

MALTA (EDUCATION BILL).

RETURN to an Address of the Honourable The House of Commons, dated 1 June 1874;—for,

“COPY of PAPERS relating to the REJECTION of the EDUCATION BILL by the COUNCIL at MALTA.”

Colonial Office, }  
July 1874. }

J. LOWTHER.

(Sir George Bowyer.)

Ordered, by The House of Commons, to be Printed,  
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**COPY of PAPERS relating to the REJECTION of the EDUCATION BILL by the  
COUNCIL at MALTA.**

— No. 1. —

Governor Sir *C. T. Van Straubensee* to the Earl of *Kimberley*.—  
(Received 23rd December.)

My Lord,

Palace, Valletta, 12 December 1872.

MR. CACHIA ZAMMIT, a Member of Council, has forwarded to me, for transmission to your Lordship, the enclosed letter, dated 21st November, commenting on two Despatches from my predecessor, Sir Patrick Grant, dated the 2nd and 5th April last\*, in reference to the rejection by the Council of a motion for leave to introduce an Ordinance "For the organisation of public instruction."

2. In that letter Mr. Cachia Zammit does not apply for any further interference in the matter on the part of your Lordship, but, satisfied with the expression in the latter part of your Lordship's Despatch of the 19th April,† viz., that, as a matter of courtesy, the Council might have allowed the draft to be read a first time and printed, without pledging itself in any way to a second reading, he, with reference to the objections raised to the proposed Ordinance, which seemed to your Lordship to be well founded, says that your Lordship would have come to a different conclusion if, in Sir Patrick Grant's Despatches, the facts had been more accurately represented.

3. Having no personal information of the circumstances commented upon in Mr. Cachia Zammit's letter, I referred it to the Crown Advocate, whose name, in that paper, is so frequently mentioned, and I beg now to forward to your Lordship a copy of his report.‡

I have, &c.  
(signed) *C. T. Van Straubensee*,

Governor.

The Right Hon. the Earl of *Kimberley*,  
&c. &c. &c.

Enclosure 1, in No. 1.

My Lord,

Malta, 21 November 1872.

THE two Despatches which Sir Patrick Grant addressed to your Lordship, dated respectively the 2nd and 5th of April 1872, and which were printed by order of the House of Commons, compel me to rectify some inaccuracies, and to contradict several erroneous statements appearing therein, which concern me as the mover of the ordinance "For the organisation of public instruction," and facts relative to it.

2. It is, my Lord, with much reluctance that I have to charge the late head of this Government with incorrectness, but the subject of my representations is so serious, the scandal raised in this community so great, that it would be a dereliction of duty on my part to remain silent.

3. I proceed at once, my Lord, to point out the most important facts. The rules for the guidance of the two institutions of public instruction (the University and the Lyceum) were, as it is stated in the Despatch of the 2nd of April 1872, made by the Executive on principles laid down by the Commissioners of Inquiry,  
the

\* Nos. 1 and 2 of House of Commons Paper, No. 20, 30th May 1872.

† No. 3 of same Paper.

‡ Not printed.

the late Mr. Austin and Sir G. C. Lewis, subject, of course, to any alteration that from time to time the Governor or the Legislature might deem expedient.

4. But the Governor (and this has been omitted in the Despatch), in accordance with the principles on which the statute is based, should have exercised no other authority but that of sanctioning the acts of the then Legislature, which with regard to the University consisted of the General Council and of the Special Councils of Faculties; and with regard to the Lyceum, it consisted of the General Council, under whose direction the teachers, in accordance with Article 171 of the said statute, should have framed the regulation of studies for the latter institution.

5. These are the fundamental provisions of the statute which, it has been asserted, was the work of the late Sir Ignatius Bonavita, but which was, undoubtedly, framed by this gentleman, together with the then most competent men for organising public instruction.

6. Our Governors, as if they were the only scholastical authority, have completely disfigured the statute by modifying it in its most essential parts; in fact, by means of a letter sent from the chief secretary's office, the general and special councils were abolished, power being only given to the rector to convoke them whenever he might deem it expedient; as also were abolished the clauses relative to the Faculty of Philosophy and Arts; but this is not all, the regulation of studies in the Lyceum was nullified, and another substituted, without the opinion of the teachers themselves being heard. I cannot but look on such proceedings as the negation of every didactical principle.

7. Primary instruction was not regulated by determined rules. These, if there were any, were ignored by the public as well as by the Government, until the director was prevailed upon to publish them in January 1871.

8. Nor can it be said that primary instruction is, at present, regulated by determined rules, for the regulations which have been published have no sanction whatever from the Government, and the director might at any time substitute new ones; but even if they were sanctioned by the Government, most decidedly they are not the regulations which this community has a right to demand for the advancement of public instruction; and this, it seems to me, has been clearly and fully shown in the discussions that ensued in and out of the council.

9. Such is the statute, such are the regulations mentioned by Sir P. Grant in paragraphs 4 and 21 of the Despatch of the 2nd of April 1872, and in the 4th paragraph of the Despatch of the 5th of April 1872. So well pleased is Sir P. Grant with the working of the statute and the regulations, that in paragraph 20 of the first Despatch he says, "that the educational establishment was, upon the whole, the best that, under the circumstances, could be had in Malta." Now, the intelligent class of this community and the local press have strongly and repeatedly raised their voice against the provisions of the existing statute, the want of many others which the requirements of the times have made necessary, and the strange innovations it has undergone; as well as against the set of rules compiled by the director of primary schools; and insist upon a sound organisation of the public educational establishments.

10. And I must here declare inexact the assertion made by Sir P. Grant in the fifth paragraph of his first Despatch, viz., that during the five years he had the honour of administering this Government he had not heard any specific intelligible complaint respecting the organisation of the educational institutions, or the particular rules by which they are governed.

11. Sir Patrick Grant assumed the Governorship of these islands in May 1867, when the session of the Council for that year was over; and in February 1868 was present, in council, at the discussion which was raised on the resolutions proposed by Dr. Sciortino on public education. This important question was afterwards thoroughly discussed in the local press, and I took it up in July 1870.

12. I do not, my Lord, for a moment contend that Sir P. Grant may have repeatedly heard, as he says in the fifth paragraph of the first Despatch, English gentlemen express their satisfaction at the manner in which the schools are conducted, and the progress made by pupils in the primary schools, but I beg to

to state that the opinion of those gentlemen does not in the least destroy or weaken the opinion which the public has formed. Moreover, they may have given their opinion under the impression received at the moment, viz., after having spent an hour in the normal school of Valletta, and heard a sort of a dialogue going on between the teachers and pupils, without giving themselves the trouble, or having the leisure to remark, as the Commissioners did in 1865, that the questions put to the pupils by the teachers "were questions of habitual routine common to all the schools, and that the slightest deviation from the beaten track deranged the whole machinery."

13. I will not, my Lord, dwell on the reforms mentioned by Sir Patrick Grant in paragraph 6 of his first Despatch, and which were proposed in 1842 by the Rev. Mr. O'Malley, nor on the opinion expressed by some persons, that the university should be altogether abolished. But it may not be amiss to state, that the want of a reform of the educational establishments was so much felt at the time indicated by Sir P. Grant, that the well-to-do classes of this community betook themselves to the expedient of sending their sons first to a college in Sicily, and afterwards, in order to have their children near them, eagerly promoted the establishment of a boarding-school at Notabiie, and of daily schools at Valletta; and precisely during the administration of Sir P. Grant a seminary was instituted by the Jesuit Fathers at Gozo; and there is now a plan of founding a college in Malta.

14. Moreover, Sir Patrick Grant being always intent on demonstrating that no serious complaint on the organisation of the educational institutions does exist in the island, in continuing the narration to your Lordship of his concocted story on the condition of public education, says, in paragraph 7 of his first Despatch, that only in 1860 there appeared in the press general vague articles on the necessity of a reform of the educational institutions, without specification of any particular defect in the existing arrangements, so that it was impossible for the Government to say whether the organisation of the establishment, the method of teaching, or the ability of the teachers was really in question.

15. I do not know indeed whether so reckless an assertion is to be ascribed to a complete ignorance of facts, or want of understanding them. It would, in fact, have sufficed for Sir Patrick Grant to reflect that if Sir John Gaspard Le Marchant and Sir Henry Storks were each, at different periods, compelled to appoint, more or less solemnly, a commission to inquire into the state of public instruction, they could never have been brought to this step by vague attacks against the educational establishments, but by a strong conviction that an evil existed, and that it ought to be remedied.

16. But if Sir Patrick Grant failed through administrative inability to understand all this, yet the facts are so evident, that one cannot help coming to the conclusion that Sir P. Grant must have been under the influence of personal or interested feelings, when he forwarded to your Lordship those ill-omened despatches. In fact the local press spoke on the necessity of an educational reform long before the period indicated by Sir P. Grant. In 1858 and 1859 the poor condition of the schools was so warmly discussed, that more than one intelligible scheme of reform was submitted to the Government. Sir John Gaspard Le Marchant was so deeply convinced of the existing evil, that he did not hesitate for a moment to welcome the proposal that was then made, to call an eminent personage from Italy, and entrust him with the task of re-modelling the educational establishments of the island.

17. The deliberation taken by Sir J. G. Le Marchant came to nothing, for reasons still unknown to a great portion of the community, but he was so strongly impressed with the necessity of a reform that, as soon as the first proposal dropped, he desired to appoint a commission composed of the most enlightened members of the then council; and finally, failing this, he appointed in 1861 Dr. Torriggiani, one of the then elected members, to make an inquiry.

18. Sir Patrick Grant passes over this commission, and I will do the same, though I am quite sure that Dr. Torriggiani's report, which was not presented to the Government for reasons which it is useless here to recall, would have been adverse to the condition of the schools.

19. But Sir P. Grant, in speaking of that commission, says, in paragraph 7 of

the first Despatch, that the steps taken on that occasion had, practically, no other effect than that of weakening the authority of the rector and the director on the teachers placed respectively under their control, and of raising in the minds of the latter an unfounded expectation of an increase of salaries.

20. Were I not fully acquainted with the honesty of Sir Patrick Grant, I should call this assertion a perfidious insinuation against the teachers. Sir Patrick Grant accuses a respectable body of men without any proof in hand. If the authority of the rector and the director was really weakened, Sir P. Grant was in duty bound to adduce facts. Now, from investigations made, I am in a position to state that not one of the teachers was ever reprimanded for insubordination or want of zeal in the fulfilment of his duties by his superiors. As to an increase of salaries, there was an expectation in the teachers, but it was raised by public opinion, warmly advocated in the press, and, on several occasions, strongly supported by the elected members. In a letter addressed to the late Duke of Newcastle in 1864, the then elected members complained, amongst other things, of the scanty stipends paid to the teachers. As far as I know, the teachers of the Lyceum only once petitioned the Government for an increase of salaries, and that was when they were entirely forgotten in a proposal which was made for increasing the salaries of almost all the employés. I have been assured that the rector supported the claims of the teachers, and strongly recommended them to the head of the Government.

21. Although vague, in the opinion of Sir P. Grant, were the attacks upon the educational institutions, Sir Henry Storks shortly after his arrival appointed another commission, composed of Dr. Baker, who enjoyed his confidence, and had been rector of the University of Corfu; of Colonel Romer, a distinguished officer in the Royal Artillery; and of Mr. Emilio Scebarras, a great friend till then of the director, and highly respected by the whole community for his independent character and rare honesty. The commission confirmed the opinion which the community had formed of the educational institutions; it has solemnly condemned them, pointed out the principal defects, and suggested remedies.

22. An official publicity was given to the Report of the Commission, which provoked a reply from the director, considered to be "very able and persuasive" by Sir P. Grant; but your Lordship in perusing it will find a sequel of contradictions to facts established by the report, and which are founded on the assertions made by the director and the masters, who, in the present case, being the censured party, carry little or no weight whatever.

23. The members of the commission wished to give a rejoinder to the director's reply, nay, Colonel Romer personally waited on Sir Henry Storks, and informed him that he was prepared and desirous to prove the truth of the statements contained in the Commissioners' Report, and that he proposed to publish a letter that he had addressed to the Governor to this effect. The Governor, being thoroughly convinced of the honesty of the Commissioners, deprecated such a step; he considered it quite unnecessary.

24. Whatever may have been the the opinion of Sir Henry Storks on the educational institutions of the island, I cannot but strongly animadvert on the serious omission committed by Sir P. Grant in representing to your Lordship a fact in such a way as to discredit and throw blame on three most respectable persons, without at least mentioning the letters written by Colonel Romer and Mr. Emilio Scebarras in vindication of their report.

25. Moreover, the community abided by the Report of the Commissioners, and did not consider the discussion on public instruction ended, for Dr. Sciortino in 1868, as Sir P. Grant states in paragraph 12 of the first Despatch, undertook to bring the question before the Council.

26. I will not, my Lord, stop here to discuss Dr. Sciortino's resolutions; but having been discussed in the presence of Sir P. Grant, I cannot conceal the painful impression made by paragraph 14 of the first Despatch, wherein it is stated that the course taken by Dr. Sciortino, on that occasion, was a very proper one.

27. Nothing could be farther from the fact; the Government, through its organ the Crown Advocate, said, in February 1868, that, "all the resolutions of  
Dr. Sciortino,

Dr. Sciortino, in so far as they referred to primary and secondary instruction, tended to establish nothing of a practical character; and they entirely ignored the materials that had been collected and published." Moreover, the Crown Advocate wished to know why the information contained in the Report of the Commission appointed by Government in 1865, and in the reply to the Report, made by the director of primary instruction, should be set aside. In December 1870, the Crown Advocate solemnly declared in his own name, and that of the Government, that this very Report had been disavowed by the Government since the administration of Sir Henry Storks.

28. I now come to those passages of the two Despatches that concern facts for which I am responsible. In July, and not in June 1870, I announced my intention of bringing forward in the following Session the subject of public instruction, but the four resolutions I moved, on the 15th December 1870, are not those which Sir Patrick Grant has represented them to be. I transmit herewith a copy of them, in order that your Lordship may see the difference. However, I beg leave to remark, for the information of your Lordship,—

1st. That I proposed for basis of my resolutions the Report of 1865, as it pointed out defects and suggested remedies for the improvement of primary as well as secondary instruction; and containing with regard to the latter, "a most elaborate programme, which defined the kind of instruction to be imparted in the Lyceum," as the Crown Advocate expressed himself, in Council, on the 7th February 1868.

2nd. It is not true that I simply proposed that the Faculty of Philosophy and Arts should be transferred from the University to the Lyceum, but that this faculty should form the completion of the course of studies in the Lyceum, which I suggested should be established.

3rd. That the intention of the Government to cause to be struck out the second resolution relative to an increase of salaries, because it was not competent for an elected member to make a motion of the kind, appears to me founded on a false interpretation of the 8th Article of Her Majesty's Instructions of the 11th May 1849. The elected members have all the right to make any suggestions they think proper, and it appears to me, as I trust it will appear to your Lordship, that a resolution and the clauses of an ordinance, until they pass the Council, are within the limits of a suggestion.

29. But if Sir Patrick Grant, in forming a just notion of the four resolutions, may have fallen into error, on account of his want of experience in scholastical matters; on the other hand, the narration of facts relative to the debate held in Council, on the resolutions proposed by myself, is so amazingly inaccurate, that I am at a loss how to qualify it.

30. It is, in fact, untrue that the Chief Secretary and the Crown Advocate opposed the first resolution proposed by myself, because the Report of 1865 contained numerous suggestions, upon which opinions widely differed. It was opposed by them, because they considered the Report of the Commissioners fallacious and unfair, which bold and reckless assertions called forth letters in the press from Mr. Emilio Sceberas and Colonel Romer.

31. Nor is it true that the suggestion of moving a series of resolutions was made by one or more of my colleagues, as Sir P. Grant states in paragraph 18 of the first, and in the sixth paragraph of the second Despatch. It was the organ of the Government, the Crown Advocate, who, in December 15th 1870, suggested to me that course, and I accepted it conditionally; "asking time for the purpose of preparing the series of the proposed resolutions, as the task was to frame a new regulation of studies."

32. I was prepared to discuss my promised statute on the 26th of April 1871, but I was requested by my colleagues to postpone its discussion to the beginning of next Session, as your Lordship will find stated in the accompanying newspaper report of the proceedings of the Council. It is, therefore, untrue, as is stated in paragraph 19 of the first Despatch, that though the Council continued

to meet till the end of May, I took no further step in the matter in the course of that session.

33. Nor could Sir P. Grant expect that I, in a week or a fortnight, would submit to the Council a series of resolutions, as I had bound myself to bring them forward in the shape of a regulation. Undoubtedly, such a task could not be accomplished in a fortnight by any one, however versed he might be in the matter, and I wonder how Sir P. Grant could, for a moment, indulge in so strange an expectation; for, I had undertaken the task, which I, with my fourth resolution, proposed should be assigned to a commission to be appointed by the head of the Government.

34. From all this your Lordship will easily perceive how indulgent it must be for me to ascribe only to ignorance in scholastical matters the statement made by Sir P. Grant, in paragraph 19 of the first Despatch, viz., that I was not prepared to discuss, on its own merits, any one of the suggestions contained in that report; or that, on maturer consideration, I discovered that none of those suggestions could, on its own merits, be successfully maintained.

35. True to my promise, on the 13th January last I gave notice of motion for leave to introduce an ordinance "For the organisation of the public instruction," and I did it with the full consent of my colleagues, Messrs. Scicluna, Barbaro, and Zimelli.

36. It is equally unfair to state that Messrs. Scicluna, Barbaro, and Zimelli supported the motion in courtesy to their colleague. I understood them to say that though the Government was opposed to the ordinance, it should not, out of courtesy, object to the first reading.

37. Sir Patrick Grant, in vindication of the opposition shown to the ordinance, and the vote given by the official bench, states, in the fourth paragraph of the second Despatch, that I, in moving for leave to introduce my ordinance, made no mention of the existing statutes and regulations, and did not show that the existing organic rules were defective in any respect; and he appeals to the opinion of Mr. W. H. Gladstone, as a Member of the House of Commons. Now, the opinion of Mr. Gladstone might be fallacious, if given on the information supplied by Sir Patrick Grant, which is contrary to truth, because Sir Patrick Grant inattentively passed over a great portion of it.

38. In moving for leave to introduce the ordinance, I made no mention of the statute, nor of its defects, nor of the necessity of substituting a new one, because my speech was a continuation, and, I may say, the conclusion of the debates that ensued in Council in December 1870, when the necessity of a reform was amply shown, and when the Crown Advocate himself admitted the necessity of altering the existing regulations, so much so as to advise me to propose a series of resolutions.

39. I have already shown to your Lordship what harmony there exists between the assertions made by Sir P. Grant and the language adopted by the organs of the Government in Council on the discussion of Dr. Sciortino's resolutions; but, considering the assertion made in paragraph 14 of the first Despatch as the honest expression of Sir P. Grant's opinion, he should have acted conformably to it, and allowed the first reading of the ordinance, for what else could be better submitted to the Council "in a manner to give to all those, in and out of the Council, who took any interest in the matter, an opportunity of considering and forming an opinion upon each of them" than all the clauses of an ordinance on public instruction?

40. But Sir P. Grant, in paragraphs 23, 24, 25, of the first Despatch, says that stronger motives induced him to vote against the ordinance, viz., the director's memorandum, the opinions emitted on the subject by the Chief Secretary, the Crown Advocate, the Collector of Customs, the Collector of Land Revenue, and the circumstance that the public educational establishments being entirely under the control of the Government, and managed by persons wholly dependent upon the Government, there is no necessity for an ordinance.

41. I really



41. I really do not know how the control exercised by the Executive on the public educational institutions can exclude the necessity and convenience of legislating, unless it is intended to keep up, together with the existing statute and regulations, the self-will of the Executive, which I consider not at all competent to judge of scholastical matters, especially since the Councils have been shorn of the power and authority they possessed.

42. I do no wrong whatever to the administrative ability of our Governors, and to that of the Chief Secretary and the Crown Advocate, by saying that they are not competent to deal with scholastical matters, and that in judging of the same they must inevitably follow the opinion of the rector and the director, which being, with regard to the present scholastical system, thoroughly individual, is often, as it is at present, opposed to public opinion, which in this question reflects the opinion of practical men.

43. Being unacquainted with the contents of the director's memorandum, I will not say a word with regard to his opinion, yet it is not a new one, as he has always been very jealous of his unlimited power in the management of the primary schools.

44. Nevertheless, whatever may have been the opinion of the Government on the subject, I am convinced that the reasons adduced by me for the first reading of the ordinance were so just and constitutional that only a determination of abiding by the present scholastical system, and doing nothing, could have justified the vote of the official bench. In fact, setting also aside my speech, and the observations made by Messrs. Scicluna, Barbaro, and Zimelli, as well as the explanations given in my reply, the publication of the ordinance, after its first reading, could alone have shown whether the Government were right or wrong in their opposition.

45. One argument only could, to my thinking, have justified the Government in rejecting the first reading of the Education Ordinance, viz., that contained in paragraph 27 of the first Despatch, wherein it is stated that the Chief Secretary, the Crown Advocate, the Collector of Customs, and the Collector of Land Revenue, have clearly shown that the existing statute and regulations contained all that I proposed to introduce by the ordinance. But the assertion made in paragraph 27 is incorrect. The Chief Secretary and the Collector of Customs spoke against regulating public education by law. The Collector of Land Revenue dwelt also on the inexpediency of governing by laws the public educational institutions; on the progress made in the schools of the Lyceum and the University; and, perhaps, without being aware, on one of the fundamental principles of the statute, viz., the councils, which, it may be said, only exist in name, on account of the alterations made to the statute.

46. The Crown Advocate was the only official member who laboured hard to demonstrate, that the proposed ordinance was a reproduction of the existing statute, but he ought to have shown the courtesy of permitting the first reading, if, indeed, he desired to have his reasonings and conjectures fully justified and appreciated; however, the Crown Advocate infers the resemblance that exists between the statute and the education ordinance from some provisions, common to public educational institutions of all countries, and hence they must necessarily form part of every regulation of studies.

47. Finally, Sir Patrick Grant, to give due weight to his vote, speaks, in paragraph 23, of the particular experience which the Collector of Customs, and the Collector of Land Revenue have in scholastical matters.

48. I do not question the ability displayed by these gentlemen in the departments which are at present entrusted to their care, but I think I am in a position to say something of their experience in educational matters. As far as I know, the Collector of Customs, for some years, frequented an elementary or training school in England, but for the last 27 years he has, with great zeal and efficiency, been filling the situations of clerk in the dockyard, of shipping master, of controller of charitable institutions, and is now Collector of Customs. Certainly, these are not the establishments which have the greatest relation with

the educational institutions. The Collector of Land Revenue was, it is true, secretary to the rector of the University and the Lyceum, but since he left that establishment in 1855 his attention has been devoted to other departments.

49. Meanwhile, I beg sincerely to thank your Lordship for having, in spite of the Despatches of Sir Patrick Grant, favourably received the complaints made relative to the rejection of the Education Ordinance on its first reading, by making it officially known that, as a matter of courtesy, the council might have allowed the Bill to be read a first time, and printed, without pledging itself in any way to a second reading. Had Sir Patrick Grant accurately stated the whole case, I feel sure that your Lordship would also have judged otherwise of the objections raised to the proposed ordinance by the official bench.

I have, &c.

(signed) *Salvatore Cachia Zammit.*

The Right Hon. the Earl of Kimberley,  
Secretary of State for the Colonies,  
&c. &c. &c.,  
London.

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Enclosure 2, in No. 1.

To his Excellency, &c., Sir P. Grant.

The humble Petition of the undersigned Teachers of the Lyceum.

Most respectfully sheweth,

THAT your Excellency's petitioners find it impossible to support themselves and their families with the respectability becoming to their social position, on their present salary, ranging from 50*l.* to 80*l.* a year, which is scarcely sufficient to provide them with the bare necessities of life.

That inadequate as those salaries are in themselves, your Excellency's petitioners beg to submit that they are out of all proportion to the qualifications required in all those who aspire to the situations occupied by them, for they must devote themselves to severe study both before and after the commencement of their career, not without considerable loss of time and health.

That whilst candidates for situations in the civil service, with a moderate knowledge of the English and Italian languages and arithmetic, are employed at the age of 15 or 16, with not less than 60*l.* a year, which may in five years be raised to 100*l.*, with every prospect of being promoted to situations yielding 200*l.*, 300*l.*, or even 500*l.* per annum, your Excellency's petitioners, on the other hand, who cannot give instruction in languages and science without a deep knowledge of the languages they are called upon to teach, refined taste, elegance in writing, a knowledge of history and geography, and of the philosophical and positive sciences, begin their honourable but arduous career with 50*l.* or 80*l.*, without even the hope of being one day promoted to a higher situation. Suffice it to say, that there are some among the undersigned who have served during 10, 15, 30, and even 34 years without ever having received an increase, except a few who were already in the service, when their salaries were raised from 50*l.* to 80*l.*

Your Excellency's petitioners, therefore, think themselves justified in hoping that your Excellency will be graciously pleased to take into consideration the inferiority of their position, when compared with that of the other employés in the civil service. The undersigned will not suggest the means by which their prospects might be improved, but they beg to submit that the want of a progressive increase is more detrimental to them than their present inadequate salary; for it fills them with the most gloomy apprehensions for the future, both as regards themselves and their families. It is certainly most gratifying to your Excellency's petitioners to see themselves called upon to educate those who will one day be an ornament to their country; but whilst encouraging them to work, that does not provide for their wants, does not diminish the ever-increasing expenses

expenses of living, nor does it relieve the distress of those who see no prospect of future improvement.

And, &c.

(signed) *Dr. Vincenzo Carbonaro.*  
*Ed. Casolani.*  
*Filippo Borg.*  
*G. B. Pullicino, M.D.*  
*M.P. Sestafenata Olivier.*  
*Act. Segond.*  
*Gaetano Diancio.*  
*Sac. Dr. Salv. Carnana.*  
*Napoleone Tagliaferro.*  
*Alessandro Naudi.*  
*G. N. Letard.*  
*Antonio Genovese.*  
*Sac. Michele Seychel Prefetto del Lices.*  
*Sac. Paolo Vella, D.D.*

To His Excellency, &c.

Valletta, 16 April 1868.

THE humble Petition of Paolo Flamingo, and Giovanni Chircop, respectfully sheweth, that they are employed in the Lyceum of Valletta, the former as teacher of arithmetic and commercial bookkeeping, the latter as assistant teacher of mathematics; the former has served for 12 years, and four years at Gozo, the latter for seven years in the Lyceum only.

That the salary of 80 *l.* received by the former, and that of 60*l.* by the latter, are insufficient to maintain their families in that respectability required by their position.

That petitioners can add little or nothing to their salaries by private tuition, as the best hours of the day are occupied in the aforesaid establishment.

That, finally, petitioners are not adequately remunerated in comparison with other teachers and assistant teachers, who, for three hours of attendance daily, receive the same emolument as petitioners, who are engaged every day, the one for four hours and a half, and the other for four hours.

Petitioners, therefore, respectfully submit the above circumstances to the gracious consideration of your Excellency, and humbly solicit from your Excellency an improvement of their condition, by a proportionate increase of their salaries.

And, &c.

To his Excellency, &c.

The humble Petition of Dr. A. A. Carnana, Secretary and Clerk in the University and Lyceums,

Humbly sheweth,

THAT in 1859, during Sir Gaspard Le Marchant's administration, the two situations of clerk and procurator, and that of prefect in the University, were suppressed, thus effecting the saving of 70 *l.* per annum; and consequently the duties of clerk were devolved on your Excellency's petitioner.

That the claims of your Excellency's petitioner have been always deferred, and he is still holding the responsible position of secretary and clerk to the University and Lyceums, from 8 a.m. to 4 p.m. daily, with the salary of 80 *l.*, which is the salary annexed to clerks No. 3 in other departments.

Your Excellency's petitioner respectfully begs to bring his case under the consideration of your Excellency, that he may be placed at least on the same footing as clerks No. 1 in other departments.

And, &c.

Valletta, 16 April 1868.

## Enclosure 3, in No. 1.

EXTRACT from a Letter addressed, in 1864, to His Grace the Duke of Newcastle, by four of the elected Members of the Council of Government.

“It cannot be denied that one of the principal impediments to a reform in the University and the Lyceum, consists in the scanty means allotted to that branch of the public service. Many of the salaries are so unremunerating, that it is not to be hoped through them to obtain the services of men of superior ability.”

## — No. 2. —

The Earl of *Kimberley* to Governor Sir *C. T. Van Straubenzee*.

Sir,

Downing-street, 16 January 1873.

I HAVE to acknowledge the receipt of your Despatch of the 12th December,\* forwarding a letter from Mr. Cachia Zammit, in reference to the rejection by the Council of Malta, in February last, of his motion for leave to introduce an ordinance “For the organisation of public instruction.”

I request you to inform Mr. Zammit that I have duly received his communication.

I have, &c.

(signed) *Kimberley*.

## — No. 3. —

Governor Sir *C. T. Van Straubenzee* to the Earl of *Kimberley*.—  
(Received 17 June.)

My Lord,

Palace, Valletta, 5 June 1873.

I HAVE the honour to transmit herewith two letters addressed to your Lordship, one, dated the 27th, and signed by six of the eight elected Members of the Council of Government, complaining of the loss of a motion made by one of them, Mr. Cachia Zammit, for leave to introduce an Ordinance “For the organisation of public instruction,” and the other, dated the 30th, signed by that gentleman alone, containing further remarks on the same subject, and covering a copy of a printed report of the debate which took place in Council, on that occasion.†

2. The motion above mentioned, was a repetition of that made last year by the same member, in reference to which a correspondence took place, which ended in your Lordship’s Despatch of 19th April 1872,‡ and the matter was then so fully explained that I think it quite unnecessary for me, in the present instance, to do more than refer your Lordship to Sir Patrick Grant’s Despatches of the 2nd and the 5th April 1872,§ afterwards laid before the House of Commons, and printed.

3. Of the subsequent correspondence, mentioned by Mr. Cachia Zammit, and originated by his letter of the 21st November¶ last to your Lordship, commenting on Sir Patrick Grant’s Despatches, I sent of course to the former gentleman a copy of your Lordship’s Despatch of the 16th January last,\*\* but I made no communication to the Council, considering that a publication of that gentleman’s letter, with the remarks made upon it, could have no desirable effect. Mr. Barbaro, however, one of the members who supported Mr. Cachia Zammit’s motion, having, in April last, inquired if there was any correspondence subsequent to your Lordship’s Despatch of 1872, was informed that

\* No. 1.

† Not printed.

‡ Vide No. 3 of House of Commons Paper, No. 20, of May 1872.

§ Vide Nos. 1 and 2 of the same Paper.

¶ Enclosure 1, in No. 1.

\*\* No. 2.

that there was, and that it would be communicated to the Council if asked for; and I instantly caused it to be printed, to be laid before the Council without delay, in case any member should move for it. No such motion, however, was made; and seeing that Mr. Cachia Zammit had given his own colleagues no intimation of what he had written on his own responsibility, I again thought it unadvisable to give those papers a publicity which might unnecessarily hurt his feelings. I beg to send some copies to your Lordship, for facility of reference, in connection with that gentleman's letter of the 30th ultimo.\*

4. Of the six elected members who signed the other letter herein enclosed,† one, Mr. De Cesare, was not present at the meeting at which Mr. Cachia Zammit's motion for introducing his Ordinance was brought forward; and his, as well as Monsignor Farrugia's absence, was believed to be due to their inability to support that motion, and their reluctance to vote against their colleague. No different explanation has since been given of their absence on that occasion; and they have both, within the last few days, delivered to me their resignations of their places in Council, the former because no one supported him in a suggestion he made with reference to another subject, and the latter for reasons which he has not stated. The other elected member, Mr. Muscat, whose name, like that of Monsignor Farrugia, does not appear in the letter, opposed Mr. Cachia Zammit's motion, and voted with the official members.

5. Mr. Cachia Zammit's statement, in his letter of the 30th ultimo, that I had told him that, as far as I was personally concerned, I had no objection to his Ordinance being read a first time, and that I should communicate my opinion to the official members, is correct. This took place shortly after my arrival here. He, however, forgot to add that some time after, but long before he brought forward his motion, I informed him that having separately seen the official members who had taken part in the debate of last session, considered the reasons for which they objected to the introduction of an Ordinance, and ascertained their readiness dispassionately to discuss with him any suggestion he might have to make for the improvement of the educational establishments, provided he would let those institutions continue to be governed by regulations similar, in point of form, to those made in England by the Privy Council, I thought it my duty to refrain from further pressure.

6. I must add that since I have been here I gave my best attention to the subject of public instruction, and visited schools in Malta and in Gozo, sometimes in company with distinguished and most competent English gentlemen, to test the system by its result. I can assure your Lordship that, considering the difficulties arising chiefly from the Maltese language, nothing can be more satisfactory. This was also the opinion of the Right Honourable Mr. Headlam and Mr. George Gladstone, who spent some time in this Island last winter. The latter gentleman has lately sent me a copy of the "Educational Record" (No. 101, Vol. IX., New Series, April 1873), edited by the British and Foreign School Society, containing, at page 141, a letter from himself to the editor of that periodical. I beg to call your Lordship's attention to that letter, for the testimony of such competent and impartial men throws much light upon the question, which Mr. Cachia Zammit has thought it his duty to raise again by repeating his motion.

7. Before concluding, I wish to draw your Lordship's attention to two other circumstances, resulting from the report of the debate, which accompanies Mr. Cachia Zammit's letter of the 30th ultimo. The first is, that although in his letter to your Lordship of the 21st November last, he stated, with some force, that the suggestion of discussing the educational subject on motions for resolutions, each dealing with a specific point, was in 1871 made by an official member on the part of Government, the accuracy of the Crown Advocate's statement in the debate of this year, that the first to make that suggestion were Mr. Cachia Zammit's own colleagues, namely, Mr. Zimelli, Mr. Scicluna, and Dr. Rapinet (then a member of Council), was not denied by

\* Enclosure 2.

† Enclosure No. 1.

by the former two gentlemen, in whose presence that statement was publicly made.

8. The other circumstance is, that although the elected members in their representations to your Lordship generally state that the official members always oppose their views, it appears from the debate above alluded to that when the Crown Advocate, replying to Mr. Zimelli, said that there was hardly any sitting of Council at which the official members did not withdraw some motion they had made, or, contrary to their own opinion, accept suggestions made by the elected member in deference to the wishes of those gentlemen; and that Mr. Zimelli, reviewing the whole period during which he has been a member of Council, would find that, notwithstanding the importance of the business transacted at every meeting, session after session, he could count on one hand's fingers the divisions that took place at which the official members were on one side and the elected on the other, Mr. Zimelli interrupted the speaker, not to question the accuracy of that statement, but to remark that "He said nothing to the contrary. What he had said was, that the official members always acted together." This goes far to reply to much that is now stated in the letters herein enclosed.

The Right Hon.  
The Earl of Kimberley,  
&c. &c. &c.

I have, &c.  
(signed) C. T. Van Straubenzee,  
Governor.

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Enclosure 1, in No. 3.

My Lord,

Malta, 27 May 1873.

ON the 18th of March 1872 we had the honour of bringing to the special notice of your Lordship the inconsiderate manner in which the local Government had dealt with a motion proposed by an elected member. We allude to the Ordinance on education proposed by Mr. Cachia Zammit, one of the undersigned, which was not allowed to be read a first time and printed, notwithstanding the wish expressed by all the elected members present with one sole exception, on the principle that every Ordinance that does not involve any possible disturbance of public order, or which does not offend on the score of immorality, should be allowed its first reading, if not by right, at least as a matter of courtesy, independently of its merits, which can only be known after its being read and printed.

Your Lordship, in the Despatch of the 19th April 1872, addressed to Governor Sir Patrick Grant, was pleased, in answer to our remonstrances, to express yourself in the following terms:—

"I wish you to inform the five members that I fully considered the statement made in their memorial; that I entirely concur in the desire expressed by Mr. Cardwell in his Despatch of the 19th September 1864, that great consideration should be shown to the opinions of the elected members of Council in matters of local and domestic interest, but that the objections raised to the proposed Ordinance seem to me to be well founded, and that it would be impossible to admit that the Council should be bound to accept every measure of a local character, without reference to its merits, which might be brought forward by the unofficial members; that at the same time I think that, as a matter of courtesy, the Council might have allowed the Bill to be read a first time and printed, without pledging itself in any way to a second reading."

Mr. Cachia Zammit, on the 3rd ultimo, again made a motion for leave to introduce his Ordinance "for the organization of public instruction," when it met with the very same fate, viz., that of being rejected *on its first reading* against the vote of the whole elected bench present, with one sole exception, notwithstanding the expressed opinion of your Lordship "that as a matter of courtesy the Council might have allowed the Bill to be read a first time and printed, without pledging itself in any way to a second reading;" all that the elected members desired and could not obtain from the local Government.

We are at a loss to understand what harm could have arisen from allowing such a Bill to be read a first time and printed. On the contrary, through such a course

a course an opportunity would have been given to the Governor, Council, and public to fairly discuss and scrutinise its contents, and to condemn it, if deserving of such a fate, on its second reading.

No, the local Government, always bent on keeping up its supremacy, and putting aside the constitution of the Council, would not even listen to the hint given by the Secretary of State, "that as an act of courtesy the Bill might have been read a first time and printed;" but takes up the opposite position, viz., that the Secretary of State did not order the official members to allow it to be read a first time, and they would therefore reject it again.

All the friends of education and progress in Malta would have hailed with delight the opportunity offered by the proposed Ordinance of discussing a social question of a high order, which is now occupying the study of the most eminent legislators in England and in many other countries. Whatever might have been the intrinsic merits of the Ordinance, and the form in which it was proposed, its mover, in the opinion of us, his colleagues, deserves great credit for bringing the subject before the country for the first time in a regular form; and the Government, by perseveringly opposing the first reading of such an Ordinance, stifles free and open discussion on so important a subject, thereby retarding the solution of a difficult problem, on which the intellectual and material welfare of this population, present and future, so vitally depends.

But why should the Governor insist for a division on the subject, purely local and domestic, and thereby show again no consideration to the opinion of the elected members in local matters, in spite of Mr. Cardwell's instructions? Because his Excellency the Governor, whose honest and good intentions we all know and appreciate, is unable to resist the counsels of official members who appear determined to annul *de facto* the constitutional part of the Council.

As these instances are becoming very frequent, and tend virtually to destroy the object for which the Council was granted to the Maltese, we consider it our bounden duty to explain matters clearly and at greater length to your Lordship, which we shall have the honour of doing as soon as practicable, by referring to the time when the Council was first instituted, to its practice under its founder, the Right Honourable Richard More O'Ferrall, and to the manner in which the liberal and benevolent intentions of Her Majesty, our most beloved Sovereign, and those of the Imperial Government have of late been gradually nullified.

We have, &c.

(signed) S. Cachia Zammit.  
E. E. Scicluna.  
R. Barbaro.  
H. Zimelli.  
Frau. Sav. De Cesare.  
S. Micallef Eynaud.

To the Right Honourable the Earl of Kimberley,  
Secretary of State for the Colonies,  
&c. &c. &c.,  
London.

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Enclosure 2, in No. 3.

My Lord,

Malta, 30 May 1873.

In a letter of the 27th inst., the majority of the elected members had the honour to bring under the special notice of your Lordship the result of the discussion on the Bill for the organisation of public instruction, which, at the meeting of the Council, on the 3rd of April last, I begged leave should be read a first time and printed.

2. I therefore deem it my duty, as the mover of the Bill, to call your Lordship's attention to certain circumstances of fact, some of which fully justify me in having insisted that the Education Bill proposed by me, which was during last session rejected by the official majority, should this year be introduced into Council; and others clearly show that the Government was wrong not to allow the Bill to be read a first time and printed, taking into consideration the principles on which it is based.

3. In your Lordship's Despatch of the 19th April 1872, the elected members were informed that though the objections raised to the Bill then proposed seemed to be well founded, yet your Lordship at the same time thought that, as a matter of courtesy, the official members might have allowed the Bill to be read a first time and printed.

4. This declaration, coming from such high authority as your Lordship, was held by me more than sufficient to make me feel confident that in re-proposing my Education Bill I should not, this session, have had to contend against any coalition of the official members; the more so that the late Governor, Sir Patrick Grant, had assumed the whole responsibility of the rejection of my Bill on its first reading.

5. But, in deference to the opinion expressed by your Lordship on the objections raised by the official members, I thought it advisable not to re-propose the Bill, if I had not beforehand submitted to your Lordship's consideration the many inaccuracies and misrepresentations which interweave Sir P. Grant's Despatches, and which were the materials that enabled your Lordship to judge of the objections raised by my opponents.

6. I have been informed that my communication to your Lordship, dated the 21st of November 1872, was accompanied by a counter-statement written by some officials deeply concerned in the question. Neither I nor the Government received any reply to those Despatches, except that they had been duly received.

7. Your Lordship's silence on so serious and hotly contested a question, and which I had submitted to your Lordship's judgment, substantiated by unquestionable documents, could not but be interpreted otherwise by me than as the most dignified and severe censure of the Government's conduct in the matter.

8. I was fortified in this conviction by the Governor, who, after signifying to him my determination to re-propose the Education Bill, was pleased candidly to inform me that as for himself he desired the Bill should be read a first time and printed, and that he would have apprised the official members that such was his pleasure.

9. What influence the Governor may have brought to bear upon them I shall not here inquire into. I may add that Lieutenant General Sir Francis Seymour was so willing to vote for the Bill, that he actually addressed a letter on the subject to the Governor; and only a sense of duty, as a military man, kept him from giving effect to his wish; a feeling which I highly appreciate, but at the same time it shows how absurd is the constitution of the Council that makes the result of a division on a purely local question dependent upon the arbitrary will of one man, be he the Governor or the leader of the official bench.

10. These are the facts which preceded my motion for leave to introduce the Education Bill; facts that could not but make me feel confident of success, and which most decidedly leave a strong doubt in one's mind how, by what means, through what process, the official majority was on this occasion obtained.

11. But I now come to the most serious fact of the case, and to which I have already alluded, namely, that the Government was wrong not to allow the Bill to be read a first time and printed, taking into consideration the principles on which it is based. All the arguments, reasonings, and objections of the official members are comprised in those of the Crown Advocate, whose words, I beg to quote from his speech delivered in Council on the 3rd of April last: "I shall only say that I object to an Ordinance in reference to the matter with which the honourable member proposes to deal, because an Ordinance gives to the rules it establishes a fixity inconsistent with the nature of regulations for the internal management of the scholastic institutions." Now, last session, in asking for leave to introduce my Bill, as well as in my interviews with the present Governor, and recently in my reply to the Crown Advocate's objections, I particularly declared that my Bill would not have given to the rules it establishes any fixity inconsistent with the nature of regulations for the internal management of the scholastic institutions; nay, I most distinctly stated that my Bill would keep away from the discussions of the Council all that is variable, by the very nature of scholastic institutions, or that which concerns the internal management of the educational establishment; since, scholastic authorities having been instituted for certain subjects, no other authority can be more competent to modify them. In fact, my Bill gives power to the scholastic authorities to vary without the necessity of legislating anew. Hence all that concerns the  
method



method and measure of instruction, as well as the interior discipline and economy of the schools, are left entirely to the Rector of the University, to the Director of the primary schools, to the professors and teachers, whose attributes are fixed by the law.

12. This rapid view of the principles which constituted my Bill ought to have been more than sufficient to induce the official members to give way. Their reasonings and objections could not be considered well founded until it was not seen whether the Bill removed, by means of the above-mentioned provisions, the defects foreseen by the Crown Advocate; and surely it was impossible to see all this without allowing the Bill to be read a first time and printed.

13. But the official members did not want to have anything to do with the Bill; they well knew that without reading, examining, and discussing the Bill, they could not pass judgment on it, but they were alarmed at the prospect of having to sift it in all its bearings; hence they made use of their overbearing majority, and strangled the Bill on its first reading. Is this mode of acting fair? Is it just or honest? I appeal to your Lordship's unbiassed judgment.

14. It is my intention to resume the discussion of the Bill. I do not know that I can follow any other course. My Bill should be examined and considered in its entirety, and be rejected on the second reading, if the Council will think so. This first step being indispensable, I cannot look upon the opposition of the official members as just and considerate.

15. These being the facts, I earnestly invite your Lordship to make such order for the protection of our constitutional rights as will satisfy the intelligent class of this community; and this, in the present case, cannot be done otherwise than by your Lordship declaring that the Education Bill should be read a first time and be printed.

I have, &c.

(signed) *Salvatore Cachia Zammit.*

The Right Honourable the Earl of Kimberley,  
Secretary of State for the Colonies,  
&c. &c. &c.

— No. 4. —

The Earl of *Kimberley* to Governor Sir *C. T. Van Straubenzee*.

Sir,

Downing-street, 15 July 1873.

I HAVE the honour to acknowledge the receipt of your Despatch of the 5th of June,\* forwarding, with other documents, a letter signed by six of the eight elected members of the Council of Government of Malta, and also one from Mr. Cachia Zammit, complaining of the conduct of the official members of Council in opposing a motion made by Mr. Zammit for leave to introduce an Ordinance "For the organisation of public instruction."

With reference to Mr. Zammit's remarks as to the answer which I returned through you to his letter of the 21st of November last,† you will be so good as to inform him, that in confining that answer to a simple acknowledgment, my intention was to indicate that I did not consider it desirable to pursue the question further, and not to express thereby any opinion, still less any censure, on the conduct of the Government in the matter.

You will further inform him and the other elected members of Council who signed the representation forwarded in your Despatch, that having already expressed my opinion on the subject in my Despatch, of the 19th of April,‡ I see no reason to interfere further with regard to it.

I have, &c.

(signed) *Kimberley.*

\* No. 3.

† Enclosure 1, in No. 1

‡ *Vide* No. 3 of House of Commons Paper, No. 20, of May 1872.

MALTA (EDUCATION BILL).

COPY of PAPERS relating to the REJECTION  
of the EDUCATION BILL by the COUNCIL at  
MALTA.

(*Sir George Bowyer.*)

Ordered, by The House of Commons, to be Printed,  
3 July 1874.