

(No. 72.)



1882.

T A S M A N I A.

LEGISLATIVE COUNCIL.

PRESBYTERIAN CHURCH AMENDMENT BILL,
(No. 22) :

LETTERS FROM REV. J. SCOTT, WITH OTHER PAPERS.

Laid upon the Table by the President, August 16 and 30; and ordered by the Council to be printed, August 30, 1882.



Hobart, 16th August, 1882.

SIR,

WITH reference to the Petitions read in the Council yesterday against the "Bill to amend the Presbyterian Church Act," one of which has not yet been received, I have the honor to submit for your consideration the following statements:—

1. That a most unusual liberty has been taken with my name, and that allegations have been made that are entirely unwarranted, and revealing an animus which is unsuited to any document addressed to a branch of the Legislature.
2. That the liabilities referred to, incurred while our services were exclusively conducted at St. John's, were in connection with extensive additions and improvements which have very materially increased the value of the property of St. John's.
3. That the church and schools at St. John's are still in regular use, and are the centre of much important Church work, and that we expect to make the buildings increasingly useful for denominational purposes, while it has never entered into our thoughts to alienate them.
4. That, while the Presbyterians of Hobart will hail as a boon the passing of this measure, it will be more immediately beneficial to our people resident in other portions of the colony.
5. The parties petitioning in the documents now referred to, and associated with Mr. Storie up to the date of his retirement, notwithstanding every effort at conciliation made by the Presbytery, persisted in closing the church and pulpit of St. Andrew's against the Ministers, of whom I was not one, appointed to officiate therein by the governing authority.
6. That I, far from placing obstacles in their way, during several weeks used every endeavour to induce them to reopen St. Andrew's, and personally offered £50 per annum, being the half of my interest in the Debenture Fund, to aid in carrying on services in St. Andrew's after the retirement of Mr. Storie on his pension of £300 per annum.
7. The parties referred to (Mr. Gellie, &c.) tried through the Supreme Court to resist the governing authority in obtaining possession of St. Andrew's property, without effect.
8. Since then they have never submitted themselves to the denomination, nor obtained recognition in any way. On the contrary, they have sought persistently to ridicule the decisions, misrepresent the actions, and slander the members of the Church Courts, as in the petitions referred to.
9. Debentures to the amount of £7800, as originally received, are still held by the Church, unencumbered, as is testified by the letter of the Manager of the Union Bank, to be found at page 23 of the Report of Synod accompanying this statement. The overdraft is secured by the personal guarantee of the writer and Rev. Alexander Doctor. In dealing with the debentures the governing authority have simply exercised to the best of their judgment the privilege conferred upon them by Parliament of devoting to religious purposes the interest arising from the debentures.
10. When St. Andrew's was reopened by the Presbytery, prior to the final settlement made by the Synod in October, 1880, it was at the request of an independent body, many of whom were identified with St. John's, but who were desirous of seeing services resumed in the parent church of the denomination.

I have the honor to be,
Yours sincerely,

JAMES SCOTT.

The Honorable the President of the Legislative Council.

Hobart, 28th August, 1882.

SIR,

I REGRET that my letter referring to two Petitions against "The Bill to amend the Presbyterian Church Act" has not been printed along with the other papers.

I desire respectfully to suggest that it should be printed for the information of Honorable Members, along with the letter of the Manager of the Union Bank therein referred to, and contained in the report of the Synod's proceedings, page 22, which I had the honour of forwarding to you, as well as the tabulated statement showing the expenditure of the Debenture Fund Interest from 1870 to 1881, published by authority of the Synod, from the vouched and audited accounts of the Church.

I beg also respectfully to state that since forwarding the letter above referred to, I have had an opportunity of reading in print the petition of Mr. John Gellie, and I crave permission to add a postscript to my former letter regarding one or two of its statements, that it may likewise appear with other printed papers, should the Legislative Council permit.

In this petition it is stated that by the "State Aid Commutation Act our Church received from the State the sum of £8648 in Debentures." Although I was not in the Colony for a considerable period subsequent to the passing of this Act, yet by a reference to the Act itself I find that this is an inaccurate statement, the whole amount appropriated to the Church of Scotland being only £7866 13s. 4d., or £771 6s. 8d. less than the amount set forth in this Petition. This amount, by a reference to Mr. Lees' letter, it will be seen is still in the Union Bank for safe custody and collection of coupons.

It is further stated that "when Rev. John Storie was Treasurer of that fund he saved the sum of £1180." For a considerable period before I was a member of the Presbytery, I believe the Rev. J. Storie had the sole control of the Debenture Fund, but for the reason stated, and from the fact that as a comparative stranger I took little interest in the pecuniary affairs of the church during the earlier years of my residence in Tasmania, I cannot speak from any personal knowledge concerning the amount hoarded up by Mr. Storie, instead of being "disposed of from time to time in such manner as the governing authority deemed right for the purposes of public worship in Tasmania, and not otherwise," as required by the "State Aid Commutation Act."

Mr. Storie ceased to have control of the finances in October, 1873, when an influential and widely respected layman accepted the office of Honorary Treasurer. When, however, in August, 1879, as I learn by inquiry at the Union Bank, Messrs. Innes and Whyte handed over to the Presbytery the money temporarily invested by them, it amounted to £846, as set forth in the tabulated statement, and not £1180.

It is further asserted that the sum saved by Mr. Storie was vested "by a trust deed in the names of two trustees as an additional *permanent* endowment with the sum above-named." I have the minute of Presbytery before me, in Mr. Storie's handwriting, which authorised this investment. It is as follows:—"It was moved, seconded, and agreed, that any accrued or accruing interest of the Debenture Fund not expended in grants be invested *for the present* at interest in the name of trustees, and that Messrs. Russell and Storie be instructed and authorised to frame a brief form of trust for this purpose, to be inserted in the Minutes of Presbytery, and to select and nominate certain lay members of the Church to act on this trust." The words "for the present" show that no permanent endowment was contemplated, as no permanent endowment could have been lawfully created out of funds given for a specific purpose, namely, for the purpose of supplying religious ordinances in districts where they were suspended through the retirement or death of ministers salaried by the State.

This temporary turning aside of the Debenture Fund interests from their legitimate work the Presbytery, ever since 1873, regarded as both illegal and unwise, as by so doing parishes were left vacant, and churches, through not being used, and originally reared at great cost, were allowed to go to ruin.

From 1873 and onwards a new era dawned; and whereas Bothwell, Sorell, O'Brien's Bridge, Hagley, Deloraine, &c. had been left vacant, in a few years every vacant parish was filled up, till, as at the present time, we have a larger number of preachers and a larger denominational revenue than in the palmiest days of State aid. In fostering these districts we used, with all prudence and care, the accrued interests in the hands of Messrs. Whyte and Innes, who, acting under the best legal advice, considered that they were only temporary custodians of the funds placed under their care, and who freely restored them to the Presbytery when they were required. That they were wisely used is shown by the fact that from 1870, and chiefly since 1873 till the close of 1881, we have expended £30,000 in supplying ordinances to our people, the whole of which, with the exception of the Debenture Fund interests, were the fruit of voluntary contributions.

But for litigation, forced on us during many years, and which absorbed funds that would otherwise have been given to us for Church extension purposes, no overdraft would have been created. But this overdraft, instead of being at the present date £740, is considerably under £500, and is being gradually reduced; and instead of being drawn against our Debenture Fund, it is secured on the personal guarantee of private individuals. Thus our Endowment Fund is precisely what it was on the 3rd July, 1869, when it was first placed in the Union Bank, where it is at present, and where it has always remained. The tabulated statement shows that every penny of the interest received by the Presbytery since January 1st, 1870, has been expended "for the purposes of public worship in Tasmania, and not otherwise," as required by the "State Aid Commutation Act."

In a similar way, this petition is throughout full of serious exaggerations and of misleading statements. For example, we have never been without a second qualified preacher in Hobart. The existing arrangements, while utilising St. John's property for Sunday-school and congregational work, have resulted in the opening of three other places of worship, namely, St. Andrew's, O'Brien's Bridge, and Sandy Bay. In the latter place we have leased premises at a large cost for five years with the right of purchase. Here a flourishing service has been regularly maintained for nearly two years. We thus supply a much felt want in a locality where our Church had no ordinances previously nearer than St. John's, and where no other denomination had previously broken ground.

I also desire to state that our Session has never sent to Synod more than one lay representative, although the Sessions of other Churches have chosen gentlemen resident in Hobart, and members of St. Andrew's Session, to represent *their* interests in Synod, in accordance with the usage of our Church. And, inasmuch as in Parliamentary elections rural districts may, and often do, elect as their representatives gentlemen resident in the city, it is natural that in ecclesiastical matters a similar convenient custom should obtain.

Finally, I beg to state that the two petitions on which I have made these comments emanate from those who have forsaken our communion, and declined the jurisdiction of the Presbyterian Church of Tasmania of their own free choice, and have never yielded themselves to the authority of its constituted courts since the passing of "The Presbyterian Church Act" in 1878.

I have the honor to be
Your obedient Servant,

JAMES SCOTT.

To the Honorable the President of the Legislative Council.

PRESBYTERIAN CHURCH OF TASMANIA.

EXPENDITURE of Debenture Fund, from 1870 to 1881.

Published by Authority of Synod.—JOHN LYLE, Moderator.

	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	TOTAL.
	£ s.	£ s.	£ s.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s.	£ s. d.	£ s. d.	£ s. d.
Launceston	100 0	100 0	100 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0	50 0	50 0 0	1100 0 0
Hobart	100 0	100 0	100 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0	50 0	50 0 0	1020 0 0
Evandale	20 0	100 0	100 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0	50 0	50 0 0	800 0 0
Bothwell .....	..	..	..	..	..	125 0 0	100 0 0	100 0 0	100 0 0	100 0	75 0	50 0 0	800 0 0
Campbell Town .....	..	..	..	..	..	50	75 0 0	97 0 0	151 11 7	51	50 0	29 3 4	} 816 5 11
Kirklands, &c. ....	..	..	..	..	..	..	75 0 0	50 0 0	50 0 0	50	37 10	50 0 0	
Hagley .....	..	..	..	..	74 0 0	100	114 1 2	143 0 0	127 4 6	100	75 0	50 0 0	783 5 8
Sorell and O'Brien's Bridge.	..	..	..	..	70 0 0	100	..	75 0 0	100 0 0	62	50 0	50 0 0	507 0 0
Sidmouth .....	..	..	..	..	..	..	..	20 0 0	10 0 0	..	..	29 3 4	59 3 4
Spring Bay .....	..	..	..	..	..	..	..	..	..	30 0	..	..	30 0 0
New Norfolk .....	..	..	..	..	..	..	..	..	..	20 0	10 0	10 0 0	30 0 0
Home Mission Supplies .....	..	..	..	..	..	54	70 0 0	82 10 0	57 0 0	92 0	8 8 9	..	363 18 9
Clerk of Presbytery	10 10	10 10	10 10	10 10 0	..	..	..	..	..	..	..	..	42 0 0
Interest* .....	..	..	..	0 6 11	2 7 4	..	0 7 9	7 16 7	46 2 10	77	34 0 10	34 0 10	232 3 1
													6553 6 9

SUMMARY.

Interest for 12 years, at the rate of £468 per annum from Debenture Fund.....	£ s. d.	5616 0 0	Expenditure from 1870 till 1881	£ s. d.	6553 6 9
Broken Debenture	66 13 4				
Interest on £846 for 5 years†	249 16 2				
Balance	621 7 3				
	£6553 6 9			£6553 6 9	

* The amount for 1881 is set down at the same rate as that for 1880.

† Being portion of unexpended coupons from 1870 to 1873, inclusive, invested by Messrs. Whyte and Innes, and by them restored to the Church Fund in 1879, under authority of the Presbytery.

The Union Bank of Australasia, Limited, Hobart, 27th. October, 1881.

DEAR SIR,

REFERRING to your question respecting the Government Debentures lodged with this Bank, 3rd July, 1869, on behalf of the Church of Scotland, to the value of £7800, I have to say that these are now held, for safe custody and collection of coupons, on account of the Presbyterian Church of Tasmania, and that the interest, to the value of £468 per annum, is payable on 1st January and 1st July in each year, till the 1st July, 1900, when the Debentures mature.

The account of the Presbyterian Church of Tasmania is overdrawn £695 17s. 11d., and is secured by the joint personal guarantees of yourself and the Reverend Alexander Doctor, for £500—the balance, £195 17s. 11d., being covered by the coupons, to the value of £234, which fall due on the 1st January next.

I am,

Dear Sir,

Yours faithfully,

WILLIAM LEES, *Manager.*

Rev. JAMES SCOTT.