

(No. 122.)



1878.

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TASMANIA.

LEGISLATIVE COUNCIL.

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REV. JOHN STORIE:

PETITION.

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Presented by Mr. Aikenhead, and ordered by the Council to be printed,  
May 21, 1879.



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

The Petition of the undersigned JOHN STORIE, Minister of the Church of St. Andrew's, Hobart Town.

HUMBLY SHOWETH :

THAT your Petitioner having been informed by the Hon. Thomas Daniel Chapman in or about the month of July, 1878, that it had been arranged and was understood that he should, on retiring from the ministry of the church of which he is now incumbent, receive a pension at the rate of £300 a year, did on the 21st of September of that year, and subsequent to the passing of the Presbyterian Church Act through both Houses, write to the Premier as follows :—" Sir,—I feel now at liberty to carry out my own personal arrangements, and beg therefore to submit to you that, if the Government will consent to propose and Parliament to grant me a pension of £300 a year to commence (say) from the first day of January next, I shall be prepared very gratefully to accept it."

That your Petitioner subsequently to this, and in reply to a communication from the Hon. W. R. Giblin, then Premier, did on the 22nd October, 1878, write him as follows :—" Sir,—I have the honor to acknowledge your communication of the 19th October informing me that the House of Assembly have assented to a resolution authorising the Governor in Council to grant me a pension at the rate of £300 a year, and enquiring from what date I should wish this to take effect. I beg in reply to state that it would suit my convenience to be allowed to retire from the public service at the end of this year; and that I should be prepared therefore to accept the Pension you name—that is, £300 a year—to commence from the 1st day of January, 1879."

That your Petitioner had no intimation whatever that the granting of this Pension would be encumbered with any unusual conditions; that no suggestion to that effect had been made to him either by the Honorable Mr. Chapman, or the late Government, or the House of Assembly; nor had your Petitioner in any conversation or by any act whatever induced or permitted any persons to conclude that he was inviting or would accept this Pension on any such conditions.

That your Petitioner decidedly declines to assume any responsibility whatever as to the future possession of the Church, the Manse, and Glebe of St. Andrew's, or to accept a Pension with an appended obligation to give up the possession of these properties on the leaving of his incumbency to any party or parties whatever, being fully satisfied that he possesses no valid power to execute such an engagement.

That so far as is known to your Petitioner the Governing Authority of the Presbyterian Church of Tasmania, as founded and constituted by the recent Statute of this Colony, has not as yet held any valid meeting, nor ascertained its legal members, nor enacted any laws, rules, or regulations, nor defined any creed, nor constitutionally nominated and appointed any Trustees; and that no properties are or can be held by the Trustees of the said body except on trusts defined; while it is specially provided in Section 4 of the said Statute that "all lands, hereditaments, rights, &c. whatsoever so vested in such Trustees . . . shall be by them applied in such manner and for such purposes as the congregation shall from time to time direct." And your Petitioner, though no other impediment stood in the way, cannot consent to trample on the statutory rights of the congregation of St. Andrew's.

May it therefore please your Honorable House either to pass the Storie Pension Bill in such a form as your Petitioner can legally and honorably accept and execute its conditions or reject and dismiss it.

And your Petitioner will ever pray, &c.

JOHN STORIE.