

(No. 71.)



1863.

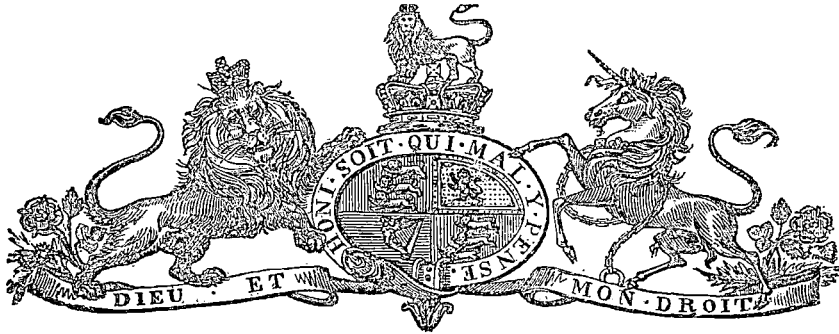
[SECOND SESSION.]

T A S M A N I A.

MR. PRINGLE.

REPORT FROM THE SELECT COMMITTEE APPOINTED TO
INQUIRE INTO CLAIM FOR A PENSION.

Brought up by Mr. Murray, and ordered by the House to be printed,
19 August, 1863.



REPORT of the Select Committee upon the Claim of Mr. JAMES J. PRINGLE for a Pension.

THURSDAY, 6 AUGUST, 1863.

Resolved, That a Select Committee be appointed to consider the claim of Mr. James J. Pringle.

Resolved, That the following Members be nominated to be of the said Committee :—

DR. SHARLAND.
MR. MURRAY.
MR. ROSE.
MR. LETTE.

MR. GRANT.
MR. HAGGITT.
MR. BALFE (*Mover.*)

PROCEEDINGS OF THE COMMITTEE.

No. 1. 11 August, 1863. *Present.*—Mr. Murray, Mr. Lette, and Mr. Haggitt.

No. 2. 14 August, 1863. *Present.*—Mr. Haggitt, Mr. Lette, Dr. Sharland, and Mr. Balfe.

No. 3. 19 August, 1863. *Present.*—Mr. Murray, Mr. Lette, Mr. Haggitt, Mr. Grant, Mr. Rose, Dr. Sharland.

WITNESS examined.

F. C. Tribe, *Esquire*, Clerk 1st Class, Colonial Secretary's Office. No Expenses charged.

R E P O R T.

YOUR Committee have examined the papers laid on the Table of this House by the Honorable the Colonial Treasurer, as well as other papers belonging to the Colonial Secretary's Office, which were produced by one of the gentlemen attached to that Department, who had been summoned to attend the Committee, and who was examined on the subject of Mr. Pringle's and other similar cases.

It has been shown to the Committee that Mr. Pringle entered the service of the Government as a Volunteer in the Colonial Treasury, in December, 1833; that he received an appointment in that Department in August, 1834; that he was subsequently promoted to the Customs Department, and afterwards to the Colonial Secretary's Department.

That in April, 1841, His Excellency Sir John Franklin promoted Mr. Pringle to be Superintendent of the Probation Station at Saltwater River, which appointment he held until the end of August, 1848, when, in consequence of alterations in the Convict Department, he was reduced; and having served (to the satisfaction of the Comptroller-General of Convicts) for a less period in that service than would entitle him to a Pension, received the usual compensation of one month's pay for each year's service, amounting to £123 13s. 0d.

That Mr. Pringle made application through the Head of his Department to the Governor, soliciting a continuance of employment; and also applied personally to His Excellency Sir W. Denison, who informed him that he could not hold out any prospect of employment to him, as the finances were in that state that, so far as appointments were concerned, he was making every possible reduction.

That after waiting here for about two years (from 1848 to 1850) without obtaining re-employment; feeling hopeless of doing so, whilst he had sufficient means left for carrying him to England, he left the Colony with the view of applying to the Secretary of State for some appointment.

Not having succeeded in procuring an appointment at Home, Mr. Pringle returned to the Colony in the year 1854, when he was recommended by the Colonial Secretary of the day to apply for a Pension, on the ground of his joint services under the Colonial and Imperial Governments having been of sufficient duration to entitle him to a Pension; the principle having been admitted in the case of a Pilot named Williams, who had been recommended by the Governor to the Secretary of State for a pension, paid partly from Imperial and partly from Colonial Funds, for the whole period of his joint services under the Home Government and that of this Colony.

That Mr. Pringle accordingly made application through His Excellency Sir Henry Young to the Secretary of State, which was transmitted by His Excellency in a Despatch dated 4th July, 1855, (of which a copy is annexed to this Report); in reply to which the Secretary of State in a Despatch dated 11th February, 1856, (copy also annexed), notified to His Excellency that the Lords of the Treasury had reconsidered Mr. Pringle's case, and had decided that he should be granted a Pension of £87 10s. 0d. per annum, one-half of which should be paid from the funds of the Colony and the other half from the Imperial funds, it appearing that Mr. Pringle had served about one-half of his time in each of these services, and that their Lordships accordingly caused provision to be made in the Superannuation Estimates submitted to the Imperial Parliament for the sum of £43 15s. 0d.; directing, however, that the gratuity of £123 15s. 0d. before mentioned as having been received by Mr. Pringle as compensation for his services in the Colony under the Imperial Government should be refunded, or deducted from the amount that would become payable to him.

That, on the decision of their Lordships being communicated by the Colonial Secretary to Mr. Pringle, he refunded the £123 13s. 0d. to the Commissariat Chest, and received the half of the Pension awarded to him to be paid out of Imperial Funds.

That it appears by a Minute of the proceedings of the Executive Council, dated the 23rd January, 1857, that notwithstanding Sir Henry Young had submitted Mr. Pringle's application to the Right Honorable the Secretary of State for a Pension payable partly from Imperial and partly from Colonial funds, as before mentioned, His Excellency in Council decided that Mr. Pringle had no claim upon the Colonial Government for a Pension; because, after the loss of his office he was for several years absent from the Colony, thus depriving the Government of the opportunity of re-employing him *at a time when it is more than probable that his services might have been required.*

Upon due consideration of the foregoing facts, it appears to your Committee that there are only two points upon which they need touch in recommending to the House that Mr. Pringle's name should be placed upon the Estimates for the half of the Pension of £87 10s. 0d. granted to him by the Lords of the Treasury. The first point is the question of the division of the pensions of officers who have served partly under the Imperial and partly under the Colonial Government according to the length of service under each.

It is, however, unnecessary to advert to this point further than to remark, that the Committee have ascertained from the official papers produced to them in the case of Mr. Williams the Pilot, which occurred before, and also in those of Mr. Skene and Captain King, which occurred two years after Mr. Pringle's application, that the principle was acted upon according to an arrangement granting pensions out of Colonial funds for joint services sanctioned by the Home Government, by which proportionate parts of the pensions of officers whose services have been rendered partly to the Imperial and partly to the Colonial Government have invariably been granted, and paid to them from the Imperial funds for whatever time they may have served the Home Government.

The second point is the objection made on the ground of Mr. Pringle having been "for several years absent from the Colony, thus depriving the Government of the opportunity of employing him when it is very probable that his services might have been made available." Now it is shown by the Evidence produced to the Committee that Mr. Pringle *waited in the Colony for two years after he was reduced in 1848*, seeking for employment from the Government; that he was informed by Sir W. Denison "that he could not hold out at that time any prospect of re-employment for Mr. Pringle, as the finances were in that state that, so far as appointments were concerned, he was, on the contrary, endeavouring to make every possible retrenchment."

Your Committee beg to add, that they believe that the same dearth of vacant appointments continued during the time of Mr. Pringle's absence from the Colony; and that if he had remained here no suitable employment could or would have been found for him.

That, as Mr. Pringle's last employment in the Colony was under the Imperial Government, he was justified in seeking employment at Home from the Secretary of State, and his absence cannot with justice be made a ground for depriving him of the Colonial half of his Pension.

That, moreover, His Excellency Sir Henry Young himself, after Mr. Pringle's return to the Colony in 1855, and being fully aware of his being having been absent from it, had himself submitted to the Secretary of State that Mr. Pringle should receive a Pension of very nearly the same amount as that determined upon by the Lords of the Treasury, payable, as their Lordships determined, proportionately from Imperial and Colonial funds; and that therefore, if the objection had been well grounded in other ways, it was too late for His Excellency to refuse to issue to Mr. Pringle the Colonial portion of the Pension, after the Lords of the Treasury had, according to the arrangement previously sanctioned at His Excellency's instance, granted and paid that portion payable from Imperial Funds.

On these grounds your Committee strongly recommend that Mr. Pringle's name should be placed on the Estimates for the Colonial half of his Pension.

D'ARCY L. MURRAY, *Chairman.*

Committee Room, 19 August, 1863.

(Copy.)

*Sir HENRY YOUNG to the Right Honorable Lord JOHN RUSSELL.**Government House, Hobart Town, 4th July, 1855.*

MY LORD,

IN Despatch No. 124, dated 21 July, 1849, Mr. Pringle, an Officer in the Convict Department, was, on retirement, allowed a gratuity of £123 13s. 0d., or one month's pay for every year's service.

Mr. Pringle has represented in the accompanying letter, dated 15 June, 1855, that his case is similar to that of Mr. Williams mentioned in the Despatch from Downing-street, No. 9, of the 28th November, 1854; and that he is entitled from the Colonial Government to $6\frac{2}{3}$ years service, and from the Imperial Government $7\frac{1}{2}$ service, or £79 3s. 0d. per annum, of which £37 14s. 0d. would be chargeable to the Colony and £41 9s. 0d. to the Imperial Treasury for Convict Services; whereas he has only received a Gratuity of £123 13s. 0d.

I have at Mr. Pringle's request to submit his case for decision.

I have, &c.

(Signed) H. E. F. YOUNG.

ONE Enclosure, Mr. Pringle to the Colonial Secretary, 15 June, 1855.

(Copy.)

Downing-street, 11th February, 1856.

No. 23.

SIR,

I REFERRED for the consideration of the Lords Commissioners of the Treasury a copy of your Despatch No. 78, of the 4th of July last, forwarding an application from Mr. James Pringle to be allowed a higher amount of Compensation than that which was assigned to him by their Lordships on the reduction of his office; and I enclose for your information and guidance a copy of the letter which has been received in reply.

I have to call your attention to the concluding paragraph, from which you will observe that the gratuity of £123 13s. 0d. already received by Mr. Pringle must be refunded by him, or be deducted from the amount that will become payable to him on account of that part of the Pension now granted to him which is borne on Imperial funds.

I have the honor to be,

Sir,

Your most obedient humble Servant,

(Signed) H. LABOUCHERE.

Governor Sir H. YOUNG.

(Copy.)

Treasury Chambers, 31st January, 1856.

SIR,

WITH reference to your letter of the 17th ultimo, transmitting copy of a Despatch from the Governor of Tasmania, relative to the amount of the Compensation Allowance to be awarded to Mr. James Pringle on the reduction of his office in the Convict Department, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Mr. Secretary Labouchere, that my Lords have reconsidered the case of Mr. James Pringle; and they are of opinion that he may be granted a Pension at the rate of £87 10s. 0d. per annum, one half of which should be paid out of the funds of the Colony, and the other half from the Imperial Treasury, it appearing that Mr. Pringle has served about one-half of his time in each of these services.

My Lords will accordingly cause provision to be made in the Superannuation Estimate to be submitted to Parliament for the sum of £43 15s. 0d.

I am to request that the Governor of Tasmania may be informed, that in issuing the half of the Pension payable from Imperial Funds the Gratuity of £123 13s. 0d. already received by Mr. Pringle must be refunded, or deducted from the amount that will become payable to him.

I have, &c.,

(Signed) C. E. TREVELYAN.

HERMAN MERIVALE, *Esq.*

EVIDENCE.

14 AUGUST, 1863.

F. C. TRIBE, *Esq.*, *Colonial Secretary's Office.*

Produced three analogous cases to that of Mr. Pringle; viz.—Captain King, Mr. Skene, and Mr. Williams. These are the only three that he can trace.

Captain King retired in 1857 from the Port Officership; his whole service was 17 years and 9 months, of which 14 years and 9 months were in the Colonial Service. His Pension was calculated for the full period of his service,—the Colony paid £148 10s. 9d. of the Pension.

Mr. Skene was Road Surveyor when he retired; before that he had been 7 years in the Convict Department, and in calculating his Pension both services were taken into account; the total Pension was £66 6s. 10d. of which the Colony paid £45 4s. 10d.

Mr. Williams was a Pilot. His case was brought under notice by a Despatch from the Secretary of State. His whole Pension was £112. Six years service in the Convict Department gave him £21 12s. 6d., and the Estimates for 1856 secured him a Pension which he drew to his death.

A Rule was laid down by the Executive in 1858, not to allow mixed services to count for Pension. This, however, could not apply to Mr. Pringle's case, as he was reduced in 1848, since which date he has received the Imperial half of his Pension; viz.—£43 15s. 0d. a year.