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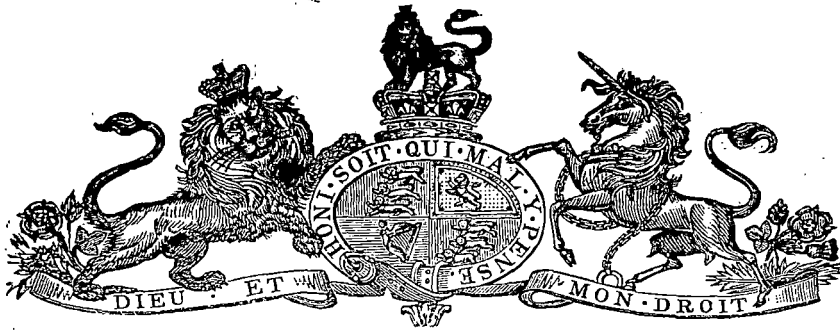
1891.

PARLIAMENT OF TASMANIA.

CHIEF CLERK, CHIEF SECRETARY'S
DEPARTMENT :

CORRESPONDENCE.

Laid upon the Table by the Treasurer, and ordered by the House of Assembly to
be printed, November 3; 1891.



Chief Secretary's Office, Hobart, 29th January, 1891.

SIR,

I REGRET that I am compelled to submit to Your Excellency in Council the facts connected with an unexpected and unprecedented exercise of power by the Honorable the Chief Secretary, which has caused consternation in the Civil Service, and will tend to diminish, if not altogether destroy, the confidence reposed by Civil Servants in having long and faithful service duly and properly recognised.

Since the 23rd June last I have been performing the duties of Acting Under Secretary in the absence of Mr. Solly from ill-health, as I have done on all similar occasions since my appointment as Chief Clerk on the 8th July, 1873. The recorded approval of the Governor for my doing so is given on the dates mentioned below. The names of the gentlemen who held office as Chief Secretary are also stated:—3rd April, 1881, Mr. Moore; 19th April, 1883, Mr. Moore; 17th March, 1885, Mr. Douglas; 24th March, 1888, Mr. Fysh; 26th April, 1890, Mr. Fysh.

I had every reason to believe that Mr. Fysh was satisfied with the manner in which the work was performed; nevertheless, on the 6th of December last, the Chief Secretary informed me that he did not want to have two Secretaries; that he intended to restrict my duties to Finance, and to appoint Mr. Andrew Acting Under Secretary. I expressed my willingness to assist in any readjustment of the duties, but strongly objected to Mr. Andrew being placed over me.

On Monday, the 5th instant, Mr. Fysh told me to prepare a Minute for the Executive Council giving Mr. Solly leave of absence for six months from the 1st instant; when I asked if I should be gazetted, he referred to our previous conversation, and again intimated his intention of appointing Mr. Andrew. I again objected, and finally obtained a promise from Mr. Fysh that he would do nothing until his colleagues read my testimonials.

I was, therefore, naturally very much surprised at receiving the Memo. of the 9th instant—copy annexed—intimating that my duties were to be restricted to Finance, and that “the discharge of duties usually under the care of Mr. Solly will, during that gentleman’s temporary absence, be discharged by Mr. Andrew.” My reply, dated the 10th instant, is appended.

The testimonials which I submit for perusal by Your Excellency in Council will show the confidence reposed in me by gentlemen who have previously held the office of Chief Secretary; and for Mr. Fysh to simply ignore them is, I respectfully submit, to inflict an unmerited slight, not only upon myself, but upon the Civil Service as a body.

During my long official career I cannot call to mind a single instance where the Ministerial Head of a Department has interfered with the duties in the absence of the permanent Head, and without seeking the advice of other officers in the Department. It may be assumed that the Under Secretary, with thirty-three years, and the Chief Clerk, with seventeen years’ experience, would be able to advise as to how the work should be performed.

As one of the oldest Civil Servants—appointed before the inauguration of Constitutional or Responsible Government—I very respectfully, but emphatically, protest against an exercise of power calculated to weaken the loyalty of the Service, and which, upon the grounds of public policy and justice, cannot be upheld.

I venture to hope that a careful review of all the facts of the case will induce Your Excellency in Council to cause the temporary appointment of Mr. Andrew to be cancelled.

I have the honor to be,
Sir,

Your Excellency’s most obedient humble Servant,

His Excellency the Governor in Council.

H. E. SMITH, *Chief Clerk.*

For Ministers.

R. G. C. H.

Chief Secretary's Office, Hobart, 9th January, 1891.

MEMO. FROM CHIEF SECRETARY TO W. H. SMITH, ESQ., CHIEF CLERK.

ON and after 10th January, and until Mr. Solly returns to duty, or until some other arrangement is communicated, Mr. Smith's duties will be limited to those specially under the charge of the Chief Clerk, and he will personally present to the Chief Secretary all finance or other documents to which it may be necessary to obtain the Chief Secretary's signature or to call his attention.

All letters addressed to Chief Secretary will be placed in the office of the Premier's Secretary, and all matters connected with the discharge of duties usually under the care of Mr. Solly will, during that gentleman's temporary absence, be discharged by Mr. Andrew.

P. O. FYSH.

Chief Secretary's Office, 10th January, 1891.

SIR,

I HAVE the honor to acknowledge the receipt of your Memo. of yesterday's date, addressed to "W. H. Smith, Esq., Chief Clerk;" and in intimating to you that your instructions will be complied with on and after this date, I desire very respectfully to enter a strong protest against the course you have chosen to adopt.

Will you be good enough to cause the testimonials now in the hands of the Ministry to be returned to me, as I purpose doing myself the honor of submitting them for the consideration of the Governor in Council?

I have, &c.

The Honorable the Chief Secretary.

H. E. SMITH.

Chief Secretary's Office, Hobart, 15th January, 1891.

CHIEF Secretary returns with compliments to Chief Clerk the testimonials received, apologising for the inadvertence in addressing him "W. H. Smith, Esq."

P. O. FYSH.

MEMO.

ON the 8th January, 1848, Mr. H. E. Smith was appointed by J. E. Bicheno, Esq., Colonial Secretary, temporary Clerk in the Colonial Secretary's Office. After two months' service he was transferred by Sir William Denison, Lieutenant-Governor, to Government House, in the Executive and Legislative Council Offices, where he served twelve months, being also employed in the Private Secretary's Office by the late Captain Stanley, R.E., who expressed himself highly satisfied with the manner in which Mr. Smith performed his duties.

On the 1st March, 1849, appointed to the Survey Department.

(Copy.)

Council Office, 1st March, 1849.

THE Lieutenant-Governor having been pleased to appoint Mr. Smith to a permanent situation in the Surveyor-General's Office, I feel bound, in justice to that young gentleman, to state that his conduct during the twelve months he had been employed as a clerk in this Department was marked by a punctual attendance at his office, by a zealous desire at all times to learn his duties, and by a very satisfactory performance of them. I consider his steady and correct habits to reflect the greatest credit on his years.

I am happy to add, that the confidence reposed in Mr. Smith, in an office of a most confidential nature, has not been misplaced.

J. W. KIRWAN, *Clerk Councils.*

Promoted to Third Clerkship by Mr. Surveyor-General Power, on the 1st March, 1852, at £150 per annum.

Promoted by the Government to the Second Class on 1st January, 1858.

A debate in Committee of Supply took place in the House of Assembly on the 15th August, 1859, upon the Land Fund Estimates, when Mr. Smith was made a First Class Clerk. Other gentlemen—in the Colonial Secretary's Office, the Treasury, and Public Works Office—were afterwards placed upon that class, so that Mr. Smith is the senior First Class Clerk in the Service.

After 22 years' continuous service in the Survey Department, Mr. Smith was transferred, on the 1st March, 1871, to the Colonial Secretary's Office.

(Copy.)

Macquarie-street, Hobart Town, 11th of May, 1871.

MEMORANDUM.

I HAVE been requested by Mr. H. E. Smith to furnish him with a certificate of his conduct and efficiency when under my control as head of the Survey Department.

During the time I had charge of that Establishment—11 years—he performed his duties entirely to my satisfaction. His natural talents are very considerable, and his qualifications such as to fit him for almost any post, and he is prompt and willing in a high degree.

On my recommendation he was placed in the First Class of clerks some time in 1860 or '61, having then been something very like a dozen years in the service of the Department, which he first entered as a junior clerk.

For any office of trust and responsibility, or requiring more than ordinary ability, he is eminently fitted.

J. E. CALDER, *late Surveyor-General.*

(Copy.)

Malannah, Orford, May 20th, 1871.

MY DEAR SIR,

I HAVE much pleasure in recording the fact, that during the four years I was the Ministerial Head of the Survey Department, in which you were an officer, you showed zeal, industry, and efficiency as a First Class Clerk, to which you were promoted on your merits alone, and I congratulate the Colonial Secretary's Office in having secured your services, though I fear the public will lose by your having been withdrawn from the Survey Office.

Hoping, on public grounds, to hear of your promotion,

Believe me,
Yours very truly,

CHARLES MEREDITH.

H. E. SMITH, *Esquire.*

(Copy.)

I HEREBY certify that since Mr. Smith was transferred to my Department (on the 1st of March, 1871,) he has discharged his duties with diligence and fidelity to my satisfaction.

Colonial Secretary's Office, 28th June, 1872.

J. M. WILSON.

APPOINTED by the Governor in Council to be Chief Clerk in the Colonial Secretary's Office on the 8th July, 1873.

(Copy.)

Colonial Secretary's Office, 4th August, 1873.

DEAR SIR,

BEFORE leaving this Department I desire to convey to you my appreciation of the zealous and efficient manner in which you have discharged your duties in this office.

I am prompted to do so by the knowledge that your position, until recently, has been an anomalous one. Removed early in 1871 from a department with whose duties long experience had made you thoroughly conversant, you were deprived of the chances of promotion you had a right to expect, and were reduced to a "temporary" service, being, as stated by the Colonial Treasurer at that time, too young and valuable to be pensioned.

I consider myself fortunate in having had an opportunity of replacing you in a fixed post, not incompatible with your former position or your rank in the Civil Service of Tasmania. I am aware that you were the first officer placed in the "First class" under the classification system in 1859.

I trust that your present appointment will be a step to further promotion whenever possible, and remain,

Yours faithfully,

To H. E. SMITH, *Esq., Chief Clerk.*

JAMES R. SCOTT.

(Copy.)

As requested by Mr. Smith, I have much pleasure in certifying to his zeal and efficiency during the time he has been connected with the Colonial Secretary's Office, and his readiness at all times to aid me in the work of the office.

B. TRAVERS SOLLY, *Assistant Colonial Secretary.*

5th June, 1875.

(Copy.)

THE recommendation of the Honorable Colonial Secretary agreed to, that Mr. Smith be placed on the Estimates for 1880 for a personal allowance (in addition to his salary) of £50 per annum, for long and faithful service.

WILLIAM LODWK. CROWTHER.
Cabinet, 1st September, 1879.

(Copy.)

Colonial Secretary's Office, Hobart Town, 20th December, 1878.

DURING the time I have had the honour of holding the office of Colonial Secretary—a period of over 16 months—I have on all occasions found Mr. Smith, Chief Clerk, zealous and painstaking in the discharge of his duties, which he has performed in a very satisfactory manner. In the absence of Mr. Solly (on leave through ill-health) I had a better opportunity afforded me of judging of Mr. Smith's efficiency as a public officer, and I must say he rendered the increased services in a manner which deserves commendation. As I am now leaving the office, I have much pleasure in thus placing my appreciation of Mr. Smith's public services on record.

WM. MOORE.

HAVING on several occasions acted for the Colonial Secretary in his absence, I can state that I fully concur in Mr. Moore's estimate of Mr. Smith's efficiency as a public officer.

J. W. AGNEW.
3. 2. 81.

Hobart, 6th July, 1885.

DEAR SIR,

In reference to your request that I should place on record my experience of your capability as Chief Clerk in the Office of the Chief Secretary, I would say that during all the time you have been employed in that office I have had frequent opportunities of seeing your work, especially during the five years I was Premier (from 1879 to 1884.)

I have always found you to be obliging and courteous, and a zealous and efficient officer. During the prolonged absence of the Under Secretary (Mr. Solly) you discharged his duties to the satisfaction of the Government, and especially to that of your immediate Ministerial Chief, who constantly spoke to me in the highest terms of the manner in which the work was performed by you.

Yours truly,

W. R. GIBLIN.

HENRY E. SMITH, *Esquire.*

Hobart, 8th March, 1886.

MY DEAR SIR,

ON my leaving office as Chief Secretary I desire to express to you my satisfaction in the way you have performed the duties of your office since I have been connected with the Department.

Wishing you may continue to enjoy the confidence of my successor,

I am, yours obediently,

ADYE DOUGLAS.

H. E. SMITH, *Esquire, Chief Clerk, Chief Secretary's Office.*

Hobart, 2nd December, 1886.

MY DEAR SIR,

DURING the time I held the office of Colonial Secretary—from the 20th of July, 1876, to the 9th of August, 1877, and again from the 20th of December, 1878, to the 30th of October, 1879—I found you to be a most efficient, faithful, and reliable public servant.

IN February, 1879, I recommended an increase of your salary from £350 to £400 per annum, believing your long and faithful services entitled you to generous consideration.

I have much pleasure in bearing testimony to your devotion to your duties when working with me, and have every cause to justify me in believing that you were thoroughly *loyal* and *reliable*.

I am, faithfully yours,

THOS. REIBEY.

Mr. H. E. SMITH, *Chief Secretary's Office.*

Hobart, April 19, 1887.

DEAR MR. SMITH,

IT gives me much pleasure to state that during the term in which I held the position of Premier and Chief Secretary you always performed the duties of your office in a very satisfactory, zealous, and intelligent manner.

Believe me, yours very truly,

J. W. AGNEW.

H. E. SMITH, *Esquire.*

I HAVE much pleasure in testifying to the very satisfactory manner in which Mr. Smith has discharged his duties in connection with the accounts of the Police Department since it has been under my control.

A. INGLIS CLARK.
2nd May, 1890.

Chief Secretary's Office; Hobart, February 3, 1891.

THE Chief Secretary will be glad to be furnished with copies of "the recorded approvals of the Governor" of Mr. Smith's performing the duties of Acting Under Secretary "on the dates mentioned below:"—3 April, 1881; 19 April, 1883; 17 March, 1885; 24 March, 1888; and 26 April, 1890.

P. O. FYSH.

COPIES of the approvals referred to are herewith forwarded to the Honorable the Chief Secretary.

H. E. SMITH, C.C.
5th February, 1891.

The Colonial Treasurer.

MEMO.

THE Administrator of the Government approves of Mr. H. E. Smith, Chief Clerk in this Department, signing all statements of public money paid into the Treasury, abstracts, and other documents, during the absence on leave of the Assistant Colonial Secretary.

By Command,

WM. MOORE.

Colonial Secretary's Office, 3rd April, 1881.

The Treasurer.

MEMORANDUM.

THE Governor approves of Mr. H. E. Smith, Chief Clerk in this Department, signing all statements of public money paid into the Treasury, abstracts, money orders, and other documents, during the absence on leave of the Under Secretary.

By Command,

WM. MOORE.

Chief Secretary's Office, 19th April, 1883.

The Treasurer.

MEMORANDUM.

THE Governor approves of Mr. H. E. Smith, Chief Clerk in this Department, signing all abstracts and other documents, and of his sending telegrams on Public Service only, during the absence on leave of the Under Secretary.

By Command,

ADYE DOUGLAS.

Chief Secretary's Office, 17th March, 1885.

The Treasurer.

MEMORANDUM.

THE Governor approves of Mr. H. E. Smith, Chief Clerk in this Department, signing salary and pension abstracts, requisitions, and all other documents, during the absence on leave of the Under Secretary.

By Command,

P. O. FYSH.

Chief Secretary's Office, 24th March, 1888.

The Treasurer.

MEMORANDUM.

THE Governor approves of Mr. H. E. Smith, Chief Clerk in this Department, signing salary and pension abstracts, requisitions, and other documents, and of his recording accounts, during the absence on leave of the Under Secretary.

By Command,

P. O. FYSH.

Chief Secretary's Office, 26th April, 1890.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Chief Secretary's Office, Hobart, 16th February, 1891.

SUBMITTED—

THAT Mr. H. E. Smith, Chief Clerk in the Chief Secretary's Office, be informed, in reply to his letter of the 29th ultimo, that the Governor in Council sees no reason to interfere in regard to the temporary appointment of Mr. Andrew as Acting Under Secretary.

P. O. FYSH.

THE Governor in Council approves.

R. G. C. H.

E. C. NOWELL.
16 Feb. 1891.

Chief Secretary's Office, 19th February, 1891.

SIR,

I HAVE the honor to inform you that your communication of the 29th ultimo, with enclosures, addressed to His Excellency the Governor in Council, requesting that the temporary appointment of Mr. Andrew as Acting Under Secretary may be cancelled, was considered at a meeting of the Executive held on the 16th instant, when it was resolved "that Mr. H. E. Smith, Chief Clerk in the Chief Secretary's Office, be informed, in reply to his letter of the 29th ultimo, that the Governor in Council sees no reason to interfere in regard to the temporary appointment of Mr. Andrew as Acting Under Secretary."

I have, &c.

P. O. FYSH:

H. E. SMITH, *Esquire, Chief Clerk,*
Chief Secretary's Office, Hobart.
