

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires: **Cover title page is bound in as last page in book but filmed as first page on fiche.**

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below / Ce document est filmé au taux de réduction indiqué ci-dessous.

10x		14x		18x		22x		26x		30x	
											<input checked="" type="checkbox"/>
	12x		16x		20x		24x		28x		32x

CANADA.

COPY of the MEMORIAL from the BOARD of Trade at Toronto to the British Government regarding cheap Postage, and the Answer of the Lords of the Treasury to that Memorial:—Also, a Copy of the Memorial to Her Majesty respecting differential Duties on Goods imported into CANADA, and of the Answer to that Memorial.

(*M. Hunt.*)

*Ordered, by The House of Commons, to be Printed,
4 May 1846.*

C A N A D A.

RETURN to an Address of the Honourable The House of Commons,
dated 18 March 1846;—*for*,

A “COPY of the MEMORIAL from the BOARD of TRADE at TORONTO to the BRITISH GOVERNMENT regarding cheap POSTAGE, and the ANSWER of the LORDS of the TREASURY to that Memorial:—Also, a COPY of the MEMORIAL to Her Majesty respecting differential DUTIES on GOODS imported into CANADA, and of the Answer to that Memorial.”

Colonial Office, Downing-street, }
1 May 1846.

LYTTELTON.

(Mr. Hume.)

Ordered, by The House of Commons, to be Printed,
4 May 1846.

SCHEDULE.

No.	DATE.	SUBJECT.	PAGE.
1. Lord Metcalfe, G.C.B., to Lord Stanley.	22 April 1845	Transmitting Petitions from the Boards of Trade of Toronto, Quebec and Montreal, praying for a uniform low Rate of Postage in the British North American Provinces - - - - -	3
2. Lord Stanley to Lord Metcalfe, G.C.B.	31 July 1845	In reply; enclosing Report from the Postmaster-general on the Petitions from Toronto, Quebec and Montreal; and stating that Her Majesty's Government see no reason to dissent from the opinion of the Postmaster-general, that it would be unadvisable at present to sanction any diminution in the present rate of Postage - - - - -	5
3. Lord Metcalfe, G.C.B., to Lord Stanley.	25 April 1845	Transmitting Petition from the Board of Trade of Toronto, respecting differential Duties on Goods imported into Canada -	6
4. The Right hon. W. E. Gladstone to Lord Cathcart, K.C.B.	3 Feb. 1846	Explaining the views of Her Majesty's Government, relative to differential Duties - - - - -	13
5. The Right hon. W. E. Gladstone to Lord Cathcart, K.C.B.	3 Feb. 1846	In reply to several Despatches in relation to the Act of the Canadian Legislature for granting Duties of Customs - -	14
6. Circular Despatch from Lord Stanley.	28 June 1843	Requesting the Governor to call the attention of the Colonial Legislature to certain suggestions respecting the imposition of discriminating Duties on Goods imported into the British Colonies - -	15

COPIES of the MEMORIALS from the BOARDS of TRADE at TORONTO, QUEBEC and MONTREAL, to the BRITISH GOVERNMENT regarding cheap POSTAGE, and the ANSWER of the LORDS of the TREASURY to that Memorial:—Also, a COPY of the MEMORIAL to Her Majesty respecting differential DUTIES on GOODS imported into CANADA, and of the ANSWER to that Memorial.

(No. 255.)

— No. 1. —

Copy of a DESPATCH from Lord *Metcalfe*, G. C. B., to Lord *Stanley*.

Government House, Montreal,
22 April 1845.

My Lord,

At the request of the Boards of Trade of Toronto, Quebec and Montreal, I beg leave to transmit herewith petitions from those bodies to Her Majesty, praying that a uniform low rate of postage should be substituted for the rates now levied in the British North American Provinces; and I venture to recommend the subject to your Lordship's favourable consideration.

No. 1.
Lord Metcalfe to
Lord Stanley,
22 April 1845.

I have, &c.

(signed) *Metcalfe*.

Enclosure 1, in No. 1.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

The Petition of the Board of Trade of the City of Toronto,

Most humbly showeth,

THAT Your Petitioners, as well as Your Majesty's other Canadian subjects, have long felt that our provincial rates of letter postage are injuriously high; so much so as to cause a large proportion of the letter correspondence of the province to be carried on by other means than that of the post-office, to the prejudice of the post-office revenue, and inconvenience of trade. Encl. 1, in No. 1.

That experience has shown Your Petitioners, that the lower the rate of postage is in any country, commerce, agriculture and the social relations of life will be proportionally benefited by it.

That Your Petitioners have watched with heartfelt pleasure the successful working out of that greatest and most benevolent of modern reforms, the uniform penny rate of letter postage, as carried into effect by Your Majesty within the United Kingdom of Great Britain and Ireland; and observe that the neighbouring republic, benefiting by the wisdom of Your Majesty, has recently passed a law regulating the rate of postage within the United States, and approximating it to that given by Your Majesty to Great Britain and Ireland.

That Your Petitioners respectfully beg Your Majesty's attention to the following anomaly in rating Canadian postage.

The postage of a single letter—

From Amherstburgh to Montreal, 645 miles, is 1s. 8d., Halifax currency.

From Amherstburgh to Quebec, 825 miles, is 1s. 10½d., Halifax currency.

From Toronto to Halifax, 1,256 miles, is 2s. 9d., Halifax currency.

From Amherstburgh to Halifax, 1,525 miles, is 3s. 4d., Halifax currency.

From Amherstburgh *via* Quebec and Halifax to England, 4,525 miles, is 1s. 4d., Halifax currency.

That Your Petitioners, therefore, pray that Your Majesty will be graciously pleased to extend to Your faithful Canadian subjects a participation in the benefits of a uniform low rate of letter postage.

CORRESPONDENCE *relative to* POSTAGE AT TORONTO,

For which purpose Your Petitioners humbly beg that Your Majesty will be graciously pleased to direct the Postmaster-General to issue instructions to the Deputy Postmaster-General in this province, to the purport that instead of the several rates of letter postage now charged in Canada, under authority of Treasury warrant, dated Whitehall, Treasury Chambers, 11th October 1843,—

There shall be charged and taken a uniform rate of Two-pence halfpenny sterling, or Three-pence, Halifax currency, postage, on every letter not exceeding half an ounce weight, sent by mail within the province.

On every letter exceeding half an ounce and not exceeding one ounce in weight, two such single rates of Two-pence halfpenny sterling, or Three-pence, Halifax currency.

And for every half-ounce in weight above the weight of one ounce, there shall be charged and taken progressively an additional single rate of Two-pence halfpenny sterling, or Three-pence, Halifax currency.

And on every letter dropped in the post-office for delivery only, and not intended to be sent by mail, there shall be charged and taken a rate of One penny, Halifax currency.

In the general benefits of this measure to commerce, to agriculture and to civilization, Your Petitioners entertain the utmost confidence.

And Your Petitioners, as in duty bound, will ever pray.

Office of the Board of Trade,
of the City of Toronto,
18 March 1845.

(signed) G. P. Ridout, President,
and 44 others.

Enclosure 2, in No. 1.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

The Petition of the Council of the Board of Trade of Quebec,

Humbly showeth,

Encl. 2, in No. 1.

THAT Your Petitioners, in common with Your Majesty's other Canadian people, have long been and are now subjected to very high provincial rates of postage, which in the opinion of Your Petitioners are injurious to trade, and prejudicial rather than advantageous to the post-office revenue.

That Your Petitioners would most respectfully call Your Majesty's attention to the fact, that whilst the postage on a single letter from Quebec to Montreal, a distance of 180 miles, is Nine-pence currency; from Quebec to Kingston, a distance of 379 miles, is One shilling and one penny halfpenny currency; from Quebec to Toronto, a distance of 570 miles, is One shilling and sixpence currency; from Quebec to Amherstburgh, a distance of 825 miles, is Two shillings and one halfpenny currency; that on a single letter from England to Amherstburgh, a distance of 4,525 miles, *via* Halifax and Quebec, is only One shilling and four-pence currency.

That Your Petitioners conceive that the introduction of a moderate rate of postage into the province would be advantageous to its commerce and agriculture, advance its civilization, and increase the revenue of the post-office.

Wherefore Your Petitioners humbly pray that Your Majesty will be graciously pleased to extend to this province a reduced rate of postage, and to direct that instead of the several rates of letter postage now charged in Canada, the following scale be substituted:—

On every letter not exceeding half an ounce in weight, sent by mail within the province, a distance of not more than 300 miles, Three-pence currency.

On every letter not exceeding half an ounce in weight, sent by mail within the province, a distance exceeding 300 miles, and not more than 600 miles, Sixpence currency.

And so to increase according to distance.

On every letter exceeding half an ounce and not more than an ounce in weight, two single rates.

On every letter exceeding an ounce and not more than an ounce and a half in weight, three single rates.

And so to increase according to weight.

On every letter posted for delivery, not having been carried by mail, One penny currency.

And Your Petitioners will ever pray.

(By order.)

Quebec, 4 April 1845.

(signed) W. Walker,
President of the Council.

(signed) W. Stevenson,
Honorary Secretary.

Enclosure

Enclosure 3, in No. 1.

TO HER MOST EXCELLENT MAJESTY THE QUEEN.

May it please Your Majesty,

The Petition of the Montreal Board of Trade,

Humbly showeth,

THAT, owing to the high rate charged for postage on letters in Canada, the payment thereof is evaded in every possible way.

That were the postage reduced, the increase in the number of letters mailed would, in the opinion of your Petitioners, shortly compensate for the reduction on each letter.

That the Government of the United States of America, profiting by the experience of the working of the Postage Law of the United Kingdom, has recently passed a similar Act, with the exception, owing to the greater extent of the country compared to population, that the uniform rates charged are five cents or three-pence currency per half ounce in weight for the first 300 miles, and ten cents for any greater distance.

That an uniform rate, say three-pence currency per half ounce if prepaid, or double that rate if to be collected on delivery, would in the opinion of Your Petitioners be perfectly applicable to Canada, and by diminishing the temptation to evade the law so augment the number of letters sent by mail as not to impair the revenue.

Wherefore Your Petitioners humbly pray Your Majesty, in consideration of the aforesaid premises, graciously to accord to Your Petitioners such a measure of relief as to Your wisdom may seem meet.

And Your Petitioners as in duty bound will ever pray.

(signed) *G. Moffatt,*

President of the Montreal Board of Trade.

Montreal, 21 April 1845.

(signed) *F. A. Willson,*
Secretary.

Encl. 3, in No. 1.

—No. 2.—

COPY of a DESPATCH from Lord *Stanley* to Lord *Metcalf*, G. C. B.

My Lord,

Downing-street, 31 July 1845.

I HAVE to acknowledge the receipt of your Lordship's despatch, No. 255, of the 22d April, enclosing petitions to The Queen from the Boards of Trade of Quebec, Toronto and Montreal, praying that an uniform low rate of postage may be substituted for the rates now levied in the British North American Provinces.

Having referred these petitions for the consideration of the Lords Commissioners of the Treasury, their Lordships directed the Postmaster-general to make a report to them upon the subject. I now transmit to your Lordship a copy of that report, and have to state that Her Majesty's Government see no reason to dissent from the opinion of the Postmaster-general, that it would be unadvisable to sanction at present any diminution in the rates of postage in the British North American Provinces.

Your Lordship will return an answer to this effect to the petitioners who have addressed Her Majesty on the subject.

I have, &c.
(signed) *Stanley.*No. 2.
Lord Stanley to
Lord Metcalfe,
31 July 1845.

Enclosures in No. 2.

Sir,

Treasury Chambers, 26 July 1845.

WITH reference to your letter of the 7th ultimo, enclosing copy of a despatch from the Governor-general of Canada, with petitions from the Boards of Trade of Quebec, Toronto and Montreal, praying that an uniform low rate of postage may be substituted for the rates now levied in the British North American Provinces, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you copy of a report from the Postmaster-general, dated the 5th instant, on the subject, in order that it may be submitted for the consideration of Lord Stanley, and I am to request that you will acquaint his Lordship that my Lords have not seen any reason to dissent from the opinion submitted by the Postmaster-general in regard to the alterations in the rates of postage suggested in the petitions.

I am, &c.
(signed) *Edward Cardwell.*

Encl. in No. 2.

To the Right honourable the Lords Commissioners of Her Majesty's Treasury.

My Lords,

I HAVE the honour to return the accompanying papers, received from the Colonial Office through your Lordships, containing petitions to Her Majesty in favour of a reduction of postage, from the Boards of Trade of Toronto, Quebec and Montreal.

The first recommends an uniform rate on letters sent by mail within the province, of $2\frac{1}{2}d.$ sterling, or $3d.$ currency when not exceeding half an ounce; two such rates when exceeding half an ounce and not exceeding an ounce; and an additional rate for every half ounce over and above an ounce. It also proposes a rate of $1d.$ currency for every letter dropped into a post-office for delivery only.

The second petition recommends that the rate shall be for a letter not exceeding half an ounce, when conveyed by mail within the province, a distance of not more than 300 miles, $3d.$ currency; above 300 and not exceeding 600 miles, $6d.$ currency, and so on; to increase according to distance. The rates to increase by the half ounce, as proposed by the Board of Trade of Toronto. A local rate of $1d.$ currency per letter is also suggested in this petition.

The Board of Trade of Montreal pray for an uniform rate throughout Canada, of $3d.$ currency per half ounce, if prepaid; but letters to be charged double that rate if posted unpaid.

Your Lordships will see that each proposal differs materially from the others, and that each contemplates an immense reduction in the present rate of postage.

I have given the subject much consideration, and I am not prepared at the present moment to recommend a compliance with the prayer of any one of these parties. I consider it highly desirable that one uniform scale of rates should prevail throughout the provinces of British North America, as it would be most inconvenient that the postage upon a letter, say from a town in Nova Scotia to a town in Canada, should require to be calculated according to three different scales and modes of charge; and, while I am in hopes that there will shortly be a surplus in the postage revenue, both of Nova Scotia and New Brunswick, I feel satisfied it would be a most hazardous experiment to reduce the postage at present to any great extent in these two provinces. I beg further to point out to your Lordships, that according to the last accounts of the post-office in Canada received from Montreal, there was only a surplus on the quarter of $110l. 17s. 8d.$ sterling; while at this moment I have before me a proposal from the Governor-general of Canada to reduce to a mere nominal charge the postage on all printed forms and accounts sent and received by the public departments at Montreal,—a measure which, if carried out, I fear would immediately convert this surplus into a very large deficiency; and under all these circumstances, however I may wish to see a diminution in the rates of postage in the North American provinces, I cannot recommend your Lordships at present to give your sanction to the resolutions proposed.

I have, &c.

(signed) *Lonsdale.*

General Post Office,
5 July 1845.

— No. 3. —

(No. 257.)

EXTRACT of a DESPATCH from Lord *Metcalf*, G. C. B., to Lord *Stanley*, dated Government House, Montreal, 25 April 1845.

No. 3.
Lord Metcalfe to
Lord Stanley,
25 April 1845.

AT the request of the Board of Trade of Toronto, I beg leave to transmit herewith a petition from that body to Her Majesty, relating to the Act passed in the last Session, intituled, "An Act for granting Provincial Duties of Customs."

Enclosure in No. 3.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

The Petition of the Board of Trade of the City of Toronto,

Most humbly sheweth,

Encl. in No. 3.

THAT in the late Session of the Parliament of Canada, an Act, intituled, "An Act for granting Provincial Duties of Customs," was passed by the two Chambers of the Legislature, and has since received the sanction of his Excellency the Governor-general, on behalf of Your Majesty.

That

That the said Act contains provisions by which discriminative or differential duties of Customs are authorized to be levied on certain goods, in reference to the course of transportation by which they may be brought into this province; a rate of five per centum, ad valorem, being declared payable if "imported by sea," but rates much higher "if imported otherwise than by sea."

That your Petitioners view with serious apprehensions the assumption on the part of a Colonial Legislature, of the privilege of legislating on subjects involving the commercial relations of any part of Your Majesty's dominions with Foreign States; and they consider that the power of enacting laws affecting the external trade of Your Majesty's Colonies, cannot be exercised by any other authority than Your Majesty's Imperial Parliament, without endangering the general interests of the commerce of the empire, and disturbing that harmony of action and feeling between the Imperial and the Colonial authorities, which every loyal and reflecting subject of Your Majesty must desire to see perpetuated.

That your Petitioners have the most unbounded confidence in the wisdom and justice of Your Majesty's Government, and have hailed, with the most heartfelt satisfaction, the recent declarations of Your Majesty's Ministers, in reference to the propriety and expediency of liberating commerce from all artificial restraints; whilst in the happy allusion made by his Excellency the Governor-general of this province, in his speech at the close of the Session of our Provincial Parliament, on the 29th ultimo, to "the prosperity, contentment and happiness which are naturally derived from *unfettered industry* and prudent enterprise," they rejoice to perceive a manifestation of the same sentiments and principles which direct the counsels of Your Majesty's Government at home.

That your Petitioners have in all times past found Your Majesty, as well as Your Royal predecessors, ready and anxious to promote and foster the trade and prosperity of this colony, and that the many valuable boons conferred upon the people of Canada have not only strengthened that bond of union by which they are joined to Your Majesty's empire, but have also clearly demonstrated, that in the hands of Your Majesty's beneficent Government, the interests of Your Majesty's colonial subjects will be at all times wisely and parentally cared for.

That your Petitioners are apprehensive that much unsteadiness in the commercial legislation of this colony would ensue, were the power of regulating its external trade to be delegated to the provincial legislature, as it is not to be concealed that the commercial interests of the colony are very inadequately represented in the popular branch; nor under any circumstances could it be expected that a legislative body placed at so great a distance from the centre of commercial intelligence, and necessarily ignorant of all those important facts which immediately bear upon the commercial relations existing, or likely to exist, between Your Majesty and foreign powers, would be able to direct the course of external trade so as not to involve Your Majesty in serious and continual misunderstandings with such foreign powers; much less, indeed, could it be expected that these misunderstandings would not arise, should every distinct colonial legislature of Your Majesty assume a similar power; for, in this case, there would be as many distinct tariffs of imposts on foreign importations, as there would be distinct legislative bodies; changing too with every change of party ascendancy, or graduated to meet, not the real and sound interests of the people, so much as to appease the clamour of ill-informed or misguided sections of them.

That your Petitioners appreciate too strongly the great importance of steadiness in commercial legislation, and especially in its fiscal department, to warrant their desiring to see the interests of commerce perilled by a change in Your Majesty's colonial policy, which would unhinge the portals within which the commerce of Your Majesty's colonies have so long found security, and have enjoyed an unbroken prosperity to which they would otherwise have been utter strangers.

That the despatches of Your Majesty's Secretary of State for the colonies, addressed to his Excellency the Governor-general of Canada, under dates, "Downing-street, 28th June 1843," and 26th September 1844," are conceived in terms which must fully accord with the views and wishes of your Petitioners, who consider the principles of colonial commercial legislation therein prescribed to be not only strictly compatible with the best interests of the colony, but also the most vital safeguard of colonial dependency.

That, apart from the objections entertained by your Petitioners towards the exercise of the power of enacting laws relating to the external trade of this colony by the provincial legislature, there is involved in the Act of the Parliament of Canada, herein referred to, a principle of distinctive and unjust class legislation, against which your Petitioners most respectfully beg leave to protest. In the discussion which took place in the Legislative Assembly on the provisions of this Act, it was freely announced by the supporters of the measure, that the final object of the introduction of differential duties on imports, in reference to their course of transportation, was, the forcing of the carrying trade between the United States, Atlantic markets and Western Canada from its present course into the navigation of the waters of the River St. Lawrence, in order to secure for the canals on these waters the tolls derivable from this trade. Your Petitioners believe that were there not another argument left to them, by which to prove the unsafety of entrusting the regulation of our foreign colonial trade to a provincial legislature, this one fact would, in the eyes of so enlightened and liberal a Government as that of Your Majesty, be abundantly sufficient.

That if the benefits derived from the existence of public works, which have cost the people of this colony so large an amount of money, are to be accompanied by restrictions upon their commerce, which cannot fail to prove ruinous to the trade of Western Canada,

then would your Petitioners most humbly state that it had been well for the country if no such works had ever been originated. To open up lines of traffic and thoroughfare for the purpose of facilitating the operations of trade, and then to destroy all collateral facilities under the pretext of maintaining one grand line, your Petitioners consider a most unjust course of policy.

That the cities of Montreal and Toronto are each situate about 400 miles from the port of New York, the general mart in which all goods from the United States are purchased by Canada merchants; the present line of conveyance from New York to Toronto being by inland navigation, *via* the Hudson River, the Erie and Oswego Canals and Lake Ontario; the rate of freight about 55 cents per cwt., and the time required varying from four to ten days. That the distance from Montreal to Toronto is about the same as from New York to Toronto, and the rates of freight on these two lines are generally nearly equal; and consequently were the merchants of Western Canada to be obliged to "import by sea," the distance, time and charges would be all increased proportionally; the voyage from New York to Montreal would be little short of that from Liverpool. The coasting navigation along the shores of New England, New Brunswick, Nova Scotia, and through the Gulf and River St. Lawrence, is not surpassed in danger by any in the world; one of Your Majesty's mail steam packets not long since, in fine weather, ran ashore on an island between Boston and Halifax, and, notwithstanding every exertion to save her, became a total wreck. The insurance at certain periods through the Gulf is as high as six and even ten per cent. The period of open waters is at least one month, and often six weeks in our half seasons, less than by the present line. It is of importance to state that the charge of insurance is never incurred on goods imported from New York by the present line of transportation.

That, contending against all these disadvantages, Your Petitioners most respectfully submit, that the present traders of Western Canada, who purchase limited assortments in the United States market for cash, or on short credits, would not be able to continue to compete in this trade if forced to bring their goods into the province by the tedious, perilous and expensive course of navigation by sea, referred to; and that the consumers of Western Canada, who are an agricultural population, and may be said to be the sole productives of this colony, must be the ultimate sufferers from all these disadvantages.

That the operation of the proposed system of differential duties would be, if in the nature of human affairs it were practicable, to render the whole trade between the United States and Western Canada tributary to the heavy capitalists of Eastern Canada, and thus, for the benefit of a very small number, to inflict a most serious injury on the great industrial mass of the population. But Your Petitioners most respectfully submit, that no such fiscal enactment as would be adequate to the proposed results could ever be carried into effectual operation in this colony. The difference in the rates of duties requisite to cover such serious disadvantages on the part of the importer by sea, would merely become the profit margin of the smuggler, who is never slow to benefit by the existence of unwise fiscal legislation. For every shilling that our canals would profit by the change, the public revenue would lose twenty by the evasions of the illicit trader. Nor would the pecuniary injury thus sustained by the province be the greatest evil entailed upon it; the demoralization of thousands of the population would result; and though the repeal of the law might remove the temptation to crime, it could not, at the same time, eradicate its propensities to it which it had generated.

That Your Petitioners would not consider the trivial items placed under differential duties, in the Act referred to, as calling upon them to trespass on the forbearance of Your Majesty, by petitioning for a repeal of the Act. Your Petitioners are happy that as yet they have to complain against an impending rather than an existing evil; for though some of the articles enumerated under differential duties are placed under very high rates, if brought by inland navigation, in comparison with the rate to be levied "when imported by sea," yet the trifling amount of these goods imported from the United States into Canada would prevent the operation of the law being ever seriously felt. But as the supporters of the principle of differential duties could never have conceived their purpose to be much advanced by this partial development of the system, Your Petitioners conceive that a due regard to their duty as faithful subjects of Your Majesty, and a becoming respect to the commercial and agricultural interests of Western Canada, imperatively call upon them to place before Your Majesty their views upon this important subject.

Your Petitioners therefore pray that Your Majesty will be graciously pleased to employ such means as to Your Majesty may seem proper for the prevention of any enactment by the Legislature of this colony, which may institute differential rates of duties on the imports of the colony; and that Your Majesty will issue such instructions to the Executive of this province as may tend to the prevention of all fiscal or other regulations calculated to favour the interests of any particular class of Your Majesty's subjects, to the disadvantage of the remainder.

And Your Petitioners, as in duty bound, will ever pray, &c.

For and by order of the Board, at the city of Toronto, this 7th day of April in the year of our Lord 1845.

(signed) *Geo. Perc' Ridout, President.*
Jos. Workman, Vice-President,
and 38 others.

Anno Octavo VICTORIÆ REGINÆ.—Cap. III.

AN ACT for granting Provincial Duties of Customs.—[17th March 1845.]

WHEREAS it is expedient, from and after the time hereinafter mentioned, to repeal so much of the Acts hereinafter mentioned as imposes any duties of customs, to the end that other duties may be imposed in lieu thereof: Be it therefore Enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "An Act to re-unite the Provinces of Upper and Lower Canada and for the Government of Canada," and it is hereby enacted, by the authority of the same, That upon, from and after the 6th day of April 1845, so much of the Act passed in the session held in the 4th and 5th years of Her Majesty's reign, and intituled, "An Act to repeal certain Acts therein mentioned, and to consolidate the Laws relating to the Provincial Duties to be levied on Goods, Wares and Merchandize imported into this Province," or of an Act passed in the 7th year of Her Majesty's reign, and intituled, "An Act to continue for a limited time the Duties imposed on Agricultural Produce and Live Stock imported into this Province," as imposes any duty of customs on any goods, wares and merchandize or agricultural produce imported into this province, shall be, and so much of the said Acts is hereby repealed; any thing in the Act passed during the present session to continue that last above cited, to the contrary notwithstanding.

Preamble.

So much of the Act 4 & 5 Vict. c. 14, or 7 Vict. c. 2, as imposes any Duties of Customs, repealed from and after the 6th day of April next.

II. And be it enacted, that upon, from and after the said day, in lieu and instead of all other duties of customs imposed by any Provincial Act (except the duty upon foreign wheat imposed by the Act passed in the 6th year of Her Majesty's reign, and intituled, "An Act to impose a Duty upon Foreign Wheat imported into this Province"), there shall be raised, levied, collected and paid unto Her Majesty, Her heirs and successors, upon goods, wares and merchandize imported into this province, except on foreign wheat and such articles and commodities as are mentioned in the table of exemptions annexed to this Act, the several duties of customs respectively inserted, described and set forth in the Table to this Act annexed, and intituled, "Table of Duties of Customs inwards:" Provided always, That nothing herein contained shall be construed to repeal any tonnage duty, or any duty except such as is imposed on goods, wares or merchandize imported into this province: And provided also, that if any timber, sawed lumber, or other article enumerated in the Schedule to this Act under the head "Wood," shall be imported into this province on or before the 5th day of July next, in fulfilment or execution of any contract for the delivery thereof within this province, *bonâ fide* made and entered into before the 1st day of February last past, it shall be lawful for the Governor in Council, on due proof thereof, to remit the amount of duties imposed by this Act, and to order and appoint that no other or higher duty than that which was by law in force immediately before the passing of this Act, shall be levied and collected on the timber, sawed lumber or other article aforesaid to be imported in manner and by the day in that behalf above set forth.

The duties set forth in the Schedule to be instead of all others, except that on foreign wheat.

Proviso.

Proviso as to timber, sawed lumber, &c. contracted for before the 1st February, and imported on or before the 5th July next.

III. And be it Enacted, That the duties by this Act imposed shall be deemed to be duties within the meaning of the Act passed during the present Session of the Provincial Legislature, and intituled, "An Act to provide for the Management of the Customs, and of Matters relative to the Collection of the Provincial Revenue;" subject to the provisions of which Act, and of this Act, the said duties shall be ascertained, raised levied, collected, paid and recovered, under the provisions under which duties on like articles were ascertained, raised, levied, collected, paid and recovered immediately before the 6th day of April aforesaid (or if no duties were then imposed on like articles, then under the provisions of the Act first cited), and other laws applicable to the provincial customs generally, unless some Act be passed during the present Session for the general regulation of the customs, in which case all the duties hereby imposed shall be ascertained, raised, levied, collected, paid and recovered under the provisions of such Act.

Duties to be subject to the Management Act of this Session.

IV. And be it Enacted, That all sums of money which shall arise from the duties hereby imposed, shall be paid to the Receiver-general, by the collectors and other officers and persons by whom the same shall have been received, and shall form part of the Consolidated Revenue Fund of this province, and shall be accounted for to Her Majesty, Her heirs and successors, through the Lords Commissioners of Her Majesty's Treasury for the time being, in such manner and form as Her Majesty, Her heirs and successors, shall be pleased to direct.

Duties to form part of the Consolidated Revenue Fund.

Accounting clause.

V. Provided always, and be it Enacted, That the provincial duty payable on any goods, wares or merchandise (except foreign wheat), which having been warehoused in bond before this Act shall come into force, shall be taken out of the warehouse after that time (except for exportation) shall be the duty imposed on such goods, wares and merchandize by this Act, and no other, as if the same had been imported into this province at the time when they shall be so taken out of the warehouse.

What Duties shall be paid on goods warehoused before this Act was in force.

VI. And be it Enacted, That all sums of money which shall arise from the duties hereby imposed, and set forth in words and figures in the said "Table of Duties of Customs Inwards," shall be sterling money, and payable in such coins as may by law be current in this province, and equivalent to the amount of sterling money to which such duties may amount in any case; and the weights and measures in the said Table mentioned and set forth,

Currency, weights and measures by which the Duties shall be calculated.

Proportion to be observed.

Act may be altered during this Session.

forth, shall be the imperial weights and measures now by law established in the United Kingdom of Great Britain and Ireland; and in all cases where the said duties are imposed according to any specific quantity or any specific value, the same shall be deemed to apply in the same proportion to any greater or less quantity or value.

VII. And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present session of the Provincial Legislature.

SCHEDULE.

TABLE OF DUTIES OF CUSTOMS INWARDS.

Duties.

ARTICLES :		Duty Sterling.		
		f.	s.	d.
Animals; viz.				
Cows and heifers, each	- - - - -	1	-	-
Calves, each	- - - - -	-	5	-
Goats, each	- - - - -	-	2	6
Horses mares, geldings, colts, fillies, foals, each	- - - - -	1	10	-
Kids, each	- - - - -	-	2	6
Lambs, each	- - - - -	-	1	-
Oxen, and bulls and steers, each	- - - - -	1	10	-
Pigs (sucking), each	- - - - -	-	-	6
Swine and hogs, each	- - - - -	-	5	-
Sheep, each	- - - - -	-	2	-
Grain; viz.				
Barley, the quarter	- - - - -	-	3	-
Buckwheat, bear, big, the quarter	- - - - -	-	3	-
Oats, the quarter	- - - - -	-	2	-
Maize or Indian corn (the quarter to be 480 lbs.), the quarter	- - - - -	-	3	-
Rye, beans, peas, the quarter	- - - - -	-	3	-
Meal, of all the above grains, and of wheat not bolted, the 196 lbs.	- - - - -	-	2	-
Wheat flour, per barrel of 196 lbs.	- - - - -	-	-	6
Bran or shorts, the cwt.	- - - - -	-	-	3
Hay, the ton	- - - - -	-	6	-
Straw, the ton	- - - - -	-	3	-
Hops, the lb.	- - - - -	-	-	3
Liquids, viz. :				
Ale and beer, if imported otherwise than by sea, the gallon	- - - - -	-	-	3
Ale and beer, in bottle - ditto - the dozen	- - - - -	-	1	-
Cider and Perry - ditto - the gallon	- - - - -	-	-	1
Vinegar - ditto - the gallon	- - - - -	-	-	3
When imported by sea, five per centum ad valorem.				
Provisions; viz.				
Butter, the cwt.	- - - - -	-	2	-
Bacon, the cwt.	- - - - -	-	5	-
Cheese, the cwt.	- - - - -	-	2	6
Hams, the cwt.	- - - - -	-	5	-
Meats, salted or cured, the cwt.	- - - - -	-	2	-
Meats, fresh, of all kinds, the cwt.	- - - - -	-	4	-
Candles, Sperm or Wax, the lb.	- - - - -	-	-	2
All other kinds, when imported otherwise than by sea, the lb.	- - - - -	-	-	1
And if imported by sea, five per centum ad valorem.				
Potatoes, the bushel	- - - - -	-	-	3
Salt, imported otherwise than by sea, the barrel weighing net 280 lbs.	- - - - -	-	2	6
Imported by sea, the ton	- - - - -	-	1	-
Leather; viz.				
Goat skins, tanned, tawed or in any way dressed, per dozen	- - - - -	-	5	-
Lamb or sheep skins, tanned, tawed or in any way dressed, per dozen	- - - - -	-	2	6
Calf skins, tanned, tawed or in any way dressed, per lb.	- - - - -	-	-	6
Kip skins, tanned, tawed or in any way dressed, per lb.	- - - - -	-	-	3
Harness leather, per lb.	- - - - -	-	-	2
Upper leather, per lb.	- - - - -	-	-	2
Sole leather, per lb.	- - - - -	-	-	1½
Leather cut into shapes, per lb.	- - - - -	-	-	6
Leather Manufactures; viz. boots, shoes and calashes, viz.				
Women's boots, shoes and calashes of leather, per dozen pairs	- - - - -	-	7	6
Women's boots and shoes of silk, satin, jean or other stuffs, kid or morocco, otherwise than by sea, per dozen pairs	- - - - -	-	7	6
And if by sea, five per centum ad valorem.				

Leather

and of DUTIES ON GOODS IMPORTED INTO CANADA. 11

	Duty Sterling.		
	£.	s.	d.
<i>Leather Manufactures ; viz. boots, shoes and calashes—continued.</i>			
Girls' boots, shoes and calashes of leather, under seven inches in length, per dozen pairs	-	2	6
Girls' boots and shoes of silk, satin, jean or other stuffs, kid or morocco, otherwise than by sea, per dozen pairs	-	3	-
And if by sea, five per centum ad valorem.			
Men's boots, of leather, per pair	-	2	6
Men's shoes ditto ditto	-	1	-
Boys' boots ditto under eight inches in length, per pair	-	1	3
Boys' shoes ditto ditto ditto	-	-	9
<i>Sugar ; viz.</i>			
Muscovado and clayed, that has not undergone any process whatever, for refining or otherwise, the lb.	-	-	1
Refined in loaves, lumps or crushed, and sugar candy, the lb.	-	-	2
Bastard, and all other sugars whatever, the lb.	-	-	1
<i>Coffee, green, the lb.</i>			
Roasted, the lb.	-	-	1
Ground, the lb.	-	-	2
Cocoa, the lb.	-	-	4
Paste, chocolate, the lb.	-	-	$\frac{1}{2}$
Tea, the lb.	-	-	2
<i>Tobacco, unmanufactured, the lb.</i>			
Manufactured, the lb.	-	-	1
Segars, the lb.	-	-	1
Snuff, the lb.	-	-	2
Molasses and treacle, the cwt.	-	-	4
Syrups, per gallon	-	-	1
<i>Fruit ; viz.</i>			
Almonds, per lb.	-	-	9
Apples, per bushel	-	-	1
Apples, dried, per bushel	-	-	6
Currants, per cwt.	-	-	5
Figs, per cwt.	-	-	5
Nuts, per lb.	-	-	$\frac{1}{2}$
Pears, per bushel	-	-	1
Prunes, per lb.	-	-	1
Raisins, in boxes, per lb.	-	-	1
Raisins, in kegs, or otherwise than in boxes, per lb.	-	-	$\frac{3}{4}$
Maccaroni and Vermicelli, per lb.	-	-	1
<i>Olive oil, in casks, per gallon</i>			
in jars and bottles, per gallon	-	-	4
Lard oil, per gallon	-	-	1
Linseed oil, raw or boiled, per gallon	-	-	4
India rubber boots and shoes, per pair	-	-	2
<i>Spices ; viz.</i>			
Cassia, per lb.	-	-	6
Cinnamon, per lb.	-	-	2
Cloves, per lb.	-	-	2
Nutmegs, per lb.	-	-	4
Pimento, per lb.	-	-	$\frac{1}{2}$
Pepper, of all kinds, per lb.	-	-	$\frac{1}{2}$
Mace, per lb.	-	-	3
<i>Wood ; viz.</i>			
Pine, white, and in proportion for any smaller quantity thereof, per 1,000 cubic feet	1	5	-
Pine, red, per 1,000 cubic feet	1	15	-
Oak, per 1,000 cubic feet	2	15	-
Birch, per 1,000 cubic feet	2	10	-
Ash, elm, tamarac or hacmatac, and other woods not herein charged with duty, per 1,000 cubic feet	1	5	-
Staves, standard or measurement, per standard mille	1	5	-
<i>Puncheon or West India :</i>			
White oak, per standard mille	-	10	-
Red oak, per standard mille	-	7	6
Ash, per standard mille	-	4	-
Barrel, per standard mille	-	4	-
Deals, pine, per Quebec standard 100	-	15	-
spruce, per Quebec standard 100	-	7	6
Handspikes, per dozen	-	-	3
Oars, per pair	-	-	3
Planks, boards and all kinds of sawed lumber, not herein charged with duty, per 1,000 superficial feet, inch thick	-	7	6
And so in proportion for any greater thickness.			

Spirits

	Duty Sterling.	
	£.	s. d.
Spirits or Strong Waters of all sorts ; viz.		
For every gallon of such spirits or strong waters, except rum, of any strength not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength than the strength of proof, and for any greater or less quantity than a gallon, the gallon -	-	1 3
Rum, - - ditto - - ditto - - ditto - the gallon - -	-	6
And further for any excess over hydrometer proof, an equal additional duty per gallon to the duty imposed upon the said spirits and rum by any Act or Acts of the Imperial Parliament, and payable in this province, until the same shall be provided for by any Act of the Imperial Parliament of Great Britain and Ireland.		
For every gallon of such spirits or strong waters or rum, sweetened or mixed with any article so that the degree of strength thereof cannot be ascertained, the gallon - - - - -	-	2 -
Wine, of all kinds, the gallon - - - - -	-	8
And 10 per centum <i>ad valorem</i> .		
Anchovies and sardines, preserved in oil, for every 100 <i>l.</i> of the value -	-	-
Biscuits and crackers, ditto - - - - -	-	-
Clocks and watches, ditto - - - - -	-	-
Carriages and vehicles of all kinds, unenumerated, ditto - - - - -	-	-
Extracts, essences and perfumery, ditto - - - - -	-	-
Eggs, ditto - - - - -	-	-
Fruit, unenumerated, ditto - - - - -	-	-
Fanning and bark-mills, ditto - - - - -	-	-
Machinery, unenumerated, ditto - - - - -	-	-
Oils, unenumerated, vegetable, volatile, chemical and essential, ditto -	-	-
Pickles and sauces, ditto - - - - -	-	-
Poultry and game, ditto - - - - -	-	-
Playing cards, ditto - - - - -	-	-
Sausages and puddings, ditto - - - - -	-	-
Seeds, not enumerated, ditto - - - - -	-	-
Vegetables not enumerated ditto - - - - -	-	-
Goods, wares, and merchandize not otherwise charged with duty, and not herein declared to be free of duty, for every 100 <i>l.</i> of the value -	5	- -
Ashes of all kinds, for every 100 <i>l.</i> of the value - - - - -	-	-
Bark, ditto - - - - -	-	-
Burr stones, unwrought, ditto - - - - -	-	-
Berries, nuts, and vegetables used principally in dyeing, ditto -	-	-
Cotton wool, ditto - - - - -	-	-
Coals, ditto - - - - -	-	-
Fur skins or peltries, undressed or unmanufactured, ditto - - - - -	-	-
Hemp, flax, and tow, ditto - - - - -	-	-
Hides, raw, ditto - - - - -	-	-
Mahogany and hardwood, unmanufactured, for furniture, ditto -	1	- -
Pig iron, ditto - - - - -	-	-
Palm oil, ditto - - - - -	-	-
Saw logs, ditto - - - - -	-	-
Soda ash, ditto - - - - -	-	-
Tallow, ditto - - - - -	-	-
Lard, ditto - - - - -	-	-
Fish oil, ditto - - - - -	-	-
Fish, salted or cured, ditto - - - - -	-	-
Oysters, lobsters and turtles, ditto - - - - -	-	-

Exemptions.

EXEMPTIONS.

- Anatomical preparations.
- Copies of the Holy Scriptures printed in the United Kingdom of Great Britain and Ireland.
- Coin and bullion.
- Donations of books or clothing specially imported for the use of, or to be distributed gratuitously by any charitable society in the province.
- Fish, fresh, not described.
- Horses and carriages of travellers, and horses, cattle and carriages and other vehicles when employed in carrying merchandize, together with the necessary harness and tackle, so long as the same are *bond fide* in use for that purpose.
- Hides and tallow, and offal of cattle and swine slaughtered in bond.
- Manures of all kinds.
- Models of machinery, and of other inventions and improvements in the arts.

Old junk or oakum.

Packages containing dutiable articles.

Philosophical apparatus, instruments, books, maps, statuary, busts and casts of marble, bronze, alabaster or plaster of Paris, paintings, drawings, engravings, etchings, specimens of sculptures, cabinets of coins, medals, gems and all other collections of antiquities, provided the same be specially imported in good faith for the use of any society incorporated or established for philosophical or literary purposes, or for the encouragement of the fine arts, or for the use or by the order of any university, college, academy, school or seminary of learning within this province.

Arms or clothing, which any contractor or contractors, commissary or commissaries, shall import or bring into the province for the use of Her Majesty's army or navy, or for the use of the Indian nations in this province, provided the duty otherwise payable would be defrayed or borne by the Treasury of the United Kingdom or of this province.

Specimens in natural history, mineralogy and botany.

Seeds of all kinds, farming utensils and implements of husbandry, animals for the improvement of stock, when specially imported in good faith by any society incorporated or established for the encouragement of agriculture.

Trees, shrubs, plants, bulbs or roots.

Wearing apparel in actual use, and other personal effects not merchandize, implements and tools of trade of handicraftsmen in the occupation or employment of persons coming into the province for the purpose of actually settling therein.

Also, cordage, pitch, tar, turpentine, leather, leatherware, fishermen's clothing and hosiery, fishing craft, utensils and instruments imported into the district of Gaspé from the United Kingdom or the Channel Islands for the use of the fisheries carried on therein, subject to such regulations as the principal officer of Customs at the Port of Quebec shall make, and which he is hereby empowered to establish, for the purpose of ascertaining that such articles are *bonâ fide* intended to be applied for the use of such fisheries.

(No. 17.)

-- No. 4 --

EXTRACT of a DESPATCH from the Right honourable *W. E. Gladstone* to Lord *Cathcart*, K. C. B., dated Downing-street, 3 February 1846.

AN important question was brought 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 affect 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 the community, and should be presented to you for legislative sanction.

You are aware that it is a rule of imperial policy generally to reserve to Parliament the consideration of any question of differential or protective duty which

No. 4.
Right Hon. W. E. Gladstone to Lord Cathcart,
3 February 1846.

may arise in the colonies. Not refusing to make due allowance for subsisting irregularities of practice in this respect, I am desirous, in prospective legislation, to adhere to this maxim. But I grant that it is more strictly applicable to maritime commerce than to the case of a colony having direct and extended relations along a frontier of many hundred miles with a foreign country. Your Lordship is therefore authorized to view the question as one to be determined according to the convictions of the people of Canada, whatever they may be, when constitutionally brought before you in the form of a legislative measure.

With regard, however, to the form of any such enactment, supposing it to be introduced into discussion, I would suggest what appears to Her Majesty's Government a decided improvement upon that which is employed in the Act of the last Session "For granting Provincial Duties of Customs." The lower rate of duty, when a distinction is made, should be extended to "goods imported otherwise than by sea from a British possession," as well as to goods imported by sea. The practical or commercial effect of the change might be trivial; but it would obviate an objection of general principle to an arrangement, under which importation from a British possession is, under given circumstances, made subject to a heavier burden than direct maritime importation from a foreign country.

— No. 5. —

No. 5.

(No. 18.)

Right hon.
W. E. Gladstone
to Earl Cathcart,
3 February 1846.

EXTRACT of a DESPATCH from the Right honourable *W. E. Gladstone* to Earl *Cathcart*, K.C.B., dated Downing-street, 3 February 1846.

No. 257, 25 April 1845.
No. 258, 25 April 1845.
No. 268, 6 May 1845.
No. 271, 9 May 1845.
No. 281, 23 May 1845.

THE several despatches enumerated in the margin I acknowledge, and propose to answer together, because they are all referable to the same common subject of the Act of the Canadian Legislature of the 17th of last March, ch. 3 (No. 210), for granting Provincial Duties of Customs. This Act stands for the signification of Her Majesty's pleasure; and I am not able, until an amendment shall have been introduced into it, to advise Her Majesty to allow it.

It involves two principles of great importance, the first directly, and the second virtually.

Vide page 13.

The first is the distinction between goods sea-borne and goods otherwise imported. Upon this subject I need simply refer you to what I have stated in regard to the proposal to levy inland countervailing duties upon goods generally. I am not, your Lordship will perceive, precluded by a difficulty arising upon this part of the measure from advising its allowance; but I also find, that for the duty of 5% which has heretofore been payable upon leather and leather manufactures imported into Canada, rated imposts have been substituted, which appear to range generally from 10% up to 25% or 30%, *ad valorem*. In some cases a distinction is taken in favour of sea-borne articles; in others the application of the duty is uniform.

Her Majesty's Government are not prepared to assent to the imposition on such British goods as are ordinarily sent to Canada from the United Kingdom, or from a British possession, of rates of duty substantially higher than those which were levied under the previous Provincial Customs Act, although they take no objection to the substitution for duties *ad valorem*, of such fixed amounts as may be considered on the average equivalent to them. Your Lordship will consider this as their fixed decision, and will make it known accordingly. An amendment of the Act, to bring it into conformity with this decision, is indispensable.

Her Majesty's Government would very reluctantly consent to an increase of the duties upon foreign goods when imported by sea into the British colonies, as they stood before the passing of the Act now under consideration.

If it be possible to consider the inland carriage as a matter rather for adjustment in the province than as raising an imperial question, in which the particular colony can only be regarded as a portion of an empire animated by a central and single principle of action, it is not possible, in the judgment of Her Majesty's Government, to extend this view to maritime commerce, without the risk of great inconvenience.

Any

339

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.

Page 15.

—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.

If unfortunately your efforts should be unsuccessful, and if any such law should be presented for your acceptance, your duty will be to withhold your assent to it. From the discharge of that duty, however unpopular it may be, you will not shrink; for by declining to undertake it, you would only subject Her Majesty's Government, and the colony itself, to a still more serious inconvenience.

Her Majesty could not be advised to sanction any colonial law imposing discriminating duties which Her Majesty's Government had not previously recommended, or which Parliament has not expressly established, or enacting such duties on any terms which Parliament has not prescribed. The disallowance of any such enactments would therefore be inevitable, and that measure would be attended with far more serious inconveniences than any which could result from your own refusal to accept them. I trust, however, that there is no good reason to anticipate, or to provide against such a contingency.

I have, &c.

(signed) *Stanley.*
