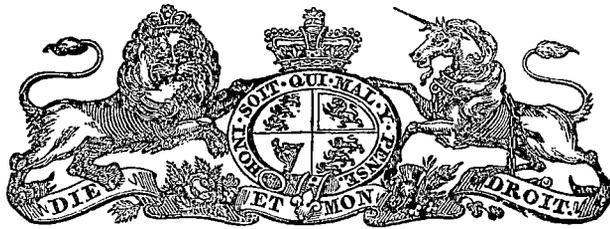


(No. 82.)



1857.

TASMANIA.

R E P O R T

OF THE SELECT COMMITTEE APPOINTED ON THE 23TH JANUARY
TO CONSIDER AND REPORT UPON THE PETITION PRESENTED
BY THE HON. FRANCIS BURGESS, ESQ.

Brought up, and ordered by the House to be printed, 22 February, 1858.



Your Committee have carefully considered the Petition of FRANCIS BURGESS, Esq., referred to them by your Honourable House.

Mr. Burgess has proved to their satisfaction the principal allegations in his Petition. He assumed the office of Chief Police Magistrate of this Colony under an appointment by Letters Patent issued in pursuance of the direction contained in a Royal Warrant dated the 11th of May, 1843, and was at the same time sworn in a Member of the Executive Council. From that period till the 1st of August last year he discharged all the duties of Chief Police Magistrate; and, since April, 1855, those also of Bench Magistrate of Hobart Town without additional remuneration. He continued, by virtue of his office as Chief Police Magistrate, a Member of the Executive Council until the introduction of Responsible Government. Though thus occupying a high political position under our recent form of Government, he is not included amongst those principal Officers of the Government who received compensation under the *Constitutional Act*, and yet is one of the first to suffer the loss of office under the change of system. In consequence of alterations which the Government have thought it right to make in the Department over which he has so long and creditably presided, he has been removed altogether from office, and a pension of £170 a year assigned to him, calculated upon a scale approved of by Parliament.

The fixed salary of Mr. Burgess during his tenure of office was £700 per annum, with a house allowance of £60 a year. The sudden reduction of such an income to one of £170 must press very heavily upon him. Your Committee cannot but be of opinion that such a pension is utterly inadequate to the decent support of Mr. Burgess and his family in the social position in which they have hitherto moved. Nevertheless, they are not prepared to recommend that from the resources of this Colony an increase should be made to the inadequate pension allotted to him. The office which he lately held was chiefly of an Imperial character, and was one of those towards defraying the cost of which the English Government until recently contributed an annual sum amounting to two-thirds of its entire charge. The Police Department, of which he was the head, was established upon a scale of magnitude rendered necessary chiefly by the presence of large numbers of British Convicts; and the reasons which made it just that the Imperial Government should contribute towards its maintenance, apply with equal force where the question is as to the obligation to award a proper retiring allowance to reduced Officers of that Department. In other words, the burden of making provision for reduced Officers of the late Convict Department no longer required for Colonial purposes should not be thrown altogether upon the Colony. Your Committee consider the pension of £170 a full contribution from the Colony towards making a proper allowance to Mr. Burgess upon his now necessary retirement; and express their hope that His Excellency the Governor will be pleased so to represent his claim to the Right Honourable the Secretary of State.

J. C. GREGSON, *Chairman of Committee.*

*Committee Room, House of Assembly,
22 February, 1858.*