

Mr. SHENTON moved that progress be reported, and that leave be obtained to sit again.

Progress reported, and leave obtained to sit again.

### EXPORTATION OF ARMS AND MUNITIONS OF WAR BILL.

Message from the Governor—No. 2.

After some discussion in Committee, the Chairman of Committees reported that the Committee had agreed to the amendments proposed by His Excellency the Governor to the Exportation of Arms and Munitions of War Bill.

The Council adjourned at 4.40 p.m.

### LEGISLATIVE COUNCIL,

Wednesday, 2nd August, 1871.

Thompson's Road Steamer—Estimates—Tariff Act  
Amendment Bill: first reading—Library—  
Elementary Education Bill: in committee.

The SPEAKER took the Chair at 6 p.m.  
PRAYERS.

The Minutes were read and confirmed.

### THOMPSON'S ROAD STEAMER.

Mr. STEERE, in accordance with notice, moved that all correspondence with reference to the purchase of a Thompson's road steamer be laid on the Table of the House.

Question put and passed.

The correspondence was tabled by the Colonial Secretary.

### ESTIMATES.

The COLONIAL SECRETARY (Hon. F. P. Barlee), by command of His Excellency the Governor, stated that His Excellency had been pleased to accede to the address requesting him to place the sum of £300 for the Volunteer Corps, £200 for horticultural and agricultural societies, and £100 for Queen's plate on the Estimates on the understanding that supplies were voted of a nature that he approved, otherwise he should exercise his discretion in withholding expenditure on such unauthorised items as he thought right, if retrenchment became necessary.

### TARIFF ACT AMENDMENT BILL.

First Reading.

Mr. LOGUE, in accordance with notice, moved for leave to introduce a Bill to amend the Tariff Act, 1871.

After some brief discussion,

Question put, "That leave be given to introduce the Bill," upon which a division was called for, the result being as follows:—

Ayes ..... 12  
Noes ..... 5

Majority for ..... 7

Ayes.	Noes.
Mr. Brown	The Hon. R. J. Walcott
Mr. Steere	The Hon. M. Fraser
Mr. Shenton	Mr. Carr
Mr. Phillips	Mr. Marmion
Mr. Hassell	The Hon. F. P. Barlee
Mr. Gull	(Teller.)
Mr. Drummond	
Mr. Monger	
Mr. Newman	
Mr. Moore	
Mr. Russell	
Mr. Logue (Teller.)	

Question thus passed.

The Bill was read a first time.

### LIBRARY

The ATTORNEY GENERAL (Hon. R. J. Walcott), in accordance with notice, moved that an humble address be presented to His Excellency the Governor asking that the sum of £50 be placed on the Estimates for the purpose of books for the Library.

Question put and passed.

### ELEMENTARY EDUCATION BILL.

In Committee.

Clauses 1 to 3 agreed to.

Clause 4: Powers of central board—

Mr. NEWMAN objected to the words "and a more special direction over purely Government Schools" being introduced into the Bill at this early stage. It involved a principle and indicated a policy to which the House should not be prematurely committed.

The COLONIAL SECRETARY (Hon. F. P. Barlee) replied that the words alluded to by the hon. member were introduced into the Bill after very grave consideration, and he contended that they were based upon sound common sense. It was but reasonable that the central board should exercise a more special direction over schools purely supported by Government aid than over assisted schools, which were not entirely maintained out of public funds. It was essential to the principles

of the Bill that where public money was expended the boards should have full control over all schools receiving such aid, and, more especially, over all schools wholly so supported.

Mr. NEWMAN did not dispute the powers invested in the central board; what he objected to was that the words which he had quoted pledged the Council to a future line of policy in regard of a more general supervision over one class of schools than another.

Mr. STEERE concurred.

The COLONIAL SECRETARY (Hon. F. P. Barlee) suggested that the consideration of the clause be postponed until the remaining clauses were disposed of.

Question put and passed.

Clauses 5 to 15 agreed to.

Clause 16: Powers of district boards—

Mr. STEERE moved the insertion of the words, "to appoint and dismiss teachers of purely Government schools, subject to the confirmation of the Central Board."

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 17 to 19 agreed to.

Clause 20: Government schools shall be supported out of a portion of the Government grant not exceeding on the whole the sum of £2 15s. per head on children above the age of four years and under the age of 17 who shall have attended school not less than 180 days in any one year—

Mr. BUSSELL moved that 14 instead of 17 be fixed as the maximum age of children for whom aid should be claimed.

The SPEAKER contended that four years was too tender an age, but if it was decided that it should be so fixed, he maintained that the maximum should be reduced to 14 years. The Government should not be called upon to render aid over a period longer than 10 years.

Mr. LOGUE pointed out that children did not necessarily attend schools during the whole of that period. Many parents objected to sending their children to a school at so early an age as four years; he therefore contended that 17 was not too high a maximum.

The COLONIAL SECRETARY (Hon. F. P. Barlee) called attention to the fact that in the original clause the minimum and the maximum of ages were five years and 17. Though he concurred with the Speaker that four was too early an age, and he would assent to its being increased to five, he was opposed to reducing the maximum to 14 years. There were many instances of parents of children

who, from the peculiar nature of their pursuits and vocations, were unable to avail themselves of instruction during their residence in the country, at a remote distance from any school. He instanced the case of policemen, warders, farm laborers, shepherds and others, whose children might possibly be unable to avail themselves of an opportunity of attending school for long periods.

Mr. MARMION expressed himself in favour of the clause as it stood.

Messrs. NEWMAN and DRUMMOND supported the motion before the House, and Mr. BROWN resisted it.

Amendment put, "That the word 'seventeen' be struck out and the word 'fourteen' inserted," upon which a division was called for, the result being as follows:—

Ayes ..... 9

Noes ..... 8

—

Majority for ..... 1

Ayes.

Mr. Drummond

Mr. Gull

Mr. Moore

Mr. Russell

Mr. Shenton

Mr. Phillips

Mr. Steere

The Speaker

Mr. Newman (Teller.)

Noes.

The Hon. F. P. Barlee

The Hon. M. Fraser

The Hon. R. J. Wulcott

Mr. Monger

Mr. Brown

Mr. Marmion

Mr. Hassell

Mr. Logue (Teller.)

Amendment thus passed.

Clause, as amended, agreed to.

Clause 21 agreed to.

Clause 22: Every Government school to be conducted in accordance with certain specified regulations—

Mr. STEERE moved the insertion, after the word "Government", of the words "and assisted." He contended that all schools receiving Government aid should be subjected to the same regulations in regard of a timetable conscience-clause, which, he urged, should be universal in its application to schools supported by public funds.

Mr. NEWMAN had no hesitation in stating that, although the Bill before the House was characterized by the Hon. the Colonial Secretary on its introduction as a very good Bill, had any hon. member then proposed that it be read that day six months, the motion would have been affirmed. But elected members, or at any rate those who were hostile to the Bill, had they resisted its introduction, would have been charged with factious opposition, accused of fostering agitation, of not knowing their own minds, and of not caring for the education of the children of the colony.

He was one of the members of the select committee appointed to report upon the original Bill, and they had not been in committee half-an-hour when the Colonial Secretary incidentally expressed his belief that the result of the Bill would be ultimately to break up all Government schools in large centres of population, and that assisted schools would supersede them. He (Mr. Newman) then stated that had he known this, he would have resisted the introduction of the measure in the first instance, and he was now most hostile to the Bill in its present form. He had no doubt that in this opinion he carried with him the general opinion of the colony. It had been argued that the Bill was a copy of Forster's Act, but he contended that there was no comparison between assisted schools under that Act and the assisted schools under the provisions of the present measure. When Mr. Forster's Bill was first introduced in the Commons it allowed of very few loopholes for denominational education, but during its progress through the House more loopholes were provided, and the result was that there is now more dissention in England than there was before the Bill came into operation, simply in consequence of its denominational features. He firmly believed that at the next, or at any rate at an early session of Parliament, the Bill would be condemned and repealed. The present measure before the Council fostered rather than excluded denominationalism, and partly with the view of upsetting this feature of the Bill, he would support the motion of the hon. member for Wellington.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said the hon. member who had just sat down had made very free with his (the Colonial Secretary's) name, but, on the whole, had fairly stated what occurred in discussion on the Bill in select committee. But he had not stated all that had transpired, nor all that was said, which made a very material difference. The hon. member had, with considerable care, picked out what, doubtless, he considered the plums of the pudding. With regard to the hon. gentleman's observations relative to Forster's Act, he had received his impressions from newspapers representing one side of the question. He could point out other journals whose opinions on the merits of Forster's system were diametrically opposed to the views of these papers which represented the opinions of the hon. member for Fremantle. This merely tended to prove that public opinion on the question was undetermined, and he believed that the ultimate verdict of the English people would be entirely opposed to

that predicted by the hon. member. However, we were not in England, but in Western Australia, and our duty was to provide for the instruction of the rising generation of this colony, and our efforts should be directed to establishing our own educational system on a comprehensive and satisfactory basis. He had maintained, and still contended, that the Bill before the House was a good Bill, and no objection was raised to its principles on the occasion of the second reading of the original measure. (Cries of "Question".) He contended that in adopting the second reading of the Bill the House had affirmed its principles. (Cries of "No, no!" from Mr. Newman and Mr. Steere.) The hon. gentlemen said "no," but they could not disprove facts. He maintained that the fundamental principles of the Bill were adopted, inasmuch as it had been allowed to be read a second time—a course which is never permitted when the majority of members are hostile to the main features of a measure. The House had not rejected the principles of the Bill in referring it to a select committee to be remodelled in its details. According to the Standing Rules obtaining in the House of Commons, and conformably with general parliamentary practice, the second reading of a measure is confirmatory of its fundamental principles. No hon. member could say that, in introducing the Bill to the Council, he had not fairly, faithfully, and fully submitted every principle of the measure for the consideration of the House. Yet he was now told that if hon. members had understood what the objects and intention of the Bill were, they would have resisted its introduction, and voted that it be read that day six months. He doubted whether he would be able to carry the Bill before the House through Committee that evening, but its general principles having been affirmed, he failed to see how it could reasonably be upset. He might have to say that which would not be pleasing to some people, before resuming his seat, but actuated by a conscientious desire to discharge his duties honestly and fearlessly, he would not disguise his real feeling on the question. He did not believe that there would have been that amount of agitation and ill-feeling as existed relative to the subject of education but for the action taken by parties outside the walls of the Council Chamber—movements which had tended to anything but peace and good-will. It had been asserted that the Government had endeavoured to deceive the House in regard of this Bill; on the contrary, he affirmed that the Government had acted with all sincerity and perfect honesty in the matter. There existed

throughout the colony a very general desire for the introduction of a Bill of the nature of the present one, and the Government had taken every possible precaution so as to render it satisfactory to all parties, by basing it on the broad principles of equality to all. The Bill, at its second reading, had been referred to a select committee, who had returned it with some very slight modifications as to its details, but its general principles remained intact. (Cries of "Question".) He was quite willing to admit that a divergence of opinion existed on the clause under consideration, but he believed it was the only section upon which a diversity of opinion prevailed. The question involved in the clause was whether or not Government and assisted schools should be placed on the same footing. Had those who were hostile to the Bill been cognizant of the real intention of its framers in regard to these two classes of schools, a great many of the charges which had been brought against the Government would never have been made. They were offered at random, and without any knowledge of the real intention of the Government in regard of the measure. Had they applied for information, it would have been at once accorded, and would have tended to materially modify their strictures. He deprecated any factious opposition, and it was a great pity that any had been manifested, and that hon. members expressed their intention of attempting to upset the Bill before they thoroughly understood its provisions. He believed that the agitation which had existed in connection with the matter had not been caused by what hon. members themselves thought of the question, but from what they had heard outside. (Mr. Newman—hear, hear.) He alluded principally to a meeting held in a building not very distant from where he stood, a meeting attended by ministers of various denominations, among whom was the Bishop of the church to which he belonged, who delivered a speech on the occasion, for which, when he came to calmly reflect upon it, he would be very sorry that he ever uttered it. Not satisfied with that, he must issue manifestoes—as he (the Colonial Secretary) called them—calling upon the people to beware of the Government. Had he in his speech and in his manifestoes simply confined himself to personal animadversions upon him (the Colonial Secretary) he would have taken no notice of them; he would have treated them as he had on other occasions treated insults that had been passed upon him—with silence. He stood there that evening, putting aside all individual feelings, on behalf of the Government of the colony, of which Government he might be said to be the exponent or mouthpiece in

that House. He considered that it would be a grave dereliction of his duty if he allowed the charges that had been made against the Government which he represented to pass without attempting to defend it against those strictures. At the meeting and in the speech to which he had referred, allusions had been made to what he had stated in the House on the occasion of introducing the Bill. A very fair, but, necessarily not a full, report of what he had said had appeared in the columns of a local newspaper, and, with the exception of two words, "flimsy" and "fallacious," which had escaped his notice in perusing the manuscript of the report—which he had an opportunity of doing—the report was a faithful one. He was quite sure that those two words had not escaped his lips. It was beyond his comprehension how any one, having read that report, could have so misinterpreted what he had stated on the occasion. They were told to expect, and he did expect on the part of all ministers of the gospel, a display of charity towards all men. They knew perfectly well that in the consecration of bishops a promise was made that, as much as shall lie in them, they will maintain quietness, love, and peace among all men. He would ask the members of the House whether the speeches and the manifestoes alluded to, would tend to induce quietness, love, and peace in this colony? If hon. members would refer to the report of the speech to which he alluded, they would find that the Government was charged with introducing a Bill under whose provisions the Bible and religion, and even the name of God, would be excluded from the school altogether. Was that the case? (An hon. member: Yes.) He contended that it was not a reasonable nor an honest interpretation of the provisions of the Bill before the House to affirm that it excluded religious instruction from the Government schools of the colony. In this respect the Bill was analogous to Forster's Act, which allowed of ample opportunity of teaching religion in all schools, but confined State aid to secular instruction only. The original measure provided a strict conscience clause for all Government schools—a conscience clause equally as rigorous as the one introduced into the amended Bill which was a verbatim adaptation of the clause in Forster's Act. In regard to assisted schools, the intention of the framers of the Bill was to encourage the establishment and maintenance of such schools without interfering more than was deemed absolutely necessary with the religious instruction imparted in them. The Bishop proceeded in his speech to what he (the Colonial Secretary) could only call a deliberate charge against the Government

of this colony—to the effect that it had come forward intending to deceive the members of that Council. He paid them no compliment when he implied that the pitfalls and traps scattered throughout the Bill had escaped their observation until he had pointed them out. These traps and pitfalls, he maintained, existed only in the imagination of the person who used those words. He did not, he could not believe that any man who would quietly sit down to peruse the Bill before the House could possibly discover in it one single word that could be looked upon as a trap or a pitfall. The Bill was one of perfect equality to every denomination throughout the colony. When it was framed a copy was forwarded to all the members of the Board of Education, and they were invited to express their assent or dissent in regard of its provisions. But, in the exercise of their discretion, they deemed it wise not to do so. So far as the person to whom he principally referred was concerned, anything that he would have said or recommended would have been duly and most carefully considered, in justice to the high position which he held, and to the great influence which he exercised. It was not a pleasant course for him (the Colonial Secretary) to have to say what he had said in regard to one for whom he entertained the deepest respect—one who had been one of the nearest and dearest friends he ever had in the colony; but, in defence of the Government which he served, he had felt it incumbent upon him to state what he had said, although he did so with great pain to his own personal feelings. It would have been a great dereliction of duty on his part to have allowed such charges to remain unchallenged and unrefuted, and, to the best of his ability, he felt bound to defend the Government of which he was a member, when he believed that Government to be right. The main principle of the Bill was contained in the clause under consideration, and by the motion before the House, it was intended to apply the provisions of the clause to all schools, whether Government or assisted. He considered it would be very unwise to do so, for this reason—the clause, as it stood, provided absolute equality to all people, of every denomination, or of no denomination at all. If assisted schools were tied down with restrictions as severe as Government schools, then they would be entitled, on equitable grounds, to the same privileges. Unless this was done, no one could persuade him that the system was one of equality. What were the real facts of the case? It was proposed to support all Government schools by a grant of £2 15s. per head on every scholar above and under certain ages, and on certain conditions. In addition to this, it was

proposed that they should receive, for books, maps, and other school appliances, a further sum of 5s. per head, together with such annual sums as might be voted for repairs of buildings, or construction of new ones. If it was proposed to subject assisted schools to the same restrictions, then the same privileges should likewise be extended to them. Instead of this, the Government proposed, that, in consideration that such schools should not be interfered with as regarded the religious instruction imparted in them, and the fact that they relieved the Government of the colony from a certain responsibility and cost, the grant to assisted schools should not exceed the sum of £1 7s. 6d. per head for each scholar, and that no grant-in-aid should be given to such schools when the number of children attending them was less than 20. The building grant was also withheld from such schools; so that they would receive £1 12s. 6d. less per head for each scholar attending them than the purely Government schools; and yet, forsooth, it was now proposed to place them under the same restrictions. In common justice, honesty, and fairness, such a proposition was a most unreasonable one. Let them have the same privileges if they have the same restrictions, or place the assisted schools, as the Government wisely proposed to do, beyond interference as regards religious teaching, merely giving them the comparatively small grant-in-aid of £1 7s. 6d. per head. The framers of the Bill provided that in cases where no Government school existed, and where parents had not therefore the option of availing themselves of such schools, under those circumstances the assisted schools should be placed under precisely similar restrictions as Government schools, and would receive exactly the same privilege. Again, he was told that the principles of the Bill were opposed to those of Forster's Act. He allowed they were not precisely analogous. He thought that, in this colony, Government schools would, as a rule, be confined to country districts, and that, in the towns and populated centres, assisted schools would supersede them. If the Bill was rejected, he feared that agitation would increase, for there was a very general desire that the vexed question of public education should be placed on some satisfactory basis. He contended again, that it would not be just, it would not be fair, it would not even be honest, to tie a certain class of schools down with restrictions similar to schools wholly supported from public funds, while, on the other hand, the same privileges were denied them. He earnestly hoped that hon. members would pause before affirming the resolution before the House, and remember that the Bill was brought forward as one on the principles of equality to all.

Mr. NEWMAN said that speech or language was originally given to mankind for the purpose of expressing their feelings, and making known their wishes. But this blessing, like many others, had been abused and perverted, and speech was frequently resorted to for the purpose of concealing, rather than expressing men's real feelings. He was very much of opinion that the hon. gentleman who last addressed the House was in the habit of using his gift of speech for one purpose as often as the other. He said, inferentially, if not literally, that hon. members possessed little or no opinion of their own, but were guided in their conduct in the House by expressions circulated outside its walls. Whether this was the case or not, he would not stop to inquire. His views on the question before the House were well-known to hon. members prior to any meetings being held, or manifestoes issued on the subject. He denied that the principles of the original Bill were affirmed at its second reading. He had objected to the very title and preamble of the Bill, maintaining that however expedient it was that the people should have a more direct control in the management of the public elementary educational system of the colony, the Bill before the House did not provide for it. Again, he had strongly opposed the conscience clause then introduced, and characterized the section which provided it as a "monstrous" clause. He, then, had not affirmed the principles of the Bill. The feeling which actuated the majority of the elected members in going into Committee upon it, was a doubt as to whether it might possibly be "licked into shape." The Hon. the Colonial Secretary had said that it was not fair, and that it was not reasonable to place certain restrictions on a man unless you gave him certain privileges. He (Mr. Newman) contended that it was fair, and that it was reasonable. It was simply a matter of choice. A gift was offered with conditions attached, and the individual or body to whom the gift was offered accepted it upon complying with those conditions. He contended that there was nothing unfair in attaching conditions to a boon, or in imposing restrictions and granting privileges to a person who has neither the one nor the other. The restrictions put upon Government schools in the original Bill were unfair, inasmuch as they took away privileges which they already enjoyed, and granted them to schools which had none. If such schools desired certain privileges, it was but fair and reasonable that they should pay for them. The restrictions in Government schools in regard of religious teaching, were severe and rigorous, whereas, assisted schools were not hampered by any restrictions at all, and for this reason

they choose to submit to a less amount of grant-in-aid than schools under stricter regulations. The submission was voluntary, the gift was received with certain conditions attached, and there was no cause for complaint if such conditions were carried out. He was entirely opposed to the principle in the clause under consideration, and the motion before the House would have his entire and cordial support.

Mr. STEERE said that, doubtless, the Hon. the Colonial Secretary had edified himself by abusing an absent man—a man, he would venture to say, whom every one in that Council respected and revered. The hon. gentleman asserted that the principles of the Bill were affirmed at its second reading. He must have forgotten that he (Mr. Steere) had strongly objected to the absence of a strict conscience clause in the Bill; and he had raised his voice against nearly all the clauses, *seriatim*. He could not, therefore, have approved of the principles of the measure in allowing it to be referred to a select committee. He hoped hon. members would insist upon the motion before the House being adopted.

The SPEAKER cordially supported the motion, and said that unless the words in the resolution were inserted in the clause, he would not vote for one single penny for Government schools. He considered that the existing system of education was on the whole the most satisfactory that could be introduced into this colony. He particularly objected that when any proposition was brought before the House by the Government, if it did not meet with the concurrence of hon. members, it should be invariably backed up by a threat. On the present occasion they were told that if the Bill before them was not assented to, agitation would increase. All that he would say was, if people choose to agitate, agitate, agitate, let them do so.

Mr. MARMION contended that, though the existing system of education met with the approval of a considerable proportion of the community, there was another section to whom it could give no satisfaction, as they were debarred, upon conscientious scruples, from availing themselves of its provisions. He cordially supported the arguments urged by the Hon. the Colonial Secretary in favor of the Bill, which he considered a fair and equitable one.

Mr. BUSSELL opposed the motion. He maintained that all schools receiving aid from public funds should be available to all denominations alike, and that children attending the same should be secured from proselytism.

The ATTORNEY GENERAL (Hon. R. J. Walcott) said that the question before the House was whether, in consideration of certain private schools taking upon themselves a burden which ought to fall upon the shoulders of the state alone, certain privileges should be granted to them. It was the bounden duty of the state to so train up the children born therein that they should not grow up in crime and ignorance. In doing this, education was the only means of instilling into their minds their moral duties, and eradicating those inherent principles of evil which governed them upon their entrance into the world. But, while it was the duty of the Government to provide these means, it was no part of its duties to inculcate any religious doctrines and formularies. Indeed, in England, and all countries where there existed such a number of discordant sects, this would be impracticable. But, the state could and should teach, both by precept and example, what was essential to elevate the intellectual tastes of its children. It was in duty bound to include in its curriculum the teaching of the "three R's,"—reading, 'riting, and 'rithmetic. Our own elementary schools would probably go no further than this. He contended that when private individuals, such as the founders and promoters of what, under the Bill, were termed assisted schools, voluntarily undertook to relieve the Government of a portion of its duty, they might reasonably ask for some assistance with the view of carrying out their plans. He entirely deprecated a system of education that would tolerate, or tend to encourage dogmatic sectarian teaching, and inculcate any religious doctrines. Secular education, assuredly, did not mean that children taught under such a system should be ignorant of God and their Creator. The very first thing that they would be taught would be that some ruling intelligence must have created this world and guides its motions, holding it in the hollow of His hand. That, he would have all children taught in all schools, but the religious tenets of their own denominations should be taught in their Sunday schools, and at their parents' knee.

Mr. BROWN deprecated the tone that had characterized a portion of the debate, the erratic tendency of some hon. members to wander from the legitimate motion before the House, and the unmeasured terms applied to a high dignitary of the Church of England, and to the priest-hood throughout the world. Nothing, however, that had been said that evening would lessen their influence. He contended, with the Colonial Secretary, that we could not in justice withhold from assisted schools any portion of the amount given to

Government schools if they were placed under the same restrictions. He would be sorry to see the amendment before the House adopted.

Mr. DRUMMOND supported the motion, and after some further observations from Mr. MARMION, Mr. NEWMAN, and Mr. BROWN,

The COLONIAL SECRETARY (Hon. F. P. Barlee) replied to the objections raised by hon. members to the Bill before the House. He deprecated the tone of the remarks of the Speaker, with regard to the alleged fact that propositions urged by the Government were, if any opposition was manifested, generally accompanied by a threat. He gave the most unqualified contradiction to that assertion. In the present instance no threat had been made. He simply stated his belief that if the clause under discussion was altered, as proposed, the result would be that the agitation which had been disturbing the colony for the last two or three years would not subside. Was that a threat? If so, he did not know the meaning of the word. He again reiterated his impression that if the Bill was altered in the manner suggested, the question would not be settled this session, and that in future sessions the subject would again have to be reintroduced, and on the hustings it would be made the party question of the day. He urged hon. members to pause before they adopted the resolution before the House.

Amendment put, "That the words 'and assisted' be inserted after the word 'Government'," upon which a division was called for, the result being as follows:—

Ayes ..... 10

Noes ..... 7

Majority for ..... 3

Ayes.

Noes.

Mr. Steere	The Hon. F. P. Barlee
The Speaker	The Hon. M. Fraser
Mr. Shenton	Mr. Logue
Mr. Gull	Mr. Monger
Mr. Russell	Mr. Marmion
Mr. Moore	Mr. Brown
Mr. Newman	The Hon. R. J. Walcott
Mr. Drummond	(Teller.)
Mr. Phillips	
Mr. Hassell (Teller.)	

Amendment thus passed.

Clause, as amended, agreed to.

Clause 23 agreed to.

Clause 24: The instruction to be given in Government schools shall not be less than five hours a day, four hours of which shall be devoted to secular instruction—

Mr. STEERE moved the addition of the following words: "and one hour shall be devoted to religious instruction, which shall be

given in accordance with regulations to be made or sanctioned by the Local Boards, subject always to the provisions contained in clauses 22 and 23."

The COLONIAL SECRETARY (Hon. F. P. Barlee) maintained that the object of the amendment was to turn Government schools into purely denominational schools. In some districts the result of the election of members to serve on the local boards might be that the whole board would consist of members of the same religious denomination, and the consequences were obvious. He entirely opposed the motion.

Mr. LOGUE, Mr. MARMION, and the ATTORNEY GENERAL, resisted the amendment, and Mr. DRUMMOND and Mr. NEWMAN expressed themselves as unwilling to support this resolution of the hon. member for Wellington.

Mr. SHENTON moved, as an amendment, that the word "Central" be substituted for the word "Local," in the resolution.

Amendment on amendment agreed to.

Amendment, as amended, put, "That the following words be added 'and one hour shall be devoted to religious instruction, which shall be given in accordance with regulations to be made or sanctioned by the Central Board; subject, always, to the provisions contained in clauses 22 and 23,'" upon which a division was called for, the result being as follows:—

Ayes .....	8
Noes .....	9

Majority against	1
------------------	---

Ayes.	Noes.
Mr. Drummond	The Hon. F. P. Barlee
Mr. Newman	The Hon. M. Fraser
Mr. Phillips	The Hon. R. J. Walcott
Mr. Moore	Mr. Hassell
Mr. Steere	Mr. Logue
Mr. Russell	Mr. Monger
The Speaker	Mr. Gull
Mr. Shenton (Teller.)	Mr. Brown
	Mr. Marmion (Teller.)

Amendment, as amended, thus negatived.

Clause agreed to.

Clause 25 agreed to.

Clause 26: Limitation of grant to assisted schools—

Mr. MARMION moved that the age for such grant to each child attending the same should be from four years to 16 years.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 27 and 28 agreed to.

Clause 29: Limitation of grant to assisted schools—

The COLONIAL SECRETARY (Hon. F. P. Barlee), on the principle of consistency and justice, moved that the grant-in-aid to assisted schools be increased from £1 7s. 6d., to £2 15s., so that, having been placed under the same restrictions as Government schools, they should also enjoy the same privileges.

Amendment put, "That the words 'One pound seven shillings and six pence' be struck out, and the words 'Two pounds fifteen shillings' inserted in lieu," upon which a division was called for, the result being as follows:—

Ayes .....	8
Noes .....	9

Majority against	1
------------------	---

Ayes.	Noes.
The Hon. R. J. Walcott	Mr. Newman
The Hon. M. Fraser	The Speaker
Mr. Brown	Mr. Shenton
Mr. Marmion	Mr. Phillips
Mr. Logue	Mr. Drummond
Mr. Hassell	Mr. Gull
Mr. Monger	Mr. Moore
The Hon. F. P. Barlee	Mr. Russell
(Teller.)	Mr. Steere (Teller.)

Amendment thus negatived.

Clause agreed to.

New Clause 27—

Mr. NEWMAN moved the insertion of the following clause:—

All assisted schools shall be liable to the same supervision in all and every respect, during the four hours of secular instruction, as Government schools, except the appointment of teachers.

The same clause had been proposed in the select committee, but was lost. He was, however, determined that no effort on his part should be wanting in endeavor to introduce such a provision into the Bill, to which he again unhesitatingly expressed himself hostile.

Mr. MARMION opposed the motion, contending that already too many restrictions had been placed upon assisted schools, provided for in clause 16 and the amended subsection in clause 22. He was quite aware that the hon. member who had submitted the resolution would not, if he could possibly avoid it, grant one penny for the assistance of schools belonging to the religious communion with which he (Mr. Marmion) was connected; but he trusted that the sense of justice on the part of hon. members who were not blinded by sectarian principles would induce them to oppose the motion before the House.



Mr. DRUMMOND saw no reasonable objection to the insertion of the clause.

The SPEAKER supported the motion, and expressed his belief that if the present Bill became law it would destroy the best system of education adapted for this colony. The whole scope of the measure tended towards a denominational system.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said it appeared to him that there existed a very strong feeling amongst hon. members against the Bill. If so, why not adopt the more manly and straightforward manner of moving that progress be reported, and so shelve the Bill? If there was no desire on the part of the majority of the House that the measure should be adopted, the better plan would be to let it be withdrawn. So long as he had breath to give utterance to his opinions he would contend that it was a fair and equitable measure. He had endeavored to carry through the House a Bill providing for perfect equality to all, but he was sorry to say he had failed.

The ATTORNEY GENERAL (Hon. R. J. Walcott) protested against wasting time in endless and useless discussion. If clauses and amendments were added to the Bill for the express purpose of rendering it inoperative and nugatory, why did not hon. members have the manliness to say so at once?

New clause put, upon which a division was called for, the result being as follows:—

Ayes ..... 7  
Noes ..... 10

Majority against 3

Ayes.	Noes.
Mr. Drummond	The Hon. F. P. Barlee
Mr. Newman	The Hon. M. Fraser
Mr. Phillips	The Hon. R. J. Walcott
The Speaker	Mr. Shenton
Mr. Steere	Mr. Logue
Mr. Moore	Mr. Minger
Mr. Russell (Teller.)	Mr. Brown
	Mr. Hassell
	Mr. Gull
	Mr. Marmion (Teller.)

New clause thus negatived.

New clause—

Mr. STEERE moved the insertion of the following clause:—

All elementary schools shall be held in buildings approved of by the Central Board.

New clause agreed to.

New clause—

Mr. BROWN moved the insertion of a clause rendering it compulsory upon parents

residing within three miles of a school to send every child over six and under 14 years of age to such school, until a certain standard of education to be fixed by the bye-laws shall have been attained. The provisions of the clause were analogous to the compulsory clause in Forster's Act.

Mr. MARMION then moved that the parents whose children were so compelled to attend should have the privilege of choosing any elementary school within the provisions of the Bill.

Mr. BROWN moved that every school board might be empowered to appoint officers for the purpose of carrying out the bye-laws enacted with regard to compulsory education, and that all expenses attendant thereupon should be defrayed out of the school grant.

Amendments agreed to.

New clause, as amended, agreed to.

Bill reported, with amendments.

The Council adjourned at 11.30 p.m.

## LEGISLATIVE COUNCIL,

Thursday, 3rd August, 1871.

Library—Electro-Magnetic Telegraph Company Limited: in committee—Small Debts Ordinance Amendment Bill: first reading—Public Works: in committee.

The SPEAKER took the Chair at 12 noon.

PRAYERS.

The Minutes were read and confirmed.

## LIBRARY.

The COLONIAL SECRETARY (Hon. F. P. Barlee), by command of His Excellency the Governor, informed the Council that His Excellency had been pleased to sanction the sum of £50 being placed on the Estimates for the Library in connection with the House, on the same understanding as the items for the Queen's plate, Volunteer Corps, and horticultural and agricultural societies.

## ELECTRO-MAGNETIC TELEGRAPH COMPANY LIMITED.

Mr. SHENTON, in accordance with notice, moved that the letter from the Secretary of the Electro-Magnetic Telegraph Company Limited be taken into consideration.

Question put and passed.