

Any increase, however, of the kind to which I refer, must not only be specifically and avowedly laid upon foreign goods, and upon foreign goods alone, when the article is one likewise produced in the United Kingdom or in the British Possessions, and entering into the trade between them and the province of Canada, but must likewise be supported by strong and special considerations to be stated for the information of the Government. Whatever influence of persuasion your Lordship can exercise, you will employ for the purpose of recommending an adherence to the commercial principles of the circular of my predecessor, dated June 28, 1843, or at the least, of moderating the disposition to call for augmentations of differential duties upon foreign productions.

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—No. 6.—

CIRCULAR DESPATCH from Lord Stanley.

Sir,

Downing-street, 28 June 1843.

I HAVE to desire that you would call the attention of the Legislature of the colony under your Government, to the following statement and suggestions.

No. 6.  
Circular Despatch  
from Lord Stanley,  
28 June 1843.

The imposition of discriminating duties on goods imported into the British colonies, when the discrimination is made for the protection of some branch of British or colonial industry, is an office of great difficulty. To the right discharge of it, an intimate acquaintance with the commercial treaties and political relations between this kingdom and foreign states is indispensable. To legislate on such a subject in ignorance of those treaties and relations, would be to render inevitable much serious practical error.

But in the nature of the case it is impossible that this knowledge should be possessed in the requisite degree by the various local Legislatures of the colonies of this kingdom. They have no means of knowing the state or the objects of pending negotiations, nor even of ascertaining, with absolute precision, the terms of treaties actually concluded. If they legislate at all on these subjects, they must do so in ignorance of some facts which cannot be safely excluded from consideration.

Neither is it possible that forty distinct legislatures, having no means of mutual communication and concert, should act consistently with each other on such subjects. The local opinions or interests of each colony must dictate the laws of each, and the general code of the empire, compiled from so many different sources, must be at the utmost variance with itself on a subject on which unanimity and consistency is indispensable. In such a state of the law, Her Majesty's Government could not negotiate or treat with confidence, with any foreign state for commercial purposes; nor could they fulfil such treaties as might be made. Painful and injurious discussions with those states must arise, and perhaps indemnities and compensations must have to be paid.

For these reasons, Her Majesty's Government decidedly object in principle to the assumption by the local Legislatures of the office of imposing differential duties on goods imported into the respective colonies, Parliament having already prescribed the rules by which such duties are to be discriminated, with reference to the place of origin or of export; to Parliament alone the power of altering those rules must be reserved. The single exception to this general rule will occur in any cases in which Her Majesty's Government may have suggested to any local Legislature the enactment of any such discriminating duties. If such cases should arise, the ministers of the Crown would be able to take the necessary measures for obtaining the subsequent sanction of Parliament for any such innovation.

You will therefore exercise all the legitimate influence of your office to prevent the introduction into the Legislature of the colony under your government, of any law by which duties may be imposed on goods, in reference to their place of production, or to the place from which they may be exported. In the same way, you will exert yourself to prevent the introduction of any law imposing on refined sugar imported into the colony, higher duties, in the case of sugar refined in this country in bond from foreign sugar, than in the case of sugar refined here from British colonial sugar.