

486. Do you not think this is of sufficient importance to be dealt with by the Legislature, after evidence being taken by a Committee of this kind?—Well, I think they are all of sufficient importance for that; but then I am not satisfied in my own mind that I should deal with it in the same way. I should be prepared to see the whole system reconsidered.

487. *Mr. Wright.*] Sir George Grey seems to lay great stress upon this being a charitable institution. I would ask him whether he considers that an institution that spends £700 per annum on the education of twenty-five pupils would come strictly under the term charitable institution, or whether much larger benefit might not be derived in the way of charitable education from the expenditure?—Well, I should have to know how the £700 was spent; for instance, this institution might be in its infancy, and a good deal might be expended in buildings. I should require to have information upon these points before any opinion that I could give would be worth anything upon the subject. These grants were drawn up with considerable care, and correspondence with many persons, at a time when I may say peculiar religious views had sprung up suddenly in England, and myself and other persons were very much in favour of industrial training; and I think the words put in clearly show the grant is for “the education of children of the Queen’s subjects of both races, and the children of other poor and destitute persons;” that is, it was to be greatly used as a charity. I have seen endowments so very much abused—I do not allude to this particular one, because I do not know anything about it—that, as I have grown old, I have thought that it was doubtful whether any endowments to Trustees are judicious, and the only way in which they are judicious is where provision is made for abandoned children, particularly for the very young; and in no way is that so well done as when they are intrusted to people of religious views who devote themselves to this kind of work.

488. Would not the words “the children of other poor and destitute persons” imply that this endowment was intended primarily for the benefit of the poor?—Well, that certainly was the idea in my mind, that these were great charitable institutions; and you will find that the institution here, under the care of the Roman Catholic Bishop, has always been used in this way.

489. But if it should be shown that the annual income of £700 a year is expended in the education of some twenty-five children, would you think that a proper carrying out of the Trust?—That would be about £28 each. I should have to consider the subject carefully; but I think that is a proper thing for a Court to pronounce an opinion upon, and I think its decision could be given in the usual way in which these decisions are given. I am not aware of any case in England in which an institution of this kind has been interfered with. Parliamentary Committees have sat to inquire into them very often, but I believe the result has always been an appeal to the Courts. I recollect one celebrated case in England in which that was done, and one family alone was obliged to refund £120,000. which they had taken. They did not go back to dead persons, but all the living people who had taken wrongfully from endowments of this kind were compelled to refund all that they had taken during their lives.

490. *Mr. Macandrew.*] Assuming that the whole of this £700 a year goes in education, as it does, and does not go in buildings at all, and that, in addition to that, there are £7 to £8 a year school fees charged for the education of twenty-five children, does it not strike you that, after a quarter of a century that the institution has been established, that the object of the Trust has not been fulfilled?—The grant especially says that the institution should be kept for a special class of children “so long as religious education, industrial training, and instruction in the English language shall be given.” But I only express my own view about that; it is for Parliament to interfere.

491. Would you consider it would be carrying out the object of the Trust to confine the education exclusively to children belonging to the Church of England?—No; but I think if they give them religious education according to the tenets of the Church of England, it does not much matter whether the children are of Church of England parentage or not. For instance, I can fancy many dissenting bodies who would not object to have their children educated by the Church of England.

492. But I understand it is proposed by the Bishop of the Church of England that the education should be confined to children of Church of England parents?—That was not my intention at all. I only state that with regard to myself I should have no objection to sending my children to a Presbyterian or a Wesleyan school.

493. That is not the point. I understand the point is that no children shall be admitted but those belonging to that Church?—That was not my intention, but whether the Courts would hold the Bishop justified in that I cannot say. The moment the grant issues, all these matters become questions to be decided by the Courts. I believe all these grants were made on one plan, which did not suppose the parents to have any particular religious belief. There is nothing of the kind stated in the deed.

494. Suppose this Bill were confined simply to changing the management by the appointment of Trustees from members of the Church of England residing in the district instead of residing in Wellington, would that be an infringement of the deed?—The grant belongs to the Bishop here; there is nothing about Trustees.

495. *The Chairman.*] I suppose you are aware that it has been transferred from the Bishop to the Trustees mentioned in the preamble to this Bill, by an Act passed in 1858 called the Public Trusts Act?—Yes.

496. *Mr. Macandrew.*] Suppose it were transferred from the present Trustees, Messrs. Hunter and Bannatyne, and the Bishop of Wellington, to Trustees residing on the spot, consisting of persons or dignitaries of the Church of England?—What I suppose is that, if the Bishop were left standing, the same Legislature that put those other two persons in as Trustees could put in others in their place; if Parliament has interfered so far, it could interfere further. This simply says the Governor is to appoint those persons, but if by the grant the management was vested in the Bishop the Governor would not be allowed to interfere.

497. But the Bishop’s powers were transferred by the Act of 1858 to other parties?—I can only say that the same Legislature that did one thing could do the other. I was only giving my own opinion. I believe ultimately these charitable institutions will be found of great benefit to the country if properly conducted.