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FURTHER CORRESPONDENCE

BETWEEN THE

GOVERNOR-GENERAL OF CANADA AND THE SECRETARY
OF STATE FOR THE COLONIAL DEPARTMENT,

UPON THE OPERATION OF THE NAVIGATION LAWS.

*In continuation of the Papers presented to both Houses of Parliament
by Command, July 1848, and February 1849.*

Presented to both Houses of Parliament by Command of Her Majesty,
MARCH 1849.

LONDON:
PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

SCHEDULE.

DESPATCH FROM THE GOVERNOR-GENERAL.

No. in Series.	Date.	No. of Despatch.	SUBJECT.	Page
1	1849. 30 Jan.	18	Address from the Legislative Council and Assembly to Her Majesty on the subject of the Repeal of the Navigation Laws .	3

DESPATCH FROM THE SECRETARY OF STATE.

1	23 Feb.	335	Acknowledging the Address from the Legislative Council and Assembly; it has been laid before Her Majesty, who has received it very graciously	6
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FURTHER CORRESPONDENCE

BETWEEN THE

GOVERNOR-GENERAL OF CANADA AND THE SECRETARY OF
STATE FOR THE COLONIAL DEPARTMENT UPON
THE NAVIGATION LAWS.

Despatch from Governor-General the Earl of Elgin and Kincardine.

(No. 18.)

No. 1.

CANADA,
No. 1.

COPY of a DESPATCH from Governor-General the Earl of ELGIN AND
KINCARDINE to Earl GREY.

Government House, Montreal, Jan. 30, 1849.

(Received February 20, 1849.)

MY LORD,

I HAVE the honour to transmit herewith a joint address from the Legislative Council and Assembly to Her Majesty the Queen on the subject of the Navigation Laws, which I would request your Lordship to lay at the foot of the Throne.

I have, &c.,

(Signed)

ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure I in No. 1.

Encl. 1 in No. 1.

To the QUEEN'S Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal subjects, the Legislative Council and Commons of Canada in Provincial Parliament assembled, humbly approach Your Majesty for the purpose of assuring Your Majesty of the devoted loyalty of the people of this province, and of their sincere attachment to Your Majesty's Person and Government, and we beg to represent to Your Majesty that we feel it to be a duty incumbent upon us to take the earliest opportunity to assure Your Majesty that the sentiments of the people of this province on the subject of the repeal of the British Navigation Laws, which were expressed to Your Majesty in a joint Address from the two Houses of the Provincial Parliament in the month of July, One thousand eight hundred and forty-seven, remain unchanged; that delay in removing the present restrictions on the employment of foreign shipping, would, in our opinion, be highly injurious to the carrying trade of the St. Lawrence; that, in order to secure this trade, the province, relying on the continuance of the protection which was then enjoyed by colonial products in the markets of Great Britain, incurred a large debt for the construction of a line of ship canals, by means of which the cost of inland transport has been very materially reduced; that owing to the difficulties attending the navigation of the St. Lawrence, the greater length of the voyage, and the higher rates of insurance, freights are likely at all times to range higher at Quebec than at New York, but the practical effect of the Navigation Laws is not only to prevent the possibility of a fair competition between the two routes, but actually to give direct encouragement to American shipping, not only through the canals of the state of New York, but at the sea-ports of the United States; that at the sea-ports of the United States, shipping can generally be procured to carry any quantity of produce that may be offered without a material increase of freight, but that even in case of scarcity, as the navigation is open throughout the year, foreign shipping can readily be procured in Europe at fair remunerative rates of freight, and without serious inconvenience or loss of time; that at Quebec, on the other hand, the exporter is compelled to rely on the regular traders to the port, so that when an unusual accumulation of produce takes place,

For Address, July, 1847, *vide* Appendix to Minutes of Evidence taken before the Select Committee of the House of Lords on the Navigation Laws, Session 1847-8, No. 51, page 946.

CANADA.

vessels cannot be procured, and freights immediately rise to most exorbitant rates; that no means exist of engaging British shipping to meet the sudden demands which the nature of the trade causes, as such shipping is seldom to be met with at American ports, unless under specific orders, or the engagements of a charter; that the early closing of the navigation of the St. Lawrence renders it difficult, if not impossible, to obtain shipping from England to supply the sudden demands which, from the nature of the trade, are constantly arising, and which could readily be supplied at the American sea-ports, whence vessels would at any time come round to the St. Lawrence if assured of remunerative freights; that the uncertainty which at all times prevails as to the route by which the products of the West will be transported to the sea-board, must operate to prevent British vessels coming to the St. Lawrence in sufficient numbers to ensure moderate freights during the shipping season, while the scarcity of shipping, and the immediate rise of freights to England whenever a large supply of products is sent by the St. Lawrence, has the effect of diverting those products through the Erie canal to New York.

We beg further to represent to Your Majesty, that the Navigation Laws have likewise had a most injurious influence on the import trade of the province; that it has not unfrequently happened that Canadian importers of sugars, being unable to procure British vessels on any terms at Havana and other foreign ports, have been compelled to import their cargoes in American bottoms to New York, and thence through the American canals to Canada, when, but for the restrictions imposed by the Navigation Laws, they would have imported them by the St. Lawrence in foreign bottoms, which could have been readily procured.

We have observed with much satisfaction that a Bill was introduced into the House of Commons during the last Session of the Imperial Parliament for the repeal of the Navigation Laws; and, being of opinion that the provisions of that Bill are calculated to remove those restrictions from which the trade of this province is now suffering, we most humbly pray that Your Majesty will be graciously pleased to recommend the subject of the repeal of the Navigation Laws to the favourable consideration of the Imperial Parliament.

And we would further humbly pray, that Your Majesty will be graciously pleased to authorize the Governor of this province to permit foreign vessels to navigate the St. Lawrence above Quebec, under such restrictions as his Excellency may, in his wisdom, see fit to impose.

Legislative Council, Tuesday, 30th January, 1849,

(Signed) ED. CARON, Speaker.

Legislative Assembly Hall, Montreal, 29th January, 1849,

(Signed) A. N. MORIN, Speaker.

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

EXTRACT from the Votes and Proceedings of the Legislative Assembly of Canada.

MONDAY, JANUARY 29, 1849.

(Enclosed in the Earl of Elgin's Despatch, January 30, 1849.)

HONOURABLE Mr. *Hincks*' motion of Friday last, for the House to consider, in Committee, the propriety of adopting an Address to Her Majesty on the subject of the Repeal of the Navigation Laws, was agreed to.

The House then went into Committee, and passed the following Resolution, which was reported:—

Resolved,—That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty of the devoted loyalty of the people of this province, and of their sincere attachment to Her Majesty's Person and Government.

To represent to Her Majesty that this House feels it to be a duty incumbent upon it to take the earliest opportunity to assure Her Majesty that the sentiments of the people of this province on the subject of the repeal of the British Navigation Laws, which were expressed to Her Majesty in a joint Address from the two Houses of the Provincial Parliament in the month of July, 1847, remain unchanged; that, delay in removing the present restrictions on the employment of foreign shipping, would, in the opinion of this House, be highly injurious to the carrying trade of the St. Lawrence; that, in order to secure this trade, the province, relying on the continuance of the protection which was then enjoyed by colonial products in the markets of Great Britain, incurred a large debt for the construction of a line of ship canals, by means of which the cost of inland transport has been very materially reduced; that, owing to the difficulties attending the navigation of the St. Lawrence, the greater length of the voyage, and the higher rates of insurance, freights are likely at all times to range higher at Quebec than at New York, but that the practical effect of the Navigation Laws is not only to prevent the possibility of a fair competition between the two routes, but actually to give direct encouragement to American shipping, not only through the canals of the State of New York, but at the seaports of the United States; that, at the seaports of the United States, shipping can generally be procured to carry any quantity of produce that may be offered, without a material increase of freight, but that even in case of scarcity, as the navigation is open throughout the year, foreign shipping can readily be procured in Europe, at fair remunerative rates of freight, and without serious inconvenience or loss of time; that at

Quebec, on the other hand, the exporter is compelled to rely on the regular traders to the port, so that when an unusual accumulation of produce takes place, vessels cannot be procured, and freights immediately rise to most exorbitant rates; that no means exist of engaging British shipping to meet the sudden demands which the nature of the trade causes, as such shipping is seldom to be met with at American ports, unless under specific orders, or the engagements of a charter; that the early closing of the navigation of the St. Lawrence renders it difficult, if not impossible, to obtain shipping from England to supply the sudden demands which, from the nature of the trade, are constantly arising, and which could readily be supplied at the American seaports whence vessels would at any time come round to the St. Lawrence if assured of remunerative freights; that the uncertainty which at all times prevails as to the route by which the products of the West will be transported to the sea-board, must operate to prevent British vessels coming to the St. Lawrence in sufficient numbers to ensure moderate freights during the shipping season, while the scarcity of shipping and the immediate rise of freights to England, whence a large supply of products is sent by the St. Lawrence, has the effect of diverting those products through the Erie Canal to New York. That the Navigation Laws have likewise had a most injurious influence on the import trade of the province; that it has not unfrequently happened that Canadian importers of sugars being unable to procure British vessels on any terms at Havana and other foreign ports, have been compelled to import their cargoes in American bottoms to New York, and thence through the American canals to Canada, when, but for the restrictions imposed by the Navigation Laws, they would have imported them by the St. Lawrence in foreign bottoms, which could have been readily procured. That this House has observed with much satisfaction that a Bill was introduced into the House of Commons during the last Session of the Imperial Parliament, for the repeal of the Navigation Laws, and this House being of opinion that the provisions of that Bill are calculated to remove those restrictions from which the trade of this province is now suffering, most humbly pray that Your Majesty will be graciously pleased to recommend the subject of the repeal of the Navigation Laws to the favourable consideration of the Imperial Parliament. And this House would further humbly pray, that Your Majesty will be graciously pleased to authorize the Governor of this province to permit foreign vessels to navigate the St. Lawrence above Quebec, under such restrictions as his Excellency may in his wisdom see fit to impose.

Hon. Mr. *Cayley* then moved the following amendments thereto:—

After the first word "subject," insert "of protection to Colonial products and."

After all the words after "remain unchanged, that" to the words "materially reduced," be struck out, and the following substituted:—

"This province, relying on the continuance of the protection enjoyed up to a very recent period by colonial products in the English market, and assisted by a loan raised on the credit of Great Britain, has constructed a chain of ship canals to connect its inland waters, and extend the carrying trade of the St. Lawrence; that the withdrawal of that protection, more especially whilst the St. Lawrence continues closed to foreign vessels, must render these works comparatively useless, and impose a heavy unproductive debt on the limited resources of the province."

After the first words "New York," strike out "but" and insert "and."

Yeas.—Messrs. Badgley, Cayley, Christie, Dickson, Gagy, Macdonald, (Kingston,) Malloch, McLean, Prince, Robinson, Seymour, Sherwood, (Brockville,) Smith (Frontenac,) Stevenson,—14.

Nays.—Messrs. Baldwin, Beaubien, Bell, Blake, Boulton (Norfolk), Boutillier, Burritt, Cameron (Kent), Cartier, Cauchon, Chauveau, Davignon, DeWitt, Duchesnay, Dumas, Egan, Flint, Fortier, Fournier, Fourquin, Guillet, Hall, Hincks, Holmes, Jobin, Johnson, La Fontaine, La Terrière, Laurin, Lemieux, Macdonald (Glengary), McConnell, McFarland, Merritt, Méthot, Morrison, Notman, Papineau, Polette, Price, Richards, Sauvageau, Scott (Bytown), Scott (Two Mountains), Smith (Durham), Taché, Thompson, Viger, Wetenhall,—49.

The Resolution was then agreed to, and a Select Committee appointed to draw up an Address in conformity thereto.

Honourable Mr. *Hincks* then reported the Address, which was agreed to, ordered to be engrossed, and to be communicated to the Legislative Council, requesting their concurrence thereto.

The remaining orders of the day were postponed till to-morrow.

And at midnight the House adjourned.

CANADA.

No. 1.

Despatch from the Right Hon. Earl Grey,
Secretary of State.

(No. 335.)

No. 1.

COPY of a DESPATCH from Earl GREY to Governor-General the Earl of
ELGIN AND KINCARDINE.

My LORD,

Downing-street, February 23, 1849.

I HAVE the honour to acknowledge the receipt of your Lordship's
Despatch No. 18, of the 30th January, enclosing a joint address to the Queen
from the Legislative Council and Assembly of Canada on the subject of the
Navigation Laws; and I have to acquaint you that I have laid this address
before Her Majesty, and that Her Majesty was pleased to receive it very
graciously.

I have, &c.,
(Signed) GREY.

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.