

## SPIRIT OF THE PROVINCIAL JOURNALS.

CANADIAN COURANT. THE ELECTIVE FRANCHISE OF THE COUNTY OF GASPE. Mr. CHRISTIE the representative of the County of Gaspe, not having had an opportunity of taking his seat during the present session owing to the precipitate manner in which he was expelled before his arrival at Quebec, lately presented the following petition to the Assembly.

To the Honourable the Knights, Citizens, and Burgesses of Lower Canada, in Provincial Parliament assembled.

The Petition of Robert Christie, of Quebec, Esq. Represents,

That Your petitioner, being a subject of His Majesty, is as such, entitled to the rights common to all British subjects in this Province, and by law, eligible to the Assembly thereof, and hath never committed any crime, misdemeanour, or offence, against the laws of the Province, or breach of Privilege of your honourable House, nor of any previous Assembly, nor intended it, whereby those rights could be liable to forfeiture or abridgement.

That your petitioner hath several times during the late, and twice since the commencement of this Provincial Parliament, been honoured by the confidence and unanimously elected by the Freeholders of the County of Gaspe, as their Representative to the Assembly.

That he has been prevented taking his seat as Representative for the said County, by a vote at the opening of the present Session, by reason of certain Resolutions of the late Assembly, of the 14th February, 1829, affecting the petitioner, whose constitutional rights have been and thereby are abridged, in a manner subversive, as he submits of the rights, the liberty, and the safety of the subject.

That the petitioner, entertaining a proper respect for the privileges of the Assembly, which he assures the House he never has, nor wilfully would infringe, entertains also a hope that it will restore him those just rights of which he has been deprived, and which he claims accordingly from its justice.

That the petitioner, therefore, prays the attention of your honourable House to the said Resolutions, by reason whereof his rights are abridged, and that it will, as an act of justice to rescind and expunge the said Resolutions and vote from the journals, and thereby remove the existing impediment to the full possession and enjoyment of the rights justly appertaining to him as a British subject.

ROBERT CHRISTIE.

Quebec, January 16, 1832.

It will, we think, be admitted by all parties that the above petition is couched in respectful language, yet it was not entertained by the House, if however, we may judge from the warmth excited in consequence of this petition coming before the Assembly, we may suppose that the Gaspe affair begins to excite a deeper interest. We hope some of the members who voted for Mr Christie's expulsion will seriously consider this matter before they again come to vote on it, which in the event of Mr Christie's return, they will have to do. The matter should be divested of all party bias, and considered only as a question of Right as established by the principles of representative Governments. This principle is founded on the long established maxim that in matters of Legislation and taxation, every man is entitled to a voice, either by himself or representative. The impossibility of calling the whole community together to legislate and assess taxes has introduced the practice of representation or the delegation of one to act for many. Such a person goes clothed with authority to act for his constituents; but not to annihilate their rights, and above all others not to interfere with the right by which they have been enabled to delegate him. The relations of principal and agent existing between the representative and represented. In mercantile transactions the possession of property give the power to delegate authority to the agent to dispose of it, and in political matters under the British Constitution, the elective franchise gives the power to the electors, who are the principals, to authorise the representative, who is the agent of the electors, to dispose of their property, and to consent to such restrictions of personal rights as may tend more securely to guarantee the safety and well-being of Society. Now, the representative can no more claim the right of touching or affecting the elective franchise in any manner than the agent can say to the principal, I will not permit you to call the goods belonging to you in my possession your property. In fine, the elective franchise in representative Governments, is, in the fullest sense of the word an inalienable Right. The moment it is lost, the freeman becomes a slave, and under a free government he cannot be divested of it by or against his consent. The representative system is under our constitution to the political body what respiration is to the human body

and neither can live if it be suspended. But it has been suspended in the instance before us, and still is, the true liberty of a British freeman therefore cannot exist until it be restored to free action.

We are aware that this doctrine will be subject to an exception, in the case of the representative being disqualified by the Laws of his country, as disqualifications crimes, and other disabilities should be established not by a part of the powers that make the Laws, but by the whole powers, and in this case, and this only, should the representative be disqualified or expelled.

The Earthquake felt in this city, on Sunday evening last, was also felt at Prescott, U. C. at the same hour. The Grenville Gazette says, the shock at that village was very severe, and continued between two and three minutes. Such was the sensation produced that in many instances, before the real cause was known, families and individuals were seriously alarmed.

QUEBEC GAZETTE.—Mr Laterrière read last night in the Assembly, a petition from Mr Christie, the member returned for Gaspe and expelled the House. The petition was not received; 45 to 12. It asked, we believe to rescind the resolutions adopted by the house, Mr Christie maintaining that he had been wrongly condemned; that is, an apology was asked from the house to Mr Christie.

In the discussion which took place, Mr Laterrière and Mr Solicitor General maintained that Mr Christie had not been heard or cross examined, that the evidence was untrue, or something so interpreted. Mr Young took offence, and also replied harshly. The galleries were cleared, and the three gentlemen it is said were ordered to stay in the precincts of the house. Mr Young was soon, however, seen issuing from the house. In the interval which occurred until his return a space of nearly two hours, preparations for hostile meetings took place, and friends of the parties consulted. Mr Young ultimately re-entered the house, and it is said, apologized, and was reprimanded for leaving it against the order of the Speaker, and the customary proceeding enforced that no consequences should follow the expression of opinions in the house.

On the subject of the article in our last, we learn that Mr Young left the house before any order requiring the three members to remain within its precincts had been made or moved for. When Mr Young rose to depart, he was ordered by the Speaker to remain, but he disregarded the order, and persisted in going out. Mr Young having been informed by a friend, that the other two members had been prevented from leaving the house, was returning, when he met a deputy of the Sergeant at Arms, who required his immediate attendance. The House required Mr. Young to apologize for not having obeyed the Speaker's orders, which he did, but did not make any other apology. He was also required to give a similar pledge to that which had been previously required of and given by the Solicitor General and Mr Laterrière, and he did so.

Letters from London by the last American packet state, that the port of Montreal has finally been declared a separate port of entry, and that the decision of the boards at home has been in favour of admitting flour of American manufacture into the English Market, as Colonial.

HALIFAX ROYAL GAZETTE.—The New Bank Bill was presented to the House of Assembly on Monday, read a first time, and copies of it ordered to be printed for the use of the Members. The second reading of the Bill is to take place on Friday.

St. JOHN COURIER.—Conceiving it to be necessary that some explanation should be given to the public, respecting the matter which, at the opening of the Legislative session, engrossed the attention of the House, with closed doors; we insert the subjoined statement of that affair, without vouching for its authenticity in every particular, although, from the source whence we obtained our information, we have little doubt of its general correctness. It may be fresh in the recollection of many, that during the last Session of the Legislature, some remarkably severe language was used by the Honourable Speaker, respecting the conduct of Mr Rankin, one of the members, who was then absent from the Province. Mr R. on taking his seat, the present session, conceived it to be incumbent on him, to wipe away any aspersions that had been made on his character while absent, and accordingly called upon Mr Speaker for an explanation, or for proof of the charge made against him. The Speaker, it is said, having, during the recess, discovered that he was in error, very promptly disavowed any intention of imputing unworthy motives to Mr Rankin, and bore testimony to his honourable and gentlemanly conduct in all his actions. With this explanation, it is stated, Mr R. was satisfied, and thus the matter ended.

MONTREAL GAZETTE.—We give below the petition presented lately to our House of Assembly, by Dr. Laterrière, from Robert Christie, Esq. but which that body thought proper not to receive. It is to be regretted that the Assembly should have got rid of a request for

an investigation into this Gentleman's case, expressed in such a moderate and dispassionate tone, by a motion to pass to the orders of the day. It would appear as if the measure of injustice, which moderate men of all parties conceive have been dealt out to the electors of Gaspe, was not yet complete, when we see "the sacred right of petitioning" (we use the expression usually adopted by prominent Members of the majority) thus trampled under foot, and all investigation of an open nature denied to an individual, who was condemned on exparte evidence, and without a hearing.

## ORIGINAL.

## SALMON FISHERY.

MR. PIERCE,

It is pleasing to see the Press devoted to public utility, it is equally so to see an able pen devoted in the same cause. With feelings analogous to those, I read your editorial of last week, and your correspondent's Communication on our SALMON FISHERY. For his information, I take the liberty to state, the petitions alluded to, were got up by a set of men, actuated solely by party or selfish feelings, who have had sufficient influence to procure and address to gull a number of persons to subscribe memorials, having a tendency to procrastinate, if not destroy, A Bill for regulating that species of FISHERY, than which, none more efficient for the purposes intended has been presented to our Legislative Assembly;—few of more importance to this community. Possessed of these sentiments, excuse me, if I digress further into detail.

It is notorious that SUPPORTERS of these petitions, have offered for sale, within a short period, quantities of Salmon, when no such quantities of Mercantile Fish could be procured in this market. It is equally notorious, the only ostensible objection adduced against the BILL, was the permission proposed to be granted to fish for Salmon at Portage and Fox Islands. It was stated in vindication these fisheries obstructed the Salmon ascending this river, be it so; as an extenuation for the insertion of that clause, it has been, and is the opinion, of learned gentlemen, these Islands are not under our jurisdiction. Under what, or whose authority are they? Shallow learning informs me, they ARE under our jurisdiction;—equally shallow geographical knowledge informs me, these Islands are situated from eight to ten miles inside of Point Escuminac; therefore all persons residing on, or fishing contiguous thereto, are amenable to the laws of this Province. If such be the case, and these fisheries are injurious to the general interest,—prohibit them, as far as enactments are available.

Would it not, my good Sir, have been more in unison with the character of HONORABLE men, previous to calling meetings prior to despatching recruiting parties, to scour the woods and branches of our river, for persons to swell their ranks, or to trepan by sophistry, proselytes to their faith, to have waited upon our Representatives, and stated their reasons, for dissenting from a clause, or clauses of the Bill. Such conduct would have been attended with beneficial results, and with less expense, and much less trouble; moreover, they would have been gratified by a compliance with their wishes, as far as it was in the power of these gentlemen to guarantee;—but to verify the adage of the fool, who took a sledge hammer to break an egg, he broke his toes.

The discernment of our Representatives will, I hope, enable them, to see the policy of these petitions, and duly to appreciate them. In their mercy, I trust they will dash the deleterious cup from the lips of those who have prepared it for THEIR and the COUNTRY'S BENEFIT.

Miramichi, Feb. 13.

MR EDITOR,

AGRICULTURE is allowed to be the foundation on which the lasting prosperity of every country ought to be built; it has been the occupation of many of the wisest and greatest of all ages, and in it they have acknowledged they have found more true pleasure than in the turmoils of exalted stations. It is therefore a necessary and honourable employment. In Europe it is patronized and encouraged, both by precept and example, by the great, the learned, and the wealthy; there, indeed, it may be said, that these have a particular interest in its success, many of them being large land owners. It will not, however, be denied, that there are not a few distinguished names, who from pure patriotism, have devoted much time and talent, and have by their experiments and writings, added, and are daily adding much to the stock of Agricultural knowledge. In North America, too, there is a sprinkling of capital and talent, engaged in husbandry in most of its cultivated districts: these men, by their example, cheer and instruct their neighbourhoods, and