

Despatches from the Secretary of State.

— No. 1. —

(No. 171.)

No. 1.
The Duke of New-
castle, K.G., to
Governor Sir A.
Bannerman.
16 July 1862.

• Page 3.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman*.

Sir,

Downing-street, 16 July 1862.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 35, of the 13th of June,* signifying the intention of your responsible advisers to take steps for creating a Court for the purpose of administering civil and criminal justice in those portions of Labrador which form part of your Government; and I have to acquaint you that I see no reason to doubt that the proposed measure will be very beneficial to that part of Labrador.

I have, &c.
(signed) *Newcastle*.

— No. 2. —

(No. 33.)

No. 2.
The Duke of New-
castle, K.G., to
Governor Sir A.
Bannerman.
14 September 1863.

* Page 16.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman*.

Sir,

Downing-street, 14 September 1863.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 40* of the 10th ultimo, upon matters connected with the recent imposition by the Newfoundland Legislature of Customs Duties on articles imported into Labrador, and communicating a copy of further instructions issued by you to the officer appointed to collect those duties.

Various representations have been made to me of the objections to which the Act by which these duties are imposed is considered liable, and I enclose, as showing the views upon the subject at present entertained by Her Majesty's Government, a copy of a correspondence between Messrs. Hunt and Henley and this Department.

With reference to the instructions enclosed in your Despatch, I must observe that, though the authority of the Colonial Government over waters within three miles of the land within their jurisdiction is undoubted, considerable caution must be used in asserting it beyond that limit, "even in bays, or other inlets lying between headlands or other points of the mainland," inasmuch as the right of jurisdiction over such bays or inlets depends on the particular circumstances of the case, and is frequently open to much question.

I have, &c.
(signed) *Newcastle*.

Encls. 1, 2, 3, & 4.

Enclosure 1 in No. 2.

Encl. 1 in No. 2.

My Lord Duke,

8, Broad Street Buildings, London,
11 August 1863.

SINCE the subject of Courts and Duties in Labrador was brought forward by Mr. Seymour in the House of Commons, we have obtained copies of two documents to which we beg to call your Grace's attention.

The first is the proclamation of King William IV., dated 26th July 1832, establishing the Legislature of Newfoundland. It authorises the Governor of that Colony to call a general assembly "of freeholders and householders within our said island." No reference is made to Labrador, nor to any dependency or territory comprised in the Governor's commission. We submit, therefore, that, as was stated to the English Labrador merchants in 1832, it was not intended that Labrador should be interfered with; and that, legally, the powers of the Legislature are strictly limited to the island of Newfoundland.

The second document is a report of Mr. Prendergast, dated 1st September 1856, to the governor of Newfoundland, by whom he appears to have been appointed "Preventive Officer and Collector of Customs" for Labrador for that year. He states that he demanded duties from sixteen merchants' establishments, and five trading or fishing vessels on the coast,