

COPIES OF EXTRACTS of any DESPATCHES that have been received by Her Majesty's Secretary of State for the Colonies, on the subject of the establishment of a REPRESENTATIVE ASSEMBLY at *Vancouver's Island*.

Despatches from the Right Hon. H. Labouchere, M. P.,
Secretary of State.

— No. 1. —

(No. 5.)

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Governor *Douglas*.

No. 1.
Right Hon. H. Labouchere, M. P., to Governor Douglas, 28 Feb. 1856.

Sir,

Downing-street, 28 February 1856.

By the Commission and Instructions which your predecessor, Governor Blanchard received when the colony of Vancouver's Island was first founded, he was directed to summon General Assemblies of freeholders, qualified by the ownership of 20 acres of land, and with their advice and that of his Council, to make laws and ordinances for the good government of the island.

2. I am aware that the same Commission contains another clause, professing to empower the Governor to make such laws with the advice of his Council only. Perhaps this was introduced with the view of creating a legislature to meet the immediate wants of the community before Assemblies could be summoned. But I am convinced, as well by the general tenor of the documents themselves as by the information which I have been able to obtain of the intention of Her Majesty's Government in framing them, that it was then contemplated that such Assemblies should be summoned as soon as it should be practicable to do so.

3. Causes over which the local Government had no control, and which are too well known to need recapitulation, have hitherto prevented the settlement from acquiring that development which its founders may have expected. Considering the small number of established colonists, you thought it advisable to act on the power apparently given to yourself to conduct the affairs of the island with the advice of your Council only, and to pass certain laws which you considered most required by the exigencies of the time. In doing so, you proceeded on a fair understanding of the authority conveyed to you, and Her Majesty's Government are fully satisfied with the course which you took.

4. Nevertheless, it has been doubted by authorities conversant in the principles of colonial law, whether the Crown can legally convey authority to make laws in a settlement founded by Englishmen, even for a temporary and special purpose, to any legislature not elected wholly, or in part, by the settlers themselves. If this be the case, the clause in your Commission on which you relied would appear to be unwarranted and invalid.

5. It appears to Her Majesty's Government, therefore, that steps should be taken at once for the establishment of the only legislature authorised by the present constitution of the island. I have, accordingly, to instruct you to call together an Assembly in the terms of your Commission and Instructions.

6. For this purpose it will be within your power, as provided by the ninth clause of your Instructions, to fix the number of representatives, and, if you should consider it essential, to divide the colony into districts, and to establish separate polling places, although with so small a number of settlers you may find this inexpedient.