

of socialism. The independent Labour party was aiming at creating an industrial commonwealth.

THE CHAIRMAN: The hon. member was out of order in pursuing that line of argument.

MR. NANSON: The amendment, if carried, would utterly abolish plural voting in municipalities, and would open the way to put into practice those socialistic theories which found such strong championship on the part of supporters of the amendment.

THE CHAIRMAN: The hon. member could pursue that line of argument.

MR. NANSON: Having regard to the aims of the Labour party in England, we could well see the object of this amendment. Should the amendment be carried, should the centre of gravity of municipal voting be changed, and should greater power be placed in the hands of those who had the least stake, so far as property was concerned, in the administration of municipal revenues, would the change react for the benefit of the rate-payers? It was admitted, as the member for Hannans claimed, that the value of property was mainly dependent on population. Many instances could be quoted of decreases in the value of property in goldfields towns. During the Kimberley rush Derby town lots fetched as much as £400. They would not fetch that price now. So, sometimes the man who looked for the unearned increment lost money. If we raised taxation to a limit higher than the property owner or tenant could afford to pay, what would be the effect? In England the experience was to depreciate the value of property, because the tenant would not occupy property for which he had to pay a heavy rate, and for the same reason the property could not be sold. That might easily happen in Western Australia if we sundered the chain that existed between the person who paid the rate and the person who was elected to distribute the rates collected. Members should bear this aspect in view and remember that, instead of helping to contribute to the prosperity of a town, by carrying the amendment they might drive away its population and wealth.

Amendment (one vote in lieu of two) put and negatived.

Clause (as proposed by the Premier) passed, and added to the Bill.

On motion by the PREMIER, progress reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at four minutes to 10 o'clock, until the next Tuesday afternoon.

Legislative Council, Tuesday, 15th November, 1904.

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THE PRESIDENT took the Chair at 4.30 o'clock, p.m.

PRAYERS.

BILLS, THIRD READING.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT, read a third time and returned to the Legislative Assembly.

TRUCK ACT AMENDMENT, read a third time and transmitted to the Legislative Assembly.

INSPECTION OF MACHINERY BILL.

IN COMMITTEE.

Resumed from the 8th November.
Postponed Clause 6—Chief Inspector of Boilers:

The clause had been previously amended by adding to the first paragraph the following: "Any person may be appointed inspector without examination who, prior to the passing of this Act,

has been employed as a Government boiler inspector under the Steam Boilers Act 1897."

HON. Z. LANE moved a farther amendment, that the following words be inserted after "Steam Boilers Act 1897":—

Every other person so appointed shall pass an examination to be prescribed, and shall have been for at least five years actually employed as mechanic in the manufacture and repairs of engines and machinery in a workshop or workshops, or where work of a similar character is performed.

This amendment differed from the amendment which appeared on the Notice Paper in his name, an alteration having been made to meet certain objections on the part of members as to the qualification of an engineer. A man who had been in a workshop constructing engines should pass some examination before being appointed as inspector, for without this amendment political influence might creep in. An inspector should have the highest attainments as an engineer.

HON. M. L. MOSS: The amendment was not necessary, as the clause already provided that the inspector must pass an examination as prescribed. The hon. member now wished to repeat that the inspector should possess another qualification. Such an involved amendment should have appeared on the Notice Paper. By the clause as printed, one qualification was provided; then an amendment was passed providing that there need be no examination; now an amendment was proposed to provide that an inspector should be a mechanic. One could not understand the amendment.

THE CHAIRMAN: The first paragraph of the clause had already been passed with the addition of certain words. Mr. Lane now proposed a farther addition to the paragraph.

HON. Z. LANE: As previously stated, the idea was to stop the appointment of political persons who knew nothing whatever about machinery, and there were 10 or 12 waiting for appointments at the present time. To have as inspector a man who knew nothing about machinery was ridiculous. The proposal made would, if adopted, protect us to this extent, that a person so appointed would have some knowledge of machinery, having served five years or worked five

years in the manufacture of engines or machinery, or where work of a similar nature was performed.

THE MINISTER: This might be a very desirable amendment, but he was not prepared to say whether it was or not, not having had time to give it consideration. He consented to progress being reported at the last sitting, to consult the experts of the department. He had since consulted them, and found that in their opinion Mr. Lane's amendment was taking the thing to an extreme. There was no provision in this Bill for a first-class engineer's certificate, but only for an engine-driver's certificate. If we gave Mr. Lane's amendment farther consideration we should find it equally ridiculous. Some notice should be given of an amendment of this nature.

On motion by the Hon. C. SOMMERS, progress reported and leave given to sit again.

PUBLIC SERVICE BILL.

SECOND READING (MOVED).

THE MINISTER FOR LANDS (Hon. J. M. Drew), in moving the second reading, said: The object of this measure is to endeavour to improve our civil service both from the point of view of the civil servants and that of the country. Under existing conditions there is in connection with our civil service an absence of system and organisation. The object of the measure is to obtain an equitable system according to the nature of the work civil servants perform, and the efficiency with which they discharge their duty. Each department to a large extent goes "on its own," with the result that very often we witness the anomaly of an officer in one particular branch of the service being paid largely in excess of another officer in another branch of the service doing almost exactly the same work or the same class of work. There has been no system of classification either. It has been proposed in this Bill that this should be remedied. We want uniformity to be obtained and advancement in the service governed by some well-defined principle. Members will see on perusing the measure that it is not proposed to give the Commissioner absolute power. He will possess to a large extent, in fact almost

entirely, the power of recommendation to the Governor, who will then act, if he thinks the recommendation of the Commissioner is such as should be acted upon. I will now go through the various clauses of the Bill and explain their meaning as well as possible. It is proposed that the following shall not be brought under this Bill:—"Judges of the Supreme Court, or any officer of either House of Parliament under the special control of the President or Speaker, or under their joint control, or the Agent General or the Auditor General, or the Police Force, or any officer or person appointed by the Commissioner for Railways under the Government Railways Act 1904, or any Act amending the same; or any officer or class of officers to whom or to which, on the recommendation of and for special reasons assigned by the Commissioner, the Governor declares that the provisions of this Act shall not apply." The tenure of the office of the Commissioner is for seven years, and he is eligible for re-election. The salary is fixed by the Bill at £1,000 a year. Clause 7 enables the Governor to suspend the Commissioner from office, but the Commissioner shall not be removed from office except by the resolution of each House of Parliament. This a very necessary provision, I may point out, to safeguard the independence of the Commissioner and place him, as far as possible, outside political influence. Clause 8 sets forth that the Commissioner shall be deemed to have vacated his office if he engages during his term of office in any paid appointment outside the duties of his office; or if he become bankrupt or absent himself from duty without leave for a certain period stated. By Subclause 1 of Clause 9 the Commissioner is required to as far as practicable keep in close touch with each department, investigate the nature of the work performed, and ascertain the efficiency, economy, and general working of such department. Subclause 2 provides that the Commissioner may propose to the Governor any particular disposition of officer and officers and rearrangement or improvement in the method of carrying out the work, having regard to economy, efficiency, and convenience. Under subclause 4 the Governor may approve of any proposal of

the Commissioner; but if he does not in any instance, he must lay before Parliament a statement of his reasons for non-approval. A proposal of the Commissioner for classification or reclassification must, before being finally dealt with, be published in the *Government Gazette*. Subclause 6 provides for a transfer, by the Governor, of public officers from one department to another, on the recommendation of the Commissioner. This will enable the Commissioner to supply officers to departments which are short-handed, by drawing upon those which are over-manned. Subclause 7 enables the Governor, on the recommendation of the Commissioner, to retire officers for whom no work can be found. Clause 10 gives the right of appeal to any officer dissatisfied with the proposal of the Commissioner affecting him. The tribunal for determining the dispute is an Appeal Court, the constitution of which is explained later in the Bill. Now we come to Clause 11. Under this the necessary power is given to summon witnesses to tender evidence on oath, and the penalty in the event of failure to comply is prescribed later on. It is provided under this Bill that the Public Service shall be in five divisions—administrative, professional, clerical, educational, and general. Under Clause 12 the Commissioner has authority to delegate his powers of conducting an inquiry outside Perth when it is inconvenient for himself to conduct that inquiry. It is advisable to have this provision, as it may not be always possible for the Commissioner to travel to out-of-the-way places, such as the North-West. The evidence can be taken by his deputy; but the report must, in every instance, be made by the Commissioner himself. Clause 13 provides that a record of all officers shall be kept and gazetted in the month of August each year. Clause 14 requires the Commissioner to furnish the Governor with at least an annual report on the condition and efficiency of the public service. At the same time in his report he must show what he has been doing himself during that period. He must give an account of his stewardship. Clause 15 declares that the service shall consist of five divisions, which I have already mentioned. Clause 16 sets forth what each division shall include. In

Clauses 17, 18, 19, and 20 the method of dealing with salaries is gone into in reference to the various divisions. Part IV. relates to the examination and appointment of officers, and gives the Governor power to make regulations for competitive examinations of candidates for the civil service. Clause 22 bars persons who are not naturalised from joining the service, except with the permission of the Governor, and then only on condition that the person not naturalised shall qualify himself as soon as possible. Clause 23 provides for the separate examinations for the different divisions. Clause 24 requires that notice shall be given in the *Government Gazette* of all new appointments to be made, and the division, class, or grade, the time and place of the examination or examinations. Clause 25 regulates appointments to the clerical division. The permanent head of each department is also, under the clause, to furnish the Commissioner, during the month of May in each year, with a report on the conduct, diligence, and general efficiency of each officer. Upon this report, and upon any other information available, the Commissioner has to determine whether a particular officer is worthy of an increase in salary. Clause 26 makes provision that every person admitted to the civil service shall occupy a probationary position. It is also provided that he may be dispensed with at any time during the period of his probation. Clause 27 has reference to special cases that may arise in which it may not be expedient, in the interests of the service, to insist on either examination or probation; and this clause gives to the Governor a discretion, but the discretion can be exercised only upon the certificate of the Commissioner that there is no other person in the service already qualified to take up the particular position. Clause 28 makes it necessary for the candidate for a resident magistracy to pass an examination in law, if he is not already a lawyer; but in the case of a dual appointment, say R.M. and district medical officer, such examination may be dispensed with if the Commissioner certifies that it is desirable in the interests of economy in the public service to make such appointment. While it is advisable that a resident magistrate should have some knowledge of law, it is not considered

wise to make a hard and fast rule in regard to the matter. Clause 30 is a very desirable provision; for it takes all new appointments out of the hands of the Ministers, and I think there are few Ministers who will deplore that fact. No new appointments can be made unless at the instance of the Commissioner or upon his recommendation. Clause 31 provides a safeguard in the same direction. Clause 32 deals with the ages of new appointees. Clause 33 deals with the appointment of retired officers. Clause 34 provides that necessary temporary hands may be employed by the day or week, but there is a limit to the duration of the employment. There is a provision also enabling, in certain circumstances, persons now temporarily employed to become members of the permanent staff in the public service. Clause 35 gives the Governor power, on the recommendation of the Commissioner, to create new offices and to abolish offices. Clause 36 provides machinery by which vacancies are to be filled by promotions; and Clause 37 provides that regard should be had in the promotion of any officer to special qualification and to aptitude, as well as to seniority. Clauses 38 and 39 make it necessary that examination shall precede promotion from a lower to a higher grade in the professional divisions; and Clause 40 provides for examination in special cases when required by the Commissioner. Clause 41 enables the Governor, on the recommendation of the Commissioner, to transfer any officer in the clerical division to another division, if found incapable of performing the duties in the division to which he is attached. Clauses 42 and 43 set forth how promotions are to be made. Clauses 45 to 48 deal with the classification of school teachers, and show how the classification should be made. Hitherto school teachers have not been regarded as members of the civil service; but the Government see no reason why they should not be so regarded, and accordingly they are brought under the Bill. Clause 49 indicates the offences which shall be liable to punishment, and the punishment which may be inflicted. Clause 50 enables an aggrieved officer to appeal to the Commissioner against the decision of the permanent head who may have fined him for an alleged offence. Clause 52 permits an aggrieved officer to

appeal to the Appeal Board. The constitution of the board is set out in Clause 53, showing that it is to consist of the Commissioner, together with one member appointed by the Governor and one member appointed from among public servants in the division to which he belongs.

HON. M. L. MOSS: Where is the method of election provided?

THE MINISTER: That will be found in Clause 53. There is also a provision that no officer and no department will be allowed to be represented by counsel in any investigation. Part VII. of the Bill deals with the performance of duties in absence, also officers who are not British subjects, rent for quarters, incapacity of officers, forfeiture of office, penalties, leave of absence and holidays, and retirement of officers. Clauses 74 to 80 introduce an innovation, requiring persons appointed after the commencement of this measure to insure their lives.

HON. J. W. HACKETT: How will officers already in the service be affected by that?

THE MINISTER: Before an officer attains the age of 65 years he can be called on by the Governor to retire from the public service. This Bill does not interfere in any way with vested interests.

HON. J. W. HACKETT: An officer 70 years of age, then, may still remain in the service?

THE MINISTER: That is what I am informed. A policy of insurance will not be assignable or transferable, and will be exempt from the operation of the law of bankruptcy. In the case of an officer who cannot insure his life, provision is made for a deduction from his salary for his own benefit or for the benefit of those dependent on him in later years. Clause 83 contains a provision by which State officers may be allowed to do Commonwealth work. Clause 87 prohibits officers from engaging in duties outside the public service, except by permission. Clause 88 provides that no person appointed to the public service after the coming into operation of this measure can obtain the benefits of the Superannuation Act; but no vested rights will be interfered with by this Bill. Clause 89 gives the Governor power to make regulations. These briefly are the principles of the measure; they have had a good recep-

tion by the public in this State; and the Government will be glad if this House can agree to make the measure acceptable to all who are interested in it. I beg to move that the Bill be now read a second time.

HON. J. W. HACKETT: Can the Minister say what will be the cost of administering the Act; I mean the increased cost?

THE MINISTER: I cannot say that.

THE HON. J. W. LANGSFORD (Metropolitan-Suburban): I believe this Bill is an honest attempt to effect the ends which are set forth in the Bill. Very much will depend upon the Commissioner who is appointed to carry out its provisions; indeed the welfare of those who are mentioned in the Bill will to a large extent be in his hands; and it is not too clear as to the respective provinces which the Governor, the Commissioner, the Minister, and the permanent heads of the several departments will hold. I am afraid that at times the civil servants will be perplexed really to know under what head they come and to whom they have to appeal. I think we should endeavour to make our civil service as attractive as possible; but I am not altogether clear as to whether the Bill in its present form is just the thing to give that attraction to the service, and I think that when the Bill is in Committee there are some improvements we can make in it. As a general rule, in the public service we should grow our own men, so that those who have been faithful in dealing with the lesser duties shall have the opportunity of going on to higher offices and greater responsibilities and increased remuneration. I do not purpose dealing with each section of the Bill, but there are one or two clauses I would like to mention. Clause 32, referring to the clerical division, provides that no lad can be appointed to the division under the age of 16 years. Most of the boys in our State Schools leave school at the age of 14; so that they will have to find some occupation for two years before they can enter the public service at 16 years of age, and this condition may perhaps unfit them for the public service before a boy will be eligible by reason of his age for a position on the staff. I think it will be advisable, when dealing with this clause in Committee, to reduce the age to that

of the school age, making the limit 14 years; because the salaries payable in the clerical division, as set out in the schedule, show that if a person in that division has good luck and is diligent, and obtains a step upwards every year, by the time he is 25 years of age he will be receiving the handsome sum of £2 17s. 8d. per week. I do not think that is a salary which will be attractive in the least to any persons desirous of entering the public service. Possibly if we reduce the age to 14 years, then by the time a person in that division reaches 25 years, and wishes to get married and be responsible for a family, his salary will be somewhat higher than is proposed in the Bill. Referring next to the Appeal Board which is to be constituted as in the Bill, that may possibly be all right in regard to classification; but when the appeal is in regard to an offence, then after the Commissioner has already given his judgment he is to sit as chairman of the Appeal Board, with one officer appointed by the Governor and one appointed by the department to which the officer belongs. That may work in this way, that if the appeal made by the officer is successful, then to a large extent the system will have the effect of weakening the authority of the Commissioner; and I think that will tend in a direction that cannot but be harmful to the service. I see no reason why the long-service leave for teachers should not be extended. In every other department an officer with seven years' service may obtain three months' leave on full pay or six months' leave on half pay. Again, in 14 years an officer can have six months' leave on full pay or 12 months' leave on half pay. The teacher's long-service leave begins after 15 years' service, when he may receive three months on full pay or six months on half pay. Officers in departments other than the Educational Department may have nine months' leave on full pay or 18 months on half pay before a teacher has any leave at all. It is pointed out that teachers get seven weeks' holidays in a year, but I am informed that they do not. There is a lot of time during which we think teachers have holidays, but they are really going in for examinations or fitting themselves for higher duties. The Premier told us the other day, on the opening of the manual

exhibition, that teachers often spent their holidays in acquiring manual training so as to impart it to the scholars. All the clerical work of a school teacher has to be done outside school hours: a teacher cannot touch clerical work until after 4 o'clock, and it may continue till 5 o'clock or half-past 5. When the clause is before Committee we ought to see whether the rights of teachers in this respect are fully met. With a few alterations the Bill may be made workable, and I hope it will be of advantage to the whole of the public service.

On motion by HON. G. RANDELL, debate adjourned.

MINES REGULATION ACT AMENDMENT BILL.

ASSEMBLY'S MESSAGE.

The Council having struck out Clause 3, to which the Assembly disagreed, the reasons were now considered.

IN COMMITTEE.

THE MINISTER FOR LANDS moved:

That the Council's amendment be not insisted on.

The other evening he agreed to an amendment of the Industrial Conciliation and Arbitration Act, moved by Mr. Kingsmill, but found that the amendment simply confirmed what was already in the Arbitration Act. Under the Arbitration Act there was power to fix the rate of wages and the intervals at which wages should be paid. Since the court was established it had declared in nine cases that wages be paid weekly, and in one case that wages be paid fortnightly. A board had declared in five cases that wages should be paid weekly, and in one case that wages should be paid weekly or fortnightly. The amendment to the Mines Regulation Act gave the Minister power to say whether a mine should pay wages fortnightly. It was done simply in the interests of the storekeeper and for the preservation of public honesty, for business people could not approach the Arbitration Court, and unless the clause was reinstated, business people could not get the remedy they desired. The worker and the employer had their remedy, but the business people had not.

HON. W. KINGSMILL: The power contained in the Arbitration Act was

more implied than expressed; and in order that no mistake as to the powers of the court should be made, it was desirable to place in the Arbitration Act an amendment that would undoubtedly put it within their province to state the intervals at which wages should be paid. It was not necessary for storekeepers to give extended credit, and if they did give credit it was at their own risk. We should not delegate to the Government powers which would be extremely improper. We should adhere to the amendment.

HON. W. PATRICK: It was generally the custom in mining districts to pay wages fortnightly. There was a great grievance as to the payment of wages in the town of Day Dawn, which practically at the present time was the Great Fingall Mine. The system of credit should disappear altogether. No business man on the goldfields who refused credit would survive six months. It was evident that as no remedy was to be obtained from the Arbitration Court in the direction of bringing about the reform desired, it was the duty of members to assist the Government in this direction.

HON. R. D. MCKENZIE: It was almost the universal custom of mines in Western Australia to pay wages fortnightly; only in a few isolated cases were wages paid monthly. It was to deal with the isolated cases that the Minister should have power to say that the mines should pay their wages every two weeks. Under the Conciliation and Arbitration Act the court had power to fix the period when wages should be paid, but business people had no means of moving the court, and the men employed on the mines where the wages were not paid fortnightly would not do so. Business people should be considered to some extent, although he did not agree with Mr. Patrick that it would be impossible to do business on the goldfields without giving credit.

SIR E. H. WITTENOOM supported the clause. Fortnightly pays would be highly advantageous. Though most workmen were honest, all were not; and a man with a month's credit could do twice as much damage to the creditor as could a man paid fortnightly. The Governor-in-Council might be trusted to

exercise discretion in directing fortnightly pays.

HON. Z. LANE disagreed with the preceding speaker. All mines which could pay fortnightly did so. This was not a proper method of enforcing fortnightly pays. The matter ought to be dealt with by the Arbitration Court. Mr. McKenzie knew well that in the middle of the month a mine employee could draw against his wages. This was the practice on all the outside mines. The clause would inflict the greatest hardship on struggling back-country mines, which must, to pay fortnightly, clean up fortnightly instead of monthly. Surely few miners ran away from their districts leaving the storekeepers unpaid.

HON. M. L. MOSS: Mr. Lane was surely inaccurate in view of Mr. Patrick's examples of how business people at Day Dawn and elsewhere suffered owing to monthly pays. Far too much credit had to be given on the goldfields; and in consequence, Perth and Fremantle merchants suffered considerably. Lessening the period of credit would benefit the whole community. Mr. Kingsmill seemed to think that the clause might be used somewhat as a political instrument. Where was its political significance? Most of the mines paid fortnightly; and the Minister would surely not enforce fortnightly payments in cases where, owing to distance from a bank, such payments would be difficult.

HON. S. J. HAYNES supported the clause, which seemed reasonable. Too much credit was given; and the clause would tend to restrict it. Surely a mine-owner who could not afford to pay wages fortnightly had better desist from mining. No Government would unfairly administer the clause. Monthly wages involved the men in heavy liabilities, and led to extravagance on pay day.

HON. R. F. SHOLL: Though it was right that the men should be paid fortnightly, the Minister ought not to have power to dictate to the employer in this matter, which was one between employer and employee. If the State were to compel employers to pay wages at certain intervals, where would such legislation end? It was only at the Great Fingall mine that trouble seemed to arise through monthly pays. While objecting to such grandmotherly legislation, he sympathised

with storekeepers who made bad debts. He would vote against the clause.

HON. W. KINGSMILL: This was not a question of fortnightly or of monthly payments, but of what tribunal should decide as to times of payment. Why was mining singled out for this beneficent legislation? Why not stipulate that public servants should be paid fortnightly? These, like miners, were indebted to storekeepers. The Government was not a proper tribunal to decide such questions while we had an Arbitration Court to settle industrial matters. Amend the Arbitration Act so as to give that court the necessary jurisdiction.

THE MINISTER: The clause had been passed purely in the interests of the business public, and was moved by the ex-Minister for Mines (Mr. H. Gregory). The clause did not appear in the Bill as first presented to Parliament. There was some security if a civil servant would not pay his debts, because he could be dismissed. Business people could not appeal to the Arbitration Court, but by the adoption of this clause we would provide a means by which they could appeal to the Minister, and probably with success. On the Murchison Goldfields business people asked persistently for some provision such as this to give them protection.

Question put, and division taken with the following result:—

Ayes	16
Noes	7

Majority for 9

Ayes.
 Hon. E. M. Clarke
 Hon. J. M. Drew
 Hon. J. W. Hackett
 Hon. S. J. Haynes
 Hon. W. T. Loton
 Hon. E. McLarty
 Hon. R. D. McKenzie
 Hon. M. L. Moss
 Hon. W. Oats
 Hon. W. Patrick
 Hon. C. A. Piesse
 Hon. G. Randell
 Hon. C. Sommers
 Hon. F. M. Stone
 Hon. J. A. Thomson
 Hon. J. D. Connolly
(Teller).

Noes.
 Hon. C. E. Dempster
 Hon. W. Kingsmill
 Hon. Z. Lane
 Hon. J. W. Langsford
 Hon. R. F. Sholl
 Hon. J. W. Wright
 Hon. V. Hamersley
(Teller).

Question thus passed, and the Council's amendment not insisted on.

Resolution reported, and the report adopted.

PRIVATE BILL, FIRST READING
KALGOORLIE AND BOULDER RACING CLUBS, received from the Legislative Assembly.

ADJOURNMENT.

The House adjourned at four minutes to 6 o'clock, until the next afternoon.

Legislative Assembly,

Tuesday, 15th November, 1904.

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THE SPEAKER took the Chair at 3:30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the **COLONIAL SECRETARY:** Papers relating to the resignation of Police Constable Casserley, moved for by Mr. Watts.

QUESTION—SUNDAY BAND CONCERTS, WHY PROHIBITED.

MR. NELSON asked the Colonial Secretary: 1, Is it true, as reported in the Press, that he has given instructions for the prohibition of Sunday band concerts in Kalgoorlie and Boulder? 2, Is it fair and reasonable, in the absence of the normal means of recreation, to deprive the people of these districts of the pleasure and benefit of listening to good music?