COURT OF BRITISH COLUMBIA.

ORDER OF COURT.

WHEREAS, by a Proclamation under the Public Seal of the said Colony, issued at Victoria, V. I., the 24th day of December, I, MATTHEW BAILLIE BEGBIE, Judge in the said Court, am authorised, while resident in Victoria, Vancouver Island, to make general Rules and Orders of Court in the same manner and of the same force and validity as if I were resident in British Columbia;

I. IT IS ORDERED, That all the Rules and Orders of Court of the Supreme Court of Civil Justice of Vancouver Island, of the 12th day of February, 1857, as altered and modified by the General Rule or Order of the 26th of April, 1858, shall be observed in civil proceedings in the Court of British Columbia, so far as the same are from local and other circumstances applicable, and so far as the same are not discharged, modified or altered by this or some future Order or Rule of Court.

II. Whenever the town of Victoria is named in the said General Orders of the 12th February, 1857, and the 26th of April, 1858, as the place at which any act is to be done, or any address to be fixed, the name of Langley shall be substituted for Victoria.

III. Sessions of the Court for the trial of all causes civil and criminal, will be held four times in each year, commencing on the last Monday in January, the last Monday in April, the last Monday in June, and the last Monday in October in every year.

IV. The same fees, poundage and perquisites shall be levied and paid on all proceedings, enrollments and acts whatever in this Court, as are now of custom, or otherwise levied and paid on the like proceedings, enrollments and acts in the said Supreme Court of Justice in Vancouver Island; and all such fees, poundage and perquisites shall be applied in the same manner and proportions as in the Court of Vancouver Island *mutatis mutandis.*

V. There may be enrolled as Barristers of the said Court,

1st. Any person who has been called or is qualified to be called to practise at the English or Irish Bar, or as an Advocate in Scotland, or who has taken the Degree of Doctor of Laws at any University in the United Kingdom.

2nd. Any person who may be instructed within the Colonies of British Columbia or Vancouver Island in the knowledge and practice of the law by any practising Barrister of the said Court, subject to such regulations as may hereafter be by law established within the Colony in relation to persons so to be instructed.

VI. There may be enrolled as Attorneys and Solicitors of the said Court,

1st. All persons entitled to practise as Attorneys, Solicitors or Proctors in any of Her Majesty's Courts in England or Ireland, or as Writers to the Signet or Solicitors to the Supreme Courts in Scotland.

2nd. All persons who may be instructed within the said Colonies of British Columbia or Vancouver Island, in the knowledge and practice of the law by any practising Solicitor and Attorney of the said Court, subject nevertheless, to any regulations which may hereafter be by law established in relation to persons so to be instructed.

And whereas, there is at present only one person in Victoria, qualified to act as a Barrister in a Court of Law in England, and there is no other person resident in either of the said two Colonies qualified to act either as a Barrister, Attorney, Solicitor or Proctor in England or Ireland, or as an Advocate, Writer to the Signet, or Solicitor to the Supreme Courts in Scotland, and it would be convenient to suitors, and expedient for the satisfactory administration of justice, that a larger number of persons should be admitted to appear and act as of counsel for litigants and accused persons, and it is expedient to make temporary provision for a supply of such counsel, I do further order as follows : (viz.)

VII. There may be enrolled on a temporary roll, as Attorneys and Solicitors of this Court, all such persons of good repute, learning and discretion, as are entitled to practise either as a Barrister, Attorney or Solicitor, 1st—in the Courts of Justice in Guernsey, Jersey, or in any other part of Her Majesty's dominions not being within the United Kingdom; or 2nd— in the Supreme Courts of the United States of North America. But no temporary enrollment under this present order shall continue in force after the 30th of June, 1859, unless the same shall in the meantime be extended and continued by further order of this Court. And no person whose name shall be entered on such temporary roll shall by force of such enrollment alone have any privileges whatever, subsequently to the said 30th of June, 1859.

There shall be paid to the Registrar, for every name to be entered on such temporary roll, a fee of ten shillings.

VIII. Every person desirous to be enrolled under either of the preceding orders, shall notify his desire to the Registrar, or deputy Registrar

of the said Court, and shall also deposit with such Registrar or deputy Registrar, his name at full length, and his address in either of the said Colonies, and also a statement of his qualification, and shall also make a declaration in the form set forth in the schedule hereto. After approval thereof by the Judge of the said Court, all such names shall be by him entered on the proper roll. Every person to be enrolled, whether as Barrister, Attorney or Solicitor, shall, if a British subject, take previously to his enrollment, the oath of allegiance to Her Majesty and Her Successors. And where any person so enrolled, not being a British subject, shall have resided in Her Majesty's dominions long enough to be naturalized, he shall be bound to become a naturalized British subject, otherwise he shall *ipso facto* cease to be an Attorney or Solicitor of this Court, and his name shall be erased accordingly. No foreigner shall be entitled to be placed on the temporary roll of Attorneys, when the foreigners already on the said roll are equal in number to the British subjects for the time being entitled under these orders to appear and act as Attorneys.

IX. Except the persons so enrolled, no person shall be entitled to appear or address the Court for or on behalf of any party to any legal proceeding, unless he be the father, son or brother of the party. But nothing in these orders shall prevent parties to any suit or proceeding from appearing or pleading in person.

X. The right of precedence among the enrolled Barristers as between themselves, and among the enrolled Attorneys and Solicitors as between themselves, shall be according to priority of enrollment on each roll. The priority of enrollment on any roll, shall, in cases of dispute, be decided by the Judge of the Court. But persons who shall have taken the oath of allegiance shall be entitled to be entered on the roll before all persons, who shall not have taken such oath.

XI. All persons on either roll of Attorneys shall be subject to the authority of the Court, in the same manner as Attorneys and Solicitors are to the authority of the Superior Courts of Westminster. Any person, on either roll of Attorneys, shall be subject to removal at any time, by the direction of His Excellency the Governor for the time being.

XII. Until further orders shall be made herein, all Barristers of this Court may appear and practise as Attorneys and Solicitors, and all Attorneys and Solicitors may practise and plead as Barristers.

XIII. Thomas George Williams, Esq., Registrar of the Supreme Court of Civil Justice in Vancouver Island, is hereby appointed to be deputy Registrar, in Victoria, of the said Court of British Columbia.

XIV. Until further order of this Court, it shall be lawful for the Attorneys and Solicitors thereof to ask and recover payment of fees and remuneration for all services for which fees and remuneration may be demanded, according to the practise of the Superior Courts of Westminster. And all such fees and remuneration may be charged at double the rates allowed in taxation in the Superior Courts of Westminster.

SCHEDULE.

(A) FORM OF DECLARATION BY BARRISTERS.

I, A. B., of———, do solemnly and sincerely declare that (A) I am a Barrister at Law, (or Advocate duly authorized to practise in the Superior Courts of England, Ireland, or Scotland,) and that I was called to the Bar by the Honorable Society of———, on the———day of——— and that I am the person named in the certificate now produced. And that I am a British born or naturalized British subject, and that I have never changed my allegiance.

(A) Variation, where the person has never been actually called:—[I am a member of the Honorable Society of———, and that I have kept all my terms there, and am entitled to be called to the Bar by that Society. And that I am a British, &c.]

(B) FORM OF DECLARATION BY ATTORNEY OR SOLICITOR.

I, A. B., of———, do solemnly and sincerely declare that I am an Attorney of Her Majesty's Court of———at Westminster, or Proctor, or Writer to the Signet, &c., as the case may be. And that I was duly admitted an Attorney of the said Court at Westminster, (&c.) on the———day of———, and that I am the person named in the certificate now produced. And that I am a British born (&c.) subject. (If naturalized, state the date,) and that I have never (or never since) changed my allegiance.

(C) FORM OF DECLARATION FOR ATTORNEYS ON TEMPORARY ROLL.

I, A. B., do solemnly and sincerely declare that I am———, and that I am the person named in the certificate. [Add declaration as to citizenship and qualification.]

MATT. B. BEGBIE, J.