

Despatches.

he may have incurred by the proceedings instituted against him by the authorities of the *United States of America*, in the year 1840. Her Majesty omitted no practicable effort to obtain for *Alexander McLeod* redress from the Government, and from the legal Tribunals of the *United States*, and must decline to admit any further responsibility on his account.

I have, &c.

(Signed,) STANLEY.

The Right Honourable
Lord METCALFE, G. C. B.,
&c. &c. &c.

(Copy.)

No. 396.

DOWNING STREET,
26th June, 1845.

My Lord,

I have received and laid before the Queen the joint Address to Her Majesty from the Legislative Council and the Legislative Assembly of *Canada*, which accompanied your Despatch, No. 247, of the 8th April, praying that Her Majesty would cause measures to be adopted for procuring indemnification from the Government of the *United States* for Mr. *Crooks*, whose vessel, the *Lord Nelson*, was captured by an American Cruiser previously to the Declaration of War in 1812; and further praying that, if indemnification be withheld, Her Majesty would cause such other proceedings to be adopted as would have the effect of obtaining redress for Mr. *Crooks*.

Her Majesty has commanded me to instruct Your Lordship to acquaint the Houses of Legislature, that the conclusive opinions which have, at different times, been pronounced by the Legal Advisers of the Crown upon Mr. *Crooks*' application for redress, preclude Her Majesty's Government from remonstrating with the Government of the *United States* upon this subject with any prospect of success, and that Her Majesty, not having any means at Her disposal of affording Mr. *Crooks* indemnification for his loss, is unable to comply with the application preferred on his behalf by the two Houses of Legislature in *Canada* for relief in some other shape.

I have, &c.

(Signed,) STANLEY.

The Right Honourable
Lord METCALFE, G. C. B.,
&c. &c. &c.

(Copy.)

No. 404.

DOWNING STREET,
30th July, 1845.

My Lord,

I have received and laid before the Queen, Your Lordship's Despatch, No. 249, of the 10th of April, enclosing a Petition from the Legislative Assembly of *Canada*, praying for a reduction in the Duty upon Tobacco grown in that Province, when imported into *Great Britain*.

I have to inform Your Lordship, in answer, that Her Majesty has been pleased to receive this Petition very graciously. But as the principle of equalizing the Duties on Foreign and Colonial Tobacco has been so recently decided upon in Parliament, I have not felt myself at liberty to bring that subject again under the consideration of the Legislature.

I have, &c.

(Signed) STANLEY.

The Right Honourable
The Lord METCALFE, G. C. B.,
&c. &c. &c.

(Copy.)

No. 17.

DOWNING STREET,
3rd February, 1846.

My Lord,

On the 18th September last, my Predecessor in this Office, in his confidential Despatch of that date, No. , promised that the views of Her Majesty's Government on the subjects embraced in the joint Address of the two Houses of the Canadian Legislature, of the of , should be signified to Lord *Metcalfe*, as soon as might be possible after the meeting of the Cabinet in November last.

Circumstances, to which it is needless to refer to more particularly, having prevented the fulfilment of that intention by Lord *Stanley* himself, it now devolves on me to carry it into execution.

I have laid before the Queen the joint Address of the two Houses, and have had the honour to submit to Her Majesty the views of Her Majesty's confidential Advisers as to the proper course to be taken in reference to each of the topics embraced in that Address.

The Queen having been pleased to approve and sanction the advice thus tendered to Her Majesty, has commanded me to explain those views to Your Lordship, for the information of the Legislative Council and Assembly, to whom Your Lordship will therefore communicate a Copy of this Despatch, as explanatory of the conclusions which Her Majesty has been pleased to adopt and sanction.

I have also to instruct Your Lordship to acquaint the two Houses of Provincial Legislature, that their Petitions, to either House of Parliament, were presented during the last Session: to the House of Lords by Lord *Stanley*, and to the House of Commons by Mr. *Hope*.

An important question was brought, in the above Address, under the notice of my predecessor, with respect to the imposition of differential Duties upon Goods brought into *Canada*, otherwise than by sea. The purpose of such Duties would avowedly be, to offer a premium upon traffic by way of the *St. Lawrence*, as compared with traffic by way of *New York*, and other parts of the *United States*.

In respect to any proposal having this object, Her Majesty's Government have to consider, in the first place, whether they shall adopt such a policy, make it their own, and introduce measures into the Imperial Parliament for the purpose of giving effect to it; in the second, whether, if they are not inclined to such a course, they shall still leave it open to the Provincial Legislature to deal with the question as one of internal, rather than of Imperial concern.

Upon the first of these points I have to acquaint you that Her Majesty's Government do not intend to propose to Parliament any measure for the imposition of new differential Duties upon Goods brought into *Canada* by land carriage and Inland Navigation. Their opinion is that both the *St. Lawrence* and the route of the *United States* have their own commercial advantages. The Imperial Statutes already throw an additional weight, which I hold to be not inconsiderable, into the scale of the former route, and I do not think it would either be advisable in the particular case, or befit the commercial policy of the British Legislature, that it should undertake further to effect the competition between them.

As a consequence of what I have already stated, you will readily infer, that I cannot authorize your Lordship to recommend the introduction of any measure of the kind, with the authority which you possess as the Representative of Her Majesty.

But on the other hand I must give a different reply to the question, whether you are to intimate disapproval of such a measure if you should find it to be unequivocally demanded by the general sentiment of

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