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BEGIN TRANSCRIPTION

Western Australia

Letters Patent passed under the Great Seal of the United Kingdom, constituting the Office of Governor and Commander-in-Chief of the Colony of Western Australia and its Dependencies.

(Dated 25th August 1890) 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 we did, by certain Letters Patent <Preamble> under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster <Recites Letters Patent of 17th November 1877, constituting office of Governor.> the Seventeenth day of November 1877, in the Forty-first year of Our Reign, constitute, order, and declare that there should be a Governor and Commander-in-Chief in and over Our Colony of Western Australia and its Dependancies (as therein described), and that the person who should fill the said office should be appointed by Commission under Our Sign Manual and Signet: And whereas an alteration in the Constitution <Recites Imperial Act 53 & 54 Vict., ch. 26.> of the said Colony has been effected by the Western Australia Constitution Act, 1890: Now we do by these presents revoke Our said <Revokes said Letters Patent.> recited Letters Patent, but without prejudice to anything lawfully done thereunder.

Letters Patent constituting the Office of Governor and Commander-in-Chief of the Colony of Western Australia

[DOCUMENT PAGE ONE ENDS HERE]

II. We do declare that there shall be a Governor and Commander-in-Chief in and over Our Colony of <Office of Governor constituted, Boundaries> 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 Colony of Western Australia and its Dependencies are herein-after called the Colony), and that appointments to the said office shall be made by Commission under Our Sign Manual and Signet.

III. We do hereby authorize, empower, and command Our said Governor and Commander-in-

Chief (herein-after called the Governor) to do <Governor's powers and authorities> and execute all things that belong to his said office, and to exercise the powers and authorities vested in him by the above recited Act, 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 be 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 thereafter be in force in the Colony.

[DOCUMENT PAGE TWO ENDS HERE]

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

V. Every person appointed to fill the office of <Publication of Governor's Commission> Governor shall, with all due solemnity, before entering on any of the duties of his office, cause the Commission appointing him to the 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 Colony, and of the Members of the Executive Council thereof, <Oaths to be taken by Governor> 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 <Imperial Act, 31 & 32 Vict., c. 72.> 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 the Oaths the said Chief Justice or Judge is hereby required to administer.

VI. The Governor shall keep and use the Public <Public Seal> Seal of the Colony for Sealing all things whatsoever that shall pass the said Public Seal.

VII. There shall be an Executive Council for the Colony, and the said Council shall consist of such persons as are now members thereof or may at any time be members thereof in accordance with any Law enacted by the Legislature of the Colony, 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 Colony to be Members of Our said Executive Council.

VIII. The Governor, in Our name and on Our <Grant of lands> behalf, may make and execute, under the said Public Seal, grants and dispositions of lands within [DOCUMENT PAGE THREE ENDS HERE] the Colony, subject to the laws in force for the time being for regulating the sale or disposal of Crown lands.

IX. The Governor may constitute and appoint, in Our name and on Our behalf, all such Judges, <Appointment of Judges, &c.> Commissioners, Justices of the Peace, and other necessary Officers and Ministers in the Colony, as may be lawfully constituted or appointed by Us.

X. When any crime has been committed within the Colony, 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 <Grant of Pardon> 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, or

before any Judge, or other Magistrate within the Colony, a pardon either free or subject to lawful conditions, or any remission of the sentence paased 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 <Remission of fines> 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 to be removed from the <Proviso. Banishment from Colony prohibited.> Colony.

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 within the Colony, under or by [DOCUMENT PAGE FOUR ENDS HERE] 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.

XII. The Governor may exercise all powers <Summoning, proroguing, or dissolving any Legislative Body.> 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 Colony, and in respect of the appointment of Members thereto.

XIII. In the event of the office of the <Succession to Government> Governor becoming vacant, or of the Governor being incapable, or of his departure from the <Lieutenant Governor> Colony, Our Lieutenant Governor, or if there be no such Officer in the Colony, then such person or persons as We may appoint under Our Sign <Administrator> Manual and Signet, shall, during Our pleasure, administer the Government of the Colony, 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 do and execute, during Our pleasure, all things that belong to the office of Governor and Commander-in-Chief, according to the tenor of these Our Letters Patent, and according to Our Instructions as aforesaid, and the Laws of the Colony.

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 Colony, he may in every such case, by an Instrument under <Governor may appoint a Deputy during his temporary absence from seat of Government.> the Public Seal of the Colony, constitute and appoint Out Lieutenant Governor, or if there be no such Officer, then any other person, to be his Deputy during such temporary absence, and that capacity to exercise, perform, and execute for and on behalf of the Governor during such absence, but no longer, <DOCUMENT PAGE 5 ENDS HERE> 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.

XV. And We do hereby require and command all Our Officers and Ministers, Civil and Military, and all other inhabitants of the Colony, to be obedient, aiding, and assisting unto the Governor <Officers and others to obey and assist 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 Colony.

XVI. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority <Power reserved to Her Majesty to revoke, alter, or amend present Letters Patent.> from time to time to revoke, alter or amend these Our Letters Patent as to Us or shall seem meet.

XVII. And We do direct and enjoin that these Our Letters Patent shall be read and proclaimed <Publication of Letters Patent.> at such place and places within Our said Colony as the Governor shall think fit.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the twenty-fifth day of August, in the Fifty-fourth year of Our Reign.

By Warrant under the Queen's Sign Manual.

Muir Mackenzie.

END TRANSCRIPTION