

GOD SAVE THE QUEEN!!!

**

COMMONWEALTH OF AUSTRALIA.

LETTERS PATENT passed under the Great Seal of the United Kingdom, constituting the Office of Governor-General and Commander-in-Chief of the Commonwealth of Australia.

Letters Patent, Dated 29th October, 1900.

Preamble.

Recites Imperial Act, 63 and 64 Vict., c. 12, and Proclamation of 17th September, 1900.

Office of Governor-General and Commander-in-Chief constituted.

Governor-General's powers and authorities.

Great Seal.

Appointment of Judges, Justices, etc.

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 an Act of Parliament passed on the Ninth day of July, 1900, in the Sixty-fourth year of Our Reign, intituled "An Act to constitute the Commonwealth of Australia," it is enacted that "it shall be lawful for the Queen, with the advice of the Privy Council, to declare by Proclamation that, on and after a day therein appointed, not being later than one year after the passing of this Act, the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, and also, if Her Majesty is satisfied that the people of Western Australia have agreed thereto, of Western Australia, shall be united in a Federal Commonwealth under the name of the Commonwealth of Australia. But the Queen may, at any time after Proclamation, appoint a Governor-General for the Commonwealth":

And whereas We did on the Seventeenth day of September, One thousand nine hundred, by and with the advice of Our Privy Council, declare by Proclamation that, on and after the First day of January, One thousand nine hundred and one, the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, and also Western Australia, should be united in a Federal Commonwealth under the name of the Commonwealth of Australia : And whereas by the said recited Act certain powers, functions, and authorities were declared to be vested in the Governor-General: And whereas We are desirous of making effectual and permanent provision for the Office of Governor-General and Commander-in-Chief in and over Our said Commonwealth of Australia, without making new Letters Patent on each demise of the said Office : Now know ve that We have thought fit to constitute, order, and declare, and do by these presents constitute, order, and declare, that there shall be a Governor-General and Commander-in-Chief (hereinafter called the Governor-General) in and over Our Commonwealth of Australia (herein-after called our said Commonwealth), and that the person who shall fill the said Office of Governor-General shall be from time to time appointed by Commission under Our Sign Manual and Signet. And We do hereby authorise and command Our said Governor-General to do and execute, in due manner, all things that shall belong to his said command, and to the trust We have reposed in him, according to the several powers and authorities granted or appointed him, by virtue of "The Commonwealth of Australia Constitution Act, 1900," and of these present 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 shall hereafter be in force in Our said Commonwealth.

II. There shall be a Great Seal of and for Our said Commonwealth which Our said Governor-General shall keep and use for sealing all things whatsoever that shall pass the said Great Seal. Provided that until a Great Seal shall be provided, the Private Seal of Our said Governor-General may be used as the Great Seal of the Commonwealth of Australia.

III. The Governor-General 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 Our said Commonwealth, as may be lawfully constituted or appointed by Us.

LETTERS PATENT, constituting the Office of GOVERNOR-GENERAL and Commander-in-Chief of the COMMONWEALTH OF AUSTRALIA. Suspension or removal from office.

Summoning, proroguing, or dissolving the Commonwealth Parliament.

Power to appoint Deputies.

Succession to the Government.

Proviso. Oaths of office to be taken.

Officers and others to obey and assist the Governor-General.

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

Publication of Letters Patent.

IV. The Governor-General, so far as We Ourselves lawfully may, upon sufficient cause to him appearing, may remove from his office, or suspend from the exercise of the same, any person exercising any office of Our said Commonwealth, under or by virtue of any Commission or Warrant granted, or which may be granted, by Us in Our name or under Our authority.

V. The Governor-General may on Our behalf exercise all powers under the Commonwealth of Australia Constitution Act, 1900, or otherwise in respect of the summoning, proroguing, or dissolving the Parliament of Our said Commonwealth.

VI. And whereas by "The Commonwealth of Australia Constitution Act, 1900," it is amongst other things enacted, that We may authorise the Governor-General to appoint any person or persons, jointly or severally, to be his Deputy or Deputies within any part of Our Commonwealth, and in that capacity to exercise, during the pleasure of the Governor-General, such powers, and functions of the said Governor-General as he thinks fit to assign to such Deputy or Deputies, subject to any limitations expressed or directions given by Us: Now We do hereby authorise and empower Our said Governor-General, subject to such limitations and directions as aforesaid, to appoint any person or persons, jointly or severally, to be his Deputy or Deputies, within any part of Our said Commonwealth of Australia, and in that capacity to exercise, during his pleasure, such of his powers and functions, as he may deem it necessary or expedient to assign to him or them: Provided always, that the appointment of such a Deputy or Deputies shall not affect the exercise by the Governor-General himself of any power or function.

VII. And We do hereby declare Our pleasure to be that, in the event of the death, incapacity, removal, or absence of Our said Governor-General out of our said Commonwealth, all and every the powers and authorities herein granted to him shall, until Our further pleasure is signified therein, be vested in such person as may be appointed by Us under Our Sign Manual and Signet to be Our Lieutenant-Governor of Our said Commonwealth; or if there shall be no such Lieutenant-Governor in Our said Commonwealth, then in such person or persons as may be appointed by Us under Our Sign Manual and Signet to administer the Government of the same. No such powers or authorities shall vest in such Lieutenant-Governor, or such other person or persons, until he or they shall have taken the oaths appointed to be taken by the Governor-General of Our said Commonwealth, and in the manuer provided by the Instructions accompanying these Our Letters Patent.

VIII. And we do hereby require and command all Our Officers and Ministers, Civil and Military, and all other the inhabitants of Our said Commonwealth, to be obedient, aiding, and assisting unto Our said Governor-General, or, in the event of his death, incapacity, or absence, to such person or persons as may, from time to time, under the provisions of these Our Letters Patent, administer the Government of Our said Commonwealth.

IX. 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.

X. And We do further direct and enjoin that these Our Letters Patent shall be read and proclaimed at such place or places as Our said Governor-General shall think fit within Our said Commonwealth of Australia.

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.

COMMONWEALTH OF AUSTRALIA.

COMMISSION passed under the Royal Sign Manual and Signet. appointing The Right Honourable the Earl of Hopetoun. P.C., K.T., G.C.M.G., G.C.V.O.. to be Governor-General and Commander-in-Chief of the Commonwealth of Australia.

VICTORIA R.

Dated 29th October 1900.

Appointment of the Right Hon. the Earl of Hopetoun, P.C., K.T., G.C.M.G., G.C.V.O, as Governor-General.

Recites Letters Patent constituting the Office of Governor-General.

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Officers, etc., to obey the Governor-

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 Right Trusty and Right Well-beloved Cousin and Councillor, John Adrian Louis, Earl of Hopetoun, Knight of Our Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, GREETING:

WE do, by this Our Commission under Our Sign Manual and Signet, appoint you, the said John Adrian Louis. Earl of Hopetoun, to be, during Our pleasure, Our Governor-General and Commanderin-Chief in and over Our Commonwealth of Australia, with all the powers, rights, privileges, and advantages to the said Office belonging or appertaining.

And we do hereby authorise, empower, and command you to exercise, and perform all and singular the powers and directions 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 said Office of Governor-General and Commander-in-Chief, or in any other Our Letters Patent adding to, amending, or substituted for the same and according to such Orders and Instructions as you may receive from Us.

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

Given at our Court at St. 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 The Right Honourable the EARL OF HOPETOUN, P.C., K.T., G.C.M.G., G.C.V.O., to be Governor-General and Commander-in-Chief of the

COMMONWEALTH OF AUSTRALIA.

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.

Preamble.

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

LETTERS PATENT constituting the Office of Governor of the State of

WESTERN AUSTRALIA.

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

Revocation of Letters Patent of 25th August, 1890.

Office of Governor constituted. Boundaries.

Governor's powers and authorities.

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

Publication of Governor's Commission.

Oaths to be taken by Governor.

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

Public Seal.

Executive Council: constitution of.

Grant of lands.

by and with the advice of Our Privy Council, on the Seventeenth day 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, 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 25th day of August, 1890, from and after the proclamation of these Our Letters Patent as hereinafter provided, but without prejudice to anything lawfully done thereunder.

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 Hartog's 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 hereinafter called the State), and that appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

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.

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

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, initial "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.

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.

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.

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, etc.

Grant of pardon.

Remission of fines.

Political offences.

Proviso. Banishment from State prohibited.

Suspension or removal from office.

Summoning, proroguing, or dissolving any Legislative Body.

Succession to Government.

Lieutenant-Governor.

Administrator.

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

- Officers and others to obey and assist Governor.
- Power reserved to Her Majesty to revoke, alter, or amend present Letters Patent.

Publication of Letters Patent.

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.

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.

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 in Our name, or under Our authority.

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 Members thereto.

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 Manuel and Signet, shall, during Our pleasure, administer the Government of the State, first taking the Oaths hereinbefore 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 according to the tenor of these Our Letters Patent, and according to Our Instructions as aforesaid, and the Laws of 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.

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 Our Letters Patent, administer the Government of the State.

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.

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.

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WESTERN AUSTRALIA.

DORMANT COMMISSION passed under the Royal Sign Manual and Signet, appointing the Chief Justice or the Senior Judge for the time being of Western Australia to administer the Government of the State of Western Australia and its Dependencies. in the Commonwealth of Australia, in the event of the Death. Incapacity. or Absence of the Governor and Lieutenant-Governor (if any).

VICTORIA R.

Dated 29th October, 1900.

Recites Letters Patent, constituting Office of Governor.

Succession to the Government.

Chief Justice to act as Administrator of Government in absence of Governor and Lieutenant-Governor.

Senior Judge to act as Administrator of Government in absence of Chief Justice.

Powers and authorities.

Senior Judge to act only in the absence of the Chief Justice.

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 Chief Justice, or the Senior Judge, for the time being, of Western Australia, 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-ninth day of October, 1900, We have constituted, ordered, and declared that there shall be a Governor in and over Our State of Western Australia and its Dependencies, in the Commonwealth of Australia, and have authorised, empowered, and commanded Our said Governor to do and execute all things belonging to his said Office as therein is more particularly set forth :

And whereas by Our said Letters Patent We have declared that 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 shall be no such Officer in our said 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 same :

I. Now know you that We do by this Our Commission under Our Sign Manual and Signet, appoint you Our said Chief Justice for the time being, to administer the Government of Our said State of Western Australia and its Dependencies in the event of the Office of Governor becoming vacant, or of the Governor being incapable, or of his departure from the State, and of there being no Lieutenant-Governor or other person holding a Commission under Our Sign Manual and Signet then present in the State and capable of administering the Government, with all and singular the powers and authorities granted by Our said Letters Patent or by any other Our Letters Patent adding to, amending, or substituted for the same ; and in case of the death, incapacity, or departure from Our said State of you Our said Chief Justice for the time being, then we do appoint you, the Senior Judge for the time being of Our said State then residing therein and not being under incapacity, to administer the Government thereof with all the powers and authorities aforesaid. And We do hereby authorise and require you. Our said Chief Justice or the said Senior Judge for the time being as the case may be, to exercise and perform the said powers and authorities according to such Instructions as Our Governor or Our Lieutenant-Governor may receive from Us, and to such further Orders and Instructions as you may receive from Us under our Sign Manual and Signet or through one of Our Principal Secretaries of State.

Provided always that you, the said Senior Judge, shall act in the administration of the Government only when and so often as you, Our said Chief Justice, shall not be present within Our said State and apable of administering the Government thereof.

DORMANT COMMISSION appointing

the CHIEF JUSTICE of the SENIOR JUDGE for the time being to administer the Government of the State of WESTERN AUSTRALIA. Commission of 4th March, 1891, superseded.

Officers and others to take notice, etc.

II. And further We do hereby appoint that this Our Commission shall supersede Our Commission under Our Sign Manual and Signet bearing date the Fourth day of March, 1891, appointing Our Chief Justice, or the Senior Judge for the time being, of Western Australia to administer the Government of the Colony of Western Australia and its Dependencies in the events therein mentioned.

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

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.

GEORGE HAMILTON.

WESTERN AUSTRALIA, (TO WIT.) ALEX. C. ONSLOW.

By His Excellency Sir ALEXANDER CAMPBELL ONSLOW, Knight, Administrator of the Government in and over the State of Western Australia and its Dependencies, &c., &c.,

PROCLAMATION

W HEREAS by Her Majesty's Royal Letters Patent, dated the 29th day of October, 1900, it is declared that in the event of the office of the Governor becoming vacaut, or of the Governor being incapable, or of his departure from the State, Her Majesty's Lieutenant-Governor, or if there should be no such officer in the said State, then such person or persons as Her Majesty might appoint under Her Majesty's Sign Manual and Signet, should during Her Majesty's pleasure, administer the Government of the same; AND WHEREAS Her Majesty, by her Dormant Commission dated the 29th day of October, 1900, has appointed the Chief Justice, or the Senior Judge of the State for the time being, to administer the Governor becoming vacant, or of the Governor being incapable, or of his departure from the office of Governor becoming vacant, or of the Governor being incapable, or of his departure from the State, and of there being no Lieutenant-Governor, or other person holding a Commission under Her Majesty's Sign Manual and Signet then present in the State and capable of administering the Government, and whereas the office of Governor is now vacant : AND WHEREAS no Lieutenant-Governor has been appointed by Her Majesty to administer the Government of Western Australia ; AND WHEREAS there is at the present time no other person in the State specially commissioned by Her Majesty and capable of administering the Government; Now THEREFORE I, SIR ALEXANDER CAMPBELL ONSLOW, Knight, Chief Justice of the said State, hereby proclaim and give notice that having taken the oaths prescribed by law to be taken in that behalf, I have this day, by virtue of the said Commission, assumed the Administration of the Government of the said State ; and all and singular Her Majesty's Officers, Ministers, and subjects in the said State are required to take due notice hereof, and to give their ready obedience accordingly.

Given at Perth, under my hand and the Public Seal of the said State, this First day of January, One thousand nine hundred and one.

By His Excellency's Command,

GEORGE THROSSELL,

Minister for Lands.

GOD SAVE THE QUEEN !!!

By Authority: RICHARD PETHER, Government Printer, Perth.

[JAN. 1, 1901[.]