, and the trotting enthusiast had to rely for the most part, on the occasional trotting race run at the pony meetings.⁷⁶ In the early 1890s, the Union Trotting Club and the Australian Trotting Club both failed after brief flourishes, despite the appearance of sweepstakes entrepreneur J.J. Miller, as treasurer of the former. An additional reason for the failure of these attempts in the 1890s was no doubt their timing. Whilst the depression's unemployed might have welcomed the escapism and excitement offered by trotting spectacles these proprietary company ventures required cash flow if they were to exist, and it would appear that with all the new competition which had developed in search of the gamblers' shilling, there was insufficient room for the last comer.⁷⁷

⁷⁵ Brown, op. cit., pp.31-48.

⁷⁶ Agnew, op.cit., pp.31-35, 51.

Victorian trotting was not to develop really successfully until the establishment of the Victorian Trotting Association, under the careful eye of John Wren in 1910, at a time when that colony was regaining its financial feet. The other colonies also had to wait till the post-depression period after the turn of the century before there was sufficient room for successful trotting.⁷⁸

The trotting clubs' experiences demonstrated that while there was a place for proprietary racing, the potential for gambling developments was limited by the amount of time and disposable income which the punters could spare. By the late 1890s there was an enormous amount of competition for the gaming and betting shillings. In Sydney there were up to seven or eight pony meetings per week, in addition to the trotting and less frequent thoroughbred events.⁷⁹ It is not surprising then, that the established major horse racing clubs began to fear the extent of all this competition, particularly as the South Australian experience, during the period when gambling was banned, had demonstrated the inevitable fate of horse racing without the support of the punter.

Thoroughbred Horse Racing

⁷⁷ ibid., pp.51-52.

⁷⁸ See below, Chapter Seven, pp.308-311.

⁷⁹ Barrie, op.cit., p.92; Gould, On and Off the Turf, op.cit., p.109.

During the 1880s and 1890s the major horse racing clubs did not rest on their laurels, content in the knowledge that the "sport of Kings" would survive on the patronage of gentlemen alone. In 1886 new grandstands were completed at Randwick Racecourse providing the general public with an improved view of the races. In 1887 the A.J.C. appointed a handicapper on a salary of £500 per annum, and in 1889 it began a system of licensing jockeys and trainers, paving the way for later disqualification of those who supported those proprietary meetings which did not accept A.J.C. supervision.⁸⁰ In 1883 the overall supervisory position of the A.J.C. in New South Wales was strengthened by regulations requiring the registration of country race clubs under its protective umbrella. The 192 country clubs which registered immediately were joined by another 20 within two years.⁸¹

The premier Melbourne racecourse at Flemington, and the facilities it provided, also underwent improvement in the 1880s, with £30,000 being spent on new stands, and provisions made for the railway to deliver patrons right to the course.⁸² In Tasmania, control of thoroughbred racing continued to be shared between Launceston's Tasmanian Turf Club and Hobart's Tasmanian Racing Club, but both clubs prospered and improved their facilities and amenities. By the 1890s they both possessed impressive grandstands which symbolised the solidity of the clubs' position.⁸³ In Queensland the challenge from

⁸⁰ Annual Reports, 1886-1889. See also the evidence of S.T. Clibborn (Secretary of the A.J.C.) to the N.S.W. Legislative Assembly, Select Committee on the Racing Association Bill, 1900, pp.34-35.

⁸¹ A.J.C., Annual Reports, 1883-1885; Barrie, op.cit., p.70. The 212 registered clubs in 1885 held a total of 269 race meetings.

⁸² Twopeny, op.cit., p.211.

proprietary clubs had not developed seriously in this period, and the Queensland Turf Club, established in 1863, continued to consolidate its position.⁸⁴ It was in Adelaide, however, where thoroughbred racing made the most rapid advances.

After the re-introduction of the totalisator on South Australian racecourses in 1888, the re-formed S.A.J.C., the fifth club of that name, established itself on a permanent basis and within the next few years this body began to exercise the same control over South Australian racing as the A.J.C. and the V.R.C. exercised in New South Wales and Victoria. The other four metropolitan race clubs accepted its authority and registered with the S.A.J.C.. By 1892/93 a statewide total of 84 clubs and 124 racing days were registered. Although these figures decreased markedly in the late 1890s, as a result of the S.A.J.C.'s heavy handed implementation of its regulations and a subsequent challenge to its authority, by the early years of the new century it was clearly in control of South Australian thoroughbred racing.⁸⁵

Other innovations on the major courses in the 1880s and 1890s included the introduction of the starting barrier, an Australian invention designed to give all horses an equal opportunity at the beginning of the race,⁸⁶ and a radical change to the operations of the bookmakers. Until the early 1880s bookmakers roamed the course

⁸³ See illustrations in Pollard, op.cit., pp.121,125,176.

⁸⁴ ibid., p.44.

⁸⁵ Vamplew, "From Sport to Business", op.cit., pp.27-28.

⁸⁶ Griffiths, A Rolling Stone, op.cit., p.viii.

with pocketbooks in hand, challenging people to wagers, which were then written in the book. The bulk of such transactions were on credit, but the practice began to change with the visit of Englishman Robert Standish Siever in 1882. Siever made his Australian bookmaking debut in Adelaide, but it was his appearance at Flemington soon afterwards which had the greatest impact. He did not roam the course but remained stationary, with a clerk, on the same "pitch", wearing a bag containing change. When a customer bet with him, he took the cash and gave the customer a numbered ticket showing the horse's name or initial and the details of the wager.⁸⁷ This method of bookmaking soon became very popular with bookmaker and punter alike.

These innovations were not restricted to the major courses. The proprietary clubs soon followed suit, but for the period under examination the major clubs were able to survive the threat posed by their competition. Indeed, as illustrated in Table 5.1, the annual reports of the A.J.C. suggest they did more than merely survive.

⁸⁷ ibid., p.103.

TABLE 5.1

Australian Jockey Club Statistics, 1880-1900*

Year	Subscriptions (Members) £	Admissions (Gate Money) £	Added Money (Prizemoney) £	Credit Balance at Bank £
1880	10,754	7,604	5,300	7,182
1881	10,256	10,373	7,320	9,801
1882	10,711	11,704	7,550	12,635
1883	11,706	15,532	8,650	17,404
1884	11,972	16,163	9,500	24,016
1885	14,815	16,795	10,950	30,355
1886	15,240	19,243	12,050	38,114
1887	15,075	19,574	13,500	44,428
1888	14,081	21,019	16,300	48,226
1889	17,161	22,339	24,000	48,397
1890	18,577	23,112	24,450	49,195
1891	17,785	26,150	25,100	50,646
1892	18,698	24,075	24,700	51,349
1892/93	10,482	10,544	11,700	51,709 (A)
1893/94	18,463	20,565	23,050	51,774
1894/95	-	-	-	- (B)
1895/96	-	-	-	- (B)
1896/97	7,808	17,830	23,050	56,109
1897/98	7,484	17,193	22,350	57,358
1898/99	7,699	19,533	22,950	59,392
1899/1900	7,620	19,000	23,475	62,007

* Compiled from A.J.C. Annual Reports 1880-1899/1900.

A. Figures for six months only, due to change from calendar to financial year.

B. Figures for these years are not available.

Although it is difficult to analyse these statistics adequately without the figures for 1894/5 and 1895/6, which could well be years in which the fortunes of the A.J.C. slumped dramatically,⁸⁸ it is possible to suggest that neither the financial depression of the 1890s nor the challenge from the proprietary racing companies had any lasting adverse effect on the club's fortunes. The apparently dramatic decline in income derived from members' subscriptions is in large part a result of changes in the club's records systems, though membership did decline in the late 1890s after reaching a peak in 1892. The income derived from admission charges also declined after a peak during the depression in 1891, but at no stage in the 1890s (except possibly 1894-96) did this income fall to the levels existing prior to 1888. Similarly, although the club's prizemoney levels decreased marginally after 1891, the lowest prizemoney total for any year of the 1890s was higher than for any year prior to 1889.

The suggestion that the financial depression had only a minimal effect on thoroughbred racing is confirmed by Vamplew's statistics of Adelaide metropolitan racing which, from 1890 to 1895 reveal a doubling of race days and the number of races held, and an increase in on-course totalisator turnover from £130,000 to £212,000. Vamplew also suggests that attendances at the Adelaide Cup meeting continued to

⁸⁸ In fact the figures imply a gradual decline in these "missing" years, with the bottom of the trough being reached in 1897/98. Such an interpretation is supported by the general comments expressed in the committee's annual reports. A.J.C., Annual Reports 1890-1899/1900, and by the club's credit bank balance which grew significantly from 1893/4 to 1896/7 after being almost stagnant since 1891.

grow annually throughout the depression period.⁸⁹ Statistics concerning the Melbourne Cup however, do suggest that Australasia's premier race suffered from the financial problems of the era.

TABLE 5.2
The Melbourne Cup, 1885-1896*

Year	Prizemoney (1st 3 Places) £	Attendances (estimated)
1885	2,912	85,000
1886	3,665	82,000
1887	4,005	83,000
1888	4,885	100,000
1889	7,237	85,000
1890	13,230	85,000
1891	13,124	80,000
1892	12,967	67,000
1893	13,124	67,000
1894	5,000	60,000
1895	3,667	90,000
1896	4,148	95,000

* Compiled from Cavanough and Davies, op.cit., pp.405-409.

The Melbourne Cup prizemoney reflects Melbourne's financial mood of over-optimistic boom followed by the despair of financial 'bust'. Although these figures might imply that the depression had a serious impact on the V.R.C.'s ability to maintain its prizemoney levels, they suggest even more clearly that the club was somewhat unrealistic during the depression years. At the time when the depression was at

⁸⁹ Vamplew, "From Sport to Business...", op.cit., p.25. The later totalisator figure is inflated somewhat due to the banning of bookmakers from Adelaide courses in 1893.

its worst, the V.R.C. offered for one race, prizemoney in excess of half the A.J.C.'s total annual allocation.⁹⁰ The attendance figures reveal that the cup meeting received consistent support except for the years 1892-94. The untypical crowd of 100,000 in 1888 resulted from the cup meeting coinciding with Melbourne's Centennial Fair of 1888, an event which filled the city and provided an additional festive element. Cavanaugh and Davies attribute the poor attendance of 1892 to particularly bad weather, but this explanation does not account for the continued poor attendances of the subsequent two years.⁹¹ The pattern does in fact reveal a consistent decline in attendance between 1890 and 1894, suggesting that the depression had a greater impact on horse racing in Victoria than in the other colonies, just as the overall economic impact of the depression was greater in Victoria than elsewhere.

In New South Wales, the A.J.C. was not particularly concerned about the depression. The committee, and its chairman Henry Dangar, had no doubt about the real cause of their problem, as revealed in their 1896/97 report.

It has long been evident that Turf Interests have been and are suffering from excessive racing, and the committee repeat the regret previously expressed that some greater limitation is not put upon it, but their power in this respect is restricted by the monetary interests involved in the numerous proprietary courses which have unfortunately come into existence.

⁹⁰ In Adelaide the total prizemoney offered for metropolitan racing in years 1890-93 fluctuated between £14,800 and £16,500 ibid.: The Melbourne Cup did not return to these levels of prizemoney until the 1920s.

⁹¹ Cavanaugh and Davies, op.cit., p.88.

An effort has been made during the past year to induce the committee to give an indirect sanction to pony racing, but they are unanimous in their determination not to countenance a so-called sport which is instituted far more for pecuniary considerations and gambling than for any useful or commendable purpose, such ⁹² as the breeding of a class of strong, serviceable horses.

It is ironic that this report also discussed the A.J.C.'s solution to the threat posed by the money-hungry proprietary clubs; the solution which would bring the crowds back to Randwick; namely, the introduction of the totalisator for A.J.C. supervised race meetings only. After all, the appearance of the tote had been the catalyst which prompted the dramatic rise of gambling entrepreneurs, leading ultimately to the proprietary racing companies. Throughout the second half of the 1890s the A.J.C. committee lobbied strenuously for both the introduction of the totalisator and the abolition of proprietary racing.⁹³ It saw no contradiction in these aims, which both sought to strengthen the club's position and return it to the near monopoly situation it had enjoyed before the arrival of proprietary racing.

The gentlemen of the A.J.C. continued to believe that their horse racing was the only pure form, and that the sport was endangered if it was not firmly under their control. Their attitude to betting was similar. Committee reports castigated the existence of sweeps, and club regulations attempted to decrease off-course betting by denying an on-course bookmaker's license to any man who operated betting

⁹² A.J.C., Annual Report, 1896/1897.

⁹³ ibid., 1895/6 - 1899/1900.

shops.⁹⁴ Although the club could enforce these regulations its attempts at lobbying achieved nothing. Despite the existence on its committee of at least four members of the Legislative Council throughout this period,⁹⁵ totalisator enabling legislation sat on the parliamentary shelves, the proprietary clubs prospered, and the betting shops and gaming houses continued almost untouched by legislative effort.

Betting Shops and Gaming Houses

The gentlemen's clubs were joined in the 1880s by imitators catering for those men who had the means but not the social standing to belong in the company of gentry. Tattersall's Club in Sydney grew from a social and betting club in George Adam's hotel, to a meeting place for bookmakers and their major clients, to a racing club which conducted race meetings under the supervision of the A.J.C. at Randwick. By the 1890s it occupied lavish premises, of which the main room was used for advance betting and settling credit bets which accrued during the previous week.⁹⁶ In 1895 a split in the bookmaker's ranks over an incident on the Kensington racecourse led to the formation of a rival City Tattersall's Club.⁹⁷ In Victoria a

⁹⁴ ibid., 1897/98 - 1898/99.

⁹⁵ Four is a minimum figure. George Lee, W.A. Long, H.C. Dangar and James White were all regular members of the annually elected A.J.C. committee. Dangar, White, and Long all served simultaneously as M.L.C.s and A.J.C. chairman. Other M.L.C.s also served on the A.J.C. committee from time to time.

⁹⁶ N.S.W. Legislative Council, Select Committee on Tattersall's Club Bill, 1888, p.5 Gould, On and Off the Turf..., op.cit., p.43.

dispute within the ranks of Melbourne's Tattersall's Club led to the establishment of the Victoria Club, by the bookmakers. Similar clubs catering for bookmakers and their clients operated in Adelaide and Brisbane.⁹⁸ All of these existed primarily for betting, although they copied the amenities and facilities of the gentlemen's clubs. Nevertheless, they were luxurious, well appointed and orderly compared with the gaming and betting facilities which catered for working-class clients.

One such house, above a tobacconist's shop in King Street Sydney, was probably typical of most in catering for dice and cribbage players, and providing a variety of card games, though others also provided facilities for two-up.⁹⁹ The following description of a gaming room above the bar at Sword's Builder's Exchange Hotel is similar to many appearing in the press of the 1880s.

The first faint sign of day had just touched, with a silver stain, the dark sky, as we gave the sign at the door, and, placidly acceding to the scrutiny of the groomporter, glided noiselessly up the dim-lighted staircases to the topmost story, where the chink-chink of the "bones" greeted the ear, and the breathing, in slumber, of persons in the adjacent rooms came alternately with the half-stifled oaths of the players. The door, on the signal again being given, partly opens, and we insinuate our bodies through the aperture and stand within. After a night's play, the atmosphere, with only that small hole in the roof for ventilation, is flat and stale, but would be exceedingly profitable, if there were much of it in the city, to the doctors. A good deal of 'gilt' has changed hands to-night, and the blanched

97 B. Donohoo and R. Pitts, City Tattersall's Club, Seventy-Five Years: A History, Sydney 1971.

98 Gould, On and Off the Turf..., op.cit., p.43; Longrigg, op.cit., p.259; Haydon, op.cit., p.109.

99 The Freeman's Journal, 27 March 1880; Niall Brennan, John Wren: Gambler, His Life and Times, Melbourne 1971, p.29.

cheeks and quick, piercing eyes of the tireless gamesters partially indicate the excitement that has been felt in the 'big play'. Jemmy Gleeson is here. In the early part of the night he won close up a hundred, and walked around the block for an airing considerably pleased with himself; but, too much charmed with the possibilities of further winnings, he came back to the room on a 'second luck', and is now standing here a 'broker'.¹⁰⁰

One Melbourne policeman estimated that there were about 55 such gambling shops in the Melbourne City Area in 1892, the year before Melbourne's most famous betting establishment - John Wren's Collingwood tote - opened for business, and it is doubtful that Sydney or the other capitals displayed any less willingness to cater for the demands of the non-gentlemen gamesters.¹⁰¹ Even Adelaide, where one "tote club" with a "membership" of 800 operated from a single room 12 feet by 17 feet, was no exception.¹⁰² The worst gambling dens, according to contemporary critics, were those run by, but not exclusively for, the Chinese.

Chinese Dens

In Melbourne an area off Bourke Street was famous for its Chinese gaming dens, and in Sydney there were three main Chinese regions; Lower George Street and Goulburn Street in the city, and the inner suburb of Alexandria.¹⁰³ Nat Gould, who was no stranger to any

¹⁰⁰ The Innocents of Sydney, vol.23, February 1880, p.360.

¹⁰¹ Brennan, op.cit., p.29.

¹⁰² Vamplew, "From Sport to Business." op.cit., p.27

gambling area in Sydney, Melbourne or Brisbane, painted a picture of foul smelling, vicious dens which catered mainly for enthusiasts of dominoes, fan-tan and pak-a-pu, and which were most unpleasant places to visit, due largely to the aroma of opium.¹⁰⁴ His opinions were endorsed by the members of the New South Wales Royal Commission which examined Chinese gambling in 1891, and reported the existence of 105 gambling houses in Sydney city and suburbs, 60% of which were occupied by Chinese. Within the city alone, it suggested, almost 16% of the 287 dwellings occupied by Chinese were gaming houses.¹⁰⁵ As with all other gambling facilities, the Chinese dens were not restricted to the major cities. They existed wherever the Chinese appeared in significant numbers, from Newcastle to Darwin and beyond.¹⁰⁶

¹⁰³ Gould, Town and Bush, op.cit., p.126; N.S.W., Royal Commission on alleged Chinese Gambling and Immorality and charges of Bribery against members of the Police Force, 1891/92, Report, pp.5, 486.

¹⁰⁴ Gould, Town and Bush, op.cit., pp.107-111; Fan-tan is a game in which a number of beans, beads, coins or similar small objects (perhaps between about 30 and 50 of them) are placed on a table, where a portion of them are covered by a cup. The croupier then removes the uncovered objects from the table. The cup is then removed and the remaining objects are counted in sets of four. Gamblers have meanwhile placed their bets according to their predictions of how many objects will be left over when the last set of four is removed, (0,1,2 or 3). Winners were paid at odds of 3/1, but the "house" deducted twopence. in the shilling from winning bets. Pak-a-pu or Pak-ah-pu is a form of lottery (or lotto) in which the gambler chooses 10 out of 80 Chinese characters. The "house" subsequently draws 10 characters by random and gamblers who are able to match the house with at least 5 characters are eligible for a prize.

¹⁰⁵ N.S.W., Royal Commission on Chinese Gambling. 1891, op.cit., pp.478-481, 486.

¹⁰⁶ Sydney Morning Herald, 2 August 1899; Geoffrey Blainey, The Rush That Never Ended: A History of Australian Mining, (2nd edn.), Melbourne 1969, p.95.

The Chinese dens were condemned by both the protestant and secular press, but despite their lack of aristocratic or ministerial connection or protection, few real moves were made against them until the 1890s.¹⁰⁷ It was generally accepted that various colonial vagrancy Acts, and Acts aimed at suppressing gaming houses, should have rid the cities of their Chinese dens, but such was not the case. In New South Wales between 1870 and 1891, 261 prosecutions were made against members of Sydney's Chinese community at the Water Police Court and the Central Police Court, but in almost every instance the charges laid by the Inspector of Public Nuisances concerned "filth on the premises", and resulted in fines averaging less than £4.¹⁰⁸

It seems that despite their lack of "proper" connections the Chinese gamblers were relatively free from prosecution, in Sydney at least, until the formation of an anti-Chinese gambling league in July 1891. This league was formed by a group of businessmen, mainly from the northern end of George Street, who claimed that the presence of about 30 Chinese gaming dens in their area was destroying legitimate businesses. The president, J. Armstrong, a tobacconist and hairdresser; secretary, Richard Kelly, a grocer, and about 25 other merchants, lobbied the police, their local members of parliament and Premier Henry Parkes; and ultimately succeeded in having a Royal Commission

¹⁰⁷ For examples, see Sydney Morning Herald, 28 December 1875, and 10 May 1880, Daily Telegraph, 28 January 1884, Illustrated Sydney News, 12 June 1880, The Witness, 22 May 1880.

¹⁰⁸ For example, the Victorian Police Offences Act of 1872 which declared fan-tan an unlawful game. For Suppression of Gaming Houses Acts see below pp.203-205. N.S.W., Royal Commission on Chinese Gambling, op.cit., pp.482-485.

appointed to examine Chinese gambling, and allegations that only police corruption had permitted their continuation.¹⁰⁹ The allegations were not proved to the satisfaction of the commission, but it is doubtful that the league was swayed from its belief that the dens could not exist without police "turning a blind eye" to their operations. The police argument was simply that existing legislation made apprehension difficult, and conviction unlikely, so few cases were acted upon.¹¹⁰ The commission recommended a widening of police power and legislative revisions which would enable easier prosecutions and convictions.¹¹¹

Gaming and Betting Houses Legislation

The difficulties faced by colonial legislatures over gaming and betting issues illustrate clearly the competition between rival value systems in the society they represented. During the 1880s and 1890s all colonial legislatures were forced to examine gaming and betting, but the results of their labours were no more successful than they were consistent. It has already been shown that the New South Wales and Victorian legislatures resisted the introduction of the totalisator, while Tasmania, Queensland and South Australia permitted its operation, though the latter did so somewhat reluctantly. Only Tasmania was prepared to accept the operation of sweepstakes consultations, and only then when one operator, working in conjunction

¹⁰⁹ ibid., pp.16-19; 28-32.

¹¹⁰ ibid., pp.24-25; Similar arguments were put by Victorian Police in 1905. Victoria, Royal Commission into the Police Force, 1905/6, appendix p.XXIV.

¹¹¹ N.S.W., Royal Commission on Chinese Gambling, op.cit., p.29.

with the government, held a monopoly. Yet all colonies promoted horse racing and gentlemen's clubs. The legislatures raised no objection to proprietary racing for horses, ponies or trotters, but they did object to Chinese gaming houses - though with little effect.

On the other hand, all colonies between 1876 and 1897 enacted legislation apparently designed to stop people from gaming or betting in the streets, in shops or in private houses. The relevant acts are listed in the table 5.3.

TABLE 5.3*

Gaming and betting Houses Legislation, 1876-1897

Year	Colony	Act
1876	New South Wales	Betting Houses Suppression
1880 (Amendment)	New South Wales	Betting Houses Suppression
1883	Victoria	Betting and Gaming Houses Suppression
1888	South Australia	Lottery and Gaming
1890	Victoria	Police Offences
1895	Queensland	Suppression of Gambling
1896	Tasmania	Suppression of Public Betting and Gaming
1896	Victoria	Street Betting Suppression
1897	South Australia	Gaming, Further Suppression

*See a more complete listing of legislation in Appendix B.

Although the Tasmanian Act permitted the operation of sweepstakes under licence from the government, the aim of all colonial legislatures were similar. They wanted to remove gaming and betting from the public eye; to permit them only in prescribed places such as

racecourses, where they could be controlled and regulated. This aim was based on the assumptions that the gentry were able to control their gambling to within their personal limits and offended no-one, but that other gamblers did offend and required careful supervision. The aims were in fact a compromise between the views of those who wanted to see all forms of gaming and betting abolished, and those legislators who saw no evil in the practices they pursued as members of racing and gentlemen's clubs. The New South Wales legislation of 1876 and 1880 set the precedents for others to follow, so it should be examined in a little more detail.

The Betting Houses Suppression Act of 1876¹¹² was introduced as a private member's bill, comprehensive in its condemnation of gambling. The bill contained clauses designed to prevent the continued operation of gaming dens and betting houses, (including Tattersall's), and to remove "list men" or bookmakers who displayed list prices, or the odds on offer for the various possible outcomes of particular events. In its original form the bill was even handed in its treatment of bookmakers, whether operating on or off course, but during its passage through the parliament it underwent considerable amendment. The eventual Act outlawed the display of betting lists in shop windows and prohibited the use of any house, office, room or place for the purposes of gaming or betting; but the powers given to police to enter and search premises were severely curtailed, and by the time the bill became law, neither Tattersall's nor betting on racecourses were threatened in any

¹¹² New South Wales, Statutes, 39 Victoria No.28.

way.¹¹³

In the words of one of its supporters; "No bill going further ... would have passed the House".¹¹⁴ Certainly nothing stronger would have passed the Legislative Council, some members of which were influenced in its favour because they saw it as offering assistance to horse racing. By removing the betting lists from shop windows it would encourage those people wishing to bet to attend race meetings.¹¹⁵ Its original proposer Samuel Terry was less than satisfied with the end result, so almost four years later, once it was clear that the Act had little real impact on gaming or betting houses (though the "lists" had disappeared from the shop windows), he tried again with an amendment.

The 1880 Bill attempted to re-introduce the clauses rejected in 1876. Police powers to enter and search premises were to be expanded and betting in any form, even on the racecourses, was to be suppressed. The bookmakers and their clients at Tattersall's Club were a particular focus of the revisions. Nevertheless, the amending Act achieved little more than its predecessor. Although it passed the Assembly without serious amendment, the gentlemen of the Legislative Council were careful to protect their interests. Terry's claim that prizemoney would remain sufficient incentive for successful horse racing made little impression on the big betting racehorse owner James

¹¹³ New South Wales Parliamentary Debates as reported in the Sydney Morning Herald, (M.L. Binding) 3 and 27 December 1875, 15 and 29 January 1876, 12 February 1876, 14, 15 and 24 March 1876.

¹¹⁴ Thomas Garrett, during the third reading debate, Sydney Morning Herald, 15 March 1876.

¹¹⁵ Sydney Morning Herald, 24 March 1876.

White, or on Sir George Innes who confessed a personal fondness for betting. Claims that the bill was really only aimed at "professional betting" were disputed by suggestions that "if a gentleman chose to bet a pair of gloves with a lady, both were liable to a criminal charge". The result was a series of amendments which drew a clear distinction between betting on a supervised racecourse or in a club, and betting in shady dens and backyards, or shop fronts.¹¹⁶

The Councillors clearly believed that gentlemen should have the right to dispose of their money as they saw fit, and that betting within their means, by men able to afford losses, was no evil. However they did agree that men who cheated or who enticed the poorer sections of society to bet were propagating a community evil, and should be stamped out. So as in 1876, the legislation was eventually passed in a form which would have no effect on gentry gambling, but which might restrict further the gaming and betting opportunities of the working classes. Again, the racecourses were protected and perhaps even promoted by the restriction of their competition. In 1880, before the advent of the Labor Party and when working class awareness was less than it was to become a decade later, legislation which restricted the activities of one class, whilst leaving those of another intact, was less controversial than it would have been in the 1890s.

In Sydney over the next twelve years a total of 3,180 people

¹¹⁶ N.S.W.P.D., first series, vol.1, pp.1069-1083, vol.2, pp.1128-1132, 1989-1993, vol.3, pp.2196-2198. See also Sydney Mail, 6 December 1879 and Sydney Morning Herald, 10 February and 17 April 1880.

were charged with gambling offences. The average apprehension rate of 265 per annum resulted in an average conviction of 211 people per annum; with a peak of 372 prosecutions (303 convictions) in 1886, and a trough of 146 prosecutions (120 convictions) in 1882.¹¹⁷ So, it can be seen that the legislation did achieve some results. These are placed in perspective however, by the police admission in 1891 that they knew of 105 gambling houses which continued to operate in Sydney, and their belief that they remained powerless to close these places down, despite the suppression legislation.¹¹⁸ The prosecutions they undertook were little more than token gestures which had little effect on the practices of New South Wales society.

Furthermore, as we have already seen, gaming and betting prospered in all colonies throughout the two decades from 1880. Greater diversification and promotion by entrepreneurs and a dramatic growth in the forms of racing, provided ever expanding opportunities, despite the deliberations of the legislatures. In addition, a century of tradition, during which gaming and betting were practised by gentry and working class alike, had given them a place in the Australian colonial ethos by the late nineteenth century.

¹¹⁷ N.S.W., Royal Commission on Chinese Gambling, 1891/92, Appendix
p.486.

¹¹⁸ ibid.

Gambling and Romanticisation

By this period sport was playing a prominent role in fostering an Australian awareness, even a "national pride", as has been demonstrated by Mandle in his study of late nineteenth century colonial cricket.¹¹⁹ However, this consciousness was not restricted to cricket. Success in international competition in sculling, pedestrianism and boxing, similarly fostered such pride.¹²⁰ In reality, sport in general was assuming a prominent place in the national consciousness. Meanwhile, the relationship between sport and betting had continued to grow unimpeded. Cycling, pigeon shooting, handball and swimming, as well as the sports mentioned previously, were all inseparable from prizemoney and betting.¹²¹ So, as the position of the sports rose in importance, the place of betting, as an integral part of the society, was cemented. Not even allegations of an attempt to bribe the 1876 New South Wales Cricket team during a match against Victoria could weaken this position. That the alleged attempt was the result of a bet of £500 highlighted the relationship between sport and gambling, and ensured its condemnation by the press - but for the general populous this instance probably contributed to betting's romanticisation by providing a legend hinting at the corruption of the highest level of

119 W.F. Mandle, "Cricket and Australian Nationalism in the Nineteenth Century", Journal of the Royal Australian Historical Society, vol.59, part 4, December 1973.

120 Corris, op.cit., pp.49-57; Australian Etiquette, pp.547-551.

121 For examples see, Sydney Morning Herald, 26 January, 6 February, 3 May 1880, 5, 17 and 28 August, 8 December 1899; Gould, Town and Bush, op.cit., p.62; Gould, On and Off the Turf, op.cit., p.204; Griffiths, A Rolling Stone, op.cit., p.20, James Scobie, My Life on the Australian Turf, Melbourne 1929, p.37; Australian Etiquette, p.496; Dunstan, Sports, op.cit., pp.260-270.

genteel sport.¹²²

The gambling game which was to become accepted as a form of national sport during the first world war, and which would become part of Australia's Anzac legend, namely two-up, was beginning to emerge as a prominent form of gaming by the 1890s.¹²³ But it was through horseracing, and adulation of racing heroes like Tommy Corrigan and the mighty horse Carbine, that Australians' gambling habits were susceptible to romanticisation.¹²⁴ In the 1880s and '90s, specialist sporting magazines such as Sydney's Referee and Melbourne's Sportsman, emerged to applaud the sportsmen and their animals. Their efforts were almost matched by the sporting sections of weekly journals like the Australasian, the Sydney Mail, the Melbourne Leader, the Queenslander, the Town and Country Journal and the Adelaide Observer.¹²⁵

Even the daily press, including the most conventional such as the

¹²² Sydney Mail, 22 January 1876; Sydney Morning Herald, 7 and 18 January 1876.

¹²³ Brennan, op.cit., p.29; See also Victoria, Royal Commission into the Police Force, 1905, Appendix P.XXIV; There is some evidence that two-up was played on the Victorian goldfields in the 1850s. See Geoffrey Blainey, The Rush that Never Ended, op.cit., p.41.

¹²⁴ For Corrigan see Chapter Four above, p.129. No doubt his death at the height of his popularity increased his romantic quality. Carbine, arguably Australia's greatest racehorse, (despite his New Zealand birth), raced 33 times, recording 23 wins and nine placings. At his unplaced run he pulled up lame. The 10st.5lb. he carried to victory in the 1890 Melbourne Cup still stands as a record, despite the gradual increase in minimum weights carried over the last century.

¹²⁵ See the assessment of these by Nat Gould, Town and Bush, op.cit., p.268. Gould was a journalist, writing mainly for the Referee during this period. See also Twopeny, op.cit., p.236.

Sydney Morning Herald, provided extensive coverage of sport, particularly horse racing, though its coverage of racing information, including pre-post markets, predictions, detailed race descriptions and post-race analyses. This coverage had not altered greatly since the preceding era, except in quantity. The rapid expansion of race meetings led to an equal expansion of the total volume of racing coverage - despite the paper's occasional expressions of support for legislative attempts at gaming and betting suppression.¹²⁶

The prominence given to sport, and particularly to horse racing, by the press, served only to increase their public profile and hence their acceptability to the people. But the best illustration of the extent of gaming and betting's (or at least horse racing's) romanticisation during this era is provided by poet Adam Lindsay Gordon. An accomplished horseman who once rode a treble in steeplechase events at Flemington,¹²⁷ Gordon combined his love of poetry with his love of racing in such works as "How we beat the favourite".¹²⁸ While these works might not have been literary masterpieces, they did capture the excitement and romance of horse racing and placed Gordon at the forefront of Australian writers. Recognition came too late to prevent Gordon's suicide in 1870, but there is little doubt that his popularity played a part in saving the sport he loved from the hands of its opponents in the 1880s and '90s.

¹²⁶ For example, 17 April 1880.

¹²⁷ Pollard, op.cit., p.190.

¹²⁸ A.L. Gordon, The Poetical Works of Adam Lindsay Gordon, London [1912], p.152.

As Sidney Webb discovered in his discussion with one of Sydney's largest booksellers in 1898, about 1,000 copies of Gordon's works continued to sell each year and the bookseller

...attributed this popularity to Gordon's reputation as the best and most fearless rider ever known¹²⁹ in Australia, and to his poems dealing with horseracing.

Gordon's romanticisation of horse racing, the colonial gentry's determination to protect their sport, and the century of tradition which fostered the belief that gaming and betting were part of the colonial character, and hence could never be eliminated, all combined to prevent the passage of effective, comprehensive legislation against gaming and betting in the final decades of the nineteenth century. But above all, the primary reason for the legislative failure was the continued failure of protestant urban middle-class values to achieve a cultural hegemony, despite urban middle-class economic and political prominence.

Cultural Rivalry

It has been demonstrated in this chapter, that three identifiable value systems, concerning gaming and betting existed in late nineteenth century colonial Australia. The urban growth of this period and the general shift in economic and political primacy to urban and

¹²⁹ Austin, op.cit., p.48.

commercial interests, led to a more prominent expression of urban middle-class values, which were influenced by protestantism and voiced by an expanding protestant press. But the story of gaming and betting in this period demonstrates the failure of those interests to achieve a cultural hegemony for their value system, sufficient to enforce it through legislation.

In the 1880s and '90s gentry gamblers wanted to continue their gaming in exclusive surroundings in their clubs, and they wanted to continue their "aristocratic" control of horse racing. While their clubs were never threatened seriously, their control of horse racing was - both by legislative attempts and by the emergence of proprietary racing. The gentry influence on the legislature was sufficient to protect their interests from legislative suppression, but inadequate to force uniform acceptance of the totalisator, which the gentry believed would enable their courses to compete more effectively against the proprietary companies for the crowd support needed to maintain high levels of prizemoney.

It is significant that the two parliaments which resisted gentry lobbying for the on-course totalisator in this period, were those in the largest urban centres, Sydney and Melbourne; and that the colony which abolished the totalisator for a while in the 1880s was the one with the most overtly non-conformist population, South Australia. Nevertheless, the protestant middle-class opinion which resisted the totalisator also achieved only limited success. Reformers' denunciation of sweepstakes led to the suppression of that form of gaming

everywhere except in Tasmania, where it operated under government supervision. This reform was achievable because it was not contrary to gentry interests. Furthermore, the use of postal bans enabled sweep suppression in most colonies, without leading to the charges of "class legislation" which occasionally met the attempts to suppress the gaming and betting houses frequented by the working classes and the Chinese.

These groups were subject to prosecution after the passage of gaming and betting houses legislation, but for the most part such legislation was ineffective. The Chinese dens continued virtually unaffected in the late 1890s, and the betting houses found ways to avoid the laws.¹³⁰ Working-class interest in betting was catered for as never before by the advent of pony racing and trotting, which were available almost every day in Sydney. Regulations against sweepstakes also proved ineffective against working-class demands once George Adams was permitted to operate in Tasmania. The attraction of possible instant wealth continued to outweigh the prospect of any prosecution for breach of postal regulations. In fact Adam's success in Tasmania added to the romantic element fostered by the work of Adam Lindsay Gordon, and helped to reinforce the working-class value system which endorsed gaming and betting in the face of middle-class reform attempts.

Given this context it is not surprising that the legislative

¹³⁰ See below, Chapter Six, pp.238-239.

history of gaming and betting in this era is confusing. In addition to the Acts passed, and other bills already discussed, the parliaments considered innumerable other gambling bills during these decades.

In New South Wales in 1834, an Illegal Lotteries Bill aimed at preventing land lotteries passed the Council, but was lost in the Assembly when the parliament was prorogued. In 1891 a Racing Association Bill which attempted to define the rights of people in companies, clubs and associations involved in horse racing, and to establish a representative tribunal to control horse racing, - the first attempt to take the rise of proprietary racing companies into account - failed to go beyond the first reading because of prorogation.¹³¹

Considerable legislative effort in New South Wales was devoted to attempts to legalise the totalisator. Between 1880 and 1899, eight separate attempts were made to legalise the machine, but on every occasion the bill was still under consideration when parliament was prorogued. On most occasions debate revolved around the questions of whether the totalisator would increase betting by giving it an air of legitimacy, and whether it was better to have betting conducted "openly and fairly", under careful supervision, or to force it underground.¹³²

¹³¹ N.S.W.P.D., first series, vol.12, pp.3117-3121, vol.53, p.1629..

¹³² See *ibid.*, 1880-1899. For example see the debate, first series vol.62, pp.3883-3896.

Although the details of legislative endeavour varied from one colony to the next, the great problem faced by the legislators was that whilst, in the absence of strong subscribers to working-class values - apart from some "self-improving" labour party members, most agreed that gambling to excess, and to the extent of creating a public nuisance, was something to be condemned; and that members of the lower orders who could not afford to gamble, sometimes found themselves in financial trouble because of gambling; they could not agree unanimously that gaming and betting were inherently evil. The upper houses were full of members, and even chairmen, of the racing clubs. Both houses contained racehorse owners and members of the gentlemen's clubs. With the exception of a few middle-class zealots, the members of the legislatures were men who wished to permit their peers to continue the established and socially acceptable practices of gaming and betting, though they agreed that some control over working-class habits was necessary. Yet the legislation designed to control working-class practices was doomed to fail because it was necessary to ensure that it could not be used against gentlemen gamblers.

So, despite the growth and diversification of gaming and betting in the colonies after 1880, and the growth of urban middle-class antipathy towards it; and despite the shift in control of gambling facilities, away from the gentry towards commercial entrepreneurs, and despite gambling's increasingly public face; legislative attempts to outlaw gaming and betting, or to decrease them, were bound to fail. The ambivalence of the legislatures, guaranteed by the rival value

systems contained within them, and the failure of any one system to achieve dominance ensured this failure. More bills could have passed the legislatures if they had received government support, but the issues involved were much too contentious for any group to risk their parliamentary futures on. Besides, questions of tariff policy, industrial policy, federation, and even the usual roads and bridges issues, were all still available to provide the basis of election campaigns.

The final years of the century did offer some insight into the likely directions of gaming and betting legislation in the century to come. In New South Wales it seemed that the totalisator would soon be introduced after almost twenty years of debate, and in South Australia an attempt was made to provide the teeth which had been missing from most anti-gambling legislation. These two attempts appear to be movements in different directions, but they did derive from a common denominator; recognition that the gentry were losing control of gaming and betting.

The New South Wales attempt was a response to the A.J.C. belief that the totalisator would enable it to compete more effectively against the proprietary racing companies, and would thus restore the major betting activities to those racecourses supervised by the gentry. The bill passed the Legislative Council, but despite being introduced into the Assembly by Premier Lyne, it failed because of yet another prorogation.¹³³ In South Australia the Gaming Further Suppression Act of 1897 promised to provide sufficient powers to the

police to enable easier convictions. It also established a precedent when it prohibited all forms of betting, even in private, by persons under the age of 21 years. Thus, for the first time, the very act of betting, rather than particular forms, or in particular places, or with particular implements and consequences, was forbidden.¹³⁴

Although the New South Wales bill failed, and the South Australian Act subsequently proved to contain loopholes making it less effective than it first seemed, these two legislative attempts demonstrate major shifts in the legislatures' opinions concerning gambling. In South Australia the legislature was beginning to realise that laws which attempted to exempt certain classes from police harassment were ineffective in putting down the activities of the other classes. It also realised to be effective the legislation needed to be comprehensive and to treat all classes equally. Both cases recognised a weakening of the influence traditionally held by the gentry.

These two proposals however, also reflected the continued existence of rivalry between those who wanted to control gambling and those who wanted its complete abolition. In all colonies between 1880 and 1900, there were legislators and propagandists who preferred the latter option, but they were not organised sufficiently to achieve their aims. Governments were not satisfied that the electorate was sufficiently concerned to warrant their sponsorship of gambling

¹³³ see ibid., first series, vol.101, pp.2266-2295, 2563-2577, 2619.
¹³⁴ Rendell, op.cit., p.21.

suppression. Rather, the public support for the gambling entrepreneurs had demonstrated that an anti-gambling stance was unlikely to receive a vote of confidence from the electorate. But gaming and betting's increased public profile had made them clearer targets for attack. In the following decade their opponents were to set their sights on those targets, and as the results of commercial/entrepreneurial control became more apparent, the mist of gentry objection to reform was gradually raised. Parallel to this, there was to be an increased determination of the protestant reform groups, arising out of a modification of their aims and methods, and a renaissance of both evangelicalism and sectarianism. Whether their determination was to be rewarded by achievement of their aims requires analysis in the next chapter.

CHAPTER SIX

WOWSER REFORMS, 1900-1916

At the beginning of the twentieth century Australian gamblers faced a determined attack on their pastime, led by organised evangelical protestantism. The attack was concerned less with educating gamblers to see the immorality of their habits, than with a more vigorous attempt at legislative reform, this time with government sponsorship. The advent of Federation, the consequent disappearance of the tariff issue and the emergence of party politics necessitated a redrafting of political lines, and governments which were prepared to risk their futures on issues of moral and social reform arrived. Their task was made simpler by the clear targets presented by the gaming and betting entrepreneurs, but the energy, enthusiasm and electoral support behind the government sponsored reforms, were provided by a revitalised Australian evangelicalism.

The role of Australian protestantism in attempts to achieve gambling reform has been discussed briefly above,¹ but to understand the increased intensity of protestantism's attack and its changes in methods and focus during the first decade of the new century, compared with the preceding twenty years, it is necessary to understand Australian protestantism's transformation between approximately 1880 and 1905.

¹ See above, Chapter Five, pp.162-165.

Organised Protestantism

The most important studies of Australian protestantism over this period have focused on New South Wales. Walter Phillips offers a detailed analysis of the churches in the 1880s and Richard Broome is concerned primarily with the years 1910 to 1914, but both works also examine the 1890s and 1900s, and provide a continuous and complementary analysis. Much of David Bollen's pioneering work on the period from 1900 to 1910 has been superceded by the more recent works, but some aspects of his analysis remain valid. Together these three authors have made possible a clear comprehension of the motives, ideals and methods of organised protestantism in New South Wales.²

Phillips has demonstrated that Australian protestantism faced a crisis in the 1880s. Australian christianity was being challenged by a secularism movement given greater emphasis by the late nineteenth century advances in science. Whilst secularists, free thinkers and spiritualists were filling the lecture halls, the clergy preached in churches with many empty pews. State aid to the churches and their schools had ceased and the traditional English Sunday was being eroded gradually.³ The protestant response to these challenges involved significant rethinking of the churches' mission and methods. Much effort was devoted to church extension, particularly in the city,

² J.D. Bollen, Protestantism and Social Reform in New South Wales 1890-1910, Melbourne 1972; Richard Broome, Treasure in Earthen Vessels: Protestant Christianity in New South Wales Society 1900-1914, Brisbane 1980; Walter Phillips, op.cit..

³ Phillips, W., op.cit., p.113

where the churches attempted to win back working class congregations.⁴ To fill the new churches, Australian protestants embarked on an evangelical revival. With the exception of some High Church Anglicans, the bulk of Australian protestant clergy were evangelicals, though as Phillips observed:

Australia has never experienced a religious revival like the Evangelical Revival in eighteenth century Britain or the Great Awakening in North America, Australian Christianity lived in the afterglow of the eighteenth century revivals.⁵

The 1880s however, was a decade of great religious enthusiasm, with evangelist leadership provided by visiting overseas preachers who attacked intemperance, sexual immorality, gambling and desecration of the Sabbath.⁶ Whilst the evangelistic campaigns of this decade preached mainly to the converted and did little to improve church attendance, their significance lies in their impact on church attitudes. Evangelical enthusiasm persuaded the churches that they were beginning to win the battles against apathy and secularism and so spurred them on to greater efforts. Equally important was the foreshadowing of a change of reform methods, arising out of the conviction that the issues at stake were far too important to rely solely on moral suasion.

Despite continued expression of the evangelical principle of

4 ibid., pp.40-45.
 5 ibid., p.59.
 6 ibid., pp.59-73.

social reform through individual regeneration, and minority support for the liberal principle of minimal restriction on the freedom of the individual, support for legislative prohibition of intemperance and legislative protection of the christian Sunday grew noticeably during the 1880s and 1890s.⁷ The issues at stake were regarded by many as sufficiently serious to require exceptional remedies. Furthermore, according to Phillips, when churchmen sought to influence politics on such issues as Sunday observance, divorce, gambling or temperance reform, they were seeking endorsement of their religious values, their moral standards and the position of authority that religion should wield in Australian society.⁸

By the end of the nineteenth century protestantism believed that its fight for survival was being won and it looked forward to even greater acceptance of church ideas on social and moral issues, but as was demonstrated in the previous chapter, its success in the fight against gambling in the 1880s and 1890s was very limited.⁹ Although the traditional evangelical doctrine of social reform through individual regeneration was modified, as churchmen perceived a need for legislative action to ensure a fundamentalist evangelical or puritan morality, the churches in the late nineteenth century were unable to persuade the legislatures to pursue wholesale reforms.¹⁰ As has been illustrated above, the politicians paid lip service to the protestant morality and introduced some reforms, but governments

7 ibid., pp.145, 171.

8 ibid., p.261.

9 ibid., p.268.

10 ibid., p.269.

remained unprepared to stake their political futures on the implementation of a compulsory puritan morality.¹¹ If the urban middle classes had achieved an economic and political hegemony by the end of the nineteenth century, their protestant based values had not yet achieved such a dominant position. Yet the attitudes of governments were to change dramatically in the first decade of the new century, when protestant attitudes and methods continued to alter in a political atmosphere more conducive to the achievement of their aims.

The fight against secularism, through church extension in pastoral care and evangelism continued, but the efforts to achieve moral reform became embroiled in an atmosphere of anti-Catholic sectarianism, class disputation and legislative prohibition. In Broome's words it "degenerated into the excesses of cant and coercion which became known as wowserism".¹² Broome has demonstrated convincingly that by 1900, Australian protestantism was largely middle-class in both composition and nature, despite a nominal but active working-class element. The middle-class values and mentality of protestantism provided the basis for both the directions of the reform movement and the sectarian atmosphere.¹³

According to Broome, sectarianism, never far below the surface in

¹¹ See above, Chapter Five, pp.203-205.

¹² Broome, R., *op.cit.*, p.xi.

¹³ *ibid.*, pp.xi-xiii; Analysis of the mutual interdependence of protestantism and the middle classes is also pursued in R.L. Broome, "Protestantism in New South Wales Society 1900-1914", Ph.D. thesis, University of Sydney, 1974, especially Chapter 1, pp.17-85.

Australian society, emerged in waves and rhythms, depending on the political and economic climate. It was based as much on wider cultural alignments as on religious groupings, for just as protestantism was based on middle-class values and membership, Australian catholicism with its Irish and convict heritage was based on working-class alignments and cultural values.¹⁴ During the 1880s and 1890s, after the state aid controversy began to die down, sectarian tension was lessened by the joint Catholic and protestant recognition of the need to defend christianity against secularism.¹⁵ Although the two seldom worked together, and catholicism was considerably more complacent, violent sectarian bigotry remained the preserve of minority fringe groups, at least until the end of the century when, according to Broome, a generation of sectarian peace was broken,

... primarily by the economic and political turmoil of the 1890s which polarised social and economic groups, and, particularly in New South Wales,¹⁶ accelerated the growth of nascent class alignments.¹⁶

These class alignments and associated religious affiliations also developed into clear cut political alliances.¹⁷ J.D. Bollen has demonstrated that an alliance between protestantism and the New South Wales Free Trade movement was developing during the 1880s and 1890s, as more churchmen saw a need for legislative action to enforce moral reform.¹⁸ Prior to 1900, however, this alliance, whilst growing

¹⁴ Broome, Treasure in Earthen Vessels, op.cit., p.96.

¹⁵ Phillips, op.cit., p.15.

¹⁶ Broome, Treasure in Earthen Vessels, op.cit., p.96.

¹⁷ For further discussion see Rickard, op.cit., Chapter 11 "Class Consciousness in Australia", especially p.302.

gradually, remained very loose. Protestantism, mainly through its temperance societies sought to influence elections by the public endorsement of candidates, the majority of whom were Free Traders. But the considerable electoral success of the temperance endorsed candidates was not matched by their legislative efforts on behalf of temperance once they entered the parliament. The politicians lacked the commitment and discipline needed to achieve the temperance aims.¹⁹

The economic and political turmoil of the 1890s however, contributed to the tightening of the previously loose alliance. In the atmosphere of political reform which followed the 1890s, the Labor Party emerged as a threat to middle-class, and hence protestant, values and aspirations. Middle-class protestantism in New South Wales still had a choice of political allegiance, between Sir John See's Progressive Party and the more conservative Liberal Party. Analysis of the composition of these parties in 1901 demonstrates however, that the choice was more apparent than real, given the re-emergence of a strong sectarianism, fuelled by Cardinal Moran in the late 1890s, and climaxing in the bitter O'Haran case of 1900.²⁰ During the tenure of Sir John See's government (1901-1903) his Progressive Party contained

18 J.D. Bollen, "The Temperance Movement and the Liberal Party" *op.cit.*, pp.161-173.

19 Bollen lists 71 temperance sponsored candidates in the 1901 election. *ibid.*, p.167.

20 Broome, *op.cit.*, pp.98-101. When Father D.R. O'Haran, Cardinal Moran's private secretary, was sued by bookmaker and cricketer Arthur Coningham, for adultery with his wife, Sydney's militant protestants seized the opportunity to expose the evils of catholicism in general and Cardinal Moran and his staff in particular. A verdict in O'Haran's favour and evidence of conspiracy by Coningham and his wife, did little to diminish protestant anti-Catholic enthusiasm, *ibid.*, pp.101-103.

a strong Catholic element (25%), led by the reforming Minister for Works, E.W. O'Sullivan and the vocal Minister for Lands, W.P. Crick. Even worse, in protestant eyes, were the Labor members, 33% of whom subscribed to catholicism. In stark contrast with these figures, none of the 37 opposition members were Catholics.²¹

The sectarian atmosphere of post-federation New South Wales simply accelerated the already clear trend of alliance between middle-class protestantism and the middle-class Liberal Party.

The relations between Protestantism and Labour, which had never been particularly bright, were finished by 1900. Catholicism was aligned with Labour and the remnants of the Progressives on the one hand, while Protestantism was allied with non-Labour on the other. Thus by 1900, an attack on Catholicism was one means of striking a blow at Labour and the working class.²²

The period of tenure of the See Progressive government was a period of great concern for the New South Wales middle classes and for protestantism. It was a reform government which was inclined to give Labor a hearing, and which threatened some middle-class values.²³ The period also demonstrated that Labor was not to be destroyed by the federation of the colonies. At least in New South Wales, its future

21 ibid., pp.109-110.

22 ibid., p.111.

23 Compulsory arbitration and an increased public works programme, with payment of day labour at a minimum wage, were seen as excessive government interference in the economy and contrary to the accepted economic values. The proclamation of St. Patrick's Day as a public holiday in 1902 was an even more potent symbol of Catholic and working-class influence on the Progressive Party. P. Loveday, A.W. Martin and R.S. Parker, The Emergence of The Australian Party System, Sydney 1977, pp.221-224.

appeared bright. Accordingly the opposition parties were forced to rethink their own policies and political methods to ensure not only a revival of their fortunes, but even their political survival.

P.M. Weller, Richard Broome and J.D. Bollen have all examined this rethinking process from different vantage points. All agree that the resultant firm alliance between protestantism - through its temperance movement, and in particular the Australian Protestant Defence Association headed by Reverend Dill Macky, and liberalism - through the revitalised Liberal and Reform Association, led by Joseph Carruthers, was a natural alliance of middle-class interests.²⁴ Broome and Bollen have demonstrated that New South Wales protestantism was forced to place its faith in Carruthers for, as discussed above, it had little real political choice. Weller concentrated on the other side of the alliance and has shown how the Liberal and Reform Association was aided by New South Wales protestantism in the 1904 elections, despite Carruthers' protest that the L.R.A. was not a protestant party.²⁵ Dill Macky was the force behind the reorganisation of militant protestantism in New South Wales. Spurred on by sectarian dislike of both catholicism and Cardinal Moran, he formed the Australian Protestant Defence Association in June 1901 to protect protestant interests and the A.P.D.A. expanded dramatically, from 22

²⁴ Bollen, "The Temperance Movement and the Liberal Party", *op.cit.*, p.163; Broome, *Treasure in Earthen Vessels*, *op.cit.*, p.111; P.M. Weller, "Non-Labor Parties, 1894-1914. The Development of Their Parliamentary and Electoral Organizations in New South Wales and Tasmania", Ph.D. thesis, Australian National University 1972, p.137.

²⁵ Weller, *op.cit.*, pp.228-230.

branches and 1,000 members in 1901 to 135 branches and 22,000 members by 1903, whilst its organ the Watchman launched a vigorous anti-Catholic and anti-Labour campaign. During the same period New South Wales orangism also underwent a revival.²⁶

By the time of the 1904 elections, militant protestantism was mobilised and ready to support Carruthers, and its influence on the result should not be underemphazied. Broome has demonstrated that the A.P.D.A. exercised a sometimes decisive influence in pre-selection of Liberal candidates and has even suggested that, "... militant Protestants and the Protestant temperance vote won the narrow two seat victory for Carruthers".²⁷

The importance of this electoral result for New South Wales gamblers rests in the assumption of office, for the first time, of a government committed to social reform based on militant protestant attitudes and beliefs. Whereas the governments of the 1880s and 1890s had failed to sponsor gambling reform legislation, the Carruthers Liberal and Reform Association government, through its alliance with and initial dependence upon protestantism, was committed to such sponsorship.

Of course not all protestants or all L.R.A. politicians were militant moral reformers. The more liberal protestants believed that man could choose between right and wrong and that such conscious or

²⁶ Broome, Treasure in Earthen Vessels, op.cit., pp.117-119.
²⁷ ibid., pp.122-123.

free decision was necessary to achieve moral regeneration; that individual regeneration could not be achieved through legislative prohibition. The evangelicals however, had a considerably more puritan perception of the world. They had a greater tendency to see things in black and white. Theirs was a pessimistic world view, in which man was eternally falling into temptation which was impossible to resist. Idleness and all amusements were necessarily sinful because they were accompanied by temptation.²⁸

In the sectarian and revivalist atmosphere of the post-federation decade it was the evangelical view which dominated. Accordingly, many politicians, including L.R.A. leader Carruthers, were forced to subscribe to a reform philosophy far more restrictive than their own beliefs. J.H. Carruthers, with his Methodist upbringing and a past which included some lay preaching, was sympathetic to some moderate moral reform, but as a divorcee and a director of the Associated Racing Clubs, clearly his personal beliefs were not in the vanguard of evangelicalism.²⁹ Despite this, Carruthers was to lead his party into a period of legislative endeavour which Broome has described as "Wowserism Triumphant".³⁰

Apart from attempts at gaming and betting reform, which will be

²⁸ ibid., p.130.

²⁹ The Associated Racing Clubs controlled pony racing on four Sydney courses. New South Wales, Royal Commission on the Totalisator, 1912, p.163. J.M. Ward, "Sir J.H.C. Carruthers", A.D.B., vol. seven, Melbourne 1979, pp.574-578; Rev. J.E. Carruthers, Memories of an Australian Ministry, 1868-1912, London 1922.

³⁰ Broome, op.cit., Chapter 7, pp.126-161.

discussed below, the L.R.A. in its first term of office between 1904 and 1907, embarked upon a programme to discourage vice and protect family life and protestant values. The main focus of attention was drunkenness, which had borne the brunt of moral reformist rhetoric for at least the previous two decades. This was because of the evangelical belief that consumption of alcohol led to other vices such as lust and profanity, caused poverty and seriously undermined national efficiency.³¹ The temperance campaign climaxed in the Liquor Act Amendment Act of 1905, which provided long sought local option for individual state electorates to determine the fate of hotels within their boundaries. This Act, which failed to give hotel keepers any compensation other than a time allowance, also provided the teeth needed to enforce the liquor laws and gave temperance reformers almost all they had sought.³² Drunkenness, however, was only one of the common vices threatening family life and affronting protestant values. Once the 1905 local option legislation was passed, gambling replaced it as the focus of the protestant moral reform movement.

Gaming and Betting During the Lyne and See Governments

We have seen above that gaming and betting had received attention from reformers, with a little success, during the final decades of the nineteenth century.³³ Between then and the advent of Carruthers'

³¹ ibid., p.144.

³² ibid., p.147.

³³ See above, Chapter Five, pp.201-206.

L.R.A. government, they continued to receive attention from both reformers and the police. Raids on betting houses were frequent, but they required careful planning if the police were to secure convictions under the Betting Houses Suppression Act.³⁴ Even then, the penalties imposed were seldom severe, with £5 being the most common fine.³⁵ Although most frequent in the inner city, raids were not restricted to Sydney. Police at Newcastle, Broken Hill and other country centres throughout New South Wales were attempting to enforce the law against betting houses, though their efforts clearly failed to meet with the approval of all sections of the populace.³⁶

When Sydney police arrested eighteen people on the Market Street premises of the Austral Telegram and Advertising Company in September 1901, a crowd estimated at between two and three thousand people gathered to jeer and groan.³⁷ A similar reaction greeted the police who made thirteen arrests at a Redfern betting house two months later, when a crowd of between five and six hundred greeted the police "with hoots and groans".³⁸ This quickly became a standard response to police attempts to enforce the New South Wales restrictions against gaming and betting, but it was not the expression of unanimous opinion. Whilst the gamblers jeered at the police, the politicians and the

³⁴ For examples of police raids and the difficulties of securing sufficient evidence see Sydney Morning Herald, 8 and 16 November 1899, 17 and 18 May and 28 August 1900, 7 November and 3 December 1901.

³⁵ For examples see Sydney Morning Herald, 16 November 1899, 28 August 1900, and 14 September 1901.

³⁶ Sydney Morning Herald, 17 May and 28 August 1900.

³⁷ Sydney Morning Herald, 14 September 1901.

³⁸ Sydney Morning Herald, 7 November 1901.

press continued to debate the most appropriate ways of tackling the gambling problem. Opinions ranged from the belief that all forms of gaming and betting should be outlawed and the police given greater powers to gain easier conviction, to the belief that they should be legalised in a manner which localised them, enabling careful supervision and control.

The latter opinion continued to find its most frequent expression in New South Wales and Victoria, in support for the introduction of the totalisator. The 1899/1900 New South Wales attempt to legalise the tote to operate on horse racing only, supported by the Australian Jockey Club, passed the Legislative Council before failing in the lower house due to prorogation. As the first such bill to pass a legislative house in New South Wales, the measure drew considerable comment from the press and the pulpit. Protestant opinion was expressed in numerous petitions to the lower house and through the recently formed Council of Churches, which condemned what it saw as making betting respectable and removing it "from the obnoxious surroundings which usually accompany laying the odds with the bookmakers".³⁹ Such action, the churches claimed, would increase "the betting evil" enormously. Presumably they believed that only the more worldly or more hardened sections of society had the nerve to approach the bookmaker, though he was unlikely to be offended by such

³⁹ J. Fordyce, Honorary Secretary of the Council of Churches, in a letter to Sydney Morning Herald, 25 November 1899. See also the debate between representatives of the A.J.C. and the Council of Churches carried on in letters to the Sydney Morning Herald, 8 June, 8 and 13 December 1899, 8 and 18 June 1900.

suggestions, as the churches were unintentionally defending him from having to face competition from a legal totalisator.

The supporters of the racecourse totalisator also argued a strong case. They maintained that credit betting would disappear and hence the temptation for the bettor to gamble more than he could afford would be removed. They claimed that the bookmaker would be forced out by the competition from a machine which provided "true odds", hence freeing the turf from its most disreputable element. They also argued that the deduction of ten per cent commission from the tote's turnover would provide the race clubs with a better financial structure, enabling them to increase stake money, with the hoped for two-fold consequence of removing the need for racehorse owners to adopt "sharp practices", in their attempts to gain adequate financial return for their racing investments, and of squeezing the allegedly more disreputable pony racing clubs out of existence.

It can be seen then, that the bill to legalise the totalisator was viewed on the one hand, as a panacea which would remove all the evils from the world of racing, and on the other, as a pandora's box which would expose the unsuspecting society to new and even greater evils. Although four of the five other states had been operating the totalisator for varying periods, both sides were able to draw upon the experiences gained in those states to support their own opinions.⁴⁰

⁴⁰ ibid.

Given the nature of public debate on the issue it is perhaps not surprising that Premier Lyne allowed the bill to lapse. Nor should it be surprising to find that over the following three years Lyne's successors in the Progressive Party chose to appear busy, discussing gambling reform measures which would never see the light of day, and passing legislation which can be described as little more than window dressing; much of it the restatement of existing legislation in a more consolidated form. The Progressives lacked the singlemindedness of purpose and even the philosophical basis for the introduction of wholesale moral reform. Their reform endeavours were more concerned with social welfare.⁴¹

Further opportunity for discussion was provided by the 1900 Racing Association Bill, designed to establish a racing tribunal to superintend racing in place of the A.J.C., which, under the guidance of Adrian Knox, had assumed a position of dominance over the country race clubs and was attempting to stamp out the competition provided by the pony racing clubs.⁴² This bill was referred to a Select Committee which examined witnesses at length and reported progress, but failed to present recommendations to the Parliament.⁴³ The Legislative Assembly's Select Committee appointed to examine the prevalence of gambling in 1903 achieved even less, as it did not even report

⁴¹ Loveday, Martin, and Parker, (eds) op.cit., pp.217-224; Bruce Mansfield, Australian Democrat: The Career of Edward William O'Sullivan, 1846-1910, Sydney 1965, pp.156-181.

⁴² See above Chapter Five, pp.194-195; N.S.W.P.D. second series, vol.23, p.1438.

⁴³ New South Wales, Legislative Assembly Select Committee on the Racing Association Bill, Progress Report 1900.

progress. Window dressing legislation offered by the Progressive Party government included a minor amendment to the Art Unions Act, and Acts to consolidate the laws concerning lotteries and art unions, games, wagers and betting houses, and billiards and bagatelle, but at no stage did they make any genuine attempt to sponsor real gambling reform.⁴⁴

Meanwhile, New South Wales' bettors and gamblers continued to flourish. The legislation prohibiting betting houses did nothing to prevent the continued holding of various sports meetings in which prizemoney and side betting were involved. Betting on sculling, cycle racing, pedestrianism and football continued as before.⁴⁵ Boxing, in which gloves and Queensbury rules had replaced the old bare knuckle contests, was in a period of relative decline as the best Australian fighters went overseas in search of larger purses, but smaller contests continued, especially in country regions, notably on the northern coal fields which was soon to witness the emergence of Les Darcy.⁴⁶

The gentlemen's clubs, which had been carefully exempted from the betting houses suppression Acts, also continued and prospered. The Union and the Australian clubs continued to permit gaming whilst

⁴⁴ See Appendix B, 1900 no. 4, 1901 no. 34, 1902 no. 18 and 1902 no. 38.

⁴⁵ For examples see Sydney Morning Herald, 16 July 1900, Daily Telegraph, 26 June 1902 and Inglis, op.cit., p.261.

⁴⁶ Corris, op.cit., pp.48-54, 63. Australia's Young Griffo was offered a purse of \$US4,000 for one fight in the U.S.A. in 1896. ibid., p.55.

claiming that it was kept within proper bounds.⁴⁷ Tattersall's Club, whose main concern was to provide facilities for bookmakers and punters to settle their credit bets, and its rival, City Tattersall's Club, also remained within the law without altering their activities. The example of these clubs, especially City Tattersall's, provided a model for imaginative entrepreneurs who wished to escape the betting houses legislation. Prominent Sydney bookmaker Humphrey Oxenham and Melbourne based gambling entrepreneur John Wren, were quick to seize the opportunity of establishing their own "clubs", and they were followed by numerous less prominent operators who allegedly disguised their betting shops or tote shops by charging two shillings and sixpence or five shillings club membership fee.⁴⁸ These smaller clubs were concerned almost exclusively with betting on horse and pony racing events, unlike their more respectable opposition which continued to cater for card and billiards players and also turned a blind eye to at least occasional coin games.⁴⁹ Nevertheless, there was no shortage of provision for the lower orders to indulge in the other popular forms of gambling.

⁴⁷ The President of the Union Club, H.C. Dangar is reported to have been regularly involved in coin games for small sums of money. Goddard op.cit., pp.23, 43; N.S.W.P.D. second series, vol.23, p.1437.

⁴⁸ N.S.W.P.D., second series vol.22, pp.827-828, vol.23, p.1368. Eden George (M.L.A.) claimed that the clubs' proprietors often paid on a member's behalf, provided the member placed a bet. In comparison, the annual membership fee for Tattersall's was three guineas.

⁴⁹ Goddard, op.cit., p.23. Brown, op.cit., p.64 suggests that the betting "clubs" did not work on trotting. This seems unlikely, but it is probable that until 1902 trotting's reputation would have discouraged the wary punter from betting off-course.

Two-up was common, with two of the better known schools operating from sites in Engine Street, the Haymarket, and in the old Lyceum Hall before it was purchased and renovated in 1905 for the Central Methodist Mission.⁵⁰ Chinese gambling dens remained in action and "bobs" sweeps were popular, much to the disgust of the various municipal authorities, including the Randwick Council which attempted unsuccessfully to prevent street betting through the use of municipal by-laws.⁵¹ Many of the clubs, dens and houses simply budgeted for the payment of their customer's fines in the event of a police raid, whilst others operated because of loopholes in the Betting Houses Suppression Act.⁵²

One of the most spectacular of these was the betting shop in Bank Lane, off King Street in Sydney's inner city area. This shop won a High Court judgement, ruling that if a man entered the shop and studied the odds on offer, before returning to the street where he paid money to someone else, he was not in contravention of the law since:

that particular spot, that contrivance, or that establishment was not either a house, an office, a room, or a₅₃ place within the meaning of the present Betting Acts.

Police could do no more than count the shop's customers, arriving at a

50 Broome, *op.cit.*, p.30; N.S.W.P.D. second series, vol.23, p.1455.
 51 Sydney Morning Herald, 6 December 1901. See also Daily Telegraph, 19 June 1902. The Balmain and Paddington Councils discussed the problem in 1905. Daily Telegraph, 15 and 16 August 1903.
 52 N.S.W.P.D., second series, vol.23, p.1398.
 53 *ibid.*, p.1384.

figure in excess of 20,000 in fourteen days, with a peak of 3,700 on one of those days.⁵⁴ The shop catered mainly for betting on horse and pony racing events, which continued to provide the greatest outlet for New South Wales' betting.⁵⁵

By 1905 Sydney's four pony clubs and nine horse racing clubs were offering an average of six race meetings per week. In the 1905/6 racing season, 63 days of horse racing and 232 days of pony racing, were held on Sydney and suburban courses.⁵⁶ Trotting meetings added even more racing opportunities when, after a brief period of decline due to allegedly "crooked" racing, the New South Wales Trotting Club emerged in 1902 as a non-proprietary body providing a general supervisory role akin to that exercised by the A.J.C. over horse racing.⁵⁷

During this period the A.J.C. at Randwick continued to maintain its traditional position of authority and respect, with the Sydney Morning Herald comparing it more than favourably with England's Jockey Club, because of its proven ability to conduct the sport of horse

54 ibid.; in Melbourne the Public Morals League claimed to have counted a total of 1,571 men entering John Wren's tote shop in Collingwood in a period of two hours, on Saturday, 4 November 1905. Victoria, Royal Commission on the Police Force 1906, p.268.

55 Brown, op.cit., p.64.

56 N.S.W.P.D. second series, vol.23, pp.1390, 1946. The nine horse racing clubs were those which conducted their meetings on courses at Randwick, Canterbury, Warwick Farm, Rosehill and Hawkesbury. Pony races were held on 77 days at Epping, 69 at Kensington, 59 at Rosebery Park and 27 at the new Ascot course which began operating on 7 April 1906 (under the general management of John Wren). Truth, 25 March 1906.

57 Brown, op.cit., pp.53-54, 62.

racing without the same "saturnalia of disorder" which was associated with English Derby Day.⁵⁸ The Herald did not mention that the working-class gambler of Sydney was being catered for more than adequately by the pony clubs and the variety of "clubs", houses, dens and shops.

Reforms of the Carruthers Government

Before the Carruthers government set about reforming the New South Wales gaming and betting legislation in 1906 it tested the water with a Vagrancy Act in 1905, under which the most prominent Chinese games, pak-a-pu and fan-tan, were declared unlawful.⁵⁹ The Chinese gamblers found no voices to support them in a society which had applauded the Commonwealth parliament's 1901 Immigration Restriction Act and a tightening of other regulations applying to the Chinese; particularly in the immediate aftermath of the Russo-Japanese war, which illustrated the possibility of an Asian nation's military superiority over a European one.⁶⁰ The Lotteries Bill which followed the Vagrancy Act in 1906 then became the first really genuine attempt by a New South Wales government to stamp out gambling. This bill,

⁵⁸ Sydney Morning Herald, 7 September 1901. The Herald applauded the absence of sideshows, gaming tables and other fairground elements which were common on the major English racecourses, as amusements for the lower classes.

⁵⁹ N.S.W., Statutes 1905 No.35.

⁶⁰ For general Australian attitudes towards the Chinese and Japanese in this period see A.T. Yarwood and M.J. Knowling, Race Relations in Australia: A History, Sydney 1982, pp.233-238, 242-245. For explanations of pak-a-pu and fan-tan, see above Chapter Five, p.199, footnote No. 105.

which sought to abolish all forms of lottery in which money or goods were offered as prizes, began its passage in the Legislative Council, where it was opposed by only a small minority. Although the legislation's main purpose was to close a loophole in the existing law, after a High Court decision cast doubt on the illegality of money lotteries - notably Tattersall's sweepstakes - the government, mindful of their 1905 success, argued their case largely in terms of the need to act against Chinese gambling, and to protect the morality of colonial youth.⁶¹ Councillors were not slow to observe the inappropriateness of these claims, but apart from suggesting that church raffles and art unions such as those run by the Eight Hours Movement were both harmless and useful, they offered no real resistance. The bill was of little consequence to the gentlemen of this chamber. It would affect neither their residential clubs nor their racing clubs.⁶²

In the Assembly however, the bill met a markedly more hostile reception. Attorney-General Wade, in Carruthers' absence through illness, attempted to counter opposition which saw the bill as a piece of class legislation and one aimed at the Catholic church. The bill's opponents were concerned that it would outlaw building society loan ballots; that it would end the Eight Hour Day Art Union, the major source of funds for the building of the Sydney Trades Hall; and that it would remove a major source of fund raising from the Catholic

⁶¹ Commonwealth Law Reports, vol.2, p.345; N.S.W.P.D., second series, vol.23, p.2095.

⁶² N.S.W.P.D., second series, vol.22, pp778-789, vol.23 1123-1134.

church.⁶³

This debate provides a good example of the dilemma faced by Labor leaders on the question of moral reforms. They saw the bill as a clear example of class legislation by which only the poorer gamblers, the Eight Hours Movement and the Catholic church would be affected, whilst the state's more wealthy citizens could continue to gamble at will on their race courses and in their clubs. Yet they had difficulty in defending the interests of their own class. The very emergence of these men to positions of leadership is evidence that they were self-improvers by nature, and frowned upon those habits of their fellow labourers which kept them poor, and dependent upon the higher orders. Almost invariably Labor's parliamentary leaders were men who, by accepting the parliament, its rules and all it stood for, had accepted the general validity of middle-class values.

Accordingly, leaders like W.A. Holman could not express wholehearted opposition to the bill. He had to be content with opposing the unfairness of suppressing one form of gambling entirely, but leaving the racecourses untouched. More violent opposition, however, did come from the remnants of the Progressives. E.W. O'Sullivan saw the bill as a piece of puritan sectarianism and reminded the house that under the existing law, lotteries and art unions could be held only with the permission of the Attorney-General.⁶⁴ The government had sufficient numbers and party

⁶³ ibid., vol.23, pp.2094-2215.

⁶⁴ ibid..

discipline to force the bill through, but this last point, combined with the sting of the arguments against the measure, led to a decision to let it lapse.⁶⁵ By this time the government was less concerned with its progress because they had succeeded in passing through both houses, a far more important and wideranging bill, which had become the Gaming and Betting Act (1906).

The Gaming and Betting Bill was a broadly based measure, but it did not attempt to prohibit betting completely. It sought, rather, to localise it and hence to control it through careful supervision. The bill aimed to remove the loopholes which enabled street betting, betting houses and tote shops to operate; to give the police powers which would make both apprehension and conviction considerably easier; to prohibit completely all betting by people under 21 years of age; to restrict betting by other people to racecourses and sportsgrounds (other than grounds where the management posted "no betting" signs); to reduce the number of race meetings in the Sydney and Newcastle areas to a number decided by the parliament; and to license racecourses, to enable government supervision of their operations.⁶⁶

Again it can be seen that this legislation reflected the middle-class view of protestant social and moral reform. It offered

⁶⁵ When the 1906 Gaming and Betting Act subsequently closed many of Sydney's betting shops, a loophole in the lotteries legislation resulted in a proliferation of shilling sweeps or "bobs" which the government attempted to prohibit by amending the Police Offences Act in 1908.

⁶⁶ N.S.W.P.D., second series, vol.22, pp.823-832, vol.23, pp.1377-1392.

far greater restrictions on the entertainments of the lower orders than on those of their social superiors. Randwick race meetings were to remain relatively untouched. The gentlemen's residential clubs would continue to escape prosecution, but the less respectable gaming dens and betting shops were to be closed up entirely. The number of thoroughbred horse race meetings would remain at 63 per year but pony meetings would be restricted to 72 days per year, compared with 232 in the 1905/6 season. Racing was also to be restricted to Saturdays, Wednesdays and public holidays. If working-class gamblers were to be forced on to the racecourses to indulge in their habits, these should operate only on half-day holidays, so that men would not absent themselves from work. Furthermore, racecourses would be licensed only if they had a circumference of at least six furlongs; thus the growth of more, smaller tracks offering the excitement sought by working-class gamblers was to be prevented.⁶⁷

These features of the bill did not escape the notice of the Labor Party opposition, but those members continued to be plagued by the dilemma of their competing desires to protect their fellow workers from themselves, and to fight against blatant class legislation. In this instance they were less directly concerned, as neither the Eight Hours Movement, nor the trades hall, nor the Catholic church were being threatened, so for the most part they contented themselves with pointing out the bill's hypocrisy. It claimed to be suppressing gaming and betting, but in fact it legalised bookmakers on horse racing and

⁶⁷ ibid.

on sportsgrounds, and failed to touch the respectable clubs or the stock exchange.⁶⁸ In ruling that gambling was an unlawful act in some places and under some circumstances, but perfectly legal at other times and places, the bill was open to attack. The distinction which it apparently drew between respectable and non-respectable betting and gaming was attacked, but in a rather half-hearted manner which was easily countered by the bill's main supporters, Wade and Bruntnell.⁶⁹ The most consistent opposition in the Legislative Assembly was concerned, not with the bill's provisions, but with Wade's attempt to force it through the house in one sitting.

The second reading debate began at 8.07 pm on 23 August 1906 and concluded almost ten and a half hours later. Committee proceedings followed immediately, and apart from a one hour break for breakfast, continued until 1.20 pm. At that stage despite six hours of discussion, the committee had not quite concluded its business, which was resumed on the evening of 29 August, with the third reading debate being held on 30 August. The length of discussion, especially in committee, can be explained in part as a result of opposition attempts to frustrate the government by numerous quixotic attempts to extend betting prohibition to the racecourses, and alternatively to amend clauses to permit the introduction of the totalisator. Another contributing factor was that Wade, after his second reading speech, produced a two page list of amendments to be dealt with by the committee. Such an extraordinary situation was matched at the third

⁶⁸ *ibid.*, vol.23, p.1441-1442.

⁶⁹ See the debate *ibid.*, vol.23, pp.1377-1392, 1407-1410.

reading stage when, upon realising that a committee amendment supposedly aimed at removing the right of sportsground operators or managers to permit betting on their grounds probably also had the effect of preventing racecourse betting, Wade, rather than recommit the bill briefly for the necessary amendment, preferred to send it to the Legislative Council with a request that the upper house exempt racecourses from this provision.⁷⁰

These events emphasize the urgency with which Wade pursued the measure, and it is perhaps not too difficult to find a reason for it. It is unlikely that Wade was simply attempting to prevent the opposition from marshalling their forces effectively, through careful consideration of the bill and the proposed amendments, as he had the numbers necessary to ensure the bill's passage. Labor leader McGowan provided a hint of a possible explanation when he observed that,

... when the Premier had to go home sick, we were told that we had to pass the bill through all its stages - as far as it could be passed in one night ...⁷¹

Significantly perhaps, Premier Carruthers, director of the Associated Racing Clubs, was also absent from the bill's third reading, when Wade refused to recommit the measure.⁷² Nor was he present for the second

⁷⁰ ibid., vol.23, pp.1405, 1421, 1679-1681.

⁷¹ ibid., vol.23, p.2102.

⁷² The Associated Racing Clubs controlled the pony races at Kensington, Victoria Park, Rosebery and Ascot. N.S.W., Royal Commission on the Totalisator, 1912, p.163. Carruthers continued his relationship with the A.R.C. until his death in 1932. In 1914 he considered (but rejected) the purchase of shares in Australian Totalisators Ltd., prior to the tote's legalisation in N.S.W. Carruther's papers, ML.MSS 1638, vol.21 correspondence 16 April, 5 and 8 May 1914.

reading of the 1906 Lotteries Bill. It would appear that the Attorney-General was careful to protect his leader from a degree of personal embarrassment.

Public reaction to the government's legislative effort was predicatable enough. The more respectable secular press, noting that it would be impractical to prohibit betting entirely, agreed wholeheartedly with the decision to remove its worst excesses, whilst permitting it to operate under controlled conditions on the racecourses. Public meetings gave vent to protestant middle-class opinion by applauding the reformers' actions, but urging them on to complete their business by banning the publication of betting news, and repealing the Act under which Tattersall's Club was licensed to operate.⁷³

This response, although highly vocal, was not unanimous. E.W. O'Sullivan attempted to fight the measures by forming a Sporting League, designed to work against the L.R.A. in the electorates.⁷⁴ He gained the support of the 2,000 member N.S.W. Athletic League and proceeded to establish branches throughout Sydney and suburbs over the following four months, but the league had less practical impact than the antics of those who attempted to ridicule the reforms or obstruct the police.⁷⁵ The lower-class city gamblers who had jeered and groaned

⁷³ Tattersall's Club Act (1888), Daily Telegraph, 20 August 1906.

⁷⁴ Truth, 28 October 1906; Mansfield op.cit, pp.289-290; Daily Telegraph, 15 January 1907; Sporting Guide, vol.21, 18 May 1907.

⁷⁵ For an example of ridicule aimed at "politicians of the 'God-fearing' type" see Truth, 16 September 1906.

at police raiding parties previously, adopted other tactics when the police took up station outside suspected two-up schools and demanded the names of all who entered. The pranksters proceeded to enter the premises, after giving the police the names of well known anti-gambling clergy, prominent politicians and stock exchange members.⁷⁶

In the long term, ridicule of the reformers by the less respectable press, notably Truth and The Bulletin, and their caricature portraits of the "wowsers", contributed to an orthodoxy which held that the anti-gambling, temperance and other reforms were aberrations unworthy of serious study, that they could not have been the expression of majority or even dominant minority opinion and certainly not an expression of genuine, serious, protestant social reform philosophy.⁷⁷ Even J.D. Bollen's attempt to examine the social reform philosophy of protestantism reflected this orthodoxy, and is testament to the power of the press ridicule. He attempted to argue that New South Wales protestantism during the Carruthers period became distracted away from its major concern with social reform, towards questions of moral reform; and that its zeal in suppressing drunkenness, gambling and other vices should be seen as the aberration.⁷⁸ However, it is clear that protestant moral reform, ridiculed as "wowsers", was an expression of dominant militant

⁷⁶ Truth, 10 June 1906.

⁷⁷ The ridicule was perpetuated more recently by the publication in 1968 of Keith Dunstan's Wowsers. See also Truth, 15 July 1906 for ridicule of Melbourne "wowsers" W.H. Judkins.

⁷⁸ Bollen, Protestantism and Social Reform ..., op.cit., pp.166-167.

protestant opinion. Once protestantism was in a position of direct political influence, after the 1904 success of the L.R.A., it chose to devote its political energies to achievement of these moral - or temptation removal - reforms, rather than social reform measures.⁷⁹

Richard Broome has emphasized that protestantism reached this position largely as a result of the peculiar circumstances in New South Wales, where social and class tensions were exacerbated by the sectarianism constantly fuelled by Cardinal Moran and Reverend Dill Macky.⁸⁰ There can be little doubt that the sectarian atmosphere contributed to the alliance between protestantism and the Liberals, which led eventually to the reform legislation, but it should also be noted that similar legislation was passed in other states at approximately the same time, without the same intense sectarian atmosphere, and without the same gulf between Labor and Liberal viewpoints.⁸¹

Gaming and Betting Reform in the Other States

In Victoria, the 1906 Lotteries, Gaming and Betting Act sponsored by the Bent government followed a Royal Commission into the Victorian

⁷⁹ These views are supported by Broome's analysis. Broome, Treasure in Earthen Vessels, op.cit., p.164.

⁸⁰ The roles of Moran and Dill Macky are discussed extensively by Broome in ibid., pp.98-122.

⁸¹ ibid., p.120. Broome claims that the intensity of feeling was markedly stronger in New South Wales than in Melbourne or Adelaide.

police force which found that gaming clubs, houses and dens continued to exist because the laws against them were unenforceable, and that Chinese lotteries remained common.⁸² One gambling entrepreneur, John Wren, was singled out for special attention. He was the proprietor of the, by then infamous, Collingwood tote which the police had found impossible to close down despite numerous attempts, including an invasion of the premises by police at 2.00 am on 2 November 1903 (Melbourne Cup day), and their subsequent occupation until a successful counter-attack by Wren's forces on 8 January 1904.⁸³

By 1906 Wren was far more than an illegal tote operator. He was also a successful racehorse owner whose horse, Murmer, won the Caulfield Cup in 1904, netting Wren a reported £50,000 in bets.⁸⁴ When, in the following year the V.R.C., and the V.A.T.C. rejected the nominations of Wren's horses, Wren responded by opening his own racecourse at Richmond where he proceeded to conduct pony race meetings three times per week.⁸⁵ Soon he was also operating pony races

⁸² Victoria, Statutes, 1906, No.2055; Victoria, Royal Commission on the Police Force, 1906, Report, XV, XXIV.

⁸³ ibid., Brennan op.cit., pp.52-55.

⁸⁴ Agnew, op.cit., p.80.

⁸⁵ No official reason was given for this action, though it is clear that the club committees felt Wren's presence in the winners circle on major occasions brought horse racing into disrepute. This is yet another example of the double standards held by the premier clubs and their members that betting on racecourses by men who could afford to lose was acceptable, but the provision of betting facilities for the working classes, off-course, was unacceptable. In their defence, it could be argued that Wren's notoriety, the patent illegality of his tote at Collingwood, and the rumours concerning his influence over the result of the 1901 Austral Wheel (Cycling) Race, which won him £7,000, all contributed to their decision. But, it should be emphasized that no action was taken against Wren until his horses began to win

(Footnote continued)

at Fitzroy and Ascot and had achieved a position of overall superintendance of Melbourne pony racing. In addition to these ventures Wren subverted the betting houses laws in Melbourne, as he did in Sydney, by opening his own "City Tattersall's Club" in 1905.⁸⁶ Wren's prominence in the Melbourne gambling community, and the adulation he received from working class gamblers as a result of his reputation for honesty and fair play, ensured that he would play a central role in the Victorian battle over gambling. It made him a clear target of anti-gambling opinion, and his working class, non-establishment background, together with his Catholic connections, ensured that he would receive little assistance from the gentlemen gamblers in the Victorian parliament.⁸⁷

The Victorian legislation resulted less from a formal electoral alliance between protestantism and anti-Labour than from the efforts of one man, W.H. Judkins a member of the Methodist Committee on the Amendment of Betting Laws.⁸⁸ Judkins, who believed that people would

85 (continued)

major races. See Brennan, *op.cit.*, pp.57-60, 68-73; Agnew, *op.cit.*, p.80; Sydney Morning Herald, 18 and 20 December 1901.

86 *ibid.*, pp.51, 73-74, 87-89. Membership was available to anyone who purchased a one shilling share and Brennan reports that the average sized bet was between one and five shillings. Clearly, Wren was using the protection afforded gentlemen's clubs, to cater for his working class clientele. The annual membership fee for Tattersall's Club in Sydney was three guineas. N.S.W.P.D., second series, vol.22, pp.827-828.

87 Niall Brennan, John Wren: Gambler, Melbourne 1971, pp.12-13, 41-42; Hugh Buggy, The Real John Wren, Melbourne 1977, pp.2-3; Dunstan, Wowsers, *op.cit.*, pp.215-216, 227. M. McKernan, "An Incident of Social Reform, Melbourne 1906", Journal of Religious History, vol.10 (1) 1978, p.71.

88 McKernan, "An Incident of Social Reform", *op.cit.*, p.70, 79. It was possibly fortuitous for Judkins that in the middle of his
(Footnote continued)

act morally if temptation was removed, and hence that it was parliament's duty to remove it wherever possible, orchestrated an impressive campaign against Wren and gamblers generally. It culminated in a huge delegation of an estimated 5,000 people presenting to Premier Bent a petition of detailed suggestions which almost amounted to a draft bill. The petition called for the prohibition of all betting except on racecourses; the prosecution of all visitors to betting houses as well as their owners and agents; greater police powers to enter and search premises; prohibition of the publication of betting prices and racing information in the press; government licensing of racecourses; and limits to the number of race days.⁸⁹ Bent was impressed and announced his intention to clean up gaming and betting.

The subsequent Victorian bill drew much from Judkins' suggestions, but also resembled closely the New South Wales Act. The loopholes which enabled betting houses, Chinese dens and shops disguised as clubs to avoid prosecution were closed. Wren's Collingwood tote and his City "attersall's Club both closed within a week of the Act's implementation. Betting with people under the age of 21 was prohibited completely and other betting was restricted solely to the racecourses, where bookmakers could be licensed - provided they did not do business with women.⁹⁰ Racecourses were to be licensed and

⁸⁸ (continued)

campaign an irate Flemington crowd kicked to death welching bookmaker Donald MacLeod. The horror of this event added force to Judkin's arguments.

⁸⁹ ibid., p.71 and 76.

the number of race meetings per year reduced. As in New South Wales the brunt of this reduction was to be absorbed by the pony race clubs, which in Victoria meant Wren, whose allocation of race days was reduced from 156 to only 48, whilst the V.R.C. and V.A.T.C. were virtually untouched.⁹¹

Wren's response to this restriction was to expand his interest in trotting, which was ailing badly in Victoria. He offered to rescue trotting from the doldrums by providing his own track and promoting meetings, provided he was given full control in all matters concerning the sport. Within weeks of Wren's first trotting meeting at Richmond in May 1907, the crowds began to return and the sport revived. His careful control of the sport, reportedly lessened the corruption of its participants and renewed the confidence of the punters.⁹² So Wren had not been destroyed by the Judkins/Bent legislation. He had merely shifted the focus of his operations. Nor were gaming and betting destroyed anymore than they were in New South Wales. The new legislation simply meant that the gamblers had to attend the racecourses to indulge their habits, or go further underground and continue to operate illegally, whilst risking easier conviction and

⁹⁰ This proviso was not explained adequately, but it appears to be based on the assumption that only the most "disreputable" women would bet with bookmakers. This regulation would discourage their attendance at the races, but would not interfere with the habits of ladies who might have small wagers or sweepstakes amongst their own group.

⁹¹ ibid., p.82; Brennan op.cit., pp.97, 101, 108. Dunstan, Wowers, op.cit., pp.252-253, 266-267. Victoria, Statutes, 1906 No.2055.

⁹² Agnew, op.cit., pp.79-81. The disappearance of 108 pony racemeetings must also have been a significant factor in trotting's revival.

higher penalties.

While New South Wales and Victoria were debating their anti-gambling proposals, South Australia was also pursuing similar legislation. Like their colleagues in the more populous states the South Australian police claimed that the powers they had under existing legislation made it difficult for them to obtain convictions, but a series of legislative amendments to police powers improved the odds in their favour. In 1902 they were given extended powers to enter places on suspicion. In 1904 amendments to the Police Act enabled them to "move on" crowds loitering around suspected betting shops or indulging in street betting, and in 1907 amendment of the Gaming, Further Suppression Act increased their ability to prosecute illegal bookmakers and to remove from the racecourse, people involved in gaming.⁹³ In substance the 1907 Act resembled the New South Wales and Victorian legislation which had preceded it, but the South Australian debate lacked the urgency apparent in the more populous states. South Australia had debated the totalisator question in the 1880s and had concluded that horse racing was a necessary component of the state's economy. It had also experienced a period of protestant influenced reform (notably in relation to vagrancy and prostitution) in the 1890s under the Kingston government, influenced by J.C. Kirby's Social Purity Society.⁹⁴ So the South Australian debate was less vigorous,

⁹³ Thomson, op.cit., p.53; Rendell, op.cit., p.22; Mark Finnane "Keeping the Streets Clean: The Making of the Police Offences Acts", paper to Australian Historical Association Conference, History '82, University of New South Wales, August 1982, p.5.

⁹⁴ Finnane, op.cit., p.10.

and its participants less excitable, though the results were similar.

In the remaining states, anti-gambling measures occupied a less prominent place in politics. Tasmanian governments and extra-parliamentary anti-gambling groups were content with minor amendments to the Betting and Gaming, and Lotteries Acts, and with the introduction of a Police Act which extended police powers.⁹⁵ In Queensland moral reform was considered even less important, and ministries remained content with the Suppression of Gambling Act of 1895 and the 1899 adoption of a Criminal Code, to keep that state free of gaming and betting's alleged evils.⁹⁶

Significantly, New South Wales and to a lesser extent Victoria, where the anti-gambling debates were most intense, were the states where sectarian bitterness was the most obvious. They were also the most highly urbanised and industrialised states, and accordingly, the states with the most vocal middle-class protestantism.⁹⁷ In addition, they were the only states in which the totalisator question was still an issue. Protestantism's unholy alliance with the bookmakers had failed in South Australia and had not even had an opportunity to form in Queensland and Tasmania. Yet, the anti-gambling measures of this era cannot be explained simply in terms of New South Wales and Victorian development. All states were affected to some degree and

⁹⁵ See Appendix B; Tasmania, Statutes, 1902 No.8, 1904 No.7, 1904 No.12, 1905 No.30.

⁹⁶ See Appendix B; Queensland, Statutes, 1895 No.3; 1899 No.9.

⁹⁷ Along with South Australia, which owed her middle-class protestant dominance more to her origins than to urban, industrial development.

other parts of the English speaking world were following similar trends. The New Zealand Parliament introduced a Gaming and Lotteries Act in 1906,⁹⁸ and in the same year the British Parliament passed a Street Betting Act which was highly compatible with the trend of Australian legislation and which, according to David Dixon,

... effectively completed the prohibition of a major working class recreational activity, while leaving untouched the⁹⁹ betting facilities of those higher on the social scale.

Clearly then, it cannot be claimed that the anti-gambling legislation enacted in New South Wales was purely the result of peculiar local circumstances, or even that the circumstances and issues were peculiar to the Australian states. But this realisation does not deny the suggestions made above that the anti-gambling Acts were part of a moral reform movement reflecting the influence of a middle-class opinion, which had found expression through an evangelical revival, and that the movement was in part a response to a period of economic and political turmoil coinciding with a time when christianity felt threatened by growing secularism.

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Wilson, The Luck of The Draw, op.cit., p.180.

David Dixon, "'Class Law': The Street Betting Act of 1906", International Journal of the Sociology of Law, 1980, no.8, p.103. Around the same time gambling was under attack throughout South East Asia where governments were allegedly "caught up in a spirit of reform emanating from China". In the Federated Malay States an anti-gambling petition promoted by the clergy, particularly the Methodist Episcopal Mission, but signed by many of the most prominent Chinese residents, led to an ineffective Suppression of Gaming Enactment in 1906. This was replaced in 1912 by the Common Gaming Houses Enactment which made most forms of gambling illegal. It also reduced government revenue by almost 10% per year. John G. Butcher "An Historical Enigma. A Note on the Anti-Gambling Petition of 1905". Journal of the Malaysian Branch of the Royal Asiatic Society, vol.56, issue 1, 1983, pp.1-9.

What was peculiar to New South Wales was the intensity of the sectarian atmosphere, which led to the close electoral alliance of protestantism with the Liberal and Reform Association. In Victoria the sectarian element was lessened and the formal political alliance was correspondingly absent, but the peculiar local element which flavoured the Victorian battle was the struggle between the figureheads of middle-class moral reform and working class recreational habits; W.H. Judkins and John Wren. In the other states both the intense sectarianism and the figureheads were absent, so the reforms were more gradual and less controversial, and the debates less bitter, though the overall results were similar, at least in South Australia, and to a lesser extent Tasmania.

Tattersall's

Another example of the various states acting in similar fashion is apparent in the responses of the mainland governments to Tattersall's sweepstakes, which from the mid-1890s operated an extensive business by post from Hobart, with the sponsorship of the Tasmanian government. The drawing of sweepstakes had been outlawed in the mainland states in the 1890s, but the legislatures had not succeeded in preventing people acting as agents for Tattersall's, or from advertising that fact in the newspapers or in their shop windows. When the Victorian Police Royal Commission of 1905 observed that special regulations or legislation was needed to deal with this

problem, it expressed a view which was endorsed by all mainland governments during the first decade of the new century.¹⁰⁰ In South Australia, Victoria, New South Wales and Queensland at various times during this decade, it became an offence to sell Tattersall's tickets, to act as an agent for Tatt's, or to be in possession of a ticket. Earlier colonial regulations designed to interfere with Tattersall's business were largely ignored and eventually made redundant by the transfer of postal responsibilities to the federal sphere. Deakin's Commonwealth ministry in 1907 however, was in tune with the thinking of mainland state governments when it decided to make things more difficult for Tattersall's and other sweepstakes operators by issuing orders under the Posts and Telegraph Act, which gave the Postmaster-General authority to refuse to handle mail addressed to particular individuals, firms or addresses. Tatts, which was so gazetted on 20 July 1907, responded with the tactic of having mail addressed to employees or agents elsewhere in Tasmania.¹⁰¹ Although the P.M.G. extended the bans and continued them until 1930, Tattersall's continued to prosper in spite of the restrictions imposed by Commonwealth and State governments.¹⁰² As Tattersall's warned its Queensland agents in a memorandum of 1909, on the eve of that state's attempt to restrict Tatt's operations:

Our experience in Victoria, New South Wales, and South Australia where the laws are very strict, ... was that

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- 100 Victoria, Royal Commission on the Police Force, 1905 *op.cit.*, Appendix P, XXIV; N.S.W.P.D. second series, vol.23, p.2121;
 101 Wilson, The Luck of the Draw, op.cit., pp.153, 155, 156.
 101 Others who were similarly gazetted in 1907 included John Wren and Sydney's biggest bookmaker of this era, Humphrey Oxenham. Commonwealth Gazette, 1907 p.1264.
 102 Wilson, The Luck of the Draw, op.cit., pp.153, 167-175.

for the first few months the police were very vigorous
 in enforcing the law but now it is considered a dead one
 ...¹⁰³

Accordingly, agents were told to expect only a temporary downturn in business.

This advice was appropriate not only for Tattersall's agents, but also for the other gambling entrepreneurs whose business was placed in doubt by the moral reform legislation discussed above; for once the anti-gambling Acts had been achieved middle-class protestantism considered its job was done and soon began to weaken in its determination and vigilance. Richard Broome has noted that in New South Wales after 1907 there was increasing popular disillusion with the "wowsers", that sectarianism waned after the deaths of Cardinal Moran and Reverend Dill Macky, and that the reform movement lost its drive, due to exhaustion.¹⁰⁴ However, as these factors had not existed with equal force in the other states which had implemented similar legislation, their importance can be seen as less than that of the more widespread or common factors shared by the states. In particular, the fear of a secular Australia, even an atheistic socialist Australia under Labor Party rule, was lessened as the success of the moral reform programme reminded militant protestantism that Australia was still essentially a christian country. Simultaneously, economic recovery from the 1890s depression was at last assured by about 1907, enabling the political and social tensions existing between the wide

¹⁰³ *ibid.*, p.159.

¹⁰⁴ Broome, *op.cit.*, p.160. Moran died in 1911 and Dill Macky in 1913, but both were less active politically after about 1907.

class groupings to relax.¹⁰⁵

It should not be assumed, however, that middle—class protestantism abandoned its attempt to impose its moral view immediately upon the achievement of its aims, or even when the anti-Labor politicians no longer needed its support. What decreased was not its ideals, but its influence. As the "wowsers" image of militant protestantism achieved the proportions of orthodoxy, and as anti-Labor politics developed its own electoral organisation and greater discipline the ability of middle class protestantism to impose its viewpoints decreased, even though the views continued to find adequate expression.

The Totalisator Debate

In New South Wales and Victoria the attempts to introduce the totalisator on to racecourses continued after 1907, and they continued to be met with vocal opposition from protestant spokesmen. Broome's suggestion that in New South Wales "the churches' opposition to the totalisator was surprisingly small and lethargic"¹⁰⁶ is misleading, at least for the period up to the outbreak of the first world war. The collapse of the A.P.D.A., the semi-retirement of Dill Macky and the decreased dependence of the New South Wales Liberals upon organised protestantism, certainly made protestant opposition to the tote less

¹⁰⁵ ibid., p.161.

¹⁰⁶ ibid., p.160.

relevant and less newsworthy, but the opposition did continue. The Public Morals Association, the N.S.W. Evangelical Council, the N.S.W. Christian Endeavour Union and numerous committees and congregations of the Methodist, Presbyterian and Congregational churches, continued to bombard governments with letters and pamphlets, at least until 1914.¹⁰⁷ A focal point for this opposition was provided in 1911, when the McGowan Labor government finally appointed a Royal Commission to examine the arguments for and against "machine betting".

Unlike the previous New South Wales inquiry - a Select Committee in 1898 which examined only nine witnesses¹⁰⁸ - the Royal Commission was prepared to travel to areas where the totalisator operated, and to examine witnesses who had many years experience of its operation. It travelled to New Zealand, Tasmania, South Australia, Victoria and Queensland, and examined a total of 124 witnesses, 93 of whom favoured using the machine and 28 who opposed it.¹⁰⁹ These figures suggest overwhelming support for the tote, but the sample of witnesses was far from balanced. The largest group of men interviewed were officials of racing clubs (44), and their support was almost unanimous. The machine's strongest opponents were the clergy. Of the twelve examined, only two, Anglican Archbishop Wright of Sydney and the Sydney Catholic

¹⁰⁷ See New South Wales archives 5281 Colonial Secretary, Special Bundles 1826-1934. Papers re suggested legalisation of the Totalisator, 1907-14; See also examples of letters to the press, Daily Telegraph, 20 October 1911, Sydney Morning Herald, 25 October 1911.

¹⁰⁸ New South Wales Legislative Council, Select Committee on the Totalisator Bill, 1898.

¹⁰⁹ New South Wales, Royal Commission into the Totalisator, 1912, Report, pp.xii-xiii.

Archbishop's Secretary, the Reverend P.J. Murphy, failed to condemn the totalisator wholeheartedly. Both men claimed they had insufficient knowledge of the totalisator, or betting, to form an opinion.¹¹⁰ Support for the tote came from all six policemen examined, seven of the eight racehorse owners and trainers, and seven of the eight sporting journalists. The sole professional punter interviewed opposed the machine, but bookmakers' opinions were divided. One of Sydney's largest bookmakers, Solomon Green, was confident that his business could compete successfully against it.¹¹¹ Politicians, prominent citizens and other witnesses were divided in their opinions, though the majority in each category supported the totalisator's use. In the states where the totalisator operated, the majority of people interviewed supported its retention. In South Australia three of the eleven witnesses expressed opposition, but in Tasmania support was unanimous from the six men examined, and in Queensland, where totalisator and bookmaker worked in competition on the racecourse, only the voice of one clergyman was raised against the machine. The largest group of witnesses examined were New Zealanders and these divided 38 to 12 in favour of the totalisator.¹¹²

The arguments presented, both for and against the tote, were mostly repetition of those expressed consistently since the machine's invention. Its opponents, apart from a few who were concerned to ensure that the tote did not displace bookmakers from New South Wales

¹¹⁰ ibid., Minutes of Evidence, pp.181-182, 204-205.

¹¹¹ ibid., Report, pp.xii-xiii; and Minutes of Evidence, pp.153-155.

¹¹² ibid., Report, pp.xii-xiii.

racecourses,¹¹³ continued to base their arguments on their belief that betting was evil, and that state sponsorship of the totalisator was therefore immoral. They claimed that the fascination of betting with a machine and the lifting of state sanctions would encourage people to bet. If both the volume of betting and the number of bettors increased, the state would be responsible for promoting evil and immorality.¹¹⁴ The tote's supporters, on the other hand, continued to argue that the machine would reduce evil. Its insistence upon cash only betting would reduce the problems which stemmed from men betting in credit, more than they could afford. The increased revenue to the race clubs would result in higher prizemoney and hence lessen the incentive for corrupt practices. In addition, they claimed, the tote provided a fairer service for the betting public, giving truer odds and enabling the race clubs - through increased revenue - to improve both their tracks and their facilities.¹¹⁵

There were by 1912, however, additional elements in the debate which had been absent in the 1880s. The experiences of Queensland, Tasmania, South Australia and New Zealand had all shown that the totalisator did not remove bookmakers from the racecourses; and even

113 For example see the evidence of John Logan (punter) and John Eaton (proprietor of the Sporting Guide), ibid., Minutes of Evidence, pp.189-190.

114 ibid., Report pp.v-vi.

115 ibid., pp.vii-ix. The totalisator could not offer perfectly "true" odds so long as there were deductions from the pool invested. The smaller the percentage deducted, the truer the odds. The actual deductions varied, according to the legislation of each state, from 10% to 13.5%, ibid., Minutes of Evidence, pp.10-13, 104, 112, 192, Appendices, pp.211-220; New South Wales Archives, 5281 Colonial Secretary, In Letters, from Premier, S.A. 22 April 1911 and Chief Secretary's Office, Brisbane, 9 May 1911.

in those states which legislated against them, the bookmakers continued to find ways to operate off-course. An important new factor was the rise of proprietary racing. This weakened the race club's claims that they required increased revenue. If some clubs already raced for profit, the tote would serve only to increase that profit.¹¹⁶ These factors helped to counterbalance the numerical dominance of the tote's supporters, leaving the eleven man Royal Commission divided in its recommendations.

Six members, including the vociferous opponent of betting Albert Bruntnell,¹¹⁷ signed the majority report which recommended against the totalisator. The remaining five members, including Commission President R.H. Levien, who had sponsored totalisator enabling legislation in the New South Wales Legislative Assembly continuously since 1907, recommended its adoption.¹¹⁸ Despite the majority report, in November 1912, Levien again introduced a totalisator bill, only to see it shelved until the parliament was prorogued.

This suggests that by 1912 there had been little real change in attitudes towards betting. The race club's members saw nothing wrong with betting on racecourses by men who could afford to lose. The protestant clergy saw the act of betting as immoral, and governments

¹¹⁶ *ibid.*, Report, pp.v-vi.

¹¹⁷ See above, p.246; the others were John Perry, James Wilson, J.C.L. Fitzpatrick, H.J.F. Peters and H.D. Morton.

¹¹⁸ B.B. O'Connor, Robert Hollis and R.D. Meagher also signed the minority report. William McCourt preferred to submit his recommendations separately, though he recommended in favour of the tote.

in the two states with the largest urban populations continued to equivocate. In these states the voices of the protestant, urban middle class were able to maintain the status quo - but only just. The evidence to the New South Wales Royal Commission and the division amongst the Commissioners, emphasized that there was by no means a clear dominance of the protestant middle-class values. It was apparent that even minor changes in circumstances could lead New South Wales to legalise the totalisator - especially, as in the words of the Commission's minority report, "betting is inseparable from horse racing, and therefore, the only question is the best way of regulating it".¹¹⁹ The minority report also gave the government something to ponder when it pointed to the large revenue potential of on-course totalisators.¹²⁰ For the moment however, there was to be no change in New South Wales legislation. Nor was there significant change in the gaming and betting practices of the Australian people, despite the wave of protestant based moral reform discussed above.

The Impact of the Reforms

The clubs, the racecourses and even the illegal betting shops and gaming houses in New South Wales continued, though the latter were less public than they had been prior to the 1906 legislation.¹²¹ It is noticeable that horse racing and trotting both prospered in the wake

¹¹⁹ New South Wales, Royal Commission into the Totalisator, 1912. Report, p.ix.

¹²⁰ ibid.; also see below,

¹²¹ ibid., Minutes of Evidence, pp.141, 143-144; Brown, op.cit., p.63.

of the legislation, adding credence to the suggestions during debate on the bills that legislation would force bettors to the racecourses. This is most apparent from examination of the A.J.C.'s improved income from their admission charges after 1906, as listed in Table 6.1.

TABLE 6.1

Australian Jockey Club Financial Statistics, 1904-1916

Financial Year	Stakes Added Money £	Admission £	Member subs/ Entrance Fee £
1904	27,125	27,639	2,931
1905	28,700	30,608	2,783
1906	31,225	35,305	2,847
1907	34,150	39,608	3,381
1908	36,850	43,355	3,714
1909	40,800	47,277	3,401
1910	44,950	52,486	3,306
1911	50,850	63,530	3,607
1912	56,400	83,311	4,869
1913	62,750	84,614	5,694
1914	70,750	95,132	6,125
1915	80,000	81,029	4,721
1916	74,250	83,976	4,597

Source: A.J.C., Reports 1904-1916.

The increased income from admission charges permitted increased stake money, which attracted better competition for prizes, and that influenced attendances. The additional income for the A.J.C. also enabled it to enlarge its public grandstand, build a new members' stand and effect many other improvements to its grounds and its facilities, thereby making it more attractive and resulting in even higher gate takings.¹²²

New South Wales trotting also benefited after the 1906 legislation was implemented. Although the Act required the licencing of courses, determined the minimum track size and restricted Sydney race meetings to twenty per year, the limiting of clubs outside a 40 mile radius from Sydney to six meetings per year each, contributed to an explosive expansion of country trotting - especially in areas little more than 40 miles from Sydney.¹²³ By 1912 the New South Wales Trotting Club had 98 clubs and show societies registered to race under its supervision. By then the Australian Trotting Club, which was to be Sydney's premier proprietary trotting club from 1911 till 1942, had been founded to compete directly with the N.S.W.T.C.¹²⁴ The reduction of pony race meetings provided trotting with the opportunity to expand its share of the betting market, and although no attendance figures are available for analysis, the industry's expansion suggests success. In Victoria, trotting boomed under the control of John Wren, who at least by 1910 exercised the same regulatory control as the N.S.W. T.C. did in its state. Wren's success was an important factor contributing to J. Joynton Smith's decision to form the (proprietary) Australian Trotting Club in Sydney.¹²⁵

No figures are available to determine the legislation's impact on pony racing in the most populous states, though it could hardly have benefited to the same degree as its rivals, because of the extent to

122 A.J.C., Reports 1906-1916; Ingles op.cit., p.20.
 123 New South Wales, Statutes, 1906 No.55.
 124 Brown, op.cit., pp.69-72.
 125 ibid., p.68; Agnew, op.cit., pp.80-81, 94.

which its share of the racing calendar had been reduced. What is clear, though, is that the gamblers of all Australia's eastern states continued to enjoy the facilities to bet, to play card, coin or dice games, and to invest in Tatt's or other sweepstakes. These facilities existed despite the apparent victory of the moral reform movement of the century's first decade, and its continued, if less spectacular efforts, into the following decade. Context and circumstances it seemed, would prevent the reformers from making another attempt like that culminating in the 1906/7 Acts. Circumstances, however can change rapidly, as they did in 1914 when Australia entered the first world war. In this new context, middle-class protestantism made another unsuccessful attempt to impose its will concerning recreation and pastimes on Australian society.

The Great War

During the war a clearer distinction between middle-class and working class attitudes to leisure pursuits emerged. At the turn of the century Australians, or at least those in urban society, were attempting to define distinctions between amateur and professional sport.¹²⁶ In the following decade as various sports became more

¹²⁶ In August 1899 a conference of delegates of New South Wales' athletics, cycling, lacrosse, rowing, swimming and tennis associations agreed on the following definitions. "An amateur is one who never competed for a money prize, staked bet, or declared wager, or who has not knowingly competed with or against a professional for a prize of any description or for public exhibition, or who has never taught, pursued or assisted in the (Footnote continued)

institutionalised and organised into regular competitions catering for the entertainment of the mass urban society, the question of professionalism was highlighted by schisms within some sports.¹²⁷ Generally, where these occurred, supporters divided along class lines, with the working classes sponsoring professionalism. Australian middle-class sponsorship of amateurism reflected the ideals of the mid-Victorian British urban middle classes discussed in Chapter Four above.¹²⁸ In their value system sport was not a means of employment, but a form of recreation in which character-building sport discipline

¹²⁶(continued)

practice of any athletic exercise as a means of livelihood or for pecuniary gain. An amateur forfeits his status and becomes a professional by any infringement of the above definition; engaging in athletic or gymnastic exercises, or personally teaching, training or coaching any other person therein, either as a means of obtaining a livelihood, or for pecuniary gain, or for a staked bet, money prize, or for gate money. Competing with, or pacemaking for a professional or person under sentence of suspension, in public or for a prize. Selling, realising, bartering, or otherwise turning into cash any prize won by him, or accepting any remuneration directly or indirectly from any person for any competition in which he is a competitor. Wagering or being in any way interested in a stake bet, or wager made in connection with any competition in which he is engaged. Entering for any athletic event wherein a money prize is offered. Accepting any travelling or hotel expenses from any club or sports promoters except in the case of championship meetings, or with the special sanction of the association concerned. Entering under an assumed name without declaring his true name to the secretary of his association". Disqualification and reinstatements decreed by any of the amateur associations were to apply interchangeably to all others. Sydney Morning Herald, 1 September 1899. See also the Cycling Union's list of exemptions from the rule. ibid, 14 September 1899.

¹²⁷ The development of rugby football in N.S.W. and the split between "union" and "league" (1907/8) is discussed by Chris Cunneen "The Rugby War: The Early History of Rugby League in New South Wales, 1907-15" in Richard Cashman and Michael KcKernan (eds) Sport in History, Brisbane 1979. Professionalism in Australian Football and the schism between the V.F.A. and the V.F.L. is examined in Leonie Sandercock and Ian Turner, Up Where Cazaly? The Great Australian Game, London 1981, pp.46-53.

¹²⁸ See above, Chapter Four, pp.106-107.

was developed to complement work discipline. According to the ideals of muscular christianity, sport should also be character building and self improving, but the most relevant aspect of the muscular christianity ideal by 1914 concerned sport as a patriotic exercise. Sport was justified, at least partly, as a means of producing able-bodied men for warfare.¹²⁹

Michael McKernan has examined Australian attitudes to sport during the Great War and has illustrated the pressure placed on sportsmen to enlist.¹³⁰ He has also highlighted the manner in which middle-class spokesmen, such as Wesley College headmaster L.A. Adamson, advocated the suspension of organised sport - especially professional or spectator sport - for the duration of the war.¹³¹ Amateur sport responded to the call. In Sydney, the Rugby Union abandoned its programme in 1915 and the New South Wales Cricket Association allowed only social games in the 1915/16 season. The Victorian Cricket Association reached the same decision and the Victorian Football Association suspended play in 1915. Various hockey, tennis and athletic bodies also responded to the call for voluntary curtailment of their programmes, but the more professional sports were unwilling to follow this lead. The New South Wales Rugby League, the

¹²⁹ Gordon Inglis' book, Sport and Pastime in Australia, published in London in 1912 reflects these values. Although he wrote about sport enthusiastically, he went to great pains to stress that sport should be subservient to patriotism.

¹³⁰ Michael McKernan, The Australian People and the Great War, Melbourne 1980, pp.98-102.

¹³¹ ibid., pp.102-112; Michael McKernan, "Sport, War and Society:Australia 1914-18" in Cashman and McKernan (eds), Sport in History, op.cit., p.5.

Victorian Football League and boxing promoters refused to follow suit, leaving their officials, players and spectators open to accusations of unpatriotic activity.¹³²

Horse racing was also a focus of middle-class calls, initially for voluntary curtailment, and later for government intervention. Unlike the amateur sports, horse racing was not and had never been, a 'rational recreation' or part of the muscular christianity ideal. Its association with betting and even the award of prizemoney were contrary to any definition of amateurism. Nevertheless racing had a twofold defence against calls for its suspension. Its growth over the previous thirty years meant that it was a significant employer. To disband it for the duration would lead to hardship and it was debatable whether most jockeys, trainers and others involved in the industry would meet the A.S.F.'s height and health criteria. Furthermore, racing's age old defence, that it improved the breed of the nation's horses suddenly had greater relevance. McKernan has ridiculed one sporting columnist's claim that 'the nation which comes out on top in the end is the one which possesses the best horse supply'; but this belief was undoubtedly widespread, particularly among the nation's horse owning social elite.¹³³

It was not until W.M. Hughes' Nationalist Commonwealth government

¹³² McKernan, The Australian People..., op.cit., pp.103-105, 108-110. One prominent victim of these accusations was boxer Les Darcy, whose story has become one of Australia's sports legends. Corris, op.cit., pp.60-74.

¹³³ McKernan, The Australian People... op.cit., p.102, quoting Dr. W.H. Lang ('Fife and Drum') of the Pastoral Review.

issued restriction regulations in September 1917 that racing was curtailed significantly. Their impact on pony racing was dramatic - it was prohibited for the remainder of the war - and thoroughbred race meetings were virtually restricted to Saturdays.¹³⁴ However these restrictions had minimal effect on the major race clubs. In Melbourne, thoroughbred race meetings were reduced by only two - from 80 in 1916/17 to 78 in 1917/18, and in Sydney the A.J.C. was barely affected.¹³⁵ In fact its attendances increased substantially due to the reduced competition from other organised sports. As can be seen from the following table (6.2), that club's financial performance was affected adversely during the early years of war, but by 1917 it was improving.

TABLE 6.2

A.J.C. Financial Statistics, 1914-1918

Year	Stakes Added Money £	Gate Money Admission £	Member's Subs £
1913/14	70,750	95,132	6,125
1914/15	80,000	81,029	4,721
1915/16	74,250	83,976	4,597
1916/17	65,850	76,263	4,351
1917/18	66,450	99,402	4,920

Source: A.J.C., Reports 1914-1918.

¹³⁴ Unregistered meetings - which effectively meant pony racing and all trotting races conducted by proprietary clubs - were prohibited. McKernan, The Australian People..., op.cit., p.111; L.L. Robson, Australia and the Great War 1914-18, Melbourne 1970, p.85.

¹³⁵ Argus, 13 September 1917.

The Hughes ministry's regulations, in response to vocal middle-class opinion, did achieve a reduction in the total volume of racing and the more working-class oriented race meetings bore the brunt of the sacrifice.¹³⁶ However, betting did not disappear and, as the above table indicates, attendances, at least at Randwick, increased.¹³⁷ So the apparent victory achieved by middle-class opinion on the home front during the war was illusory as well as temporary. On the battle front there was not even an appearance of such a victory.

The strength of Australians' urge to gamble and their determination to indulge the pastime regardless of circumstances, is apparent in the attitudes of the troops of the First A.I.F.. Bill Gammage has offered evidence of Australian troops playing cards whilst on sentry duty and even in the landing boats under fire at Anzac Cove.¹³⁸ He also claims the troops bet on the result of "shooting matches" between Australians and Turks in the trenches, and quotes one soldier's comment that the "national pastime of two-up" was common in France, particularly amongst deserters, who lived off the game.¹³⁹ Another soldier, writing in his diary in 1916, described life on board

¹³⁶ John Wren and ex-New South Wales Premier and A.R.C. Director, Sir Joseph Carruthers were both vocal in their criticism of the 'class bias' in the regulations and their implementation. McKernan, 'Sport, War and Society', *op.cit.*, pp.16-17.

¹³⁷ The A.J.C. answered critics of its continued racing and demonstrated its patriotism, by donating a total of £105,063 for "patriotic contributions" during the war. A.J.C., *A.G.M. Minutes*, 20 August 1919. It also housed A.I.F. troops at Randwick in 1914 and 1915. Barrie *op.cit.*, p.72.

¹³⁸ Bill Gammage, *The Broken Years: Australian Soldiers in the Great War*, Canberra 1974, p.89.

¹³⁹ *ibid.*, pp.93 and 218. This document also suggests that some deserters used double headed pennies, to ensure their profits.

the troop transports where:

Gambling is a favourite pastime ... I suppose 60% of the troops indulge in these games, more or less. These are crown and anchor, house, cards, and two-up. Any time of the day and up to 9.00 pm one will find crowds congregated together at different parts of the ship, playing one or other of these games ... the first thing that met my eyes on coming up from below this morning was the coins being tossed ... at the stern ... the crowd ... started their gambling and kept it up all through the [church] service ... I don't think it possible for them to lift their minds off the two coins in the air.¹⁴⁰

Such was the force of the gaming and betting habits against which the middle classes fought. It would be tempting to discuss the habits of the troops as untypical of the society, as the soldiers who were staking their lives were already making the supreme gamble, and so money and other possessions were irrelevant to them. This view, however, ignores the fact that the troops gambled heavily on the transport ships where many, especially early in the war, thought more about adventure than death. Equally it ignores the extent to which gambling expressions had entered the troop's language. Australian soldiers in France who had received wounds sufficient for them to be transferred to Britain, were considered "lucky beggars [who] would win Tatt's sweep if [they] went in for it".¹⁴¹

These examples demonstrate the strength, not only of the Australian gaming and betting habits, but of the illegal gambling

¹⁴⁰
¹⁴¹ ibid., p.33.
ibid., p.204.

habits. Tatt's was still legal only in Tasmania. Crown and anchor, two-up, and dice games were all illegal throughout Australia, but there is no suggestion in any of the soldiers' writings used by Gammage that the troops were unfamiliar with the various games mentioned, or that they had to be taught the illegal games.

The wartime revival of vocal middle-class opinion then had little real impact on gaming and betting practices on the home front or on the battlefield, although it did have more success on other issues.¹⁴² Yet, after 1907/8, if there was ever to be a situation in which middle-class values could hope to achieve hegemony - or at least promotion through government sponsorship - it was the situation of post-Gallipoli patriotism, which demanded sacrifices of all who remained at home. The middle-class failure to impose its values on the people as a whole has been illustrated adequately above. Just as clear however, is their failure to have those values sponsored by governments. Only Hughes' "win the war at any cost" Commonwealth government was prepared to take action on gamblers and - as we have seen - it was not very effective. The state governments could have prohibited all forms of racing but none chose to do so.

Their reason for inaction illustrates the completeness of the urban protestant middle classes' failure to achieve cultural dominance. It was in effect, the state governments' acceptance of a

¹⁴² For example, the six o'clock closing of hotels - see Walter Phillips, "'Six O'Clock Swill': The Introduction of Early Closing of Hotel Bars in Australia", Historical Studies, vol.19, no.75, October 1980, pp.250-266.

clause in the New South Wales 1912 Totalisator Royal Commission's minority report; that gaming and betting, at least in the form of the totalisator, "would supply a legitimate form of taxation from which large revenues would be reaped by the State".¹⁴³ For the wartime governments', state finance was more important than the imposition of a middle-class morality. Nowhere was this more evident than in the New South Wales government's decision to legalise the totalisator in 1916.

After the expiration of the 'Braddon Blot' clause of the Federation agreement, the states' finances remained subject to the whim of Commonwealth governments, despite the 1910 decision which guaranteed the states 25 shillings per capita, per annum, as compensation for their loss of customs revenue.¹⁴⁴ Public works programmes, which provided a major source of employment, were heavily dependent upon loan funds. But in the early war period when major external sources of funds were disappearing, and the 1914 drought was weakening the internal economy, the Hughes ministry attempted to ration borrowing. The Holman government in New South Wales succeeded in negotiating a £10,000,000 agreement with Norton, Griffiths and Company from January 1916, to maintain its public works programme, but the need to find alternative sources of revenue, independent from federal interference had been illustrated.¹⁴⁵

¹⁴³ New South Wales, Totalisator Royal Commission, 1912, Report p.ix.

¹⁴⁴ F.K. Crowley, "1901 to 1914" in Crowley (ed) op.cit., p.305. In fact this guarantee meant less each year because of the rapid price inflation between 1910 and 1920.

¹⁴⁵ H.V. Evatt, William Holman: Australian Labor Leader (Famous Australian Lives edn), Sydney 1979 (1st edn. 1940), pp.260-263.

In the context of the state's financial difficulties the totalisator debate was revived. All the old arguments were repeated, but this time two new elements were added. The country racing clubs were now far better organised and more vocal, lobbying the politicians and gaining the support of the country press.¹⁴⁶ In addition, the financial argument was emphasized by the pro-tote camp.¹⁴⁷ This argument appealed to the Parliamentary Labour Leagues disappointed by the Holman government's explanation that wartime financial problems and the need to ensure victory for Britain, must mean suspension of Labor's reform programme for the duration.¹⁴⁸

The tote was seen by some as the solution to the financial problem. The 1912 Royal Commission had devoted much of its attention to the financial aspect of the tote's introduction, but it had to rely on scattered figures illustrating the machine's contribution to consolidated revenue. They were told that the Tasmanian government collected only £1,389 in 1907, Queensland £7,511 in 1911/12, and South Australia £9,974 in 1908/9.¹⁴⁹ More heartening was the New Zealand contribution of £48,338 in 1910/11.¹⁵⁰ New South Wales however, was a

¹⁴⁶ New South Wales State Archives, 5281 Col. Sec. In Letters, 6 April 1914, from Murrumburrah Turf Club; Tamworth Daily Observer, 20 January 1914; Daily Telegraph, 17 April 1914. (The Country Clubs were agitating before the war, but after August 1914 their demands were heard more clearly). In 1914 cycling and athletics organisations also lobbied the New South Wales government for permission to operate the totalisator (or failing that to allow bookmakers to work) on their meetings. Daily Telegraph, 17 April 1914.

¹⁴⁷ For examples see correspondence from Justin McSweeney and H.S. Headley 5281 Col. Sec. In Letters, 26 September 1914.

¹⁴⁸ For examples see correspondence ibid., November 1914 - March 1915.
¹⁴⁹ Totalisator Royal Commission, 1912, op.cit., Appendix p.214, Minutes of Evidence, pp.194,207.

populous state with plenty of race meetings. Its coffers could reasonably expect a significantly higher contribution. However the variety of estimates of racecourse betting in that state - and doubts about the extent to which bettors would transfer their allegiance from bookmaker to totalisator - made estimating the potential revenue difficult. The Commission heard estimates ranging between £139,000 and £350,000.¹⁵¹ But even if the lower figure was an inflated estimate, it was obvious by 1915, that for a government with financial difficulties the totalisator could not be ignored.

The tote's introduction by the Holman government in December 1916 symbolised, for New South Wales at least, the failure of urban middle-class protestant opinion.¹⁵² Government had given priority to its financial needs over the supposed morality of its people and revenue potential had become the determining factor in gaming and betting legislation.

The challenge to gaming and betting in Australia, begun in the late 1870s and finally defeated in the war years should be seen in the widest possible political, economic, religious and class context. It was a challenge which resulted from a coalescence of middle-class and protestant fears concerning the possible collapse of their world. The

¹⁵⁰ ibid., appendix, p.209. The question of the tote as a revenue source had been examined by previous governments. Even the Carruthers government in 1908 was interested sufficiently to ask other state treasuries how much money they collected in totalisator taxes. Co.Sec 5231 In Letters, 6 and 11 April, 23 May and 3 June 1908.

¹⁵¹ ibid., Minutes of Evidence, pp.164, 173, 183.

¹⁵² New South Wales, Statutes, 1916, No.75.

apparently increasing secularism and the loss of working-class church attendances in the 1870s and '80s caused protestantism to search for reasons and remedies. The disappearance of benevolent conservative political control, the economic collapse of the 1890s and the emergence of organised working-class political opinion in the form of the political Labor Party fostered a middle-class fear of socialist, or at least working-class domination of Australia's political and economic structures. This fear led to more determined and more organised attempts to reverse the process, to shore up political, economic and social structures based on middle-class protestant ideals.

In this atmosphere, gaming and betting figured first as distasteful habits which contributed to working-class poverty, harmed the family and aided the perceived decline in church attendance. As such it was a target of protestant reform movements. But the reforms achieved were minimal or half-hearted. They failed to attract the support of governments, largely because of the presence in the colonial upper houses of gentlemen gamblers who patronised, and in large measure supervised, the existing gambling facilities. After the turmoil of the 1890s, however, politics became more polarised and more disciplined, with the remnants of benevolent colonial conservatism being squeezed out of the decision making processes by the intensified political contest between the working and middle classes. This coincided with a strong protestant evangelical revival, reminiscent of the late eighteenth century evangelical revival in Britain¹⁵³ and, at least in New South Wales, an intense anti-Catholic sectarianism based

as much on class tensions as on religious differences.¹⁵⁴

Gaming and betting, now more public and apparently much greater in volume, under the supervision and control of profit seeking entrepreneurs, were seen by the protestant middle classes as vices which were undermining the nation, and which were in urgent need of wholesale reform. Yet, even when the advocates of reform had the ears and support of anti-Labor politicians they were unable to pursue their ideals to their logical conclusion. The racecourses were still protected by their traditions of vice-regal support, and by their vested interest's appeal to middle-class concerns about the possible loss of capital investment and the destruction of the horse breeding industry. This exemption from the anti-gambling legislation and that of the gentlemen's clubs, proved fatal to the aims of the moral reformers; just as their decision to support local option, rather than the complete prohibition of hotels, ultimately led to the failure of the efforts to achieve a temperate or abstinent society.

The reformers' failure to prohibit gaming and betting completely meant a de facto recognition of their legitimacy by the state.

¹⁵³ Chapter Two above pp.16-17.

¹⁵⁴ Although the Catholic Church was a participant in the sectarian bitterness, and despite the hierarchy's relationship with John Wren, catholicism was never really involved in the anti-gambling debate. Catholic theology was not susceptible to arguments about state imposition of morality. Catholics could be forgiven their sins provided they confessed and renounced them, so Catholic theology did not demand the removal of temptations. For the Catholic, strength of faith could be tested by exposure to temptations which were then rejected by the individual. McKernan "An Incident..." op.cit., pp.71, 77-78.

Accordingly, the state no longer needed to be concerned about gambling's morality. If betting was to be permitted by the state, then the only real question remaining was whether the state should adopt a laissez-faire attitude towards it, or whether it should seek to exercise some form of control or supervision. As we have seen above, the answer for New South Wales was provided by that state's financial problems during the Great War.

The Carruthers government's failure in 1906 to apply its anti-gambling measures to the racecourses led logically to the New South Wales decision to introduce the on-course totalisator in 1916, so ironically the reformers themselves were ultimately responsible for their failure to prevent the introduction of what had become the symbol of the New South Wales pro-gambling efforts. In the state where the urban middle-class protestant challenge for cultural hegemony was most organised, and had the highest public profile, government had chosen to reject that group's values. Acceptance of racecourse betting and introduction of the totalisator was acknowledgement by the state that New South Welshmen would continue to bet regardless of the law. In the new mass society the middle classes might hold political and economic power but the successful defence of gaming and betting demonstrated that the masses could force governments to accept their values - particularly if governments could see the revenue potential of acceptance.