



# VICTORIA GOVERNMENT GAZETTE.

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TUESDAY, DECEMBER 31.

[1901.

HIS Excellency the Governor of the State of Victoria directs the publication of the following Letters Patent under the Great Seal of the United Kingdom, and also the publication of the Commission appointing Sir John Madden to be Lieutenant-Governor of the aforesaid State of Victoria.

Government Offices,  
Melbourne, 16th December, 1901.

A. J. PEACOCK.

## VICTORIA.

LETTERS PATENT PASSED UNDER THE GREAT SEAL OF THE UNITED KINGDOM CONSTITUTING THE OFFICE OF GOVERNOR OF THE STATE OF VICTORIA AND ITS DEPENDENCIES IN THE COMMONWEALTH OF AUSTRALIA.

Letters Patent,  
dated 29th October,  
1900.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To all to whom these Presents shall come, Greeting.

WHEREAS, by certain Letters Patent, under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the Twenty-first day of February, 1879, We did constitute the Office of Governor and Commander-in-Chief in and over Our Colony of Victoria as therein described, and its Dependencies: And whereas, in virtue of the provisions of the Commonwealth of Australia Constitution Act 1900, and of our Proclamation issued thereunder, by and with the advice of Our Privy Council on the Seventeenth day of September, 1900, We have by certain Letters Patent under the said Great Seal of Our United Kingdom of Great Britain and Ireland, bearing even date herewith, made provision for the Office of Governor-General and Commander-in-Chief in and over Our Commonwealth of Australia: And whereas it has become necessary to make permanent provision for the Office of Governor in and over Our State of Victoria and its Dependencies in the Commonwealth of Australia, without making new Letters Patent on each demise of the said Office. Now know ye that We do by these presents revoke and determine the said first-recited Letters Patent of the Twenty-first day of February, 1879, and everything therein contained, from and after the proclamation of these Our Letters Patent as hereinafter provided: And further know ye that We do by these presents constitute, order, and declare that there shall be a Governor in and over Our State of Victoria (comprising the territories bounded on the west by Our State of South Australia, on the south by the sea, and on the east and north by a straight line drawn from Cape Howe to the nearest source of the River Murray, and thence by the course of that river to the Eastern Boundary of Our State of South Australia) and its Dependencies in the Commonwealth of Australia (which said State of Victoria and its Dependencies are hereinafter called the State), and that appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

II. We do hereby authorize, empower, and command Our said Governor to do and execute all things that belong to his said Office, according to the tenor of these Our Letters Patent and of such Commission as may be issued to him under our Sign Manual and Signet, and according to such Instructions as may from time to time be given to him under Our Sign Manual and Signet, or by Our Order in Our Privy Council, or by Us, through one of Our Principal Secretaries of State, and to such Laws as are now or shall hereafter be in force in the State.

Preamble.

Recites Letters  
Patent of 21st  
February, 1879.

Recites Imperial Act  
63 & 64 Vict., c. .  
12, Proclamation of  
17th September,  
1900, and Letters  
Patent of 29th  
October, 1900.

Revocation of  
Letters Patent of  
21st February, 1879.  
Office of Governor  
constituted.

Boundaries.

Governor's powers  
and authorities.

Publications of Governor's Commission.	III. We do also by these Our Letters Patent declare our will and pleasure as follows:—
Oath to be taken by Governor.	IV. Every person appointed to fill the office of Governor shall with all due solemnity, before entering on any of the duties of his Office, cause the Commission appointing him to be Governor to be read and published at the seat of Government, in the presence of the Chief Justice, or some other Judge of the Supreme Court of the State, and of the Members of the Executive Council thereof, which being done, he shall then and there take before them the Oath of Allegiance, in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of Our Reign, intituled an Act to Amend the Law relating to Promissory Oaths; and likewise the usual Oath for the due execution of the Office of Governor, and for the due and impartial administration of justice: which Oaths the said Chief Justice or Judge is hereby required to administer.
Imperial Act 31 & 32 Vict. c. 72.	
Public Seal.	V. The Governor shall keep and use the Public Seal of the State for sealing all things whatsoever that shall pass the said Public Seal: and until a Public Seal shall be provided for the State the Public Seal formerly used in Our Colony of Victoria shall be used as the Public Seal of the State.
Executive Council: constitution of.	VI. There shall be an Executive Council for the State, and the said Council shall consist of such persons as were, immediately before the coming into force of these Our Letters Patent, Members of the Executive Council of Victoria, or as may at any time be Members of the Executive Council for Our said State in accordance with any Law enacted by the Legislature of the State, and of such other persons as the Governor shall, from time to time, in Our name and on Our behalf, but subject to any Law as aforesaid, appoint under the Public Seal of the State to be Members of Our said Executive Council for the State.
Grant of lands.	VII. The Governor, in Our name and on Our behalf, may make and execute, under the said Public Seal, grants and dispositions of any land which may be lawfully granted and disposed of by Us within the State.
Appointment of Judges, Justices, &c.	VIII. The Governor may constitute and appoint, in Our name and on Our behalf, all such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers of the State as may be lawfully constituted or appointed by Us.
Grant of pardons.	IX. When any crime or offence has been committed within the State against the laws of the State, or for which the offender may be tried therein, the Governor may as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such crime or offence who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders if more than one; and further, may grant to any offender convicted in any Court of the State, or before any Judge or other Magistrate of the State, within the State, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence for such period as the Governor thinks fit; and further may remit any fines, penalties, or forfeitures due or accrued to Us: Provided always that the Governor shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall absent himself or be removed from the State.
Remission of fines. Political offenders. Proviso. Banishment from State prohibited.	
Suspension or removal from office.	X. The Governor may, so far as We Ourselves lawfully may, upon sufficient cause to him appearing, remove from his office, or suspend from the exercise of the same, any person exercising any office or place under the State, under or by virtue of any Commission or Warrant granted, or which may be granted, by Us, in Our name, or under Our authority.
Summoning, proroguing, or dissolving any Legislative Body.	XI. The Governor may exercise all powers lawfully belonging to Us in respect of the summoning, proroguing, or dissolving any Legislative Body, which now is or hereafter may be established within Our said State.
Succession to the Government.	
Lieutenant-Governor.	
Administrator.	XII. In the event of the death, incapacity, or removal of the Governor, or of his departure from the State, Our Lieutenant-Governor, or, if there be no such officer in the State, then such person or persons as We may appoint, under Our Sign Manual and Signet, shall during Our pleasure, administer the Government of the State, first taking the Oaths hereinafore directed to be taken by the Governor, and in the manner herein prescribed; which being done, We do hereby authorize, empower, and command our Lieutenant-Governor, and every other such Administrator as aforesaid, to do and execute during Our pleasure all things that belong to the Office of Governor according to the tenor of these Our Letters Patent, and according to Our Instructions as aforesaid, and the Laws of the State.
Proviso. Lieutenant-Governor, &c., to take Oaths of office before administering the Government.	
Duties and authorities under Letters Patent.	
Governor may appoint a Deputy during his temporary absence from seat of Government or from the State.	XIII. In the event of the Governor having occasion to be temporarily absent for a short period from the Seat of Government or from the State, he may in every such case, by an Instrument under the Public Seal of the State, constitute and appoint Our Lieutenant-Governor, or, if there be no such Officer, or if such Officer be absent or unable to act, then any other person to be his Deputy during such temporary absence, and in that capacity to exercise, perform, and execute for and on behalf of the Governor during such absence, but no longer, all such powers and authorities vested in the Governor, by these Our Letters Patent, as shall in and by such Instrument be specified and limited, but no others. Provided, nevertheless, that by the appointment of a Deputy as aforesaid, the power and authority of the Governor shall not be abridged, altered, or in any way affected, otherwise than We may at any time hereafter think proper to direct.

XIV. And we do hereby require and command all Our Officers and Ministers, and all other the inhabitants of the State, to be obedient, aiding, and assisting unto the Governor, or to such person or persons as may from time to time, under the provision of these Our Letters Patent, administer the Government of the State.

Officers and others to obey and assist the Governor.

XV. And We do hereby reserve to Ourselves, Our heirs and Successors, full power and authority from time to time to revoke, alter, or amend these our Letters Patent as to Us or Them shall seem meet.

Power reserved to Her Majesty to revoke, alter, or amend the present Letters Patent.

XVI. And We do direct and enjoin that these Our Letters Patent shall be read and proclaimed at such place or places within Our said State as the Governor shall think fit.

Publication of Letters Patent.

In Witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, this Twenty-ninth day of October, in the Sixty-fourth year of our Reign.

By Warrant under the Queen's Sign Manual.

MUIR MACKENZIE.

VICTORIA.

COMMISSION PASSED UNDER THE ROYAL SIGN MANUAL AND SIGNET, APPOINTING SIR JOHN MADDEN, K.C.M.G., CHIEF JUSTICE OF VICTORIA, TO BE LIEUTENANT-GOVERNOR OF THE STATE OF VICTORIA AND ITS DEPENDENCIES IN THE COMMONWEALTH OF AUSTRALIA.

Victoria R.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To Our Trusty and Well-beloved Sir John Madden, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Chief Justice of the Supreme Court of Victoria, Greeting.

Date: 29th October, 1900.

We do, by this Our Commission under Our Sign Manual and Signet, appoint you the said Sir John Madden to be during Our pleasure Our Lieutenant-Governor of Our State of Victoria and its Dependencies in the Commonwealth of Australia, with all the powers, rights, privileges, and advantages to the said office belonging or appertaining.

Appointment of Sir J. Madden, K.C.M.G., to be Lieutenant-Governor.

II. And further, in case of the death, incapacity, or removal of Our Governor of Our said State, or of his departure from Our said State, We do hereby authorize and require you to administer the Government thereof, with all and singular the powers and authorities contained in Our Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the twenty-ninth day of October, 1900, constituting the office of Governor in and over Our said State of Victoria and its Dependencies in Our Commonwealth of Australia, or in any other Our Letters Patent adding to, amending, or substituted for the same, and according to such Instructions as Our said Governor for the time being may receive from Us, or through one of Our Principal Secretaries of State, and according to such Laws as are now or shall hereafter be in force in Our said State.

To administer Government thereof, during Governor's absence. Recites Letters Patent constituting office of Governor. Powers and authorities.

III. And We do hereby appoint that this Our present Commission shall supersede Our Commission under Our Sign Manual and Signet bearing date the twenty-ninth day of April, 1899, appointing you the said Sir John Madden to be Lieutenant-Governor of Our Colony of Victoria and its Dependencies.

Commission of 29th April, 1899, superseded.

IV. And We do hereby command all and singular Our Officers, Ministers, and loving subjects in Our said State and its Dependencies, and all others whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

Officers, &c., to take notice.

Given at Our Court at Saint James's, this twenty-ninth day of October, 1900, in the sixty-fourth year of Our Reign.

By Her Majesty's Command,  
J. CHAMBERLAIN.

Commission appointing Sir John Madden, K.C.M.G., to be Lieutenant-Governor, Victoria.

ACTS OF PARLIAMENT.

PROCLAMATION

By His Excellency Sir George Sydenham Clarke, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Fellow of the Royal Society; Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

I, THE Governor of the State of Victoria in the Commonwealth of Australia, do hereby declare that I have this day assented, in His Majesty's name, to the Bills passed by the Parliament of the said State, the titles whereof are hereinafter set forth, that is to say:—

- "An Act to authorize the Raising of Money for Railways and for other purposes."
- "An Act to further amend the *Treasury Bonds Act 1898*."
- "An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the *Local Government Act 1890*."
- "An Act relating to the Surplus Revenue of the Financial Year ended on the thirtieth day of June One thousand nine hundred and one."
- "An Act to sanction the issue and application of certain sums of money for Water Supply in Country Districts."
- "An Act to amend the Melbourne and Metropolitan Board of Works Acts and for other purposes."
- "An Act to further amend the Savings Banks Acts."
- "An Act to license Gold Buyers."
- "An Act to amend the *Education Act 1890*."
- "An Act to amend the Public Service Acts."
- "An Act to further continue in force Part III. of the *Employers and Employes Act 1890*."
- "An Act to amend the *Colac and Beech Forest Railway Construction Act 1898*."
- "An Act to declare the Rates of Income Tax for the Year ending on the thirty-first day of December One thousand nine hundred and two."
- "An Act to provide for the Exchange of Portion of the Coleraine Race-course Reserve for certain adjoining Land."
- "An Act to further amend the *Old-age Pensions Act 1900*."

- "An Act to provide for the further Appointment of an Acting Victorian Railways Commissioner."
- "An Act to authorize the construction by the State of a Line of Railway from the Gippsland Railway near Spring Vale to the Spring Vale Cemetery."
- "An Act to extend the provisions of the *Tramways Act 1890* to the Municipality of Saint Kilda within certain limits."
- "An Act for the Suppression of Betting at Sports Meetings."
- "An Act to authorize the Expenditure of certain sums of Money available under Loan Acts for Railways."
- "An Act to authorize certain Expenditure out of Money available under Loan Acts for Public Works and other purposes."
- "An Act to amend the Audit Acts."
- "An Act to amend the *Trusts Act 1890*, and for other purposes."
- "An Act relating to the *Vermin Destruction Act 1890*."
- "An Act to further amend the *Marine Act 1890*."
- "An Act to enable the Trustees of the Melbourne Sailors' Home to sell and convey certain Land situate in the City of Melbourne and vested in such Trustees as a Site for a Sailors' Home, and to acquire other Land therefor and for other purposes."
- "An Act to amend the *Vegetation Diseases Act 1896*."
- "An Act to amend the *Meat Supervision Act 1900*."
- "An Act to amend the *Electric Light and Power Act 1900*, and for other Purposes."
- "An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand nine hundred and two, and to appropriate the Supplies granted in this Session of Parliament."

Given under my Hand and the Seal of the State of Victoria, at Melbourne, this twenty-third day of December, in the year of our Lord One thousand nine hundred and one, and in the first year of His Majesty's reign.

(L.S.) G. S. CLARKE.  
By His Excellency's Command,  
A. J. PEACOCK.

GOD SAVE THE KING!