

(No. 5.)



1856.

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T A S M A N I A.

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P E T I T I O N.

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Presented by Mr. Button, and ordered by the Legislative Council to be printed,  
15 January, 1857.



*To the Honorable the Legislative Council of Tasmania and its Dependencies, in Parliament assembled.*

The humble Petition of the Ministers and Members of the Congregational Union of Tasmania, in Yearly Meeting assembled.

SHOWETH:

THAT your Petitioners, as Ministers and Members of the Congregational Union of Tasmania, in Annual Meeting assembled, are delegated to represent the Churches and Congregations of the Independent Order in this Colony.

That, regarding it to be the bounden duty as well as the inalienable right of every man to render supreme obedience to Almighty God, and peaceably to practise and promote His worship in such way as may be deemed by him accordant with the Divine will, and as may be consistent with the liberties of others, your Petitioners have recognised this obligation by providing, at their own cost, Buildings for public worship, and Schools for religious instruction, and by supporting their own Ministry, together with the whole machinery of their ecclesiastical operations.

That, notwithstanding the large expenditure thus incurred for the support of their institutions, your Petitioners are, in common with other citizens, constrained by law to pay for the maintenance of doctrines which they repudiate as displeasing to God and hurtful to man,—of religious rites which they deprecate as superstitious,—of ecclesiastical offices from whose authority they dissent,—of a Ministry whose claims they do not recognise, and whose services they do not employ,—and of edifices in which they do not assemble for worship; and such compulsion your Petitioners regard as a grievous infringement on both their civil and their religious liberties.

That your Petitioners hold the fundamental axiom that the quality of truth is vital to all religious pretension, insomuch that to convict a religion of falsehood is to make its rejection imperative on the conscience; and therefore that, even were the abstract right conceded to the Civil Legislature of constraining the citizen to sustain a religion, it could only be to sustain that one which is true. But the exercise of such supposed right would constitute Parliament an umpire between conflicting faiths, an office for which it possesses no natural fitness,—the representatives of a people being generally chosen not for the soundness of theological convictions, or the correctness of their religious character, but simply for their supposed capacity to promote the civil interests of the community. And moreover the assumption of such an office places the question, what is true in religion, at the mercy of Parliamentary majorities. Your Petitioners believe that any such claim to make authoritative decision, or to enforce it by law, has no foundation in reason or justice,—that it entails a responsibility on the Members of Parliament which no human legislature can meet,—and that it is most perilous to the temporal and eternal interests of a community.

That your Petitioners would further represent that, during the administration of His Excellency the late Sir John Franklin, formerly Lieutenant-Governor of this Colony, and in the first year of Her Majesty's Reign, an Act was passed, with the advice of the Legislative Council, "to make provision for the support of certain Ministers of the Christian Religion, and to promote the erection of places of Divine Worship," which Act is, as to its main provisions, now in force in this Colony.

That the said Act, on certain conditions therein specified, empowers the Governor to pay out of the Colonial Treasury various sums of money for the erection of Ministers' Houses and Places of Worship, and for Salaries of Clergymen of the Churches of England, Scotland, and Rome respectively.

That your Petitioners, without presuming to express an opinion on the validity of the claims urged severally by these churches, feel warranted in asserting that, though all included under the generic name of the Christian Religion, they are in fact separated from one another by radical differences in creed and polity; that they hold conflicting and mutually subversive Articles of Faith, and are by their several constitutions fundamentally opposed, insomuch that they hold no ecclesiastical communion with each other; that what one upholds as saving truth is by the other condemned as fatal error; and that what one urges as necessary to acceptance with God, is regarded by another as perilous to man's interests here and hereafter.

That, as contradictory assertions cannot be alike true, the principle which the said Act embodies and enforces is, of necessity, the indiscriminate support of truth and error.

That such a principle violates every creed, and is repudiated by every Church in Christendom, is condemned alike by reason, religion, and civil justice, and can only be defended on the plea that all religions are logically false, but some are politically useful.

That, at the time of the passing of the said Act, the late Venerable Archdeacon Hutchins, and all but two of the Clergy of the Church of England then in this Colony, united in a Petition presented by the late Chief Justice, which complained that its principles were a compromise of truth, since they assumed "that the religious sentiments of the Roman Catholics are equally entitled with those of the Protestant to the support of Government, and that every variety of religious sentiment which is to be met with among the various denominations of Christians is entitled to support, without any reference whatever to the conformity of these sentiments to the Word of God."

That the responsibility of thus appropriating the Revenue to the indiscriminate support of truth and error has been further extended by the issue of Grants to the Wesleyan Society and the members of the Hebrew persuasion; and that the State having thus abandoned the plea of endowing a creed because it is judged to be true, political justice demands, on the same principle, that the Revenue should be shared without restriction by the members of every religious society, or, in other words, that Parliament should constrain the whole community to support every phase of religious opinion and profession that may be found in the Colony.

That your Petitioners believe the Colonial Church Act to be not only objectionable in principle, but open to abuses in practice, and inoperative in some of its most important provisions.

That the Church Act requires as one of its conditions of aid a specified number of signatures to a declaration of *bonâ fide* membership of a Church; and it has become matter of recorded history that, shortly after the passing of this Act, "the people, generally anxious for some form of worship, both as a moral agency and from its tendency to raise the respectability of a township, gave their names freely as *bonâ fide* members of either Protestant Church." That the inevitable result was an eager competition by the more zealous members of rival communions. That the meaning of *bonâ fide* membership of this or that Church was brought into considerable debate. That the Anglican Clergy insisted on the Census; the Scotch on the right of every man to make himself a member for the purposes of the Act, whatever his hereditary or mental creed. That these different views led to serious discord, and that the analysis of names appended to various applications imported all the errors, informalities, and even corruption supposed to attach to popular elections; and, moreover, "the Church Act did not tie the laity to either their ministers or their creeds: thus a dissatisfied people might easily raise the preliminaries for a second or a third clergyman, and leave their late pastors to their salaries and their solitude."

That almost the only security which the Act provides to satisfy the public of the due expenditure of money according to the intent of the Legislature, is the yearly publication of accounts by certain officers of each Church respectively; but that the Clergy of the Church of England alone have complied with this provision. To receive money by virtue of a legal enactment and yet to ignore its conditions, is a practice your Petitioners would deprecate as unsatisfactory, and dangerous to all good government.

Your Petitioners therefore pray that it may please your Honorable House to relieve them from the grievance of being constrained by law to further Creeds and Systems which they feel bound in conscience to oppose, by bringing to an end all Grants for Ecclesiastical purposes, excepting only what may be necessary to meet such personal claims of the Clergy as in the judgment of your Honorable House are legally entitled to compensation.

And your Petitioners will ever pray, &c.

CHARLES PRICE, *Chairman*.  
J. M. NISBET, *Secretary*.

J. G. Jennings.  
T. Button.  
R. Pescodd.  
D. Room.  
William Day.  
Frederick Miller.

J. M. Strongman.  
William Law.  
George Clarke.  
William Waterfield.  
Sandford Scott.

Fr. Haller.  
Basil Rout.  
Henry Hopkins.  
Henry Speak.  
Thomas Goodings.

J. W. Woolley.  
James Lumsden.  
R. E. Dear.  
Wm. Jolley.  
Wm. Giblin.