



By His Excellency Lieutenant Colonel SIR WILLIAM
MACBETH GEORGE COLEBROOKE, K. H., Lieutenant
Governor and Commander in Chief of the Province of
New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the twenty seventh day of September instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the fourth Tuesday in December next.

Given under my Hand and Seal at Fredericton, the twenty second day of September, in the year of our Lord one thousand eight hundred and forty two, and in the sixth year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

No. 91.

Extract of a Despatch from Lord Stanley to Sir William Colebrooke, dated

Downing Street, 19th August, 1842.

I enclose for your information the Copy of a Despatch, which I have addressed to the Governor of Canada, explaining the policy by which Her Majesty's Government has been governed, in recommending to Parliament the adoption of the important changes in the Laws affecting the Trade of the Colonies, which are sanctioned by that Act.

I have, &c.

(Signed)

STANLEY

(Copy, No. 92.)

Downing Street, 20th August, 1842.

SIR,—I have the honor to acknowledge the receipt of your Despatches, Numbers 64 and 68 of the 28th June and 6th July, enclosing Petitions to the Queen from the Merchants and other Inhabitants of Miramichi and Bathurst, praying that the Duties on Foreign Timber and Deals imported into this Kingdom, may not be reduced below 30s. and 38s. a load respectively.

I have to instruct you to apprise the Petitioners, that I have had the honor to lay their Petitions before the Queen, and that Her Majesty was pleased to receive them very graciously.

You will at the same time remark to them, that the Act of Parliament establishing the new Scale of Duties, had passed before the receipt of these Petitions, and call their attention to the fact, that the interval of a year, from the 10th October, 1842, to the 10th October, 1843, has been interposed, prior to the final reduction of Duties, during which the Scale proposed by them would be in force, and that a further opportunity would thus be afforded to persons engaged in the Timber Trade, to make such arrangements as the result of the alterations in the Duties may render necessary.

I have, &c.

(Signed)

STANLEY.

Sir W. Colebrooke, &c. &c. &c.

(Copy, No. 227.)

Downing Street, 17th August, 1842.

SIR,—I transmit to you herewith an Act of Parliament, 5th and 6th Victoria, c. 49, which received the assent of the Crown on the 16th ultimo, entitled "An Act to amend the Laws for the regulation of the Trade of the British Possessions abroad," and I have to request that you will take the first opportunity of communicating copies of this Act to the Provincial Legislature of Canada.

Her Majesty's Government having undertaken soon after their accession to Office, the revision of the Laws by which the commerce of the United Kingdom is governed, felt it to be their duty to consider with equal care the regulations bearing upon the Trade of the Colonies, and having in view the experience which has now been obtained of the Legislation, promoted by the late Mr. Huskisson and some of his Successors in Office, and being satisfied with its results, their object has been to give fuller effect to the spirit in which that Legislation was conceived. They have applied themselves therefore to remove restrictions upon Colonial industry, to bring the Provisions of the Imperial Law more and more into accordance with the spirit of the Declaratory Act of 1778, and to afford new practical recognitions of the principle of equality and impartiality in the dealings of the Imperial Legislature with the Colonial Possessions of the Crown. The Act now sent to you is the first of these endeavours, and I trust that the Legislature and the inhabitants of Canada will find its enactments calculated to be of essential advantage to their Commerce, and to afford them relief as consumers of imported Goods.

I do not propose to recapitulate the substance of the Act in all its Provisions, but I wish to call your attention in the first place to the repeal of the Duties under the Acts 4 Geo. 3, c. 15, 6 Geo. 3, c. 52, 14 Geo. c. 38, on Pimento, Molasses, Wines, and Spirits respectively.

I trust that in the repeal of these Duties, the Legislature will perceive and appreciate the desire of Her Majesty's Government to maintain the principle of the Declaratory Act already alluded to, and to confine the enactments of the Imperial Legislature, even as respects the imposition of Import Duties within the narrowest limits which are compatible with the due regulation of the Commercial interests of the Empire at large. I am desirous also to bring under your notice a comparison of the Table of Prohibition Duties and Exemptions in the 4th and 7th Sections with those of the Possessions Act, applying to the like articles.

You will observe that the Advalorem Duties on Foreign Glass and Silk Manufactures are reduced from 20 to 30 per cent. respectively, to 15 per cent.; those on Foreign Linen, Leather and Paper Manufactures, and on Clocks and Watches, from 30 to 7 per cent.; those on Foreign Cotton Manufactures, Tobacco and Soap, from 20 to 7 per cent.; and those on unenumerated articles, from 15 to 4 per cent.; whilst Salt Fish of Foreign taking or curing, instead of being prohibited, is admitted at a Duty of 2½ per cent.; Foreign Oil, Blubber, Fins and Skins, also prohibited under the previous Act, are admitted on a Duty of 15 per cent. ad valorem; Cocoa, that was charged 5 per cent. is admitted at ½; and the prohibitions and restrictions which were applied to the importation of Tea, otherwise than from the United Kingdom, or from British Possessions, or under certain specified conditions, are exchanged for a Duty of 1d. per lb.

Her Majesty's Government are sensible that objections may be raised in Canada and New Brunswick to the Provisions of this Act, in reference to the important article of Foreign Lumber, as tending to injure them in supplying the West Indies with one of their staple exports. Her Majesty's Government earnestly trust that such may not be the unfavourable result of the recent Legislation. Having regard to the fact that the United States are themselves compelled to resort largely to the British Provinces for a supply of Wood; it is not hazarding too much to state that the exemption of Foreign Lumber from Duty does not appear likely to injure the British North American Trade in this article with the West Indies. The Duty of 5s. per barrel upon Foreign Wheat Flour, and 1½ per cent. on Foreign salted or cured Meat which were imported by the Possessions Act were attended with this peculiarity, that they did not extend to Canada, where Wheat Flour and salted Provisions were altogether exempted from Duty. The object of granting this exemption to Canada, was to draw this species of Produce from the North Western States of the Union, down the River St. Lawrence to the Atlantic. But these articles being imported into Canada, not for her own consumption, but for re-exportation to the West Indies and other Colonial markets, the effect was to give Canada the benefit of a transit Trade at the expense of those Colonies. The Duties are now reduced to 2s. per barrel in the case of Wheat Flour, and to 3s. per cwt. in the case of Meat; and to correct the unfair operation of the Law which I have described, the reduced Duties are extended to Canada equally with other Colonies; whilst at the same time, in the new measures for the regulation of the Trade of the United Kingdom, important advantages have been given to the salted Provisions of Canada in the markets at home, which it is hoped will fully counterbalance any supposed disadvantages arising from the other change.

Her Majesty's Government desire to observe that under the 37th and 38th clauses of the British Possessions Act, 3 and 4 William 4, c. 59, which are unrepealed by the Act of this Session, any articles may be entered at any Frontier port of Canada without payment of Duty, and may be delivered to be passed on to one of the Warehousing Ports, under Bond for the due arrival and Warehousing of such Goods at such Port. The existing exemptions would relieve parties from the observance of these regulations, and from any charges attending their fulfillment, in respect to the articles to which they apply. Her Majesty's Government however, question whether these exemptions ought not to be extended to other articles, besides Flour and Salt Meat; and they think that if the St. Lawrence is really to compete with the Erie Canal, the freedom which it offers, should extend to all articles, embraced by the Export Trade of the Agricultural States of the West, and not merely to a selection from any of them.

If therefore it should appear of more importance to the Inhabitants of Canada to retain, or to receive and extend the power of transmitting the produce of the United States, without the restrictions of the Bond now required, down the St. Lawrence, than to enjoy the privilege of exporting their own produce to other British Colonies, with such advantage as the differential Duties, imposed under the new Act, may afford them. Her Majesty's Government have no desire to place the Commerce of Canada by Imperial Legislation under restrictions, further than as they are required by a due regard to the equal rights of the Inhabitants of the other Possessions of the Crown; and therefore they would readily consider the expediency of proposing to Parliament to remove the Duties now laid on the introduction of Flour, Salted Meat, and any other article of Agricultural produce into Canada; at the same time however, placing the same articles when exported from Canada to other Colonies, upon the footing with respect to Duty of foreign produce at the Custom Houses of these Colonies, and requiring proof of their Canadian origin as a condition of their privileged admission into the Country.

Her Majesty's Government are most willing independently of the suggestion which has been just made, to entertain any plan for giving further facilities to the transit of the produce of the United States by way of the St. Lawrence, in case it should be considered that a system of branding packages, or any other mode would be more simple and satisfactory for the purposes of Commerce, than a compliance with the Provisions of the present Law.

It is necessary that I should here advert on the part of Her Majesty's Government, to the state of the Duties on the importation of Refined Sugar into Canada, as they will stand under the new Law, and the Act passed by the Provincial Legislature in its last Session, for consolidating the Duties on Customs.