

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

said Colony, consisting of the Governor or Officer administering the government thereof, and the Legislative Council herein-after established.

1. It is hereby ordered by Her Majesty, by and with the advice of Her Privy Council, and in pursuance and exercise of the powers vested in Her Majesty by the said Act of Parliament, or otherwise in that behalf, that the said recited Order in Council shall be and the same is hereby revoked: Provided always, that nothing herein contained shall be held to invalidate any act or thing done, nor any appointment made in pursuance or under authority of the said Order in Council, but that every such act, thing, and appointment shall remain of the same force and effect as if the said Order in Council were still in operation.

And it is hereby further ordered as follows, that is to say:

2. In this Order in Council the term Governor shall mean the officer for the time being lawfully administering the government of the Colony of British Columbia.

3. There shall be in the said Colony a Legislative Council constituted as herein-after mentioned.

4. It shall be lawful for the Governor, with the advice and consent of the said Legislative Council, to make laws for the peace, order, and good government of the said Colony.

5. The said Council shall consist of such public officers within the said Colony as shall from time to time be designated, and of such persons as shall from time to time be named by or in pursuance of any instructions or warrant under the Royal sign manual and signet, and of such other persons as may from time to time be appointed by the Governor by instruments to be passed under the public seal of the said Colony: Provided that every such last-mentioned appointment shall be provisional only until the same shall have been approved by Her Majesty through one of Her Principal Secretaries of State, and may be made to determine at a period named in the instrument making the same, and that the total number of councillors shall not by any such appointment be raised above the number of 15: Provided also, that every member of the said Council shall hold office during Her Majesty's pleasure only.

6. The precedence of the members of the said Council may be from time to time determined by any such instructions as aforesaid. In the absence of such determination, the members shall take rank according to the order of their appointment, or if appointed by the same instrument according to the order in which they are named therein.

7. The Governor, or in his absence any member of the Council appointed by him in writing, or in default of such appointment, the member present who shall stand first in order of precedence, shall preside at every meeting of the said Council. All questions brought before the Council shall be decided by the majority of the votes given, and the Governor or presiding member shall have an original vote on all such questions, and also a casting vote if the votes shall be equally divided.

8. No business (except that of adjournment) shall be transacted unless there shall be present four members of Council besides the Governor or presiding member.

9. The Council shall, in the transaction of business and passing of laws, conform as nearly as may be to the directions conveyed in that behalf to the Governor of British Columbia in certain instructions under the sign manual and signet bearing date the 2nd day of September 1858, until otherwise provided by us, and to such further instructions under the said sign manual and signet as may hereafter be addressed to the Governor in that behalf.

10. Subject to such instructions the Council may make standing rules and orders for the regulation of their own proceedings.

11. No law shall take effect until the Governor shall have assented to the same on behalf of Her Majesty, and shall have signed the same in token of such assent.

12. Her Majesty may, by Order in Council, or through one of Her Principal Secretaries of State, disallow any law passed by the said Governor and Council at any time within two years after such law shall have been received by the Secretary of State, and every law so disallowed shall become null and void so soon as the disallowance thereof shall be published in the Colony by authority of the Governor.

13. If any councillor shall become bankrupt or insolvent, or shall be convicted of any criminal offence, or shall absent himself from British Columbia for more than three months without leave from the Governor, the Governor may declare in writing that his seat at the Council is vacant, and immediately on the publication of such declaration, he shall cease to be member of the Council.

14. The Governor may, by writing under his hand and seal, suspend any legislative councillor from the exercise of his office, proceeding therein in such manner as may from time to time be enjoined by any such instructions as aforesaid, and until otherwise ordered according to such directions respecting the suspension of public officers as are contained in the above-mentioned instructions bearing date the 2nd day of September 1858. And the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) ARTHUR HELPS.

No. 3.

No. 3.

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor
Sir JAMES DOUGLAS, K.C.B.

(No. 35.)

SIR,

Downing Street, July 14, 1863.

I THINK it best to inform you that I am about to submit for Her Majesty's approval certain instructions appointing the following officers to be members of the Legislative Council in British Columbia.

The Colonial Secretary.
The Attorney General.
The Treasurer.

The Chief Commissioner of Lands and
Works.
The Collector of Customs.