

Encl. 4 in No. 2.

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Gentlemen,

Downing-street, 14 September 1863.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 26th ult., respecting certain alleged proceedings of the officer appointed to collect import duties on the coast of Labrador, and communicating your apprehension of violent resistance to the collection of such duties.

His Grace desires me to acquaint you, in reply, that Her Majesty's Government are advised that the Newfoundland Legislature are fully competent to impose Customs duties on goods imported into Labrador, and that, according to the last information, these duties have been in fact collected without that resistance which you apprehend.

If the merchants trading with Labrador consider the duties themselves, or the mode of collecting them, to be illegal, their proper course will be to bring the question to trial before a court of law.

On the other hand, so far as they consider that the duties are excessive in amount, or that the provisions made for their collection are unnecessarily arbitrary or vexatious, their proper course is, to represent the particular objections of detail to which these laws are liable either to the Legislature of the Colony, or to the Secretary of State; but they must bear in mind that the only mode by which the Secretary of State can interfere in their favour is, by advising Her Majesty to disallow an Act passed by the Newfoundland Legislature, which cannot usually be done without receiving the Governor's report upon the objections made to the law, and that while the matter is thus under discussion the law will remain in operation.

Such specific objections as have been already urged against the Act are still under the consideration of the Government.

The Messrs. Hunt & Henley.

I am, &c.
(signed) F. Rogers.

— No. 3. —

No. 3.

(Separate.)

The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
25 September 1863.

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

Sir,

Downing-street, 25 September 1863.

I HAVE the honour to acknowledge the receipt of your Despatch of the 26th* ultimo, marked "separate," which gives a satisfactory account of the operation of the Labrador Revenue Act.

In my confidential Despatch of the 14th instant, I transmitted the opinion of the Law Officers of the Crown on the constitutional objections which have been made to the Act.

I am, &c.
(signed) Newcastle.

— No. 4. —

No. 4.

(No. 38.)

The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
31 October 1863.

EXTRACT of a DESPATCH from his Grace the Duke of Newcastle, K.G., to Governor Sir A. Bannerman, dated Downing-street, 31 October 1863.

I HAVE had under my consideration an Act passed by the Legislature of Newfoundland in March last, entitled cap. 1, No. 305,* "An Act for granting to Her Majesty certain Duties on goods, wares, and merchandize imported into this Colony and its dependencies." You are aware that several communications have been received at this office remonstrating against some of the provisions of this Act; but, after consultation with the proper departments of Her Majesty's Government, I do not perceive that there is sufficient reason for advising Her Majesty to disallow it. I have therefore recommended that the Act should be left to its operation, and the necessary Order in Council for this purpose will shortly be forwarded to you.

With reference to the imposition by this Act of duties on persons inhabiting the coast of Labrador, it appears to me that it would be right that such persons should be enabled to send representatives to the Assembly of Newfoundland; I think it therefore necessary that the law regulating the representation of the Colony should be amended so as to effect this object, so far as it can be effected by the mere alteration of the law.

* Page 17.

* Printed at p. 7.