WESTERN AUSTRALIA.

LETTERS PATENT passed under the Great Seal of the United Kingdom, constituting the Office of Governor of the State of Western Australia and its Dependencies, in the Commonwealth of Australia.

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.

Preamble.

Recites Letters Patent of 25th August 1890, constituting Office of Governor.

WHEREAS by certain Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the Twenty-fifth day of August 1890, We did constitute the Office of Governor and Commander-in-Chief in and over Our Colony of Western Australia and its Dependencies as therein described: 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 One thousand nine hundred, We have by certain Letters Patent under the said Great Seal of Our United Kingdom of Great Britain and Ireland,

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

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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 Western Australia and its Dependencies, in the Commonwealth of Australia, without making new Letters Patent on each demise of the said Office.

Now We do by these presents revoke Our said first recited Letters Patent, of the Twenty-fifth day of August 1890, from and after the proclamation of these Our Letters Patent as herein-after provided, but without prejudice to anything lawfully done thereunder.

Revocation of Letters Patent of 25th August 1890.

II. 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 Western Australia and its Dependencies, extending from the parallel of thirteen degrees thirty minutes south latitude, to West Cape Howe in the parallel of thirty-five degrees eight minutes south latitude, and from the Hartogs Island, on the Western Coast, in longitude one hundred and twelve degrees fifty-two minutes to one hundred and twenty-nine degrees of east longitude, reckoning from the meridian of Greenwich, including all the islands adjacent in the Indian and Southern Oceans within the latitudes aforesaid of thirteen degrees thirty minutes south, and thirty-five degrees eight minutes south, and within the longitudes aforesaid of one hundred and twelve degrees fifty-two minutes, and one hundred and twenty-nine degrees east from the said meridian of Greenwich (which said State of Western Australia and its Dependencies are herein-after called the State), and that appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

Office of Governor constituted.

Boundaries.

Governor's powers and authorities.

III. We do hereby authorise, empower, and command Our said Governor to do and execute all things that belong to his said Office, and to exercise the powers and authorities vested in him by the Western Australia Constitution Act, 1890, or by any other Act adding to, amending, or substituted for the same, or by these Our Letters Patent and by 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.

Recites Imperial Act 53 & 54 Vict. c. 26.

IV. We do also by these Our Letters Patent declare Our Will and pleasure as follows :—

Publication of Governor's Commission.

V. 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.

Oaths to be taken by Governor.

Imperial Act, 31 & 32 Vict. c. 72.

Public Seal.

VI. 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 Western Australia shall be used as the Public Seal of the State.

Executive Council: constitution of.

VII. 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 Western Australia, 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.

VIII. The Governor in Our name and on Our behalf, may make and execute, under the said Public Seal, grants and dispositions of lands within the State, subject to the Laws in force for the time being for regulating the sale or disposal of Crown lands.

Appointment of Judges, &c.

IX. 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 in the State, as may be lawfully constituted or appointed by Us.

Grant of pardon.

X. 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 offences.

Proviso. Banishment from State prohibited.

XI. 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 holding any office or place under the State, under or by virtue of any Commission or Warrant or other Instrument granted, or which may be granted, by Us or in Our name, or under Our authority.

Suspension or removal from office.

XII. 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 the State, and in respect of the appointment of Members thereto.

Summoning, proroguing, or dissolving any Legislative Body.

XIII. In the event of the Office of the Governor becoming vacant, or of the Governor being incapable, 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 herein-before directed to be taken by the Governor and in the manner herein prescribed; which being done, We do hereby authorise, empower, and command Our Lieutenant-Governor, and every other such Administrator as aforesaid, to

Succession to Government.

Lieutenant-Governor.

Administrator.

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.

Governor may appoint a Deputy during his temporary absence from seat of Government or from the State.

XIV. 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.

Officers and others to obey and assist Governor.

XV. 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 provisions of these Our Letters Patent, administer the Government of the State.

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

XVI. 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.

Publication of Letters Patent.

XVII. 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.

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

By Warrant under the Queen's Sign Manual.

MUIR MACKENZIE.