

This would enable the company to introduce all the necessary labor for establishing their works, which appeared to be all they required, and all that House would be justified in conceding to them.

The amendment was adopted.

Paragraph 3.—“That a site for the works, not to exceed five acres in extent, should be granted in fee, free of charge, to such firm or company on the completion of their engagement, occupancy being allowed from the commencement of operations—any land in excess of such quantity should be paid for at such rates as are current at the date of application.”

Agreed to *sub silentio*.

Paragraph 4.—“That it is deemed desirable a reduction on the ordinary railway rates should be made in the transport from the port to the works of all coals used in smelting the ore.”

Agreed to without discussion.

Paragraph 5.—“That the price to be agreed upon for smelting ores sent from any of the mines into the works for such purpose should be per ton of pig lead and not per ton of ore, and a guarantee should always be given that the produce of such ore, when smelted, shall not be less than three per cent. of the estimated results as shown by assay.”

Agreed to without opposition or comment.

Resolution reported.

The House adjourned at ten o'clock, p.m.

---

## LEGISLATIVE COUNCIL,

Wednesday, 17th August, 1881.

Goods Warehouse at Perth Railway Station—Mode of Driving Horses in Teams—Excess Bill, 1880: first reading—Pension to Mr. Sholl, R.M., for past services—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

## GOODS WAREHOUSE AT PERTH RAILWAY STATION.

MR. S. H. PARKER, in accordance with notice, asked the Honorable the Colonial Secretary, “Whether any provision has been, or is intended to be made upon the Estimates for the erection of a Goods Warehouse at the City Railway Station; and if not, why not?”

THE COLONIAL SECRETARY (Lord Gifford) said no provision had been made on the Estimates for a Goods Shed at Perth, there being at present no funds available; besides, the great want of storage room for goods was at the termini of the Line (Fremantle and Guildford).

## MODE OF DRIVING HORSES IN TEAMS.

MR. S. H. PARKER, in accordance with notice, drew the attention of the House to the following paragraph in the Report of the Superintendent of Roads, recently laid on the Table of the House: “I avail myself of this opportunity again to draw attention to the character of the traffic obtaining in this Colony. No road suffers more, and few so much, as the Albany Road. Horses are driven in long files, as many as six in a team, with frequently a loose one or two, all treading in each other's footsteps, wearing the centre of the road down into a river, with a parallel on each side cut by the wheels, making proper drainage impossible.” No doubt, long before this report of the Superintendent of Roads was ever made public, hon. members were fully aware of the great damage done to the roads of the Colony, and especially newly-made roads, in consequence of this too common practice of teamsters driving their horses in one long single file. He had been particularly struck with this when recently travelling on the Albany road, where a great deal of the road had been renewed, out of the public loan raised for that purpose, and where, by reason of the practice alluded to, the roads had been so frightfully cut up, that the mail cart dare not approach the ruts for fear of capsizing. If teamsters were compelled to make their horses walk abreast, they would do much towards filling in the ruts caused by the friction of the wheels, but, under the present system of driving

horses in single file, the horses themselves formed an additional rut in the centre of the road. If it were the case that the District Boards of the Colony levied a tax upon the rateable value of property in their respective districts, for the construction and up-keep of their roads, he did not think it would be right that the Legislature should interfere in this matter; but seeing that the roads were maintained out of public funds, and that in addition to the amount expended upon them out of current revenue, the Colony had been saddled with a loan for the purpose of keeping them in repair, he did think it became the duty of the Legislature, in the interests of the ratepayers at large, to interfere, and to endeavour to put some check upon any wasteful destruction of the roads. The first resolution which he would submit for the affirmation of the House was as follows: "That the Council has, after due consideration, arrived at the conclusion that the macadamised roads of the Colony are very materially injured by the habit of driving horses in wagons and carts in long single file." That was a proposition which he supposed no one would think of controverting. The next resolution was to the following effect: "That although the Local District Roads Boards of the Colony have the power to make regulations directing the manner in which leading horses in teams shall be yoked, yet few Boards have availed themselves of the powers thereby conferred." That was another proposition which could not be gainsaid. The 39th Victoria No. 12—"An Act to make further provision for the Conservation and Improvement of Roads"—was especially enacted in order to empower the Local Roads Boards to make regulations to this effect, and it provided that any person committing a breach of such regulations rendered himself liable to a penalty of £5. As a matter of fact, however, very few boards had ever availed themselves of the powers conferred upon them by this Act, and the reason for that was not far to seek. The members of these boards were elected by the ratepayers of the district, who, as a rule, were persons possessed of teams, and who were interested in keeping up the present practice of driving horses, and he believed the members of

the Local Boards were sometimes elected on the express understanding that they would make no regulations under this Act. At any rate, he knew of one district where such regulations were framed, and where they operated beneficially upon the roads, while they were in force; but, after the next election, it was found that a majority of the members were opposed to the regulation, which was consequently rescinded. It was, therefore, evident that so long as these boards were not compelled to resort to local taxation for the conservation of their roads, but continued to obtain the necessary funds for that purpose out of the public chest, and so long as the ratepayers were interested in adhering to the present practice as regards driving horses, it was hopeless to expect any check being placed upon the destruction of their roads. For this reason, he asked the House to affirm the following further resolution: "This Council respectfully recommends His Excellency the Governor to bring in a Bill to make it compulsory upon teamsters to drive or yoke the leading horses in wagons and carts in pairs side by side, when travelling over any macadamised or otherwise artificially made road outside the limits of any municipalty." He had specially worded this resolution, so that it should not apply to any bush track, or unformed road; also that its provisions should not extend to municipalities, and for this reason—because the ratepayers within the municipalities were taxed in order to keep up their roads, and therefore he did not think the Legislature had any right to interfere with them, in the management of their roads.

MR. STEERE, in seconding the resolution, said he would like to hear some expression of opinion on the part of hon. members in whose districts the practice here advocated had been tried. It seemed to him that the present system must be very destructive indeed to the roads, but he thought it would be well that the House, before adopting these resolutions, should have an opportunity of hearing what had been the effect upon the roads in those districts where the regulations referred to had been put in force.

MR. BURGESS said the practice of yoking horses in pairs was some time

ago enforced in the York District, and, while in operation, it made a wonderful improvement in the roads; but the Local Board was obliged to give way to outside pressure from the teamsters, who were too lazy and too independent to comply with the regulation. One thing was very certain,—we would never keep our roads in repair so long as the present practice was allowed to continue.

**THE ATTORNEY GENERAL** (Hon. A. C. Onslow) said that, like the hon. member for the Swan, he had been anxious to hear from some country member in whose district the practice of double-yoking had been adopted, what had been the effect upon the roads, and also how it was that the District Boards did not exercise the power vested in them under the statute. The hon. member Mr. Burges had given them information on both points; but he did not think that the reason assigned for discontinuing the practice in the York District was such as to justify the Legislature in interfering. If it were, that House would be called upon to legislate specifically in respect of every by-law or regulation made under the provisions of every Act. He protested strongly against that principle being recognised for a moment. Their object as far as possible should be, to legislate as little as they could as regards administrative details, and to relegate to these local bodies as much power as might be regarded expedient, in the matter of framing their own by-laws and regulations. Could they possibly conceive a matter more distant from the necessity for legislative interference than the question of whether horses shall be driven in pair or in single file? If these District Road Boards had so little regard for the duties imposed upon them by the Act, and had so very little backbone as to be influenced by teamsters, and frightened from exercising the powers vested in them, by these yokels, he thought it very hard indeed that that House should be called upon to assist them.

**MR. CROWTHER** said that, whatever backbone the Local Roads Boards may have had at one time, had of late been taken out of them, by the manner in which they had been treated by the

Government in the matter of the management of their roads. In the district which he represented, however, the Local Board had still some backbone left, for the practice of driving the leading horses abreast had been in force there for some years past,—though the Board had been memorialised more than once to rescind the regulation, and to revert to the old practice, the reason assigned being the fact that the macadamised roads were in such short sections and the intervening sandy tracks so heavy, that teamsters were compelled to unyoke their horses, whenever they left the macadamised road, and let them go in single file. He must confess that, even as regards macadamised roads, the beneficial result of driving teams abreast had not been so great as he had expected.

**MR. S. S. PARKER** said the system of working horses abreast had been in vogue in his district for about two years, and he considered that the improvement which resulted in the state of the roads during that period was such as to commend the practice for general adoption. But he regretted to say that, after the regulation had been in force for a couple of years, and with marked beneficial results, the District Board, or rather a majority of its members, considered it advisable to rescind the regulation, and to revert to the old system of single file. The result, especially as regards portions of the roads which were newly-made, was already apparent, and, in his opinion, unless some legislative enactment were introduced, rendering the practice of driving teams abreast compulsory, they would never be able to keep their roads in repair.

**MR. VENN** agreed with the views expressed by the Attorney General, that this was a matter which ought to be left to the Roads Boards. He thought these boards had still sufficient back-bone left in them to legislate for themselves on a subject like this, and he should be opposed to the interference of that House in matters of local concern like this.

**SIR T. COCKBURN-CAMPBELL** thought it would be highly inadvisable to make the practice of double-yoking compulsory throughout the Colony, for the reason touched upon by the hon. member for Greenough—the patchy state of the roads in some districts, where stretches

of sandy tracks intervened between sections of macadamised roads. He thought it would be extremely hard to enforce the practice referred to in districts such as that which he represented, because of the sandy nature of the roads. He noticed that only £6,000 had been placed on the Estimates for next year, for expenditure upon the roads of the Colony—about one half the amount which used to be granted formerly; and, regard being had to the terrible condition into which the roads had been allowed to get, since they had been taken over by the Government—worse than they were ever in before—he was sure that £6,000 would not be anything like enough for putting them in repair, and for their up-keep during next year. But he failed to see how that Council could vote any more, and it seemed to him it would be absolutely necessary for the District Boards to have resort to local taxation in order to supplement the Government grant. He thought it would be better in this way to bring indirect pressure to bear upon them, and so induce them to take some steps for the preservation of their roads, rather than to legislate in the direction contemplated in these resolutions.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) recollected very well that, when they were discussing the Act referred to by the hon. member for Perth—empowering the Local Board of any district to make regulations directing that leading horses in teams should be driven abreast,—the question was raised as to whether it should be made compulsory upon the Boards to frame such regulations, or whether the clause should be simply permissive. The preponderance of opinion was in favour of the latter proposal, the general feeling being that as these Boards had been constituted on the principle of self-government, and as the House and the country had every confidence in them, it was not advisable that the Act should be made compulsory, and it was left to the discretion of the Boards as to whether they would frame these regulations or not. The result, he was free to confess, had been somewhat disappointing. He should like to see the proposal now before the House go a little further, and not only compel horses to be driven abreast, but also insist upon the width of tires being

increased. It would be readily acknowledged that the destruction caused to the roads by heavy loads being carried over them in drays having narrow tires, was equally as great as the injury done by horses being driven in single file. He should like to see it made compulsory on the part of the makers and owners of any new drays or wagons, to have the tires of a certain width—considerably wider than is the practice at present, and that no new carts should be licensed unless the tires were of the regulation width. Of course the width would vary according to the purpose for which the vehicles were required—the heavier the traffic they were to be engaged in, the wider the tire. He remembered, some time ago, when on a visit to the Southern districts, meeting a timber wagon, drawn by no less than 14 bullocks, marching solemnly in double file, and drawing behind them at least five loads, fully equal to seven tons weight, although the width of the tires was not more than three inches. Such a load as that, with tires of that width, must sooner or later destroy any road in the world. With regard to legislative interference in these matters, he was quite in accord with his hon. friend the Attorney General. He thought it inadvisable that the House should, so to speak, usurp the proper functions of the District Boards in such matters, especially in view of the approaching transfer of the roads to the control and management of these local bodies.

The resolutions, on being put to the House, were negatived, on the voices.

#### EXCESS BILL, 1880.

THE COLONIAL SECRETARY (Lord Gifford), in accordance with notice, moved the first reading of a Bill to confirm the expenditure for the services of the year 1880, beyond the grant for that year.

Bill read a first time.

#### PENSION TO MR. SHOLL, G.R., FOR PAST SERVICES.

##### IN COMMITTEE.

MR. GRANT moved, "That an 'Humble Address be presented to His 'Excellency the Governor, praying that 'he will be pleased to take into consider-

"ation the circumstances attending the retirement from the Government service of Mr. Sholl, the late Government Resident of Roebourne, and to make that officer such an allowance either by pension or otherwise as the special circumstances of the case shall to him seem to call for, in addition to the amount already computed and now standing on the Estimates." It was only the other day that he had heard that Mr. Sholl had resigned, and that his pension would only be £110—a sum which was altogether incommensurate with the great services which Mr. Sholl had rendered the Colony. About sixteen or seventeen years since, he was sent to the North to act as Government Resident at Camden Harbour. That place, after a time, was abandoned, but not before Mr. Sholl underwent a great many trials and hardships, of an exceptionally severe character. He was next sent to Roebourne, where he experienced all the vicissitudes incidental to pioneer settlement, and had to put up with a great many discomforts. He worked hard to give satisfaction not only to the Government but also to the settlers, and he (Mr. Grant) thought it would not be gainsaid that he had succeeded in doing justice both to the public and to his employers. He was situated in very peculiar circumstances, having to act entirely on his own resources, without advice or assistance, or means of communication with head quarters in cases of doubt or difficulty. During his residence at Roebourne he had been subjected to many serious losses, and had experienced much domestic affliction, all of which he had borne with fortitude, putting up with every discomfort without a murmur. As to his services as a magistrate, he believed the value of those services were fully appreciated by the Government, and he really thought that under the exceptional circumstances of the case, this old public officer was entitled, on his retirement from the service, to a larger pension than a paltry £2 a week. He therefore hoped the House would unanimously support the resolution which he had brought forward, and that the Government would take the subject into their favorable consideration. He thought the least they could do would be to supplement Mr. Sholl's pension.

Had Mr. Sholl been a wise man, when he went down to the North-West, he would have forsaken the Government service and turned shepherd: had he done that, he need not have anyone advocating his claims in that House to-day. It would be a disgrace to the Legislature and a disgrace to the Government which he had served so well, were his long and valuable services to be allowed to go unrequited with something higher than £110 a year.

Mr. VENN felt much pleasure in supporting the resolution. As a rule, he deprecated the practice of coming to that House asking for an increase of pension to public servants,—for his own part, he would sooner see the system of pensions abolished altogether; but he thought Mr. Sholl's was an exceptional case, and that the peculiar services which he had rendered the Colony in the peculiar position in which he had been placed entitled him to a more substantial recognition than a paltry £110 a year. He would not at present allude to the causes which had led to Mr. Sholl's retirement from the public service, but he was sure that his career at the North-West was so well known to hon. members and to the colonists generally that it needed no great eloquence to induce hon. members to give their cordial support to the address submitted by the hon. member representing the district where Mr. Sholl had spent so many years of his official life. He understood that the pension proposed to be given, as set down in the Estimates, was the full amount which, under ordinary circumstances, the Superannuation Act empowered the Government to grant Mr. Sholl, being computed on his length of service; but he understood that, if the House moved in the matter, and the Governor was willing to do so, the Act enabled His Excellency, in certain cases, to increase the amount of pension or gratuity which a public officer was ordinarily entitled to.

THE COLONIAL SECRETARY (Lord Gifford) said the Government were ready to admit that the pension proposed to be given to Mr. Sholl appeared somewhat small, in view of his services, but it was calculated upon the basis provided by statute. It was undoubtedly incommensurate with the value of Mr. Sholl's

official services, but that was the fault of the Act, rather than of the Executive. Mr. Sholl was a gentleman in whom the Government had every confidence. He had had great difficulties to contend with, being so far away from legal advice or assistance, and it spoke much for his intelligence and impartiality that no appeal had ever been made from his decisions. With regard to the resolution before the Committee, he thought the address should take a more definite form, as an expression of the opinion of the House on the subject, for, as at present worded, it left it open to be said hereafter—in the event of the amount of pension being regarded as inadequate—that the Government had not given enough, and acted niggardly towards Mr. Sholl. He thought it would be better that the House should name some definite amount, in order that the Government might know how to act in the matter.

MR. BROWN said, the Government having admitted Mr. Sholl's claims to an increase of pension, he thought the matter might be left in their own hands. It was admitted on all hands that Mr. Sholl had given entire satisfaction, and, what was more, they were told by those who best knew him that he was still fit for work and desirous of continuing in his official position. Under these circumstances, it struck him that some arrangement might be made whereby he might retain the office which he had filled so creditably up to the present, unless there was some other position in the Government service which it would be worth his while to accept, without subjecting him to such a climatic change as would prove prejudicial to his health. That would be one way, and a fair way, of doing justice to a good and faithful servant. As to fixing the amount of pension which Mr. Sholl, or any other public servant was entitled to, or should be allowed to get, he thought that was essentially a matter for the Executive rather than for that House to decide.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said he had not the pleasure of Mr. Sholl's acquaintance, but he was sure the House was quite justified in the high estimation it had formed of his services. So far as the Government were concerned, they had given Mr.

Sholl as much as the Act and the Constitution enabled them to do. It had been said by one hon. member, "Better leave it in the hands of the Governor to increase Mr. Sholl's pension"; but he was afraid that was out of the question. His Excellency had gone to the utmost extent of his power under the strict terms of the Act, by the letter of which he was absolutely bound. It appeared to him (the Attorney General) that they were likely to get into some difficulty in this matter. It had been suggested that the House should vote a certain sum by way of extra pension to Mr. Sholl, but it had just struck him that that would be impossible, if not unconstitutional. That House could not now vote a definite sum as a pension for future years; the amount would have to appear on the Estimates annually, and be subject to the feeling and temper of the House. The Council might go so far as to recommend that a lump sum should be given to Mr. Sholl, in consideration of his exceptional services, and he failed to see in what other way the wishes of the House in this respect were to be carried out.

MR. STEERE thought the House ought to be informed what were the exceptional circumstances under which it was called upon to vote this gentleman any gratuity beyond the amount of pension he was entitled to under the Superannuation Act, also what were the circumstances which had led to his retiring from the public service. Some hon. members seemed to think that Mr. Sholl had not been treated fairly by the Government, when it was proposed to remove him to another office; but hon. members must surely be aware that all public officers held their offices under what was called the pleasure of His Excellency the Governor, and were consequently liable to removal at any time, from one place to another,—a very proper rule, too. In the present case, circumstances had rendered it desirable, in the opinion of the Governor, that this gentleman should be removed from Roebourne to Perth, to occupy a position equally exalted and equally well paid, and he would ask the House whether ninety-nine men out of a hundred would not have gladly accepted the offer,—the offer of a position which, in his opinion, next to that of a member of the Execu-

tive, was the best appointment at the disposal of the Government. For his own part he failed to see that any hardship had been done to this gentleman, who had chosen to refuse the offer thus made to him. Although these were his (Mr. Steere's) own sentiments, he did not intend to oppose the resolution, if some definite sum were mentioned in it; but he should certainly oppose it, if it was to be left to the Governor to fix the amount. He did not think that would be fair either towards His Excellency or towards that House. For that reason he could not vote for the address as now worded.

MR. GRANT said, as to the exceptional circumstances in Mr. Sholl's career which rendered his services entitled to the consideration of the Government and of that House, they were not one, two, or three, but many. In addition to discharging his magisterial duties, he had also acted as their doctor, and also as their parson, and, more than that, as their school-master. Surely these were exceptional services deserving some recognition.

MR. CROWTHER was glad to hear what had fallen from the hon. member for the Swan, for the general impression which prevailed outside was that Mr. Sholl had resigned his office, not voluntarily but somewhat under pressure, and that, too, notwithstanding the fact that he could not accept an appointment at Perth because of the climate. But if the hon. member for the Swan had stated the case as it really occurred, he failed to see, at first blush, why they should be called upon to give Mr. Sholl any additional pension, for, from his own knowledge of him, he thought Mr. Sholl would rather continue to work, on his full pay, than retire on a starvation allowance, which he believed would be all the old gentleman would have to live on. If he is in full possession of his faculties—which he believed was the case—and if the Government could give him a similar position in a climate that suited his constitution, it would be very much better for the country, than to give him this pension and get nothing in return for it. The question touched upon by the Attorney General was a difficult one, for the House this Session might vote £500, and next year it might be reduced to £100. Probably the best way out of the difficulty would be to make a calcu-

lation upon the life insurance principle, and give Mr. Sholl a lump sum, to supplement the pension he was ordinarily entitled to. At the same time he felt bound to say, he was somewhat hazy as to the cause or the necessity of his removal. To the outside world it looked strange, to remove one public servant, apparently without any cause, and to replace him by another, who certainly was not a better man.

MR. S. H. PARKER, in order to meet what appeared to be the views of hon. members generally, would move, as an amendment upon the resolution as it now stood, That all the words after "Roebourne" in the fourth line be struck out and the following words be inserted in lieu thereof:—"and increase his pension to the sum of £150 annually." He understood this would meet the views of the hon. member for Roebourne. He quite agreed with what had been said about Mr. Sholl's services, and that there were peculiar circumstances connected with his case which would justify the House and the Government in departing out of the usual course adopted with regard to the superannuation of public servants.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said he knew Mr. Sholl and had great respect for him, and he should be very sorry that any movement intended to benefit him should miscarry. At the same time, he would draw attention to the very dangerous precedent which would be established if, by any resolution of that House, the provisions of the Superannuation Act should be over-ridden. For his own part, he thought it would be much better if they were to adopt some such suggestion as that thrown out by the hon. member for Greenough, namely, vote a lump sum, which might be invested during Mr. Sholl's lifetime, and the interest upon which would, with the amount of his pension, realise the sum specified in the amendment of the hon. member for Perth. He hoped the House would see the matter in the same light as he did. So long as the Superannuation Act was in force, and public officers had claims to a pension under that Act, it would be a dangerous precedent to pass a resolution over-riding the provisions of that enactment. He did not think the

Superannuation Act admitted of the Legislature or the Government increasing a public officer's pension beyond what he was legally entitled to, and, if so, how were they going to give effect to this resolution? The Governor could not go beyond the Act, and that House could not go beyond it. He was entirely with the hon. member for the North in his object in bringing forward Mr. Sholl's claims, and would do all in his power to have those claims recognised; but he thought they should hesitate before committing themselves to this resolution.

MR. BURT was very glad indeed to hear the hon. gentleman who had just sat down stating that he recognised the fact that the Government could not go beyond the Superannuation Act. He would have been still more pleased if the hon. gentleman had stated that the Government recognised the fact that they could not go beyond any other Act. The hon. gentleman, however, was incorrect in saying that this House could not go beyond the Superannuation Act. That House could go beyond any Act whatever. No Act could stand in the way of the Legislature passing a resolution upon this subject. He quite agreed with the Attorney General that no resolution of the House would ensure for Mr. Sholl a fixed annal gratuity, as it would have to be voted year by year. Consequently any sum placed on the Estimates for 1882 would not bind the House to vote the same amount in 1883. But why provide Mr. Sholl with a pension at all, at present? He believed he had no particular desire to retire from the service; why not let him continue in it, and thus save the country his pension? If no arrangement to that effect could be carried out, then he should say the best course to pursue would be to adopt an address expressing the satisfaction of the House at the efficient and conscientious manner in which Mr. Sholl had discharged his multifarious duties, for many years, and praying that a sum be placed on the Estimates to provide him with a pension of say £250. There was a precedent for such a resolution. The late Capt. Roe, on his retirement, was voted by the then Legislature a pension equivalent to his full salary, which pension he enjoyed for many years; and, if circum-

stances called for it, he saw nothing in the way of the House passing such a resolution as this in Mr. Sholl's case.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said the present Superannuation Act was not in force when Capt. Roe retired. They were then acting under the Imperial regulations, consequently the precedent cited by the hon. member was not applicable.

MR. RANDELL thought the circumstances put before the House in connection with Mr. Sholl's case were altogether so exceptional that the House might feel itself completely justified in going beyond the Superannuation Act in order to provide further remuneration for this gentleman. He thought it was quite understood by the House that the case was an exceptional one. For his own part, he was bound to confess that when he saw the amount on the Estimates which it was proposed to give Mr. Sholl, it appeared to him that a gross act of injustice had been perpetrated towards him, considering all the sacrifices he had had to make; but of course when he found that the amount had been computed strictly in accordance with the Act, that feeling passed away. At the same time, he admitted that Mr. Sholl had a strong claim upon the country, and he believed the country generally would endorse the action of the Legislature in increasing his pension. In saying this, he did not mean to say that it would not have been better if Mr. Sholl had been allowed to remain in the position which he held at Roebourne. It hardly seemed to him right to compel an officer who had, confessedly, discharged his duties faithfully, either to accept another appointment or to resign. He did not know whether these were the circumstances in the present case, but this, at any rate, was the prevailing opinion. As to the amount specified in the amendment (£150), he did not think that was enough; he did not think that could be regarded as a fair pension to give a public officer who had so long discharged such important duties, under exceptionally trying circumstances. He thought the least they ought to give him was £200 a year, and, if the Act did not admit of this being done, the best way to carry out the wishes of the House would be to vote a lump sum.



THE COLONIAL SECRETARY (Lord Gifford) said it appeared from all that had fallen from hon. members that evening, that the general feeling was in favour of Mr. Sholl's services being recognised in some more substantial manner than the Government had been able to do under the Superannuation Act. The most feasible plan for doing so, it appeared to him, would be—although he was not in any way going to commit the Government to it—to capitalise his pension, and supplement the amount with a special vote. The Government had gone as far as they could, within the limits of the Superannuation Act. In order to enable him to consult the wishes of His Excellency the Governor on the subject, he would move, That Progress be reported, and leave given to sit again on Monday.

Agreed to.

Progress reported.

The House adjourned at half-past eight o'clock, p.m.

## LEGISLATIVE COUNCIL,

*Thursday, 18th August, 1881.*

Colonial Accounts for Imperial Audit—Losses sustained by guano contracts with Messrs. Beaver & Co.—Consideration of Message No. 16 (Consolidation of Statutes)—Sandalwood Bill: in committee—Excess Bill, 1879: Resolution with reference to—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

### COLONIAL ACCOUNTS FOR IMPERIAL AUDIT.

MR. STEERE, in asking the Honorable the Colonial Secretary, "Whether the Report relative to the discontinuance of the forwarding Colonial Accounts for Imperial Audit in 1870 was laid upon

"the Table of this House by the authority of His Excellency the Governor," said he asked the question in consequence of what he considered to be a grossly libellous letter which appeared in the *Inquirer* newspaper, on Wednesday last, signed "Loyalty," insinuating that the report in question (which he had moved for the other day) had been placed on the Table in what he might call a surreptitious manner, and without the authority of His Excellency the Governor. He therefore wished to ask the noble lord whether such was the case?

THE COLONIAL SECRETARY (Lord Gifford): In reply to the hon. member's question, I have to refer him to His Excellency's Minute of the 5th instant, already presented to this Council, and which is in the following words:—*Colonial Treasurer*.—"When I authorised a copy of your Report of 1870 to be prepared for presentation to the Legislative Council, I was not aware that it contained any observations which, if put forward unaccompanied by further explanations from yourself, would be liable to any misconstruction. Had my attention been called to the character and contents of the report, I should, of course, have afforded you an opportunity of having your say in the matter before the paper was laid on the Table, and I will take care that your present remarks are communicated to the Legislative Council without delay.—"W. C. F. R., 5-8-81." The mistake occurred neither from ignorance of officialism nor from a lack of common courtesy. The report in question was originally laid before the old Legislative Council, and had in reality no business to have been away from the Chambers. The Colonial Secretary is in no way responsible for constructions placed upon his sayings by the Press. Were he to be considered so, his whole time would be occupied.

### LOSSES SUSTAINED BY GUANO CONTRACTS WITH BEAVER & CO.

MR. STEERE, in accordance with notice, moved, "That a Select Committee be appointed to inquire and report to this House as to the causes which have led to the heavy losses which have been entailed upon the Colony by the