

Queensland



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Legislative Assembly

THURSDAY, 26 JUNE 1873

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LEGISLATIVE ASSEMBLY.

Thursday, 26 June, 1873.

Personal Explanation—Border Duties.—Native Game Bill.—Elections Act Amendment Bill.—State Education Bill.

PERSONAL EXPLANATION—BORDER DUTIES.

Mr. GROOM rose for the purpose of making a personal explanation. It would be within the recollection of honorable members that on the previous evening, when discussing the question of border duties in Committee of Supply, he had promised that he would produce the reply given by Mr. Parkes, the Premier of New South Wales, to Mr. Burns, the member for the Upper Hunter, regarding the action of Queensland in the matter; he would now, with the permission of the House, do so. On the debate in Committee of Supply in the New South Wales Parliament, when the sum of £100,000 was proposed for the railway from the Clarence to Tenterfield, Mr. Burns, the member for the Hunter, observed:—

“ He might as well ask the honorable Premier—seeing that this was avowedly a proposal to

secure the border traffic to the colony—whether any arrangement had been made in the Conference with regard to free trade across the border to Queensland? He asked this question because he had received a letter from a gentleman connected with a mercantile firm in the North, and carrying on a large trade across the border, complaining that the levy of duties on the border was found very inconvenient, the same evils growing up in the North as were being complained of in the South. Seeing that this must necessarily be the case as time went on, he thought that some arrangement should have been made with the Queensland representatives at the Conference for settling this matter, as an account might very easily be taken now, when a few years hence it would become more difficult.”

To that question Mr. Parkes replied in the following terms:—

“With regard to the question put to him by the honorable member for the Hunter, as to whether any arrangement had been made with the Government of Queensland for the removal of customs officers on the Northern Border, he might say that no such arrangement had been made, and no such arrangement appeared practicable. This Government and the Government of Queensland were on the most friendly terms, but, on a late occasion, when the Colonial Secretary of Queensland was in Sydney, that gentleman would not listen to any proposition on the subject—and for this simple reason, that he believed that his policy was to collect the duties in the interest of the Queensland revenue.”

Now, he thought he had shown by those quotations that the statement that he had made, on the previous evening, was perfectly justifiable, for there was the distinct statement of the Colonial Secretary of New South Wales that representations were made to the honorable Colonial Secretary of Queensland, but that he would not listen to anything of the kind. He thought he had now shown the House he was right, notwithstanding the honorable Premier's remark that his (Mr. Groom's) information was, as usual, in advance of his own.

The COLONIAL SECRETARY said he had nothing to do with the statements that appeared in the *Sydney Morning Herald*, and would no more rely upon the accuracy of the reports which appeared in that paper than he would upon those which appeared in the *Brisbane Courier*. That led him to an inaccuracy which appeared in the *Courier* of that day. He was made to say, in answer to a question put to him by the honorable member for Wide Bay, about the discovery of gold in New Guinea, that he had received a report from Captain Moresby, of the “Basilisk,” on that subject. Now, he had not received any report from that gentleman, but he had seen letters from him in reference to the discovery of gold, and since then he had seen Captain Moresby, who had come up on purpose, and who told him that he had discovered two samples of gold in the hands of some of the petty officers of the ship. Captain Moresby brought up those

samples and showed them to him. They were no doubt gold-bearing quartz, and had been pronounced as such by the Surveyor-General. It appeared to him very strange that none of the officers of the “Basilisk” should have known of the existence of those specimens, until they were brought to light two days ago. There was no doubt, however, that they had been found at Port Moresby, in New Guinea, and the sailors who had them, said that others of the same kind could have been picked up. So there was some truth in the report that gold-bearing reefs had been discovered, although, how the honorable member for Wide Bay had become possessed of the information, he did not know. He would have brought the samples to the House to show them to honorable members, but Captain Moresby was obliged to take them, as he was going away.

Mr. KING said he rose merely to mention that he noticed, that on the faith of the reports which had been circulated, there was an intention to fit out a prospecting party to proceed to New Guinea; and with the object of preventing the same calamities that happened to the last expedition from Sydney to that country, it would be very desirable that all possible information should be obtained from Captain Moresby of the navigation to the port at which the gold was discovered.

The COLONIAL SECRETARY said there was always a difficulty in the way of getting any information from officers of Her Majesty's ships, as many honorable members, the honorable member for Fortitude Valley especially, were aware. The Government had no power to communicate with naval officers on those subjects; and although the Governor had certain powers in connection with them, they were of only a restricted character. He believed that under the regulations of the service, Captain Moresby could not even publish the charts he had made; he believed they had first to be sent home, and even printed at home.

NATIVE GAME BILL.

Mr. CLARK, in moving—

That this Bill be now read a second time,

said that it would not be necessary for him to detain the House at any great length, as it was the same Bill, with a few alterations, as that he had introduced some time ago, but which, unfortunately, was not passed. He had made a few alterations which he thought would meet with the approval of honorable members, and he would shortly state what those alterations were. He might first observe that the opinion that a measure of the sort was required, was gaining ground, and that those who at first thought such a Bill was not necessary, were now of opinion that it was absolutely necessary, in order to protect the native game of the country during the breeding season. The Bill was simply to protect the birds during the six

months of the year when they ought not to be killed, and were, in fact, unfit for human food. The close season was to commence on 1st August and continue until the 31st of January, which would give the birds six months' rest. He might point out that in some places birds were now killed all the year round, and thus, in a few years, they would be completely destroyed. He might inform honorable members that if they happened to shoot a duck in the month of August—the month when the Bill would come into operation—they would find that the hen was invariably full of eggs, and, therefore, ought not to be killed, and, moreover, was not fit to eat. The Bill he introduced on a former occasion was to apply to the whole of the colony, but he had since made an amendment in it, and it would be seen that its application would now be limited to only a small portion of the colony. He had had a map prepared for the information of honorable members, and by that it would be seen that he had only taken in a small portion of the country—for instance, the Moretons, Darling Downs, Wide Bay and Burnett, Port Curtis, and part of Normanby, leaving out the rest of the colony. He had avoided inserting in the preamble a clause giving power to the Governor in Council to extend those districts; in fact, he had studiously guarded against any extension of them after they had once been declared. He had also limited the duration of the Bill to three years, so that if, at the end of that time, it was not found to be a useful measure, it could be allowed to lapse. On a former occasion, the honorable member for Maranoa objected to the Bill on the ground that it would be very hard upon the blacks, as for a great part of the year they would be deprived of their natural food; but he thought that objection would be met by the honorable member seeing that he had confined the operation of the Bill to districts where there were very few aborigines, and where the few who were there, lived principally upon supplies given to them in the towns and on the stations. But, further, he did not believe that the blacks lived so much upon ducks as they lived upon kangaroos and opossums; and it would be a good thing if they killed those off. Again, the blacks in the districts mentioned, being partly civilized, could be made to understand that they must not kill birds which were not fit to eat. There was one clause he had not introduced in the former Bill, which was, that no person should be allowed to use a swivel-gun; and upon that subject, he would read a short extract from a Melbourne paper, which would show that in Victoria, swivel-gun shooting was a great abuse. The writer said:—

"The sportsman, be he gentleman or laborer, miner or artisan, is justly exasperated when, after obtaining his perhaps hard-earned holiday, he finds the swamps and other shooting grounds within attainable distance of his residence, where he was wont to get a day's enjoyment at his

favorite sport, rendered utterly barren by the use of the swivel-gun. This, no doubt, is an injustice to the individual sportsman, who is debarred (for reasons too obvious to require mention) from the use of a similar weapon, and who, in nine cases out of ten, would not, if he could, use it. Every creek, every lake, swamp, or breeding place is invaded, and if the birds are not utterly destroyed, they are driven away to localities too far distant for the general sportsman, or made so shy that they are rendered unapproachable. The persons who carry on this destruction do so for profit only, and as the contents of their bag is only generally saleable in the centres of population, they naturally choose their field or water of operations as near their market as possible."

He believed that that was one portion of the Bill that would meet with general favor. In case the House thought the ninth clause rather stringent, he might mention that it was copied word for word from the Acts in force in the colonies of Victoria, New South Wales, Tasmania, and he believed, South Australia. There was considerable difficulty in bringing up people who roamed about in the bush, shooting; and it was, therefore, requisite to adopt rather stringent measures in order to convict them. In fact, he had found people shooting over his run, and on one occasion, he sent a boy to ask some gentleman to give his name, but he declined to give it. He, however, afterwards found out who the person was, and prosecuted him for trespass; but in that case, the person most positively refused to give his name. The same paper he had quoted from contained some remarks on that very subject:—

"When people intend breaking the law, they go privately to a place where they are unknown, and if the proprietor of the land, or anyone interested in having the law respected, should ask their names with a view of bringing them to justice, they only get misled, and in most cases insulted for their trouble."

In most of the Acts he found a clause making them not applicable to the blacks, but, in his opinion, such a Bill should apply to everybody; because, if a man wished to evade the law, and to kill game out of the season, all he had to do was to take a black with him, or to send one out shooting, so that that would stultify everything. In regard to that, he might read another extract from the same paper he had before quoted:—

"Wild fowl are laying most abundantly, but the blacks destroy them, together with the eggs, without mercy, shooting them upon their nests, and smashing the eggs at the same time. The game laws are of very little use when the blacks are allowed thus wholesale to destroy, and to dispose of their plunder in barter for grog; since they will not rest satisfied with taking them in moderation for their own wants, but will go for miles, and remain out for days, searching every reed-bed, taking the eggs indiscriminately, whether containing young or not. Money will scarcely induce the black to do this amount of exertion, but grog is all-powerful. Here's a pretty state of

things. The 39th or last section of our wonderful Game Act runs as follows:—

“None of the provisions of this part (*i.e.*, part 3, referring to game and penalties for its destruction out of season, &c.), shall extend or apply, or be construed to extend or apply, to any aboriginal native of Australia.”

“So the ‘poor blackfellow’ is at liberty to go to work at the present season of the year, gun in hand, with perfect impunity, shooting breeding wild fowl, of every kind, on the nest, pilfering the eggs, fresh laid or otherwise, and all the consolation that white sportsmen (themselves interdicted from firing a shot or disturbing an egg) derive from this merciful clause, is the knowledge that the wretched creatures for whose benefit it was framed are but killing themselves the faster with the liquor thus procured. Now, I really think, sir, that this is beyond a joke. I should be averse, very much averse, to advocating the adoption of any tyrannical measure tending to make the lot of the small remnant of the ancient tenants of the land we have taken possession of, harder than it is. I conceive it to be only our duty to do the best we can for them. But I cannot quite see the sense or the utility of that law which, while thus professing to look after their welfare and guard their interests, only proffers them a means of access to their deadliest enemy, and at the same time goes so far to spoil legitimate sport. A gun-tax, which should of course be applicable to blacks as well as whites, would alter this. Aborigines then would, and only very rightly so, be practically excluded from the possession of fire-arms, and it would be seen that the early result of this measure, even if the present statute remained unaltered, would be a large and certain increase in the quantity of game.

“And I also submit, sir, with further reference to the above, that these blackfellows, for whose good as well as our own we are supposed to legislate, would be much more sensibly served if, in common with ourselves, they were made to conform to the limits of a close season. If game, as a source of diet, is of so much consequence to them, it must surely be for their good as well as ours that its extinction from the land should be carefully guarded against. And, after all, what would it amount to? Wild fowl and their eggs form but comparatively insignificant items in the varied bill of fare in the New Holland aborigine. Kangaroo, and, indeed, all the marsupials, have beyond a doubt of late years, since the poisoning of the dingoes, been marvellously on the increase; and would they not always also have their roots, and fish, and snakes (!), and other delicacies, and *bonnes bouches* ‘too numerous to mention,’ to console them for their temporary lack of swans and ducks?”

“I fancy I hear the outcry from Mr. Impracticability, ‘Oh! how can you ever make a blackfellow respect a game law?’ And prythee, sir, why not? We make the dark-skinned gentleman amenable to many of our other laws. We do not permit him to murder, or to steal, or create a disturbance without its prompt and equivalent punishment; and why should he not as successfully be compelled to respect a law framed with a view to his benefit as well as ours?”

Another writer on the same subject said:—

“It surely would be well that some restriction were placed to the liberty at present allowed the

aborigines who are permitted to destroy birds and eggs all the year round. If it was for their own use I would not say a word, but every bushman knows that for a nobbler or a ‘drop in a bottle,’ a brace of ducks, or a dozen of eggs, may be obtained at any time; and the innkeepers are the men who benefit by this, and keep themselves well supplied with game at little or no expense by pandering to the lowest vice of a depraved and miserable savage. A liberal provision is made for the support of all these poor creatures at each protective station, and were they inclined to work, most of the squatters would supply them with rations, so that there is absolutely no need for continuing a wanton waste of the favors granted to this colony in the way of game birds.”

Now, although the Bill might appear rather arbitrary, it would be seen that he proposed in the tenth clause of it to give to any person the power of appeal, and that, he thought, would take the sting out of the Bill. By the twelfth clause it would be seen that the Bill did not interfere with any persons who wished to collect birds for a museum, as all a man would have to do under those circumstances, would be to go to the Colonial Secretary and get permission, on production of which authority, he was protected from all consequences. In case any honorable member might think that the Act was too stringent, he might mention that it was not more stringent than any in the colonies, and was not nearly so stringent as the Act in force in that free and enlightened country, America, as some honorable members chose to think it, but which he did not. The American Parliament had thought fit to pass a law for the preservation of deer from dogs:—

“Section 1 refers to deer, but there is a part of it which provides that ‘dogs pursuing deer, when not in pursuit by a person having the right to the services of such dog, may be killed by any person, and the game constable or other town official may kill any dog that habitually pursues deer, and the owner of such dog shall be liable to a penalty of 10dol. for each deer killed by the dog.’

“No. 3 section imposes a penalty of 100dol. on any person killing any wild duck, goose, or brant, with any device or instrument known as a swivel or punt gun, or with any gun other than such guns as are habitually raised at arm’s length and fired from the shoulder, or shall use any net, device, or instrument with intent to kill such wild duck, goose, &c.

“No. 5 prohibits any one from using any floating battery or machine for the purpose of killing wild fowl, under a penalty of 100dol. for each offence.

“No. 7 is as follows:—‘No person shall kill or expose for sale, or have in possession, any quail between the 1st of January and the 20th of October, under a penalty of 2½dols. (£5) for each bird.’

“Thus it will be seen that quail can only be killed during the end of October, November, and December—corresponding with our April, May and June.

“Section 15 enforces a penalty of 25 dollars for shooting on Sunday.”

Now, he had put a clause forbidding shooting on Sunday in his Bill, but he intended to leave it out, as he found that there was already an Act in force providing for that. Referring again to the American Act:—

“The 35th section provides that, ‘In case of failure by any person to pay the penalty imposed, he shall be committed to the common gaol of the county for a period not less than five days, and at the rate of one day for every dollar of the judgment when the same exceeds five dollars.’ The 36th section provides for the recovery of penalties, by which it ordains that half of the penalty recovered shall go to the person giving the information, and half to the treasurer of the county, for the support of the poor.”

Now there was nothing so strong in his Bill as there was in that Act, and those honorable members who were admirers of American institutions would, he hoped, remember that, when they came to consider the Bill. The game he proposed to protect during the close season were—wild ducks of any species, plain turkey or bustard, wild geese, bronze-winged and other wild pigeons, quail, tallegalla or scrub turkeys, plover of any species, and curlew. The ornamental birds which it would be totally forbidden to destroy were emus, native companions, black swans, and the great kingfisher, commonly known as the laughing jackass, also magpies of various species. Those were the provisions of the the Bill, and he trusted that honorable members would give it their serious consideration. He had no interest whatever in the passing of the Bill, except that he believed it would be a most useful measure on public grounds, as everybody would derive benefit from it. It would extend to only certain districts, and would be in force for only a short time, so that those honorable gentlemen who did not altogether agree with it might let it pass, and have a fair trial.

The COLONIAL SECRETARY said he had no intention of opposing the second reading of the Bill, as he thought it would be found a very useful measure; but when it went into committee, he would have to move an amendment, unless the honorable member who introduced the Bill did so himself. He thought it was very desirable to have a close season in this colony, but he very much doubted the desirability of altogether forbidding the destruction of some of the birds described as ornamental.

Mr. FYFE objected to the Bill, as one of its effects would be to prevent persons travelling in the bush in the interior from getting the means of living. If that was done, the next thing would be to introduce a measure to forbid fishing. He quite agreed that such a measure was desirable in a thickly settled colony like Victoria, but he did not think it was applicable to this country. He knew that he, as an old experienced bushman, had been frequently dependent upon black swans and native companions for food in the bush, and he thus

thought it was premature to pass a Bill which would forbid the shooting of those birds entirely. If it was passed, it should not include districts far away from settlements. Then, again, the House had no power to deprive the blackfellows of killing game in their own forests, whatever that game might be, whether tallegalla or anything else. But, if the Bill was guarded in such a way as he mentioned, he should be bound to support it, in order to preserve to the colony such birds as the honorable member had enumerated.

Mr. THORNTON said, if he had any idea that the Bill would pass, he should oppose it; as it had no chance of doing so, it was only a waste of time to make any comments upon it. He had not the slightest idea that the honorable member would get it beyond the second reading, and so he would let it go.

Mr. J. SCOTT said he thought a great deal of the Bill, and that a close season would do a great deal of good in the colony; but there was one thing he thought had been overlooked—namely, that what might be a close season in one part of the colony would not apply to other parts. If the honorable member would divide the colony into districts, and then say when the Bill should come into operation in those districts, it would be very much better.

Mr. CLARK: The Bill does not extend to all the colony.

Mr. THORN said he should not oppose the second reading of the Bill, but he thought it would be found that what was the close season for one bird would not be the close season for others; as regarded wild ducks, for instance. Then again, he had eaten the eggs of the tallegalla in February, and so a different close season would be required for that bird, as they all knew that the incubation of the eggs of that bird was caused by the great heat given out in the hot weather by the leaves and rubbish of which the nest was composed.

Mr. MILES said he had one great objection to the Bill, namely, that he did not think it was right to deprive the aborigines of their natural food; moreover, there was nothing to show that the close season mentioned in the Bill was the proper season. Again, the Bill extended over such a large tract of country that the close seasons might vary considerably. He would move, by way of amendment, that the Bill be referred to a Select Committee to report upon it.

Mr. GROOM said there was no doubt that anything in the shape of a game law was objectionable to the public generally; and he had very considerable doubts whether he should be doing his duty to his constituents on the Darling Downs if he supported the Bill now before the House. He would like to know whether the Bill would apply exclusively to Crown lands, or to lands in the hands of pastoral lessees.

AN HONORABLE MEMBER: All lands.

Mr. GROOM: Well, then, supposing the Bill extended to the Darling Downs, to the large paddocks there, were the gentlemen owning those paddocks to be fined five pounds if they saw a fine plain turkey in a paddock and shot it?

HONORABLE MEMBERS: Yes.

Mr. GROOM: Well, then, he thought it would be a gross injustice, as some of the finest turkeys were to be found on the Downs during the close season prescribed by the Bill. He would like to know which was really the breeding season of those birds. It was all very well for the honorable member who introduced the measure to read extracts from the *Australasian*, which, no doubt, was a very valuable journal; but what might suit Victoria might not do in this colony, and he would certainly like to have some more information before he voted for the Bill; at the same time he did not wish to be understood as opposing it, if any reasons could be shown for it. He quite agreed with what had fallen from the honorable the Colonial Secretary, that the close season might not be the same in all districts.

The COLONIAL TREASURER thought the objection made by the honorable member for Toowoomba to the Bill should have been the very thing to make him support it. The honorable member said, that in the month of August there were good turkeys to be shot on the Darling Downs; but if there was anything in the Bill, it was to prevent an indiscriminate slaughter of those birds. The honorable member should also remember that when he had eaten fine turkeys in the month of August, it was some years ago, when the district was not so thickly populated, and game was more plentiful. He also thought the honorable member's constituents would sooner have a close season proclaimed than lose all the birds. With regard to the amendment of the honorable member for the Maranoa, he could not agree; and as to the objection that the Bill applied to the whole colony—why it was not tenable, inasmuch as the honorable mover of the Bill had said it would only apply to certain districts. Another question was, what were the close seasons? But still that was a matter of detail which could be considered when the Bill was in committee. He thought it would be better if the Government took evidence on that subject, and then proclaimed what were the close seasons in different districts. The honorable member for Maranoa had such an objection to all Governments that he was sometimes blinded to the interests of the country; and he was sure the honorable member would not do injustice if he were not so fully imbued with that feeling. How the honorable member, with such feelings, could ever expect to become a member of a Government, he did not know. He did not think the Bill had been introduced one bit too early for the colony, as any measure which would prevent the destruction of birds at certain times

of the year must be of benefit to the country. He thought, also, the objection of the honorable member for Toowoomba to game laws should not prevent honorable members passing a measure like that proposed, or, at all events, agreeing to the second reading of it.

The SECRETARY FOR PUBLIC LANDS: One of the chief objections raised by visitors to the Australian colonies was the absence of animal life; and he believed that the operation of the present Act in Victoria for the protection of native game had had the effect of adding greatly to the beauty of the landscape in the vicinity of the large towns there. In all parts near Melbourne, in every reserve—in one particularly, on the St. Kilda road—they would see large numbers of wild duck and other wild fowl, such as black swan, at a short distance from the road, and their appearance added much to the picturesqueness of the landscape. Now, he thought that in this colony they should make some efforts to preserve the natural features of the country; and he, for one, would be very sorry indeed to see the birds indigenous to the colony disappear by the indiscriminate slaughter of them that was now permitted. In regard to the close season, he thought that they should postpone it a little later, say till September; for in the West Moreton district, the ducks had hardly yet made their appearance, so that the Bill would only allow the month of July in which those birds could be killed. The object of the Bill was to give the birds rest, and it was astonishing how soon birds understood that. There was no doubt that all the birds enumerated in the Bill were useful, and afforded a great deal of pleasure to those who took an interest in natural history. In reference to the clause prohibiting shooting on Sundays, he must say he hoped the honorable member for Warwick would retain that clause in the Bill, notwithstanding there was an Act in force on the subject; for the old Act had fallen somewhat into disuse, and a new provision would prevent small boys from going out shooting on Sunday, which they were now in the practice of doing. He should give the Bill his support, and trusted that in whatever shape it passed, it would have the effect desired by the honorable member who introduced it.

Mr. FERRERT thought there was something in the Bill which could be turned to good account, when in committee. There was no doubt that many of the birds mentioned required protection, and that at present there was no law to protect them from the servants of owners of land, although owners could prosecute other persons for trespass. He thought some of the birds mentioned as ornamental birds, should not be protected, such as the emu; but he quite agreed that the laughing jackass was a most valuable bird. Then, again, the honorable member had omitted the native pheasant, which was a most excellent bird. He could not understand on what principle the honorable member

had drawn the line as regarded the districts in which the Bill was to be enforced, or upon what information he had fixed the close season; still, however, those were matters which could be discussed in committee. He should support the second reading.

Mr. EDMONDSTONE supported the second reading of the Bill, as he believed that great quantities of game, particularly ducks, would be entirely extirpated, if some such measure were not passed. He quite agreed with the remarks of the honorable member for the Leichhardt, and he trusted that the Bill would not be made operative over too great an extent of country at first.

Mr. MILES, by leave of the House, withdrew his amendment.

The question—That the Bill be read a second time—was put and carried.

ELECTIONS ACT AMENDMENT BILL.

Mr. GRIFFITH said he rose for the purpose of moving the second reading of this Bill, and, in doing so, he disclaimed all intention of doing what had been not inappropriately described as tinkering with legislation, which was particularly undesirable in a complicated Act like the Elections Act of 1872. That was a duty which he thought a private member ought never to undertake. It was a matter which ought properly to be left to the Government, by whom alone it could be carried out. Although this Bill had been drawn in the form of a repealing measure, it was not intended by him to operate in that way. He prepared it in a considerable hurry, but he had reduced it into the smallest possible compass, in order that the alterations might be as little as possible. The Bill provided for the repeal of those portions of the Act of 1872 specified in the schedule, which he believed were all the parts relating to electors' rights. The Bill as drawn proposed to repeal those parts; but he did not think that on the whole that would be desirable, and he intended in committee—if the Bill got so far—to alter it from a repealing measure to a suspensory measure; suspending those portions of the Act until next session, when some amendment would have to be made, and when the whole question of electors' rights could be properly considered. It did not require much argument to show that if the provisions of the Act relating to electors' rights were enforced during the elections in September or October next, grave injustice would be done, because no person would be entitled to vote, as honorable members were aware, unless in addition to having his name on the roll, he had also an elector's right issued to him. Now, the Act, in subsection 5 of section 15, allowed a man twelve months to get his elector's right; but in no instance could electors' rights be issued until after the rolls were perfected. Some of the rolls might be perfected soon, but in the larger constituencies—where the electors really required more time to get their voters'

rights, in consequence of the distance they had to travel—they would not be perfect until August; and if the elections should take place in September or October, instead of having a year to get these rights, they would have only two or three weeks or a month. Practically, the result of this would be to disfranchise a great number of persons. There was another matter to which he wished to refer. The objection which had been so often urged with regard to country elections being entirely under the control of the towns, instead of being merely an objection, would, unless some action were taken, be a certainty. Take, for instance, the electorate of Fassifern. The electors' rights for that electorate were issued by the clerk of petty sessions at Ipswich, and was it likely that for a month or six weeks after the perfecting of the rolls, or from the beginning of August, any large number of persons would be able to go to Ipswich to get their electors' rights? This was a fair instance. In the more remote parts of the colony, such as in the Warrego and Mitchell districts, practically there would be no electors at all. A remedy was provided by the Act, but that was intended to be taken with the provision allowing twelve months to get the electors' right. The twenty-eighth clause provided:—

“When from the extent of any electoral district or the distance of parts thereof from any clerk of petty sessions it shall appear to the Colonial Secretary impracticable for electors to attend and obtain their electors' rights from a clerk of petty sessions it shall be lawful for the Colonial Secretary to order any clerk of petty sessions to entrust the issue of such electors' rights to any approved person as his deputy and such deputy shall be authorised under the direction of the Colonial Secretary to visit such distant parts and to issue electors' rights.”

Now, of course, if there were plenty of time that would be right enough, but it was almost physically impossible for the Colonial Secretary, or anyone else, to make the necessary arrangements for this between August and September. He therefore thought that under these circumstances, which were entirely unforeseen when the Act was passed, the reasons for introducing this Bill were such as could not be answered. Of course, it was a Bill which would affect both sides of the House alike, and it was in no way a party question. It was a mere question whether the electors of one-half the districts in the colony should be disfranchised or not. There was a further objection, which he might call a physical objection. The clerk of petty sessions at Brisbane had to receive and issue some six or seven thousand electors' rights. He would have to ask each elector who presented himself—

“Are you the person whose name appears as so and so on the roll in force for this electoral district?”

“Have you received any elector's right enabling you to vote in this electoral district?”

The person had then to sign his name on the butt and on the elector's right, and take it away. Certain other entries had then to be made. It was generally known that people from a distance rarely came into town except on Saturdays, but supposing they came in every day, 200 would be a fair number for the clerk of petty sessions to get through in a day, considering the other duties he had to perform. Taking it that there was steady and regular application, and that the men were supplied with their rights as fast as possible, it would occupy over three weeks before all could be issued. This would be obviously unfair in its results; and they would have the objection raised that the electorates around Brisbane were controlled by Brisbane. The Elections Act of 1872 was, he understood, intended to prevent impersonation, and to enlarge the franchise. It might prevent personation, but it would diminish the number of electors practically to about one-third. They had, therefore, to choose between two evils, and they ought, certainly, to choose the least, and endeavor to prevent the disfranchisement of a large number of persons. He hoped the Bill would pass the second reading, and in committee he would move an amendment, the effect of which would be to make the Bill read as follows:—

“Operation of so much of ‘*The Elections Act of 1872*’ as is specified in the schedule hereto and of all other parts of the said Act relating to ‘electors’ rights’ shall be and the same is hereby suspended until the thirty-first day of December one thousand eight hundred and seventy-three thereafter until the end of the then next session of Parliament and the said Act shall in the meantime be read and construed as if the said parts thereof had been omitted therefrom.”

This was the usual formula in suspending Acts. Of course it would be necessary to amend the title, but there would be no difficulty in that respect. Trusting that there would be no serious opposition to the Bill, he moved—

That it be now read a second time.

Mr. FYFE said that when the Elections Act was passed last year he pretty well foretold what the consequence would be—that half of the electors of the colony would be disfranchised. He believed that such was the case now, and that instead of the Bill extending the franchise, and giving manhood suffrage, it had been the means of disfranchising one-half the people of the colony. The provision for voters' rights was another mistake, because it was a system which rendered the whole Act almost unworkable. Under the old Elections and Qualifications Act a man could go and record his vote without any difficulty beyond answering a question which might be put to him by the returning officer; but under this Act he had to make a declaration. He (Mr. Fyfe) had seen from experience some of the difficulties arising from this system. He had been in-

strumental in getting 150 names put on the roll at Rockhampton, and he found that even magistrates there were dubious as to the course they should pursue with reference to these declarations. He also knew thoroughly well that when the Electors' Act was passed the principle was clearly understood by honorable members that £5,000 or £10,000 should have been placed on the Estimates for collecting votes in the outlying districts. He believed that Mr. De Satgé, who was at that time honorable member for Clermont, was quite prepared to go in for a vote of £5,000 for the purpose of getting names put on the various rolls. It was impossible to get men to come fifty, or, perhaps, over a hundred miles in order to make the necessary declaration, and at the same time run the risk of having their journey for nothing, if the magistrate should happen to be absent. He would certainly vote with the honorable member for the abolition of these voters' rights. It was not merely ridiculous, but it was, in fact, a system of tyranny, that a man should be compelled to make a declaration that he was entitled to vote. It was a power which ought never to be exercised in dealing with any man of common intelligence or common sense, more especially in a colony like Queensland, where every facility should be given to every man to record his vote. He would vote for the abolition of these voters' rights.

Mr. GROOM said he did not think that an important measure of this kind should be passed over without an expression of opinion from honorable members respecting it. He felt very much inclined to vote with the honorable member who had introduced the Bill. When the Act was passing through the House he was not a very ardent supporter of it; and he thought he might say, as had been said by the honorable the Premier, with reference to the Electoral Districts Act, that he was rather amazed that the House should have passed the Act which the Bill now under discussion was intended to amend, because he quite agreed with the honorable member for Rockhampton, that in place of this being an Act ostensibly intended to give manhood suffrage, it was in reality a disfranchising Act. In fact, a more insidious measure than the Electors Act of 1872, had never, in his opinion, been passed by the Legislature of this colony; and he did not think it did the honorable member who introduced it any great credit, although he believed that that honorable member took considerable credit to himself respecting it. That honorable member copied the measure from Victoria. It had always been a misfortune to Queensland that those charged with the management of affairs invariably had recourse to the sister colonies to borrow their systems of legislation. He thought that, with the exception of Mr. Herbert and the honorable member for Fortitude Valley, almost every Premier of the colony had gone to the sister colonies, borrowed their mea-

tures, and introduced them into the House, and led honorable members to believe that they were original measures. In some instances he had seen measures placed on the table of the House, which had been obtained from the adjoining colonies, and in which the Government had not even taken the precaution to eliminate the words "Sydney" or "New South Wales," and special Acts had to be passed afterwards to amend the mistake. He now found that this measure, which the honorable the Minister for Lands took so much credit for passing, was copied from the Victorian legislature. The legislature of that colony, under the leadership of Mr. Francis, had recently had under consideration, a Bill for the better representation of the people, and that gentleman had introduced a Bill, which, he (Mr. Groom) thought, was a vast improvement on the Bill we passed last session, called the Electoral Districts Bill. Probably that gentleman had our measure before him, and had improved on it. He had separated the colony into town constituencies, commercial constituencies, and pastoral constituencies, and he had also divided the colony into ninety electoral districts, each to return one member; and about the wisest provision in the measure was, that all the elections should take place on one day. That was, he thought, about the most wholesome provision that could possibly be inserted in a Bill of that kind. Now, with reference to voters' rights, the Premier of that colony had made some very pertinent remarks, which, with the permission of the House, he would read. He said:—

"Then, again, the present system of electors' rights had been found to work disadvantageously."

This was the opinion of the Premier of Victoria, after eight years' experience of the operation of the system in that colony. The honorable gentleman continued:—

"There could be no doubt that the very demand of a shilling"—

He might here draw attention to the fact that in Victoria electors had to pay a shilling for their electors' rights, which the Premier of this colony condemned;—

"There could be no doubt that the very demand of a shilling—apart from the money value of a shilling—had more or less proved a hindrance to applications for the franchise. In addition to his own personal knowledge, he had reasonable ground for believing that the statement was not far from the truth, that a few years ago a railway firm rounded up all the men in its service, paid the shillings for them, and "nobbled" the rights. (Hear, hear.) These rights were used, at convenient times, to further the ends of the employers. He had heard it alleged that even in a Melbourne constituency there were 100 or 200 rights in the hands of one candidate, who used them for his own benefit at the election."

He maintained that in the present Elections Act there was nothing to prevent a person from taking 100 or 200 voters' rights here and using them in the same way, especially

in the country districts, where the same supervision could not be exercised as in towns. The same gentleman also said:—

"Under these circumstances one of the new proposals of the Bill was that no charge should be made for electors' rights, and instead of being given to the applicants for them, these rights would in future be kept by the various electoral registrars in order to prove the *bona fides* of the electors, and to prevent personation."

It was a singular thing that the honorable the Secretary for Lands introduced these voters' rights as a safeguard against personation, and now they had the assertion of the Premier of Victoria that, in place of preventing personation, the system had proved an incentive to it. He was fully convinced that the same result would follow here—that personation would be continued under the present Act.

"These rights had been abused by men who improperly obtained them, and practically forged the signatures of the proper owners. But if the proposed alteration was agreed to, the rights would be retained by the registrars, and no one would know what kind of signature was on any one of them except the man who affixed it."

Now, he thought that the opinion of a gentleman of the standing of the Premier of Victoria, where they had had eight years' experience of the system, was entitled to a great deal of consideration. There were a great many other passages in the same gentleman's speech which would apply with considerable force to the Electoral Districts Act passed here last session; but having the opinion of a gentleman in Mr. Francis' position, and knowing perfectly well that under the Elections Act of 1872 a considerable amount of hardship would be imposed on the different constituencies, he felt very much inclined to vote for the second reading of this Bill. That it was a disfranchising Act he was aware from his own personal knowledge. He knew that there was great difficulty in some places in getting magistrates to attest the necessary declaration, and that a great many individuals, whether from correct motives or not, did not like to go before magistrates to make that declaration. In New South Wales he found that something like £10,000 or £15,000 was placed on the Estimates for the collection of names to be placed on the rolls, without any declaration being required, and, as he said before, he did not think the honorable the Secretary for Lands could take very much credit for this Act. Although there was personation before, to some extent, it was only in one district. An investigation which was made on one occasion showed that in the district of West Moreton the system of personation was carried on to such an extent that 192 persons had either personated someone else, or voted two or three times, owing to the system of voting. It was almost impossible to take any steps to absolutely prevent personation. The experience of Victoria had shown that voters' rights did not

prevent it, and under all these circumstances he thought he would be justified in voting for the Bill. He would also support the amendment which the honorable member who had introduced the Bill had stated his intention to propose.

THE SECRETARY FOR PUBLIC LANDS: Something had been said which perhaps demanded an answer from him. A reference had been made to the Premier of Victoria. All honorable members knew that Victoria was a place where the Premier must keep up a continual agitation upon some subject or other, if he intended to keep his place.

MR. GROOM: No.

THE SECRETARY FOR PUBLIC LANDS: And, whatever might have been said or done in Victoria, whatever the movement in that colony, it was no criterion of what the legislation of Queensland should be. When he introduced that measure which it was now proposed to amend, he admitted that the idea of carrying out the scheme was from Victoria, and that the machinery, as far as it was applicable to this colony, was adapted from the Victorian Act. And there was no reason why that should not be so. The Act was admirably drawn to effect the purpose intended. As for the Queensland Act being a disfranchising measure, if it was, he should like to know how the additional voters got on the roll; and, in consequence, why it seemed to give so much satisfaction to all who had got on? The only persons it was intended to disfranchise were those who did not exist, or who appeared three or four times on the roll.

MR. THORN: How many were on the roll? Where were the new electors?

THE SECRETARY FOR PUBLIC LANDS: He was not prepared with any statistics on the subject. He knew, however, that there had been a considerable increase of electors enrolled in the different districts. To say that the Act was simply a disfranchising Act was to make an assertion without any proof whatever. It enfranchised many deserving people who were before without any qualification. One idea of the Act was to take away the disability which, by some omission of the law, existed, and to restore what many were deprived of by a defect of the constitution—manhood suffrage. The system of voters' rights was brought in to do away with what was, over and over again, denounced as a crying abuse, a great evil—personation;—by inserting in the roll names of non-existing persons, whenever they could be got in, and voting in those names at elections. It was intended, above all things, to prevent persons voting three or four times at the same elections. If the voters' rights had no other effect but that, they would be valuable: they were a step in the right direction. Men would not, under that system, vote at Toowoomba; and, hurrying down the Range, vote at every polling place on their way. They would not vote at the Pine Mountain; and ride post haste to Normanby, and, after

voting there, turn back again to Ipswich and vote at all stages on the road. The voter's right would affect that kind of thing; because, the first time a man presented his paper to vote, it was marked, and he would thus be prevented from voting again in the same election. It was all very well to cry down the system before it had a trial. As to what had been said of Victoria, and of a person buying up miners' rights, it was all the old tale—that one old woman told another old woman that another old woman had told her! What good would they be to him? It was perfectly impossible that a person who had bought up five hundred miners' rights could use them. There were too many safeguards provided in the Act. If we got our legislation from Victoria, how was it, that, following our lead, the legislature there was cutting up the electorates of that colony? He (the Secretary for Lands) believed that it was from the Queensland Act that the Victorians took the idea that the subdivision of electorates would be just the thing for their country. Those were points which appeared to him to be a sufficient defence for the new law of this colony. Somebody had said that he took credit for the system of voters' rights. He admitted at the time that it was an adaptation. Whenever he found a law in force in another country which had stood the test of the wise men of that country, he should consider it a safer plan to deal with that as a precedent for his own Bill, than to act entirely on a new idea of his own; and he thought that every draftsman would follow the same plan, if he was prudent. With regard to the Elections Act of 1872, he was very much afraid that the country would not be able to have the advantage of it, as it was passed, owing to physical difficulties. We had drifted into a state of things which crammed the general election into a month or two, and which nobody foresaw. If the House had to pass an amending Bill, now, the only reason for doing so, was, because it was physically impossible to get the voters' rights out in time. If it was impossible, it would be very unfair to disfranchise those electors who could not obtain their rights. That was the only ground upon which the Bill, as it was intended to be amended—not as it was now before the House, which he would not support for a moment—should be supported. As a suspending Bill, in which form it was now to be brought forward, it had nothing to do with the general question; and it was owing to circumstances which could not be controlled that it would have to become law.

MR. HEMMANT said the honorable gentleman had uttered a fallacy when he said that if a person purchased 500 voters' rights they would be no good to him, as there were so many safeguards in the Act. There was no safeguard whatever. If a person got the voters' rights of persons who could not read or write, and who signed with a cross, they could be used by any other persons, who had

only to say they were the men named, and that they could not read or write: nobody could prevent the latter from voting.

Mr. W. SCOTT thanked the honorable member for East Moreton who had brought forward the Bill. It would materially benefit his constituency; and if he did not support it, he should not be doing his duty.

The COLONIAL SECRETARY observed that the Bill had assumed a novel shape altogether, and different from what it was when first placed on the table. When he came to the House this afternoon, he intended to oppose the Bill. Since then, it was proposed to alter it by not attempting to repeal the part of the Act referring to electors' rights, but only to suspend the operation of the Act with respect to electors' rights for a period. Well, that, at first sight, seemed less objectionable than the original Bill; but before he could agree to go into committee on the Bill, or to pass it to its third reading in the House, he must have time to look into the matter, and to make up his mind as to the difficulties which were represented to be in the way of the operation of the Elections Act of 1872. He would never yield, as far as he was concerned, that part of the Act which required the production of the elector's right. He believed it was the only safeguard against personation to the enormous extent to which it had taken place. Even under that Act, he was quite willing to admit that it could take place; but that it could take place in anything like the proportion that had been known, he could not admit at all. He could not see how it was possible. He was quite willing to take the matter presented to the House into serious consideration, but before he could consent to the Bill passing, even in its amended shape, he must see whether there were not some sections of the Act under which deputy clerks of petty sessions could not be appointed to send out the electors' rights—whether that part of the law could not be brought into operation quickly enough to dispense with the necessity of altering it at all. With that understanding, and that the Bill should not be committed until next week, he was willing to consent to the second reading now. He must have time to see how far, by working the clauses of the Act which provided for meeting an emergency in the larger or distant districts of the colony, he could go to meet the difficulty which had arisen. That was information which he could not have acquired since he came to the House this evening. He might go farther:—If the Government business was finished in time—as it would be, or ought to be, by Tuesday—to allow the Education Bill to come on, he would give way, after the Government business was disposed of, in favor of the present Bill. In saying this, he must not be understood as making the Education Bill a Government measure; but the Education Bill was a matter of greater importance than the present Bill. He durst

say the honorable member for East Moreton had brought forward the Bill with the best intentions. If he (the Colonial Secretary) saw plainly that provision could not be made, as he suggested, he would consent to something of the sort.

The Hon. A. MACALISTER said he was not sure that he understood the honorable gentleman aright. Did the honorable gentleman mean that if the Government business was finished on Tuesday night early, he would let the Bill go into committee? Because, if the Bill was to be of any use, if it was to be of any value to the country, it ought to be passed at an early date. He (Mr. Macalister) agreed with the honorable gentleman that personation should be put down. He always regarded the Act, and the issue of electors' rights, as tending in that direction. But he was somewhat shaken by the testimony of the Victorian Premier on that subject. However, since the last general election in this colony, a distribution of seats had been enacted. Personation had been carried on to by far the greatest extent in electorates which returned three members, where, of course, there was much greater room for it than in districts returning single representatives; and it was carried on with facility where there was a number of polling places. If the honorable gentleman at the head of the Government saw the propriety of reducing the number of polling places in populous districts, there would be less chance of personation than formerly. Because, it was by voting early and riding rapidly from one polling place to another that parties were enabled to personate others and vote more than once. He hoped that, for the reasons given by the honorable the Secretary for Public Lands, the honorable gentleman at the head of the Government would let the Bill pass; for he could not see how it was possible to issue electors' rights without employing parties to go round for the purpose. That was not the intention of the Act, because persons who claimed the electors' rights were required to apply to the clerk of petty sessions, or other person appointed to issue them. If the honorable gentleman could put the interpretation upon the Act that he had suggested, he (Mr. Macalister) should be very glad. He thought that not only the second reading of the Bill should be agreed to, but also that the Bill should be advanced through committee—it would not occupy more than ten minutes;—and, if the Government could see a way to do without the Bill, of course it could be thrown out in coming up for the third reading.

Mr. J. SCOTT stated that it would be found that Victoria, so far from doing away with the system of electors' rights, was in favor of it. The fact was, that for the last seven or eight years it had worked admirably. The only difficulty was in a matter of detail. The great difference between Victoria and Queensland was, that here no fee was

charged, while in Victoria a shilling fee was charged.

Mr. FERRETT observed that his honorable and senior colleague, Mr. Thorn, who now sat on the Opposition side of the House, was not anxious for the settlement of the question involved in the measure before the House. The honorable member might have a reason, as he might have one for desiring that he (Mr. Ferrett) should not speak on the question. It was very well known who were the parties who promoted and profited by personation, and it would be very much better taste than was exhibited to the House if certain parties had not endeavored to press on the original Bill. He did not wish to be severe on any honorable member for West Moreton; but when the honorable member for Maranoa stated that West Moreton ought to be disfranchised for personation at elections, he thought it ought to be known who was the cause of that personation. He referred to the inquiry which was held some years ago into the malpractices within that electorate, and to the interest which a certain honorable member had had in them. When the proper time arrived, he should be prepared to go into it fully, and show, to the discomfort of some, that there was great reason for the Act now in force, so that there might be an election in West Moreton without personation. It might be considered a very light thing by some to make a declaration; but the generalality of electors would not think so. Voters' rights might be collected, but it was another thing to collect the men who would use them. He did not see why half-a-dozen persons could not issue voters' rights as well as one person; and he was sure that it would be advantageous in the distant electorates. Two or three days would enable all that was necessary to be done. The first election was the only one about which there would be any difficulty.

The question was put and passed.

Mr. GRIFFITH said, since the Colonial Secretary spoke, he had had a communication with the honorable gentleman which justified him in moving the Speaker out of the chair, with a view to the Bill being considered in committee.

The COLONIAL SECRETARY said he had come to an arrangement with the leader of the Opposition, Mr. Macalister, so far as that he had no objection to the Bill as proposed to be amended going into committee to-night, with the understanding that it was to be set down for third reading on Tuesday next. Meantime, he should make inquiries in his office, and from clerks of petty sessions whom he could get at, as to whether the electors' rights could be issued in time.

The question was put and passed, and the House went into committee on the Bill.

STATE EDUCATION BILL.

Upon the Order of the Day being read for the resumption of adjourned debate on the motion—

That this Bill be now read a second time,

The SECRETARY FOR PUBLIC WORKS said, that in rising to address the House on the very important subject now before it, he felt compelled to say that the honorable gentleman who had introduced the Bill displayed very great sagacity in not making it either a party or Government question; he thought also, that the House had shown very great discretion in receiving the Bill, neither in one light nor the other; and he did trust most sincerely, that honorable members who had yet to address themselves to the subject, and who had to vote probably on the question, would bear in mind the excellent example they had had from both the House and the honorable gentleman who had introduced the Bill, and would deal with the question simply as one affecting the welfare and well-being of the whole colony. For his part, he wished to state—and he wished it be understood at once, most distinctly—that he opposed the Bill entirely in all its forms. He wished that to be understood most distinctly, because he never had believed in State education, because he believed that to inflict State education on a country had a demoralising effect upon that country—more especially when that education was unaccompanied by religion. He was a firm believer in that kind of education which had raised England to her present state of prosperity, and which had given to her those great and mighty men who had governed and guided their country to her honor among nations. He could ask for no better system than that which had done so much for the country from which they had all sprung, and which they all so much revered and adored. He objected to the Bill, between the purport and tendency of which there was so wide a distinction;—its purport was excellent, but its tendency would be pernicious in the extreme. Its purport was to extend a free, primary, grammar school, and collegiate education to every boy and girl in the community; and there could be no objection to that, provided its tendency would be of advantage to the State; but he drew, as he said before, a great distinction between its purport and its tendency, for he believed its tendency would be, in the first place, as had been remarked already in that House, to educate the children of the rich at the expense of the poor of the colony. He believed, also, that its tendency would be to promote sectarian feelings, and, consequently, sectarian bitterness. The effect of the Bill would be to wound and lower the spirit of the people of the colony; and he was perfectly sure, also, it would lower the moral tone of the colony—if not in our time, yet too soon. Another objection he had to the Bill was because he could not see that it was demanded by any great defect—any stated defect in the present system of education. He objected to the Bill, also, because it was impotent in its ideas, because it was despotic in its tendency, and because it was unjust in its results. He opposed it because it was unjust to those who, from conscientious

motives, held with doctrinal teaching. He objected to it because it was an interference with parental duties—duties with which, he maintained, no State had a right to interfere; and he objected to it still more, because it would encourage immorality in the people. He objected to it because it could not—so far, at least, as he could see—accomplish the only object he had heard stated by his honorable friend in introducing it—namely, of educating the people of this colony up to a due performance of those duties which the free constitution under which they lived bestowed upon them; and he would give his reasons for that. If the whole of the people who constituted the population of the colony, and who were to cause its future greatness, were to be educated under the Bill, then it would be a fair argument that the Bill would answer its purpose; but, seeing that if they were to go on with immigration, only a fraction of the people would be educated under it, that argument fell to the ground. He had referred to the statistics of the colony, and what had he found? Why, that the increase by births during the year amounted to something like 5,000; whilst the increase in population from new arrivals was considerably above that number. So that, as regarded that particular, the Bill must fail in its object; for if they made it compulsory on the young of the colony to acquire a knowledge of the political rights they possessed, then also should that compulsory education, in order to answer the end claimed for it, be extended to adult arrivals in the colony. He also objected to the Bill because it was an extravagant measure. The honorable gentleman, the member for Fortitude Valley, who drafted the Bill, had stated that its object was to place Queensland in the van of all other colonies on the subject of education. Well, that might be the object of the honorable member, but he certainly objected to Queensland making a fool of herself in that or any other way. She had not the means, either pecuniarily or mental, to justify her in making such an attempt; and, in fact, the Bill was just one of that chimerical character which should not influence the House. He objected to the Bill, because it would be eminently unfair in its operation to a large portion of the inhabitants of the colony, whose consciences they, as a Legislature, had a right to respect. He objected to the Bill, because he considered one grievous effect which would follow its adoption, would be to dry up those feelings which they should exercise towards each other—those feelings which had been such a glory to the inhabitants of the old country, and which had induced the people there to make those noble endowments which were amongst the greatest honors which England possessed. If they went on doing everything for the people by means of State interference, in a short time there would not be a charity which was not supported by the Government, and not a charitable feeling left

in their bosoms; that would not be dried up and withered by such an interference. Those were the great reasons why he objected to the Bill. But, in addition to those reasons, there were defects in the Bill which he would point out when the Bill was in committee, if ever, indeed, it got so far; and to which, therefore, he need not refer at the present time. He had, however, stated the principal reasons for his objecting to it. He need not attempt to justify his first objection—that the measure had not been demanded by the people. He would say, without the least hesitation, that it was a measure that had not been demanded by the people. Why, there was hardly any knowledge of such a measure till some two or three months ago; and it was actually in print before the public knew that it had entered into the brain of any honorable member of that House to bring forward such a measure. There had been no petitions to Parliament for such a Bill; there had been no public meetings; there had been no denunciations against the present system of education; there had been nothing to lead that Assembly to the conclusion that the people outside were dissatisfied with the present system, or to justify the State in stepping in and undertaking such an amplified system as that proposed by the Bill. He did not think there was one honorable member in that House who could deny that the Bill was utopian in its character. Why, when the honorable member for Fortitude Valley said Queensland was, above all, the colony where such an experiment should be tried, so that she should be in advance of all other colonies, he proved at once that it was entirely utopian. What the Bill professed to do was, to establish a system of education, of religious education, of such a character that all Christians might receive it without offence and without prejudice to the conscientious convictions of any person. Now, he would say that not even the honorable member for Fortitude Valley could create such a religion or such a system of religious education, as would be acceptable to all denominations; it was utterly impossible to teach religion that would not give offence to somebody—why, even religious education, not doctrinal in its character, would be most objectionable to a large class. He would repeat that the Bill was despotic in providing for compulsory education, and he would proceed to show, not only how it was despotic, but, in doing so, he should be able to quote much more powerful reasoning than he could himself adduce. It was despotic to provide for compulsory education, and he, as an Englishman, protested against the State stepping in and interfering with any parent on the subject of the education of his children. He protested against a political Minister having the power to say at what age a child should go to school; to what school he or she should go; and by what system that child should be taught. Why, the whole thing had a strong political tendency, and would result in becoming a most despotic measure in the hands

of any Government. Now, whilst on that subject, he would quote the opinions of persons more competent than himself. He would quote first from the writings of a gentleman who occupied a very high position in England, a gentleman who was known as one of the most radical reformers of all abuses, who was a leading nonconformist, and who would allow no interference of the State either in religion or education. He would give that gentleman's opinions on the subject of compulsory education in his own words. Those opinions were contained in a series of letters which that gentleman had felt himself compelled to address to Lord John Russell at the time that statesman's education scheme was before the English public. The writer he referred to was Mr. Edward Baines, who had devoted his whole life to do away with State aid either to religion or education; and he said:—

"May I, without presumption, offer to your Lordship and the public, a respectful but earnest warning on this subject. It is the warning of one not indifferent to popular education, but who, on the contrary, has all his life promoted it in all its forms,—who, with the most profound sense of the necessity of education to the welfare of a people, has made the subject his study and his delight,—who has for many years taken an active part in promoting British and Foreign schools, Congregational schools, Infant schools, Sunday schools, Mechanics' Institutions, and the noble societies established to diffuse the Scriptures, religious publications, and the knowledge of Christianity throughout England and the world,—and who believes that he is actuated by no narrow prejudice in favor of sect or party, but prizes liberty beyond all price, considers how the character of Englishmen has been formed in the centuries of their past history, and looks anxiously to the surest guarantees for the freedom and happiness of posterity.

"If, indeed, an Act of Parliament should be passed, making education *compulsory*—which Dr. Hook thinks worthy of consideration,—something might at least be attempted. An army of Government missionaries might then be sent out every morning, with a drag-net, to sweep the alleys of their children, and draw them into the schools? I fear many a small and slippery fish would escape even these police meshes. But is not the idea monstrous? Are the police to *enter every house*, and search for truants? Are they to carry them off to school, as to prison? Are they to be made judges what children are really wanted at home, to help their needy or sick parents; or which of them must work to win the family's bread? How are they to tell their ages? Are they to commit those to school who have had no breakfast? What sort of order should we have in schools filled with these street-sweepings? *Would this compulsory education make education popular or useful? Would not the people riot in every street, break the policemen's heads, and flog the schoolmasters? The whole thing is preposterous.*"

That, he wished honorable members to bear in mind. Why, if he was compelled to send his children to a State school, would he

not send them almost with instructions to learn nothing? Would not his English spirit, his determination not to submit to any such despotism, make him give his children such instructions, and would not his children come home in the evening to him, and say—"Father, we have learned nothing to-day, and we do not mean to learn anything." Well, he had read what that celebrated reformer had said on the subject. But what did Lord Brougham say?—

"First, I think, my Lords, that there ought to be, at no time, in any country, whatever may be its constitution, or whatever its state of society, any positive or direct compulsion as to the education of the people.

"If I wished to demonstrate thoroughly that a compulsory system ought not to be introduced, I would put it to any person of common reflection whether it be safe and right, whatever may be the temptation arising from the deficiencies in the existing state of education, from the risk to be incurred from ignorance, from the duty of the parents, from the mischief which may arise, haunt, and infect us from the breach of this duty of parents:—I would ask that man to consider how delicate, how perilous a matter it would be, to usurp the parental office by public authority, and prescribe, by a command of the State, fortified, perhaps, by the penalties attached to an offence, the line of parental management which the father or mother should pursue in taking care of the offspring which Providence and nature have committed to their care? Another answer against the compulsory principle, if, indeed, any other be wanting, would be, that it is a violation of individual liberty."

That was what almost the greatest champion of the age on religious liberty said on the subject. Again:—

"The next general rule which I would lay down, as fit to govern the conduct of those called upon to frame or consider measures of this kind, is not only that there should be no compulsion exercised, and no interference on the part of the Government as regards who shall or shall not be educated at all, but that there should be no power given to the Government to educate the people,—in other words, that the interference of the State should be excluded beyond what is absolutely necessary. With regard to the question, What course of education ought to be chosen? I should look with the greatest jealousy at the legislature of any country deciding it."

Now, what did the Bill before them contemplate? Why, either that children must have State education, or if private tuition, only such as was sanctioned by the proposed Minister of Education.

The COLONIAL SECRETARY: No.

The SECRETARY FOR PUBLIC WORKS: He was glad to hear his honorable friend, the Premier, say, "No;" and he was glad that he had misinterpreted the Bill so far; but he certainly thought that he had taken down the words of the honorable the Premier or those of the honorable member for Fortitude Valley to that effect.

The COLONIAL SECRETARY: The Bill says "adequately provided for."

The SECRETARY FOR PUBLIC WORKS: He would ask, who was to determine what that adequate instruction was? In the event of a gentleman coming into the colony to establish a school, and not holding opinions approved of by the Minister, was he to be told that he would not have permission to keep that school?—was that the way to treat persons who wished to settle in the country? He would say, again, that the system would be most despotic. Lord Brougham went on to say:—

"It appears to me nothing more nor less than tyranny for any government to have the power of saying, 'You shall have this instruction, or you shall have none'—deciding the number of schools to be established, the kind of instruction to be afforded in them, the mode of teaching to be adopted, and the description of books to be read. I am for no interference on the part of any authority whatever, but for leaving all parties uncontrolled and ungoverned. I would have no rules laid down either by law or by boards, or by the joint operation of law and boards together. Neither would I have the Executive Government or the Legislature prescribing a course of instruction, and teaching the people according to their own model.

"In like manner I think that no Government should appoint masters—that no Government ought to be entrusted with the power of naming those from whom the public at large are to receive the benefit of secular instruction; for, if anyone were to give me the right of naming the teacher, without superintendence or control as to the fitness of the person appointed, I should not much trouble myself to obtain the power of prescribing the course of instruction; since whatever course might be fixed upon, I should feel confident that it would be as much moulded by the teacher as if an Act of Parliament, or a Board, were to say what course should be taken; both the one and the other are unfit for the task, and even if fit, would be the most improper parties to say what books shall be read, what subjects shall be taught, what shall be the order or plan of education, or what person shall teach."

He quite agreed with what Lord Brougham said, for he was of opinion that there were too many political schoolmasters in the colony—men who were appointed for the political principles they might inculcate. Some time ago he had been very much struck with what he considered a very ably written article which appeared in the *Darling Downs Gazette*, on the subject of education, and he would ask honorable members to hear what that article said; but, before doing so, he would beg honorable members to understand that he brought forward an illustrious guide on the subject of education—no less than John Stuart Mill:—

"That the Government must claim no monopoly for its education, either in the lower or the higher branches. It must exert neither authority nor influence to induce people to resort to its teachers in preference to others. It is not endurable that Government should either in law, or in fact, have

complete control over the education of the people. To possess such control, and actually exercise it, is to be despotic."

The writer of the article referred to said:—

"With regard to the children whose parents are able and willing, according to their means, to provide food for their minds, as they provide food and clothing for their bodies—why should the Government undertake their instruction? Is there any reason to think that parental instinct is so weak among us that we will not provide for those of our own house?"

That was the opinion in an article published in the colony some short time ago, and he did not think that any words of his, after those most eloquent and convincing quotations he had given, would be necessary, but rather, that it would be unwise for him to add another word of his own. All he could do, was to protest against such an un-English system being introduced into the colony in which he lived, as compulsory education. He was equally opposed to education by the State; he thought it would have a most enervating, and in course of time, a most demoralizing effect upon the people. It would lead parents to think that they had not certain duties to perform towards their children—the first and primary duties; and it would lead children to think that they were not indebted to their parents for their education; it would separate the parent from the child, and would dry up the mutual feelings which parents and children should hold towards each other; in short, it would have a most demoralising effect upon them. Then, again, he did not think the education given by the State would be of much use to them; he did not believe that State education had that good effect upon children that persons who attended the public examinations came away impressed with the idea it had; nor did he believe that the education given in the national schools in this colony had so lasting an effect upon children as that given in the ordinary village schools in England.

HONORABLE MEMBERS: Oh, oh.

The SECRETARY FOR PUBLIC WORKS: Honorable members might seem astonished, but he would ask them to withhold their expressions for a time until he showed them that he had some reason for making such a statement. He had strong doubts whether the present system of national education would prove of a lasting and beneficial nature to children. He must confess that although he had been astonished when attending examinations in the schools in Queensland and in the neighboring colony, he had yet to learn that those schools were producing young men who would be distinguished either for their learning, or eminence in any way. That was one of the defects he had observed in State education. Another was, that he believed it would demoralise the people, and would at last have the effect of reducing them all to the position of State paupers. In course of time, if the State relieved the people of the duty of sup-

porting charitable institutions, and then of the duty of educating their children, nothing would be left but to go to Parliament and get the necessary money voted. But he would show what others said respecting the evils of State education, and he would go again to his favorite author, Edward Baines. That great writer said:—

“It is by no means essential to my case to deny that there may be an admirable system of national education under a despotic government. I admit the possibility; nay, as far as school learning goes, I admit the fact. It is an old saying, and in some sense true, that a despotism is the best form of government where the despot is wise and good. Moreover, where the despot is wise without being good, it is quite conceivable that he should promote the welfare of his people in some important respects, with the express view of diverting their minds from the pursuit of freedom. Food and amusements were abundantly provided for the Roman populace, by the worst of the Emperors, to keep them quiet. The fine arts, the *belles lettres*, and places of public recreation, have been liberally patronized by many tyrants, for the same end. Education may be used for the like purpose. And although it is a sharp weapon, yet it is not dangerous to the despot so long as he keeps it in his own hand. Nay, it may actually be rendered an instrument of more entirely subjugating his people: for as the education of the young is the moulding of their characters and the forming of their opinions, the consummation of state-craft is to educate the people by its own agents and on its own principles. A system of State education is a vast intellectual police, set to watch over the young at the most critical period of their existence, to prevent the intrusion of dangerous thoughts, and turn their minds into safe channels. School learning, when sedulously confined to mere letters, philosophy, and the fine arts, with lessons of political obedience super-added, is one of the most harmless things that a despot can encourage. *A mere scholar is one of the poorest and most useless creatures in society; and there may be a nation of scholars, destitute of all that is vigorous, independent, or noble in thought or action.*”

“But this is not all. Government education, in nearly every country where it exists, is enforced by means inconsistent with liberty. In the Austrian Empire, Prussia, Bavaria, Hanover, and Switzerland, parents are compelled to send their children to school between the ages of seven and thirteen, five and thirteen, or six and fourteen (with certain exceptions). If they neglect, they are punishable with fine and imprisonment. In Prussia, without a certificate of education, children cannot be confirmed, admitted to the communion, or obtain employment. In Austria, they cannot even be married; and, as might be supposed, the stupid law has produced much immorality. In all these countries the Governments directly or indirectly control the whole machinery of education,—appoint and dismiss the schoolmasters, inspectors, and religious instructors,—fix the salaries and payments,—prohibit anyone from teaching without a license,—sanction the school-books,—and exercise authority over the entire work of tuition. Whatsoever they think proper they direct to be taught, or not to be taught. If there is a higher

reach of despotism than any other, it is perhaps in thus taking post at the fountain-head of knowledge and opinion, medicating the waters, and rigidly prescribing their quantity and their course.”

And that led him to a remark that had been made by the honorable member for West Moreton, Mr. Thorn—that as far as he had observed the effect of the national system upon teachers, it had been to make them indolent. That he (the Secretary for Works) believed would be the case; and he had no hesitation in saying that State education would become a political institution; would become lax in its discipline; and, as usual with all institutions, such as hospitals, where the Government interfered, people would cease to take any interest in them. Well, he had shown some of the ill effects which he believed would result from the proposed Government scheme of education, or from any State education. He believed it would be political in its tendency, and therefore most pernicious. They all knew very well that the starting of the first grammar school in the colony was a great political card in the hands of the honorable member for Ipswich, Mr. Macalister, and that that honorable member even got the then Governor to go and make a political speech at Ipswich on the occasion. That grammar school was established at the instance of the honorable member, at the time when it was thought that his political reputation was waning in the estimation of the people of the colony generally. They all knew how the misuse of the Governor on that occasion, in dealing with the education of the people of the colony as a political question, led to an acrimonious debate in the House. The system of free education we were now supposed to be enjoying, but which he believed was not for the benefit of the country—how did it arise? It was a regular political movement. The House was in session at the time, but it was not consulted on the subject. It was intended to be the grand political card of the framer of this Bill. The very first announcement that was made on the subject, was by the Governor in his closing Speech of the session, when he was called upon to declare that free education was the law of the land. How, and why was this done? Parliament was sitting at the time, but they were not asked to remove this charge from the people. The representatives of the people had no knowledge of it until within five minutes of the time they were dismissed from the House. The Governor was made to say, on the 14th of September, 1869:—

“The liberal provision made by Parliament enables me to state, with thankfulness, that on and after the 1st of January, 1870, public education, in the primary schools of Queensland, shall be free to every child in the colony.”

He maintained that he had proved that as far as the present system of education in this

colony was concerned, it had a political aspect; and he believed he was right in saying, that at the time that Speech was uttered by His Excellency, there were actually members of the Ministry who did not know that the edict had gone forth, that education in this colony was for the future to be free. He objected to this Bill, because it was put forth as a system by which only secular education would be given to the children of this colony. He had a strong objection to a purely secular system of education; and he asserted that, in his humble opinion, it would have a bad effect upon the children, and future inhabitants of this colony. He objected to it because it was unjust to those parents, and to the members of those churches, who could not conscientiously send their children to receive only a secular education in the public schools. And, in connection with this, he would say, that while the Bill professed to give simply a secular education, he believed that it would have a most proselytising tendency; and he believed that that was intended, not by the promoter of the Bill, but by those at whose instigation he had framed it. He referred to the honorable member for Fortitude Valley. He was satisfied that this Bill would have a most proselytising effect. He also believed that it was a blow made at certain churches in this colony, because it was well known that there were a very large number of parents contributing to the education funds of the colony, who, at that moment, were having their children educated in the public schools, but who claimed a right to have certain control there over the religious education of those children; and he believed that this was supposed to be a final blow to those portions of our colonists who had such strong, and, he believed, correct opinions on the subject. No doubt the argument would be used that had been used before—that from the State funds we had no business whatever to give anything but a purely secular education. Then, he would say, if this were the case, we had no business to extract taxes, for educational purposes, from persons who could not conscientiously allow their children to be brought up under such a system. He did not care whether these persons formed a small or a large section of the community—but in this colony they happened to form a large section—they had no right to wring from that section of the people of this colony money for educational purposes, and then step in between them and their consciences, and declare in what form that education should be given. Although he was utterly opposed to the religious views of some of those persons, still, in the name of liberty, and in the name of common justice, they had no right to wring from them taxes for educational purposes, and then give them a system of education opposed to their conscientious convictions, and in which they could not participate.

HONORABLE MEMBERS: Hear, hear.

The SECRETARY FOR PUBLIC WORKS: But he took a higher view still of the matter, and he would quote the words of an eminent man to show that they had no business to give an education which was separated from religion; that it was as much their duty, without interfering with the conscientious belief of any person, to give a moral and religious education, as to give any education at all. What did Sir Robert Peel say on this subject? He said:—

“An honorable member seemed to have expressed an opinion, that education should be conducted wholly apart from religion. For one, he must say, he never could consent to patronise any system of education of which the principles of the Christian religion did not form a part. He did not wish to see a race of young philosophers spring up, who derived their principles from any other sources; nor, on the other hand, did he wish to see children educated like the inhabitants of that part of the country to which the honorable member belonged, where the young peasants of Kerry ran about in rags, with a Cicero or a Virgil under their arms. In his opinion, this was not the education which would best suit them for the usual purposes of life. He hoped the honorable member would not press his motion; for if he did, he should be under the necessity of voting against him.”

That was what Sir Robert Peel said; and now see what that great Nonconformist, Baines, said on the subject:—

“I may be permitted to explain, that whilst I have strong views on the duty of combining religion with general education, it was not those views which led me to deprecate the interference of the Government. I deprecate that interference because I think it is not the province of Government to train the mind of the people, and because I see great danger to civil and religious liberty from permitting it to assume that duty.

“I must, on the other hand, guard myself against being supposed to advocate religious education, merely or mainly because it happens to favor my views of the interests of liberty. That would be to degrade religion, and make it into a political instrument. Far from me be the thought! No, I advocate it on the highest grounds of duty to God, and regard for the immortal welfare of the children.”

Again he said, and he wished that honorable members would bear with him while he read this:—

“It will be admitted by all religious men, and as fully by those from whom I differ as by myself, that the *grand* object of education is, to train up the child to know, serve, and glorify his Maker, and to fit him in this world for an eternal state, the interests of which immeasurably transcend all the interests of time. Whatever be the value of secular knowledge, it cannot compare in importance with divine knowledge. However useful learning may be, piety and virtue are incomparably more useful. Religion is not a thing of mere speculation or science; it is of all things the most practical. It is not an isolated department of knowledge, to be kept in a corner of the mind, as specimens of natural history or antiquities are put in particular cases of a museum; it should be an

all-pervading principle, like the living principle in man, that is diffused through every fibre and structure of his frame, originating all power and motion. Religion includes not only the knowledge of God, but of ourselves. It not only shows the path to heaven, but presents the rule of life. It gives us not only the standard of duty, and the rules of action—applying to all the relations of men with each other, in communities and families, in business and politics—but it goes into the inner man, and supplies the purest motives, the strongest principles, and the highest aspirations.”

Such was the effect, in the estimation of this writer, of religious education. He then went on to depict what would be the effect of an irreligious education—not only on the children to whom it was imparted, but also upon the teachers of those children. He said:—

“Under these circumstances I fear the tendency would be to produce a body of schoolmasters destitute of any decided religion. There would be many exceptions. I cannot confidently predict how the system would work. But, I think most persons will feel that at least the tendency of the system would be towards the employment of schoolmasters without religion.”

He had no hesitation in saying, that in the course of time it would become an actual qualification, if they did not mind what they were about, that a schoolmaster should possess no religion at all.

“Should this be the case, the consequences would be most calamitous. For where a schoolmaster possessed no religion, he would be too likely to exert an influence on his scholars unfavorable to religion. Even his enthusiasm in the cause of literature and science would only render that influence the stronger. A single sneer from him against religion, its truths, services, or ministers, might sweep away all that the most laborious minister had been doing for years. A single word of infidel tendency from the lips of a schoolmaster, acting on minds by nature indisposed to religion, might sow the seeds of infidelity in many a youthful breast. But it is also to be remembered that schoolmasters, being an educated class, must necessarily have great influence out of their schools. Many of them are authors, and some lecturers. The evil would, therefore, be of wide range.

“It may seem a visionary apprehension to fear the creation of a body of infidel schoolmasters in England. But it is far too possible, unless Germany is miserably libelled by recent travellers, such as Laing, and Howitt, and by Thomas Carlyle, the Scotch Advocate, the body of Professors in that very country where State education is carried to the point of model perfection, are very generally infidels. William Howitt, who resided for some years in Germany, says in his ‘German Experiences’:—

“I shall only allude to one circumstance, which must make any parent pause before he sends his sons to study in these schools. *It is the prevailing, and almost universal, religious infidelity, which prevails in them.*

“Philosophy never exerted its earthly, commonizing, stripping, denuding, skeletonizing power, so completely as in the shape of German

philosophy. It has thoroughly clipped the angel wings of Christianity. It has represented the miraculous histories of the Old and New Testament as fables. *This philosophy has seized on the youth of Germany to a frightful extent. The philosophical chairs are in all quarters infected by it.* Who would be so unphilosophical as to be unphilosophical. Who would be so simple as to believe only with the simple.

“Among the whole number of German students whom I have known, *it would be difficult to select a dozen who are not confirmed deists.*”

Such appeared to be effects of a secular education on the youth of Prussia. And he would now ask honorable members to hear what Carlyle said. A greater authority on the state of Germany hardly existed, and he said:—

“Over the teachers in the Universities there is no efficient moral control. Session after session, *poison is systematically and openly administered to the youth of the land—to the future shepherds of its flocks.* Formal and normal schools of heresy are so organized, that one can only marvel how any pass through the ordeal of the University, nay, of a theological education, *with a spark of faith remaining.*”

Then Baines said:—

“May we not well, then, look with extreme jealousy on any system that has a tendency to make our schoolmasters irreligious? May we not well think it an exceedingly strong recommendation of the opposite system, that it gives a security for the religious character of the teachers and of the instruction, by connecting the schools with religious bodies? I need not say to your Lordship that infidelity, either speculative or practical, in the teachers of the young, is poison in our wells. Give us all the plagues of Egypt, rather than the unspeakable curse of a body of infidel schoolmasters.”

He would repeat again, that he believed the result of this secular education would be that schoolmasters would virtually be prohibited from acknowledging that they possessed any religious belief, and that it would have the effect so eloquently denounced by these writers. He made some remarks at the outset that he was somewhat in favor of the old system of education. He had very strong doubts, notwithstanding the high expectations of the honorable member for Fortitude Valley, whether they were going to raise up a community, by means of this Bill, any wiser than ourselves in an educational point of view. He found, on looking at the early histories of great men, who so adorned our common country, during the past and the present century, that, almost without exception, they had not received forced education at the hands of the Government. A good many of them received no education at all, and the majority of them received nothing more than such education as could be given in the village schools of the period. They could not, by a forced education, put brains into the head of any man. If children had an aptitude for learning they would learn, but it was not State

compulsory education that would lead them on. On the other hand, that system would be more likely to check the advancement they might otherwise make. If they were dunces, and had no wish to become able young men or women, no amount of forced education given by the State would alter their feelings in that respect, and he should think it would have exactly the opposite tendency. But he proposed to find out how some of our leading men had been educated; and also to show that the fact of how they got on in the world was some justification for his assertion, that, in order to maintain the greatness of this colony, it was not absolutely necessary that there should be any very high system of education forced upon the people. He found that William Cobbett, a man whose name we all cherished, learned grammar when he was a soldier on sixpence a-day. He received no State education, but, no doubt, he received a religious one. Telford received his education at a parish school. Samuel Drew, the scapegrace, orchard robber, shoemaker, cudgel-player, and smuggler, who afterwards became a distinguished writer of good books, studied at a penny school. Sir Samuel Romilly received little early education. John Leyden, like Hogg, taught himself to write while watching sheep. Dr. Lee, Professor of Hebrew, received his education at a charity school, and was apprenticed to a carpenter. George Stephenson's father was too poor to send him to school. He was early sent cow-herding. Brindley, of Bridgewater Canal renown, was deprived of the advantages of even a common education. James Watt was taught reading by his mother, and arithmetic by his father. Captain Cook, in his spare hours, was sent to a village school, the expenses being paid by his father's employer. Benjamin Franklin was removed from school at ten, and was then employed cutting wicks for candles. Hugh Miller was educated at a parish school. Richard Arkwright, one of our greatest mechanicians, was never at school; the only education he received he gave himself. John Heathcoat was taught to read and write at the village school. Jacquard's parents were too poor to give him any but a meagre education. Bernard Pelissy's parents were too poor to give him any education. Josiah Wedgwood learned to read and write at the village school. John Britten, author of "the Beauties of England and Wales," received very little education. Goldsmith was sent to a village school. Pope was educated at home by a priest. Chatterton was first taught in a charity school; Edmund Burke, at a village school; Robert Burns, at a village school; and Bunyan, as a tinker. Moliere was in his father's shop till fourteen years of age, having been merely taught to read and write; Allan Cunningham was taken from school at eleven; and Southey was taught by a Baptist minister. Such were the names of some of England's greatest men, which he had been able to

collect in the short time he had had at his disposal; and these instances showed that it was not absolutely necessary that a high course of academical education should be given, in order to enable the colony to advance, if it ever did so by virtue of the character of its people. He had one more quotation to make, and then he would be done. There was another eminent authority to show that forced and secular education was wrong in principle. It was no less than a leader in the *Times* newspaper of November the 6th, 1871, and it was in reference to certain action taken by the Education League at a meeting at Birmingham a few days before, the object of which was to promote secular education. This was the portion to which he wished to direct the attention of the House:—

"But as far as the National Schools of the future are concerned, they would banish religion entirely from the cognizance of the managers. School Boards are to be elected everywhere; attendance at school is everywhere to be rendered compulsory; and it is equally to be a matter of compulsion that the instruction in all National Schools shall be purely secular. What the League fail to see is that, whether such a system be desirable or not, so large a proportion of the public are ill-disposed towards it, that it could only be established by a degree of force which it is not our custom to apply in such matters. By adopting it they have exchanged the character of an association of practical politicians for that of a society for the propagation of new opinions. Their designs are extensive, amounting, according to one speaker, to nothing less than the creation of 'a new nationality, which will embrace every man and every sect.' By all means let them develop and advocate this new idea, but they should cease to complain of Mr. Forster for having failed to enforce it upon the mass of the English public. It is astonishing there should be need for reiterating so often on this subject that there are at least as many persons as the adherents of the League who regard its principles with abhorrence, and would resist with the utmost energy any attempt to put them generally into force. It is as much a principle of conscience with such persons that religious teaching should be a part of the ordinary instruction in a school as it was a principle of reasoning, with the League, that it should be excluded."

It was, therefore, he maintained, as much a principle of reasoning on their part to say that there should be religious education, as it was on the part of their opponents to declare that there should be no such system taught. He thought he need not say any more on that subject, but he wished to make a few remarks upon the present system of education in this colony. He had endeavored to explain that he objected to a free system of State education because he believed that it had a pernicious effect upon the people. He objected to it because he believed that it had a bad effect upon parents, a bad effect upon children, and a bad effect upon teachers. It relieved parents from duties which we should endeavor to cherish; it led scholars to think that

education could not be of any very great moment, seeing that their parents did not pay for it; and he believed that it had this effect upon teachers—that as the recipients of that education did not pay them, they did not feel called upon to give it after a very zealous manner. But, notwithstanding his objection to the present system, there was one portion of it he was inclined to uphold and to improve upon, if possible, and that was the non-vested system, which he believed had been most unfairly dealt with by the present Board. In the spirit of justice to those who differed from him in religion, and who had feelings as strong as his own, he thought they were bound to respect their feelings as parents and as religionists, and that they had no right to dictate to them on the subject. If the parents of a large section of the people of this colony decided that their children should receive education of a certain kind, the State had no business to step in and say they should not. And what had been the effect of this, he believed, improper way of administering that portion of the Act referring to non-vested schools? He believed that it had caused the multiplication of sectarian schools, and that those who objected to these schools had by this course frustrated their own designs. In the town which he represented a large proportion of children were receiving education in a school which received no State support. He knew that application had been made to bring it under the non-vested system, and thus place it, to some extent, under the control of the Board; but it had not been granted. What was the result?—that the very desire of this Bill, that children of all denominations should receive a certain amount of education, which would be taught by teachers of a certain standard, had been defeated, because the Government, or the Board of Education, had no control whatever over those schools which were not under the non-vested system. It had therefore defeated itself. In his opinion, all that was necessary, at this time, to please the people of this colony was, that the present Education Act should be carried out in its integrity, and as it was intended by its framers; and in reference to that, the closing remarks of the leading article in the *Times*, from which he had already quoted, had some significance. It said:—

“That which secured Mr. Forster’s Act its success was, that it laid the foundations of a comprehensive system without disturbing existing work.”

Now, this Bill went in just the opposite direction. It pretended to lay the foundation of a comprehensive system, and yet it violently disturbed existing work, and, therefore, it could never be a success.

“And any further extension,” it said, “must be made under the same condition.”

He would not, as he said before, endeavor to analyze the clauses of the Bill. It would be

time enough to do that when it got into committee. But he believed that he was doing his duty to himself, to his country, and to his fellow-colonists generally, and to those who would become colonists, if he raised up his voice against such a system as was here promulgated, which, he was satisfied, for the reasons he had stated, and from the authorities he had quoted, would have a most deleterious effect upon the colony. He did not believe that it would raise the colony, as had been intimated by the honorable member for Fortitude Valley, in the scale of colonies; but it would make us probably the laughing-stock of the other colonies. It would burden the people with an expenditure they could ill afford to bear, and it was not required. In every way it was premature, and would not be satisfactory to the people at large. In his opinion, a Bill of this kind ought to be placed before the people for months, or perhaps years, before any attempt should be made to press it through Parliament. He felt perfectly sure that if the parents of the children of this colony, who seemed to have no voice in that House, because they were very poorly represented, were canvassed—not the population at large, but the parents, were canvassed—they would show that they were totally opposed to the present system of education, and that they were even opposed to free education; because he would not believe that even the working classes of this colony cared about free education. He believed that every working man who was earning wages at this time, would rather pay a shilling or eighteen-pence per week for the education of his child, than have that education free. It would make him feel less dependent on the teachers, and on the State, and this would have a very beneficial effect. He hoped his honorable friend who was in charge of the Bill would not attempt to press it during the present session, even though he should command a majority. He certainly thought that the people should have an opportunity of expressing their views on the subject.

Mr. MACDEVITT said he rose under considerable disadvantage to follow the honorable member who had just concluded his speech on this question, because that honorable gentleman had pretty well exhausted all that could be said upon the subject, from the point of view from which he spoke, and with which he (Mr. MacDevitt) was, to a great extent, in accord with him. But he did not go with that honorable gentleman to the length of condemning the Bill *in toto*, and he should certainly feel himself unworthy of his position in that House, as a representative of the people, if he entertained such an opinion as that. On the contrary, he thought it well became the members of the Assembly to take seriously into consideration any measure having for its object the improvement of the condition of our fellow-colonists; and he thought that nothing could tend so

much to that improvement as increasing the means of education at our disposal. It seemed to him that it was the duty of members of that House to place within the reach of colonists, as far as possible, consistent with due regard to other interests, and with the proper consideration of our revenue, the very best means of education; and he thought the honorable and learned member for Fortitude Valley, for that reason, deserved the thanks of every person who pretended to have the cause of education at heart. However he might differ from that honorable gentleman on several matters connected with this Bill, still he was bound to recognise in it the endeavor of an earnest man, desiring to promote what he believed to be a good work. He believed the sincere desire of that honorable gentleman was to improve the intellectual, moral, and physical training of the youth of the colony, as expressed in one of the clauses of the Bill, thus enabling them to form habits of intelligent industry. He (Mr. MacDevitt) thought that was an ennobling aspiration, and he should endeavor to give such assistance as his humble ability would permit in support of a work of that character. The Bill, in that respect, should have his warmest approval, and if its provisions were so modified as to remove the objections so forcibly urged in the speech just delivered, which he conceived were founded in justice and fair play, he thought they might very well pass the measure. But, at the same time, he could not refuse to admit that the honorable the Minister for Works was perfectly justified in saying there was no agitation in the colony at present for any change in our system. There had, no doubt, been some heart-burnings and discontent in consequence of the narrow-minded view the Board of Education seemed to take of their duties. There was some slight dissatisfaction with regard to the voluntary system of establishing schools. Reference had been made to a school at Maryborough, in which 300 children were taught, and to which the Board refused to give any assistance. In that respect there might be some slight agitation, but as for any active expression of public opinion of the character which the Bill would pre-suppose, he thought there was not much. He believed that if the Press of the colony were canvassed, or the general opinion of the people were taken, there would be nothing found to call for the establishment of a University to give a high-class free education, nor would it appear that a system of direct compulsory attendance was required. He thought that on these three points—the proposed abolition of non-vested schools, the compulsory attendance at elementary schools, and the establishment of free higher education, it would be difficult to show that the measure before them was consistent with justice or demanded by necessity. There was one respect in which he approved of this measure, and that was in the proposal to remove from

the present Board the control of the education of the colony, and to place it in some more efficient hands. He did not know that we were yet ripe for a department of education with a Minister at its head, and he was not aware that the appointment would be justified, as no necessity for it had been shown to exist. But it seemed to him an extraordinary thing that they should have a Board of gentlemen, who, to say the least, were neither eminent for erudition nor distinguished for learning, in charge of the education of the colony. He believed he did not do the Board any injustice in saying that there was very little of a literary character in the lives of these gentlemen to recommend them for the important position they now held, and in that respect they were hardly calculated to give complete satisfaction in the discharge of the important duties with which they were entrusted. Of course, like all honorary public bodies of the sort, who received no pay for their services, they were entitled to some recognition for performing the duties they were called upon to discharge; especially when it was considered that they were simply brought under criticism by the position they consented to take. It appeared to him, however, that there was something in the objection to the management of the education of the colony by the present Board. He intended no offence whatever to these gentlemen, and he thought it would not be contended that he was doing them any injustice in saying it would be difficult to point out any peculiar educational quality in them which fitted them for the discharge of the duties of their office. If another Minister were to be appointed, in his opinion it ought to be a Minister for Mines. He thought that the honorable member for Fortitude Valley, himself, would agree with him—and in fact the Bill pre-supposed the necessity for it, and that honorable and learned member in his speech showed how necessary it was that the people of the colony should be well educated in scientific and technological matters. The large resources at our command, and the undeveloped nature of our mineral wealth, required the promulgation of practical knowledge based upon late discoveries in science, to enable the people to turn those resources to profitable account. The honorable and learned member for Fortitude Valley pointed out to him (Mr. MacDevitt) the necessity for this, when the honorable the Premier informed the House that the sailors of the "Basilisk" had obtained, at New Guinea, specimens which were, in all probability, specimens of gold and quartz. The sailors threw them away, thinking they were worthless; but two had fortunately been preserved, and the Surveyor-General pronounced them to be specimens of gold in quartz. The honorable member for Fortitude Valley then remarked that, if these sailors had been educated in such scientific schools as were proposed by

the Bill to be established in the colony, no mistake of the kind would have occurred, and they would not have thrown away the specimens which had come into their possession. There was another respect in which the Bill deserved commendation, and that was the endeavor to raise the character and improve the position of teachers. Having had himself the honor of commencing life in this colony in that capacity, he had strong sympathy with those who exercised that honorable calling, and whatever might be done for the advancement or improvement of their position certainly deserved the careful consideration of honorable members. Before proceeding to the points in the measure of which he did not approve, he would like to mention one matter in reference to the contradiction by the honorable the Premier of the statement made by the honorable the Minister for Works that, under this Bill, the appointment of teachers for all schools—State schools and other schools—would be virtually in the hands of the State. He then reminded the honorable the Minister for Works that such would be the case, and it was contradicted by the honorable the Premier; but he did not think that honorable gentleman would persist in his contradiction, when he (Mr. MacDevitt) pointed out to him the thirty-sixth and thirty-seventh sections of the Bill. By these sections, first-class teachers must take a degree in the University, and teachers of every class must be members of the same. In that respect, the State had control over them, because the Minister of Education was to have charge of the whole education of the colony, and, therefore, he would indirectly have charge of the appointment of the teachers of different schools. There was more than would appear on the surface in the remark of the honorable the Minister for Works, and that was that if the Minister of Education for the time being loved his work, and had his heart in it, he would endeavor to make the State schools as perfect as possible, and he would not view with any great favor the establishment of private schools. That was a very fair remark, and proof for it would be found in other countries where they had State education and a Minister with the control of it. He believed it was the jealousy of Louis Philippe with regard to voluntary schools in France, and the endeavor to force State education on the country, that led, in a great measure, to the revolution which resulted in his expulsion from that country. It was so everywhere, and it would be so here. The Minister of Education, with the colony under his control, so far as education was concerned, would endeavor as much as possible to have that control exclusively in his own hands; and while he would do all in his power to advance the State schools, he would, if he were permitted, be very much tempted to throw cold water on the establishment of voluntary schools. Now, to come to those parts of the

Bill with which he could not agree:—First, as to the system of compulsion sought to be established by this Bill, he had heard honorable members—notably the honorable member for Western Downs, Mr. Wienholt, and lately the honorable the Minister for Works, inveigh against the provision as un-English; but it was unfortunate for these gentlemen that they had practical compulsion in England at the present time. That was the strongest reply that could be made to that argument. It seemed to him that the establishment of that system in England was a very different thing to its establishment here. It was the essence of the English Constitution that each member of the community should renounce so much of his liberty as was necessary for the public good, and in England it had been found necessary for the public good to establish compulsory education. But the question was, whether it was necessary to resort to the same system here, and he believed it was not. When it was borne in mind that a very large proportion of the children in Great Britain had no education whatever, or were in the condition described in the quotation used by the honorable the Minister for Works—running about the streets exercising their wits in precocious practices of vice and villany, and otherwise forming habits which would certainly make them bad members of society—that 300,000 children in that country were without instruction of any kind, and were growing up in deplorable ignorance under the influence of bad example—he thought it was a fair and a wise provision that the Government should be armed with the power to enforce their attendance at school. He thought it was a perfectly English proceeding, and to say it was un-English was, to his mind, to say nothing. If a similar case could be made out in this colony, he would certainly support the application of the same remedy. If it could be shown to him that a large proportion of the children of the colony were growing up without education, exposed to vicious habits, altogether deprived of parental guardianship, he would say the time had arrived for adopting a provision which would enable the Government to compel those children to attend school. But it must be remembered that it was not so. The honorable the Premier, or the honorable and learned member for Fortitude Valley—he could not remember which—on a previous occasion, during the course of the debate, read from returns obtained by the Board of Education in reply to inquiries sent to the various schoolmasters throughout the colony, stating the number of children who were receiving education; and it appeared from those returns that the number who were not attending school amounted to only a small fraction of the children in the different districts. He believed that at Cleveland there were none at all, and in the various other districts the numbers were insignificantly small—five, seven, ten, and so on.

It was a singular fact in connection with these figures that the number of children who did not attend school was greatest in towns where the facilities for education were largest. He thought that under these circumstances—it being clearly established that free education, which was provided by the honorable member for Fortitude Valley, when he was Premier, having answered the purpose for which it was intended—it would not be wise at present to resort to compulsory education. It ought not to be resorted to until a case was made out showing that it was absolutely necessary. Upon this matter, he might quote the opinion of Dr. Lyon Playfair, one of the members for the Scotch University in the House of Commons, and who had, perhaps, more than anyone else, taken great interest in education. He was continually visiting schools, and took the lead in the House of Commons on all matters connected with the education of the people. That gentleman pointed out that direct compulsion would be a mistake, unless as a last resource; but, with regard to indirect compulsion—and he noticed that in one of the quotations read by the Minister for Works from Carlyle, the distinction was very carefully drawn between direct and indirect compulsion—they might establish it to whatever extent they pleased, such as making reading, writing, and other acquirements a necessary qualification for citizenship or employment. But direct compulsion should only be resorted to in the last extremity, and the countries where that system had been established, taught that lesson. In America compulsory education was the law of the land, but it was not in force. It had been tried, and they were obliged to give it up. In Prussia it was not in force. It was introduced into that country in 1793, but it was found that direct compulsion could not be made to work. It interfered with the rights of parents, and was found to be such an inquisitorial proceeding, by going into the domestic life of different families, that the Government felt it extremely difficult and oppressive to enforce it. This system had been the subject of several enactments in Prussia, but they were now allowed to remain a dead letter. His authority for this, was the gentleman to whom he had referred—Dr. Lyon Playfair, whose speech in the House of Commons bore out the facts he had stated. There was another view of the compulsory system to which he would refer. If they established a system of education to which a considerable portion of the inhabitants had a conscientious objection, they would produce a tyranny which would be most unjust, and, in fact, intolerable. This was the opinion of Sir Roundell Palmer, and no more moderate man, nor a man who took greater interest in education, both in its primary and higher branches, could be found than that gentleman—the present Lord Chancellor of England. That distinguished gentleman warned the House of Commons that if they established a

system of education which was conscientiously objected to, and superadded direct compulsion, they would produce a tyranny which would be intolerable. He thought that this perfectly justified him in refusing to give his assent to that portion of the Bill now under discussion, and he hoped that the honorable and learned member for Fortitude Valley would reconsider it. In England, compulsory attendance was not directly absolute, but it was left optional to the school boards in the different districts to say whether it was necessary to enforce the provision of compulsion or not. But here, where there were greater facilities for education, and where the attendance of children at our schools was so large, it would not be necessary to resort to that system. He now came to that portion of the Bill which proposed to abolish non-vested schools; and he really would put it to the friends of education whether they were furthering the object they professed to have at heart by abolishing this system. What constituted this system? It enabled persons to contribute voluntarily and pay for the erection of schools, so as provide for the accommodation of scholars, and on the performance of these conditions they were entitled to certain assistance from the State. That being so, he contended that there ought to be something radically wrong—some poisonous element in non-vested schools, calculated to destroy all beneficial results, before they should resort to means for their entire destruction. But, on the contrary, an investigation into those schools would show that there was nothing of that character. He believed that on the strictest investigation they would be found in advance of the State schools in imparting instruction to children. He remembered being at Gympie after the population there became settled, and there was then no State school in that place, but there was a school in which a large number of children were being educated, which had since become a non-vested school. This school was established long before any action was taken by the Board of Education for the establishment of a State school. At Ravenswood there had been for a long time, not a non-vested school, but a private school; and when it was considered that the people of Ravenswood had subscribed £150 for the establishment of schools by the Board of Education, and, although the money had been lying in the bank for the last ten months, the present Board had not stirred in the matter, some estimate might be formed of the relative value of the respective systems. He, himself, had waited on the secretary of the Board in connection with the matter, and that gentleman said the sum would not be sufficient to commence the erection of a suitable school building. In the meantime the ground had been entered upon, and was now occupied by, the voluntaries, who found means for educating the children in that locality. These people were animated by a desire for

education, and were certainly entitled to the assistance of the State, as far as the regulations of the Board would admit. At Charters Towers, and in other places, it was the same, and they had therefore the substantial fact before them that the voluntaries were in advance of, and had their hearts more in the work than, the present Board. It was only natural that it should be so. People who gave a proof of their earnestness by paying money in support of education must almost necessarily achieve greater results, and accomplish more good, than a Board who had little or no interest in their work, and who discharged perfunctorily the duties imposed upon them, which were only accepted, in the first place, in consequence of some slight distinction the appointment conferred. If they referred to the condition of non-vested schools in towns, what would they find? It would be found that they educated an immense number of children, and that they were presided over, in almost every instance, by teachers who were most enthusiastic in their work, and who had even made sacrifices to procure the opportunity of entering into the field as combatants against ignorance. It would be found that they gave the greatest of all security—that they had their hearts in the work, and would endeavor to achieve the results which they proposed to themselves. And, here, he could not help referring to that portion of the Bill which was held out as dealing liberally with non-vested schools. No doubt it was intended to be liberal by the honorable and learned member who framed the measure; but he was unable to see that it was so liberal, because, if they closed the non-vested schools, where would they find suitable places to put those children in, or where would they find teachers to teach them? He remembered that, some time ago, the secretary of the Board had to go to Sydney and advertise there for teachers for the various schools, the number in this colony being so limited; and he would point out that, by closing the non-vested schools, they would still further reduce the means of education at our command. He was somewhat struck by the expression of opinion on the part of members of the House of Commons in dealing with the subject there. One very unpromising foe to non-vested schools, Mr. Winterbottom, and also Mr. Faucett and Mr. Dixon, and others who held very strong opinions on the subject, in discussing the measure introduced into the House of Commons by Mr. Forster, which was now the law of the land, clearly expressed their opinions that existing schools should not be disturbed; and in that respect he thought they afforded a very laudable example, which might be followed with advantage by the opponents of non-vested schools in this colony. It was a very singular thing that in one sentence of this Bill it was proposed to extend the means of education, and in another to close up

schools in which education was imparted. Again, with the free system of education we now possessed, it was well to consider how far they ought to increase future expenditure. There was a great deal of money already expended in free education, and, without questioning the propriety of that expenditure, he thought they should seriously consider the question of further expenditure. He certainly thought some of the provisions of this Bill would have the effect of unnecessarily increasing expenditure, because it was proposed that the department should have power to actually purchase the property belonging to the non-vested schools. This appeared to him to be most unnecessary expenditure, because those schools were now at the disposal of the people for nothing; and it would be a mistaken application of the public funds to throw away money for that which we at present possessed. He thought, therefore, that the supporters of the measure ought to reconsider the question of those schools. It was a very important question, if they had education at heart—if they were desirous to do as much as possible towards redeeming the poor from vice and ignorance. If the partisans of the Bill were earnest in proclaiming that intention, they would surely not throw away the very powerful means of giving it effect which the non-vested schools supplied. If the Legislature recognised the existence of the non-vested schools, and if they were established on a fair footing by law, there would not be such instances of injustice to them as had lately been complained of on the part of the Board of General Education. Upon this matter, it might not be unadvisable to give the figures, shortly:—It appeared that there were, at present, being educated in the Roman Catholic non-vested schools, something like 3,585 children. That was the aggregate attendance. The average attendance was about 2,702. Now, was a system which produced that result, at such a small cost to the State, to be thrown away? Was it not rather to be encouraged and fostered? Because, he contended, those schools were established and were educating large numbers of children in places where the Board could not act—where it had not the power to act. Restricted as it was by the rigid letter of the law, and cramped as it must be by the regulations which prescribed its action, the Board had not the free scope which the voluntary system possessed; and it had not been on that account so successful in the results which it had achieved as the voluntary schools had been. Remember, that the teachers of the State schools came to the discharge of their duties on account of the pay they hoped to receive; the teachers of the voluntary schools, in many instances, came to the discharge of their duties because of the love they had for them. The teachers of those non-vested schools showed in many notable instances, particularly that of St. Stephen's school, and in others of that cha-

racter, that they had made sacrifices for the sake of the little children they had under their care, and that they were animated by the enthusiasm which a sincere love for their school-work gave them. Those teachers were stimulated by something more than the prospect of State pay, the receipt of which being the principal motive in the minds of the teachers of purely State schools, the latter would generally be found to perform their duties in a prefatory manner. Let the people of this colony not be led away by the arguments that were sometimes put forward, that encouraging the non-vested schools was more or less encouraging State aid to religion. It was nothing of the sort: no more than appointing chaplains to the gaols was State aid to religion. But it was to be borne in mind, what the State wanted, and what it paid for. That was, a secular education. If the voluntaries gave reading, writing, arithmetic, geography, and other branches of knowledge which the State required, why then the conditions were fulfilled; the education which the State had a right to insist on was imparted. But if, in addition, religion was instilled into the minds of the pupils—if their moral character was developed and formed by sound teaching—that was a matter with which the State ought to be satisfied rather than otherwise, because it would tend to perfect the education of the children by giving it that moral tendency without which it was certainly very incomplete. He would examine what were the arguments in favor of the position which he now took up, namely—that of combining instruction in religion with instruction in secular knowledge; and, here, if honorable members would not object, he should like to refer to the opinions of some persons who were better able than he was to direct public opinion on the subject, and who insisted upon religion in education. Sir Roundell Palmer, now Lord Selborne, said in the House of Commons, in speaking on the Elementary Education Bill which now regulated primary education in England:—

“The idea of telling children to learn something useful, in a secular sense, at school, and religion elsewhere, is in substance to put religion in a point of view which is false, if there be any truth in religion, and at the same time to teach the young to regard it in that false light.”

And Mr. Gladstone, in the same debate, said:—

“Therefore, we cannot forbid the local boards to give aid to the voluntary schools, because the promoters of those schools would be liable equally with others to contribute towards the rate, and contributing to it, to aid and found schools to compete with and beat down the school for which they were paying out of their own private resources.”

However, that was on another point. Mr. W. E. Forster, the Vice-President of the Council of Education, who had introduced the

Elementary Education Bill in the House of Commons, said:—

“The State comes forward and declares that education shall be compulsorily provided. But then we have to consider the feelings of all the inhabitants of the State, and we find that there is a conscientious objection on the part of many to religion being combined with education, or rather to their being obliged to pay for a religious teaching with which they do not agree. But, on the other hand, there are hundreds of thousands who have a conscientious objection to religion being separated from education. They are taxpayers—they are rate-payers—they have rights, and my honorable friend is not in a position to say, ‘I have nothing to do with your religious education, and the State should have nothing to do with it,’ because he has already assented to the interference of the State.”

Then, that education should be carried on without wounding the feelings of anyone. With the permission of the House, he (Mr. MacDevitt) should make a further reference to the speech of Sir Roundell Palmer, on the same subject:—

“Now, what is my idea of religious education? I do not mean on the one hand that the State is to prescribe a certain set of dogmas, nor have I in view in my mind, any set of dogmas at all; but what I have in view is this, that where morality is founded on religious belief, the two things are inseparable, and if you wish that which is the rule of life, the principles of conduct to be taught—which is of much more importance than any secular education—you cannot tie the hands of the teacher behind his back, and tell him he cannot speak of what he really believes, and that he shall not refer to the highest sanction for right and moral conduct, as to those truths and facts of religion which he believes lie at the foundation of those sanctions. * * * Though in a business point of view, sound instruction in every kind of useful knowledge is useful, I venture to say that sound morality is the thing of most importance to all, both politically and socially. For my own part, I would rather that my child should be educated after the manner of the ancient Persians, who were only taught to ride, to shoot, and to speak the truth, than that he should be taught all the sciences in the world, without the inculcation of that moral principle which is involved in speaking the truth.”

The Lord Chancellor of England, who had delivered that opinion, could very well dispense with any comments of his (Mr. MacDevitt's) to press it on the acceptance of the House. But he should go on to quote from another gentleman, not a politician, whose opinions would be accepted by several honorable members of the Assembly. He alluded to Dr. Chalmers, who said that

“Knowledge is power, and if knowledge is associated with religion, it becomes a power for the virtuous and the good, and tells with the best and most beneficent influence on the well-being of society. But if knowledge be dissociated from religion, this destroys not the truth of the maxim that knowledge is power, but that it is power emancipated from the restraints of principle, and such a power let loose on society, like the deep

policy of an artful tyrant, or the military science of a reckless conqueror, would have only the effect to enslave and destroy. Yes, gentlemen, we mean to have our schools, but we mean in the economy of those schools to abide by the good old ways of our forefathers. We mean to have the Bible the regular and daily school-book; we mean to have the catechism for a regular and day school exercise; and these shall be taught openly and fearlessly, not dealt with as contraband articles, not smuggled into a mere hole and corner of our establishment, not mended or mutilated by human mind, that the message of the Eternal may be shaped to the prejudices and tastes of men; not confined to the odd days of the week, or made to skulk from observation into a by-room lest the priest of an intolerant faith should be offended. No, gentlemen, we will place the word of God in the fore part of our system of education, and we will render it the unequivocal, the public, the conspicuous object that is becoming a christian and protestant nation."

He believed that the opinions of that gentleman would commend themselves to a great section, at all events, of the public of this country, and to their representatives in the House. He might also quote from an individual no less known to fame, Mr. Spurgeon, who gave his opinion in a very strong manner on the subject. That gentleman said, if a system of education without religion was established, he would preach against it up and down the country, and he would preach the doctrine that it was the holy duty of every man in the land to resist it; and, if passed into law, he would counsel fathers to refuse to send their children to the schools under such a system. He (Mr. MacDevitt) did not mean to say that he assented to all the doctrines of that eminent preacher—

Mr. STEPHENS: Hear, hear.

Mr. MACDEVITT: But, in this respect, that gentleman had so forcibly expressed the opinions that he entertained on the subject, that he was justified in thus referring to him. He (Mr. MacDevitt) had, at the same time, to acknowledge that there was a very great authority on this subject, which ought to be entitled to the greatest respect of every honorable member pretending to advocate liberal opinions, and that was Mr. Cobden; who said that, after fifteen years' efforts in education, he had to confess that, from the religious discordances of his country, he was compelled to take to secular education. That eminent man gave his opinion that he could not discover a proper and efficient system of State education which, at the same time, would reconcile the different religious denominations to its acceptance, without completely adopting the secular system. But, in answer to that, he (Mr. MacDevitt) might mention a passage in a speech of Mr. Bruce, who was the predecessor of Mr. Forster in the official position that the last-named gentleman now occupied at home, in which speech mention was made of the well-known Dr. Watts, of Manchester, who had told Mr. Bruce that he had attended one hundred and fifty large public meetings

in different towns and counties in England, and that at every one a vote was carried in favor of secular education; yet that, after twenty years' experience, and with the knowledge of the opinions of the people that he had obtained by his public interference in matters of religion, he was bound to admit that the people of England demanded denominational education and that he believed it would be for the interest of morality and for the interest of the country to have it. After being an advocate for twenty years of secular education, Dr. Watts, upon reflection, so far changed his opinions, that he assisted Mr. Bruce in framing the measure which was supplanted and modified by the Act of 1870, and thus assisted the denominations in the establishment of religious education. While on the subject, he (Mr. MacDevitt) might also, in answer to the arguments sometimes adduced with reference to America, say, that he admitted the secular system was in full force there; at all events, as far as the law could make it to prevail. But, as he already stated, the history of education in America would fail to reconcile us to secular education; because he found, there, that it had failed. It was not, of course, a thing to be expected, that a system which had been so largely supported, so magnificently endowed, throughout the length and breadth of the United States, should collapse suddenly; but it had given unmistakable signs of failure. The State of New York, which had given as much assistance to the secular system as any part of the Union, had so far departed from the State education that, besides its magnificent endowment of the State schools, assistance was now rendered from the State funds to the denominational establishments, both of the State and the city. That was very important testimony in favor of denominational education. Secular education could not be established permanently. It interfered with the convictions of a large number of people in this colony; and he said, with the *Times* of the 16th of January, that, to impose a system of State education against the wishes of a large portion of the community, would be such a measure of violence as it was not in the spirit of the British Constitution to resort to. Respect for the feelings of a large number of the people of this colony justified him in resisting the passage of such a Bill as was now before the House. He might also mention, that the Government of Italy—upon the principle that extremes meet—having been so much allied, until lately, with the clerical party, and partaking so strongly of a religious character, had run into the opposite tendency, and had established a system of State education entirely secular. It was found, in three years, as was told in the *Saturday Review* of the 29th March, that the Government of the country were compelled to abandon secular instruction without religion as a hopeless case. A purely secular

education was so distasteful to the mass of the people, that, although assisted by compulsion, the Government were not able to enforce it. That was another argument in favor of the view he took, namely, that it would be unwise to establish compulsion. In addition to the instances where the secular system had failed, attention was invited to Prussia, where the system of education was entirely, or mainly, denominational. This he said on the authority of the Bishop of Manchester, who was some time ago commissioned to report upon the condition of education there. That prelate went on to say that Prussia had the best system of education, so far as the interference of the State was concerned, in the world, and it was denominational. The right reverend gentleman said, in his report:—

“The clergyman of the parish is, *ex officio*, local inspector, and as such has the management of the school, as well as the duty of visiting it. He is also personally charged with the religious instruction, which is minute and laborious. Almost all the schools in Prussia are denominational.”

Now, he (Mr. MacDevitt) should like to bring under the notice of the House some statements in corroboration of what he had said about America, and to point out the advances that had been made, particularly by the members of his communion, in the erection of voluntary schools, and to show that the results achieved by them would compare very favorably with the results obtained by the State education of the country. Lord Robert Montague said:—

“In America, the secular system was crumbling away, and denominational schools were springing up on every side. In New York, large sums were voted every year for the support of Roman Catholic schools. In that country, when the secular system was established by law, the religious bodies were weak, because they were widely scattered; yet the denominational schools were gradually conquering the territory from the secular schools, and seeking to remedy the evil moral influence of secularism, and redeem the degradation of the populace. (No.) If honorable members doubted his assertion”—

this was a speech in the House of Commons;—

“let them consult a book published in Philadelphia, called the Common School System of the United States.”

He (Mr. MacDevitt) thought he had shown pretty clearly that, particularly in Prussia, where education was looked upon as having been so successful, the denominational system was in force; he had shown that in America, where the secular system had been established, it had failed—at all events, to the extent that, though at first successfully established, yet large sums were now granted by the legislatures of the different States for the support of denominational schools. In answer to the arguments and assertions of those who said that a denominational or non-

vested system could not be established to satisfy the aspirations of the different denominations, he said they had managed to do so in Canada, and very simply. A school rate was there levied in the different districts. If any denomination in a district came up to a certain number, the members of it applied to be relieved from the school rate. A dispensation was granted to that body, and they then gave security up to the requirements of the law, that they would establish a denominational school. He believed the system had been in force thirteen years in that country, and it seemed to have given satisfaction. The question of the free higher education, he had alluded to; and he regretted to say that after considering it, he could not follow the honorable and learned member for Fortitude Valley in that part of the Bill, either. It seemed to him that the argument upon it might be cut very short; and that, in fact, the honorable member had given the opportunity for the best reply that could be made to the reasons upon which he himself advocated it. He had listened with great attention to the very effective speech delivered by the honorable member in the Town Hall, in which the whole subject was fully gone into. The honorable member had said that the fees which were paid at present for tuition simply prevented the poor class from taking advantage of the higher education of the country; and he went on to remark that if the £500 or so, which was at present procured in the shape of tuition fees by the Grammar School was not levied, and the school was free, that higher education would then be open to the children of the city, who would readily take advantage of it. There he (Mr. MacDevitt) was at issue with the honorable member. It seemed to him that the £500 did not affect the question; but that what stood in the way was, the necessity which the children of the poor were under to work for their living. The children of the poor, as soon as they were able to enter upon any employment, had to assist their families. This was the reason why they could not and did not take advantage of those educational facilities which were said to be offered by a free Grammar School. He was certain that if the fees were abolished to-morrow, there would not be one more child in that school than at present. He would tell honorable members what a free Grammar School would do. It would cast upon the State completely the burden of educating the children of the wealthier classes of this city, who now attended the Grammar School; and nothing else. The remission of the school fees was not the question with the poor parent. To support the child—to provide him with food and raiment;—this was the difficulty. The higher education would be beyond the reach of those for whom it was purposely intended. The necessity for the father to turn his boy's labor to account as soon as possible, for the benefit of the family, would be so great, that,

in his (Mr. MacDevitt's) opinion, in that necessity must the cause be looked for which kept the children of the poor from going in for the higher education. If we had free education, as he had heard an honorable member say, it would, in a few years, be a very nice thing for him, whose children were growing up; but as to the advantage of it to the children of the poor, that was a Utopian idea altogether. If the State went the whole length, and provided the children with the means of support, also fitting them to attend the grammar schools, the colleges, and the University, there would be something in it; but the present proposal was only calculated to provide the means of higher education to the rich, who could afford to send their children to those institutions, and to pay for them. Here it was proposed to reverse the order of things which existed in the old country: the poor were to pay for the education of the rich in Queensland. He was surprised when he heard the poor men applauding the statements of the honorable member for Fortitude Valley. There was hardly a man in the meeting held by the honorable member who could take advantage of the proposed free system: if there was, the fees would not stand in the way of his getting the higher education now for his child. At home, the rich paid for the education of the poor. The Government had aided colleges and scholastic institutions, and granted charters to them; but their existence was mainly due to the contributions and benefactions of the wealthy orders. The large and rich universities of the old country had derived the funds which now maintained them from the contributions of those who thought fit to give out of their abundance for the establishment of institutions of that nature. There, the rich provided means of education to which the poor might, in certain cases, come if they wished; but, here, it was proposed to do exactly the reverse—to take out of the earnings of the poor, who contributed to the public exchequer, and therewith to provide the means of education for the rich, who could afford to do without such help. In England, where the system of compulsory education was partly in force, if anywhere, education ought to be free, considering the wealth of the upper orders; but there, even, elementary education was not free—the school fees were not remitted to the children who were receiving elementary instruction. If, in England, it was proper to retain the school fees of elementary pupils, why it certainly went to show a much stronger reason, here, to make the rich pay for the education of the children of the country. If the House wished really to do something towards imparting higher education to the deserving children of poor parents, let them create a fund out of which such children of that character as came up to a certain standard should be educated and supported; but let them not be so heartless as to pretend to offer gratis to the poor a boon

which their poverty forbade them to accept. He had somewhat at length sought to give his opinions to honorable members on the subject under consideration. He had only to say further that he believed if those who were in favor of the compulsory portion of the Bill, and particularly that portion which proposed to do away with the non-vested schools, realised the objections—the conscientious objections—of a considerable proportion of the community whose representatives in Parliament bore no proportion to their number in the population; it would then be seen how unjust and impolitic it would be to embody such views in our legislation. If honorable members considered the feelings of those people in regard to compulsory attendance, when coupled with the establishment of purely secular education and the abolition of the non-vested schools, they would, he thought, hesitate before doing violence to those feelings, and before doing that which would impose an intolerable tyranny on a large and not unimportant section of the community. Mr. Gathorne Hardy, in the House of Commons, said, in answer to such a proposal as he (Mr. MacDevitt) now deprecated:—

“I might think it hard to have my child sent to a secular school, as other persons think it hard that their children should be compelled to attend religious schools.”

And here was where the shoe pinched. Suppose that those who opposed the establishment of secular education should advocate a measure in the House which would have the effect of compelling children, against the wishes of their parents, to attend religious schools; would not that be looked upon, throughout the length and breadth of the land, as an outrage, a grievance not to be borne, a violation of the rights of conscience?

—“*Mutato nomine, de te
Fabula narratur.*”

The same objection applied against a measure having for its object the compulsion of the children of those who conscientiously objected to secular schools, to attend those secular schools; compulsion, under such circumstances, was as great a grievance, as great an infraction of the rights of conscience, as great an infringement of the liberty of the subject, as it would be, on the other hand, to compel children to attend religious schools against the religious objections of their parents. The honorable member for East Moreton, Mr. Hemmant, had used a very specious argument when he said, that all were agreed to a certain extent that education and training to a particular grade—reading, writing, and arithmetic, and the cultivation of the memory—were necessary; and that, therefore, they might agree to put religion out of the question. That was a fallacious way of putting the matter. He (Mr. MacDevitt) and those who thought as he thought, believed that such teaching and

training were good; but they believed further, that without the moral instruction which should go along with them, they might be evil; that, by putting religion in the background, religion was in a false position, and in that way the children were induced to believe that it was a matter of secondary importance. That was the warning of the Lord Chancellor of England; that was the position which he (Mr. MacDevitt) took up; it was the position which was advocated by the Rev. Dr. Chalmers, and by no less an authority than Mr. Spurgeon, and, in fact, by almost all the statesmen at home, who, by their moderation and earnestness on the subject, might fairly claim consideration for their opinions. There was no doubt that the advocates of the Education League in England, who were commonly known as "the Birmingham School," insisted upon a purely secular system of education. Their views ought to have that consideration to which they were entitled. But they were in that predicament which the Premier told the House the other night that the Opposition were in, "a miserable minority." They were an active body, but in a very small minority. He would take leave to say that they did not constitute the leaders of popular opinion throughout the length and breadth of the land. In the House of Commons, where they introduced an amendment upon the Elementary Education Bill embodying their views, they were so far left behind that they had not interfered since then with the wonderful success of the establishment of voluntary and denominational schools. The different school boards of England had the right to declare their schools to be religious or secular. He found that, out of thirty thousand schools established, twenty-five thousand had been by the local boards declared to be denominational, and only five thousand secular. That, he thought, was a strong proof of the tendency of popular opinion there. He should regret that, in a matter in which the liberty of the subject was at stake, and in which the rights of conscience were involved, Queensland should be in the violation of those rights in advance of any country in the world! The House were called upon to take a step in the dark; they had no information at their command; they had not had brought before them arguments founded upon ascertained facts to justify them in taking that step. He did trust that, while honorable members might fairly enter upon the consideration of any measure having for its object the increase of the educational facilities for the people, they would pause before they destroyed the existing educational appliances which were so admirably fulfilling their purpose. Such a proceeding as that had not been vindicated by experience, reason, or authority, and it could not be. The honorable member for Fortitude Valley had said, he would abolish the non-vested schools because they would hamper the

system which he proposed to carry out. It would, however, appear from the past that they had not hampered the present system. And, now, he would say a word with reference to another proposal in the Bill, one which he was astonished to see come from the honorable member for Fortitude Valley; that was where the honorable gentleman proposed that the instruction should be religious, when the parent did not forbid it. The honorable member had defined that religious instruction to be such portions of Christianity as all sections of Christians have agreed upon. As was already well said, to inculcate a common religion, based upon what was acceptable to all denominations, was impossible. The thing had been tried in other places, and had not succeeded, and, in the nature of things, it could not succeed. And the honorable member would find, when he came to make it law, that it was utterly hopeless. It had been exploded in England. Mr. Forster had carefully considered the question, and found it impossible. In the House of Commons the subject was fairly argued out, and it was agreed on all hands that it would be impossible to frame such religious education as would be common to all sects. He had now to say only, in conclusion, that if the Bill got into committee, upon the points mentioned he should take those steps which the remarks he had made would fairly indicate; whilst, at the same time, he should always be willing to assist the honorable and learned member for Fortitude Valley, or any other honorable member, in any effort that he might make to improve the means of educating the rising generation. There were various reasons for doing so: an extended franchise, and, in theory, manhood suffrage. The people should be educated up to the proper use of the privileges which were now placed within their reach. In order to the proper appreciation of the resources of this colony, and with a view to their most beneficial development, measures having for their object the advancement of learning should be fairly and anxiously considered. But he could not adopt any proposal that would wound the feelings or assail the rights of any part of the community.

On the motion of the Hon. R. RAMSAY, the debate was further adjourned until Tuesday next.