

**Record of the
Proceedings of the Queensland Parliament**

...
**Legislative Assembly
9th September 1863**

...
Extracted from the third party account as published in the
Courier 10th September 1863

The SPEAKER took the chair at twenty-one minutes past three, and read the usual form of prayer.

MESSAGE.

A message was received from the Legislative Council, bringing up the Supreme Court Bill, with amendments.

On the motion of the ATTORNEY-GENERAL, the amendments were ordered to be considered the next day.

PAPERS.

The SECRETARY for LANDS laid upon the table the remainder of returns moved for by Dr. Challinor, with reference to runs in the settled districts.

The COLONIAL SECRETARY laid upon the table a return of the proportion of immigrants from each portion of the United Kingdom.

LAND ORDERS FOR NEW ZEALAND VOLUNTEERS.

Mr. MACKENZIE asked the Colonial Secretary whether land orders have been issued to a number of Germans, and others, who have volunteered to proceed as soldiers to New Zealand?

The COLONIAL SECRETARY, in reply, stated that there was no doubt but that many land orders had been issued to the parties referred to in the question of the hon. member.

RESIDENCE OF MINISTERS.

Mr. MACKENZIE asked the Colonial Secretary whether it is his intention to press upon his colleagues the propriety of, and necessity that exists for, taking up their residence at the seat of government during their retention of office?

The COLONIAL SECRETARY, in reply, stated that the offices for the transaction of the public business would continue to be in Brisbane; but he failed to remember any parliamentary precedent for inquiry being made as to the private residence of any member of the ministry.

MARYBOROUGH LOCK-UP.

Mr. BLAKENEY asked the SECRETARY for LANDS—"(1). Whether the contractors have been paid for building the lock-up or prison at Maryborough. (2.) If so, has any person, and who, certified that the work was properly executed? (3.) Have the government received any communication from the police magistrate in that town, drawing their attention to the ruinous and unsafe state of the building, and if so, will they have any objection to lay a copy of the same on the table of this house?"

The SECRETARY for LANDS, in reply, stated that the contractor had not been paid the balance of the money; that the Colonial Architect had reported the work as having been badly

executed, and that it would be done properly at the risk of the contractor. No communication had been received from the police magistrate upon the subject.

ADDITIONAL MEMBERS BILL.

Mr. DOUGLAS said that in rising to move the second reading of the above bill, he would state that at the time when the bill was previously before the house, it was not directly negated by a direct majority of the house, but in consequence of the two-thirds clause it had really been negated by a majority of that house. It was perhaps an unusual course for him to adopt, under the circumstances, to move the second reading of the bill; but in accordance with what he believed to be only right and proper, he had determined to re-introduce it. In doing so it was not his intention to use the arguments which had been adduced when the bill was before the house on a former occasion. He considered that the arguments then used were very conclusive. The principal argument then used by the hon. Secretary for Lands against the bill was to the effect that it would be undesirable to amend the electoral laws bit by bit, and that it would be better to wait for electoral reform until the census should be taken, when population should be the basis of representation. It was not his intention to go in for the whole of the bill as it was introduced by the hon. member for the Leichhardt, but he would bring it forward in a somewhat amended form, and should only ask for the addition of two members. It was well known that a deal of discontent existed in the Northern districts; and he should like to know whether they were to allow that discontent to fester, or whether they could not find some means of preventing its further extension. He did hope that hon. members would vote for the bill; he would state that in committee he should move that one member should be given to Rockhampton, and one to the Kennedy district, those being he believed the most glaring cases where additional representation was much needed. In commercial importance Rockhampton was second only to Brisbane—he did not mean to insinuate aught against Ipswich, but he certainly must press the claims of Rockhampton. He would ask the ministry, in the most abject style of humility, and would implore them to grant the justice that he asked for. They were at present in power, and like other persons who were in power, had a great deal of influence. They must remember, however, that the day might come when they would not be in power, and when the injustice of which they had been guilty would be fully avenged upon them. As parties were balanced in the house it was exceedingly doubtful whether the government would be able to carry any measure of electoral reform. In conclusion, he claimed merely as an act of justice that those who voted for the bill the last time would vote for it then; and that those hon. members who did not vote for it would vote for it on the present occasion.

Mr. LILLEY seconded the motion.

The COLONIAL SECRETARY said that, as one of the gentlemen who voted for the bill the last time, and his vote having been claimed by the hon. member, he should at once state his intention of moving that the bill be read a second time that day six months. He certainly had supported the bill previously, but since the two most important districts had been eliminated, he should most decidedly oppose it, especially as no communication had been held by the mover with the hon. gentleman who had first introduced it. That hon. gentleman represented Rockhampton, and he (the Colonial Secretary) had heard statements from other electors of Port Curtis to the effect that they were totally unrepresented.

Mr. SANDEMAN said in his opinion the bill before the house was a surreptitious bill, and he thought that the hon. gentleman who introduced it must be aware of the futility of attempting to carry it. The hon. member had brought the bill in on, to use his own classical expression, "his own hook." The only conclusion that could be arrived at was, that the bill had been introduced by the hon. gentleman in order to add to his accumulation of political laurels, and to form subject for additional commendation from his very respectable admirers. However, he thought it was useless to take up the time of the house in discussing the bill. All hon. members must understand the circumstances under which the bill had been brought forward, and that its refusal was inevitable.

Mr. KENNEDY was sorry that the honourable gentleman who introduced the bill had eliminated the very important district which he (Mr. K.) represented. Had that district not been

eliminated he should have voted for the second reading, but as it at present stood he must refrain from giving it his support.

Mr. LILLEY would have no objection to the second reading of the bill should the new members be distributed in the manner proposed by the hon. member for Port Curtis. He feared, however, that should it pass its second reading on the present occasion it would not be carried in its integrity. He thought that the hon. gentleman who introduced it would perceive that there was great doubt as to whether even a bare majority of the house would be found to support the bill, and that he would withdraw the bill. The objections made to the bill by the hon. Colonial Secretary had not been characterised with the usual astuteness of that hon. gentleman, seeing that if an additional member were given to Rockhampton there would be a much better chance of Port Curtis being represented. As to what had been advanced with reference to the hon. gentleman's having introduced it on his own hook, he (Mr. Lilley) conceived that the hon. gentleman had a perfect right to do so.

Dr. CHALLINOR thought that the squatters were very well represented already, and he should therefore oppose the bill.

Mr. RAFF believed that the district of Kennedy and the town of Rockhampton each deserved a representative. He should, however, hope that the hon. gentleman would not press the motion, believing, as he (Mr. Raff) did, that it would not be carried. Should it be pressed, however, he should vote for it.

Mr. TAYLOR was glad to hear that there was a great split in the North, and believed that, to a certain extent, that split had been the saving of the country. He had supported the bill last time, but certainly could not support the half-measure then before the house. He was certain that in spite of the great bounce about the North the town of Rockhampton was very much over-rated, and so it would be found when the census was taken. It had been asserted that the house was ruled by the squatters. He denied that fact, and maintained that, were the number of the town members in the house to be compared with the country members it would be found that the former had the majority. He should decidedly oppose the second reading of the bill.

The ATTORNEY-GENERAL gave his reasons for concurring with his hon. colleague, the Colonial Secretary, and he could not help expressing the gratification he felt that that hon. member had taken the position he occupied on this occasion. While he could not support the bill of the hon. member for the Leichhardt (Mr. Sandeman), as opposed to the Governor's opening speech—and that bill had been an open question with the government—he could the less be expected to support the present measure. If the hon. member for Port Curtis had had the slightest political honesty in the world, he had forfeited it by the crude measure he now brought forward. What astonished him more than all was to discover how the hon. member for North Brisbane was to get out of the difficulty in which he had placed himself by stating, on a former occasion, that "he would have no tinkering with the Electoral Act," and now avowing his intention of supporting the bill before the house. How an hon. member could hold certain principles one day, in opposing one bill, and when that bill was shorn of half its matter, could advocate other principles, and support the half-bill, he could not understand. Unless for the sake of party, no motive could be assigned for it. He feared that the hon. member had met with some accident that had disorganised his brain. He denied in toto that the bill was the same as that introduced by the hon. member for the Leichhardt.

Mr. PUGH said he would vote for the amendment of the hon. the Colonial Secretary, because he believed with the hon. member for Fortitude Valley that it would be unsafe to trust the bill into committee. He defended his hon. colleague (Mr. Raff) from the charge made by the Attorney-General, that that hon. member had stultified himself; for it would be recollected that his hon. friend had expressed his willingness to vote for the second reading of the bill of the hon. member for the Leichhardt, if the hon. member would make such alterations as would give a member to Maryborough. (Hear, hear.) The conditions proposed were not complied with, and he had no other resource than to vote against the bill. That was the course the hon. member (Mr. Raff) had pursued; and he (Mr. Pugh) had taken the same course. (Hear, hear.) Therefore his hon. friend was not guilty of any inconsistency. (Hear, hear.) As the point had been raised, that the hon. member for Port Curtis had not acted with courtesy to the hon. member for the

Leichhardt in introducing the present bill, he (Mr. Pugh) asked for the ruling of the Speaker on the point—if the Speaker deemed it of sufficient importance.

The SPEAKER said that as the hon. member had appealed to him upon the question of courtesy he would say that that was merely a matter of opinion. The hon. member for Port Curtis had acted in a parliamentary manner; there was no doubt about it. (Hear, hear.) The second reading of the bill (of the hon. member for the Leichhardt) was lost on a former occasion through not being read at that time;—the question was that the bill be “now” read a second time. That word was merely omitted. He said, therefore, that the hon. member for Port Curtis was quite in order in bringing forward this bill. He gave no opinion on the matter of courtesy. (Hear, hear.)

Mr. MACKENZIE agreed with the ruling of Mr. Speaker; but as to the matter of courtesy he thought that he had a right to complain of the hon. member for Leichhardt for not consulting him as a Northern member, a greater right, indeed, than the hon. member for the Leichhardt had for complaining of the hon. member for Port Curtis. (Hear, hear.) He looked upon the bill as an instalment of the representation due and to be hereafter given to the Northern districts, and he supported it. He pointed out that there were fourteen squatters in the house, so that leaving the Speaker out of the question, they were in a majority of one. He thought that the Attorney-General need not have referred to the accident that Mr. Raff had met with.

The ATTORNEY-GENERAL protested that he had not spoken with any reference to the painful accident which had befallen the hon. member. He trusted that he had sufficient good feeling not to do anything of the sort. (Hear, hear.)

Mr. SANDEMAN, in explanation, stated that he did consult the hon. member for the Burnett, and that it was not until after he had done so that he had decided to bring forward his bill. (Hear, hear.)

Mr. MACKENZIE did not wish it to be understood that he cared much whether the hon. member did or did not consult him.

Mr. RAFF said the hon. the Attorney-General had expressed a fear that something had happened to him to disorganise his brain. Although he (Mr. Raff) had met with an accident he could assure the hon. member that it had not affected his brain. All the brains that he ever had was still “there” (touching his head.) He never could be accused of putting anything into his mouth to steal them away. (Laughter, and hear, hear.) And he could tell the hon. member that for the last week he had been on hospital diet. (Hear, hear.)

Mr. WIENHOLT stated that anything coming from the hon. member for Port Curtis was to be viewed with suspicion; and although he believed that additional members were required for the North he should certainly vote against the bill. (Laughter, and “hear, hear.”) Comparing the conduct of the hon. member for Western Downs (Mr. Taylor) and that of the hon. member for Port Curtis (Mr. Douglas), he said that the former did more for Toowoomba than the latter did for Rockhampton. The hon. member for Port Curtis said he would do a great deal, but he did nothing—he talked a great deal, he was all show, he was a “blatherskite.” (Uproarious merriment.) The reporters of the newspapers took care to put every thing down that he (Mr. Douglas) said, and to make the most of it; but they did not put down the cutting that he got,—they did not publish the speech of the Attorney-General. (Renewed laughter.)

Mr. DOUGLAS rose to order, and asked the Speaker if the word used by the hon. member was a parliamentary term. (Continued laughter, and cries of “jeremander” from the ministerial side.)

The SPEAKER: What is the word? (Laughter.)

Mr. DOUGLAS had understood the hon. member for Warwick to say that he (Mr. Douglas), or somebody else was a “blatherskite.” (Laughter, and cries of “jeremander.”)

The SPEAKER: I do not really know what is the meaning of the word. (Laughter.)

Mr. WIENHOLT: Well, he might state that the hon. member for Port Curtis was “in nubibus.” (Laughter.) The hon. member spoke so much that he very often lost the thread of his argument, and did not know what he was talking about. He detained the house a great deal, and occupied their time; and really he did not know what the hon. member was talking about—he

could not understand him—and he did not believe the hon. member himself did. (Laughter, and hear, hear.) The people of Rockhampton would find out that the hon. member did nothing, though he talked of doing so much; and when his election came round again he would find that out,—he would not be returned. (Laughter, and Mr. Lilley: “Oh, jealous!”) Not at all; no jealousy whatever. He had known the hon. member for many years, and the longer he knew him, the more he distrusted him. He said so conscientiously. (Laughter.)

Mr. BLAKENEY expressed his regret that the hon. member for Port Curtis had not introduced the same bill that had been introduced by the government last session, and that gave the country two members, and the towns two members.

Mr. DOUGLAS deprecated the charges of discourtesy that had been brought against him. Turning to the hon. member for Warwick (Mr. Wienholt), he said, without boasting, he thought he might claim at least a chance in all things with the hon. member. (“Hear, hear,” and laughter.) It was not, he thought, objectionable in the grave discussions that took place in that house to adorn with wit—if they had wit in them—the dry subjects that came before them; so he could not find fault with the hon. member. However, the hon. member complained that he could not understand him (Mr. Douglas); fortunately for him, he had been able to make himself clear to other hon. members, and he was not prepared to provide that hon. member (Mr. Wienholt) with understanding. (Laughter, and “Hear, hear.”) If the hon. member was willing for a sporting bet, he (Mr. Douglas) was quite prepared to submit to the competition of that hon. member in his electorate; or he was prepared to go with him and compete Warwick. (Laughter, and Mr. Wienholt: “I’ll expose you when I go up.”) He imagined that his friends would receive him there, whether or not they agreed with his politics. (Mr. Wienholt: “I’ll tell the truth.”) He thought the Colonial Secretary and his colleagues should accept the compromise which he proposed. (“No, no,” from Mr. Herbert.) If they did not, he must bring it home to them that their opposition was from party motives.

Mr. BELL spoke to the amendment, and denied the right of the hon. member for Port Curtis to impute motives to hon. members who voted against his bill. If the hon. member had increased the number of members proposed by Mr. Sandeman’s bill instead of decreasing them, he would have stood a better chance of obtaining the favourable opinion of the house. He should vote against the second reading of the bill.

Mr. COXEN, though he had voted for the bill of Mr. Sandeman, said he would vote against the present bill; and he gave his reasons for so doing.

Mr. M’LEAN would vote against the bill, because, notwithstanding the unseemly cry raised by the town members against the squatters, the present bill was an attempt to increase the influence of the town members by adding to their number two additional members. He maintained that the voters of Port Denison would carry the election in the Kennedy District.

Mr. BROOKES would, on principle, and not for party, vote against the bill. He was sure that the carrying of the second reading would, in some way or other, strengthen the hands of that interest which overshadowed the progress of the country—the pastoral interest—and be prejudicial to the towns. The present was an extremely injudicious time to make or initiate any change whatever in the present electoral law.

The question was then put, and the original motion was negatived upon a division, as follows:—

Ayes, 18.	Noes, 5.
Mr. Macalister	Mr. Douglas
Moffatt	Mackenzie
Royds	Raff
Wienholt	Blakeney
Herbert	Edwards
Bell	
Coxen	
Cribb	
Pugh	
Pring	
Stephens	
Brookes	
Taylor	
Groom	
Kennedy	
Challinor	
M'Lean	
Lilley	

THE EAST MORETON ELECTION.

The SPEAKER announced that he had received a petition from Mr. Robert Cribb praying that the election for East Moreton might be declared null and void. ("Hear, hear," from Mr. Pring.)

On the motion of the COLONIAL SECRETARY, the petition was read by the Clerk. It set forth that in consequence of the insertion in the ballot papers of certain directions the voters were misled in giving their votes, and that the insertion of those directions was not in accordance with law. The petition was ordered to be referred to the Committee of Elections and Qualifications.

MESSAGES FROM THE COUNCIL.

The SPEAKER announced that he had received two messages from the Legislative Council—one returning the Commercial Bank Bill, without amendment; the other transmitting the Police Bill, with certain amendments, in which the Council requested the concurrence of the Assembly.

On the motion of the COLONIAL SECRETARY, the amendments in the Police Bill were ordered to be taken into consideration in committee next day.

THE CASE OF DR. JONATHAN LABATT.

Mr. LILLEY moved,—“(1.) That a select committee be appointed, with power to send for persons and papers, and leave to sit during any adjournment, to enquire into, and report upon, the allegations contained in the petition of Dr. Jonathan Labatt. (2.) That such committee consist of five members, to be chosen by ballot.” The hon. member said he thought it unnecessary to detain the house at any very great length on this matter, because hon. members had read the printed petition, and, knowing all the circumstances of the case, could hardly fail to agree with the motion. It would appear, at least, that the petitioner was entitled to the consideration of the house from his position as a member of the College of Surgeons, Ireland, and from the fact that he had no other tribunal to appeal to. He had been committed by certain country magistrates as a dangerous lunatic, and brought down to the Brisbane gaol, where he was confined one month, and then enlarged. This case showed great harshness on the part of the magistrates, or, at least,

great rashness; and the petitioner had suffered great hardship at their hands. It was most important that he should be allowed an opportunity to set himself right; for, as a medical man, his living depended on the trust and confidence of the public in him.

Mr. BLAKENEY seconded the motion.

The COLONIAL SECRETARY had no particular interest in opposing the appointment of the committee; but for the interests of the gentleman concerned, he lamented that the motion had been brought forward.

The ATTORNEY-GENERAL concurred with his hon. colleague. Although he would not oppose the motion, he asked the house whether it was expedient that the house should grant such committees when the result would be practically useless. The hon. and learned member went into the legal bearings of the case, to prove his position.

After some observations from Mr. DOUGLAS and Dr. CHALLINOR, who supported the motion,

Mr. TAYLOR suggested that the motion should be withdrawn till next session.

Mr. BROOKES supported the motion.

The question was put and passed.

The following gentlemen were elected by ballot to serve on the committee: Messrs. Lilley, Bell, Kennedy, Douglas, and Challinor.

COTTON CULTIVATION.

Mr. DOUGLAS moved that an address be presented to the Governor, praying that his Excellency will be pleased to cause to be laid on the table of the house, a return of all applications for land under the resolutions of the legislature, for the purpose of encouraging the cultivating of cotton.

Mr. MACKENZIE seconded the motion, which was put and passed.

EDUCATION.

Mr. LILLEY moved—"1. That in the opinion of this house, it is desirable to appoint commissioners in Queensland to take evidence and obtain information relative to the nature and operation of the various systems of education receiving State support in Great Britain, America, Continental Europe, and the Colonies. 2. That such inquiry be conducted with a special view to the establishment of general education, with regard to both common schools and educational institutions of a higher class, upon a just and permanent basis, within this colony. 3. That such commissioners be instructed to report the evidence and information obtained by them, with the result of their inquiries, and with such recommendation thereon as they may collectively or individually deem advisable to his Excellency the Governor and Executive Council, by whom the same shall be laid upon the table of the house. 4. That an address be presented to his Excellency, embodying the foregoing resolutions, and praying him to issue a commission under the great seal of the colony, appointing, for the purposes above mentioned, such persons as he, with the advice of the Executive Council, shall think fit." He said that the terms of the resolutions would, he thought, recommend themselves to the house. His principal object in introducing them was, that as it was well known two very large sections of the community held peculiar opinions on the subject of education, he thought that the adoption of the resolutions would have the effect of preventing any sudden change, the effect of the operation of which might be bad. As a supporter of the National system of education, he believed that the inquiry called for would not in the slightest degree affect the beneficial operation of that system. His wish was that the result of the adoption of the resolutions should be to facilitate in a great degree free education, not only primary education, but education of a much higher character. It could not be doubted that a large number of the colonists were discontented with the present system, complaining that by its operation an injustice was done them. On that ground alone, he thought that the inquiry asked for should be granted. He could not conceal from himself, and would not endeavour to conceal from the house, his opinion that unless something of the sort were done the National system would die

away, and the Denominational system be substituted in its place. He concluded by expressing his opinion that it would be only an act of justice that the fullest investigation should be made into the matter.

Mr. GROOM seconded the motion.

The COLONIAL SECRETARY was glad to hear that the hon. member was a supporter of the National system of education, but could not agree with him in the idea that the passing of the resolutions then before the house would have a beneficial effect. He did not, and could not see that any of the members of the two denominations referred to could complain of the working of the National system of education, which had given great satisfaction. He stood there pledged to the system of National education, and could not coincide in the idea that State-aid should be given to any other than a general system of education. He believed that the adoption of the resolutions would certainly not have any beneficial effect upon that system, and therefore he felt it to be his duty to oppose the motion. He must say that he believed the intention of the hon. gentleman who introduced them was a good one, and could assure that hon. gentleman that he opposed it merely from the fact that he believed the effect of the appointment of the commissioners would be rather bad than good.

Mr. BROOKES coincided with the remarks of the hon. Colonial Secretary, and should therefore oppose the resolutions.

Mr. KENNEDY expressed his belief in the operation of the National system of education in sparsely populated districts; but did not think that its action was likely to be successful in large towns. He considered that it was absolutely necessary, in order to do away with the great amount of discontent prevalent throughout the country, that some inquiry should be made, and he should therefore support the motion of the hon. member for Fortitude Valley.

Mr. GROOM could quite endorse the statements of the hon. Colonial Secretary with reference to the good working of the National system of education, of which he himself was a strenuous supporter. However, it was a fact that the partiality displayed by the Board of National Education had caused a deal of discontent in the country districts. He thought, under all the circumstances, that it was desirable that the inquiry asked for should be held, and he would vote for the resolutions.

Mr. DOUGLAS did not think that the resolutions came to the heart of the question. It appeared to him that they would shortly either have to give free education to all who might choose to apply for it, or to supplement the efforts of those who might endeavour to educate their own communities. He quite agreed that the National system of education was one well calculated to impart a good sound education to the children whom it instructed. At the same time, however, it could not be denied that many children were entirely debarred from taking advantage of the benefit to be derived from that system, and that was, in his opinion, a matter of very grave and serious consideration. It appeared to him to be a very hopeless state of things should it continue, that the government were to be expected to do everything—form railways, educate the children; in fact the onus of too many things was being thrown upon a set of men who were quite incapable of doing justice to them.

The SECRETARY for LANDS considered that the arguments adduced by the hon. member for Fortitude Valley were rather in favor of the Denominational system of education. He was sorry to hear that hon. member, whilst professing to be a staunch supporter of the National system, by his arguments appear to be working into the hands of a party who had, since the establishment of the National system of education, striven with all their power to oppose its successful operation. The question appeared to him to be whether that system should be continued or whether it should be superseded by the Denominational system. It was impossible to deny the fact that the National system was working well—that the teachers were men of a superior class, and that the parents of the children were well satisfied with the education which was imparted. He considered that when the parents of children were too poor to educate their children it was the duty of the State to educate those children; but he did not believe that the State should be called upon to educate the whole of the children. The hon. member for Toowoomba had mentioned that the clergymen of that town was willing to join the board if the board would allow him; but that as the

board would not allow him, the reverend gentleman had to pay £200 a year for the school. The name of the man who had spent that much in a place like Toowoomba ought to be written in letters of gold. (Hear, hear, and laughter.) He did not know that there was so much charity in that place. If hon. members thought that the board could accede to all the applications of the ministers of religion in the country they were mistaken; for to agree with those applications would be to allow what was called the non-vested system to override the National system and make all pure denominationalism. (Hear, hear.) The hon. member referred at length to the education system of New South Wales, and concluded by expressing a hope that the hon. member for Fortitude Valley would withdraw his resolutions. (Hear, hear.)

Mr. KENNEDY rose, in explanation, to state that he was not at all opposed to the National system. (Hear, hear.)

Mr. PUGH confessed that when he first saw the resolutions on the notice paper he had some misgivings that the hon. member for Fortitude Valley—and he said it with all respect—had been influenced by parties outside. He stated that he should never feel easy on a discussion of this question in the house unless the name of “bishop” was left out altogether; because he felt that from the episcopal heads of two of the churches here everything opposed to the National system of education emanated. (Hear, hear.) He objected to any hybrid system. If we were to have National education let it be in its entirety. Quoting from the evidence of the Anglican bishop given before a select committee of the house in 1861, he pointed out that the desire of that reverend gentleman was to enter the schools whenever he thought fit to do so. That must not be permitted. (Hear, hear.) He should vote against the resolutions.

Mr. TAYLOR had been strongly in favour of the National system when it was first introduced; but he felt that the other schools had not been fairly treated by the board. He thought it very hard that such schools as that of Toowoomba should have to be carried on without the slightest assistance. (Hear, hear.) He complained of the expense of the board; before ever a child was taught, £1500 was spent on inspectors, porters, &c. The expense of £8000 was very great, and in spite of the clever board, he had heard great complaints in the country districts of the present system. He believed that the present system was for the benefit of the two chief towns of the colony—Brisbane and Ipswich. He should support the resolutions.

Mr. COXEN, in supporting the resolutions, expressed some disappointment that they did not go far enough. He concurred with the hon. member for Western Downs that the sum of £8000 was a very large sum to be taken out of the general revenue for the support of a system of which two-thirds of the children of the colony could not take advantage. Therefore he thought the parents of those children had a right to demand some consideration from the State; and that it was great injustice to them to refuse it, and to compel them to act against their consciences by maintaining only the National system at the expense of the State. He felt warmly on this question.

The ATTORNEY-GENERAL felt equally warmly on this question with the hon. member for Northern Downs. As that hon. member felt warmly in favor of interference with the present system, he (Mr. Pring) felt warmly against any interference. Regarding the very erratic speeches of hon. members, he stated that, with one or two exceptions, they indicated that this was to be a stand-up-fight between the National and the Denominational systems. (No, no, and hear, hear.) He considered that this question was settled in 1860, when the parliament solemnly considered it in all its details, and it was not to be resuscitated now and made a *questio vexata*. (Hear, hear.) The house had nothing to do with the prejudices of the parents of children; if a deliberative assembly entered into those matters he could not tell what conclusion they would come to. The hon. and learned member then went at great length into the merits of the two systems of National and Denominational education, and their effects on children. Addressing himself to the resolutions before the house, he said that he could not see what would be the use of a commission. All the information that was seemingly desired by the resolutions could be obtained without a commission, and much better than with or by it. If the commission got all the information in the world, what would be the result? They would find that none of the systems in the old world, or anywhere else that he could see, would suit so well as the existing well-defined system in a thinly-populated colony like this. (Hear, hear.)

Mr. WIENHOLT believed that the National system was the best system for thinly-populated country districts. But he did not understand why the Denominational system was debarred from any aid in this colony; when in the colonies of Victoria and New South Wales both systems received assistance, and worked well together.

Mr. STEPHENS would not enter into the general question; but he had a few words to say on matters of fact. One or two hon. members had laid great stress upon the hardship sustained by one or two Denominational schools having been refused aid. It had been stated that on the school at Toowoomba the clergyman had spent £200 a year for its support; and that he had been obliged to do so because his application for aid had been refused. Now he thought that such a statement ought not to go uncontradicted, because the fact was that no application for aid was ever forwarded to the board from that school. He stated this as a matter of fact. The clergymen did, he believed, write to the board for the requisite forms of application, and his letter was attended to at once; but nothing had been heard from him from that day to this. In the other case, he was not prepared to state the facts, so he thought it better to leave it as it stood.

Mr. M'LEAN spoke in support of the resolutions.

Mr. CHALLINOR spoke at some length in opposition to the resolutions, and asserted his determination to support the National system in its integrity. He believed that the petitions which had been presented from members of the Church of England on the subject did not represent the feeling of that church. With reference to the Roman Catholic Church, he might mention that not the slightest co-operation was received from that church in any way whatever. Indeed, he might state that Bishop Quinn had actually persecuted one of the members of his church, who was a trustee of the Ipswich Grammar School, until that gentleman had been compelled to resign his office of trustee. He really believed that the resolutions before the house were merely an attempt to insert the thin end of the wedge to subvert the objects of the National system of education, and he should therefore oppose them.

Mr. LILLEY, in reply, stated that he had had no conversation with Dr. Quinn for the past twelve months, and that therefore he could not possibly have been prompted by that individual. It appeared to him (Mr. L.) that the great diversity of opinion expressed that evening on the resolutions was one of the best arguments for their adoption. It showed, at all events, that there was not that universal belief in the one system which some hon. members would seem to fancy. He thought that his character was too well and truly known for hon. members to be likely to believe that he could be made the tool of any bishop, or of anybody else. He believed that he had stated in the outset, that his reason for introducing the resolutions had been to prevent the whole system of National education being swept away altogether, perhaps by a hasty resolution of that house. At all events he could not conceive how a fair and free inquiry into the whole question could injure any system whatever. He should not have the slightest fear as to what might be the result of the inquiry, as it would be either to silence or to satisfy the opponents of the National system, and with that belief he had introduced the resolutions. He did not believe in the system of religious class rooms in the schools; it was, in his opinion, a mistake altogether. He believed that such a system would be calculated to breed intolerance, and instill into the minds of the children a sort of contempt for religion. He thought that the distinction of the two systems was a very narrow one, and that it was such was plainly demonstrated by the rules of the Privy Council system. If he thought that the Denominational system were the best system he should assert his opinion and support it, even although he had to resign his seat the next moment in consequence. The question was not that there was a certain style of education to be had, and if you don't like it don't have it. Such certainly was not the question. It was a much more serious question. If the State did not build schools it would have to build prisons, and he thought that not for one moment could there be any hesitation in deciding which was most preferable. He believed firmly that if the resolutions were carried, no harm would be done to the National system; but, on the other hand, a question which might be a vexed one for many years to come would be definitely settled. And in conclusion, he would submit the motion to the house, and trusted that it would be carried.

The house then divided on the motion, with the following result:—

Ayes, 10.		Noes, 13.	
Mr. Wienholt		Mr. Herbert	
Coxen		Moffatt	
Groom		Bell	
Douglas		Stephens	
Kennedy		Edmondstone	
Taylor		Cribb	
Royds		Edwards	
M'Lean		Challinor	
Blakeney	} Tellers.	Pugh	
Lilley	}	Macalister	
		Brooks	
		Pring	} Tellers.
		Mackenzie	}

MESSAGES.

A message was received from the Legislative Council, bringing up the Oyster Fisheries Protection Bill.

The bill was read a first time on the motion of Mr. BELL, its second reading being made an order of the day for the next day.

PRINCESS' CUP.

Mr. BLAKENEY moved—"That this house will, on Thursday, the 11th instant, resolve itself into a committee of the whole, to consider of an address to the Governor, praying that his Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1863, a sum not exceeding Fifty Pounds, for the purpose of providing a prize for first-class four-oared gigs, to be competed for by amateurs, who shall have been resident in the colony six months previous to the day of the regatta, to be called the 'Princess' Cup,' to be competed for on the day of the regatta, to be held at Brisbane, in commemoration of the foundation of the colony of Queensland." He said he trusted that he should have the concurrence of the majority of the house in the motion he brought before them. The only other motion of a similar character which had passed the house was that of a vote of 105 guineas for a Queen's Plate to be run for at Ipswich; and he thought it was only reasonable, in his opinion, to ask for half that amount to be contested for in Brisbane.

Mr. LILLEY seconded the motion, which was put and passed.

MAIN ROADS COMMITTEE.

The motion for the adoption of the report of the above committee was postponed until this day.

RAILWAY GAUGE.

The house went into committee for the consideration of the Legislative Council's resolution relative to the railway gauge.

Mr. BLAKENEY said he was very happy to find that the Legislative Council had taken the action they had done after having heard the evidence on the matter before the bar of the house. He would move an amendment to the resolution to the effect that the narrow gauge should not be adopted, except on the clearest evidence that it had been in successful operation for goods and passenger traffic in some part of the United Kingdom or the colonies. He hoped before he sat down to be able to show that the proposition contained in the memorandum of Mr. Fitzgibbon was

founded in error. He would draw the attention of the house to the evidence taken before the parliament of Tasmania from Mr. Doyle, who was a well known coadjutor of Mr. Fitzgibbon, and that gentleman had stated that he had had an extensive experience in colonial railways, and had assisted in the construction of a mineral railway in New Zealand, the very Dun Mountain railway referred to by Mr. Fitzgibbon; Mr. Doyle also stated that heavy gradients were not at all desirable, and that if very steep gradients were used heavy engines must be employed. He quoted also from evidence taken before a select committee of the Legislative Assembly of Victoria with reference to the necessity for heavy and powerful engines to ascend steep gradients. All the engineers examined there, Messrs. Darbyshire, Neal, and Austin, agreed that the lightest engine that could bring a load up an incline of 1 in 50 was 40 tons. What made him more desirous of making the resolutions more stringent was the complaisant way in which the Minister for Lands and Works had said that the government were willing to accept the milk-and-water resolution of the Council. He contended that the government had been unable to show, and the evidence upon which the government relied did not show, that in all the United Kingdom, or anywhere else, there was a 3 feet 6 inches gauge railway in operation for passenger traffic. The evidence of the Surveyor-General was opposed to it; yet strangely enough the Minister for Lands and Works had never said a word of that officer's opinion, for which he (Mr. Blakeney) had the greatest respect. That gentleman had experience (Mr. Macalister: "Three months,") and his opinion was entitled to respect. A uniform gauge should be adopted with the other colonies. New South Wales was making railways towards our border of 4 feet 8½ inches gauge. The proposed line of this colony was to be carried to Warwick—to meet the line of the other colony in fact—yet it was to be a miserable thing that was never made in any other country. The hon. member quoted from Mr. Gladstone's despatches to the Australian Governors respecting the construction of railways and the desirability of a uniform gauge, such gauge being 4 feet 8½ inches. He also quoted from Mr. Plews' evidence given before the Council to show that the latter gauge should be adopted for a main trunk line, such as that from Ipswich to Dalby; and from Mr. Fitzgibbon's evidence, to show that that gentleman had never constructed, or run an engine on, a line of 3 feet 6 inches gauge. He contended that a better line could be carried than via Durundur (laughter) and the Crow's Nest. In conclusion, the hon. member expressed his regret that some engineer of eminence had not been sent for from England to survey and decide upon the best line. He exhorted the house to be careful how they proceeded to involve this young colony in debt, with the frightful example of New South Wales before our eyes.

Mr. GROOM had listened with great attention to the long speech of the hon. member for Brisbane, and had heard nothing to induce him to vote against the railway proposed by Mr. Fitzgibbon. Had he known that that hon. member would have exhibited such research in hunting up authorities, he would have produced a paper containing the report of a very interesting debate which had taken place in the Provincial Council of Auckland, in support of the 3 feet 6 inches gauge railways initiated there by Mr. Fitzgibbon, who had lived at Auckland some time. The Council had authorised the superintendent of that province to borrow £500,000 for the purpose of constructing such railways. He next adverted to the statement of the Commissioner of Public Works of New South Wales, wherein the cost of railways of 4 feet 8½ inches gauge was shown to be, at the lowest, £16,000 a mile. Therefore, when an eminent engineer like Mr. Fitzgibbon came here to construct railways at £7000 a mile, he thought the colony should take advantage of it, and he should support the government. He condemned the proposed route by Crow's Nest, as it would not touch Toowoomba.

Dr. CHALLINOR, at considerable length, supported the 3 feet 6 inches gauge. He accused the hon. member for Brisbane, Mr. Blakeney, of being coached up in antiquated authorities on matters of engineering; and he twitted him with his blunders about carrying the line to the Downs via Durundur. (Laughter.) The hon. member intimated that he would move a resolution as follows:—"That in the opinion of this house a speed of 20 miles an hour will be a sufficiently quick transit for the conveyance of passengers and goods in this colony for many years to come. 2. That from the evidence of Mr. Fitzgibbon and Mr. Plews before the Legislative Council, it appears that a speed of twenty miles an hour on a railway with a three feet six inch gauge is quite as safe as a speed of forty miles an hour on a railway of a four feet eight and-a-half gauge. 3. That, as the cost of construction, as well as the working expenses of a railway with a four feet eight and-a-

half gauge to secure a speed of forty miles an hour thereon is very much greater than a railway with a three feet six gauge, without any corresponding advantage to the present or probable prospective requirements of this colony for a very lengthened period, this house recommends the adoption of the latter gauge, unless conclusive evidence should be received by the government from eminent British railway engineers as to the inadvisability of constructing a line of such narrow dimensions. 4. This house would, for the foregoing reasons, invite the government to consider the propriety of entering into arrangements with Mr. Fitzgibbon for the survey, plans, and specifications for the different lines mentioned in the Railway Bill, and for the engineering superintendence of that portion of the line authorised by parliament to be made.”

The amendment was then put and negatived.

A desultory discussion ensued, and upon the amendment of Dr. Challinor being put,

Mr. MACKENZIE moved that the house should adjourn. He might state that the amendment being a very important one, the principle of which was very little known, he thought it was desirable that some further consideration should be given to the matter, and he therefore thought that it would be better that the house should adjourn.

The ATTORNEY-GENERAL opposed the adjournment of the house. He could not see what benefit could be derived therefrom, and he was yet to learn that because a hon. member could not understand an amendment on a motion, the house should therefore be adjourned. There was plenty of time to debate the question if necessary, and he must certainly oppose any further delay in prosecuting the business of the country.

Mr. MACKENZIE here called the attention of the Chairman to the state of the house.

There being only fourteen members present, the house was adjourned at twenty-five minutes to twelve, until three o'clock on the following day.