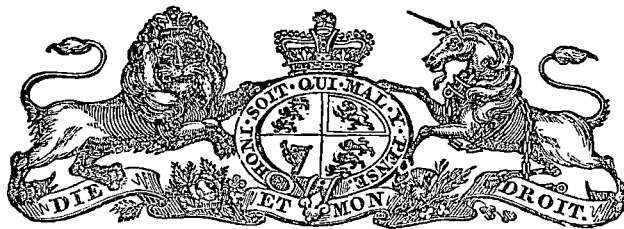


(No. 90.)



1870.

T A S M A N I A.

R E V. B. B A L L.

C O R R E S P O N D E N C E R E S P E C T I N G A B S E N C E.

Laid upon the Table by the Colonial Treasurer, and ordered by the House to be printed, September 22, 1870.



Tasmania,
Colonial Treasury, Hobart Town, 2nd May, 1870.

SIR,

THE Sixth Section of "The State Aid Distribution Act" provides for Salaries and Allowances being paid to certain persons so long as they continue to act as Ministers of the Church to which they belong within the Colony.

Among the persons named in the Act is the Rev. Benjamin Ball, Minister of the Church of England, for the Cure of Broadmarsh, to whom a Salary with Allowances amounting to £310 per annum has hitherto been paid; but my attention having been called to the fact that Mr. Ball is absent on leave, I have felt it my duty to refuse the payment of such Salary and Allowances for the following reasons:—

First—That leave of absence from the Colony has not received the approval of the Governor in Council.

Second—That it is alleged that Mr. Ball has been absent from the Colony on several occasions previously for months at a time during the past four or five years; that he returned to the Colony some weeks since and sold all his household furniture, and is now believed to have left the Colony without any intention of returning.

Third—That to continue to pay Mr. Ball's Salary and Allowances to the Secretary of Synod on behalf of the Governing Authority of the Church of England under the circumstances stated would be highly improper, and contrary to the intentions of the Legislature; the ninth Section of the "State Aid Commutation Act" having authorised the Governor in Council to grant a Pension to any Minister who from age or infirmity is incapable of performing his duty.

I have the honor to be,
Sir,

Your obedient Servant,

THOS. D. CHAPMAN, *Colonial Treasurer.*

The Hon. the Colonial Secretary.

Colonial Secretary's Office, 4th May, 1870.

MY LORD,

I HAVE the honor herewith to enclose a copy of a communication addressed to me yesterday by the Honorable the Colonial Treasurer upon the subject of the non-payment by the Treasury of the salary and allowances to the Reverend Benjamin Ball set forth in the State Aid Distribution Act 26 Vict. No. 17.

I beg to draw attention to the views expressed by the Honorable the Treasurer; and have further to point out that in the absence of a declaration before a recognised authority by any person—being out of the Colony—of his existence, who would otherwise be entitled to receive a fixed amount from the Treasury, the funds are withheld.

I have, &c.,

(Signed) J. M. WILSON.

The Right Reverend the Lord Bishop of Tasmania.

Hobart Town, 6th May, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter, and that of the Hon. the Colonial Treasurer, upon the subject of his refusal to pay to the Rev. B. Ball the salary and allowances claimed by him under "The State Aid Distribution Act."

As that gentleman is absent upon leave, it will be for him to take advice for the protection of his interests.

You will permit me to make some remarks upon the reasons which the Treasurer assigns for the measure which he has felt it to be his duty to adopt.

First,—The late Attorney-General has declared his opinion, in writing, that the consent of His Excellency the Governor is not required on the occasion of temporary absences granted by the Bishop.

Secondly,—Mr. Ball's health has for the last three or four years been gradually breaking down, and he has been compelled to pass the last two or three winters in a warmer climate, providing on each occasion for the discharge of his duties as the circumstances would allow. On his last return he was found incapable of performing his duties satisfactorily, and he requested a longer leave of absence in the hope of regaining lost ground.

The enclosed letters will show upon what conditions such leave was, after full consideration of the circumstances of the case, granted.

I have further to observe under this head, that I have no reason to believe that Mr. Ball left the Colony without intention of returning. A Clergyman from the Diocese of Melbourne has been hitherto performing the duties of the Cure, residing in the Parish.

Thirdly,—I have reason to believe that the determination of the Government to interpret the ninth Section of "The State Aid Commutation Act" by reference to the terms of "The Superannuation Act," of which no mention is made in that Section, has deterred others of the Chaplains who contemplated retiring, and may have deterred Mr. Ball from taking advantage of its provisions.

I have the honor to be,

Sir,

Your obedient Servant,

C. H. TASMANIA.

The Hon. Colonial Secretary.

(Copy.)

Mona Vale, 21st February, 1870.

MY DEAR SIR,

UNDER the circumstances which you describe, I consent to your return to a warmer climate, upon the understanding, (1.)—That you have leave of absence for 18 months, and contribute £70 a year towards the expense of supplying a substitute; or (2.)—That you place your absolute resignation in my hands in the event of the Government allowing a maximum retiring pension, which you may be willing to accept.

I am, &c.,

(Signed) C. H. TASMANIA.

The Rev. B. BALL.

(Copy.)

Launceston, 22nd February, 1870.

MY DEAR SIR,

I AM afraid that I was too hasty in expressing myself the other day. I intended to grant the leave of absence for 18 months, subject to the conditions which I imposed upon the last occasion of your absence, viz.—that you shall absolutely resign upon a retiring pension, whenever I find myself able to unite Broadmarsh with Brighton, or to make any other arrangement which is for the welfare of the people.

I am, &c.,

(Signed) C. H. TASMANIA.

Rev. B. BALL.

Colonial Secretary's Office, 27th May, 1870.

MY LORD,

WITH reference to Your Lordship's communication of the 6th instant, respecting the Rev. B. Ball's Salary and Allowances under "The State Aid Distribution Act," I have the honor to request that you will have the goodness to acquaint me with the several periods of "Leave of Absence" enjoyed by Mr. Ball during the last four years.

I have, &c.,

(Signed) J. M. WILSON.

The Right Reverend the Lord Bishop of Tasmania.

Hobart Town, 14th June, 1870.

SIR,

ADVERTING to your letter of May 27, I beg to state that the subject on which you desire information is one committed by "The State Aid Distribution Act" to the discipline of the Church Authorities. I am, however, glad to furnish the information which you desire. The Rev. B. Ball was permitted, in consequence of Medical Certificates, to reside for three successive winters in a warmer climate. On those occasions he consented to part with a portion of his Stipend; and there is no doubt, considering the nature of his ailment—bronchitis—and his inability to leave the house, the arrangement was beneficial for the Parish.

I am, Sir,

Your obedient Servant,

C. H. TASMANIA.

The Hon. Colonial Secretary.
