

But here I am met by the difficulty that these residents are not only few and scattered, but (like the foreign gold-diggers) migratory and unsettled, and that any definition of electoral districts now made might, in the lapse of a few months, become wholly inapplicable to the state of the Colony. It would, therefore, be trifling to attempt such a definition, nor am I disposed to rely on any untried contrivances which might be suggested for supplying its place—contrivances which depend for their success on a variety of circumstances, which, with my present information, I cannot safely assume to exist.

I have, therefore, thought it most advisable to have recourse in British Columbia to the tried machinery of a Legislative Council, with the intention, however, that the appointments to that Council, which by the enclosed Order you are authorized to make, shall be made, if not in exact accordance with the outline which I have traced, yet at any rate with the object of securing that at least one-third of the councillors shall be persons recognized by the residents in the Colony as representing their feelings and interests. By what exact process this quasi-representation shall be accomplished, whether by ascertaining informally the sense of the residents in each locality, or by bringing the question before different public meetings, or (as is done in Ceylon) by accepting the nominee of any corporate body or society, I leave you to determine. I also leave it you to determine the period for which (subject to Her Majesty's pleasure, which involves a practical power of dissolution,) the councillors should be appointed. What I desire is this: that a system of virtual though imperfect representation shall be at once introduced, which shall enable Her Majesty's Government to ascertain with some certainty the character, wants, and disposition of the community, with a view to the more formal and complete establishment of a representative system as circumstances shall admit of it.

I shall hold the proceeds of the Crown lands at the disposal of the Legislative Council, who will also be at liberty to pass laws for the regulation and management of these sources of revenue, subject of course to disallowance in this country, and subject also to the qualification which I have mentioned as indispensable in Vancouver Island, viz., that the Crown must retain such legal powers over the lands as are necessary for disposing of all questions (if any) which remain to be settled with the Hudson's Bay Company—questions which, without such uncontrolled power, might still be productive of embarrassment.

With these explanations, I have to instruct you, first, to proclaim a law securing to Her Majesty the right to allot the above salaries to the officials of British Columbia; and having done so, to give publicity to the enclosed Order in Council, and to convene as soon as possible the proposed Legislature.

Order in
Council.

Governor Sir J. Douglas, K.C.B.
&c.

I have, &c.
(Signed) NEWCASTLE.

Enclosure in No. 2.

BRITISH COLUMBIA.

Encl. in No. 2.

At the Court at Windsor the 11th day of June 1863.

PRESENT:

Lord President. The Queen's Most Excellent Majesty.
Earl Russell. Lord Privy Seal. Mr. Milner Gibson.

WHEREAS by an Act passed in the twenty-second year of the reign of Her Majesty, entitled "An Act to provide for the Government of British Columbia," it was declared lawful for Her Majesty, by Order in Council, to authorize and empower such officer as she might from time to time appoint to administer the Government of British Columbia, to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions, and ordinances as might be necessary for the peace, order, and good government of Her Majesty's subjects and others therein; provided that it should be lawful for Her Majesty, as soon as She might deem it convenient by any such Order in Council as aforesaid, to constitute, or to authorize and empower such officer to constitute a Legislature, to make laws for the peace, order, and good government of British Columbia, such Legislature to consist of the Governor or Officer administering the government of the Colony, and a Council or Council and Assembly to be composed of such and so many persons, and to be appointed or elected in such manner, and for such periods, and subject to such regulations as to Her Majesty might seem expedient: And whereas by an Order in Council bearing date on the 2nd day of September in the year 1858, Her Majesty was pleased to authorize such Governor or Officer as aforesaid to make provision for the administration of justice, and as therein mentioned to make laws and ordinances for the peace, order, and good government of Her Majesty's subjects and others in the said Colony: And whereas it is expedient to revoke the said Order in Council, and to constitute a Legislature for the