

Council of the said Island, shall no longer sit and vote as a distinct House or Branch of the Legislature thereof: and do authorise and empower the members of the said Legislative Council to sit and vote in the House of Assembly as members thereof, as fully in all respects, as the elected members of this House—It being our will and pleasure that the total number of the members for the time being of the said Council shall henceforward be equal to, but not more than two-fifths of the whole number of the members of the said House of Assembly. And Whereas it is necessary in order that the total number of the members of the said Council henceforth may be equal to two-fifths of the said House of Assembly, that the number of the members of the said Council at present appointed under our authority should be increased; and it is expedient that you, the said Sir John Harvey, should be authorised and empowered to appoint such additional number of members of the said Council as will make up the total number of the members for the time being to be equal to two-fifths of the said House of Assembly: We do therefore by this our Commission, authorise and empower you the said Sir John Harvey to nominate and appoint, from time to time, such and so many persons to be members of the said Council as will make up the total number of the members for the time being to be equal to two-fifths of the whole number of the said House of Assembly: Provided nevertheless, and it is our further pleasure, that the members of the said Council who may be so nominated and appointed by you shall hold their seats provisionally, and until our further pleasure shall be signified; and you are forthwith to report to us, through one of our Principal Secretaries of State the names and qualifications of the persons who may be so appointed by you to be members of the said Council, in order that we may, under our Signet and Sign Manual confirm or disallow any such provisional appointment as we may see occasion. And in case of your death or absence out of our said Island and its dependencies, We do hereby give and grant all and singular, the powers and authorities herein to you granted, to our Lieutenant Governor for the time being of our said Island, or in the absence of any such Lieutenant Governor to such person as we may by Warrant under our Signet and Sign Manual authorise and appoint to be the Administrator of the Government of our said Island, such powers and authorities to be by him executed and enjoyed during our pleasure. But if upon your death or absence out of our said Island and its dependencies, there be no person upon the place commissioned and appointed by us to be our Lieutenant Governor, or especially appointed by us to administer the Government within the said Island and its dependencies, our will and pleasure is that until you return from any such absence, or until our further pleasure shall be known, the Senior Military Officer for the time being in command of our Land Forces within our said Island of Newfoundland and its Dependencies, shall take upon him the Administration of the Government thereof, and shall execute this our Commission, and the instructions herein referred to, and the several powers and authorities herein and in the said instructions contained in the same manner and to all intents and purposes as other our Governor and Commander in Chief should or ought to do. And we do further declare our pleasure to be that this present Commission, and the instructions accompanying it, shall continue in force until the first day of September, one thousand eight hundred and forty six, and no longer, unless Parliament shall otherwise order. And we do hereby revoke and annul the said recited Letters Patent of the twentieth day of July one thousand eight hundred and forty-one, and our instructions under our Sign Manual and Signet accompanying and referred to in the said Letters Patent, so far as the same are in anywise repugnant to this our Commission and the said recited Act, or to either of them.

In Witness whereof We have caused these our Letters to be made Patent. Witness Ourselves, at Westminster the first day of September, in the Sixth year of Our Reign.

By Writ of Privy Seal,

EDMUNDS.