

T A S M A N I A.



1 8 6 2.

ANNO VICESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 17.



AN ACT to provide for the Distribution of the Sum of £15,000 reserved by *The Constitutional Act* for Public Worship in the Colony of *Tasmania*. [20 October, 1862.]

WHEREAS by *The Constitutional Act* it is provided that there shall be reserved for Public Worship the sum of £15,000, to be appropriated in the manner set forth in Schedule C. of the said Act, or in such other manner as the Legislature of *Van Diemen's Land* should thereafter from time to time direct and appoint: And whereas it is expedient to provide for the better distribution of the said sum: Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

PREAMBLE.
18 Vict. No. 17.

1 For the purposes of this Act the term "Governing Authority," hereinafter used, shall have the following meanings; that is to say,—

Interpretation.
"Governing Authority."

As to the United Church of *England* and *Ireland*, it shall mean the Synod of such Church in this Colony:

As to the Church of *Scotland*, it shall mean the Presbytery of such Church in this Colony for the time being:

As to the Church of *Rome*, it shall mean the Bishop or other chief Ecclesiastical Authority of such Church in this Colony for the time being:

As to the Wesleyan Church, it shall mean the District Meeting of such Church in this Colony for the time being:

As to the Free Church of *Scotland*, it shall mean the Presbytery of such Church in this Colony for the time being:

As to the Jewish Church, it shall mean the Governing Body for the time being.

Mode of distributing the sum of £15,000 reserved for Public Worship.

2 Out of the sum of £15,000 reserved by *The Constitutional Act* for Public Worship, there shall be annually paid to the Governing Authority of the United Church of *England* and *Ireland* the sum of £8770, to the Governing Authority of the Church of *Scotland* the sum of £1180, to the Governing Authority of the Church of *Rome* the sum of £3466, to the Governing Authority of the Wesleyan Church the sum of £1100, to the Governing Body of the Free Church of *Scotland* the sum of £421, and to the Governing Authority of the Jewish Church the sum of £62.

Appropriation of money to persons named in Schedule (1.)

3 Subject to the provisions hereinafter contained, the Governing Authority of each such Church shall annually pay to the several persons named in the Schedule (1) who belong to such Church, during their respective lives, the sum or sums set opposite the names of such persons respectively in the said Schedule.

Temporary Supplement to the sum payable to the Church of England.

4 So long as the sum of £8770, hereinbefore provided to be annually paid to the Governing Authority of the Church of *England* and *Ireland*, continues to be insufficient to pay to the several persons named in the Schedule (1) who belong to such Church, during their respective lives, the sum or sums of money set opposite the name of each such person in the Schedule (1), there shall from time to time be appropriated by the Governor from the Land Fund of this Colony, and paid to the Governing Authority of such Church, such sum of money in addition to the said sum of £8770 as will suffice to pay the several persons aforesaid the sums aforesaid.

Temporary Supplement to the sum payable to the Church of Scotland.

5 So long as the sum of £1180, herein provided to be annually paid to the Governing Authority of the Church of *Scotland*, continues to be insufficient to pay to the several persons named in the Schedule (1) who belong to such Church, during their respective lives, the sum or sums of money set opposite the name of each such person in the Schedule (1), there shall be from time to time appropriated by the Governor out of the Land Fund of this Colony, and paid to the Governing Authority of such Church, such sum of money in addition to the said sum of £1180 as shall suffice to pay to the several persons aforesaid the sums aforesaid.

Sums to be paid to persons named in Schedule (1), only whilst acting as Ministers in the Colony.

6 The annual sums hereinbefore provided to be paid to the persons named in the Schedule (1) shall be paid to such persons so long only as they respectively continue to act as Ministers of the Church to which they belong within the Colony; and such annual sums shall be paid at such times in each year, and in such proportions, as the Governing Authorities of the respective Churches may appoint.

Deprivation or dismissal of persons named in Schedule (1.)

7 Any of the persons named in the Schedule (1) may be deprived of, or dismissed from, office in the same manner as if this Act had not been passed; and, upon any person being so deprived or dismissed, any such person shall cease to have any claim for any payment under the provisions of this Act.

Moneys to be applied in aid of Public Worship in the Colony only.

8 Subject to the provisions of this Act, the sums payable out of the General Revenue, by virtue hereof, shall be paid and applied in such manner as the Governing Authorities of the said Churches respectively may from time to time direct, for the purposes of Public Worship within this Colony, and not otherwise.

Preceding Section not to apply to Ministers absent on leave.

9 Nothing in this Act contained shall be deemed or taken to prevent any part of the said sum of £15,000 being paid to any Minister of Religion whilst he may be absent from *Tasmania*, on leave of absence granted to him, for a period not exceeding Eighteen Months, by the proper authority of the Church to which he belongs.

10 In case any Minister named in the Schedule (1), who is entitled to an allowance of Sixty Pounds a year for a house, removes to a parish where there is a Minister's dwelling, the said allowance to such Minister for a house shall thereupon cease.

House allowance to cease when Parsonage is provided.

11 The Colonial Treasurer shall annually pay to the Governing Authority of each such Church the sum due and payable to such Church by virtue of the provisions of the 2nd Section of this Act; and such sums shall be paid upon such days in each year, and in such proportions, as the Governor, by any Warrant under his hand, directs; and the payments so to be made shall be charged upon and payable out of the General Revenue of the Colony of *Tasmania*.

All moneys payable by Warrant of Governor.

12 The Governing Authorities of the said respective Churches shall, annually, in the month of *January* in each year, file with the Registrar of the Supreme Court a Return setting forth a detailed account of the times at which, the persons to whom, the purposes for which, and the amounts in which, the sum received by such Church has been disposed of; and such Return shall be in the form in the Schedule (2), or to the like effect, and shall contain, as nearly as may be, the several particulars therein set forth, and shall be verified by the Oath of some Officer of such Governing Authority, taken before a Judge or Commissioner of the Supreme Court, or before a Justice of the Peace; and the Governing Authority shall cause such Return to be published in the *Gazette*; and in case the Governing Authority of any such Church fails to make and file such return in the month of *January* in any year, then no payment shall be made under the provisions of this Act to the Governing Authority of such Church until such Return has been duly made and filed.

Annual Return of expenditure of the sums paid to the several Governing Bodies.

3
When lunch is to be had afterwards?

13 The Registrar shall cause an entry and registry of such Returns to be made in a Book, to be kept in his office for that purpose; and such Book and Returns may be inspected by any person, at reasonable times, upon payment of the sum of Two Shillings for every such inspection.

Mode of filing Returns.

14 If any person knowingly and wilfully makes a false Oath concerning any of the matters in any such Return specified and set forth, such person shall be deemed guilty of Perjury, and be liable to the ordinary pains and penalties for such offence.

Penalty for false Oath.

15 On and after the First day of *January*, 1863, so much of the Acts of Council of the 1st *Victoria*, No. 16, and the 13th *Victoria*, No. 1, as authorises the appropriation of any moneys from the Public Revenue, and the Acts of Council of the 2nd *Victoria*, No. 17, 4th *Victoria*, No. 16, 5th *Victoria*, No. 9, and 6th *Victoria*, No. 15, shall be repealed.

Repeal.

16 Nothing herein contained shall be deemed to deprive any Minister named in the Schedule of any right he may have under *The Superannuation Act*.

Saves right of Ministers under *Superannuation Act*.

17 During the absence from this Colony of the Bishop of the United Church of *England* and *Ireland* in *Tasmania*, or during any vacancy in the See, all the powers and duties conferred or imposed upon the Bishop of the said Church by the 22 *Victoria*, No. 20, so far as may be necessary to carry out any of the objects of this Act, shall be exercised and performed by the Senior Archdeacon of the said Church in *Tasmania*.

During Bishop's absence, &c., Archdeacon may exercise his powers, &c.

18 This Act shall commence and take effect on the First day of *January* in the year 1863.

Commencement of Act.

19 In referring to this Act, it shall be sufficient to use the expression *The State Aid Distribution Act*.

Short title.

SCHEDULE.

Sect. 3.

(1.)

Name of Minister.	Cure.	Salary.	Forage.	House.	Total.
		£	£	£	£
UNITED CHURCH OF ENGLAND AND IRELAND.					
<i>retired</i>	Francis Russell Nixon	800	100	200	1100
	Arthur Davenport	200	—	—	200
<i>retired</i>	Rowland Robert Davies	250	50	—	300
	George Banks Smith	200	50	60	310
<i>retired</i>	Thomas James Ewing	200	—	—	200
<i>retired</i>	William Henry Browne	250	—	60	310
	Francis Hales	200	—	60	260
	William Wallace Fullerton Murray	200	50	—	250
<i>retired</i>	James Norman	300	50	—	350
<i>deceased</i>	Alfred Stackhouse	200	50	—	250
<i>retired</i>	Richard Oscar T. Thorpe	200	50	60	310
<i>retired</i>	David Galer	200	50	60	310
<i>retired</i>	George Wright	200	50	60	310
<i>retired</i>	Wickham Meyer Hesketh	200	50	60	310
<i>deceased</i>	John Leaverach Ison	200	50	—	250
<i>retired</i>	William Brickwood	200	50	—	250
<i>deceased</i>	William Trollope	200	50	60	310
<i>retired</i>	Joseph Mayson	200	50	60	310
	Robert Wilson	200	50	60	310
	Montagu Williams	200	50	—	250
<i>retired</i>	John Burroughs	200	50	60	310
<i>retired</i>	William Richardson	200	50	—	250
	John Fordey	200	50	—	250
	John Dixon	200	50	60	310
	Charles Dobson	200	50	60	310
<i>retired</i>	Benjamin Bell	200	50	60	310
	Samuel Berjew Ffookes	200	50	60	310
<i>retired</i>	Edward Freeman	200	50	—	250
<i>retired</i>	Howard Elwall Drew	200	50	—	250
<i>retired</i>	Francis Brownrigg	200	50	60	310
	Patterson's Plains				
CHURCH OF SCOTLAND.					
	John Storie	400	50	—	450
	Robert McClean	200	—	—	200
<i>retired</i>	Robert Kirkwood Ewing	200	—	60	260
<i>deceased</i>	Thomas Dugall	200	50	60	310
<i>retired</i>	Robert Russell	200	50	—	250
	Adam Turnbull	200	50	60	310
	Charles Simson	200	50	60	310
<i>retired</i>	John Robertson	200	50	60	310
	James Garrett	200	50	60	310
	Thomas Dove	200	50	60	310
CHURCH OF ROME.					
<i>deceased</i>	Robert William Wilson	400	100	100	600
<i>deceased</i>	William Hall	200	50	60	310
	Thomas Butler	200	50	60	310
	William James Dunne	200	50	—	250

* Total includes £50 for Fencing Glebe.

(2.)

CHURCH OF [ENGLAND, or as the case may be.]

ACCOUNT showing how the sum of _____, being the amount paid to the said Sect. 8. Church during the year 18 _____ by virtue of *The State Aid Distribution Act*, has been disposed of.

<i>Date.</i>	<i>To whom paid.</i>	<i>For what paid.</i>	<i>Amount.</i>						
1st May, 1864.	John Smith.	Stipend.	<table border="0"> <tr> <td style="text-align: right;">£</td> <td style="text-align: right;">s.</td> <td style="text-align: right;">d.</td> </tr> <tr> <td style="text-align: right;">300</td> <td style="text-align: right;">0</td> <td style="text-align: right;">0</td> </tr> </table>	£	s.	d.	300	0	0
£	s.	d.							
300	0	0							
TOTAL.....			—						
<i>Balance in hand (if any)</i>			—						
TOTAL.....			—						

I, *A.B.*, of _____, [Secretary to the Synod] of the above-mentioned Church, make Oath and say that, to the best of my knowledge and belief, the above Return is correct and true in all particulars.

(Signed) *A.B.*

Sworn before me this _____ day of _____ 18 _____,
at _____ in Tasmania.

C.D.

[Judge, or Commissioner of the Supreme Court, or Justice of the Peace.]

