

(No. 29.)



1870.

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T A S M A N I A .

LEGISLATIVE COUNCIL.

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APPOINTMENT OF THE JUDGES.

DESPATCHES AND CORRESPONDENCE.

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Laid upon the Table by Mr. Wilson, and ordered by the Council to be printed,  
August 23, 1870.



*Chief Justice's Chambers, November 15, 1869.*

SIR,

I THINK it right thus early to inform the Government, through you, of the intention which I entertain of retiring shortly from the office of Chief Justice, under the provisions of the Act 17 Vict. No. 24.

By that law two essential conditions are imposed—first, that I shall “have continued in the office of Judge for the period of Fifteen years,” and secondly, that I shall have attained the age of Sixty years.

As regards the former, I have simply to refer you to the records of your own department, from which you will find that I was appointed and entered on my duties on the 7th of August, 1854.

As regards the latter, I endeavoured to procure that which is ordinarily resorted to on like occasions, my Baptismal Register from the place of my birth, Ashby de la Zouch, in Leicestershire; but the search proved unsuccessful, a fact easily accounted for as my father was at the time on the move with the regiment then under his command.

Both my parents being now deceased, I transmit herewith the declaration of my elder brother, James Fleming, Esq., Q.C., taken in solemn form before the Lord Mayor of the City of London, evidence the sufficiency of which I cannot doubt will be at once recognised by the Government.

I have only to add that I contemplate retiring in the early part of the ensuing year.

I have, &c.,

(Signed) V. FLEMING.

*The Hon. the Colonial Secretary.*

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TO ALL TO WHOM these Presents shall come I William Ferneley Allen Lord Mayor of the City of London do hereby certify that on the day of the date hereof personally came and appeared before me James Fleming the declarant named in the Declaration hereunto annexed and by solemn Declaration which the said declarant then made before me in due form of law did solemnly and sincerely declare to be true the several matters and things mentioned and contained in the said annexed Declaration.

IN FAITH AND TESTIMONY whereof I the said Lord Mayor have hereunto signed my name and caused the Seal of the Office of Mayoralty of the said City of London to be hereunto put and affixed.

Dated in London the Third day of December in the year of our Lord One thousand eight hundred and sixty-seven.

W. F. ALLEN, *Mayor.*

W. BRANDON, *Registrar.*

I JAMES FLEMING of the Middle Temple Esquire one of Her Majesty's Counsel do solemnly and sincerely declare that I am the elder Brother of Sir Valentine Fleming Knight Chief Justice of Tasmania and that I have always heard and I believe that the said Valentine Fleming was born on the Thirteenth day of November in the year One thousand eight hundred and nine And I make this solemn Declaration conscientiously believing the same to be true and by virtue of the provisions of an Act made and passed in the Sixth year of the reign of His late Majesty King William the Fourth intituled “An Act to repeal an Act of the present Session of Parliament intituled ‘An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State and to substitute Declarations in lieu thereof and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits and to make other provisions for the Abolition of unnecessary Oaths.’”

J. FLEMING.

Declared at the Mansion House in the City of London this

Third day of December 1867 before me—

W. F. ALLEN, *Lord Mayor.*

*Colonial Secretary's Office, 6th December, 1869.*

MEMORANDUM.

THE opinion of the Solicitor-General is requested on the construction of the Act of Council 17 Vict. No. 24, in reference to the retirement of the Chief Justice.

In the event of the two essential conditions imposed by law being complied with—viz. First, that the Chief Justice shall have continued in his office for the period of fifteen years; and, secondly, that he shall have attained the age of sixty years—can he resign such office, and thereupon become lawfully entitled to the annuity contemplated by the Act, without first obtaining the consent of the Governor, or in other words the Governor in Council?

JAMES MILNE WILSON.

*The Solicitor-General.*

THE Act 17 Vict. No. 24, provides that it shall be lawful to grant an annuity to a Judge on his resignation of office—meaning by the term “resignation” a yielding up of office at his own discretion; and, before holding that the consent of the Governor must be granted previously to the resignation of office, it would be necessary that some such words as “the consent of the Governor being first obtained” should be introduced into the Act,—no such words being found there.

Seeing that the Act provides for the fulfilment of two conditions precedent to the granting of an annuity, it is but reasonable to suppose that if the Legislature had intended to impose a third condition (such as the Governor's consent to the resignation being first obtained), it would have been broadly stated. It is observable, too, that the preamble refers to a resignation, without hinting at consent being requisite; and the 1st Section seems to contemplate the resignation being an accomplished fact before it is lawful to grant an annuity. Assuming then that the conditions as to age and continuance in office have been complied with, I am of opinion that the Chief Justice is entitled to resign, and to payment of his pension. I may add that I think the words “it shall be lawful” would be held to be mandatory in this case.

ROBT. P. ADAMS.  
7 December, 1869.

*The Hon. the Colonial Secretary.*

*Chief Justice's Chambers, 4th February, 1870.*

SIR,

I HAVE the honor to enclose herewith the resignation of my Office of Chief Justice of the Supreme Court of Tasmania, pursuant to the provisions of the Act of this Island 17 Vict. No. 24.

I have the honor to be,  
Your Excellency's faithful and obedient Servant,

*His Excellency the Governor.*

V. FLEMING.

TO ALL TO WHOM THESE PRESENTS SHALL COME Sir Valentine Fleming Knight of Hobart Town in Tasmania Chief Justice of the Supreme Court of Tasmania sends greeting KNOW YE that I the said Sir Valentine Fleming Knight having continued in the office of Chief Justice of the Supreme Court of Tasmania for the period of fifteen years and having attained the age of sixty years by virtue of the provision contained in the Act of Council of Tasmania 17 Victoria No. 24 have resigned and surrendered and by these Presents do resign and surrender to Our Sovereign Lady the Queen the aforesaid office of Chief Justice of the Supreme Court of Tasmania humbly praying that this my Deed of Resignation and Surrender may be enrolled amongst the Records of the said Supreme Court In witness whereof I have hereunto set my hand and seal at Hobart Town aforesaid this Fourth day of February in the year of Our Lord One thousand eight hundred and seventy.

V. FLEMING.

BE IT REMEMBERED that on the Fourth day of February in the year of Our Lord One thousand eight hundred and seventy at Hobart Town in Tasmania before me Henry John Buckland Esquire Registrar of the Supreme Court of Tasmania came the within-named Sir Valentine Fleming Knight and then and there before me signed sealed and delivered the within-written Deed or Instrument of Resignation and Surrender acknowledging the same to be the act and deed of him the said Sir Valentine Fleming Knight In testimony I have hereunto set my hand at the place and on the day and year aforesaid.

H. J. BUCKLAND.

LET the within-written Deed or Instrument of Resignation and Surrender be enrolled amongst the Records of the Supreme Court of Tasmania according to the prayer in the within-written Deed or Instrument contained.

Dated at Hobart Town this fourth day of February in the year of our Lord one thousand eight hundred and seventy.

FRANCIS SMITH  
*A Judge of the Supreme Court of Tasmania.*

Enrolled and recorded in the Supreme Court of Tasmania this fourth day of February in the year of our Lord one thousand eight hundred and seventy.

H. J. BUCKLAND Registrar.

## MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office, Hobart Town, 5th February, 1870.*

SUBMITTED,

THAT Sir Valentine Fleming having resigned his office of Chief Justice of the Supreme Court of Tasmania, the amount of pension to which he is thereby entitled under the provisions of the Act of the Legislature 17th Vict. No. 24, namely, two-thirds of his present salary, be granted to him; such pension to commence on this day.

The Members of the Executive Council desire to record on the minutes their high estimation of Sir Valentine Fleming's long and faithful services to the Colony in the discharge of the important and responsible duties of his office, and their regret at the loss sustained by the community at large in the retirement of so able and upright a Judge.

JAMES MILNE WILSON.

The Governor in Council approves.

E. C. NOWELL.

5. 2. 70.

*The Hon. the Colonial Secretary.*

Minute communicated to Sir V. Fleming by His Excellency's Command.

E. C. N.

5. 2. 70.

*Colonial Secretary's Office, 7th February, 1870.*

SIR,

I HAVE the honor to forward herewith, in accordance with the provisions of the 1st Section of the 17th Vict. No. 24, Letters Patent under the Public Seal of the Colony, granting to you, upon your retirement from the office of Chief Justice of the Supreme Court of Tasmania, a pension of £1000 per annum, equal to two-thirds of the salary enjoyed by you as Chief Justice.

Allow me to avail myself of this opportunity to express, on behalf of myself and my colleagues, our sense of the loss sustained by the Colony on your retirement from an office the duties of which you have discharged for so long a period with equal ability and dignity; and we trust that you may long be spared to enjoy your well-earned exemption from the toils and anxieties of official life.

I have, &c.,  
(Signed) JAMES MILNE WILSON.

*Sir VALENTINE FLEMING, Knight.**Colonial Secretary's Office, 4th February, 1870.*

SIR,

SIR Valentine Fleming's resignation of his office of Chief Justice of the Supreme Court of Tasmania having been this day accepted by the Governor, the duty devolves upon His Excellency's Responsible Advisers to make arrangements for supplying the vacancy on the Bench occasioned by His Honor's retirement.

The able and eminently satisfactory manner in which you have discharged the high and onerous duties of your judicial position has led my colleagues and myself to the unanimous conclusion that we should best consult the public interests of the community, and the dignity of the Bench, by promoting Your Honor to the office so long and so ably filled by Sir Valentine Fleming.

I should be glad to know whether it would be agreeable to your views and wishes that I should submit Your Honor's name to the Governor for provisional appointment by His Excellency as Chief Justice of the Supreme Court of Tasmania.

I need not remind Your Honor that it is desirable that a matter of so much importance to the highest public interests should be arranged with as little delay as possible.

I trust, therefore, that I shall be favoured with a reply to this communication at your earliest convenience.

I have, &c.  
(Signed) JAMES MILNE WILSON.

*His Honor Sir FRANCIS SMITH, Knight, Puisne Judge,  
Supreme Court, Tasmania.*

*Judges' Chambers, Hobart Town, 5th February, 1870.*

SIR,

I HAVE the honor to acknowledge your letter of the 4th instant, in which you desire to know whether it would be agreeable to my views and wishes that you should submit my name to the Governor for provisional appointment by His Excellency to the office of Chief Justice of the Supreme Court of Tasmania, vacant by the resignation of Sir Valentine Fleming.

With sincere regret at the occasion of the vacancy in the office of Chief Justice, I assent to your proposal to submit my name to His Excellency for provisional appointment to that office.

I desire to tender to you my acknowledgments for the flattering terms in which you have conveyed your proposal, and to express the satisfaction it affords me to receive the assurance that the manner in which I have hitherto executed the judicial office has been such as to obtain the approbation of His Excellency's Responsible Advisers.

I have, &c.,  
(Signed) FRANCIS SMITH.

*The Honorable the Colonial Secretary.*

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MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office, Hobart Town, 5th February, 1870.*

SUBMITTED,

THAT Sir Francis Smith, Knight, Puisne Judge of the Supreme Court of Tasmania, be appointed Chief Justice of the said Court until the pleasure of Her Majesty be known, the office having become vacant by the retirement of Sir Valentine Fleming, Knight.

JAMES MILNE WILSON.

The Governor in Council approves.

E. C. NOWELL.  
5. 2. 70.

*The Hon. the Colonial Secretary.*

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MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office, Hobart Town, 5th February, 1870.*

SUBMITTED,

THAT the Honorable William Lambert Dobson, Esquire, be appointed Puisne Judge of the Supreme Court of Tasmania until the pleasure of Her Majesty be known, the office having become vacant by the promotion of Sir Francis Smith, Knight.

JAMES MILNE WILSON.

The Governor in Council approves.

E. C. NOWELL.  
5. 2. 70.

*The Hon. the Colonial Secretary.*

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*Colonial Secretary's Office, 5th February, 1870.*

MY DEAR MR. DOBSON,

HIS Excellency the Governor having, on the advice of the collective Cabinet, and with your own acquiescence and approval, appointed Sir Francis Smith to the office of Chief Justice of the Supreme Court of Tasmania, it becomes immediately necessary for me, in accordance with the arrangement which has already received the sanction of the Executive Council, to give directions for the preparation of the requisite Instrument for your own appointment as the Puisne Judge of the Supreme Court.

It is, I trust, unnecessary for me to assure you how much I regret the severance of the political connection which has subsisted between us as Ministers, or how highly your colleagues in the Government appreciate the value of the services you have so ably for several years past rendered to the Executive and to the country as the first Law Officer of the Crown, and as the Grand Jury of the Colony.

In advising His Excellency to appoint you to the vacant Judgeship—I speak for your other colleagues as well as for myself—we cannot but feel that we are strengthening the Bench at the expense

of the Executive; but while we regret the necessity for your relinquishment of the active duties of Government for the calmer atmosphere, but not less onerous duties, of judicial administration, we reflect with satisfaction that you will have only exchanged one sphere of public usefulness for another, and that your legal knowledge and professional acquirements, which have hitherto assisted the deliberations of the Executive, and directed the Criminal Jurisprudence of the Colony, will still be devoted to the service of the public in the administration of justice, and the interpretation of the laws on the Bench.

I acquiesce, with some reluctance I confess, in an arrangement which deprives the Crown of an able Law Officer, and myself of a valued colleague in the Government and Legislature of the Colony; but I console myself with the conviction that your transference from the Cabinet to the judgment seat accords with your own views and wishes for the future, as it combines the suffrages of your colleagues.

It only remains for me to express my earnest hope that you may long continue to adorn and dignify the Bench, to which I shall always recall with satisfaction that I was instrumental in raising you.

Believe me, &c.,

(Signed) JAMES MILNE WILSON.

*The Hon. W. L. DOBSON, Esq., Attorney-General.*

*Judges' Chambers, 5th February, 1870.*

MY DEAR MR. WILSON,

I AM in receipt of your letter of this day's date, in which you inform me that His Excellency having appointed Sir Francis Smith as Chief Justice in succession to Sir Valentine Fleming, I have been appointed Puisne Judge in succession to Sir Francis; and conveying to me, in terms which I feel are too laudatory, the regret felt by yourself and my other colleagues in the Ministry at the severance of the political ties between us.

I entertain no doubt that the promotion of one who has ably filled the position of Puisne Judge to a vacancy in the office of Chief Justice is a matter of justice to the individual and of advantage to the administration of justice in the Colony, and this was the principle which guided us in recommending to His Excellency the advancement of Sir Francis Smith.

I desire, through you, to convey to His Excellency and my colleagues in the Ministry my thanks, to the latter for recommending, and to the former for appointing me as Puisne Judge of the Supreme Court.

I need hardly assure you that the severance of all political connection between my late colleagues and myself is, personally, no less a matter of regret on my part than it can be on theirs.

For all the expressions of confidence on the part of yourself and my other colleagues, which are conveyed to me in your letter, I desire to thank you and them most cordially.

Believe me, &c.,

(Signed) W. L. DOBSON.

*The Hon. J. M. WILSON, Esq., Colonial Secretary.*

#### GOVERNMENT NOTICE.

No. 31.

*Colonial Secretary's Office, 5th February, 1870.*

THE Governor has been pleased to appoint, until the Queen's pleasure be known, the Honorable William Lambert Dobson, Esq., Barrister-at-Law, to the office of Puisne Judge of the Supreme Court of Tasmania, vacant by the promotion of Sir Francis Smith, Knight.

By His Excellency's Command,

JAMES MILNE WILSON.

*Colonial Secretary's Office, 21st February, 1870.*

MEMORANDUM.

THE Colonial Secretary does himself the honor to transmit to His Excellency the correspondence that has passed between the Government and the Judges arising out of the vacancy in the Chief Justiceship occasioned by the retirement of Sir Valentine Fleming.

The Governor is aware that the appointments of Chief Justice and Puisne Judge were made provisionally under the Act of 9th Geo. 4th, Cap. 83; and His Excellency's Advisers have now to request that the Secretary of State may be recommended to move Her Majesty to issue the necessary Warrants under the Royal Sign Manual and Signet, authorising the Public Seal of the Colony to be affixed to Letters Patent appointing Sir Francis Smith, and the Hon. W. L. Dobson, Esquire, respectively, Chief Justice and Puisne Judge under the provisions of the Act of the Legislature of Tasmania 27 Vict. No. 54.

The correspondence fully explains the views and intentions of Ministers in advising the Governor to make these arrangements for supplying the vacancy in the Supreme Court; and they entertain a confident expectation that the Secretary of State will find no difficulty in advising Her Majesty's confirmation of appointments made on the unanimous suggestion of the Cabinet with the full approval of the Governor in Council.

(Signed) J. M. WILSON.

*His Excellency the Governor.*

TASMANIA.  
No. 13.

*Downing-street, 13th May, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your Despatch, No. 8, of the 23rd of February last, reporting the provisional appointment of Sir Francis Smith, Knight, to be Chief Justice of the Supreme Court of Tasmania, *vice* Sir Valentine Fleming, Knight, resigned, and of Mr. William Lambert Dobson to be Puisne Judge of that Court in succession to Sir Francis Smith. The Queen's Warrants for their appointment will be transmitted to you in a Despatch of this day's date. In sending out these Warrants I would suggest, for your consideration and that of your Responsible Advisers, that as it appears to be the intention of your Government, like other Australian Governments, to appoint virtually their own Judges, the unusual and inconvenient form of a Warrant under the Royal Sign Manual and Signet should be dispensed with.

I have, &c.,

(Signed) GRANVILLE.

*Governor DU CANE.*

*Downing-street, 13th May, 1870.*

SIR,

WITH reference to my Despatch, No. 13, of this day's date, I transmit to you herewith the Queen's Warrants for the appointment of Sir Francis Smith and Mr. William Lambert Dobson to be Chief Justice and Puisne Judge of the Supreme Court, respectively, of the Colony of Tasmania, in the room of Sir V. Fleming and Sir F. Smith.

The Crown Agents for the Colonies have been instructed to pay to Mr. Lewes, the Accountant of my Office, the sum of three pounds, being the price of the stamps of the value of 30s. each on the enclosed Warrants, and you will call on Sir F. Smith and Mr. Dobson to repay this amount into the Colonial Treasury.

I have, &c.,

(Signed) GRANVILLE.

*Governor DU CANE.*

*Colonial Secretary's Office, 12th August, 1870.*

SIR,

I HAVE the honor, by direction of His Excellency the Governor, to acquaint you that Her Majesty has been pleased to confirm your provisional appointment of Chief Justice.

I transmit herewith the Letters Patent issued by His Excellency under the Public Seal of the Colony by virtue of the Queen's Warrant, which is attached to them, appointing you to be Chief Justice of the Supreme Court of Tasmania.

I have, &c.,

(Signed) JAMES MILNE WILSON.

*The Hon. Sir FRANCIS SMITH, Knight, Chief Justice.*

(L.S.)

*VICTORIA by the Grace of God of the United Kingdom of Great Britain  
and Ireland Queen Defender of the Faith.*

*To all to whom these Presents shall come.*

GREETING—

WHEREAS Our trusty and well-beloved Charles Du Cane Esquire Governor and Commander-in-Chief in and over Our Colony of Tasmania and its Dependencies did by writing under his hand and seal bearing date the Fifth day of February One thousand eight hundred and seventy constitute and appoint Sir Francis Smith Knight of the Middle Temple London Barrister-at-Law to act as Chief Justice of the Supreme Court of Our said Colony in the place and stead of Sir Valentine Fleming Knight who had then lately resigned the office of Chief Justice of the said Court until a successor to the said Sir Valentine Fleming should be appointed in the said office of Chief Justice of the said Court NOW THEREFORE KNOW YE that we being well satisfied of the loyalty and integrity and ability of our trusty and well-beloved Sir Francis Smith Knight do by these Presents constitute and appoint the said Sir Francis Smith Knight being a Barrister in England of not less than Five years standing to be Chief Justice of the Supreme Court of Our said Colony to have hold exercise and enjoy the said office and place during Our pleasure together with all the rights profits privileges and advantages thereunto belonging or appertaining Provided that the said Sir Francis Smith shall actually reside within Our said Colony and shall execute the said office in his own person except in case of sickness or other incapacity In testimony whereof we have caused these Our Letters to be made Patent and the Public Seal of Our Colony of Tasmania to be hereunto affixed.

Witness Our trusty and well-beloved Charles Du Cane Esquire at Hobart Town in Tasmania aforesaid this  
Eighth day of August One thousand eight hundred and seventy.

C. DU CANE.

By Warrant under the Royal Sign Manual and Signet hereunto annexed.

C. DU CANE.

(Copy.)

*To Our trusty and well-beloved CHARLES DU CANE Esquire Our Governor  
and Commander-in-Chief in and over Our Colony of Tasmania and its  
Dependencies or in his absence to Our Lieutenant-Governor or the Officer  
Administering the Government of Our said Colony and its Dependencies  
for the time being.*

VICTORIA R.

TRUSTY and well-beloved We greet you well We being well satisfied of the loyalty integrity and ability of Our trusty and well-beloved Sir Francis Smith Knight Barrister-at-Law have thought fit hereby to authorise and require you forthwith to cause Letters Patent to be passed under the Public Seal of Our Colony of Tasmania constituting and appointing him the said Sir Francis Smith to be Chief Justice of the Supreme Court of Our said Colony to have hold exercise and enjoy the said office and place during Our pleasure together with all the rights profits privileges and advantages thereunto belonging or appertaining And you are to cause to be inserted in the said Letters Patent a clause or proviso obliging him the said Sir Francis Smith to actual residence within Our said Colony and to execute the said Office in his own person except in case of sickness or other incapacity and all such other clauses and provisos as are requisite and necessary in this behalf And for so doing this shall be your Warrant Given at Our Court at Windsor this Ninth day of May One thousand eight hundred and seventy in the Thirty-third year of Our Reign.

By Her Majesty's Command  
(Signed) GRANVILLE.

Warrant for the appointment of Sir Francis Smith Knight to be  
Chief Justice of the Supreme Court Tasmania.

*Colonial Secretary's Office, 12th August, 1870.*

SIR,

I HAVE the honor, by direction of His Excellency the Governor, to acquaint you that Her Majesty has been pleased to confirm your provisional appointment of Puisne Judge.

I transmit herewith the Letters Patent issued by His Excellency under the Public Seal of the Colony by virtue of the Queen's Warrant which is attached to them, appointing you to be Puisne Judge of the Supreme Court of Tasmania.

I have, &amp;c.,

(Signed) J. M. WILSON.

*His Honor Mr. Justice DOBSON.*

(L.S.)

*VICTORIA by the Grace of God of the United Kingdom of Great Britain  
and Ireland Queen Defender of the Faith.*

*To all to whom these Presents shall come.*

GREETING—

WHEREAS Our trusty and well-beloved Charles Du Cane Esquire Governor and Commander-in-Chief in and over Our Colony of Tasmania and its Dependencies did by writing under his hand and seal bearing date the Fifth day of February One thousand eight hundred and seventy constitute and appoint William Lambert Dobson Esquire of the Middle Temple London Barrister-at-Law to act as Puisne Judge of the Supreme Court of Our said Colony in the place and stead of Sir Francis Smith Knight who had then lately resigned the office of Puisne Judge of the said Court until a successor to the said Sir Francis Smith should be appointed in the said office of Puisne Judge of the said Court NOW THEREFORE KNOW YE that we being well satisfied of the loyalty integrity and ability of Our trusty and well-beloved William Lambert Dobson Esquire Barrister-at-Law do by these Presents constitute and appoint the said William Lambert Dobson being a Barrister in England of not less than Five years standing to be Puisne Judge of the Supreme Court of Our said Colony to have hold exercise and enjoy the said office and place during Our pleasure together with all the rights profits privileges and advantages thereunto belonging or appertaining Provided



that the said William Lambert Dobson shall actually reside within Our said Colony and shall execute the said office in his own person except in case of sickness or other incapacity In testimony whereof We have caused these Our Letters to be made Patent and the Public Seal of Our Colony of Tasmania to be hereunto affixed.

Witness Our trusty and well-beloved Charles Du Cane Esquire at Hobart Town in Tasmania aforesaid this Eighth day of August One thousand eight hundred and seventy.

(Signed) C. DU CANE.

By Warrant under the Royal Sign Manual and Signet hereunto annexed.

C. DU CANE.

(Copy.)

*To Our trusty and well-beloved CHARLES DU CANE Esquire Our Governor and Commander-in-Chief in and over Our Colony of Tasmania and its Dependencies or in his absence to Our Lieutenant-Governor or the Officer Administering the Government of Our said Colony and its Dependencies for the time being.*

VICTORIA R.

TRUSTY and well-beloved We greet you well We being well satisfied of the loyalty integrity and ability of Our trusty and well-beloved William Lambert Dobson Esquire Barrister-at-Law have thought fit hereby to authorise and require you forthwith to cause Letters Patent to be passed under the Public Seal of Our Colony of Tasmania constituting and appointing him the said William Lambert Dobson to be Puisne Judge of the Supreme Court of Our said Colony to have hold exercise and enjoy the said office and place during Our pleasure together with all the rights profits privileges and advantages thereunto belonging or appertaining And you are to cause to be inserted in the said Letters Patent a clause or proviso obliging him the said William Lambert Dobson to actual residence within Our said Colony and to execute the said office in his own person except in case of sickness or other incapacity and all such other clauses and provisos as are requisite and necessary in this behalf And for so doing this shall be your Warrant Given at Our Court at Windsor this Ninth day of May One thousand eight hundred and seventy in the Thirty-third year of Our Reign.

By Her Majesty's Command

(Signed) GRANVILLE.

Warrant for the appointment of William Lambert Dobson Esquire to be Puisne Judge of the Supreme Court Tasmania.

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*Judges' Chambers, 13th August, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 12th instant, acquainting me that Her Majesty has been pleased to confirm my provisional appointment of Puisne Judge; and I have to thank you for the enclosure of Letters Patent issued by His Excellency under the Seal of the Colony by virtue of the Queen's Warrant, which is attached, appointing me Puisne Judge of the Supreme Court.

I have, &c.,

(Signed) W. L. DOBSON.

*The Hon. the Colonial Secretary.*

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*Judges' Chambers, 15th August, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter, enclosing Letters Patent issued by His Excellency the Governor under the Public Seal of the Colony by virtue of the Queen's Warrant, which is attached thereto, appointing me to be Chief Justice of the Supreme Court of Tasmania.

I have, &c.,

(Signed) FRANCIS SMITH.

*The Hon. the Colonial Secretary.*