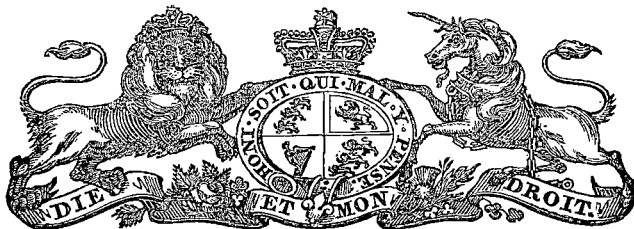


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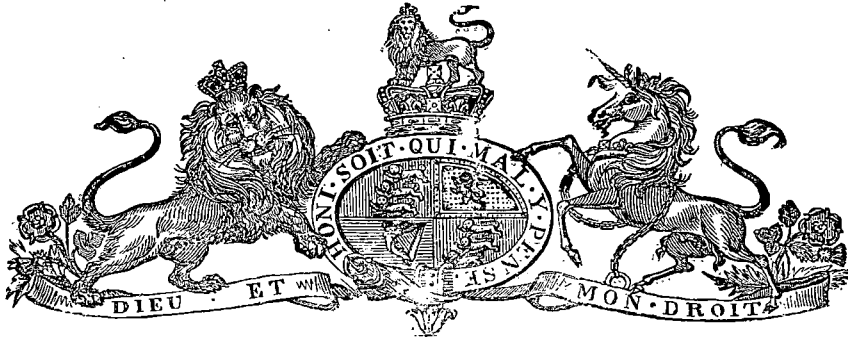
T A S M A N I A.

LEGISLATIVE COUNCIL.

USHER OF THE BLACK ROD:

CORRESPONDENCE.

Laid upon the Table by the President, May 6 and 13; and ordered by the Council to be printed, May 16, 1879.



Legislative Council, 22nd March, 1879.

SIR,

IN consequence of certain legal proceedings taken and pending in reference to the Usher of the Black Rod, I have deemed it my duty to suspend that officer from the performance of his duties in that capacity on and from this day. It will therefore be necessary that some other person should be appointed *pro tempore* to fill his place until the Supreme Court shall have given its decision in the matter.

I have, &c.

J. M. WILSON, *President.*

The Hon. the Colonial Secretary.

Legislative Council Office, 27th March, 1879.

SIR,

I HAVE to inform you that in consequence of the charges which have been brought against you, and are still pending, you have been suspended from the performance of your duties as Usher of the Black Rod from the 22nd instant, inclusive.

I am, &c.

J. M. WILSON, *President.*

B. O. WILSON, *Esq., Military Barracks.*

Colonial Secretary's Office, Hobart Town, 29th March, 1879.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 22nd instant, informing me that you had deemed it your duty, in consequence of certain legal proceedings taken and pending in reference to the Usher of the Black Rod, to suspend that officer on and from the 22nd instant, and stating that it will be necessary that some other person should be appointed *pro tempore* to fill his place. The Government will be prepared to fill up the appointment temporarily until the decision of the Supreme Court has been given in Mr. Wilson's case, as requested by you.

I have, &c.

THOS REIBEY.

*The Hon. Sir JAMES M. WILSON, K.C.M.G.,
President of the Legislative Council, Hobart Town.*

Colonial Secretary's Office, Hobart Town, 18th April, 1879.

SIR,

REFERRING to the last paragraph of my letter of the 29th ultimo, and to the result of our interview yesterday, I have the honor to inform you that the Governor has been pleased to appoint Mr. Henry Edwin Smith temporarily to fill the office of Usher of the Black Rod.

I have, &c.

THOS. REIBEY.

*The Hon. Sir JAMES M. WILSON, K.C.M.G.,
President of the Legislative Council.*

Colonial Secretary's Office, Hobart Town, 28th April, 1879.

SIR,

REFERRING to my letter of the 18th instant, I have the honor to inform you that the Governor in Council has been pleased to approve of Henry Edwin Smith, Esquire, appointed temporarily to fill the office of Usher of the Black Rod, being paid salary at the rate of One hundred Pounds per annum.

To take effect on and from the 18th instant.

I have, &c.

THOS. REIBEY.

*The Honorable Sir JAMES M. WILSON, K.C.M.G.,
President of the Legislative Council.*

Hobart Town, 2nd May, 1879.

SIR,

HEREWITH I beg leave to resign my appointment as Usher of the Black Rod.

I have, &c.

BENJN. O'NEILE WILSON.

The Honorable the President of the Legislative Council.

Legislative Council Office, 6th May, 1879.

SIR,

WITH reference to my letter of 22nd March last, I have the honor to inform you that Mr. Benjamin O'Neile Wilson has forwarded to me his resignation of the office of Usher of the Black Rod, and that I have accepted the same.

It is the general wish of members of the Council that the office should be permanently filled as soon as possible; and I have every reason to believe that the appointment of Mr. L. R. Castray, who is one of the applicants for the office, would be acceptable to a majority of the Council.

I have, &c.

J. M. WILSON, *President.*

The Hon. the Colonial Secretary.

Colonial Secretary's Office, Hobart Town, 9th May, 1879.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 6th instant, informing me that you have accepted the resignation of Mr. Benjamin O'Neile Wilson of the office of Usher of the Black Rod, and stating that you have reason to believe that the appointment of Mr. L. R. Castray, who is one of the applicants for the office, would be acceptable to a majority of the Council.

With regard to the appointment of Mr. Wilson's successor, I would observe that the matter was left by the Legislative Council in the hands of yourself and the Premier. The Premier will be happy to confer with you on the subject, in accordance with the desire of the Legislative Council.

I have to remind you that verbally, before the matter was discussed in the Legislative Council, I intimated to you that the appointment of the gentleman named in your letter would not be acceptable to the Executive.

I have, &c.

THOS. REIBEY.

*The Honorable Sir JAMES M. WILSON, K.C.M.G.,
President of the Legislative Council, Hobart Town.*

Legislative Council, 10[9]th May, 1879.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of this date, in reply to mine of the 6th instant, on the subject of the appointment of a successor to Mr. Benjamin O'Neile Wilson as Usher of the Black Rod.

You state with regard to the appointment of Mr. Wilson's successor—"I would observe that the matter was left by the Legislative Council in the hands of yourself and the Premier;" and you inform me that the Premier will be happy to confer with me on the subject, in accordance with the desire of the Legislative Council.

Before doing so, permit me to inform you that there appears to be a misapprehension as to the sense of the Council in the matter.

On referring to the report of the debate in the Council on the occasion referred to, in the *Mercury* of the 3rd instant, I find the following passage in the remarks of the hon. Member who brought the subject before the Council:—"The responsibility, he assured them, had not been hastily accepted on his part, for it was a very delicate and painful subject, of which he was satisfied that hon. Members were not insensible; and he was perfectly willing to accord to the Hon. the President, and the hon. gentleman representing the Government in that Council, the fullest desire to vindicate the character of the House; and he was sure that they would desire that the House should be relieved from further trouble in the painful dilemma in which they found themselves;" and the substantial accuracy of the report is confirmed by my own recollection of the effect of what was said.

In my opinion what was intended by the Council to be left to the discretion of the Premier and President was, not the choice of a successor to Mr. Wilson, but the best means of preparing the way for the appointment of a successor, by procuring the vacation of the office.

In reference to the last paragraph of your letter, I would remark that it was not until after I had signified to you that it was the desire of a majority of the Members of the Council that Mr. Castray should be appointed, that you intimated to me "that his appointment would not be acceptable to the Executive."

I beg to draw your attention to the circumstance that, while the interference of the Legislature in the appointment of the ordinary departmental officers of Government would be open to exception as irregular, either House of Parliament ought to have its wishes respected by the Executive in regard to the appointment of its own officers.

The fact that the gentleman whose name was submitted by me on behalf of the Council was not regarded favourably by the Executive ought, I submit, not to militate against the expressed wishes of the Council, since, when appointed, the Usher becomes the servant of the Council, and not of the Executive, and is amenable to the Council alone.

I have, &c.

J. M. WILSON, *President.*

The Hon. the Colonial Secretary.

Colonial Secretary's Office, Hobart Town, 12th May, 1879.

SIR,

In reply to your letter of the 10th instant, I have the honor to inform you that I verbally intimated to you that Mr. Castray would not be acceptable to the Government before any action was taken by the Legislative Council, and before the interview at which it was arranged who should be temporarily appointed to hold the office of Usher of the Black Rod.

I have the honor now to inform you that the Executive are compelled to decline the submission of Mr. Castray's name for the approval of the Governor in Council. Before any permanent appointment is made, however, the Premier will be glad to confer with you on the subject, in order that a gentleman may be selected who will be acceptable alike to the Legislative Council and the Government.

I have, &c.

THOS. REIBEY.

*The Honorable Sir JAMES M. WILSON, K.C.M.G.,
President Legislative Council, Hobart Town.*

Legislative Council, 13th May, 1879.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of yesterday's date, in further reference to the submission of Mr. Castray's name for appointment as Usher of the Black Rod to this Council; and with regard to the first paragraph, I beg to observe that no "action was taken by

the Council" until the 2nd May, when an hon. member called attention to the matter in the Council, as referred to in my letter of 10[9]th instant, although individual members had previously expressed themselves favourably to Mr. Castray's appointment.

I have, &c.

J. M. WILSON.

The Hon. the Colonial Secretary.

Hobart Town, 13th May, 1879.

SIR,

WHEN some members of the Legislative Council signified their wish that I should apply for the appointment of Usher of the Black Rod, I expressed my thanks and willingness to do so; but seeing the conflict it has brought about between the Legislative Council and the Government, I think, having due regard to the position I formerly held in Her Majesty's Service, as well as to relieve the present embarrassment between the Legislative Council and the Government on the subject, that I should at once withdraw my application for an appointment I cannot under present circumstances accept with satisfaction to myself.

I have come to this conclusion without consulting any one on the subject; and in doing so, permit me, honorable Sir, to tender to yourself personally for nominating me, and to the Honorable Members of the Legislative Council generally for so kindly supporting my candidature, my grateful acknowledgments.

I have, &c.

L. R. CASTRAY.

*The Hon. Sir JAMES MILNE WILSON, K.C.M.G.
President of the Legislative Council.*

APPLICATIONS FOR APPOINTMENT OF USHER OF THE BLACK ROD.

Hobart Town, 15th March, 1879.

GENTLEMEN,

IN the event of a vacancy occurring in the office of Usher of the Black Rod, at the Legislative Council, I beg most respectfully to solicit your influence in procuring me the appointment to it.

The number of years I have been in the Colony, in the course of which I have held office in both Imperial and Civil Establishments, with, I flatter myself, some credit, will, I venture to hope, be considered by you as a claim to favourable consideration; and, if appointed, every endeavour will be exercised to give entire satisfaction.

I have, &c.

GEO. F. EVANS.

To the Hon. the Premier and his Colleagues in office.

Formby on the Mersey, Tasmania, 18th March, 1879.

SIR,

REFERRING to No. 15 of the 21st August, 1877, from your office, I have the honor to put my name forward again as a candidate for employment under the Government of this Colony, in which I have now been resident about a year.

The last clause of your communication under reply informed me that my name had been duly recorded as an applicant, although at the time of my application your office could not hold out any immediate prospect of employment.

Now, however, that I am given to understand that an appointment (Usher of the Black Rod) under this Government is likely soon to fall vacant, I beg again to offer my services, and to enclose a copy of my testimonials for your favourable consideration.

I have, &c.

EDWARD FOX ANGELO, *Lt.-Colonel late "Royal Scots."*

The Hon. THOMAS REIBEX, Colonial Secretary.

Hobart Town, 18th March, 1879.

SIR,

UNDERSTANDING that the office of Usher of the Black Rod is likely to become vacant, I have the honor to submit my claims to the consideration of the Administration to fill the office in question.

I desire to draw attention to the many offices of honor and confidence in which I have served the public,—as Private Secretary, as Acting-Clerk of the Executive and Legislative Councils, and as Police Magistrate for many years.

The pension which I at present receive is not by any means adequate to maintain myself and family in that position to which I have been accustomed to move, and in which I consider that I ought to be maintained.

I would desire especially to draw the attention of the Government to the express Resolution of the House of Assembly, "that on vacancies occurring in the Public Service, they should be filled up by officers from the Pension List," and I do trust that the Administration will be guided and governed by that Resolution.

I have, &c.

J. W. KIRWAN.

The Hon. THOS. REIBEY, Esq., Colonial Secretary.

Hobart Town, 22nd March, 1879.

SIR,

HAVING been informed that the office of Usher of the Black Rod has become vacant, I do myself the honor to submit for your favourable consideration my application for the office, with the assurance that, if appointed, it will be my study to discharge the duties appertaining thereto in an efficient and impartial manner.

I have, &c.

L. R. CASTRAY.

The Honorable THOS. REIBEY, Esq., Colonial Secretary.

Hobart Town, 24th March, 1879.

SIR,

I HAVE the honor to apply for the office of the Usher of the Black Rod in the Legislative Council of the Parliament of Tasmania, in case such office should become vacant in consequence of the proceedings now pending against Mr. Wilson.

In putting forward my claims in support of the appointment to such office, I may state that I was for about 16 years in the employ of the Imperial Government, and have since been at times employed to fulfil responsible positions under the Colonial Government.

Trusting that this application may be favourably considered,

I have, &c.

A. T. STUART.

To the Honorable the Colonial Secretary.
