

**SPECIMENS OF AUSTRALIAN
ORATORY: COMPRISING
SPEECHES DELIVERED IN THE
SENATE, AT THE BAR, AND ON
THE PUBLIC PLATFORM**

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Specimens of Australian Oratory: Comprising Speeches Delivered in the Senate, at the Bar, and on the Public Platform by David Buchanan

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DAVID BUCHANAN

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To A. B.

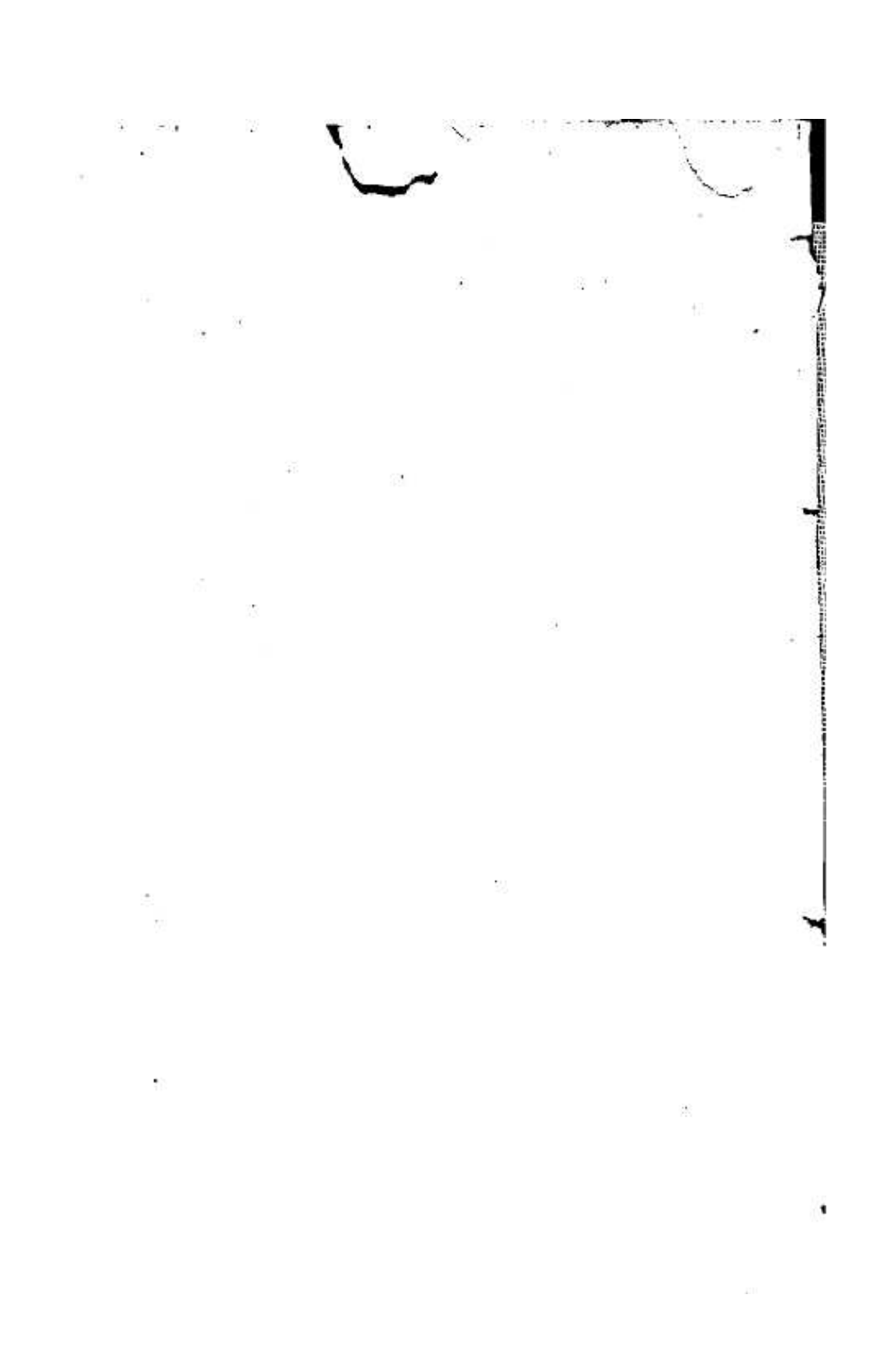
I DEDICATE THIS TRIFLE IN TESTIMONY OF A REGARD THAT WILL
DIE WITH ME, AND WHICH ANY LANGUAGE THAT I
COULD USE WOULD FAIL TO EXPRESS.

DAVID BUCHANAN.

Sydney, 18th December, 1830.

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CAPITAL PUNISHMENT.

On the 26th January, 1861, Sir Henry (then Mr.) Parkes moved the second reading of a bill to abolish capital punishment, on which occasion Mr. Buchanan delivered the following speech:—

Mr. EWART'S annual motion in the House of Commons to effect the purpose of this Bill, has long rendered me familiar with all the arguments used to support the principle of the Bill now before the House, and which I trust will be thrown out by a decisive majority. The honorable member for East Sydney, Mr. Parkes, has not added anything new or original in the shape of argument, to what we have already known as being continually put forth by the upholders of his views. Indeed we could well afford to leave the honorable member unanswered, so little has he said that in any way calls for argumentative reply. The subject of prison discipline, or the proper and just dealing with prisoners, is one of large importance—all the more important when we reflect upon the strange notions that are abroad in reference to their treatment, and the spurious diseased sympathy which seems to set in in favour of great criminals, and of which the Bill now before the House seems to be an emanation. I am afraid we are going so far with our superfine philanthropy and heaven-born benevolence that we run a strong chance of losing all distinction between the virtuous and the vicious, the criminal and the upright honest man. There are in all towns of the world, and in this town as well, a large body of very poor struggling honest people, who have remained honest amidst all manner of squalid misery, battling with hardships and privations in a life or death

struggle for bare existence. These people have endured all those hardships and sufferings patiently and bravely, and have preserved their integrity surrounded by many temptations. They are poor and wretched, but honest, and are sustained mainly by hope in bearing up against the hardships of their lot. Now this is the soil by cultivating which a healthy philanthropy might reap a rich and tangible harvest. No more wholesome, healthy, or holy feeling than that of sympathy here. Sympathy and active aid from philanthropy in this quarter would be a blessed spectacle in harmony with righteousness and truth, and elevating and inspiring all concerned with the purest feeling of religion. This is the proper quarter for the exercise of a just and rational philanthropy. When philanthropy and benevolence are spurious, as well as diseased, they play strange pranks and often most woefully mistake the road. A jail, I always understood, was a place of punishment, but the danger we have to guard against is to see that it is not transformed into a place of easy, comfortable, quiet recreation and repose, entirely at the instance of the aforesaid diseased and spurious philanthropy. No man can be said to be possessed of a healthy moral feeling who does not hate the criminal scoundrel who compels you to confine him in a jail. There can be no love of the good and virtuous without a corresponding hate of the vicious and criminal; and the nature where this hatred does not exist is an unwholesome nature, diseased to the extent of almost rotteness. When prisoners are all properly classified in a jail, with a view to discipline and their own advantage, a uniform spirit of stern sharp severity should pervade the place. They should be made to feel constantly that they are in a place of punishment, and that society detests them and their crimes until by repentance or reformation a better opinion or feeling is justified. The time was when the jail was a terror to evil-

doers; but poor sickly, tottering philanthropy has pretty well shorn the place of all its terrors. What poor man lives so well or is so well cared for as the inmates of our jails? Are the honest poor housed as well, kept so clean, or fed so well, with doctors to attend them when ill, and clergymen to supply their spiritual wants? Well, then, I say that it is a blind, ignorant, diseased, and benighted sympathy that only feels an interest in a man when his detestable villany makes him the inmate of a prison. I maintain, and have always maintained, that every act of kindness by which things are made soft and comfortable for these prisoners in our jails is a wrong done to the poor honest man, who, outside, is contending with hardship and want to preserve his integrity, as well as his existence. Philanthropy, in these days, is perpetrating no end of mischief in rendering it almost impossible to rule the ruffianism of our prisons, teaching them by every means in its power that their crimes have enlisted its love and interest instead of its deepest and most authentic hatred. All intermeddling, at the instance of philanthropy, with the government of our prisons, should be stopped forthwith. Even visitors should not be allowed there, and the prisoners should never see a face but those of their jailers, and be taught to understand that both them and their crimes are hated by every true honest man, which cannot be altered but by their own repentance and resolute purpose to amend. This question of prison discipline is one that will have to be looked into one of these days, not in the way of making it more comfortable for prisoners, but in shaping things so that the bare mention of the word jail will never be heard by our scoundrel class without a shudder. I trust honorable members, in consideration of the importance of this part of the subject, will pardon me following it up a little farther before considering what I believe to be the advantage of the death punishment. I

have said that it is the duty of every healthy wholesome nature to hate the criminal scoundrel who compels you to lock him up in prison. There are two principles existing here patent enough to all of us, good and evil. There can be no love of both—the love of the one necessitates the hatred of the other, and how any man can say that he hates evil and loves the doer of it is one of those problems entirely beyond my comprehension. Let me put a case to bring the truth of this matter vividly and clearly before honorable members. A poor patient, faithful, loving wife and mother finds the reward of all her anxious kindness and devotion in brutal ill-usage at the hands of her scoundrel husband. She has borne this for years without murmur, but it ends in the ruffian kicking and trampling the life out of her. Does the Christian religion prescribe love for a detestable wretch of this kind? The Bill before the House, if passed into law, which I trust it never will be, would save him from the only punishment equal to his deserts; but will any man answer me and say that that man is in a healthy state, morally, whose soul does not blaze into fiery and divine hatred of such a ruffian. I am sick to death of this weak, effeminate mixing up of right and wrong, good and bad, and pretending to see no difference between them, but to have the same feelings of love, pity, and sympathy for the criminal that are entertained by all good men for the struggling, devoted poor but honest man. Who can say what may happen in these days if the philanthropy that staggers about like a drunken lunatic, gets the upper hand, and is allowed to do as it likes inside our jails. Most pernicious is that ignorance and mawkish cant that is perpetually getting up an agitation to save some detestable criminal from his appropriate punishment. If this sickly system of spurious benevolence in the treatment of our prisoners is continued we will very soon be admonished to change our tactics. I do not wish to shut