

(No. 84.)



1878.

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T A S M A N I A.

LEGISLATIVE COUNCIL.

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**PRESBYTERIAN CHURCH BILL:**

PETITION OF THE REV. JOHN STORIE.

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Presented by Mr. Crowther, and ordered by the Council to be printed,  
September 26, 1878.



*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 is a Licentiate and an ordained Minister of the Church of Scotland. That at his ordination he came under a solemn obligation to "maintain, support, and defend the discipline and Presbyterian government of the Church by Kirk Sessions, Presbyteries, Provincial Synods, and General Assemblies during all the days of his life;" and to "follow no divisive courses from the present established \* \* \* discipline and government."

That your Petitioner was inducted into the cure of St. Andrew's in the year 1860, and is fully satisfied that that church and congregation were then, are now, and always have been since their formation in legal connection with the National Church of Scotland; that the congregation of St. Andrew's became connected with the Presbytery of the Church of Scotland in this Colony in the year 1837, two years after the establishment of the said Presbytery, and in the assurance that it had been established in avowed conformity with the Act 1833 of the General Assembly, in full connection with the National Church of Scotland, subject to the doctrine and laws of that church and adhering to its form of government; that is to say, its government by Kirk Sessions, Presbyteries, Provincial Synods, and General Assemblies; and your Petitioner is entitled under certain Statutes of the Colony to a salary and allowance of £450 a year so long and so long only as he continues to act as a Minister of the Church of Scotland within the Colony.

That your Petitioner has seen and carefully considered a Bill which has passed the House of Assembly and is now before the Legislative Council proposing to provide for the future regulation and management of the affairs of the Presbyterian Church of Tasmania, heretofore called and known as the Church of Scotland.

That this Bill, in the judgment of your Petitioner, proposes to sever the Minister, congregation, and properties of the Church of Scotland in the Colony from all connection with the National Church of Scotland, and from the protection of its laws and the enjoyment of rights, privileges, and liberties which this connection guarantees; to place them under the control of a small body of men named the Governing Authority, to be composed in the first instance of ten Ministers and two Elders or laymen, and to invest that body with powers of making and changing law not possessed by the General Assembly of the Church of Scotland, and with powers of adjudication from which there is to be no appeal.

That this Bill proposes, moreover, to establish as a standard and a statute, not only within the Presbyterian Church but within the Colony, a small historical pamphlet known as "The Form of Presbyterian Church Government," issued for a tentative purpose by the Assembly of Divines at Westminster, while your Petitioner is prepared to show that this document will give "the Governing Authority" the power to add as they please to their own number; will establish in their hands such a system of patronage as can be accepted neither by members of the Church of Scotland nor of the Free Church; that the same document will compel the Presbytery, under the authority of this Colonial Parliament, to exact of every Minister, prior to his ordination, that he produce a "testimonial of his having taken the Covenant of the three Kingdoms," in which covenant is contained this solemn obligation:—"II. That we shall, in like manner, without respect of persons, endeavour the extirpation of Popery, Prelacy (that is, Church Government by Archbishops, Bishops, their Chancellors and Commissaries, Deans, Deans and Chapters, Archdeacons, and all other office-bearers depending on that hierarchy), superstition, heresy, schism, profaneness, and whatsoever shall be found contrary to sound doctrine and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive of their plagues," &c.; and that the same document, if sanctioned by this Colonial Parliament, will give the Governing Authority of the new Church legal and statutory powers to *compel* the attendance of witnesses in ecclesiastical business. Your Petitioner is also prepared to show that the Church of Scotland does not and never did approve nor sanction the document above named; that, on the contrary, the General Assembly did, in the year

1645, refuse to accept it in the form presented to them from the Westminster Assembly, and stated in a special Act the reasons for that refusal; and that the Church of Scotland has in its law and usage, for the last 200 years steadily receded from many of its most important, and certainly from all its persecuting, tenets.

That your Petitioner is not himself prepared to leave the Church of Scotland in which he has been educated and ordained, nor the protection of its laws and form of government, nor to renounce the rights reserved to him under the Act 1833 of the General Assembly of his Church, nor the right of appeal to the Civil Courts against injustice; nor is he prepared to ask or to accept any spiritual powers from the Legislature of this Colony, nor to take any part in the Governing Authority proposed to be established by the present Bill.

Your Petitioner has also respectfully to state that he holds in trust a large amount of money bequeathed for the benefit of St. Andrew's by individuals who left these moneys for the benefit and uses of a Church which they believed to be secured by Statute for ever inalienably to the Church of Scotland; and, should the present Bill be enacted into law, he will be inevitably forced into the Civil Courts to ascertain how far the Colonial Parliament has the power, under the Constitution Act, to divert these properties from the uses of the Church of Scotland and its Members within the Colony.

Your Petitioner has finally to state that he submits along with this Petition a printed paper of "Notes on the Presbyterian Bill;" and that he is prepared, if called on, to substantiate at the Bar of the Legislative Council both the statements contained in that paper and the allegations in this present Petition.

May it therefore please your honorable House either to reject the present Bill, or so to modify and amend it as to exempt your Petitioner entirely from its compulsory provisions; to secure him in the receipt of his statutory emoluments, independently of the governing authority proposed to be established; and to secure the congregation of which he is minister in the possession and use of the properties that belong to them.

And your Petitioner will ever pray, &c.

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

September 26th, 1878.