

No. 2.

[See Journal 26th January, 1835.]

1.

Downing-street, 30th March, 1834.

SIR,

I HAVE the honor to acquaint you that His Majesty has not been advised to confirm an Act passed by the Legislature of New Brunswick in 1832, entitled "An Act to provide for the Custom House Establishment in New Brunswick."

The enclosed letter from the Secretary to the Treasury, with the report by which it is accompanied from the Commissioners of Customs, will explain to you the grounds on which His Majesty's confirmation of this Act is withheld. I have no doubt that the deviation of the House of Assembly from the course which was expected in consequence of its Address of the 1st of March 1831, has been unintentional; and that the House will readily supply the defects which are pointed out in the annexed papers. You will therefore transmit to the Assembly by Message, the present Despatch with its enclosures, and will state to them the confident expectation of His Majesty's Government, that they will substitute for their recent measure a Bill making an effectually permanent provision for the Custom House Establishment.

I have the honor &c.

(Signed) E. G. STANLEY.

Major General Sir Archibald Campbell, Bart. G. C. B.
&c. &c. &c.

2.

Treasury Chambers, 15th March, 1834.

SIR,

I am commanded by the Lords Commissioners of the Treasury to return herewith the Act of the Legislature of New Brunswick, submitted to this Board in your Letter of 3d of November last, and also to transmit a copy of a report of the Commissioners of Customs of 7th instant thereon, and I am to request that in laying the same before Mr. Secretary Stanley you will call his attention to the terms of the Address to His Majesty from the House of Assembly, dated 31st March 1831, to which this Act is stated to have reference, and to the communication from this Department to Lord Howick of the 4th January 1832, and will observe to him that my Lords cannot by any means consider that the provisions of the present Act fulfil the pledge given by the House of Assembly in that Address "to make a permanent grant to His Majesty of £4,250 Sterling per annum, for the payment of the Officers of Customs, either in gross or in such other way as His Majesty might direct, payable annually out of the duties received by virtue of the Acts of the Imperial Parliament, in the event of all such duties being paid over to the Treasurer of the Province." My Lords cannot consequently recommend that the Act should be approved of, or should be permitted to pass into a Law, more especially as it has been a paramount object in the arrangement made with the Legislature of other Colonies, to secure a permanent provision for the payment of the sum to be contributed from the Colonial Funds towards the expenses of the Customs Establishments.

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