Record of the
Proceedings of the Queensland Parliament
...
Legislative Assembly
7th August 1861
...
Extracted from the third party account as published in the
Courier 8th August 1861

The SPEAKER took the chair at fourteen minutes past three.

EDUCATION COMMITTEE.

The COLONIAL SECRETARY, with the consent of the house, postponed the motion standing in his name to the bottom of the business paper.

COOLIE IMMIGRATION.

Mr. R. CRIBB postponed the motion standing in his name until the conclusion of the rest of the business upon the paper.

EDUCATIONAL AND CHARITABLE INSTITUTIONS.

Mr. LILLEY moved the second reading of the Religious, Educational, and Benevolent Institutions Bill. He explained that its object was simply to enable parties who wished to establish such institutions to be incorporated.

The question that the bill be read a second time having been put, and the motion carried,

Mr. LILLEY moved that the committal of the bill stand an order of the day for a later hour.

The ATTORNEY-GENERAL requested that the committal of the bill might stand an order of the day for to-morrow, as he had not yet had an opportunity of reading its various clauses.

Mr. LILLEY amended his motion; and the question, that the committal of the bill stand an order of the day for to-morrow, was put, and the motion carried.

QUEENSLAND STEAM NAVIGATION COMPANY.

Mr. LILLEY moved the second reading of the Queensland Steam Navigation Company Bill.

The motion having been seconded, was passed without debate. The house then went into committee upon the bill, and all its clauses were passed without alteration. The house having resumed, the report from committee was adopted, and the bill read a third time, and transmitted with a message to the Legislative Council for their concurrence.

MUNICIPAL BILL.

A message was received from the Legislative Council signifying the assent of that body to the amendments of the assembly in this measure.

CARRIERS BILL.

A message was received from the Legislative Council transmitting this bill for the concurrence of the assembly. The bill was read a first time, and its second reading set down as an order of the day for to-morrow.

MORETON BAY TRAMWAY COMPANY.

Mr. COXEN, whose remarks were very inaudible in the reporters' gallery, moved the second reading of the bill to incorporate the Moreton Bay Tramway Company. He thought that considering the time at which the bill was first introduced, those who had charge of it could not be accused of wishing to pass it through the house in an unduly hasty manner. They had been accused yesterday of wishing to do so, but as those members who made the accusation now had 24 hours more to read the report and evidence, he hoped that they were satisfied. It was admitted on all sides that it was essentially necessary that some improvement should be made in our present means of internal communication. The state of the roads was dreadful. The house had also endorsed the principle that improved means of communication were most advantageously undertaken by public companies. Such companies performed the work more economically. The present case was an example, as the mere survey of the line to Dalby by the present company cost less by some thousands than the survey of the same line of road made by the New South Wales government a few years ago. A few persons, indeed, argued that such an undertaking as this should be undertaken by the government, but he contended that it would be more advantageously carried out by a private company. It must be evident that the tramway, if completed, would be of great advantage, not only to isolated individuals, but also to the colonists generally. Every thousand pounds lost to private individuals by the present inadequate means of transit was not only a loss to the individual, but a diminution of the trade, and consequently of the prosperity of the colony. This line would also cause a quantity of land now lying idle to be taken up. Two-thirds of that land would be placed in such a position as to pay for occupation. The revenue of the colony would by this means be increased. The company was one which might be looked on as partly of a public and partly of a private nature. The line would eventually become public property, and the company were in the position of contractors who undertook to do certain work, to be paid for by the government, not in money, but in land. In the passage of the bill through committee, he believed that every care had been taken, by those whose duty it was to look after the public interests, to protect those interests, and numerous alterations had been made, all tending to protect the public. The alterations, he conceived, were of such a nature as fairly to protect the colony from any loss. It was unnecessary for him, he thought, to detain the house by entering into the details of the measure, and he would, therefore, content himself with simply moving the second reading.

Mr. LILLEY seconded the motion.

MESSAGE FROM HIS EXCELLENCY.

Messages were received from his Excellency, signifying that assent had been given to the following measures, viz.:— Aliens Bill, Masters and Servants Act, Roads Closing Bill, Fencing Bill, Real Property Act, Revenue and Audit Bill, and Supreme Court Bill. With regard to the last-named measure, the message of his Excellency set forth that his Honour the Judge had announced to the government his willingness to accept a commission under the Queensland government, but had at the same time expressed his intention to petition the Queen to disallow the measure, as in the first place it interfered with the rights of his successor, and in the second place the legislature which passed it was illegally constituted. His Excellency had given to the objections of his Honour that weight and consideration to which they were entitled, but after consultation with his constitutional advisers, had come to the conclusion that he was not called upon by the constitution or any other act to withhold his assent from the measure. The Secretary of State had explicitly instructed the government that the salary of the second Judge was a question entirely for the consideration of the local legislature. As to the alleged illegality of the present legislature, it was anticipated that an act had already passed the Imperial Parliament, and would arrive by the next mail, rectifying this defect.

MORETON BAY TRAMWAY COMPANY.

The SPEAKER having put the question that the Moreton Bay Tramway Company Bill be read a second time,

Dr. CHALLINOR rose and said that, although he did not anticipate that the few remarks he was about to offer would be open to the same accusation as had been brought against some of his previous observations in the house, viz., that they smelt of the lamp, yet he had read the

evidence and proceedings of the committee until a very late hour last night, in order that he might be prepared to go on with the business to-day. Had it not been for a well-grounded fear that he should have been left totally in the dark he would have read them even longer. (Laughter.) He had been charged with being an obstructionist because he had counted out the house on a previous occasion. He should not faint under such a charge, more especially when he considered the quarter whence it emanated, as if he remembered rightly the Civil Service Bill had met with similarly uncivil treatment at the hands of the hon. member for Drayton and Toowoomba. He (Dr. C.) had carefully read the report and the evidence taken before this committee, and he could see that a great many objectionable features in the original bill had been removed. Amongst other matters he was glad to find that it would be possible, by means of some additional expense to convert the tramroad into a railroad. (Hear, hear.) This was important information which the public did not before possess. The committee had also to some extent secured a *quid pro quo* before giving the land to the company, inasmuch as it would be necessary to complete 15 miles of the tramway at a time before payment for this work was given. They had also provided that some security should be given for the commencement of the line by stating that a deposit of £10,000 should be made, and that the line should be commenced within twelve months. He thought however that there still remained more objections, and he would allude to clause 81 of the present bill. He considered his objection to this clause was well-founded when it was considered in conjunction with clause 113. It would be seen by the report that the bye laws of the company would have to be submitted to the government for their approval. This was but right and proper, but he would like to see the same principle applied in clause 81. If in a minor matter the approval of the government was considered necessary, surely in a more important matter, such as the extension of the line, it was necessary to place the power of approval in the hands of the government. (Oh, oh, and hear, hear.) It was, of course, throwing a large responsibility upon the minister of the day, but it was right that an untried scheme, such as this virtually was, should be subject to the approval or disapproval of the government. The extension of the line should not be permitted, without the sanction of the Parliament of the day. He also saw that although provision had been made for the commencement of the line, none had been made for its completion. Although the shareholders were made nominally liable for double the amount of shares, he did not see by what means it was proposed to carry the provision into effect. Neither did he see any provision made that the line should be in good order at the end of the lease when it was to be given up to the government. He saw it also stated in evidence that the share list already showed that shares to the value of £53,000 had been taken up, but the company refused to submit this list to the consideration of the select committee. In the absence of this, there was no proof that these shares would be paid up, as the parties who had put down their names might be men of straw, well enough able to afford the half-crown deposit, but not able to pay up the full amount of their shares when called upon. Neither did they know how many members of that house were on the share list, and in consequence incapacitated from voting on the measure, having a pecuniary interest in the matter. (Oh, oh.) He found that, on page 12 of the proceedings in clause 251, provision was made by the government to reduce or increase the tolls; but although provision was made that they should not be reduced below a minimum, no provision was made that they should not be increased above a certain maximum. If the government in this matter consulted, as they proposed to do, public justice and convenience, even the minimum set forth might be found too high a rate, if the traffic were to increase in the ratio anticipated by the promoters of the company. He could not understand exactly the last portion of clause 287, but no doubt this would be explained in committee. He did not perceive exactly the amount of compensation the company were to receive for the bridge which they were to build over the river. One objection he had to the bill in its original shape was that there was no limit made to the amount of land which the company could come down on the government for. He was glad to see that in the present bill a limit was set forth. He was not then prepared to say that this limit, viz., 25 per cent. above the estimated cost, was too wide. He believed that there was one omission in the bill, viz., that no provision was made for serving holders of land through whose property the line would pass, with notice of the intention to construct the line. After the remarks he had made, he of course did not intend to oppose the second reading of the bill. (Hear, hear.) He believed, however, that at the last meeting of the house, he and his colleagues were perfectly justified in pursuing the course which he had taken on that occasion.

Mr. WATTS liked to correct the honourable member (Dr. Challinor) when he committed errors. If that honourable member would refer to the book in which were recorded the proceedings of the house, he would find that he (Mr. Watts) had never counted out the house when the Civil Service Bill was before it. The honourable member had stated what was incorrect. He pleaded guilty, however, to having counted out the house on a former occasion, but this was because he knew that the majority who were not present would have been defeated on a certain point by the minority, who happened to be present. He had never counted out the house on any occasion, when he knew clearly that the majority of the house were opposed to him. The hon. member, on the contrary, had on all occasions tried to throw a great many obstacles in the way of all bills to which he was opposed. The oration which he had just delivered, although it might not smell of the lamp, yet according to his own account, savored of the candle.

The COLONIAL SECRETARY did not intend to go at any length into the merits of the bill upon which he, together with the other members of the committee, had been for one month engaged. He should support the second reading of the measure, as he believed it would prove a safe and useful one. It would be seen that some material alterations in the original bill had been made by the select committee. Many of the obstacles, of course, were mere technical ones, and might be taken as a matter of course. One important alteration was that it was provided that the tramroad should be carried into South Ipswich. A branch for passenger traffic would be taken into South Ipswich, whilst the other branch would be carried down to the basin for the shipment of heavy goods by the steamers. He considered that the line, even before it was completed to Toowoomba, would be found to be of great service to Ipswich. He considered, in moving in committee the many amendments which he had done, that he was acting in behalf of the public, and he had protected to the best of his power the public interests. He must say, however, that the company had always been willing to accede to reasonable demands, and had displayed no grasping spirit. If the company were enabled to carry out their scheme in the spirit in which he understood it, he thought it would prove an excellent measure. (Hear, hear!)

Mr. O'SULLIVAN thought that he had a right to make a few observations on this occasion, more especially after the endeavour made yesterday to push the bill through the house without discussion. He had asked one hon. member to postpone the measure, and had promised, if he would do so, to do all he could to facilitate the passage of the bill through the house; yet his request had been refused. Yet that same hon. member had today brought forward a most silly and unimportant measure, and when asked by the Attorney-General to postpone the discussion of it until to-morrow, he had at once acceded to the demand. This convinced him (Mr. O'S.) that the person who made a request in that house, rather than the nature of the request itself, was taken into consideration by some hon. members. He also begged to deny that he had called the attention of the Speaker to the state of the house as reported in the public journals. He was ready to take upon himself the responsibility of all his own actions, but he denied having, on the occasion referred to, called the attention of the Speaker to the state of the house. This bill he confessed appeared to him in a very different light to that in which it appeared when introduced for the first time into the house. Taking the same view as the hon. gentleman at the head of the government, and following that gentleman's speech, he believed that the important alterations made in the bill justified him in taking a view of the measure different to that which he did at first. There were clauses in the bill when it first came before the house enough to frighten anybody who had the interest of Queensland at heart; and he might claim to be considered as having the interests of the colony as much at heart as any hon. member. He agreed with the principle and object of the bill, inasmuch as he conceived its object was to bring the interior into closer communication with the town. He had always been of opinion, however, that tramroads were somewhat behind the age, and not quite up to the mark in the present day. If tramroads could be carried out to the extent proposed in the bill, it would be more than any company had ever done before. He did not know that either in Great Britain or America a tramroad had been carried out on so extensive a scale before. He had always imagined that railroads had superseded tramroads, and that now, even in carrying goods from a wharf to a pit, railroads were employed in preference to the tramway. He would be as ready as any hon. member to go in for an extensive railroad, and he would be willing that the company should borrow money from English capitalists for the purpose. He perceived that provision was made by the bill for converting the tramroad into

a railroad; but he thought that the conditions upon which this railroad would be made should be decided upon at once, and set forth in the bill. Otherwise, if this affair should happen to be a failure, they might eventually have to make a railroad at as great a cost as though they had commenced one now, and then all the money previously laid out would have been wasted. The company—if indeed they could be called a company, as they all seemed to disappear mysteriously as soon as the bill was brought before the house—ought to be called upon to give an estimate of the cost of converting a tramroad into a railroad. They were as well able to do this now as when the tramway was completed. He had another great objection to the bill. No government engineer had been called to overlook and check the company's surveys, although perhaps this was a minor matter. He had no doubt of the ability of the parties acting on behalf of the company, but he thought that the whole affair should hardly have been left to them without any professional person being appointed to act on behalf of the government. Another very great objection, however, was that no matter what localities the line might pass through, the company was still to have an acre of land for every pound spent. (Mr. BLAKENEY—A pound's worth of land.) The hon. member said a pound's worth of land, and he should feel very glad if the hon. member would show him that the bill was so worded. As he read the bill, they were to have an acre of land for every pound spent, as would be seen by looking at clause 287. He thought that if hon. members looked at that clause, they would see it was as clear as English could make it; and whilst they were looking for the clause, he would take the opportunity of stating that he did not intend to oppose the second reading of the bill. (Hear, hear.) Now this clause would work most unjustly, as in the neighbourhood of large towns the land was much more valuable than in other localities. In Ipswich there was some unsold land within the town boundary, and this same land was worth £100 per acre. That was the government upset price. To give such land to the company for one pound would be very unfair. He saw too that the estimate for the first mile or two of the line was more than two or three times as the estimate for the other miles along the line. This was done to get as many acres as possible along the first mile and near the town, of course, was not shown. He should propose to the government and the house to alter this when in committee. He had formed a suspicion that this great expense was put upon those portions of the road where the land was most valuable, and his suspicions had been strengthened when he saw the names of certain honourable members of that house before the public for months, in connection with the company, and yet these gentlemen when accused of being members of the company, stood up in their places and denied that such was the case. (Ironical cheers.) Very likely they thought the public would believe their denial. The prospectus of the company boasted that they had the assistance of the honourable members of that house, yet those members rose and said they had nothing to do with the company. As luck would have it, the next morning after this denial, all their names were withdrawn off the list in the newspapers. He had noticed that one honourable member on the list, viz., the honourable member for East Moreton (Mr. Warry) had not, to his credit, denied any connection with the company. He also noticed that it required a great amount of special pleading from another hon. member to persuade people he had no interest in the company. He noticed that hon. gentleman, the other day, say that his hands were quite clean and pure, but he observed that, while speaking, the hon. member only held out one hand, whilst he kept the other behind him. (Laughter.) If the hon. member thought he could make the public believe he was so patriotic as to work at this bill for months, and charge nothing for his time and labor, of course that was nobody's business but his own. ("Hear, hear," from Mr. Lilley.) He (Mr. O'S.) had also heard than another hon. member belonging to the ministry had had his fingers well greased for revising and looking over the bill. (Laughter, and "I'm sorry they're not greased a little more," from the Attorney-General.) As he had given a rub to one member of the ministry, which he would not have given had the hon. member not been present, he must do justice to another member of the ministry, and confess that by his exertions the bill had been made a very tolerable one. (Hear, hear, and laughter.) He also thought it strange that some hon. members who before their constituents backed up five shillings an acre for lands, now came forward strongly in support of the bill, which would keep the land at one pound an acre. (Ironical cheers.) How would they reconcile their conduct? It was also suspicious, and the house knew he was a suspicious character (laughter), that the list of shareholders was withheld from the committee. This was evaded by special pleading. If the list were produced, he believed half the hon. members in that house would be found in it. (Cries of no, no, and hear, hear.) It was possible that the hon.

members who said we might be able to convince the public, but he had heard of one hon. member, who denied having anything to do with the company, who had gone down the street and shown his receipt for shares to a friend, and asked what he thought of the investment. (Laughter and cries of “Name”.) He thought that it was wrong that no deed of settlement was drawn up. He did not himself believe that any company was in existence. One or two gentlemen who lived on their wits had got hold of one or two capitalists, and, with a little talent and a little capital, they had formed the company between them. (Ironical cheers.) With reference to the 80th clause, he had an objection to make. He thought a provision should be added that no extension should take place between Brisbane and Ipswich. (Loud laughter.) Hon. members might laugh as much as they liked, but he contended that it had always been asserted in the house that there was no design upon the part of hon. members except to carry this road to the interior. (Hear, hear.) He had no objection to make every provision for the extension of this line into the interior, but he contended that it would be absurd to go to the expense of forming a tramroad along a navigable river. A provision could easily be inserted to the effect that the tramroad should not be carried past Ipswich on this side. Another point he had almost forgotten. He saw the company were to get every alternate six miles, but if they were allowed to select their land, they might select in such a manner as to monopolise all the water; and this he considered ought to be guarded against. Having made these remarks, he did not intend to oppose the second reading of the bill.

Mr. FERRETT would not be satisfied with the bill passing unless some clause were inserted to prevent the extension of the line from Ipswich to Brisbane without the sanction of the legislature.

The second reading was then carried without a division, and on the motion of Mr. COXEN the house went into committee on the clauses.

Clauses 1 to 35 having passed without a division clause 36 was annexed, on the motion of the COLONIAL SECRETARY, by the commission of the word “double,” in the 12th line, by which shareholders were made liable to the creditors of the company to twice the amount of their shares.

Clauses 37 to 80 were passed without any remarks, the blanks in clause 51 relating to debentures being filled up so as to make the debentures to be issued by the company not less than £5 each, and the interest not less than 8 per cent.

Clause 81 was amended, on the motion of Mr. O’SULLIVAN, after some remarks from Dr. CHALLINOR on the same point, by the addition of the following proviso—“Provided that no such extension shall take place in any direction except with the consent of parliament.”

Clauses 82 to 275 were passed, and the 276th was amended, on the motion of Dr. CHALLINOR, by the insertion of the words, “free of charge” after the word conveyed in the 19th line.

Clauses 277 to 285 having passed, on the 286th being proposed, Dr. CHALLINOR inquired what guarantee there would be that the company would complete the line.

Mr. LILLEY: The proviso that £10,000 of the capital of the company was to be paid up, and the penalty of £50 for every month the line remained unfinished five years after the passing of the act, up to the end of ten years. Even should government be unable to receive the penalties, from the company becoming insolvent, they could take possession of line.

Mr. O’SULLIVAN’s only objection to the clause was there was no guarantee as to the cost of the bridge at Ipswich.

Mr. LILLEY remarked that the portion of the clause relating to the bridge was introduced at the instance of the members for Ipswich, who were in committee, in consequence of the engineering difficulties which prevented the line being carried direct to South Ipswich. This was inserted at the last moment, before the report was adopted; consequently the company had not had time to obtain an estimate of the cost.

Mr. WATTS observed that the hon. member, Mr. O’Sullivan, had forgotten that the government engineer had estimated the cost of a bridge at that place at £9000.

Dr. CHALLINOR was quite satisfied that the government would have security for the commencement of the line, but there was no security that it would be finished unless the £10,000 were placed in the hands of the government till the line was finished.

Mr. O'SULLIVAN could not understand Mr. Watts' statement; his statement as to the estimate given by the government engineers not being correct.

Mr. WATTS, in explanation, stated that the company were bound to have £10,000 to commence with, and also to have completed fifteen miles within one year, otherwise the company would become null and void.

Mr. O'SULLIVAN: The company are not bound to finish any part within twelve months; only to commence it.

The clause was then passed.

Clauses 287 to 291 were passed, and clause 292 being proposed,

Dr. CHALLINOR said he thought that the clause as originally proposed preferable to the present which had been amended.

The COLONIAL SECRETARY stated that the alteration had been made to avoid the inconvenience of handing the line over in parts.

The remainder of the clauses were then passed, and on schedule A being proposed, Dr. CHALLINOR observed that the width of twenty-four miles was double that usually given in America for the encouragement of railways.

The COLONIAL SECRETARY—The company would only be able to choose from alternate blocks of twelve miles by six on each side of the line, and even then their selection would have to be approved of by the government.

Mr. O'SULLIVAN enquired whether the company were to take the alternate blocks, rough or smooth?

The COLONIAL SECRETARY—Yes, that was, to select from them with consent of the government.

Mr. FORBES thought that in that case the company would possess the power to select land in such a way that the remaining portion of the block would become valueless.

The COLONIAL SECRETARY—The same rule would apply to the company as to squatters obtaining grants under pre-emptive right. The company would not be allowed to take water, for instance, or in any way to the pick the land so as to render the remainder worthless.

Schedule B and the preamble having passed, the bill was reported to the house with amendments, and on the motion of Mr. COXEN, the third reading was appointed an order of the day for to-morrow (this day) to take precedence of all other business.

PETITION OF MESSRS. FERRITER AND JONES.

Mr. BLAKENEY brought up the report of the resolutions of the committee of the whole house on the petition of Messrs. Ferriter and Jones.

Mr. R. CRIBB moved the adoption of the report.

Mr. O'SULLIVAN opposed the resolutions as forming a bad precedent, not for the sake of the few pounds recommended to be paid. Were the house to pass the resolutions, the door would be opened for numerous applications of a similar nature. Even at the last stage of the matter he would protest against its reception.

Mr. FERRETT would oppose the passing of the resolutions.

The ATTORNEY-GENERAL said that he had given his support to the resolutions in the belief that such a case could never occur again; but if there were he would oppose it.

Mr. FORBES would also oppose the resolutions.

Dr. CHALLINOR found by the evidence that the petitioners had, by boiling down the sheep which they had kept diseased for years, realised more from the proceeds than their original cost.

They were therefore not entitled to compensation—besides which the case would form a bad precedent.

Mr. FITZSIMMONS thought that no similar case could arise, as any persons making a similar claim would come under the provisions of the law passed last year. The resolutions having been passed by a large majority, would be unwise to oppose them now.

Mr. WATTS said that the sheep when purchased, fourteen years since, cost only three shillings and sixpence a head; and when boiled down, realised a much larger sum. He would propose, as an amendment, that the resolutions be read that day six months.

Mr. FERRETT seconded the motion, which was negatived on the following division:—

Ayes, 6.		Noes, 11.	
Mr. Watts		Colonial Treasurer	
Forbes		Attorney-General	
Edmondstone		Mr. Haly	
Ferrett		Raff	
Challinor	} Tellers	Blakeney	
O'Sullivan	}	R. Cribb	
		Fitzsimmons	
		B. Cribb	
		Warry	
		Col. Secretary	} Tellers
		Mr. Royds	}

The Colonial Treasurer moved—"that the report of the education committee be referred back to the committee for re-consideration;" and after a long discussion, in which Mr. Raff, Mr. Fitzsimmons, and the Attorney-General spoke in favour of the motion, and Mr. Watts and Mr. O'Sullivan in favour of the report, the house, on the motion of Mr. R. Cribb, was adjourned at a quarter to eleven. We are compelled to postpone a full report of the debate until to-morrow.

Record of the
Proceedings of the Queensland Parliament
...
Legislative Assembly
7th August 1861
...
Extracted from the third party account as published in the
Courier 9th August 1861

[The following portion of Wednesday's debate was necessarily omitted from our issue of yesterday.]

PROGRESS REPORT OF EDUCATION COMMITTEE.

The COLONIAL TREASURER, in bringing forward the motion standing in his name,—"That the Progress Report laid on the table of this house, of the select committee appointed to enquire into the working of the board of general education, be referred back to the committee for reconsideration"—said that he had been induced to pursue that course from seeing that the progress report—falsely so called—attempted to decide a most important point, without asking the opinion of the house; besides which, it was quite probable that the report had been resolved upon by a bare majority of the committee. After referring to the petition, to enquire into which the committee was appointed, the report stated "that the allegations contained in such petition have been fully substantiated by the evidence," and "that the board of general education have misconstrued the intention and spirit of the legislature in supposing that the Primary School Education Act, as framed, precluded them from granting assistance to primary schools belonging to denominational bodies, who are desirous of submitting those schools to the supervision and inspection of the board, and of conforming to these rules and by-laws." The evidence taken was that only of eight witnesses, of whom six were clergymen opposed to the national system, but evidence was wanting on the other side of the question, and the evidence of one witness kept back, which would give a different coloring to the question. In a letter addressed to him (the Colonial Treasurer), the Protestant bishop of Brisbane had expressed himself as follows:—"I much regret that you should have thought it right, in your place in parliament, to impute to me, as the bishop of the diocese, a line of conduct, which conduct I certainly consider would be unbecoming a Christian gentleman and a minister of religion." To this, from being unwilling to involve himself in a newspaper warfare with the bishop, he had been previously unable to reply; but hon. members, he trusted, would acquit him of anything of the kind. He had a great respect for his lordship, had sympathised with him when state-aid to religion was abolished, and was sorry to have come into collision with him in any way. The statement made by him on the appointment of the committee, that "from the first the Anglican bishop was not prepared to accept any condition in the matter," was not made during the heat of debate, but was proved by quotations from his own words, and that that opinion was correct he was quite prepared to prove, from his lordship's evidence given before the committee. Charges had been made that the board refused aid to certain schools, one of which was the school at South Brisbane. Assistance, however, was offered on certain conditions, but no reply was given for three months, and then only when a letter was addressed to the bishop inquiring whether he would accept the terms. Another charge against the board was, that they had endeavoured to secure the services of the mistress; that charge the inspector declared to be unfounded. Even had he done so, it was not with the consent of the board, who, had it been proved to them, would have severely censured the inspector. In reply to the bishop's statement, that the school had never been visited by the inspector, or the mistress examined, he would state that, although the bishop had himself stated that the mistress would never submit to an examination, a letter had been written stating that the

inspector would be willing to make the examination. It would be seen from the evidence that his lordship was labouring under a mistake, and expected to receive aid under the rules of the denominational, not the national system; and also that he had not read the regulations in New South Wales respecting non-vested schools. That was stated in his own evidence in answer to questions 85 to 90 inclusive. With reference to the Kangaroo Point school, alluded to in the bishop's evidence, the Colonial Treasurer read the letter of Mr. White, the master (p. 49) to the board, and the evidence given by the Inspector in page 61, to show that the matter had, at the instance of Mr. Macdonnell, been brought before the board, who acted upon it. The evidence given by the bishop in reply to Mr. Pring (p. 9,) showed plainly that he was labouring under a misapprehension as to the conditions in which aid would be granted to non-vested schools, and then the assistance had been refused by him from not being willing to comply with the rules, although he was willing to receive aid on his own terms. To the objection urged against the inspector that he was a Roman Catholic, he would state that he was recommended by a Protestant, that his religion was never asked him, he having been appointed without regard to his religious principles. The same objection could be urged by Roman Catholics were a Protestant appointed. The bishop, in his letter referred to the charge made by him (the speaker), that the bishop and his clergy had done all that they could to prevent the attendance of children at the national school, Fortitude Valley. He had heard from the master and mistress of the school, that the clergy had done so, and stated in his speech that when the Bishop of Newcastle was down here he used all his influence to prevent parents sending their children to the national school. The following portion of his letter plainly showed that the bishop's desire was to resuscitate the denominational system. (The hon. gentleman here quoted from Bishop Tufnell's evidence.) As to the charge that the board had refused aid to one or two schools, the same thing had been done by the New South Wales board on the same grounds—that sufficient educational accommodation was afforded by the vested school. The system of non-vested schools was merely an excrescence, and formed no part of the system. The regulations of the board were not materially altered from those of New South Wales, and were in spirit the same. The regulation that a separate room should be set apart for the reception of children while under special religious instruction, had not been carried out, as it was found that in the Brisbane school it was not taken advantage of. Another reason was that the increased expense of putting additional rooms to all the schools they were called upon to build, would materially reduce the means at their disposal for building purposes. Were the applications made for such rooms, no objection would be offered by the board. He would conclude by moving that the report be referred back to the committee, as the evidence was incomplete.

Mr. RAFF seconded the motion, and said that the act of last session abolishing state-aid to religion had been hailed by the public with as much satisfaction as any act of the session, and he believed that many parties who were opposed to its abolition had since been led to the conviction that religion could be well supported without state-aid. He had also heard members of the Church of England say that they could dispense, not only with that assistance, but also with bishops. The effect of the report, if adopted, would be the re-introduction of grants in aid of religion. The object of the national system was to teach no religion, and to give no means for the introduction of sectarian views. He believed that it was the duty and interest of the state to educate the children of the country, and that that education should be purely secular. He did not altogether agree with the Primary School Act of last session, but accepted it as a compromise. He objected to the clause empowering the board to give aid to non-vested schools, as it was likely to induce sectarian schools in the hands of an unscrupulous board. He was surprised that so many members of the house, who last year voted in favor of the Primary School Bill, and the one abolishing state-aid, should this year have voted in favor of the committee. Perhaps it was that they did not clearly understand the effect of the petition. He had been told that many persons who signed that petition believed it to be against the national system. (" No, no," from Mr. O'Sullivan and Mr. Blakeney.) He mentioned this as a fact, and believed, on perusal of the evidence, it would be found that its object was to effect a return to sectarian schools. The charge against the board, that it had not complied with the regulations, by refusing to grant aid to non-vested schools, was based upon the supposition that the clause in the act relating to such schools made

it compulsory on the board to grant such assistance. As he understood the clause such grants were optional; otherwise the word “shall” would have been used instead of “may.” That clause was introduced by the Colonial Treasurer with that object. The only alteration that had been made in the Sydney rules was the one relating to religious education, and the bishop himself had admitted that it would be too early to set apart the hour for that purpose before opening school, and too late afterwards, as the children would be then thinking of marbles. The only reason why separate rooms had not been attached to all schools, was that the funds at the disposal of the board were so limited, and the applications for new schools so great, that large numbers of applications for buildings would have to be refused were the rule carried out in all cases. The bishop professed to have great regard for the system, and to be anxious to assist in carrying it out, but how that could be, he (Mr. Raff) could not understand, after the opinions expressed by him as to the national system; which he stated led to the spread of infidelity, and had caused the rebellion in India. Notwithstanding the remarks of the bishop, he could have paid the system no higher compliment than he did in saying that education under it had been made purely national; or, in other words, that the board had not placed the funds entrusted to it at the disposal of religious bodies. It was very evident that the bishop’s object was to see how far the board would give in so as to suit his views, and no doubt there would be no harmony between them but by giving him what money he wanted without restriction as to what religious education should be given. Mr. Rumsey said that the national system was not flexible enough; but it was a good thing he (Mr. Raff) thought that it was not so flexible, as the board would never have been able to resist the pressure put upon it from without. The reasons assigned by the different clergy for not receiving assistance from the board were very various; Dean Rigney, in his evidence, stating that the assistance given to religious bodies for educational purposes should be in proportion to the population of each denomination, and Mr. Rumsey that he had declined assistance because he could get no definite promise from the board as to the amount of compensation for the teacher, or guarantee for its permanency. The board, though anxious to give all they could, could only do so on being assured of the competency of the master employed. That they were was fully borne out by the evidence in the case of the Kangaroo Point school. A more barefaced conclusion than that which had been arrived at respecting the conduct of the board could not be imagined even upon the evidence adduced, which was as one-sided as it could be—to make such a report upon it was setting all common sense and justice completely at defiance. It was called a progress report, but its effect would be, if allowed to pass, that the bishop would one fine day walk to the Colonial Secretary’s office, and producing him a copy of it, call upon him to make alterations in the rules to carry out the object he had been aiming at. He (Mr. Raff) was sure that no member of the committee could stand up and defend the course that had been pursued with respect to the board, no one having been called on its behalf, and the evidence of those who had been called refused. Another thing was that attempts were made to prove that the board had been guilty of something like corruption, or, at all events, of being subjected to improper influences, insinuations having been made as to the appointment of the secretary, and of gross jobbery in accepting tenders for certain buildings. The hon. member here referred to certain questions put by the hon. member for Ipswich, touching the appointment of a secretary to the board. He acquitted the hon. member of any improper motive in putting those questions. It was stated, however, by way of derogation, that the secretary was a very old man, and that he (Mr. Raff) was a relative and had therefore something to do in making the appointment. Now so far from this being the case, he happened to have been absent from town during the whole time the negotiations were going on respecting the secretaryship, and not only had he nothing to do in recommending his relative to the office, but he really did not know that that individual had even applied for it. On his return, however, he found that the office had been filled, and of course, he imagined that the board had duly considered the matter before arriving at a decision. As to the tenders for the national school, he could state positively that the board, in dealing with the matter, were actuated by strictly conscientious motives, and that their sole object was to accept such a tender as was likely to be carried out consistently with the best interests of the public.

Mr. FITZSIMMONS remarked that when the progress report was brought up on committee for adoption, he objected to it on the ground that certain salient points had not been properly

treated in the evidence. His objection, however, was overruled. He objected, moreover, to the principle laid down that only the Lord Bishop of Brisbane and the members of the board of education should be examined. He objected to this more particularly when he found that Dean Rigney and others were examined, whilst other parties who requested to be examined were only partially examined. He could see no reason why one minister should be examined, and not another; yet such was the case, and upon this ground he took exception to the report. After all, what did the evidence amount to? The Lord Bishop of Brisbane, the principal witness, stated in his evidence that he had been refused assistance by the board for the establishment of non-vested schools; but, in answer to certain queries put to him, it turned out that the refusal was occasioned by his lordship's determination not to comply with the rules of the board relative to religious teaching. His lordship stated positively that he could not give up the reading of the bible during the regular school hours. After that, he would ask whether his lordship was entitled to say that he had been refused assistance by the board. Had the assistance been granted on the terms proposed, the board would virtually have violated their own rules, and his Lordship would have assumed a superiority over them to the extent of rendering nugatory the very first principles of the national system of education. His Lordship stated further in his evidence, that when he arrived first in the colony he was disposed to give up the principle of religious teaching during the regular school hours, but that since then he had changed his opinion; and that he was now more convinced than ever as to the necessity of adhering to the principle of causing the Bible to be read during school hours. He concluded by reading a letter from the Rev. Mr. Reed, of Ipswich, protesting against the manner in which his examination was conducted, and particularly to the fact of the committee having allowed certain questions, and then, upon hearing the reply, ordering the whole to be cancelled from the evidence. The hon. member then handed the letter to the clerk, for the purpose of having it attached to the report in the shape of an appendix.

Mr. WATTS looked upon this motion as a political dodge on the part of those favoring the national system of education, the object being to shelve this very important question for another session. If such was to be the result, he would ask of what use was it to appoint a committee at all? The real and sole object for which the committee was appointed was to consider and report upon two matters—firstly, the state of the funds set apart for education, and secondly, whether the allegations set forth in the bishop's petition were true. He believed that the committee, in dealing with this matter, had taken a large amount of evidence which had nothing at all to do with the questions at issue, and it would be for the house, if they thought proper, to reject such extraneous evidence. As for the long speech of the hon. member for North Brisbane, he could see very little in it which could be regarded as having any particular reference to the subject immediately under consideration. No one could deny that the rules of the board in this colony did not carry out the spirit of national education as adopted in New South Wales. The board had refused to grant assistance towards the establishment of non-vested schools on grounds which were not recognised by the rules and regulations of the New South Wales board. Adverting to the question of tenders, there could be no doubt that the board had accepted an estimate £400 over and above that for which the work could be completed, according to the tenders sent in. It seemed to him that whatever might have been the motives of the board in this matter, they would have acted much more wisely had they devoted the £400 pocketed by the contractor to the support of non-vested schools. On the other hand, he would like to know why the lowest tender should not have been accepted in this case as in most others? He observed that the hon. member (Mr. Raff) had walked out of the house when he alluded to this matter, but it was quite in keeping with his conduct on several former occasions. The hon. member (Mr. W.) here quoted from the evidence in support of his argument. He especially adverted to the evidence of Mr. Mackenzie, to show that an application for a non-vested school had been refused, and that the board in so acting had violated the main principles of the national system of education. He maintained, therefore, that the object of the present motion was to shelve the question for another session. The hon. member then went on to show that if the present practise of the board were carried out some 600 children in and around Brisbane would be utterly deprived of assistance from the state, so far as the purposes of education were concerned. He argued further that they were bound specially to consider those children who were receiving aid under the denominational

system at the time of separation.

The ATTORNEY-GENERAL stigmatised the progress report as one of the most shuffling parliamentary documents he had ever perused. It enunciated principles which were not borne out by the evidence, and gave expression to opinions in support of which no evidence whatever had been taken. Being a member of the committee, he had taken the trouble to put certain questions to the bishop, whom he regarded as being the most competent witness, but the answers were of so very unsatisfactory a character as to prevent him from ever attending the committee again. He pointed out, moreover, that these questions and answers were struck out of the evidence by the authority of the committee, and that nearly the whole of the evidence produced was of a partial nature, and apparently only intended to produce one particular result. With regard to the system of education in question, there could be no doubt that the object or the act was to make it purely national, and such being the case, he was at a loss to understand how it could be both denominational and national. He contended that the system now in operation was purely national, and that when the denominational system was disaffirmed, immediately after separation, the former became henceforth the only public system in the colony, and the latter consequently ceased to have any claim on the revenue of the country. He entirely agreed with the honorable member (Mr. Raff) in thinking that the lord bishop would harmonise with any board which would give him all he wanted in a denominational sense. He (the Attorney-General) however contended that neither the bishop nor any one else should receive assistance from the board unless he strictly complied with the regulations. That this rule had not been complied with was clear from the evidence attached to the report. But he was particularly surprised when he found the report asserting that the conclusions arrived at were in accordance with the evidence. The evidence having been burked in a variety of ways, how was it possible that the report could have been drawn up in accordance with it? One thing was very clear, and that was, that a considerable amount of evidence had been taken which was not now to be found in connection with the report, and as he could never vote for a report without seeing the evidence on which it was based, he could certainly support the proposition for referring it back to the committee.

Mr. O'SULLIVAN explained that it was owing to a general impression that the house would be prorogued in the course of a day or two, that it had been deemed advisable by the committee to bring up a progress report. They had certainly not done so with any intention of shirking the main question at issue. As for the report itself he maintained that it was not only just but merciful to the board. The hon. member (Mr. Raff) had referred to the questions which he put respecting the "old man" who had been appointed secretary to the board. In answer to the hon. member he was bound to say that on seeing the old man he found him to be a very lively sort of person, and judging from all the circumstances of the case, he was inclined to think that the appointment was not a bad one after all. The hon. member then proceeded to answer at considerable length the various objections raised by previous speakers, and in reference to the three questions struck out of the evidence, he contended that these questions were perfectly irrelevant and such as ought not to be included in the evidence. With regard to the Rev. Mr. Reed, it was very well known at the time that the committee could take no evidence which did not bear directly on the substantive matter of the petition, and as the evidence of that gentleman was of a description calculated to open up many other questions, he thought the committee were perfectly justified in dealing with it in the manner they had done. Adverting to the particular letter referred to, he said that although the first part might be courteous enough, the remainder ended in practically calling the Lord Bishop a liar. (Laughter.) The hon. gentleman then went on to argue that the denominational system was cheaper than the national, and yet educated more children, and that according to the national system the Roman Catholics were not duly represented at the board. He concluded by expressing his determination to oppose the motion.

Mr. R. CRIBB moved the adjournment of the debate until the next day, which was carried.

The House adjourned at a quarter to 11, until the next day at 3 o'clock.