

(No. 40.)



1874.

T A S M A N I A.

LEGISLATIVE COUNCIL.

PRESBYTERIAN CHURCH BILL.

PETITIONS FOR AND AGAINST.

Presented, July 30, August 4, 5, and 6; and ordered by the Council to be printed,
August 7, 1874.



PETITIONS FOR AND AGAINST THE PRESBYTERIAN CHURCH BILL.

FOR THE BILL.

*To the Honorable the President and Members of the Legislative Council,
in Parliament assembled.*

The humble Petition of the undersigned Minister and Office-bearers of the Church of Scotland
in Bothwell, Tasmania.

MOST RESPECTFULLY SHOWETH :

THAT whereas there is now before your Honorable House a Bill, intituled "A Bill to regulate the Affairs of the Church of Scotland in Tasmania;" and we the undersigned Minister and Office-bearers of the Church of Scotland, Bothwell, being aware of its provisions, and fully conscious of the necessity of such a measure being passed into law.

Your Petitioners therefore humbly pray that such Bill may receive the sanction of your Honorable House.

JOSEPH BLACK, *Minister.*
ALEX. REID,
WM. MOYES, } *Office-bearers.*
A. M'DOWALL, }

Petitions in the same terms from—

	<i>No. of Signatures.</i>
Minister, Elders, and Managers of St. John's Presbyterian Church, Hobart Town..	9
Moderator and Acting Clerk of Presbytery	2
Minister and Office-bearers of the Presbyterian Churches at Kirklands, Esk Vale, Upper Macquarie, and Campbell Town	3
Managers of Presbyterian Church, Sorell	5
Trustees and Managers of St. Matthew's Church, Glenorchy	6
Presbyterians	51
Ditto.....	27
Ditto.....	42

*To the Honorable the President and Members of the Legislative Council,
in Parliament assembled.*

The humble Petition of the undersigned 134 Presbyterians in Evandale and surrounding Districts,
Tasmania.

MOST RESPECTFULLY SHOWETH :

THAT whereas there is now before your Honorable House a Bill, intituled "A Bill to regulate the Affairs of the Church of Scotland in Tasmania;" and we the undersigned Presbyterians being aware of its provisions, and fully conscious of the necessity of such a measure being passed into law.

Your Petitioners therefore humbly pray that such Bill, amended as under, may receive the sanction of your Honorable House.

Amendment I.—That Clause 5, in so far as regards the election of Trustees, be amended in order to provide, (1) That the Trustees of each Congregation shall be members of the Congregation; and, (2) That each Congregation shall elect its own Trustees, the names to receive the approval of the Synod.

Amendment II.—That Clause 8 be either omitted from the Bill, or so amended as clearly to provide that the rights and interests of Scheduled Ministers are retained to them so long as they abide by the terms of their induction or ordination contract.

[Here follow 134 Signatures.]

*To the Honorable the President and Members of the Legislative Council,
in Parliament assembled.*

The humble Petition of the Ministers and Managers of St. Andrew's Presbyterian Church,
Launceston.

MOST RESPECTFULLY SHOWETH:

THAT whereas there is now before your Honorable House a Bill, intituled "A Bill to regulate the Affairs of the Church of Scotland in Tasmania;" and we the undersigned Minister and Managers of St. Andrew's Church being aware of its provisions, and fully conscious of the necessity of such a measure being passed into law. Your Petitioners therefore humbly pray that such Bill may receive the sanction of your Honorable House.

JOHN GARDNER, *Minister.*

WILLIAM EDMOND,	} <i>Managers.</i>
E. LAWRENCE,	
JAMES LOCKWOOD,	
ALEX. B. BIGGS,	

AGAINST THE BILL.

*To the Honorable the President and Members of the Legislative Council, in
Parliament assembled.*

The Petition of the undersigned Communicants and Adherents in the Church of Scotland at
Launceston.

HUMBLY SHOWETH:

THAT your Petitioners have been informed that there is at present before your Honorable House "A Bill to regulate the Affairs of the Church of Scotland in Tasmania."

That your Petitioners having carefully studied this Bill are of opinion that it proposes:—

1st. To alter the standards, constitution, worship, and discipline hitherto observed in this Church, and now and since the year 1690 established and maintained in the Church of Scotland.

2nd. To constitute a new ecclesiastical authority under the name of a Synod, with powers of legislative and judicial action not safe to be vested in the hands of any few men in this Colony, and not possessed even by the General Assembly of the Church of Scotland.

3rd. To confer on this Synod powers to interfere unduly with the possession of ecclesiastical buildings and other properties now held in trust for your Petitioners and other persons in professed connection with the Church of Scotland.

4th. To alienate from present uses, and place under new trusts and new control, the Debentures granted under the State Aid Commutation Act for the purposes of public worship in connection with persons professing to be connected with the Church of Scotland in the Colony.

5th. Your Petitioners have also to inform your Honorable House that this Bill emanates from a small body of Ministers whose principles are not in accord with the Church of Scotland, and whose illegal conduct has already driven your Petitioners in public protest from worshipping within the walls of their own Church in Launceston.

6th. And finally that your Petitioners are of opinion that the State Aid Commutation Act was intended to effect, with the sanction of the Imperial Government, the final settlement of all questions of money and property affecting Churches hitherto endowed from the Public Revenue: that there is no urgent claim arising either from any emerging rights or from public policy for the unsettling of that Act.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland.

And your Petitioners will ever pray.

[Here follow 191 Signatures.]

To the Honorable the President and Members of the Legislative Council, in Parliament assembled.

The Petition of the undersigned the present Trustees and late Managers of St. Andrew's Church, Launceston.

HUMBLY SHOWETH:

That your Petitioners having carefully studied the Bill now before your Honorable House, entitled "A Bill to regulate the Affairs of the Church of Scotland in Tasmania," are of opinion that it proposes:—

To alter the standards, constitution, worship, and discipline hitherto observed in this Church, now and since the year 1690 established and maintained in the Church of Scotland.

To constitute a new ecclesiastical authority under the name of a Synod, with powers of legislative and judicial action not safe to be vested in the hands of any few men in this Colony, and not possessed even by the General Assembly of the Church of Scotland.

To confer on this Synod powers to interfere unduly with the possession of ecclesiastical buildings and other properties now held in trust for your Petitioners and other persons in professed connection with the Church of Scotland.

To alienate from present uses, and place under new trusts and new control, the Debentures granted under "The State Aid Commutation Act" for the purposes of public worship in connection with persons professing to be connected with the Church of Scotland in this Colony.

Your Petitioners have also to inform your Honorable House that this Bill emanates from a small body of Ministers whose principles are not in accord with the Church of Scotland, and, as far as we are aware, without any wish having been expressed by the great body of the people for such legislation.

And finally that your Petitioners are of opinion that "The State Aid Commutation Act" was intended to effect, with the sanction of the Imperial Government, the final settlement of all questions of money and property affecting Churches hitherto endowed from the Public Revenue: that there is no urgent claim arising from any emerging rights or from public policy for the unsettling of that Act.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland.

And your Petitioners will ever pray.

ALEX. WEBSTER,	}	<i>Trustees.</i>
W. TYSON,		
W. TURNBULL,	}	<i>Late Managers.</i>
JOHN TOAN,		
JOHN REID,		
WM. TYSON, JUN.,		

To the Honorable the President and Members of the Legislative Council, in Parliament assembled.

The Petition of the undersigned the Superintendent and Sabbath School Teachers in connection with St. Andrew's Church, Launceston.

HUMBLY SHOWETH:

THAT your Petitioners are aware that a Bill is before your Honorable House, entitled "A Bill to regulate the Affairs of the Church of Scotland in Tasmania;" and having made themselves aware

of its provisions, are of opinion that it proposes to alter the standards, constitution, worship, and discipline hitherto observed in this church, and as maintained in the Church of Scotland.

That this Bill also proposes to constitute a new ecclesiastical authority under the name of a Synod, with powers greater than those possessed by the General Assembly of the Church of Scotland; to confer on this Synod powers to interfere with church properties held in trust for your Petitioners, and for other persons in connection with the Church of Scotland; and to alienate from present uses and place under new trusts and new control the Debentures granted under "The State Aid Commutation Act" for the purposes of public worship in connection with the Church of Scotland.

Your Petitioners have also to inform your Honorable House that the Sabbath School we represent is the largest in connection with any Presbyterian Church in the Colony; and are of opinion that were the Bill now before your Honorable House to become law, it would not only be destructive to the Church in connection with the Church of Scotland throughout the Colony, but would also have the effect of scattering this large and interesting Sabbath School.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland.

And your Petitioners will ever pray.

[Here follow 19 Signatures.]

*To the Honorable the President and Members of the Legislative Council,
in Parliament assembled.*

The Petition of the undersigned Communicants and Adherents of the Church of Scotland resident in the Westbury District.

RESPECTFULLY SHOWETH :

That there is now before your Honorable House a "Bill to regulate the Affairs of the Church of Scotland in Tasmania."

That your Petitioners having considered the measures contained in the said Bill are disposed to regard them as mischievous, and opposed to the best interest of the church; it proposes to alter the standards, worship, and discipline maintained in the Church of Scotland.

It provides for a new ecclesiastical authority under the name of a Synod, with power to legislate and alter laws with which we are familiar. We regard this power as dangerous alike to your Petitioners and the future of the Church of Scotland.

It confers on this Synod powers to deal with ecclesiastical buildings and properties now held in trust for the benefit of your Petitioners and others in connection with the Church of Scotland.

It gives powers to the Synod to control the Debentures granted under "The State Aid Commutation Act," the said Debentures being set apart for the use of persons in connection with the Church of Scotland.

Your Petitioners, regarding the final settlement of the moneys and properties in connection with the Church of Scotland as fixed by "The State Aid Commutation Act," pray that no further legislation may be allowed to interfere with the moneys and properties of the said Church.

Your Petitioners trust that it may please your Honorable House to reject the Bill to regulate the affairs of the Church of Scotland.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 44 Signatures.]

*To the Honorable the President and Members of the Legislative Council,
in Parliament assembled.*

The Petition of the undersigned Communicants and Adherents of the Church of Scotland.

RESPECTFULLY SHOWETH :

THAT there is at present before your Honorable House a "Bill to regulate the Affairs of the Church of Scotland in Tasmania."

Your Petitioners having carefully examined the various clauses in the said Bill, are of opinion that it proposes to materially alter the constitution and discipline observed in the Church since its first foundation in Tasmania.

It proposes a new ecclesiastical authority, under the name of a Synod, with legislative and judicial powers that in the hands of a few men would be dangerous, in the opinion of your Petitioners, to the best interests of the Church.

It proposes to give powers to this Synod to obtain possession of Church properties now vested in trust for your Petitioners and others in connection with the Church of Scotland.

To divert from present uses the Debentures granted under "The State Aid Commutation Act," and set apart for the special use of the persons in connection with the Church of Scotland in Tasmania.

Your Petitioners are of opinion that the final settlement of all moneys and properties in connection with the Church of Scotland was disposed of by "The State Aid Commutation Act," and they view with alarm the attempt at further legislation on this subject as proposed by the Bill now before Parliament.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland.

And your Petitioners will ever pray.

[Here follow 34 Signatures.]

To the Honorable the President and Members of the Legislative Council, in Parliament assembled.

The Petition of the undersigned John Storie, Minister of St. Andrew's, Hobart Town.

HUMBLY SHOWETH :

THAT your Petitioner has only this afternoon received and read a copy of a "Bill to regulate the Affairs of the Church of Scotland in Tasmania," as the same has been submitted to your Honorable House, and as printed officially by the Government Printer.

Your Petitioner has to state that this Bill is not the same which was sustained by a majority of the Presbytery of Tasmania at its late meeting and sent down to the congregation of the Church of Scotland for their consideration; that the two differ essentially and fundamentally; that your Petitioner has had no time nor opportunity to consider the provisions of the Bill in its present shape; and he is of opinion, so far as his knowledge extends, that no petition as yet presented to your Honorable House has any bearing on or reference to the Bill in the form in which it is now before the Legislative Council.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland in Tasmania.

And your Petitioner will ever pray, &c.

JOHN STORIE, *Minister of St. Andrew's.*

Hobart Town, 6th August, 1874.

To the Honorable the President and Members of the Legislative Council, in Parliament assembled.

The Petition of the undersigned being Trustees of the St. Andrew's Presbyterian Church, Campbell Town, and Members in full communion with the Church of Scotland.

HUMBLY SHOWETH :

THAT your Petitioners have been informed that there is before your Honorable House a "Bill to regulate the Affairs of the Church of Scotland in Tasmania."

That in the judgment of your Petitioners the ecclesiastical changes proposed in this Bill are fundamental, unjust, overbearing, and unsafe.

That the provisions of this Bill are most repugnant to your Petitioners and to a large number of their fellow Presbyterians in the Colony.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland.

And your Petitioners will ever pray, &c.

THOS. B. BLYTH, }
ALEX. TURNBULL, } *Trustees.*

[Petition in the same terms from 32 Members of St. Andrew's Church, Campbell Town.]

To the Honorable the President and Members of the Legislative Council, in Parliament assembled.

The Petition of the undersigned Trustees and Managers of St. Andrew's Church, Hobart Town.

HUMBLY SHOWETH :

THAT your Petitioners have only this afternoon received and read a copy of a "Bill to regulate the Affairs of the Church of Scotland in Tasmania," in the form in which it has been submitted to your Honorable House and printed officially.

That your Petitioners have to state that this Bill is not the same which was sustained by a majority of the Presbytery at its late meeting and sent down to your Petitioners and the congregation of St. Andrew's for their consideration ; that the two differ essentially and fundamentally ; that your Petitioners have had no time or opportunity to consider the provisions of the Bill in its present shape, nor has the congregation of St. Andrew's ; that in the opinion of your Petitioners it would be inconsistent with that sense of honor and justice which your Petitioners believe animate your Honorable House to proceed further with the consideration of the above-named Bill in these circumstances.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland in Tasmania.

And your Petitioners, as in duty bound, will ever pray.

CHARLES MILLER, *Manager.*
JOHN GELLIE, *Elder and Manager.*
JOS. BATT, *Manager.*
D. M'GREGOR,
JAMES CAMPBELL, }
HUGH F. ARMSTRONG, } *Trustees.*

Hobart Town, 6th August, 1874.

To the Honorable the President and Members of the Legislative Council, in Parliament assembled.

The Petition of the undersigned being persons residing in Hobart Town and connected with the Church of Scotland.

HUMBLY SHOWETH :

THAT your Petitioners have been informed that there is before your Honorable House a "Bill to regulate the Affairs of the Church of Scotland in Tasmania."

That your Petitioners have been most of them born in Scotland, and are familiar with the laws, usages, and government of the Church of Scotland.

That in the judgment of your Petitioners the ecclesiastical changes proposed in the aforesaid Bill are unnecessary, unjust, overbearing, and unsafe ; and its provisions most repugnant to your Petitioners and to a large number of their fellow Presbyterians in the Colony.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland in Tasmania.

And your Petitioners will ever pray, &c.

[Here follow 61 Signatures.]

*To the Honorable the President and Members of the Legislative Council, in
Parliament assembled.*

The Petition of the undersigned being Trustees, Office-bearers, Communicants, and Seatholders in the Church of St. Andrew's, Hobart Town.

HUMBLY SHOWETH :

THAT your Petitioners have been informed that there is a "Bill before your Honorable House to regulate the Affairs of the Church of Scotland in Tasmania."

That your Petitioners have been most of them connected from childhood with that Church, and are familiar with its doctrines, laws, and government.

That, after careful consideration of the Bill just named, your Petitioners are of opinion that it proposes—

1. To alter the standards, constitution, worship, and discipline hitherto observed in this Church, and now and since the year 1690 established and maintained in the Church of Scotland.

2. To constitute a new ecclesiastical authority, under the name of a Presbyterian Synod, with powers of legislative action not now, and never at any period in its history, possessed by the General Assembly of the Church of Scotland.

3. To give to this Synod power to interfere unduly with the possession of ecclesiastical buildings and properties at present held in trust for and in the possession of your Petitioners and other persons connected with the Church of Scotland.

4. To transfer the Debentures granted to the Church of Scotland under "The State Aid Commutation Act" from their present trusts and uses to the control of a new authority, and to the uses of such persons as shall consent to enter into the communion of the new Church proposed to be established.

That your Petitioners have also to inform your Honorable House that this Bill emanates from a small body of Ministers whose illegal proceedings have already driven a large body of persons connected with the Church of Scotland, in public protest, from worshipping within the walls of their own Church at Launceston, and have made it necessary to institute a suit in equity to compel them to grant to your Petitioners, as members of the Church of St. Andrew's, their constitutional rights of congregational government, and their due influence and representation in the governing authority of the Church; and your Petitioners have reason to believe that the present Bill has been submitted in order to arrest the action of the Supreme Court in a suit now before it, and by the interposition of the Legislature to interrupt the course of public justice.

And finally, that your Petitioners are of opinion that the "State Aid Commutation Act" was intended to effect, with the sanction of the Imperial Government, the final settlement of all ecclesiastical questions between the Legislature and the various religious denominations in the Colony: that there is no urgent claim either from any emerging rights, or ecclesiastical necessity, or public policy, for the unsettling of that constitutional statute; and they respectfully submit that there is no authority vested in the Colonial Parliament to alter, or to unsettle, or to abrogate a statute which has received the Imperial sanction, and which has already regulated the appropriation of moneys originally by Her Majesty reserved.

May it therefore please your Honorable House to reject the Bill now before it to regulate the affairs of the Church of Scotland in Tasmania.

And your Petitioners will ever pray, &c.

[Here follow 177 Signatures.]

*To the Honorable the President and Members of the Legislative Council of Tasmania,
in Parliament assembled.*

The Petition of the undersigned:

RESPECTFULLY SHOWETH :

THAT your Petitioners are Members and Adherents of the Church of Scotland in Tasmania residing in the Evandale District.

That a small body of Ministers professing to belong to the said Church have prepared a Bill, now before your Honorable Council, which provides for the alienation of all property and emoluments

of the said Church of Scotland, and to transfer the same to a new church to be entitled the Presbyterian Church in Tasmania.

That your Petitioners have been taken by surprise by this rash and hasty attempt at legislation on such an important question.

That it is unsafe and imprudent to invest with the supreme power contemplated by this Bill such a small and irresponsible body as the proposed Synod.

That your Petitioners consider such a sweeping change in the constitution of the Presbyterian Church in the Colony neither desirable nor necessary.

May it therefore please your Honorable Council to reject the Bill for regulating the affairs of the Church of Scotland in Tasmania.

And your Petitioners will ever pray, &c.

[Here follow 57 Signatures.]