

(No. 39.)



1868.

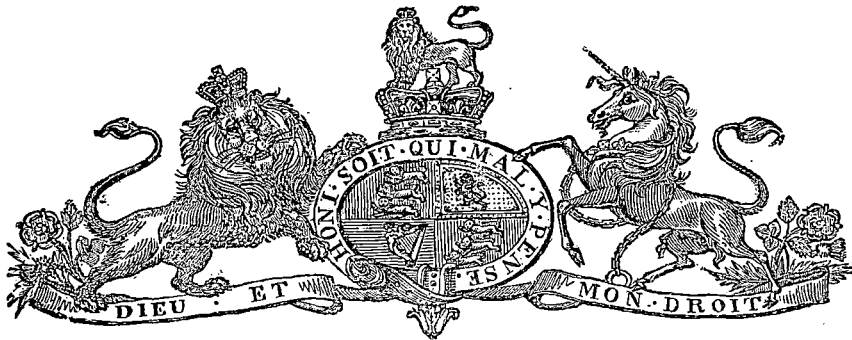
TASMANIA.

LEGISLATIVE COUNCIL.

**INTERCOLONIAL FREE TRADE BILL:
DISALLOWANCE.**

DESPATCH FROM THE SECRETARY OF STATE, No. 1, OF
JANUARY 5, 1868.

Laid upon the Table by Sir R. Dry, and ordered by the Council to be printed,
August 14, 1868.



TASMANIA.
No. 1.

Downing-street, 5th January, 1868.

SIR,

I DULY received your Despatch, No. 14, of 20th February last, forwarding a Bill passed by the Legislature of Tasmania, which you reserved for Her Majesty's consideration, entitled "An Act to promote Intercolonial Free Trade."

It will not be possible for me to advise Her Majesty to assent to this Bill, as it is at variance with the Imperial Act 13 & 14 Victoria, Cap. 59, Sec. 27, which, like the Constitution Acts of New South Wales and Victoria, (18 & 19 Victoria, Cap. 54, Sec. 45, and 18 & 19 Victoria, Cap. 55, Sec. 43), provides—"No new duty shall be imposed on the importation into the Colony of any article the produce or manufacture of or imported from any particular country or place which shall not be equally imposed on the importation into the same Colony of the like article the produce or manufacture of or imported from all other Countries and places whatsoever." It is plain that to impose a general duty by one Act, and then to remit it in favour of certain neighbouring Colonies by or by virtue of another Act, is a violation of the spirit, even if not of the letter of the above-quoted provision. It is doubtful whether such a provision would not be declared void by a Court of Law, and I cannot advise Her Majesty to assent to a Bill which contains it.

I have the honor to be,

Sir,

Your most obedient humble Servant,

BUCKINGHAM & CHANDOS.

Governor GORE BROWNE, C.B.