

(No. 46.)



1871.

T A S M A N I A.

LEGISLATIVE COUNCIL.

T H E G O V E R N O R :

CHIEF JUSTICE TO ACT IN HIS ABSENCE OR INABILITY.

*(Despatch from Secretary of State,—No. 32, of December 10, 1870, and
Royal Warrant.)*

Laid upon the Table by Mr. Wilson, and ordered by the Council to be printed,
November 22, 1871.



TASMANIA.
No. 32.

Downing-street, 10th December, 1870.

SIR,

IN reply to your Despatch, No. 44, of the 6th October last, I have to inform you that I recommended to Her Majesty as a provisional measure, that in the Colony under your Government the Chief Justice or Senior Judge for the time being should be authorised to exercise the powers of government during your absence or inability.

I enclose a Warrant under the Royal Sign Manual and Signet which will confer these powers, and which I request you to communicate to your Advisers, informing them that it is merely a temporary arrangement, and is only issued to prevent the possibility of any inconvenience while more general and permanent arrangements are under consideration.

I have the honor to be,
Sir,

Your most obedient humble Servant,

KIMBERLEY.

His Excellency Governor DU CANE.

VICTORIA R.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to Our Chief Justice for the time being of Our Colony of Tasmania or to the Senior Judge for the time being of Our said Colony, Greeting:

WE do by this Our Commission, under Our Sign Manual and Signet, appoint you Our said Chief Justice for the time being, until Our further Pleasure shall be signified, to administer the Government of Our said Colony of Tasmania in case of the Death, Incapacity, or Absence from Our said Colony of Our trusty and well-beloved CHARLES DU CANE, Esquire, Our Governor and Commander-in-Chief in and over Our said Colony, with all and singular the Powers and Authorities granted to the said CHARLES DU CANE in Our Commission bearing date at Westminster the Twenty-ninth day of December, One thousand eight hundred and sixty-eight, in the Thirty-second year of Our Reign; and in case after such Death, or during such Absence or Incapacity of Our said Governor as aforesaid, you Our said Chief Justice for the time being shall be absent from the Colony, or shall die or become incapable of administering the Government of Our said Colony, then We do appoint the Senior Judge for the time being of Our said Colony then residing therein, and not being incapable as aforesaid, to administer the Government thereof with all such Powers and Authorities as aforesaid, which said Powers and Authorities We do hereby authorize and require you or the said Senior Judge to exercise and perform according to such Instructions as the said CHARLES DU CANE hath already received, and such further Orders and Instructions as he or you or the said Senior Judge may hereafter receive from Us; and We do hereby command all and singular Our Officers, Ministers, and loving Subjects in Our said Colony, and all others whom it may concern, to take due notice hereof and to give their ready obedience accordingly; and for so doing this shall be your Warrant.

Given at Our Court at Windsor, this Tenth day of December, One thousand eight hundred and seventy, in the Thirty-fourth year of Our Reign.

By Her Majesty's Command,

KIMBERLEY.