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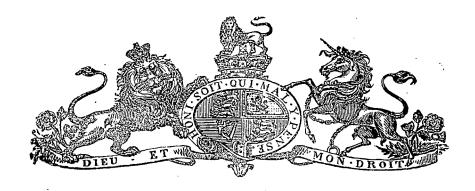
TASMANIA.

HOUSE OF ASSEMBLY.

CHRIST'S COLLEGE.

REPORT FROM SELECT COMMITTEE, WITH MINUTES, EVIDENCE, AND APPENDIX.

Laid upon the Table by Mr. Braddon, and ordered by the House to be printed, September 19, 1882.



SELECT COMMITTEE appointed, on the 24th August, 1882, to enquire into the Conditions upon which Endowments were made, and Scholarships created, for a College in Tasmania, established at Bishopsbourne, and to bring up a Report showing the intention of the Donors, and the Objects they desired to accomplish.

MEMBERS OF THE COMMITTEE.

MR. ARCHER. Mr. Gellibrand.

Mr. Braddon. Mr. Burgess.

Mr. Belbin.

MR. LETTE.

MR. REIBEY. (Mover.)

DAYS OF MEETING.

- Friday, August 25th.
 Tuesday, August 29th.
 Wednesday, August 30th.
- Friday, September 1st.
 Tuesday, September 5th.
- 6. Wednesday, September 6th.7. Thursday, September 7th.

WITNESSES EXAMINED.

- Mr. W. Lovett.
 Hon. T. Reibey.
 Mr. B. T. Solly.
- Mr. H. S. Barnard.
 Mr. Justice Dobson.

- 6. Rev. J. C. Whall.7. His Lordship the Bishop of Tasmania, (in writing.)

MEETINGS OF COMMITTEE.

No. 1.

FRIDAY, AUGUST 25, 1882.

The Committee met at 12.20 P.M.

Present.—Mr. Braddon (Chairman), Messrs. Reibey, Archer, Lette.

- 1. Mr. Braddon was voted to the Chair.
- 2. Witnesses to be summoned-Mr. W. Lovett, with papers, accounts, for Tuesday, 11 A.M.; Mr. B. T. Solly, for Wednesday, 11.30 A.M.

No. 2.

TUESDAY, AUGUST 29, 1882.

Present.—Mr. Braddon (Chairman), Messrs. Lette, Burgess, Reibey.

- 1. Minutes of last meeting read and confirmed.
- 2. Mr. William Lovett called in and examined.
- 3. Hon. Thomas Reibey examined.
- 4. The Committee adjourned at 12.40 till 2.33 P.M. on Wednesday.

No. 3.

WEDNESDAY, AUGUST 30, 1882.

Present.—Mr. Braddon (Chairman), Messrs. Reibey, Gellibrand, Lette, Burgess.

- 1. Minutes of last meeting read and confirmed.
- 2. Mr. B. T. Solly called in and examined.
- 3. Hon. T. Reibey further examined.
- 4. Resolved—That Bishop Bromby be requested to give evidence, either verbal or written.
- 5. Resolved—That the Secretary, Mr. Barnard, be summoned, with books and papers.
- 6. The Committee adjourned until Friday next, at 11 A.M.

No. 4.

FRIDAY, SEPTEMBER 1, 1882.

Present.-Mr. Braddon (Chairman), Messrs. Reibey, Gellibrand, Lette.

- 1. Minutes of last meeting read and confirmed.
- 2. Mr. H. S. Barnard called in and examined.
- 3. Hon. Thomas Reibey further examined.
- 4. The Committee adjourned until Tuesday next, at 11 A.M.

No. 5.

TUESDAY, SEPTEMBER 5, 1882.

Present .- Mr. Braddon (Chairman), Messrs. Archer and Lette.

- 1. Minutes of last meeting read and confirmed.
- 2. Written evidence from Bishop Bromby was laid before the Committee by the Chairman.
- 3. Mr. Justice Dobson was examined.
- 4. The Committee adjourned at 12.40 P.M. till Wednesday, at 11 A.M.

No. 6.

WEDNESDAY, SEPTEMBER 6, 1882.

Present.-Mr. Braddon (Chairman), Messrs. Lette and Reibey.

- 1. Minutes of last meeting read and confirmed.
- 2. Resolved-That the Rev. J. C. Whall be summoned for Thursday next, at 2:30 P.M.
- 3. The Committee adjourned till Thursday next, at 2.30 P.M.

No. 7.

THURSDAY, SEPTEMBER 7, 1882.

Present.-Mr. Braddon (Chairman), Messrs. Gellibrand, Lette, Reibey, Archer.

- 1. Minutes of last meeting read and confirmed.
- 2. The Rev. J. C. Whall was called in and examined.
- 3. The Hon. Thomas Reibey further examined.
- 4. The Committee adjourned at 3.50 P.M. till Tuesday, the 19th instant, at 3.30 P.M.

No. 8.

TUESDAY, SEPTEMBER 19, 1882.

Present.-Mr. Braddon (Chairman), Messrs. Archer, Lette, Burgess, Gellibrand.

- 1. Minutes of last meeting read and confirmed.
- 2. Draft report submitted and adopted.
- 3. Resolved—That the report be presented to the House this afternoon.
- 4. The Committee adjourned sine die.

REPORT.

Your Committee have held eight meetings, and examined seven witnesses. The examination of His Lordship the Bishop of Tasmania has, of necessity, been made through the medium of a series of written questions, the answers to which were received after His Lordship's departure from Hobart.

Important as is the subject of Christ's College in relation to the whole educational system of the Colony, the inquiry of your Committee has necessarily been restricted in its scope. The only points to be determined were—1st. Whether the College in its present form fulfils the purpose for which it was endowed; and 2nd. If the College as now constituted fails in this respect, what steps should be taken to give effect to the intention of the founders.

The evidence brought before your Committee, and notably the Minute of Sir John Franklin, approved by the Legislative Council (see Journals, 15 August, 1840), conclusively shows, in the opinion of your Committee, that the College in Macquarie-street is not such an Institution as was contemplated by those who endowed Christ's College.

Sir John Franklin's Minute shows that it was the intention to make Christ's College "an Institution at the head of the Scholastic Establishments of the Colony,"—the nucleus of a University, to which the Grammar Schools should act as feeders. "It will be essential," says Sir John Franklin, "to place it in the country, where the character of the discipline and the personal influence of the teachers will be more efficiently kept up than can be the case in the town." It was the intention to give it much of the character or prestige of a University, in that it was to have its own buildings, gardens, and library, its Fellows, its Scholars, and a recognised academic dress which was to distinguish the Scholars from other students. It was designed to be strictly undenominational; it was to be open to all sects of Christians; "and," says Sir John Franklin, "the Principal was not to impose the peculiar formularies of his own Church upon the children of such parents as might signify their objection to the same." Lastly, the Lieutenant-Governor, not the Bishop, was to be the Visitor; and in the Visitor, the Principal, and the Fellows, all property of the College (a College to be established by Royal Charter) was to be vested.

However good the teaching at Christ's College, Macquarie-street,—however great the educational advantages derived by a very limited number of students from that teaching,—it must be admitted, your Committee think, that that Institution is not the Christ's College which the founders contemplated, and affords no hope that it will ever fulfil the intentions of those who endowed it with money and property. And to your Committee there seems only one possible course by which the intention of the founders may, in time, be realized. That course is, to close the school which now bears the name of Christ's College, and to husband the revenue derived from the endowments until there are sufficient means and adequate opportunity of erecting the College on its own land, and maintaining a Collegiate body in conformity with the terms of Sir John Franklin's Minute. How much may be done financially by careful nursing of the College Estate has been shown in the past; but there is nothing in the past by which the great future possibilities of a Tasmanian University may be even surmised.

Your Committee strongly urge that this course be adopted, and to this end that Parliament be asked to pass an Act to protect the endowments, and to insure a wise and liberal constitution of the Institution; so that Christ's College may become, as was intended, a national College, the nucleus of a University, the seat and treasure-house of learning, and a permanent and national Institution.

E. N. C. BRADDON, Chairman.

Committee Room, September, 1882.

EVIDENCE.

Tuesday, August 29, 1882.

WILLIAM LOVETT, Esq., Colonial Auditor, examined.

- 1. By Mr. Braddon.—You are Colonial Auditor? I am.
- 2. You are a Trustee of Christ's College? I am.
- 3. How long have you acted in this capacity of Trustee? Since March, 1878.
- 4. Will you state to the Committee the position of the Christ's College estate when it was committed to the charge of Mr. Reibey in June, 1857. I am not aware. According to an entry in the cash book, there was a cash balance of £22 9s. 10d.
- 5. What was the position when you took charge, and on what date did you take the estate over? The cash handed over by Mr. Reibey amounted to £2564 7s. 3d.; in addition to that there was a sum of £500 lent on mortgage, at 6 per cent., on the Hazlewood estate, making together a sum of £3064 7s. 3d., and the rents of the Bishopsbourne estate, which were about £911 per annum when it was handed over. There was also the Acanthe estate at New Town, given by Lady Franklin, bringing in a rental of £30 per annum; a property at the Huon bestowed by the same lady; and one at New Norfolk, given by Captain Dumaresq as an endowment for a scholarship. I do not know what the two last-named properties bring in per annum. Messrs. Dobson and Mitchell collect the rents, and they have paid in a sum of £39 15s. for, I think, about a period of six months' occupation of the three properties. There was also a large library of books, which are at present in the hands of the Council. There were no liabilities when Mr. Reibey handed over the estate.
- 6. Will you briefly state the position of the Trust at present? The principal account stands thus,—Money invested in debentures, £2400; money lent on mortgage, at $6\frac{1}{4}$ per cent., £700; rent on the Bishopsbourne estate has increased to £1117 per annum. I cannot give evidence as to the expenditure of the whole estate, but, as far as the Trustees are concerned, the fixed expenditure is £75 per annum to the collector of rents for supervision and commission, £10 per annum to the secretary, insurance £23 5s. 6d., and half rates (the tenant also having to contribute his share). There are also sums expended on the improvement of property, which cannot be looked upon as fixed charges.
- 7. What amount of money has been allowed for improvements during the time you have had charge of the estate? £1274 8s. 8d.
 - 8. Have you any control over the net revenue after payment of all first charges? No, I have not.
 - 9. The net revenue is handed over absolutely to the Council of Christ's College? Yes, absolutely.
- 10. Will you state the amounts paid annually by Trustees to the College Council? For the year ending 31st March, 1879, £725; ditto 31st March, 1880, £240; ditto 31st March, 1881, £500; ditto 31st March, 1882, £1140. The last amount will be, in future, about the net sum paid over to the Council.
- 11. What has become of the College Library? I answer this question from what I have heard. The Trustees having no control over it, I believe it is in the hands of the Council. The library was never handed over to the Trustees.
 - 12. Can you give any idea of the value of that library? I cannot.
- 13. Are you aware of the conditions on which the endowments of this College were created. Yes, from having read the scheme of the Supreme Court under which we act.
- 14. I refer to the intentions of the original founders? I have no information in my hands to prove what the original intention of the founders was. Of course I have heard a good deal about it, but nothing that I can tender as evidence.
- 15. By Mr. Burgess.—Will you furnish a statement of principal account, and receipts and expenditure from the time you took over the Trust till the present time? I will. (See Appendix A.)
 - 16. By Mr. Reibey.—Do you know the amount that was spent on the equity suit? I do not.

Honorable T. REIBEY examined.

- 17. By Mr. Braddon.—You were at one time Managing Trustee and Treasurer of the Christ's College Estate? I was, from June, 1857, to the 21st March, 1878.
- 18. What was the position of the estate when you took charge of it? When I took charge of the accounts, in 1857, I found £22 9s. 10d. to the credit of the estate, and the amount of £10,906 14s. 11d. to

be paid. £6000 lent to the original Trustees by the Trustees of the Ripon Fund, at 6 per cent., formed part of this sum:—

Loan from Ripon Fund Trustees	6000	••	0
Salaries	309	10	1
Compensation awarded by Commissioners	1049	8	2
Wages, rents, and general debts	2135	3	8
Commercial Bank	120	0	0
Clerical Scholarship	480	0	0
Magistrates' ditto	225	0	0
Medical ditto	154	10	0
Pedder Fellowship	275	0	0
R. P. Stuart's Prize	65	0	0
Gell Fellowship	93	3	0

£10,906 14 11

The above does not include £300 paid by Rev. W. Dry for the endowment of the "Dry Scholarship." I could find no record in the College accounts of the payment of this £300, but the Rev. W. Dry has proved that he paid the amount to the original Trustees. It was misappropriated, and spent as the other Scholarship endowments were, in maintaining the College at Bishopsbourne. The annual income was £800, less certain rates and charges for improvements. The late Hon. J. H. Wedge was the tenant.

- 19. What was the position when you handed over charge to Mr. Lovett? I vouch for the correctness of Mr. Lovett's statement on this point (see Question 5), except as to the Huon property and Acanthe Estate, with which I had nothing to do, and consequently can know nothing as to the annual income attached to them.
- 20. Will you state what were the intentions of those who endowed this College? The original intention of the founders of Christ's College will be found in the Minute of the late Sir John Franklin, and also in Mr. Gell's report to His Excellency upon the College, submitted to the Legislative Council on the 15th August, 1840.
- 21. Can you give the names of those who endowed the College with money or land, and dates, approximately? I can give names, but not dates. The following were the English subscriptions:—

**			,	0			
•	£	3.		£	s.	£ :.	
S. P. C. London, per annum for	-		A. Beresford Hope, Esq., M.P.	100	0	George Frere, Esq 50 0	,
three years, £200	600	0	Mrs. Lawrence	100	ŏ	Right Hon. Lord Kenyon 50 . 0	
	000	•		100	ŏ	_ O	
The Society for Promoting	***	_	Rev. C. Marriott				
Christian Knowledge	500	0	Rev. J. P. Marriott	100	0	From Rugby	
Anonymous	500	0	Rev. Dr. Sprainger	100	0	Lodsworth and Kidford Rural	
Sir John Franklin	500	0	Rev. A. P. Stanley	100	0	Chapter 30 0	
From Cambridge	200	0	Joshua Watson, Esq	100	0	&c. &c. &c.	
By Rev. C. Wordsworth	168	5	Rev. C. Abraham	50	0	With a valuable collection of Books, to	
By Rev. J. Galton	116	3	Rev. E. Balston	50	0	the amount of £400, from the Rev. F.	
Rev. T. Bowdler	100	ŏ		50	0	V. Thornton and other friends.	
		- 1	Miss Champion		- 1	v. Thornton and other friends.	
Rev. E. Coleridge	100	0	Miss M. Champion	50	0		
E. S	100	0	Rev. John Cleaver	50	0	•	
And Colonial contributions	• • • •					,	
And Colonial Continuations						•	
	£	s.]		£	s. }	£ s.	
His Excellency Sir William		٠. ا	Mr. Toosey	30	0	Mr. Sams 15 0	
		- 1			ŏ		
Thomas Denison, £40 per	40	_	Captain Neilley	3 0	1		
annum	40	0	Anonymous	25	0	Mr. Von Stieglitz 15 0	
The Lord Bishop, £100 per		- 1	Mr. Wm. Carter	25	0	Mr. Thirkell	
annum for ten years	1000	0	Mr. Chapman	25	0	Mr. J. H. Wedge 15 0	
Mr. Clarke, £150 per annum			Mr. G. C. Clarke	25	0	Mr. Sorell 15 0	
for three years	450	0	Mr. J. Grant, allotment at		- }	Mr. Tarleton 15 0	
Mr. Kermode	300	ŏ	Avoca, valued £25	25	0	Mr. Webb 15 0	
		ŏ		25	ŏ	Mr. Bicheno 10 0	
Mr. Dry	150	٠,	J. T.		- 1		
Society for Promoting Christian		ا ہ	Mr. Jacomb	25	0	A Friend 10 0	
Knowledge, Hobart Town	150	0	Mr. Philip Smith	25	0	Dr. Gaunt 10 0	
Ditto, Launceston	100	0	Mr. J. Curwen Walker	21	0	Dr. Kilgour (additional) 10 0	
Mr. W. Archer	100	0	Mr. De Little	20	0	Mr. J. Hone 10 0	
Mr. Arthur	100	0	Mr. Goldie	20	ŏ	Mr. E. Lord 10 0	
Captain Fenton	100	ō	Captain Ogilvie	20	ŏ	Mr. Nutt	
	100	~			-		
Rev. S. B. Windsor, £10 per	100	_	Mr. G. J. Parker	20	0		
annum for ten years	100	0	Mr. W. T. Parramore	20	0	Mr. Walford 6 6	
V. D. Land Establishment	75	0	A Clergyman	15	0	Mr. Weedon 6 6	
Mr. Fleming, Attorney-General	50	0	B. C	15	0	Mr. St. John E. Browne 6 0	
Mr. Ashburner	50	0	Dr. Brock	15	0	Mr. Blyth 5 0	
Mr. Dowsett	50	0	Mr. J. Barnard	15	0	Rev. J. Buckland 5 0	
Mr. Groom	50	0	Mr. B. Berthon	15	ō	Mr. J. Burbidge 5 0	
Mr. W. Langdon, R.N	50	ŏ	Mr. E. Bisdee	15	ŏ	Mrs. Cox 5 0	
		ŏ					
Dr. Jeanneret	50		Mr. R. H. Browne	15	0		
Lieutenant Ritchie	50	0	Mr. J. C. Browne	15	0	Mrs. Fletcher 5 0	
Mr. Sharland	50	0	Mr. G. Butler	15	0	Mr. W. H. Goodwin 5 0	
Mr. R. V. Legge	50	0	Mr. A. Gardiner	15	0	Mr. G. Harrison 5 0	
Mr. F. Smith, Campania	50	0	Mr. W. G. Harrison	15	0	Mrs. Horne 5 0	
Mr. John Swan	50	0	Mr. R. Harrison	15	o l	Mr. De La Hunt 5 0	
Mr. T. Walker	50	ŏ	Mr. J. A. Eddie	15	ŏ	Mr. J. Fenton 5 0	
		-					
Rev. M. Williams	50	0	Mr. W. Henty	15	0	` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` `	
A Native Youth, who regrets			Mr. A. F. Kemp	15	0	Mr. P. H. Gell 5 0	
that such an Institution did			Mr. Kennedy	15	0	Mr. J. Hartnoll (annual) 5 0	
not exist 20 years ago	50	0	Mr. T. Lyttleton	15	0	Mr. J. Lester 5 0	
Mr. Wm. Dean	30	0	Mr. G. Maclean, D.C.G	15	0	Mr. A. Orr 5 0	
Mr. Greenhill	30	0	Mr. A. Marriott	15	ō l	Mr. Roope 5 0	
Mr. F. Martin	30	ŏ	Mr. Medland	15	ŏ	Lieut. Simpkinson, R.N 5 0	
	30	0			- 1		
Mr. Rowcroft	90	C)	Mr. Meredith	15	0 [Mr. H. Hull (annual) 2 2	

- 22. Were the funds of this endowment diverted from their intended purpose by the Supreme Court's decision in the equity suit in 1876? I believe they were.
 - 23. As a Trustee, you were a party to that suit? I was one of the defendants.
- 24. What necessitated action being taken in the Supreme Court? The fact of the Trustees refusing to consent to the reopening of Christ's College by the Bishop of Tasmania until the whole of the debts were discharged, all the scholarships' money, which had been misappropriated by the original Trustees, with accruing interest, recovered, and invested as intended by those who endowed the Scholarships, until the funds were available for the erection of suitable buildings on the College Estate, and until sufficient funds were at command to maintain the Warden and his necessary staff. We further objected to the Bishop's scheme to reopen Christ's College and associate it with the Cathedral in Hobart, making it a place for the training of the young men in the Colony for Holy Orders, the Divinity Lecturers bearing the title of Canon, and forming part of the Cathedral establishment, the students forming part of the Cathedral choir.
- 25. Were you, as one of the defendants, a consenting party to the decision arrived at by the Supreme Court in this case? This is a difficult question to answer. We were consenting parties inasmuch that, under the advice of counsel, we consented to allow new Trustees to be appointed, and also consented to a scheme for re-establishing and reopening Christ's College, but not for the reopening of the College in Hobart as at present constituted. We believed ourselves to be powerless, and would have retired altogether from the trust had we not felt that we might yet be instrumental in saving the real estate from injury; and we also wished to save the estate from being crippled by legal costs, as about £900 had already been lost to the College by the Bishop's equity suit, and to stay further proceedings and expense. We were advised to take the case on to the Privy Council, but this we declined to do, feeling that such a course might result in the whole estate being absorbed.
- 26. Was it the intention of the founders originally that Christ's College should be a denominational institution? No, most certainly not. The original object was to afford a liberal education to the sons of colonists, and to prepare them for the entering upon the study of learned professions; there were to be no religious tests, no interference with the consciences of either teachers or students, and no notice taken of the distinctions which exist between different classes of Christians. In the spirit of such a constitution the larger portion of the endowments were bestowed. I quote the following extracts from Sir John Franklin's Minute as laid before the Legislative Council, and approved of by that body, on 15th August, 1840, in support of this statement:—"1. The College should be founded for the encouragement of learning and piety; it should be permanently established by Royal Charter, and it should be regulated according to the most approved precedents among English scholastic institutions. 2. It should consist of a Visitor, the Lieutenant-Governor for the time being; a Principal, appointed by the Crown, and corresponding directly with the Lieutenant-Governor as Visitor; two or more Fellows, recommended for appointment by the Principal to the Visitor; and ten Scholars, selected by examination from the general body of students. 3. The Principal, with the advice of his Fellows, should enact and amend regulations with respect to the constitution, studies, and internal management of the College, subject to the approval of the Lieutenant-Governor as Visitor, principal, and Fellows. 5. The Principal should superintend the discipline and studies, and regulate the examinations of the College. He should make an annual report to the Visitor of its property and proceedings. He should give instruction in the Scriptures to all the students; and (as the object is that any one who may be at the head of this institution should himself be fairly dealt with as a sincere member of the church to which he belongs, and should be
- 27. Can you give the approximate value of the College library? It is so valuable that I feel myself unable to estimate its worth. Valuable presentations were made to it by the University of Oxford, Archdeacons Marriott and Davies, Mr. Gell, and many other liberal contributors.
- 28. Do you know what has become of this library, and whether it is in use? It has been removed to the Public Buildings, Hobart: I cannot say whether it is in use or not.

Wednesday, August 30, 1882.

B. T. SOLLY, Esq., called in and examined.

- 29. By Mr. Braddon.—You are Under Secretary, and a Member of the Council of Christ's College? I am.
 - 30. How long have you been a Member of Christ's College Council? From its first initiation.
- 31. Can you state what were the intentions of the Founders of this College? I cannot, as I took no interest in original scheme; my interest in the College commenced with the establishment of the Council.
- 32. What is the present condition of the College? Most unsatisfactory, not as regards its teaching power, but as regards its failure to secure the support of those for whose benefit it was intended.
- 33. How many students attend at present, and what has been the maximum number of students on the rolls at any one time? I think there are four; but I have not heard very lately.
- 34. To what do you attribute the failure of the College to secure public support? To the absence of any pressing demand for an institution of this class; to the small number who are induced to proceed with the higher branches of education after taking the A.A. Degree; and to the absence, in a great measure, of a taste for literary culture, for literature's sake.
- 35. Do you think that better success would be attained if this College were removed to another locality, or amalgamated with any other scholastic institution? I doubt if any great measure of success would be achieved, at the present time, by its removal to another locality; but I do think that its best chance for practical progress would be its amalgamation with some existing scholastic institution, forming, as it would, the crown of the whole educational edifice.
 - 36. How often do the College Council hold meetings? Quarterly, occasionally oftener.
- 37. Is the financial business, and all other important matters concerning the management of the College, transacted by the Council, or submitted for consideration and approval of that body? Yes.
- 38. Can you state what was the financial position of the College when it was established in Hobart and what the position is now? I am unable to give information on this point.
- 39. Can you say what the annual cost now is for maintaining the existing College? I think it must be between £900 and £950,—the Secretary could give you this information accurately; this amount is for salaries, &c., and quite distinct from the money for scholarships.
 - 40. There is a valuable library the property of the College? There is.
- 41. Where is that library at present, and in whose keeping? The Council have placed it in rooms hired for the purpose in the Town Hall building.
- 42. By Mr. Reibey.—You say you would advise attaching Christ's College to some established school—to which, the Hutchins' School in Hobart or the Launceston Grammar School? To either of them.
- 43. If attached to the Hutchins' School, Hobart, would not injustice be done to the Launceston Grammar School? Possibly, because I am of opinion that if arrangements were made by which the education, commenced in the Grammar School, might be completed in the College up to the standard of the examination for the Scholarship, parents would be induced to send their boys to that institution and keep them there.
- 44. Are you not aware that the Founders of Christ's College intended it to be on its own property in the country, and fed by the schools of Hobart and Launceston? I cannot say I am aware of it.
- 45. By Mr. Gellibrand.—By whose authority was Christ's College opened in Hobart? By the Council's authority, and at the Bishop's suggestion and instance.
- 46. Was it intended for the training of candidates for Holy Orders? Not solely, but partly. It was the intention of the Council to include the education or training of candidates for Holy Orders in the curriculum of study.
 - 47. Is that system carried out? One candidate has been so trained.
- 48. You have proposed that the College should be amalgamated with some existing school: please give your reasons? Because at present it is doing but little good, and that little at a heavy cost, while if it continues as a separate institution it must either die of inanition, or by opening its doors wider, and lowering its status, it must more or less injuriously affect all the existing Grammar Schools, which are doing good work so far as their teaching power extends.
- 49. By Mr. Braddon.—Have any of the few pupils of Christ's College distinguished themselves in competition for Scholarships or the A.A. Degree? I am not aware that they have, but very few, if any, went in for the A.A. Degree after instruction at the College.

Honorable T. REIBEY called in and examined.

- 50. By Mr. Gellibrand.—Did you personally give any money to the College? I did.
- 51. When you gave your money what did you think would be the object of the College? A National Public School and the nucleus of a University.
- 52. By Mr. Braddon.—What were the causes of the College at Bishopsbourne being closed? Debt, from mismanagement of the trustees and those in authority, and a prejudice which had gradually gained ground against the institution; and also its isolated position was against its success.

- 53. How was the Bishopsbourne College attended during the time of its existence: can you give the maximum number of pupils on the roll at any time? I cannot say from memory, but at one time there I believe Mr. Stephens can supply this information.
- 54. The failure of the College as to its finance resulted, then, from some mismanagement? Certainly, from gross mismanagement.
- 55. Are you aware of all the circumstances attending the establishment of the College in Hobart? No, I know nothing of either the Council's or Bishop's movements; I was never consulted, I only know what Mr. Solly has just told the Committee.

FRIDAY, SEPTEMBER 1, 1882.

The Honorable T. REIBEY further examined.

- 56. By Mr. Braddon.—Were you a trustee at that time? I was, and am still.
- 57. Was any co-trustee of yours consulted in this matter? Not to my knowledge.
- 58. Did any of the founders or trustees protest against the establishment of the College in Hobart on its present conditions? Yes. I place before the Committee the following letter from Mr. John Philip Gell; extracts from a letter of Archdeacon Marriott; and extracts from Notes on a Bill to incorporate the Wardens and Fellows of Christ's College, by myself, in support of this statement:—

St. John's Lodge, Notting Hill, October 18, 1864.

MY DEAR MR. ARCHDEACON,
THE Bishop of Tasmania, in a circular dated Cheltenham, 12th July, 1864, has offered a suggestion about the College being connected with the Cathedral, which, if it meet the wishes of the Church as expressed in Synod, he proposes to carry out. The original abstract of statutes, as approved by the originators of Christ's College, will be found in pp. 6-7 of the enclosed pamphlet. The abstract was circulated before any subscriptions were collected, and during the time I served the College I always felt bound to maintain the abstract as a fundamental compact among the supporters of the College. "None of the matters therein set forth" (so the document runs) "can be in any way altered but by the special authority of the Bishop." But he neither convenes nor presides at College meetings, wherein alone the regulations and by-laws can be discussed. It appears impossible, then, to transfer to the Synod what belongs to the College, or to permit the discussion of so important a point as the union with the Cathedral to be settled in the absence of those thirteen members of the College for whom you hold in trust a considerable amount of property. siderable amount of property.

Until therefore the Bishop has appointed a Warden, the Warden a Senior Fellow, and those two again have named two Honorary Féllows, and the four have named three candidates for Holy Orders as Divinity Fellows, and the seven again have selected three senior and three junior scholars, I hardly see how you and your fellow trustees can recognise anyone, whether Bishop or Synod, as having any claim on the funds; and certainly no change of regulations can be discussed, or anything of that kind presented to the Bishop for his sanction. I trust you will pause, in the exercise of your undoubted authority as Trustees, before you accept any nominations to the above-mentioned College vacancies; and that you will await until there are no debts, and until there are funds enough accruing to house and feed those thirteen persons (at least all the residents), and to give them their statutable stipends set forth in the abstract. I trust you will not again commit the indiscretion of beginning before funds are all in hand, as I and my co-adjutors were obliged to do. It will be for the College when established to discuss its own union with the Cathedral, subject to the Bishop's giving or withholding his authority for the completion of the plan should it be agreed on. agreed on.

You, I think, have known all the circumstances of the College too well to think of beginning again till all is clear in the way of funds, the debt extinguished, the premises built or bought, and the income equal to the payment of the stipends and the moderate battels or maintenance of the College table and common rooms. And you have known the Colony well enough to agree with me in thinking that the College will do best on its own property, at some distance from the capital, after the type of Eton, Harrow, or Rugby, also superior (if we may believe the report of the Royal Commissioners, and the general opinion of the country) to Winchester, Westminster, or St. Paul's, which are Cathedral schools. And as for the rest of the Cathedral schools, how completely are they all driven out of the field by their unendowed competitors! while, Durham, which should be first, is at this moment in a state of collapse. If the College will throw itself into the Cathedral, and the Bishop permit it, there can be nothing more to say. But I am confident the money of our subscribers was placed in your hands with no view of helping Cathedrals and Cathedral dignitaries, but of giving the ablest of the colonial boys a home of sound Christian learning. It was for the children of Tasmania, and not for the Church of Tasmania, in the first instance, that the effort was made, and it was from the reliance the colonists felt on the true spirit of the Church in not seeking her own things, but theirs, that no small portion of their efforts arose. It was with the feeling that the Bishop would be tempted to think more of the Church or Cathedral than of the College, while the Warden would be more bound to the parents and sons of the Colony, that the Bishop was not made President and Convener, but the Warden; and the latter's consent was made necessary to everything, the former's only to changes in the abstract of statutes. in the abstract of statutes.

What is to be done with the Hutchius School if a Cathedral School is to be established at the bottom of the same street? and if the two are to be merged in one, what share of the College spoil will go to the Launceston Grammar School, whose claims are on the same footing? Many thanks for your letter received some weeks ago at Albbro'. I hope you will take advantage of your influence and position as College Trustee to protect the wishes and intentions of those who originally endowed the College. Your Trust Deed is plain enough, and you are quite beyond the power of the Synod, or even of the Bishop, until your estate is sufficient to provide for the Warden and Fellows and scholars. When constituted, they must be the arbiters of their own site, subject probably to the Bishop's approval. I hope such a site may be provided for them in due time that they could not expect the Bishop will press it any further. expect the Bishop will press it any further.

I remain, my dear Mr. Archdeacon, Most truly yours,

JOHN PHILIP GELL.

-No tests are required for admission for Scholarships or for candidates for Holy Orders, so far as the College is con-Would this suit the Cathedral School? P.S.-

EXTRACTS from Archdeacon Marriott's Letters, 17th November, 1864.

Will you, then, kindly tell your Bishop from me that I beg with all dutiful respect to suggest two or three points for his serious consideration.

First.—I think he has somehow been misinformed as to the principal and original purpose of the College having been to train young men in the Colony for Holy Orders. On this hinges very plainly the idea of connecting it with the Cathedral; but it must be remembered that the original design of the College was to make it the great Public School of the Colony, and that design has never been abandoned.

When I was about to visit England in 1844, by the Bishop's desire, Mr. Gell, despairing of the Government scheme being carried out, was seriously bent on leaving the Colony. It was on other business connected with the Convict Department that the Bishop sent me home, but I talked with Mr. Gell of our opportunity, and urged him, when the Government failed, to look to the Church at home and in the Colony, and I begged him to wait patiently one more year the result of an appeal to the English Church.

It is true that in the appeal then made the idea was suggested of making the College available for the education of young men for Holy Orders, but that this was never intended to supersede the object for which Mr. Gell had been recommended by Dr. Arnold, and sent out by the present Lord Derby, when Colonial Secretary. I will leave the whole Colony to judge, not by my word for it, but by what they owe to Mr. Gell and the dearly honoured name of Sir John Franklin.

They are the founders of the College. It was my happiness, when the presence of a Bishop was the turning point in its fortunes, to help in connecting it with the Church rather than the Government, but that Christ's College is in other respects the College of Sir J. Franklin and Mr. Gell you may learn by this, that the latter waited and lived to be its first Warden, and the noble lead of Sir J. Franklin's subscription was what Churchmen at home could not refuse to follow.

By all means let the Divinity Fellows still have their place in it, but the Bishop should learn what was the original and principal object.

Secondly.—It was considered an essential point, almost, I might say, fundamental, that the College should be removed from a town and established in the country, with the protection of its own property surrounding it.

Often as I talked of old with the late Bishop of the possibility of forming the nucleus of a Cathedral establishment, it never, as far as I remember, entered his thoughts any more than my own to transplant the College to Hobart Town, or to avail himself of its revenues for such a purpose.

Thirdly.—The Bishop speaks of what may be the wishes of the Colony, and those of the Church as expressed in Synod. I have little doubt what the wishes of the Colony will be, and the voice of the Church in Synod must be in accordance with them, not to say almost identical. But I think, also, that the Church in Synod would shrink from devising any new institution for the College in forgetfulness of its original design, of the duty of the present Trustees, and of those rights which it was always contemplated and hoped to make chartered rights of the College Body, investing it with the life of a permanent succession, and the security of self-government, with the Bishop as Visitor.

Ever yours affectionately and faithfully,

F. A. MARRIOTT.

EXTRACTS from Notes on a Bill to incorporate the Warden and Fellows of Christ's College.

The acting Trustees received a letter, dated 30th October, 1872, from R. P. Stuart, Esq., a subscriber to the "Magistrates' Scholarship," and also the founder of an annual prize. He demands the repayment of his moneys by the estate with interest, and desires that the prize moneys shall be invested in the purchase of land for the endowment of his prize. He complains of the way in which the original Trustees misapplied his subscriptions, and of their not having "carried out the terms and stipulations on which his contributions were given." A copy of the last published accounts was sent to Mr. Stuart, now in England, with the memo. containing the debt to the Scholarships attached. On the 10th March, 1873, he writes, after thanking us for the copy of the accounts:—"I repeat my cordial thanks to the Trustees for the able and faithful manner in which they have administered the affairs of that encumbered and depressed estate, and to record, or repeat, my desire expressed in making the donation and acceded to by the College authorities in accepting it, that it might be appropriated "to the purchase of land whereof the College should be the proprietors or Trustees, for the purpose of appropriating the annual rental to the annual prize or prizes."

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The debt upon the estate at the present is as follows:—£1592 13s. paid to original Trustees towards the endowment of scholarships, etc., but expended by them in meeting current expenses; interest at 6 per cent. since April, 1857, upon £1592 13s.—£1514 9s. 4d., making a total of £3092 2s. 4d. to be paid by the Trustees from the rents of the estate. [Memo.—£500 of this sum has been paid off and lent on mortgage by Ritchie and Parker at 6 per cent.]

£500 of this sum has been paid off and lent on mortgage by Ritchie and Parker at 6 per cent.]

Is there a man in Tasmania who would dare to say, "This debt shall not or ought not to be paid?" I hope not! If so, then farewell to all contributions towards endowments!! I look upon the Bishop's action in this matter, action in which he has been pertinaciously consistent since I first met him in England, as a very clever attempt to get the income of Christ's College Estate under his control. I deprecate any such control being given to him. The Colony at large is interested in the matter, not only one section. Let Parliament hesitate before it creates a power which may be ready to violate the "object and intention" of liberal and noble minds. If the acting Trustees are unworthy—unfaithful—then let Bishop Bromby obtain power to appoint new Trustees. The present Trustees are not anxious to retain a trust which involves anxiety, trouble, and work without remuneration, and subjects them, as past experience has proved to them, to no light amount of ingratitude and suspicion. But so long as they continue to act they will not sanction a violation of their trust, and will resist every attempt on the part of the Bishop or the Synod to divide the "spoils" of the institution between the Cathedral Chapter or the Hutchins School. The future of Christ's College—its site, its constitution, its usefulness—are questions of deep and grave responsibility. Let the Parliament hesitate before it legislates or passes "private bills" to meet the wishes of "party," or to gratify the ambition of Bishops or Synods. Bishops or Synods.

THOS. REIBEY. 14th July, 1873.

59. How was this protest dealt with? By the Bishop requesting the old trustees to resign in 1871. The trustees consisted of Mr. Charles Arthur, Mr. J. D. Toosey, and myself.

60. What was the action taken by the trustees in reply to this? Mr. Charles Arthur and myself, who were the only acting trustees (Mr. J. D. Toosey having declined to act), refused to resign, and I wrote a letter to the Bishop, under date January 19, 1871, expressing this determination on my part. I lay a copy of the letter before the Committee.

Entally, January 19, 1871.

I have received your letter of the 17th inst., in which you tell me that the "Hon. Wm. Dobson has looked over the matter of the College—that there seems to have been no declaration of trust—that from two original pamphlets and other papers he has come to the conclusion that 'a College must be re-organised before any authoritative action can be taken—that the College must consist of at least three—a Warden, appointed by yourself, a Fellow appointed by the Warden, and a Fellow appointed by the two conjointly." You also tell me "these officers now exist, and in accordance with own as well as Mr. Dobson's advice the Trust (as indeed of all church properties) should, for simplicity's sake, be placed in the hands of Synod

You express the hope that I may influence my co-Trustees so as "to give effect to the wishes of the Warden and Fellows, who hold their offices provisionally, and at whose instance you now write."

In the year 1857 Christ's College was closed by the late Bishop. It was necessary to close it in order to save the estate. Heavy debts, in addition to the £6000 lent by the Ripon Fund Trustees, had been incurred, and ruin stared the institution in the face. The Visitor, anxious to save the estate, sought the assistance of the present Trustees—Messrs. Wm. Henty, J. D. Toosey, Charles Arthur, and Thomas Reibey, and urged upon them the acceptance of the Trust. It was, I believe, reluctantly accepted, involving as it did many aunoyances and many responsibilities. The lands were conveyed by the old Trustees to their successors;

and I know that those gentlemen were truly glad to be relieved of their responsibilities, and thankful to find any willing to relieve them. A declaration of trust was signed by the present Trustees. The deed is at Ritchie and Parker's, and clearly shows the terms of their trust. The Synod cannot interfere in any way, my Lord. The estate is not church property, but is held by the Trustees for special purposes. You, as Visitor, from the declaration of trust, have merely the right of acting in the direction of affairs in conjunction with the Trustees, but have no power of doing anything without them, except to place your veto upon their acts; and you will find that the payment of moneys on account of the College rests entirely in the discretion of the Visitor and Trustees, so long as they keep within the scope and objects of the institution.

And now, my Lord, after years of care and work, what is the state of things under the management of the present Trustees? Why this:—An insolvent estate made solvent—the whole property improved—a good tenantry secured, under the wise management of Mr. Pike, the Trustees' agent. More than this. All outstanding dobts paid—the Ripon Fund mortgage reduced from £6000 to £1300, and every penny of interest paid up to the day. And yet, my Lord, after all—after years of anxiety, care, and work in saving this estate from ruin, you request me to resign my office of Trustee, "and to use my influence to induce my co-Trustees" to do the same, without even one word of courteous thanks for all our labour—without one word of information as to where or when the institution is to be resuscitated—without any intelligence as to who is the Warden and who are the Fellows. No, my Lord, I decline to resign the trust. I decline to convey the estate to Synod Trustees. I send a copy of your letter, and of this, to my co-Trustees, Messrs. Toosey and Arthur.

I am obediently yours,

The Right Rev. Bishop Bromby.

THOS. REIBEY.

The Bishop thereupon commenced a suit in equity against us.

H. S. BARNARD, Esq., called in and examined.

- 61. By the Chairman.—You are Secretary and Treasurer of Christ's College Council? I am.
- 62. How long have you held those offices? I was Secretary in 1879, and Treasurer since January, 1880.
- 63. Can you give the number of students who have attended Christ's College at various times since its establishment in Hobart? Yes; there were 8 in 1880, 7 in 1881, and 6 at various periods during the current year, of which there are 4 remaining at present.
- 64. Can you give the maximum and minimum numbers of students attending during each year? I cannot say, without reference.
 - 65. All expenditure on account of the College passes through your hands? It does.
 - 66. Under what authority is expenditure incurred? On the authority of the Council solely.
- 67. Can you say what the annual expenditure has been for the years 1880, 1881, and 1882 to date? For 1880, £1132 8s. 7d.; 1881, £1086 17s. 6d.; 1882, up to 1st September, £616 1s. 6d. This expenditure includes amounts paid for Scholarships.
- 68. Are there any credits to set off against this expenditure? Yes. In 1880 the College fees received amounted to £126; in 1881 to £132; in 1882 up to the present date, £55 10s. The fact that a reduction has been made in the authorised fees will account for the smallness of the latter amount.
 - 69. There is a Scholarship endowment in connection with the College? Yes, there is.
- 70. How has that fund been applied? In the payment of the various Scholarships; and after they have been provided for, any surplus is placed to the credit of the general funds of the College. The following Scholarships have been awarded and paid for in 1880:—The Pedder Scholarship, £20 per annum, tenable for three years; in 1881, the Dumaresq Scholarship, of £15 per annum, tenable for three years. In addition to the Pedder Scholarship in 1882, there were two other Scholarships taken up,—the Clerical and the Magistrates, £20 per annum each, tenable for three years; thus making the amount payable for this year, £60.
- 71. These Scholarships can only be competed for by students of Christ's College? By students and others, subject to certain restrictions laid down in the scheme.
- 72. How many students competed for the two Scholarships of 1882? There were two candidates for the Clerical Scholarship and one for the Magistrates'.
- 73. By Mr. Lette.—Is the College library used in connection with that establishment? It is open to the students if they choose to avail themselves of it.
 - 74. Where is the present College situated? In Macquarie-street.
 - 75. Is it leased? Yes; at a yearly rental of £90 per annum.
- 76. Are you aware of its extent, and the amount of accommodation for students which it provides? I cannot say definitely, but believe the accommodation is sufficient for the present number of students.
 - 77. Does the Warden live on the College premises? Yes, he does.
- 78. By Mr. Gellibrand.—What is the number of masters employed in the College? Three: the Warden, the Mathematical Master, and an additional temporary instructor of modern languages, receiving eight guineas a quarter.
- 79. Will you furnish the Committee with a statement showing the receipts and expenditure of the College for the year 1881? I will do so.

ABSTRACT of Receipts and Expenditure of the Council of Christ's College from the 1st January to the 31st December, 1881.

Receipts.	\pounds s. d.	Expenditure.	£	s.	d
Balance from 1880	199 13 2	Salaries	820	_	-
Trustees of Christ's College	1000 0 0	Rent	105	_	_
Ditto, on account of "Scholarships"	140 0 0	Extra Tuition	40	-	-
College Fees	132 0 0	Printing and Advertising		10	
		College Library		19	_
		Legal Expenses	2	_	6
•		Pedder Scholarship	20		
		Dumaresq ditto		_	
		Gell Prize	10		-
		Stuart ditto	5		0
	•	Miscellaneous	20	17	2
			£1086	17	6
• •		Bulance	384	15	8
	£1471 13 2		£1471	13	2
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H. S. BARNARD, Treasurer Council of Christ's College. Lobart, 1st September, 1882.

Tuesday, September 5, 1882.

MR. JUSTICE DOBSON examined.

- 80. By Mr. Braddon.—You are acquainted with the history of Christ's College from the time of its foundation? Yes, I was a boy there at a very early period.
- 81. Was the College at Bishopsbourne a success as to attendance of students? During my time at the College there were never more than six boys attending the College, and about twenty in the school,—the establishment embracing both College and School. The College was opened in October, 1846. I joined it in February, 1847, and I remained there for eighteen months.
- 82. Can you say what was the maximum number of students on the College rolls at any time? I never knew them to exceed thirty.
- 83. To what causes do you attribute the necessity of closing the College at Bishopsbourne? Its expenditure was on too extravagant a scale, and too many officers were retained; two masters would have been ample to instruct the number of boys in attendance; the style of living and management were too extravagant; there were other causes which precipitated its closing, but its financial difficulties were of an overwhelming nature. The College had no buildings on its own estate, but were allowed to occupy the homestead on Bishop Nixon's property, which adjoins it, and expended several thousand pounds in erecting two additional buildings thereon. The £1000 appearing as Bishop Nixon's subscription was simply really rent for the property, on which the College had spent large sums in improving.
- 84. Have the College Trustees any title at present in the buildings erected upon the Bishop's property? None whatever.
- 85. What were the circumstances under which the existing College in Hobart was opened? The administration of the Trust was brought before the Court; a scheme was then prepared. In the preparation of that scheme the College Trustees were represented; the Colony was represented by the Attorney-General, who was made a party to the proceeding for that purpose; the Bishop was also represented in his capacity of Visitor, and I think the original subscribers also by some member of their body. The scheme having been settled and agreed to by the Counsel representing all parties, was brought before the Court and approved of by it subject to a slight immaterial alteration.
- 86. Was any protest lodged against this proceeding by any of the Trustees? No, the Trustees all absolutely assented to it, through their Counsel.
- 87. Was it ever contemplated by the Founders that the College should be a Church of England institution pure and simple? I do not think that any test on admission was contemplated, but it was necessary that every one on the College roll should obey the rules and regulations of that establishment, which enjoined that all should attend the Church of England service morning and evening; representatives of all denominations were compelled to obey this rule. During Passion week regular lessons were discontinued, and we had to learn the collect, epistle, and gospel for the day instead.
- 88. What was Bishop Bromby's scheme of management of the College? Toannex it to the Cathedral to form part of that institution. It was to be a very close connection, the precise form and mode of which was I think not precisely settled.
- 89. How far were Bishop Bromby's proposals carried out in this direction? Not at all; he abandoned them when he became aware of the true state of the case. His ideas were formed before he came to the Colony.
- 90. Do you think that the College in Hobart holds out any hope of future success? I do not see why it should not succeed, as far as a College can possibly succeed in Tasmania. I think the desire for higher education will increase, and if encouraged, will do so with a reasonable rapidity, and then a college will be a useful institution.
- 91. You consider that this result will be attained without any change in the locality or system of the College? If circumstances all remained as they are at present, progress would be slow, though I believe it would be sure; but I think more might be done to advance the interests of higher education in the Colony, and in that case the progress would be more rapid.

- 92. Is the private dwelling-house which now is known as the College, such a building as could be desired for this purpose? Certainly not.
- 93. Do you think that a College without traditions, without a fitting building, and with only three or four students, is calculated to impress the public favourably? I think the character of the teaching ranks before all; the other elements are not calculated to impress the public favourably.
- 94. By Mr. Archer.—Do you not think that the College, as at present constituted, is likely to interfere with such institutions as the Hutchins School and Church Grammar School? There is in Hobart at this moment only one institution which can educate to the standard of the Tasmanian Scholarship. It is a private institution, and may at any moment discontinue that course of instruction. The College is a public institution which would always ensure teaching-power sufficient to educate up to the Scholarship.
- ANSWERS to written Questions supplied to His Lordship the Bishop of Tasmania, 1st September, 1882.
- 1. In June, 1864, you made an appeal to the public of England for assistance to the Diocese of Tasmania, and in that appeal did you circulate the following in the matter of Christ's College:—"The plan has been suggested for associating 'Christ's College' with the Cathedral as far as its principal and original purpose is concerned,—for training young men in the Colony for Holy Orders; Divinity lecturers, under the title of Canons, would in this case form a part of the Cathedral Establishment, and the students form the nucleus of a Cathedral choir"? I did so, in consequence of such information as I then possessed. That information included very large grants from the Church Societies, and the personal exertions of Archdeacon Marriott for the encouragement of education in the principles of the Church of England.
- 2. Who suggested the associating Christ's College with the Cathedral? No one has ever suggested it in the sense in which I understand the question.
- 3. Did the late Bishop or any of the late Wardens of Christ's College, J. P. Gell, F. H. Cox, S. B. Windsor, or Filleul, suggest such an association? See reply to last question.
- 4. Did Mr. Reibey, late Acting Trustee and Treasurer of Christ's College, protest against the suggestion of associating Christ's College with the Cathedral in Hobart when you met him in England in 1864? I have no such recollection, and when I heard many years after that Mr. Reibey had so protested, I denied the statement. Mr. Reibey's name appeared in the advertisements inviting and offering to receive subscriptions, the above quotation being a part of such advertisements.
- 5. Did he inform you that he would exert all his power as a Trustee to prevent such action on your part? Most assuredly not. The suggestion quoted above, limited to Divinity students, is in accord with English precedent, but it is altogether outside the scheme of the College, is no part of its constitution, and may or may not be acted upon as its managers see fit. I altogether fail to see the relevancy of the above five questions.
- 6. How was the Rev. Mr. Whall engaged,—upon what terms, conditions as to length of period, and salary? By the Council, and upon terms fixed by the said Council.
- 7. Was he led to believe that he was to be the Warden of a College directly associated with the Cathedral? It is not associated with the Cathedral by any express mode whatsoever. If it ever becomes so, the Cathedral (quoad Divinity students) may subserve the College, but no one ever dreamt of making the College subservient to the Cathedral in any sense whatever.
- 8. How far, as Visitor or otherwise, have you been concerned in the management of the College? In exercising my right as such to approve of the Council's election of the Warden, and in no other particular whatsoever.
- 9. Have any other than the Church of England students entered the College since its establishment in Hobart? I cannot say, but there is less impediment in their way than before the College was closed. (I recommend that some old student, e.g., Mr. Justice Dobson, be examined in evidence of this assertion.)
- 10. Do you think the College as at present existing fulfils the conditions of the original founders? In some measure, and would have done so to a greater degree but for the springing up of other institutions while it was suspended,—incorporation with one of which I recommend.
- 11. Do you think the College as at present established has been successful, or promises to secure the object aimed at by the founders? It promises so to do, when the Colony has learnt to value education for its own sake, and when the Legislature has taken measures for encouraging study by granting degrees and admitting to public offices young men who do not desire to compete for the English scholarships. The College would increase in usefulness if the Parliament were to institute lectureships upon natural sciences.
- 12. When Mr. Whall was appointed, was he led to understand his duties to be the training students for Holy Orders? I must refer you to the Council,—I have nothing to do with the management of the College, except as Visitor. By the scheme I have power to appoint a separate and distinct teacher in Divinity if occasion require.
- 13. Have any of the students of Christ's College distinguished themselves in other competitive examinations? See last reply.
- 14. Do you think the number of students attending Christ's College justifies either the expenditure generally or the number of scholarships awarded to successful competitors in College examinations? I deprecate undue haste. The College has had to contend with very exceptional difficulties, which claim at the hands of its well-wishers every encouragement serving the purposes of its institution—the furnishing a liberal education to all comers, and a special education to candidates for Holy Orders in the English Church

THURSDAY, SEPTEMBER 7, 1882.

REV. J. C. WHALL examined.

- 95. By Mr. Reibey .- You are the Warden of Christ's College? I am.
- 96. Upon what terms and conditions were you engaged by the Council as Warden of Christ's College? Upon such terms and conditions as are involved in the "Scheme for the future Constitution of Christ's College" published in 1877, copies of which were sent to the Commissioners appointed in England to elect a Warden. The following recommendations being also added:—
 - (1.) That the fixed salary of the Warden be not less than £500 per annum, and that a residence be provided by the Council, if possible within the College buildings.
 - (2.) That the Warden shall preside, as soon as the necessary arrangements can be made, over the domestic life of the students who may be in residence.
 - (3.) That there be held out to the Warden the prospect of a gradual increase in his salary by means of capitation fees or otherwise.
 - (4.) That the Warden be allowed to receive boarders, under arrangements to be made thereafter, subject to the approval of the Council.
 - (5.) That the engagement be for five years at least, and that should it be found necessary to terminate the engagement for any other reasons than misbehaviour, the Warden be entitled to one year's salary as compensation for loss of office.
 - (6.) That the Warden on his part be required to give twelve months' notice of his intention to resign his office.
- 97. Were you led to believe that as Warden of Christ's College you were to be directly associated with the Cathedral? No, I was not.
- 98. You did not believe that Christ's College was to be subservient to the Cathedral in any way? No. I knew that there had been such an idea in the mind of the Bishop; but I was given to understand there was a strong feeling in the colony against such a connection.
- 99. What management has the Bishop, as Visitor, assumed? Practically none. Bye-laws have to be submitted to him for his approval, but beyond that he has not attempted to interfere with the general management of the College.
- 100. How many scholars have you at present? Three; though there is another who is a scholar of the College, but is absent from illness.
- 101. How many Assistant Masters have you? Two; one a Mathematical Master attached to the College, the other a Visiting Master for French.
 - 102. Is the Mathematical Master a Sub-Warden? No.
 - 103. Are there any Divinity Fellows? No.
 - 104. Have any other than Church of England students entered the College? Yes.
- 105. Do you require students to attend services of the Church of England? No; the only restriction is that boarders have to attend morning prayers, which are supposed to be taken from the Prayerbook.
 - 106. You do not impose any religious test before admittance? None whatever.
- 107. Do you consider your work to be specially the training of young men for Holy Orders? No; but I consider it to be a branch of my work.
- 108. Do you think the College as at present existing fulfils the conditions of the original founders? That is a question I am unable to answer.
 - 109. Do you think the College has been a success since opened under your Wardenship? No.
- 110. Why do you not think it has been a success? Because there does not seem to be any particular province for it to fill over and above that occupied by the present Grammar Schools of the island.
- 111. Do you think the number of students justifies the large annual expenditure? Only in the hope of a prospective increase.
- 112. Could you now from your experience point out any means by which Christ's College might be made more successful? My chief idea on the subject is that it should be attached to one of the existing schools so that the two might form one institution; either that, or to put it on the same footing as the other educational establishments of the colony.
- 113. Which of these two courses would you recommend? The first, if practicable, because it would then make one very fine institution.
- 114. Do you think the College would be more successful on its property out of the city, or in a city? As far as I can judge, that would entirely depend upon the constitution of the College. If it was made a mere school then I think it would succeed better in a town, as being nearer the source of supply. If a College, fed by the different Grammar Schools of the colony, then I think it might be equally successful on its own estate. Supposing it were to be attached, as before suggested, to one of the Grammar Schools, then I think the site should be selected as close as possible to the school with which it would be associated, and in that case the Warden should have the supervision of both establishments, the College forming the upper school, the Grammar School the lower one.
- 115. You have suggested that the College should either assume the character of one of the existing Superior Schools, or be amalgamated with one of those. Do you think that either of these causes would be preferable to the constitution of a College to which the Grammar Schools should be feeders? In theory

No: in effect, Yes. The difficulty involved in the last suggestion seems to me to lie in the impossibility, even if it were thought desirable, of forcing the Grammar Schools to send their students to the College on their attaining a certain standard of efficiency. To enforce this would, I think, involve an unwarrantable interference with their liberty of action: while, on the other hand, such jealousy of the College seems to exist as would render anything short of compulsion ineffective. The schools, moreover, profess to carry on, and do carry on, the general education of the youth of the colony as far as the present demand requires, and would be unwilling to lower their standard in order to give the College a separate sphere of action.

116. Do you think that a College opened in the public buildings of Barrack Square, having a Chair for Natural Science, or other additions to its teaching power, would be likely to attract any large measure of support? I think it might. I cannot help thinking that one of the great drawbacks which at present interferes with the success of the College is the fact of its having no building to point to as an outward and visible proof of its existence. I think also that if, while maintaining its present course of education, it were to endeavour at the same time to give some assistance in such other directions as the growing requirements of the colony might suggest, its utility and likewise its popularity might be largely increased. At the same time I would not be too ambitious: the time for establishing "Professors" has hardly arrived; and I would suggest the desirability of making use for the present, if they be available, of the services of some of our professional men as occasional lecturers in the various subjects which it might be thought desirable to encourage. Regularly established "Chairs" might come in time, if circumstances seemed to warrant them.

117. Have you any further suggestions to make as to means by which the College could be made a success? I think that all the suggestions I am at present prepared to make are included in the above replies. My great idea is, that it should be made of practical utility by assisting in aiding the gradual development of the colony.

FRIDAY, SEPTEMBER 8, 1882.

The Honorable THOMAS REIBEY further examined.

118. By the Chairman.—Have you any additional information or suggestions to offer to the Committee? In Question 85 Mr. Justice Dobson says the scheme of Christ's College having been settled and agreed to by the Counsel representing all parties, was brought before the Court and approved of by it subject to a slight immaterial alteration. The acting Trustees, Messrs. Charles Arthur and Thomas Reibey, were consenting parties thus far Their legal advisers instructed them they had no power to resist the direction of the Court unless they continued the suit in equity, which, as it would probably involve its being carried on to the Privy Council, and involve the estate in heavy liabilities, they reluctantly agreed to their counsel consenting to a settlement of the law suit. The scheme followed in consequence. Again, the Bishop, in answer to Question 4, states that he had no recollection of my protesting against the association of Christ's College with the Cathedral in Hobart. When in England in 1864, on the day before Bishop Bromby's consecration, I accompanied him from London to Canterbury. I then assured His Lordship that I would use all my efforts as a Trustee of Christ's College to prevent his intention being carried out. I showed him five letters which I had received from Messrs. Gell, Windsor, Filleul, Arthur Marriott, and Archdeacon Marriott, written to me in consequence of my having solicited their opinion upon the plan suggested by the Bishop of associating Christ's College with the Cathedral in Hobart. In all these letters the Bishop's suggestion was condemned as being contrary to the intention of the original founders. Since my return to Tasmania, in 1871, I published a pamphlet containing a copy of all these letters except the late Arthur Marriott's, which the Bishop asked me to leave with him, promising to return it, and did not. A copy of this pamphlet was sent to the Bishop. Again, in July, 1876, when requested to offer suggestions with regard to the future of Christ's College, I wrote the following let

Entally, July 4, 1876.

It is very difficult, suffering as I am, to sit and write,—I cannot do so without increasing my pain. Still I will endeavour to jot down a few thoughts with regard to the future of Christ's College. My interest in its future is as great as it over was, and I desire to see the College, if I live long enough, such an institution as will be acceptable to the people of Tasmania, when re-opened, commanding the confidence of all denominations, and what in fact its original promoters and endowers intended it to be, viz., "a power in itself"—"the seat and treasure-house of learning"—"a permanent and national institution"—the nucleus of a future University—the pride of Tasmanians. Now if it is to become this, the Bishop of Tasmania must not be permitted to make it, as he has desired to do, simply a Church of England institution connected with the Cathedral in Hobart Town, "sectarian" and "exclusive"—for "training young men in the Colony for Holy Orders" only—for supporting "Divinity lecturers," under the title of "Canons"—making the College to form part of a Cathedral Establishment and the students to form the nucleus of a "Cathedral Choir." It is against this attempt of Bishop Bromby to make the College and its income subservient to purely Ecclesiastical purposes in connection only with the Church of England, to the exclusion of all other religious bodies in the Colony, that I have protested ever since he first put forth his intentions on the 8th July, 1864.

In the words of its first Warden, Mr. Gell, "the money of our subscribers was placed in your hands with no view of helping

In the words of its first Warden, Mr. Gell, "the money of our subscribers was placed in your hands with no view of helping Cathedrals and Cathedral dignitaries, but of giving the ablest of the Colonial boys a home of sound Christian learning." It was tor the children of Tasmania, and not for the Church of Tasmania, in the first instance that the effort was made, and it "was from the reliance the Colonists felt in the true spirit of the Church in not seeking her own things, but theirs, that no small portion of their efforts arose." And it is worthy of remark that Mr. Gell, the first Warden of the College, selected by the late Dr. Arnold, and sent out to the Colony by the late Lord Derby when Colonial Secretary, must have feared and foreseen the very attempt which has been made by Bishop Bromby, when he gave utterance to the following:—"It was with the feeling that the Bishop would be tempted to think more of the Church or Cathedral than of the College, while the Warden would be more bound to the parents and sons of the Colony, that the Bishop was not made President and Convener, but the Warden, and the latter's consent was made necessary to everything, the former's only to changes in the abstract of statutes."

A coroll parents and son and promoters and endowers of Christ's

A careful perusal of all printed papers and pamphlets issued to the public by the original promoters and endowers of Christ's College must convince any man of common sense that the College was never intended to be an ecclesiastical institution connected with the Cathedral Church of the Diocese, but, to quote the words of the first Visitor, Bishop Nixon, "It was explicitly stated to the public and subscribers, both in England and the Colony, that 'the distinctive character' of the College will lie in its being a Collegiate body, formed of the Wardens, Fellows, and Scholars, the guardians of learning, with property to insure a perpetual

succession of such men, and, eventually, with College buildings, to be the seat and treasure-house of learning. The intention, therefore, is to form a Collegiate body, possessing property (by Royal Charter when it can be obtained, till then in trust), and to be the source of education to the Colony in the principles of the Church of Christ and in all useful knowledge."

Now mark how clearly Bishop Nixon speaks of the "distinctive character" of Christ's College. He says, "It was upon the understanding, of course, that this 'distinctive character' would be maintained, that such liberal donations of money and books were made in answer to Archdeacon Marriott's letter of November 17, 1864." And on reference to Archdeacon Marriott's letter of November 17, 1864, I find the following important statement as affecting the original design of the College. Referring to Bishop Bromby's Circular dated the 8th July, 1864, issued to the English public, he says, "First—I think he has somehow been misinformed as to the principal and original purpose of the College having been to train young men in the Colony for Holy Orders. On this hinges very plainly the idea of connecting it with the Cathedral. But it must be remembered that the original design of the College was to make it the great public school of the Colony, and that design was never abandoned. Secondly—It was considered an essential point—almost I might say fundamental—that the College should be removed from a town and established in the country, with the protection of its own property surrounding it. Often as I talked of old with the late Bishop of the possibility of forming the nucleus of a Cathedral Establishment, it never, as far as I remember, entered his thoughts any more than my own, to transplant the College to Hobart Town, or to avail himself of its revenues for such a purpose."

Upon reference to the letters (see pamphlet No. 2, published by me) of Messrs. Gell, Marriott, Windsor, and Filleul, all Wardens of Christ's College, it will be found that the "distinctive character" of the College is clearly and unmistakably upheld and substantiated. Hence I maintain that Bishop Bromby is not justified in his attempt to connect the future of Christ's College with the Cathedral in Hobart Town.

I would here remark that since my return from England I have had conversations with the late Chief Justice Sir Valentine

With the Cathedral in Hobart Town.

I would here remark that since my return from England I have had conversations with the late Chief Justice, Sir Valentine Fleming, one of the original Trustees, and also with the present Chief Justice, Sir Francis Smith, on the subject of Bishop Bromby's attempt to alienate the income of Christ's College estate from the object of its original and distinctive characteristic, and to use its rental for the maintenance of a purely ecclesiastical institution, sectarian and exclusive, in connection with the Cathedral in Hobart Town. I hesitate not to affirm that both Sir Valentine Fleming and Sir Francis Smith advised me that it was the duty of the Trustees to resist such attempt at spoliation on the part of Bishop Bromby. The Trustees have not only opposed Bishop Bromby's attempt to alienate the income of Christ's College estate from the object which its original promoters and endowers had at heart, but have also refused to sanction the reopening of the College,—

First, until the "Warden has appointed a Senior Fellow, and those two again have named two Honorary Fellows, and the four have named three Candidates for Holy Orders as Divinity Fellows, and the seven again have selected three senior and three junior Scholars,"—believing that they have no power to recognise either Bishop or Synod as having any claim on the funds of the estate until this body exists.

Secondly.—The Trustees have firmly declined to consent to the resuscitation of the College until the Estate was free from debt. The Trustees have always maintained that the Estate was indebted to the various scholarships funds received by the original Trustees for the endowment of the said scholarships, but expended by them in the maintenance of the College at the relief of the Estate.

-The Trustees have maintained and do maintain, that interest should be paid upon the amount of moneys received

Thirdly.—The Trustees have maintained and do maintain, that interest should be paid upon the amount of moneys received on account of the endowment of scholarships, but used for current expenses, just as much as interest should have been paid upon moneys lent from the Ripon Fund,—inasmuch as if the Estate had not been relieved by the unjustifiable use of these said endowments, it would have been compelled to borrow elsewhere and to pay interest on the borrowed money. Moreover, it must be borne in mind that if the Scholarship endowments had been invested, the interest upon each would have accumulated from the closing of the College up to the present time.

Fourthly—The Trustees have declined to consent to the re-opening of the College until they were provided with funds to meet the cost of erecting buildings suitable for the accommodation of the Collegiate body and students. I am aware that Bishop Bromby has expressed in Synod and in the Church News, within the last two or three years, his readiness to accept such a scheme as proposed by Messrs. Marriott, Gell, Cox, Windsor, and Atkinson, as set forth in their memorandum dated February 17, 1876, in which those gentlemen expressed the hope that the College "will re-open its doors freely, and without exclusiveness, to all who may be willing to find within them the means and opportunities of higher study." In fact, the Bishop says that the said memorandum sets forth very correctly his own views as to the future of Christ's College. But it must be borne in mind that the Bishop has heretofore, both in his circular, printed and distributed throughout England, as well as in his earlier utterances in Synod, expressed his desire to attach the College to the Cathedral in Hobart Town, and to make the institution thereby purely ecclesiastical and exclusive. Whatever cause may have induced the Bishop to abandon his original intentions and wishes with regard to the College being made part of the Cathedral system, I am unable to explain; it may be that he has and wishes with regard to the College being made part of the Cathedral system, I am unable to explain; it may be that he has found from experience that the people of Tasmania would not be content to sanction the violation of the original intentions of the endowers of the Institution. In my state of health, and at so short a notice, I am unable to place before the Court any scheme for the future of the College; but I think it must be admitted that I have a perfect right to express my views on the scheme, which the Bishop says he is "prepared to lay before the Supreme Court for its approbation at the earliest possible expression." opportunity.

In fact, I am at a loss to conceive how the Bishop can be so far wanting in courtesy and in fair dealing as to endeavour to obtain the approbation of the Court to any scheme of his, without placing the same before the Trustees of the Estate—men who have striven through years of trial and difficulty to save the Estate from insolvency—for their approval or disapproval.

I am truly yours,

Messes. RITCHIE & PARKER.

THOMAS REIBEY.

Again, the Bishop states that my name appeared in the advertisement inviting and offering to receive subscriptions. The circular asking for subscriptions was for two objects,—Mission work in the diocese, and the building of the Cathedral. By consenting to receive subscriptions for these objects, I in no way became a party to the Bishop's scheme of associating Christ's College with the Cathedral, and against which I had protested.

APPENDIX A.

PRINCIPAL and Investment Account, Trustees Christ's College Estate.

To amount transferred in accordance with Scheme of Supreme Court—(See Receipts and Expenditure Account, 1878) Redemption of Hazlewood's Mortgage		s. d. 7 3 0 0	By Investments— Government Debentures Mortgage (to Mr. Frederick Brown) Balance on hand	700	0	0
Legacy from Lady Franklin—Proceeds of sale of property at Athens	68 £3132			£3132	18	0
			of the Trustees of Christ's College Est to 31st March, 1879.	late fr	·om	
Cash handed over by Mr. Reibey, 21st March, 1878 Fixed Deposit and Interest repaid Ditto		s. d. 5 3 1 9 0 0	£ s. d. Amount transferred to capital account in accordance with Scheme		s.	d.
Rents, College Estate, Bishopsbourne, less Rates Interest on Debentures Interest on Hazlewood's Mortgage Rents received from Dobson & Mitchell	872 55 30 160	$\begin{array}{cc} 0 & 0 \\ 0 & 0 \end{array}$	Commission on collection of Rents	4 . 5	12 0 0 19	4 0 0 6
	£3729	12 11	Petty expenses	374 £3729		_2
Balance brought down	£374	17 2				
ABSTRACT of Receipts and E 31st M	£	s. d.	of the Trustees of Christ's College E to 31st March, 1880.	Estate, £	s.	<u>d</u> .
Rents, College Estate, Bishopsbourne (less Rates)	870 110 15 1 21		Travelling expenses, Trustees Salary of Agent and Collector Architect's charges, repairs, &c. Contractor, on account, for erection and repairs of Buildings Secretary's salary Treasurer Council of Christ's College Petty cash Balance	71 3 577 10 240 5	5 3 16 0 0	0 0 0 0 0
Balance brought down	£1439			£1439	2	5
ABSTRACT of Receipts and 31st Me	Experience,	nditure 1880,	e of the Trustees of Christ's Co to 31st March, 1881.	llege,	fre	om
						
Balance from last account	524 955 110' 18 4	s. d. 13 5 12 10 0 0 0 0 16 9 ;, 0 : 0;	Travelling expenses of Trustees	15 75 10 6 22	0 6 1 14 0	6 0 0 0 4 0

ABSTRACT of Receipts and Expenditure of the Trustees of Christ's College, from 31st March, 1881, to 31st March, 1882.

Balance from last account	£ 374 25 110 1033 67	9	0	Treasurer Council Christ's College Salary of Agent and Collector Premium on purchase of Debentures Contractor for spouting to buildings. Real Estate Duties—Acanthe and New Norfolk Secretary's salary Law costs—Dobson & Mitchell Insurance of buildings Petty expenses Balance	75 12 59 1 10 2 23 0	0 0 0 17 0 4 5 17	0 0 0 8 6 0 6 6 6
, a	£1610	2	5		£1610	2	5

ABSTRACT of Receipts and Expenditure of the Trustees of Christ's College, from 31st March to 30th August, 1882.

Balance from last account Rents of College Estate, Bisho (less Rates) Rents received from Dobson & Mitchell Interest on Brown's Mortgage Less Commission, 2½ per cent	opsbourne	1056			Treasurer Council Christ's College Salary of Agent and Collector Salary of Secretary Half cost fencing Thirkell's side-line Balance	10	10 0 9	0 0 0
Interest on Debentures	•••	61	0	0				
		£1483	4	4		£1483	4	4
Balance brought down	•••	£781		4	•			=