

(No. 21.)



1867.

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T A S M A N I A.

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P E N S I O N S.

CASES OF ARCHDEACON DAVIES AND REV. JAMES NORMAN.

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Laid upon the Table by the Colonial Treasurer, and ordered by the House to be printed, 5th February, 1867.



Hobart Town, 5th April, 1866.

SIR,

I HAVE the honor of forwarding to you the particulars required to be furnished in reference to persons applying for retiring allowances.

Having received my appointment prior to August, 1829, I claim my Pension under the Act of William the Fourth, as the Pension will be calculated on all allowances as well as salary, which is not the case under the Colonial law.

I forward this application, as directed, through the Head of my Department, the Bishop; but his Lordship cannot certify as to my services for thirty-seven years.

If necessary, I can send you letters from Sir George Arthur, Sir John Franklin, Sir William Denison, the late Bishop of Sydney, and the late Archdeacon Hutchins; also from Mr. Forster, then Colonial Secretary, and many others; also numerous addresses presented to me in 1840, when I left this for England, and similar addresses when I left Longford for Hobart Town.

During my residence here, during the last fourteen years, I have been personally known to all the Members of the Executive, so I need not allude to my services during that period.

I may add that it is not my intention to leave the Colony; but I hope, if my life be spared, to make myself useful as a Missionary Chaplain in visiting the neglected portions of this Archdeaconry.

I remain,  
Sir,

Your obedient Servant,  
R. R. DAVIES.

*The Honorable the Colonial Secretary.*

*PARTICULARS required to be furnished in reference to Persons recommended for Retiring Allowances.*

Name of Applicant—Rowland Robert Davies.  
 Official Station—Archdeacon of Hobart Town.  
 Recommended for—Superannuation.  
 Age—Sixty.  
 Service, in years and months—Thirty-seven years and Four months.  
 Actual Salary, if three years have elapsed since last promotion; but if not,  
 then average Salary for the last three years ..... £250

ALLOWANCES.

Quarters .....	£100
Glebe.....	£200
Fees.....	£100
Total amount on which Pension is calculated ....	£650

Correct,  
FRANK C. TRIBE.

Service in years—37 years 4 months=£469 8s. 10d.

Certified that the above calculation is correct,  
WM. LOVETT, *Deputy Colonial Auditor.*

Cause of retirement, [with annexed Medical Certificate, if from infirmity of mind or body, and under 60.]—Sixty years, and failing health.

Hobart Town, 23rd June, 1866.

I HAVE attended Archdeacon Davies professionally for several years, during which period his general health has frequently been in a very unsatisfactory condition. One of the most troublesome affections he has suffered from has been aggravated Dyspepsia, inducing want of rest, loss of appetite, general debility, &c. He has lately tried change of air, and although some temporary benefit was at first apparently obtained, his debility is now as great as ever.

I consider that he is quite unfit for the performance of the duties of his position, and (taking his age into consideration) I believe a permanent relief from them would be the only means likely to be productive of any real benefit.

J. W. AGNEW, M.D.

Dates of commencement and termination of the several appointments held by applicant, with their emoluments, distinguishing salary from other allowances, and specifying such allowances:—Chaplain, 11th May, 1829; Surrogate, 21st September, 1843; Rural Dean, 19th March, 1844; Vicar-General and Commissary, 6th July, 1846; Archdeacon of Launceston, 22nd February, 1850; Archdeacon of Hobart Town, 8th November, 1854; Commissary, 11th February, 1862. 11th May, 1829, to 30th September, 1866.

Whether holding any other public appointment, or receiving any public money by compensation, half-pay, or otherwise—No.

Absences during the last 10 years—18 months' leave of absence to proceed to Europe, 1840.

Date of cessation of duty—30 September, 1866.

Date of cessation of salary—30 September, 1866.

Statement in terms of Sect. vi. of *The Superannuation Act* of 1860, that the applicant "has discharged his duties with diligence and fidelity, to the satisfaction of the Head Officer or Officers of his Department," (without which no Pension or Compensation can be granted), to be signed by any two of such Head Officers if there shall be more than one, or by such Head Officer if there shall be but one, together with "such a statement as will exhibit the merit, and value, and labour of the services of the person recommended, embracing as long a period of his public service as can be authentically stated," together with observations as to Special Services, Suspension, Reprimand, &c., with full particulars of any injuries received on duty, or other claims or matters for consideration—I am able to certify to the aforesaid statements from enquiry and report. From the testimony of the Metropolitan, and my predecessor in office the late Bishop of Tasmania, I am persuaded that the long and life-engaging services of the Archdeacon entitle him to the fullest regards of the Ministry. Nearly 40 years' devotion to his very arduous labours, especially in the earlier history of the Colony, fully account for declining health and strength at the age of 60. I am anxious to lay stress upon the facts, that a liberal consideration of his case can form but an exceedingly limited precedent, and that his residence and services up to the limit of his physical powers will still be retained to the Colony.

C. H. TASMANIA.

6th April, 1866.

	1863.	1864.	1865.
	£	£	£
Salary .....	250	250	250
Forage .....	50	50	50
Rent of Glebe .....	200	200	200
Fees .....	100	100	100
House .....	100	100	100
Commissary .....	75	100	—
Archdeacon .....	110	80	80
	£885	880	£780

Average of three years, £845.

## PENSION TO ARCHDEACON DAVIES.

By the Act 4 & 5 Will. 4, cap. 24, clause 9, under which the Archdeacon's Pension would be calculated, it is enacted that to an officer who shall have served 10 years and under 15 years there may be granted any amount as an annual allowance not exceeding  $\frac{4}{12}$  of the annual salary and emoluments of his office. The Colonial Secretary will feel obliged to the Attorney-General for his opinion whether the term "emoluments" of office can be taken to include the fees which the Archdeacon receives as Incumbent of St. David's for marriages, deaths, &c.

JAMES WHYTE.

10th July, 1866.

In my opinion the expression "emoluments" includes all fees to which the Incumbent would be entitled for the performance of any duties connected with his office, but it could not include anything in the shape of gratuities and voluntary payments.

ROBERT BYRON MILLER.

6th August, 1866.

Hobart Town, 23rd July, 1866.

SIR,

ABOUT three months since I found it necessary to apply to the Executive for leave of absence to proceed to Victoria on account of my health.

Previous to my departure I forwarded an application for my Pension, on the following grounds:—1st. That I had passed my sixtieth year; and 2nd, on account of failing health, with a medical certificate to that effect.

I claimed my Pension under the Act of William the Fourth, as I was appointed Chaplain under the Sign Manual of George the Fourth prior to August, 1829.

There is a special clause in the Colonial Act referring to my case. Under this Act I could only claim my Pension on Salary; the former Act allows Emoluments to be added to Salary.

Since my return to Hobart Town my health has improved, but I still feel unequal to the duties of Incumbent of St. David's, and desire to confine myself to those of Archdeacon, in which capacity, from my intimate knowledge of the Country, and requirements of the people, I feel that I may still be of use in the Diocese.

I hope therefore that the Executive Council will take my application into consideration at once, and decide as to the amount of my retiring Pension, as it is important to myself to know the exact position in which I should be placed, and the certainty on which I may depend, in case of my being obliged to retire at an early date,

At the same time I beg leave to observe that it is not my present intention to resign immediately; but I am anxious that the amount of my Pension should be placed on the Estimates for next year, in order that I may not have to wait for another Session of Parliament, if in the mean time I should feel it incumbent on me to resign my Chaplaincy.

I have the honor to remain,

Sir,

Your obedient Servant,

R. R. DAVIES.

*The Honorable the Colonial Secretary.*

Colonial Secretary's Office, 27th July, 1866.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 23rd instant, informing me of your intention to resign the Incumbency of St. David's, and requesting that the amount of your Pension may be settled, and the necessary provision made in the Estimates for 1867.

In reply, I have to inform you that the consideration of the question of what is legally included in the item "emoluments," as forming a portion of your income upon which the amount of your Pension must be calculated, is now under the consideration of the Attorney-General.

I have, &amp;c.,

(Signed) JAMES WHYTE.

*The Ven. the Archdeacon DAVIES.*

## MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office, Hobart Town, 13th August, 1866.*

Submitted, That the sum of £472 3s. 0d. be authorised as Pension to the Venerable Archdeacon Davies, who retires in consequence of ill health. To take effect from the 1st January, 1867. To be provided for in a Supplementary Estimate.

JAMES WHYTE.

The Governor in Council approves.

E. C. NOWELL.

*Sept. 28th, 1866.**The Hon. the Colonial Secretary.**Colonial Secretary's Office, 24th September, 1866.*

SIR,

I HAVE the honor to acquaint you that your application to be allowed to retire on a pension at the end of the year will be acceded to, and that the amount of your pension will be £472 3s.

I have, &amp;c.,

(Signed) JAMES WHYTE.

*The Ven. the Archdeacon DAVIES.**Hobart Town, September 27th, 1866.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 24th instant, in which you inform me, "that my application to be allowed to retire on my pension at the end of the year will be acceded to, and that the amount of my pension will be £472 3s."

As I am desirous to retire at an earlier date, I hope that His Excellency the Governor will be pleased to accept my resignation (which I now respectfully tender) on the 1st of October, and my pension reduced to the amount to which I should be entitled on the 30th September, namely £469 8s. 10d.

As I was appointed by Sign Manual of George IV., my resignation must be forwarded direct to the Governor, and not through the Head of my department, the Bishop of Tasmania. His Lordship is, however, aware of this, and has approved of the course I have adopted, and consented to my resignation.

I have the honor to remain,

Sir,

Your obedient Servant,

R. R. DAVIES.

*The Honorable the Colonial Secretary.*

Submitted for the Governor's acceptance.

JAMES MILNE WILSON.

*28th September, 1866.*

Approved,

T. GORE BROWNE.

*Colonial Secretary's Office, 4th October, 1866.*

MEMO.

THE Governor has been pleased to approve of the Venerable Archdeacon Davies being allowed to retire from the Incumbency of St. David's Church, Hobart Town, on a pension of £469 8s. 10d. : to commence the 1st instant, and to be provided for in the Supplementary Estimate.

By Command,

J. M. WILSON,

*Pro Colonial Secretary.**The Colonial Treasurer.*

*Colonial Secretary's Office, 16th October, 1866.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 27th ultimo, intimating that it is your wish to retire at an earlier date than the 31st December next, and hoping that His Excellency the Governor will be pleased to accept your resignation from the 1st inst.

In reply I have to inform you that His Excellency has been pleased to comply with your request, and that the amount of your pension has been calculated accordingly at £469 8s. 10d.

In making this communication to you I wish to avail myself of the opportunity of expressing, on behalf of the Government, my extreme regret at the cause which has necessitated your retirement, and also of putting upon record the thanks that are due to you for the earnest and faithful manner in which your arduous and important duties have been, in all parts of the Colony and for so long a period, invariably performed.

Trusting that your release from parochial duties will not deprive the Colony for many years to come of the benefit of your valuable assistance,

I have, &c.,

(Signed) JAMES WHYTE.

*The Ven. R. R. DAVIES, B.A., Archdeacon of Hobart Town.*

#### GOVERNMENT NOTICE.

No. 193.

*Colonial Secretary's Office, 1st November, 1866.*

HIS Excellency the Governor has been pleased to accept the resignation by the Venerable Archdeacon Davies of his Incumbency of St. David's from the 1st ultimo.

The Governor desires to record his high sense of the unwearied zeal and Christian faithfulness evinced by Archdeacon Davies throughout his long and arduous Ministry in Tasmania, and His Excellency trusts that he may be long spared to aid the Church of England in her work by his counsel and example.

By His Excellency's Command,

JAMES WHYTE, *Colonial Secretary.*

*Colonial Secretary's Office, 12th November, 1866.*

MY LORD,

I HAVE the honor to inform Your Lordship that the Governor has been pleased to sanction the retirement of the Ven. Archdeacon Davies from the Chaplaincy of St. David's Cathedral, from the 1st ultimo, on a pension of £469 8s. 10d.

I have &c.,

(Signed) JAMES WHYTE.

*The Right Rev. the Lord Bishop of Tasmania.*

*Hobart Town, 6th November, 1866.*

SIR,

WITH reference to the resignation of the Venerable Archdeacon Davies, announced to-day in the *Hobart Town Gazette*, I am anxious to be informed whether the sums secured to him during his life by the "State Aid Distribution Act," so long as he shall continue to act as a Minister of the Church of England within the Colony, are payable to him after the first day of October last, the

date of his resignation. He will continue to act as a Minister of the Church, namely, as Archdeacon of Hobart Town; the question therefore arises, whether or no, after the resignation of his cure, and the consequent receipt of a pension, he is still entitled either to the salary of £250, or to the allowance of £50.

The Synod being bound to apply the money assigned to it by the Act in accordance with its directions, and having charged me with the duty of making the several payments required, I feel myself unable to fulfil this duty until the question I have stated is determined by competent authority.

I have the honor to be,  
Sir,

Your obedient Servant,

ARTHUR DAVENPORT.

*The Hon. the Colonial Secretary.*

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*Colonial Secretary's Office, 13th November, 1866.*

SIR,

IN reply to your letter of the 6th instant, with reference to the right of the Ven. Archdeacon Davies to continue to receive his salary of £250, and forage allowance of £50, after the 1st of October, the date of his retirement from the Incumbency of St. David's, I have the honor to inform you that, from and after the date upon which the Archdeacon's pension commences, viz., the 1st of October, that gentleman ceases to be recognised as a Government Officer, and is no longer entitled to any salary or emoluments he enjoyed whilst holding the cure of St. David's.

The only connexion now remaining between the Government and the Ven. the Archdeacon is that arising out of the grant to him of a pension upon his retirement.

I have, &c.,

(Signed) JAMES WHYTE.

*The Rev. A. DAVENPORT, Trinity Parsonage.*

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*Sorell, 25th October, 1866.*

SIR,

I HAVE the honor to state that, at my advanced age, I am no longer adequate to the duties of Chaplain in this extensive district. I am therefore induced, as a matter of justice to my people and of necessity to myself, respectfully to apply to be placed on the Superannuated List, with the amount of pension to which I may be entitled from my length of service.

My service in this Colony extends to something more than thirty-nine years, during which I have never been absent from the Colony, but have labored to the utmost of my ability, and I believe with the approbation of my superiors, from some of whom I have received marks of kindness, and even of friendship.

I am now within a few days of seventy-seven years of age, and cannot expect my time here will be long; but whatever it may be, it will be spent in this Colony; nor do I wish to live in uselessness, but as far as my strength will permit, with the Bishop's concurrence, continue my Ministry in rendering assistance to my brethren in Hobart Town.

I regret the necessity of this measure, for I have been so long in Sorell that I am attached to my flock, and believe there is the same feeling in them towards myself.

I have the honor to be,  
Sir,

Your very obedient Servant,

JAMES NORMAN.

*The Hon. the Colonial Secretary.*

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Launceston, 30th October, 1866.

SIR,

I HAVE the honor of forwarding the enclosed papers referring to the Rev. James Norman's resignation of his Chaplaincy, and claim of a pension under the Act of William IV., 1829.

Advanced age and rapidly increasing infirmities render him physically incapable of discharging the duties of his office; portions of his district, thickly populated, of necessity remaining unvisited and without the ministrations of religion, on account of distance and the clergyman's inability to travel on horseback.

I am convinced that nothing except an absolute sense of duty to his flock and to the Colony has induced him to make this application.

I am, Sir,

Your obedient Servant,

C. H. TASMANIA.

The Hon. Colonial Secretary.

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*PARTICULARS required to be furnished in reference to Persons recommended for Retiring Allowances.*

Name of Applicant—James Norman.

Official Station—Chaplain, District of Sorell.

Recommended for—Superannuation.

Age—Seventy-six years; on December 6 next will be Seventy-seven.

Service in years and months—Thirty-nine years and Five months.

Actual Salary, if three years have elapsed since last promotion; but if not, then average Salary for the last three years . . . . . £250 0 0

ALLOWANCES.

Quarters . . . . .	£60 0 0
Rent of Glebe . . . . .	£50 0 0
Average ecclesiastical Fees for three years . . . . .	£15 0 0

Total amount on which Pension is calculated . . .	£375 0 0
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Correct,

B. TRAVERS SOLLY.

Service in years— $39\frac{5}{12}$ .

Addition under Act of *William 4th*, 1829.

Total years— $39\frac{5}{12}$  of £375 = £283 17s. 1d.

Certified that the above calculation is correct,

WM. LOVETT, *Deputy Colonial Auditor.*

Cause of retirement, (with annexed Medical Certificate, if from infirmity of mind or body, and under 60.)—Age and physical infirmity.

Dates of commencement and termination of the several appointments held by applicant, with their emoluments, distinguishing salary from other allowances, and specifying such allowances—Chaplain at Launceston, 24 May, 1827. £250 per annum.

Date of cessation of duty—31 October, 1866.

Date of cessation of duty—31 October, 1866.

Statement in terms of Sect. vi. of *The Superannuation Act* of 1860, that the applicant "has discharged his duties with diligence and fidelity, to the satisfaction of the Head Officer or Officers of his Department," (without which no Pension or Compensation can be granted), to be signed by any two such of Head Officers if there shall be more than one, or by such Head Officer if there shall be but one, together with "such a statement as will exhibit the merit, and value, and labour of the services of the person recommended, embracing as long a period of his public service as can be authentically stated," together with observations as to Special Services, Suspension, Reprimand, &c., with full particulars of any injuries received on duty, or other claims or matters for consideration—The Rev. James Norman has spent nearly 40 years in the service of the Colony with great diligence and faithfulness. His former labours, as authenticated by my predecessor and others, have been very devoted and useful, and such as to earn for him a claim to pass his remaining days in comparative rest and respite from arduous duties. Few clergymen have earned for themselves a higher reputation for a self-denying and conscientious discharge of duty.

C. H. TASMANIA.

30th October, 1866.



## MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office, Hobart Town, 14th November, 1866.*

Submitted, That the Rev. James Norman, Church of England Minister at Sorell, be allowed to retire from the active discharge of his duties, he being nearly 77 years of age; and that he be allowed a retiring allowance at the rate of Two hundred and eighty-three Pounds Seventeen Shillings and One Penny per annum (£283 17s. 1d.). To take effect from the 25th October, 1866.

JAMES WHYTE.

The Governor in Council approves,

E. C. NOWELL,  
Nov. 16, 1866.

*The Hon. the Colonial Secretary.**Colonial Secretary's Office, 19th November, 1866.*

MY LORD,

I HAVE to inform you that the Governor has been pleased to sanction the retirement from the Chaplaincy of Sorell of the Rev. James Norman, on a pension of £283 14s. 1d. To commence the 25th ultimo.

I have the honor to be,

My Lord,

Your Lordship's very obedient Servant,

JAMES WHYTE.

*The Right Rev. the Lord Bishop of Tasmania.**Colonial Secretary's Office, 19th November, 1866.*

## MEMORANDUM.

THE Governor has been pleased to sanction the retirement of the Rev. James Norman from the Chaplaincy of Sorell, and to grant him a pension of Two hundred and eight-three Pounds Seventeen Shillings and One Penny: to commence the 25th of October, 1866, and to be provided for in the Supplementary Estimate.

By Command,

JAMES WHYTE.

*The Colonial Treasurer.*