

CANADA.

to the expediency of permitting American vessels to navigate the River St. Lawrence above Montreal, we would request your Lordship's attention to our memorial of the 22d of October 1842, No. 1447, and to our report of the 17th of June 1843, No. 930, addressed to the Lords Commissioners of Her Majesty's Treasury, copies of which are herewith transmitted, in which we took occasion to advert at length to the existing laws and regulations bearing upon this subject, and to the policy which had been theretofore observed by Her Majesty's Government in regulating the navigation of the River St. Lawrence, by which American vessels were restricted from carrying goods to any port in the British possessions in Canada beyond Montreal; and after a mature consideration of this subject, and of all the circumstances connected with it, both as regards the expediency of the proposed measure, so far as the interests of the revenue of the province are concerned, and to its policy as regards the carrying out the provisions of the Navigation Act, we have to express our decided opinion that the proposition should not be acceded to; 1st. Because the allowing American vessels to pass from Fort Covington down the St. Lawrence, and up the River Richelieu to Lake Champlain, as suggested by the Governor-general of Canada, would afford great facilities for illicit trade, to the manifest loss of the revenue, and which no regulations, however stringent, could with the very limited Customs establishment in the province prevent; and 2dly. Because a concession of the privilege now sought for would be totally irreconcilable with the policy which has been hitherto acted upon with reference to the navigation of the River St. Lawrence by foreign vessels, or vessels belonging to the United States.

(Signed) THOS. F. FREEMANTLE.
W. LUSHINGTON.
GEO. R. DAWSON.
J. GOULBURNE.

Custom-house,
4th September 1846.

(No. 1447.)

To the Lords Commissioners of Her Majesty's Treasury.

We beg to represent to your Lordships that by the Act of 3 & 4 Will. 4, c. 54, s. 10, it is enacted, that no goods shall be carried from any British possession in Asia, Africa, or America, to any other of such possessions, nor from one part of any of such possessions to another part of the same, except in British ships.

That by the 11th section of the same Act it is further enacted, that no goods shall be imported into any British possessions in Asia, Africa, or America in any foreign ships, unless they be ships of the country of which the goods are the produce, and from which the goods are imported.

That by the 2d section of the Act of 3 & 4 Will. 4, c. 59, it is enacted, that no goods shall be imported into, nor shall any goods, except the produce of the fisheries in British ships, be exported from any of the British possessions in America by sea from or to any place other than the United Kingdom, or some other of such possessions, except into or from the several ports in such possessions called free ports, as enumerated in the Table annexed to the said Act.

That by the 3d section of the same Act power is given to His Majesty, by Order in Council, to extend the provisions of that Act to other ports.

That the 4th section of the above-recited Act, after declaring that there are in the said possessions many places situated in rivers and in bays, at which it may be necessary to establish ports for particular and limited purposes only, enacts that it shall be lawful for His Majesty, by any Order in Council made for the appointment of any free port, to limit and confine such appointments respectively to any and such purposes only as shall be expressed in such order.

That by the 3 & 4 Will. 4, c. 59, s. 16, it is among other things enacted, that the master of every ship arriving in any of the British possessions in America, whether laden or in ballast, shall come directly, and before bulk be broken, to the Custom-house for the port or district where he arrives, and there make a report in writing, in the manner prescribed by that Act, to the collector or other proper officer, of the arrival and voyage of such ship, and the master shall further answer all such questions concerning the ship and cargo and the voyage as shall be demanded of him by such officer; and if any goods shall be unladen from such ship before such report be made, or if the master fail to make such report, or make an untrue report, he shall forfeit the sum of 100*l*., and if any goods be not reported, such goods shall be forfeited.

That by the 17th section of the same Act, it is further enacted, that the master of any ship bound from any British possession in America, shall, before any goods be laden therein, deliver to the collector or other proper officer, in the hours required by the said Act, an entry outwards, under his hand, of the destination of such ship; and the master of every ship bound from any British possession in America, whether in ballast or laden, shall, before departure, come before the collector or other proper officer, and answer, upon oath, all such questions concerning the ship and the cargo, if any, and the crew, and the voyage, as shall be demanded of him by such officer, and thereupon the collector or other proper officer, if such ship shall be laden, shall make out and give to the master a certificate of the clearance of such ship for her intended voyage, containing an account of the total quantities of