

(No. 35.)



1872.

TASMANIA.

LEGISLATIVE COUNCIL.

FORMATION OF NEW MINISTRY.

CORRESPONDENCE WITH THE GOVERNOR AND
MEMORANDUM.

Laid upon the Table by the President and Mr. Wilson, and ordered by the Council
to be printed, July 30, 1872. .



Newlands, Monday morning, 29th July, 1872.

MY DEAR SIR,

I WAS honoured with your "private and confidential" note requesting my presence at Government House on Friday, immediately before the sitting of the Legislative Council; and, without informing any one that I had received that communication (except Mr Wilson, who seemed by his manner already aware of it), I waited upon you at about 5 P.M. Having then listened to Your Excellency, I intimated that I would give a deliberate reply by the following day at noon, and you acceded. At the time appointed I placed you in possession of my answer, which I put in a written shape, so as to obviate all possible misapprehension; and in the body of that reply I intimated that I had no objection, if Your Excellency thought proper, to the document being placed before your Advisers.

Neither between the period of my seeing Your Excellency on Friday evening and my giving my answer at noon on Saturday, nor in the period which has elapsed since, have I held communication on any matter whatever with any Member of the Legislature, or with any one else in respect to public affairs. The Memorandum I placed in Your Excellency's hands was written without consulting any one, and it has not been shown by me since to any one. I regarded it as to a certain extent confidential, although I felt it to be due to your Advisers, notwithstanding their anomalous position, that it should be laid before them.

But I find by this morning's Paper that the reserve to which I should have continued to feel that I was bound, has not been recognised as obligatory by others to whom my advice to Your Excellency, in the unprecedented circumstances in which I was placed, has become known; and I have therefore respectfully to beg permission to regard that document as no longer a confidential one, but to use it in my own justification if necessary.

I remain,
Yours faithfully,

FRED^K. M. INNES.

His Excellency MR. DU CANE.

Government House, 29th July, 1872.

MY DEAR MR. INNES,

I HAVE no objection whatever to your regarding the document which you left with me as no longer a confidential one, if you think it necessary to use it in explanation of the interviews which took place between us.

You are also perfectly at liberty to state that my sending for you on Friday evening was my own spontaneous act, and emanated from a wish on my part, under the present unprecedented circumstances, to exhaust every chance of forming a fresh Ministry before requesting my present Advisers to reconsider their resignation. I certainly informed Mr. Wilson, before he left me on Friday, that this was the step I should most probably take; but he most distinctly declined to offer me any further advice as to my line of action.

I am sorry that anything which appears in this morning's Paper should be the source of annoyance to you. But a more thoroughly innocent and justifiable course than my sending for you under the circumstances, and your tendering me advice while declining to form a Ministry, I cannot well imagine.

In my opinion, if the fact of my having sent for you had not been directly communicated to the *Mercury*, it would have been pretty sure to have found its way there indirectly, and would then have been made the subject of even more mysterious innuendo.

Pray believe me to be,
Yours very truly,

CHARLES DU CANE.

The Hon. F. M. INNES.

MEMO.

Your Excellency has, of your own motion, appealed to me in a political dilemma which is without any precedent.

Your Ministers, having been defeated on a "want of confidence" motion carried by an absolute majority in the House of Assembly, have tendered their resignations, referring Your Excellency in succession to such members of the Legislature as in their opinion might be able to form a new Ministry; and they have exhausted their list, while the members recommended have all either declined or failed in executing the commission proposed to them.

As Your Excellency also is aware, I have myself declined overtures to me to take office at this juncture.

When, however, you did me the honor of referring to me immediately for my assistance, I felt it to be my duty to reconsider the resolution on which I had acted, and to be prepared to set it aside if I found that I could thus promote the public interest. But reflection has confirmed my original resolution.

Your Excellency, however, would not be dealt with in the spirit of confidence you are entitled to expect, did I fail to state the grounds which have influenced some members of the Legislature to stand back at the present juncture.

The public credit is at stake; the public debt, especially in connection with the Launceston and Western Railway, is being largely increased week by week, while that important work is of no advantage, but falling into disrepair. The necessity for legislative interposition in respect thereto, as also in regard to the finances of the country, was urgent many months since, and the responsibility of postponing these questions rests with Ministers. But any change of Administration now must have the effect of further postponing them,—of adding further to the debt and difficulties of the country. While therefore unofficial members of the Legislature repudiate the responsibility of delay, they shrink from aggravating its consequences. The circumstances under which they have had to consider whether they should accept office or not, are circumstances which attach a penal consequence to the country if they accepted.

It remains, therefore, that I should respectfully advise that it is highly improbable that Your Excellency will find a new Ministry from the present Parliament; that a Dissolution should, if possible, be averted, on account not only of the expense but of the delay of urgent business and the loss involved in such delay; and that the attempt should be made to obtain the rescinding of the Resolution passed by the House of Assembly, so as to enable Ministers, with some propriety, to proceed with pressing business.

As regards any attempt on my part to form a Ministry, I find an additional impediment to it in the fact, which is represented to me, that the majority of the Assembly are not unfavourable to the policy announced by Mr. Chapman, but only to its proposal, under the circumstances, by him; whereas my own opinions are totally adverse to an Income Tax.

I can have no objection whatever, if Your Excellency should see proper, to this Minute being laid before your Ministers.

FREDK. M. INNES.
27 July, 1872.

His Excellency MR. DU CANE.

Government House, 27th July, 1872.

MEMORANDUM FOR MINISTERS.

My present Advisers having tendered to me their resignation in consequence of the vote of want of confidence in them passed by the Legislative Assembly on the 19th instant, I have made every effort that constitutionally lies in my power to call another Ministry to my Councils.

By the advice of my Premier, I have put myself in communication with three Members of the Lower House, and one of the Upper; and on my own responsibility I have further sought the advice and assistance of the President of the Legislative Council.

All of those gentlemen have, in succession, either failed in attempting to form a Ministry, or declined to make the attempt in the first instance.

I therefore feel that the time has now come when I may claim to have exhausted every possibility of providing myself with another set of Responsible Advisers, and when I may fairly fall back on those whose resignation I accepted provisionally only on my being able to find suitable successors.

I must, therefore, ask my present Ministers to withdraw the resignation which they have tendered to me, and to consider what further steps they are prepared to adopt with a view to placing themselves in a position to proceed with public business without unnecessary delay.

CHARLES DU CANE.

MEMORANDUM.

MR. Wilson is honored with the Governor's Memorandum for Ministers, dated July 27th, in which His Excellency is pleased to call upon his Responsible Advisers to withdraw the resignation of their offices tendered to His Excellency, and requests them to consider what further steps they are prepared to adopt with a view to placing themselves in a position to proceed with the public business without unnecessary delay.

Mr. Wilson begs to assure His Excellency that his colleagues and himself are fully sensible of the urgency of the necessity for providing the Governor with Responsible Advisers possessing the confidence of Parliament, and of the public inconvenience occasioned by the delay which the present state of affairs offers to the progress of the business of the country.

In the difficult position in which the Governor is now placed by the failure to form an Administration on the part of those gentlemen who have been honored with His Excellency's commission to that end, Mr. Wilson and his colleagues are earnestly anxious to afford the Governor whatever assistance they can honorably and constitutionally render.

Since the Governor is pleased to command their services and recur to their advice, they are prepared to withdraw the resignation of their offices.

They will, accordingly, take immediate steps to endeavour to procure a reversal of the vote arrived at on the 19th instant by the House of Assembly.

Mr. Wilson trusts it is not necessary to acquaint the Governor that Ministers withdraw their resignation in obedience to His Excellency's commands, expressly with the object of seeking to re-establish their constitutional title to advise the Crown; and that under no circumstances could they consent to resume their offices on conditions incompatible with their own honor or constitutional usage.

J. M. WILSON.

Colonial Secretary's Office, 29th July, 1872.