

GR-0821

Vancouver Island. Governor.

Originals, 1851, 5 pages

Transcription from the original commission. Note the lack of punctuation.

Douglas Commission 1851

VICTORIA BY THE GRACE OF GOD of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith To our trusty and welbeloved James Douglas Esquire Greeting WHEREAS by certain letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland bearing date at Westminster the thirteenth day of January One thousand eight hundred and forty nine in the twelfth year of Our Reign We did give grant and confirm to the Governor and Company of Adventurers of England trading into Hudson's Bay and their successors that portion of Our territories in North American called Vancouvers Island together with all Royalties of the Seas upon the Coasts within the limits aforesaid and all Mines Royal thereto belonging And did thereby for Us Our heirs and successors make create and constitute the said Governor and Company for the time being and their successors the true and absolute Lords and Proprietors of the same Territories limits and places and of all other the premises (saving always the faith allegiance and Sovereign dominion due to us Our heirs and successors for the same) To have hold possess and enjoy the said Territory limits and places and all and singular other the premises thereby granted as aforesaid with their and every of their rights members royalties and appurtenances whatsoever to them the said Governor and Company and their Successors for ever to be holden of Us Our heirs and Successors in free and common Soccage at the yearly rent of Seven shillings payable to Us and Our successors for ever on the first day of January in every year Provided always and We did declare that the said Grant was made to the intent that the said Governor and Company should establish upon the said Island a Settlement or Settlements of resident Colonists Emigrants from Our United Kingdom of Great Britain and Ireland or from other Our dominions and should dispose of the land there as may be necessary for the purpose of promoting Settlements and for the actual purpose of promoting Settlements and for the actual purposes of Colonization as relation being had to the said recited Letters Patent will more fully and at large appear AND WHEREAS We having deemed it expedient to make provisions for the Government of the Settlement or Settlements to be formed on the said Island did by certain other Letters Patent under Our Great Seal of Our United Kingdom of Great Britain and Ireland bearing DATE at Westminster the sixteenth day of July One thousand eight hundred and forty nine in the thirteenth year of Our reign constitute and appoint Our trusty and welbeloved Richard Blanshard esquire to be Governor and Commander in Chief in and over Our said Island of Vancouver and the Islands adjacent during Our pleasure as by the said recited Letters Patent relation being thereunto had will more fully and at large appear NOW KNOW YOU that We have revoked and determined and by these Presents do revoke and determine the said last recited Letters Patent and every Clause article and thing therein contained AND FURTHER the said James Douglas of Our especial grace certain knowledge and mere motion Have thought fit to constitute and appoint you the said James Douglas to be Our GOVERNOR AND COMMANDER IN CHIEF in and over Our said ISLAND OF VANCOUVER and the Islands adjacent between the forty ninth and fifty

GR-0821 Douglas commission 1851

G:\RSD\@ORCS09\13050.20\GR-0821.DOC:2009/04/08 page 1

second degree as also of all Forts and Garrisons erected and established or to be erected and established in the said Island of Vancouver and the Islands adjacent for and during Our will and pleasure AND WE do hereby require and command you to do and execute all things in due manner that shall belong unto your said Command and the trust We have reposed in You according to the several powers and authorities granted or appointed you by this present Commission and the Instructions herewith given you or according to such further powers directions and authorities as shall at any time hereafter be granted or appointed you 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 according to such reasonable Laws and Statutes as shall hereafter be made and agreed upon by you with the advice and consent of the Council and Assembly of Our said Island and its Dependencies under your Government AND WE do hereby grant appoint and ordain that you and such other persons as are hereinafter designated shall constitute and be a Council for the said Island AND WE do hereby direct and appoint that in addition to yourself the said Council shall be composed of such other persons within the same as shall from time to time be named or designated for that purpose by Us by any instruction or instructions or Warrant or Warrants to be by Us for that purpose issued under Our Signet and Sign Manual and with the advice if Our Privy Council all of which councillors shall hold their places in the said Council at Our pleasure AND WE do hereby grant and ordain that you with the advice of the said Council shall have full power and authority to make and enact all such Laws and Ordinances as may from time to time be required for the peace order and good government of the said Colony and that in the making all such Laws and Ordinances you shall exercise all such powers and authorities and that the said Council shall conform to and observe all such rules and regulations as shall be given and prescribed in and by such instructions as We with the advice of Our Privy Council shall from time to time make for your and their guidance therein PROVIDED NEVERTHELESS and We do hereby reserve to Ourselves Our heirs and successors Our and Their right and authority to disallow any such Ordinances in the whole or in part and to make and establish from time to time with the advice and consent of Parliament or with the advice of Our or Their Privy Council all such Laws as may to Us or Them appear necessary for the Order Peace and good Government of Our said Island and its Dependencies as fully as if THESE Presents had not been made AND WE do hereby give and grant unto you full power and authority with the advice and consent of Our said Council from time to time as need shall require to summon and call general assemblies of the Inhabitants owning twenty or more acres of freehold land within the said Island and its dependencies under your government in such manner and according to such powers instructions and authorities as are granted or appointed by Our general instructions accompanying this Our Commission or according to such further powers instructions and authorities as shall be at any time hereafter granted or appointed under Our Sign manual and Signet or by Our Order in Our Privy Council or by Us through Our principal Secretaries of State and Our will and pleasure is that the persons thereupon duly elected by the major part of the said Freeholders and so returned shall before their Sitting take the Oath of Allegiance which Oath you shall commission fit person under the public Seal of Our said Island and its Dependencies to tender and administer unto them and until the same shall be so taken no person shall be capable of sitting though elected AND WE do hereby declare that the persons so elected and qualified shall be called and deemed the General Assembly of Our said Island of Vancouver and you the said James Douglas by and with the advice and consent of Our said Council and Assembly or the major part of them

respectively shall have full power and authority to make constitute and ordain Laws Statutes and Ordinances for the public peace welfare and good government of Our said Island and its Dependencies and the people and inhabitants thereof and such others as shall resort thereto and for the benefit of Us Our heirs and successors which said Laws Statutes and Ordinances are not to be repugnant but as near as may be agreeable to the Laws and Statutes of this Our United Kingdom of Great Britain and Ireland Provided that all such Laws Statutes and Ordinances of what nature or duration soever be transmitted to Us in the manner specified in your said Instructions under the public seal of Our said Island and its Dependencies for Our approbation or disallowance of the same as also Duplicates thereof by the next Conveyance And in case any of the Laws Statutes and Ordinances not before confirmed by Us shall at any time be disallowed and not approved and so signified by Us Our heirs or successors under Our or Their Sign manual and Signet or by Order of Our or Their Privy Council unto you the same James Douglas or the Governor and Commander in Chief of Our said Island for the time being then such and so many of the said Laws Statutes and Ordinances as shall be so disallowed and not approved shall from thenceforth cease determine and become utterly void and of none effect anything to the contrary thereof notwithstanding And to the end that nothing may be passed or done by Our said Council and Assembly to the prejudice of Us Our heirs or successors We will and ordain that you the said James Douglas shall have and enjoy a negative voice in the making and passing such Laws Statutes and Ordinances as aforesaid and that you or in your absence the Officer administering the Government shall and may from time to time as your or he shall judge it necessary adjourn prorogue or dissolve all General Assemblies as aforesaid AND WE do hereby authorize and empower you to keep and use the public seal for sealing all things whatsoever that shall pass the Seal of Our said Island and its Dependencies AND WE do further give AND grant unto you the said James Douglas full power and authority from time to time and at any time hereafter by yourself or by any other to be authorized by you in that behalf to administer and give the Oath of Allegiance to all and every such person or persons as your shall think fit who shall hold any Office or place of Trust or profit or who shall at any time or times pass into Our said Island and its Dependencies or shall be resident or abiding therein AND WE do by these presents give and grant unto you the said James Douglas full power and authority with the advice and consent of Our said Council (but subject always to the provisions of such Acts of Parliament as have been or shall be made in this behalf) to constitute and appoint Judges, and in cases requisite Commissioners of Oyer and Terminer, Justices of the Peace, Sheriffs, and other necessary Officers and Ministers, in Our said Island and its Dependencies, for the due and impartial administration of Justice and putting the Laws into execution and to administer or cause to be administered unto them such Oath or Oaths as are usually given for the due execution and performance of Offices and Places and for the clearing of truth in judicial Causes AND WE do hereby give and grant unto you full power and authority where you shall see cause or judge any Offender or Offenders in Criminal matters or for any fines or forfeitures due unto Us fit objects of Our mercy to pardon all such Offenders and to remit all such offences fines and forfeitures AND WE do hereby give and grant unto you the said James Douglas by yourself or by your Captains and Commanders by you to be authorized full power and authority to levy arm muster command and employ all persons whatsoever residing within Our said Island and its Dependencies and as occasion shall serve them to march from one place to another or to embark them for the resisting and withstanding of all Enemies Pirates and Rebels both at

Sea and Land and to do and execute all and every other thing and things which to Our Governor and Commander in Chief doth and ought of right to belong AND WE do hereby give and grant unto you your full power and authority by and with the advice and consent of Our said Council to erect constitute and establish in Our said Island and its Dependencies such and so many Counties Townships Parishes Cities Boroughs and Towns as you by the advice aforesaid shall judge necessary AND Our further Will and Pleasure is that all public monies raised or which shall be raised by any Act hereafter to be made within Our said Island and its Dependencies be issued out by Warrant from you by and with the advice and consent of the aforesaid Council and not otherwise and disposed of by you for the support of the Government or for such other purpose as shall be particularly directed or appointed in and by such Act and not otherwise AND WE do hereby GIVE and grant unto you full power and authority upon sufficient cause to you appearing to suspend from the exercise of his Office within Our said Island any person exercising any Office or Place under or by virtue of any Commission of Warrant granted or which may be granted by Us or in Our name or under Our authority which suspension shall continue and have effect only until Our pleasure therein shall be made known and signified to you AND WE do hereby strictly require and enjoin you in proceeding to any such suspension to observe the directions in that behalf given to you by Our Instructions under Our Signet and Sign manual accompanying this Our Commission appointing you Governor of the said Island AND WE do hereby require and command all Officers and Ministers Civil and Military and all others the Inhabitants of Our said Island and its Dependencies to be obedient aiding and assisting unto the said James Douglas in the execution of this Our Commission and of the powers and authorities herein contained And in case of your death or absence out of Our said Island and its Dependencies and Government to be obedient aiding and assisting as aforesaid unto such person as shall be appointed by Us to be Our Lieutenant Governor or to the Governor and Commander in Chief for the time being of Our said Island and its Dependencies to whom We therefore by these Presents give and grant all and singular the powers and authorities herein granted to be by him executed and enjoyed during our pleasure and if upon your death or absence out of Our said Island and its Dependencies there be no person on the place commissioned or appointed by Us to be Our Lieutenant Governor or specially appointed by Us to administer the Government within Our said Island and its Dependencies Our will and pleasure is that until it shall be otherwise directed the Senior Member for the time being of the Council of Our said Island and who shall be at the time of your death or absence residing within Our said Island and its Dependencies shall take upon him the administration of the Government and execute Our said Commission and Instructions and the several powers and authorities therein contained in the same manner to all intents and purposes as other Our Governor and Commander in Chief should or ought to do in case of your absence or until your Return or in all cases until Our further pleasure be known thereon AND WE do hereby declare ordain and appoint that you the said James Douglas shall and may hold execute and enjoy the Office and Place of Our Governor and Commander in Chief in and over the Island and Territories aforesaid together with all and singular the powers and authorities hereby granted unto you for and during Our Will and Pleasure IN WITNESS whereof We have caused these Our Letters to be made Patent WITNESS Ourselves at Westminster the sixteenth day of May in the fourteenth year of Our Reign.  
By Writ of Privy Seal